

DEVELOPMENT APPEAL BOARD AGENDA

200-D1-H1-26

Thursday, July 16, 2026 at 7:00 p.m. City Hall, Council Chamber

<u>Item No.</u>	<u>Page No.</u>	<u>Description</u>
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| 1. | | Introduction of the Board. |
| 2. | | Opening Remarks from the Chair. |
| 3. | | Presentation from the Appellant. |
| 4. | | Presentation from representatives of the City of Yellowknife, regarding the issuance of Development Permit No. PLDEV-2026-0013 |
| 5. | | Presentations from persons referred to in subsection 66(2) of the <i>Community Planning and Development Act</i> .
1. A presentation from Scott Robertson. |
| 6. | | Presentation from any other persons the Boards considers necessary. |
| 7. | | Summation and closing remarks from the representative for the Appellants. |
| 8. | | Summation and closing remarks from the representatives for the City of Yellowknife. |
| 9. | | Summation and closing remarks from any other presenter. |
| 10. | | Close of hearing. |

Background Documentation

ANNEX A

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| 11. | | Letter from Mr. Edwin Shu to the Secretary of the Development Appeal Board serving Notice of Appeal – written submission. |
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ANNEX B

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| 12. | | Written submission from the City of Yellowknife. |
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ANNEX C

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| 13. | | Written submission from persons referred to in subsection 66(2) of the Community Planning and Development Act. |
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ANNEX D

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| 14. | | Letter from the Secretary of the Development Appeal Board to the Appellant, Mr. Edwin Shu, with respect to the scheduling of a hearing on July 16, 2026. |
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**BEFORE THE DEVELOPMENT APPEAL BOARD
CITY OF YELLOWKNIFE**

IN THE MATTER OF an appeal of the refusal of
Development Permit Application PLDEV-2026-0013
2 Findlay Point, Lot 77, Block 308, Plan 4204, Yellowknife, NT

BETWEEN:
EDWIN SHU
Appellant
- and -
CITY OF YELLOWKNIFE
Respondent

WRITTEN SUBMISSION OF THE APPELLANT

July 6, 2026

Part I — Introduction and Statement of Facts

Introduction

This is the written submission of the Appellant, Edwin Shu, in support of his appeal of the refusal of Development Permit Application PLDEV-2026-0013 for a six-unit Multi-Unit Dwelling at 2 Findlay Point, Lot 77, Block 308, Plan 4204, Yellowknife, Northwest Territories.

The Appellant's Notice of Appeal was filed with the Secretary of the Development Appeal Board on June 19, 2026, within the 14-day period prescribed for filing an appeal. This submission sets out, in full, the grounds summarized in that Notice, together with the supporting facts, Zoning By-law 5045 (the By-law) analysis, and relief sought.

The Appellant respectfully submits that the application before the Board is, on the Development Officer's own findings, a conforming Permitted Use application that technically complies with the parking requirements of the By-law and aligns with the City's Community Plan. The respondent issued a refusal of the permit, notwithstanding the findings, on grounds that are not available under Section 4.6 of the By-law for a Permitted Use application. The respondent misapplied the variance criteria of Section 4.9 of the By-law, and chose not to consider a comprehensive package of binding conditions that the Appellant placed on the record before the decision was made.

The Appellant notes, for completeness of the record, that he has invested in excess of \$220,000 in this project, comprising the \$135,000 purchase price of the lot and approximately \$85,000 in design, engineering, and permitting costs. The title to Lot 77 is subject to a caveat permitting the City to repurchase the lot for \$10.00 in the event no development permit has been obtained by October 2026 or construction completed by October 31, 2027. The Appellant raises these matters only to establish the practical context in which a timely resolution of this appeal is material, and not as a basis for relief, the Board's authority being limited to the development permit decision itself.

The Subject Property and the Proposed Development

Item	Detail
Civic address	2 Findlay Point, Yellowknife, NT
Legal description	Lot 77, Block 308, Plan 4204
Zoning	R1 — Low Density Residential; Multi-Unit Dwelling is a Permitted Use
Community Plan designation	Niven Residential, under Community Plan By-law No. 5007
Proposed use	Six-unit Multi-Unit Dwelling: three one-bedroom units, three two-bedroom units
Storeys	Three storeys plus crawlspace
Lot coverage	29% (maximum permitted: 55% combined, Table 10-2). Lot size: 6114 SF.
Building height	11.3 m (maximum permitted: 12.0 m)
Gross floor area	Approximately 509 m ²
Parking	1 standard space, plus 1 car-share vehicle (Section 7.8.10); 2 e-bikes; EV charging powered by rooftop solar PV
Variance requested	528 mm (0.528 meters or 1.73 feet) rear yard setback encroachment (8.8% of the 6.0 m required setback)
Architect	Passive Design Solutions

Procedural History

A Development Permit Application PL-2022-0060 for a duplex at this address was approved on April 21, 2022, with a condition reducing the minimum rear yard setback from 6.0 m to 5.84 m, a 160 mm (6.29 inches) encroachment. This permit corresponds to the development proposed by the Appellant's predecessor in title, referenced below, whose attempt to construct that duplex ultimately became cost-prohibitive due to bedrock and grading conditions independently confirmed by the Tetra Tech report addressed at Ground 3. The lot was ultimately repossessed by the City, and was then sold by the City through the ballot draw process described below.

Lot 77 was sold by the City through a ballot draw process administered by the City's Planning and Development Department. The City held the ballot draw on October 23, 2025, with a draft

Purchase Agreement following on October 27, 2025, and the Sale Agreement executed on October 31, 2025. **The City's own advertisement and sale materials for the lot, issued in September 2025, identified the property as zoned R1 and listed the permitted and discretionary uses available under that zoning, including Multi-Unit Dwelling as a Permitted Use.** The use proposed in this application is accordingly one that the Planning and Environment Division identified as available on this property at the time the City sold the lot.

On October 31, 2025, the Appellant attended a pre-consultation meeting with the City's Planning and Development Department, attended by the Managers of Building Services and of Planning and Environment, together with a Planner I, to discuss a proposed six-unit building at 2 Findlay Point. The City's written summary of that meeting [Exhibit A-1], dated November 12, 2025, **confirms that compliance with the Zoning By-law would be assessed upon receipt of a complete application**, and expressly notes that neither additional units nor green building features such as EV charging would determine the outcome of that assessment — **confirming that By-law conformity, not the broader policy merits of the proposal, was understood from the outset to be the governing standard.** No concern regarding the number of units, density, or scale was raised by City staff at this meeting.

On December 3, 2025, the Appellant attended a second pre-consultation meeting with the City's Planning and Development Department and Public Works and Engineering Department, attended by the Manager of Planning and Environment, a Planner I, a Building Inspector I, the Manager of Engineering, and a Municipal Engineer II. The Appellant presented four proposed massing options and raised specific questions regarding water and sewer servicing, drainage, grading, parking, rear yard setbacks, and neighbour consultation. The City's written summary of that meeting [Exhibit A-2], issued December 31, 2025, confirms that variance requirements could not be determined at that stage and would only be assessed upon receipt of a complete application — consistent with the position taken at the October 31, 2025 meeting. Notably, the summary records that a variance for the number of parking stalls "may be applied by the applicant," and that the applicant "may propose mitigation measures at the rear end of property" subject to policy compliance — language that acknowledges both parking variance and rear yard mitigation as available avenues, without suggesting either would be refused. No concern regarding unit count, building scale, or neighbourhood character was raised at this meeting.

The application was originally submitted on January 23, 2026, (over six months ago) proposing six on-site parking spaces, however the parking layout as submitted did not comply with the City's Development Standards, in part due to lot geometry. Revised plans were submitted on March 6, 2026, reducing the on-site parking supply and incorporating a car-share service under Section 7.8.10, together with a request to vary the rear yard setback from 6.0 m to 3.0 m — a reduction of approximately 50%. The application was deemed complete on March 11, 2026.

The application was circulated for public comment, and sixteen written submissions [Exhibit B] were received from neighbouring residents, together with a comment from the City's Municipal Enforcement Division ("MED") concerning **construction-phase conduct** at nearby, unrelated developments. The application was also circulated to Public Works and Engineering, Community Services, and Lands and Building Services, each of which identified no concerns.

On April 20, 2026, the Appellant submitted a comprehensive Applicant Response to Public Comments [Exhibit P], together with revised plans. The revised plans [Exhibit C] reduced the requested rear yard variance from approximately 50% to **528 mm (0.528 meters or 1.73 feet)** — an 8.8% encroachment — by relocating the exterior staircase from the rear elevation to the interior of the building and repositioning the building mass closer to the north of the property better utilizing the lot's **irregular** geometry. The Applicant's Response further offered a package of binding commitments addressing all concerns raised during the public comment period, summarized at Ground 4 below.

On May 16, 2026, the Appellant hosted a voluntary neighbourhood meeting at the site, attended by approximately 12 to 15 residents, at which the project's general contractor answered technical questions directly. By email dated May 19, 2026, [Exhibit D] the Appellant reported the outcome of that meeting to the Development Officer, and further offered to incorporate residential designer exterior finishes, cladding, and landscaping enhancements at the building permit stage to reinforce the building's residential character, as set out at Ground 5 below. This was in response to neighbours complaining of “industrial style” multi-unit buildings already constructed on the street.

A more detailed chronology of the key events in the development of this application, from the City's ballot draw advertisement in September 2025 through to the filing of this submission, is set out in Exhibit S.

The Planning Report recommending refusal of the application is dated June 15, 2026. This refusal came only after an extended period of engagement between the Appellant and the Development Officer, including a neighbourhood meeting hosted by the Appellant on May 16, 2026, numerous emails, and several phone calls, during which the Appellant sought clarity from the City on their specific concerns and made multiple attempts to address them. Throughout this correspondence, the Development Officer did not advise the Appellant that the application would ultimately be refused, nor did the Officer identify the specific grounds for refusal later relied upon in the Planning Report. Had the City communicated these concerns at an earlier stage, the Appellant would have had the opportunity to address them, modify the proposal, or otherwise mitigate the escalating costs and time ultimately incurred. Instead, the Appellant proceeded in good faith relying on the ongoing dialogue with the Development Officer before receiving the refusal. The refusal was formally communicated to the Appellant by Planning Report [Exhibit E] and Development Permit Decision Letter [Exhibit F] both dated June 15, 2026 (together, the "Written Decision").

The Written Decision

The Written Decision recommends refusal of the application "for a 'Multi-Unit Dwelling' requesting a variance to decrease the minimum rear yard setback requirement" (Planning Report, p.1). The Planning Report nonetheless makes the following findings, each of which is addressed in detail under the Grounds of Appeal set out in Part II below:

Finding	Source
"A Multi-Unit Dwelling is a permitted use" in the R1 zone	Planning Report p.4
The application "technically complies with parking requirements" under Section 7.8.10	Planning Report p.5
The proposal "generally aligns well with the intent of the Niven Residential designation" and the Community Plan's broader goals	Planning Report p.3
"Six dwelling units are unlikely to generate significant traffic from a city-wide transportation perspective"	Planning Report p.5
Public Works and Engineering, Community Services, and Lands and Building Services each identified "No concerns"	Planning Report p.7

Notwithstanding the matters set out above, the Written Decision concludes that "concerns remain regarding neighbourhood compatibility, parking demand, traffic circulation, residential enjoyment and amenities," and that "it has not been demonstrated that the proposal can be accommodated without adversely affecting neighbouring properties or the established residential character of the neighbourhood" (Planning Report, p. 8).

For the reasons set out in Part II of this submission, the Appellant respectfully submits that the above conclusions reflect the exercise of discretion not grounded in the applicable legal and policy framework, and are in material respects inconsistent with the findings on which they purport to rest.

Part II — Grounds of Appeal

Before setting out the grounds of appeal in detail, the Appellant identifies the framework within which the Development Appeal Board exercises its jurisdiction. The Board's authority under section 69(1) of the *Community Planning and Development Act* is to confirm, reverse, or vary the Development Officer's decision. The Board is not conducting a fresh policy review of the proposed development; it is reviewing whether the Development Officer correctly applied the By-law and the planning instruments that give it effect.

Planning law — the Zoning By-law, the Community Plan, and the development scheme — represents the legislative expression of the public interest in land use. When Council adopted Multi-Unit Dwelling as a Permitted Use in the R1 zone, and when it adopted the car-share parking substitution in section 7.8.10, it made deliberate determinations that these uses and standards serve the public interest of the community. The central questions for the Board are therefore not whether the proposed development is preferable to some alternative, or whether neighbouring residents object to it, but rather: does the proposed development conform to the By-law? Does the variance, if required, serve the goals and intent of the applicable planning instruments? Do the grounds of refusal reflect a genuine application of those instruments, or do they prioritize considerations the instruments do not recognize as refusal grounds? The Appellant submits that the answers to these questions, on the Development Officer's own findings, compel reversal of the Written Decision. The Appellant respectfully submits that the decision to refuse Development Permit Application PLDEV-2026-0013 (the Application), as set out in the Written Decision, should be reversed, or varied, for the following reasons.

Ground 1 — The Development Officer Acknowledged Conformity and Then Refused the Application on Grounds Unavailable Under Section 4.6

The Written Decision contains the following findings, each made expressly by the Development Officer in the Planning Report, alongside the single outcome those findings produced:

Finding by Development Officer	Page	Decision
"A Multi-Unit Dwelling is a permitted use" in the R1 zone	p.4	Refused
The application "technically complies with parking requirements" under s.7.8.10	p.5	Refused
The proposal "generally aligns well with the intent of the Niven Residential designation" and the Community Plan's broader goals	p.3	Refused
"Six dwelling units are unlikely to generate significant traffic from a city-wide transportation perspective"	p.5	Refused
Public Works and Engineering, Community Services, and Lands and Building Services each identified "No concerns"	p.7	Refused

The Appellant respectfully submits that this table captures, without elaboration, the central defect in the Written Decision. Ground 1 addresses the legal framework that makes this outcome impermissible.

Section 4.6 of Zoning By-law No. 5045 (the "By-law") governs the Development Officer's decision on this application. It provides that the Development Officer "shall approve, with or without conditions, the application if the proposed Development conforms with this By-law," and shall refuse the application only if it does not conform, unless a variance has been authorized. This is a binary test for a Permitted Use application: conformity requires approval.

Section 4.6 **does not authorize refusal on the basis of the Development Officer's discretionary preferences** about scale, density, or neighbourhood character — those are considerations reserved for Discretionary Use applications reviewed by Council, not Permitted Use applications determined by the Development Officer.

In refusing the application on the basis of neighbourhood compatibility, parking demand, traffic circulation, and residential character, the Development Officer exercised discretion not grounded in the applicable legal and policy framework governing Permitted Use applications, and in doing so exceeded the authority conferred by Section 4.6.

The Written Decision contains three explicit admissions of conformity, each of which independently supports approval under Section 4.6.

(a) The Use Is a Permitted Use

"The proposal generally complies with the R1 Zone because a Multi-Unit Dwelling is a permitted use. Accordingly, the application does not require rezoning and is consistent with the range of residential uses contemplated by the Zoning By-law."

Table 10-1 of Section 10.1 of the By-law lists Multi-Unit Dwelling as a Permitted Use in the R1 zone, without qualification or unit cap. Table 7-3 of the By-law specifically contemplates Multi-Unit Dwellings of up to nine units, calibrating parking and car-share ratios accordingly. The policy **decision to permit multi-unit residential development** of this scale in the R1 zone **was made by Council** when it adopted the By-law in March 2022. It is not a decision available to the Development Officer to revisit on an application-by-application basis.

(b) The Application Technically Complies With Parking Requirements

"The development relies on the car-share provisions of the Zoning By-law Section 7.8.10 and therefore technically complies with parking requirements."

Section 7.8.10 of the By-law permits the parking requirement to be met through a car-share service at a ratio of one car-share vehicle per six required parking spaces. The proposed building contains exactly six units, producing an exact statutory fit. The Appellant has committed to a registered covenant on title securing this commitment for the life of the development. The credibility of this commitment is further supported by YK Car Share Co-op's 2025 Annual Report (Exhibit G). Now in its sixth year of operation, the co-op reported 234 registered drivers and 42 members in 2025, with year-over-year growth in total bookings of 18.6% and in number of drivers 26.5%. The co-op is sponsored by the City which provides parking and power for its electric vehicle fleet, and the Co-op is actively pursuing a third vehicle location to meet growing demand. These figures demonstrate that the car-share model is not a speculative or declining service, but an operationally stable and growing one capable of supporting the parking offset relied upon in this application.

In addition to the car-share space and vehicle, the proposal includes one further on-site parking space — exceeding the parking requirement rather than merely meeting it. The Development Officer's own findings confirm that this standard is satisfied.

(c) The Proposal Aligns With the Community Plan

"The proposal generally aligns well with the intent of the Niven Residential designation. The proposal also makes efficient use of existing municipal infrastructure, supports housing diversity through a mix of one- and two-bedroom units, and incorporates bicycle parking, landscaping, and a car-share component that reduce reliance on private vehicles. These elements are generally consistent with the Community Plan's broader goals of encouraging sustainable, compact, and complete neighbourhoods."

The Development Appeal Board is required to consider whether a proposed development conforms to the general intent of the Community Plan. The Development Officer has made that assessment and found conformity. This finding is reinforced by Section 4.5 of the Community Plan, which lists as an explicit objective the support of "a mix of residential types and densities," with the corresponding policy stating that "a variety of residential single unit and multiple unit dwelling types will be permitted" in the Niven Residential designation.

The significance of this finding extends beyond technical conformity. The Community Plan is the legislative instrument through which the City has expressed the public interest in land use for the Niven Residential area. A finding that this proposal is consistent with the Community Plan's broader goals is, in planning law terms, a finding that the proposed development is in the public interest as the City has defined it through its own adopted policy. The Development Officer's own assessment therefore establishes not only technical conformity but alignment with the public interest the planning instruments are designed to serve. The refusal that follows this finding prioritizes neighbourhood-specific preferences that the Community Plan does not recognize as grounds for refusing a conforming Permitted Use application, and that the Development Officer had no authority to apply in substitution for the By-law's conformity test.

Notwithstanding this finding of conformity — made by the Development Officer's own assessment, against the Development Officer's own governing policy — the application was nonetheless refused on grounds of neighbourhood compatibility and density that fall outside the binary conformity test under Section 4.6. This internal contradiction, in which the decision-maker's own stated finding directly undermines the basis for the eventual refusal, gives the decision the appearance of having been reached on grounds other than a genuine application of the applicable legal and policy framework.

(d) The Refusal Proceeds Despite These Admissions

Notwithstanding these three admissions, the Written Decision refuses the application on grounds of “neighbourhood compatibility, parking demand, traffic circulation, residential enjoyment and amenities” (Planning Report, p. 8, Conclusion). These are Discretionary Use evaluation considerations, and their invocation here — absent of any legal basis for refusal — constitutes an error in the exercise of statutory discretion.

Discretionary use evaluation considerations are not available as refusal grounds for an application that the Development Officer has found to be a conforming Permitted Use, technically compliant on parking, and aligned with the Community Plan. Section 4.6 provides exactly two outcomes for such an application — approval, with or without conditions, or refusal for non-conformity. There being no non-conformity identified, refusal was not an outcome available under Section 4.6.

The Appellant raises, for the Board's broader consideration, a systemic concern beyond his own circumstances. The Appellant was able to identify and challenge this statutory error only by virtue of his professional training as a Chartered Professional Accountant (CPA), and his graduate-level tax, finance and lending experience. An applicant without comparable resources or expertise may have been unable to recognize the legal defect in the refusal, let alone mount a challenge to it — and would likely have abandoned a conforming and viable project, or absorbed the cost of an unauthorized refusal without recourse. The Board's attention to this ground is therefore not only a matter of fairness to this Appellant, but a safeguard against discretionary overreach going unchecked for applicants less equipped to contest it.

The Board may also wish to note the following structural context. Lot 77 is subject to a caveat registered on title permitting the City to repurchase the property for \$10.00 in the event no development permit has been obtained by October 2026 or construction completed by October 31, 2027. The City accordingly holds a direct financial interest in the outcome of any development permit decision on this lot: a refusal that is upheld — whether or not this is its purpose — returns the lot to the City at nominal cost, available to be resold through the same ballot draw process that generated \$135,000 in 2025. The City's own records confirm that Lot 77 has been sold and repossessed on multiple prior occasions.

The Appellant does not suggest that this incentive structure motivated the Written Decision, and does not ask the Board to make any finding on that point. The Appellant raises it only because it is directly relevant to the Board's assessment of whether the internal contradictions in the Written Decision — acknowledging conformity on use, parking, and the Community Plan, while refusing the application nonetheless — are consistent with a genuine, arms-length application of the By-law, or whether they reflect the exercise of discretion that Section 4.6 does not make available to the Development Officer. That question is one the Board is uniquely positioned to answer, as the independent body charged with reviewing the Development Officer's decisions under the *Community Planning and Development Act*.

The Appellant draws the Board's attention to a further pattern in the record that bears on the integrity of the Written Decision. The application reached its complete and final form on April 20, 2026. Under section 4.6 of the By-law, the Development Officer was required to issue a decision within 40 days — by May 30, 2026. No decision was issued within that period. No extension was sought or consented to by the Appellant. The decision was issued on June 15, 2026 — 56 days after the application reached final form, exceeding the statutory period by 16 days. During those 16 additional days, the Appellant continued to incur costs, the 2026 construction season continued to advance, and the two deadlines imposed by the Purchase Agreement moved correspondingly closer: the requirement to obtain a Development Permit by October 2026, and the requirement to complete construction by October 2027. The delay did not produce a more careful or thorough analysis: the Written Decision identifies the wrong setback type in its heading, misstates the statutory test under Section 4.9, and fails to apply four of the six criteria Section 4.9 enumerates. What the delay produced was a refusal.

That refusal contains a statement — "it is the developer's responsibility to comply with applicable conditions specified within the registered Purchase Agreement" — that has no basis in the Zoning By-law or the *Community Planning and Development Act*. The Appellant has reviewed comparable Written Decisions issued for lots sold through the City's ballot draw process. That clause appears in at least one such decision that resulted in approval, and is absent from at least one other. Its presence is therefore not a standard term applied uniformly across ballot draw decisions. More significantly, its appearance in a refused decision — on a lot where the City holds a \$10.00 repurchase caveat under that same Purchase Agreement — stands in contrast to its

appearance in a decision that proceeded to approval without consequence. The Purchase Agreement clause was included here, in a refusal, on a lot the City can recover for \$10.00 if development does not proceed.

The Appellant further notes that the Planning Report, as issued, does not bear the signature of the Manager of Planning and Environment, notwithstanding that the Manager's signature appears on comparable planning reports reviewed by the Appellant. The Written Decision was accordingly issued without the institutional concurrence that the City's own practice indicates should accompany a planning report of this kind. Whether the absence of that signature reflects a disagreement within the planning department's own hierarchy, or an omission in the preparation of the report, the Appellant is not in a position to determine. Either explanation is consistent with the broader pattern this submission identifies.

The Appellant does not ask the Board to make a finding on subjective intent. The Appellant submits that the Board is entitled — and indeed obligated, as the body charged with independent review of development decisions — to assess whether the Written Decision reflects the standard of competence, objectivity, and professional consistency that a decision made under the Zoning By-law by a holder of the RPP and MCIP designations is required to meet, and whether the pattern of errors, omissions, and irregularities documented in this submission is consistent with a decision made without bias toward a predetermined outcome. The cumulative effect of these documented facts — a conforming application refused on grounds unavailable under Section 4.6, a statutory deadline exceeded without consent, a Purchase Agreement clause applied inconsistently across ballot draw decisions but present in this refusal on a lot the City can repurchase for \$10.00, and a planning report issued without the signature of the Manager who attended both pre-consultation meetings and had direct knowledge of this file from its inception — is that the Written Decision has the appearance of a decision not made at arms-length in the genuine exercise of planning authority. The Appellant submits that the Written Decision appeared to be made in bad faith, and invites the Board, as the independent body charged under the *Community Planning and Development Act* with reviewing this decision, to consider whether that appearance is consistent with a genuine and impartial application of the By-law.

Ground 2 — Technical Parking Compliance Cannot Co-Exist With a Parking-Based Refusal

As set out above, the Development Officer found that the application "technically complies with parking requirements" under Section 7.8.10 of the By-law (Planning Report, p.5). The Written Decision nonetheless proceeds to refuse the Application, in part, on parking demand and overflow concerns. These two positions cannot be reconciled.

Section 7.8.10 provides that the parking requirement may be met through a car-share service at a ratio of one car-share vehicle for every six required parking spaces in the R1 zone. The proposed building contains exactly six units — an exact statutory fit, satisfied by the car-share vehicle alone. The proposed development, in fact, exceeds this minimum: it provides one car-share vehicle plus one additional standard parking space, together with two e-bikes secured on-site and an EV charging station powered by rooftop solar. The Appellant has further committed to explore a partnership with the YK Car Share Co-op, providing residents with access to the broader co-op fleet in addition to the dedicated on-site vehicle. As set out in Part III below, the Appellant's architect has further confirmed that a design adjustment, relocating garbage and compost storage and replacing the existing dumpster with wheeled bins, would **allow for a second standard parking space in addition to the dedicated car-share vehicle**, should the Board consider this appropriate.

The credibility of this commitment is supported by YK Car Share Co-op's own 2025 Annual Report. [Exhibit G] The Co-op, now in its sixth year of operation, reported a net value of approximately \$76,000, net income of approximately \$12,000, and positive cash flow of approximately \$22,000 in 2025, with 234 registered drivers and 42 members. The Co-op is directly sponsored by the City, which provides parking and power for its electric vehicle fleet, and the Co-op's own materials state that car sharing "reduces the need for parking in our community." With a year-over-year growth in total bookings of 18.6% and in number of drivers 26.5%, the Co-op is actively pursuing a third vehicle location, reflecting growing rather than declining demand. The Co-op further reports that its electric vehicles have operated reliably through Yellowknife winters, with no mechanical issues recorded below -40°C. The Co-op already maintains a comparable property-based partnership, providing a discounted rate to residents of a nearby development as a condition of a memorandum of understanding — directly analogous to the registered covenant

proposed for this development. These facts confirm that the car-share substitution relied upon in this application is not a speculative or untested mechanism, but a function of an established, financially stable, City-sponsored organization with a demonstrated capacity to serve exactly this kind of arrangement.

The car-share substitution in Section 7.8.10 is not a novel or untested provision. It originates from By-law No. 4788, adopted by Council on March 24, 2014, which amended the predecessor Zoning By-law No. 4404 to allow a developer to provide a car-share vehicle and stall as the equivalency of the parking requirement for six multi-family units. This ratio has been carried forward, in substance unchanged, into Section 7.8.10 of the current By-law, adopted in March 2022. The policy rationale for the substitution is publicly documented. It was adopted to reduce the cost and physical footprint of off-street parking for multi-unit residential development. Contemporaneous analysis by Ecology North (<https://edgenorth.ca/article/can-car-share-work-in-yk/>) estimated that a standard on-site parking lot costs a developer in the order of \$220,000, translating to approximately \$55,000 per unit — and that a car-share substitution reduces that per-unit cost to approximately \$9,200. The By-law provision the Development Officer found to be technically complied with was therefore not an oversight or loophole; it was a deliberate policy instrument, adopted with full awareness of the housing affordability rationale it was designed to serve. **This is a deliberate, considered, decade-old legislative policy choice by Council — not an experimental or provisional standard, and not a matter to be challenged by the Development Officer on an individual application.**

The Written Decision expresses doubt that a car-share arrangement can "adequately address the practical demands associated with six dwelling units," citing visitor parking, service vehicles, and winter conditions (Planning Report, p.5-6). This reasoning does not identify any non-conformity with Section 7.8.10. **It substitutes the Development Officer's own assessment of the adequacy of the car-share ratio for the assessment Council has already made and embedded in the text of the By-law.** If the 1:6 ratio is considered inadequate as a matter of policy, the remedy lies in a By-law amendment considered by Council — not in the refusal of an individual application that meets the standard Council has set.

The Appellant retained Dillon Consulting Limited to provide an independent engineering opinion on the traffic and parking implications of the proposed development. Dillon's opinion, dated June

29, 2026 (File No. 263733), was prepared by Eric Stewart, P.Eng. (licensed in Ontario, Stamp No. 100183524) and bears the additional stamp of S.V. Greeley, P.Eng. (Licensee No. L5088, NT/NU Association of Professional Engineers and Geoscientists, Permit No. P010), confirming the opinion is sealed by a professional engineer licensed to practice in the Northwest Territories. Dillon's opinion is appended to this submission as Exhibit J.

It should be noted that the application as submitted included two on-site parking spaces, one of which is designated for the car-share vehicle. Since the date of refusal, the Appellant has refined the site plan to provide a third parking space through the relocation of the waste storage area, bringing the total on-site supply to three spaces. This refinement was within the ordinary scope of site plan development and reflects the kind of design iteration that would have occurred had the Development Officer engaged with the Appellant on parking prior to issuing a refusal. The Board is entitled to consider the development as it will be constructed; the three-space configuration described in Dillon's opinion represents the current and operative proposal before the Board. The Appellant notes that had parking supply been identified by the Development Officer as a concern warranting engagement prior to refusal, this additional space would have been offered at that stage. The refusal was issued without any such opportunity being afforded to the Appellant, notwithstanding that the solution was readily available and involved no material change to the building design or footprint.

Dillon applied the industry-standard *ITE Parking Generation Manual*, 6th edition, and concluded that the parking demand for the proposed six-unit development is 7 spaces. The three on-site spaces provided, combined with the car-share substitution permitted under s.7.8.10, together address that demand. Dillon further notes that the car-share vehicle and e-bikes will be located on-site, available exclusively to residents, and secured as a binding condition of the Development Permit through a Development Agreement with the City — eliminating any concern about the arrangement being informal or unenforceable.

Dillon's opinion also addresses the Development Officer's concern regarding visitor, delivery, and service vehicle parking. It concludes that delivery and service vehicle parking demands are not a concern, as such vehicles typically stop briefly on the road regardless of on-site parking availability, and that their activity is concentrated during weekday working hours when resident parking demand is at its lowest. These findings rebut the planning report's speculation that the car-

share arrangement would generate materially increased on-street demand. The enforceability of the car-share commitment is also confirmed by the Development Officer's own prior written response to public comment. In a letter dated April 4, 2026 [Exhibit B, p1], responding to a resident's question about how the car-share enforcement mechanism works, the Development Officer explained that the requirement would be a condition of the Development Permit, secured by a separate Development Agreement with the City, with a City inspection conducted after two years to confirm the service is implemented and operating as intended. **The Written Decision does not revisit or address this explanation when it later expresses doubt, at pages 5 and 6, about whether the car-share arrangement can be relied upon to meet the practical parking demands of the development.**

A nearby development at **7 Findlay Point on the same street was approved with a variance reducing required parking from 4 spaces to 3** — with no car-share infrastructure, no e-bikes, no EV charging, and no covenant on title. **That decision was upheld by the Development Appeal Board.** The Appellant's parking solution is materially more robust than what has been approved and upheld on this same street. See Ground 7 below.

Ground 3 — The Variance Analysis Misstates and Misapplies the Section 4.9 Test

Section 4.9 of the By-law sets out the criteria the Development Officer must apply when evaluating a request for variance. The Written Decision's evaluation of the requested **528 mm (0.528 meters or 1.73 feet)** rear yard variance, applicable to the south rear of the building only, does not correctly state or correctly apply that test.

(a) The Heading Identifies the Wrong Variance

The Written Decision's analysis is presented under the heading "Evaluating the Request for Variance to the Side Yard Setback (Section 4.9)" (Planning Report, p.4). The variance requested is for the rear yard setback, not the side yard. While this may be characterized as a drafting oversight, it is the first indication that the variance analysis that follows was not prepared with the care the By-law and the Development Officer's professional designation, RPP, MCIP, require. The Appellant believes this to be a significant error especially given the irregular and difficult lot configuration.

The heading error is not an isolated drafting imprecision. Read together, the Written Decision's errors — identifying the wrong setback type in the heading, misstating the applicable test by substituting "adversely" for "materially" and adding a fourth protected interest not found in the By-law, and declining to apply the six criteria of Section 4.9(b) through (g) — disclose a pattern of unfamiliarity with the provisions being applied. The Development Officer holds the professional designations of RPP and MCIP, which carry obligations of professional competence and due diligence in the preparation of planning decisions. The Appellant raises these errors not to make a personal characterization of the Development Officer, but because they bear directly on the weight the Board can place on his professional opinion. A planning decision that misidentifies the variance being evaluated, misstates the statutory test, and fails to assess the enumerated criteria of the By-law is not a reliable foundation for a refusal of a conforming Permitted Use application. The Board is entitled to weigh the Development Officer's professional opinion accordingly.

(b) The Test Is Misstated

The Written Decision states the applicable test as follows:

"Under Section 4.9, a variance should not be approved where it would unduly interfere with the amenities of the neighbourhood, materially interfere with neighbouring lands, or adversely affect the use, enjoyment, value, or development of adjacent properties."

Section 4.9(a) of the By-law provides as follows:

"The proposed Variance would not result in a development that will: (i) unduly interfere with the amenities of the neighbourhood; or, (ii) materially interfere with or affect the Use, enjoyment or value of neighbouring parcels of land."

Two material departures from the text are apparent on comparison. First, the By-law's list of protected interests under (ii) is the use, enjoyment, or value of neighbouring parcels of land. The Written Decision adds a fourth interest — "**development**" — that does not appear anywhere in Section 4.9. Second, and more significantly, the By-law qualifies the required degree of effect on those interests with the word "**materially**." The Written Decision substitutes the word "**adversely**" in its place. "Materially" requires a substantial, significant effect; "**adversely**" requires only that an effect be unfavourable in direction, without regard to its magnitude. By changing the test without legal basis — using "**adversely**" rather than "**materially**," and by adding "**development**"

as an interest the By-law does not protect — the Written Decision applies a materially lower threshold than Section 4.9(a) requires, one more easily satisfied against the Appellant than the By-law permits.

The Appellant raises this not to suggest any intentional misstatement. Whether intentional or inadvertent, the substitution of this altered test for the one enacted by Council means the Written Decision proceeds without legal authority, because the analysis that follows is built entirely on a standard Section 4.9 does not impose.

(c) No Specific Finding Is Made Under the Correct Test

Section 4.9(a) is structured as a threshold inquiry, set out as its own complete provision and terminated by a period before the list of supporting criteria at (b) through (g) begins. The threshold asks whether the variance of **528 mm (0.528 meters or 1.73 feet)** on the south rear corner of the building — not the development generally — results in “unduly interference with the amenities of neighbourhood; or materially interfere with or affect the Use, enjoyment, or value of neighbouring parcels of land.”

Even applying the Written Decision's own, more permissive formulation of the test, no specific finding is made. The Written Decision states that public feedback “suggests” that those concerns are “relevant” and “should be considered,” and that consideration “should also be given” to whether the variance is self-created (Planning Report, p. 4). This is the language of an issue being flagged for further thought, not the language of a finding actually made. **Notably, the Appellant had addressed these concerns in the updated drawings now under appeal and was not provided with any evidence of further unresolved concerns from neighbouring residents following that update** [Exhibit D, Neighbourhood meeting & Handout]. No neighbouring property is identified by reference to which a specific, material effect attributable to the **528 mm (0.528 metres or 1.73 feet) variance** — as distinct from the development as a whole — has been assessed.

This distinction is critical. The variance does not impact the amenity and practicality concerns identified in the Written Decision — traffic, parking demand, scale — which are about the about the development as a whole. They exist identically whether the rear yard setback is 5.472 m or the full 6.0 m required by the By-law. Refusing the variance does not eliminate the Development Officer’s stated concerns; it eliminates the development entirely, since the building cannot be

constructed at all without the relief sought. Section 4.9(a) asks whether the variance results in a development causing undue or material interference — not whether the development, considered independently of the variance, raises concerns the Development Officer would hold regardless of where the rear wall of the building sits. The Written Decision draws no such distinction, and the amenity concerns it identifies are not shown to be caused by, or specific to, the 528 mm (0.528 meters or 1.73 feet) encroachment on the setback.

(d) The Supporting Criteria of Section 4.9(b) Through (g) Were Not Addressed

Section 4.9(b) through (g) set out six further factors, connected disjunctively, any one of which supports a finding that the requested variance is the kind of variance the By-law contemplates approving:

Criterion	Application to the Facts
4.9(b) — irregular lot lines or shape presenting development challenges	Lot 77 is irregularly shaped. This is the direct cause of the requested encroachment and is not disputed in the Written Decision.
4.9(c) — physical limitations relating to terrain, topography, or grade	The site requires blasting and grade levelling due to bedrock conditions, as confirmed in the Written Decision's own discussion of grading (Planning Report, p.5), and as independently confirmed by a sealed Desktop Geotechnical Site Evaluation prepared by Tetra Tech (File ENG.YARC03739-01, February 23, 2026, reviewed and sealed by Robert Girvan, P.Eng.). [Exhibit H]
4.9(d) — natural features such as rock outcrops	The Tetra Tech report confirms the site is underlain by bedrock of the Kam Formation, including basalt and diabase, with bedrock exposed at and near the surface and a diabase dyke running through the lot, requiring drilling and blasting to remove the bedrock outcrop in the western portion of the site. [Exhibit H]
4.9(e) — error in siting during construction	Not applicable; the building has not yet been constructed.
4.9(f) — conformity with prescribed uses, Area Development Plan, and Community Plan	Acknowledged by the Development Officer at p.3 of the Planning Report, as set out under Ground 1 above.
4.9(g) — no infringement of Airport zoning regulations	Not an issue; the site is not subject to airport zoning constraints.

Four of the six applicable criteria are the correct application of Section 4.9(a) and are strongly met. The Written Decision does not appear to assess any of these criteria individually, which appears to constitute a further instance of discretionary non-application of provisions of the By-law — one that, when properly applied, would have supported the Appellant's application. A variance analysis without applying these By-law criteria, results in an incomplete analysis under Section 4.9.

The physical and geological constraints supporting Section 4.9(c) and (d) are independently confirmed by a topographic survey [Exhibit N], a sealed geotechnical report — the Tetra Tech Desktop Geotechnical Site Evaluation [Exhibit H], prepared by April Graves, E.I.T., and sealed by Robert Girvan, P.Eng. — which identifies bedrock exposure and a diabase dyke running through the site, and confirms that blasting will be required to establish a buildable foundation. The Tetra Tech report was prepared in respect of the Appellant's current proposal and reflects site conditions that are inherent to the lot's underlying geology. These conditions are not specific to the scale or unit count of any particular proposed building; they arise from the lot's physical characteristics and would require the same excavation and blasting approach regardless of whether the proposed development were a duplex or a six-unit building.

This conclusion is independently confirmed by the City's own prior decision on this exact lot. Development Permit Application PL-2022-0060 [Exhibit I], approved by the City on April 21, 2022, authorized a duplex at 2 Findlay Point on the condition that the minimum rear yard setback be reduced from 6.0 m to 5.84 m — a 160 mm (6.29 inches) encroachment. The fact that a two-unit duplex proposal on this same lot required rear yard relief is not a coincidence and is not attributable to the scale of that proposal. It confirms that the rear yard constraint arises from the geometry of Lot 77 itself, independently of the unit count or building type proposed for it. The City's own approval of that variance, on this exact lot, is the strongest possible evidence that the constraint the Appellant now relies upon is real, pre-existing, and site-specific — precisely the circumstance Section 4.9(b) contemplates.

Lot 77 has now been sold by the City to at least three separate parties, including the Appellant, with the lot being repossessed by the City between each sale due to the development not proceeding to completion. This history of successive sales and repossessions is itself consistent with the site's known physical constraints, including the bedrock conditions confirmed in the Tetra Tech report

and the rear yard constraint reflected in the prior Development Permit. These are longstanding characteristics of Lot 77, predating and independent of the Appellant's proposal.

(e) The Self-Created Variance Inquiry Has No Foundation in the By-law

The Written Decision questions “whether the variance is the result of a site-specific constraint or whether it is necessary to accommodate the scale of development” (Planning Report, p.4). Section 4.9 contains no criterion addressing whether a variance is self-created, and this consideration has no basis in the test as enacted by Council. In any event, the premise underlying this question is not factual: the Appellant was willing to reduce the building footprint by the 528 mm (0.528 metres or 1.73 feet) at issue, had this been identified to him as a basis for approval. Even if such a consideration were relevant, the constraint here arises from the irregular geometry of Lot 77, a constraint that exists independently of unit count. This is confirmed directly by the City's own records: a previous owner of Lot 77 submitted Development Permit Application PL-2022-0060 for a duplex on this lot, and that application — for a two-unit building, not a six-unit one — was approved only with a rear yard variance reducing the setback from 6.0 m to 5.84 m [Exhibit I]. That project ultimately became cost-prohibitive and was abandoned, with the lot repossessed by the City. The variance at issue in this appeal is site-specific and geometry-driven, precisely the circumstance Section 4.9(b) contemplates, and the City's own prior approval on this lot confirms that this constraint is not a function of the number of units proposed.

(f) Section 4.8 Reserves Density-Related Variance Authority to Council, Not the Development Officer

Section 4.8 of the By-law grants the Development Officer authority to allow a variance for, among other things, rear yard setbacks, but that authority is expressly conditioned: it must be exercised "pursuant to Section 4.9," and it applies only "as long as it does not relate to Site Density." Site Density variances — relating to lot coverage, lot area, and building height — are reserved to Council alone under the immediately following paragraph of Section 4.8.

The Written Decision's variance analysis repeatedly frames its concerns in terms of the building's scale, its “increased residential intensity,” and its density relative to the surrounding cul-de-sac (Planning Report, p. 4). To the extent the refusal of the rear yard variance rests on these density-related considerations, rather than on the specific Section 4.9(a) criteria properly applied to the 528 mm (0.528 metres or 1.73 feet) encroachment itself, the Development Officer has exceeded

the authority Section 4.8 confers by deciding a matter the By-law reserves to Council. On June 12, 2026, the Development Officer advised the Appellant that the current application would be refused, and that in order to be reconsidered, the Appellant would need to submit an entirely new application with a smaller building footprint — after more than seven months of engagement with the City on a 6-plex proposal dating back to October 31, 2025. The current application was refused three days later, on June 15, 2026, by the Written Decision. The requirement to begin a new application from the outset, rather than to revise and resubmit the existing one, is inconsistent with the engaged and cooperative process the Appellant had maintained throughout and is a further basis on which the Board is asked to exercise its jurisdiction.

(g) Properly Applied, the Section 4.9 Test Is Met

Applying Section 4.9 as written — not as rephrased in the Written Decision — to the specific facts of the 528 mm (**0.528 meters or 1.73 feet**) variance: the threshold in Section 4.9(a) is met, because the amenity and practicality concerns identified in the Written Decision attach to the development as a whole and are not shown to be caused by, or specific to, the encroachment itself. Sections 4.9(b), (c), (d), and (f) each independently support the variance, and the Appellant satisfies four of them. Despite the Development Officer's apparent failure to apply the Section 4.9 criteria in the assessment, the variance criteria have, in fact, been met, and the variance should be granted.

Ground 4 — Discretionary Use Criteria was imported and the Appellant's Binding Conditions Package Was Not Addressed, Notwithstanding Section 4.6's Express Authority to Approve With Conditions

Section 4.6 of the By-law requires that 'there must be consideration of the Impacts of development,' and directs that a conforming Permitted Use application 'shall' be approved 'with or without conditions.' The power to impose conditions is integral to the approval mechanism Council built into Section 4.6 — it is the means by which identified impacts are addressed on a conforming application, as an alternative to refusal. The Appellant entered into the record a comprehensive package of binding conditions directly responding to the concerns raised, set out in the Applicant Response to Public Comments dated April 20, 2026, which forms Appendix B to the Planning Report. The Development Officer accordingly had this response before him when he prepared the Written Decision refusing the Application. The following binding commitments specifically addressed the concerns raised during the public comment period and subsequently carried forward

into the Written Decision. The Written Decision does not address or comment on whether these binding commitments resolve those concerns.

Concern Identified	Condition Offered
Privacy and overlook from the rear of the building	Exterior staircase relocated from the rear elevation to the building interior; rear fence as a binding permit condition
Upper-storey sightlines over the fence	Supplementary planting of taller, fast-growing native tree species along the rear property line
Grading and drainage impacts on neighbouring properties	Approved grading plan as a binding permit condition prior to blasting
Construction conduct and site management	All materials, equipment, and contractor vehicles staged within the property boundary throughout construction
Parking adequacy and enforcement	Registered car-share covenant on title for the life of the development under Section 7.8.10, with exploration of a YK Car Share Co-op partnership for additional resident access

The Written Decision does not address this conditions package. It does not explain why the rear fence, the staircase relocation, or the proposed tree screening are insufficient to address the privacy and overlook concerns described at pages 4 through 6 of the Planning Report. It does not assess whether the approved grading plan condition resolves the drainage uncertainty noted at page 5. It does not consider whether the registered car-share covenant resolves the parking enforcement concern that the Development Officer himself raises immediately after acknowledging technical compliance with Section 7.8.10.

A Development Officer who identifies concerns under Section 4.9, and who receives a documented and binding conditions package addressing those precise concerns and then refuses an Application without explaining why the conditions are insufficient, has not exercised the approval-with-conditions power made available under Section 4.6. The Board is respectfully invited to complete the analysis the Written Decision did not undertake, and to find that the conditions offered — together with such further conditions as the Board considers appropriate under section 69(1) of the *Community Planning and Development Act* — adequately address the concerns identified.

Section 4.11.3 of the By-law requires that notice of a decision include a list of public comments received and how they were considered in the decision process. The Written Decision lists the public comments received and summarizes their general themes, but does not indicate how those themes were considered in light of the Appellant's comprehensive Applicant Response of April 20, 2026, which directly addressed each category of concern identified — privacy, scale, traffic, parking, and density — through specific design revisions and binding conditions. The Written Decision references that response only as an attached appendix, without connecting its contents to the concerns it was responding to. The Development Officer's own April 4, 2026 letter [Exhibit B], addressed above at Ground 2, demonstrates that he was capable of engaging specifically and substantively with the concerns raised about the car-share mechanism when he chose to do so. The Written Decision does not extend that same specific engagement to the binding conditions package offered in the April 20, 2026 Applicant Response. Page 4 of the Planning Report states only that public concerns are 'relevant' and 'should be considered' — the language of an issue being flagged for further analysis, not the language of a finding actually made based on the full response provided. The Written Decision does not show that the analysis contemplated by that phrase was ever completed.

The Appellant further notes, for completeness, that the application reached its complete and final form on April 20, 2026, following the revisions made in direct response to public comments. Section 4.6 provides that an application shall, at the option of the applicant, be deemed refused if no decision is made within 40 days of the application reaching final form, absent the applicant's consent to extend that period; no such consent was given. The Development Permit Decision Letter is dated June 15, 2026 — 56 days later, exceeding the prescribed period by 16 days. The Appellant raises this only as further context for the extended and cooperative process that preceded the Written Decision, not as an independent ground for reversal.

The Appellant notes that Yellowknife's construction season is limited by climate to a period generally running from spring through early fall. The timing of this appeal accordingly has practical implications for the project's ability to proceed in 2026.

Ground 5 — Section 10.1 Imposes No Scale, Massing, or Typicality Standard Beyond the Dimensional Regulations of Table 10-2, and the Appellant's Beautification Offer Was Not Addressed

The Written Decision finds, under the heading "Conditions of Use (Section 10.1)," that the proposal "does not appear to fully satisfy the intent of Section 10.1" because it "introduces a larger, more dense, residential form than is typical within the immediate context" (Planning Report, p.6). This finding derives a standard from the section's purpose statement that does not exist in the operative provisions of Section 10.1. The Development Officer does not define what 'larger' means in this context, does not identify the measure or comparator against which the proposal is said to be larger, and does not indicate whether this characterization reflects an objective standard set out in the zoning By-law 5045 or his own discretionary impression of the building.

Section 10.1 contains three operative components. First, Table 10-1 lists Multi-Unit Dwelling as a Permitted Use in the R1 zone, without qualification. Second, Table 10-2 sets out the applicable dimensional regulations: maximum lot coverage of 55%, against which the proposal sits at 29%; maximum building height of 12.0 m, against which the proposal sits at 11.3m; and minimum front and side yard setbacks, with which the proposal complies. Third, the Development Regulations at Section 10.1(a)(i) provide that the site plan, the relationship between buildings, structures and open spaces, the architectural treatment of buildings, and vehicle circulation "shall be subject to approval by the Development Officer."

This third provision is an approval function over the specific features submitted as part of the application — it is not an independent, freestanding standard by which the "typicality" of a building's scale relative to its neighbours may be assessed. The By-law does not state that the relationship between buildings must conform to neighbourhood norms, or that architectural treatment must resemble surrounding development; it requires only that the Development Officer approve the site plan, building relationships, architectural treatment, and vehicle circulation as designed. Where, as here, **the Development Officer has not identified any specific aspect** of the site plan, building relationship, architectural treatment, or vehicle circulation **that fails to meet an objective standard set out elsewhere in the By-law**, Section 10.1(a)(i) cannot be read as authorizing a refusal on the general basis that the building is larger or more dense than what is typical in the immediate context. The Development Officer's characterization of the building as 'larger' and 'more dense,' without reference to any measurable standard, appears to exceed his legal

authority in this respect, consistent with the pattern addressed at Ground 3(f) above, where density-related considerations of this kind are reserved to Council under Section 4.8, not to the Development Officer.

It is also notable that the Written Decision's finding on this point is expressed as the proposal 'does not appear to fully satisfy the intent' of the section — language of impression and degree, not a finding that any specific provision of Section 10.1 has been contravened. No such provision is identified, and the Appellant submits that none was in fact contravened.

The Written Decision's character concern is, in any event, addressed by an offer the Appellant placed on the record before the decision was made, and which the Written Decision does not mention. By email to the Development Officer dated May 19, 2026 [Exhibit D], following a voluntary neighbourhood meeting hosted by the Appellant at the site, the Appellant stated his intention to work with the project architect at the building permit stage "to incorporate exterior finishes, cladding materials, and accent elements that reinforce a residential character — including mixed siding profiles, entry detailing, and landscaping," and confirmed he was "prepared to invest in these enhancements" and welcomed "any guidance the City may wish to offer in that regard." This offer responds directly to the only concern Section 10.1 could plausibly be read to raise — the residential character of the building's exterior treatment — and was available to the Development Officer to address through a condition of approval under Section 4.6, consistent with the conditions analysis set out under Ground 4 above. The Written Decision does not refer to this offer.

“Neighbourhood” Is Not a Defined Term Under the By-law

It is also notable that the term “neighbourhood,” used throughout the Written Decision to describe the area against which compatibility and character are assessed, is not a defined term under the By-law. Section 2 of the By-law provides that defined terms are capitalized throughout the document; “neighbourhood” does not appear, capitalized or otherwise, in the By-law's definitions table. The area constituting “the neighbourhood” for purposes of any compatibility assessment is accordingly undefined, and properly includes the immediate area addressed in this submission — Findlay Point itself, and the comparable developments at 7 & 8 Findlay Point and 123 & 130 Moyle Drive, both within the same general vicinity.

In the absence of a By-law definition, “neighbourhood” takes its ordinary dictionary meaning. Merriam-Webster defines a neighbourhood as “a place or region near; vicinity” — a broad, proximity-based description with no fixed radius, boundary, or measurable extent. Applying that ordinary meaning, there is no principled basis to scope “the neighbourhood” of 2 Findlay Point in a manner that would exclude the comparable developments addressed in this submission, all of which sit within reasonable proximity to the subject property.

The same undefined area reasonably extends to include 120 Moyle Drive, approximately 200 metres from the subject property, where the City approved a 19-unit public housing apartment building with a height variance to 16.8 m, exceeding the 15.0 m maximum otherwise permitted in that R2 zone. The Appellant does not suggest the R1 and R2 zones are interchangeable, or that the standards applicable to one apply to the other. The point is narrower: there is no fixed or principled basis under the By-law to define “the neighbourhood” in a manner that excludes a 19-unit, variance-approved building a short distance away, while treating a six-unit building as introducing an unusual or uncharacteristic form into the area. Whatever reasonable boundary is drawn around “the neighbourhood” of 2 Findlay Point, that neighbourhood already contains substantial multi-unit development, approved with variances of its own. The same email also placed on the record the outcome of the voluntary neighbourhood meeting the Appellant hosted at the site on May 16, 2026, attended by approximately 12 to 15 residents, at which the project's general contractor answered technical questions directly. The Appellant reported to the Development Officer that the reception was “largely positive,” that attendees “appreciated the revised plans,” and that “most attendees appeared satisfied with the responses provided,” with only “two neighbours” expressing “a general view that the building is too large for the lot,” and “no new technical objections” were raised. This update sent directly to the Development Officer a month before the decision was made — is not addressed in the Written Decision, and stands in contrast to the characterization at page 4 of the Planning Report that “the volume of public feedback received suggests that neighbouring residents have concerns.” The Written Decision relies on the volume and content of public feedback as relevant to the Section 4.9 analysis without accounting for this later, more current, and more representative record of neighbourhood reception following the revised design.

The "Typical" Character the Written Decision Invokes Does Not Exist on This Street

The Written Decision's finding that the proposed building is "larger" and "more dense" than is "typical within the immediate context" presupposes that the immediate context has a consistent, identifiable built form from which the proposal departs. The City's own records of existing building heights on Findlay Point do not support that premise.

Address	Building Height (above grade)
7 Findlay Point	14.5 m
4 Findlay Point	12.0 m
2 Findlay Point (Proposed)	11.3 m
5 Findlay Point	10.76 m
3 Findlay Point	10.2 m
6 Findlay Point	9.3 m
9 Findlay Point	8.7 m
1 Findlay Point	7.5 m

Existing building heights on Findlay Point range from 7.5 m to 14.5 m — from 62.5% to over 120% of the By-law's 12.0 m permitted maximum. There is no single "typical" height on this street against which the proposed building can be said to depart. The proposed building, at 11.3 m, sits below the permitted maximum, below the height already constructed at 4 Findlay Point, and well below the height already approved by variance, and upheld by this Board, at 7 Findlay Point.

This variability in built form is not incidental. Each lot on Findlay Point presents its own grading, bedrock, and elevation profile, and the height and massing of each existing building reflects the particular constraints of its own site — in the same way that the **528 mm (0.528 meters or 1.73 feet)** variance at issue in this appeal reflects the particular constraints of the irregular Lot 77, as set out under Ground 3 above. A neighbourhood character shaped, lot by lot, by individual site constraints cannot be reduced to a single "typical" form, and the Written Decision does not identify what that typical form is said to be, or by reference to which specific neighbouring building the proposed building is said to depart from it.

Ground 6 — Public Works and Engineering Identified No Traffic or Infrastructure Concerns, and the Written Decision Acknowledges that the Traffic Generated Is Not Significant

The departmental consultation table at page 7 of the Planning Report records the following:

Department	Finding
Public Works and Engineering	No concerns identified. No consideration required.
Community Services	No concerns identified. No consideration required.
Lands and Building Services	No concerns identified. No consideration required.
Protective Services (MED)	Construction-phase complaints at a nearby development, not related to this application.

Three of the four City departments consulted identified no concerns whatsoever. Public Works and Engineering — the department with institutional responsibility for roads, traffic, and municipal infrastructure capacity — identified no concerns about this application. **The Written Decision nonetheless refuses, in part, on traffic and parking overflow grounds that the City's own infrastructure department did not identify or support. In refusing on a basis his own infrastructure department's review does not support, the Development Officer appears to exceed the scope of his authority to assess matters properly within that department's expertise, rather than his own.**

This absence of departmental support is reinforced by the Development Officer's own assessment of traffic impact:

"While six dwelling units are unlikely to generate significant traffic from a city-wide transportation perspective, the impacts are more pronounced at the local level."

No traffic study, traffic count, or engineering analysis is cited anywhere in the Planning Report to support the "more pronounced" local-level impact asserted in the second half of this sentence. The By-law itself specifies when a traffic or shadow impact study is required: Section 7.10 requires a sun shadow impact study only for buildings exceeding four storeys and 1,500 m² of gross floor

area. The proposed building is three storeys plus crawlspace, with a gross floor area of approximately 509 m² — well below both thresholds. No comparable provision of the By-law requires a traffic study for a development of this scale, and none was obtained.

The Findlay Point cul-de-sac was not, in any event, designed without contemplation of multi-family traffic. In fact, a specific By-law was created to address this concern, specifically, the Niven Lake Development Scheme By-law No. 4438, Schedule 1-A, Section 3(b), provides that the cul-de-sac is designed for two-way traffic, and Section 3(d) expressly identifies on-street parking as a traffic-calming design feature of the neighbourhood — not a deficiency to be remedied. A marginal increase in vehicle trips from a six-unit building equipped with a car-share vehicle, e-bikes, and proximity to public transit does not constitute the kind of undue interference Section 4.9(a) is concerned with, in a roadway expressly designed to accommodate exactly this form of development.

This is confirmed by an independent professional opinion obtained by the Appellant from Dillon Consulting Limited, sealed by a transportation engineer, dated June 29, 2026 [Exhibit J]. Applying the ITE Trip Generation Manual, the opinion estimates the proposed six-unit development would generate approximately 3 vehicle trips during the weekday PM peak hour — one vehicle approximately every 20 minutes — compared to 1 trip for a single-family home, and concludes the development is 'not anticipated to have a meaningful impact on traffic operations on the cul-de-sac' and is 'not expected to meaningfully affect the comfort and safety of pedestrians and residents using the cul-de-sac.'

The same opinion addresses parking demand using the ITE Parking Generation Manual, estimating a demand of 7 spaces for the proposed six-unit building, against a four-unit alternative estimated at 5 spaces. The opinion confirms that, applying Section 7.8.10's car-share substitution, 'the development provides more than the required parking spaces,' and concludes that delivery and service vehicle parking is not a material concern, since such vehicles typically stop briefly on the road regardless of off-street availability, and such activity is concentrated during working hours when resident parking demand is lowest.

The opinion further addresses the public comments directly, noting that 'many of the public comments objecting to this application appear to reference valid frustration with issues they are

experiencing on the cul-de-sac due to construction activity and tourists,' but concludes these issues are 'either relatively short term... or unrelated... to the proposed development and therefore... should not influence the acceptance of the application.' The opinion concludes that, from a traffic and parking standpoint, the proposed development meets By-law requirements, is not expected to have a significant traffic or parking impact, and “should be permitted to proceed”. **This confirms that the traffic and parking concerns cited in the Written Decision are unsupported by both the City's own departmental review and this independent professional assessment.**

Ground 7 — The Refusal Is Inconsistent With a Recent Decision on the Same Street, Upheld by This Board

The City approved four variances for a comparable multi-unit development at 7 Findlay Point, on the same cul-de-sac, and that decision was upheld by the Development Appeal Board [Exhibit K]:

Standard	7 Findlay Point (Approved, DAB Upheld)
Rear yard setback	Reduced from 6.0 m to 3.5 m (19' 8" to 11' 6") — a 41.7% reduction
Side yard setback	Reduced from 1.5 m to 1.0 m (4' 11" to 3' 3")
Building height	Increased from 12.0 m to 14.5 m (39' 4" to 47' 7"—above the permitted maximum
Parking	Reduced from 4 required spaces to 3, with no compensating mechanism of a car share

On every measure on which the two developments can be compared, the proposed building at 2 Findlay Point presents a materially less impactful application than the development previously approved, and subsequently upheld on appeal, on the same street: a smaller setback variance, no side yard variance, a building height below rather than above the permitted maximum, and a more robust, By-law-compliant, and conditioned parking solution. The Written Decision does not identify any principled planning distinction between the two developments that would justify a different outcome. The Board is respectfully asked to apply the same standards to this application that were applied, and upheld, in respect of 7 Findlay Point.

A Second Comparison on the Same Plan, Signed by the Same Development Officer

A second, even more directly comparable decision confirms this pattern. At 123 Moyle Drive — Lot 88, Block 308, Plan 4204, the same plan and block as the subject property — the same Development Officer approved a variance reducing the required side yard setback from 1.5 m (4' 11") to 0 m, a 100% reduction, for a four-unit Townhouse Dwelling in the R1 zone (Permit No. PL-2025-0013, approved September 12, 2025) [Exhibit L]. That decision was signed by the same Development Officer who refused the present application, on what appears to be purely a discretionary basis and concurred by the Manager of Planning and Environment.

That report's evaluation of the Section 4.9 variance criteria consists of a direct, properly-worded finding: that the variance “will not unduly interfere with the amenities of the neighborhood; or detract from the use, enjoyment or value of neighboring parcels of land.” That finding tracks the language of Section 4.9(a) directly, in a single sentence. The Written Decision at issue in this appeal contains no equivalent finding, despite addressing a variance request less than one-tenth the size of the variance approved at 123 Moyle Drive.

That report further finds that the 123 Moyle Drive development “complies with R1 regulations relating to Lot width, Lot coverage, building height, front and rear yard setbacks, and site development,” with the side yard setback as the sole point requiring variance relief — the same posture as the present application, where the Development Officer has likewise acknowledged conformity on every standard apart from the **528 mm (0.528 meters or 1.73 feet)** rear yard variance now in dispute. Public Works and Engineering raised no concerns with that development, consistent with the absence of any Public Works concern in the present file. The Board is respectfully asked to note that the Development Officer who refused this application has, on the same subdivision plan, applied Section 4.9 to a substantially larger variance and reached a different result. It appears that a different standard was applied when assessing the application for 2 Findlay Point than was applied to the comparable developments addressed above, resulting in the refusal now under appeal.

The administrative record discloses a consistent practice of approving yard setback variances — and in several instances multiple simultaneous variances — for Duplex and multi-unit residential development on Findlay Point and within the broader Niven residential area. As set out in Exhibit M, variances have been approved on this street ranging from a 2.7% rear yard reduction on this

exact lot in 2022 (PL-2022-0060) to a 41.7% rear yard reduction at 7 Findlay Point (PL-2022-0151), with comparable approvals recorded at 3 Findlay Point, 130 Moyle Drive, and 123 Moyle Drive. The rear yard variance now sought — 8.8% — is effectively the same magnitude as the 8.5% rear yard variance approved at 3 Findlay Point for a duplex on the same street, and is materially less significant than the combined variances approved at 7 Findlay Point under a single permit. The planning report provides no analysis identifying a principled distinction between those prior approvals and the present application by reference to the two-part test in section 23(1) of the *Community Planning and Development Act* or section 4.9 of Zoning By-law No. 5045. The Board is invited to consider whether the refusal of this application is consistent with the administrative record disclosed in Exhibit M.

Part III — Alternative Relief Available to the Board

Section 69(1) of the *Community Planning and Development Act* provides that the Development Appeal Board "may confirm, reverse or vary a decision appealed, and may impose conditions that it considers appropriate in the circumstances." The Appellant's primary position, set out in Part II above, is that the application should be approved as submitted, with the requested 528 mm (0.528 meters or 1.73 feet) rear yard variance, because that variance satisfies the criteria of Section 4.9 in full and because the application otherwise conforms with the By-law in every respect the Development Officer has acknowledged.

The Appellant recognizes that the Board may wish to resolve any residual concern by varying the decision rather than reversing it outright. This Part sets out, for the Board's consideration, the specific conditions available to address such concern, consistent with the Board's authority under section 69(1).

(a) *The Conditions Package Already Offered*

As set out under Ground 4 above, the Appellant's Applicant Response to Public Comments dated April 20, 2026 offered a binding package of conditions addressing the concerns raised during the public comment period. The Appellant confirms these conditions remain open and available to the Board as terms of approval:

Condition	Purpose
Registered car-share covenant on title, for the life of the development, under Section 7.8.10	Secures the car-share vehicle commitment; addresses parking enforcement concerns
Exploration of a formal partnership with the YK Car Share Co-op	Provides residents access to the broader Co-op fleet in addition to the dedicated on-site vehicle
Relocation of garbage and compost storage to the side yard, with wheeled bins, enabling a third on-site parking space	Increases on-site parking from 1 to 2 standard spaces, in addition to the dedicated car-share vehicle, as confirmed feasible by the project architect
Rear fence	Addresses privacy and separation from the rear property line

Supplementary native tree planting along the rear property line	Addresses upper-storey sightlines beyond what a fence alone can mitigate
Approved grading plan prior to blasting	Addresses drainage and grading certainty for neighbouring properties
Construction materials, equipment, and contractor vehicles staged within the property boundary throughout construction	Addresses the construction conduct concerns documented by MED at nearby, unrelated sites
Exterior finishes, cladding, mixed siding profiles, entry detailing, and landscaping enhancements at the building permit stage	Addresses residential character, as offered in the Appellant's email of May 19, 2026 (see Ground 5 above)

(b) Elimination of the Rear Yard Variance, if Required by the Board

The Appellant presents this option as its most acceptable alternative outcome — a practical middle-ground resolution that eliminates the only point of dimensional non-conformity while preserving all six units and the full development program. Should the Board have any residual concern specific to the requested 528 mm (0.528 meters or 1.73 feet) rear yard variance, notwithstanding the analysis at Ground 3 above demonstrating that the variance satisfies the criteria of Section 4.9, the Appellant is prepared to eliminate the variance entirely by adjusting the building orientation, as confirmed feasible by the project architect.

The Appellant's architect, Passive Design Solutions, has confirmed [Exhibit K] in writing that the rear yard encroachment can be eliminated in full while preserving all six units and the existing unit mix, through a rotation of the building on the site. **The Appellant presents this option for the Board's consideration as an alternative, but notes that building rotation would reorient the primary facade away from Findlay Point, materially reducing the building's street presence and curb appeal.** To the extent the Written Decision's character concerns relate to the building's relationship to the street and the neighbourhood, the zero-variance configuration would produce a worse outcome on that measure than the variance configuration the Appellant has proposed. The Appellant accordingly maintains that the variance as sought — 528 mm on the south rear corner only — represents the superior planning outcome, and invites the Board to approve it on that basis.

Should the Board nonetheless prefer the zero-variance configuration, the Appellant confirms it remains available, with final design details to be confirmed at the building permit stage.

(c) Summary of Available Outcomes

Consistent with the Board's authority under section 69(1), the Appellant respectfully submits that the Board has available to it, at minimum, the following outcomes, each of which the Appellant would accept:

Outcome	Basis
Reverse the refusal; approve as submitted, including the 528 mm (0.528 meters or 1.73 feet) variance	Primary relief — see Part II and Part IV below
Vary the decision; approve with the conditions set out at (a) above	Available under section 69(1); addresses any residual concern through binding conditions
Vary the decision; approve on condition that the rear yard variance be eliminated entirely, per the architect's confirmation, however, the curb appeal will be impacted.	Available under section 69(1); removes the only dimensional non-conformity in the application

Part IV — Relief Sought

For the reasons set out in this submission, the Appellant respectfully requests that the Development Appeal Board grant relief in one of the following forms, each available to the Board under section 69(1) of the *Community Planning and Development Act*

1. REVERSE the decision of the Development Officer to refuse Development Permit Application PLDEV-2026-0013, and APPROVE the application as submitted, including the requested 528 mm rear yard setback variance, on the basis that the application conforms with Zoning By-law No. 5045 in every respect required for approval of a Permitted Use application, and that the requested variance satisfies the criteria of Section 4.9 in full.

2. IN THE ALTERNATIVE, VARY the decision pursuant to section 69(1) of the *Community Planning and Development Act* to approve the application with the binding conditions offered in the Appellant's Applicant Response to Public Comments dated April 20, 2026, together with the confirmed design enhancement providing three on-site parking spaces in total, one of which is the dedicated car-share vehicle, and such further conditions as the Board considers appropriate.

3. IN THE FURTHER ALTERNATIVE, VARY the decision to approve the application on condition that the rear yard encroachment is eliminated in full and the site is reconfigured to provide three on-site parking spaces in total, one of which is the dedicated car-share vehicle, both as confirmed feasible in the signed letter of the Appellant's architect dated June 24, 2026, with final design details to be confirmed at the building permit stage.

4. Grant such further or other relief as the Board considers just in the circumstances.

Part V — Conclusion

The Development Officer's own Planning Report finds that the proposed development is a Permitted Use in the R1 zone, that it technically complies with the parking requirements of Section 7.8.10, and that it generally aligns with the Community Plan's Niven Residential designation. The application has been substantially revised in direct response to public comment, reducing the requested rear yard setback variance from approximately 50% to 8.8%, relocating the exterior staircase to eliminate the primary overlook concern, and offering a comprehensive package of binding conditions addressing privacy, drainage, construction conduct, parking enforcement, and residential character. None of these revisions, nor the conditions offered, are addressed in the Written Decision.

The refusal that followed these findings and these revisions appears to rest on discretionary grounds that Section 4.6 does not make available for a conforming Permitted Use application, on a variance analysis that misstates and misapplies the criteria of Section 4.9, and on a character concern under Section 10.1 that the By-law's operative provisions do not support and that the Appellant had, in any event, already offered to address.

This is a fully designed project at the Development Permit Stage, ready to proceed once a permit is issued.

The Appellant respectfully submits that a decisive resolution of this appeal — whether by reversal or by the alternative relief set out in Part IV above — avoids further delay and cost, and is both the outcome the By-law requires and the outcome that allows this project to proceed within the current construction season.

All of which is respectfully submitted.

Edwin Shu
Appellant
July 6, 2026



2 Findlay Point

Fw: LOT 77, BLOCK: 308 and PLAN: 4204 PRE-CONSULTATION MEETING SUMMARY

2 Findlay Point

Thu, Nov 13, 2025 at 7:38 AM

To: HParihar@yellowknife.ca

Cc: tsetta@yellowknife.ca, glittlefair@yellowknife.ca, malam@yellowknife.ca

Hi Himanshu,

Thank you very much for the detailed response, I really appreciate it. I will take these comments into consideration when selecting concepts for the proposed 6-plex.

I will also reach Mohammad to discuss development plan incentives available for the proposed project.

Thank you,
Edwin

On Thu, Nov 13, 2025 at 7:20 AM Edwin Shu

wrote:

From: Himanshu Singh Parihar <HParihar@yellowknife.ca>**Sent:** Wednesday, November 12, 2025 4:31:39 PM**To:** Edwin Shu**Cc:** Tatsuyuki Setta <tsetta@yellowknife.ca>; Greg Littlefair <glittlefair@yellowknife.ca>; Mohammad Alam <malam@yellowknife.ca>**Subject:** LOT 77, BLOCK: 308 and PLAN: 4204 PRE-CONSULTATION MEETING SUMMARY

Hello Edwin,

I hope this email finds you well. Thank you for meeting with us on Friday, October 31, 2025, between 10:30 a.m. to 11:30 a.m. regarding your proposal for a 6-unit (studio, one-bedroom, and two-bedroom units) building on 2 Findlay Pt, Yellowknife (Lot: 77, Block: 308 and Plan: 4204). This meeting was attended by:

- City of Yellowknife Planning and Development Department Staff:
 1. Greg Littlefair
Manager, Building Services
 2. Tatsuyuki Setta
Manager, Planning and Environment

3. Himanshu Singh Parihar
Planner I, Planning and Environment

- Applicant and Support Team:

1. Edwin Shu
2. Joyce Taylor

Please refer to the following details as a summary of our pre-consultation meeting:

1. The compliance of your two-storey building with the Zoning by-law, variance requirement or rezoning requirement will be analyzed when we receive your application for Development Permit. When you are making a Development Permit application, it should be made according to section 4.4. of Zoning by-law 5045, as amended.
2. For your questions regarding appeal period and effective date of decision: A Development Permit if issued does not come into effect until the day after the 14-calendar day appeal period is complete. To know more about the Development appeal process and who can appeal please review Section 5 of the Zoning By-law 5045, as amended.
3. For your query regarding accessibility requirements for the building, we will evaluate your proposal according to the Zoning By-law 5045, as amended and other applicable policy documents. Since we do not have your plan currently, we cannot evaluate your proposal. An accessibility unit cannot provide you with a variance for other requirements of the Zoning By-law 5045, as amended. All the accessibility units should meet the National Building Code Accessible Standards.
4. Please contact Mohammad Alam, Manager, Planning and Environment (malam@yellowknife.ca) to determine if you are eligible for any Development Incentives or Grants.
5. We will determine details related to service and site considerations once we have your application. This might require approval from other departments and additional requirements.
6. We appreciate your intent to create a high-quality, attractive building but the designs and community integration, including landscaping, and other requirements, should comply with all the City of Yellowknife by-laws, Official Community Plan and all the other applicable policies. There may be additional agreements required after you submit your application.
7. An electric vehicle charging station may add value but won't determine approval of your application.
8. The City is working towards diversifying the housing options but adding additional rental units won't determine approval of your application.
9. As per Zoning by-law 5045, as amended, for a Multi-Unit Dwelling (9 units or less), the minimum parking requirement is 1 per Dwelling Unit and no more than 2 per Dwelling Unit in the R1 zone. Parking requirements for your proposal may vary, we will only know about this requirement when we have your application.

The above-mentioned topics are as per the sequence of the paper copy you shared (Please Find Attached checklist for shared by you). Please note we did not review any details of the attached plan, as you mentioned during the meeting that this will change and it is currently incomplete. Once you are ready with your proposal, you can submit a Development Permit and a Building Permit application for Planning and Development department review. Please use the following link to find out more about the application fees and process to make your application:

- [Applications, Forms, Licences and Permits - City of Yellowknife](#)

As mentioned during the meeting it is important to submit a complete application.

If you require further assistance with the application process, fees, or other details, please contact me at HParihar@Yellowknife.ca or at 867.669.3428. For building permit related query please contact Greg Littlefair, Email: glittlefair@yellowknife.ca. You can also contact planningandenvironment@yellowknife.ca and buildingservices@yellowknife.ca.

Please let us know if you have any questions.

Mársı | Kinanāskomitin | Thank you | Merci | Hąj' | Quana | Qujannamiik | Quyanainni | Máhsı | Máhsı | Mahsi

Himanshu Singh Parihar

Planner I

City of Yellowknife

Tel: 867.669.3428

yellowknife.ca

-



I acknowledge that I reside and work in Chief Drygeese territory.

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Forwarded message -----

From: **Eli Smith** <esmith@yellowknife.ca>

Date: Wed, Dec 31, 2025 at 1:43 PM

Subject: 2 Findlay Point - December 3, 2025 Meeting Follow-up

To:

Cc: Wendy Newton <wnewton@yellowknife.ca>, Jacob Cocquyt <jcocquyt@yellowknife.ca>, Tatsuyuki Setta <tsetta@yellowknife.ca>, Warren Wourms <wwourms@yellowknife.ca>, Vivian Peng <gpeng@yellowknife.ca>

Hello Edwin Shu,

I am sending the following meeting notes on behalf of Himanshu as he is no longer with the City of Yellowknife. For any general questions pertaining to these notes, please contact PlanningAndEnvironment@yellowknife.ca.

Meeting Date and Time:

3 December 2025 at 1:00pm to 1:30pm

Background:

The applicant Edwin Shu intends to build a multi-unit building on 2 Findlay Pt, Yellowknife (Lot: 77, Block: 308 and Plan: 4204). Applicant had a pre-application consultation meeting on October 31, 2025, followed by another meeting on December 3, 2025, with multiple City departments. The applicant came with four proposed massing options and queries related to water and sewer, sanitary drainage, and grading and drainage.

Meeting Attendees:

1. City of Yellowknife Staff:
 - a. Public Works and Engineering Department
 - i. Wendy Newton, Manager, Engineering
 - ii. Jacob Cocquyt, Municipal Engineer II
 - b. Planning and Development
 - i. Tatsuyuki Setta, Manager, Planning and Environment
 - ii. Himanshu Singh Parihar, Planner I, Planning and Environment
 - iii. Warren Wourms, Building Inspector I, Lands & Building Services Division
2. Applicant:
 - c. Edwin Shu

Please refer to the following details as a summary of second pre-application consultation meeting held at City Hall:

1. Servicing:
 - i. The water and sewer services were taken to the corner of the lot. They will need to be taken to the building such that the sewer service is a straight line from the sewer main to the building (no horizontal deflection).
 - ii. For all multi-family dwellings three units or more, sprinklers are necessary and will require an upgrade for at least one of the water lines from the water main. These upgrades will be made based on the design completed by an engineer.
 - iii. To be eligible for the City's Service Connection Failure Assistance Program (SCFA) the service must comply with all City standards, by-laws and regulations.
 - iv. Garbage collection for this location is to be provided by the property owner. The City will not provide this service as the road does not have the space available to accommodate City garbage and organics carts.
2. Parking requirements:
 - i. The applicant may choose to go with different types of parking, but movement of vehicles needs to be shown. Further, parking requirements should comply with the Zoning by-law 5045 and all the other applicable

ii. Variance for number of parking stalls may be applied by the applicant, but approval of a variance is not guaranteed.

iii. At this stage, we cannot provide you with any details about the Variance requirements. We will evaluate your proposal once we receive it and determine all the requirements as per our analysis.

ii. Requirement of grading permit and blasting permit is to be independently reviewed by the applicant.

