



# THE CITY OF DAWSON

## Official Community Plan Amendment No. 6 Bylaw

Bylaw No. 2022-05

**WHEREAS** section 265 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that a council may pass bylaws for municipal purposes.

**WHEREAS** section 278 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that a council must, within three years of formation or alteration of municipal boundaries, adopt or amend by bylaw an official community plan.

**WHEREAS** section 285 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that an official community plan may be amended, so long as the amendment is made in accordance with the same procedure established for adoption of an official community plan.

**THEREFORE**, pursuant to the provisions of the *Municipal Act* of the Yukon, the council of the City of Dawson, in open meeting assembled, **ENACT AS FOLLOWS**:

### PART I - INTERPRETATION

#### 1.00 Short Title

This bylaw may be cited as the ***Official Community Plan Amendment No. 6 Bylaw***

#### 2.00 Purpose

2.01 The purpose of this bylaw is to provide for

- (a) The provision of Direct Control Districts.
- (b) The designation of the Klondike East Bench Direct Control District.



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### 3.00 Definitions

3.01 In this Bylaw:

- (a) Unless expressly provided for elsewhere within this bylaw the provisions of the *Interpretations Act*, RSY 2002, c. 125, shall apply;
- (b) "Bylaw Enforcement Officer" means a person employed by the City of Dawson to enforce bylaws;
- (c) "CAO" means the Chief Administrative Officer for the City of Dawson;
- (d) "city" means the City of Dawson;
- (e) "council" means the Council of the City of Dawson;

## PART II – APPLICATION

### 4.00 Amendment

4.01 Insert a new subsection 6.3 'Implementation Approaches'. The new subsection 6.3.3 titled 'Direct Control Districts' shall read as follows:

"A Direct Control District may be considered at Council's discretion in an area where, in the opinion of Council, development may require a more specific, sensitive, and flexible means of land use and development control, including, but not limited to, time limited uses.

Direct Control Districts shall be designated and implemented under the Zoning Bylaw and regulated as per section 291 of the Municipal Act. For greater certainty, if Council designates time limited Direct Control Districts in the Zoning Bylaw, upon expiry of the time limited Direct Control District, no legal non-conforming uses are thereby created as per section 301 of the Municipal Act.

Council is at any time able to remove a Direct Control District designation, including where a temporary use has been provided for under the Zoning Bylaw and that temporary use has not expired."



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- 4.02 Council Designates the following Direct Control District under subsection 6.3.3 as follows:

Klondike East Bench; the area with mining land use approval for mineral extraction activity on the Klondike East Bench, as designated in the Zoning Bylaw. The purpose of this Direct Control District is for Council to directly control land use and development within the area to enable time limited mineral extraction activity and subsequently, or at the same time, the intended future residential development.

### PART III – FORCE AND EFFECT

#### 5.00 Severability

- 5.01 If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder unless the court makes an order to the contrary.

#### 6.00 Enactment

- 6.01 This bylaw shall come into force on the day of the passing by Council of the third and final reading.



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6.02

### 7.00 Bylaw Readings

Readings	Date of Reading
FIRST	February 23, 2022
MINISTERIAL NOTICE	February 24, 2022
PUBLIC HEARING	March 30, 2022
SECOND	April 13, 2022
MINISTERIAL APPROVAL	June 20, 2022
THIRD and FINAL	July 6, 2022

**Original signed by:**

*William Kendrick, Mayor*

**Presiding Officer**

*Cory Bellmore, CAO*

**Chief Administrative Officer**