

Property Information/Details

Location Description	Lot 13 Block E Plan 4227
City of Yellowknife Community Plan No. 5007, as amended.	Section 4.2 Old Town Section 4.15 Akaitcho Section 5.1 Environment and Climate
City of Yellowknife Zoning By-law No. 5045, as amended.	Chapter 3 Roles and Responsibilities Chapter 4 Development Permit Process Section 5.1 Development Appeal Process Section 7.1 Site Planning Considerations Section 7.3 Grade Section 7.4 Vehicular Access and On-Site Traffic Section 7.5 General Landscaping Regulations Section 7.8 Parking Section 7.11 Set-backs from Water-Bodies Section 8.2 Specific Use Regulations applicable to Residential Zones Section 11.3 OT – Old Town Mixed Use
Civic Address:	3 Boffa Drive
Access:	Boffa Drive and Lot 10 Block E Plan 4227
Municipal Services:	Trucked water and sewage services; Municipal garbage pickup

Recommendation:

The Development Officer recommends approval of Development Permit and Variance application PLDEV-2025-0123 to permit a new Factory-Built Dwelling with Variances to reduce the minimum Front Yard Setback from 6.00m to 0.79m and the minimum Side Yard Setback from 2.00m to 1.41m, with the following conditions:

1. The Front Yard Setback be decreased from 6.00m to 0.79m.
2. The Side Yard Setback be decreased from 2.00m to 1.41m.
3. The proposed development shall comply with the Shoreline setback with no structure located within 15.00m of the Shoreline of the Water-Body as measured on November 21, 2025.
4. The applicant must submit a copy of the Real Property Report for the site upon completion of the development to the Development Officer for review against approved stamped plans.
5. Any site grading that exceeds an average change of 0.60m, a Grading Permit will be required.
6. The Development shall be skirted from the base of the unit to the ground with material similar to that of the siding material and conform to the current National Building Code and shall be Canadian Standards Association Certified.
7. The development shall comply with the approved stamped drawings for PLDEV-2025-0123 and with all By-laws and policies in effect for the City of Yellowknife.

Proposal:

The applicant has applied for Development Permit for a Factory-Built Dwelling and requested Variances to decrease the minimum required Front Yard Setback and Side Yard Setback in the OT – Old Town Mixed Use Zone in order to accommodate the placement of the new Detached Factory-Built Dwelling on the site. The Front Yard Setback would be reduced from 6.00m to 0.79m and the Side Yard Setback would be reduced to from 2.00m to 1.41m to permit the new dwelling.

Background:

GENERAL STATEMENT

On October 6, 2025, an application for a Development Permit was received from Alana Hjelmeland, the applicant, for a Factory-Built Dwelling. The application was deemed incomplete and the Development Officer required information from the applicant. On October 15, 2025, the Development Officer visited the site and noted the applicant had proceeded with the development without a Development Permit, in contravention of the City's Zoning Bylaw No. 5045, Section 4.1.4., as amended. A Notice of Stop Work was issued and sent to the applicant on October 21, 2025. The applicant proceeded to work with the Development Officer to provide all required documents for the application. Once the proposed site plan was received, the Development Officer identified that the proposal did not meet the Shoreline Setback Requirement, as the site is adjacent to Back Bay on Great Slave Lake. It was deemed necessary for the applicant to obtain the location of edge of the Water-Body and set the proposed structure back 15.00m, in compliance with Section 7.11 of the Zoning By-law. An updated site plan with both the water mark and 15.00m setback was received on December 2, 2025 and the application was deemed complete. In order to accommodate the proposed Factory-Built Dwelling and meet the 15.00m setback, variances to the Front Yard Setback and Side Yard Setback in the OT – Old Town Mixed Use Zone have been requested.

Assessment of the Application:

JUSTIFICATION

Factory-Built Dwelling is a permitted use in the OT Zone. The Development Officer is the approving authority for Development Permits within the scope defined by Section 3.1.1 of the Zoning By-law. A development permit is required for any development that is accompanied by a variance, as per sections 4.2. and 4.8. of Zoning By-law No. 5045, authorized under section 23. (1) of the *Community Planning and Development Act*. The variances requested fall with the Development Officer's authority as defined in Section 4.8.1. of the Zoning By-law as they do not relate to density.

LEGISLATION

Community Planning and Development Act, S.N.W.T. 2011, c.22

As per section 3(1) of the Act, 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.

Section 12 states that the purpose of a Zoning Bylaw is to regulate and control the use and development of land and buildings in a municipality in a manner that conforms to a community plan/ and if applicable/ to prohibit the use or development of land or buildings in particular areas of a municipality.

