

THE CITY OF DAWSON

COMMITTEE OF THE WHOLE MEETING #CW22-09

DATE: WEDNESDAY July 20, 2022

TIME: 7:00 PM

LOCATION: City of Dawson Council Chambers



Join Zoom Meeting

<https://us02web.zoom.us/j/89748197578?pwd=L0lGeU0ybStQa2ZOSVJ4YzZSTUg5QT09>

Meeting ID: 897 4819 7578

Passcode: 623550

1. **CALL TO ORDER**
2. **ACCEPTANCE OF ADDENDUM & ADOPTION OF AGENDA**
 - a) Committee of the Whole Meeting CW22-09
3. **DELEGATIONS & GUESTS**
 - a) RCMP- Introduction of New Members
4. **MINUTES**
 - a) Committee of the Whole Meeting Minutes CW22-08 of June 8, 2022
5. **BUSINESS ARISING FROM MINUTES**
 - a) Committee of the Whole Meeting Minutes CW22-08 of June 8, 2022
6. **SPECIAL MEETING, COMMITTEE, AND DEPARTMENTAL REPORTS**
 - a) Request for Decision: Demolition Permit #22-052
 - b) Request for Decision: Historic Resources Permit Application #22-029
 - c) Information Report: Citizen Response Review
7. **BYLAWS & POLICIES**
 - a) Zoning Bylaw Amendment No. 14 (2021-15)-Housekeeping
 - b) Official Community Plan Amendment No. 9 Bylaw (2022-09)-Infill #2
 - c) Traffic Bylaw (2022-17)
 - d) Taxation of Vacant Residential Lands Policy
8. **PUBLIC QUESTIONS**
9. **ADJOURNMENT**

MINUTES OF COMMITTEE OF THE WHOLE MEETING CW22-08 of the Council of the City of Dawson
called for 7:00 PM on Wednesday May 18, 2022, City of Dawson Council Chambers

PRESENT:	Mayor	William Kendrick
	Councillor	Alexander Somerville
	Councillor	Patrik Pikálek
	Councillor	Brennan Lister

REGRETS:

ALSO PRESENT:	A/CAO	Paul Robitaille
	EA	Elizabeth Grenon
	PD Manager	Stephanie Pawluk
	Communications	Valerie Williams

Agenda Item: Call to Order

The Chair, Mayor Kendrick called the meeting to order at 7:00 p.m.

Agenda Item: Agenda

CW22-08-01 Moved by Mayor Kendrick, seconded by Councillor Pikálek that the agenda for Committee of the Whole meeting CW22-08 of June 8, 2022 be accepted as presented.
Carried 3-0

Agenda Item: Minutes

a) Committee of the Whole Meeting Minutes CW22-07 of May 18, 2022

CW22-08-02 Moved by Councillor Somerville, seconded by Councillor Pikálek that the minutes of Committee of the Whole meeting CW22-07 of May 18, 2022 be accepted as presented.
Carried 3-0

Councillor Lister arrived at the meeting at 7:05 p.m.

Agenda Item: Business Arising From Minutes

a) Committee of the Whole Meeting Minutes CW22-07 of May 18, 2022

Council: What is the latest on the schematic design phase for the new rec center?

A/CAO: Received an email from YG that gave details in terms of some questions on the contract. Seems like there is a contract waiting to be signed. Just some questions about consultation that will probably come to Council at some point or another.

Council: Updates on progress of Infill #1 and Infill #2? Has there been any staff developments since the May 18th meeting?

PDM: No key updates to share at this exact moment. Just know that it is being worked on in the background and hope to bring it to Council soon.

Council: Did HAC provide a recommendation for the definition of Registered Historic Structure at the May 19th meeting?

PDM: An RFD was provided to HAC at the May 19th meeting; however, they did not resolve a decision and forwarded it to the next meeting which is next week.

Council: What's the latest on the North End Project?

PDM: There are no further updates at this time.

Agenda Item: Special Meeting, Committee, and Departmental Reports

a) Dome Road Final Master Plan Presentation

CW22-08-03 Moved by Councillor Somerville, seconded by Councillor Pikálek that Committee of the Whole accept the Draft Dome Road Master Plan and presentation as information, and forward a recommendation to Council regarding the adoption of the Plan.
Carried 4-0

- Ben Campbell from YG and Zoe Morrison and Gordon Lau from Stantec presented an overview of the Dome Road Master Plan.

They discussed:

- Process to Date
- Vision and Objectives
- Concept Plan
- Land Use Summary
- Costing
- Next Steps

- Council held discussion regarding the Dome Road Master Plan and provided their feedback to YG and the consultants.

Councillor Lister left the meeting at 8:03 p.m.

Councillor Lister was back in the meeting at 8:22 p.m.

b) Town Hall

- Council discussed if there was a need for a Town Hall and if yes what were some potential agenda topics.

Discussion points:

- should be organized for after the by-election
- keep agenda topics open?
- will meeting be 100% virtual attendance, 100% in person attendance or a hybrid of both?
- introduce idea of Vacant Land Tax
- Council remuneration
- Process of Elections

Agenda Item: Bylaws & Policies

a) Remuneration Bylaw Review

- Council held discussion regarding the Council Remuneration Bylaw

Agenda Item: Public Questions

Dan Davidson: Do we have any idea roughly when some of this might begin (Dome Road Master Plan next steps)?

Council: That information is in some of the documents (Dome Road Master Plan).

PDM: The immediate development areas D/F have a timeline of being developed within the next couple of years. The next area is envisioned to be area A with parcel C being the longest down the road; looking at about 20 years.

Agenda Item: In Camera

CW22-08-04 Moved by Councillor Somerville, seconded by Mayor Kendrick that Committee of the Whole meeting CW22-08 be extended not to exceed one hour.
Carried 4-0

CW22-08-05 Moved by Mayor Kendrick, seconded by Councillor Somerville that Committee of the Whole move into a closed session of Committee of the Whole, as authorized by Section 213(3) of the Municipal Act, for the purposes of discussing a land and legal related matter.
Carried 4-0

CW22-08-06 Moved by Councillor Somerville, seconded by Councillor Pikálek that Committee of the Whole revert to an open session of Committee of the Whole to proceed with the agenda.
Carried 4-0

Agenda Item: Adjournment

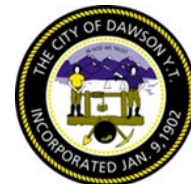
CW22-08-07 Moved by Mayor Kendrick, seconded by Councillor Pikálek that Committee of the Whole meeting CW22-08 be adjourned at 10:47 p.m. with the next regular meeting of Committee of the Whole being July 20, 2022.
Carried 4-0

THE MINUTES OF COMMITTEE OF THE WHOLE MEETING CW22-08 WERE APPROVED BY COMMITTEE OF THE WHOLE RESOLUTION #CW22-09-02 AT COMMITTEE OF THE WHOLE MEETING CW22-09 OF JULY 20, 2022.

Mayor Kendrick, Chair

Paul Robitaille, A/CAO

Report to Council



☐ For Council Decision ☒ For Council Direction ☐ For Council Information

☐ In Camera

AGENDA ITEM:	Demolition Application #22-052	
PREPARED BY:	Planning & Development	Attachments: 1. Protective Services Manager, 'Inspection report' 2. Approved Redevelopment Plan #22-053
DATE:	July 15, 2022	
RELEVANT BYLAWS / POLICY / LEGISLATION:		

RECOMMENDATION

It is respectfully recommended that Committee of the Whole accept this report as information and forward the approval of demolition application #22-052 to Council.

ISSUE / BACKGROUND

In June, 2022, the applicant, Yukon Spaces Inc., brought forward demolition application #22-052 to demolish the 'Adair Wholesale Warehouse' building located at Lot 16, Block I, Ladue Estate to remedy the perceived hazardous condition of the building on account of the structural disrepair and infeasibility of repair.

The demolition application was accompanied by a redevelopment plan (development permit application #22-053), which was approved on July 12, 2022 conditionally to the approval of the demolition permit. In essence, the application was approved to retain the façade, and install it in front of a parking lot (similarly to a billboard), however the façade will be made structurally sound. This redevelopment plan was proposed as a temporary strategy for striking a balance between conserving the heritage value of the historic façade and preventing harm to pedestrians and neighbors.

In June, 2022, the Protective Services Manager conducted an inspection of the building, stating that the building is not structurally sound and concluded that it should be condemned (see inspection report attached).

ANALYSIS / DISCUSSION

The following are relevant clauses from the Heritage Management Plan in regard to the requirement for reconstruction/ **replication** of Gold Rush era buildings:

- "Treatment of new infill construction: Buildings should replicate (reconstruct) the external design of the building that stood on that particular site during the Gold Rush era (ca. 1896-1910), when there is sound historic evidence as to the appearance of the former building.
 - **Replication refers only to massing and exterior design of the former building as seen from the street. The footprint and the appearance may be altered towards the rear of the site**, as illustrated in Section 6.3 of this report...
 - An alternative source for replication may be selected when the height and/or massing of the former building is either too large or too small to accommodate the building program proposed by the property owner; or when there is insufficient sound historic evidence as to the appearance of the former building to enable good replication. In either situation, the owner and the City may work together to select as a model for replication another building

that formerly stood in the same vicinity, and which was the appropriate scale. The replication should not duplicate an existing building. In any case, the new replica must conform in size and scale to zoning regulations.”

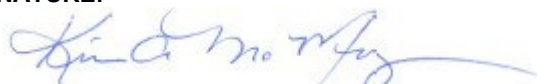
- “As a general rule, reconstruction (i.e., replication) of demolished historic buildings is discouraged by heritage charters. Reconstruction is dismissed as not being conservation practice by the Standards and Guidelines. However, Dawson poses an exceptional situation because maintaining and enhancing the historic character of the whole is extremely important to the continuity of the visual experience. Furthermore, there is an enormous base of information, both visual and written, documenting all Gold Rush-era buildings within the downtown core. This information, which was prepared for the most part by Parks Canada a generation ago, offers a unique opportunity to reconstruct the massing and exterior design (as seen from the street) for buildings and structures in the Downtown Heritage Management Area” (p. 72 under S. 6.7 ‘Guidelines for Reconstructions’).
 - “Once this research has been done, the Design Guidelines for Historic Dawson will be applied to guide the design of the street elevation.
 - The overall form and character, massing, scale, street coverage, materials and details should capture the original design.
 - Replicated buildings should follow the principle of distinguishability, in that they should be distinctive in some way from the historic building. Differences may be seen in details such as window glazing, use of materials, and interpretive features.
 - With respect to interpretation, it is recommended that every building, old and new, have at minimum a small plaque that indicates the date of construction, to further avoid confusion.
 - Plans for conservation and development projects include evidence that the owner and consultants have assessed the intended work in relation to the heritage values of their site and surroundings.
 - Replication refers only to massing and exterior design as viewed from the street. The footprint and the appearance may be altered on the interior and at the rear of the site” (p. 72 under ‘Guidelines for Reconstructions: Design Guidelines’).”