- ii. A development agreement may be required as a part of landscaping requirements.

iii. You can refer to the following link for more information related to fees: [Consolidation of Fees and Charges by-law No. 4436](#).

PLEASE NOTE: The City of Yellowknife is amending permit application fees in early 2026. An appropriate fee will apply at the time of application.

- Engineering Division: engineering@yellowknife.ca

[illegible]

7/3/26, 11:31 AM

Fwd: 2 Findlay Point - December 3, 2025 Meeting Follow-up -

Eli Smith



CITY OF YELLOWKNIFE

April 4, 2026

Edwin Shu

Yellowknife, NT

Dear Edwin,

RE: PLDEV-2026-0013 Notice of Application (Public Comments)

As directed in section 4.5.1 of Zoning By-law No. 5045, a request for comments was circulated to City Departments and adjacent neighbours on March 18, 2026. As a result of the Notice of application, the following comments were received considered for analysis.

Public Comment No. 1

I own and live at [REDACTED] and have a few questions about the proposed building at 2 Findlay:

- Did the height requirement change in the last 10 years? I'm fairly sure that when we built our place, we were not allowed to build as high as is proposed here without a variance?
- How does the "provide a car share service " requirement actually work? Is there any sort of enforcement mechanism that guarantees that tenants actually have access to a car share? Or is it just "provide a car share parking spot which may or may not actually have a shared vehicle?" How does the city guarantee that this continues to be used as a car share parking spot?

PS - I noted that the plans for 2 Findlay show a power line extending from the street light to the building? Services in Nlven are all required to be underground. Probably just an oversight?

Planner's Response

The maximum building height in the R1 Zone is 12m. This has been the case since [Zoning By-law No. 5045](#) got adopted on March 14, 2022.

Section 7.8.10 of Zoning By-law No. 5045 allows required parking to be met through a car share service. In the R1 Zone, the ratio is one car share vehicle for every six required parking spaces. The requirement would be to provide the parking space, the vehicle, and the service for the duration of the development.

Regarding enforcement mechanisms, the car share requirement would be a condition of the Development Permit. The property owner would also be required to enter into a Development Agreement with the City to provide and maintain the car share service. The City typically conducts an inspection after two years to confirm the service has been implemented and is operating as intended.

Thank you for pointing out the overhead power line – the application has been circulated to Department of Public Works and Engineering, so they will ensure utility connections are installed according to standards.

Public Comment No. 2

I am writing to express my concerns regarding the proposed 6-unit development at 2 Findlay Point.

If approved, this project will significantly increase the density of our small residential court. Findlay Point would become one of the highest-density courts in Yellowknife, following Bartesko, Lanky, Sissons, and Beck Court, which all have apartment buildings. This is a notable shift for a street that currently consists of primarily single-family homes, with only nine such lots in total.

Approval of this development would result in more than 20 separate dwelling units on Findlay Point, placing considerable strain on infrastructure that was not designed to support this level of density. Additionally, four properties on the court have already been approved for, or are currently seeking, height and/or setback variances, further intensifying the impact on the neighborhood.

Recent experience with development on Findlay Point demonstrates the challenges we are already facing. The multi-family project at 7 Findlay Point was approved with only three parking spaces and no requirement for a car-sharing service. Since construction began in 2024, residents have made repeated calls to Municipal Enforcement regarding contractor vehicles. It is common to see five to six vehicles double- and triple-parked within the court, creating congestion, safety concerns, and near-miss incidents. Despite these ongoing issues, enforcement has been limited, and residents have had to manage the consequences.

The current proposal for 2 Findlay Point raises similar, if not greater, concerns. The plan relies on a car-sharing service in lieu of providing adequate on-site parking. However, this is not a realistic solution in Yellowknife. There is only one car-sharing service operating in a city of approximately 21,000 residents, with just two vehicles available. This service is rarely seen in the Niven Lake area and cannot reasonably be expected to meet the transportation needs of multiple additional households.

In practical terms, this development will result in additional vehicles being introduced to a court that already has no available street parking. Without sufficient parking infrastructure, the issues currently experienced at 7 Findlay Point will be repeated and amplified.

I want to be clear that I am not opposed to development on this lot. I would support a smaller scale project, such as a duplex, triplex, or four-plex, which could more reasonably accommodate resident parking and better align with the character and capacity of the neighborhood.

Given the existing challenges with parking enforcement and the demonstrated limitations of current infrastructure, it is unclear who will support residents when these issues inevitably worsen if this development is approved. To date, Municipal Enforcement has not been able to adequately address ongoing parking concerns on Findlay Point.

For these reasons, I strongly urge the City to reconsider the scale of this proposal and prioritize a development that is more appropriate for the size, layout, and capacity of Findlay Point.

If the proposed 6-unit development at 2 Findlay Point is approved, it will increase the number of garbage and compost containers to 20+ placed in the court on a weekly basis.



Current street parking on Findlay Point



7 Findlay Point

4/5-unit development. The City of Yellowknife previously approved this development with 3 parking spaces.



Public Comment No. 3

I am writing to express my extreme dissatisfaction with a proposed 6 plex in Findlay Point. I know the bulk if not all the residences in the area express the same view. While I appreciate the need for more

residential units, at what point does the city draw the line. This extreme densification (overpopulation) of the cul-de-sac will have many negative consequences. First off there are multiple significant safety concerns with this many proposed people crammed into such a small area. I have almost been hit 3 times by vehicles with the current added pressures of vehicles in the cul-de-sac. The driver did not even see me on each event. I have called by-law a number of times but those are generally short-term remedies. There have been vehicle collisions, an increase in parties, and unsafe driving (spinning doughnuts). Additionally, most homes have multiple children residing which are also at a significant risk with the overpopulation of this area as it is. It is no longer safe to have our children play outside at Findlay Point, which is such a shame as this was initially a huge selling feature when we purchased our home in 2023.

As it stands there are two 4 plex units, one of which is not yet finished, multiple duplexes in the immediate area, one house with a suite being built and only 2 stand alone homes all in one small cul-de-sac. Currently our home is valued at over 1 million dollars and I pay significant property taxes for essentially just snow removal once a year. This will significantly impact our property value, views of the area including sun with a tall building and further noise pollution. Multiple times a week if not most days, access to my house is impeded by illegally parked vehicles. This is a concern if emergency vehicles need to get in, I have to get out fast, or if anyone in general needs to access our homes such as to fill propane and for any deliveries, etc. With the cul-de-sac being treated like one giant parking lot of multiple vehicles left everywhere it also effects garbage pick up and snow removal for Findlay Point, which is a massive problem for current residents, never mind adding another potential 12 or more individuals to this lack of space. Also to note, multiple tour buses and city taxis also frequently pull into Findlay Point to drop off and pick up tourists who seek to hike trails in the area.

If you would like further evidence of the congestion, I am more than happy to submit photos. I have lodged formal complaints to by-law as well as the land development unit over issues in our court. Our quality of life has been negatively impacted over the last 2.5 years of building and increased use of the area. There are fuel spills (environment attended) there is garbage flying all over. The city cannot keep tabs on the issues as is, let alone 6 more units and up to 12 (or more) people and potential animals/pets residing there. I think it would be naïve to think a ride sharing program will be utilized or enforced. Coincidentally, a rideshare program in Niven has been previously explored and resulted in the determination that it would not be sustainable as several cars would need to always be available in order to ensure the success of this program in such a space where the walking distance to the “city” core is too far for residents to not have immediate access to a readily available vehicle. These individuals will have no choice but to purchase or bring their vehicle with them, resulting in attempting to park it in the cul-de-sac. The reality is all residents currently in Findlay Point have at least 1 if not 2 vehicles. This also includes other modes of transportation such as snowmobiles and boats. I am sure the rideshare concept was included in the application to strategically attempt to get ahead of concerns that will arise and to try to satisfy current residents with the false idea that the massive parking issue would be “taken care of.” Currently, the 4 plex beside us also indicates it was only built for 3 spots. Already, vehicles are struggling with finding parking for these units and will park as they please wherever they so choose. There is limited to no parking already on Moyle due to the other condos in the area. There have been several calls to bylaw and permitting with complaints. There have been little to no resolve, there is no parking now and it is increasingly dangerous. We are almost hit every other week with parking all over. Additionally, there are children, pedestrians, and many pets such as resident’s dogs running around during the same occurrences. It is a huge safety issue with speeds and congestion already.

It certainly feels the city does not value its residents opinion. I had gone to a previous appeal hearing for the 4 plex in the court and it appeared the city had made up its mind and the hearing was simply to satisfy its obligations. That board at the hearing also indicated if there was issues we could call bylaw as if it would easily rectify problems, it has not.

While I would prefer another stand alone house in the court, from my view point a duplex would be the maximum occupancy of that lot. Another 4 plex would cause the same issues as described.

We chose this cul-de-sac for a quiet, safe, and private location. At what point does the city act on behalf of the best interests for their current residents who are actively choosing to support Yellowknife, without the same support provided back. If there were more rural options or larger lots that would be great so we could have some choice, multi dwellings could have the spaces to develop the necessary parking for their residents, and we would not have to be put in these extremely dissatisfactory living situations.



Public Comment No. 4

I live across the street from 2 Findlay Point. I am not convinced that the installation of a car share service for the 6 units will be effective. Yellowknife is predominantly a car-driven city and with 6 working adults or families, one or two cars to share will not be sufficient.

I think it is very likely that each tenant will own a vehicle, regardless of the fact that a car share exists. This will add 6 or more additional vehicles to our small court's limited street parking and clutter the neighborhood unnecessarily. The same can be said of 7 findlay point which also already has a variance for the same issue. This will essentially make the variance pointless, since nearly every working family in yellowknife owns a car, if not 2.

It seems shortsighted to put so many units on our street with no parking available. It does not acknowledge the reality of living in yellowknife.

Public Comment No. 5

I am writing as a resident currently building a home with a secondary suite at [REDACTED] While I support the goal of increasing housing options in Yellowknife, I am concerned that a proposed 6-plex is not well suited to the limited context of this small cul-de-sac.

Findlay Point already contains a high concentration of multi-unit dwellings within a very confined space. Even at current density levels, congestion, parking shortages, and safety concerns are ongoing issues. The tight layout limits visibility and requires vehicles, pedestrians, and children to share the same space, increasing risk as density rises.

Parking is a particular concern. While a car-share program has been suggested as mitigation, such arrangements are voluntary and difficult to enforce long-term. The cul-de-sac is already used as overflow parking, which can impede access for residents, service vehicles, snow removal, and emergency response.

Given the site's physical constraints, a 6-plex would likely intensify these pressures beyond what the space can reasonably accommodate. A lower-density option, such as a single-detached home or duplex, would be more consistent with the scale, safety, and livability of Findlay Point while still allowing for growth.

Public Comment No. 6

I'm not opposed to housing or infill in principle, but after going through the application materials, I'm more concerned, not less. My issue is with this specific proposal on this specific lot.

The first problem is that the application does not even feel fully settled. Different parts of the package say different things about basic numbers, such as parking and total floor area. One page of the application notes 6 parking spaces, while showing two, and different total gross floor areas are noted on different pages as well. The variance write-up also states a "functional and compliant parking arrangement at the front and rear of the site," which does not align with what the later drawings show. I do not think a rear-yard variance should be approved based on plans that remain inconsistent.

I am also not convinced this is a minor variance. The application states that the building encroaches into the required 6.0 m rear yard by 1,970 mm at one end and 2,973 mm along the remainder of the rear elevation. That means much of the building is sitting at roughly 3 m from the rear property line instead of 6 m. For a building of this size, that is a significant reduction, not a small adjustment. Yellowknife City Bylaw 5095 states a minimum setback of 6 m for a reason, and this proposed change raises obvious concerns about privacy, overlook, shadowing, separation, and the overall intensity of the building at the rear of the lot.

The proposed "mitigation" of a fence does not really solve the main concerns either. A fence does not address upper-storey overlook, shadowing, light spill, or the overall mass of a three-storey building this close to the rear yard.

There are also major site issues that still seem unresolved in the drawings. The basement plan states that the detailed design for that level is to be completed after the development permit, and the extent of the full-height basement excavation is still to be determined on site. The plans also state that rock will be blasted and graded, and that pumping is required for basement drainage. Those are

not minor details that should be figured out later. They go directly to grading, drainage, retaining, snow handling, and the risk of impacts on neighbouring properties.

Parking is another serious concern. I understand the bylaw may allow car share, but this application still does not show how 1 regular stall plus 1 car-share space is realistically supposed to work for 6 units, visitors, service vehicles, and winter conditions without creating spillover parking problems on the street and for nearby residents.

I am also concerned that the building is being designed right up to the maximum height while the site is still being regraded. Before any decision is made, the City should require a clear final height calculation based on finished grade, along with a single consistent final site plan and proper details for drainage, excavation, parking, privacy, lighting, and snow storage.

The current package does not clearly demonstrate that the requested rear-yard variance will avoid impacts on neighbouring properties, and it does not provide sufficient confidence that the site can function properly as proposed.

Public Comment No. 7

In regard to the proposed development at 2 Findlay Point, I do not believe this is an appropriate location for a six-unit dwelling, for several important reasons.

Findlay Point is already experiencing a high level of density, with approximately 15 existing multi-unit residences. Introducing an additional six units would further strain an already overcrowded area.

The cul-de-sac currently offers limited space for garbage and recycling collection, and it is unclear how additional capacity would be accommodated. Similarly, the proposal references a car-share component; however, I would be interested in reviewing a detailed plan, as it is difficult to see how such an arrangement would be feasible in this location.

The height of the proposed three-storey building is another concern. It would significantly exceed the scale of surrounding properties and appear to tower over neighboring homes. This raises questions about whether it aligns with existing height restrictions and the overall character of the area.

In addition, the requested setback variance appears substantial. Given the relatively small size of the lot, attempting to accommodate six units seems excessive and incompatible with the site's limitations.

The development would also likely lead to increased traffic within the cul-de-sac, which is not designed to handle higher volumes. Furthermore, there is currently no adequate provision for on-street parking for residents or their guests, which would exacerbate existing challenges.

I strongly believe that new developments should enhance a neighborhood rather than detract from it. In this case, I am confident that the proposed project would have a negative impact on the character, livability, and functionality of the area, affecting current residents in a meaningful way.

Given the size and constraints of the lot, a duplex would be a far more appropriate and reasonable option. As it stands, the current proposal feels disproportionate and unfair to the existing residents.

Public Comment No. 8

I am writing to voice my concerns with the application for the 6-unit complex on our small cul-de-sac at Findlay Point.

We have recently seen a lot of development in our small neighbourhood, with two separate 4-unit complexes on the street. This has made parking very complicated, with construction and sub-trade trucks parking two and three abreast on the daily and causing significant safety concerns to residents. A 6-unit apartment building in such a small space, without any parking, would make our small street unimaginably overcrowded, and more so than it already is. This is a huge concern for the residents, many of whom have young children who play outside most of the year. The sheer volume of vehicles coming in and out of a small space with no exit (cul-de-sac) must be considered for safety and risk reduction. A 6-unit structure is not appropriate for such a small lot, on an already very high-density street.

I do not agree with the application for variance to decrease the setback proposed. At best, this property could be appropriate for a duplex, with on-property parking and garbage/compost disposal. This would should require variance of setback, especially by 3 metres. There would essentially be no backyard or space between joining units to allow natural light into homes. The current size and elevation of the proposed project would dwarf the next-door duplex and significantly limit light coming into their units and backyard. It would be much more appropriate and in keeping with the character of the neighbourhood to have a unit with similar elevation and size to 131 A/B Moyle Drive.

A car-share service is not feasible in Niven for 6-units. Our location is close enough to downtown to walk or bike for some, but during long and cold winters, it is mandatory for most non-downtown dwellers to have vehicle access. There are no comparables of other buildings that have been able to operate exclusively with a car-share services, and there are only two (and not always in operation) cars. There is also official trail access to the fire-break trail on our street, which furthers parking challenges as tourists drive in daily to park and hike on those trails. Furthermore, a garbage disposal unit would take up a significant amount of space and require a garbage disposal truck to be able to access that space. As it currently stands, street parking that is so desperately needed will be limited due to the access for garbage.

I am asking the city to please reconsider this project. A duplex would be reasonable; a balance between the density that Yellowknife needs but does not exceed the capacity of our small cul-de-sac. Building a huge apartment-style complex on a small single-family home lot would cause massive inconvenience and safety concerns for the neighbourhood, and also to the future inhabitants of said complex. I am very concerned about traffic, congestion, and the safety of my young children. Please take that into strong consideration.

Public Comment No. 9

I am writing to formally object to application PLDEV-2026-0013 for the proposed development at 2 Findlay Point.

While I am not opposed to densification, housing development or infill in principle, my concerns relate specifically to this proposal on this particular lot.

To begin with, the application package itself appears incomplete and presents conflicting information, such as the number of parking spaces where one section references six parking spaces while the drawings appear to show only two. Similarly, the variance rationale describes a “functional and compliant parking arrangement at the front and rear of the site,” which does not align with the submitted plans (no room for parking at the rear end of the site). Given these discrepancies, it is difficult to assess the proposal with confidence, and I do not believe a rear-yard variance should be approved based on incomplete or inconsistent information. This submission seems to show a developer who knows their project is not following bylaws, they are asking for some flexibility showing incomplete building plans to then move forward with a more ambitious plan to maximize their benefits, at the expense of the neighbours quality of life and property value.

Another major issue I have is the way the application is written, as the developer suggests the variance is minor and “does not create adverse impacts on adjacent properties”. I do not agree with the applicant’s characterization of the requested variance as minor. Allowing this huge 6 unit in that small lot does not make any sense and would go against city bylaws. The proposal seeks to reduce the required rear-yard setback from 6.0 metres to approximately 3.0 metres—a 50% reduction which is a substantial deviation from the requirements of Zoning By-law 5045. By comparison, the previous Zoning By-law 4404 only permitted rear-yard variances of up to 25% at the discretion of the Development Officer, which further underscores that a 50% reduction cannot reasonably be considered minor.

Although the lot has an irregular shape, the need for this variance comes from the fact that they are trying to build a six-unit building rather than from inherent site constraints. The building reaches the maximum allowable height of 12 metres while also extending significantly into the rear setback. At the same time, they are not clear on how much blasting they will do and what height the building will have. In this context, the “practical constraint” cited by the applicant is self-created. A smaller or differently configured building could likely comply with the bylaw without requiring such a significant variance. Again this is a sign that the developer is requesting minimal variance and will then build a much more ambitious project, at the detriment of the neighbours.

The degree of encroachment is also considerable. The application notes that the building projects into the rear yard by up to approximately 3 metres along much of the rear elevation, placing a large portion of the structure at roughly half the required setback distance. When combined with the building’s height and massing, this represents a significant intensification at the rear of the lot. Elements of the design appear to conflict directly with bylaw provisions. Under Table 10-2 of Zoning By-law 5045, unenclosed steps may only encroach up to 40% into a reduced setback. Based on the proposed 3.0-metre setback, this would require a minimum distance of 1.8 metres from the property line. However, the current design shows steps located as close as approximately 1.02 metres, which does not comply with the bylaw.

The applicant says that a 2-metre fence will mitigate the encroachment, which is quite negligent to say. In their submission, I see they are not treating bylaws and the neighborhood with respect when they say the reduced setback “does not result in adverse effects on neighbouring properties and will support compatibility with the surrounding residential area” which is quite arrogant statement to

make when you look at the incomplete proposal submitted for this huge 6 unit building in a small lot. A fence of this height cannot mitigate overlook from upper-storey windows, balconies, or raised entrances. The plans indicate that the lowest-level units are elevated to a point where sightlines over the fence would still be possible, further reducing its effectiveness. A fence also does not address broader impacts such as shadowing, light spill, or the overall mass of a three-storey building located so close to the rear property line.

There are also important site-related issues that remain unresolved, they should be clearly defined and assessed prior to any approval. Again, we've seen that type of development in town before where the developer is not clear on what they are planning to do, they then build and the city gives them a minimal fine, while the developer maximizes its profit, at the expense of the neighbours. A few examples: The basement design is noted as incomplete, with details to be finalized after the development permit stage. The plans also indicate that rock blasting, grading adjustments, and pumped drainage systems will be required, with final conditions to be determined on site. These are not minor details—they directly affect grading, drainage, snow management, and the potential for impacts on neighbours.

Parking is another area of concern. I don't understand how a six unit building could be allowed in a cul-de-sac with multiple duplex, quadruplex already allowed without proper parking being planned for. While the bylaw may allow for car-share provisions, the proposal does not demonstrate how one standard parking stall plus one car-share space will adequately serve six units, along with visitors and service vehicles, particularly under winter conditions. This raises a strong likelihood of overflow parking affecting the street and surrounding properties which are already full of cars parked in the street. The unit is not built downtown, buyers will use their multiple cars to commute, it will become a problem for the whole neighbourhood.

In evaluating the variance against the criteria set out in Section 4.9.1(a)(i) and (ii) of Zoning By-law 5045, I do not believe the proposal meets the required standard. The combined effect of a 50% reduction in rear-yard setback and a building height of 12 metres will materially interfere with neighbouring properties in several ways.

Privacy: Windows, balconies, and stairs located very close to the rear property line will create direct overlook into adjacent homes and outdoor spaces.

Sunlight access: The scale and proximity of the building will reduce natural light to neighbouring yards and dwellings, affecting their usability and overall livability.

Lighting impacts: Required exterior lighting for safety—particularly with multiple rear entrances—will be located much closer to adjacent homes due to the reduced setback. This increases the likelihood of light spill into neighbouring bedrooms and outdoor areas, affecting comfort and sleep.

Taken together, these impacts are significant and go beyond what could reasonably be considered minor or acceptable within the intent of the bylaw. I just bought my house [REDACTED] and having a huge 6 unit building encroaching in [REDACTED] neighbours backyard will severely decrease the value of my property, while impacting my quality of life.

Finally, given that the site grading is still to be finalized, I believe the City should require a clear and consistent final site plan, including confirmed building height based on finished grade, as well as

detailed information on drainage, excavation, snow storage, lighting, and privacy measures before making any decision.

For all of the reasons outlined above, the application does not demonstrate that the requested variance meets the criteria of Zoning By-law 5045 or that it will avoid undue impacts on neighbouring properties. I request that the Development Officer deny the variance application.

Public Comment No. 10

We are writing in response to the City's request for public comment regarding the application for a development permit/variance at 2 Findlay Point, which seeks to reduce the required rear-yard setback from 6.0 metres to 3.0 metres to accommodate a proposed six-unit dwelling.

After reviewing the application and considering the intent of the Yellowknife Zoning By-law 5045, we do not support the requested variance for the reasons outlined below.

Starting with the rationale provided for the rear yard variance, the applicant indicates the requested variance is minor in nature, reflects practical constraints related to the irregular shape of the lot, and does not increase the building density and unit count. We respectfully disagree with this analysis for the following reasons.

- The requested 50% variance in the rear yard setback distance is not minor in nature. This can be clearly inferred by the previous zoning By-law 4404 which only permitted the Development Officer to allow a rear yard variance up to 25% as per section 3.5(2).
- Although the lot at 2 Findlay Point does have an irregular shape and may pose some practical constraints, the proposed 6-unit dwelling is simply too big to accommodate the lot. The design reaches the maximum allowable height of 12 metres and encroaches 50% into the required 6 metres rear yard setback. The "practical constraint" cited by the applicant arises directly from the density and scale of the building they have chosen to place on the lot. In other words, the constraint is self-created rather than inherent to the property.
- If the variance is approved, the rear yard setback would be reduced to 3 metres. Under Table 10-2 in Section 10.1 of Zoning By-law 5045, unenclosed steps may encroach only up to 40% into a reduced setback. This means the steps must remain at least 1.8 metres from the property line. The current design places the steps just 1.02 metres from the property line, which does not comply with the requirements of Table 10-2 and directly contradicts the by-law.
- The applicant proposes to install a 2-metre fence as a mitigation measure to privacy, separation and site definition concerns. We do not believe a fence would effectively mitigate these concerns, especially related to privacy, considering it would be less than 3 metres from a 12-metre-tall building (and potentially only 1.02 metres from unenclosed steps and balconies). According to the proposed building plan, the lowest-level unit would be at an approximate 2 metre height, enabling a view above the 2-metre fence, rendering the fence ineffective.

Turning now to the evaluation criteria guiding the Development Officer in their decision to grant a Variance, subsections 4.9.1(a)(i) and (ii) of zoning By-law 5045 state that the proposed Variance must not unduly interfere with the amenities of the neighbourhood or materially interfere or affect the use, enjoyment, or value of the neighbouring parcel of land.

The 50% reduction in the rear yard setback must be considered in combination with the 12-metre proposed height of the building to fully understand the impact of the interference of the proposed building. The combined effect of height and reduced setback would have a substantial impact on the use, enjoyment and privacy of indoor and outdoor spaces of neighbouring dwellings and raises significant concerns:

- **Privacy:** Rear-facing windows, stairs and balconies positioned as close as 1.02 metres from the rear property line, will have a direct view into neighboring dwellings and full view overlooking their usable outdoor space, resulting in an unavoidable loss of privacy.
- **Sunlight access:** The size and height of the proposed multi-unit dwelling combined with the reduced setback would substantially diminish sunlight in the usable outdoor space of neighbouring properties, directly interfering with their use and enjoyment. Reduced natural light within the homes themselves would further diminish residents' quality of life.
- **Floodlighting impacts:** Section 8.2.6(a)(vi) of Zoning By-law 5045 requires multi-unit dwellings to install floodlighting to ensure safety and security. In this proposal, three of the unit entrances are located at the rear of the building, which means the rear yard will require substantially more lighting than is typical for a residential property. Because residents will be using exterior stairs to access these units, the lighting will need to be brighter and activated more frequently to maintain safe access. With the reduced rear yard setback, these floodlights would be positioned much closer to neighbouring homes. As a result, the lighting would shine directly into the bedroom windows of the adjacent residences, materially interfering with sleep, privacy, and overall wellbeing.

For the reasons outlined above, the proposed site plan contradicts Zoning By-law 5045, and the requested variance does not meet the criteria set out in the By-law and would result in undue interference with neighbouring properties. The scale and design of the proposed building are incompatible with the constraints of the lot, and the impacts on privacy, sunlight, livability, and outdoor enjoyment are significant.

We respectfully request that the Development Officer deny the variance application.

Public Comment No. 11

We are writing to you today to respectfully share our concerns regarding the proposed development and requested variances at 2 Findlay Point. While we appreciate the ongoing development in our community, there are a few specific aspects of this proposal that we believe require careful reconsideration.

First, we would like to address the requested 50% variance on the rear setback. Over the past ten years, the City has removed or expanded almost all of the zoning restrictions that previously existed for this area (when we built our building the height limit was 8m, max number of units was 2 and even the type of siding was regulated). Consequently, setbacks are now the only remaining structural restrictions in place to protect neighborhood density and layout. Given that so much has already been altered, granting a 50% variance on the sole remaining safeguard is a significant decision that should not be made lightly.

Additionally, we would like to address the car share aspect of the proposal. For a car share program to function effectively, it requires several cars to be available within walking distance. When availability is limited to just one vehicle, users inevitably become frustrated by scheduling conflicts and lack of access, which ultimately drives them to purchase their own personal vehicle(s). A single-car setup does not effectively mitigate the parking or traffic footprint of a new six-unit development, unless there is a plan to develop car sharing in the wider neighbourhood.

We ask that the City carefully weigh these points when considering this development. Thank you for your time, the opportunity to provide feedback, and your attention to this matter.

I would add that if we had to choose between a car share and additional on-site parking at the rear, we would prefer the car share... we just need to find a way to add more car share vehicles in the given area.

Public Comment No. 12

I'm writing to share my concerns about the proposed development at 2 Findlay Point.

I live [REDACTED], and to be honest, this proposal is very concerning for us. From what we understand, this would be a three-story multi-family building going up extremely close to our home. There appears to be little to no space between the two properties, which means this building would be directly overlooking our yard. That's a huge loss of privacy for us and will really change how we're able to use and enjoy our home.

The developer has mentioned to you in a letter that a fence would be added to provide privacy, separation, and a clear boundary between properties. However, there doesn't appear to be any actual plan or detail showing that a fence will be built. Without something concrete in the plans, it's hard to rely on that as a real solution, especially given how close this building would be to our home.

Parking is already an issue on our cul-de-sac. It's a tight, high-density court as it is, and there simply isn't room for more vehicles. Adding multiple new units without proper parking will spill cars onto the street, make things more congested, and create ongoing frustration for everyone who lives here.

What's also frustrating is that directly across from 2 Findlay, there is already a multi-unit rental building being constructed. That alone is going to increase traffic, parking pressure, and density in a noticeable way. Adding another multi-family development right across from it feels like too much for such a small, family-oriented street.

Findlay Point has always been a quiet, community-focused cul-de-sac where kids can play safely and neighbors know each other. Increasing the density this much is going to change that dynamic in a big way. More traffic in a confined space also raises safety concerns, especially for children and pedestrians.

I also can't help but feel that this proposal is more about maximizing rental units than fitting into the neighborhood. It doesn't seem to take into account how close it is to existing homes or the impact it will have on the people already living here.

On top of that, there are practical concerns, things like snow removal, garbage collection, and even emergency vehicle access. Our street wasn't designed to handle this level of density.

I'm asking that this proposal be seriously reconsidered, or at the very least scaled back to better fit the space and the neighborhood. There needs to be proper distance between buildings, realistic parking, and clear, enforceable plans for privacy measures like fencing and not just general statements.

Public Comment No. 13

The development of 2 Findlay Point as a 6-unit multi-dwelling will undoubtedly not support neighbourhood character as suggested in Edwin Shu's letter of information to Bassel Sleem. It will in fact *"result in adverse effects on the neighbouring properties"* and will not *"support compatibility with the surrounding residential area or respect neighbourhood character."* A single-dwelling or at the very least a duplex unit would be more suitable for the proposed application of land for Findlay Point. This would ensure that the cul-de-sac does not get even further overpopulated with residents beyond its capacity.

The residential area in discussion, Findlay Point is already currently facing its own significant challenges, including overpopulation which has turned it into an unsafe parking lot with no boundaries. This has great impacts on safety of its residents and visitors and the ability of services attempting to gain access into Findlay Point. This includes propane and other necessary delivery services, emergency services, garbage pick up, and snow removal. There have been several occasions where services have attempted to reach a house but have not been able to due to many vehicles being parked every which way. I personally, have been trapped in my driveway on multiple occasions with a vehicle full of children unable to get them to their destination.

In his letter Edwin mentions *"a functional and compliant parking arrangement at the front and rear of the site."* It appears there are 2 potential parking spots on the site plans at the front of the building, but I do not see a rear parking arrangement on any plans. Please advise as to what this means as this letter is currently attached in the site plans on the City of Yellowknife's Active Development Applications webpage for 2 Findlay Point. Edwin's letter and the application submitted plans also do not mention any *"Car Share Service in lieu of 6 parking spaces"* (sourced from the Notice of Application). The Notice of Application appears to be the only mention of this plan. Also please note even 6 parking spaces would not suffice as quite often 1-unit occupies 2 or more individuals so that would be potentially 12 parking spaces the Car Share Service would need to provide in order to be more realistic as to what this over-populated parking dilemma may result in. This all does not speak to the addition of potentially 6-12 or more individuals plus potential animals being added into the cul-de-sac. This will be especially apparent with the 2-bedroom units as those could potentially bring an additional resident/renter as well! Currently, all housing units on Findlay Point consist of all multi-dwelling units (with the exception of only 2 single dwellings). Also to note that this does not include any company or visitors the units may also have during any given time. Moyle Drive and Findlay Point both see a large number of tourists and individuals from all over Yellowknife and the surrounding area who come to hike nearby trails. The safety of these individuals also needs to be factored into this application proposal.

An example of the realistic parking spots required is provided by looking at all of the new developments on Moyle, 123 and 130 Moyle Drive, both 4-plex units, and the 19-unit NWT Housing Corporation building on Moyle, and on Findlay Point (5 (includes rental suite), 7 and 8 Findlay Point both 4-plex units). Every single one of those units came with one or more residents who most certainly do have a vehicle(s). In reality residents who do not currently own vehicles will quickly get one or more if they do not already have one prior to moving in. All 4 of the Habitat for Humanity Home residents all have multiple vehicles, as do both 4-plex units (130 Moyle and 8 Findlay Point) and many of the 19-unit building also have vehicles beyond the capacity of the small parking lot provided there. Many of the Niven Heights Condos and Villas residents also park overflow vehicles on Moyle. Also, 123 Moyle Drive currently under construction is set to contain 4 additional units as well. Both houses currently being built on Findlay Point (5 and 7 Findlay Point) each have rental suite(s) that will also have renters who have vehicles. When it is -30 for months again next winter all of these individuals plus the additional proposed 6-unit multi-dwelling will not pay to live in Niven and happily park somewhere along already overcrowded Moyle. Taking a drive down Moyle on a Saturday or Sunday is very claustrophobic and you instantly regret having to take that road, but it is the only way in and out.

Therefore, having insufficient parking spaces for residents is not a realistic option for this proposed project for a 6-unit dwelling. A single-dwelling or at the very least a duplex unit would be a much more viable option for this lot in discussion. The number of residents an additional 6-unit dwelling accounts for needs to be in an area where individuals are able to walk to places with ease and access. Findlay Point currently has *"a Walk Score of 7 out of 100 due to the location being deemed as a "Car-Dependent" neighborhood so errands require a car."* YK Car Share has already looked at the option of having this type of program in Niven and deemed it unrealistic due to the fact that many cars would need to be readily available for residents at any given time. The distance residents have to travel is too far in order for this type of Car Share Service program to work in Niven.

Historically, appeals are a common theme in this same neighbourhood, including in 2023 for 130 Moyle Drive and for 7 Findlay Point. Interestingly, both appeals also highlight the significant concerns with necessary parking not being available. This appears to be a common theme that has been consistently overruled and accepted to continue as such. Each time the statement *"there are no negative impacts"* is provided without any action for unhappy concerned residents. Just down Niven Drive similar issues of traffic and parking appeals were also noted in 2022 for Hagel Drive Niven Lake Phase 5/The View (70-units) and in 2024 for 110 Hagel Drive (24-unit multi-dwelling). Additionally, to note the appeals in 2015 with the 19-unit NWT Housing Corporation building on Moyle Drive across from the Niven Heights development.

I am also seeking clarity as to the following statement: *"as a mitigating measure for the reduced rear yard setback, we propose the installation of a fence along the rear property line section **without a fence.**"* I am wondering how a fence is proposed without a fence? Several times in Edwin's letter, he mentions the fact that 2 Findlay Point is on *"an irregularly shaped lot"* and deems this variance request is *"site-specific and reflects practical constraints related to the irregular shape of the lot."* It is therefore arguable that this encroachment into the rear yard setback would in-fact *"create adverse impacts on adjacent properties."* If the fence is proposed but not actually going to happen then the following statement will be incorrect: *"the proposed fencing will further ensure that the reduced setback does not result in adverse effects on neighbouring properties and will support compatibility with the surrounding residential area."* Please note that previously in his letter, Edwin claims there

will be no “*result in adverse effects on neighbouring properties.*” This is a contradicting statement that raises questions as to the validity of one’s word when attempting to get an application approved.

The ability to keep our children, elderly, and pets safe on Findlay Point is also of concern as people, vehicles, animals, tourists, and construction are everywhere. A single-dwelling or at the very least a duplex unit would be more suitable for this remaining lot on Findlay Point. Please consider the safety of the residents who already pay a lot to live somewhere they once felt safe.

Public Comment No. 14

I am writing to provide formal comments regarding the development application for 2 Findlay Point (File: PLDEV-2026-0013).

After reviewing the submitted plans and supporting materials, I have several concerns related to zoning compliance, neighbourhood impact, and the practical implications of the proposed design.

1. Rear Yard Setback, Building Massing, and Property Value Impact

The proposed reduction of the rear yard setback from 6.0 metres to approximately 3.0 metres represents a significant deviation from the requirements of the Zoning By-law. A reduction of this magnitude—approximately 50%—does not appear minor in nature and materially alters the spatial relationship between properties.

When combined with the proposed building height (approaching the maximum allowable), the reduced setback results in a structure that is both visually and physically imposing relative to adjacent properties. The building mass, when placed so close to neighbouring property lines, creates a sense of overdevelopment that is inconsistent with the intended character of the area.

This proximity is not only a planning concern but also a financial one. The presence of a large, multi-unit structure at such a reduced setback can reasonably be expected to negatively affect neighbouring property values. The diminished sense of space, increased overshadowing, and loss of visual openness are all factors that can reduce market desirability and long-term value for adjacent homeowners.

2. Privacy Impacts from Rear-Facing Stairs and Openings

Of particular concern is the placement of exterior stairs, entrances, and associated circulation areas directly at the rear of the building, facing neighbouring properties.

Based on the drawings, these elements appear to be located extremely close to the rear property line. This creates a direct line of sight into adjacent yards and potentially into interior living spaces. The elevated position of these access points further exacerbates the issue, effectively overlooking neighbouring properties and eliminating any meaningful sense of privacy.

This design introduces a continuous and unavoidable intrusion into the use and enjoyment of nearby outdoor and indoor spaces.

3. Floodlighting and Light Intrusion

The proposal indicates that lighting will be required for safety and access, particularly at the rear of the building where multiple unit entrances are located.

Given the reduced setback, any required floodlighting will be positioned in close proximity to neighbouring properties. The frequency of use (due to multiple units and shared access points) suggests that lighting will be activated regularly, including during nighttime hours.

This raises serious concerns regarding light spill into adjacent homes, particularly into bedroom windows, resulting in sleep disruption, reduced privacy, and overall diminished residential amenity.

4. Parking Provision and Car-Share Assumptions

The proposed parking strategy raises practical concerns. The allocation of only two dedicated parking spaces, supplemented by reliance on car-share arrangements, does not reflect typical vehicle ownership patterns in this neighbourhood.

There is no clear mechanism outlined for how the use of car-share spaces would be enforced or managed over time. Without enforceable controls, it is highly likely that residents will rely on on-street parking, thereby increasing pressure on already limited parking availability in the area.

This creates a foreseeable spillover effect that will negatively impact existing residents and the overall functionality of the neighbourhood.

5. Impact on Neighbourhood Character and Livability

The combination of reduced setbacks, increased building mass, direct overlooking, and intensified use introduces a form of development that is not consistent with the established character of the area.

The resulting loss of privacy, increased lighting intrusion, and parking congestion are all factors that can reasonably be expected to negatively affect both the enjoyment and value of neighbouring properties, as well as the overall livability of the neighbourhood.

Conclusion

In summary, the proposed development raises substantial concerns with respect to zoning compliance, privacy, lighting impacts, and parking feasibility. The cumulative effect of these issues suggests that the proposal does not meet the intent of the Zoning By-law, particularly in terms of maintaining compatibility with surrounding properties and protecting residential amenity.

I respectfully request that these concerns be given careful consideration in the review of this application.

Public Comment No. 15

This letter is submitted to voice my concerns with respect to the application for the 6-unit complex planned for the already-overpopulated small cul-de-sac, Findlay Point in Niven Lake subdivision.

If allowed to proceed, this development would tip the scales on the balance of pleasantly quiet to an unnecessarily busy neighbourhood, with two existing, separate 4-unit complexes on the street.

Even without this proposed complex, parking is complicated, as beyond the contractors' various vehicles and trucks, causing significant safety concerns and inconvenience to residents, once the units themselves are populated, there will be difficulties navigating the spaces allotted.

A 6-unit apartment building in such a small area, without parking allowances, given people still rely on various modes of transportation which warrant need for turning around and spaces to park, would render our small street unimaginably overcrowded.

Residents of Findlay Point are extremely concerned about the City of Yellowknife allowing not only further development of what is supposed to be a higher-end neighbourhood (i.e. nicely spaced living quarters for professionals and small families with young children), but that there is no regard to maintaining safety of its residents.

The sheer volume of vehicles coming in and out of a small cul-de-sac must be considered for risk reduction. A 6-unit structure is not appropriate for Findlay Point, an already high-density street. Of note, official trail access from our street to the firebreak below, which we all enjoy as access to nature, furthers traffic challenges as tourists drive in daily to park vehicles while they hike.

Beyond the safety factor, there seems to be a lack of enforcement for respect of the environment regarding two projects on-going with a particular developer, one at 7 Findlay and another on Moyle, whereby construction materials, garbage, pink insulation and other debris are piled high then scattered over surrounding lots, forest, and roads. As there must be building inspection to enforce various legislated codes, there must also be serious consideration to residents' standard of living.

To live well, we need space between building units to allow natural light into homes. The current size and elevation of the proposed project at 2 Findlay would dwarf its neighbours, significantly limiting light and living space. It would be much more appropriate and in keeping with the character of the neighbourhood to have a 2-unit building with 2-story elevation and smaller footprint.

Car-share service is not feasible in Niven Lake, especially for six units. While close enough for some to walk or bike downtown, during long and cold winters it is almost mandatory to have vehicles. Nobody in Yellowknife we are aware of has been able to operate exclusively with car-share services, currently only two cars (not always in operation). Parking is essential, on-site (i.e. not on the street).

Furthermore, a garbage disposal unit at 2 Findlay not only would take up a significant ratio of available space on that lot but requires access by a garbage disposal truck including turnaround.

I seriously urge the City to reconsider this project at all, certainly to deny the proposed variance. A duplex would be reasonable, providing for increased population density without exceeding the capacity of our small cul-de-sac.

2026:



Public Comment No. 16

My wife and I are writing to formally oppose the Development Permit and Variance Application (File No. PLDEV-2026-0013) for the proposed multi-unit dwelling at 2 Findlay Point.

Our concerns are based on a review of the Notice of Application and submitted plans.

1. Rear Yard Setback Variance is Not Minor

The application proposes reducing the rear yard setback from the required 6.0 metres to approximately 3.0 metres, with encroachments of approximately 1.97 m to 2.97 m along the rear elevation.

A reduction of this magnitude (up to 50%) is significant and not minor in planning terms. Rear yard setbacks are intended to provide:

- Adequate separation between properties
- Privacy for adjacent residents
- Space for drainage, snow storage, and maintenance

Reducing this setback compromises these functions and does not maintain the intent of the Zoning By-law.

2. Inconsistency with R1 Zoning Intent

The property is zoned R1, which is typically intended for low-density residential development. The proposal introduces a 6-unit, three-storey building (plus basement), representing a substantial increase in density and built form intensity.

While infill development is important, this scale of development combined with reduced setbacks is not consistent with the intent of low-density zoning and may negatively affect the character of the surrounding area.

3. Parking Deficiency and Car Share Substitution

The revised plans indicate only 1 parking space plus 1 car-share space in lieu of the required 6 parking spaces.

This represents a significant reduction in on-site parking. Given Yellowknife's context:

- Limited public transportation options

- Winter conditions that limit active transportation
- High reliance on personal vehicles

It is unlikely that a car-share model will adequately meet resident demand. This will likely result in overflow parking onto nearby streets, impacting existing residents and creating potential safety and access concerns.

4. Functional Site Constraints and Snow Management

The site plan identifies multiple competing uses within a constrained site, including:

- Parking and access areas
- Snow piling areas
- Waste collection area
- Reduced rear yard space

With the rear yard setback reduced to approximately 3 metres, there is limited space to accommodate snow storage without affecting access, visibility, and usability of the site. This raises concerns about the long-term functionality of the development, particularly during winter months.

5. Variance Justification Relies on Site Constraints

The rationale provided cites irregular lot shape, bedrock conditions, and grading challenges. However, these are typical conditions in Yellowknife and should be addressed through appropriate building design and site planning.

Variances should not be used to maximize development at the expense of established zoning standards. Approving this variance risks setting a precedent for similar reductions on other properties.

6. Limited Effectiveness of Proposed Mitigation

The proposed rear yard fence does not adequately mitigate the impacts of reduced setback, particularly with respect to privacy, spatial separation, and overall site intensity.

Conclusion

Based on the above, the requested variance is not minor, does not maintain the intent of the Zoning By-law, and raises concerns regarding parking, site functionality, and neighbourhood compatibility.

I respectfully request that the City deny the variance and require the development to comply with the existing zoning requirements.

Public Comment from Municipal Enforcement Division

Over the last year-and-a-half, MED has received several complaints at Findlay Point regarding the ongoing construction. These ranged from contractors letting garbage and construction materials blow around into public and adjacent properties, contractors blocking access to private driveways, contractors not communicating early and clearly to other residents of their activities, illegal parking of contractor vehicles, and others. From our records we conducted 10 visits to the area in 2025 in response to complaints, 2 so far in 2026. These visits were responses to complaints, or follow ups to previous complaints.

Overall I assess that the concerns of local residents in the area are valid. We should give serious consideration before approving this permit. There needs to be a clear understanding of how we expect the Contractors/Developers to behave and respect other local residents.



DRAWING LIST

- A100 Site Plan
- A101 Landscaping Plan
- A111 Basement Plan
- A112 First Floor Plan
- A201 Elevations
- A301 Building Sections



**2 FINDLAY POINT
Concept Plans**
Yellowknife, NWT

The Builder is responsible to check and verify all dimensions on this plan for compliance with local building and zoning requirements and report any discrepancies prior to commencing construction.

Our plan drawing sets do not take into account site conditions such as soil bearing capacity, water tables, depth of bedrock, buried structures, etc.

No warranties are either expressed, implied, or guaranteed by this document. It is assumed that the builder has a good knowledge of building physics and the construction techniques necessary to prevent building degradation.

Client	508416 NWT Ltd.
Date	2026-04-19
DEVELOPMENT APPLICATION	



DISTANCE TO FROM HYDRANT TO
FIRE DEPARTMENT CONNECTION
APPROX. 43m HOSE LAY AS
SHOWN (FROM CITY EXPLORER)

LOT ZONE: R1
LOT AREA: 6114 SF
BUILDING AREA: 1828 SF
LOT COVERAGE: 29%
TOTAL GROSS AREA: 5484 SF (EXCLUDING CRAWLSPACE)
BUILDING HEIGHT: 3 STORIES PLUS CRAWLSPACE (<2M FROM ESTABLISHED GRADE)
TOTAL UNITS: 3- 1 BED AND 3- 2 BED
TOTAL PARKING: 1 SPACE + 1 CAR-SHARE SPACE
TOTAL BIKE PARKING: 6 SPACES



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NO SITE GRADING REQUIRED AT BACK,
LEAVE NATURAL GRADE AND VEGETATION

ROOF OVERHANG TYP.

BLAST AND GRADE EXISTING ROCK TO ALLOW
PARKING AND ACCESS AS SHOWN

MINIMUM YARD SETBACK, TYP.

BIKE PARKING AREA

PAVED AREA

LIGHTING AS REQUIRED
FOR PARKING AREA

FINDLAY POINT

WASTE STORAGE AND COLLECTION
AREA, FENCED IN WITH MIN 2M FENCE

EXISTING UTILITY POLE AND
OVERHEAD SERVICE TO MECHANICAL
ROOM

FIRE DEPARTMENT
CONNECTION THIS
CORNER

PROPOSED PROPANE
TANK AREA

EXTERIOR EXIT STAIR

REAR YARD, LESS THAN
10% VARIANCE REQUIRED
FOR BUILDING

① SITE PLAN
1/8" = 1'-0"

Rev.	Description	Date
Client		
508416 NWT Ltd.		
Project		
2 FINDLAY POINT Concept Plans		
Yellowknife, NWT		
Status		
DEVELOPMENT APPLICATION		
Sheet Name		
Conceptual Grading Plan		
Date	2026-04-19	
Drawn by	XX	
Checked by	XX	
Sheet Number		C100



2026-04-19 9:01:13 PM



DISTANCE TO FROM HYDRANT TO
FIRE DEPARTMENT CONNECTION
APPROX. 43m HOSE LAY AS
SHOWN (FROM CITY EXPLORER)

LOT ZONE: R1
LOT AREA: 6114 SF
BUILDING AREA: 1828 SF
LOT COVERAGE: 29%
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LEAVE NATURAL GRADE AND VEGETATION

ROOF OVERHANG TYP.

BLAST AND GRADE EXISTING ROCK TO ALLOW
PARKING AND ACCESS AS SHOWN

MINIMUM YARD SETBACK, TYP.

BIKE PARKING AREA

PAVED AREA

LIGHTING AS REQUIRED
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FINDLAY POINT

WASTE STORAGE AND COLLECTION
AREA, FENCED IN WITH MIN 2M FENCE

EXISTING UTILITY POLE AND
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FIRE DEPARTMENT
CONNECTION THIS
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PROPOSED PROPANE
TANK AREA

EXTERIOR EXIT STAIR

REAR YARD, LESS THAN
10% VARIANCE REQUIRED
FOR BUILDING

① SITE PLAN
1/8" = 1'-0"

Rev.	Description	Date
Client	508416 NWT Ltd.	
Project	2 FINDLAY POINT Concept Plans Yellowknife, NWT	
Status	DEVELOPMENT APPLICATION	
Sheet Name	Site Plan	
Date	2026-04-19	
Drawn by	XX	
Checked by	XX	
Sheet Number	A100	



2026-04-19 9:01:13 PM

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Rev.	Description	Date
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Client
508416 NWT Ltd.

Project
2 FINDLAY POINT Concept Plans
Yellowknife, NWT

Status
DEVELOPMENT APPLICATION

Sheet Name
Landscaping Plan

Date
2026-04-19

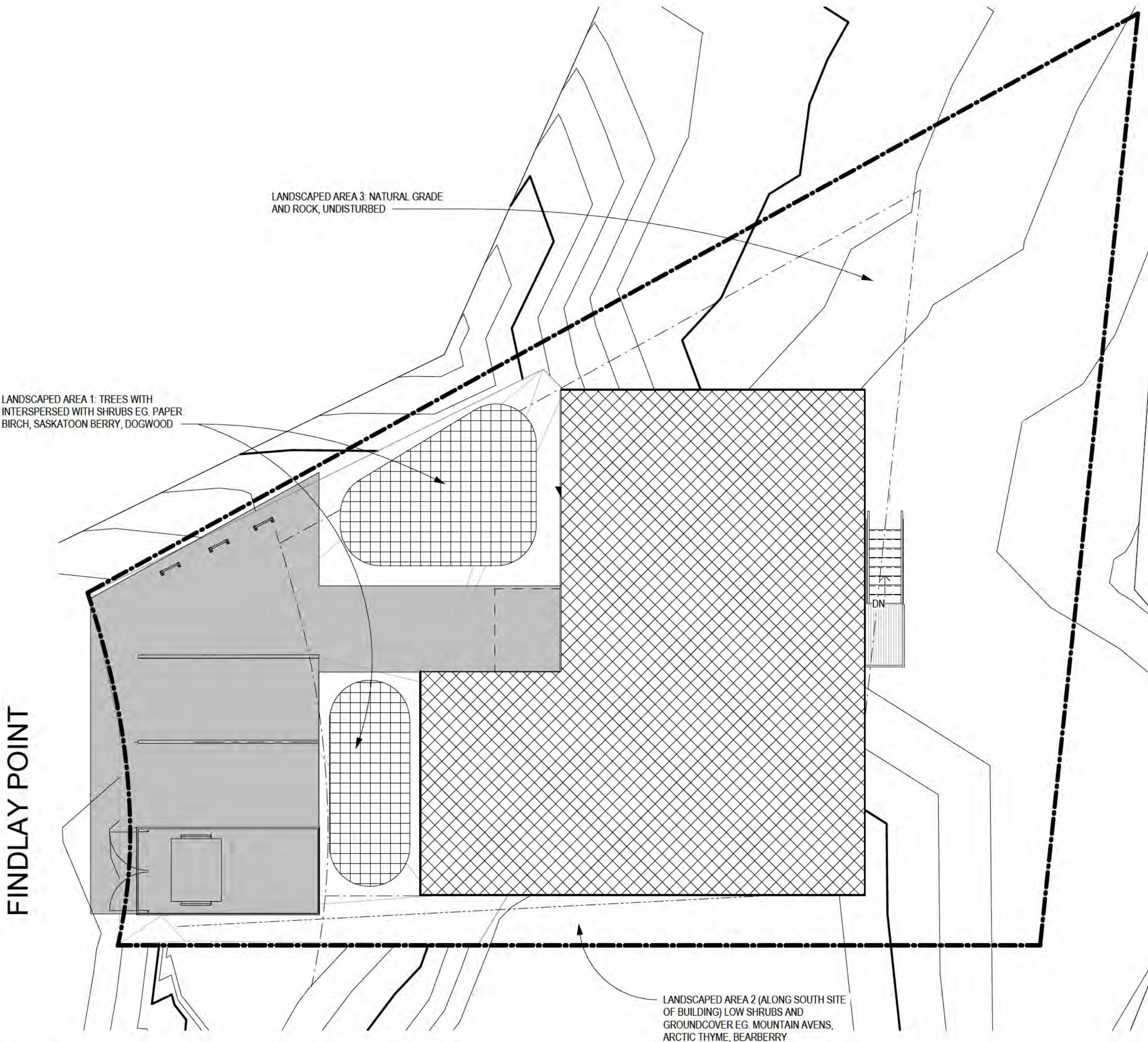
Drawn by
XX

Checked by
XX

Sheet Number

A101

LOT AREA : 6114 SQFT
NATURAL LANDSCAPE AREA: 1220 SQFT
MIN ADDED TREES: 8
MIN ADDED SHRUBS: 16



LANDSCAPED AREA 1: TREES WITH
INTERSPERSED WITH SHRUBS EG. PAPER
BIRCH, SASKATOON BERRY, DOGWOOD

LANDSCAPED AREA 3: NATURAL GRADE
AND ROCK, UNDISTURBED

LANDSCAPED AREA 2 (ALONG SOUTH SITE
OF BUILDING) LOW SHRUBS AND
GROUND COVER EG. MOUNTAIN AVENS,
ARCTIC THYME, BEARBERRY

1 SITE PLAN
1/8" = 1'-0"

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Rev.	Description	Date
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Client	508416 NWT Ltd.	
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Project	2 FINDLAY POINT Concept Plans Yellowknife, NWT	
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Status	DEVELOPMENT APPLICATION	
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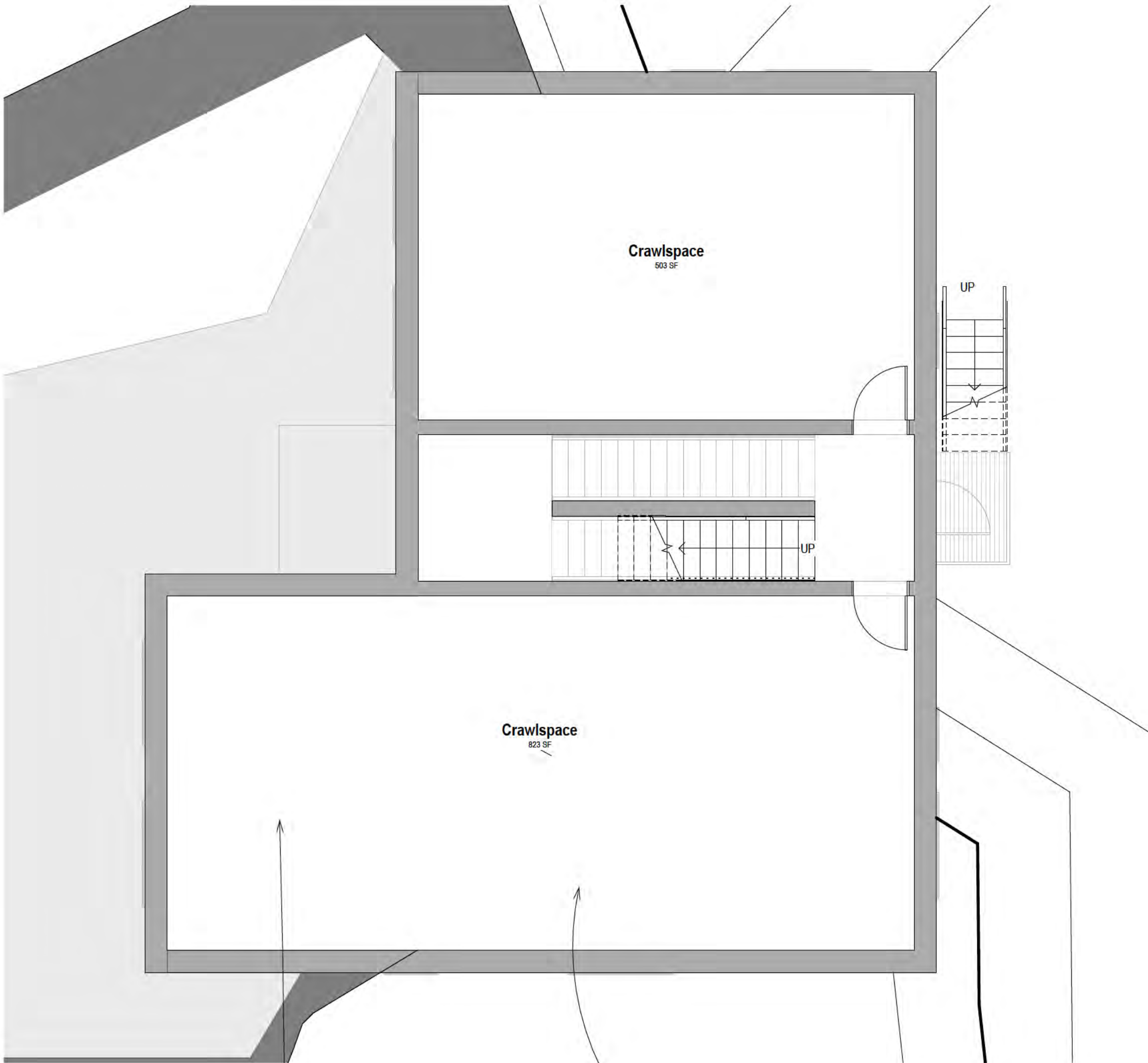
Sheet Name	Basement Plan	
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Date	2026-04-19	
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Drawn by	XX	
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Checked by	XX	
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	Sheet Number
	A111



1 BASEMENT PLAN
3/16" = 1'-0"

EXTENT OF FULL HEIGHT
BASEMENT EXCAVATION T.B.D. ON
SITE

DETAILED DESIGN FOR THIS LEVEL
TO BE COMPLETED AFTER
DEVELOPMENT PERMIT

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Rev.	Description	Date
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Client
508416 NWT Ltd.

Project
2 FINDLAY POINT Concept Plans
Yellowknife, NWT

Status
DEVELOPMENT APPLICATION

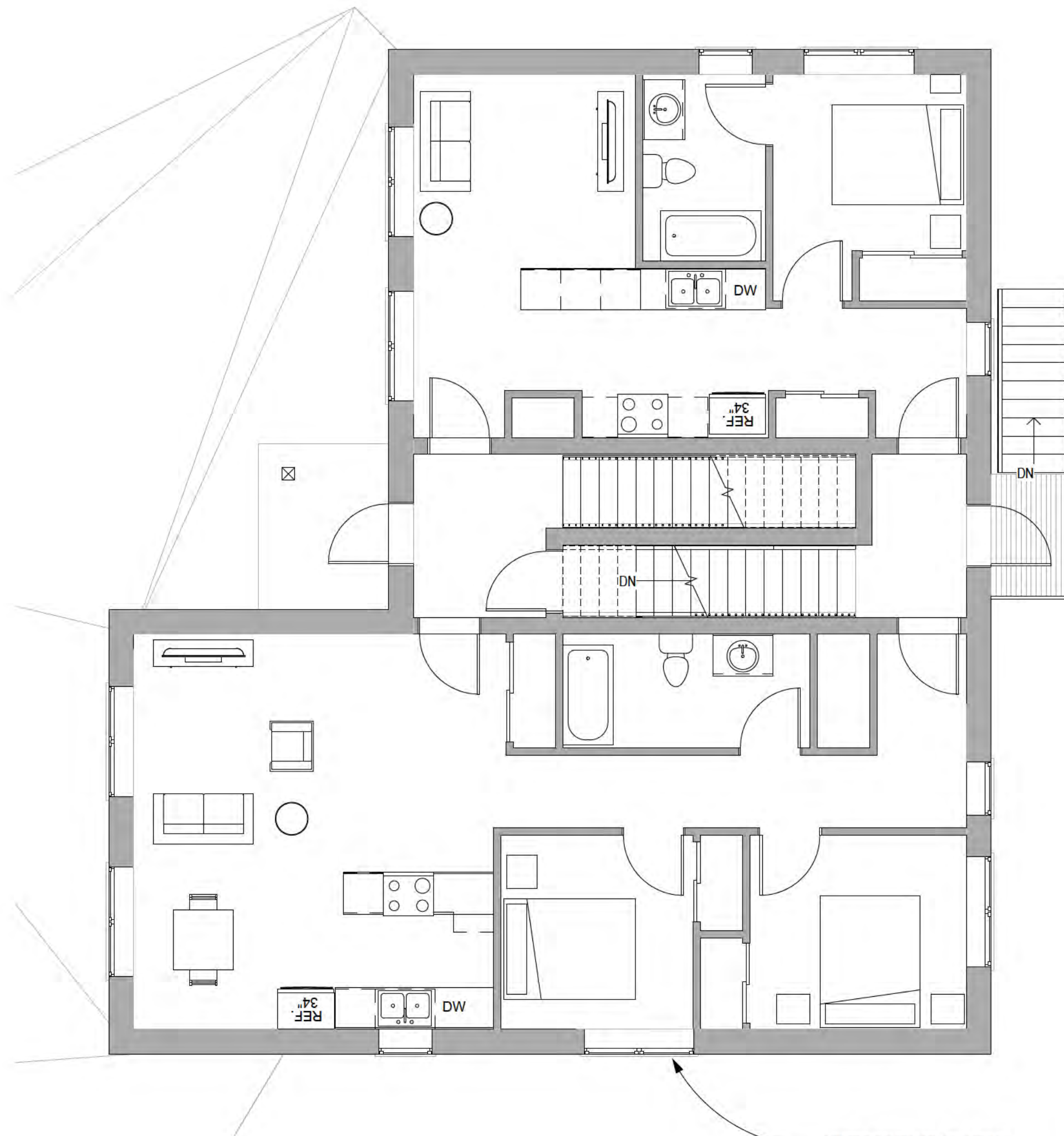
Sheet Name
First Floor Plan

Date
2026-04-19

Drawn by
XX

Checked by
XX

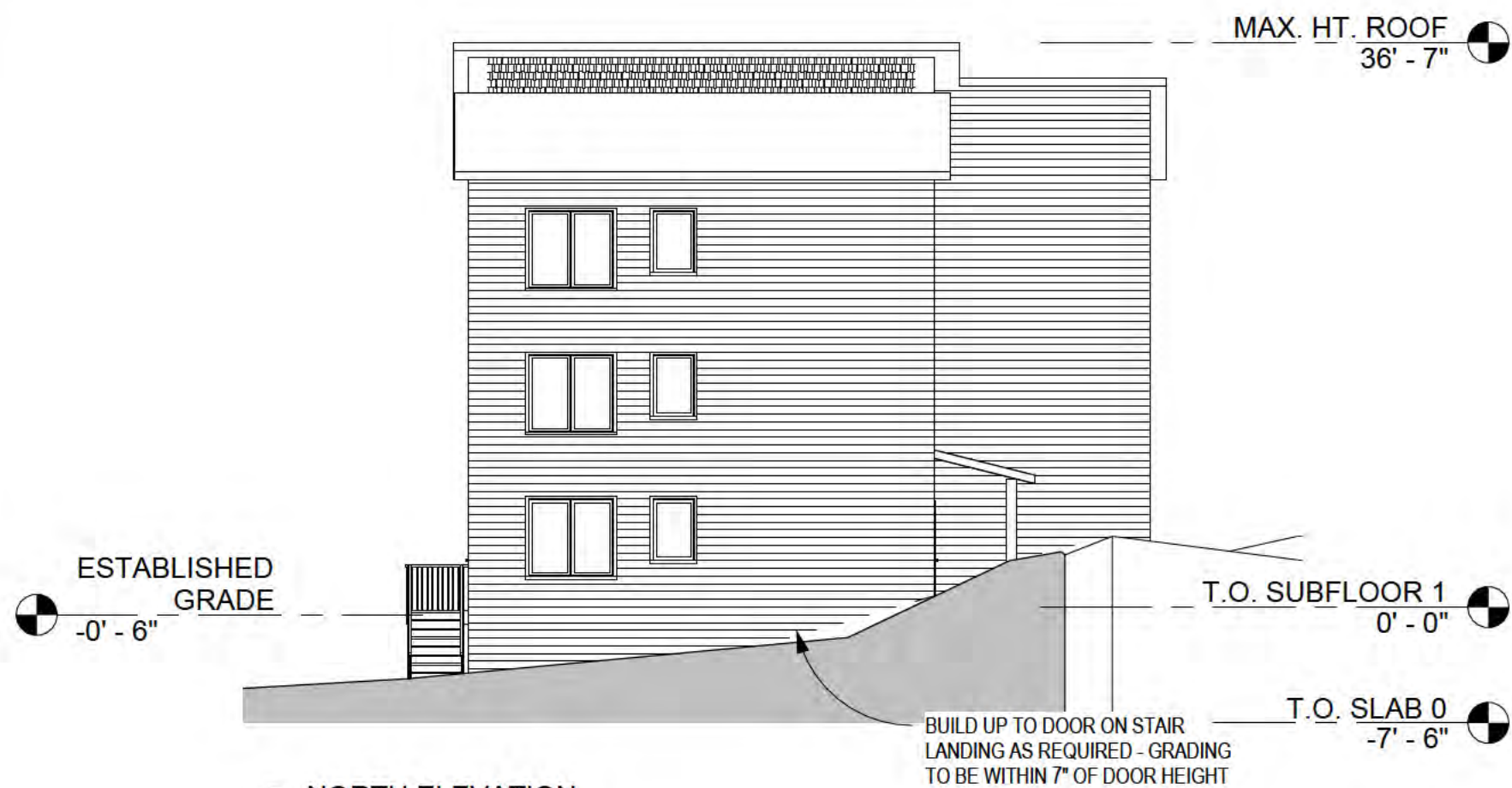
Sheet Number
A112



1 FIRST FLOOR PLAN
3/16" = 1'-0"

PLAN NOTES

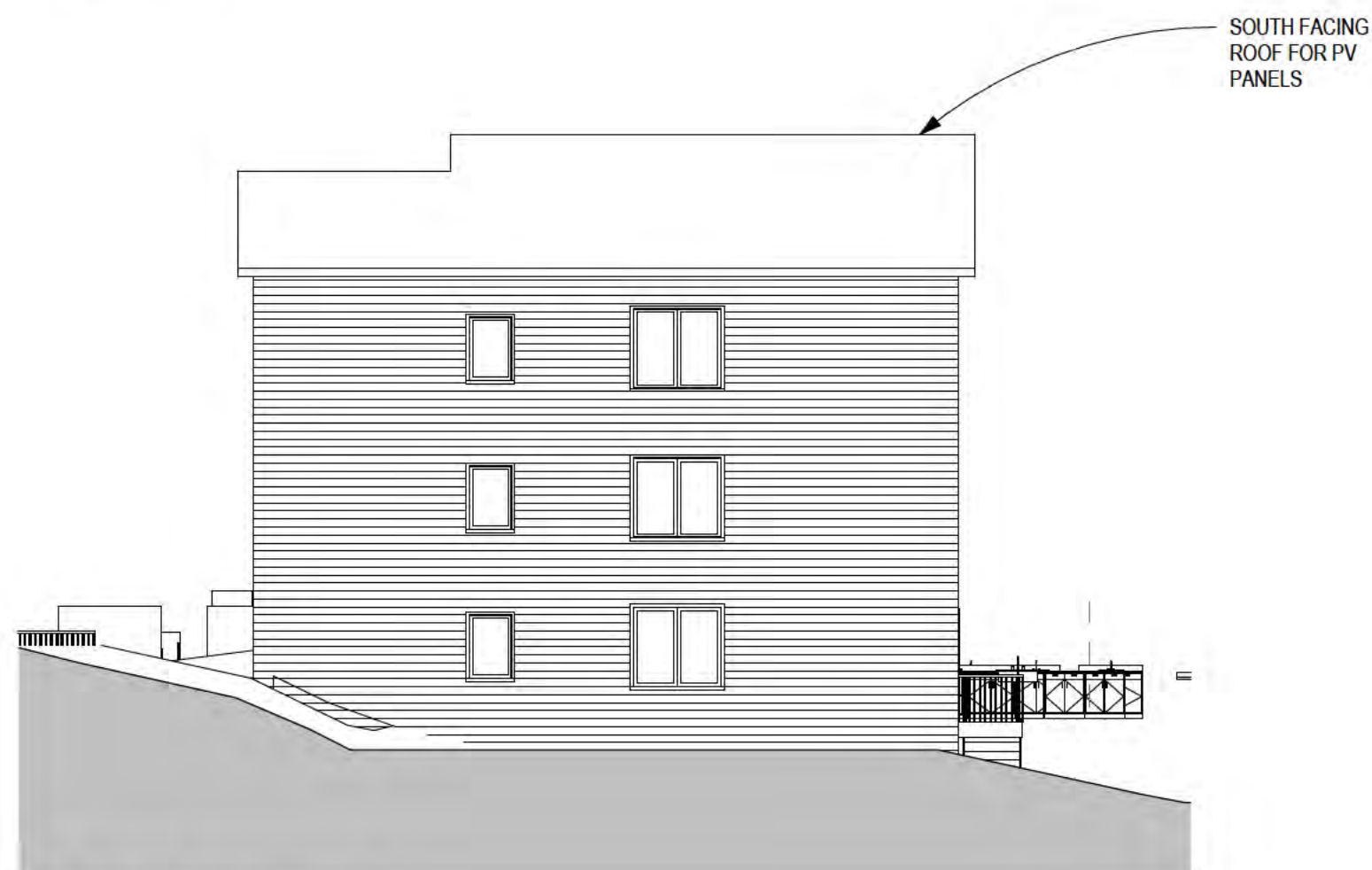
- All dimensions shown are to the face of finishes.
- All interior finishes are l.b.c. by Owner- trim assumptions and suggestions are as shown in interior finish schedule on this page.
- Confirm all floor to floor heights and stair dimensions on-site, prior to framing.
- If present, stairs are dimensioned to the face of risers or edge of opening, exclusive of trim and nosings.
- Framed openings are to be trimmed similar to doors with similar head height unless noted otherwise.
- Millwork is dimensioned to face of cabinets.
- Millwork materials, construction, and finishes are to be designed by others and approved by Owner before starting construction.
- Framing design assumes 3-1/2" trim on interior doors.
- Bath room sinks, mirrors, & light fixtures are to align with one another.
- If shown, for acoustically insulated walls seal all joints & sills & holes for air-tightness.
- Install smoke and CO detectors as required by Code.



1 NORTH ELEVATION
3/32" = 1'-0"



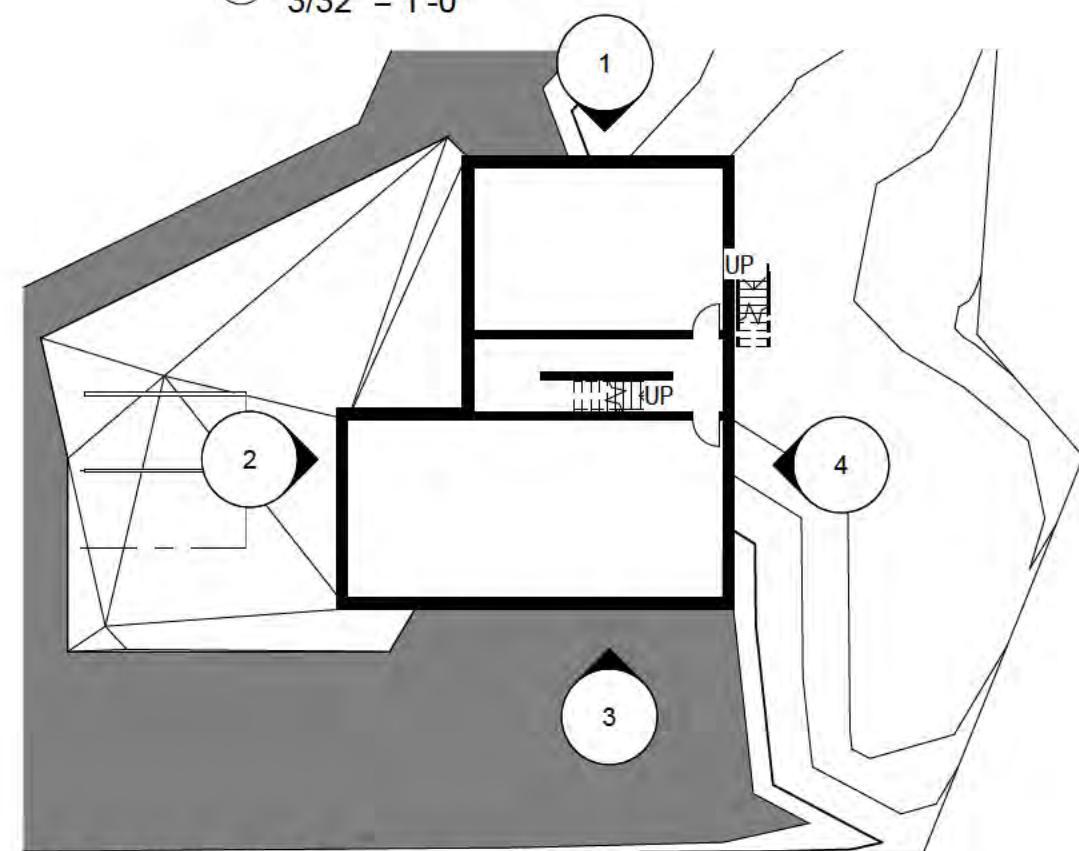
2 WEST ELEVATION
3/32" = 1'-0"



3 SOUTH ELEVATION
3/32" = 1'-0"



4 EAST ELEVATION
3/32" = 1'-0"



5 ELEVATION KEY PLAN
3/64" = 1'-0"

ELEVATION NOTES

1. All exterior trim, finishes, and colours to be confirmed by Owner.
2. Site grades shown are generic and may differ from the actual final grades for this project.
3. Eavestroughs and downspouts not shown; install where required.
4. Roof vents & plumbing stacks not shown; vent area to be min 1:150 [300].
5. If possible, do not bring vent stack up through south-facing roof to facilitate solar panel installation.
6. Dryer vent, range hood vent, & bath exhaust vents not used; electric range only, and condensing type dryer only.
7. Colour all exterior vents & vent hoods to match siding, or stainless.
8. Wooden or eq. deck surface is to be minimum 3" below the adjacent inside floor level.
9. Solid patio surfaces are to be minimum 6" below the adjacent inside floor level.
10. See Window & Door Schedule for window & door head & sill heights, page A001
11. All bedrooms are to have windows that meet Code for egress requirements.
12. Screen doors not shown in elevation.