Section 14 states that a zoning bylaw must specify one or more of the uses of land and buildings for each zone that are permitted.

Section 16 states that the Zoning Bylaw must identify Council or a Development Officer, or both as the authority responsible for making decisions on applications for Development Permits.

Per section 23. (1) and 25. (1), (2), an authorized development authority, being a development officer appointed under section 52, reviews the variance application and makes a decision.

Community Plan By-law No. 5007, as amended

This 2020 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.

Zoning By-law No. 5045, as amended.

The general 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 processes the application per section 3.1.1 (Development officer's roles and responsibilities) and applicable sections of Chapter 4 (Development Permit Process) of the By-law. The Development Officer also evaluates the variance application per the criteria set in section 4.9 of the By-law, and accordingly makes a decision.

PLANNING ANALYSIS

City of Yellowknife Community Plan By-law No. 5007, as amended

Section 4.2 Old Town

The Plan identifies the Old Town designation as a as an integral part of Yellowknife's history and a major part of the unique character with a variety of residential, commercial and recreational land uses. Most of the residential development in Old Town is characterized by low-density single detached dwellings with some medium density residential development like row houses and duplexes. The Plan encourages multiple forms of continued residential development while maintaining the existing character of the built form in the area.

4.2 Old Town Objectives and Policies	
Planning and Development Objectives:	Policies:
1. To limit development of residential and commercial buildings to forms that are compatible with the wetland, shoreline and exposed rock settings.	1-a. New development will not adversely impact natural geographic features and environment. 1-b. Any alteration of significant natural bedrock and shoreline features will be avoided if at all possible.
13. To maintain the existing character of the built form.	13-a. New development will consider existing context of immediate surrounding area.
14. To encourage a mix of residential options including larger homes, duplexes, rowhouses, groups of tiny homes, and mixed residential and commercial spaces.	14-a. A variety of residential development including multi-unit and mixed residential/commercial development will continue be permitted.

The proposed Factory-Built Dwelling meets the objectives for the Old Town Land Use Designation to provide a variety of housing types and density. The proposed development is consistent with the context of the surrounding area and is not anticipated to adversely affect the surrounding environment. The applicant's Front Yard Setback and Side Yard Setback will not impact the objectives for the Old Town designation.

Section 4.15 Akaitcho

The Akaitcho Land Withdrawal identifies land that is being held until the land claim between the Akaitcho Dene First Nations (ADFN) and the Government of Canada has been settled. The policies in this section restrict development within the jurisdiction of the City on these lands till such time that the land claims are settled. The subject site is not located within the Akaitcho Land Withdrawal, as identified in the Community Plan By-law No. 5007, as amended, and as a result not subject to the policies related to new development.

Section 5.1 Environment and Climate

The Plan also identifies Objectives and Policies related to the protection of Water-Bodies with consideration to water quality and protection of land adjacent to waterbodies.

5.1.2 Environment Objectives and Policies	
Planning and Development Objectives:	Policies:
2. To protect the quality of water in lakes and waterbodies.	2-a. The City will respect the 100' reserve on land adjacent to waterbodies according to GNWT's Commissioner's Land Act and Northwest Territories Lands Act.

The Government of the Northwest Territories Environment and Climate Change department was circulated the application and had no concerns regarding the application. Additionally, the proposed development must meet the requirement in Section 7.11.a) of the Zoning By-law to have development setback at least 15.00m from the edge of the Great Slave Lake which helps reduce environmental impacts on the Water-Body.

Zoning

City of Yellowknife Zoning By-law No. 5045, as amended

The proposed Factory-Built Dwelling has been determined to meet all applicable requirements of the By-law with the exception of the OT – Old Town Mixed Use Zone requirement for minimum Front Yard Setback and Side Yard Setback during the review of the Development Permit and Variances.

Land Use (Section 11.3):

Factory-Built Dwelling is a permitted use in the OT Zone. The proposed use meets the intent of the OT Zone by providing a mix of residential and commercial uses. Adjacent properties include existing residential uses, which are compatible with the Factory-Built Dwelling. The dwelling was located on the site prior to issuance of an approved Development Permit, with its location and foundation not finalized. As a result, a condition of approval will be for the applicant to provide a Real Property Report to verify compliance with all stamped plans, conditions and applicable regulations. The proposed development follows all applicable Zoning regulations with the exception of the Front Yard Setback and the Side Yard Setback for the principal building as stated in Table 11-7 of the Zoning By-law, therefore variances are required.