According to s.4.1.1.5 of the Zoning Bylaw, “Demolition of a structure listed in the Yukon Government Historic Sites Registry shall occur only in extenuating circumstances, and must be approved by Council in consultation with the Heritage Advisory Committee and Yukon Government Historic Sites.”

Yukon Government Historic Sites were asked to comment on this application, Rebecca Jansen, Historic Sites Manager, provided the following comments on July 15:

- Concern was raised regarding the precedent that this approval could set for future applicants dismantling historic buildings in Dawson. More specifically, the following general concerns were raised regarding demolition and facadism:
 - Without specific structural details provided indicating how the façade will be constructed, Historic Sites is unable to confidently endorse the demolition.
 - The comment was raised that often facadism is not the optimal conservation plan in efforts to conserve historic resources. The concern is sourced from not fully being able to visualize what the applicants are proposing to do with the façade; i.e. whether the tin will be pasted onto a flat wall, or if the full façade and its depth will be erected using structural supports. Currently the building is cantilevered and has structure and shape – there is a risk that the façade could end up looking historically inaccurate.

Demolition permit #22-052 and the redevelopment plan as per development permit #22-053 received approval from the Heritage Advisory Committee on July 7, 2022 at HAC meeting #22-11.

APPROVAL		
NAME:	Kim McMynn, A/CAO	SIGNATURE: 
DATE:	July 15, 2022	

Inspection of Dawson Spaces' Adair Wholesale Warehouse Building. Lot 16, Block 1, Ladue Estates - 1042 Third Avenue.



(Pic 1)



(Pic 2)

Outside – The wood frame that supports the front façade overhanging the front of this building has been supported by wood blocking and a beam to prevent it from falling. (Pic 1)

The historic building sign, advertising the business name on upper façade waves in the wind and is crumbling apart. It has been braced with a 2X4 and a 2X6 to prevent it from breaking off along the roof line (Pic 2) and potentially severely injuring pedestrians. The wood in the frame structure of the upper façade is also cracked and fatigued to the point the metal facing that is screwed has the potential for large portions to break loose and fall off. The back of the façade is fatigued 1X8s that are curled, some have fallen off and others are about to fall off (Pic 3) the sheet metal on the roof has pulled away from the 1X8s on the facade. The facade is a life safety hazard that should be remove ASAP, if done carefully it could be rebuilt and replaced.

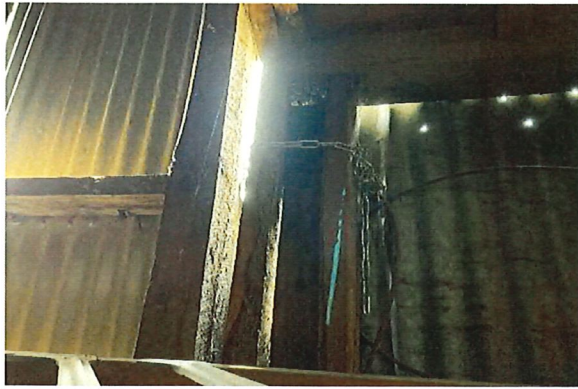


(Pic 3)



(Pic 4)

In picture two you can see a steel cable put in place to help prevent the front section of the building (the higher roof section) pulling away from the lower roof line section at the rear of the building. This was put there to hold the front section from tipping and separating more at the lower roof level as can be seen in pic 4, the wall tin separated at the lower, or rear roof line. On the inside there is also a chain wrapped around a new 4X4 which has been screwed to the wall frames, front and rear, (Pic 5) to reinforce the connection and help hold the front of the structure to the rear.



(Pic 5)



(Pic 6)

I briefly check the inside of the structure because the light winds were causing the structure to move and the tin to rattle on the roof which made me very uncomfortable. The floor is heaved and rotted (Pic 6, 7, 8, & 9) everywhere which would require a complete removal of all materials and the floor heaves leveled and a new base structure built.



(Pic 7)



(Pic 8)



(Pic 9)

The wood framing appears rotten in many locations (Pic 10 shows one, due to poor lighting and the windy conditions) and on a short inspection I also will note the wiring and panel do not meet code. (Pic 11)



(Pic 10)



(Pic 11)

I am not comfortable allowing occupants inside the building as it's currently not structurally sound. Because of the condition of front façade (area above the front section's roof line) the boardwalk should be barricaded off immediately, wide enough to prevent pedestrians from walking in the fall zone. The smell of mold and rotten musty wood, the many holes, heaves, soft spots and collapse areas due to the rot in the floor, this building should be in my opinion condemned.

Mike Masserey
Dawson City Fire Chief

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July 12, 2022

Yukon Spaces Ltd.
Box 364
Dawson City, YT
Y0B 1G0

Re: NOTICE OF APPROVED DEVELOPMENT PERMIT #22-053

Dear Lee & Riley,

I am pleased to inform you that your Development Permit Application #22-053 was approved on July 12, 2022. This permit gives you authorization to change the use of your property to a parking lot, located at Lot 16, Block I, Ladue Estate to the specifications detailed in the plans you submitted, subject to the following conditions:

1. Successful passing of demolition permit #22-052 via Council resolution.
2. That the historic façade be retained and erected as a false front.

This permit is not a building permit. Please contact the Government of Yukon Building and Safety Standards to determine if a building permit is required for this application.

Please be advised that as per your signed declaration, the Planning & Development Officer may periodically make site visits to confirm the work being done is accurately representative of the site plan submitted.

As per the Zoning By-Law Section 4.6.1, this permit is valid for a period of 12 months. This development must be commenced and carried out with reasonable diligence within this time period, else it be considered void. Should you have any questions about your permit or responsibilities, please contact me using the information located below.

Sincerely,

Stephani McPhee
Planning and Development Officer
Box 308, Dawson City YT Y0B1G0
planningofficer@cityofdawson.ca
867-993-7400 ext. 438



THE CITY OF DAWSON

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OFFICE USE ONLY

APPLICATION FEE:	\$210 + GST
DATE PAID:	June 7
RECEIPT #:	41472
PERMIT #:	22-053

DEVELOPMENT PERMIT APPLICATION

PLEASE READ THE ATTACHED INSTRUCTIONS, GUIDELINES, AND SUBMISSION REQUIREMENTS PRIOR TO COMPLETING FORM.

PROPOSED DEVELOPMENT

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> New Build:
Single/Duplex
Residential | <input type="checkbox"/> New Build: Multi-
Residential & All
Other Use Classes | <input type="checkbox"/> Major Alteration | <input type="checkbox"/> Minor Alteration |
| <input checked="" type="checkbox"/> Change of Use | <input type="checkbox"/> Temporary (less
than 7 days) | <input type="checkbox"/> Temporary (more
than 7 days) | <input type="checkbox"/> Sign |

CIVIC ADDRESS: 1042 Third Ave. VALUE OF DEVELOPMENT: \$0
LEGAL DESCRIPTION: LOT(S) 16 BLOCK I ESTATE Ladue PLAN# 8338

PROPOSED DEVELOPMENT: Please provide a brief description of the proposed development.

-changing existing use to a parking lot.

APPLICANT INFORMATION

APPLICANT NAME(S): Yukon Spaces
MAILING ADDRESS: P.O. Box 364 POSTAL CODE: Y0B 1G0
EMAIL: admin@yukonspaces.com PHONE #: 867, 993-3330

OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

OWNER NAME(S): 11
MAILING ADDRESS: _____ POSTAL CODE: _____
EMAIL: riley@greycustoms.ca PHONE #: 867 993 3668

DATES (TEMPORARY PERMITS ONLY)

START DATE: _____ END DATE: _____



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OFFICE USE ONLY

PERMIT #: 22-053

SIGNAGE DIMENSIONS & DESCRIPTION (SIGN PERMITS ONLY)

HEIGHT OF SIGN: _____ WIDTH OF SIGN: _____

TOTAL SIGN AREA: _____ MATERIALS: _____

TYPE OF SIGN:

☐

FIXED

☐

FREE-
STANDING

☐

PROJECTING

☐

WALL
PAINTING

☐

BANNER

☐

SANDWICH
BOARD

It is the responsibility of the applicant to ensure that all plans conform to the provisions of the City of Dawson Zoning Bylaw and applicable territorial and federal legislation.

DECLARATION

- I/WE hereby make application for a Development Permit under the provisions of the City of Dawson Zoning Bylaw #2018-19 and in accordance with the plans and supporting information submitted and attached which form part of this application.
- I/WE have reviewed all of the information supplied to the City of Dawson with respect to an application for a Development Permit and it is true and accurate to the best of my/our knowledge and belief.
- I/WE understand that the City of Dawson will rely on this information in its evaluation of my/our application for a Development Permit and that any decision made by the City of Dawson on inaccurate information may be rescinded at any time.
- I/WE hereby give my/our consent to allow Council or a person appointed by its right to enter the above land and/or building(s) with respect to this application only.

I/WE HAVE CAREFULLY READ THIS DECLARATION BEFORE SIGNING IT.

DATE SIGNED

7/6/2022

DATE SIGNED

SIGNATURE OF APPLICANT(S)

Riley

SIGNATURE OF OWNER(S)



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OFFICE USE ONLY	
PERMIT #:	22-053

COMPLETE APPLICATION SUBMISSION REQUIREMENTS

As per s. 4.4.1 of ZBL #2018-19, a permit will be granted, granted with conditions, or refused within 30 days of receipt of a complete application. An application is not deemed complete until the following information is submitted to the satisfaction of a Development Officer.

