

**CITY OF YELLOWKNIFE
BY-LAW NO. 4439**

A By-law of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, authorizing the Municipal Corporation of the City of Yellowknife to amend City of Yellowknife Zoning By-law No. 4024, as amended.

PURSUANT TO:

- a) Section 25 to 29 inclusive of the *Planning Act*, R.S.N.W.T., 1988, c. P-7;
- b) Due notice to the public, provision for inspection of this by-law and due opportunity for objections thereto to be heard, considered and determined; and
- c) The approval of the Minister of Municipal and Community Affairs, certified hereunder.

WHEREAS the Municipal Corporation of the City of Yellowknife has enacted Zoning By-law No. 4024;

AND WHEREAS the Municipal Corporation of the City of Yellowknife wishes to amend Zoning By-law No. 4024, as amended;

NOW THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular session duly assembled, hereby enacts as follows:

APPLICATION

1. That By-law No. 4024 of the Municipal Corporation of the City of Yellowknife, is hereby amended by adding the following as Section 4.20:

4.20 "R7" - Low Density Restricted Residential

(1) General Purpose

To provide an area for low density residential development, including detached dwellings and duplexes.

(2) Uses

- (a) Permitted Uses are:

Detached Dwellings;
Duplex Dwellings;

Parks and recreation;
Public Utility uses and structures;
Home based business; and,
Accessory structures and uses.

(b) Conditionally Permitted Uses are:

Child Care facility;
Multi-attached;
Public and quasi-public uses;
Planned development subject to section 3.1(9);
Special care facilities; and,
Similar uses.

(3) Regulations

- (a) Floor Area: Detached dwelling: minimum of 90 m² per dwelling unit.
Duplex dwelling: minimum of 55m² per dwelling unit.
- (b) Site Coverage: Maximum of 35%.
- (c) FAR: Maximum Floor area ratio of 0.30.
- (d) Height: Maximum of 1 storey above the first storey and not greater than 8 metres from Grade, as defined in section 4.20(6).
- (e) Front Yard: 4.5 m minimum, excepting garages which are subject to 4.20(5)(f).
- (f) Side Yard: Minimum 2 m, subject to section 3.2(6).
- (g) Rear Yard: Minimum 6.0 m.
- (h) Lot Depth: Minimum of 25 m.
- (i) Lot Width: Detached dwelling: minimum of 12 m.
Duplex unit: minimum of 7.6 m per unit.
Other uses subject to Development Officer approval.

- (j) Site Area: Detached dwelling: minimum of 334m².
Duplex unit: minimum of 225m² per unit.
Other uses subject to Development Officer approval.
- (k) Landscaping: 100% of the Front yard, subject to section 3.1(3).

A minimum of 15% of the rear yard and 10% of the front yard of a site shall be maintained with original vegetation and natural contours, subject to the Development Officer's approval of drainage patterns that do not impact negatively on adjacent properties.
- (l) Parking: Detached and duplex dwellings, and other uses are subject to the requirements of Sections 3.8 and 3.10 of this By-law, however no dwelling unit shall exceed two outdoor parking spots. Exceptions may be provided where the front of the principal structure must be setback more than 12 metres in order to meet the yard requirements of this By-law. In such instances the Development Officer may exercise the following discretion:
- i) lanes developed in order to access outdoor parking areas will not be considered a parking stall under Section 3.8 and the lane shall not be more than 3 meters wide.

(4) Design Regulations - General

- (a) All street facing walls must have at least 2 windows or doors per storey. If the street facing wall is oriented +/-30 degrees from north this requirement applies only to the ground level floor.

