



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 3 Bylaw

Bylaw No. 2019-08

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 288 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that a council, within two years after the adoption of an official community plan, or as soon as is practicable after the adoption of an amendment to an official community plan, a council must adopt a zoning bylaw.

WHEREAS section 288 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that no person shall carry out any development that is contrary to or at variance with a zoning bylaw.

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 **Zoning Bylaw Amendment No. 3**.

2.00 Purpose

2.01 The purpose of this bylaw is to provide for

- (a) An amendment to the Zoning Bylaw specific use regulations to include regulations for Cannabis Retail Services.



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Table of Contents

PART I - INTERPRETATION	1
1.00 Short Title	1
2.00 Purpose	1
3.00 Definitions	3
PART II – APPLICATION.....	3
4.00 Amendment	3
PART III – FORCE AND EFFECT	4
5.00 Severability	4
6.00 Enactment	4
7.00 Bylaw Readings.....	4



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 3 Bylaw

Bylaw No. 2019-08

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) "Cannabis Retail Services" means the retail sale of cannabis and products containing cannabis to the public; this includes storing cannabis onsite to support the operations of those premises, as described in the Zoning By-Law Section 2.2.
- (d) "CAO" means the Chief Administrative Officer for the City of Dawson;
- (e) "city" means the City of Dawson;
- (f) "council" means the Council of the City of Dawson;

PART II – APPLICATION

4.00 Amendment

4.01 This bylaw amends Section 2.2 General Definitions to include the following definitions:

- (a) "Indoor Cannabis Facility" means a facility used for cultivating, producing, and packaging cannabis for the purposes of commercial sale.
- (b) "Indoor Growing Facility" means a facility used for cultivating plants and/or food for the purposes of commercial sale, not including cannabis.

4.02 This bylaw amends Section 8.0 Specific Use Regulations to include a section for Cannabis Retail Services, titled "Section 8.11 Cannabis Retail Services", and is modified to add the following regulations:

- (a) There shall be no required setbacks between Cannabis Retail Services.
- (b) A Cannabis Retail Service shall not be located within 100 m of the Robert Service School main entrance.



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(c) A Cannabis Retail Service shall be allowed to sell non-regulated goods, including non-regulated goods that promote cannabis.

4.03 This bylaw amends Section 12.2 C2 Zone (Commercial Mixed Use) and Section 13.1 M1 Zone (Industrial) to add “Indoor Cannabis Facility” and “Indoor Growing Facility” as permitted uses.

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.

7.00 Bylaw Readings

Readings	Date of Reading
FIRST	July 29, 2019
PUBLIC HEARING	August 26, 2019
SECOND	September 9, 2019
THIRD and FINAL	September 9, 2019

Original signed by

Wayne Potoroka, Mayor

Presiding Officer

Cory Bellmore

Chief Administrative Officer