- ☒ Application Form (completed in full)
- ☒ Application Fee & Security Deposit (if applicable) as per City of Dawson Fees and Charges Bylaw & Zoning Bylaw
- ☒ Site Plan that includes:
 - o a north arrow and scale
 - o property lines shown and labelled as per the most recent legal survey
 - o all easements and rights of way shown and labelled
 - o the location and labelling of all abutting streets, lanes, highways, road rights of way, sidewalks, water bodies, and vegetation
 - o the topography and other physical features of the subject land
 - o the location, size, type, and dimensions of all existing buildings and/or structures on the subject land, as well as the distance of the buildings and/or structures from the property lines
 - o the location, size, type, and dimensions of all proposed buildings and structures on the subject land, as well as the proposed distance of the buildings and/or structures from the property lines
 - o the location of retaining walls and fences (existing and proposed)
 - o the location, dimensions, and number of onsite parking areas
 - o the location of loading facilities
 - o the date of the plan
- ☐ Certificate of Title (if owner does not match Assessment Roll)
- ☒ Elevation Plans
- ☒ Floor Plans
- ☒ For Heritage Management Areas: Annotations as per s. 4.3.4 of ZBL #2018-19
- ☒ For New Builds: Foundation & Drainage Plan
- ☒ New Builds and Additions not connected to municipal servicing: Environmental Health Approval
- ☒ For signage: scaled coloured renderings/drawings of the proposed sign and inclusion of sign location on elevations
- ☐ Other as required by the CDO: _____

OFFICE USE ONLY

LEGAL DESCRIPTION: LOT(S) 16 BLOCK I ESTATE Ladue PLAN# 8338
 ZONING: C1 DATE COMPLETE APPLICATION RECEIVED: June 7
 TYPE OF APPLICATION: change of use
 APPLICANT NAME(S): Yukon Spaces Ltd.
 OWNER NAME(S): Yukon Spaces Ltd.

☐ APPLICATION REJECTED

☒ APPLICATION APPROVED / PERMIT ISSUED

A letter [✓] has OR [] has not been attached to this permit explaining reasons and/or permit conditions. If a letter is attached, it constitutes a valid and binding component of this permit.

DATE: July 12, 2022

SIGNATURE: _____

[Signature]



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Box 308 Dawson City, YT Y0B 1G0
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OFFICE USE ONLY

PERMIT #:

22-053

INSTRUCTIONS AND GUIDELINES

IT IS IMPORTANT TO READ AND UNDERSTAND THE FOLLOWING INSTRUCTIONS PRIOR TO COMPLETING THE APPLICATION FORM. THESE GUIDELINES ARE FOR REFERENCE ONLY. IN THE EVENT OF A DISCREPANCY WITH THE ZONING BYLAW, THE ZONING BYLAW PREVAILS.

1. Information Requirements:

- a) An application shall not be considered to have been received until all application requirements have been submitted to the satisfaction of a Development Officer.
- b) Notwithstanding a) above, a Development Officer may consider an application if, in a Development Officer's opinion, the development is of such a nature as to enable a decision to be made on the application without all of the required information.
- c) Failure to complete this form and to supply the required support information may result in delays in the processing of the application.

2. Notification:

- a) Within five working days after a decision on a development permit application, a Development Officer shall send a notice by regular mail of the decision to the applicant and indicating whether the application was approved or refused.

3. Validity of Permit:

- a) When a permit has been issued by a Development Officer, the permit shall not be valid unless and until the conditions of the permit, save those of a continuing nature, have been fulfilled and no notice of appeal has been served on Council within a 14 day appeal period.
- b) When a permit has been approved, the permit shall not be valid until the decision is issued in writing.

4. Permit Conditions:

- a) A development officer has the authority to issue development permits and, when necessary, impose terms and conditions upon development permits that will bring the project into conformity with the OCP and all applicable bylaws, and will mitigate any undesired effects of the proposed development
- b) A Development Officer may, as a condition of a permit, require the applicant to make satisfactory arrangements for the payment and supply of water, power, sewer and other services or facilities, or any of them.
- c) A permit may be refused when, in the opinion of a Development Officer, satisfactory arrangements have not been made for the payment and supply of water, power, sewer or other services or facilities, or any of them or if taxes on the property associated with the permit application have not been paid.
- d) A Development Officer may, as a condition of a permit, require that an applicant enter into a development agreement that may require the applicant to pay an offsite levy or redevelopment levy or both.

5. Expiry of Permit:

- a) A development permit issued in accordance with the notice of decision is valid for a period of 12 months from the date of issue.
- b) A development officer may grant an extension of the effective period of a permit prior to the expiry of the permit; the effective period shall not exceed 12 months and the development officer may only grant such an extension once.
- c) When a development permit expires, a new application is required. Such application shall be dealt with as a first application and the development approving authority shall be under no obligation to approve it on the basis that a previous permit had been issued.

6. Appeals:

- a) An applicant aggrieved by the decision of the development officer may appeal to Council within 30 days of the date of the decision.
- b) Appeal applicants shall be limited to the original development permit applicant and landowner.
- c) Council shall within 60 days of receipt of an appeal under this section grant permission, refuse permission, or grant permission with conditions.



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PERMIT #:	22-053

7. Suspension or Revocation of Permit:

- a. A Development Officer may suspend or revoke a development permit where:
 - i. the applicant fails to comply with the conditions of the issuance of the permit; or
 - ii. any person undertakes or causes or allows any development on a site contrary to the terms or conditions of a permit.
 - iii. the permit was issued on the basis of incorrect information or misrepresentation by the applicant; or
 - iv. the permit was issued in error.

8. Temporary Developments

- a. Where a development permit application is for a temporary, short-term, or seasonal development, the development officer may:
 - i. consider and decide upon a development for a specific period of time not exceeding one year
 - ii. impose a condition on such a permit so that the City is not liable for any costs involved in the cessation or removal of the development at the expiration of the time period stated in the permit
 - iii. require the applicant to post an acceptable security deposit that guarantees the cessation or removal of the development and is the greater of either 25% of the value of the structure or \$2,000

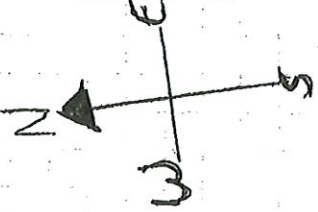
9. Signage

- a. Signage lettering must reflect heritage design guidelines if it is located in the historic townsite.
- b. Prior to erection all fixed, free-standing, or projecting types of signs shall be approved by the development officer.
- c. No sign shall be erected that, in the opinion of Council, interferes with traffic or the visibility of a traffic control device.
- d. No free-standing sign may exceed the maximum permissible height for an accessory structure in the zone in which the sign is located.
- e. An advertising sign may only be erected on the site where the service advertised is performed, or where the product advertised is made, sold, or serviced.
- f. Notwithstanding the above, campaign signs do not require development officer approval, provided they are only placed after an election has been called and are taken down within seven days after the election has ended.
- g. Notwithstanding the above, traffic type signs placed by the City (including warning signs) and real estate "for sale" signs up to 1 m² (10.8 ft.²) in size do not require development officer approval.
- h. Notwithstanding the above, temporary signs that advertise contributors to a building project do not require Development Officer approval provided they are placed only after construction has begun and taken down within 60 days following substantial completion of the building.



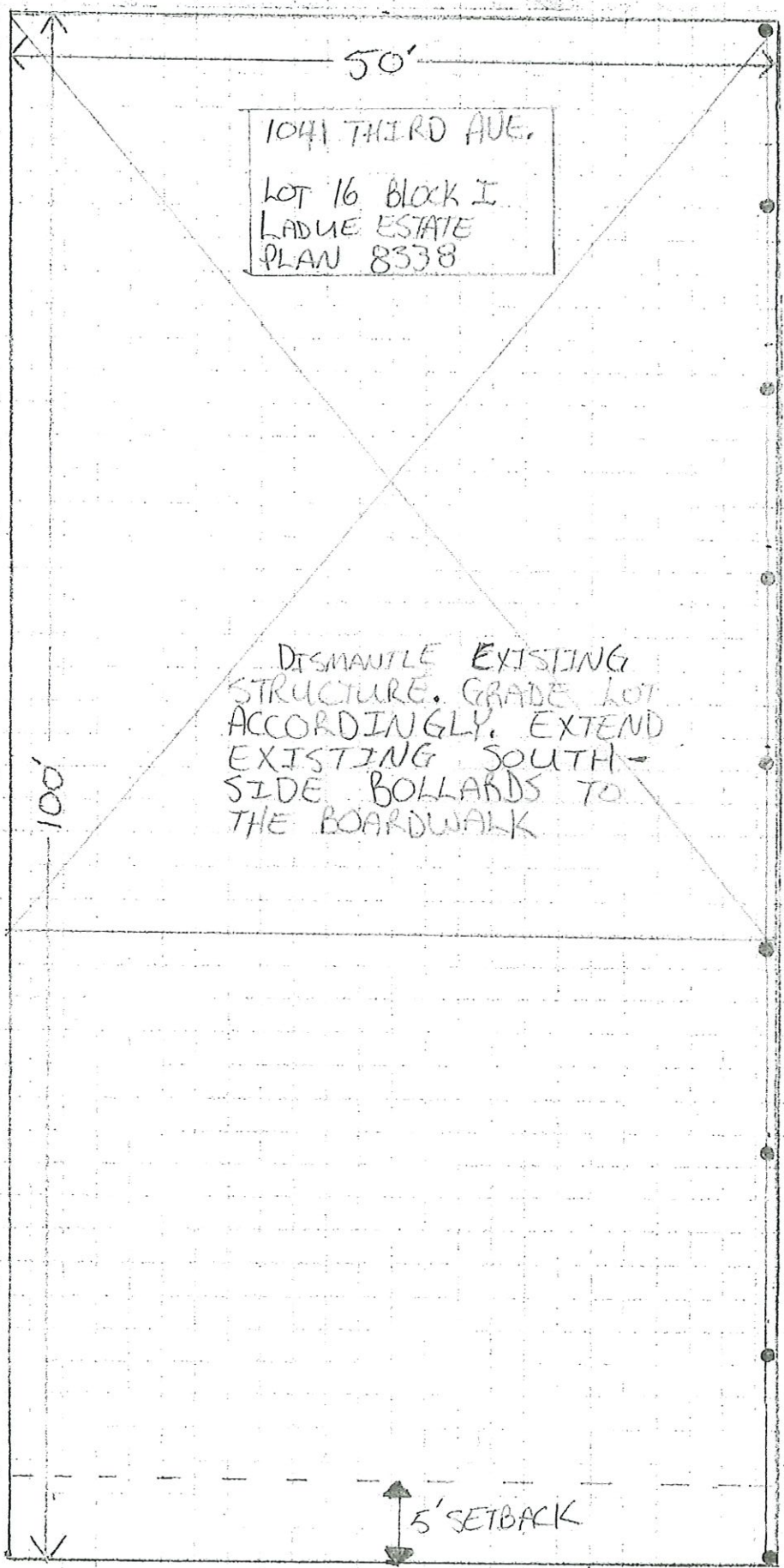
THIRD AVENUE
BOARDWALK

JUN 01 2022



C1 ZONE SETBACKS

NORTH - 0'
EAST - 0'
SOUTH - 0'
WEST - 5'