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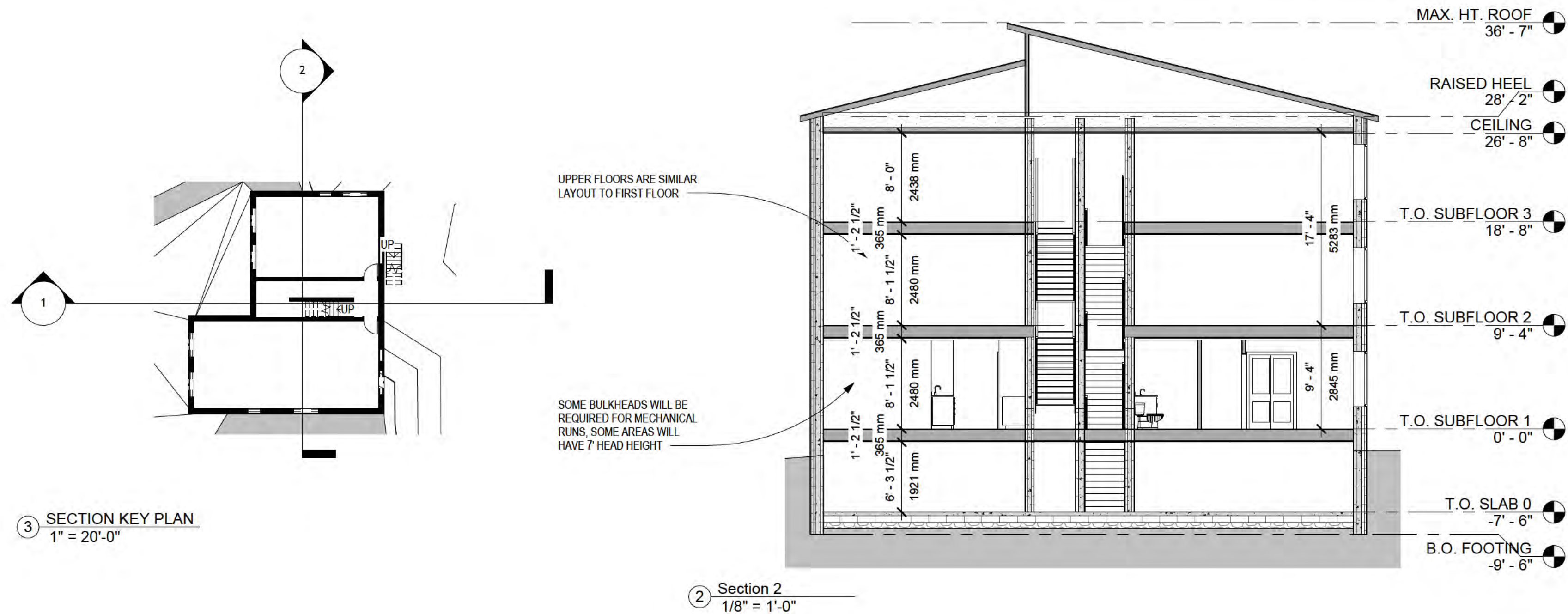
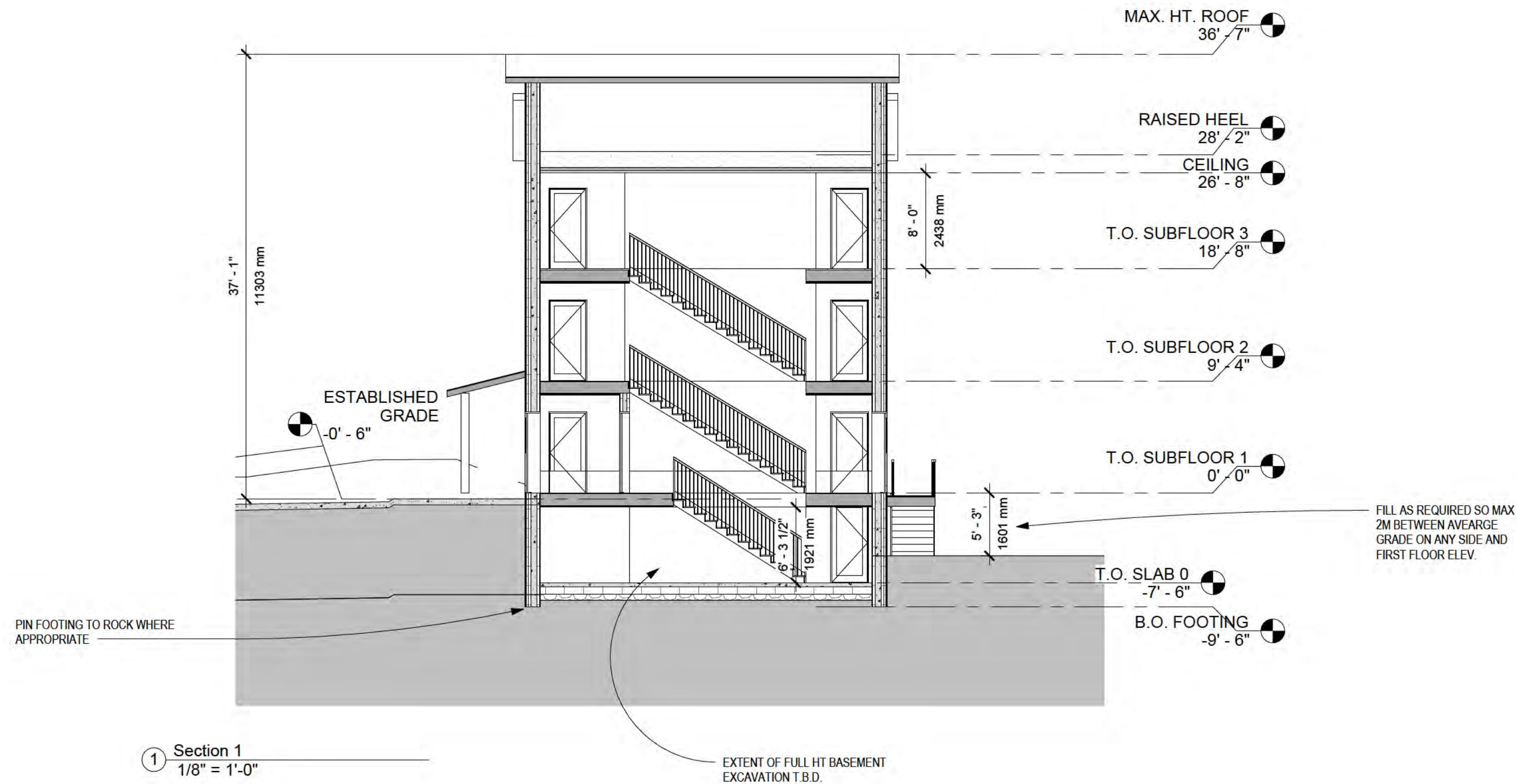
Rev.	Description	Date
Client	508416 NWT Ltd.	
Project	2 FINDLAY POINT Concept Plans Yellowknife, NWT	
Status	DEVELOPMENT APPLICATION	
Sheet Name	Elevations	
Date	2026-04-19	
Drawn by	XX	
Checked by	XX	
Sheet Number	A201	

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3 SECTION KEY PLAN
1" = 20'-0"

Rev.	Description	Date
Client		
508416 NWT Ltd.		
Project		
2 FINDLAY POINT Concept Plans		
Yellowknife, NWT		
Status		
DEVELOPMENT APPLICATION		
Sheet Name		
Building Sections		
Date		
2026-04-19		
Drawn by		
XX		
Checked by		
XX		
Sheet Number		

A301



Re: PLDEV-2026-0013 - Neighbourhood Meeting Update

2 Findlay Point < >
To: Bassel Sleem <bsleem@yellowknife.ca>

Tue, May 19, 2026 at 6:17 AM

Good morning Bassel,

I wanted to provide a brief update following the neighbourhood meeting I hosted at 2 Findlay Point on Saturday, May 16, 2026.

Approximately 12-15 residents attended between 2:00 and 3:30 pm. Dave, the General Contractor was present and fielded technical questions directly, covering blasting, foundation work, building height, and the rooftop solar system. Clarity was provided on several key topics including the rear setback, removal of the exterior stairs, lighting, car-share, parking, and construction duration.

The reception was largely positive. Neighbours appreciated the revised plans, and I shared the attached document with attendees, which outlines the full range of measures taken to address the concerns raised during the public comment period. Most attendees appeared satisfied with the responses provided. Two neighbours expressed a general view that the building is too large for the lot, though no new technical objections were raised. However, the proposed building is modest in scale — far removed from a conventional apartment building in both size and character.

Should the permit be approved, I intend to work with the architect at the building permit stage to incorporate exterior finishes, cladding materials, and accent elements that reinforce a residential character — including mixed siding profiles, entry detailing, and landscaping. I am prepared to invest in these enhancements and welcome any guidance the City may wish to offer in that regard.

On a lighter note, one neighbour joked about charging their EV when they heard an on-site charging station would be installed — which I took as a encouraging sign.

All attendees were encouraged to direct any remaining concerns to your office directly. So I suspect those who still have concerns may be reaching out or may have already done so.

I wanted to ensure this engagement is on the record as part of the application file. If there is anything I can do on my end to help move the review process along, please do not hesitate to let me know — the building season is closing in and timing is becoming an important consideration.

Thank you for your continued attention to this file.

Best regards,
Edwin

On Wed, May 6, 2026 at 1:06 PM Bassel Sleem <bsleem@yellowknife.ca> wrote:

Hi Edwin,

I'm just back in the office and seeing your voice message.

The application is still in the review process; decision has not been made yet.

I'll be in the office all afternoon if there is anything specific you wanted to chat about.

Thanks,

Mársı | Kinanāskomitin | Thank you | Merci | Hąǵ' | Quana | ᑭᓄᓐᓇᓴᓐᓴᓐ | Quyanainni | Máhsı | Máhsı | Mahsi

Bassel Sleem, RPP, MCIP

Planner II

Planning & Development

City of Yellowknife

Tel: 867 920 5611

yellowknife.ca

-



I acknowledge that I reside and work in Chief Drygeese territory.

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6/27/26, 8:49 AM

Gmail - Re: PLDEV-2026-0013 - Neighbourhood Meeting Update



neighbour_handout_2_findlay.pdf

143K

How Your Concerns Are Being Addressed

Prepared for the Findlay Point Neighbourhood Meeting | May 2026

I have reviewed all sixteen public submissions carefully. Below is a plain-language summary of the core concerns raised and exactly what I am doing to resolve each one. All commitments listed here is being proposed to be incorporated as binding conditions of the Development Permit.

1 Rear Yard Setback — Encroachment into Neighbour Space

Your Concern	How I Am Addressing It
The original variance request was too large — a 50% reduction is not minor.	The variance has been reduced to just 528 mm (8.8% of the required 6.0 m setback) by relocating the staircase to the interior of the building and repositioning the building mass.
The rear steps felt intrusive and overlooked adjacent yards.	The exterior rear staircase has been completely eliminated. Stairs are now inside the building — no rear-facing elevated access points remain.
The encroachment is a consequence of squeezing too many units onto the lot.	The 528 mm encroachment is caused by the irregular shape of the lot — not the unit count. A duplex on this same lot would face the same geometric constraint at the rear.

2 Parking — Will There Be Enough Spaces?

Your Concern	How I Am Addressing It
Six units will bring too many vehicles into the cul-de-sac.	The building is designed for residents who prefer lower-car living. Units are small (1 and 2 bedroom), targeted at professionals and young adults, with on-site car-share and e-bikes as built-in alternatives.
Car-share won't work — everyone in Yellowknife needs a car.	A minimum of one shared vehicle will be on-site at all times, backed by access to the YK Car Share network. This is a binding Development Agreement condition — not a suggestion.
A duplex would have fewer parking problems.	A duplex with walkout suites would produce four occupancies. At two vehicles each, that is up to eight vehicles with no car-share infrastructure — worse than the proposed six-plex by design.

Construction vehicles already overwhelm the cul-de-sac.

The photos submitted show construction-phase vehicles at a nearby site — not occupancy conditions. All construction materials and contractor vehicles for this project will be staged entirely within the property boundary.

3

Privacy & Overlook — Upper Storeys Looking Into Yards

Your Concern

Upper-storey residents will overlook adjacent yards and homes.

A 2-metre fence is not enough to screen upper-storey views.

The fence commitment was vague — no concrete plan.

How I Am Addressing It

The staircase relocation to the building interior is the primary fix. Upper-floor access no longer occurs at the rear property line.

Taller, fast-growing native tree species will be planted along the rear property line as supplementary screening — providing canopy-level privacy that a fence cannot.

The rear fence will be a binding condition of the Development Permit, with installation and specifications confirmed before construction proceeds.

4

Grading & Drainage — Impact on Adjacent Properties

Your Concern

Unresolved grading questions — will drainage affect neighbours?

The lot will be blasted — what will the finished height look like?

How I Am Addressing It

A conceptual grading plan has been submitted. An approved grading plan will be a binding condition of the Development Permit before construction begins, providing certainty on finished grades and drainage.

The lot will be blasted and levelled. The effective building height as experienced by neighbours will be lower than the 12 m permitted maximum — and likely lower in absolute terms than 3 Findlay Point, which was built on high unblasted bedrock.

Your Concern	How I Am Addressing It
Construction at nearby sites has caused safety hazards and neighbour disruption.	All materials, equipment, and contractor vehicles for this project will be staged and managed entirely within the property boundary throughout construction. This will be a written condition of the permit.
MED recorded 12 enforcement visits to Findlay Point.	All 12 MED visits relate to contractor conduct at a separate nearby project — not this site or this applicant. I have committed to working directly with MED to set clear expectations before construction begins.

Summary of Binding Commitments

The following is being proposed to be incorporated as conditions of the Development Permit and Development Agreement:

- ✓ Rear yard encroachment reduced to 528 mm (8.8%) — stairs relocated to building interior
- ✓ Approved grading and drainage plan before construction proceeds
- ✓ Minimum 1 shared vehicle on-site at all times + YK Car Share network access as backup
- ✓ Minimum 2 e-bikes provided, secured, and maintained on-site for resident use
- ✓ Rear fence constructed as a permit condition — specifications confirmed in advance
- ✓ Native trees planted along rear property line for upper-storey privacy screening
- ✓ All construction materials and contractor vehicles staged within the property boundary throughout the build
- ✓ Direct engagement with MED to establish construction conduct expectations before breaking ground

Property Information/Details

Location Description	Lot 77 Block 308 Plan 4204
City of Yellowknife Community Plan No. 5007	Section 2.3.2 Housing Section 4.5 Niven Residential Section 5.1 Environment and Climate Section 5.3 Municipal Infrastructure
City of Yellowknife Zoning By-law No. 5045, as amended	Section 3 Roles and Responsibilities Section 4 Development Permit Process Section 5 General Development Regulations Applicable to all Zones Section 8 General Development Regulations Applicable to Residential Zones Section 10.1. R1 – Low Density Residential
Civic Address:	2 Findlay Point
Access:	Findlay Point cul-de-sac (vehicular and pedestrian)
Municipal Services	Municipal piped sewer and water services; External garbage pickup

Recommendation:

Planning and Environment Division recommends refusal of Development Permit application PLDEV-2026-0013 for a 'Multi-Unit Dwelling' requesting a variance to decrease the minimum rear yard setback requirement.

Proposal:

The applicant has submitted an application for a Development Permit and Variance to construct a six-unit Multi-Unit Dwelling at 2 Findlay Point. The proposed three-storey building would contain three one-bedroom units and three two-bedroom units. The application also includes a request for a rear-yard setback variance and proposes the use of a car-sharing service, in accordance with Zoning By-law No. 5045.

Background:

The subject property is located at 2 Findlay Point within the Niven neighbourhood and is designated Niven Residential under Community Plan By-law No. 5007. The property is zoned R1 – Low Density Residential under Zoning By-law No. 5045. The site is currently undeveloped and is situated within a residential cul-de-sac characterized by a mix of single detached dwellings, duplexes, and fourplexes. Municipal water and sewer services are available to the property, and the surrounding area is fully developed with residential uses.

The application has undergone several revisions throughout the review process. The original plans, submitted on February 23, 2026, proposed six on-site parking spaces; however, the parking layout did not comply with the City's Development Standards. Revised plans were subsequently submitted on March 3, 2026, which reduced the parking supply to incorporate a car-sharing service and included a request to vary the required rear-yard setback for the principal building from 6.0 m to 3.0 m. Following circulation of the application and receipt of public comments, the applicant further revised the proposal by reducing

the requested rear-yard setback variance to a requested 0.5 m and relocating the exterior staircase to minimize overlook and privacy impacts on neighbouring properties to the rear.

SUPPORTING STUDIES AND REPORTS

- Niven Phase VII General Subdivision Drawings, January 30, 2008, DM# 360388
- Niven Lake Development Scheme (2007 By-law No. 4438)
- PLDEV-2026-0013 Submitted Drawings (February 23, 2026), DM# 823228
- PLDEV-2026-0013 Revised Drawings (March 3, 2026), DM# 823225
- PLDEV-2026-0013 Revised Drawings (April 20, 2026), DM# 823231

Assessment of the Application:

JUSTIFICATION

A development permit is required for any development that is accompanied by a variance, as stated in Section 4.8 of Zoning By-law No. 5045, as amended, authorized under section 23 of the *Community Planning and Development Act*. Section 4.8.1 of Zoning By-law No. 5045 authorizes that variances related to yard setbacks may be approved by the development officer.

LEGISLATION

Community Planning and Development Act

The *Community Planning and Development Act* establishes the framework for the City to regulate developments within its boundaries. As stated in section 16. (1) and 25. (1) of the *Act*, a development authority, being a development officer appointed under section 52, shall, subject to any applicable conditions, approve an application for a development permit for a use specified in a zoning bylaw as a permitted use of land or of a building, if the development authority is satisfied that the applicant meets all the requirements of the bylaw.

Under section 23. (1): "A zoning bylaw may authorize a development authority to approve an application for a development permit in respect of a proposed development that does not fully conform with the bylaw, if the development authority is satisfied that the proposed development would not (a) unduly interfere with the amenities of the neighbourhood; or (b) detract from the use, enjoyment or value of neighbouring parcels of land".

Community Plan By-law No. 5007, as amended

Section 3(1) of the *Act* states that the purpose of a community plan is to provide a policy framework to guide the physical development of a municipality, having regard to sustainability, the environment, and the economic, social and cultural development of the community.

This 2019 Community Plan is a comprehensive outline of the goals and objectives for the City with directive policies to accomplish the objectives. All applicable policies of the Community Plan are to be considered and applied at the time of development.

Niven Lake Development Scheme 2007, By-law No. 4438

The Niven Lake Development Scheme provides planning direction for the development of the neighbourhood and assists in interpreting the intent of the Community Plan and Zoning By-law. As a Council-approved planning document, it provides guidance on housing density, neighbourhood design, transportation, open space, and development patterns, and may be considered when evaluating the compatibility and appropriateness of development applications within the Niven area.

Zoning By-law No. 5045, as amended

The purpose of a zoning by-law is to guide the physical development of a municipality by offering regulations to the use and development of land and buildings within the municipal boundary of the City.

The Development Officer is authorized to receive and process development permit applications as referred to in section 3.1.1 of the By-law. The Development Officer is also authorized to evaluate variance applications as defined in the criteria set in sections 4.8 and 4.9 of the By-law.

PLANNING ANALYSIS

Community Plan By-law No. 5007, as amended

The Plan identifies the Niven Residential Land Use designation as a “residential area that is located adjacent to the downtown core and provides easy access to the core of the City by vehicle and alternative transportation modes. It will continue to be a mix of low, medium and high density residential uses with some mixed use activities”.

The proposal generally aligns well with the intent of the Niven Residential designation. The proposal also makes efficient use of existing municipal infrastructure, supports housing diversity through a mix of one- and two-bedroom units, and incorporates bicycle parking, landscaping, and a car-share component that reduce reliance on private vehicles. These elements are generally consistent with the Community Plan's broader goals of encouraging sustainable, compact, and complete neighbourhoods.

Notwithstanding the proposal's consistency with the Community Plan's land use policies, concerns remain regarding the site-specific impacts of the development. The application includes a request for a rear-yard setback variance and proposes a parking arrangement consisting of one parking stall and one car-share vehicle. Furthermore, the subject property is located within a relatively small cul-de-sac that already contains a concentration of residential development. While the Community Plan supports residential intensification, it provides limited guidance regarding the appropriate scale and configuration of individual developments. As such, the key planning considerations for this application relate not to the appropriateness of the residential use itself, but rather to whether the proposed development can be accommodated on the site in a manner that is compatible with surrounding properties and consistent with the development standards and objectives of Zoning By-law No. 5045.

4.5 Niven Residential Objectives and Policies			
Planning and Development Objectives:		Policies:	
4.	To support a mix of residential types and densities.	4-a.	A variety of residential single unit and multiple unit dwelling types will be permitted.

Niven Lake Development Scheme 2007, By-law No. 4438

The Niven Lake Development Scheme identifies on-street parking, landscaped boulevards, and cul-de-sac centre islands as traffic-calming measures intended to create a safe and pedestrian-friendly neighbourhood environment. While the proposed Multi-Unit Dwelling is consistent with the residential land use envisioned for the area, the limited on-site parking provision may result in increased reliance on on-street parking by residents and visitors. This has the potential to increase congestion, limiting vehicle circulation within the cul-de-sac, and diminishing the balance between vehicle use and pedestrian activity that the neighbourhood was intended to achieve.

Zoning By-law No. 5045, as amended

The proposal generally complies with the R1 Zone because a Multi-Unit Dwelling is a permitted use. Accordingly, the application does not require rezoning and is consistent with the range of residential uses contemplated by the Zoning By-law. However, while the use is permitted, the scale and intensity of the development must still be evaluated in the context of the surrounding neighbourhood. The proposed six-unit building represents a higher concentration of dwelling units than is currently found on most individual lots within the immediate area and raises questions regarding compatibility with the established character of the cul-de-sac.

Evaluating the Request for Variance to the Side Yard Setback (Section 4.9):

The application requires a rear-yard setback variance. Under Section 4.9, a variance should not be approved where it would unduly interfere with the amenities of the neighbourhood, materially interfere with neighbouring lands, or adversely affect the use, enjoyment, value, or development of adjacent properties. The volume of public feedback received suggests that neighbouring residents have concerns regarding privacy, building scale, and compatibility. While public opposition alone is not determinative, the concerns raised are relevant to the variance analysis and should be considered when evaluating whether the variance satisfies the intent of Section 4.9.

Further consideration should also be given to whether the variance is the result of a site-specific constraint or whether it is necessary to accommodate the scale of development. While the rear-yard setback reduction has been significantly reduced through revisions to the application, the variance remains associated with a six-unit building on a constrained lot within a small residential cul-de-sac. In evaluating the request, consideration should be given to the impacts of the building massing, parking demand, and increased residential intensity, and whether these factors result in a development that is compatible with the surrounding neighbourhood and consistent with the intent of the By-law and R1 Zone.

Site Planning Considerations (Section 7.1):

The development generally provides adequate pedestrian access, active transportation opportunities, and can likely accommodate drainage and municipal servicing requirements; however, concerns remain regarding its response to winter conditions, parking demand, and overall compatibility with the surrounding neighbourhood. In particular, the concentration of six dwelling units on a constrained cul-de-sac, combined with limited on-site parking and the absence of dedicated visitor parking, raises concerns regarding snow storage, on-street parking pressures, vehicle circulation, and the long-term value and enjoyment of the surrounding residential area.

Grading (Section 7.3):

The Lot's proposed finished grade generally follows the Niven Phase VII General Subdivision Grading Plan, with positive drainage proposed to be directed towards Findlay Point and the Lot's rear yard. The submitted drawings indicate that portions of the site will be altered to accommodate parking and access, including blasting and grading of existing rock, while the rear portion of the lot is proposed to remain at natural grade with existing vegetation retained. This generally aligns with Section 7.3 where grading is limited to the areas required for site access and development, and where the natural contour of the land is retained to the extent practical. However, while the concept appears generally supportable, more detailed grading and drainage information should be required to confirm compliance with Section 7.3 and to ensure that surface drainage will not adversely affect adjacent properties or the public storm drainage system.

Vehicular Access and On-Site Traffic (Section 7.4):

While six dwelling units are unlikely to generate significant traffic from a city-wide transportation perspective, the impacts are more pronounced at the local level. Findlay Point functions as a residential cul-de-sac with limited opportunities for vehicle circulation. Additional vehicle trips associated with residents, visitors, deliveries, service providers, and contractors may increase traffic activity within an area that was not originally designed to accommodate higher-density development. The concentration of vehicle movements within a confined roadway network may affect the comfort and safety of pedestrians and residents using the cul-de-sac.

Landscaping (Section 7.5):

Per the R1 Zone, a minimum of 100% of the minimum front yard area is required to be landscaped. The proposal generally complies with the landscaping requirements of the By-law. The site plan provides the required landscaped areas, includes a mix of trees and shrubs, and incorporates the retention of existing natural vegetation and bedrock where practical. The proposed landscaping will assist in maintaining the visual character of the site and is consistent with the By-law's objective of encouraging the preservation of natural site features within residential developments. Since the required landscaped area is less than 500m², it was incorporated as part of the site plan drawing.

Parking and Driveways (Section 7.8):

Per Table 7-3 of the By-law, six 'type B' parking spaces and three bicycle parking spaces are required on-site. The development relies on the car-share provisions of the Zoning By-law Section 7.8.10 and therefore technically complies with parking requirements. However, concerns remain regarding the practicality of the proposed parking arrangement. The proposal contains six dwelling units, including three two-bedroom units, and does not provide dedicated visitor parking. While car-share programs may reduce vehicle ownership among some residents, they do not eliminate the need for visitor parking, service vehicles, deliveries, or temporary parking demands. Given the limited size of the cul-de-sac and the potential for existing on-street parking demand, there is uncertainty as to whether the proposal can accommodate its parking needs without increasing reliance on public streets. This concern is further amplified by the limited availability of curbside parking during winter months when snow storage reduces usable roadway width and parking opportunities. As a result, there remains concerns that the proposal may generate parking pressures that are inconsistent with the intended function and capacity of the surrounding street network.

Provision of Recreation Space (Section 8.1.3):

The proposal contains six dwelling units and is therefore not subject to the balcony or indoor recreation space requirements applicable to developments containing more than 15 dwelling units. Furthermore, the subject property is located within proximity to existing public open space and trail networks within the Niven neighbourhood, satisfying the intent of the outdoor recreation space requirements.

Multi-Unit Dwelling (Section 8.2.6):

The development generally satisfies the intent of these sections by providing pedestrian access, landscaping, garbage storage, and emergency vehicle access. However, concerns remain that overflow parking associated with the development may increase reliance on on-street parking within the cul-de-sac, which could affect vehicle circulation and the efficient movement of emergency and service vehicles, particularly during winter months when snow storage reduces available roadway width.

Conditions of Use (Section 10.1):

The purpose of the Low-Density Residential Zone is to provide an area for lower density residential development that encourages a mix of dwelling types and compatible uses.

A key consideration is whether the proposal respects the scale, massing, and pattern of surrounding development. While residential development is appropriate in this location, the proposed building introduces a larger, more dense, residential form than is typical within the immediate context. In particular, it is not evident that the proposed vehicle circulation and parking arrangement sufficiently address the practical demands associated with six dwelling units, nor that the site design mitigates concerns related to neighbourhood compatibility, parking overflow, and the functioning of the surrounding cul-de-sac. As such, the proposal does not appear to fully satisfy the intent of Section 10.1.

Servicing / Safety / Parks & Recreation / Community / Reconciliation

The proposal was circulated to internal departments and reviewed from the perspectives of servicing, safety, parks and recreation, and community impacts. While no significant concerns were identified regarding the provision of municipal services, parks and recreation access, concerns remain regarding neighbourhood safety, vehicle circulation, and parking demand within the constrained cul-de-sac environment. These concerns have been considered in the overall evaluation of the application.

Stirling Park and Moyle Park, two municipal parks serving the Niven neighborhood, are located within walking distance of the subject lot. Given that the building features three 2-bedroom units, it is possible that it will attract young families, making the park's close proximity a valuable asset for residents and their lifestyles.

City Departments / External Agency Consultation

As directed in section 4.5.1 of Zoning By-law No. 5045, a request for comments was circulated to City Departments as part of the Notice of Application. Comments were reviewed and considered, and are summarized in the table below:

No.	City Department	Comments	Consideration
1.	Public Works and Engineering	No concerns identified.	No consideration is required.
2.	Community Services	No concerns identified.	No consideration is required.
3.	Lands and Building Services	No concerns identified.	No consideration is required.
4.	Protective Services	Over the last year-and-a-half, MED has received several complaints at Findlay Point regarding the ongoing construction. These ranged from contractors letting garbage and construction materials blow around into public and adjacent properties, contractors blocking access to private driveways, contractors not communicating early and clearly to other residents of their activities, illegal parking of contractor vehicles, and others. From our records we conducted 10 visits to the area in 2025 in response to complaints, 2 so far in 2026. These visits were responses to complaints, or follow ups to previous complaints. Overall I assess that the concerns of local residents in the area are valid. We should give serious consideration before approving this permit. There needs to be a clear understanding of how we expect the Contractors/Developers to behave and respect other local residents.	While the concerns identified by Municipal Enforcement Division (MED) are not directly related to the proposed land use, they are relevant in assessing the capacity of the site and surrounding street network to accommodate construction and development activity. Given the constrained nature of the cul-de-sac, the limited opportunities for staging, parking, and vehicle circulation, and the concerns raised regarding parking and access, the history of enforcement complaints provides additional context supporting concerns about the impacts of further intensification within the Findlay cul-de-sac.

Public Consultation

A Notice of Application was mailed to neighboring residents within 30m of the subject property as part of the notice of application, per section 15. (1) (h) of the *Community Planning and Development Act*. A Notice of Application was also posted on-site and on the City's website. As a result of the Notice of application, there were sixteen written submissions received and considered by the City of Yellowknife regarding this development. All comments received have expressed concerns with the development. issues identified related to increased traffic, pedestrian safety, building scale, privacy, neighbourhood character, and the effects of additional residential density within the cul-de-sac. A table listing all public comments received can be found at the end of the Report under Appendix A.

Public Notice of the decision will be posted at the site, as well as on the City's Capital Update, in conjunction with the date of decision of the permit. Commencing on the date of approval, the application will be subject to a 14-day appeal period. If not appealed within this 14-day period, the decision will be considered effective starting on the 15th day.

CAVEATS / OTHER LEGAL AGREEMENTS

It is the developer's responsibility to comply with applicable conditions specified within the registered Purchase Agreement.

Conclusion:

While the proposed use is permitted within the R1 Zone and generally supports broader housing objectives in the Community Plan, concerns remain regarding neighbourhood compatibility, parking demand, traffic circulation, residential enjoyment and amenities. In particular, the impacts associated with the proposed scale of development, when combined with the requested variance and the constrained nature of the cul-de-sac, raise concerns regarding the long-term function and character of the surrounding residential area. It has not been demonstrated that the proposal can be accommodated without adversely affecting neighbouring properties or the established residential character of the neighbourhood within Findlay Point.

Prepared (and refused) by:

Bassel Sleem, RPP, MCIP
Planner II

JUNE 19, 2026
Date

Attachment: Refused Drawings Development Permit PLDEV-2025-0013, DM# 828993

Appendix A: Public Comments received during Notice of Application period, DM# 823193

Appendix B: Applicant's Response to Public Comments, April 20, 2026, DM# 823224



CITY OF YELLOWKNIFE

April 4, 2026

Dear Edwin,

RE: PLDEV-2026-0013 Notice of Application (Public Comments)

As directed in section 4.5.1 of Zoning By-law No. 5045, a request for comments was circulated to City Departments and adjacent neighbours on March 18, 2026. As a result of the Notice of application, the following comments were received considered for analysis.

Public Comment No. 1

I own and live at [REDACTED] and have a few questions about the proposed building at 2 Findlay:

- Did the height requirement change in the last 10 years? I'm fairly sure that when we built our place, we were not allowed to build as high as is proposed here without a variance?
- How does the "provide a car share service " requirement actually work? Is there any sort of enforcement mechanism that guarantees that tenants actually have access to a car share? Or is it just "provide a car share parking spot which may or may not actually have a shared vehicle?" How does the city guarantee that this continues to be used as a car share parking spot?

PS - I noted that the plans for 2 Findlay show a power line extending from the street light to the building? Services in Nlven are all required to be underground. Probably just an oversight?

Planner's Response

The maximum building height in the R1 Zone is 12m. This has been the case since [Zoning By-law No. 5045](#) got adopted on March 14, 2022.

Section 7.8.10 of Zoning By-law No. 5045 allows required parking to be met through a car share service. In the R1 Zone, the ratio is one car share vehicle for every six required parking spaces. The requirement would be to provide the parking space, the vehicle, and the service for the duration of the development.

Regarding enforcement mechanisms, the car share requirement would be a condition of the Development Permit. The property owner would also be required to enter into a Development Agreement with the City to provide and maintain the car share service. The City typically conducts an inspection after two years to confirm the service has been implemented and is operating as intended.

Thank you for pointing out the overhead power line – the application has been circulated to Department of Public Works and Engineering, so they will ensure utility connections are installed according to standards.

Public Comment No. 2

I am writing to express my concerns regarding the proposed 6-unit development at 2 Findlay Point.

If approved, this project will significantly increase the density of our small residential court. Findlay Point would become one of the highest-density courts in Yellowknife, following Bartesko, Lanky, Sissons, and Beck Court, which all have apartment buildings. This is a notable shift for a street that currently consists of primarily single-family homes, with only nine such lots in total.

Approval of this development would result in more than 20 separate dwelling units on Findlay Point, placing considerable strain on infrastructure that was not designed to support this level of density. Additionally, four properties on the court have already been approved for, or are currently seeking, height and/or setback variances, further intensifying the impact on the neighborhood.

Recent experience with development on Findlay Point demonstrates the challenges we are already facing. The multi-family project at 7 Findlay Point was approved with only three parking spaces and no requirement for a car-sharing service. Since construction began in 2024, residents have made repeated calls to Municipal Enforcement regarding contractor vehicles. It is common to see five to six vehicles double- and triple-parked within the court, creating congestion, safety concerns, and near-miss incidents. Despite these ongoing issues, enforcement has been limited, and residents have had to manage the consequences.

The current proposal for 2 Findlay Point raises similar, if not greater, concerns. The plan relies on a car-sharing service in lieu of providing adequate on-site parking. However, this is not a realistic solution in Yellowknife. There is only one car-sharing service operating in a city of approximately 21,000 residents, with just two vehicles available. This service is rarely seen in the Niven Lake area and cannot reasonably be expected to meet the transportation needs of multiple additional households.

In practical terms, this development will result in additional vehicles being introduced to a court that already has no available street parking. Without sufficient parking infrastructure, the issues currently experienced at 7 Findlay Point will be repeated and amplified.

I want to be clear that I am not opposed to development on this lot. I would support a smaller scale project, such as a duplex, triplex, or four-plex, which could more reasonably accommodate resident parking and better align with the character and capacity of the neighborhood.

Given the existing challenges with parking enforcement and the demonstrated limitations of current infrastructure, it is unclear who will support residents when these issues inevitably worsen if this development is approved. To date, Municipal Enforcement has not been able to adequately address ongoing parking concerns on Findlay Point.

For these reasons, I strongly urge the City to reconsider the scale of this proposal and prioritize a development that is more appropriate for the size, layout, and capacity of Findlay Point.

If the proposed 6-unit development at 2 Findlay Point is approved, it will increase the number of garbage and compost containers to 20+ placed in the court on a weekly basis.



Current street parking on Findlay Point



7 Findlay Point

4/5-unit development. The City of Yellowknife previously approved this development with 3 parking spaces.



Public Comment No. 3

I am writing to express my extreme dissatisfaction with a proposed 6 plex in Findlay Point. I know the bulk if not all the residences in the area express the same view. While I appreciate the need for more

residential units, at what point does the city draw the line. This extreme densification (overpopulation) of the cul-de-sac will have many negative consequences. First off there are multiple significant safety concerns with this many proposed people crammed into such a small area. I have almost been hit 3 times by vehicles with the current added pressures of vehicles in the cul-de-sac. The driver did not even see me on each event. I have called by-law a number of times but those are generally short-term remedies. There have been vehicle collisions, an increase in parties, and unsafe driving (spinning doughnuts). Additionally, most homes have multiple children residing which are also at a significant risk with the overpopulation of this area as it is. It is no longer safe to have our children play outside at Findlay Point, which is such a shame as this was initially a huge selling feature when we purchased our home in 2023.

As it stands there are two 4 plex units, one of which is not yet finished, multiple duplexes in the immediate area, one house with a suite being built and only 2 stand alone homes all in one small cul-de-sac. Currently our home is valued at over 1 million dollars and I pay significant property taxes for essentially just snow removal once a year. This will significantly impact our property value, views of the area including sun with a tall building and further noise pollution. Multiple times a week if not most days, access to my house is impeded by illegally parked vehicles. This is a concern if emergency vehicles need to get in, I have to get out fast, or if anyone in general needs to access our homes such as to fill propane and for any deliveries, etc. With the cul-de-sac being treated like one giant parking lot of multiple vehicles left everywhere it also effects garbage pick up and snow removal for Findlay Point, which is a massive problem for current residents, never mind adding another potential 12 or more individuals to this lack of space. Also to note, multiple tour buses and city taxis also frequently pull into Findlay Point to drop off and pick up tourists who seek to hike trails in the area.

If you would like further evidence of the congestion, I am more than happy to submit photos. I have lodged formal complaints to by-law as well as the land development unit over issues in our court. Our quality of life has been negatively impacted over the last 2.5 years of building and increased use of the area. There are fuel spills (environment attended) there is garbage flying all over. The city cannot keep tabs on the issues as is, let alone 6 more units and up to 12 (or more) people and potential animals/pets residing there. I think it would be naïve to think a ride sharing program will be utilized or enforced. Coincidentally, a rideshare program in Niven has been previously explored and resulted in the determination that it would not be sustainable as several cars would need to always be available in order to ensure the success of this program in such a space where the walking distance to the “city” core is too far for residents to not have immediate access to a readily available vehicle. These individuals will have no choice but to purchase or bring their vehicle with them, resulting in attempting to park it in the cul-de-sac. The reality is all residents currently in Findlay Point have at least 1 if not 2 vehicles. This also includes other modes of transportation such as snowmobiles and boats. I am sure the rideshare concept was included in the application to strategically attempt to get ahead of concerns that will arise and to try to satisfy current residents with the false idea that the massive parking issue would be “taken care of.” Currently, the 4 plex beside us also indicates it was only built for 3 spots. Already, vehicles are struggling with finding parking for these units and will park as they please wherever they so choose. There is limited to no parking already on Moyle due to the other condos in the area. There have been several calls to bylaw and permitting with complaints. There have been little to no resolve, there is no parking now and it is increasingly dangerous. We are almost hit every other week with parking all over. Additionally, there are children, pedestrians, and many pets such as resident’s dogs running around during the same occurrences. It is a huge safety issue with speeds and congestion already.

It certainly feels the city does not value its residents opinion. I had gone to a previous appeal hearing for the 4 plex in the court and it appeared the city had made up its mind and the hearing was simply to satisfy its obligations. That board at the hearing also indicated if there was issues we could call bylaw as if it would easily rectify problems, it has not.

While I would prefer another stand alone house in the court, from my view point a duplex would be the maximum occupancy of that lot. Another 4 plex would cause the same issues as described.

We chose this cul-de-sac for a quiet, safe, and private location. At what point does the city act on behalf of the best interests for their current residents who are actively choosing to support Yellowknife, without the same support provided back. If there were more rural options or larger lots that would be great so we could have some choice, multi dwellings could have the spaces to develop the necessary parking for their residents, and we would not have to be put in these extremely dissatisfactory living situations.



Public Comment No. 4

I live across the street from 2 Findlay Point. I am not convinced that the installation of a car share service for the 6 units will be effective. Yellowknife is predominantly a car-driven city and with 6 working adults or families, one or two cars to share will not be sufficient.

I think it is very likely that each tenant will own a vehicle, regardless of the fact that a car share exists. This will add 6 or more additional vehicles to our small court's limited street parking and clutter the neighborhood unnecessarily. The same can be said of 7 findlay point which also already has a variance for the same issue. This will essentially make the variance pointless, since nearly every working family in yellowknife owns a car, if not 2.

It seems shortsighted to put so many units on our street with no parking available. It does not acknowledge the reality of living in yellowknife.

Public Comment No. 5

I am writing as a resident currently building a home with a secondary suite at [REDACTED] While I support the goal of increasing housing options in Yellowknife, I am concerned that a proposed 6-plex is not well suited to the limited context of this small cul-de-sac.

Findlay Point already contains a high concentration of multi-unit dwellings within a very confined space. Even at current density levels, congestion, parking shortages, and safety concerns are ongoing issues. The tight layout limits visibility and requires vehicles, pedestrians, and children to share the same space, increasing risk as density rises.

Parking is a particular concern. While a car-share program has been suggested as mitigation, such arrangements are voluntary and difficult to enforce long-term. The cul-de-sac is already used as overflow parking, which can impede access for residents, service vehicles, snow removal, and emergency response.

Given the site's physical constraints, a 6-plex would likely intensify these pressures beyond what the space can reasonably accommodate. A lower-density option, such as a single-detached home or duplex, would be more consistent with the scale, safety, and livability of Findlay Point while still allowing for growth.

Public Comment No. 6

I'm not opposed to housing or infill in principle, but after going through the application materials, I'm more concerned, not less. My issue is with this specific proposal on this specific lot.

The first problem is that the application does not even feel fully settled. Different parts of the package say different things about basic numbers, such as parking and total floor area. One page of the application notes 6 parking spaces, while showing two, and different total gross floor areas are noted on different pages as well. The variance write-up also states a "functional and compliant parking arrangement at the front and rear of the site," which does not align with what the later drawings show. I do not think a rear-yard variance should be approved based on plans that remain inconsistent.

I am also not convinced this is a minor variance. The application states that the building encroaches into the required 6.0 m rear yard by 1,970 mm at one end and 2,973 mm along the remainder of the rear elevation. That means much of the building is sitting at roughly 3 m from the rear property line instead of 6 m. For a building of this size, that is a significant reduction, not a small adjustment. Yellowknife City Bylaw 5095 states a minimum setback of 6 m for a reason, and this proposed change raises obvious concerns about privacy, overlook, shadowing, separation, and the overall intensity of the building at the rear of the lot.

The proposed "mitigation" of a fence does not really solve the main concerns either. A fence does not address upper-storey overlook, shadowing, light spill, or the overall mass of a three-storey building this close to the rear yard.

There are also major site issues that still seem unresolved in the drawings. The basement plan states that the detailed design for that level is to be completed after the development permit, and the extent of the full-height basement excavation is still to be determined on site. The plans also state that rock will be blasted and graded, and that pumping is required for basement drainage. Those are

not minor details that should be figured out later. They go directly to grading, drainage, retaining, snow handling, and the risk of impacts on neighbouring properties.

Parking is another serious concern. I understand the bylaw may allow car share, but this application still does not show how 1 regular stall plus 1 car-share space is realistically supposed to work for 6 units, visitors, service vehicles, and winter conditions without creating spillover parking problems on the street and for nearby residents.

I am also concerned that the building is being designed right up to the maximum height while the site is still being regraded. Before any decision is made, the City should require a clear final height calculation based on finished grade, along with a single consistent final site plan and proper details for drainage, excavation, parking, privacy, lighting, and snow storage.

The current package does not clearly demonstrate that the requested rear-yard variance will avoid impacts on neighbouring properties, and it does not provide sufficient confidence that the site can function properly as proposed.

Public Comment No. 7

In regard to the proposed development at 2 Findlay Point, I do not believe this is an appropriate location for a six-unit dwelling, for several important reasons.

Findlay Point is already experiencing a high level of density, with approximately 15 existing multi-unit residences. Introducing an additional six units would further strain an already overcrowded area.

The cul-de-sac currently offers limited space for garbage and recycling collection, and it is unclear how additional capacity would be accommodated. Similarly, the proposal references a car-share component; however, I would be interested in reviewing a detailed plan, as it is difficult to see how such an arrangement would be feasible in this location.

The height of the proposed three-storey building is another concern. It would significantly exceed the scale of surrounding properties and appear to tower over neighboring homes. This raises questions about whether it aligns with existing height restrictions and the overall character of the area.

In addition, the requested setback variance appears substantial. Given the relatively small size of the lot, attempting to accommodate six units seems excessive and incompatible with the site's limitations.

The development would also likely lead to increased traffic within the cul-de-sac, which is not designed to handle higher volumes. Furthermore, there is currently no adequate provision for on-street parking for residents or their guests, which would exacerbate existing challenges.

I strongly believe that new developments should enhance a neighborhood rather than detract from it. In this case, I am confident that the proposed project would have a negative impact on the character, livability, and functionality of the area, affecting current residents in a meaningful way.

Given the size and constraints of the lot, a duplex would be a far more appropriate and reasonable option. As it stands, the current proposal feels disproportionate and unfair to the existing residents.

Public Comment No. 8

I am writing to voice my concerns with the application for the 6-unit complex on our small cul-de-sac at Findlay Point.

We have recently seen a lot of development in our small neighbourhood, with two separate 4-unit complexes on the street. This has made parking very complicated, with construction and sub-trade trucks parking two and three abreast on the daily and causing significant safety concerns to residents. A 6-unit apartment building in such a small space, without any parking, would make our small street unimaginably overcrowded, and more so than it already is. This is a huge concern for the residents, many of whom have young children who play outside most of the year. The sheer volume of vehicles coming in and out of a small space with no exit (cul-de-sac) must be considered for safety and risk reduction. A 6-unit structure is not appropriate for such a small lot, on an already very high-density street.

I do not agree with the application for variance to decrease the setback proposed. At best, this property could be appropriate for a duplex, with on-property parking and garbage/compost disposal. This would should require variance of setback, especially by 3 metres. There would essentially be no backyard or space between joining units to allow natural light into homes. The current size and elevation of the proposed project would dwarf the next-door duplex and significantly limit light coming into their units and backyard. It would be much more appropriate and in keeping with the character of the neighbourhood to have a unit with similar elevation and size to 131 A/B Moyle Drive.

A car-share service is not feasible in Niven for 6-units. Our location is close enough to downtown to walk or bike for some, but during long and cold winters, it is mandatory for most non-downtown dwellers to have vehicle access. There are no comparables of other buildings that have been able to operate exclusively with a car-share services, and there are only two (and not always in operation) cars. There is also official trail access to the fire-break trail on our street, which furthers parking challenges as tourists drive in daily to park and hike on those trails. Furthermore, a garbage disposal unit would take up a significant amount of space and require a garbage disposal truck to be able to access that space. As it currently stands, street parking that is so desperately needed will be limited due to the access for garbage.

I am asking the city to please reconsider this project. A duplex would be reasonable; a balance between the density that Yellowknife needs but does not exceed the capacity of our small cul-de-sac. Building a huge apartment-style complex on a small single-family home lot would cause massive inconvenience and safety concerns for the neighbourhood, and also to the future inhabitants of said complex. I am very concerned about traffic, congestion, and the safety of my young children. Please take that into strong consideration.

Public Comment No. 9

I am writing to formally object to application PLDEV-2026-0013 for the proposed development at 2 Findlay Point.

While I am not opposed to densification, housing development or infill in principle, my concerns relate specifically to this proposal on this particular lot.

To begin with, the application package itself appears incomplete and presents conflicting information, such as the number of parking spaces where one section references six parking spaces while the drawings appear to show only two. Similarly, the variance rationale describes a “functional and compliant parking arrangement at the front and rear of the site,” which does not align with the submitted plans (no room for parking at the rear end of the site). Given these discrepancies, it is difficult to assess the proposal with confidence, and I do not believe a rear-yard variance should be approved based on incomplete or inconsistent information. This submission seems to show a developer who knows their project is not following bylaws, they are asking for some flexibility showing incomplete building plans to then move forward with a more ambitious plan to maximize their benefits, at the expense of the neighbours quality of life and property value.

Another major issue I have is the way the application is written, as the developer suggests the variance is minor and “does not create adverse impacts on adjacent properties”. I do not agree with the applicant’s characterization of the requested variance as minor. Allowing this huge 6 unit in that small lot does not make any sense and would go against city bylaws. The proposal seeks to reduce the required rear-yard setback from 6.0 metres to approximately 3.0 metres—a 50% reduction which is a substantial deviation from the requirements of Zoning By-law 5045. By comparison, the previous Zoning By-law 4404 only permitted rear-yard variances of up to 25% at the discretion of the Development Officer, which further underscores that a 50% reduction cannot reasonably be considered minor.

Although the lot has an irregular shape, the need for this variance comes from the fact that they are trying to build a six-unit building rather than from inherent site constraints. The building reaches the maximum allowable height of 12 metres while also extending significantly into the rear setback. At the same time, they are not clear on how much blasting they will do and what height the building will have. In this context, the “practical constraint” cited by the applicant is self-created. A smaller or differently configured building could likely comply with the bylaw without requiring such a significant variance. Again this is a sign that the developer is requesting minimal variance and will then build a much more ambitious project, at the detriment of the neighbours.

The degree of encroachment is also considerable. The application notes that the building projects into the rear yard by up to approximately 3 metres along much of the rear elevation, placing a large portion of the structure at roughly half the required setback distance. When combined with the building’s height and massing, this represents a significant intensification at the rear of the lot. Elements of the design appear to conflict directly with bylaw provisions. Under Table 10-2 of Zoning By-law 5045, unenclosed steps may only encroach up to 40% into a reduced setback. Based on the proposed 3.0-metre setback, this would require a minimum distance of 1.8 metres from the property line. However, the current design shows steps located as close as approximately 1.02 metres, which does not comply with the bylaw.

The applicant says that a 2-metre fence will mitigate the encroachment, which is quite negligent to say. In their submission, I see they are not treating bylaws and the neighborhood with respect when they say the reduced setback “does not result in adverse effects on neighbouring properties and will support compatibility with the surrounding residential area” which is quite arrogant statement to

make when you look at the incomplete proposal submitted for this huge 6 unit building in a small lot. A fence of this height cannot mitigate overlook from upper-storey windows, balconies, or raised entrances. The plans indicate that the lowest-level units are elevated to a point where sightlines over the fence would still be possible, further reducing its effectiveness. A fence also does not address broader impacts such as shadowing, light spill, or the overall mass of a three-storey building located so close to the rear property line.

There are also important site-related issues that remain unresolved, they should be clearly defined and assessed prior to any approval. Again, we've seen that type of development in town before where the developer is not clear on what they are planning to do, they then build and the city gives them a minimal fine, while the developer maximizes its profit, at the expense of the neighbours. A few examples: The basement design is noted as incomplete, with details to be finalized after the development permit stage. The plans also indicate that rock blasting, grading adjustments, and pumped drainage systems will be required, with final conditions to be determined on site. These are not minor details—they directly affect grading, drainage, snow management, and the potential for impacts on neighbours.

Parking is another area of concern. I don't understand how a six unit building could be allowed in a cul-de-sac with multiple duplex, quadruplex already allowed without proper parking being planned for. While the bylaw may allow for car-share provisions, the proposal does not demonstrate how one standard parking stall plus one car-share space will adequately serve six units, along with visitors and service vehicles, particularly under winter conditions. This raises a strong likelihood of overflow parking affecting the street and surrounding properties which are already full of cars parked in the street. The unit is not built downtown, buyers will use their multiple cars to commute, it will become a problem for the whole neighbourhood.

In evaluating the variance against the criteria set out in Section 4.9.1(a)(i) and (ii) of Zoning By-law 5045, I do not believe the proposal meets the required standard. The combined effect of a 50% reduction in rear-yard setback and a building height of 12 metres will materially interfere with neighbouring properties in several ways.

Privacy: Windows, balconies, and stairs located very close to the rear property line will create direct overlook into adjacent homes and outdoor spaces.

Sunlight access: The scale and proximity of the building will reduce natural light to neighbouring yards and dwellings, affecting their usability and overall livability.

Lighting impacts: Required exterior lighting for safety—particularly with multiple rear entrances—will be located much closer to adjacent homes due to the reduced setback. This increases the likelihood of light spill into neighbouring bedrooms and outdoor areas, affecting comfort and sleep.

Taken together, these impacts are significant and go beyond what could reasonably be considered minor or acceptable within the intent of the bylaw. I just bought my house [REDACTED] and having a huge 6 unit building encroaching in [REDACTED] neighbours backyard will severely decrease the value of my property, while impacting my quality of life.

Finally, given that the site grading is still to be finalized, I believe the City should require a clear and consistent final site plan, including confirmed building height based on finished grade, as well as

detailed information on drainage, excavation, snow storage, lighting, and privacy measures before making any decision.

For all of the reasons outlined above, the application does not demonstrate that the requested variance meets the criteria of Zoning By-law 5045 or that it will avoid undue impacts on neighbouring properties. I request that the Development Officer deny the variance application.

Public Comment No. 10

We are writing in response to the City's request for public comment regarding the application for a development permit/variance at 2 Findlay Point, which seeks to reduce the required rear-yard setback from 6.0 metres to 3.0 metres to accommodate a proposed six-unit dwelling.

After reviewing the application and considering the intent of the Yellowknife Zoning By-law 5045, we do not support the requested variance for the reasons outlined below.

Starting with the rationale provided for the rear yard variance, the applicant indicates the requested variance is minor in nature, reflects practical constraints related to the irregular shape of the lot, and does not increase the building density and unit count. We respectfully disagree with this analysis for the following reasons.

- The requested 50% variance in the rear yard setback distance is not minor in nature. This can be clearly inferred by the previous zoning By-law 4404 which only permitted the Development Officer to allow a rear yard variance up to 25% as per section 3.5(2).
- Although the lot at 2 Findlay Point does have an irregular shape and may pose some practical constraints, the proposed 6-unit dwelling is simply too big to accommodate the lot. The design reaches the maximum allowable height of 12 metres and encroaches 50% into the required 6 metres rear yard setback. The "practical constraint" cited by the applicant arises directly from the density and scale of the building they have chosen to place on the lot. In other words, the constraint is self-created rather than inherent to the property.
- If the variance is approved, the rear yard setback would be reduced to 3 metres. Under Table 10-2 in Section 10.1 of Zoning By-law 5045, unenclosed steps may encroach only up to 40% into a reduced setback. This means the steps must remain at least 1.8 metres from the property line. The current design places the steps just 1.02 metres from the property line, which does not comply with the requirements of Table 10-2 and directly contradicts the by-law.
- The applicant proposes to install a 2-metre fence as a mitigation measure to privacy, separation and site definition concerns. We do not believe a fence would effectively mitigate these concerns, especially related to privacy, considering it would be less than 3 metres from a 12-metre-tall building (and potentially only 1.02 metres from unenclosed steps and balconies). According to the proposed building plan, the lowest-level unit would be at an approximate 2 metre height, enabling a view above the 2-metre fence, rendering the fence ineffective.

Turning now to the evaluation criteria guiding the Development Officer in their decision to grant a Variance, subsections 4.9.1(a)(i) and (ii) of zoning By-law 5045 state that the proposed Variance must not unduly interfere with the amenities of the neighbourhood or materially interfere or affect the use, enjoyment, or value of the neighbouring parcel of land.

The 50% reduction in the rear yard setback must be considered in combination with the 12-metre proposed height of the building to fully understand the impact of the interference of the proposed building. The combined effect of height and reduced setback would have a substantial impact on the use, enjoyment and privacy of indoor and outdoor spaces of neighbouring dwellings and raises significant concerns:

- **Privacy:** Rear-facing windows, stairs and balconies positioned as close as 1.02 metres from the rear property line, will have a direct view into neighboring dwellings and full view overlooking their usable outdoor space, resulting in an unavoidable loss of privacy.
- **Sunlight access:** The size and height of the proposed multi-unit dwelling combined with the reduced setback would substantially diminish sunlight in the usable outdoor space of neighbouring properties, directly interfering with their use and enjoyment. Reduced natural light within the homes themselves would further diminish residents' quality of life.
- **Floodlighting impacts:** Section 8.2.6(a)(vi) of Zoning By-law 5045 requires multi-unit dwellings to install floodlighting to ensure safety and security. In this proposal, three of the unit entrances are located at the rear of the building, which means the rear yard will require substantially more lighting than is typical for a residential property. Because residents will be using exterior stairs to access these units, the lighting will need to be brighter and activated more frequently to maintain safe access. With the reduced rear yard setback, these floodlights would be positioned much closer to neighbouring homes. As a result, the lighting would shine directly into the bedroom windows of the adjacent residences, materially interfering with sleep, privacy, and overall wellbeing.

For the reasons outlined above, the proposed site plan contradicts Zoning By-law 5045, and the requested variance does not meet the criteria set out in the By-law and would result in undue interference with neighbouring properties. The scale and design of the proposed building are incompatible with the constraints of the lot, and the impacts on privacy, sunlight, livability, and outdoor enjoyment are significant.

We respectfully request that the Development Officer deny the variance application.

Public Comment No. 11

We are writing to you today to respectfully share our concerns regarding the proposed development and requested variances at 2 Findlay Point. While we appreciate the ongoing development in our community, there are a few specific aspects of this proposal that we believe require careful reconsideration.

First, we would like to address the requested 50% variance on the rear setback. Over the past ten years, the City has removed or expanded almost all of the zoning restrictions that previously existed for this area (when we built our building the height limit was 8m, max number of units was 2 and even the type of siding was regulated). Consequently, setbacks are now the only remaining structural restrictions in place to protect neighborhood density and layout. Given that so much has already been altered, granting a 50% variance on the sole remaining safeguard is a significant decision that should not be made lightly.

Additionally, we would like to address the car share aspect of the proposal. For a car share program to function effectively, it requires several cars to be available within walking distance. When availability is limited to just one vehicle, users inevitably become frustrated by scheduling conflicts and lack of access, which ultimately drives them to purchase their own personal vehicle(s). A single-car setup does not effectively mitigate the parking or traffic footprint of a new six-unit development, unless there is a plan to develop car sharing in the wider neighbourhood.

We ask that the City carefully weigh these points when considering this development. Thank you for your time, the opportunity to provide feedback, and your attention to this matter.

I would add that if we had to choose between a car share and additional on-site parking at the rear, we would prefer the car share... we just need to find a way to add more car share vehicles in the given area.

Public Comment No. 12

I'm writing to share my concerns about the proposed development at 2 Findlay Point.

I live [REDACTED], and to be honest, this proposal is very concerning for us. From what we understand, this would be a three-story multi-family building going up extremely close to our home. There appears to be little to no space between the two properties, which means this building would be directly overlooking our yard. That's a huge loss of privacy for us and will really change how we're able to use and enjoy our home.

The developer has mentioned to you in a letter that a fence would be added to provide privacy, separation, and a clear boundary between properties. However, there doesn't appear to be any actual plan or detail showing that a fence will be built. Without something concrete in the plans, it's hard to rely on that as a real solution, especially given how close this building would be to our home.

Parking is already an issue on our cul-de-sac. It's a tight, high-density court as it is, and there simply isn't room for more vehicles. Adding multiple new units without proper parking will spill cars onto the street, make things more congested, and create ongoing frustration for everyone who lives here.

What's also frustrating is that directly across from 2 Findlay, there is already a multi-unit rental building being constructed. That alone is going to increase traffic, parking pressure, and density in a noticeable way. Adding another multi-family development right across from it feels like too much for such a small, family-oriented street.

Findlay Point has always been a quiet, community-focused cul-de-sac where kids can play safely and neighbors know each other. Increasing the density this much is going to change that dynamic in a big way. More traffic in a confined space also raises safety concerns, especially for children and pedestrians.

I also can't help but feel that this proposal is more about maximizing rental units than fitting into the neighborhood. It doesn't seem to take into account how close it is to existing homes or the impact it will have on the people already living here.

On top of that, there are practical concerns, things like snow removal, garbage collection, and even emergency vehicle access. Our street wasn't designed to handle this level of density.

I'm asking that this proposal be seriously reconsidered, or at the very least scaled back to better fit the space and the neighborhood. There needs to be proper distance between buildings, realistic parking, and clear, enforceable plans for privacy measures like fencing and not just general statements.

Public Comment No. 13

The development of 2 Findlay Point as a 6-unit multi-dwelling will undoubtedly not support neighbourhood character as suggested in Edwin Shu's letter of information to Bassel Sleem. It will in fact *"result in adverse effects on the neighbouring properties"* and will not *"support compatibility with the surrounding residential area or respect neighbourhood character."* A single-dwelling or at the very least a duplex unit would be more suitable for the proposed application of land for Findlay Point. This would ensure that the cul-de-sac does not get even further overpopulated with residents beyond its capacity.

The residential area in discussion, Findlay Point is already currently facing its own significant challenges, including overpopulation which has turned it into an unsafe parking lot with no boundaries. This has great impacts on safety of its residents and visitors and the ability of services attempting to gain access into Findlay Point. This includes propane and other necessary delivery services, emergency services, garbage pick up, and snow removal. There have been several occasions where services have attempted to reach a house but have not been able to due to many vehicles being parked every which way. I personally, have been trapped in my driveway on multiple occasions with a vehicle full of children unable to get them to their destination.

In his letter Edwin mentions *"a functional and compliant parking arrangement at the front and rear of the site."* It appears there are 2 potential parking spots on the site plans at the front of the building, but I do not see a rear parking arrangement on any plans. Please advise as to what this means as this letter is currently attached in the site plans on the City of Yellowknife's Active Development Applications webpage for 2 Findlay Point. Edwin's letter and the application submitted plans also do not mention any *"Car Share Service in lieu of 6 parking spaces"* (sourced from the Notice of Application). The Notice of Application appears to be the only mention of this plan. Also please note even 6 parking spaces would not suffice as quite often 1-unit occupies 2 or more individuals so that would be potentially 12 parking spaces the Car Share Service would need to provide in order to be more realistic as to what this over-populated parking dilemma may result in. This all does not speak to the addition of potentially 6-12 or more individuals plus potential animals being added into the cul-de-sac. This will be especially apparent with the 2-bedroom units as those could potentially bring an additional resident/renter as well! Currently, all housing units on Findlay Point consist of all multi-dwelling units (with the exception of only 2 single dwellings). Also to note that this does not include any company or visitors the units may also have during any given time. Moyle Drive and Findlay Point both see a large number of tourists and individuals from all over Yellowknife and the surrounding area who come to hike nearby trails. The safety of these individuals also needs to be factored into this application proposal.

An example of the realistic parking spots required is provided by looking at all of the new developments on Moyle, 123 and 130 Moyle Drive, both 4-plex units, and the 19-unit NWT Housing Corporation building on Moyle, and on Findlay Point (5 (includes rental suite), 7 and 8 Findlay Point both 4-plex units). Every single one of those units came with one or more residents who most certainly do have a vehicle(s). In reality residents who do not currently own vehicles will quickly get one or more if they do not already have one prior to moving in. All 4 of the Habitat for Humanity Home residents all have multiple vehicles, as do both 4-plex units (130 Moyle and 8 Findlay Point) and many of the 19-unit building also have vehicles beyond the capacity of the small parking lot provided there. Many of the Niven Heights Condos and Villas residents also park overflow vehicles on Moyle. Also, 123 Moyle Drive currently under construction is set to contain 4 additional units as well. Both houses currently being built on Findlay Point (5 and 7 Findlay Point) each have rental suite(s) that will also have renters who have vehicles. When it is -30 for months again next winter all of these individuals plus the additional proposed 6-unit multi-dwelling will not pay to live in Niven and happily park somewhere along already overcrowded Moyle. Taking a drive down Moyle on a Saturday or Sunday is very claustrophobic and you instantly regret having to take that road, but it is the only way in and out.

Therefore, having insufficient parking spaces for residents is not a realistic option for this proposed project for a 6-unit dwelling. A single-dwelling or at the very least a duplex unit would be a much more viable option for this lot in discussion. The number of residents an additional 6-unit dwelling accounts for needs to be in an area where individuals are able to walk to places with ease and access. Findlay Point currently has *"a Walk Score of 7 out of 100 due to the location being deemed as a "Car-Dependent" neighborhood so errands require a car."* YK Car Share has already looked at the option of having this type of program in Niven and deemed it unrealistic due to the fact that many cars would need to be readily available for residents at any given time. The distance residents have to travel is too far in order for this type of Car Share Service program to work in Niven.

Historically, appeals are a common theme in this same neighbourhood, including in 2023 for 130 Moyle Drive and for 7 Findlay Point. Interestingly, both appeals also highlight the significant concerns with necessary parking not being available. This appears to be a common theme that has been consistently overruled and accepted to continue as such. Each time the statement *"there are no negative impacts"* is provided without any action for unhappy concerned residents. Just down Niven Drive similar issues of traffic and parking appeals were also noted in 2022 for Hagel Drive Niven Lake Phase 5/The View (70-units) and in 2024 for 110 Hagel Drive (24-unit multi-dwelling). Additionally, to note the appeals in 2015 with the 19-unit NWT Housing Corporation building on Moyle Drive across from the Niven Heights development.

I am also seeking clarity as to the following statement: *"as a mitigating measure for the reduced rear yard setback, we propose the installation of a fence along the rear property line section **without a fence.**"* I am wondering how a fence is proposed without a fence? Several times in Edwin's letter, he mentions the fact that 2 Findlay Point is on *"an irregularly shaped lot"* and deems this variance request is *"site-specific and reflects practical constraints related to the irregular shape of the lot."* It is therefore arguable that this encroachment into the rear yard setback would in-fact *"create adverse impacts on adjacent properties."* If the fence is proposed but not actually going to happen then the following statement will be incorrect: *"the proposed fencing will further ensure that the reduced setback does not result in adverse effects on neighbouring properties and will support compatibility with the surrounding residential area."* Please note that previously in his letter, Edwin claims there

will be no “*result in adverse effects on neighbouring properties.*” This is a contradicting statement that raises questions as to the validity of one’s word when attempting to get an application approved.

The ability to keep our children, elderly, and pets safe on Findlay Point is also of concern as people, vehicles, animals, tourists, and construction are everywhere. A single-dwelling or at the very least a duplex unit would be more suitable for this remaining lot on Findlay Point. Please consider the safety of the residents who already pay a lot to live somewhere they once felt safe.

Public Comment No. 14

I am writing to provide formal comments regarding the development application for 2 Findlay Point (File: PLDEV-2026-0013).

After reviewing the submitted plans and supporting materials, I have several concerns related to zoning compliance, neighbourhood impact, and the practical implications of the proposed design.

1. Rear Yard Setback, Building Massing, and Property Value Impact

The proposed reduction of the rear yard setback from 6.0 metres to approximately 3.0 metres represents a significant deviation from the requirements of the Zoning By-law. A reduction of this magnitude—approximately 50%—does not appear minor in nature and materially alters the spatial relationship between properties.

When combined with the proposed building height (approaching the maximum allowable), the reduced setback results in a structure that is both visually and physically imposing relative to adjacent properties. The building mass, when placed so close to neighbouring property lines, creates a sense of overdevelopment that is inconsistent with the intended character of the area.

This proximity is not only a planning concern but also a financial one. The presence of a large, multi-unit structure at such a reduced setback can reasonably be expected to negatively affect neighbouring property values. The diminished sense of space, increased overshadowing, and loss of visual openness are all factors that can reduce market desirability and long-term value for adjacent homeowners.

2. Privacy Impacts from Rear-Facing Stairs and Openings

Of particular concern is the placement of exterior stairs, entrances, and associated circulation areas directly at the rear of the building, facing neighbouring properties.

Based on the drawings, these elements appear to be located extremely close to the rear property line. This creates a direct line of sight into adjacent yards and potentially into interior living spaces. The elevated position of these access points further exacerbates the issue, effectively overlooking neighbouring properties and eliminating any meaningful sense of privacy.

This design introduces a continuous and unavoidable intrusion into the use and enjoyment of nearby outdoor and indoor spaces.

3. Floodlighting and Light Intrusion

The proposal indicates that lighting will be required for safety and access, particularly at the rear of the building where multiple unit entrances are located.

Given the reduced setback, any required floodlighting will be positioned in close proximity to neighbouring properties. The frequency of use (due to multiple units and shared access points) suggests that lighting will be activated regularly, including during nighttime hours.

This raises serious concerns regarding light spill into adjacent homes, particularly into bedroom windows, resulting in sleep disruption, reduced privacy, and overall diminished residential amenity.

4. Parking Provision and Car-Share Assumptions

The proposed parking strategy raises practical concerns. The allocation of only two dedicated parking spaces, supplemented by reliance on car-share arrangements, does not reflect typical vehicle ownership patterns in this neighbourhood.

There is no clear mechanism outlined for how the use of car-share spaces would be enforced or managed over time. Without enforceable controls, it is highly likely that residents will rely on on-street parking, thereby increasing pressure on already limited parking availability in the area.

This creates a foreseeable spillover effect that will negatively impact existing residents and the overall functionality of the neighbourhood.

5. Impact on Neighbourhood Character and Livability

The combination of reduced setbacks, increased building mass, direct overlooking, and intensified use introduces a form of development that is not consistent with the established character of the area.

The resulting loss of privacy, increased lighting intrusion, and parking congestion are all factors that can reasonably be expected to negatively affect both the enjoyment and value of neighbouring properties, as well as the overall livability of the neighbourhood.

Conclusion

In summary, the proposed development raises substantial concerns with respect to zoning compliance, privacy, lighting impacts, and parking feasibility. The cumulative effect of these issues suggests that the proposal does not meet the intent of the Zoning By-law, particularly in terms of maintaining compatibility with surrounding properties and protecting residential amenity.

I respectfully request that these concerns be given careful consideration in the review of this application.

Public Comment No. 15

This letter is submitted to voice my concerns with respect to the application for the 6-unit complex planned for the already-overpopulated small cul-de-sac, Findlay Point in Niven Lake subdivision.

If allowed to proceed, this development would tip the scales on the balance of pleasantly quiet to an unnecessarily busy neighbourhood, with two existing, separate 4-unit complexes on the street.

Even without this proposed complex, parking is complicated, as beyond the contractors' various vehicles and trucks, causing significant safety concerns and inconvenience to residents, once the units themselves are populated, there will be difficulties navigating the spaces allotted.

A 6-unit apartment building in such a small area, without parking allowances, given people still rely on various modes of transportation which warrant need for turning around and spaces to park, would render our small street unimaginably overcrowded.

Residents of Findlay Point are extremely concerned about the City of Yellowknife allowing not only further development of what is supposed to be a higher-end neighbourhood (i.e. nicely spaced living quarters for professionals and small families with young children), but that there is no regard to maintaining safety of its residents.

The sheer volume of vehicles coming in and out of a small cul-de-sac must be considered for risk reduction. A 6-unit structure is not appropriate for Findlay Point, an already high-density street. Of note, official trail access from our street to the firebreak below, which we all enjoy as access to nature, furthers traffic challenges as tourists drive in daily to park vehicles while they hike.

Beyond the safety factor, there seems to be a lack of enforcement for respect of the environment regarding two projects on-going with a particular developer, one at 7 Findlay and another on Moyle, whereby construction materials, garbage, pink insulation and other debris are piled high then scattered over surrounding lots, forest, and roads. As there must be building inspection to enforce various legislated codes, there must also be serious consideration to residents' standard of living.

To live well, we need space between building units to allow natural light into homes. The current size and elevation of the proposed project at 2 Findlay would dwarf its neighbours, significantly limiting light and living space. It would be much more appropriate and in keeping with the character of the neighbourhood to have a 2-unit building with 2-story elevation and smaller footprint.

Car-share service is not feasible in Niven Lake, especially for six units. While close enough for some to walk or bike downtown, during long and cold winters it is almost mandatory to have vehicles. Nobody in Yellowknife we are aware of has been able to operate exclusively with car-share services, currently only two cars (not always in operation). Parking is essential, on-site (i.e. not on the street).

Furthermore, a garbage disposal unit at 2 Findlay not only would take up a significant ratio of available space on that lot but requires access by a garbage disposal truck including turnaround.

I seriously urge the City to reconsider this project at all, certainly to deny the proposed variance. A duplex would be reasonable, providing for increased population density without exceeding the capacity of our small cul-de-sac.

2026:



Public Comment No. 16

My wife and I are writing to formally oppose the Development Permit and Variance Application (File No. PLDEV-2026-0013) for the proposed multi-unit dwelling at 2 Findlay Point.

Our concerns are based on a review of the Notice of Application and submitted plans.

1. Rear Yard Setback Variance is Not Minor

The application proposes reducing the rear yard setback from the required 6.0 metres to approximately 3.0 metres, with encroachments of approximately 1.97 m to 2.97 m along the rear elevation.

A reduction of this magnitude (up to 50%) is significant and not minor in planning terms. Rear yard setbacks are intended to provide:

- Adequate separation between properties
- Privacy for adjacent residents
- Space for drainage, snow storage, and maintenance

Reducing this setback compromises these functions and does not maintain the intent of the Zoning By-law.

2. Inconsistency with R1 Zoning Intent

The property is zoned R1, which is typically intended for low-density residential development. The proposal introduces a 6-unit, three-storey building (plus basement), representing a substantial increase in density and built form intensity.

While infill development is important, this scale of development combined with reduced setbacks is not consistent with the intent of low-density zoning and may negatively affect the character of the surrounding area.

3. Parking Deficiency and Car Share Substitution

The revised plans indicate only 1 parking space plus 1 car-share space in lieu of the required 6 parking spaces.

This represents a significant reduction in on-site parking. Given Yellowknife's context:

- Limited public transportation options

- Winter conditions that limit active transportation
- High reliance on personal vehicles

It is unlikely that a car-share model will adequately meet resident demand. This will likely result in overflow parking onto nearby streets, impacting existing residents and creating potential safety and access concerns.

4. Functional Site Constraints and Snow Management

The site plan identifies multiple competing uses within a constrained site, including:

- Parking and access areas
- Snow piling areas
- Waste collection area
- Reduced rear yard space

With the rear yard setback reduced to approximately 3 metres, there is limited space to accommodate snow storage without affecting access, visibility, and usability of the site. This raises concerns about the long-term functionality of the development, particularly during winter months.

5. Variance Justification Relies on Site Constraints

The rationale provided cites irregular lot shape, bedrock conditions, and grading challenges. However, these are typical conditions in Yellowknife and should be addressed through appropriate building design and site planning.

Variances should not be used to maximize development at the expense of established zoning standards. Approving this variance risks setting a precedent for similar reductions on other properties.

6. Limited Effectiveness of Proposed Mitigation

The proposed rear yard fence does not adequately mitigate the impacts of reduced setback, particularly with respect to privacy, spatial separation, and overall site intensity.

Conclusion

Based on the above, the requested variance is not minor, does not maintain the intent of the Zoning By-law, and raises concerns regarding parking, site functionality, and neighbourhood compatibility.

I respectfully request that the City deny the variance and require the development to comply with the existing zoning requirements.

Public Comment from Municipal Enforcement Division

Over the last year-and-a-half, MED has received several complaints at Findlay Point regarding the ongoing construction. These ranged from contractors letting garbage and construction materials blow around into public and adjacent properties, contractors blocking access to private driveways, contractors not communicating early and clearly to other residents of their activities, illegal parking of contractor vehicles, and others. From our records we conducted 10 visits to the area in 2025 in response to complaints, 2 so far in 2026. These visits were responses to complaints, or follow ups to previous complaints.

Overall I assess that the concerns of local residents in the area are valid. We should give serious consideration before approving this permit. There needs to be a clear understanding of how we expect the Contractors/Developers to behave and respect other local residents.

Applicant Response to Public Comments

Development Permit Application PLDEV-2026-0013 — 2 Findlay Point, Yellowknife NT

Submitted by: Edwin Shu | April 20, 2026

PRELIMINARY REMARKS

I am grateful to the City for the opportunity to respond to public comments received regarding application PLDEV-2026-0013. I want to thank all my neighbors who took the time to review the application and provided comments. I have reviewed all sixteen submissions carefully and take the concerns of my neighbours seriously. I am also a resident of the Niven Lake area and have a direct, personal interest in maintaining the character, safety, and liveability of Findlay Point — this is not an absentee development.

Before addressing the specific issues raised, I wish to make three preliminary observations that are relevant to the weight the Development Officer should assign to the public record.

Similar Themes Across Submissions

A review of the sixteen submissions reveals that several comments raise similar themes and, in some cases, draw on comparable language and framing — which is not unusual when neighbours with shared concerns discuss an application together or draw from similar sources of information. The car-share argument, references to overcrowding, the Table 10-2 / 1.02 metre steps analysis, the By-law 4404 / 25% historical comparison, and the ‘self-created constraint’ framing appear across a number of submissions in closely related form. This reflects a common set of concerns held by a group of like-minded neighbours rather than a broad range of independent perspectives, and the Development Officer may wish to take this into account when weighing the overall record.

Photographs Depict Construction Conditions, Not Occupancy Conditions

The photographs submitted in support of several comments — showing vehicles double- and triple-parked across the cul-de-sac — document the active construction phase at 5 and 7 Findlay Point, which has involved large contractor trucks, trades vehicles, and delivery equipment. These conditions are temporary and attributable to a specific nearby construction project, not to the occupancy patterns of completed multi-unit residential buildings. It would not be reasonable to use construction-phase parking photos as evidence of what conditions will look like once the proposed development at 2 Findlay Point is complete and occupied.

Furthermore, I have my own photographic record showing Findlay Point with minimal vehicle presence on a Saturday evening — demonstrating that the street's baseline parking situation is not as dire as the submitted images suggest.

I am a Local Resident With a Stake in the Neighbourhood

I live in the Niven Lake area. I have a direct interest in ensuring this development is built responsibly, that construction is managed respectfully, and that the completed building contributes positively to the neighbourhood. Unlike the nearby construction project where lumber was stored on public streets creating the safety hazards referenced in several comments, I have sufficient on-site yard space to stage all

construction materials within the property throughout the build. This will be a condition I commit to in writing.

ISSUE 1: REAR YARD SETBACK VARIANCE

This is the central planning issue in the application and deserves a thorough response. Several comments characterize the requested variance as a 50% reduction that is 'not minor.' I want to address both the magnitude of the variance and the reasoning behind it directly.

Revised Variance Request: Reduced to Approximately 8.8%

In response to the public comments received, I am revising my variance request. Through a design refinement that relocates the exterior staircase from the rear and front elevations to the interior of the building, and shifts the building mass closer to the street and within the 6 meter setback, the required rear yard encroachment is essentially eliminated. The revised request represents an encroachment of approximately 528 mm — a variance of approximately 8.8% of the required 6.0 metre setback — not 50%.

