

**CITY OF YELLOWKNIFE
BY-LAW NO. 4541**

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 Zoning By-law No. 4404.

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. 4404;

AND WHEREAS the Municipal Corporation of the City of Yellowknife wishes to amend Zoning By-law No. 4404;

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

APPLICATION

1. That Zoning By-law No. 4404 is hereby amended by:

- A) Amending Section 1.6 by deleting the following definition in its entirety:

"heritage site" means a parcel of land, site, building, structure or place that has been designated by this by-law as a heritage resource because of its prehistoric, historic, cultural, natural or aesthetic value;

- B) Amending Section 1.6 by adding the following definitions:

"Designated Heritage Resource" means any Heritage Resource that is designated by a by-law of Council;

"Heritage Resource" means a place, building, structure, or work which may be of interest because of their prehistoric, historic, cultural, natural or aesthetic value, and whether or not designated as such under the Heritage By-law;

"Recognized Heritage Resource" means any Heritage Resource that is not designated by a by-law of Council but is acknowledged as 'Recognized' through a motion of the Heritage Committee.

C) Deleting Section 7.2(1)(a) and replacing therewith:

(a) Within the R1, R2, R5 and R6 zones, there shall be one principal building and one principal use on a site, unless the development is approved as a planned development, or is approved by Council in accordance with Section 11.2(3)(e) (Heritage Overlay zone) and the Heritage By-law.

D) Deleting Section 11.2(1) and replacing therewith:

(1) To establish a Special Overlay Zone which will support, maintain, and encourage heritage resource preservation and provide a system for designating a Heritage Resource.

E) Deleting Section 11.2(3)(a) and replacing therewith:

(a) A heritage resource may become designated by passing a by-law in accordance with Part 5 of this by-law.

F) Deleting Section 11.2(3)(b) and replacing therewith:

(b) A designated Heritage Resource shall be numbered and listed in Section 11.2(4) and shall be noted on the Zoning Map with an HP#__ designation. The site may be identified by civic address, legal description, metes and bounds or by other such means as the Development Officer considers sufficient to provide ample notice that the

place, area, district, building, or work is designated.

G) Deleting Section 11.2(3)(c) and replacing therewith:

(c) Application for a development permit on a designated Heritage Resource shall be submitted to the Heritage Committee and reviewed in accordance with the process outlined in the Heritage By-law.

H) Deleting Section 11.2(3)(d) and replacing therewith:

(d) On a designated Heritage Resource, the natural terrain, buildings, or structures shall not be developed, demolished, added to, structurally altered, or the exterior renovated unless a development permit has been reviewed by the Heritage Committee in accordance with the process outlined in the Heritage By-law.

I) Deleting Section 11.2(3)(e) and replacing therewith:

(e) Notwithstanding the specific requirements of any underlying zone, Council may by way of a development permit authorize more than one residential unit per lot on a designated Heritage Resource.

J) Deleting Section 11.2(3)(f) and replacing therewith:

(f) Council may by way of a development permit authorize on a designated Heritage Resource development which would not otherwise comply with this By-law.

K) Amending Section 11.2(4) by replacing the word "Sites" with "Resources".

EFFECT

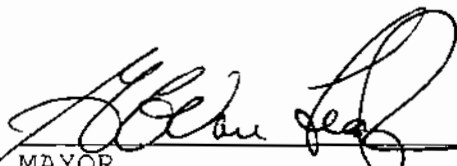
That this by-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 75 of the Cities, Towns and Villages Act.

READ a First time this 14 day of SEPTEMBER, A.D. 2009.


MAYOR

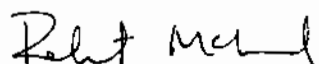

CITY ADMINISTRATOR

READ a Second time this 9 day of November, A.D. 2009.

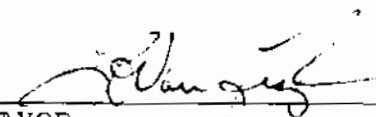

MAYOR

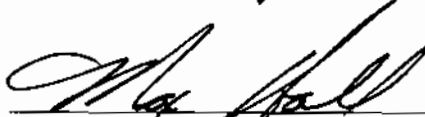

CITY ADMINISTRATOR

APPROVED by the Minister of Municipal and Community Affairs of the Northwest Territories this 11 day of December, A.D. 2009.


MINISTER
MUNICIPAL AND COMMUNITY AFFAIRS

READ a Third time and finally passed this 11 day of January, A.D. 2009. 2010


MAYOR


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.


CITY ADMINISTRATOR