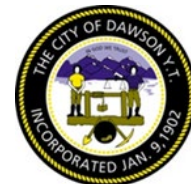
PARKS CANADA
BUILDING
ENCROACHES
THE BACKALLEY
BY APPROX. 2'

SCALE: $\frac{3}{32}'' = 1'$

BACK-ALLEY

10'

Report to Council



☐ For Council Decision ☒ For Council Direction ☐ For Council Information

☐ In Camera

AGENDA ITEM:	Historic Resources Permit #22-029 (Victory Gardens)	
PREPARED BY:	Planning & Development	Attachments: 1. Parks and Recreation Department Historic Resources Permit Application #22-029 2. Bylaw #13-07 Minto Park 3. Yukon Register of Historic Places, Minto Park Character Defining Elements 4. HAC Minutes #22-09
DATE:	July 11, 2022	
RELEVANT BYLAWS / POLICY / LEGISLATION: - OCP - Zoning Bylaw - Heritage Management Plan - Yukon Historic Resources Act - Design Guidelines for Historic Dawson - Standards and Guidelines for the Conservation of Historic Places in Canada		

RECOMMENDATION

It is respectfully requested that Committee of the Whole accept this report as information and forward a decision to Council on Historic Resources Permit application #22-029.

PURPOSE

For Council to receive feedback from the HAC on whether the proposed alterations under Historic Resources Permit #22-029 alter the character defining elements of the Municipal Historic Site, in order to inform a decision to approve or reject such alterations.

BACKGROUND SUMMARY

On May 5, 2022, the Parks and Recreation Department submitted Historic Resources Permit application #22-029 for the purpose of making renovations to Victory Gardens that intend to promote gathering, walkability, and an appreciation of the gardens. The following alterations to the garden are being proposed:

- Removing the existing picket fence
- Construction of a 12" high, 19-sided retaining wall in place of the fence
- 4" cap on the wall creates a 16" bench seat on perimeter of the garden
- Garden bed will be raised to the height of the wall to display flowers in all directions.
- Re-establishment of corner trails towards the centre garden
- Planting of trees along the outskirts

Victory Gardens makes up part of Minto Park, which was designated as a Municipal Historic Site in 2013. Upon its designation, the following 'character defining elements' were established in making the Statement of Significance for the park (from the Yukon Register of Historic Places).

- Victory Garden with central Victorian style garden planted primarily with indigenous species such as wild rose, delphiniums, poppies, pansies and snapdragons and **bordered by a 19-sided picket fence**

- Geometric design containing the garden with a circular white gravel path from which diagonal paths radiate outwards to the corners of the lot, forming triangular quadrants of lawn north of the OTAB
- Location and setting of the Obelisk-shaped Cenotaph war memorial flanked by trees and field guns on the east side of Victory Garden
- Formal landscape bordered by wooden boardwalk along 5th Avenue and Church Street with the OTAB prominently centered
- Balsam poplar and white spruce bordering Fifth Avenue and Church Street
- Open, level area south of the OTAB including playing field and expansive lawn

ANALYSIS / DISCUSSION

The following serves as an analysis of how this decision is to be informed by relevant bylaws and legislation.

Heritage Bylaw

S.10 of the Heritage Bylaw outlines the protection of Historic Sites. According to s.10.02, “No person shall make, demolish, move, or make alterations to a Municipal Historic Site and/or a site listed on the Heritage Inventory unless such alteration is carried out in accordance with a valid development permit or historic resources permit.”

According to s.10.03, “**no person shall carry out an activity that will, in the opinion of HAC, alter the character defining elements of a Municipal Historic Site, without a resolution by Council indicating approval.**” As per HAC Resolution #22-09-06, the proposed alterations, in the opinion of the HAC, alter the character defining elements of the park. Specifically, the permit proposes to remove the 19-sided picket fence – one of the character defining elements of the garden.

S.11.02 of the Heritage Bylaw states, “Historic resources permit will be assessed and approved by the Development Officer, with recommendations from HAC, in accordance with the following, as applicable:

- (a) Development & Heritage Guide;
- (b) Design Guidelines for Historic Dawson;
- (c) Standards and Guidelines for the Conservation of Historic Places in Canada;
- (d) Heritage Management Plan;
- (e) Zoning Bylaw; and
- (f) Statement of significance and character defining elements.”

Standards and Guidelines for Historic Places in Canada

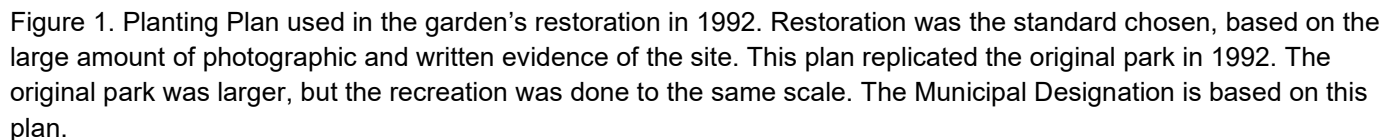
The Standards and Guidelines are used by all Yukon designating authorities, as the document is recognized as the highest authority of conservation in Canada, and is in accordance with international best practice. Chapter 3 outlines the Canadian standard for conservation of historic places, and a framework for choosing between preservation, rehabilitation, and restoration (pp.21-23). Some relevant standards include:

“5. Find a use for an historic place that requires minimal or no change to its character-defining elements.”

“8. Maintain *character-defining elements* on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving *prototypes*.”

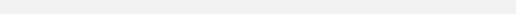
“10. Repair rather than replace *character-defining elements*. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.”

“Standards 8, 10 and 13 are related standards; each one describes the importance of repairing before replacing for each of the three treatment types based on the condition of the character-defining elements and the type of evidence available” (Standards and Guidelines, p.21).



Resolution: 22-09-06: THAT the Heritage Advisory Committee move to ADVISE Council that historic resources permit #22-029, in the opinion of the HAC, proposes an alteration to the ‘character defining elements’ of the Victory Gardens.

Council may:

- | APPROVAL | | |
|----------|-------------------|--|
| NAME: | Kim McMynn, A/CAO | SIGNATURE:
 |
| DATE: | July 15, 2022 | |



THE CITY OF DAWSON

Box 308 Dawson City, YT Y0B 1G0
PH: 867-993-7400 FAX: 867-993-7434
www.cityofdawson.ca

OFFICE USE ONLY	
APPLICATION FEE:	WAIVED COD.
DATE PAID:	/
RECEIPT #:	/
PERMIT #:	22-029.

HISTORIC RESOURCES PERMIT APPLICATION

PLEASE READ THE ATTACHED INSTRUCTIONS, GUIDELINES, AND SUBMISSION REQUIREMENTS PRIOR TO COMPLETING FORM.

PROPOSED DEVELOPMENT

☒ Major Alteration

☐ Minor Alteration

☐ Sign

CIVIC ADDRESS: n/a VALUE OF DEVELOPMENT: _____

LEGAL DESCRIPTION: LOT(S) n/a BLOCK 5 ESTATE Government Reserve Addition PLAN# 103175 CLSR

MUNICIPAL HISTORIC SITE ID # _____ YUKON HISTORIC SITES ID # _____

PROPOSED DEVELOPMENT: Please provide a brief description of the proposed development.

Landscaping project to renovate and improve Victory Garden, including the completion of the following tasks:

- Removal of existing fence
- Construction of 12" high 19-sided retaining wall in place of fence
- 4" cap on wall creates 16" bench seat on perimeter of garden
- Garden bed is raised to height of wall to display flowers in all directions
- Display of flowers along with bench seating encourages loitering and social interactions, this helps to promote the relaxed and gay atmosphere that a garden naturally offers
- Re-establishment of corner trails towards centre garden
- Planting of trees along outskirts

AGE OF STRUCTURE: Please provide the age of the structure you wish to alter.

Existing fence was built in 1990's. Unsure of date. Was a replica of an earlier fence according to Yukon Historic Sites.

SITING: Please describe the siting of the proposed alteration in relation to the existing structure and other buildings.

Alterations would not majorly modify the siting of the park. Bench would replace fence in existing location. Trees would replace existing trees, or be placed in locations where a tree once was, along border of park only.



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PERMIT #: 22-029

MASSING, SCALE, & FORM: Is the proposed alteration of a similar scale & massing, or subordinate to, the existing structure? Will the addition be visible from the street?

The alteration from a fence to a bench would result in a structure that is subordinate in height to the existing structure, to accommodate sightline to centre garden, and seating area in middle of the park. The alteration will be visible and inviting from the street.

RHYTHM: Are openings (windows & doors), cornices, signage, and eaves in alignment with existing elements? Are the openings oriented vertically and do they follow traditional proportions (taller than wider)?

Not applicable.

MATERIALS: Please list the condition of the original materials and any materials the addition will use. Are these materials significantly different from the materials used on the existing structure? If the materials are significant

Existing fence is made of wood and is in decay. The bench would utilize wood as well.
Existing trails have disappeared. Would be replaced with packed gravel.



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PERMIT #: 22-029.