REVISED REQUEST	Rear yard setback variance reduced from ~50% to approximately 8.8% (528 mm encroachment into the required 6.0 m setback) through building repositioning and staircase relocation to the interior.
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This is a materially different proposition from what was originally circulated for comment, and the Development Officer should assess the revised design on its own merits. A 528 metre encroachment is a genuinely minor variance that reflects the practical geometry of an irregularly shaped lot — not an attempt to maximize development at the expense of neighbours.

The Variance Is Required by the Lot Shape, Not the Unit Count

Multiple comments suggest that the variance request is a consequence of trying to fit too many units onto the lot — that a duplex or single dwelling would not require a variance. This is incorrect, and I ask the Development Officer to verify this independently.

The lot at 2 Findlay Point is irregularly shaped. A duplex with a walkout basement — which may be the natural alternative on this topography — would face the same geometric constraints at the rear of the lot. The shape of the lot creates a practical constraint regardless of the number of units proposed. The variance need arises from the lot configuration, not from the density of the proposed building.

I would also note that the CMHC standard row house plan — two of which would constitute a duplex — would not comply with the required setback on this lot without a variance. This further confirms that the variance request is site-specific and geometry-driven, not density-driven.

Comparison With 7 Findlay Point

It is worth noting for the record that 7 Findlay Point was approved at a height of 14.5 metres and 3.5 meters rear setback. The proposed building at 2 Findlay Point will be within the 12-metre maximum permitted height under current zoning, and will likely sit lower in absolute terms than 3 Findlay Point, which was constructed on the existing high bedrock without blasting. At 2 Findlay Point, the lot will be blasted and

levelled, meaning the finished grade — and therefore the effective building height as experienced by neighbours — will be lower than the raw structural height suggests.

HEIGHT CONTEXT	7 Findlay Point: approved at 14.5 m. 3 Findlay Point: built on high bedrock, unblasted. 2 Findlay Point: will be blasted and levelled — effective height will be lower than 12 m maximum.
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Grading Plan as a Condition of Approval

I am prepared to accept an approved grading plan as a condition of the Development Permit. This will provide the City and neighbouring property owners with certainty about finished grades, drainage, and the relationship of the building to adjacent properties before construction proceeds. This directly addresses the concerns raised in Comments 6, 9, and 16 about unresolved grading and drainage questions. The conceptual grading plans provided should be sufficient at the DP stage.

ISSUE 2: PARKING AND CAR-SHARE PROGRAM

Parking and car-share feasibility is the issue raised most frequently and most passionately across the sixteen submissions. I want to address it directly and honestly, while also pushing back on some of the assumptions that underpin the objections.

The Car-Share Commitment: Strengthened

I am committing to the following, to be incorporated as conditions of the Development Permit and Development Agreement:

- A minimum of one shared vehicle will be available on-site at all times for resident use.
- If demand exceeds availability of the on-site vehicle, access to additional car-share arrangements — including the existing YK Car Share network — will be provided and facilitated for residents.
- The car-share vehicle if electric will be charged using the building's rooftop solar PV system, creating a zero-marginal-cost mobility option for tenants.
- At least two electric bicycles will be provided, secured, and maintained on-site for resident use.
- The car-share and e-bike program will be a binding condition of the Development Agreement.

The 'Everyone in Yellowknife Needs a Car' Assumption Is Not Accurate

Several comments assert, as if it were an established fact, that every resident in Yellowknife owns one or two vehicles and that no tenant will use a car-share or go without a personal vehicle. This is not accurate, and I can speak to it from direct experience.

I currently have family and colleagues who do not own vehicles and do not intend to acquire one. The proposed development at 2 Findlay Point is intentionally designed to appeal to a different demographic: working professionals, young adults, and individuals who prefer a lower-cost, lower-consumption lifestyle with access to alternative transportation. E-bikes, car-share, and proximity to trails are features, not afterthoughts — they are part of the product offering that will attract exactly the residents for whom car ownership is not a priority.

It is also worth noting that the argument 'everyone will own a car regardless' proves too much. If accepted, it would make car-share provisions unworkable everywhere in Yellowknife, including in areas closer to downtown where the City has presumably already accepted them as valid parking mitigation. The by-law expressly permits this substitution.

Duplex Parking Would Be Worse, Not Better

Several comments suggest a duplex as the appropriate alternative, implying it would solve the parking problem. Let us examine that claim using the commenters' own assumptions.

A duplex with walkout basement suites on this lot would produce at minimum four occupancies (two main units, two basement suites). Using the commenters' own estimate of two vehicles per family, that is eight vehicles — significantly more than the six units proposed here, which are designed for a lower-car demographic with on-site car-share infrastructure. The lot cannot physically accommodate eight parking spaces. The parking problem the commenters describe would be worse under the duplex scenario, not better.

PARKING COMPARISON	Duplex + walkout suites (4 occupancies × 2 vehicles = up to 8 vehicles, no car-share). 6-plex with car-share + e-bikes + solar EV = lower vehicle demand by design, binding enforcement mechanism.
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Construction Parking vs. Occupancy Parking

The photographs submitted across multiple comments document contractor and trades vehicles during an active construction phase at a nearby site — not the parking conditions of a completed, occupied residential building. Post-construction occupancy generates an entirely different and substantially lower vehicle volume than an active multi-trade construction project. These images should be understood as evidence of a construction management problem at a separate site, not as a projection of future conditions at 2 Findlay Point.

I further commit that all construction materials, equipment, and contractor vehicles for the 2 Findlay Point project will be staged and parked within the property boundary throughout the build. I have adequate yard space to accommodate this, and this commitment will be documented in writing.

ISSUE 3: PRIVACY, OVERLOOK, AND FENCING

Several technically detailed submissions — particularly Comments 6, 9, 10, and 14 — raise concerns about upper-storey overlook and the effectiveness of a 2-metre fence as mitigation. These concerns deserve a substantive response.

Staircase Relocation Resolves the Primary Overlook Concern

The revised design relocates the exterior staircase from the rear and front elevation to the interior of the building. This is the single most significant change in response to the privacy concerns raised, and it directly addresses the issue of elevated rear-facing access points overlooking adjacent yards. The stairs will no longer be positioned at the rear property line.

Trees as Additional Privacy Mitigation

In addition to the revised building configuration, I will explore the installation of taller, fast-growing native tree species along the rear property line as a supplementary privacy measure. Properly selected northern tree species can provide meaningful canopy screening within a few growing seasons, addressing upper-storey sightlines in a way that a fence alone cannot. This can be specified as a landscaping condition of the Development Permit.

Fence Commitment

I confirm that the fence referenced in the application will be constructed. This will be a condition of the Development Permit — it is not merely a statement of intent. The concerns raised in Comments 12 and 13 about the fence being mentioned without a concrete plan are noted, and I am prepared to have its installation and specification included as a binding permit condition.

ISSUE 4: DENSITY, NEIGHBOURHOOD CHARACTER, AND ZONING

This Use Is Permitted by the Zoning By-law

The proposed development is a permitted use within the R1 zone under the current Zoning By-law No. 5045. The City made a deliberate policy decision when it adopted this zoning framework in March 2022 to allow multi-unit residential development of this scale in this zone. The question of whether six units should be permitted in the R1 zone is a policy question that was resolved at the time of zoning adoption — it is not a question for the Development Officer to re-litigate in the context of this specific application.

Several comments express frustration that the zoning has changed since they built their homes — Comment 11 notes the previous height limit was 8 metres and maximum units were two. That is precisely the point: the by-law has changed, and the current by-law governs.

Density in Context

I respectfully ask the Development Officer to compare the density at 2 Findlay Point against the existing development pattern in other areas within the City, where multiple multi-family buildings have been approved and built in close proximity. The Niven Lake subdivision has accommodated significant multi-unit development throughout. A six-unit building on a single lot, designed to high energy performance standards with green mobility infrastructure, is a responsible form of infill that contributes to the City's housing supply objectives.

Comment 3 — Characterization of the Neighbourhood

Comment 3 includes the assertion that 'I know the bulk if not all the residences in the area express the same view.' This is presented without basis. I am aware of residents in the area who support the project and who did not submit written objections. The absence of supportive written comments should not be interpreted as unanimous neighbourhood opposition.

ISSUE 5: APPLICATION COMPLETENESS AND CONSISTENCY

Comments 6 and 9 raise concerns about inconsistencies in the application package — specifically regarding the number of parking spaces noted on different pages, and the reference to rear parking that does not appear in the drawings. These are legitimate observations that I acknowledge.

The inconsistencies referenced relate to earlier draft materials that were included in the submission package in error. I have resubmitted a clean, consolidated application package that presents a single, consistent set of plans, specifications, and supporting documentation. Specifically:

- A single confirmed parking layout showing 1 regular stall and 1 car-share space, consistent across all documents.
- A confirmed, consistent total gross floor area on all pages.
- Removal of the rear parking reference in the variance write-up, replaced with the accurate description of the revised layout.
- A conceptual grading plan to be finalized as a condition of permit approval.

I accept that the “basement” design details cannot be fully specified at the development permit stage given the bedrock conditions that require confirmation through blasting. Final basement parameters will be established and permitted through the building permit process, which provides a separate and appropriate regulatory checkpoint.

ISSUE 6: TRAFFIC, SAFETY, AND INFRASTRUCTURE

Several comments raise concerns about traffic volumes, pedestrian safety, and the capacity of the cul-de-sac to handle additional vehicles. These are reasonable concerns in principle, but several important points of context deserve consideration.

Traffic Impact Was Considered at Zoning Approval

I believe the City of Yellowknife assessed the traffic and infrastructure implications of multi-unit residential development in this zone when it adopted Zoning By-law No. 5045 in 2022. The permitted density and use types in the R1 zone reflect that assessment. The proposed development does not exceed the uses or densities contemplated by the current zoning framework. If the infrastructure is inadequate to support the zoning, that is a systemic issue that predates and extends well beyond this specific application.

Six Small Units Generate Less Traffic Than Assumed

The development proposes six small units — three one-bedroom and three two-bedroom — targeted at a demographic that, by design do not want the responsibility to own and maintain personal vehicles. The car-share EV, two e-bikes, and proximity to downtown are meaningful alternatives for this resident profile. The traffic generation of six small units with active transportation infrastructure will be materially lower than the commenters' assumption of twelve or more vehicles.

Emergency Access

Emergency vehicle access is a building permit and site plan requirement that will be confirmed through the permitting process. The proposed building does not introduce any unique constraint on emergency access beyond what already exists in the cul-de-sac, and the building's own access configuration complies with fire

and emergency access standards. Additional compliance requirements will be confirmed during building permit approval.

SUMMARY OF COMMITMENTS AND DESIGN CHANGES

The following table summarizes the specific commitments and design changes I am prepared to make in response to public comments, and which I ask the Development Officer to incorporate as conditions of approval:

Issue	Applicant Commitment / Design Change
Rear yard setback	Revised to 528 mm (8.8%) encroachment. Stairs relocated to the interior of the building. Building has been reconfigured.
Grading & drainage	Conceptual grading plan provided. It keeps natural drainage in mostly intact. Approved grading plan to be a condition of DP. Final basement parameters confirmed through building permit.
Car-share vehicle	Minimum 1 shared vehicle on-site at all times, plus if necessary, access to YK Car Share network or other car share alternative as backup. Binding Development Agreement condition.
E-bikes	Minimum 2 e-bikes provided, secured, and maintained on-site for resident use.
Privacy / fence	Rear fence installation as binding permit condition. Taller native trees where possible along rear property line as supplementary screen.
Construction management	All materials, equipment, and contractor vehicles staged within property boundary throughout construction.
Application consistency	Consolidated, consistent application package to be resubmitted resolving all document discrepancies.
Building height	Will not exceed 12 m. Effective height likely lower than 3 Findlay due to lot levelling. Compare with 7 Findlay approved at 14.5 m.

CONCLUSION

The proposed development at 2 Findlay Point is a purpose-built, high-performance housing project that is fully consistent with the current zoning framework, complies with all height restrictions, and provides a legally compliant and safe parking solution through a binding car-share commitment. The revised design — with the staircase relocated to the interior, the building repositioned to essentially eliminate the rear variance (reduce the rear yard variance to approximately 8.8%), and a comprehensive package of conditions including an approved grading plan, binding car-share and e-bike commitments, rear fencing, and privacy landscaping — directly addresses the substantive concerns raised in public comments.

The comments received, while numerous, largely reflect a shared set of concerns held by my neighbours who hold similar views about multi-unit development on this lot, and in several cases rely on assumptions about vehicle ownership and car-share feasibility that are not supported.

Finally, the Municipal Enforcement Division's (MED) submission confirms that the complaints received at Findlay Point over the past eighteen months relate entirely to contractor conduct during the active construction phase at a nearby development — not to the behaviour of residents in completed, occupied units. MED recorded 10 visits in 2025 and 2 in 2026, all in response to construction-related complaints: contractor vehicles illegally parked, debris and materials scattered onto adjacent properties, and inadequate communication with neighbours. I take no issue with MED's characterization of those complaints as valid — they are, and they describe exactly the kind of construction mismanagement that I am explicitly committing not to replicate. As stated elsewhere in this response, all construction materials, equipment, and contractor vehicles for the 2 Findlay Point project will be staged and managed entirely within the property boundary throughout the build, and I will accept this as a written condition of the Development Permit. What the MED comment does not do — and cannot fairly be read to do — is provide evidence that a completed, occupied six-unit building will generate enforcement issues. MED's own record is a record of construction complaints at a separate project. It is not a record of complaints against this application, this site, or occupied multi-unit residential buildings in the area. The MED's comments should be read for what it actually says: that construction conduct in the area has been problematic, and that clear expectations must be set for contractors and developers going forward. I agree entirely, and I invite MED to work with me directly to establish those expectations as conditions of this permit before construction begins.

I am available to meet with City planning staff at any time to discuss the revised design and proposed conditions, and welcome the opportunity to address any outstanding questions directly. In addition, I will be hosting an open neighbourhood session in the coming days, to which all neighbouring residents are invited — an opportunity to learn more about the project, the applicant, and the considerable effort that has gone into designing a building that will be a positive addition to Findlay Point.

Respectfully,

Edwin Shu,



EXHIBIT F

CITY OF YELLOWKNIFE

Development Permit Decision Letter

Zoning By-law No. 5045 - Section 4.6

Delivered via Email

Date June 15, 2026

File: Lot 77

Block 308

Plan 4204

Edwin Shu

Yellowknife, NT

Dear Edwin,

Re: Refusal of Variance Application for a Multi-Unit Dwelling at 2 Findlay Point:
Application Number: PLDEV-2026-0013

The City of Yellowknife Planning and Environment Division has refused your Variance application for a Multi-Unit Dwelling at Lot 77, Block 308, Plan 4204 at 2 Findlay Point [Roll: 0308007700].

A Notice of Decision will be posted on the property with the permit effective on the date indicated. The Public Notice must be left up until the effective date, after which you may take it down.

Should you have any questions please contact me at bsleem@yellowknife.ca or 867-920-5611.

Sincerely,

Planner II
City of Yellowknife

DM# 829015



YK Car Share Co-op
Drive Green, Drive Electric.

Annual Report 2025

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2025 Highlights

The Yellowknife Car Share Co-operative (car share) had its sixth year of operations in 2025. The car share is slowly growing and is financially stable. Some specific highlights from 2025 were:

- There were 234 registered drivers with the car share as of December 31, 2025, of which 44 were member drivers.
- The car share has 42 co-op members.
- The car share operated two electric vehicles (EVs) this year. The car sharing locations were the Somba K'e Park (City Hall) charging station, and the Outpost (5115 50th Street).
- Usage per EV increased from 123 hrs/month to 218 hrs/month this year. This is an annual revenue increase of approximately \$7,200.
- The car share driving rates continue to have not increased since 2019.
- The car share continues to demonstrate that EVs work well throughout the year in Yellowknife, and operate without mechanical issues below minus 40°C.
- The car share first EV, a 2016 Spark, driving battery failed in September 2024 and was not economical to replace. The EV was written off in June 2025.
- Car sharing continues to reduce the need for parking in our community and provides an affordable transportation option.
- The car share continues to network with property developers and government departments with the hopes of finding a third car location in 2026.
- As of December 31, 2025 the value of the car share was approximately \$76,000. The car share had a net income of approximately \$12,000.

We would like to thank our 2025 sponsors, the City of Yellowknife (parking & power), and the Outpost (sponsorship, parking & power) for their continued support.

History

The Yellowknife Car Share Co-op Ltd. (car share) was founded in 2017 by a joint relationship between Cloudworks, Ecology North, and Arctic Energy Alliance. The car share is a registered co-operative with the Government of the Northwest Territories (GNWT), and is governed by a board of directors elected by its members. In 2019, a 3-year funding agreement between the City of Yellowknife and the car share was signed that allowed drivers from both organisations to share an EV. This 3 year trial demonstrated the viability of EVs in the North and promoted an alternative green transportation option. Since 2023 the City of Yellowknife has continued to sponsor an EV parking spot while the YK Car Share has proven to be financially sustainable.

Car sharing is an important program that (1) reduces the need for parking space as many people share the same parking spot, (2) enhances the city's public transportation system by making a vehicle available to people at an affordable price in circumstances where the bus service does not work for them, and (3) ultimately, and most importantly, reduces greenhouse gas (GHG) emissions.

2025 in Review

Members & Driver Plans

Car share continues to grow; 78 new drivers joined in 2025. At the end of 2025 the car share had 234 registered drivers with 44 member drivers. Corporate drivers did not increase in 2025 and still remains a huge growth potential for the car share. Promoting

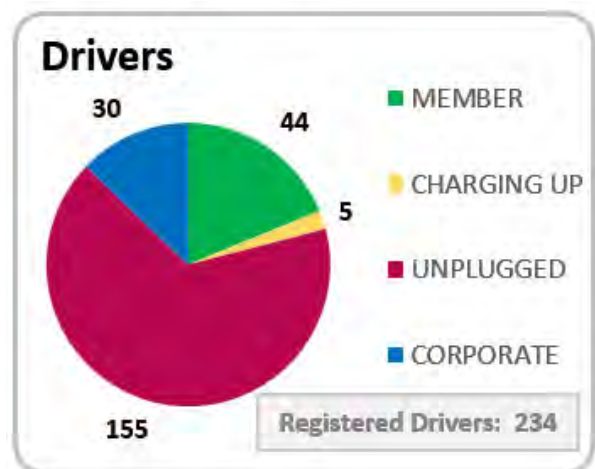
car sharing to businesses and governments continues to be a business priority.

The car share continues to operate with three driving plans. All plans require drivers to pay a registration fee of \$35 and to complete a [driver registration form](#).

Below is a summary of our current plans:

1. **Fully Charged Member** - the plan includes purchasing a lifetime, redeemable \$500 share, the driving rate is \$10/hour for individuals and \$12/hour for corporate accounts, member has voting rights
2. **Charging Up Driver** - this plan includes a monthly subscription of \$20/month that goes towards a driver's membership, after 25 months the driver becomes a member, the driving rate is \$12/hour
3. **Unplugged Driver** - this plan has no commitments, the driving rate is \$15/hour

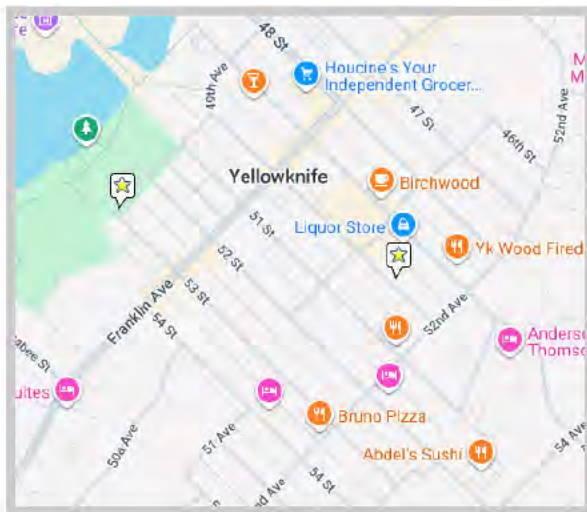
The following pie chart shows the spread of drivers by driving plans.



EVs & Locations

The car share operated two EVs in 2025. This was the second year operating with two car sharing locations on its online booking system. The EV locations and vehicle types are listed below:

1. Outpost, 5115 50th Street, 2023 Chevrolet Bolt EUV (Frosty), and
2. Somba K'e Charging Station, corner of 49th avenue & 53rd street, Chevrolet Bolt EV (Bolt)



The EV stationed at the Somba K'e Charging Station can be booked at a discounted rate, if booked for longer than 6 hours. The EV can be booked for up to 24 hours at a flat rate of six times the driver's driving rate. For example, if the driver is an Unplugged Driver the discounted 24 hour rate, or daily rate, is \$90/day (6 x \$15/hour). The discounted daily rate option has been very popular with our

member drivers, as the daily rate is only \$60/day!

In addition to the City Hall car usage discount, drivers that are residents of the Outpost receive a 50% discount on their car usage and is a condition of the car share MOU with the Outpost.

Usage

Car usage, excluding staff usage, increased from approximately 188 hrs/month/EV in 2024 to 218 hrs/month/EV in 2025. This equates to a 16% increase in usage and an annual revenue increase of approximately \$7,200.

The Outpost EV location remains the car sharing location with the most number of car bookings, and the city hall location has the most hourly usage due its 24-hour discount rate. Figure 1 shows the total hours and number of bookings by month for each car sharing location.

In 2025, the car share revenue budget was \$50/day per EV. We achieved this at both locations. The Outpost daily revenue was \$57, and the Somba K'e (city hall) was \$50/day. This is shown in Figure 2.

Unplugged drivers represent 66% of the car share drivers and generate approximately 50% of the car share revenue. The average monthly EV usage for 2025 was approximately \$3,200 per month.

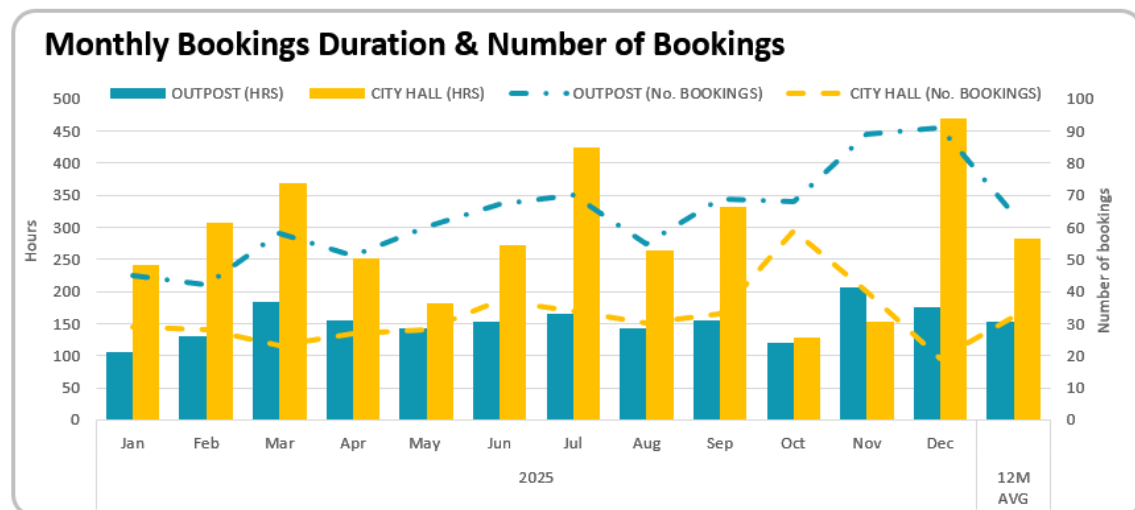


Figure 1

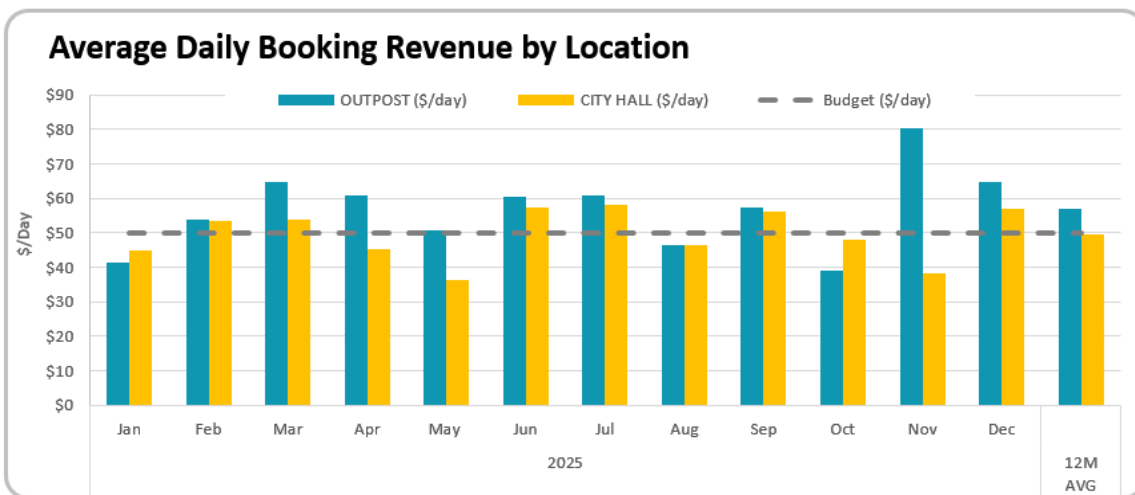


Figure 2

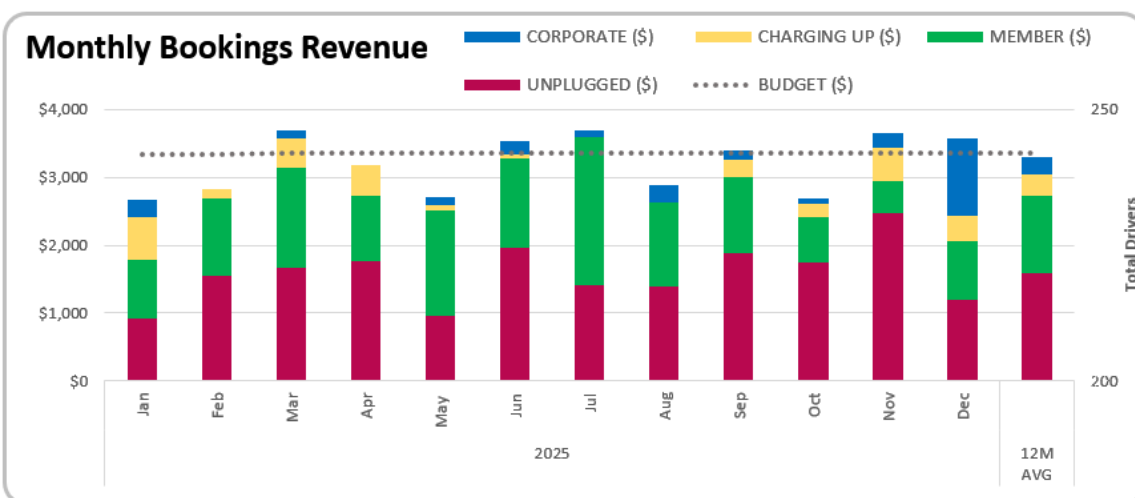


Figure 3

Booking & Payment System

The car share continues to use the “Engage” booking system under an agreement with MODO; one of British Columbia’s largest car shares. Engage allows for online bookings, key fob car access, tracking of each journey, automated billing, and data reporting. Engage continues to work well for both booking and billing.

There are two methods for drivers to pay for their car usage. They can make a credit card payment through the online booking system, or send an electronic money transfer to membership@ykcarshare.com. To register a new driver or account, the driver is required to send an EMT of \$36.75 (includes GST) for the driver registration fee along with a completed [driver registration form](#).

Marketing & Branding

An area of improvement for car share is marketing the concept of car sharing. The car share continues to have a relatively basic social media presence on [Facebook](#) and [Instagram](#), and the [website](#) is kept up-to-date. In 2025 car sharing was promoted by:

- Promoting a Valentine Day draw to win 3 hours of free driving (February),
- Participating in the EV Showcase at the Ecology North Earth Week Coffee House (April),
- Hosting an EV Lunch & Learn during the Ecology North Earth Week (April),
- Providing free registrations during the Ecology North Earth Week (April)
- Advertising in the Yellowknife Visitor Guide,

- Promoting a driver summer referral program (June to September),
- Emailing newsletters to our drivers and members every two months,
- Distributing promotional stickers for drivers and the public,
- Reaching out to downtown developers and existing condo complexes about car sharing at their locations,
- Participating in the City of Yellowknife transportation and climate change engagement workshops, and
- Meeting with Housing NWT to discuss car sharing at a new development on 50th street.

Marketing and promoting car sharing continues to be a priority for car share.

Maintenance

Electric vehicles prove to have low maintenance requirements. Besides monitoring tire pressure and tread, and topping up window washing fluid level, no significant maintenance was completed in 2025. New studded winter tires were purchased for the 2022 Bolt EV, Bolty.

Board & Staff

Our board provides approximately 100 hours per year to the car share. The board meets every four to six weeks and supports the car share co-op and our coordinator by: troubleshooting problems with cars and drivers, policy review and development, filling in for the coordinator while they are away, preparation of financial statements, and supporting the selling and purchasing of vehicles. As of May 2025, board members are remunerated \$10/hour in driving credit for their time.

Tania Hercun continues to be the car share coordinator and has been with car share since March 2023.

The Yellowknife Car Share Annual General Meeting was held on May 22, 2025 and shortly after the required annual filing was completed with the GNWT Corporate Registry.

Driving Forward

The car share feels strong driving into the new year and hopes to add a new car sharing location to its network. Some initiatives & improvements planned for 2026 include:

- Securing a third car sharing location in Yellowknife,
- Building our online profile and community outreach,
- Continuing to reach out to businesses, government departments and residents to become members,
- Building relationships and partnerships with local developers with the hope to have car sharing at their new and existing developments,
- Continuing to build and improve our business to meet the needs and requests of our members & drivers,
- Updating our website with a 'Frequently Asked Questions' section, and
- Sharing our EV expertise with the public and our partners.

Developing new partnerships is essential to the future of the car share and its feasibility. Finding capital to purchase more EVs and securing charging locations are the car share's largest challenges.

Finances

The car share's net value at the end of 2025 was approximately \$76,000 with an annual revenue exceeding \$50,000. The organization had a net profit of \$12,000 and a positive cash flow of approximately \$22,000.

The car share operates on a non-profit basis and does not return dividends to its members. Excess revenues are reinvested in the co-operative. For more financial details, see the financial statements by clicking the link below.

[2025 Financial Statements](#)

Sponsors

The car share would like to thank our corporate sponsors from 2025:

- **City of Yellowknife** for providing a parking location and power,
- **Outpost** for proving their sponsorship, parking location and power, and
- **Yellowknife Motors** for 2023 Chevrolet Bolt EUV sponsorship.

2025 in Numbers

Item	2022	2023	2024	2025
Vehicle Booking - hourly rentals only¹				
Staff	49	86	102	85
Fully Charged Members	229	335	469	609
Charging Up Drivers	87	40	111	105
Unplugged Drivers	-	50	332	412
Corporate	93	49	29	26
TOTAL Bookings	458	560	1,043	1,237
Number of Drivers				
Fully Charged Members	26	41	37	44
Charging Up Drivers	6	3	8	5
Unplugged Drivers	-	49	109	155
Corporate	19	30	31	30
TOTAL Drivers	51	123	185	234
Distance Driven (km) - hourly rentals only¹				
Staff	269	318	582	491
Fully Charged Members	3,590	6,807	9,578	10,137
Charging Up Drivers	1,632	853	2,131	1,651
Unplugged Drivers		1,380	11,099	12,945
Corporate		906	646	1,160
TOTAL (km)	6,448	10,263	24,036	26,384

1 - 2025 Fleet Usage by Booking worksheet

Our Fleet



“Bolt”, a 2022 Chevrolet Bolt EV with a 420km range in the summer and 200km in the winter. Available for hourly rentals and daily rentals. Located at the [Somba K'e Charging Station](#).



“Frosty”, a 2023 Chevrolet Bolt EUV with 500km range in the summer and 250km in the winter. Available for hourly rentals. Location at the [Outpost](#).



YK Car Share Co-op
Drive Green, Drive Electric.

Desktop Geotechnical Site Evaluation for 2 Findlay Point, Yellowknife



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- Appendix A Tetra Tech's Limitations on the Use of this Document
Appendix B Construction Guidelines

LIMITATIONS OF REPORT

This report and its contents are intended for the sole use of 508416 NWT LTD. and their agents. Tetra Tech Canada Inc. (Tetra Tech) does not accept any responsibility for the accuracy of any of the data, the analysis, or the recommendations contained or referenced in the report when the report is used or relied upon by any Party other than 508416 NWT LTD., or for any Project other than the proposed development at the subject site. Any such unauthorized use of this report is at the sole risk of the user. Use of this document is subject to the Limitations on the Use of this Document attached in the Appendix or Contractual Terms and Conditions executed by both parties.

1.0 INTRODUCTION

This report presents the results of a desktop geotechnical site evaluation conducted by Tetra Tech Canada Inc. (Tetra Tech) for 508416 NWT LTD. (the Client), to support the design and construction of a new residential development in Yellowknife, NT.

The objective of this desktop site evaluation was to develop preliminary recommendations for the design and construction of foundations for the proposed new residential development, based on a review of existing geotechnical and climate information available for the community of Yellowknife. No site-specific subsurface investigation was undertaken for this project.

Authorization to proceed was granted by a services agreement, signed by the Client on December 3, 2025.

2.0 PROJECT DESCRIPTION

Tetra Tech understands that the Client intends to construct a new six-plex on the subject property at 2 Findlay Point (legal description: Lot 77, Block 308, Plan 4204). This residential lot is located at the northeast end of the Niven subdivision in Yellowknife. The six-plex will be a three-storey walk-up with a basement on the east end of the lot.

3.0 SCOPE OF WORK

The scope of work for this project included the following:

- Review available information for the proposed site, including geotechnical reports from nearby development, borehole logs, surficial geology maps, geology maps, aerial photography, satellite imagery, historical climate records and any other relevant information;
- Prepare a desktop evaluation report based on the desktop geotechnical review. The report typically includes community climate data, anticipated site surface and subsurface conditions, potential geotechnical concerns, and general foundation recommendations along with climate change considerations.

4.0 METHODOLOGY

Previous geotechnical reports for other sites in Yellowknife were reviewed in preparation for this report. These include geotechnical investigations for Niven Suburb (EBA 1995) and for the city centre complex (EBA 1989). Figure 1 illustrates the relative positions of these reference sites in relation to the subject site.

In addition to these sources, Tetra Tech reviewed geological information, air photos, satellite imagery, topographical data, and historical climate records for the city of Yellowknife. A list of sources is presented in the reference section at the end of this report.

Tetra Tech did not conduct a subsurface investigation at the subject site; however, a brief site visit was conducted on November 15, 2025. Tetra Tech took some photographs at the subject site, some of which are presented in the Photographs section of this report. All descriptions and recommendations presented in this report are based upon the sources listed in the references and photographs taken at the site.

5.0 SITE DESCRIPTION

5.1 Site Location

Yellowknife is the capital of the Northwest Territories. It is located in the North Slave Region at latitude 62° 27' North, longitude 114° 22' West.

The subject site is located at the northeast end of the Niven Suburb in Yellowknife, occupying the southwestern-most parcel on the Findlay Point cul-de-sac. The property borders residential parcels along Moyle Drive and McMahon Court. The lot boundary is shown on Figure 1.

5.2 Climate

Environment Canada maintains weather stations in Yellowknife with collective records dating back to 1942 (Environment Canada 2025).

The annual air temperature has been gradually increasing in Yellowknife. The temperature warming trend was analyzed using linear interpolation of the average annual temperature data between 1942 and 2024. The average rate of increase has been about 0.03°C per year. The MAAT has averaged -3.7°C over the last 30 years (1995-2024). Although the average rate of increase has been only about 0.007°C per year in the last 30 years, the 30-year moving average shows a much steeper overall warming trend of about 0.04°C per year since 1995.

The annual freezing and thawing indices have averaged about 3,165 Celsius degree-days and 1,840 Celsius degree-days, respectively, for the period of 1995 to 2024.

The mean annual total precipitation for Yellowknife over the period from 1995 to 2024 was 274 mm, approximately 40% of which falls as snow. Total precipitation has increased over the period of record, with a 0.4% increase from the previous 30-year period (1965-1994) (Environment Canada 2025).

5.3 Geological Setting

Yellowknife lies within the Canadian Shield and is underlain by Archean meta-volcanic and meta-sedimentary rock of the Yellowknife Supergroup intruded by younger granitoid rocks. The most recent glaciation has resulted in widespread bedrock exposure. Based on available geology mapping (Stubley & Irwin 2019), the site is underlain by mafic volcanics of the Kam Formation. A diabase dyke also appears to run through the site from northwest to southeast.

Retreat of the continental glaciers occurred about 8,000 to 10,000 years ago (Prest 1969). Deglaciation generally resulted in deposition of glaciofluvial sediment consisting of outwash sand and gravel, followed by deposition of glaciolacustrine sediment in glacial Lake McConnell, which covered the area. Based on surficial geology mapping for the Yellowknife area, the site is underlain by bedrock with discontinuous cover (Stevens et al. 2012). Littoral and nearshore glaciolacustrine sediments, composed of fine sand to silty clay, are mapped about 40 m north of the site.

5.4 Site History and Anticipated Surface Conditions

The site history and anticipated surface conditions have been assessed based on a review of satellite imagery, available topographic data for the site, as well as photographs taken at the site.

The subject site is currently vacant. Bedrock is exposed in the west portion of the property, bordering the road. The remainder of the site is vegetated with coniferous trees and some smaller deciduous trees. Photos of the property are presented in the Photographs Section.

A review of aerial photographs and satellite imagery indicates that the lot has no record of prior development. The surrounding Niven Suburb is largely recent residential construction. Findlay Point was originally developed in 2011 as a gravel roadway and subsequently paved in 2013. An electric box and street lighting were constructed at the west corner of the property during the paving process. Houses, built between 2013 and 2017, bound the lot on all sides except the road access to the northwest.

Elevation contours for Yellowknife (GNWT 2025) indicate that the bedrock outcrop in the west part of the site is approximately 200 m above sea level (masl), while the remainder of the site is relatively flat at about 199 masl. Surface drainage is primarily to the east, though parts of the south side of the site drain to the south. For reference, Niven Lake and Great Slave Lake are both situated at roughly 156 masl.

5.5 Anticipated Subsurface Conditions

The anticipated subsurface conditions are based on a review of nearby geotechnical investigations. From these past studies, as well as the review of satellite imagery and surficial geology mapping, the subsurface stratigraphy is anticipated to be as follows:

Organics

A layer of organics is anticipated at the ground surface in vegetated portions of the site. A layer of peat or organics, varying in thickness from about 0.2 to 0.3 m, was present over much of the Niven Subdivision prior to residential development (EBA 1995).

Sand and Silt / Silt

A layer of sand and silt or silt is anticipated beneath the organics or at surface across the central and eastern portions of the site. This layer extended to bedrock throughout the Niven North area (EBA 1995). The sand and silt was described as compact with moisture content ranging from 6% to 31% and averaging 15%. The silt was described as stiff with moisture content ranging from 11% to 25% and averaging 18%. Clay was interbedded with the silt in areas closer to Niven Lake and Frame Lake.

Bedrock

Basalt and diabase igneous rock is anticipated to underlie the site. Bedrock is exposed in the northwest corner of the property. Bedrock depth across the remainder of the site is not known but anticipated to be relatively shallow. The exposed bedrock on site is blocky.

During the 1995 investigation (EBA), bedrock depth across the Niven North area ranged from 1.5 m to 8.5 m. Unconfined compressive strength of unfractured basalt bedrock of the same geological formation encountered at the Yellowknife city centre indicated strength consistent with “strong rock” (EBA 1989). It should be noted that basalt adjacent to diabase dykes, as anticipated at the subject site, is commonly more highly fractured and may exhibit reduced intact strength.

5.6 Anticipated Permafrost Conditions

Yellowknife is located in the zone of discontinuous permafrost (O'Neill 2022). Where present, the ice content in the area is negligible (0-5%), composed mainly of segregated ice (0-2%) with no relic or wedge ice. Permafrost is generally absent beneath exposed bedrock and water bodies, whereas it may be found in areas with soil overlying bedrock, particularly if there is a layer of organic soil at the ground surface. In previously developed and disturbed areas, it is likely that permafrost has completely thawed.

Half of the boreholes in the 1995 Niven Suburb investigation encountered marginally frozen soil around -0.5°C (EBA). Where encountered, depth to permafrost varied from 1.5 m to 4.0 m. Excess ice was not encountered within the sand and silt or the silt but was present in some peat and clay.

Because bedrock is exposed in the west part of the site and is expected to be shallow elsewhere, permafrost is unlikely to be present at the site. Nevertheless, if bedrock depths are greater than expected beneath vegetated areas, pockets of permafrost remain possible.

The active layer thickness in Yellowknife is generally around 2 m in undisturbed areas.

5.7 Anticipated Groundwater Conditions

Groundwater was encountered at 2-3 m depth across the Niven North area (EBA 1995). Groundwater is expected to be locally perched where shallow bedrock forms depressions. Groundwater levels will vary seasonally and in response to climatic conditions.

6.0 RECOMMENDATIONS AND CONSIDERATIONS

6.1 General

Based on the review of available information, the subsurface conditions at the subject site are considered suitable for development from a geotechnical perspective, with the inclusion of some mitigative measures for design and construction.

The likelihood of permafrost within the treed portions of the site is considered low. Nevertheless, if permafrost is present, it is expected to be warm and thaw-unstable. Accordingly, founding the new building on competent bedrock is recommended. Given that bedrock is exposed in the west part of the property, a shallow foundation such as strip and spread footings bearing on bedrock is likely feasible and considered the most resilient foundation type to the effects of long-term climate change, as discussed in the following section. However, since actual bedrock elevations in the east part of the site are uncertain, target delineation of bedrock depths is recommended for project planning and design purposes.

Shallow foundations on bedrock are discussed in Section 6.3. Recommendations for frost protection measures are provided in Section 6.4. Additional recommendations related to site development, including construction excavation, site grading and drainage, concrete / cement type, and seismic site classification, are provided in subsequent sections.

6.2 Climate Change Considerations

The Canadian Standards Association (CSA 2019) provides guidance for screening the vulnerability of a development to climate change. The sensitivity permafrost can be classified based upon ground material, ice content, and the estimated ground temperature at the end of the project's design life. The subject site is located within an area of discontinuous permafrost. While localized permafrost may be present beneath the treed area of the lot, it is considered unlikely. Provided the new building is founded on competent bedrock, climate change is not expected to have any impacts on the geotechnical conditions or foundations at the site.

6.3 Shallow Foundations on Bedrock

Shallow foundations consisting of concrete spread and strip footings cast directly on competent bedrock are feasible where bedrock is exposed or relatively shallow.

To avoid potential problems associated with winter construction, such as cold weather concrete placement and frozen bedrock/backfill, Tetra Tech recommends that construction occur during spring or summer months when air temperatures are above freezing.

Recommendations for the site preparation, design, and construction of shallow foundations on bedrock for the proposed development are provided below:

- In areas where bedrock is relatively shallow (at a depth of less than 3 m from ground surface) or exposed, the overburden soils and weathered bedrock should be excavated to expose competent bedrock within the proposed building footprint, plus at least 2 m on all sides.
- A preliminary ultimate unfactored geotechnical resistance of 2 MPa may be used for the design of shallow foundations on bedrock. A geotechnical bearing resistance factor of 0.45 is recommended based on a test method of "Analysis" and a degree of understanding of "low", per Table 6.2. of the CFEM (CGS 2023). A geotechnical engineer should inspect the foundation bearing surface once the bedrock is exposed to confirm that the assumed bearing resistance is appropriate for the actual conditions encountered at the site.
- Footings should be cast on a clean and stable rock surface. Any loose, disturbed, frozen, or other deleterious material should be removed before construction of the footing using compressed air, pressure washing, or similar. As blasting of the outcrop located in the west part of the site is anticipated, loose or fractured material resulting from the blast should be removed.
- Foundation components located below final grade may be subject to an uplift force due to frost jacking, unless measures are taken to prevent the foundation from freezing. A design uplift pressure of 150 kPa should be applied to the surface area of foundation components subject to adfreeze bonding with surrounding frost-susceptible backfill or native material. Such components would include vertical foundation walls or columns passing through the local, native soil. The design and placement of horizontal perimeter insulation is discussed in Section 6.4.
- Rock anchors may be required to resist uplift or lateral forces on the foundation. Tetra Tech recommends that anchors comprise deformed steel bars grouted into bedrock. Depth of embedment recommendations can be provided once the design uplift or lateral force is determined. A factored grout to bedrock bond of 500 kPa may be used for design. This assumes a minimum grout compressive strength of 20 MPa. The choice of grout should take into account the time of construction. If freezing temperatures are expected in the rock, a high early strength, non-shrink cold weather grout formulation should be used. Tetra Tech should be given opportunity to review the contractor's grout mix design prior to construction.

- For sloped rock surfaces steeper than 6H:1V, the bearing surface on the rock should be chipped level, or steel dowels should be drilled and grouted into the rock surface to provide shear resistance on the sloping bearing surface. If dowels are used, a factored grout to rock bond of 500 kPa may be used for design, subject to the previously provided recommendations for grout.
- Backfill material used around the footings and piers should be frost-stable, with the width of frost-stable backfill extending a minimum of 1.0 m out from the edges of the footings. Frost-stable fill consists of various fractions of gravel and sand with a maximum of 10% fines content (silt and clay-sized particles passing a 0.075 mm sieve, by weight). Although the use of frost stable fill will reduce transmitting the frost heave uplift forces to the foundation column, the connection between the footing and footing column should be designed to resist tensile heave force.

Additional general recommendations for shallow foundations and for placement and compaction of backfill are presented in Appendix B.

6.4 Frost Protection

The frost susceptibility of the native soil at the subject site has not been determined. However, based on the findings from nearby sites in Yellowknife, silty soils are anticipated. Seasonal frost heave of the native soil can therefore be expected.

If non-frost susceptible fill is used for backfill around building foundations, additional measures for frost protection would not be required for foundations cast on sound, unfractured bedrock. However, if frost-stable backfill is not used, foundation components may be subject to frost heave unless measures are taken to prevent the foundation from freezing. The installation of horizontal insulation around the perimeter of the building addition would reduce the likelihood of seasonal frost-related movements.

If used, the insulation should be rigid extruded polystyrene with RSI-value at least 0.88, compressive strength at least 275 kPa and maximum water absorption less than 0.6% by volume. The insulation should be 100 mm thick and extend horizontally at least 1.2 m around the outside of the building. The insulation should be tied in with any perimeter insulation present around the existing building. The insulation thickness should be doubled (200 mm thickness) under building corners and at the entrance, as shown in Figure 2. A minimum burial depth of 300 mm is recommended to protect the insulation from damage.

The insulation should be fully encapsulated with at least 75 mm of bedding sand and should be sloped away from the building at 2%. The bedding sand should conform to the compaction requirements of a general engineered fill, as described in Appendix B, and should meet the gradation requirements for a "coarse bedding sand".

There may be differential movement between the building and adjacent grade-supported structures, such as stairs, ramps, sidewalks, fuel tanks, etc. Connections should either be flexible and designed to accept some differential movement, or attached structures should be supported on the same foundation system as the building.

6.5 Basement Wall Pressure

It is understood that the proposed building may incorporate a basement or partial basement into the design. Although the depth of the basement is not known the following recommendations are pertinent to the design and construction of a basement or heated crawlspace.

Basement walls should be designed to resist lateral earth pressures in the at-rest condition and may be designed using the following expression which assumes a triangular pressure distribution:

$$P_o = K_o (\gamma H + q)$$

Where:

P_o = lateral earth pressure at rest condition where no movements of walls occur at a given depth, H (kPa)

K_o = coefficient of earth pressure at rest condition; use 0.45 for sand and gravel (general engineered fill)

γ = bulk unit weight of soil for backfill; use 21 kN/m³ for sand and gravel (general engineered fill)

H = depth below final grade (m)

q = any surcharge pressure at ground level (kPa)

The above-noted expression assumes positive drainage of the backfill soil, native material or backfill material compacted to approximately 95% of SPMDD, and horizontal ground behind the crawlspace wall. If the ground surface slopes upwards away from the wall, design pressures should be re-evaluated.

If drainage (weeping drain) is not provided, allowance should be made for hydrostatic pressures. A value of bulk unit weight of 11 kN/m³ for sand and gravel should be used, and the lateral earth pressure computed as described above. However, in addition, the hydrostatic pressure due to water should be applied:

$$P_w = \gamma_w H_w$$

Where:

P_w = hydrostatic pressure at a given depth, H (kPa)

γ_w = unit weight of water (9.8 kN/m³)

H_w = depth below top of water table (m)

Backfill around the crawlspace should not commence before the concrete walls have reached a minimum two thirds of their 28-day strength and both the basement and ground level floor slabs are in place. Only hand-operated compaction should be employed within 600 mm of the concrete basement walls.

6.6 Construction Excavations and Dewatering

It is anticipated that drilling and blasting will be required to excavate the bedrock outcrop located in the west part of the site. Conventional hydraulic excavators are expected to be suitable for removing overburden soils elsewhere. Care should be taken during foundation excavation to minimize disturbance to surrounding structures, per Section 4.2.5.2 of the NBCC (NRC 2022).

The Government of the Northwest Territories Safety Act and Regulations and standard good practice should be followed for all trenches/excavations. Excavations deeper than 1.2 m should have sloped sidewalls. A slope of 1H:1V is the steepest recommended slope for temporary excavations up to 3 m deep in granular soil above the groundwater table. Side slopes no steeper than 2H:1V should be used if groundwater is encountered in the foundation excavation.

Based on previous investigations in the vicinity of the site, groundwater may be encountered within 2 to 3 m depth below ground surface. Sloughing and/or seepage may occur in excavations below the groundwater table. Seepage or surface runoff water may collect even in shallow excavations (e.g., due to rainfall or snow melt), which would require dewatering. The contractor should be ready to dewater the excavation if necessary.

Further guidance on construction excavations is provided in Appendix B.

6.7 Site Grading and Drainage

Final site grading should direct water away from the new building to reduce physical erosion and possibly permafrost degradation.

Tetra Tech typically recommends final grades within 3 m of the new building be sloped at least 4% away from the building. It is recommended that gravel-surfaced or landscaped areas beyond 3 m have a minimum grade of 2%. This should provide positive drainage without causing erosion problems. Future and existing development should also be taken into consideration when directing drainage, so flow is not directed into adjacent developments.

Eavestroughs will help prevent erosion in the immediate vicinity of the building. Downspouts should be directed away from the building and a concrete splash pad extending at least 1.8 m from the edge of the building should be used to ensure that runoff does not affect foundation elements.

6.8 Cement / Concrete Type

Tetra Tech recommends that all concrete be designed, mixed, placed and tested in accordance with the most recent edition of the Canadian Standards Association (CSA) standard CAN/CSA-A23.1 and A23.2. According to these standards, concrete should be designed to satisfy at least the minimum durability requirements as defined by exposure class.

The exposure class of the concrete is dependent on the presence or lack of chlorides, sulphates, freezing and thawing conditions and soil saturation. The foundation system will have concrete exposed to cycles of freezing and thawing. It is therefore recommended that all concrete foundation elements be specified in accordance with CSA A23.1 Exposure Class F-2 (concrete in an unsaturated condition exposed to freezing and thawing, but not to chlorides). With F-2 exposure class concrete in a northern environment, 30 MPa concrete with 4% - 7% entrained air is considered appropriate. Additionally, soils in contact with the foundation elements in situ and/or granular backfill should be tested to determine water soluble sulphate content. Dependent upon test results, the exposure class may have to be changed to S-1 or S-2 to reflect the use of sulphate resistant cement (or a blended cement that will provide equivalent mitigation levels); lower water/cement ratios; and higher specified strength requirements (as directed by the structural design team).

6.9 Seismic Design Recommendations

Seismic design recommendations for the new building were developed based on the review of available geotechnical data for Yellowknife and guidance from the 2025 Edition of the National Building Code of Canada (NBCC), published by the National Research Council of Canada (NRC 2025). The Earthquake Importance Factor (I_E) for the news building is taken to be 1.0, as per Section 4.1.8.5. of the NBCC, based on a Building Importance Category of Normal.

The seismic site designation is based on the shear stiffness of the upper 30 m of the soil profile at the subject site, as described in Section 4.1.8.4 of the NBCC 2025. Shear stiffness is typically determined using the averaged shear wave velocity (V_{s30}). Where V_{s30} calculated from in situ measurements is not available, the site designation can be determined using the energy-corrected average standard penetration resistance or the average undrained shear strength.

While none of these parameters have been measured at the site, the new building foundations are expected to bear on bedrock. Tetra Tech therefore recommends a seismic site designation X_B for the new building, per Table 4.1.8.4.-B of the NBCC. (Table 4.1.8.4.-B, NRC 2025).

Seismic design parameters for the building in Yellowknife are required to “correspond to a 2% probability of exceedance in 50 years” (i.e. return period of 2,475 years), as defined in Section 4.1.8.4.(1) of the NBCC (NRC 2025). Seismic hazard values for the new building were obtained online from Earthquakes Canada’s 2025 National Building Code of Canada Seismic Hazard Tool. Seismic design parameters, including spectral accelerations (S_a) at different time intervals, peak ground acceleration (PGA), and peak ground velocity (PGV), are summarized in Table 6-1.

Table 6-1: Seismic Design Parameters for New Building in Yellowknife

Return Period (years)	Probability of Exceedance in 50 Years (%)	Site Designation	S_a (0.2, X_B) (g)	S_a (0.5, X_B) (g)	S_a (1.0, X_B) (g)	PGA (X_B) (g)	PGV (X_B) (g)
2,475	2	X_B	0.0626	0.03216	0.0145	0.0291	0.0167

Based on the above parameters and their Earthquake Importance Factor, the Seismic Category for the new building in Yellowknife is taken as SC1, per Table 4.1.8.5-B of the NBCC. This must be confirmed by the structural engineer of record for the project.

7.0 DESIGN AND CONSTRUCTION GUIDELINES

Recommended general design and construction guidelines are provided in Appendix B, under the following headings:

- Construction Excavations (1 page)
- Backfill Materials and Compaction (3 pages)
- Shallow Foundations (1 page)

These guidelines are generic and are intended to present standards of good practice. They have been developed largely from Tetra Tech’s southern practice. We have attempted to address specific local requirements in the main text of this report. The guidelines are supplemental to the main text of this report. In the event of any discrepancy between the main text of this report and Appendix B, the main text should govern. The design and construction guidelines are not intended to represent detailed specifications for the work, although they may prove useful in the preparation of such specifications.

8.0 REVIEW OF DESIGN AND CONSTRUCTION

Tetra Tech should be given the opportunity to review details of the design and specifications related to geotechnical aspects of this project, prior to construction.

All recommendations presented in this report are based on the assumption that an adequate level of monitoring will be provided during construction, and that all construction will be carried out by suitably qualified contractors

experienced in earthworks and foundation construction in the north. Adequate levels of construction monitoring are considered to be:

- For shallow foundations on bedrock, inspection and approval of all bearing surfaces prior to footing placement;
- Testing (air, slump, compressive strength) completed on samples of any cast-in-place concrete placed during construction; and
- For earthworks, particle size analysis on “non-frost susceptible” or “frost-stable” fill, and full-time monitoring and compaction testing during fill placement.

All such quality assurance monitoring should be carried out by suitably qualified persons on behalf of the owner, independent of the contractor. If the contractor also uses quality assurance for quality control; all parties should be made aware of this. One of the purposes of providing an adequate level of monitoring is to check the recommendations provided in this report. Tetra Tech can provide these services upon request.

9.0 CLOSURE

We trust this document meets your present requirements. If you have any questions or comments, please contact the undersigned.

Respectfully submitted,
Tetra Tech Canada Inc.

FILE: ENG.YARC03739-01
FILE: ENG.YARC03739-01
FILE: ENG.YARC03739-01

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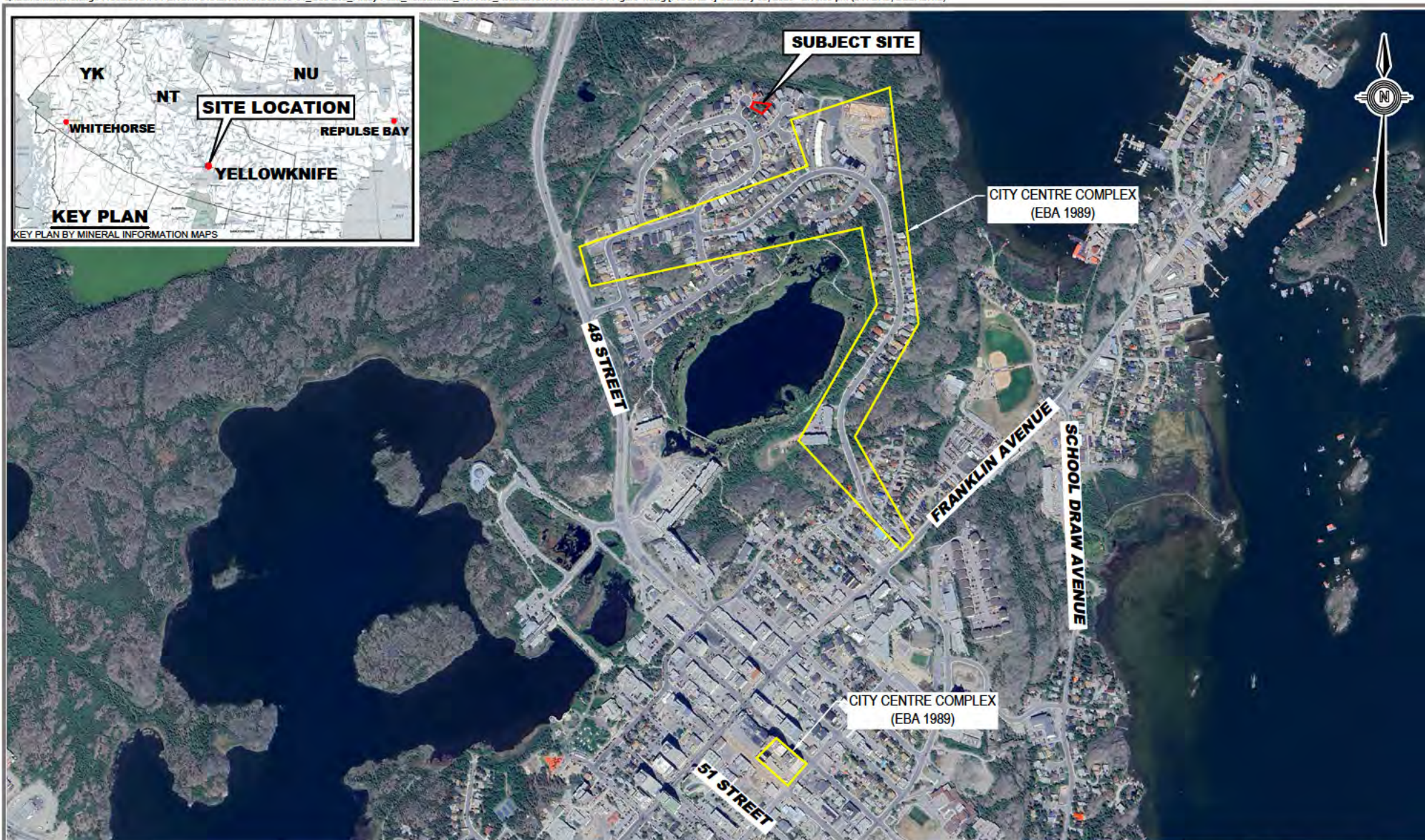
/kla

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FIGURES

- Figure 1 Site Location Plan
Figure 2 Generic Perimeter Insulation Details for Shallow Foundations



NOTE:

BASE IMAGE OBTAINED FROM GOOGLE EARTH
IMAGERY DATE: JUNE 2023

LEGEND:

- SUBJECT SITE



Scale: 1: 12 500 (metres)
(Approximate)

CLIENT

508416 NWT Ltd.



TETRA TECH

**DESKTOP GEOTECHNICAL SITE EVALUATION FOR
2 FINDLAY POINT, YELLOWKNIFE, NWT**

SITE LOCATION PLAN

PROJECT NO.
ENG.YARC03739-01

DWN
DBD

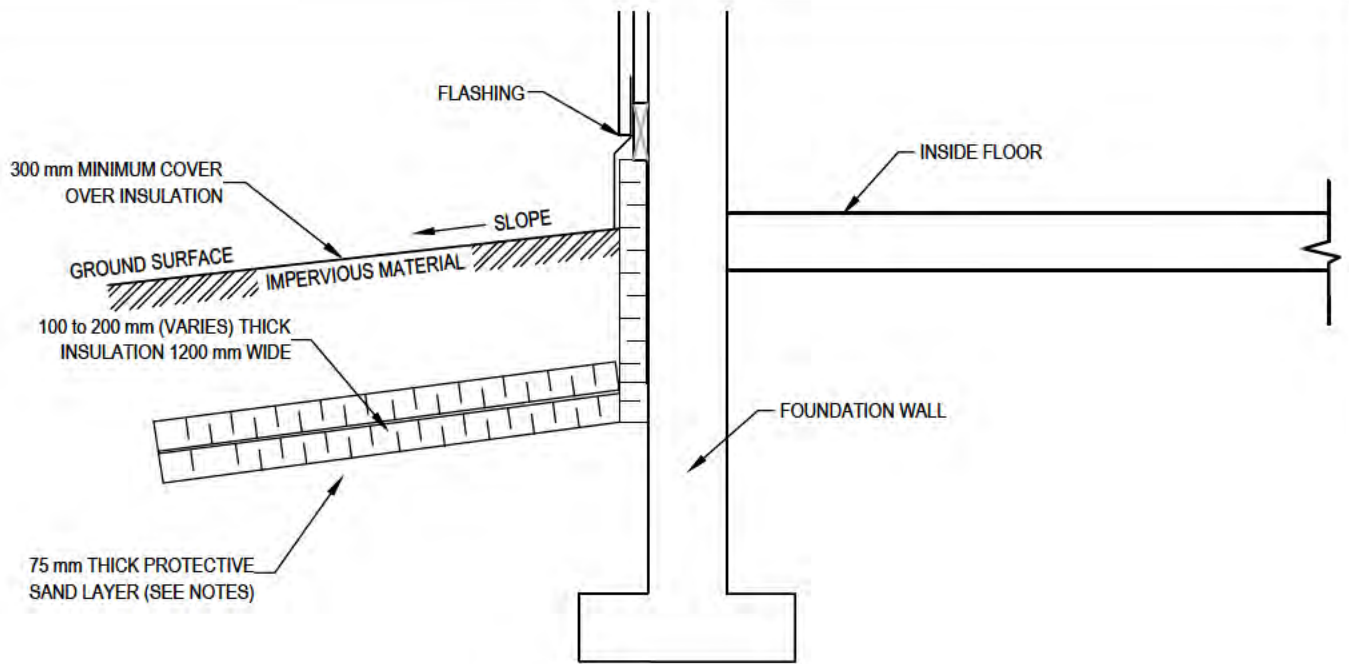
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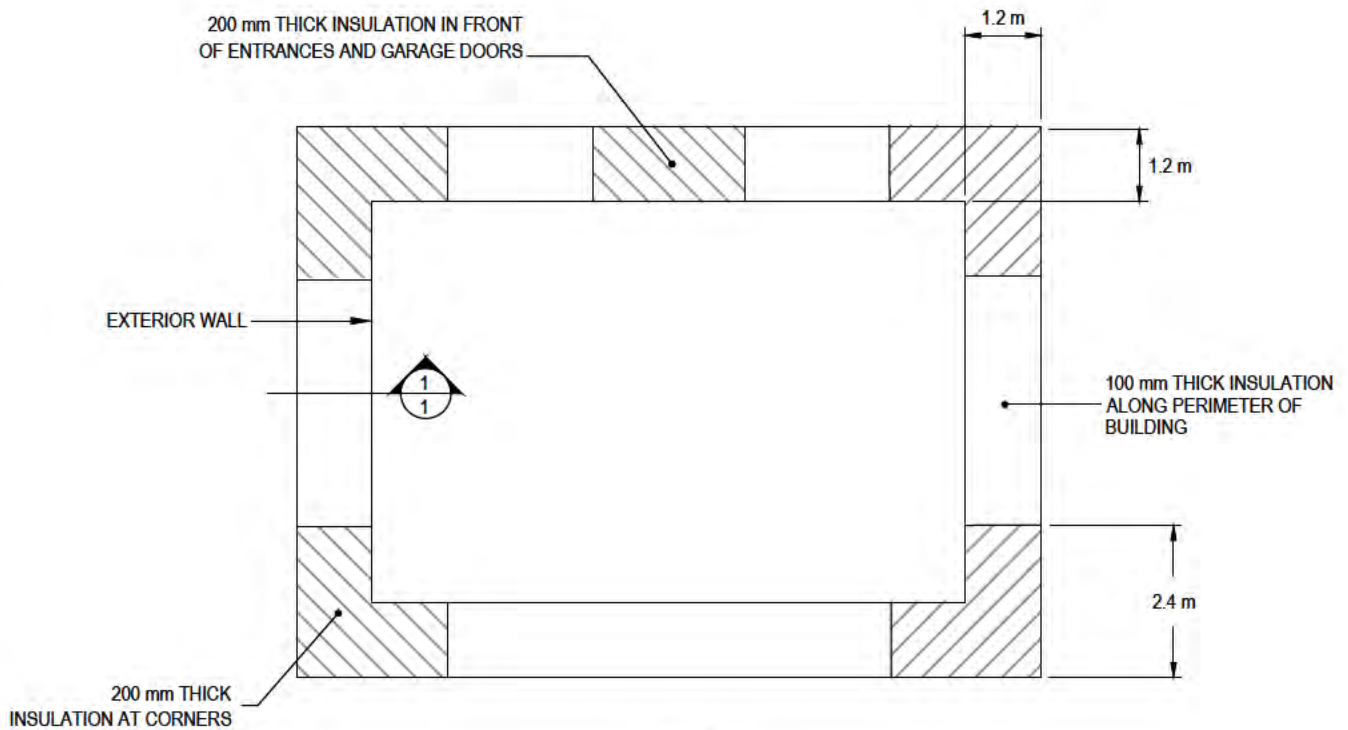
OFFICE
EDM

DATE
January 2026

Figure 1



1 SECTION - STRIP FOOTING
1 N.T.S.



PLAN
N.T.S.

NOTES :

- THE INSULATION (DOW CHEMICAL HI SERIES STYROFOAM OR POLYURETHANE OR APPROVED EQUIVALENT) SHOULD BE MOISTURE RESISTANT AND SUITABLE FOR BURIAL UNDER VEHICULAR TRAFFIC AREAS.
- A MINIMUM BEDDING THICKNESS OF 75 mm OF FINE TO MEDIUM GRAINED SAND SHOULD BE PLACED ABOVE AND BELOW THE INSULATION FOR PROTECTION.
- THIS PLAN IS NOT TO SCALE

CLIENT

508416 NWT Ltd.



TETRA TECH

**DESKTOP GEOTECHNICAL SITE EVALUATION FOR
2 FINDLAY POINT, YELLOWKNIFE, NWT**

**GENERIC PERIMETER INSULATION DETAILS
FOR SHALLOW FOUNDATIONS**

PROJECT NO. ENG.YARC03739-01	DWN DBD	CKD BF	REV 0
OFFICE EDM	DATE January 2026		

Figure 2

PHOTOGRAPHS

- Photo 1 Street side of site
- Photo 2 Outcrop at 2 Findlay Pt
- Photo 3 Back of site



Photo 1: Street side of site, taken from corner of Findlay Point and Moyle Drive
Dated: November 15, 2025



Photo 2: Outcrop at 2 Findlay Point, taken from street
Dated: November 15, 2025



Photo 3: Back of site, taken through breezeway off Moyle Drive
Dated: November 15, 2025

APPENDIX A

TETRA TECH'S LIMITATIONS ON THE USE OF THIS DOCUMENT

LIMITATIONS ON USE OF THIS DOCUMENT

GEOTECHNICAL

1.1 USE OF DOCUMENT AND OWNERSHIP

This document pertains to a specific site, a specific development, and a specific scope of work. The document may include plans, drawings, profiles and other supporting documents that collectively constitute the document (the "Professional Document").

The Professional Document is intended for the sole use of TETRA TECH's Client (the "Client") as specifically identified in the TETRA TECH Services Agreement or other Contractual Agreement entered into with the Client (either of which is termed the "Contract" herein). TETRA TECH does not accept any responsibility for the accuracy of any of the data, analyses, recommendations or other contents of the Professional Document when it is used or relied upon by any party other than the Client, unless authorized in writing by TETRA TECH.

Any unauthorized use of the Professional Document is at the sole risk of the user. TETRA TECH accepts no responsibility whatsoever for any loss or damage where such loss or damage is alleged to be or, in fact, caused by the unauthorized use of the Professional Document.

Where TETRA TECH has expressly authorized the use of the Professional Document by a third party (an "Authorized Party"), consideration for such authorization is the Authorized Party's acceptance of these Limitations on Use of this Document as well as any limitations on liability contained in the Contract with the Client (all of which is collectively termed the "Limitations on Liability"). The Authorized Party should carefully review both these Limitations on Use of this Document and the Contract prior to making any use of the Professional Document. Any use made of the Professional Document by an Authorized Party constitutes the Authorized Party's express acceptance of, and agreement to, the Limitations on Liability.

The Professional Document and any other form or type of data or documents generated by TETRA TECH during the performance of the work are TETRA TECH's professional work product and shall remain the copyright property of TETRA TECH.

The Professional Document is subject to copyright and shall not be reproduced either wholly or in part without the prior, written permission of TETRA TECH. Additional copies of the Document, if required, may be obtained upon request.

1.2 ALTERNATIVE DOCUMENT FORMAT

Where TETRA TECH submits electronic file and/or hard copy versions of the Professional Document or any drawings or other project-related documents and deliverables (collectively termed TETRA TECH's "Instruments of Professional Service"), only the signed and/or sealed versions shall be considered final. The original signed and/or sealed electronic file and/or hard copy version archived by TETRA TECH shall be deemed to be the original. TETRA TECH will archive a protected digital copy of the original signed and/or sealed version for a period of 10 years.

Both electronic file and/or hard copy versions of TETRA TECH's Instruments of Professional Service shall not, under any circumstances, be altered by any party except TETRA TECH. TETRA TECH's Instruments of Professional Service will be used only and exactly as submitted by TETRA TECH.

Electronic files submitted by TETRA TECH have been prepared and submitted using specific software and hardware systems. TETRA TECH makes no representation about the compatibility of these files with the Client's current or future software and hardware systems.

1.3 STANDARD OF CARE

Services performed by TETRA TECH for the Professional Document have been conducted in accordance with the Contract, in a manner consistent with the level of skill ordinarily exercised by members of the profession currently practicing under similar conditions in the jurisdiction in which the services are provided. Professional judgment has been applied in developing the conclusions and/or recommendations provided in this Professional Document. No warranty or guarantee, express or implied, is made concerning the test results, comments, recommendations, or any other portion of the Professional Document.

If any error or omission is detected by the Client or an Authorized Party, the error or omission must be immediately brought to the attention of TETRA TECH.

1.4 DISCLOSURE OF INFORMATION BY CLIENT

The Client acknowledges that it has fully cooperated with TETRA TECH with respect to the provision of all available information on the past, present, and proposed conditions on the site, including historical information respecting the use of the site. The Client further acknowledges that in order for TETRA TECH to properly provide the services contracted for in the Contract, TETRA TECH has relied upon the Client with respect to both the full disclosure and accuracy of any such information.

1.5 INFORMATION PROVIDED TO TETRA TECH BY OTHERS

During the performance of the work and the preparation of this Professional Document, TETRA TECH may have relied on information provided by third parties other than the Client.

While TETRA TECH endeavours to verify the accuracy of such information, TETRA TECH accepts no responsibility for the accuracy or the reliability of such information even where inaccurate or unreliable information impacts any recommendations, design or other deliverables and causes the Client or an Authorized Party loss or damage.

1.6 GENERAL LIMITATIONS OF DOCUMENT

This Professional Document is based solely on the conditions presented and the data available to TETRA TECH at the time the data were collected in the field or gathered from available databases.

The Client, and any Authorized Party, acknowledges that the Professional Document is based on limited data and that the conclusions, opinions, and recommendations contained in the Professional Document are the result of the application of professional judgment to such limited data.

The Professional Document is not applicable to any other sites, nor should it be relied upon for types of development other than those to which it refers. Any variation from the site conditions present, or variation in assumed conditions which might form the basis of design or recommendations as outlined in this document, at or on the development proposed as of the date of the Professional Document requires a supplementary exploration, investigation, and assessment.

TETRA TECH is neither qualified to, nor is it making, any recommendations with respect to the purchase, sale, investment or development of the property, the decisions on which are the sole responsibility of the Client.

1.7 ENVIRONMENTAL AND REGULATORY ISSUES

Unless stipulated in the report, TETRA TECH has not been retained to explore, address or consider and has not explored, addressed or considered any environmental or regulatory issues associated with development on the subject site.

1.8 NATURE AND EXACTNESS OF SOIL AND ROCK DESCRIPTIONS

Classification and identification of soils and rocks are based upon commonly accepted systems, methods and standards employed in professional geotechnical practice. This report contains descriptions of the systems and methods used. Where deviations from the system or method prevail, they are specifically mentioned.

Classification and identification of geological units are judgmental in nature as to both type and condition. TETRA TECH does not warrant conditions represented herein as exact, but infers accuracy only to the extent that is common in practice.

Where subsurface conditions encountered during development are different from those described in this report, qualified geotechnical personnel should revisit the site and review recommendations in light of the actual conditions encountered.

1.9 LOGS OF TESTHOLES

The testhole logs are a compilation of conditions and classification of soils and rocks as obtained from field observations and laboratory testing of selected samples. Soil and rock zones have been interpreted. Change from one geological zone to the other, indicated on the logs as a distinct line, can be, in fact, transitional. The extent of transition is interpretive. Any circumstance which requires precise definition of soil or rock zone transition elevations may require further investigation and review.

1.10 STRATIGRAPHIC AND GEOLOGICAL INFORMATION

The stratigraphic and geological information indicated on drawings contained in this report are inferred from logs of test holes and/or soil/rock exposures. Stratigraphy is known only at the locations of the test hole or exposure. Actual geology and stratigraphy between test holes and/or exposures may vary from that shown on these drawings. Natural variations in geological conditions are inherent and are a function of the historical environment. TETRA TECH does not represent the conditions illustrated as exact but recognizes that variations will exist. Where knowledge of more precise locations of geological units is necessary, additional exploration and review may be necessary.

1.11 PROTECTION OF EXPOSED GROUND

Excavation and construction operations expose geological materials to climatic elements (freeze/thaw, wet/dry) and/or mechanical disturbance which can cause severe deterioration. Unless otherwise specifically indicated in this report, the walls and floors of excavations must be protected from the elements, particularly moisture, desiccation, frost action and construction traffic.

1.12 SUPPORT OF ADJACENT GROUND AND STRUCTURES

Unless otherwise specifically advised, support of ground and structures adjacent to the anticipated construction and preservation of adjacent ground and structures from the adverse impact of construction activity is required.

1.13 INFLUENCE OF CONSTRUCTION ACTIVITY

Construction activity can impact structural performance of adjacent buildings and other installations. The influence of all anticipated construction activities should be considered by the contractor, owner, architect and prime engineer in consultation with a geotechnical engineer when the final design and construction techniques, and construction sequence are known.

1.14 OBSERVATIONS DURING CONSTRUCTION

Because of the nature of geological deposits, the judgmental nature of geotechnical engineering, and the potential of adverse circumstances arising from construction activity, observations during site preparation, excavation and construction should be carried out by a geotechnical engineer. These observations may then serve as the basis for confirmation and/or alteration of geotechnical recommendations or design guidelines presented herein.

1.15 DRAINAGE SYSTEMS

Unless otherwise specified, it is a condition of this report that effective temporary and permanent drainage systems are required and that they must be considered in relation to project purpose and function. Where temporary or permanent drainage systems are installed within or around a structure, these systems must protect the structure from loss of ground due to mechanisms such as internal erosion and must be designed so as to assure continued satisfactory performance of the drains. Specific design details regarding the geotechnical aspects of such systems (e.g. bedding material, surrounding soil, soil cover, geotextile type) should be reviewed by the geotechnical engineer to confirm the performance of the system is consistent with the conditions used in the geotechnical design.