Variance to Front Yard Setback:

To accommodate the proposed development, a Variance to the Front Yard Setback is requested to reduce the required setback from 6.00m to 0.79m. Criteria for evaluating a Variance in Section 4.9.1 b) of the Zoning By-law states that a Variance may be granted if the subject Site has irregular Lot Lines or is a size or shape that presents challenges to development. The Development Officer has noted that the subject site meets this criteria due to the irregular shape of the lot as shown in the stamped plans. The lot line that is considered the front lot line runs at an angle, creating an oddly shaped setback. Since the subject land is adjacent to a Water-Body, it is subject to sec 7.11.a) of the Zoning By-law where the proposed development must be set back at least 15.00m from the Shoreline. This presents challenges, as the proposed building must be located closer to the front lot line and is not able to meet the required Front Yard Setback of the OT Zone. In accordance with sec 4.9.1. d), a Variance may be granted if the site has natural features that may create difficulties in meeting zoning regulations in the By-law. The proposed Variance to the Front Yard Setback would allow for the Shoreline Setback to be met and address the difficulties the requirement presents to the development. Lastly, the proposed variance is not anticipated to unduly interfere with the amenities of the neighbourhood; or detract from the use, enjoyment or value of neighbouring parcels of land.

Variance to Side Yard Setback:

To accommodate the proposed development, a Variance to the Side Yard Setback is requested to reduce the required setback from 2.00m to 1.41m. Criteria for evaluating a Variance in Section 4.9.1 b) of the Zoning By-law permits a Variance to be granted if the subject Site has irregular Lot Lines or is a size or shape that presents challenges to development. The Development Officer has noted that the subject site meets this criteria due to the irregular shape of the lot as shown in the stamped plans as they do not remain straight, resulting in different measurements for the setback, at different locations. Additionally, the requirement in Section 7.11.a) for a 15.00m setback from the Shoreline limits the location of where the Factory-Built Dwelling can be located. This further demonstrates the impact of the irregular lot lines as the north lot line is considered a side lot line, while the lot line directly opposite, running diagonally, is the front lot line, creating complexities for development, that can be addressed through a Variance. The applicant has proposed varying the Side Yard Setback requirement to the smallest distance to accommodate the proposed development. The proposed variance is not anticipated to unduly interfere with the amenities of the neighbourhood; or detract from the use, enjoyment or value of neighbouring parcels of land.

Below are additional zoning analysis of the site.

Site Planning Considerations (Section 7.1):

The proposed development must comply with Section 7.1 specifically in regards to incorporating proper Lot surface drainage (Section 7.1.2), remaining accessible by emergency services (Section 7.1.6.) and be designed in such a way as to prevent the discharge or drainage of any contaminant or hazard into a Water-Body (Section 7.1.10).

Drainage and Grading (Section 7.3):

The proposed development must comply with all applicable City regulations. The proposed development is not anticipated to effect the current drainage of the site, which current flows towards Back Bay of Great Slave Lake. There is no record of previous grading of the site and the applicant does not propose to change the grade within the scope of this development permit. A condition of approval will be that if the applicant or property owners choose to grade the site with an average change of more than 0.60m, a Grading Permit will be required (Section 4.2.1.i of the Zoning By-law).

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

The proposed development takes access from Boffa Drive and through the adjacent site, legally described as Lot 10 Block E Plan 4227. An access easement was completed and registered with the Government of the Northwest Territories Land Titles Office between the property owners of both lots to allow for access to the site partially through the adjacent site to be retained. The development must comply with all access regulations, including that driveways will have positive drainage towards the road (Section 7.4.1.d). Currently the driveway is sloped away from Boffa Drive and the adjacent lot, creating complexities in meeting the regulation. Public Works and Engineering reviewed the application and recognized that there

is currently no other options for drainage and have no current concerns. The Development Officer has no concerns, but should the grading of the site be changed in the future, the applicant and/or the property owners must comply with all applicable zoning regulations pertaining to grade and drainage.

Landscaping (Section 7.5):

The development must meet the landscape regulations for the OT Zone as described in Table 7-2 of the Zoning Bylaw which includes a minimum of 40% of the Front Yard to be landscaped, with areas not occupied by buildings, parking or vehicular circulation will be considered as contributing to landscaping requirements (Table 7-2 OT – Old Town Mixed Use). The applicant has met the requirements for landscaping as required for the OT Zone in Table 7-2 to the satisfaction of the Development Officer.

Parking (Section 7.8):

The proposed development is in Parking Standard Area 3 and must follow the minimum parking space requirements for a Factory-Built Dwelling as outlined in Table 7-3. Under Parking Standard Area 3, Factory-Built Dwellings are permitted 1 off-street parking space per dwelling unit and no more than 2 off-street parking space per dwelling unit. The applicant has met the requirements for parking for Factory Built Dwellings as required in Table 7-3 to the satisfaction of the Development Officer.