SIGNAGE DIMENSIONS & DESCRIPTION (SIGN PERMITS ONLY)

HEIGHT OF SIGN: _____ WIDTH OF SIGN: _____

TOTAL SIGN AREA: _____ MATERIALS: _____

TYPE OF SIGN:



FIXED



FREE-
STANDING



PROJECTING



WALL
PAINTING



BANNER



SANDWICH
BOARD

APPLICANT INFORMATION

APPLICANT NAME(S): Paul Robitaille (COD)

MAILING ADDRESS: Box 308 POSTAL CODE: Y0B 1G0

EMAIL: reomanager@cityofdawson.ca PHONE #: 993-7400 ext. 204.

OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

OWNER NAME(S): City of Dawson

MAILING ADDRESS: Box 308 POSTAL CODE: Y0B 1G0

EMAIL: _____ PHONE #: 993-7400

It is the responsibility of the applicant to ensure that all plans conform to the provisions of the City of Dawson Zoning Bylaw and applicable territorial and federal legislation.

DECLARATION

- I/WE hereby make application for a Development Permit under the provisions of the City of Dawson Zoning Bylaw #2018-19, Heritage Bylaw #2019-04 and in accordance with the plans and supporting information submitted and attached which form part of this application.
- I/WE have reviewed all of the information supplied to the City of Dawson with respect to an application for a Historic Resources Permit and it is true and accurate to the best of my/our knowledge and belief.
- I/WE understand that the City of Dawson will rely on this information in its evaluation of my/our application for a Development Permit and that any decision made by the City of Dawson on inaccurate information may be rescinded at any time.
- I/WE hereby give my/our consent to allow Council or a person appointed by its right to enter the above land and/or building(s) with respect to this application only.

I/WE HAVE CAREFULLY READ THIS DECLARATION BEFORE SIGNING IT.

May 6, 2022

DATE SIGNED

SIGNATURE OF APPLICANT(S)

DATE SIGNED

SIGNATURE OF OWNER(S)



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PERMIT #: **22-029**

COMPLETE APPLICATION SUBMISSION REQUIREMENTS

As per s. 4.4.1 of ZBL #2018-19, and s. 11.00 of the Heritage Bylaw #2019-04, a permit will be granted, granted with conditions, or refused within 30 days of receipt of a complete application. An application is not deemed complete until the following information is submitted to the satisfaction of a Development Officer.

- ☐ Application Form (completed in full)
- ☐ Application Fee & Security Deposit (if applicable) as per City of Dawson Fees and Charges Bylaw & Zoning Bylaw
- ☐ Site Plan that includes:
 - o a north arrow and scale
 - o property lines shown and labelled as per the most recent legal survey
 - o all easements and rights of way shown and labelled
 - o the location and labelling of all abutting streets, lanes, highways, road rights of way, sidewalks, water bodies, and vegetation
 - o the topography and other physical features of the subject land
 - o the location, size, type, and dimensions of all existing buildings and/or structures on the subject land, as well as the distance of the buildings and/or structures from the property lines
 - o the location, size, type, and dimensions of all proposed buildings and structures on the subject land, as well as the proposed distance of the buildings and/or structures from the property lines
 - o the location of retaining walls and fences (existing and proposed)
 - o the location, dimensions, and number of onsite parking areas
 - o the location of loading facilities
 - o the date of the plan
- ☐ Certificate of Title (if owner does not match Assessment Roll)
- ☐ Elevation Plans
- ☐ Floor Plans
- ☐ For Heritage Management Areas: Annotations as per s. 4.3.4 of ZBL #2018-19 and Heritage Bylaw #2019-04
- ☐ For New Builds: Foundation & Drainage Plan
- ☐ New Builds and Additions not connected to municipal servicing: Environmental Health Approval
- ☐ For signage: scaled coloured renderings/drawings of the proposed sign and inclusion of sign location on elevations
- ☐ Statements of Significance issued by the City of Dawson, Yukon Government, or Government of Canada
- ☐ Other as required by the CDO: _____

OFFICE USE ONLY

LEGAL DESCRIPTION: LOT(S) 1 BLOCK 5 ESTATE Gov Res Add PLAN# 103175CLSR

ZONING: P2 DATE COMPLETE APPLICATION RECEIVED: May 6

TYPE OF APPLICATION: Municipal Historic Site (Historic Resource Permit)

APPLICANT NAME(S): Paul Robitaille

OWNER NAME(S): City of Dawson

☐ APPLICATION REJECTED

☐ APPLICATION APPROVED / PERMIT ISSUED

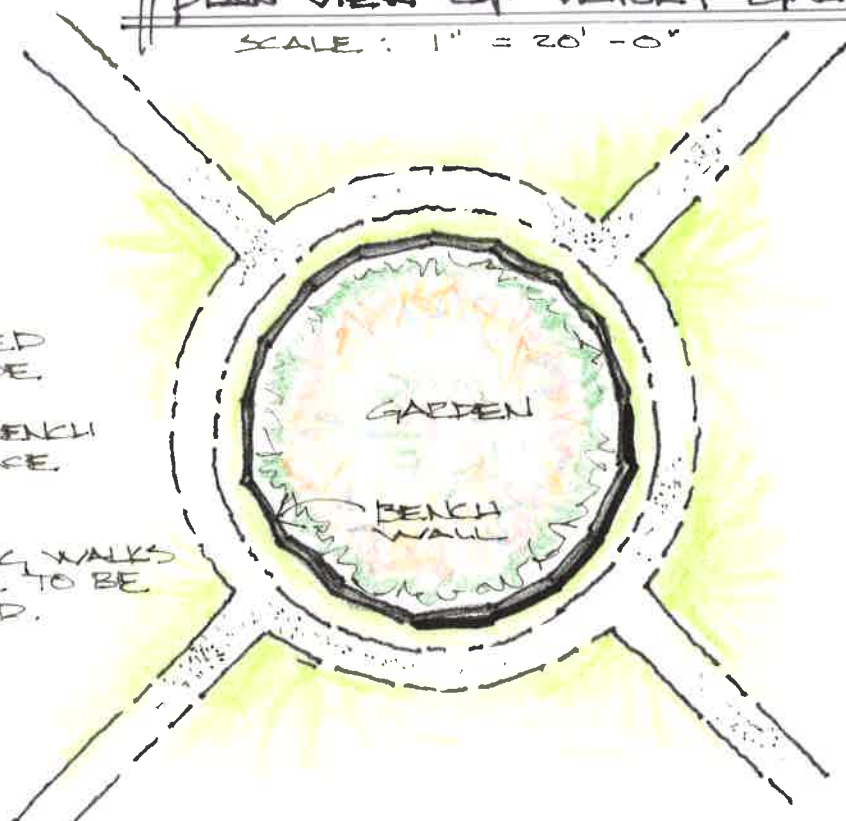
A letter [] has OR [] has not been attached to this permit explaining reasons and/or permit conditions. If a letter is attached, it constitutes a valid and binding component of this permit.

DATE: _____ SIGNATURE: _____

PLAN VIEW OF VICTORY GARDEN SCALE: 1" = 20' - 0"

ORIGINAL 19 SIDED
GEOMETRIC SHAPE
OF GARDEN TO
REMAIN. LOW BENCH
WALL TO REPLACE
FENCE.

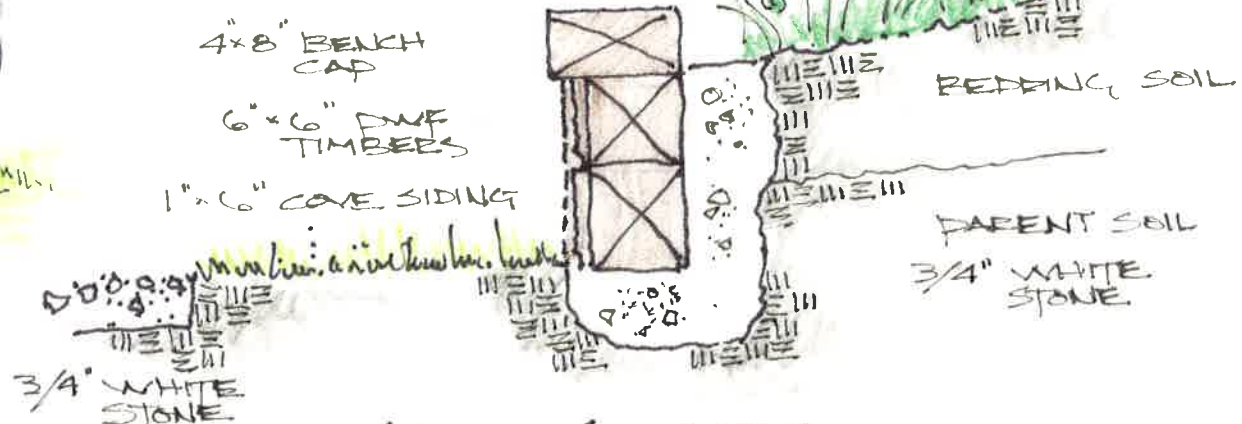
ORIGINAL RADIATING WALKS
OF WHITE STONE TO BE
RE-ESTABLISHED.



PERSPECTIVE SKETCH OF PROPOSED
BENCH/WALL. SOCIAL INTERACTION
IS ENCOURAGED AND GARDEN IS
FULLY VISIBLE.



PERSPECTIVE SKETCH OF PROPOSED BENCH/WALL. WALL IS TO REFLECT DESIGN OF STAB.



BENCH/WALL DETAIL SCALE: 1" = 1' - 0"

VICTORY GARDEN LANDSCAPE PROPOSAL

CND AUG 18

Victory Garden Design Statement & Notes

Victory Garden is undoubtedly the nicest of Dawson's many gardens. Despite this it is often overlooked and under-appreciated. Ironically, this can be attributed to the beautifully built 19-sided fence that surrounds it. The fence is a design statement in itself, so much so that it dominates the garden visually and to a lesser degree artistically. This is illustrated very clearly by the two photographs of the garden dated 1910. The first shows a photo from what must be a ladder looking over the fence. The floral design is beautifully displayed. The second shows a view from standard about eye level on the ground. The floral display is all but obscured by the fence. As the existing fence is in a state of disrepair, its removal could provide an opportunity for a much-improved presentation of the lovely floral display.