1.16 DESIGN PARAMETERS

Bearing capacities for Limit States or Allowable Stress Design, strength/stiffness properties and similar geotechnical design parameters quoted in this report relate to a specific soil or rock type and condition. Construction activity and environmental circumstances can materially change the condition of soil or rock. The elevation at which a soil or rock type occurs is variable. It is a requirement of this report that structural elements be founded in and/or upon geological materials of the type and in the condition used in this report. Sufficient observations should be made by qualified geotechnical personnel during construction to assure that the soil and/or rock conditions considered in this report in fact exist at the site.

1.17 SAMPLES

TETRA TECH will retain all soil and rock samples for 30 days after this report is issued. Further storage or transfer of samples can be made at the Client's expense upon written request, otherwise samples will be discarded.

1.18 APPLICABLE CODES, STANDARDS, GUIDELINES & BEST PRACTICE

This document has been prepared based on the applicable codes, standards, guidelines or best practice as identified in the report. Some mandated codes, standards and guidelines (such as ASTM, AASHTO Bridge Design/Construction Codes, Canadian Highway Bridge Design Code, National/Provincial Building Codes) are routinely updated and corrections made. TETRA TECH cannot predict nor be held liable for any such future changes, amendments, errors or omissions in these documents that may have a bearing on the assessment, design or analyses included in this report.

APPENDIX B

CONSTRUCTION GUIDELINES

CONSTRUCTION GUIDELINES

Revision No: 00 | Last Revised: October 1, 2014

CONSTRUCTION EXCAVATIONS

Construction should be in accordance with good practice and comply with the requirements of the responsible regulatory agencies.

All excavations greater than 1.5 m deep should be sloped or shored for worker protection.

Shallow excavations up to about 3 m depth may use temporary sideslopes of 1H:1V. A flatter slope of 2H:1V should be used if groundwater is encountered. Localized sloughing can be expected from these slopes.

Deep excavations or trenches may require temporary support if space limitations or economic considerations preclude the use of sloped excavations.

For excavations greater than 3 m depth, temporary support should be designed by a qualified geotechnical engineer. The design and proposed installation and construction procedures should be submitted to Tetra Tech for review.

The construction of a temporary support system should be monitored. Detailed records should be taken of installation methods, materials, in situ conditions and the movement of the system. If anchors are used, they should be load tested. Tetra Tech can provide further information on monitoring and testing procedures if required.

Attention should be paid to structures or buried service lines close to the excavation. For structures, a general guideline is that if a line projected down, at 45 degrees from the horizontal from the base of foundations of adjacent structures intersects the extent of the proposed excavation, these structures may require underpinning or special shoring techniques to avoid damaging earth movements. The need for any underpinning or special shoring techniques and the scope of monitoring required can be determined when details of the service ducts and vaults, foundation configuration of existing buildings and final design excavation levels are known.

No surface surcharges should be placed closer to the edge of the excavation than a distance equal to the depth of the excavation, unless the excavation support system has been designed to accommodate such surcharge.

CONSTRUCTION GUIDELINES

Revision No: 03 | Last Revised: February 24, 2022

BACKFILL MATERIALS AND COMPACTION (GENERAL)

1.0 DEFINITIONS

“Landscape fill” is typically used in areas such as berms and grassed areas where settlement of the fill and noticeable surface subsidence can be tolerated. “Landscape fill” may comprise soils without regard to engineering quality.

“General engineered fill” is typically used in areas where a moderate potential for subgrade movement is tolerable, such as asphalt (i.e., flexible) pavement areas. “General engineered fill” should comprise clean, granular or clay soils.

“Select engineered fill” is typically used below slabs-on-grade or where high volumetric stability is desired, such as within the footprint of a building. “Select engineered fill” should comprise clean, well-graded granular soils or inorganic low to medium plastic clay soils.

“Structural engineered fill” is used for supporting structural loads in conjunction with shallow foundations. “Structural engineered fill” should comprise clean, well-graded granular soils.

“Lean-mix concrete” is typically used to protect a subgrade from weather effects including excessive drying or wetting. “Lean-mix concrete” can also be used to provide a stable working platform over weak subgrades. “Lean-mix concrete” should be low strength concrete having a minimum 28-day compressive strength of 3.5 MPa.

Standard Proctor Density (SPD) as used herein means Standard Proctor Maximum Dry Density (ASTM Test Method D698). Optimum moisture content is defined in ASTM Test Method D698.

2.0 GENERAL BACKFILL AND COMPACTION RECOMMENDATIONS

Exterior backfill adjacent to abutment walls, basement walls, grade beams, pile caps and above footings, and below highway, street, or parking lot pavement sections should comprise “general engineered fill” materials as defined above.

Exterior backfill adjacent to footings, foundation walls, grade beams and pile caps and within 600 mm of final grade should comprise inorganic, cohesive “general engineered fill”. Such backfill should provide a relatively impervious surficial zone to reduce seepage into the subsoil against the structure.

Backfill should not be placed against a foundation structure until the structure has sufficient strength to withstand the earth pressures resulting from placement and compaction. During compaction, careful observation of the foundation wall for deflection should be carried out continuously. Where deflections are apparent, the compactive effort should be reduced accordingly.

In order to reduce potential compaction induced stresses, only hand-held compaction equipment should be used in the compaction of fill within 1 m of retaining walls or basement walls. If compacted fill is to be placed on both sides of the wall, they should be filled together so that the level on either side is within 0.5 m of each other.

All lumps of materials should be broken down during placement. Backfill materials should not be placed in a frozen state, or placed on a frozen subgrade.

Where the maximum-sized particles in any backfill material exceed 50% of the minimum dimension of the cross-section to be backfilled (e.g., lift thickness), such particles should be removed and placed at other more suitable locations on site or screened off prior to delivery to site.

CONSTRUCTION GUIDELINES

Revision No: 01 | Last Revised: March 31, 2016

SHALLOW FOUNDATIONS

Design and construction of shallow foundations should comply with relevant Building Code requirements.

The term 'shallow foundations' includes strip and spread footings, mat slab, and raft foundations.

Minimum footing dimensions in plan should be in accordance with the applicable design code of the local jurisdiction.

No loose, disturbed or sloughed material should be allowed to remain in open foundation excavations. Hand cleaning should be undertaken to prepare an acceptable bearing surface.

Foundation excavations and bearing surfaces should be protected from rain, snow, freezing temperatures, excessive drying, and the ingress of free water before, during, and after footing construction.

Footing excavations should be carried down into the designated bearing stratum.

After the bearing surface is approved, a mud slab should be poured to protect the soil against inclement weather and provide a working surface for construction.

All constructed foundations should be placed on unfrozen soils, which should be at all times protected from frost penetration.

All foundation excavations and bearing surfaces should be inspected by a qualified geotechnical engineer to check that the recommendations contained in this report have been followed.

Where over-excavation has been carried out through a weak or unsuitable stratum to reach into a suitable bearing stratum or where a foundation pad is to be placed above stripped natural ground surface such over-excavation may be backfilled to subgrade elevation utilizing either structural fill or lean-mix concrete. These materials are defined below:

- "Structural engineered fill" should comprise clean, well-graded granular soils.
- "Lean-mix concrete" should be low strength concrete having a minimum 28-day compressive strength of 3.5 MPa.

Excavation and construction operations expose materials to climatic elements (freeze/thaw, wet/dry) and/or mechanical disturbance which can cause severe deterioration of performance. Unless otherwise specifically indicated in this report, the walls and floors of excavations, and stockpiles, must be protected from the elements, particularly moisture, desiccation, frost, and construction activities. Should desiccation occur, bonding should be provided between backfill lifts. For fine-grained materials the previous lift should be scarified to the base of the desiccated layer, moisture-conditioned, and recompacted and bonded thoroughly to the succeeding lift. For granular materials, the surface of the previous lift should be scarified to about a 75 mm depth followed by proper moisture-conditioning and recompaction.

3.0 COMPACTION AND MOISTURE CONDITIONING

“Landscape fill” material should be placed in compacted lifts not exceeding 300 mm and compacted to a density of not less than 90% of SPD unless a higher percentage is specified by the jurisdiction.

“General engineered fill” and “select engineered fill” materials should be placed in layers of 150 mm compacted thickness and should be compacted to not less than 98% of SPD. Note that the contract may specify higher compaction levels within 300 mm of the design elevation. Cohesive materials placed as “general engineered fill” or “select engineered fill” should be compacted at 0 to 2% above the optimum moisture content. Note that there are some silty soils which can become quite unstable when compacted above optimum moisture content. Granular materials placed as “general engineered fill” or “select engineered fill” should be compacted at slightly below (0 to 2%) the optimum moisture content.

“Structural engineered fill” material should be placed in compacted lifts not exceeding 150 mm in thickness and compacted to not less than 100% of SPD at slightly below (0 to 2%) the optimum moisture content.

4.0 “GENERAL ENGINEERED FILL”

Cohesive or granular soils are considered acceptable for use as “general engineered fill,” providing the soils are inorganic and free of deleterious materials.

5.0 “SELECT ENGINEERED FILL”

Low to medium plastic clay with the following range of plasticity properties is generally considered suitable for use as “select engineered fill”:

Liquid Limit	= 20 to 40%
Plastic Limit	= 10 to 20%
Plasticity Index	= 10 to 30%

Test results should be considered on a case-by-case basis.

“Pit-run gravel” and “fill sand” are generally considered acceptable for use as “select engineered fill.” See exact project or jurisdiction for specifications.

The “pit-run gravel” should be free of any form of coating and any gravel or sand containing clay, loam or other deleterious materials should be rejected. No material oversize of the specified maximum sieve size should be tolerated. This material would typically have a fines content of less than 10%.

The materials above are also suitable for use as “general engineered fill.”

6.0 “STRUCTURAL ENGINEERED FILL”

Crushed gravel used as “structural engineered fill” should be hard, clean, well graded, crushed aggregate, free of organics, coal, clay lumps, coatings of clay, silt, and other deleterious materials. The aggregates should conform to the requirement when tested in accordance with ASTM C136 and C117. See exact project or jurisdiction for specifications. This material would typically have a fines content of less than 10%.

In addition to the above, further specification criteria identified below should be met:

“Structural Engineered Fill” – Additional Material Properties

Material Type	Percentage of Material Retained on 5 mm Sieve having Two or More Fractured Faces	Plasticity Index (<400 µm)	L.A. Abrasion Loss (percent Mass)
Various sized Crushed Gravels	See exact project or jurisdiction for specifications	See exact project or jurisdiction for specifications	See exact project or jurisdiction for specifications

Materials that meet the grading limits and material property criteria are also suitable for use as “select engineered fill.”

7.0 DRAINAGE MATERIALS

“Coarse gravel” for drainage or weeping tile bedding should be free draining. Free-draining gravel or crushed rock generally containing no more than 5% fine-grained soil (particles passing No. 200 sieve) based on the fraction passing the 3/4-inch sieve or material with sand equivalent of at least 30.

“Coarse sand” for drainage should conform to the following grading limits:

“Coarse Sand” Drainage Material – Percent Passing by Weight

Sieve Size	Coarse Sand*
10 mm	100
5 mm	95 – 100
2.5 mm	80 – 100
1.25 mm	50 – 90
630 µm	25 – 65
315 µm	10 – 35
160 µm	2 – 10
80 µm	0 – 3

* From CSA A23.1-09, Table 10, “Grading Limits for Fine Aggregate”, Class FA1

Note that the “coarse sand” above is also suitable for use as pipe bedding material. See exact project or jurisdiction for specifications.

8.0 BEDDING MATERIALS

The “Coarse Sand” gradation presented above in Section 7.0 is suitable for use as pipe bedding and as backfill within the pipe embedment zone, however, see exact project or jurisdiction for specifications.

PUBLIC NOTICE

CITY OF YELLOWKNIFE – ZONING BY-LAW NO. 5045

NOTICE OF DECISION

Development Permit Application No. PL-2022-0060, dated the 08 day of April, 2022, for a development taking place at the following location: 2 FINDLAY PT [Roll: 0308007700]

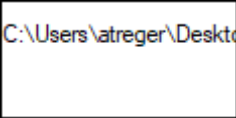
Lot 77 Block 308 Plan # 4204

Intended Development: Duplex

Has been APPROVED subject to following conditions:

- 1. The minimum rear yard setback has been decreased from 6m to 5.84m;
- 2. Development shall comply with all approved plans;
- 3. Landscaping shall be completed to the satisfaction of the Development Officer and must include at minimum, 1 tree and 2 shrubs. All landscaping shall be maintained for the life of the development;
- 4. Landscaping to be maintained in a viable state for the life of the development;
- 5. Trees shall not be planted overtop of water/sewer service; and
- 6. A surveyor's Real Property Report shall be submitted to the City prior to occupancy. The Real Property Report must indicate i) all permanent features on site and ii) finished grades at all corners of the lot and buildings. No Occupancy Permit shall be issued until the Real Property Report is submitted to the satisfaction the Development Officer.

DATE of Issue of this Notice of Decision: April 21, 2022
EFFECTIVE DATE: May 6, 2022



Development Officer

NOTICE:

Any persons claiming to be adversely affected by the development may, in accordance with the *Community Planning and Development Act*, appeal to the Development Appeal Board, c/o City Clerk's Office, tel. 920-5646, City of Yellowknife, P.O. Box 580, Yellowknife, NT X1A 2N4. Please note that your notice of appeal must be in writing, comply with the *Community Planning and Development Act*, include your contact information and include the payment of the \$25 appeal fee (the appeal fee will be reimbursed if the decision of the Development Officer is reversed). The appeal must be received on or before 4:30 p.m. on the _____ day of _____, A.D., 20____.

AFTER THE EFFECTIVE DATE OF THIS PERMIT, THE OWNER OF THE SUBJECT PROPERTY IS AUTHORIZED TO REMOVE THIS NOTICE. ALL OTHER PERSONS FOUND REMOVING THIS NOTICE WILL BE PROSECUTED.

To: Edwin Shu
From: Dillon Consulting Limited – Eric Stewart, P.Eng.
Date: Monday, June 29, 2026
Subject: 2 Findlay Point - Responses to Planning Report Traffic and Parking Comments
Our File: 263733

This memo is intended to respond to the traffic and parking comments regarding the refusal of development permit application PLDEV-2026-0013. It should be noted that the proposed development will now include three total parking spaces, with one of those parking spaces for a car-share vehicle.

Traffic Demands

Table 1 summarizes the estimated traffic generation for the proposed land use and alternative land uses based on the industry-standard Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 12th edition. The Trip Generation Manual is based on traffic counts at existing developments and therefore it considers all types of traffic including residents, visitors, deliveries, service providers, and contractors.

This shows that the proposed development traffic generation is minimal during the weekday AM or PM peak hours, with 3 vehicles per hour, or one vehicle every 20 minutes on average. Over the course of a day, the proposed development would generate more traffic than a single-family home, although on a per-hour basis the traffic volume is negligible.

The proposed development is not anticipated to have a meaningful impact on traffic operations on the cul-de-sac, and it is not expected to meaningfully affect the comfort and safety of pedestrians and residents using the cul-de-sac.

Table 1: Traffic Generation

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday total (avg. per hour)
Proposed development - Multifamily Housing (Low-Rise, 6 units)(ITE Land Use #220)	2	3	37 (1.5/hour)
Multifamily Housing (Low-Rise, 4 units) (ITE Land Use #220)	2	2	25 (1.0/hour)
Single Family Detached Home (ITE Land Use #210)	1	1	9 (0.38/hour)

Parking Demand

Table 2 summarizes the estimated parking generation for the proposed land use for the proposed land use and alternative land uses based on the industry-standard ITE *Parking Generation Manual*, 6th edition.

The proposed development would have parking demand of 7 spaces, whereas a 4-unit dwelling would have parking demand of 5 spaces, and a single family attached home would have parking demand of 2 spaces.

Table 2: Parking Demand

Land Use	Land Use Subtype	Weekday total
Proposed development - Multifamily Housing (Low-Rise, 6 units)	1 bedroom x 3 (ITE Land Use #217)	3 (2.79 rounded up)
	2+ bedroom x 3 (ITE Land Use #220)	4 (3.81 rounded up)
	Total (6 units)	7 (6.6 rounded up)
Multifamily Housing (Low-Rise, 4 units)	1 bedroom x 2 (ITE Land Use #217)	2 (1.86 rounded up)
	2+ bedroom x 2 (ITE Land Use #220)	3 (2.54 rounded up)
	Total (4 units)	5 (4.4 rounded up)
Single Family Attached Home (data for Single Family Detached Homes was not available)	N/A (ITE Land Use #215)	2 (1.4 rounded up)

Notes:

1. The Parking Generation Manual is based on parking studies at existing developments and therefore it considers parking demands from residents and visitors.
2. The parking demand for delivery vehicles is not a concern since these vehicles usually stop on the road for a brief period regardless of whether a parking space is available or not.
3. The parking demand for service vehicles is not a concern since this is expected to be relatively infrequent and these vehicles may choose to park on the road regardless if a parking space is available or not
4. Delivery vehicles and service vehicles traffic and parking activity is expected to be during weekday working hours when residents are at work and resident and visitor parking demands are lowest. Resident parking demands are typically highest at 5 AM and lowest between 9 AM and 5 PM¹.

¹ ITE Parking Generation Manual, 6th edition, land use code #220 Multifamily Housing 2+ bedroom, Parking Demand Time of Day Distribution

Parking Supply, Car Share, and E-Bikes

The proposed development plan has or will be updated shortly to provide 3 parking spaces, with one of these parking spaces for a car-share vehicle, and storage for at least two e-bikes. If ignoring the car-share provisions, the proposed provides three of the 6 or 7 parking spaces that would be required for the proposed development to meet bylaw requirements or the expected parking demands.

Zoning by-law No. 5045, section 7.8.10, allows required parking to be met through a care share service; for the R1 zone, the ratio is one car share vehicle for every six required parking spaces. Therefore, the development provides more than the required parking spaces.

The car share vehicle and e-bikes would be located on site and available for use exclusively for use by residents of the proposed development. The cost to access the e-bikes and car share would be included in the development costs. The car-share and e-bike program will be a binding condition of the Development Permit, and the property owner would be required to enter into a Development Agreement with the City to provide and maintain the car share and e-bike service.

The YK Car Share Co-Op Annual Report 2025 indicates that: the EV's work well throughout the year in Yellowknife, they operate well without mechanical issues below minus 40 deg. C, and the car share is slowly growing and is financially stable.

The provision of the car share and e-bikes is expected to reduce private vehicle ownership and reduce parking demands at the proposed development.

On-Street Parking and Traffic Calming

Findlay Point and Moyle Drive were designed to accommodate on-street parking on one or both sides of the road as per Zoning By-law No. 4438. This is intended to act as a traffic calming feature and promote a pedestrian friendly environment.

Vehicles parking on the side of the road reduces road width and forces vehicles to reduce their speed². Residents living on Moyle Drive or Findlay Point may view vehicles parked on the road as undesirable, however, it is by design and serves as a traffic calming feature. Vehicle speeds would likely be higher without vehicles parked on the road.

² https://participatoryplanning.ca/sites/default/files/upload/document/guides/anc_factsheet_04_trafficcalming_0.pdf

Summary

Many of the public comments objecting to this application appear to reference valid frustration with issues they are experiencing on the cul-de-sac due to construction activity and tourists creating concerns about parking, congestion, garbage, and safety. This frustration is further exacerbated by a perceived lack of parking and bylaw enforcement.

While these are valid and frustrating issues which should be addressed, these issues are either relatively short term (construction activity) or unrelated (tourists, bylaw enforcement) to the proposed development and therefore it should not influence the acceptance of the application.

The proposed development is expected to generate minimal traffic, the parking demands are not excessive, and the bylaw requirements are met through the car share agreement. The car share would be a reliable electric or hybrid vehicle and at least two e-bikes dedicated to residents of the proposed development in perpetuity at no additional cost.

The proposed development is expected to attract residents who do not wish to own a vehicle and who will make use of the car share, public transportation, e-bikes, and/or active transportation.

From a traffic and parking standpoint, the proposed development meets bylaw requirements, and it is not expected to have a significant traffic or parking impact and therefore it should be permitted to proceed.

Sincerely

Dillon Consulting Limited



Eric Stewart, P.Eng.

Traffic Engineer, Associate



June 30, 2026

508416 NWT Ltd. c/o Edwin Shu
224 Niven Drive
Yellowknife, NT
X1A 3Z1

Re: 2 Findlay Point — Lot 77, Block 308, Plan 4204 — PLDEV-2026-0013 — Design Confirmation

Dear Edwin,

This letter follows our review of the revised design options for the six-unit residential building at 2 Findlay Point. We are writing to confirm the technical feasibility of the design adjustment discussed, and to address the site's dimensional and parking configuration in connection with your Development Appeal Board appeal of PLDEV-2026-0013.

Site Plan and Design Compliance

The site plan and building design for 2 Findlay Point, as reflected in our drawings dated April 19, 2026, comply with the dimensional regulations of Zoning By-law No. 5045 applicable to the R1 zone, including lot coverage (29%, against a 55% maximum), building height (11.3 m, against a 12.0 m maximum), and front and side yard setbacks, all of which are met without variance. The only dimensional relief requested in the application is a rear yard setback variance of 528 mm, representing an 8.8% encroachment into the required 6.0 m setback.

Cause of the Rear Yard Variance

The requested rear yard variance arises from the irregular geometry of Lot 77 and the site's bedrock and grading constraints, and not from the scale or unit count of the proposed building. The lot's non-rectangular shape results in a minor encroachment at one corner of the rear elevation only, where the lot's rear property line is not parallel to the building's rear wall. The remainder of the building, along the full balance of the rear elevation and on all other sides, complies fully with the required setbacks; the encroachment does not extend along the rear of the building generally. This is a site-specific, geometry-driven constraint that arises from the irregular shape of the lot itself, not from the proposed building's scale or unit count: a building footprint extending into the same corner of the lot would encounter the same constraint regardless of its size or unit count. As confirmed below, a modest adjustment to the building's footprint allows the building to remain entirely clear of that corner, eliminating the variance while preserving all six units.

Feasibility of Eliminating the Variance

We have reviewed a design adjustment that would eliminate the rear yard variance entirely, while preserving all six units and the existing unit mix (three one-bedroom units and three two-bedroom units). This would be achieved through a combination of minor adjustment to the building footprint and repositioning of the building on the site, bringing the structure fully within the required 6.0 m rear yard setback. We are able to confirm that this adjustment is technically feasible and would not require any reduction in unit count or change to the unit mix.

Parking Configuration

In connection with this design adjustment, we have also reviewed relocating the garbage and compost storage enclosure from its current location to the side yard, against the existing rock embankment, and replacing the current dumpster with smaller wheeled bins. This relocation and reconfiguration would free up additional site area, allowing for three on-site parking spaces in total, one of which would be used for the

June 30, 2026



dedicated car-share vehicle required under Section 7.8.10 of the Bylaw. We confirm this configuration is achievable within the site's existing constraints.

We trust this letter, together with the attached sketch, assists the Board in its consideration of the appeal. We would be pleased to provide further detail if helpful, and to finalize the design adjustments described above at the building permit stage, should the Board's decision require or adopt them as a condition of approval.

Please do not hesitate to contact us with any questions.

Sincerely,

Naryn Davar-Timbre, BEDS, MArch
CEO, Director of Business Development
Tel: 902.405.4111
Email: naryn@passivedesign.ca

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GENERAL NOTES

- All work is, at a minimum, to be completed in accordance with the National Building Code of Canada, latest edition, and in accordance with all other applicable codes, bylaws, and other legal requirements.
- All Federal, Provincial, and local ordinances, etc., shall be considered as part of the specifications for this building and shall take precedence over anything shown, described, or implied, if and when variances occur.
- The Builder is to check and verify all drawings for compliance with local building and zoning requirements and report any discrepancies prior to commencing construction.
- Structural lumber is to be No. 2 SPF or better, or the equivalent manufactured lumber product.
- Design and engineering of manufactured wood structural members, including floor joists, roof trusses, beams, columns, and lintels, to be by supplier.
- This drawing does not take into account unknown site conditions such as soil bearing capacity, water tables, depth of bedrock, buried structures, etc.
- Remove all demolition debris and construction waste from the site except material and items specifically noted by the Owner to be left on site. Job site is to be left broom clean when the contract is complete.
- Structural engineering, if required, by others.

Rev.	Description	Date
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Client	508416 NWT Ltd.	
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Project	2 FINDLAY POINT Concept Plans Yellowknife, NWT	
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Status	DEVELOPMENT APPLICATION	
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Sheet Name	Site revision options	
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Date	2025-11-25	
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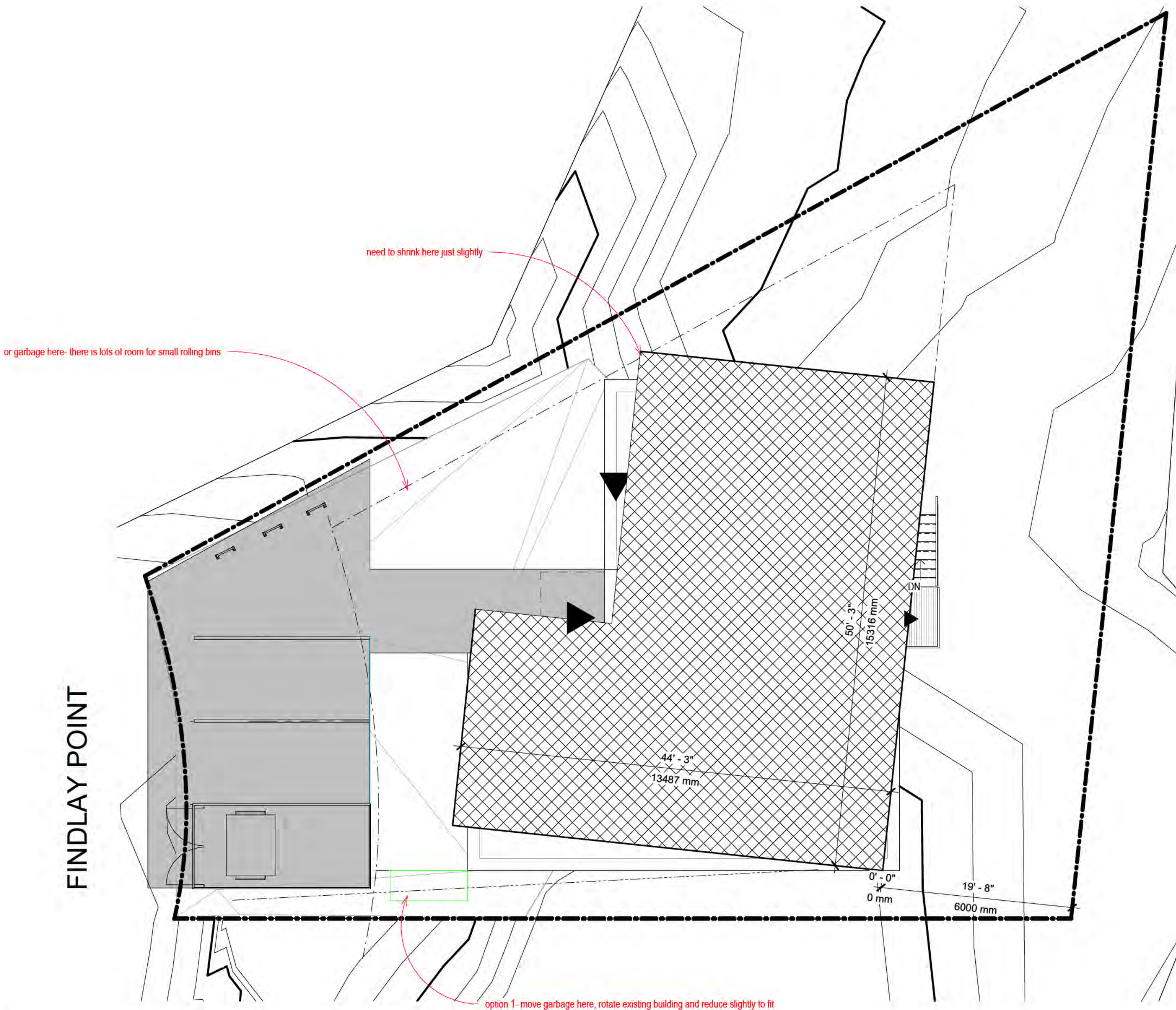
Drawn by	XX	
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Checked by	XX	
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Sheet Number

A100x



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5. Design and engineering of manufactured wood structural members, including floor joists, roof trusses, beams, columns, and lintels, to be by supplier.
6. This drawing does not take into account unknown site conditions such as soil bearing capacity, water tables, depth of bedrock, buried structures, etc.
7. Remove all demolition debris and construction waste from the site except material and items specifically noted by the Owner to be left on site. Job site is to be left broom clean when the contract is complete.
8. Structural engineering, if required, by others.

Rev.	Description	Date
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Client	508416 NWT Ltd.	
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Project	2 FINDLAY POINT Concept Plans Yellowknife, NWT	
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Status	DEVELOPMENT APPLICATION	
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Sheet Name	Site revision options	
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Date	2025-11-25	
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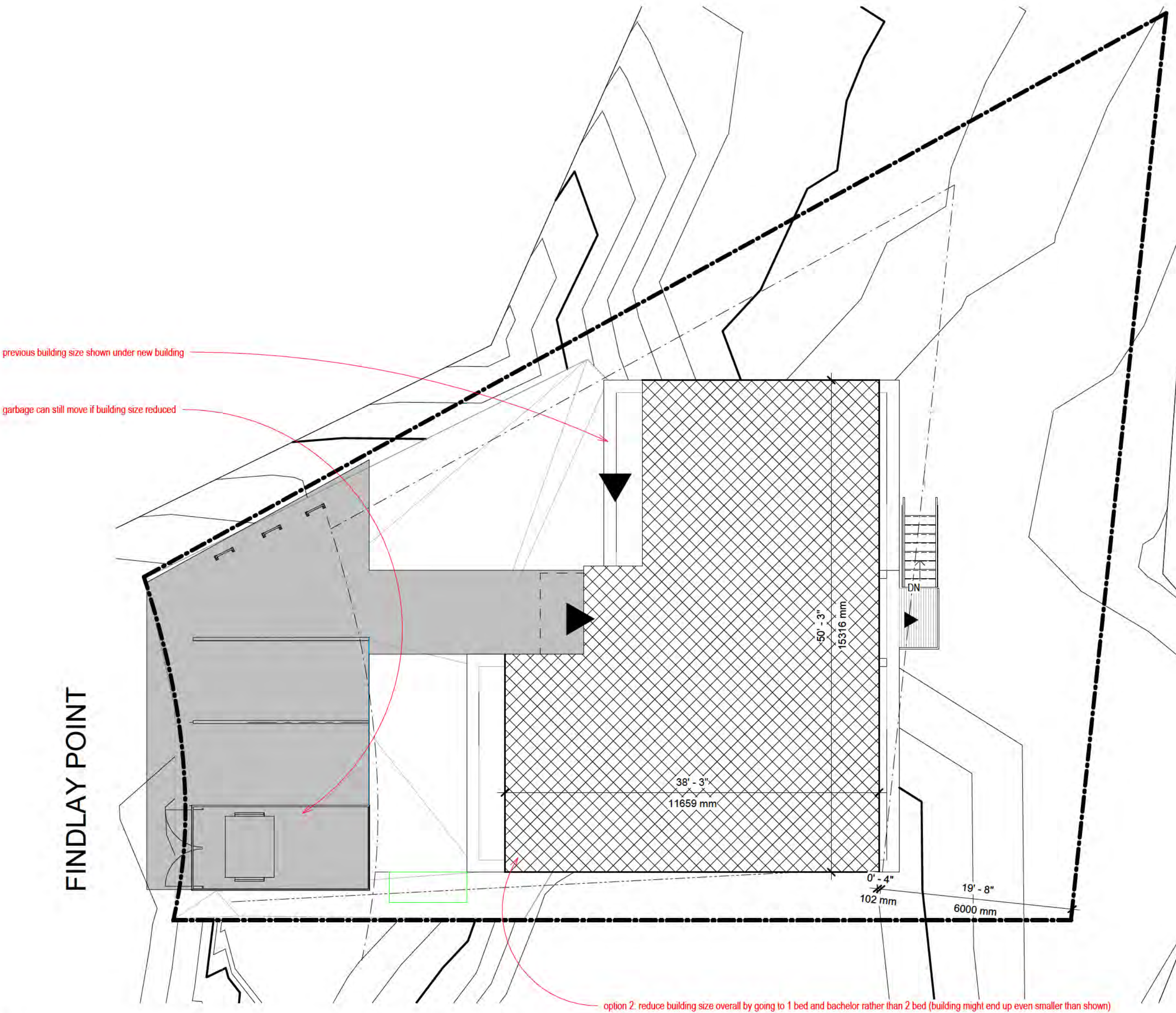
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A100x (2)



PUBLIC NOTICE

CITY OF YELLOWKNIFE – ZONING BY-LAW NO. 5045

NOTICE OF DECISION

Development Permit Application No. PL-2025-0013 dated the 22nd day of January 2025 for a development taking place at the following location: 123 MOYLE DRIVE [0308008800].

Lot 88

Block 308

Plan # 4204

Intended Development: Townhouse Dwelling (4 units) – Variance for Side Yard Setback

Has been APPROVED subject to the following conditions:

1. The minimum side yard setback requirements have been decreased from 1.5m to 0m;
2. The Developer shall enter into a Development Agreement with the City with respect to on-site and off-site improvements and site servicing requirements, prior to occupancy.
3. The Developer shall submit a Real Property Report (RPR) prior to occupancy; and
4. The development shall comply with the approved and stamped drawings for PL-2025-0013 and with all By-laws in effect for the City of Yellowknife.

DATE of Issue of this Notice of Decision: September 12, 2025

EFFECTIVE DATE: September 27, 2025

Development Officer

NOTICE:

Any persons claiming to be adversely affected by the development may, in accordance with the *Community Planning and Development Act*, appeal to the Development Appeal Board, c/o City Clerk's Office, tel. 920-5646, City of Yellowknife, P.O. Box 580, Yellow knife, NT X1A 2N4. Please note that your notice of appeal must be in writing, comply with the *Community Planning and Development Act*, include your contact information and include the payment of the \$400 appeal fee (the appeal fee will be reimbursed if the decision of the Development Officer is reversed). The appeal must be received on or before 4:30 p.m. on the **26th day of September 2025.**

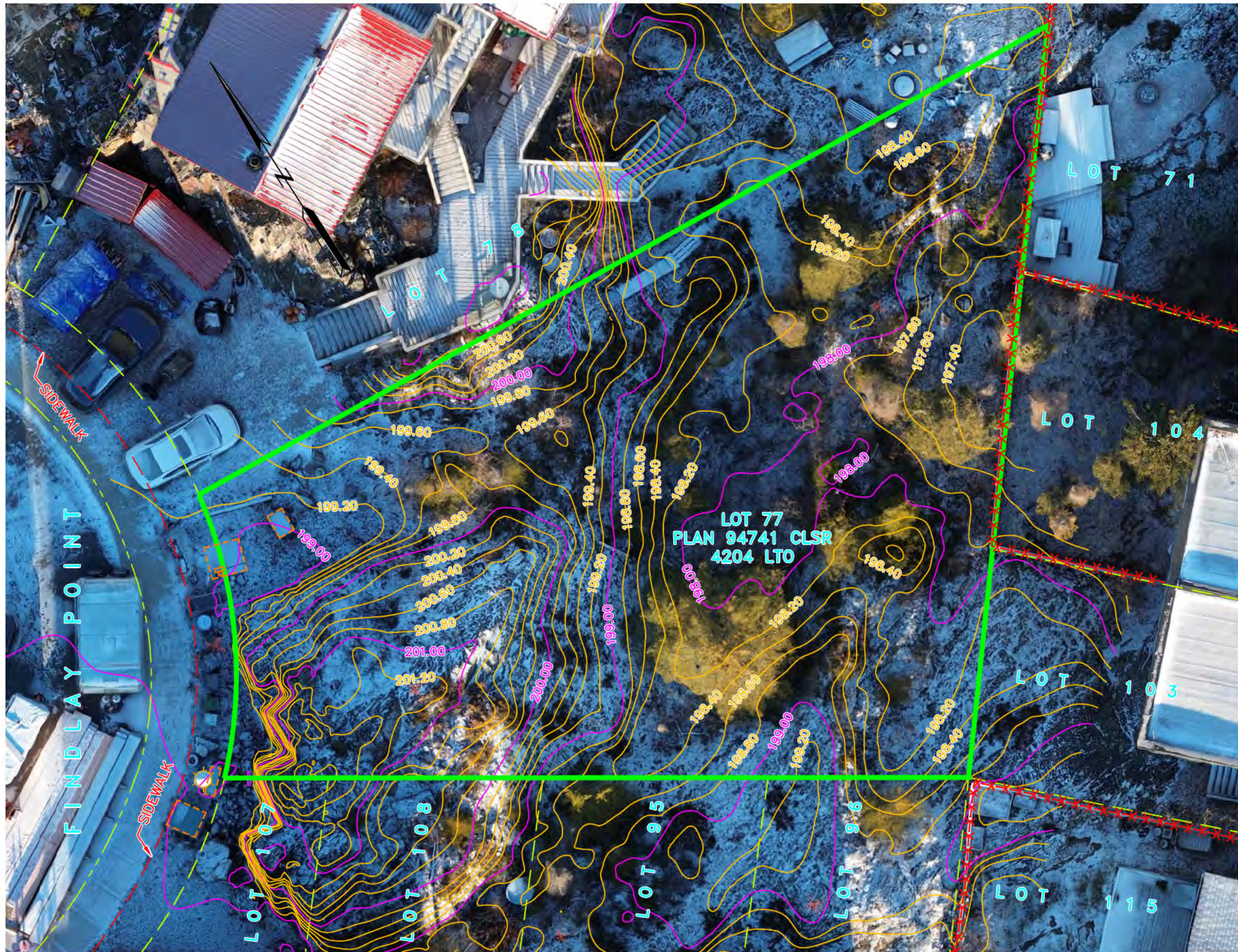
AFTER THE EFFECTIVE DATE OF THIS PERMIT, THE OWNER OF THE SUBJECT PROPERTY IS AUTHORIZED TO REMOVE THIS NOTICE. ALL OTHER PERSONS FOUND REMOVING THIS NOTICE WILL BE PROSECUTED.

Exhibit M — Comparative Variance Analysis: Findlay Point and Adjacent Moyle Drive

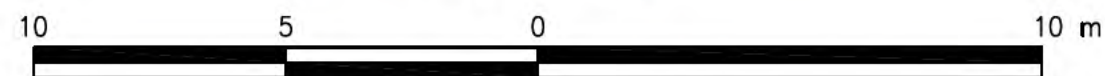
The following table summarizes variances approved for developments on Findlay Point and on comparable lots within the Niven residential area, demonstrating a consistent administrative practice of approving yard setback and other variances for multi-unit residential development in this neighbourhood. Entries marked [TBC] are pending confirmation from City Clerk.

Address	Permit No.	Date Approved	Use / Building Type	Variance(s) Granted	Magnitude	Outcome
2 Findlay Point (Lot 77)	PL-2022-0060	April 21, 2022	Duplex (2 units)	Rear yard setback	6.0 m → 5.84 m (2.7%)	Approved
3 Findlay Point	[TBC]	[TBC]	Duplex (2 units)	Rear yard setback	6.0 m → 5.49 m (8.5%)	Approved
7 Findlay Point	PL-2022-0151	2022	Multi-unit dwelling (4 units)	Rear yard setback	6.0 m → 3.5 m (41.7%)	Approved
7 Findlay Point	PL-2022-0151	2022	Multi-unit dwelling (4 units)	Side yard setback	1.5 m → 1.0 m (33.3%)	Approved
7 Findlay Point	PL-2022-0151	2022	Multi-unit dwelling (4 units)	Building height	12.0 m → 14.5 m (20.8% increase)	Approved
7 Findlay Point	PL-2022-0151	2022	Multi-unit dwelling (4 units)	Parking reduction (no car-share mechanism)	4 spaces → 3 spaces (25%)	Approved
130 Moyle Drive	PL-2022-0047	April 6, 2022	Multi-unit dwelling (4 units)	Front yard setback	6.0 m → 4.5 m (25%)	Approved
123 Moyle Drive	PL-2025-0013	2025	Townhouse dwelling (4 units)	Side yard setback	1.5 m → 0 m (100%)	Approved
2 Findlay Point (Lot 77)	PLDEV-2026-0013	—	Multi-unit dwelling (6 units)	Rear yard setback	6.0 m → ~5.5 m (8.8%)	REFUSED

Note: Rows for 7 Findlay Point represent four separate variances granted under a single development permit (PL-2022-0151). Other than 3 Findlay Point, the refused application (PLDEV-2026-0013, highlighted) seeks the smallest rear yard variance of any development on Findlay Point.



SCALE 1 : 150



OLLERHEAD & ASSOCIATES LTD.

CANADA LANDS SURVEYORS
AND ENGINEERS

TEL: 867-873-9690
FAX: 867-669-6334
EMAIL: info@ollerhead.ca

NOTES/LEGEND

1. DISTANCES AND ELEVATIONS ARE IN METERS
2. CONTOUR INTERVAL= 0.20m
3. TOPOGRAPHIC SURVEY IS BASED UPON NAD83 CSRS UTM ZONE 11, WITH ELEVATIONS REFERENCED TO THE CGVD2013 VERTICAL DATUM
4. CONTROL POINT (OA1)
N: 6924533.08 m
E: 633537.34 m
ELEV: 187.35

PROPERTY LINE.....	
EXTERIOR LOT STRUCTURE	
MAJOR CONTOUR	
MINOR CONTOUR	
EXISTING FENCE	
SIDEWALK.....	
CURB.....	
ELECTRICAL BOX.....	
LAMP POST.....	

CLIENT:

EDWIN SHU

DRAWING TITLE:

**TOPOGRAPHIC SURVEY
FINDLAY POINT
LOT 77, BLOCK 308
PLAN 94741 CLSR, 4204 LTO
YELLOWKNIFE, NT**

DRAWN: RJC	CHECKED: PM	APPROVED: VO
SCALE: 1:150	DATE: NOVEMBER 08, 2025	
DRAWING NUMBER: 1 OF 1	PROJECT NO.: 26-04-ES	



2 Findlay Point

PLDEV-2026-0013 Notice of Application (Public Comments)

2 Findlay Point

Tue, Apr 7, 2026 at 12:24 PM

To: Bassel Sleem <bsleem@yellowknife.ca>

Hi Bassel,

I hope you had a great weekend. Please find attached a draft response to the public comments received, as well as suggested modifications to the plans to address the rear variance. I would like to discuss these with you when you have a moment.

I have also attached photos taken on the evening of Saturday, April 4. These contrast significantly with the pictures previously shared showing construction vehicles parked in the cul-de-sac. I should also note that the general contractor on this project is currently building 142 Moyle Drive — I would be curious to know whether MED received any complaints regarding construction issues at that location.

Thanks for your time. Talk soon.

Edwin

[Quoted text hidden]

7 attachments**Alternative Option.png**

53K

**20260404_155952.jpg**

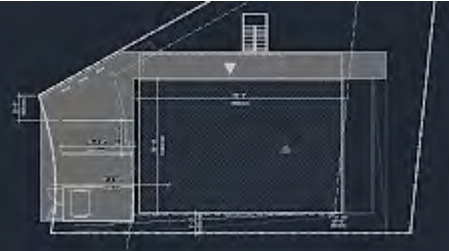
458K

**20260404_155915.jpg**

514K



20260404_155932.jpg
398K



Updated Building Footprint - 10% Variance.png
48K



20260404_160021.jpg
772K



PLDEV-2026-0013_Applicant_Response.pdf
312K



2 Findlay Point

PLDEV-2026-0013 Notice of Application (Public Comments)

2 Findlay Point

Mon, Apr 20, 2026 at 7:09 AM

To: Bassel Sleem <bsleem@yellowknife.ca>

Good morning, Bassel,

Following further deliberation with my design team, I am pleased to advise that I am re-submitting revised plans for PLDEV-2026-0013, which are attached to this email. The revised plans represent a materially improved response to the concerns raised during the public comment period and I trust they will be assessed accordingly.

The revised design adopts an L-shaped building configuration purpose-built to fit the irregular geometry of the lot. The key changes are as follows:

1. The rear yard variance is effectively eliminated. The revised plans require only a 528 mm encroachment at the south-east corner of the building — a negligible deviation that is a direct consequence of the lot shape, not the building's scale or density.
2. All exterior stairs have been relocated to the interior of the building, removing the primary source of overlooking and privacy concern raised by neighbouring residents.
3. Rear balconies have been removed entirely, further addressing overlooking concerns.
4. The building height remains well under the 12-metre maximum permitted under the current zoning.

In practical terms, the revised design addresses virtually every substantive planning concern raised in the public submissions — on setbacks, privacy, overlook, and building height — while retaining the same unit mix and housing supply outcome.

Regarding the re-circulation period, I would respectfully request that you consider whether a one-week posting period would be more appropriate in the circumstances, rather than the standard two weeks. These revised plans are being submitted specifically in response to the public comments already received — they are not a new application starting from scratch. The neighbours have already had a full opportunity to engage with the substance of this proposal, and the revisions move decisively in the direction they requested. A one-week period would allow the public to confirm that their concerns have been addressed, without unnecessarily extending the timeline of an application that has already been through a complete public comment process.

I will also be hosting a neighbourhood information session in the coming days to which all adjacent residents are invited — an opportunity to review the revised plans directly and ask questions before the re-circulation period closes.

I am available to meet with City planning staff at any time, and I welcome the opportunity to address any outstanding questions directly.

Thank you for your continued attention to this application.

Sincerely,
Edwin

[Quoted text hidden]

3 attachments

PLDEV-2026-0013_Applicant_Response to Public Comments 2026 04 20.pdf
189K



2 FINDLAY POINT REVISED DP 2026 04 19.pdf
1788K



2 FINDLAY REVISED DP 2026 04 19 Conceptual Grading Plan.pdf
383K

Applicant Response to Public Comments

Development Permit Application PLDEV-2026-0013 — 2 Findlay Point, Yellowknife NT

Submitted by: Edwin Shu | April 20, 2026

PRELIMINARY REMARKS

I am grateful to the City for the opportunity to respond to public comments received regarding application PLDEV-2026-0013. I want to thank all my neighbors who took the time to review the application and provided comments. I have reviewed all sixteen submissions carefully and take the concerns of my neighbours seriously. I am also a resident of the Niven Lake area and have a direct, personal interest in maintaining the character, safety, and liveability of Findlay Point — this is not an absentee development.

Before addressing the specific issues raised, I wish to make three preliminary observations that are relevant to the weight the Development Officer should assign to the public record.

Similar Themes Across Submissions

A review of the sixteen submissions reveals that several comments raise similar themes and, in some cases, draw on comparable language and framing — which is not unusual when neighbours with shared concerns discuss an application together or draw from similar sources of information. The car-share argument, references to overcrowding, the Table 10-2 / 1.02 metre steps analysis, the By-law 4404 / 25% historical comparison, and the ‘self-created constraint’ framing appear across a number of submissions in closely related form. This reflects a common set of concerns held by a group of like-minded neighbours rather than a broad range of independent perspectives, and the Development Officer may wish to take this into account when weighing the overall record.

Photographs Depict Construction Conditions, Not Occupancy Conditions

The photographs submitted in support of several comments — showing vehicles double- and triple-parked across the cul-de-sac — document the active construction phase at 5 and 7 Findlay Point, which has involved large contractor trucks, trades vehicles, and delivery equipment. These conditions are temporary and attributable to a specific nearby construction project, not to the occupancy patterns of completed multi-unit residential buildings. It would not be reasonable to use construction-phase parking photos as evidence of what conditions will look like once the proposed development at 2 Findlay Point is complete and occupied.

Furthermore, I have my own photographic record showing Findlay Point with minimal vehicle presence on a Saturday evening — demonstrating that the street's baseline parking situation is not as dire as the submitted images suggest.

I am a Local Resident With a Stake in the Neighbourhood

I live in the Niven Lake area. I have a direct interest in ensuring this development is built responsibly, that construction is managed respectfully, and that the completed building contributes positively to the neighbourhood. Unlike the nearby construction project where lumber was stored on public streets creating the safety hazards referenced in several comments, I have sufficient on-site yard space to stage all

construction materials within the property throughout the build. This will be a condition I commit to in writing.

ISSUE 1: REAR YARD SETBACK VARIANCE

This is the central planning issue in the application and deserves a thorough response. Several comments characterize the requested variance as a 50% reduction that is 'not minor.' I want to address both the magnitude of the variance and the reasoning behind it directly.

Revised Variance Request: Reduced to Approximately 8.8%

In response to the public comments received, I am revising my variance request. Through a design refinement that relocates the exterior staircase from the rear and front elevations to the interior of the building, and shifts the building mass closer to the street and within the 6 meter setback, the required rear yard encroachment is essentially eliminated. The revised request represents an encroachment of approximately 528 mm — a variance of approximately 8.8% of the required 6.0 metre setback — not 50%.

REVISED REQUEST	Rear yard setback variance reduced from ~50% to approximately 8.8% (528 mm encroachment into the required 6.0 m setback) through building repositioning and staircase relocation to the interior.
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This is a materially different proposition from what was originally circulated for comment, and the Development Officer should assess the revised design on its own merits. A 528 metre encroachment is a genuinely minor variance that reflects the practical geometry of an irregularly shaped lot — not an attempt to maximize development at the expense of neighbours.

The Variance Is Required by the Lot Shape, Not the Unit Count

Multiple comments suggest that the variance request is a consequence of trying to fit too many units onto the lot — that a duplex or single dwelling would not require a variance. This is incorrect, and I ask the Development Officer to verify this independently.

The lot at 2 Findlay Point is irregularly shaped. A duplex with a walkout basement — which may be the natural alternative on this topography — would face the same geometric constraints at the rear of the lot. The shape of the lot creates a practical constraint regardless of the number of units proposed. The variance need arises from the lot configuration, not from the density of the proposed building.

I would also note that the CMHC standard row house plan — two of which would constitute a duplex — would not comply with the required setback on this lot without a variance. This further confirms that the variance request is site-specific and geometry-driven, not density-driven.

Comparison With 7 Findlay Point

It is worth noting for the record that 7 Findlay Point was approved at a height of 14.5 metres and 3.5 meters rear setback. The proposed building at 2 Findlay Point will be within the 12-metre maximum permitted height under current zoning, and will likely sit lower in absolute terms than 3 Findlay Point, which was constructed on the existing high bedrock without blasting. At 2 Findlay Point, the lot will be blasted and

levelled, meaning the finished grade — and therefore the effective building height as experienced by neighbours — will be lower than the raw structural height suggests.

HEIGHT CONTEXT	7 Findlay Point: approved at 14.5 m. 3 Findlay Point: built on high bedrock, unblasted. 2 Findlay Point: will be blasted and levelled — effective height will be lower than 12 m maximum.
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Grading Plan as a Condition of Approval

I am prepared to accept an approved grading plan as a condition of the Development Permit. This will provide the City and neighbouring property owners with certainty about finished grades, drainage, and the relationship of the building to adjacent properties before construction proceeds. This directly addresses the concerns raised in Comments 6, 9, and 16 about unresolved grading and drainage questions. The conceptual grading plans provided should be sufficient at the DP stage.

ISSUE 2: PARKING AND CAR-SHARE PROGRAM

Parking and car-share feasibility is the issue raised most frequently and most passionately across the sixteen submissions. I want to address it directly and honestly, while also pushing back on some of the assumptions that underpin the objections.

The Car-Share Commitment: Strengthened

I am committing to the following, to be incorporated as conditions of the Development Permit and Development Agreement:

- A minimum of one shared vehicle will be available on-site at all times for resident use.
- If demand exceeds availability of the on-site vehicle, access to additional car-share arrangements — including the existing YK Car Share network — will be provided and facilitated for residents.
- The car-share vehicle if electric will be charged using the building's rooftop solar PV system, creating a zero-marginal-cost mobility option for tenants.
- At least two electric bicycles will be provided, secured, and maintained on-site for resident use.
- The car-share and e-bike program will be a binding condition of the Development Agreement.

The 'Everyone in Yellowknife Needs a Car' Assumption Is Not Accurate

Several comments assert, as if it were an established fact, that every resident in Yellowknife owns one or two vehicles and that no tenant will use a car-share or go without a personal vehicle. This is not accurate, and I can speak to it from direct experience.

I currently have family and colleagues who do not own vehicles and do not intend to acquire one. The proposed development at 2 Findlay Point is intentionally designed to appeal to a different demographic: working professionals, young adults, and individuals who prefer a lower-cost, lower-consumption lifestyle with access to alternative transportation. E-bikes, car-share, and proximity to trails are features, not afterthoughts — they are part of the product offering that will attract exactly the residents for whom car ownership is not a priority.

It is also worth noting that the argument 'everyone will own a car regardless' proves too much. If accepted, it would make car-share provisions unworkable everywhere in Yellowknife, including in areas closer to downtown where the City has presumably already accepted them as valid parking mitigation. The by-law expressly permits this substitution.

Duplex Parking Would Be Worse, Not Better

Several comments suggest a duplex as the appropriate alternative, implying it would solve the parking problem. Let us examine that claim using the commenters' own assumptions.

A duplex with walkout basement suites on this lot would produce at minimum four occupancies (two main units, two basement suites). Using the commenters' own estimate of two vehicles per family, that is eight vehicles — significantly more than the six units proposed here, which are designed for a lower-car demographic with on-site car-share infrastructure. The lot cannot physically accommodate eight parking spaces. The parking problem the commenters describe would be worse under the duplex scenario, not better.

PARKING COMPARISON	Duplex + walkout suites (4 occupancies × 2 vehicles = up to 8 vehicles, no car-share). 6-plex with car-share + e-bikes + solar EV = lower vehicle demand by design, binding enforcement mechanism.
-----------------------	--

Construction Parking vs. Occupancy Parking

The photographs submitted across multiple comments document contractor and trades vehicles during an active construction phase at a nearby site — not the parking conditions of a completed, occupied residential building. Post-construction occupancy generates an entirely different and substantially lower vehicle volume than an active multi-trade construction project. These images should be understood as evidence of a construction management problem at a separate site, not as a projection of future conditions at 2 Findlay Point.

I further commit that all construction materials, equipment, and contractor vehicles for the 2 Findlay Point project will be staged and parked within the property boundary throughout the build. I have adequate yard space to accommodate this, and this commitment will be documented in writing.

ISSUE 3: PRIVACY, OVERLOOK, AND FENCING

Several technically detailed submissions — particularly Comments 6, 9, 10, and 14 — raise concerns about upper-storey overlook and the effectiveness of a 2-metre fence as mitigation. These concerns deserve a substantive response.

Staircase Relocation Resolves the Primary Overlook Concern

The revised design relocates the exterior staircase from the rear and front elevation to the interior of the building. This is the single most significant change in response to the privacy concerns raised, and it directly addresses the issue of elevated rear-facing access points overlooking adjacent yards. The stairs will no longer be positioned at the rear property line.

Trees as Additional Privacy Mitigation

In addition to the revised building configuration, I will explore the installation of taller, fast-growing native tree species along the rear property line as a supplementary privacy measure. Properly selected northern tree species can provide meaningful canopy screening within a few growing seasons, addressing upper-storey sightlines in a way that a fence alone cannot. This can be specified as a landscaping condition of the Development Permit.

Fence Commitment

I confirm that the fence referenced in the application will be constructed. This will be a condition of the Development Permit — it is not merely a statement of intent. The concerns raised in Comments 12 and 13 about the fence being mentioned without a concrete plan are noted, and I am prepared to have its installation and specification included as a binding permit condition.

ISSUE 4: DENSITY, NEIGHBOURHOOD CHARACTER, AND ZONING

This Use Is Permitted by the Zoning By-law

The proposed development is a permitted use within the R1 zone under the current Zoning By-law No. 5045. The City made a deliberate policy decision when it adopted this zoning framework in March 2022 to allow multi-unit residential development of this scale in this zone. The question of whether six units should be permitted in the R1 zone is a policy question that was resolved at the time of zoning adoption — it is not a question for the Development Officer to re-litigate in the context of this specific application.

Several comments express frustration that the zoning has changed since they built their homes — Comment 11 notes the previous height limit was 8 metres and maximum units were two. That is precisely the point: the by-law has changed, and the current by-law governs.

Density in Context

I respectfully ask the Development Officer to compare the density at 2 Findlay Point against the existing development pattern in other areas within the City, where multiple multi-family buildings have been approved and built in close proximity. The Niven Lake subdivision has accommodated significant multi-unit development throughout. A six-unit building on a single lot, designed to high energy performance standards with green mobility infrastructure, is a responsible form of infill that contributes to the City's housing supply objectives.

Comment 3 — Characterization of the Neighbourhood

Comment 3 includes the assertion that 'I know the bulk if not all the residences in the area express the same view.' This is presented without basis. I am aware of residents in the area who support the project and who did not submit written objections. The absence of supportive written comments should not be interpreted as unanimous neighbourhood opposition.

ISSUE 5: APPLICATION COMPLETENESS AND CONSISTENCY

Comments 6 and 9 raise concerns about inconsistencies in the application package — specifically regarding the number of parking spaces noted on different pages, and the reference to rear parking that does not appear in the drawings. These are legitimate observations that I acknowledge.

The inconsistencies referenced relate to earlier draft materials that were included in the submission package in error. I have resubmitted a clean, consolidated application package that presents a single, consistent set of plans, specifications, and supporting documentation. Specifically:

- A single confirmed parking layout showing 1 regular stall and 1 car-share space, consistent across all documents.
- A confirmed, consistent total gross floor area on all pages.
- Removal of the rear parking reference in the variance write-up, replaced with the accurate description of the revised layout.
- A conceptual grading plan to be finalized as a condition of permit approval.

I accept that the “basement” design details cannot be fully specified at the development permit stage given the bedrock conditions that require confirmation through blasting. Final basement parameters will be established and permitted through the building permit process, which provides a separate and appropriate regulatory checkpoint.

ISSUE 6: TRAFFIC, SAFETY, AND INFRASTRUCTURE

Several comments raise concerns about traffic volumes, pedestrian safety, and the capacity of the cul-de-sac to handle additional vehicles. These are reasonable concerns in principle, but several important points of context deserve consideration.

Traffic Impact Was Considered at Zoning Approval

I believe the City of Yellowknife assessed the traffic and infrastructure implications of multi-unit residential development in this zone when it adopted Zoning By-law No. 5045 in 2022. The permitted density and use types in the R1 zone reflect that assessment. The proposed development does not exceed the uses or densities contemplated by the current zoning framework. If the infrastructure is inadequate to support the zoning, that is a systemic issue that predates and extends well beyond this specific application.

Six Small Units Generate Less Traffic Than Assumed

The development proposes six small units — three one-bedroom and three two-bedroom — targeted at a demographic that, by design do not want the responsibility to own and maintain personal vehicles. The car-share EV, two e-bikes, and proximity to downtown are meaningful alternatives for this resident profile. The traffic generation of six small units with active transportation infrastructure will be materially lower than the commenters' assumption of twelve or more vehicles.

Emergency Access

Emergency vehicle access is a building permit and site plan requirement that will be confirmed through the permitting process. The proposed building does not introduce any unique constraint on emergency access beyond what already exists in the cul-de-sac, and the building's own access configuration complies with fire

and emergency access standards. Additional compliance requirements will be confirmed during building permit approval.

SUMMARY OF COMMITMENTS AND DESIGN CHANGES

The following table summarizes the specific commitments and design changes I am prepared to make in response to public comments, and which I ask the Development Officer to incorporate as conditions of approval:

Issue	Applicant Commitment / Design Change
Rear yard setback	Revised to 528 mm (8.8%) encroachment. Stairs relocated to the interior of the building. Building has been reconfigured.
Grading & drainage	Conceptual grading plan provided. It keeps natural drainage in mostly intact. Approved grading plan to be a condition of DP. Final basement parameters confirmed through building permit.
Car-share vehicle	Minimum 1 shared vehicle on-site at all times, plus if necessary, access to YK Car Share network or other car share alternative as backup. Binding Development Agreement condition.
E-bikes	Minimum 2 e-bikes provided, secured, and maintained on-site for resident use.
Privacy / fence	Rear fence installation as binding permit condition. Taller native trees where possible along rear property line as supplementary screen.
Construction management	All materials, equipment, and contractor vehicles staged within property boundary throughout construction.
Application consistency	Consolidated, consistent application package to be resubmitted resolving all document discrepancies.
Building height	Will not exceed 12 m. Effective height likely lower than 3 Findlay due to lot levelling. Compare with 7 Findlay approved at 14.5 m.

CONCLUSION

The proposed development at 2 Findlay Point is a purpose-built, high-performance housing project that is fully consistent with the current zoning framework, complies with all height restrictions, and provides a legally compliant and safe parking solution through a binding car-share commitment. The revised design — with the staircase relocated to the interior, the building repositioned to essentially eliminate the rear variance (reduce the rear yard variance to approximately 8.8%), and a comprehensive package of conditions including an approved grading plan, binding car-share and e-bike commitments, rear fencing, and privacy landscaping — directly addresses the substantive concerns raised in public comments.

The comments received, while numerous, largely reflect a shared set of concerns held by my neighbours who hold similar views about multi-unit development on this lot, and in several cases rely on assumptions about vehicle ownership and car-share feasibility that are not supported.

Finally, the Municipal Enforcement Division's (MED) submission confirms that the complaints received at Findlay Point over the past eighteen months relate entirely to contractor conduct during the active construction phase at a nearby development — not to the behaviour of residents in completed, occupied units. MED recorded 10 visits in 2025 and 2 in 2026, all in response to construction-related complaints: contractor vehicles illegally parked, debris and materials scattered onto adjacent properties, and inadequate communication with neighbours. I take no issue with MED's characterization of those complaints as valid — they are, and they describe exactly the kind of construction mismanagement that I am explicitly committing not to replicate. As stated elsewhere in this response, all construction materials, equipment, and contractor vehicles for the 2 Findlay Point project will be staged and managed entirely within the property boundary throughout the build, and I will accept this as a written condition of the Development Permit. What the MED comment does not do — and cannot fairly be read to do — is provide evidence that a completed, occupied six-unit building will generate enforcement issues. MED's own record is a record of construction complaints at a separate project. It is not a record of complaints against this application, this site, or occupied multi-unit residential buildings in the area. The MED's comments should be read for what it actually says: that construction conduct in the area has been problematic, and that clear expectations must be set for contractors and developers going forward. I agree entirely, and I invite MED to work with me directly to establish those expectations as conditions of this permit before construction begins.

I am available to meet with City planning staff at any time to discuss the revised design and proposed conditions, and welcome the opportunity to address any outstanding questions directly. In addition, I will be hosting an open neighbourhood session in the coming days, to which all neighbouring residents are invited — an opportunity to learn more about the project, the applicant, and the considerable effort that has gone into designing a building that will be a positive addition to Findlay Point.

Respectfully,

Edwin Shu,

On Wed, Apr 15, 2026 at 3:49 PM 2 Findlay Point <

wrote:

EXHIBIT Q

Thanks Bassel. I will resubmit the plan with the building moved closed to the street, with a 10% rear variance.

Talk to you soon.

Edwin

On Wed, Apr 15, 2026 at 2:37 PM Bassel Sleem <bsleem@yellowknife.ca> wrote:

Hi Edwin,

Thank you for the email and for expressing interest in moving forward with the application.

Since the plans have changed, please re-submit your application package to highlight these changes.

Once received, we will re-circulate the application (post on-site, post on city website, and mail to adjacent neighbours); if you like, we can also include your response to public comments as part of the application that will be circulated to neighbours. This will be subject to a two-week notice period. No additional fees are required.

I want to respond to a couple points you mentioned below.

The reference to Multi-unit (9 units or less) is only in relation to parking requirements and how they are calculated (Table 7-3 of Zoning By-law No. 5045). Whether the proposed 6-plex fits within the R1 zone is subject to several factors and will be determined as part of our review.

Finances and financial implications are not contemplated under Zoning By-law No. 5045 and will not affect our decision-making process. I do appreciate you providing these updates.

Thanks Edwin, and as mentioned please feel free to reach out if you have any questions or concerns.

Mársı | Kinanāskomitin | Thank you | Merci | Hqj' | Quana | ʔᑦᑲᑦᑲᑦᑲᑦ | Quyanainni | Máhsı | Máhsı | Mahsi

Bassel Sleem, RPP, MCIP



2 Findlay Point

2 Findlay Pt Updates

Bassel Sleem <bsleem@yellowknife.ca>

Mon, Apr 27, 2026 at 9:26 AM

To: 2 Findlay Point

Good morning Edwin,

Just seeing your voice message.

For 2 Findlay, we are currently reviewing the whole submission package, including comments received from departments and neighbours, as well as your revised plans.

I will notify those neighbours who expressed interest of the revised plans. Since the original notice period is over, we will not be extending it or advertising the new plans again; We will carry on with our review and inform you of the decision as soon as its ready.

Thanks,

Mársı | Kinanāskomitin | Thank you | Merci | Hqı' | Quana | ᑭᓄᓐᓇᓴᓐ | Quyanainni | Máhsı | Máhsı | Mahsi

Bassel Sleem, RPP, MCIP

Planner II

Planning & Development

City of Yellowknife

Tel: 867 920 5611

yellowknife.ca

-



I acknowledge that I reside and work in Chief Drygeese territory.

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Chronology of Events Appeal of Development Permit PLDEV-2026-0013 — 2 Findlay Point, Yellowknife (Lot 77, Block 308, Plan 4204)

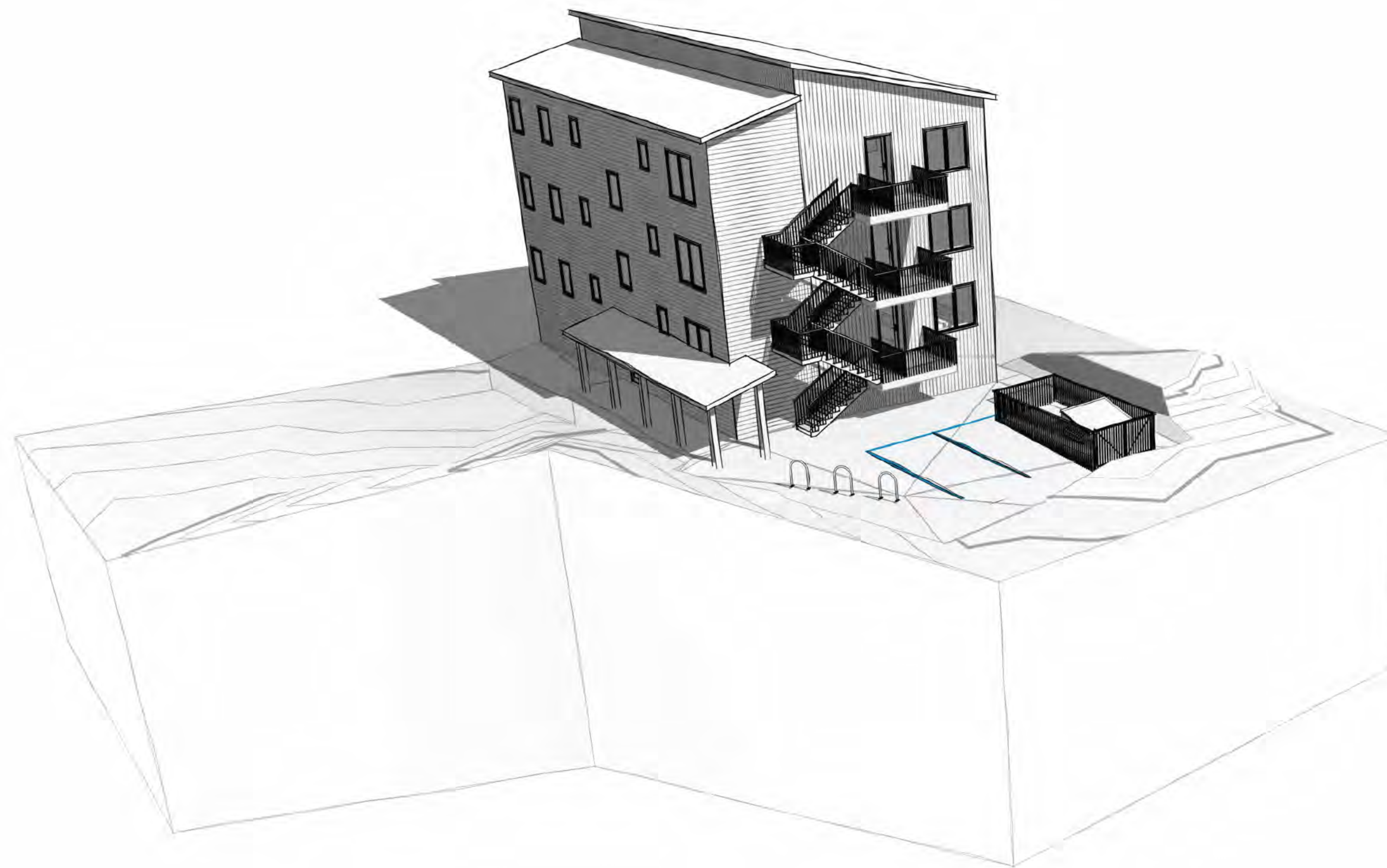
Date	Event	Exhibit
Pre-Application		
September 2025	City of Yellowknife ballot draw advertisement issued, listing R1 permitted uses including Multi-Unit Dwelling.	—
October 23, 2025	Ballot draw held.	—
October 27, 2025	Draft Purchase Agreement prepared for Lot 77, Block 308, Plan 4204 (2 Findlay Point).	—
October 31, 2025	Sale Agreement executed.	
October 31, 2025	Pre-consultation meeting held with City of Yellowknife Planning and Development Department staff: Himanshu Singh Parihar (Planner I), Tatsuyuki Setta (Manager, Planning and Environment), and Greg Littlefair (Manager, Building Services). Six-unit proposal presented. No concerns raised regarding unit count, building scale, or neighbourhood character.	Exhibit A-1
November 12, 2025	City's written pre-consultation meeting summary issued by Himanshu Singh Parihar.	Exhibit A-1
December 3, 2025	Second pre-consultation meeting held with City of Yellowknife Planning and Development Department and Public Works and Engineering Department staff: Tatsuyuki Setta (Manager, Planning and Environment), Himanshu Singh Parihar (Planner I), Warren Wourms (Building Inspector I), Wendy Newton (Manager, Engineering), and Jacob Cocquyt (Municipal Engineer II). Four proposed massing options presented. Discussion covered servicing (water, sewer, sprinklers, drainage), parking requirements, setback variances, neighbour consultation, landscaping, and fees. No determination made on variance requirements.	Exhibit A-2
December 31, 2025	Written meeting notes for December 3, 2025 second pre-consultation meeting issued by Eli Smith on behalf of Himanshu Singh Parihar (no longer with the City of Yellowknife).	Exhibit A-2
Application and Review		
January 23, 2026	Development Permit application PLDEV-2026-0013 submitted to the City of Yellowknife.	—
March 6, 2026	Revised site plan submitted after consultation with Development Officer.	Exhibit T
March 11, 2026	Application deemed complete.	—
March 18, 2026	Public notice circulated to property owners within 30m of the subject lot.	—
April 4, 2026	Sixteen written public submissions received by the City; shared with Appellant.	Exhibit B
April 7, 2026	Initial response to public comments submitted by the Appellant, with alternative design proposal offered.	Exhibit O
April 15, 2026	Email from Development Officer confirming revised plans to be resubmitted.	Exhibit Q
April 20, 2026	Complete response to public comments and revised plans submitted by the Appellant. & Revised site plans	Exhibit P, Exhibit C
April 27, 2026	Further email from Development Officer regarding plan updates.	Exhibit R

EXHIBIT S

Date	Event	Exhibit
May 16, 2026	Neighbourhood meeting held.	Exhibit D
June 12, 2026	Development Officer advised the Appellant by phone that the application will be refused.	—
June 15, 2026	Planning report signed. Development Permit PLDEV-2026-0013 refused.	Exhibits E, F
June 15, 2026	Refused Development Permit issued to the Appellant.	Exhibit F
<i>Post-Refusal</i>		
June 24, 2026	City of Yellowknife Development Appeal Board Notice of Hearing published.	—
June 29, 2026	Dillon Consulting Limited traffic and parking opinion prepared by Eric Stewart, P.Eng. (Ontario), stamped by S.V. Graeley, P.Eng. (NT/NU Permit No. P010, Licensee No. L5088, File No. 263733). Sealed Report.	Exhibit J
June 30, 2026	Passive Design Solutions (architect) opinion letter issued in support of the proposed development, addressing building design, passive design principles, and compliance with applicable standards.	Exhibit K
July 6, 2026	Written submission filed with the Development Appeal Board.	—
July 16, 2026	Development Appeal Board hearing, 7:00 p.m., City Hall Council Chamber, Yellowknife.	—

DRAWING LIST

A100	Site Plan
A101	Landscaping Plan
A111	Basement Plan
A112	First Floor Plan
A201	Elevations
A301	Building Sections



2 FINDLAY POINT Concept Plans

Yellowknife, NWT

The Builder is responsible to check and verify all dimensions on this plan for compliance with local building and zoning requirements and report any discrepancies prior to commencing construction.

Our plan drawing sets do not take into account site conditions such as soil bearing capacity, water tables, depth of bedrock, buried structures, etc.

No warranties are either expressed, implied, or guaranteed by this document. It is assumed that the builder has a good knowledge of building physics and the construction techniques necessary to prevent building degradation.

Client

508416 NWT Ltd.

Date

2025-11-25

**DEVELOPMENT
APPLICATION**



DISTANCE TO FROM HYDRANT TO
FIRE DEPARTMENT CONNECTION
APPROX. 43m HOSE LAY AS
SHOWN (FROM CITY EXPLORER)

BASEMENT GROSS AREA: 1074 SF
UPPER FLOORS GROSS AREA: 1768 SF

LOT ZONE: R1
LOT AREA: 6114 SF
BUILDING AREA: 1768 SF
LOT COVERAGE: 29%
TOTAL GROSS AREA: 6378 SF
BUILDING HEIGHT: 3 STORIES PLUS BASEMENT (<2M FROM ESTABLISHED GRADE)
TOTAL UNITS: 3- 1 BED AND 3- 2 BED
TOTAL PARKING: 1 SPACE + 1 CAR-SHARE SPACE
TOTAL BIKE PARKING: 6 SPACES



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GENERAL NOTES

- All work is, at a minimum, to be completed in accordance with the National Building Code of Canada, latest edition, and in accordance with all other applicable codes, bylaws, and other legal requirements.
- All Federal, Provincial, and local ordinances, etc., shall be considered as part of the specifications for this building and shall take precedence over anything shown, described, or implied, if and when variances occur.
- The Builder is to check and verify all drawings for compliance with local building and zoning requirements and report any discrepancies prior to commencing construction.
- Structural lumber is to be No. 2 SPF or better, or the equivalent manufactured lumber product.
- Design and engineering of manufactured wood structural members, including floor joists, roof trusses, beams, columns, and lintels, to be by supplier.
- This drawing does not take into account unknown site conditions such as soil bearing capacity, water tables, depth of bedrock, buried structures, etc.
- Remove all demolition debris and construction waste from the site except material and items specifically noted by the Owner to be left on site. Job site is to be left broom clean when the contract is complete.
- Structural engineering, if required, by others.

NO SITE GRADING REQUIRED AT BACK,
LEAVE NATURAL GRADE AND VEGETATION

ROOF OVERHANG TYP.

BLAST AND GRADE EXISTING ROCK TO ALLOW
PARKING AND ACCESS AS SHOWN

MINIMUM YARD SETBACK, TYP.

BIKE PARKING AREA

PAVED AREA

LIGHTING AS REQUIRED
FOR PARKING AREA

FINDLAY POINT

WASTE STORAGE AND COLLECTION
AREA, FENCED IN WITH MIN 2M FENCE

EXISTING UTILITY POLE AND
OVERHEAD SERVICE TO MECHANICAL
ROOM

SNOW PILING AREA

REAR YARD VARIANCE
REQUIRED

EVES PROJECT INTO SIDE
YARD < 600MM

1 SITE PLAN
1/8" = 1'-0"

Rev.	Description	Date
Client		
508416 NWT Ltd.		
Project		
2 FINDLAY POINT Concept Plans		
Yellowknife, NWT		
Status		
DEVELOPMENT APPLICATION		
Sheet Name		
Site Plan		
Date		2025-11-25
Drawn by		XX
Checked by		XX
		Sheet Number
		A100

GENERAL NOTES

1. All work is, at a minimum, to be completed in accordance with the National Building Code of Canada, latest edition, and in accordance with all other applicable codes, bylaws, and other legal requirements.
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5. Design and engineering of manufactured wood structural members, including floor joists, roof trusses, beams, columns, and lintels, to be by supplier.
6. This drawing does not take into account unknown site conditions such as soil bearing capacity, water tables, depth of bedrock, buried structures, etc.
7. Remove all demolition debris and construction waste from the site except material and items specifically noted by the Owner to be left on site. Job site is to be left broom clean when the contract is complete.
8. Structural engineering, if required, by others.