Set-backs from Water-Bodies (Section 7.11):

The proposed development shall be set back a minimum of 15.00m from Water-Bodies. The lot is directly adjacent to Back Bay of Great Slave Lake and therefore must adhere to the 15.00m setback. Following discussions regarding the requirement for the setback, the applicant provided a delineation of the water mark on the site from a Surveyor, which was the edge of the water as observed on the 21st day of November, 2025. This was accepted by the Development Officer as a measure of the water and to be used to measure the 15.00m setback as a point in time, on the date the measurement was taken. A condition of approval will be that the proposed development shall comply with the Shoreline setback with no structure located within 15.00m of the water as measured on November 21, 2025.

Specific Use Regulations Applicable to Residential Zones (Section 8.2):

The proposed development is a Factory-Built Home and shall be skirted from the base of the unit to the ground with material similar to that of the siding material and conform to the current National Building Code and shall be Canadian Standards Association Certified.

Servicing

The proposed development will be serviced by trucked municipal water and sewage services, and will rely on municipal garbage pickup.

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 the following city departments and external agency on December 9, 2025. Comments were reviewed and considered, and are summarized in the table below:

No.	City Department	Comments	Consideration
1.	Public Works & Engineering	As there is an access easement for the driveway, and there's no other options for building placement or drainage, Public Works and Engineering are ok with signing off on this DP.	None Required.
2.	Lands and Building Services	No comments were received. There is an application for a Building Permit pending for the decision on the Development Permit.	None Required.
3.	Fire Services	Fire has no concerns with this variance.	None Required.
4.	Government of the Northwest Territories - Environment and Climate Change	As this site is fee simple title and there is no public land surrounding the parcel - no comments.	None Required.

Public Comments

Public Comments were collected through the circulate of a Notice of Application letter for the Development Permit and Variance to neighboring residents within 30m of the subject site on December 9, 2025, per sections 4.5 of Zoning By-law No. 5045, as amended, Section 6.7 of Community Plan By-law No. 5007, as amended, and section 14 (2) of the *Community Planning and Development Act*. A Notice of Application Sign was placed on site on December 9, 2025, facing Boffa Drive, with a QR code to the City of Yellowknife's Active Applications Webpage where additional information and documents could be viewed.

No comments for consideration were received from the public.

Outlined in Section 5 of the Zoning By-law and sections 61 – 62 of the *Community Planning and Development Act*, the approval of an application for a Development Permit and Variance is subject to a 14- day appeal period, commencing on the date of the approval. Once the Development Permit and Variance decision has been issued, a Notice of Decision Sign will be posted at the site, and Notice of Decision Letters circulated to landowners and lessees within 30m of the subject site in accordance with Section 4.11.6 of the Zoning By-law. The City's Active Application webpage will be updated with the Notice

of Decision, Stamped Plans and Planning Report. If not appealed within this 14-day period, the development will be considered effective starting on the 15th day.

Conditions of Approval:

1. The Front Yard Setback be decreased from 6.00m to 0.79m.
2. The Side Yard Setback be decreased from 2.00m to 1.41m.
3. The proposed development shall comply with the Shoreline setback with no structure located within 15.00m of the Shoreline of the Water-Body as measured on November 21, 2025.
4. The applicant must submit a copy of the Real Property Report for the site upon completion of the development to the Development Officer for review against approved stamped plans.
5. Any site grading that exceeds an average change of 0.60m, a Grading Permit will be required.
6. The Development shall be skirted from the base of the unit to the ground with material similar to that of the siding material and conform to the current National Building Code and shall be Canadian Standards Association Certified.
7. The development shall comply with the approved stamped drawings for PLDEV-2025-0123 and with all By-laws and policies in effect for the City of Yellowknife.

Conclusion:

Development Permit and Variance application PLDEV-2025-0123 is recommended for approval with the above mentioned conditions as the proposed development conforms to Community Plan By-law No. 5007, as amended and complies with all applicable regulations of Zoning By-law No. 5045, as amended. The proposed variances do not unduly interfere with the amenities of the neighbourhood; or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

Reviewed [and Approved] by:



Eli Smith
Planner I, Planning and Environment

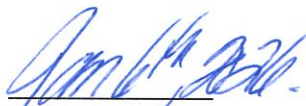


Date

Concurrence by:



Charley White, RPP, MCIP
Director, Planning and Development



Date

Attachments:

Approved Drawings PLDEV-2025-0123, DM# 813430.

Date: January 6, 2026
DM# 813429 v3.