This could be done by done by:

- Removal of existing fence
- Construction of 12" high 19-sided retaining wall in place of fence
- 4" cap on wall creates 16" bench seat on perimeter of garden
- Garden bed is raised to height o wall to display flowers in all directions
- Display of flowers along with bench seating encourages loitering and social interactions, this helps to promote the relaxed and gay atmosphere that a garden naturally offers
- Despite the change from historical precedent Victory Gardens would retain the essence of its formal historical design through the 19-sided garden wall, radiating white stone paths and the geometric greenspaces



Re: Victory Garden Fencing / Historic Resource Permit DP#22-029

July 14, 2022

Parks and Recreation manages and maintains Victory Gardens. We are currently looking to make modifications to this site, through a Historic Resource Permit (DP#22-029), which we formally ask Council to approve.

There are many positives with Victory Garden, including the location, the plant life, the cenotaph area, the history, and the greenspace it offers. However, there are also negatives, such as the old poplar trees, the loss of the corner trails that once defined the location, and the decrepit fence that surrounds the central garden.

In 2018-19, City of Dawson Parks and Recreation department undertook collaborative efforts, along with the Royal Canadian Legion, Dawson City Museum, Yukon Government and a landscape architect to develop a plan to revamp the site. This project proposes to improve the fence into a 19-sided bench/retaining wall, raise the garden bed, and re-establish the defining border and corner paths. These plans are attached for your information.

Currently, we are looking to implement this plan by applying for a *Historic Resource Permit*, as Minto Park/Victory Garden is a Municipal Historic Site (Bylaw #13-07). Historic Sites are managed by the *Historic Resources Act* and Yukon Register of Historic Places, which determines the historical value of a site through its *Character Defining Elements*. These elements generally cannot be modified without approval from City of Dawson council. One of the *Character Defining Elements* of Victory Garden is the 19-sided picket fence that surrounds the central garden, which we hope to modify.

Our reasons for requesting to modify the fence are:

- This fence is falling over and requires replacement.
- This fence acts as a deterrent to gathering in this greenspace.
- The fence hides many of the flowers that live behind it.

We believe the inclusion of the fence in the Character Defining Elements of this site is based on a false premise that should be modified in the future by council. This fence was built in 1989 to replicate a fence that lived in this site for a very brief period. No other historic site in our municipality is a re-creation or includes a fence.

We respect and celebrate the historic nature of many of the spaces in our community, including that of Minto Park. It is the crown jewel of our greenspaces. Our intentions with this permit application seek to celebrate the history of this space, not take away from it. We aim to accentuate and make the gardens at Victory Garden the gathering place it should be. After all, it is called Victory Garden, not Victory Fence.

Based on the reasons we mention, we ask that council approve the Historic Resource Permit to improve Victory Garden. We also encourage council to consider future amendments to the Characteristic Defining Elements, to remove the inclusion of this fence.

Regards,

Paul Robitaille,
Parks and Recreation Manager,
recmanager@cityofdawson.ca
Box 308 Dawson City, YT, Y0B 1G0
PH: 867-993-7400 ext. 204
www.cityofdawson.ca



THE CITY OF DAWSON
Bylaw #13-07

A bylaw to designate Minto Park as a Municipal Historic Site.

WHEREAS section 37(1) of the *Historic Resources Act* permits Council to designate land and buildings as a Municipal Historic Site; and

WHEREAS Council has given notice pursuant to Part 5, Section 39 of the *Historic Resources Act* of its intention to consider passing this bylaw; and

WHEREAS Council considers that Minto Park has heritage value or heritage character as defined in the *Heritage Bylaw*; now

THEREFORE the Council of the City of Dawson, in open meeting assembled, hereby ENACT AS FOLLOWS:

1.0 Short Title

1.01 This bylaw may be cited as the "Minto Park Historic Site Bylaw".

2.0 Designation

2.01 The Landscape known as Minto Park, which lies on Parcel L, Government Reserve, Plan 10470 in Dawson City, YT, including Victory Garden north of the Old Territorial Administration Building and the land south of the Train Museum and Dawson Hospital including the Ball Diamond, playground, tennis courts, and swimming pool is hereby designated as a Municipal Historic Site.

3.0 Enactment

3.01 This bylaw shall come into full force and effect upon the final passing thereof.

READ A FIRST TIME THIS 12TH DAY OF MARCH, 2013.

PUBLIC NOTICE THIS 20TH DAY OF MARCH, 2013.

SUBMITTED TO A PUBLIC HEARING THIS 25TH DAY OF JUNE, 2013.

READ A SECOND TIME THIS 25TH DAY OF JUNE, 2013.

READ A THIRD AND FINAL TIME THIS 9TH DAY OF JULY, 2013.

Originals signed by:
Wayne Potoroka, Mayor

Jeff Renaud, CAO

Committee Minutes

THURSDAY MAY 19 2022

19:00

Meeting Type: Regular

Meeting: # HAC 22-09

Facilitators: Stephani McPhee, PDO

Attendees: Angharad Wenz, Eve Dewald (chair), Jim Williams, Megan Gamble, Rebecca Jansen

Regrets: Charlotte Luscombe

Meeting Called to order at 7:04 PM.

Minutes

Agenda Item: Agenda Adoption

Resolution: 22-09-01

THAT the Agenda for Heritage Advisory Committee Meeting 22-09 has been adopted as amended.

Discussion:

- Delegate Karen Murray will not be in attendance, application can still proceed.
- New business: 2nd Ave and King St future development for discussion

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Conflict of Interest

Resolution: n/a

Discussion: None.

Agenda Item: Committee of the Whole

Resolution: 22-09-02

THAT the Heritage Advisory Committee move into the Committee of the Whole.

Discussion: None

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Delegations

Resolution: n/a

DP #22-035 – Michel Lefebvre & Claude Maille

Discussion:

- In 2021, the applicant had DP #21-086 approved to remove, close in, and cover in 4 windows with cladding, and replace 2 windows with one larger window on the St. Mary's Catholic Church rectory. At this time, the applicant brought forward plans to replace the remaining windows and the exterior doors with new, energy efficient ones (note: not including the windows in the arctic entrance).
- Energy assessment was completed for the building in 2020, which concluded that an energy retrofit is overdue for the building dated 1925.
- The HAC raised a concern about retaining the windows as they appear, given the historical significance of the building. The applicant confirmed that the windows will look the same, the dividers and the frames will look the same, they will have 3 panes, casement windows. The trim will be reused around the windows.
- Working with materials from Arctic Inland.

- The HAC asked whether the door will be replicated to look the same. The delegate responded that they will look pretty much the same but specifications will follow.
- The HAC stated that they will need to see the door schedule.

Agenda Item: Delegations

Resolution: n/a

Joske Whiteside & Annika Palm

Discussion:

- The delegates brought forward initial options for the replacement of the two water reservoir tanks in town for HAC's review.
- The rationale for replacing the tanks is that they have maxed their capacity. In the future, the consultants hope to use steel as the cladding material in place of the board and baton.
- The green/blue steel photos shown in the presentation are typical of the tanks implanted in Yukon.
- The replacements will be taller than the current tanks to maximize their capacity – however will not exceed the maximum height requirement.
- The intent behind the appearance of the proposed tanks is an attempt to mimic the wood cladding that exists now.
- The delegate clarified that the small communications shed on site will remain – additional buildings may be implemented in the future, however nothing is currently planned.
- The HAC commented that the chain link fence that exists on the site now is not historic, however mentioned that overall, they have no concerns about the project.
- The delegate confirmed that the railings on the top will be made of aluminum. The HAC stated that they attempt to avoid aluminum because it does not have the appearance of a historic material. The HAC suggested a possible solution that if aluminum is required, it could be made to appear like a galvanized metal/pipe. The HAC also suggested that a black iron, tubular material could be okay if the diameter is not too big. The same comments apply to the proposed ladder. Painted black metal is historically accurate, however it is understandable if this cannot be applicable here. The delegate confirmed that intent is to keep the railings and the ladder light – they may be able to do some exterior wrapping and will keep the HAC's comments in mind.

Agenda Item: Delegations

Resolution: n/a

DP #22-029 – Paul Robitaille (Parks and Recreation Manager)

Discussion:

- The parks & recreation department brought forward a proposal to make alterations to the Victory Gardens. The RFD attached provides background information on the processes in place for deciding on alterations of character defining elements of a Municipal Historic Site, as well as a request for direction from the HAC.
- Paul expressed the current issues associated with the gardens: the paths are worn down, the picket fence is falling over, and the flower beds are hidden from sight by the picket fence.
- A plan made proposing amendments to the gardens was brought to the HAC before Paul's time, which in the opinion of the Parks & Rec department proposes a great improvement to the site.
- The plan proposes to remove the 19-sided picket fence, which was established as a character defining element of the site upon designation as a municipal historic site. The plan proposes a 19-sided bench around the garden in the place of the fence, as a measure of mitigating the gardens being hidden. Paul mentioned that the focal point of the Victory Gardens should be the garden itself, and argues that the fence hides them, which is a detriment to the site.
- The HAC clarified that this plan is not in line with *Standards and Guidelines: For the Conservation of Historic Places in Canada*, and has been advised against in the past.