Rev.	Description	Date
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Client
508416 NWT Ltd.

Project
2 FINDLAY POINT Concept Plans
Yellowknife, NWT

Status
DEVELOPMENT APPLICATION

Sheet Name
Landscaping Plan

Date
2025-11-25

Drawn by
XX

Checked by
XX

Sheet Number

A101

LOT AREA : 6114 SQFT
TOTAL INTENSIVE LANDSCAPED AREA: 867 SQFT
PROPOSED MINIMUM TREES: 12
PROPOSED MINIMUM SHRUBS: 20

LANDSCAPED AREA 3: NATURAL GRADE AND ROCK, TREES WITH INTERSPERSED WITH SHRUBS EG. PAPER BIRCH, SASKATOON BERRY, DOGWOOD

LANDSCAPED AREA 2 (AROUND AND UNDER FIRST FLOOR DECK): LOW SHRUBS AND GROUND COVER EG. MOUNTAIN AVENS, ARCTIC THYME, BEARBERRY

LANDSCAPED AREA 1: TREES WITH INTERSPERSED WITH SHRUBS EG. PAPER BIRCH, SASKATOON BERRY, DOGWOOD

PROPOSED 6 UNIT BUILDING

ALL OTHER AREAS NOT SHOWN GRAVELLED OR A SPECIFIC LANDSCAPED AREA IS TO BE MAINTAINED, EG. ROCK MULCH WITH LOW GROUND COVER

1 SITE PLAN
1/8" = 1'-0"

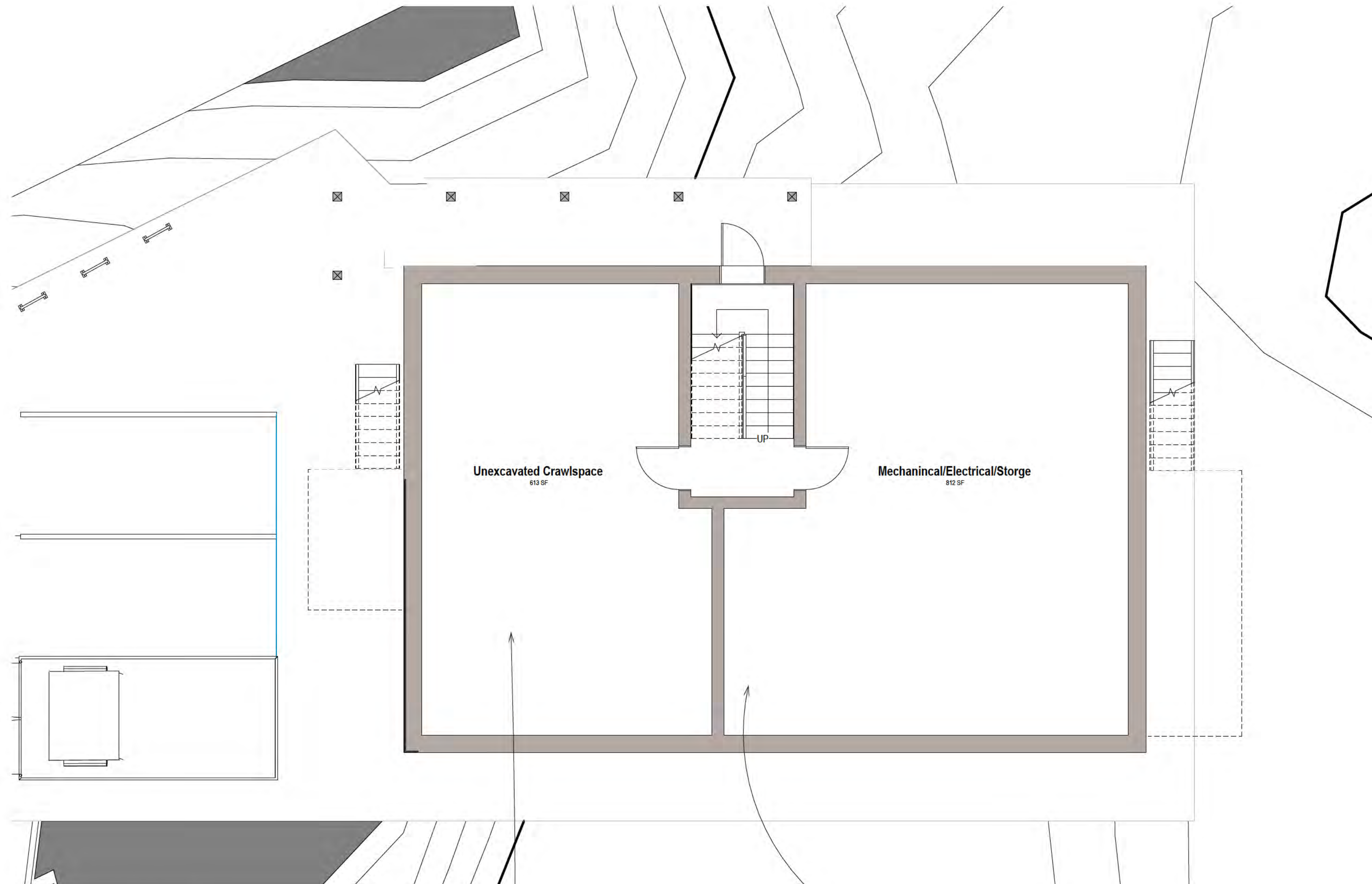
FINDLAY POINT



GENERAL NOTES

1. All work is, at a minimum, to be completed in accordance with the National Building Code of Canada, latest edition, and in accordance with all other applicable codes, bylaws, and other legal requirements.
2. All Federal, Provincial, and local ordinances, etc., shall be considered as part of the specifications for this building and shall take precedence over anything shown, described, or implied, if and when variances occur.
3. The Builder is to check and verify all drawings for compliance with local building and zoning requirements and report any discrepancies prior to commencing construction.
4. Structural lumber is to be No. 2 SPF or better, or the equivalent manufactured lumber product.
5. Design and engineering of manufactured wood structural members, including floor joists, roof trusses, beams, columns, and lintels, to be by supplier.
6. This drawing does not take into account unknown site conditions such as soil bearing capacity, water tables, depth of bedrock, buried structures, etc.
7. Remove all demolition debris and construction waste from the site except material and items specifically noted by the Owner to be left on site. Job site is to be left broom clean when the contract is complete.
8. Structural engineering, if required, by others.

Rev.	Description	Date
Client		
508416 NWT Ltd.		
Project		
2 FINDLAY POINT Concept Plans		
Yellowknife, NWT		
Status		
DEVELOPMENT APPLICATION		
Sheet Name		
Basement Plan		
Date	2025-11-25	
Drawn by	XX	
Checked by	XX	
Sheet Number		A111



1 BASEMENT PLAN
3/16" = 1'-0"

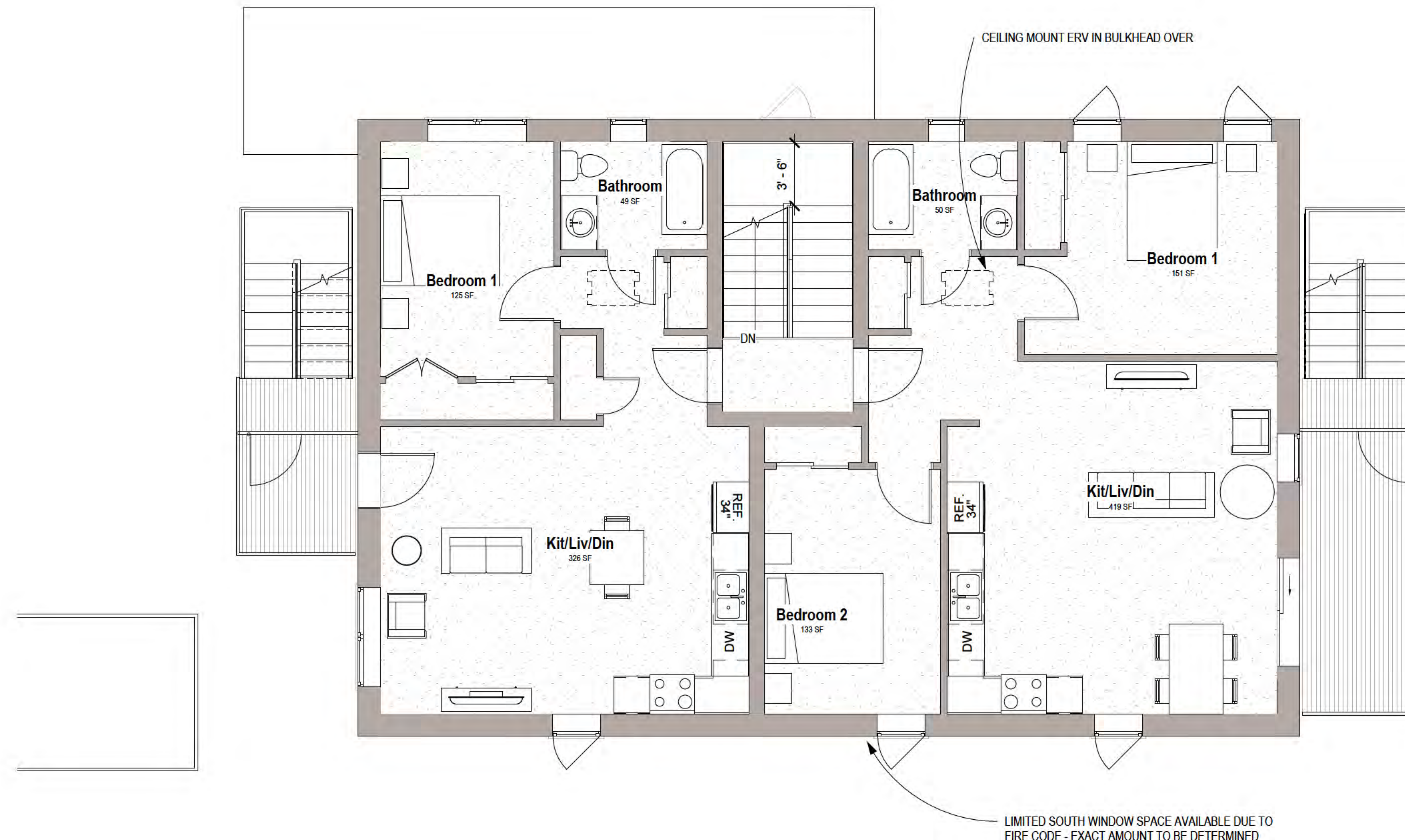
EXTENT OF FULL HEIGHT
BASEMENT EXCAVATION T.B.D. ON
SITE

DETAILED DESIGN FOR THIS LEVEL
TO BE COMPLETED AFTER
DEVELOPMENT PERMIT

GENERAL NOTES

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- This drawing does not take into account unknown site conditions such as soil bearing capacity, water tables, depth of bedrock, buried structures, etc.
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- Structural engineering, if required, by others.

Rev.	Description	Date
Client		
508416 NWT Ltd.		
Project		
2 FINDLAY POINT Concept Plans		
Yellowknife, NWT		
Status		
DEVELOPMENT APPLICATION		
Sheet Name		
First Floor Plan		
Date		2025-11-25
Drawn by		XX
Checked by		XX
Sheet Number		A112



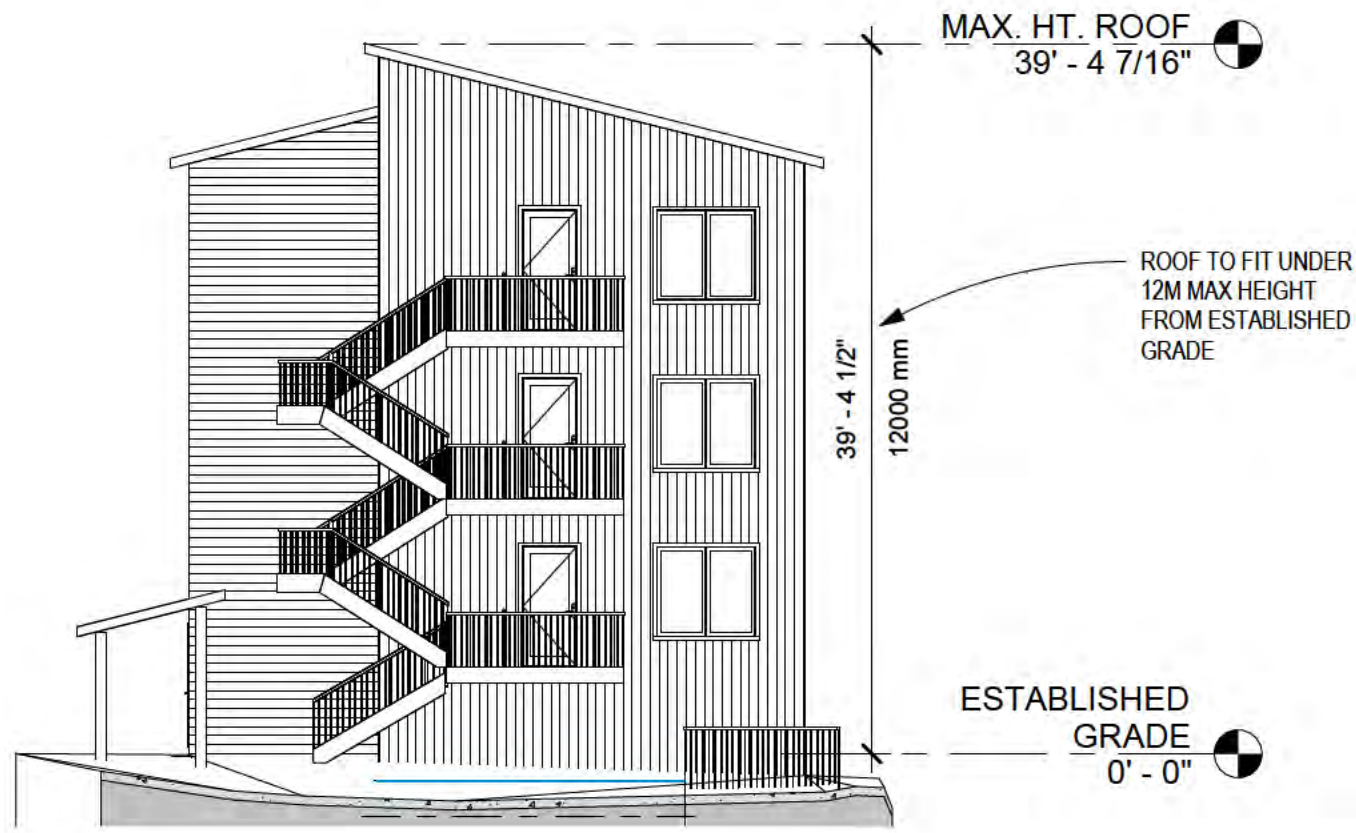
1 FIRST FLOOR PLAN
3/16" = 1'-0"

PLAN NOTES

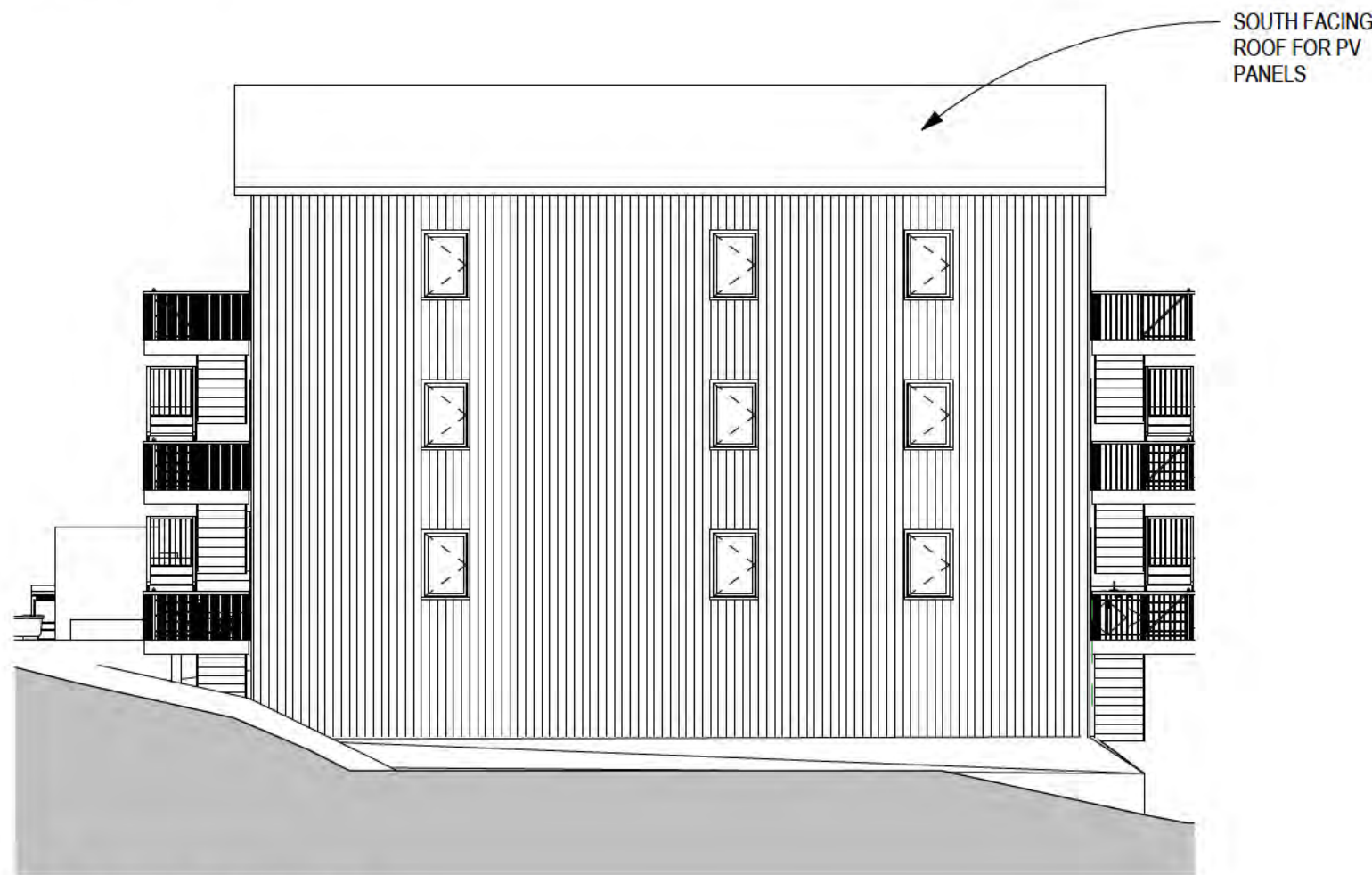
- All dimensions shown are to the face of finishes.
- All interior finishes are l.b.c. by Owner- trim assumptions and suggestions are as shown in interior finish schedule on this page.
- Confirm all floor to floor heights and stair dimensions on-site, prior to framing.
- If present, stairs are dimensioned to the face of risers or edge of opening, exclusive of trim and nosings.
- Framed openings are to be trimmed similar to doors with similar head height unless noted otherwise.
- Millwork is dimensioned to face of cabinets.
- Millwork materials, construction, and finishes are to be designed by others and approved by Owner before starting construction.
- Framing design assumes 3-1/2" trim on interior doors.
- Bath room sinks, mirrors, & light fixtures are to align with one another.
- If shown, for acoustically insulated walls seal all joints & sills & holes for air-tightness.
- Install smoke and CO detectors as required by Code.



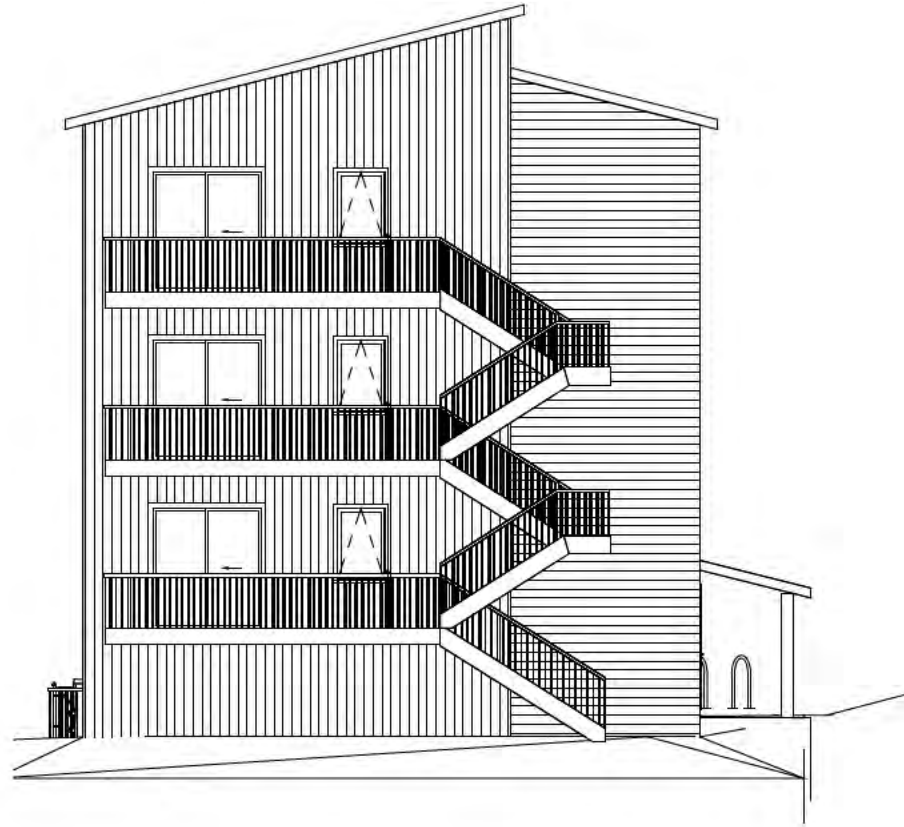
① NORTH ELEVATION
3/32" = 1'-0"



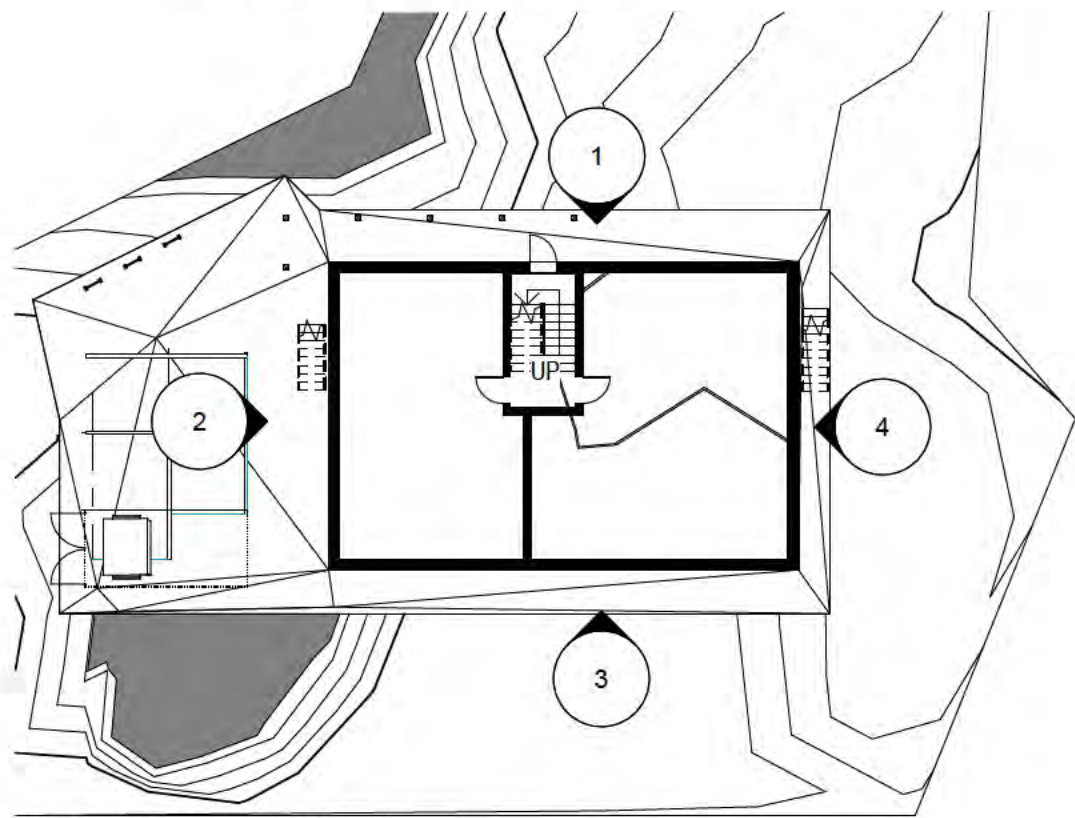
② WEST ELEVATION
3/32" = 1'-0"



③ SOUTH ELEVATION
3/32" = 1'-0"



④ EAST ELEVATION
3/32" = 1'-0"



⑤ ELEVATION KEY PLAN
3/64" = 1'-0"

ELEVATION NOTES

1. All exterior trim, finishes, and colours to be confirmed by Owner.
2. Site grades shown are generic and may differ from the actual final grades for this project.
3. Eavestroughs and downspouts not shown; install where required.
4. Roof vents & plumbing stacks not shown; vent area to be min 1:150 [300].
5. If possible, do not bring vent stack up through south-facing roof to facilitate solar panel installation.
6. Dryer vent, range hood vent, & bath exhaust vents not used; electric range only, and condensing type dryer only.
7. Colour all exterior vents & vent hoods to match siding, or stainless.
8. Wooden or eq. deck surface is to be minimum 3" below the adjacent inside floor level.
9. Solid patio surfaces are to be minimum 6" below the adjacent inside floor level.
10. See Window & Door Schedule for window & door head & sill heights, page A001.
11. All bedrooms are to have windows that meet Code for egress requirements.
12. Screen doors not shown in elevation.

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8. Structural engineering, if required, by others.

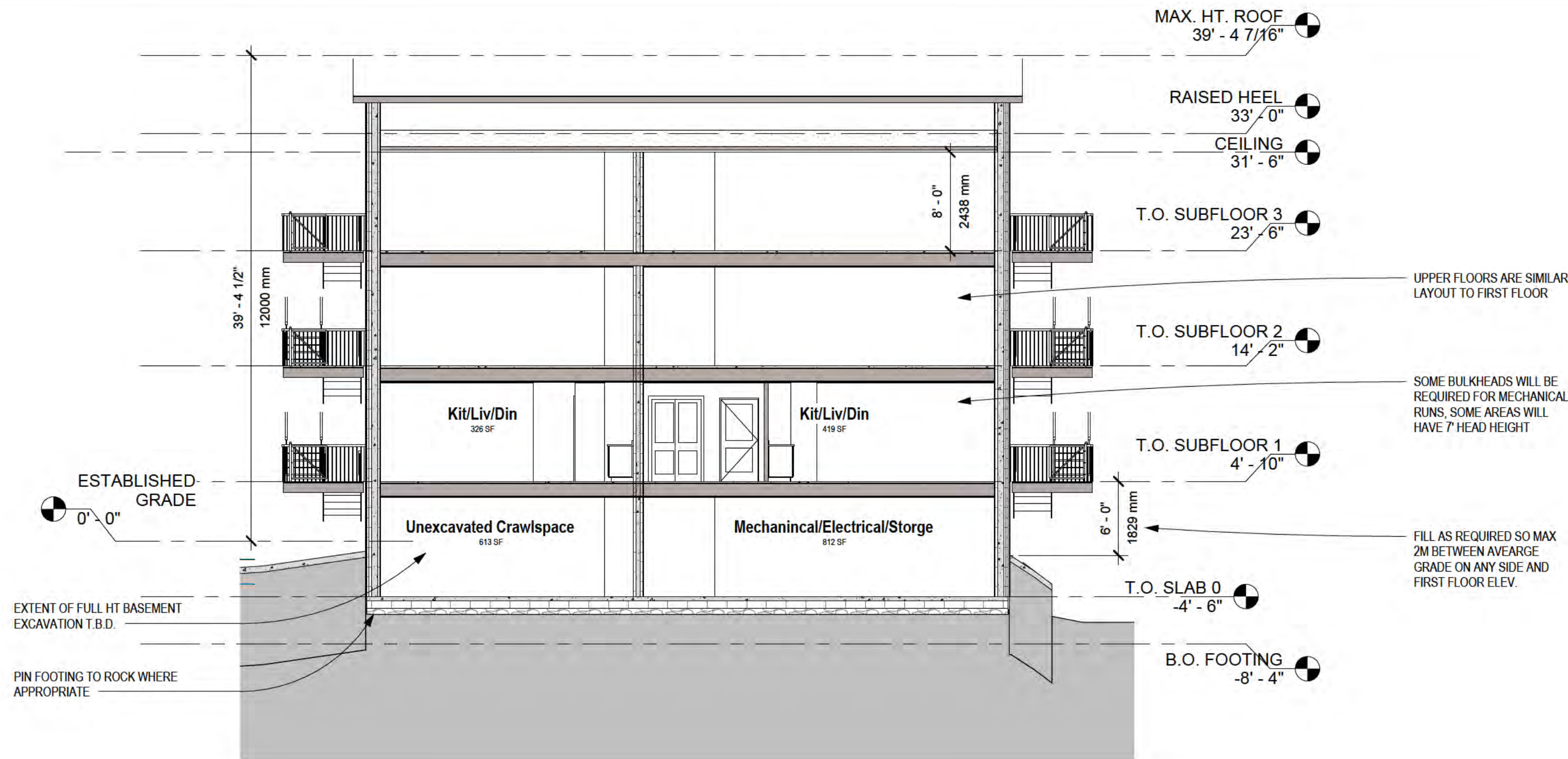
Rev.	Description	Date
Client		
508416 NWT Ltd.		
Project		
2 FINDLAY POINT Concept Plans		
Yellowknife, NWT		
Status		
DEVELOPMENT APPLICATION		
Sheet Name		
Elevations		
Date	2025-11-25	
Drawn by	XX	
Checked by	XX	
Sheet Number	A201	

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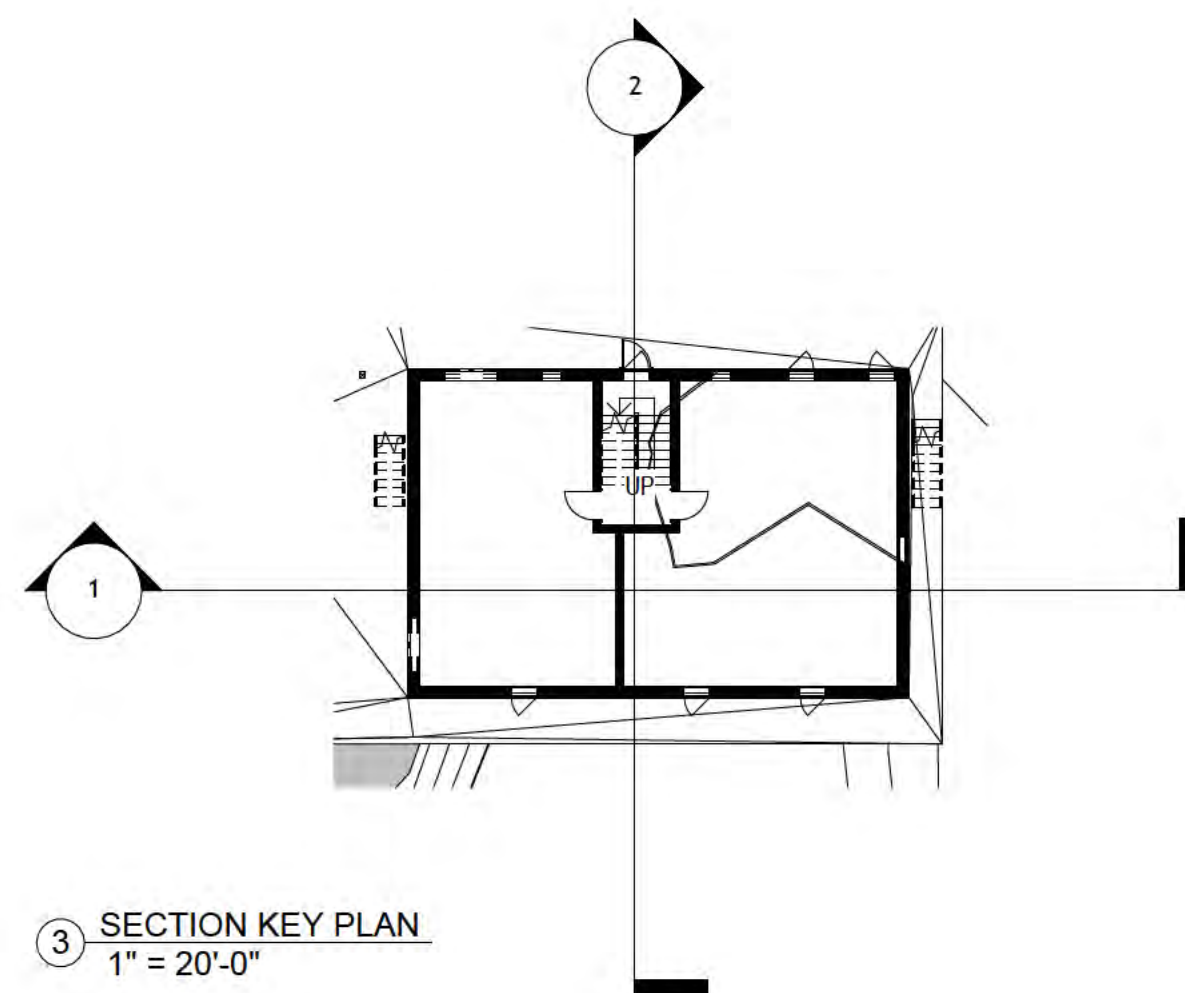
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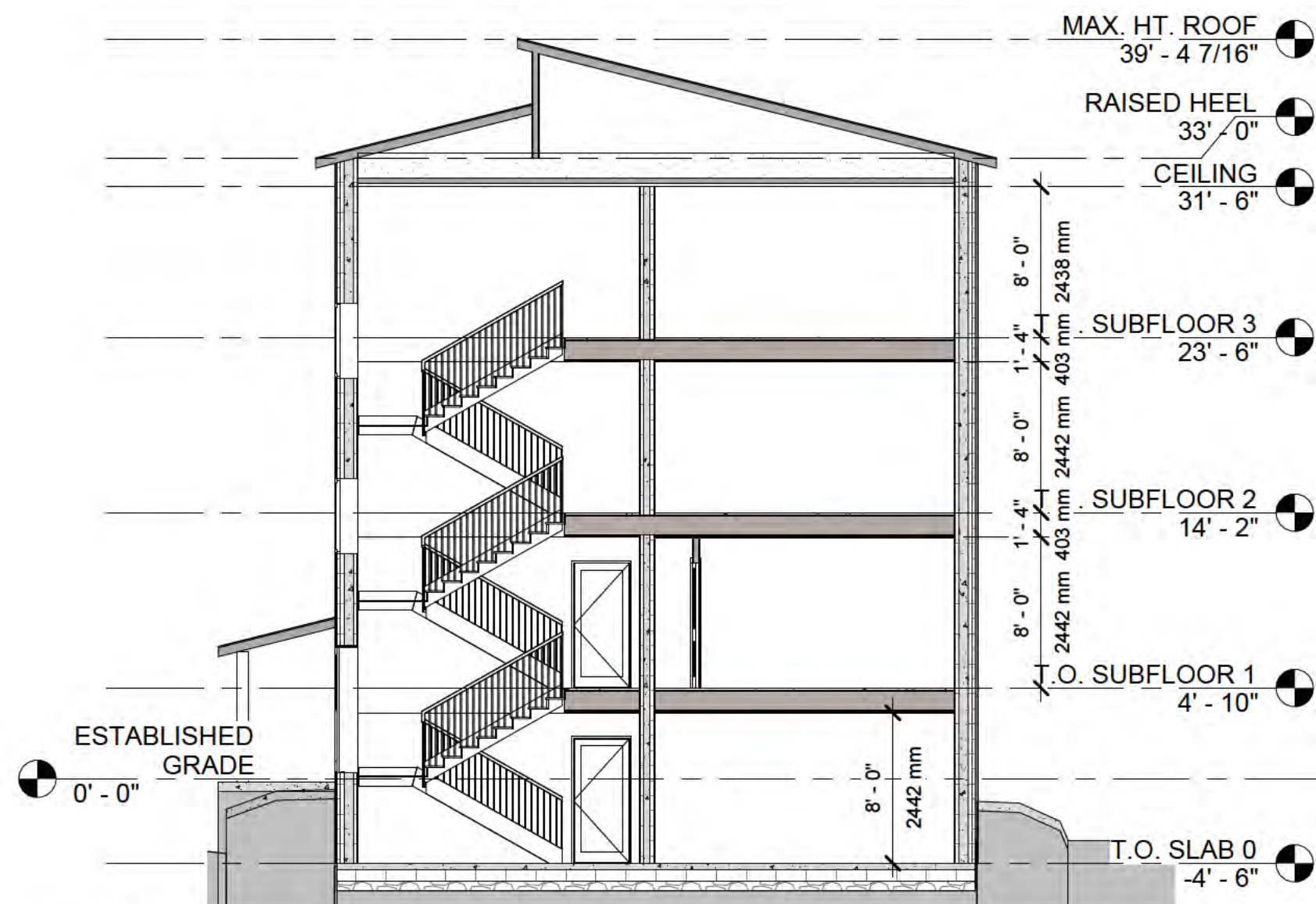
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1 Section 1
1/8" = 1'-0"



3 SECTION KEY PLAN
1" = 20'-0"



2 Section 2
1/8" = 1'-0"

Rev.	Description	Date
Client	508416 NWT Ltd.	
Project	2 FINDLAY POINT Concept Plans Yellowknife, NWT	
Status	DEVELOPMENT APPLICATION	
Sheet Name	Building Sections	
Date	2025-11-25	
Drawn by	XX	
Checked by	XX	
Sheet Number	A301	



CITY OF YELLOWKNIFE

DEVELOPMENT APPEAL PLDEV-2026-0013

DEVELOPMENT OFFICER'S REPORT

JULY 6, 2026

ISSUE

An appeal of the Development Officer's decision to refuse Development Permit application PLDEV-2026-0013.

DEVELOPMENT PROPOSAL

Development Permit application PLDEV-2026-0013 proposed the development of a six-unit multi-unit residential dwelling at 2 Findlay PT (Lot 77, Block 308, Plan 4204). The application included a request for a 0.5 metre Rear Yard Setback variance and proposed one parking space in addition to a car-share vehicle in lieu of six required parking spaces.

SITE CONTEXT



Figure 1. Location Map

The subject property is located within the Niven Residential designation of the 2020 Community Plan and the R1 – Low Density Residential Zone under Zoning By-law No. 5045. The Niven neighbourhood has developed incrementally over time in accordance with the Niven Lake Development Scheme and today consists of a mix of single detached dwellings, duplexes, fourplexes, and multi-unit residential developments.

The subject property is located on Findlay Point, a short residential cul-de-sac accessed from Moyle Drive. The cul-de-sac is substantially built out, with 2 Findlay PT representing the final undeveloped residential lot. As development has occurred over time, each approved project has contributed to the existing built form and neighbourhood context. Accordingly, the proposed development was evaluated in the context of the established development pattern within the cul-de-sac, including the cumulative effects of existing development on site planning, vehicle circulation, and the relationship between neighbouring properties, having regard to the applicable provisions of the Community Plan and Zoning By-law No. 5045.

DECISION MAKING RATIONALE

The Development Officer reviewed the application in accordance with Section 4.6 of Zoning By-law No. 5045, Community Plan By-law No. 5007, Niven Lake Development Scheme 2007 By-law No. 4438, and all the applicable provisions of Zoning By-law No. 5045.

Section 4.6.1 of the Zoning By-law requires that, in making a decision on any application, consideration be given to the impacts of development. The By-law defines “Impact” as the combined or potential effects, whether positive or negative, resulting from development activities that may occur simultaneously, sequentially, or interactively within a specific area.

The Development Officer's assessment therefore considered the proposed development in its entirety, including the requested variance, site planning, vehicle circulation, surrounding context and neighbourhood compatibility, and the cumulative impacts of the proposal within the existing development context. Pursuant to Section 4.6.2(b), the Development Officer may refuse an application where the proposed development does not conform to the requirements of the Zoning By-law, having regard to all applicable sections, regulations, and development standards.

The rationale supporting the Development Officer's decision is set out in the Development Officer's Planning Report (Attachment B), which forms the basis of this response to the appellant's grounds of appeal.

RESPONSE TO APPELLANT'S APPEAL LETTER DATED JUNE 19, 2026

Ground 1: The Development Officer applied an incorrect legal standard to a Permitted Use application.

The appellant's submission incorrectly characterizes the application as requiring consideration only of whether a Multi-Unit Dwelling is a Permitted Use within the R1 Zone.

While the proposed Multi-Unit Dwelling is a Permitted Use, the development permit application must comply with all applicable provisions of Zoning By-law No. 5045, not just the provisions around land use. In addition to the Use regulations, the Development Officer evaluated the proposal against the following sections of the By-law:

- Section 7.1 (Site Planning Considerations), which requires consideration of matters such as site design, pedestrian access and experience, surface drainage, response to wind, sun, snow, and winter conditions.
- Section 7.4 (Vehicular Access and On-Site Traffic), which requires consideration of safe and efficient vehicular access and traffic circulation; and
- Section 8.2.6 (Multi-Unit Dwelling), which establishes additional development requirements specific to multi-unit residential development.

Furthermore, pursuant to Section 4.5 of the Zoning By-law, the Development Officer may refer an application to City departments, adjacent landowners, and other agencies for comment and advice, and is required to have due regard to those comments when making a decision. The purpose of this provision is to ensure that development applications are evaluated with the benefit of technical review and site-specific information relevant to the proposal.

During the Notice of Application period, the City received 16 written submissions from neighbouring residents within the Findlay Point cul-de-sac, with all submissions expressing opposition to the proposed development. Although public opposition alone is not a basis for refusing an application, the comments identified consistent planning concerns relating to parking, vehicle circulation, privacy, building massing, neighbourhood compatibility, and the cumulative effects of development. These site-specific concerns were considered by the Development Officer, together with the applicable provisions of the Zoning By-law, in assessing the application.

The Development Officer has assessed according to the full scope of applicable provisions of the Zoning By-law, as required, and concluded to refuse based on the grounds that the proposal, including the requested variance, when considered in its entirety, was found not to satisfy those provisions.

Ground 2: Acknowledged technical parking compliance is irreconcilable with a parking-based refusal.

The appellant correctly notes that the proposal technically complies with the minimum parking requirements of Section 7.8.10 through the provision of one car-share vehicle and one additional parking space for tenant use. The Development Officer acknowledged this in the Planning Report.

However, compliance with the minimum parking requirements does not limit the Development Officer's review to Section 7.8.10 alone, nor does it prevent consideration of other applicable provisions of the Zoning By-law.

As discussed under Ground 1, the Development Officer was also required to consider the application under Section 7.1 (Site Planning Considerations), Section 7.4 (Vehicular Access and On-Site Traffic), and Section 8.2.6 (Multi-Unit Dwelling). These provisions require consideration of matters beyond the numerical parking requirement, including site layout, vehicular access, on-site circulation, and the relationship of the proposed development to surrounding properties.

The refusal was therefore not based on the proposal's compliance with Section 7.8.10. Rather, the Development Officer determined that compliance with the minimum parking requirements did not, on its own, satisfy the broader site context as well as the scale of the development required under the Zoning By-law. The application was therefore assessed in its entirety, having regard to all applicable provisions of the By-law.

With respect to the appellant's reference to the approval at 7 Findlay PT, each development permit application is evaluated on its own merits, based on the specific characteristics of the site, the proposal, and the applicable planning considerations. A previous approval does not establish a precedent requiring the Development Officer to reach the same conclusion.

Ground 3: The variance refusal misapplies and incompletely applies Section 4.9 of By-law 5045.

Section 4.9 requires that a variance be assessed in specific circumstances such as where a development is proposed or its relationship to surrounding properties. The Development Officer's assessment considered whether approving the variance would satisfy the established criteria as well as the intent of Section 4.9.

The Development Officer has thoroughly considered the characteristics of the site and the proposal as part of the overall assessment and determined that, notwithstanding those considerations, the requested variance did not satisfy the intent of Section 4.9.

Finally, the appellant notes that the Planning Report refers to "adversely affect" rather than "materially interfere with or affect" and incorrectly labels the variance under the heading "Side Yard Setback." These are drafting errors in the report and do not change the substance of the assessment or the basis on which the Development Officer reached the decision. The application was reviewed as a rear yard setback variance in accordance with Section 4.9 of the Zoning By-law.

Ground 4: Discretionary Use criteria were imported into the Section 4.9 variance assessment.

The Planning Report did not assess the application as a Discretionary Use, nor did it apply the approval criteria for discretionary uses under Section 4.6 of Zoning By-law No. 5045.

The appellant argues that the identified concerns would exist regardless of whether the rear yard setback measured 5.472 metres or 6.0 metres. While the magnitude of the variance was considered, the Development Officer did not assess the requested rear yard variance in isolation, but it was assessed in the entire context of the proposed development, the site, and its relationship to neighbouring properties, in addition to the criteria under Section 4.9.

Ground 5: The Section 10.1 purpose statement was used to impose standards not found in the operative provisions.

While a Multi-Unit Dwelling is identified as a Permitted Use in the R1 Zone, Section 10.1.2(a) states that *"the site plan, the relationship between Buildings, Structures and Open Spaces, the architectural treatment of Buildings, and vehicle circulation shall be subject to approval by the Development Officer."* This provision requires the Development Officer to evaluate the proposal as a whole and confirms that compliance with the dimensional standards in Table 10-2 does not, on its own, satisfy the requirements of Section 10.1.

The Development Officer's assessment did not impose additional development standards beyond those contained in the Zoning By-law. It considered the overall site design, the relationship of the proposed building to surrounding development, and vehicle circulation, as expressly contemplated by Section 10.1.2(a). The Development Officer's conclusion that the proposal did not fully satisfy the intent of Section 10.1 was based on this assessment and not solely on the size or density of the proposed building.

Ground 6: Public Works and Engineering identified no traffic or infrastructure concerns.

The appellant argues that, because Public Works and Engineering identified no concerns during circulation, there was no basis for the Development Officer to consider traffic or infrastructure impacts.

Section 4.5 of Zoning By-law No. 5045 authorizes the Development Officer to circulate development permit applications to City departments, adjacent landowners, and other agencies for comment and advice, and requires that due regard be given to those comments when making a decision. Departmental comments form one part of the Development Officer's review but do not replace or limit the Development Officer's independent and professional responsibility to assess the application against all applicable provisions of the Zoning By-law.

The absence of comments from Public Works and Engineering indicates that no concerns were identified from the perspective of municipal servicing or of increased traffic volume generated from the proposed two parking spaces. It does not preclude the Development Officer from considering broader planning matters, including site planning, neighbourhood compatibility, and the impacts of the proposed development to surrounding properties, as required under Sections 7.1, 7.4, 8.2.6, and 10.1.2(a) of the Zoning By-law.

The appellant also notes that the Planning Report concluded the proposal was unlikely to generate significant traffic from a city-wide transportation perspective. This statement acknowledges that the proposal was not expected to affect the City's broader transportation network. However, it does not omit consideration of how the proposed development would function within the Findlay cul-de-sac and the surrounding neighbourhood.

Ground 7: The appellant's binding conditions package was not addressed, and the decision exceeded the prescribed processing timeline.

The appellant submits that the Development Officer failed to consider the conditions proposed in the 'Applicant Response to Public Comments' dated April 20, 2026. The Development Officer acknowledges that the applicant proposed several measures intended to address concerns identified through the review process, including relocating the exterior staircase, preparing a grading plan, proposing construction management measures, and providing car-share commitments.

The Development Officer considered the revised application, including the proposed revisions and commitments, throughout the review process. These revisions resulted in changes to the proposal, including a reduction in the requested rear yard variance and the relocation of the exterior staircase, both of which are reflected in the Planning Report. While these revisions addressed certain aspects of the proposal, they did not significantly change the result of the assessment of the application.

With respect to the appellant's submission regarding the processing timeline, the application was received in its complete form on March 11, 2026, and the Development Officer issued a decision on June 15, 2026, well within the City's 120-day service standard for this type of application. Section 4.6.10 provides the applicant with the option of deeming an application refused where a decision has not been made within 40 days; it does not automatically deem the application refused or require the Development Officer to refuse the application after that period. The applicant did not exercise that option and instead continued to participate in the review process until a formal decision was issued.

Ground 8: The decision is inconsistent with a prior approval on the same street.

The appellant submits that the Development Officer's decision is inconsistent with the approval of the development at 7 Findlay PT. While the Development Officer acknowledged and considered previous development approvals within the Findlay cul-de-sac, development permit applications are not assessed by comparing one proposal to another or by applying previous approvals as precedent. Each application must be evaluated on its own merits and against the conditions that exist at the time the decision is made.

CONCLUSION

For the reasons mentioned above, the Development Officer respectfully submits that the application was reviewed in accordance with the 2020 Community Plan, Niven Lake Development Scheme 2007, and all the applicable provisions of Zoning By-law No. 5045 including the criteria established in section 4.9. Having considered the proposal, the requested variance, departmental comments, public input, and the established context of the Findlay Point cul-de-sac, the Development Officer concluded that the application did not satisfy the requirements and intent of the Zoning By-law.

Prepared by: 

Bassel Sleem, RPP, MCIP
Planner II
City of Yellowknife

ATTACHMENTS

- Attachment A: Stamped Drawings PLDEV-2026-0013, DM# 828993
- Attachment B: Planning Report PLDEV-2026-0013, including Public Comments Received and Applicant's Response to Public Comments, DM# 829005
- Attachment C: Excerpts of the 2020 Community Plan By-law No. 5007, Niven Lake Development Scheme 2007 By-law No. 4438, and Zoning By-law No. 5045, DM# 832910.

DRAWING LIST

A100	Site Plan
A101	Landscaping Plan
A111	Basement Plan
A112	First Floor Plan
A201	Elevations
A301	Building Sections



2 FINDLAY POINT Concept Plans

Yellowknife, NWT

The Builder is responsible to check and verify all dimensions on this plan for compliance with local building and zoning requirements and report any discrepancies prior to commencing construction.

Our plan drawing sets do not take into account site conditions such as soil bearing capacity, water tables, depth of bedrock, buried structures, etc.

No warranties are either expressed, implied, or guaranteed by this document. It is assumed that the builder has a good knowledge of building physics and the construction techniques necessary to prevent building degradation.

Client	508416 NWT Ltd.
Date	2026-04-19
DEVELOPMENT APPLICATION	



DISTANCE TO FROM HYDRANT TO
FIRE DEPARTMENT CONNECTION
APPROX. 43m HOSE LAY AS
SHOWN (FROM CITY EXPLORER)

LOT ZONE: R1
LOT AREA: 6114 SF
BUILDING AREA: 1828 SF
LOT COVERAGE: 29%
TOTAL GROSS AREA: 5484 SF (EXCLUDING CRAWLSPACE)
BUILDING HEIGHT: 3 STORIES PLUS CRAWLSPACE (<2M FROM ESTABLISHED GRADE)
TOTAL UNITS: 3- 1 BED AND 3- 2 BED
TOTAL PARKING: 1 SPACE + 1 CAR-SHARE SPACE
TOTAL BIKE PARKING: 6 SPACES



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NO SITE GRADING REQUIRED AT BACK,
LEAVE NATURAL GRADE AND VEGETATION

ROOF OVERHANG TYP.

BLAST AND GRADE EXISTING ROCK TO ALLOW
PARKING AND ACCESS AS SHOWN

MINIMUM YARD SETBACK, TYP.

BIKE PARKING AREA

PAVED AREA

LIGHTING AS REQUIRED
FOR PARKING AREA

FINDLAY POINT

WASTE STORAGE AND COLLECTION
AREA, FENCED IN WITH MIN 2M FENCE

EXISTING UTILITY POLE AND
OVERHEAD SERVICE TO MECHANICAL
ROOM

FIRE DEPARTMENT
CONNECTION THIS
CORNER

PROPOSED PROPANE
TANK AREA

EXTERIOR EXIT STAIR

REAR YARD, LESS THAN
10% VARIANCE REQUIRED
FOR BUILDING

① SITE PLAN
1/8" = 1'-0"

Rev.	Description	Date
Client	508416 NWT Ltd.	
Project	2 FINDLAY POINT Concept Plans Yellowknife, NWT	
Status	DEVELOPMENT APPLICATION	
Sheet Name	Conceptual Grading Plan	
Date	2026-04-19	
Drawn by	XX	
Checked by	XX	
Sheet Number	C100	



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DISTANCE TO FROM HYDRANT TO
FIRE DEPARTMENT CONNECTION
APPROX. 43m HOSE LAY AS
SHOWN (FROM CITY EXPLORER)

LOT ZONE: R1
LOT AREA: 6114 SF
BUILDING AREA: 1828 SF
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TOTAL GROSS AREA: 5484 SF (EXCLUDING CRAWLSPACE)
BUILDING HEIGHT: 3 STORIES PLUS CRAWLSPACE (<2M FROM ESTABLISHED GRADE)
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BLAST AND GRADE EXISTING ROCK TO ALLOW
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PAVED AREA

LIGHTING AS REQUIRED
FOR PARKING AREA

FINDLAY POINT

WASTE STORAGE AND COLLECTION
AREA, FENCED IN WITH MIN 2M FENCE

EXISTING UTILITY POLE AND
OVERHEAD SERVICE TO MECHANICAL
ROOM

FIRE DEPARTMENT
CONNECTION THIS
CORNER

PROPOSED PROPANE
TANK AREA

EXTERIOR EXIT STAIR

REAR YARD, LESS THAN
10% VARIANCE REQUIRED
FOR BUILDING

① SITE PLAN
1/8" = 1'-0"

Rev.	Description	Date
Client	508416 NWT Ltd.	
Project	2 FINDLAY POINT Concept Plans Yellowknife, NWT	
Status	DEVELOPMENT APPLICATION	
Sheet Name	Site Plan	
Date	2026-04-19	
Drawn by	XX	
Checked by	XX	
Sheet Number	A100	



2026-04-19 9:01:13 PM

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Rev.	Description	Date
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Client	508416 NWT Ltd.	
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Project	2 FINDLAY POINT Concept Plans Yellowknife, NWT	
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Status	DEVELOPMENT APPLICATION	
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Sheet Name	Landscaping Plan	
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Date	2026-04-19	
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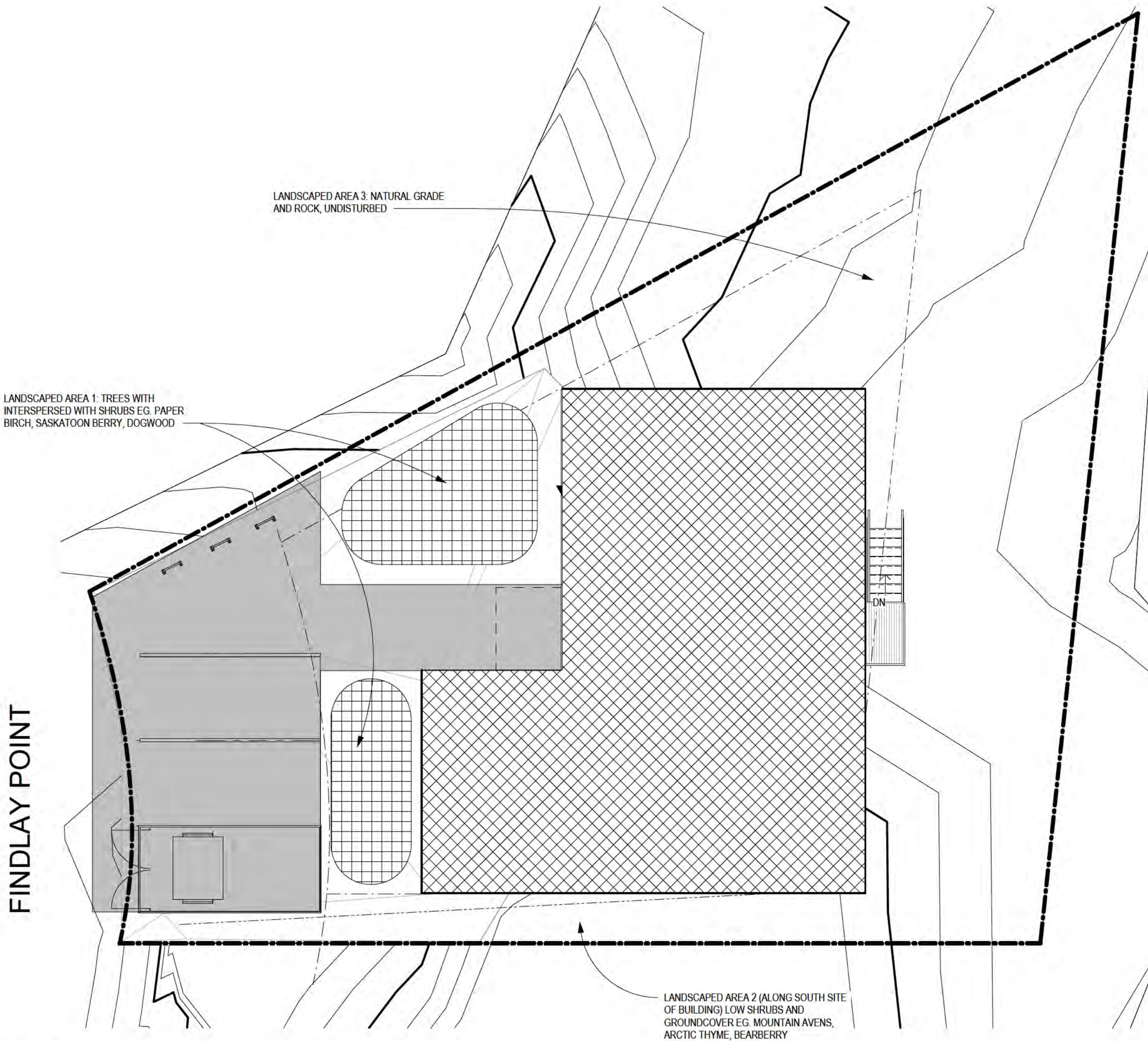
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Sheet Number	A101	
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A101

LOT AREA : 6114 SQFT
NATURAL LANDSCAPE AREA: 1220 SQFT
MIN ADDED TREES: 8
MIN ADDED SHRUBS: 16



LANDSCAPED AREA 1: TREES WITH
INTERSPERSED WITH SHRUBS EG. PAPER
BIRCH, SASKATOON BERRY, DOGWOOD

LANDSCAPED AREA 3: NATURAL GRADE
AND ROCK, UNDISTURBED

LANDSCAPED AREA 2 (ALONG SOUTH SITE
OF BUILDING) LOW SHRUBS AND
GROUND COVER EG. MOUNTAIN AVENS,
ARCTIC THYME, BEARBERRY

1 SITE PLAN
1/8" = 1'-0"

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Rev.	Description	Date
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Client	508416 NWT Ltd.	
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Project	2 FINDLAY POINT Concept Plans Yellowknife, NWT	
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Status	DEVELOPMENT APPLICATION	
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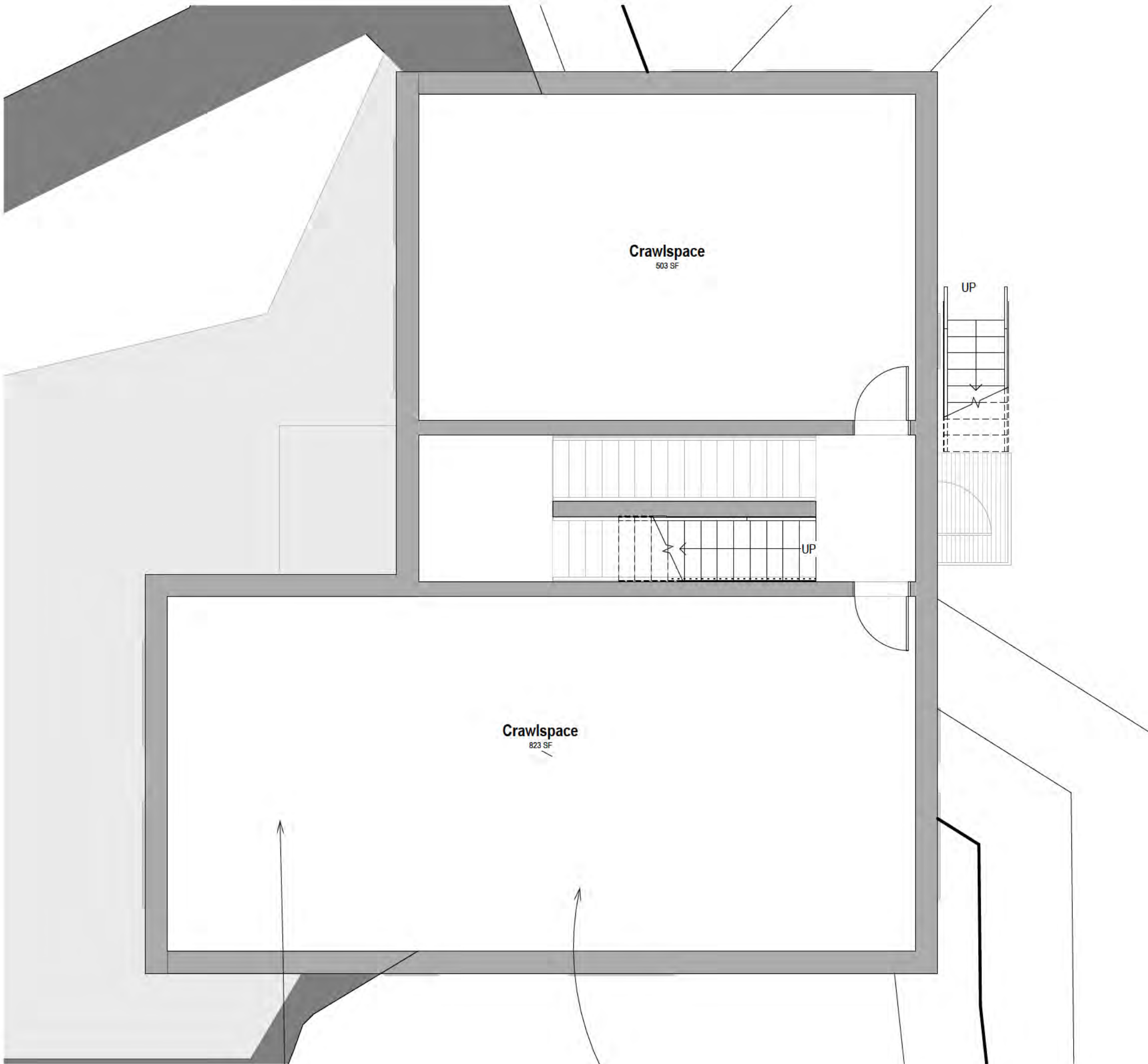
Sheet Name	Basement Plan	
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Date	2026-04-19	
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Checked by	XX	
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N ↑	Sheet Number
	A111



1 BASEMENT PLAN
3/16" = 1'-0"

EXTENT OF FULL HEIGHT
BASEMENT EXCAVATION T.B.D. ON
SITE

DETAILED DESIGN FOR THIS LEVEL
TO BE COMPLETED AFTER
DEVELOPMENT PERMIT

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Rev.	Description	Date
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Client
508416 NWT Ltd.

Project
2 FINDLAY POINT Concept Plans
Yellowknife, NWT

Status
DEVELOPMENT APPLICATION

Sheet Name
First Floor Plan

Date
2026-04-19

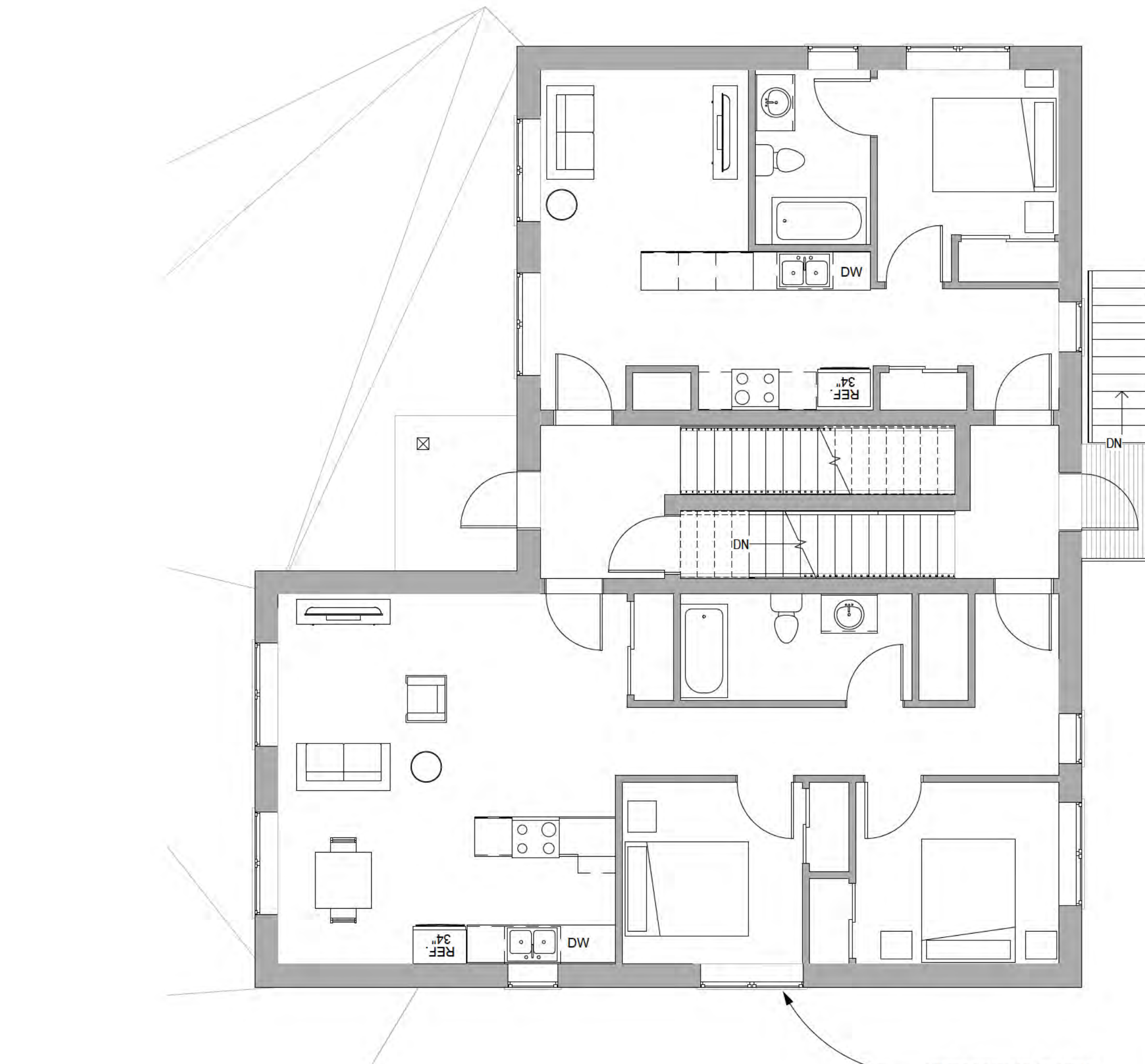
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Sheet Number

A112

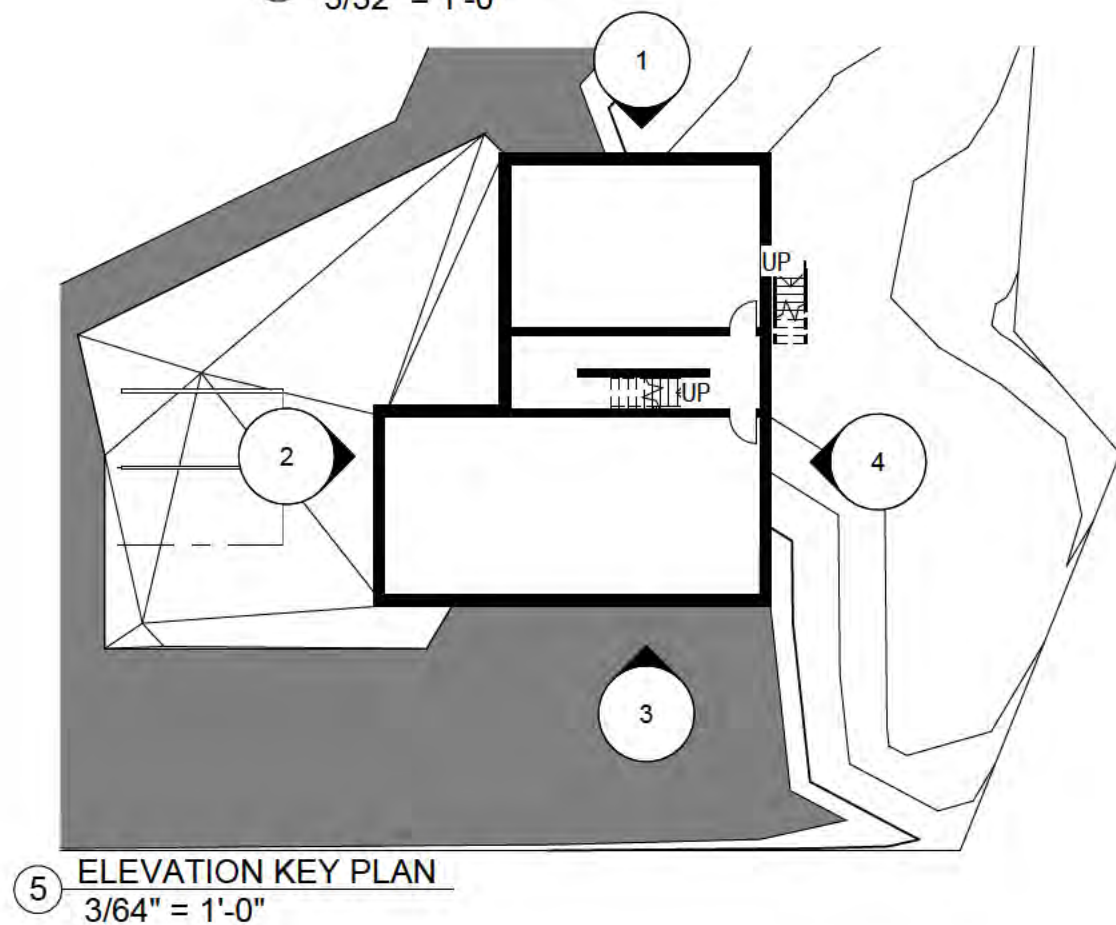
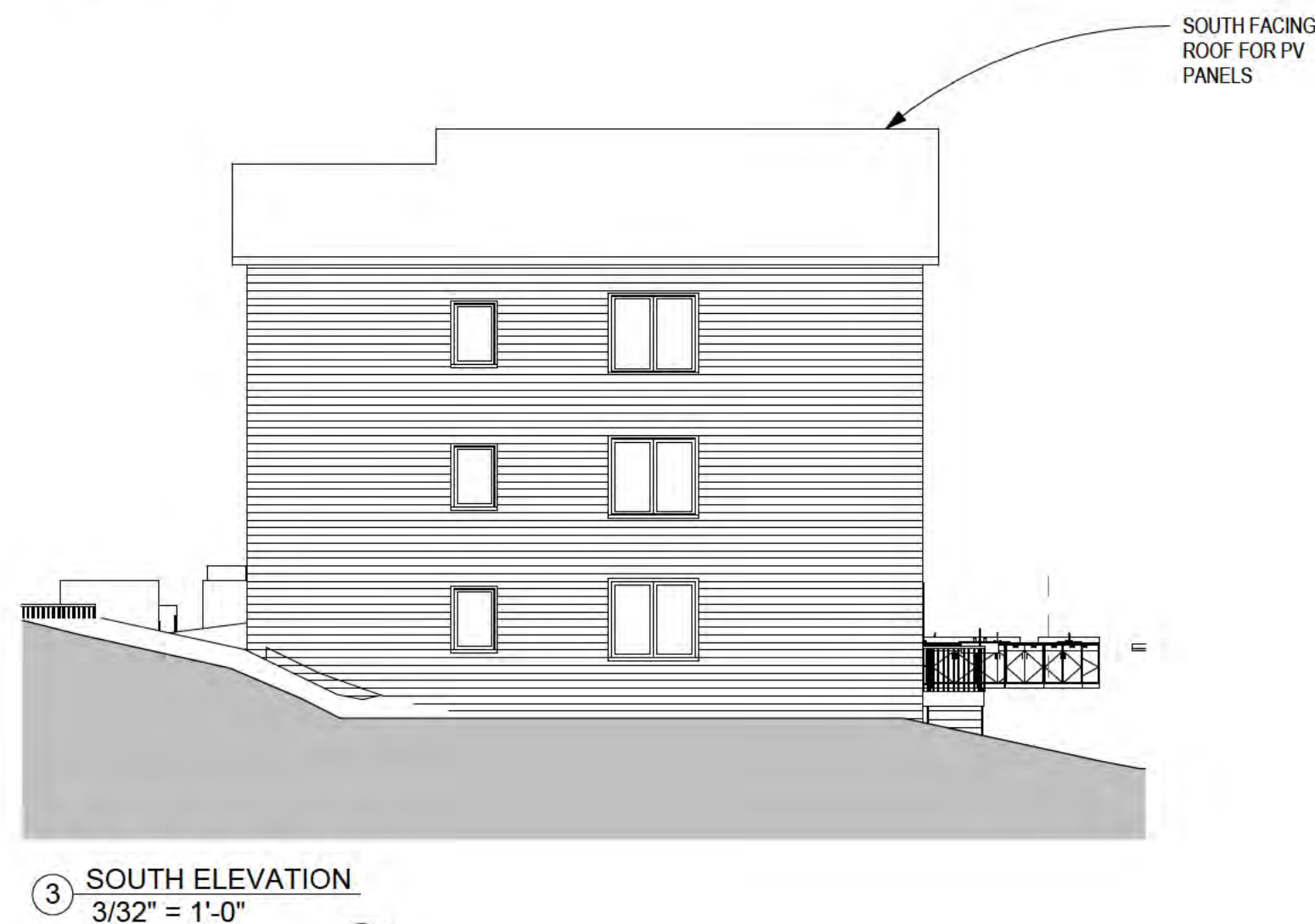
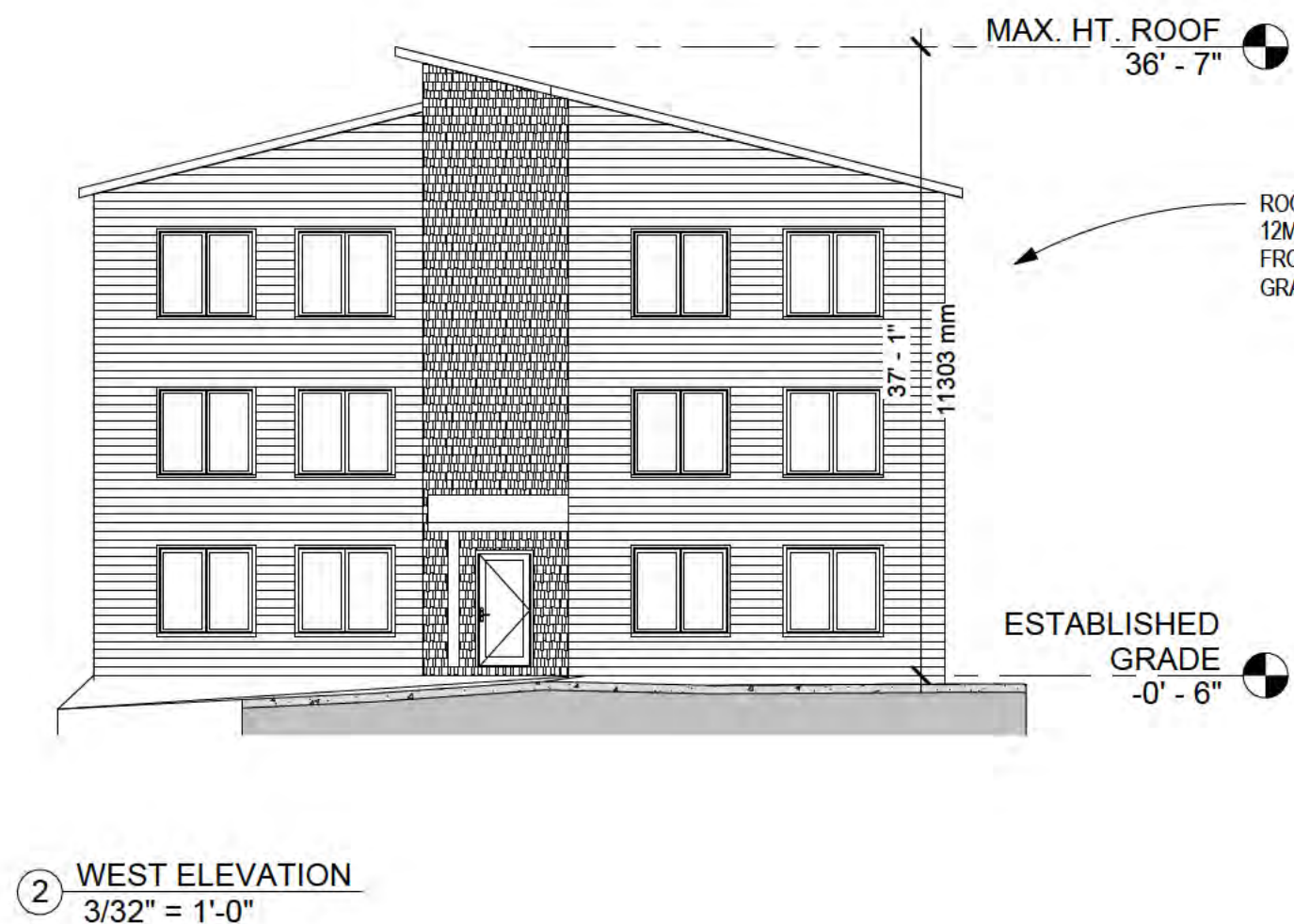
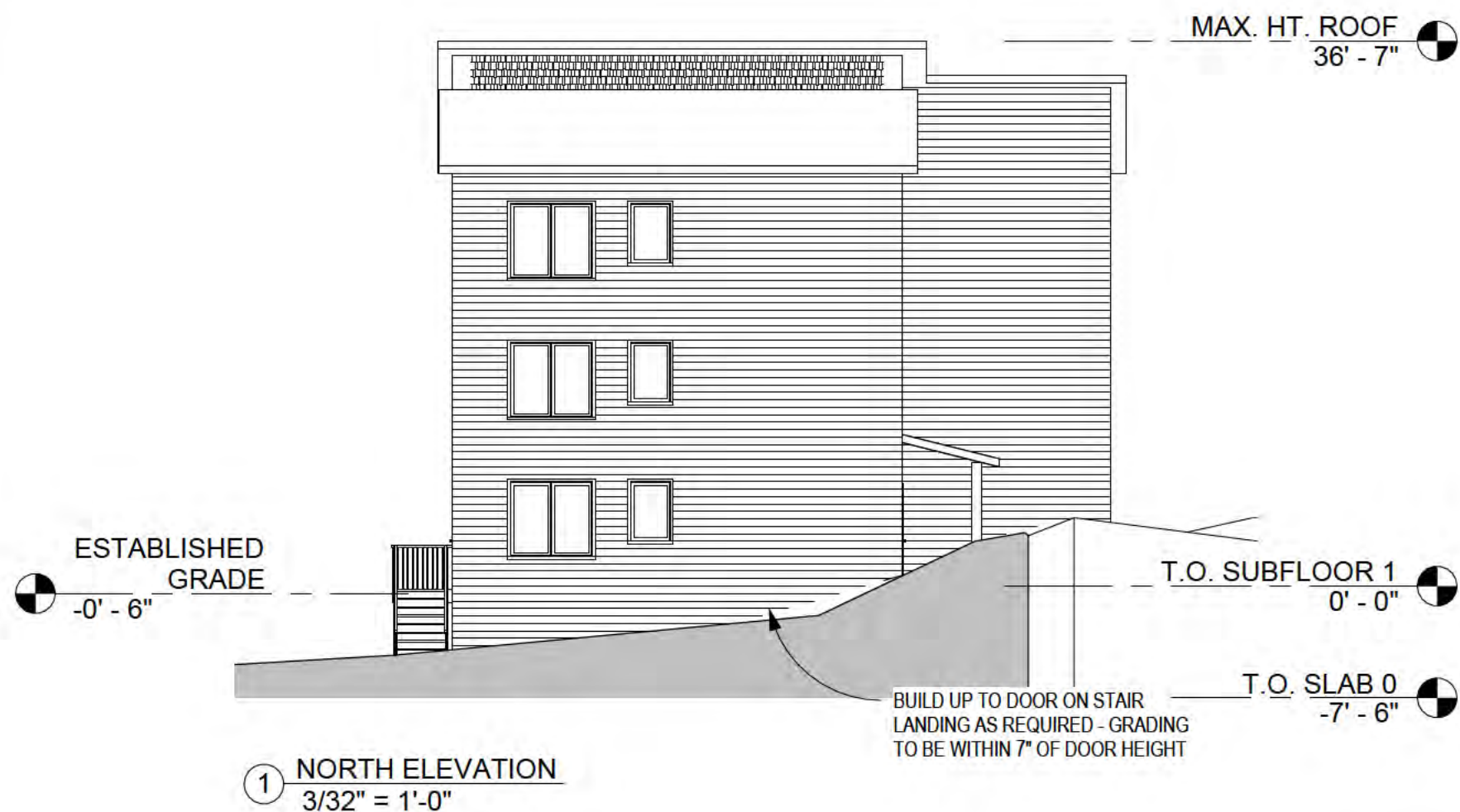


1 FIRST FLOOR PLAN
3/16" = 1'-0"

LIMITED SOUTH WINDOW SPACE
AVAILABLE DUE TO FIRE CODE -
EXACT AMOUNT TO BE
DETERMINED

PLAN NOTES

1. All dimensions shown are to the face of finishes.
2. All interior finishes are l.b.c. by Owner- trim assumptions and suggestions are as shown in interior finish schedule on this page.
3. Confirm all floor to floor heights and stair dimensions on-site, prior to framing.
4. If present, stairs are dimensioned to the face of risers or edge of opening, exclusive of trim and nosings.
5. Framed openings are to be trimmed similar to doors with similar head height unless noted otherwise.
6. Millwork is dimensioned to face of cabinets.
7. Millwork materials, construction, and finishes are to be designed by others and approved by Owner before starting construction.
8. Framing design assumes 3-1/2" trim on interior doors.
9. Bath room sinks, mirrors, & light fixtures are to align with one another.
10. If shown, for acoustically insulated walls seal all joints & sills & holes for air-tightness.
11. Install smoke and CO detectors as required by Code.



