

New Zoning By-law Fast Facts

ZONES AND USES

Reducing regulation
and increasing flexibility

The City of Yellowknife is introducing a new Zoning By-law, which is a set of rules for development that implements the City's vision, principles and priorities for the community moving forward.

What the By-law says about zones and uses

A reduction in the total number of zones in the By-law increases flexibility and reduces segregation within the community. Zoning is focused only on the land use and does not reference the diversity of users. This new format is consistent with good planning practices and the protection of human rights.

Mixed use development is encouraged in many zones which is a holistic approach to neighbourhood design and function. The character and feel of neighbourhoods will be preserved through size and design regulations. Similar and compatible uses are encouraged to locate together while separation of dislike uses is maintained.

The new By-law is clear, directive and reduces regulation. It captures a diversity of uses and decreases discretionary use considerations.



Key features of the By-law

- There are fewer residential zones.
- Increased permitted uses and additional definitions to capture current uses.
- Council will review and approve fewer discretionary uses.
- Compatible uses are permitted in residential zones, such as daycare facilities, urban agriculture, community resource centres and special care residences.
- Directs intensification to suitable areas.
- "Similar Use" is clearly defined. When a use is defined and permitted in a zone of the By-law, the "Similar Use" provision cannot be used to approve the use in a zone for which it is not specifically permitted.
- How the City considers a request for a change to standards set out in the By-law (i.e. "variances") has been updated and modernized.

WHAT DOES IT MEAN



PERMITTED USE

A use listed in the By-law that will be approved with or without conditions as long as the developer meets the By-law requirements.

SIMILAR USE

A use not listed in the By-law, but can be considered and approved by Council based on their assessment of the impact.

What is behind the changes

The City engaged with the public on the Zoning By-law in 2020. Here is what the public said about zones and uses:

- Concern was expressed about the frequency of variance decisions;
- Discretionary Uses should be removed or limited in the new By-law;
- Parking requirements in the By-law are too prescriptive;
- Regulations should limit the development of new single-use office buildings downtown and encourage mixed-use developments to contribute to the renewal of the downtown core;
- Zones should be clear, for example:
 - The public felt some residential zones (R1, R2, and R5) allowed any kind of residential development;
 - The goal of intensification makes sense, it is creating conflict and Yellowknife is already fairly densely developed; and,
 - Issues arise when someone consolidates a few lots and a bigger project is proposed.
- There is a need to consider “massing”. There is a difference between a three-storey, one lot development and a three-storey 10-lot development.
- People appreciate and want to maintain Yellowknife’s unique development style.
- “Similar Use” is not well-defined.
- Variances can be a great planning tool if used effectively, but the approach is too permissive.

The City also considered:

- The 2020 Community Plan;
- New uses not included in the previous Zoning By-law;
- Staff analysis of variances issued since 2012;
- Recent Development Appeal Board hearings;
- The fact that only 7% of the land within City limits is under the jurisdiction of the City of Yellowknife; and
- 93% of land within the City is untenured or covered by airport reserve, the Giant and Con mines, Fred Henne Park, and interim land withdrawals.

ANALYSIS



A variance was issued approximately **1** in every **15** permits issued since **2012**.



Design and zone regulations in recent subdivisions contributed **50%** of these variances.

Can you give me an example?

- Food and Beverage Services on Old Airport Road will not require Council approval.
- Multi-Unit dwellings - in the R1 Zone are limited to three storeys and areas of the Residential Central Zone height is to be gradually increased as multi- unit development moves toward the Downtown.

Find out more

Review the new Zoning By-law and learn about the changes at www.yellowknife.ca/ZoningReview

Key sections for Zones and Uses:

- Definitions section: Permitted Use, Discretionary Use, Variance, Similar Use
- Section 10.3.4: Site Specific Regulations (Residential Central Zone)
- Section 10, Regulations Tables: “Maximum Site Area”
- Section 4.9: Variance Test

Have questions or feedback? Email zoningreview@yellowknife.ca