- Rebecca clarified that the garden is a truncated version of the historic garden. The restoration plan created for the current garden was created in 1989, which was based on historical research and planning. The restoration plan was made to be as accurate as possible to the original plan, however accommodating the smaller space made available (the construction of the hospital removed a fraction of the original garden space. Historically, the central garden would have been where the cenotaph is now. Everything in the restoration plan was shrunk to a smaller scale of the same garden, however maintained the same proportions.
- Upon designation of a Municipal Historic Site, a Statement of Significance is created, which is based on the character defining elements – these are important to maintain for keeping a sites heritage value. When Statements of significance are created, careful wording is chosen. Therefore, the 19-sided picket fence would not have been added arbitrarily.
- Paul asked if the only option is to replace what exists now. The HAC suggested simply maintaining the existing park and adding benches to the outside of the walk ring, as this would be a reversible feature. The HAC also suggested raising the mound so that the flowers are higher and not obstructed from view by the picket fence.
- Paul asked whether it would be possible to make the picket fence shorter, so that it is not as intrusive. Rebecca will investigate how the size of the fence was determined.
- The HAC clarified that sites are protected when they designated as historic sites under the Act, and inherently changes must not be made to character defining elements.
- The HAC discussed the importance of maintaining character defining elements of a site:
 - Upon passing of the City's Heritage bylaw, which outlines the designation of Municipal Historic Sites, Council determined that character defining elements contribute to the heritage value of a site, and therefore are worth retaining. Each time a change is made to the character defining elements, this detracts from the heritage significance of a site and chips away at its historic value.
 - Even minor changes can have massive impacts on how the site looks and was used. YG would advise against it but wouldn't interfere with the City's position, since municipal bylaws regulate these decisions. Ultimately this decision is up to City Council unless the site is under YG ownership or was funding the site.
 - Another consideration was brought forward that the Victory Gardens is also part of the OTAB historic sites, so the amendment would have to be considered from a national perspective as well.
- The HAC supports defining the walkways. Paul says if replacing it is the only option, raising it within limits (1/3rd of the height, for example – not too radical), that may be what the department chooses to do.
- It was brought up that the changes fundamentally change the nature of the site from garden to gathering space. Which may be the direction the City wishes to take, however should be addressed. If this is indeed the direction the City wishes to take, the following interventions could be implemented without changing the character defining elements of the site:
 - Picnic tables
 - Wayfinding signage
 - Benches
 - Future infrastructure depending on public use/ needs.
- The HAC mentioned that gathering could be promoted in the space naturally without imposing these interventions, but simply maintaining the site. Currently the site isn't maintained, which detracts from the public's desire to gather. Other approaches exist that could work to revitalize the space, including maintaining the paths and grass to encourage people to bring picnic blankets, etc.

Business arising from delegations:

Victory Gardens

- The HAC expressed concern that it may set a bad principle by the City making changes to a municipally designated site and going against the City's own Heritage Bylaw.
- What if instead, interventions were imposed on the vacant lot directly across the street, if it is City owned property?

- The HAC discussed the intention behind the site. Its purpose is to be a memorial site, which is more formal in nature to make a statement about the government's presence in Dawson at its time. The intention of the site historically was not meant to be a gathering space, rather an extension to the OTAB building and a statement piece.
- The HAC mentioned that the site is not unused, the fundamental issue with the site is not that the design of the garden needs modernization, rather that its maintenance is neglected.
- Rather than imposing changes to the character defining elements, the HAC is strong in their opinion that other measures could be taken instead, such as:
 - Regrading could be done
 - new soil and grass
 - scheduling events.... Ribbon cutting events, or other events that are quasi-formal, which bring focus back to the space without irreversible intervention. Minto Park used to host massive events, parades, etc. historically and in more recent years.
- The HAC also acknowledge the UNESCO heritage designation – the garden serves as an important piece of the history in understanding the colonial impact on Tr'ondëk Hwëch'in in Dawson.

Agenda Item: Revert to Heritage Advisory Committee

Resolution: 22-09-03

THAT the Committee of the Whole revert to the Heritage Advisory Committee.

Discussion: None.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Adoption of Meeting Minutes

Resolution: 22-09-04

THAT the Heritage Advisory Committee APPROVE the minutes from meeting #22-08 as presented.

Discussion: None.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Business Arising from the Minutes

Resolution: n/a

Discussion: None.

Agenda Item: Applications

Resolution: 22-09-05

THAT the Heritage Advisory Committee APPROVE development permit #22-035 subject to the following conditions:

1. Receipt and approval of a door schedule by the HAC.
2. That the trim around the windows is re-used or replicated.
3. That the window openings stay the same size and depth.

Discussion:

- The HAC requires a door schedule prior to approval.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Applications

Presenter: Eve Dewald

THAT the Heritage Advisory Committee move to ADVISE Council that historic resources permit #22-029, in the opinion of the HAC, proposes an alteration to the 'character defining elements' of the Victory Gardens.

Discussion: None.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Applications

Resolution: 22-09-07

Presenter: Angharad Wenz

Seconded: Jim Williams

THAT the Heritage Advisory Committee move to APPROVE development permit #22-023 and #22-030 as submitted.

Discussion: None.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: New Business

Resolution: n/a

Presenter: Angharad Wenz

Seconded: Megan Gamble

2nd Ave and King St future development

Discussion:

- A HAC member brought forward the vacant lot on the corner of 2nd Ave and King St. for discussion, in an attempt to be pro-active about future discussions of development.
- The HAC member expressed the perceived importance of being authentic to what existed on that corner historically, as it is such a prominent commercial downtown location.
- Upon proposal for development, the architect on the project should be supplied with historic photos, streetscape photos, the heritage design guidelines, etc. to convey what the HAC hopes will be replicated on the corner.
- Historically in this location existed the Portland building/a dentist building. The building was 3 stories (38ft high) and 50ft long. There was a storefront on King St. that was 30 ft wide.
- Windows, bays, may cause trouble. Pizza parlour bays are closer to scale.
- The facades were continuous historically, separate units were directly abutting one another going in both directions. It would be ideal to attempt to replicate this building, and to mix up the building with a variety of facades.

Agenda Item: Unfinished Business

Resolution: 22-09-08

Presenter: Angharad Wenz

Seconded: Eve Dewald

THAT the Heritage Advisory Committee provide comments on the 'Historic Structure' definition as part of the ZBL Housekeeping Amendment.

Discussion:

- Administration brought forward an RFD requesting direction from the HAC re: the proposed definition for 'historic structure'. Three options have been provided, pending comments from the HAC.
- The HAC will provide comments at a future meeting, as more time is required to prepare a rationale behind their recommendation.

Agenda Item: Adjournment

Resolution: 22-09-09

Presenter: Angharad Wenz

Seconded: Jim Williams

That Heritage Advisory Committee meeting HAC 22-09 be adjourned at 8:56pm on May 19, 2022.

Minutes accepted on: June 16, 2022 (Meeting #22-10)

Report to Council



☐ For Council Decision ☐ For Council Direction ☒ For Council Information

☐ In Camera

AGENDA ITEM:	Citizen Response Review	
PREPARED BY:	Valerie Gayle Williams	ATTACHMENTS: <ul style="list-style-type: none">City of Toronto Social Media Document
DATE:	June 16, 2022	
RELEVANT BYLAWS / POLICY / LEGISLATION:	<ul style="list-style-type: none">N/A at this time	

RECOMMENDATION

That Committee of the Whole accept the following information regarding the Citizen Response review and provide feedback as we move forward in the development of a City Communications policy.

ISSUE / PURPOSE

To improve communication with City of Dawson residents.

To create a functional and easy-to-use system to ensure Dawson City residents have feedback and concerns addressed in a timely manner.

The final purpose of this process is to ensure that we improve the citizen interaction experience, address their correspondence, phone calls and/or other modalities of communication with the City in a timely, uniform and professional manner.

BACKGROUND SUMMARY

Citizens have provided feedback that they are uncertain about modalities of communications and how to get their feedback and/or concerns to the right person in the right department. Although largely anecdotal in nature, many members of staff, including Mayor and Council, have received commentary that citizens want a different form of response than they are receiving at present.

The request for a Citizen Response review and a process for implementing better communication with residents has come from multiple sources, including directly from Mayor and Council. To date, each department and/or manager and their staff have their own systems of interacting with citizens and responding to their feedback. The purpose of this document is to ensure that a uniform Citizen Response process is created, used by each department, and that Mayor and Council members can also utilize when/if needed.

The City of Dawson is expanding their communication modality catalogue; however, we currently lack a policy document to guide their use, in addition to signalling to our residents how to best interact with the City of Dawson. Further to this point, we have a clear idea of how citizens can interact with the City of Dawson, however we lack uniform guidelines on how to respond, time of response, placing weight on response based on modality of interaction, examples: phone calls versus handwritten letters versus a casual conversation on the street.

In hiring a communications' person, the expectation is that a policy will be created to support City of Dawson staff and Mayor and Council members in streamlining a citizen response in a timely manner.

ANALYSIS / DISCUSSION

Prior to proceeding to best practices in Citizen to City of Dawson communications, it would seem prudent to reiterate to all citizens the modalities of communication that are currently available to utilize. Although largely anecdotal in nature, various citizens have expressed that they are unaware of all the communication tools that the City of Dawson is using.

The communications coordinator recommends, at this time, an informal communication campaign is undertaken to clearly outlay the methods of communications available to our residents. These methods, for example, can be laid out on the 6+ social media platforms of the city, the Klondike Sun, radio station, rolling TV adverts, and in a mail out campaign. Furthermore, an expanded page will be added to the City of Dawson website to explain all communication modalities to citizens.

Once, we have established how citizens can communicate with the City of Dawson and/or Mayor and Council, the expectation is that some system of recording (intake) citizen feedback and response (outtake) will be documented so we are able to understand which departments are getting the highest volume of citizen feedback and when/where additional support maybe required. This will be internal in nature and will be adapted accordingly.

Communication modalities include but are not limited to the following:

Radio PSAs

Rolling TV Adverts

Multiple Departmental and Personal Facebook pages (An estimated 7 in total, not including personal accounts and the Town Crier/Buyer)

Klondike Sun Back Page (*revisit the use of more pages in lieu of the TV guide)

Posters

Letters/Billing Real Estate

Dawson City Facebook, Instagram, Twitter, and YouTube accounts.

Considerations

Currently, a simple response message, direction to the right person/department, a commitment to responding within a reasonable time frame, and some manner of recording these responses and/or marking them as complete seems prudent.

Further to considerations on timelines, etc., the communication coordinator is drafting a "Guidelines for Social Media Use by Employees", which will be part of the Communications Policy. See sample document from City of Toronto.

This response process will need to come from top down and be uniform with buy-in across the various departments and with Mayor and Council members.

The communications' coordinator has also been tasked with creating a Social Media Best Practices' document for all staff, including Mayor and Council. This document will also address what we have deemed as 'informal interactions', such as those that may take place at a non municipal gathering and/or in social setting unrelated to City of Dawson business and/or in an online forum.

Risks and Vulnerabilities

The desire for each department to continue to adhere to individualist systems, rather than considering communication modalities that are uniform in nature.

The possibility of lack of buy-in on using a uniform system.

The possibility of resistance to tracking the necessary data to quantify how the Citizen Response process is functioning and ways that we can continue to improve the quality of interactions with our residents.