ELEVATION NOTES

1. All exterior trim, finishes, and colours to be confirmed by Owner.
2. Site grades shown are generic and may differ from the actual final grades for this project.
3. Eavestroughs and downspouts not shown; install where required.
4. Roof vents & plumbing stacks not shown; vent area to be min 1:150 [300].
5. If possible, do not bring vent stack up through south-facing roof to facilitate solar panel installation.
6. Dryer vent, range hood vent, & bath exhaust vents not used; electric range only, and condensing type dryer only.
7. Colour all exterior vents & vent hoods to match siding, or stainless.
8. Wooden or eq. deck surface is to be minimum 3" below the adjacent inside floor level.
9. Solid patio surfaces are to be minimum 6" below the adjacent inside floor level.
10. See Window & Door Schedule for window & door head & sill heights, page A001
11. All bedrooms are to have windows that meet Code for egress requirements.
12. Screen doors not shown in elevation.

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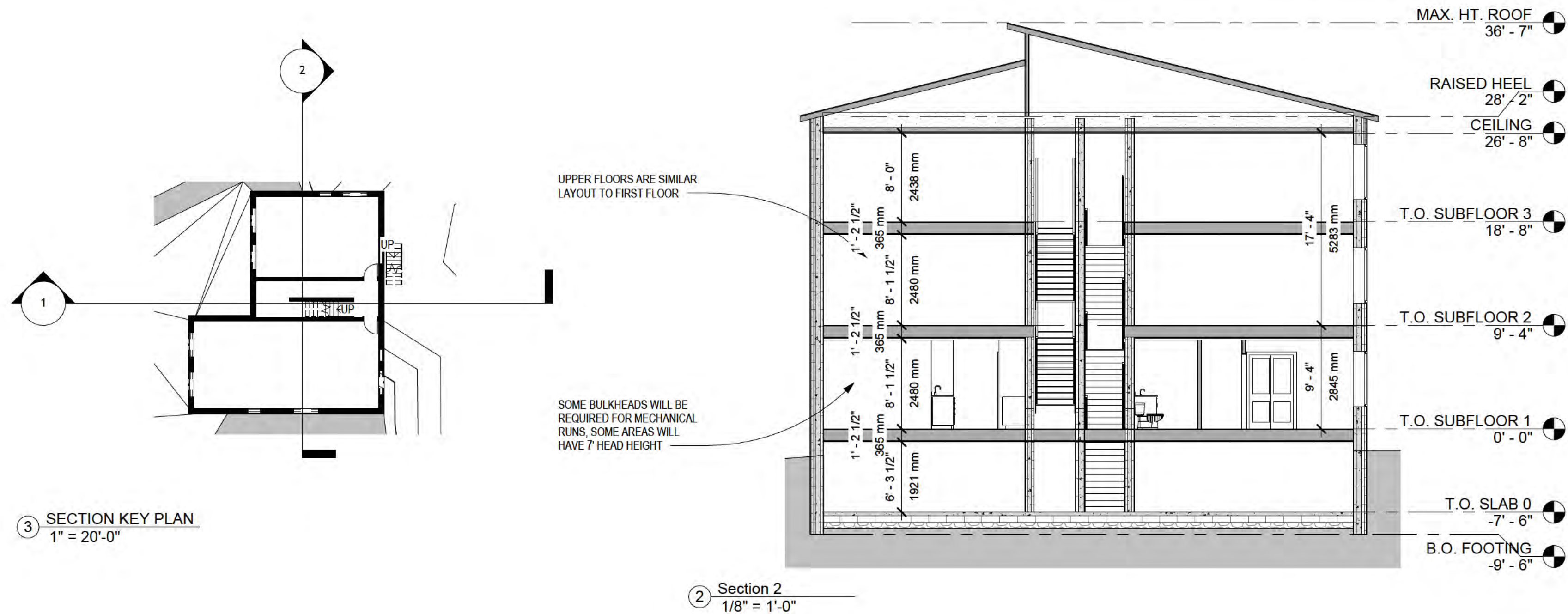
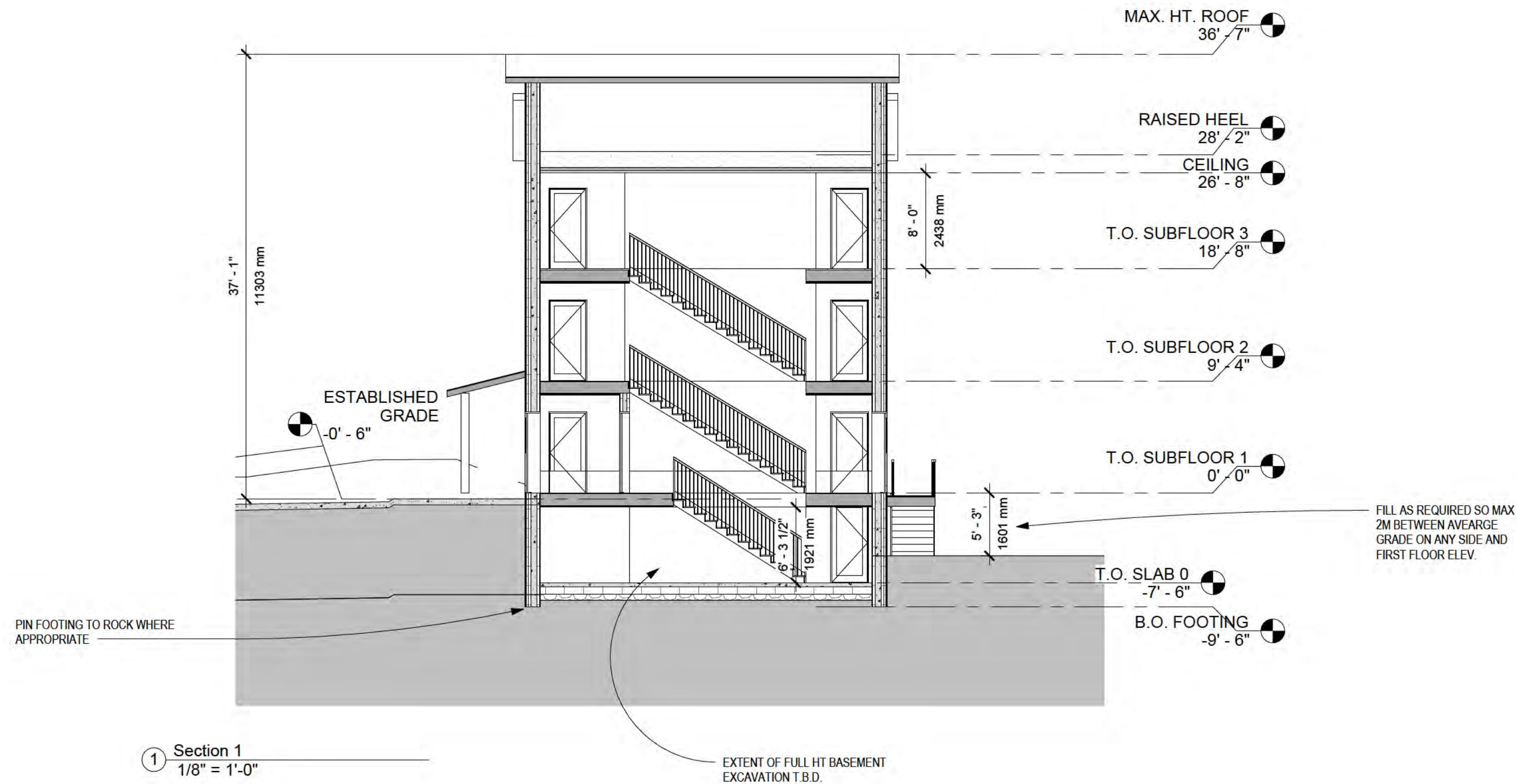
Rev.	Description	Date
Client		
508416 NWT Ltd.		
Project		
2 FINDLAY POINT Concept Plans		
Yellowknife, NWT		
Status		
DEVELOPMENT APPLICATION		
Sheet Name		
Elevations		
Date	2026-04-19	
Drawn by	XX	
Checked by	XX	
Sheet Number	A201	

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3 SECTION KEY PLAN
1" = 20'-0"

Rev.	Description	Date
Client		
508416 NWT Ltd.		
Project		
2 FINDLAY POINT Concept Plans		
Yellowknife, NWT		
Status		
DEVELOPMENT APPLICATION		
Sheet Name		
Building Sections		
Date		
2026-04-19		
Drawn by		
XX		
Checked by		
XX		
Sheet Number		

A301

Property Information/Details

Location Description	Lot 77 Block 308 Plan 4204
City of Yellowknife Community Plan No. 5007	Section 2.3.2 Housing Section 4.5 Niven Residential Section 5.1 Environment and Climate Section 5.3 Municipal Infrastructure
City of Yellowknife Zoning By-law No. 5045, as amended	Section 3 Roles and Responsibilities Section 4 Development Permit Process Section 5 General Development Regulations Applicable to all Zones Section 8 General Development Regulations Applicable to Residential Zones Section 10.1. R1 – Low Density Residential
Civic Address:	2 Findlay Point
Access:	Findlay Point cul-de-sac (vehicular and pedestrian)
Municipal Services	Municipal piped sewer and water services; External garbage pickup

Recommendation:

Planning and Environment Division recommends refusal of Development Permit application PLDEV-2026-0013 for a 'Multi-Unit Dwelling' requesting a variance to decrease the minimum rear yard setback requirement.

Proposal:

The applicant has submitted an application for a Development Permit and Variance to construct a six-unit Multi-Unit Dwelling at 2 Findlay Point. The proposed three-storey building would contain three one-bedroom units and three two-bedroom units. The application also includes a request for a rear-yard setback variance and proposes the use of a car-sharing service, in accordance with Zoning By-law No. 5045.

Background:

The subject property is located at 2 Findlay Point within the Niven neighbourhood and is designated Niven Residential under Community Plan By-law No. 5007. The property is zoned R1 – Low Density Residential under Zoning By-law No. 5045. The site is currently undeveloped and is situated within a residential cul-de-sac characterized by a mix of single detached dwellings, duplexes, and fourplexes. Municipal water and sewer services are available to the property, and the surrounding area is fully developed with residential uses.

The application has undergone several revisions throughout the review process. The original plans, submitted on February 23, 2026, proposed six on-site parking spaces; however, the parking layout did not comply with the City's Development Standards. Revised plans were subsequently submitted on March 3, 2026, which reduced the parking supply to incorporate a car-sharing service and included a request to vary the required rear-yard setback for the principal building from 6.0 m to 3.0 m. Following circulation of the application and receipt of public comments, the applicant further revised the proposal by reducing

the requested rear-yard setback variance to a requested 0.5 m and relocating the exterior staircase to minimize overlook and privacy impacts on neighbouring properties to the rear.

SUPPORTING STUDIES AND REPORTS

- Niven Phase VII General Subdivision Drawings, January 30, 2008, DM# 360388
- Niven Lake Development Scheme (2007 By-law No. 4438)
- PLDEV-2026-0013 Submitted Drawings (February 23, 2026), DM# 823228
- PLDEV-2026-0013 Revised Drawings (March 3, 2026), DM# 823225
- PLDEV-2026-0013 Revised Drawings (April 20, 2026), DM# 823231

Assessment of the Application:

JUSTIFICATION

A development permit is required for any development that is accompanied by a variance, as stated in Section 4.8 of Zoning By-law No. 5045, as amended, authorized under section 23 of the *Community Planning and Development Act*. Section 4.8.1 of Zoning By-law No. 5045 authorizes that variances related to yard setbacks may be approved by the development officer.

LEGISLATION

Community Planning and Development Act

The *Community Planning and Development Act* establishes the framework for the City to regulate developments within its boundaries. As stated in section 16. (1) and 25. (1) of the *Act*, a development authority, being a development officer appointed under section 52, shall, subject to any applicable conditions, approve an application for a development permit for a use specified in a zoning bylaw as a permitted use of land or of a building, if the development authority is satisfied that the applicant meets all the requirements of the bylaw.

Under section 23. (1): "A zoning bylaw may authorize a development authority to approve an application for a development permit in respect of a proposed development that does not fully conform with the bylaw, if the development authority is satisfied that the proposed development would not (a) unduly interfere with the amenities of the neighbourhood; or (b) detract from the use, enjoyment or value of neighbouring parcels of land".

Community Plan By-law No. 5007, as amended

Section 3(1) of the *Act* states that the purpose of a community plan is to provide a policy framework to guide the physical development of a municipality, having regard to sustainability, the environment, and the economic, social and cultural development of the community.

This 2019 Community Plan is a comprehensive outline of the goals and objectives for the City with directive policies to accomplish the objectives. All applicable policies of the Community Plan are to be considered and applied at the time of development.

Niven Lake Development Scheme 2007, By-law No. 4438

The Niven Lake Development Scheme provides planning direction for the development of the neighbourhood and assists in interpreting the intent of the Community Plan and Zoning By-law. As a Council-approved planning document, it provides guidance on housing density, neighbourhood design, transportation, open space, and development patterns, and may be considered when evaluating the compatibility and appropriateness of development applications within the Niven area.

Zoning By-law No. 5045, as amended

The purpose of a zoning by-law is to guide the physical development of a municipality by offering regulations to the use and development of land and buildings within the municipal boundary of the City.

The Development Officer is authorized to receive and process development permit applications as referred to in section 3.1.1 of the By-law. The Development Officer is also authorized to evaluate variance applications as defined in the criteria set in sections 4.8 and 4.9 of the By-law.

PLANNING ANALYSIS

Community Plan By-law No. 5007, as amended

The Plan identifies the Niven Residential Land Use designation as a “residential area that is located adjacent to the downtown core and provides easy access to the core of the City by vehicle and alternative transportation modes. It will continue to be a mix of low, medium and high density residential uses with some mixed use activities”.

The proposal generally aligns well with the intent of the Niven Residential designation. The proposal also makes efficient use of existing municipal infrastructure, supports housing diversity through a mix of one- and two-bedroom units, and incorporates bicycle parking, landscaping, and a car-share component that reduce reliance on private vehicles. These elements are generally consistent with the Community Plan's broader goals of encouraging sustainable, compact, and complete neighbourhoods.

Notwithstanding the proposal's consistency with the Community Plan's land use policies, concerns remain regarding the site-specific impacts of the development. The application includes a request for a rear-yard setback variance and proposes a parking arrangement consisting of one parking stall and one car-share vehicle. Furthermore, the subject property is located within a relatively small cul-de-sac that already contains a concentration of residential development. While the Community Plan supports residential intensification, it provides limited guidance regarding the appropriate scale and configuration of individual developments. As such, the key planning considerations for this application relate not to the appropriateness of the residential use itself, but rather to whether the proposed development can be accommodated on the site in a manner that is compatible with surrounding properties and consistent with the development standards and objectives of Zoning By-law No. 5045.

4.5 Niven Residential Objectives and Policies			
Planning and Development Objectives:		Policies:	
4.	To support a mix of residential types and densities.	4-a.	A variety of residential single unit and multiple unit dwelling types will be permitted.

Niven Lake Development Scheme 2007, By-law No. 4438

The Niven Lake Development Scheme identifies on-street parking, landscaped boulevards, and cul-de-sac centre islands as traffic-calming measures intended to create a safe and pedestrian-friendly neighbourhood environment. While the proposed Multi-Unit Dwelling is consistent with the residential land use envisioned for the area, the limited on-site parking provision may result in increased reliance on on-street parking by residents and visitors. This has the potential to increase congestion, limiting vehicle circulation within the cul-de-sac, and diminishing the balance between vehicle use and pedestrian activity that the neighbourhood was intended to achieve.

Zoning By-law No. 5045, as amended

The proposal generally complies with the R1 Zone because a Multi-Unit Dwelling is a permitted use. Accordingly, the application does not require rezoning and is consistent with the range of residential uses contemplated by the Zoning By-law. However, while the use is permitted, the scale and intensity of the development must still be evaluated in the context of the surrounding neighbourhood. The proposed six-unit building represents a higher concentration of dwelling units than is currently found on most individual lots within the immediate area and raises questions regarding compatibility with the established character of the cul-de-sac.

Evaluating the Request for Variance to the Side Yard Setback (Section 4.9):

The application requires a rear-yard setback variance. Under Section 4.9, a variance should not be approved where it would unduly interfere with the amenities of the neighbourhood, materially interfere with neighbouring lands, or adversely affect the use, enjoyment, value, or development of adjacent properties. The volume of public feedback received suggests that neighbouring residents have concerns regarding privacy, building scale, and compatibility. While public opposition alone is not determinative, the concerns raised are relevant to the variance analysis and should be considered when evaluating whether the variance satisfies the intent of Section 4.9.

Further consideration should also be given to whether the variance is the result of a site-specific constraint or whether it is necessary to accommodate the scale of development. While the rear-yard setback reduction has been significantly reduced through revisions to the application, the variance remains associated with a six-unit building on a constrained lot within a small residential cul-de-sac. In evaluating the request, consideration should be given to the impacts of the building massing, parking demand, and increased residential intensity, and whether these factors result in a development that is compatible with the surrounding neighbourhood and consistent with the intent of the By-law and R1 Zone.

Site Planning Considerations (Section 7.1):

The development generally provides adequate pedestrian access, active transportation opportunities, and can likely accommodate drainage and municipal servicing requirements; however, concerns remain regarding its response to winter conditions, parking demand, and overall compatibility with the surrounding neighbourhood. In particular, the concentration of six dwelling units on a constrained cul-de-sac, combined with limited on-site parking and the absence of dedicated visitor parking, raises concerns regarding snow storage, on-street parking pressures, vehicle circulation, and the long-term value and enjoyment of the surrounding residential area.

Grading (Section 7.3):

The Lot's proposed finished grade generally follows the Niven Phase VII General Subdivision Grading Plan, with positive drainage proposed to be directed towards Findlay Point and the Lot's rear yard. The submitted drawings indicate that portions of the site will be altered to accommodate parking and access, including blasting and grading of existing rock, while the rear portion of the lot is proposed to remain at natural grade with existing vegetation retained. This generally aligns with Section 7.3 where grading is limited to the areas required for site access and development, and where the natural contour of the land is retained to the extent practical. However, while the concept appears generally supportable, more detailed grading and drainage information should be required to confirm compliance with Section 7.3 and to ensure that surface drainage will not adversely affect adjacent properties or the public storm drainage system.

Vehicular Access and On-Site Traffic (Section 7.4):

While six dwelling units are unlikely to generate significant traffic from a city-wide transportation perspective, the impacts are more pronounced at the local level. Findlay Point functions as a residential cul-de-sac with limited opportunities for vehicle circulation. Additional vehicle trips associated with residents, visitors, deliveries, service providers, and contractors may increase traffic activity within an area that was not originally designed to accommodate higher-density development. The concentration of vehicle movements within a confined roadway network may affect the comfort and safety of pedestrians and residents using the cul-de-sac.

Landscaping (Section 7.5):

Per the R1 Zone, a minimum of 100% of the minimum front yard area is required to be landscaped. The proposal generally complies with the landscaping requirements of the By-law. The site plan provides the required landscaped areas, includes a mix of trees and shrubs, and incorporates the retention of existing natural vegetation and bedrock where practical. The proposed landscaping will assist in maintaining the visual character of the site and is consistent with the By-law's objective of encouraging the preservation of natural site features within residential developments. Since the required landscaped area is less than 500m², it was incorporated as part of the site plan drawing.

Parking and Driveways (Section 7.8):

Per Table 7-3 of the By-law, six 'type B' parking spaces and three bicycle parking spaces are required on-site. The development relies on the car-share provisions of the Zoning By-law Section 7.8.10 and therefore technically complies with parking requirements. However, concerns remain regarding the practicality of the proposed parking arrangement. The proposal contains six dwelling units, including three two-bedroom units, and does not provide dedicated visitor parking. While car-share programs may reduce vehicle ownership among some residents, they do not eliminate the need for visitor parking, service vehicles, deliveries, or temporary parking demands. Given the limited size of the cul-de-sac and the potential for existing on-street parking demand, there is uncertainty as to whether the proposal can accommodate its parking needs without increasing reliance on public streets. This concern is further amplified by the limited availability of curbside parking during winter months when snow storage reduces usable roadway width and parking opportunities. As a result, there remains concerns that the proposal may generate parking pressures that are inconsistent with the intended function and capacity of the surrounding street network.

Provision of Recreation Space (Section 8.1.3):

The proposal contains six dwelling units and is therefore not subject to the balcony or indoor recreation space requirements applicable to developments containing more than 15 dwelling units. Furthermore, the subject property is located within proximity to existing public open space and trail networks within the Niven neighbourhood, satisfying the intent of the outdoor recreation space requirements.

Multi-Unit Dwelling (Section 8.2.6):

The development generally satisfies the intent of these sections by providing pedestrian access, landscaping, garbage storage, and emergency vehicle access. However, concerns remain that overflow parking associated with the development may increase reliance on on-street parking within the cul-de-sac, which could affect vehicle circulation and the efficient movement of emergency and service vehicles, particularly during winter months when snow storage reduces available roadway width.

Conditions of Use (Section 10.1):

The purpose of the Low-Density Residential Zone is to provide an area for lower density residential development that encourages a mix of dwelling types and compatible uses.

A key consideration is whether the proposal respects the scale, massing, and pattern of surrounding development. While residential development is appropriate in this location, the proposed building introduces a larger, more dense, residential form than is typical within the immediate context. In particular, it is not evident that the proposed vehicle circulation and parking arrangement sufficiently address the practical demands associated with six dwelling units, nor that the site design mitigates concerns related to neighbourhood compatibility, parking overflow, and the functioning of the surrounding cul-de-sac. As such, the proposal does not appear to fully satisfy the intent of Section 10.1.

Servicing / Safety / Parks & Recreation / Community / Reconciliation

The proposal was circulated to internal departments and reviewed from the perspectives of servicing, safety, parks and recreation, and community impacts. While no significant concerns were identified regarding the provision of municipal services, parks and recreation access, concerns remain regarding neighbourhood safety, vehicle circulation, and parking demand within the constrained cul-de-sac environment. These concerns have been considered in the overall evaluation of the application.

Stirling Park and Moyle Park, two municipal parks serving the Niven neighborhood, are located within walking distance of the subject lot. Given that the building features three 2-bedroom units, it is possible that it will attract young families, making the park's close proximity a valuable asset for residents and their lifestyles.

City Departments / External Agency Consultation

As directed in section 4.5.1 of Zoning By-law No. 5045, a request for comments was circulated to City Departments as part of the Notice of Application. Comments were reviewed and considered, and are summarized in the table below:

No.	City Department	Comments	Consideration
1.	Public Works and Engineering	No concerns identified.	No consideration is required.
2.	Community Services	No concerns identified.	No consideration is required.
3.	Lands and Building Services	No concerns identified.	No consideration is required.
4.	Protective Services	Over the last year-and-a-half, MED has received several complaints at Findlay Point regarding the ongoing construction. These ranged from contractors letting garbage and construction materials blow around into public and adjacent properties, contractors blocking access to private driveways, contractors not communicating early and clearly to other residents of their activities, illegal parking of contractor vehicles, and others. From our records we conducted 10 visits to the area in 2025 in response to complaints, 2 so far in 2026. These visits were responses to complaints, or follow ups to previous complaints. Overall I assess that the concerns of local residents in the area are valid. We should give serious consideration before approving this permit. There needs to be a clear understanding of how we expect the Contractors/Developers to behave and respect other local residents.	While the concerns identified by Municipal Enforcement Division (MED) are not directly related to the proposed land use, they are relevant in assessing the capacity of the site and surrounding street network to accommodate construction and development activity. Given the constrained nature of the cul-de-sac, the limited opportunities for staging, parking, and vehicle circulation, and the concerns raised regarding parking and access, the history of enforcement complaints provides additional context supporting concerns about the impacts of further intensification within the Findlay cul-de-sac.

Public Consultation

A Notice of Application was mailed to neighboring residents within 30m of the subject property as part of the notice of application, per section 15. (1) (h) of the *Community Planning and Development Act*. A Notice of Application was also posted on-site and on the City's website. As a result of the Notice of application, there were sixteen written submissions received and considered by the City of Yellowknife regarding this development. All comments received have expressed concerns with the development. issues identified related to increased traffic, pedestrian safety, building scale, privacy, neighbourhood character, and the effects of additional residential density within the cul-de-sac. A table listing all public comments received can be found at the end of the Report under Appendix A.

Public Notice of the decision will be posted at the site, as well as on the City's Capital Update, in conjunction with the date of decision of the permit. Commencing on the date of approval, the application will be subject to a 14-day appeal period. If not appealed within this 14-day period, the decision will be considered effective starting on the 15th day.

CAVEATS / OTHER LEGAL AGREEMENTS

It is the developer's responsibility to comply with applicable conditions specified within the registered Purchase Agreement.

Conclusion:

While the proposed use is permitted within the R1 Zone and generally supports broader housing objectives in the Community Plan, concerns remain regarding neighbourhood compatibility, parking demand, traffic circulation, residential enjoyment and amenities. In particular, the impacts associated with the proposed scale of development, when combined with the requested variance and the constrained nature of the cul-de-sac, raise concerns regarding the long-term function and character of the surrounding residential area. It has not been demonstrated that the proposal can be accommodated without adversely affecting neighbouring properties or the established residential character of the neighbourhood within Findlay Point.

Prepared (and refused) by:

Bassel Sleem, RPP, MCIP
Planner II

JUNE 19, 2026
Date

Attachment: Refused Drawings Development Permit PLDEV-2025-0013, DM# 828993

Appendix A: Public Comments received during Notice of Application period, DM# 823193

Appendix B: Applicant's Response to Public Comments, April 20, 2026, DM# 823224



CITY OF YELLOWKNIFE

April 4, 2026

Dear Edwin,

RE: PLDEV-2026-0013 Notice of Application (Public Comments)

As directed in section 4.5.1 of Zoning By-law No. 5045, a request for comments was circulated to City Departments and adjacent neighbours on March 18, 2026. As a result of the Notice of application, the following comments were received considered for analysis.

Public Comment No. 1

I own and live at [REDACTED] and have a few questions about the proposed building at 2 Findlay:

- Did the height requirement change in the last 10 years? I'm fairly sure that when we built our place, we were not allowed to build as high as is proposed here without a variance?
- How does the "provide a car share service " requirement actually work? Is there any sort of enforcement mechanism that guarantees that tenants actually have access to a car share? Or is it just "provide a car share parking spot which may or may not actually have a shared vehicle?" How does the city guarantee that this continues to be used as a car share parking spot?

PS - I noted that the plans for 2 Findlay show a power line extending from the street light to the building? Services in Nlven are all required to be underground. Probably just an oversight?

Planner's Response

The maximum building height in the R1 Zone is 12m. This has been the case since [Zoning By-law No. 5045](#) got adopted on March 14, 2022.

Section 7.8.10 of Zoning By-law No. 5045 allows required parking to be met through a car share service. In the R1 Zone, the ratio is one car share vehicle for every six required parking spaces. The requirement would be to provide the parking space, the vehicle, and the service for the duration of the development.

Regarding enforcement mechanisms, the car share requirement would be a condition of the Development Permit. The property owner would also be required to enter into a Development Agreement with the City to provide and maintain the car share service. The City typically conducts an inspection after two years to confirm the service has been implemented and is operating as intended.

Thank you for pointing out the overhead power line – the application has been circulated to Department of Public Works and Engineering, so they will ensure utility connections are installed according to standards.

Public Comment No. 2

I am writing to express my concerns regarding the proposed 6-unit development at 2 Findlay Point.

If approved, this project will significantly increase the density of our small residential court. Findlay Point would become one of the highest-density courts in Yellowknife, following Bartesko, Lanky, Sissons, and Beck Court, which all have apartment buildings. This is a notable shift for a street that currently consists of primarily single-family homes, with only nine such lots in total.

Approval of this development would result in more than 20 separate dwelling units on Findlay Point, placing considerable strain on infrastructure that was not designed to support this level of density. Additionally, four properties on the court have already been approved for, or are currently seeking, height and/or setback variances, further intensifying the impact on the neighborhood.

Recent experience with development on Findlay Point demonstrates the challenges we are already facing. The multi-family project at 7 Findlay Point was approved with only three parking spaces and no requirement for a car-sharing service. Since construction began in 2024, residents have made repeated calls to Municipal Enforcement regarding contractor vehicles. It is common to see five to six vehicles double- and triple-parked within the court, creating congestion, safety concerns, and near-miss incidents. Despite these ongoing issues, enforcement has been limited, and residents have had to manage the consequences.

The current proposal for 2 Findlay Point raises similar, if not greater, concerns. The plan relies on a car-sharing service in lieu of providing adequate on-site parking. However, this is not a realistic solution in Yellowknife. There is only one car-sharing service operating in a city of approximately 21,000 residents, with just two vehicles available. This service is rarely seen in the Niven Lake area and cannot reasonably be expected to meet the transportation needs of multiple additional households.

In practical terms, this development will result in additional vehicles being introduced to a court that already has no available street parking. Without sufficient parking infrastructure, the issues currently experienced at 7 Findlay Point will be repeated and amplified.

I want to be clear that I am not opposed to development on this lot. I would support a smaller scale project, such as a duplex, triplex, or four-plex, which could more reasonably accommodate resident parking and better align with the character and capacity of the neighborhood.

Given the existing challenges with parking enforcement and the demonstrated limitations of current infrastructure, it is unclear who will support residents when these issues inevitably worsen if this development is approved. To date, Municipal Enforcement has not been able to adequately address ongoing parking concerns on Findlay Point.

For these reasons, I strongly urge the City to reconsider the scale of this proposal and prioritize a development that is more appropriate for the size, layout, and capacity of Findlay Point.

If the proposed 6-unit development at 2 Findlay Point is approved, it will increase the number of garbage and compost containers to 20+ placed in the court on a weekly basis.



Current street parking on Findlay Point



7 Findlay Point

4/5-unit development. The City of Yellowknife previously approved this development with 3 parking spaces.



Public Comment No. 3

I am writing to express my extreme dissatisfaction with a proposed 6 plex in Findlay Point. I know the bulk if not all the residences in the area express the same view. While I appreciate the need for more

residential units, at what point does the city draw the line. This extreme densification (overpopulation) of the cul-de-sac will have many negative consequences. First off there are multiple significant safety concerns with this many proposed people crammed into such a small area. I have almost been hit 3 times by vehicles with the current added pressures of vehicles in the cul-de-sac. The driver did not even see me on each event. I have called by-law a number of times but those are generally short-term remedies. There have been vehicle collisions, an increase in parties, and unsafe driving (spinning doughnuts). Additionally, most homes have multiple children residing which are also at a significant risk with the overpopulation of this area as it is. It is no longer safe to have our children play outside at Findlay Point, which is such a shame as this was initially a huge selling feature when we purchased our home in 2023.

As it stands there are two 4 plex units, one of which is not yet finished, multiple duplexes in the immediate area, one house with a suite being built and only 2 stand alone homes all in one small cul-de-sac. Currently our home is valued at over 1 million dollars and I pay significant property taxes for essentially just snow removal once a year. This will significantly impact our property value, views of the area including sun with a tall building and further noise pollution. Multiple times a week if not most days, access to my house is impeded by illegally parked vehicles. This is a concern if emergency vehicles need to get in, I have to get out fast, or if anyone in general needs to access our homes such as to fill propane and for any deliveries, etc. With the cul-de-sac being treated like one giant parking lot of multiple vehicles left everywhere it also effects garbage pick up and snow removal for Findlay Point, which is a massive problem for current residents, never mind adding another potential 12 or more individuals to this lack of space. Also to note, multiple tour buses and city taxis also frequently pull into Findlay Point to drop off and pick up tourists who seek to hike trails in the area.

If you would like further evidence of the congestion, I am more than happy to submit photos. I have lodged formal complaints to by-law as well as the land development unit over issues in our court. Our quality of life has been negatively impacted over the last 2.5 years of building and increased use of the area. There are fuel spills (environment attended) there is garbage flying all over. The city cannot keep tabs on the issues as is, let alone 6 more units and up to 12 (or more) people and potential animals/pets residing there. I think it would be naïve to think a ride sharing program will be utilized or enforced. Coincidentally, a rideshare program in Niven has been previously explored and resulted in the determination that it would not be sustainable as several cars would need to always be available in order to ensure the success of this program in such a space where the walking distance to the “city” core is too far for residents to not have immediate access to a readily available vehicle. These individuals will have no choice but to purchase or bring their vehicle with them, resulting in attempting to park it in the cul-de-sac. The reality is all residents currently in Findlay Point have at least 1 if not 2 vehicles. This also includes other modes of transportation such as snowmobiles and boats. I am sure the rideshare concept was included in the application to strategically attempt to get ahead of concerns that will arise and to try to satisfy current residents with the false idea that the massive parking issue would be “taken care of.” Currently, the 4 plex beside us also indicates it was only built for 3 spots. Already, vehicles are struggling with finding parking for these units and will park as they please wherever they so choose. There is limited to no parking already on Moyle due to the other condos in the area. There have been several calls to bylaw and permitting with complaints. There have been little to no resolve, there is no parking now and it is increasingly dangerous. We are almost hit every other week with parking all over. Additionally, there are children, pedestrians, and many pets such as resident’s dogs running around during the same occurrences. It is a huge safety issue with speeds and congestion already.

It certainly feels the city does not value its residents opinion. I had gone to a previous appeal hearing for the 4 plex in the court and it appeared the city had made up its mind and the hearing was simply to satisfy its obligations. That board at the hearing also indicated if there was issues we could call bylaw as if it would easily rectify problems, it has not.

While I would prefer another stand alone house in the court, from my view point a duplex would be the maximum occupancy of that lot. Another 4 plex would cause the same issues as described.

We chose this cul-de-sac for a quiet, safe, and private location. At what point does the city act on behalf of the best interests for their current residents who are actively choosing to support Yellowknife, without the same support provided back. If there were more rural options or larger lots that would be great so we could have some choice, multi dwellings could have the spaces to develop the necessary parking for their residents, and we would not have to be put in these extremely dissatisfactory living situations.



Public Comment No. 4

I live across the street from 2 Findlay Point. I am not convinced that the installation of a car share service for the 6 units will be effective. Yellowknife is predominantly a car-driven city and with 6 working adults or families, one or two cars to share will not be sufficient.

I think it is very likely that each tenant will own a vehicle, regardless of the fact that a car share exists. This will add 6 or more additional vehicles to our small court's limited street parking and clutter the neighborhood unnecessarily. The same can be said of 7 findlay point which also already has a variance for the same issue. This will essentially make the variance pointless, since nearly every working family in yellowknife owns a car, if not 2.

It seems shortsighted to put so many units on our street with no parking available. It does not acknowledge the reality of living in yellowknife.

Public Comment No. 5

I am writing as a resident currently building a home with a secondary suite at [REDACTED] While I support the goal of increasing housing options in Yellowknife, I am concerned that a proposed 6-plex is not well suited to the limited context of this small cul-de-sac.

Findlay Point already contains a high concentration of multi-unit dwellings within a very confined space. Even at current density levels, congestion, parking shortages, and safety concerns are ongoing issues. The tight layout limits visibility and requires vehicles, pedestrians, and children to share the same space, increasing risk as density rises.

Parking is a particular concern. While a car-share program has been suggested as mitigation, such arrangements are voluntary and difficult to enforce long-term. The cul-de-sac is already used as overflow parking, which can impede access for residents, service vehicles, snow removal, and emergency response.

Given the site's physical constraints, a 6-plex would likely intensify these pressures beyond what the space can reasonably accommodate. A lower-density option, such as a single-detached home or duplex, would be more consistent with the scale, safety, and livability of Findlay Point while still allowing for growth.

Public Comment No. 6

I'm not opposed to housing or infill in principle, but after going through the application materials, I'm more concerned, not less. My issue is with this specific proposal on this specific lot.

The first problem is that the application does not even feel fully settled. Different parts of the package say different things about basic numbers, such as parking and total floor area. One page of the application notes 6 parking spaces, while showing two, and different total gross floor areas are noted on different pages as well. The variance write-up also states a "functional and compliant parking arrangement at the front and rear of the site," which does not align with what the later drawings show. I do not think a rear-yard variance should be approved based on plans that remain inconsistent.

I am also not convinced this is a minor variance. The application states that the building encroaches into the required 6.0 m rear yard by 1,970 mm at one end and 2,973 mm along the remainder of the rear elevation. That means much of the building is sitting at roughly 3 m from the rear property line instead of 6 m. For a building of this size, that is a significant reduction, not a small adjustment. Yellowknife City Bylaw 5095 states a minimum setback of 6 m for a reason, and this proposed change raises obvious concerns about privacy, overlook, shadowing, separation, and the overall intensity of the building at the rear of the lot.

The proposed "mitigation" of a fence does not really solve the main concerns either. A fence does not address upper-storey overlook, shadowing, light spill, or the overall mass of a three-storey building this close to the rear yard.

There are also major site issues that still seem unresolved in the drawings. The basement plan states that the detailed design for that level is to be completed after the development permit, and the extent of the full-height basement excavation is still to be determined on site. The plans also state that rock will be blasted and graded, and that pumping is required for basement drainage. Those are

not minor details that should be figured out later. They go directly to grading, drainage, retaining, snow handling, and the risk of impacts on neighbouring properties.

Parking is another serious concern. I understand the bylaw may allow car share, but this application still does not show how 1 regular stall plus 1 car-share space is realistically supposed to work for 6 units, visitors, service vehicles, and winter conditions without creating spillover parking problems on the street and for nearby residents.

I am also concerned that the building is being designed right up to the maximum height while the site is still being regraded. Before any decision is made, the City should require a clear final height calculation based on finished grade, along with a single consistent final site plan and proper details for drainage, excavation, parking, privacy, lighting, and snow storage.

The current package does not clearly demonstrate that the requested rear-yard variance will avoid impacts on neighbouring properties, and it does not provide sufficient confidence that the site can function properly as proposed.

Public Comment No. 7

In regard to the proposed development at 2 Findlay Point, I do not believe this is an appropriate location for a six-unit dwelling, for several important reasons.

Findlay Point is already experiencing a high level of density, with approximately 15 existing multi-unit residences. Introducing an additional six units would further strain an already overcrowded area.

The cul-de-sac currently offers limited space for garbage and recycling collection, and it is unclear how additional capacity would be accommodated. Similarly, the proposal references a car-share component; however, I would be interested in reviewing a detailed plan, as it is difficult to see how such an arrangement would be feasible in this location.

The height of the proposed three-storey building is another concern. It would significantly exceed the scale of surrounding properties and appear to tower over neighboring homes. This raises questions about whether it aligns with existing height restrictions and the overall character of the area.

In addition, the requested setback variance appears substantial. Given the relatively small size of the lot, attempting to accommodate six units seems excessive and incompatible with the site's limitations.

The development would also likely lead to increased traffic within the cul-de-sac, which is not designed to handle higher volumes. Furthermore, there is currently no adequate provision for on-street parking for residents or their guests, which would exacerbate existing challenges.

I strongly believe that new developments should enhance a neighborhood rather than detract from it. In this case, I am confident that the proposed project would have a negative impact on the character, livability, and functionality of the area, affecting current residents in a meaningful way.

Given the size and constraints of the lot, a duplex would be a far more appropriate and reasonable option. As it stands, the current proposal feels disproportionate and unfair to the existing residents.

Public Comment No. 8

I am writing to voice my concerns with the application for the 6-unit complex on our small cul-de-sac at Findlay Point.

We have recently seen a lot of development in our small neighbourhood, with two separate 4-unit complexes on the street. This has made parking very complicated, with construction and sub-trade trucks parking two and three abreast on the daily and causing significant safety concerns to residents. A 6-unit apartment building in such a small space, without any parking, would make our small street unimaginably overcrowded, and more so than it already is. This is a huge concern for the residents, many of whom have young children who play outside most of the year. The sheer volume of vehicles coming in and out of a small space with no exit (cul-de-sac) must be considered for safety and risk reduction. A 6-unit structure is not appropriate for such a small lot, on an already very high-density street.

I do not agree with the application for variance to decrease the setback proposed. At best, this property could be appropriate for a duplex, with on-property parking and garbage/compost disposal. This would should require variance of setback, especially by 3 metres. There would essentially be no backyard or space between joining units to allow natural light into homes. The current size and elevation of the proposed project would dwarf the next-door duplex and significantly limit light coming into their units and backyard. It would be much more appropriate and in keeping with the character of the neighbourhood to have a unit with similar elevation and size to 131 A/B Moyle Drive.

A car-share service is not feasible in Niven for 6-units. Our location is close enough to downtown to walk or bike for some, but during long and cold winters, it is mandatory for most non-downtown dwellers to have vehicle access. There are no comparables of other buildings that have been able to operate exclusively with a car-share services, and there are only two (and not always in operation) cars. There is also official trail access to the fire-break trail on our street, which furthers parking challenges as tourists drive in daily to park and hike on those trails. Furthermore, a garbage disposal unit would take up a significant amount of space and require a garbage disposal truck to be able to access that space. As it currently stands, street parking that is so desperately needed will be limited due to the access for garbage.

I am asking the city to please reconsider this project. A duplex would be reasonable; a balance between the density that Yellowknife needs but does not exceed the capacity of our small cul-de-sac. Building a huge apartment-style complex on a small single-family home lot would cause massive inconvenience and safety concerns for the neighbourhood, and also to the future inhabitants of said complex. I am very concerned about traffic, congestion, and the safety of my young children. Please take that into strong consideration.

Public Comment No. 9

I am writing to formally object to application PLDEV-2026-0013 for the proposed development at 2 Findlay Point.

While I am not opposed to densification, housing development or infill in principle, my concerns relate specifically to this proposal on this particular lot.

To begin with, the application package itself appears incomplete and presents conflicting information, such as the number of parking spaces where one section references six parking spaces while the drawings appear to show only two. Similarly, the variance rationale describes a “functional and compliant parking arrangement at the front and rear of the site,” which does not align with the submitted plans (no room for parking at the rear end of the site). Given these discrepancies, it is difficult to assess the proposal with confidence, and I do not believe a rear-yard variance should be approved based on incomplete or inconsistent information. This submission seems to show a developer who knows their project is not following bylaws, they are asking for some flexibility showing incomplete building plans to then move forward with a more ambitious plan to maximize their benefits, at the expense of the neighbours quality of life and property value.

Another major issue I have is the way the application is written, as the developer suggests the variance is minor and “does not create adverse impacts on adjacent properties”. I do not agree with the applicant’s characterization of the requested variance as minor. Allowing this huge 6 unit in that small lot does not make any sense and would go against city bylaws. The proposal seeks to reduce the required rear-yard setback from 6.0 metres to approximately 3.0 metres—a 50% reduction which is a substantial deviation from the requirements of Zoning By-law 5045. By comparison, the previous Zoning By-law 4404 only permitted rear-yard variances of up to 25% at the discretion of the Development Officer, which further underscores that a 50% reduction cannot reasonably be considered minor.

Although the lot has an irregular shape, the need for this variance comes from the fact that they are trying to build a six-unit building rather than from inherent site constraints. The building reaches the maximum allowable height of 12 metres while also extending significantly into the rear setback. At the same time, they are not clear on how much blasting they will do and what height the building will have. In this context, the “practical constraint” cited by the applicant is self-created. A smaller or differently configured building could likely comply with the bylaw without requiring such a significant variance. Again this is a sign that the developer is requesting minimal variance and will then build a much more ambitious project, at the detriment of the neighbours.

The degree of encroachment is also considerable. The application notes that the building projects into the rear yard by up to approximately 3 metres along much of the rear elevation, placing a large portion of the structure at roughly half the required setback distance. When combined with the building’s height and massing, this represents a significant intensification at the rear of the lot. Elements of the design appear to conflict directly with bylaw provisions. Under Table 10-2 of Zoning By-law 5045, unenclosed steps may only encroach up to 40% into a reduced setback. Based on the proposed 3.0-metre setback, this would require a minimum distance of 1.8 metres from the property line. However, the current design shows steps located as close as approximately 1.02 metres, which does not comply with the bylaw.

The applicant says that a 2-metre fence will mitigate the encroachment, which is quite negligent to say. In their submission, I see they are not treating bylaws and the neighborhood with respect when they say the reduced setback “does not result in adverse effects on neighbouring properties and will support compatibility with the surrounding residential area” which is quite arrogant statement to

make when you look at the incomplete proposal submitted for this huge 6 unit building in a small lot. A fence of this height cannot mitigate overlook from upper-storey windows, balconies, or raised entrances. The plans indicate that the lowest-level units are elevated to a point where sightlines over the fence would still be possible, further reducing its effectiveness. A fence also does not address broader impacts such as shadowing, light spill, or the overall mass of a three-storey building located so close to the rear property line.

There are also important site-related issues that remain unresolved, they should be clearly defined and assessed prior to any approval. Again, we've seen that type of development in town before where the developer is not clear on what they are planning to do, they then build and the city gives them a minimal fine, while the developer maximizes its profit, at the expense of the neighbours. A few examples: The basement design is noted as incomplete, with details to be finalized after the development permit stage. The plans also indicate that rock blasting, grading adjustments, and pumped drainage systems will be required, with final conditions to be determined on site. These are not minor details—they directly affect grading, drainage, snow management, and the potential for impacts on neighbours.

Parking is another area of concern. I don't understand how a six unit building could be allowed in a cul-de-sac with multiple duplex, quadruplex already allowed without proper parking being planned for. While the bylaw may allow for car-share provisions, the proposal does not demonstrate how one standard parking stall plus one car-share space will adequately serve six units, along with visitors and service vehicles, particularly under winter conditions. This raises a strong likelihood of overflow parking affecting the street and surrounding properties which are already full of cars parked in the street. The unit is not built downtown, buyers will use their multiple cars to commute, it will become a problem for the whole neighbourhood.

In evaluating the variance against the criteria set out in Section 4.9.1(a)(i) and (ii) of Zoning By-law 5045, I do not believe the proposal meets the required standard. The combined effect of a 50% reduction in rear-yard setback and a building height of 12 metres will materially interfere with neighbouring properties in several ways.

Privacy: Windows, balconies, and stairs located very close to the rear property line will create direct overlook into adjacent homes and outdoor spaces.

Sunlight access: The scale and proximity of the building will reduce natural light to neighbouring yards and dwellings, affecting their usability and overall livability.

Lighting impacts: Required exterior lighting for safety—particularly with multiple rear entrances—will be located much closer to adjacent homes due to the reduced setback. This increases the likelihood of light spill into neighbouring bedrooms and outdoor areas, affecting comfort and sleep.

Taken together, these impacts are significant and go beyond what could reasonably be considered minor or acceptable within the intent of the bylaw. I just bought my house [REDACTED] and having a huge 6 unit building encroaching in [REDACTED] neighbours backyard will severely decrease the value of my property, while impacting my quality of life.

Finally, given that the site grading is still to be finalized, I believe the City should require a clear and consistent final site plan, including confirmed building height based on finished grade, as well as

detailed information on drainage, excavation, snow storage, lighting, and privacy measures before making any decision.

For all of the reasons outlined above, the application does not demonstrate that the requested variance meets the criteria of Zoning By-law 5045 or that it will avoid undue impacts on neighbouring properties. I request that the Development Officer deny the variance application.

Public Comment No. 10

We are writing in response to the City's request for public comment regarding the application for a development permit/variance at 2 Findlay Point, which seeks to reduce the required rear-yard setback from 6.0 metres to 3.0 metres to accommodate a proposed six-unit dwelling.

After reviewing the application and considering the intent of the Yellowknife Zoning By-law 5045, we do not support the requested variance for the reasons outlined below.

Starting with the rationale provided for the rear yard variance, the applicant indicates the requested variance is minor in nature, reflects practical constraints related to the irregular shape of the lot, and does not increase the building density and unit count. We respectfully disagree with this analysis for the following reasons.

- The requested 50% variance in the rear yard setback distance is not minor in nature. This can be clearly inferred by the previous zoning By-law 4404 which only permitted the Development Officer to allow a rear yard variance up to 25% as per section 3.5(2).
- Although the lot at 2 Findlay Point does have an irregular shape and may pose some practical constraints, the proposed 6-unit dwelling is simply too big to accommodate the lot. The design reaches the maximum allowable height of 12 metres and encroaches 50% into the required 6 metres rear yard setback. The "practical constraint" cited by the applicant arises directly from the density and scale of the building they have chosen to place on the lot. In other words, the constraint is self-created rather than inherent to the property.
- If the variance is approved, the rear yard setback would be reduced to 3 metres. Under Table 10-2 in Section 10.1 of Zoning By-law 5045, unenclosed steps may encroach only up to 40% into a reduced setback. This means the steps must remain at least 1.8 metres from the property line. The current design places the steps just 1.02 metres from the property line, which does not comply with the requirements of Table 10-2 and directly contradicts the by-law.
- The applicant proposes to install a 2-metre fence as a mitigation measure to privacy, separation and site definition concerns. We do not believe a fence would effectively mitigate these concerns, especially related to privacy, considering it would be less than 3 metres from a 12-metre-tall building (and potentially only 1.02 metres from unenclosed steps and balconies). According to the proposed building plan, the lowest-level unit would be at an approximate 2 metre height, enabling a view above the 2-metre fence, rendering the fence ineffective.

Turning now to the evaluation criteria guiding the Development Officer in their decision to grant a Variance, subsections 4.9.1(a)(i) and (ii) of zoning By-law 5045 state that the proposed Variance must not unduly interfere with the amenities of the neighbourhood or materially interfere or affect the use, enjoyment, or value of the neighbouring parcel of land.

The 50% reduction in the rear yard setback must be considered in combination with the 12-metre proposed height of the building to fully understand the impact of the interference of the proposed building. The combined effect of height and reduced setback would have a substantial impact on the use, enjoyment and privacy of indoor and outdoor spaces of neighbouring dwellings and raises significant concerns:

- **Privacy:** Rear-facing windows, stairs and balconies positioned as close as 1.02 metres from the rear property line, will have a direct view into neighboring dwellings and full view overlooking their usable outdoor space, resulting in an unavoidable loss of privacy.
- **Sunlight access:** The size and height of the proposed multi-unit dwelling combined with the reduced setback would substantially diminish sunlight in the usable outdoor space of neighbouring properties, directly interfering with their use and enjoyment. Reduced natural light within the homes themselves would further diminish residents' quality of life.
- **Floodlighting impacts:** Section 8.2.6(a)(vi) of Zoning By-law 5045 requires multi-unit dwellings to install floodlighting to ensure safety and security. In this proposal, three of the unit entrances are located at the rear of the building, which means the rear yard will require substantially more lighting than is typical for a residential property. Because residents will be using exterior stairs to access these units, the lighting will need to be brighter and activated more frequently to maintain safe access. With the reduced rear yard setback, these floodlights would be positioned much closer to neighbouring homes. As a result, the lighting would shine directly into the bedroom windows of the adjacent residences, materially interfering with sleep, privacy, and overall wellbeing.

For the reasons outlined above, the proposed site plan contradicts Zoning By-law 5045, and the requested variance does not meet the criteria set out in the By-law and would result in undue interference with neighbouring properties. The scale and design of the proposed building are incompatible with the constraints of the lot, and the impacts on privacy, sunlight, livability, and outdoor enjoyment are significant.

We respectfully request that the Development Officer deny the variance application.

Public Comment No. 11

We are writing to you today to respectfully share our concerns regarding the proposed development and requested variances at 2 Findlay Point. While we appreciate the ongoing development in our community, there are a few specific aspects of this proposal that we believe require careful reconsideration.

First, we would like to address the requested 50% variance on the rear setback. Over the past ten years, the City has removed or expanded almost all of the zoning restrictions that previously existed for this area (when we built our building the height limit was 8m, max number of units was 2 and even the type of siding was regulated). Consequently, setbacks are now the only remaining structural restrictions in place to protect neighborhood density and layout. Given that so much has already been altered, granting a 50% variance on the sole remaining safeguard is a significant decision that should not be made lightly.

Additionally, we would like to address the car share aspect of the proposal. For a car share program to function effectively, it requires several cars to be available within walking distance. When availability is limited to just one vehicle, users inevitably become frustrated by scheduling conflicts and lack of access, which ultimately drives them to purchase their own personal vehicle(s). A single-car setup does not effectively mitigate the parking or traffic footprint of a new six-unit development, unless there is a plan to develop car sharing in the wider neighbourhood.

We ask that the City carefully weigh these points when considering this development. Thank you for your time, the opportunity to provide feedback, and your attention to this matter.

I would add that if we had to choose between a car share and additional on-site parking at the rear, we would prefer the car share... we just need to find a way to add more car share vehicles in the given area.

Public Comment No. 12

I'm writing to share my concerns about the proposed development at 2 Findlay Point.

I live [REDACTED], and to be honest, this proposal is very concerning for us. From what we understand, this would be a three-story multi-family building going up extremely close to our home. There appears to be little to no space between the two properties, which means this building would be directly overlooking our yard. That's a huge loss of privacy for us and will really change how we're able to use and enjoy our home.

The developer has mentioned to you in a letter that a fence would be added to provide privacy, separation, and a clear boundary between properties. However, there doesn't appear to be any actual plan or detail showing that a fence will be built. Without something concrete in the plans, it's hard to rely on that as a real solution, especially given how close this building would be to our home.

Parking is already an issue on our cul-de-sac. It's a tight, high-density court as it is, and there simply isn't room for more vehicles. Adding multiple new units without proper parking will spill cars onto the street, make things more congested, and create ongoing frustration for everyone who lives here.

What's also frustrating is that directly across from 2 Findlay, there is already a multi-unit rental building being constructed. That alone is going to increase traffic, parking pressure, and density in a noticeable way. Adding another multi-family development right across from it feels like too much for such a small, family-oriented street.

Findlay Point has always been a quiet, community-focused cul-de-sac where kids can play safely and neighbors know each other. Increasing the density this much is going to change that dynamic in a big way. More traffic in a confined space also raises safety concerns, especially for children and pedestrians.

I also can't help but feel that this proposal is more about maximizing rental units than fitting into the neighborhood. It doesn't seem to take into account how close it is to existing homes or the impact it will have on the people already living here.

On top of that, there are practical concerns, things like snow removal, garbage collection, and even emergency vehicle access. Our street wasn't designed to handle this level of density.

I'm asking that this proposal be seriously reconsidered, or at the very least scaled back to better fit the space and the neighborhood. There needs to be proper distance between buildings, realistic parking, and clear, enforceable plans for privacy measures like fencing and not just general statements.

Public Comment No. 13

The development of 2 Findlay Point as a 6-unit multi-dwelling will undoubtedly not support neighbourhood character as suggested in Edwin Shu's letter of information to Bassel Sleem. It will in fact *"result in adverse effects on the neighbouring properties"* and will not *"support compatibility with the surrounding residential area or respect neighbourhood character."* A single-dwelling or at the very least a duplex unit would be more suitable for the proposed application of land for Findlay Point. This would ensure that the cul-de-sac does not get even further overpopulated with residents beyond its capacity.

The residential area in discussion, Findlay Point is already currently facing its own significant challenges, including overpopulation which has turned it into an unsafe parking lot with no boundaries. This has great impacts on safety of its residents and visitors and the ability of services attempting to gain access into Findlay Point. This includes propane and other necessary delivery services, emergency services, garbage pick up, and snow removal. There have been several occasions where services have attempted to reach a house but have not been able to due to many vehicles being parked every which way. I personally, have been trapped in my driveway on multiple occasions with a vehicle full of children unable to get them to their destination.

In his letter Edwin mentions *"a functional and compliant parking arrangement at the front and rear of the site."* It appears there are 2 potential parking spots on the site plans at the front of the building, but I do not see a rear parking arrangement on any plans. Please advise as to what this means as this letter is currently attached in the site plans on the City of Yellowknife's Active Development Applications webpage for 2 Findlay Point. Edwin's letter and the application submitted plans also do not mention any *"Car Share Service in lieu of 6 parking spaces"* (sourced from the Notice of Application). The Notice of Application appears to be the only mention of this plan. Also please note even 6 parking spaces would not suffice as quite often 1-unit occupies 2 or more individuals so that would be potentially 12 parking spaces the Car Share Service would need to provide in order to be more realistic as to what this over-populated parking dilemma may result in. This all does not speak to the addition of potentially 6-12 or more individuals plus potential animals being added into the cul-de-sac. This will be especially apparent with the 2-bedroom units as those could potentially bring an additional resident/renter as well! Currently, all housing units on Findlay Point consist of all multi-dwelling units (with the exception of only 2 single dwellings). Also to note that this does not include any company or visitors the units may also have during any given time. Moyle Drive and Findlay Point both see a large number of tourists and individuals from all over Yellowknife and the surrounding area who come to hike nearby trails. The safety of these individuals also needs to be factored into this application proposal.

An example of the realistic parking spots required is provided by looking at all of the new developments on Moyle, 123 and 130 Moyle Drive, both 4-plex units, and the 19-unit NWT Housing Corporation building on Moyle, and on Findlay Point (5 (includes rental suite), 7 and 8 Findlay Point both 4-plex units). Every single one of those units came with one or more residents who most certainly do have a vehicle(s). In reality residents who do not currently own vehicles will quickly get one or more if they do not already have one prior to moving in. All 4 of the Habitat for Humanity Home residents all have multiple vehicles, as do both 4-plex units (130 Moyle and 8 Findlay Point) and many of the 19-unit building also have vehicles beyond the capacity of the small parking lot provided there. Many of the Niven Heights Condos and Villas residents also park overflow vehicles on Moyle. Also, 123 Moyle Drive currently under construction is set to contain 4 additional units as well. Both houses currently being built on Findlay Point (5 and 7 Findlay Point) each have rental suite(s) that will also have renters who have vehicles. When it is -30 for months again next winter all of these individuals plus the additional proposed 6-unit multi-dwelling will not pay to live in Niven and happily park somewhere along already overcrowded Moyle. Taking a drive down Moyle on a Saturday or Sunday is very claustrophobic and you instantly regret having to take that road, but it is the only way in and out.

Therefore, having insufficient parking spaces for residents is not a realistic option for this proposed project for a 6-unit dwelling. A single-dwelling or at the very least a duplex unit would be a much more viable option for this lot in discussion. The number of residents an additional 6-unit dwelling accounts for needs to be in an area where individuals are able to walk to places with ease and access. Findlay Point currently has *"a Walk Score of 7 out of 100 due to the location being deemed as a "Car-Dependent" neighborhood so errands require a car."* YK Car Share has already looked at the option of having this type of program in Niven and deemed it unrealistic due to the fact that many cars would need to be readily available for residents at any given time. The distance residents have to travel is too far in order for this type of Car Share Service program to work in Niven.

Historically, appeals are a common theme in this same neighbourhood, including in 2023 for 130 Moyle Drive and for 7 Findlay Point. Interestingly, both appeals also highlight the significant concerns with necessary parking not being available. This appears to be a common theme that has been consistently overruled and accepted to continue as such. Each time the statement *"there are no negative impacts"* is provided without any action for unhappy concerned residents. Just down Niven Drive similar issues of traffic and parking appeals were also noted in 2022 for Hagel Drive Niven Lake Phase 5/The View (70-units) and in 2024 for 110 Hagel Drive (24-unit multi-dwelling). Additionally, to note the appeals in 2015 with the 19-unit NWT Housing Corporation building on Moyle Drive across from the Niven Heights development.

I am also seeking clarity as to the following statement: *"as a mitigating measure for the reduced rear yard setback, we propose the installation of a fence along the rear property line section **without a fence.**"* I am wondering how a fence is proposed without a fence? Several times in Edwin's letter, he mentions the fact that 2 Findlay Point is on *"an irregularly shaped lot"* and deems this variance request is *"site-specific and reflects practical constraints related to the irregular shape of the lot."* It is therefore arguable that this encroachment into the rear yard setback would in-fact *"create adverse impacts on adjacent properties."* If the fence is proposed but not actually going to happen then the following statement will be incorrect: *"the proposed fencing will further ensure that the reduced setback does not result in adverse effects on neighbouring properties and will support compatibility with the surrounding residential area."* Please note that previously in his letter, Edwin claims there

will be no “*result in adverse effects on neighbouring properties.*” This is a contradicting statement that raises questions as to the validity of one’s word when attempting to get an application approved.

The ability to keep our children, elderly, and pets safe on Findlay Point is also of concern as people, vehicles, animals, tourists, and construction are everywhere. A single-dwelling or at the very least a duplex unit would be more suitable for this remaining lot on Findlay Point. Please consider the safety of the residents who already pay a lot to live somewhere they once felt safe.

Public Comment No. 14

I am writing to provide formal comments regarding the development application for 2 Findlay Point (File: PLDEV-2026-0013).

After reviewing the submitted plans and supporting materials, I have several concerns related to zoning compliance, neighbourhood impact, and the practical implications of the proposed design.

1. Rear Yard Setback, Building Massing, and Property Value Impact

The proposed reduction of the rear yard setback from 6.0 metres to approximately 3.0 metres represents a significant deviation from the requirements of the Zoning By-law. A reduction of this magnitude—approximately 50%—does not appear minor in nature and materially alters the spatial relationship between properties.

When combined with the proposed building height (approaching the maximum allowable), the reduced setback results in a structure that is both visually and physically imposing relative to adjacent properties. The building mass, when placed so close to neighbouring property lines, creates a sense of overdevelopment that is inconsistent with the intended character of the area.

This proximity is not only a planning concern but also a financial one. The presence of a large, multi-unit structure at such a reduced setback can reasonably be expected to negatively affect neighbouring property values. The diminished sense of space, increased overshadowing, and loss of visual openness are all factors that can reduce market desirability and long-term value for adjacent homeowners.

2. Privacy Impacts from Rear-Facing Stairs and Openings

Of particular concern is the placement of exterior stairs, entrances, and associated circulation areas directly at the rear of the building, facing neighbouring properties.

Based on the drawings, these elements appear to be located extremely close to the rear property line. This creates a direct line of sight into adjacent yards and potentially into interior living spaces. The elevated position of these access points further exacerbates the issue, effectively overlooking neighbouring properties and eliminating any meaningful sense of privacy.

This design introduces a continuous and unavoidable intrusion into the use and enjoyment of nearby outdoor and indoor spaces.

3. Floodlighting and Light Intrusion

The proposal indicates that lighting will be required for safety and access, particularly at the rear of the building where multiple unit entrances are located.

Given the reduced setback, any required floodlighting will be positioned in close proximity to neighbouring properties. The frequency of use (due to multiple units and shared access points) suggests that lighting will be activated regularly, including during nighttime hours.

This raises serious concerns regarding light spill into adjacent homes, particularly into bedroom windows, resulting in sleep disruption, reduced privacy, and overall diminished residential amenity.

4. Parking Provision and Car-Share Assumptions

The proposed parking strategy raises practical concerns. The allocation of only two dedicated parking spaces, supplemented by reliance on car-share arrangements, does not reflect typical vehicle ownership patterns in this neighbourhood.

There is no clear mechanism outlined for how the use of car-share spaces would be enforced or managed over time. Without enforceable controls, it is highly likely that residents will rely on on-street parking, thereby increasing pressure on already limited parking availability in the area.

This creates a foreseeable spillover effect that will negatively impact existing residents and the overall functionality of the neighbourhood.

5. Impact on Neighbourhood Character and Livability

The combination of reduced setbacks, increased building mass, direct overlooking, and intensified use introduces a form of development that is not consistent with the established character of the area.

The resulting loss of privacy, increased lighting intrusion, and parking congestion are all factors that can reasonably be expected to negatively affect both the enjoyment and value of neighbouring properties, as well as the overall livability of the neighbourhood.

Conclusion

In summary, the proposed development raises substantial concerns with respect to zoning compliance, privacy, lighting impacts, and parking feasibility. The cumulative effect of these issues suggests that the proposal does not meet the intent of the Zoning By-law, particularly in terms of maintaining compatibility with surrounding properties and protecting residential amenity.

I respectfully request that these concerns be given careful consideration in the review of this application.

Public Comment No. 15

This letter is submitted to voice my concerns with respect to the application for the 6-unit complex planned for the already-overpopulated small cul-de-sac, Findlay Point in Niven Lake subdivision.

If allowed to proceed, this development would tip the scales on the balance of pleasantly quiet to an unnecessarily busy neighbourhood, with two existing, separate 4-unit complexes on the street.

Even without this proposed complex, parking is complicated, as beyond the contractors' various vehicles and trucks, causing significant safety concerns and inconvenience to residents, once the units themselves are populated, there will be difficulties navigating the spaces allotted.

A 6-unit apartment building in such a small area, without parking allowances, given people still rely on various modes of transportation which warrant need for turning around and spaces to park, would render our small street unimaginably overcrowded.

Residents of Findlay Point are extremely concerned about the City of Yellowknife allowing not only further development of what is supposed to be a higher-end neighbourhood (i.e. nicely spaced living quarters for professionals and small families with young children), but that there is no regard to maintaining safety of its residents.

The sheer volume of vehicles coming in and out of a small cul-de-sac must be considered for risk reduction. A 6-unit structure is not appropriate for Findlay Point, an already high-density street. Of note, official trail access from our street to the firebreak below, which we all enjoy as access to nature, furthers traffic challenges as tourists drive in daily to park vehicles while they hike.

Beyond the safety factor, there seems to be a lack of enforcement for respect of the environment regarding two projects on-going with a particular developer, one at 7 Findlay and another on Moyle, whereby construction materials, garbage, pink insulation and other debris are piled high then scattered over surrounding lots, forest, and roads. As there must be building inspection to enforce various legislated codes, there must also be serious consideration to residents' standard of living.

To live well, we need space between building units to allow natural light into homes. The current size and elevation of the proposed project at 2 Findlay would dwarf its neighbours, significantly limiting light and living space. It would be much more appropriate and in keeping with the character of the neighbourhood to have a 2-unit building with 2-story elevation and smaller footprint.

Car-share service is not feasible in Niven Lake, especially for six units. While close enough for some to walk or bike downtown, during long and cold winters it is almost mandatory to have vehicles. Nobody in Yellowknife we are aware of has been able to operate exclusively with car-share services, currently only two cars (not always in operation). Parking is essential, on-site (i.e. not on the street).

Furthermore, a garbage disposal unit at 2 Findlay not only would take up a significant ratio of available space on that lot but requires access by a garbage disposal truck including turnaround.

I seriously urge the City to reconsider this project at all, certainly to deny the proposed variance. A duplex would be reasonable, providing for increased population density without exceeding the capacity of our small cul-de-sac.

2026:



Public Comment No. 16

My wife and I are writing to formally oppose the Development Permit and Variance Application (File No. PLDEV-2026-0013) for the proposed multi-unit dwelling at 2 Findlay Point.

Our concerns are based on a review of the Notice of Application and submitted plans.

1. Rear Yard Setback Variance is Not Minor

The application proposes reducing the rear yard setback from the required 6.0 metres to approximately 3.0 metres, with encroachments of approximately 1.97 m to 2.97 m along the rear elevation.

A reduction of this magnitude (up to 50%) is significant and not minor in planning terms. Rear yard setbacks are intended to provide:

- Adequate separation between properties
- Privacy for adjacent residents
- Space for drainage, snow storage, and maintenance

Reducing this setback compromises these functions and does not maintain the intent of the Zoning By-law.

2. Inconsistency with R1 Zoning Intent

The property is zoned R1, which is typically intended for low-density residential development. The proposal introduces a 6-unit, three-storey building (plus basement), representing a substantial increase in density and built form intensity.

While infill development is important, this scale of development combined with reduced setbacks is not consistent with the intent of low-density zoning and may negatively affect the character of the surrounding area.

3. Parking Deficiency and Car Share Substitution

The revised plans indicate only 1 parking space plus 1 car-share space in lieu of the required 6 parking spaces.

This represents a significant reduction in on-site parking. Given Yellowknife's context:

- Limited public transportation options

- Winter conditions that limit active transportation
- High reliance on personal vehicles

It is unlikely that a car-share model will adequately meet resident demand. This will likely result in overflow parking onto nearby streets, impacting existing residents and creating potential safety and access concerns.

4. Functional Site Constraints and Snow Management

The site plan identifies multiple competing uses within a constrained site, including:

- Parking and access areas
- Snow piling areas
- Waste collection area
- Reduced rear yard space

With the rear yard setback reduced to approximately 3 metres, there is limited space to accommodate snow storage without affecting access, visibility, and usability of the site. This raises concerns about the long-term functionality of the development, particularly during winter months.

5. Variance Justification Relies on Site Constraints

The rationale provided cites irregular lot shape, bedrock conditions, and grading challenges. However, these are typical conditions in Yellowknife and should be addressed through appropriate building design and site planning.

Variances should not be used to maximize development at the expense of established zoning standards. Approving this variance risks setting a precedent for similar reductions on other properties.

6. Limited Effectiveness of Proposed Mitigation

The proposed rear yard fence does not adequately mitigate the impacts of reduced setback, particularly with respect to privacy, spatial separation, and overall site intensity.

Conclusion

Based on the above, the requested variance is not minor, does not maintain the intent of the Zoning By-law, and raises concerns regarding parking, site functionality, and neighbourhood compatibility.

I respectfully request that the City deny the variance and require the development to comply with the existing zoning requirements.

Public Comment from Municipal Enforcement Division

Over the last year-and-a-half, MED has received several complaints at Findlay Point regarding the ongoing construction. These ranged from contractors letting garbage and construction materials blow around into public and adjacent properties, contractors blocking access to private driveways, contractors not communicating early and clearly to other residents of their activities, illegal parking of contractor vehicles, and others. From our records we conducted 10 visits to the area in 2025 in response to complaints, 2 so far in 2026. These visits were responses to complaints, or follow ups to previous complaints.

Overall I assess that the concerns of local residents in the area are valid. We should give serious consideration before approving this permit. There needs to be a clear understanding of how we expect the Contractors/Developers to behave and respect other local residents.

Applicant Response to Public Comments

Development Permit Application PLDEV-2026-0013 — 2 Findlay Point, Yellowknife NT

Submitted by: Edwin Shu | April 20, 2026

PRELIMINARY REMARKS

I am grateful to the City for the opportunity to respond to public comments received regarding application PLDEV-2026-0013. I want to thank all my neighbors who took the time to review the application and provided comments. I have reviewed all sixteen submissions carefully and take the concerns of my neighbours seriously. I am also a resident of the Niven Lake area and have a direct, personal interest in maintaining the character, safety, and liveability of Findlay Point — this is not an absentee development.

