



# THE CITY OF DAWSON

## Development Agreement No. 1 Bylaw

Bylaw No. 2024-04

**WHEREAS** section 309 of the *Municipal Act* provides that a development agreement means a binding agreement between the owner of the land that is the subject of an application for subdivision, and the approving authority with respect to the requirements or limitations of the conditional approval; and,

**WHEREAS** Bylaw 95-08 provides that Council is the subdivision approving authority for the City of Dawson; and,

**WHEREAS** section 319(1) of the *Municipal Act* provides that, on receipt of a completed application for subdivision, the approving authority may approve it, refuse it, or approve it with conditions; and,

**WHEREAS** section 326 (1) of the *Municipal Act* provides that Council may pass bylaws providing for entering into development agreements, or council may, in its discretion, pass a bylaw for each development agreement the council enters into; and,

**WHEREAS** section 326 (2) of the *Municipal Act* provides that development agreements may include any terms and conditions considered necessary by Council to carry out the intent of the development agreement; and,

**WHEREAS** section 326 (3) of the *Municipal Act* provides that Council may require any development agreement entered into to be registered in the Land Titles Office, and any agreement so registered shall have the force and effect of a restrictive covenant running with the land; and,

**NOW 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 ***Development Agreement No.1 Bylaw***



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### **2.00 Purpose**

2.01 The purpose of this bylaw is to provide for:

- (a) entering into a development agreement with the Government of Yukon for road construction within the Narozny Right-of-way



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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 *Interpretation Act*, RSY 2002, c. 125, shall apply;
- (b) “City” means the City of Dawson; and
- (c) “Council” means the Council of the City of Dawson.

## PART II – APPLICATION

### 4.00 Development Agreement

4.01 The City and Government of Yukon shall enter into a Development Agreement for road construction within the Narozny Right-of-way in order to meet the conditions of the approval of the Subdivision Application #24-007.

## 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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### 7.00 Bylaw Readings

Readings	Date of Reading
FIRST	March 19, 2024
SECOND	April 16, 2024
THIRD and FINAL	April 16, 2024

**Original signed by:**

*Alexander Somerville, Chair*  
**Presiding Officer**

*David Henderson, CAO*  
**Chief Administrative Officer**