- (b) Within the R7 zone the Development Officer shall require that buildings along the same side of a street or adjacent to one another within a cul-de-sac be designed to provide a varied street scene and to eliminate the reuse of identical or similar buildings in close proximity to one another.
- (c) Identical or similar buildings may not be repeated more often than every 6th building on the same side of the street and every 4th building on the adjacent side of the street.
 - (i.) Where a building is determined by the Development Officer to be similar it shall be required to meet at least two of the following to be considered different:
 - 1. Variation in roof style or pitch as per section 4.20(4)(e);
 - 2. Variation in Elevation Plane as per section 4.19(4)(d)(ii)
 - 3. Different fenestration and main entranceway placement as per section 4.20(4)(f);
 - 4. Different massing as per section 4.19(4)(c).
- (d) For the purpose of determining an identical building all modular homes shall be considered as being identical despite meeting any of the requirements of section 4.20(4)(c)(i.), unless otherwise determined by the Development Officer.
- (e) The Development Officer shall determine variation in roof style or pitch as follows:
 - (i) Variation in roof styles as under section 4.19(4)(d)(i);
 - (ii) Variation in pitch of similar roof types is determined as a minimum 20% difference in the rise of the longest runs (longest sloped portion of a roof) of two buildings, unless otherwise determined by the Development Officer.

- (f) Difference in fenestration and main entranceway placement may be distinguished, at the discretion of the Development Officer, by one or more of the following:
 - (i) Difference in fenestration can include one of the following:
 - 1. A minimum difference of 15% overall width of windows in an Elevation Plane;
 - 2. Number of windows in an Elevation Plane;
 - 3. A minimum difference of 15% in the overall area of the windows in an Elevation Plane;
 - 4. A difference in the spacing between windows in an Elevation Plane.
 - (ii) Difference in main entranceway placement can include one or more of the following:
 - 1. Entranceway access is from the centre, right, or left side of a building Elevation Plane;
 - 2. Entranceway is located at the side of a building;
 - 3. Entranceway is a different elevation (a minimum difference of 0.6 metres),
 - 4. The entranceway incorporates a porch, landing, or deck.

(5) Design Regulations - Garages and Parking

- (a) Where a double-bay garage attached to a principal structure faces the street no more than 3 metres of garage wall may be exposed to the street.
- (b) Where a garage is attached to a principal residential structure the portion of that structure's Elevation Plane which is comprised of the garage shall not be closer to the front yard lot line than the front entranceway of the principal residential structure.

- (c) When there is a garage attached to the principal structure the associated driveway may not exceed the width of the garage at the street.
- (d) Driveways shall be hard surfaced. Permeable hard surfacing is acceptable.
- (e) Driveways shall be setback at least 0.5 metres from a side property line to ensure drainage patterns are maintained.
- (f) Front yard requirements for a detached garage are 6.0 m minimum.

(6) Definitions

For the purpose of applying the regulations of section 4.20 the Development Officer shall consider the following definitions to supersede any definitions in kind:

- (a) "Elevation Plane" - The vertical street-facing exterior portion of a building wall.
- (b) "Grade" - The average of elevations taken at the outermost corners of the finished elevation adjoining each wall of a building.

EFFECT

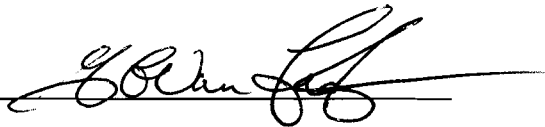
3. That this by-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*.


READ a First Time this 22ND day of JANUARY A.D., 2007.


MAYOR

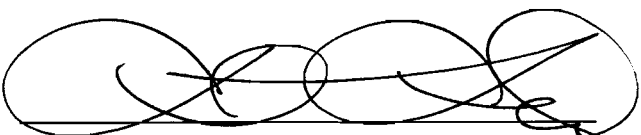

CITY ADMINISTRATOR

READ a Second Time this 10TH day of APRIL A.D., 2007.


MAYOR


CITY ADMINISTRATOR

APPROVED by the Minister of Municipal and Community Affairs of the Northwest Territories this 26TH day of APRIL, A.D., 2007.


MINISTER
MUNICIPAL AND COMMUNITY AFFAIRS

READ a Third Time and Finally Passed this 28TH day of MAY A.D., 2007.


A/MAYOR


A/ CITY ADMINISTRATOR

I hereby certify that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the by-laws of the Municipal Corporation of the City of Yellowknife.

A/ 
CITY ADMINISTRATOR

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