Before addressing the specific issues raised, I wish to make three preliminary observations that are relevant to the weight the Development Officer should assign to the public record.

Similar Themes Across Submissions

A review of the sixteen submissions reveals that several comments raise similar themes and, in some cases, draw on comparable language and framing — which is not unusual when neighbours with shared concerns discuss an application together or draw from similar sources of information. The car-share argument, references to overcrowding, the Table 10-2 / 1.02 metre steps analysis, the By-law 4404 / 25% historical comparison, and the ‘self-created constraint’ framing appear across a number of submissions in closely related form. This reflects a common set of concerns held by a group of like-minded neighbours rather than a broad range of independent perspectives, and the Development Officer may wish to take this into account when weighing the overall record.

Photographs Depict Construction Conditions, Not Occupancy Conditions

The photographs submitted in support of several comments — showing vehicles double- and triple-parked across the cul-de-sac — document the active construction phase at 5 and 7 Findlay Point, which has involved large contractor trucks, trades vehicles, and delivery equipment. These conditions are temporary and attributable to a specific nearby construction project, not to the occupancy patterns of completed multi-unit residential buildings. It would not be reasonable to use construction-phase parking photos as evidence of what conditions will look like once the proposed development at 2 Findlay Point is complete and occupied.

Furthermore, I have my own photographic record showing Findlay Point with minimal vehicle presence on a Saturday evening — demonstrating that the street's baseline parking situation is not as dire as the submitted images suggest.

I am a Local Resident With a Stake in the Neighbourhood

I live in the Niven Lake area. I have a direct interest in ensuring this development is built responsibly, that construction is managed respectfully, and that the completed building contributes positively to the neighbourhood. Unlike the nearby construction project where lumber was stored on public streets creating the safety hazards referenced in several comments, I have sufficient on-site yard space to stage all

construction materials within the property throughout the build. This will be a condition I commit to in writing.

ISSUE 1: REAR YARD SETBACK VARIANCE

This is the central planning issue in the application and deserves a thorough response. Several comments characterize the requested variance as a 50% reduction that is 'not minor.' I want to address both the magnitude of the variance and the reasoning behind it directly.

Revised Variance Request: Reduced to Approximately 8.8%

In response to the public comments received, I am revising my variance request. Through a design refinement that relocates the exterior staircase from the rear and front elevations to the interior of the building, and shifts the building mass closer to the street and within the 6 meter setback, the required rear yard encroachment is essentially eliminated. The revised request represents an encroachment of approximately 528 mm — a variance of approximately 8.8% of the required 6.0 metre setback — not 50%.

REVISED REQUEST	Rear yard setback variance reduced from ~50% to approximately 8.8% (528 mm encroachment into the required 6.0 m setback) through building repositioning and staircase relocation to the interior.
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This is a materially different proposition from what was originally circulated for comment, and the Development Officer should assess the revised design on its own merits. A 528 metre encroachment is a genuinely minor variance that reflects the practical geometry of an irregularly shaped lot — not an attempt to maximize development at the expense of neighbours.

The Variance Is Required by the Lot Shape, Not the Unit Count

Multiple comments suggest that the variance request is a consequence of trying to fit too many units onto the lot — that a duplex or single dwelling would not require a variance. This is incorrect, and I ask the Development Officer to verify this independently.

The lot at 2 Findlay Point is irregularly shaped. A duplex with a walkout basement — which may be the natural alternative on this topography — would face the same geometric constraints at the rear of the lot. The shape of the lot creates a practical constraint regardless of the number of units proposed. The variance need arises from the lot configuration, not from the density of the proposed building.

I would also note that the CMHC standard row house plan — two of which would constitute a duplex — would not comply with the required setback on this lot without a variance. This further confirms that the variance request is site-specific and geometry-driven, not density-driven.

Comparison With 7 Findlay Point

It is worth noting for the record that 7 Findlay Point was approved at a height of 14.5 metres and 3.5 meters rear setback. The proposed building at 2 Findlay Point will be within the 12-metre maximum permitted height under current zoning, and will likely sit lower in absolute terms than 3 Findlay Point, which was constructed on the existing high bedrock without blasting. At 2 Findlay Point, the lot will be blasted and

levelled, meaning the finished grade — and therefore the effective building height as experienced by neighbours — will be lower than the raw structural height suggests.

HEIGHT CONTEXT	7 Findlay Point: approved at 14.5 m. 3 Findlay Point: built on high bedrock, unblasted. 2 Findlay Point: will be blasted and levelled — effective height will be lower than 12 m maximum.
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Grading Plan as a Condition of Approval

I am prepared to accept an approved grading plan as a condition of the Development Permit. This will provide the City and neighbouring property owners with certainty about finished grades, drainage, and the relationship of the building to adjacent properties before construction proceeds. This directly addresses the concerns raised in Comments 6, 9, and 16 about unresolved grading and drainage questions. The conceptual grading plans provided should be sufficient at the DP stage.

ISSUE 2: PARKING AND CAR-SHARE PROGRAM

Parking and car-share feasibility is the issue raised most frequently and most passionately across the sixteen submissions. I want to address it directly and honestly, while also pushing back on some of the assumptions that underpin the objections.

The Car-Share Commitment: Strengthened

I am committing to the following, to be incorporated as conditions of the Development Permit and Development Agreement:

- A minimum of one shared vehicle will be available on-site at all times for resident use.
- If demand exceeds availability of the on-site vehicle, access to additional car-share arrangements — including the existing YK Car Share network — will be provided and facilitated for residents.
- The car-share vehicle if electric will be charged using the building's rooftop solar PV system, creating a zero-marginal-cost mobility option for tenants.
- At least two electric bicycles will be provided, secured, and maintained on-site for resident use.
- The car-share and e-bike program will be a binding condition of the Development Agreement.

The 'Everyone in Yellowknife Needs a Car' Assumption Is Not Accurate

Several comments assert, as if it were an established fact, that every resident in Yellowknife owns one or two vehicles and that no tenant will use a car-share or go without a personal vehicle. This is not accurate, and I can speak to it from direct experience.

I currently have family and colleagues who do not own vehicles and do not intend to acquire one. The proposed development at 2 Findlay Point is intentionally designed to appeal to a different demographic: working professionals, young adults, and individuals who prefer a lower-cost, lower-consumption lifestyle with access to alternative transportation. E-bikes, car-share, and proximity to trails are features, not afterthoughts — they are part of the product offering that will attract exactly the residents for whom car ownership is not a priority.

It is also worth noting that the argument 'everyone will own a car regardless' proves too much. If accepted, it would make car-share provisions unworkable everywhere in Yellowknife, including in areas closer to downtown where the City has presumably already accepted them as valid parking mitigation. The by-law expressly permits this substitution.

Duplex Parking Would Be Worse, Not Better

Several comments suggest a duplex as the appropriate alternative, implying it would solve the parking problem. Let us examine that claim using the commenters' own assumptions.

A duplex with walkout basement suites on this lot would produce at minimum four occupancies (two main units, two basement suites). Using the commenters' own estimate of two vehicles per family, that is eight vehicles — significantly more than the six units proposed here, which are designed for a lower-car demographic with on-site car-share infrastructure. The lot cannot physically accommodate eight parking spaces. The parking problem the commenters describe would be worse under the duplex scenario, not better.

PARKING COMPARISON	Duplex + walkout suites (4 occupancies × 2 vehicles = up to 8 vehicles, no car-share). 6-plex with car-share + e-bikes + solar EV = lower vehicle demand by design, binding enforcement mechanism.
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Construction Parking vs. Occupancy Parking

The photographs submitted across multiple comments document contractor and trades vehicles during an active construction phase at a nearby site — not the parking conditions of a completed, occupied residential building. Post-construction occupancy generates an entirely different and substantially lower vehicle volume than an active multi-trade construction project. These images should be understood as evidence of a construction management problem at a separate site, not as a projection of future conditions at 2 Findlay Point.

I further commit that all construction materials, equipment, and contractor vehicles for the 2 Findlay Point project will be staged and parked within the property boundary throughout the build. I have adequate yard space to accommodate this, and this commitment will be documented in writing.

ISSUE 3: PRIVACY, OVERLOOK, AND FENCING

Several technically detailed submissions — particularly Comments 6, 9, 10, and 14 — raise concerns about upper-storey overlook and the effectiveness of a 2-metre fence as mitigation. These concerns deserve a substantive response.

Staircase Relocation Resolves the Primary Overlook Concern

The revised design relocates the exterior staircase from the rear and front elevation to the interior of the building. This is the single most significant change in response to the privacy concerns raised, and it directly addresses the issue of elevated rear-facing access points overlooking adjacent yards. The stairs will no longer be positioned at the rear property line.

Trees as Additional Privacy Mitigation

In addition to the revised building configuration, I will explore the installation of taller, fast-growing native tree species along the rear property line as a supplementary privacy measure. Properly selected northern tree species can provide meaningful canopy screening within a few growing seasons, addressing upper-storey sightlines in a way that a fence alone cannot. This can be specified as a landscaping condition of the Development Permit.

Fence Commitment

I confirm that the fence referenced in the application will be constructed. This will be a condition of the Development Permit — it is not merely a statement of intent. The concerns raised in Comments 12 and 13 about the fence being mentioned without a concrete plan are noted, and I am prepared to have its installation and specification included as a binding permit condition.

ISSUE 4: DENSITY, NEIGHBOURHOOD CHARACTER, AND ZONING

This Use Is Permitted by the Zoning By-law

The proposed development is a permitted use within the R1 zone under the current Zoning By-law No. 5045. The City made a deliberate policy decision when it adopted this zoning framework in March 2022 to allow multi-unit residential development of this scale in this zone. The question of whether six units should be permitted in the R1 zone is a policy question that was resolved at the time of zoning adoption — it is not a question for the Development Officer to re-litigate in the context of this specific application.

Several comments express frustration that the zoning has changed since they built their homes — Comment 11 notes the previous height limit was 8 metres and maximum units were two. That is precisely the point: the by-law has changed, and the current by-law governs.

Density in Context

I respectfully ask the Development Officer to compare the density at 2 Findlay Point against the existing development pattern in other areas within the City, where multiple multi-family buildings have been approved and built in close proximity. The Niven Lake subdivision has accommodated significant multi-unit development throughout. A six-unit building on a single lot, designed to high energy performance standards with green mobility infrastructure, is a responsible form of infill that contributes to the City's housing supply objectives.

Comment 3 — Characterization of the Neighbourhood

Comment 3 includes the assertion that 'I know the bulk if not all the residences in the area express the same view.' This is presented without basis. I am aware of residents in the area who support the project and who did not submit written objections. The absence of supportive written comments should not be interpreted as unanimous neighbourhood opposition.

ISSUE 5: APPLICATION COMPLETENESS AND CONSISTENCY

Comments 6 and 9 raise concerns about inconsistencies in the application package — specifically regarding the number of parking spaces noted on different pages, and the reference to rear parking that does not appear in the drawings. These are legitimate observations that I acknowledge.

The inconsistencies referenced relate to earlier draft materials that were included in the submission package in error. I have resubmitted a clean, consolidated application package that presents a single, consistent set of plans, specifications, and supporting documentation. Specifically:

- A single confirmed parking layout showing 1 regular stall and 1 car-share space, consistent across all documents.
- A confirmed, consistent total gross floor area on all pages.
- Removal of the rear parking reference in the variance write-up, replaced with the accurate description of the revised layout.
- A conceptual grading plan to be finalized as a condition of permit approval.

I accept that the “basement” design details cannot be fully specified at the development permit stage given the bedrock conditions that require confirmation through blasting. Final basement parameters will be established and permitted through the building permit process, which provides a separate and appropriate regulatory checkpoint.

ISSUE 6: TRAFFIC, SAFETY, AND INFRASTRUCTURE

Several comments raise concerns about traffic volumes, pedestrian safety, and the capacity of the cul-de-sac to handle additional vehicles. These are reasonable concerns in principle, but several important points of context deserve consideration.

Traffic Impact Was Considered at Zoning Approval

I believe the City of Yellowknife assessed the traffic and infrastructure implications of multi-unit residential development in this zone when it adopted Zoning By-law No. 5045 in 2022. The permitted density and use types in the R1 zone reflect that assessment. The proposed development does not exceed the uses or densities contemplated by the current zoning framework. If the infrastructure is inadequate to support the zoning, that is a systemic issue that predates and extends well beyond this specific application.

Six Small Units Generate Less Traffic Than Assumed

The development proposes six small units — three one-bedroom and three two-bedroom — targeted at a demographic that, by design do not want the responsibility to own and maintain personal vehicles. The car-share EV, two e-bikes, and proximity to downtown are meaningful alternatives for this resident profile. The traffic generation of six small units with active transportation infrastructure will be materially lower than the commenters' assumption of twelve or more vehicles.

Emergency Access

Emergency vehicle access is a building permit and site plan requirement that will be confirmed through the permitting process. The proposed building does not introduce any unique constraint on emergency access beyond what already exists in the cul-de-sac, and the building's own access configuration complies with fire

and emergency access standards. Additional compliance requirements will be confirmed during building permit approval.

SUMMARY OF COMMITMENTS AND DESIGN CHANGES

The following table summarizes the specific commitments and design changes I am prepared to make in response to public comments, and which I ask the Development Officer to incorporate as conditions of approval:

Issue	Applicant Commitment / Design Change
Rear yard setback	Revised to 528 mm (8.8%) encroachment. Stairs relocated to the interior of the building. Building has been reconfigured.
Grading & drainage	Conceptual grading plan provided. It keeps natural drainage in mostly intact. Approved grading plan to be a condition of DP. Final basement parameters confirmed through building permit.
Car-share vehicle	Minimum 1 shared vehicle on-site at all times, plus if necessary, access to YK Car Share network or other car share alternative as backup. Binding Development Agreement condition.
E-bikes	Minimum 2 e-bikes provided, secured, and maintained on-site for resident use.
Privacy / fence	Rear fence installation as binding permit condition. Taller native trees where possible along rear property line as supplementary screen.
Construction management	All materials, equipment, and contractor vehicles staged within property boundary throughout construction.
Application consistency	Consolidated, consistent application package to be resubmitted resolving all document discrepancies.
Building height	Will not exceed 12 m. Effective height likely lower than 3 Findlay due to lot levelling. Compare with 7 Findlay approved at 14.5 m.

CONCLUSION

The proposed development at 2 Findlay Point is a purpose-built, high-performance housing project that is fully consistent with the current zoning framework, complies with all height restrictions, and provides a legally compliant and safe parking solution through a binding car-share commitment. The revised design — with the staircase relocated to the interior, the building repositioned to essentially eliminate the rear variance (reduce the rear yard variance to approximately 8.8%), and a comprehensive package of conditions including an approved grading plan, binding car-share and e-bike commitments, rear fencing, and privacy landscaping — directly addresses the substantive concerns raised in public comments.

The comments received, while numerous, largely reflect a shared set of concerns held by my neighbours who hold similar views about multi-unit development on this lot, and in several cases rely on assumptions about vehicle ownership and car-share feasibility that are not supported.

Finally, the Municipal Enforcement Division's (MED) submission confirms that the complaints received at Findlay Point over the past eighteen months relate entirely to contractor conduct during the active construction phase at a nearby development — not to the behaviour of residents in completed, occupied units. MED recorded 10 visits in 2025 and 2 in 2026, all in response to construction-related complaints: contractor vehicles illegally parked, debris and materials scattered onto adjacent properties, and inadequate communication with neighbours. I take no issue with MED's characterization of those complaints as valid — they are, and they describe exactly the kind of construction mismanagement that I am explicitly committing not to replicate. As stated elsewhere in this response, all construction materials, equipment, and contractor vehicles for the 2 Findlay Point project will be staged and managed entirely within the property boundary throughout the build, and I will accept this as a written condition of the Development Permit. What the MED comment does not do — and cannot fairly be read to do — is provide evidence that a completed, occupied six-unit building will generate enforcement issues. MED's own record is a record of construction complaints at a separate project. It is not a record of complaints against this application, this site, or occupied multi-unit residential buildings in the area. The MED's comments should be read for what it actually says: that construction conduct in the area has been problematic, and that clear expectations must be set for contractors and developers going forward. I agree entirely, and I invite MED to work with me directly to establish those expectations as conditions of this permit before construction begins.

I am available to meet with City planning staff at any time to discuss the revised design and proposed conditions, and welcome the opportunity to address any outstanding questions directly. In addition, I will be hosting an open neighbourhood session in the coming days, to which all neighbouring residents are invited — an opportunity to learn more about the project, the applicant, and the considerable effort that has gone into designing a building that will be a positive addition to Findlay Point.

Respectfully,

Edwin Shu,

4.5 Niven Residential

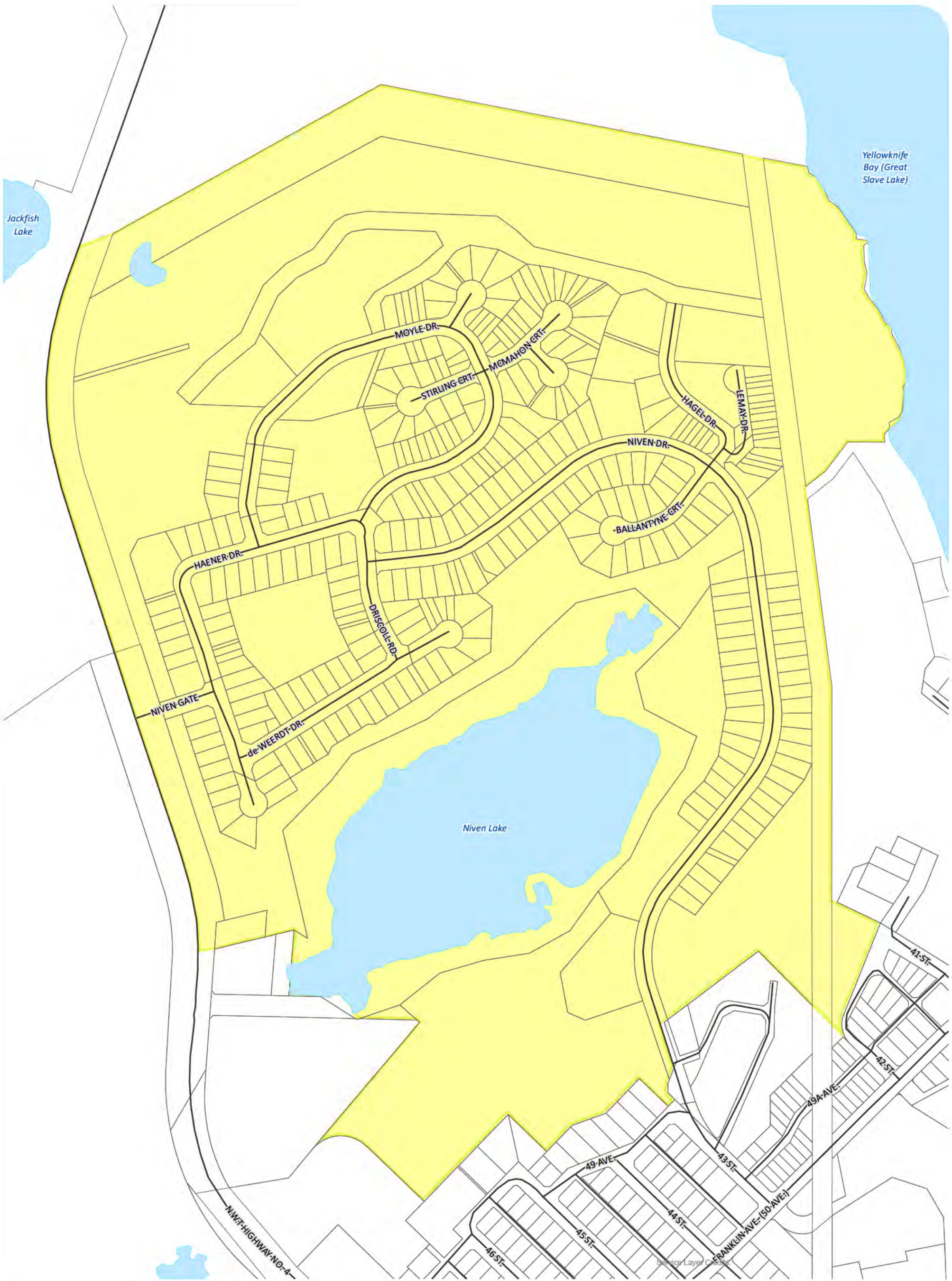
Total Area: 86 ha

Niven, as identified on the *Niven Residential Land Use Designation Map (Map 8)*, is a residential area that is located adjacent to the downtown core and provides easy access to the core of the City by vehicle and alternative transportation modes. It will continue to be a mix of low, medium and high density residential uses with some mixed use activities such as places of worship. It is not anticipated that the area will need to accommodate further institutional or commercial activities because of its proximity to downtown.

Much of the residential development in the area is recent and new residential lots continue to be developed on vacant parcels. There will be few redevelopment opportunities of existing properties over the next 20 years.

The fringe of Niven is a primary trail network, connecting Back Bay to the Capital Area and beyond. This trail is well used by walkers, skiers, snowmobilers and cyclists. The natural landscape and the rock cliff on the eastern portion of the designation is an important natural feature that will be preserved.

Planning and Development Objectives	Policies
1. To maintain and enhance the existing active transportation network within Niven.	1-a. Gaps in active transportation infrastructure will be identified and filled. 1-b. Active transportation trail improvements will be considered based on the <i>City of Yellowknife Trail Enhancement and Connectivity Strategy</i> .
2. To improve public transportation service in Niven as the neighbourhood develops.	2-a. Public transit service will be reviewed based on recommendations in public transit studies.
3. To improve active transportation connections between Niven and downtown.	3-a. Walking and cycling infrastructure connecting to downtown for all ages and abilities will be constructed.
4. To support a mix of residential types and densities.	4-a. A variety of residential single unit and multiple unit dwelling types will be permitted.
5. To encourage affordable housing opportunities.	5-a. Incentives for affordable housing development will be implemented as recommended in <i>Yellowknife's 10 Year Plan to End Homelessness</i> .
6. To enhance public outdoor recreation amenities.	6-a. Amenities will be constructed as the area continues to be develop in line with current development standards.



CITY OF YELLOWKNIFE
COMMUNITY PLAN
LAND USE DESIGNATION
NIVEN
MAP 8



- Municipal Boundary
- Highway
- Road
- Parcel Fabric
- Lake
- Niven



MAP DRAWING INFORMATION:
DATA PROVIDED BY CITY OF YELLOWKNIFE
MAP CREATED BY: LK
MAP CHECKED BY: MK
MAP PROJECTION: NAD 1983 UTM Zone 11N

SCALE 1:4,080

0 40 80 160 m

PROJECT: 18-7267 STATUS: DRAFT DATE: 10/3/2019

Term	Definition
Hospital	means an institution or building or group of buildings used to provide in-patient and out-patient health care to the public. May include comprehensive health centres and full-service hospitals and care residences;
Hotel	means a building containing rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor, and which may also contain meeting rooms, Recreational Facilities, and Food and Beverage Services;
Impact	means the determination of any combined or potential effects, positive or negative in a specific area as a result of development activities which may occur simultaneously, sequentially or in an interactive manner;
Industrial, Heavy	means an industrial use where such operations that have Impacts that would make them incompatible in light industrial and non-industrial zones, such as emission from the building of odours, fumes, noise, cinder, vibrations, heat, glare or electrical interference; May include one or more of the following operations: a) the processing of raw or finished materials; b) the manufacturing or assembly of goods, products or equipment; c) the cleaning, servicing, repairing or testing of materials, goods and equipment; d) the training of personnel in general industrial operations. e) the processing and sale of soil, top soil, sand, gravel, rock, clay, peat, or similar substances, but not the extraction thereof; f) the production of concrete and asphalt g) the accessory storage of goods in connection with or resulting from any of the above operations; h) the provision of amenities for persons engaged in such operations; i) the accessory sale of goods resulting from such operations; and, j) the administration or accounting accessory to the operation; Does not include the processing of waste, organic materials or the blasting and subsequent sale of rock related to the grading of a lot.
Industrial, Light	means the use of land, building or structures for the manufacturing, processing, repairing, fabricating, or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory uses; May include one or more of the following options: a) Automotive repair b) Auto body repair c) Industrial cleaning supplies distribution d) nursery and related uses

- 4.5.3. Where an application for Development is a Discretionary Use and/or for a Variance subject to approval of Council, the Development Officer shall notify Landowners and lessees within 30 m, or to a greater circulation area specified by the Development Officer, of the boundary of the land. The notice shall indicate, in writing, the location and nature of the Development proposal, and shall include copies of relevant drawings and a location and date to submit comments.
- 4.5.4. The Development Officer will have due regard to all comments received when making a decision on the application.
- 4.5.5. After 15 calendar days from the date of referral to any City department or external agency, the Development Officer may deal with the application whether or not the responding comments or recommendations have been received.

4.6. Decision Process and Conditions for Development

- 4.6.1. In making a decision on any application under this By-law there must be consideration of the Impacts of development.
- 4.6.2. In making a decision on an application for a Development Permit for a Permitted Use, the Development Officer:
 - a) shall approve, with or without conditions, the application if the proposed Development conforms with this By-law; or
 - b) shall refuse the application if the proposed Development does not conform to this By-law, unless a Variance has been authorized pursuant to Sections 4.8 to 4.10 of this By-law.
- 4.6.3. In making a decision for a Discretionary Use, Council may approve, refuse or defer with or without conditions.
- 4.6.4. In reviewing a request for a Discretionary Use, Council shall have regard to:
 - a) the circumstances and merits of the Discretionary Use, including, but not limited to:
 - i the Impact on properties in the vicinity of such factors as airborne emissions, odors, smoke, traffic and noise, sun shadow and wind effects;

4.8. Variance Authority

- 4.8.1. Upon application, the Development Officer may allow a Variance in regard to: Front, Side and Rear Yard Setbacks, Landscaping, parking, Lot Width, Building Height, Lot coverage, and Lot area pursuant to Section 4.9 of this By-law and as long as it does not relate to Site Density.
- 4.8.2. Upon application, Council may consider allowing a Variance for Site Density as it relates to: Lot coverage, Lot area, and Building Height pursuant to Section 4.9 of this By-law.

4.9. Evaluation Criteria for a Variance

- 4.9.1. The following evaluation criteria will be used by the Development Officer or Council to determine if a Variance may be granted:
 - a) the proposed Variance would not result in a development that will:
 - i unduly interfere with the amenities of the neighbourhood; or,
 - ii materially interfere with or affect the Use, enjoyment or value of neighbouring parcels of land.
 - b) the subject Site has irregular Lot Lines or is a size or shape that presents challenges to development;
 - c) the subject Site has Physical Limitations relating to terrain, topography or Grade that may create difficulties in meeting the zoning regulations as prescribed in this By-law;
 - d) the subject Site has natural features such as rock outcrops or vegetation that may create difficulties in meeting the zoning regulations as prescribed in this By-law;
 - e) an error has occurred in the siting of a Structure during construction;
 - f) the proposed Development conforms to the Uses prescribed in this By-law, any applicable Area Development Plan, and the objectives and policies of the Community Plan; or
 - g) the proposed Variance does not infringe on Airport zoning regulations.

4.10. Fees

- 4.10.1. All fees to be charged under this By-law shall be established and set-out in the established fee schedule in the corresponding By-law. The City is not bound to consider an application unless it is accompanied by an application fee.

7. General Development Regulations Applicable to all Zones

7.1. Site Planning Considerations

Upon receipt of a Development Permit application, the Development Officer shall review the Site plan in consideration of the following:

- 7.1.1. Proposed Developments provide pedestrian Access points to public roadways, public transit and any adjoining trails and Open Space areas.
- 7.1.2. Proposed Development shall incorporate proper Lot surface drainage so that the removal of surface waters will not adversely affect adjacent properties or the public storm drainage system, to the satisfaction of the Development Officer.
- 7.1.3. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create standing water in the paved areas or walkways.
- 7.1.4. Approved surface drainage shall be maintained for the life of the Development.
- 7.1.5. Outdoor lighting is sufficient to provide for safety, security, display or attraction for any Development and shall be arranged so that no direct rays of light are projected to adjacent properties or interfere with the effectiveness of any traffic control device.
- 7.1.6. Lot shall be accessible by fire, police or other emergency personnel and equipment.
- 7.1.7. Lot shall be accessible for the provision of Municipal Services.
- 7.1.8. Building orientation to develop wind blocks and improve the pedestrian experience.
- 7.1.9. Development adequately responds to winter conditions and does not Impact snow clearing or storage capabilities.

7.4. Vehicular Access and On-Site Traffic

- 7.4.1. Vehicular Access to and from public roadways must adhere to the following criteria:
- a) at Street intersections, driveways shall be setback from the Lot boundaries, which form the intersection, a distance which is considered appropriate by the Development Officer to ensure the safe and efficient vehicle movement;
 - b) driveways shall be separated by a distance which is considered appropriate by the Development Officer to ensure the safe and efficient movement of existing or planned traffic volumes;
 - c) driveway Access to Streets and lanes must demonstrate, to the satisfaction of the Development officer, the safe and efficient movement of existing or planned traffic; and
 - d) driveways and on-Site parking shall have positive surface drainage to the roadway and the Grade of drive-way and on-Site parking shall not exceed 8%.

7.5. General Landscaping Regulations

- 7.5.1. Landscaped areas shall be provided pursuant with the Zone regulations set out in Section 7.5.3 of this By-law, and following the City's Development Standards. Developments shall consider the following general regulations:
- a) any part of a Lot which is not occupied by existing natural areas, Buildings, Structures, easements, Parking Areas, Loading Spaces, driveways, excavations or permitted Outdoor Storage areas shall be maintained as Landscaped area;
 - b) all Landscaped areas shall be designed to facilitate effective surface drainage;
 - c) A minimum of one (1) tree and two (2) shrubs or a combination thereof for every 25 m² of the Site. Trees and shrubs can be clustered together to improve survivability;
 - d) planted vegetation shall be capable of healthy growth in Yellowknife, grown from a northern stock, and with certification that the plants are grown north of 54 degrees latitude. The Development Officer may also require compliance of planted vegetation with the Canadian Standards for Nursery Stock;
 - e) applicants are encouraged to incorporate natural terrain, and topographic features into the design of Site plans and Building orientation;

- l) the Home Based Business shall not generate traffic or parking problems within the neighbourhood;
 - m) except with the approval of the Development Officer only one commercial vehicle, may be Used in conjunction with the Home Based Business and shall be parked on-Site at all times if it is not in operation. The vehicle shall not be larger than 4,400 kg;
 - n) Uses which are likely to generate traffic problems or require vehicles that do not conform to the By-laws of the City within the residential Zone shall not be allowed;
 - o) Not with standing Section 7.9 of this By-law, a Sign may be allowed for a Home Based Business if:
 - i the Sign displays only the name and type of the business, telephone number and logo;
 - ii the Sign does not exceed 0.16 m²;
 - iii the Sign is unlit; and
 - iv the Sign is unobtrusive and complementary to the neighbourhood; and,
 - p) All Development Permits issued for Home Based Businesses shall be subject to the condition that the Development Permit may be revoked by the Development Officer at any time if conditions (b) to (o) are contravened, or where the Use is or has become detrimental to the amenities of the neighborhood.
- 8.2.6. Multi-Unit Dwelling
- a) Any Multi-Unit Dwelling Development shall provide:
 - i Access for emergency vehicles;
 - ii access to enclosed garbage and compost storage;
 - iii fencing, if required by the Development Officer;
 - iv light between Buildings;
 - v pedestrian Access to and from the public sidewalk serving the Building; and
 - vi flood lighting and parking light standards sufficient to provide for safety and security and that have a minimal Impact to adjacent residential Development.

- b) Outdoor areas shall provide suitable Landscaping, fencing and surface treatment to the satisfaction of the Development Officer. Any Recreation Space provided is to be maintained for the life of the Development.
- 8.2.7. In-Home and Detached Secondary Dwelling
- a) Notwithstanding any requirement of this By-law, the Development Officer may approve the Development of an In-Home or Detached Secondary Dwelling provided:
 - i the In-Home Secondary Dwelling is fully contained within the single detached, single detached Factory-Built, duplex, townhouse and Multi-Unit Dwelling;
 - ii the Detached Secondary Dwelling is fully contained within an Accessory Building on the same Lot;
 - iii only one In-Home or Detached Secondary Dwelling is permitted on a Site.
 - iv the external appearance and residential character of the Principal Dwelling in which the In-Home Secondary Dwelling is located shall be maintained;
 - v the Detached Secondary Dwelling shall be subordinate and complementary to the Principal Dwelling;
 - vi the Gross Floor Area of all Storeys of an In-Home Secondary Dwelling shall not be more than the lesser of:
 - 1) 80% of the Gross Floor Area of all Storeys of the other Dwelling Unit; or
 - 2) 80 m²; and
 - vii Detached Secondary Dwellings shall adhere to Accessory Building Yard Setbacks.
 - b) Development standards for Lots containing suites include:
 - i the scale Buildings shall be similar and complementary to other Buildings on surrounding Lots;
 - ii In-Home Secondary Dwellings must have direct access to the outdoors and at least one window for emergency escape during a fire;
 - iii Detached Secondary Dwellings shall provide an unimpeded pedestrian/emergency access to a Street or lane frontage with a minimum width of 1 m;

10. Residential Zones and Zone Regulations

10.1. R1 – Low Density Residential

10.1.1. Purpose

To provide an area for lower Density residential Development that encourages a mix of Dwelling types and compatible Uses.

Table 10-1: R1 Permitted and Discretionary Uses

Permitted	Discretionary
Accessory Building	Convenience Store
Accessory Use	Planned Development
Community Resource Centre	Similar Use
Day Care Facility	
Dwelling • Single Detached • Duplex • In-Home Secondary • Detached Secondary • Factory-Built • Townhouse • Multi-Unit • Special Care Residence	
Home Based Business	
Institutional • Religious & Education Institutions	
Public Parks	
Public Utility Uses and Structures	
Short-Term Rental Accommodation	
Temporary Use	
Urban Agriculture, Community	

Table 10-2: R1 Regulations

R1 - Regulations	Single Detached Dwelling	Factory-Built Dwelling	Duplex Dwelling	Townhouse/ Multi-Unit Dwelling
Minimum Lot Width	15 m	11 m	15 m (7.5 m subdivided)	15 m (7.5 m subdivided)
Maximum Site Area	-			1,300 m ²
Maximum Lot Coverage				
Principal Building	40%	40%	55% combined	55% combined
Accessory Building	15%	15%		
Maximum Height				
Principal Dwelling	12 m	12 m	12 m	12 m
Accessory Building	Less than the Height of the Principal Dwelling	Less than the Height of the Principal Dwelling	Less than the Height of the Principal Dwelling	Less than the Height of the Principal Dwelling
Detached Secondary Dwelling Unit Above a Garage	No more than 3 m higher than the Principal Building to a maximum of 12 m	No more than 3 m higher than the Principal Building to a maximum of 12 m	No more than 3 m higher than the Principal Building to a maximum of 12 m	Not applicable
Detached Secondary Dwelling Unit	No higher than the Principal Building to a maximum of 12 m	No higher than the Principal Building to a maximum of 12 m	No higher than the Principal Building to a maximum of 12 m	Not applicable
Minimum Front Yard Setback (Principal Building)				
Front Yard	6 m	6 m	6 m	6 m
Minimum Side Yard Setback				
Principal Building - Interior	1.5 m	1.5 m	1.5 m	1.5 m
Principal Building - Corner	2 m	2 m	2 m	2 m
Factory-Built Dwelling - Entrance Side	-	2 m	2 m	-
Factory-Built Dwelling - Non Entrance Side	-	1.5 m	1.5 m	-

R1 - Regulations	Single Detached Dwelling	Factory-Built Dwelling	Duplex Dwelling	Townhouse/ Multi-Unit Dwelling
Factory-Built Dwelling – Front Entrance	-	1.5 m (both sides)	1.5 m (both sides)	-
Accessory Building - Interior	1 m	1 m	1 m	1 m
Accessory Building - Corner	2 m	2 m	2 m	2 m
Minimum Rear Yard Setback				
Minimum for a Principal Building	6 m	6 m	6 m	6 m
Minimum for an Accessory Building	1 m	1 m	1 m	1 m
Minimum for an Outdoor Wood Pellet Boiler	2 m	2 m	2 m	2 m
Projections into Yard Setbacks				
Architectural Features for 3 m or greater	1.2 m	1.2 m	1.2 m	1.2 m
Architectural Features 1.5 m or less for Side Yard	0.6 m	0.6 m	0.6 m	0.6 m
Unenclosed Deck above 0.6 m in Height front and rear Yard	40% reduced setback	40% reduced setback	40% reduced setback	40% reduced setback
Unenclosed Deck less than 0.6 m in Height Front Yard	40% reduced setback	40% reduced setback	40% reduced setback	40% reduced setback
Unenclosed Deck less than 0.6 m in Height Rear Yard	1 m from the Lot boundary	1 m from the Lot boundary	1 m from the Lot boundary	1 m from the Lot boundary
Unenclosed Steps	40% reduced setback	40% reduced setback	40% reduced setback	40% reduced setback
Accessory Structures overhanging eaves	0.6 m	0.6 m	0.6 m	0.6 m
R1 - Regulations	Single Detached	Factory-Built Dwelling	Duplex Dwelling	Townhouse/ Multi-Unit

R1 - Regulations	Single Detached Dwelling	Factory-Built Dwelling	Duplex Dwelling	Townhouse/ Multi-Unit Dwelling
	Dwelling			Dwelling
Minimum Distance				
Between Principal Building and Accessory Building/Structure or between Accessory Buildings/Structures	1 m	1 m	1 m	1 m
Exceptions	Minimum 3 m Between a Principal Building and Outdoor Wood Pellet Boiler	Minimum 3 m Between a Principal Building and Outdoor Wood Pellet Boiler	Minimum 3 m Between a Principal Building and Outdoor Wood Pellet Boiler	Minimum 3 m Between a Principal Building and Outdoor Wood Pellet Boiler

10.1.2. Development Regulations

a) Site Development

- i The Site plan, the relationship between Buildings, Structures and Open Spaces, the architectural treatment of Buildings, and vehicle circulation shall be subject to approval by the Development Officer.
- ii A Site shall not be developed where significant portions of the Site cannot accommodate future residential Development and Access.
- iii Parking
 - 3) Single Detached Dwellings, driveways shall not exceed two car widths.
 - 4) Duplex Dwellings, driveways shall not exceed two car widths without being separated by Landscaping features satisfactory to the Development Officer.

10.1.3. Other Regulations

- a) See Section 7 – Development Regulations Applicable to All Zones.
- b) See Section 8 – Development Regulations Applicable to Residential Zones.

**CITY OF YELLOWKNIFE
BY-LAW NO. 4438**

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 repeal a portion of the City of Yellowknife Niven Lake Development Scheme 2004, By-law No. 4339, 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 evaluated the Niven Lake Development Scheme 2004, By-law No. 4339, as amended;

AND WHEREAS the Municipal Corporation of the City of Yellowknife wishes to adopt the City of Yellowknife Niven Lake Development Scheme 2007, By-law No. 4438;

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

SHORT TITLE

- 1. This By-law may be cited as the Niven Lake Development Scheme 2007.

APPLICATION

- 2. The City of Yellowknife Niven Lake Development Scheme 2007 comprised of the attached Schedule No. 1 and Schedule No. 1-A, is hereby adopted.

REPEALS

- 3. The portion of By-law No. 4339 which is coincident with the Niven Lake Development Scheme 2007 is hereby repealed.

EFFECT

4. 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.

A/MAYOR T

CITY ADMINISTRATOR

READ a Second Time this 26TH day of MARCH, A.D. 2007.

A/MAYOR 0

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

::ODMA\PCDOCS\DOCS\122000\1





**NIVEN LAKE
DEVELOPMENT SCHEME 2007**
Schedule No. 1 to By-law No. 4438

LEGEND

- UR Urban Reserve
- T & OS Trails & Open Space
- R-LD Residential Low Density
- R-MD Residential Medium Density
- P Parkspace
- Development Scheme Boundary
- Property Parcel

DRAWN: BPetch
DATE: Oct 22, 2006
FILE: Bylaw4438_Devel_Scheme 2007.mxd

NOTE: All locations, boundaries, designations, and dimensions denoted by this Development Scheme are subject to alteration based on a completed Plan of Survey and detailed engineering designs. Road rights-of-way are to be determined by plan of survey and engineering designs.

SCHEDULE 1-A

1. Housing

- 1a) The Niven Lake residential area shall provide for detached, duplex, multi-attached and multi-family dwellings, as defined under the current Zoning By-law, in areas designated R - LD (Residential Low Density) and R - MD (Residential Medium Density).

2. Pathways and Open Space

- 2a) In conjunction with the Integrated Parks, Trails, and Open Space Development Study as approved on June 27, 2005 by motion #0173-05 the trails and open space network will be connected to the larger City wide trail system.
- 2b) The Niven Lake trail system will be connected both to the surrounding residential subdivision and to recreational opportunities outside of the Niven Lake subdivision.
- 2c) The existing trail connecting the Frame Lake trail to Back Bay will be retained in its current location and incorporated into the trail system of this development.
- 2d) Wherever possible, trails external to parkspace or road rights-of-way will be developed within an approximate 20 metre right-of-way wherein no development save that directly related to a trail or a related public service use will be permitted. The 20 meter right-of-way will be established by a plan of survey.

3. Roads and Utilities

- 3a) Within road rights-of-way, streets shall be developed at the minimum width prescribed by the Public Works Department to accommodate two way traffic, parking on one or both sides as required, sidewalks on both sides, and landscaped boulevards.

SCHEDULE 1-A (continued)

- 3b) Cul-de-sacs shall be developed at the minimum width as prescribed by the Public Works Department to accommodate two-way traffic and a centre island to be landscaped with natural flora and hard landscape material local to the City of Yellowknife.
- 3c) Utilities will be underground.
- 3d) Traffic calming measures such as landscaped boulevards, on-street parking, and landscaped cul-de-sac centre islands will be used to promote pedestrian friendly development.

4. Public Transit

- 4a) The Niven Lake Development Scheme 2007 is designed to accommodate public transit.

5. Parks

- 5a) As outlined in the Waterfront Management Plan (2001 - 2008) as approved on February 26, 2001 by motion #0056-01, an urban/nature park is intended to be developed in the Urban Reserve area to preserve the natural attributes of the area, specifically waterfront views and access.
- 5b) Active or passive recreation opportunities will be provided in the Parkspace areas.

6. Highway Buffer

- 6a) A 20 metre buffer strip shall be preserved between the east boundary of the Yellowknife access road right-of-way and any proposed lots. The buffer strip may allow for trail uses, but will otherwise be maintained in a natural, undeveloped state.

SCHEDULE 1-A (continued)

7. Urban Reserve

- 7a) The area adjacent to the Jackfish ravine will be subject to future study for residential, parks, and recreation purposes.

8. Development Scheme Boundaries

- 8a) Parcel and right-of-way boundaries represent the intent of the City of Yellowknife and will be established by engineering design and plans of survey. The boundaries indicated by this Development Scheme are subject to change based on their completion. Road rights-of-way will be determined by plan of survey or engineering design.

9. Resource Conservation

- 9a) Where practical any plan of subdivision should be designed to take advantage of passive solar opportunities for individual lots.
- 9b) Methods of energy conservation may be considered in zoning and building regulations for the Development Scheme area.

PROPERTY OWNERS WITHIN
NIVEN LAKE DEVELOPMENT SCHEME 2007

City of Yellowknife
P.O. Box 580,
Yellowknife, NT
X1A 2N4

DEVELOPMENT APPEAL BOARD

July 16, 2026

Development Permit: PLDEV-2026-0013

Lot 77, Block 308, Plan 4204

(2 Findlay PT, Yellowknife, NT)

Presented By: Bassel Sleem, RPP, MCIP

Planner II, City of Yellowknife



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SUBJECT PROPERTY



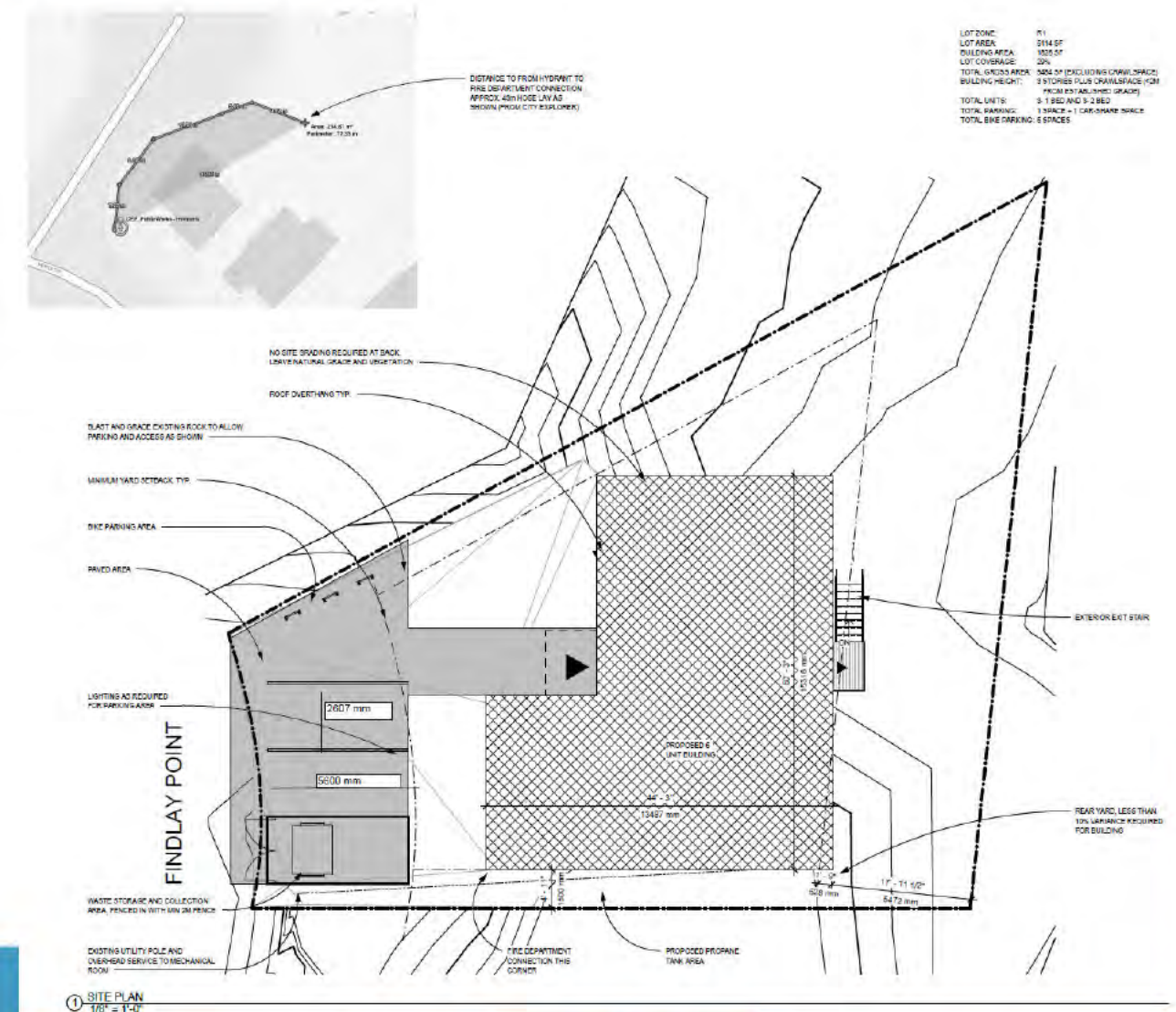
BACKGROUND OF NIVEN DEVELOPMENT

- In 1995, first Niven Lake Development Scheme By-law No. 3794 was adopted.
- In 2002, Niven Lake Development Scheme 2002 By-law No. 4181 was adopted.
- In 2003, Niven Lake Development Scheme 2003 By-law No. 4269 was adopted.
- In 2004, Niven Lake Development Scheme 2004 By-law No. 4339 was adopted. Niven Phase 5 and Phase 6 were proposed.
- In 2007, Niven Lake Development Scheme 2007 By-law No. 4438 was adopted. Niven Phase 7 and Phase 8 were proposed.
- In 2020, City of Yellowknife Community Plan was approved.
- In 2022, City of Yellowknife Zoning By-law No. 5045 was adopted.

DEVELOPMENT PROPOSAL

Multi-Unit Dwelling (6 Units)

- Requesting 0.5m variance to the rear yard setback.
- proposes one parking space in addition to a car-share vehicle in lieu of 6 required parking spaces.



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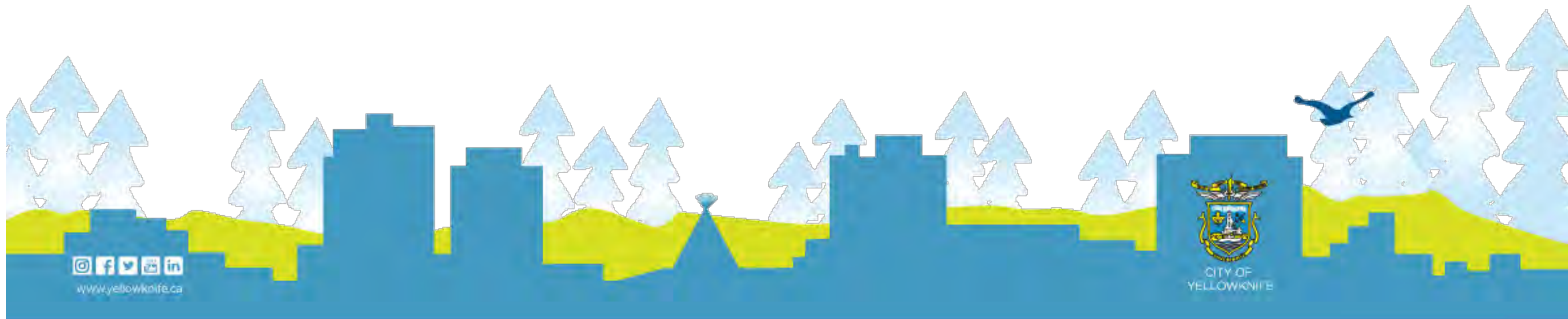
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EVALUATING THE DEVELOPMENT PROPOSAL

- Community Plan By-law No. 5007:
 - Section 4.5 – Niven Residential
- Niven Lake Development Scheme 2007 By-law No. 4438
- Zoning By-law No. 5045:
 - Section 7 – General Development Regulations Applicable to all Zones
 - Section 8.2.6 – Multi-Unit Dwelling
 - Section 10.1 – R1 – Low Density Residential

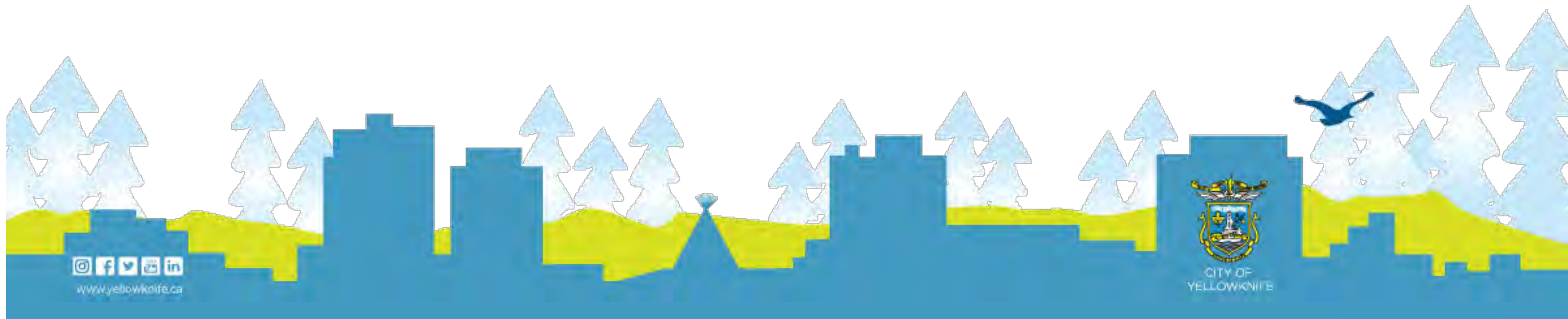
DEVELOPMENT OFFICER'S DECISION

On June 15, 2026, the Development Officer refused Development Permit PLDEV-2026-0013 for reasons of non-compliance with Zoning By-law No. 5045, particularly Section 4.9, Section 7.1, Section 7.4, Section 8.2.6, and Section 10.1



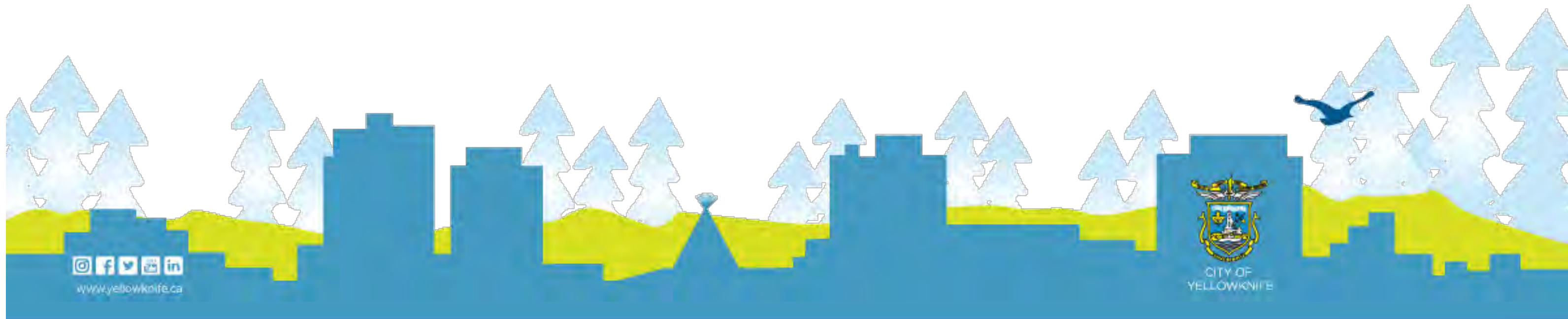
DEVELOPMENT OFFICER'S AUTHORITY

- Zoning By-law No. 5045 Section 4.6.2 (b) allows the Development Officer to refuse an application if the proposed Development does not conform to the By-law, unless a Variance has been granted.
- Zoning By-law No. 5045 Section 4.9 establishes the criteria when determining if a Variance can be granted.



APPELLANT CONCERNS

- Misapplication of the Zoning By-law
- Improper variance assessment
- Parking and site planning concerns
- Failure to consider proposed mitigation
- Procedural concerns
- Inconsistent with previous approvals

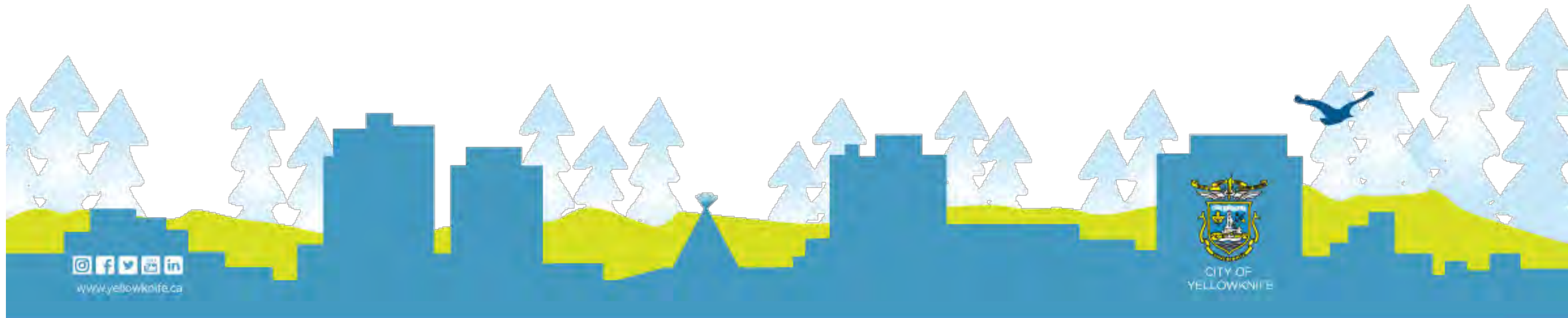


RESPONDING TO APPELLANT CONCERNS

Ground 1. Permitted Use

The appellant argues that the proposal should have been approved because it is a permitted use and generally complies with the Community Plan.

The Development Officer reviewed the application against all applicable provisions of the Zoning By-law, not solely whether the use was permitted.

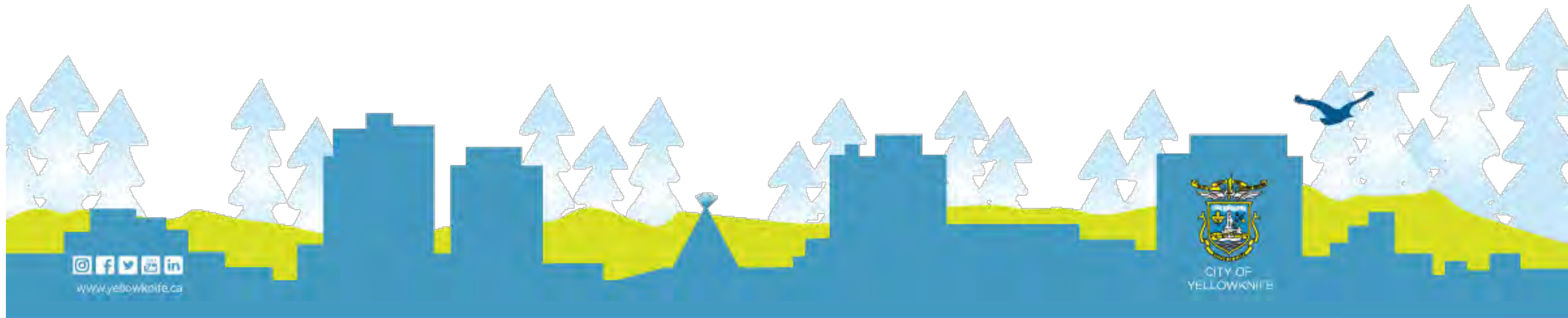


RESPONDING TO APPELLANT CONCERNS

Ground 2. Parking

The appellant submits that the proposal meets the parking requirements and should not have been refused on parking-related grounds.

Compliance with the minimum parking requirements does not remove the need to assess site planning, vehicle circulation, and the overall functionality of the development.



RESPONDING TO APPELLANT CONCERNS

Ground 3. Variance

The appellant argues that Section 4.9 was misapplied and that the requested variance should have been approved.

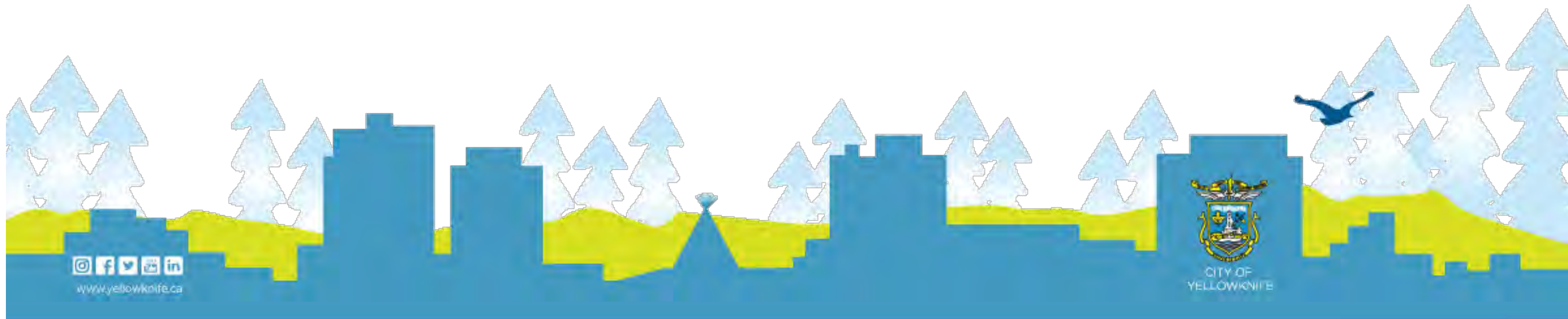
The Development Officer assessed the requested variance based on the criteria set out in section 4.9 of the Zoning By-law as well as in the context of the proposed development, the site, and its relationship to surrounding properties, as required by the Zoning By-law.

RESPONDING TO APPELLANT CONCERNS

Ground 4. Planning Considerations

The appellant submits that discretionary use criteria were improperly applied.

The Development Officer considered planning matters expressly required under the Zoning By-law, including site planning, vehicular access, and multi-unit dwelling requirements.

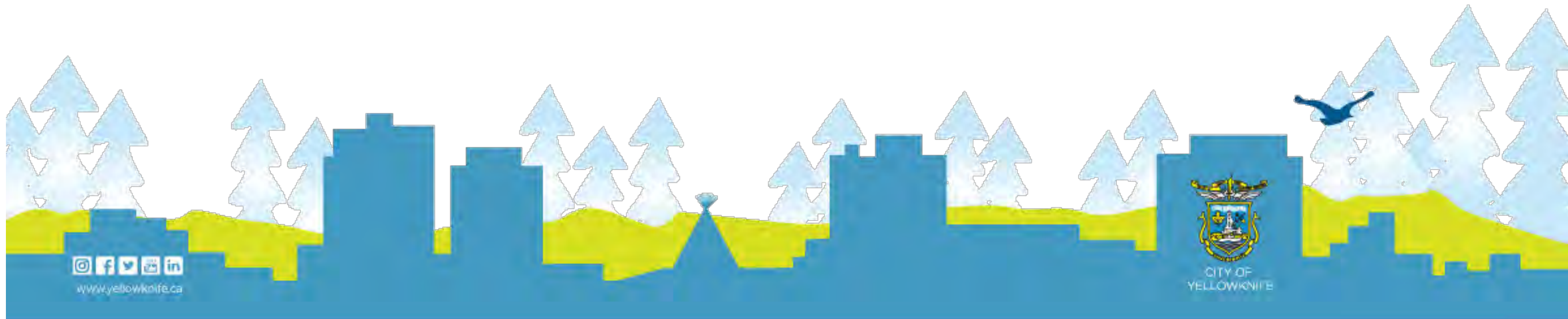


RESPONDING TO APPELLANT CONCERNS

Ground 5. Zoning By-law No. 5045 Section 10.1

The appellant argues that Section 10.1 was used to impose standards beyond the By-law.

Section 10.1.2(a) requires the Development Officer to approve the site plan, building relationships, and vehicle circulation as part of the overall assessment.

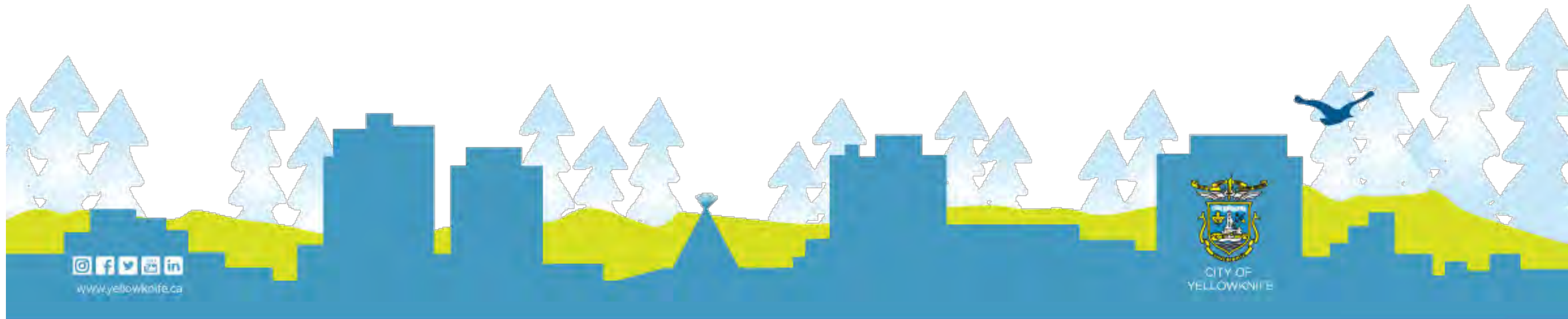


RESPONDING TO APPELLANT CONCERNS

Ground 6. Departmental Review

The appellant notes that City departments identified no concerns.

Departmental comments [and neighbourhood feedback] informed the review but did not replace the Development Officer's responsibility to assess the application against the Zoning By-law.

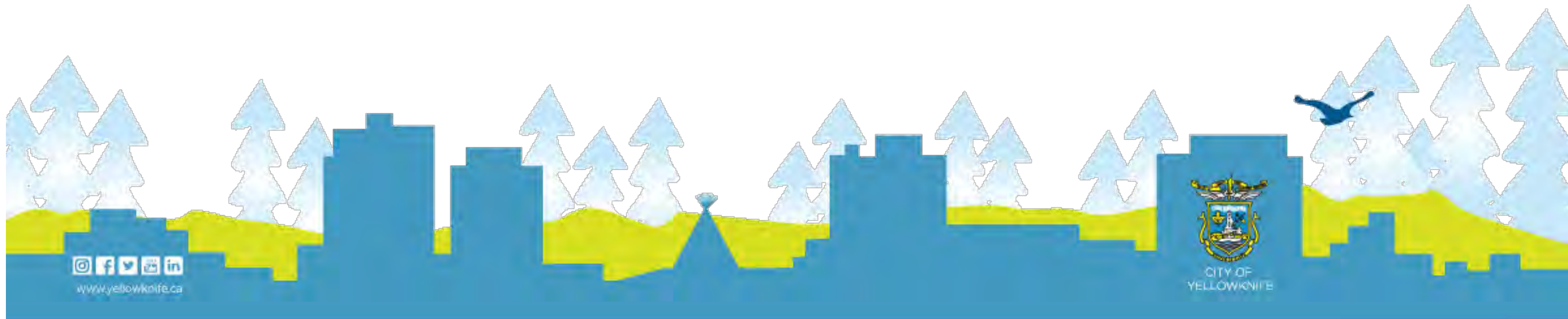


RESPONDING TO APPELLANT CONCERNS

Ground 7. Conditions and Timeline

The appellant submits that proposed mitigation measures were not considered and that the application exceeded the prescribed timeline.

The revised application and proposed measures were considered throughout the review, and the applicant continued with the process until a formal decision was issued.



RESPONDING TO APPELLANT CONCERNS

Ground 8. Previous Approval

The appellant argues that the proposal should be approved because a similar development was previously approved on the same street.

Each application is assessed based on its own merits and conditions of each development that exist at the time of the decision, including the cumulative effects of existing and approved development within the cul-de-sac.

CONCLUSION

The Development Officer's decision was based on a comprehensive review of the proposed development against the applicable provisions of the Community Plan and Zoning By-law No. 5045. Having considered the proposal, the requested variance, departmental comments, public input, and the established context of the Findlay Point cul-de-sac, the Development Officer concluded that the application did not satisfy the requirements and intent of the Zoning By-law.

The City respectfully requests that the Development Appeal Board dismiss the appeal and uphold the Development Officer's decision to refuse Development Permit application PLDEV-2026-0013.



From:
To: [Development Appeal Board](#)
Cc:
Subject: 2 Findlay point
Date: July 4, 2026 10:06:46 PM
Attachments: [Image.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good day,

Unfortunately I will be out of town during the hearing or I would certainly attend. I am going to submit below what I previously wrote in opposition to the development. I would however like to add a further update. I was told by the last appeal board for a different Findlay point 4 plex that any issues can be remedied with by-law enforcement. I have confirmed this is certainly inaccurate. Myself and many others have called bylaw very frequently due to daily issues. I have seen bylaw drive by when there is 3-5 vehicles parked out of compliance and they did nothing. I called to report a complaint and they said yes we got your online complaint however that was not me which confirms multiple unaddressed complaints in just one morning. I have spoken to the manager before and no resolution. I have made a public complaint against bylaw. Not even a call back. So I think by adding a 6 plex or even another 4 plex the city has vastly outstripped their ability or willingness to manage problems but rather add more problems. It has become a serious safety issue in our cul de sac and this will exponentially make it worse. Again to reiterate our property value will be affected and all the added traffic and noise pollution. This is essentially an apartment building in a small residential court. Should this go ahead with anything more than a duplex we will most likely be leaving the city as enough is enough. There does not appear to be any consideration to the impact of those already living here. I have attached 3 photos of what the court has looked like for the last 2.5 years and of note I do not own a white truck and people park in my driveway even.

The following is my original message to the city developer:

I am writing to express my extreme dissatisfaction with a proposed 6 plex in Findlay Point. I know the bulk if not all the residences in the area express the same view. While I appreciate the need for more residential units, at what point does the city draw the line. This extreme densification (overpopulation) of the cul-de-sac will have many negative consequences. First off there are multiple significant safety concerns with this many proposed people crammed into such a small area. I have almost been hit 3 times by vehicles with the current added

pressures of vehicles in the cul-de-sac. The driver did not even see me on each event. I have called by-law a number of times but those are generally short-term remedies. There have been vehicle collisions, an increase in parties, and unsafe driving (spinning doughnuts). Additionally, most homes have multiple children residing which are also at a significant risk with the overpopulation of this area as it is. It is no longer safe to have our children play outside at Findlay Point, which is such a shame as this was initially a huge selling feature when we purchased our home in 2023.

As it stands there are two 4 plex units, one of which is not yet finished, multiple duplexes in the immediate area, one house with a suite being built and only 2 stand alone homes all in one small cul-de-sac. Currently our home is valued at over 1 million dollars and I pay significant property taxes for essentially just snow removal once a year. This will significantly impact our property value, views of the area including sun with a tall building and further noise pollution.

Multiple times a week if not most days, access to my house is impeded by illegally parked vehicles. This is a concern if emergency vehicles need to get in, I have to get out fast, or if anyone in general needs to access our homes such as to fill propane and for any deliveries, etc. With the cul-de-sac being treated like one giant parking lot of multiple vehicles left everywhere it also effects garbage pick up and snow removal for Findlay Point, which is a massive problem for current residents, never mind adding another potential 12 or more individuals to this lack of space. Also to note, multiple tour buses and city taxis also frequently pull into Findlay Point to drop off and pick up tourists who seek to hike trails in the area.

If you would like further evidence of the congestion, I am more than happy to submit photos. I have lodged formal complaints to by-law as well as the land development unit over issues in our court. Our quality of life has been negatively impacted over the last 2.5 years of building and increased use of the area. There are fuel spills (environment attended) there is garbage flying all over. The city cannot keep tabs on the issues as is, let alone 6 more units and up to 12 (or more) people and potential animals/pets residing there. I think it would be naïve to think a ride sharing program will be utilized or enforced. Coincidentally, a rideshare program in Niven has been previously explored and resulted in the determination that it would not be sustainable as several cars would need to always be available in order to ensure the success of this program in such a space where the walking distance to the “city” core is too far for residents to not have immediate access to a readily available vehicle. These individuals will have no choice but to purchase or bring their vehicle with them, resulting in attempting to park it in the cul-de-sac. The reality is all residents currently in Findlay Point have at least 1 if not 2 vehicles. This also includes other modes of transportation such as snowmobiles and boats. I am sure the rideshare concept was included in the application to strategically attempt to get ahead of concerns that will arise and to try to satisfy current residents with the false idea that the massive parking issue would be “taken care of.” Currently, the 4 plex beside us also indicates

it was only built for 3 spots. Already, vehicles are struggling with finding parking for these units and will park as they please wherever they so choose. There is limited to no parking already on Moyle due to the other condos in the area. There have been several calls to bylaw and permitting with complaints. There have been little to no resolve, there is no parking now and it is increasingly dangerous. We are almost hit every other week with parking all over. Additionally, there are children, pedestrians, and many pets such as resident's dogs running around during the same occurrences. It is a huge safety issue with speeds and congestion already.

It certainly feels the city does not value its residents opinion. I had gone to a previous appeal hearing for the 4 plex in the court and it appeared the city had made up its mind and the hearing was simply to satisfy its obligations. That board at the hearing also indicated if there was issues we could call bylaw as if it would easily rectify problems, it has not.

While I would prefer another stand alone house in the court, from my view point a duplex would be the maximum occupancy of that lot. Another 4 plex would cause the same issues as described.

We chose this cul-de-sac for a quiet, safe, and private location. At what point does the city act on behalf of the best interests for their current residents who are actively choosing to support Yellowknife, without the same support provided back. If there were more rural options or larger lots that would be great so we could have some choice, multi dwellings could have the spaces to develop the necessary parking for their residents, and we would not have to be put in these extremely dissatisfactory living situations.

Regards,

Ryan Plustwa







subject: Levegemers Appeal Board PLDEV-2026-0013
Date: July 6, 2026 2:27:34 PM
Attachments: [Findlay, Scott.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I wish to participate in the hearing for PLDEV-2026-0013 Lot 77, Block 308 Plan 4202 (2 Findlay Point) as an owner of land within 30 metres

Two submissions are provided

1. A photograph taken on July 6, 2026, illustrating parking on Findlay Point.
2. A sketch of available street parking in the immediate area surrounding Findlay Point.

If presentation is permitted I intend to speak to the following points:

- The proposed development would create a total of 19 units within Findlay Point (including secondary units at 5 and 9).
- This creates a significant density that was not likely contemplated in the original design and function of the crescent and roadway.
- I do not believe there is any other residential area in Yellowknife with the occupancy density to designated parking availability.
- There is limited street parking in the crescent already. The nearby street parking is also limited and additional developments in the area will also compete for that space.
- The proposed development will place parking pressure on the court itself and nearby parking areas.
- There are no occupied residences on the court with less than 1 vehicle per unit. Even single family dwellings often have multiple vehicles.
- It is unreasonable to expect these 6 units to require less than 1 parking space each and realistically more.
- Even the unit on the court with AVID car share enthusiasts and bike users has at least 1 vehicle per unit.
- Limiting parking availability does not magically steer people to other transportation methods. There is absolutely no evidence to support this assumption.
- 7 Findlay has already been granted a variance for reduced parking (3 spaces for 4 units). For almost 3 years the developer abuses the court on an almost daily basis with double parking / 90 degree parking that interferes with the ability to drive / turn in the court. This has sparked frequent tensions and calls to Municipal Enforcement.
- We have already seen the impacts of overcrowding of the court space during construction when developers occupy court space for extended periods of time. Municipal enforcement has not solved these issues but also should not be the constant remedy.
- A court by design creates a social space and fosters connection between residents.
- The environment should support a liveable neighbourhood and not create a space where foreseeable tension will be engineered.
- The variance request is not reasonable because of how it will impact the neighbourhood in terms of density and parking pressure.

Scott Robertson





Findlay Point environs street parking availability.

Development Appeal Board

CITY OF YELLOWKNIFE

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June 24, 2026

200-D1-H1-26

REGISTERED MAIL

Mr. Edwin Shu
224 Niven Drive
Yellowknife, NT. X1A 3Z1

Dear Mr. Edwin Shu:

Re: Appeal of Development Permit No. PLDEV-2026-0013

Receipt is hereby acknowledged of your letter appealing the decision of the Development Officer to refuse a Development Permit Application for PLDEV-2026-0013 for a proposed Multi-Unit Dwelling (6 units) – Variance for Rear Yard on Lot 77, Block 308, Plan 4204 (2 Findlay Point).

This letter is to confirm that a hearing of the City of Yellowknife Development Appeal Board, to consider your appeal, has been scheduled for Thursday, July 16, 2026, at 7:00 p.m. in the City Hall Council Chamber.

With respect to the submission of written documentation for the Appeal Board's consideration, you are hereby informed that, pursuant to section 5.1(6)(a) of the Yellowknife Zoning By-law, all maps, plans, drawings and written material that you intend to submit in support of your appeal must be filed with the Secretary of the Appeal Board no later than ten days before the day fixed for the appeal. You have until 4:30 p.m. on Monday, July 6, 2026 to submit your documentation to the Secretary of the Appeal Board at City Hall or via email to DAB@yellowknife.ca. Should your submission be too large to email, please contact me and we will make arrangements to provide you with our File Transfer Site.

Enclosed are copies of the sections of the *Community Planning and Development Act* of the Northwest Territories and the City of Yellowknife Zoning By-law that describe the Appeal Board's composition and procedures.

Please contact me should you have any questions with respect to the appeal.

Yours truly,

Bernany Ly
A/Secretary,
Development Appeal Board

DG/sj

Enclosure

Docs #117760