The importance of a demarcation between personal and professional modalities of communication, i.e., are citizens directed to the website, instructed to set up a meeting with the Mayor or Council members, etc.

As communications are covered under the [Accessibility Legislation](#), it should be a requirement that literacy, accessibility and varying first languages are also taken into consideration when communicating with the citizens of Dawson.

Next Steps

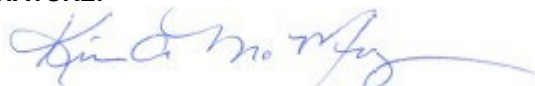
Integrate feedback on the outlined approach as we move forward in developing the Communications policy.

Work to ensure our contact information is published on all our communication modalities.

ALIGNMENT TO OFFICIAL COMMUNITY PLAN & STRATEGIC PRIORITIES
--

Alignment with future Communications Policy for streamlining and enhancing Citizen Inquiries and Responses.

Expand our communication modalities to adhere to the Yukon Accessibility Legislation.

APPROVAL		
NAME:	Kim McMynn, Acting CAO	SIGNATURE: 
DATE:	July 15, 2022	

Updated November 2012

Using Social Media for City Business Purposes

The City supports the appropriate use of social media for business purposes. Social media can help City staff to collaborate, share information, and support dynamic discussions with the public. It can provide opportunities to enhance outreach and inclusion, engaging individuals, communities and groups that may not otherwise participate in City initiatives.

When using social media for City business purposes, employees should conduct themselves as they would in any other work situation such as a meeting, conference or public event. The City has developed the following guidelines to help City staff to use social media appropriately and effectively in their work.

1. Keep Work and Personal Uses Separate

Social media can be used for a variety of purposes, and some employees use it in both their work and personal lives. While conducting City business, employees should only use social media accounts set up specifically for work purposes. The section below on Personal Use of Social Media outlines how City policies apply to personal use.

2. Know That You Are On the Record

Communication in social media sites or accounts should always be considered public and permanent. Online communities are not private; your posts may be accessed by a wider audience than intended or copied by others and published elsewhere without your permission or knowledge.

If you would not say or write something down in a public setting, then don't post it online. City employees must not post confidential or sensitive information acquired through their work, and should take care not to put themselves into a conflict of interest in online discussions of City issues – even if you are speaking from your personal perspective, people may assume you are speaking on behalf of the City.

3. Be Clear and Purposeful in Your Communication

When representing the City of Toronto, employees should only comment and post about their own program area. If you don't know the answer to a question, refer it to someone who does. Avoid talking about a program area you do not work for, even if you are familiar with that area. Only respond to news media inquiries if you are authorized to do so.

Although social media makes it possible to respond instantly to a question or complaint, it's a good idea to take a few minutes to formulate your comments, and to have another person read your response to reduce the chance that it will be misinterpreted.

Do not create posts or comments that are unrelated to the social media site's purpose, and never post commercial content, spam, or confusing, or misleading or out-of-date information or web links. Do not post links to news items and media stories, unless there is a specific sponsorship or partnership agreement in place with a media outlet.

The City monitors content posted on social media sites and may take steps to modify or remove any posts that contravene City policies or guidelines or relevant Provincial and Federal legislation.

4. Be Transparent and Accountable

When using social media for business purposes, employees should disclose their true identity and affiliation with the City of Toronto. City-managed social media sites or accounts are official City websites or accounts and should be easily identifiable as such through logos and text.

The public expects City employees to be accountable for their communications. Be courteous and stick to facts. If you make a mistake, be honest and upfront about it, and try to correct it as quickly as you can in order to restore trust with your audience.

4. Be Respectful of Others

Privacy, libel and human rights laws and policies apply to social media sites and accounts as they do to other forms of communication. Do not post obscene or racist content; personal attacks, insults or threatening language; or potentially libellous statements.

Respect copyright laws: do not post documents, logos, photographs, graphics or other material owned by others without written permission, unless such postings fall under an exception to copyright protection.

If you are moderating a social media site, you should remove or not approve posts that violate these rules.

For external (i.e. non-City) social media platforms, City employees must also comply with the terms and conditions of use that have been established by the service provider.

5. Collaborate and Engage with other City Social Media Sites

Existing City-managed social media sites or accounts provide an established window for communication with the public. Employees should encourage, support and participate in City-managed sites or accounts and coordinate their activities with the site's sponsor. A list of City social media sites is available [here](#).

Personal Use of Social Media

In addition to using social media for business purposes, City employees, in their private capacity as a citizen, may want to use social media to share information and communicate with friends, family and co-workers.

Even though they are using social media for personal purposes, some City policies apply to the use of social media by employees when they are off-duty. These policies are summarized below. A complete list is available at http://insideto.toronto.ca/policies/social_media_use.htm#appendixa.

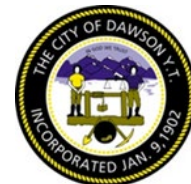
Employees who identify themselves as City employees or who are identified as City employees in their personal social media use should consider the following:

- Even if you don't explicitly identify yourself as a City employee, others may identify you as a City employee by your name, your place of work, a photograph, or by the content you post.
- Identifiable City of Toronto employees should make it clear that their position does not officially represent the City's position. Use phrases such as "in my personal opinion" or "Personally..." to communicate that you are expressing your personal views.

Guidelines for Social Media Use by Employees

- Do not use visual cues that suggest you represent the City: do not post City-owned logos, photographs, graphics or other media without the City's authorization, as described under the City's Corporate Identity Program.
- Do not place yourself in a conflict of interest, including revealing confidential or privileged City information, as described in the City's Conflict of Interest Policy.
- Do not reveal anyone's personal information gained through work, such as client or employee information, as described under the City's Privacy Guidelines and Workplace Access and Privacy Protocol.
- Do not identify or comment about other City employees without their consent.
- In their personal use, self-identified or identifiable City employees must abide by the Fraud Policy, Human Rights and Anti-Harassment Policy, Hate Activity Policy and other applicable City policies that govern employee behaviour.

Report to Council



☐ For Council Decision ☒ For Council Direction ☐ For Council Information

☐ In Camera

AGENDA ITEM:	2021 Zoning Bylaw Review	
PREPARED BY:	Planning & Development	ATTACHMENTS: 1. Bylaw 2021-15 (ZBL Amendment No. 14) 2. HAC RFD 3. Draft HAC meeting minutes 22-11 (not yet adopted)
DATE:	July 13, 2022	
RELEVANT BYLAWS / POLICY / LEGISLATION: Municipal Act Official Community Plan Zoning Bylaw		

RECOMMENDATION

It is respectfully recommended that Committee of the Whole accept this report as information and forward the decision to Council to give Bylaw 2021-15, being Zoning Amendment No. 14, third reading.

ISSUE / PURPOSE

The Official Community Plan (OCP) is required to be reviewed on an ongoing basis, specifically in October each year. The Zoning Bylaw (ZBL) is reviewed annually in tandem. This review was initiated in September 2021.

BACKGROUND SUMMARY

First reading of both bylaws occurred on December 8, 2021 and a Public Hearing was held February 9, 2021 for both bylaws. Second reading of the OCP amendment occurred on May 4, 2022, and third reading occurred on July 6, 2022. Bylaw 2021-15 (ZBL Amendment No. 14) was given second reading on July 6, 2022. On July 6, 2022, Council also directed administration to draft a letter to the Minister of Tourism and Culture requesting the creation of a publicly accessible Municipal Inventory of Historic Sites list.

ANALYSIS / DISCUSSION

The following direction for the zoning amendment was received on April 27, 2022 at CW22-06:

CW22-06-08 Moved by Councillor Pikálek, seconded by Mayor Kendrick that Committee of the Whole forward to the Heritage Advisory Committee the definition of Registered Historic Structure for a recommendation.
Carried 5-0

This request refers to the definition of 'registered historic structure' as it relates to proposed s. 7.5.2:

S. 7.5.2: "If, through the development permitting process for a structural alteration, it is found that a historic structure is legally non-conforming, as per the *Municipal Act*, and does not meet the zone's minimum parcel requirements, the application may be forwarded to the Heritage Advisory Committee at the discretion of the development officer.

- I. "At the sole discretion of the Heritage Advisory Committee, the legally non-conforming, noncompliant minimum parcel requirement(s) of the historic structure may be waived by resolution so long as:
 - a. the proposed development does not increase the legally non-conforming nature of the use or structure
 - b. The historic structure does not encroach on a contiguous property or right of way

- c. The waiver does not injuriously affect adjacent properties”

HAC

The proposed S. 7.5.2 was first discussed by the HAC at HAC meeting #22-04 and at the joint HAC/Council meeting on February 17, 2022. The Committee provided their full support for this amendment.

As per resolution CW22-06-08, Administration forwarded the request to the HAC on May 19, 2022, June 16, 2022, and July 7, 2022.


Administration has updated the bylaw with the following definition: “~~REGISTERED~~ HISTORIC STRUCTURE’ means, **for the purposes of this bylaw,** a structure that is listed in the Municipal Inventory of Historic Sites and **constructed prior to the adoption of Zoning Bylaw #203.** This includes structures that are designated as a Municipal Historic Site or listed in the Yukon Register of Historic Places, the Canadian Register of Historic Places, or the Yukon Historic Sites Inventory within the Historic Townsite **and constructed prior to the adoption of Zoning Bylaw #203.**”

Rationale for definition amendments:

- “**Registered**” was removed from the definition following the HAC’s comment that in this case, designation should not be the basis for the determination of heritage value, and due to the fact that resources listed in the YHSI are not all designated. The red text highlights the change made since second reading based on the HAC’s recommendation.
- “**For the purposes of this bylaw,**” was added to specify the applicability of this definition to the zoning bylaw only, to ensure there is no conflict with other bylaws including the Heritage Bylaw.
- “**constructed prior to the adoption of Zoning Bylaw #203**” was added following the discussion with HAC regarding the existence of zoning bylaws. It is the HAC’s opinion that structures built contrary to existing zoning bylaws should be required to adhere to active bylaw requirements at the time of their construction, while structures built prior to the existence of zoning bylaws should be eligible for this waiver process. Administration agrees and supports this addition to the definition.

Please see attached for the HAC RFD and draft meeting minutes for further information on this topic to aid in Council decision making.

Administration respectfully requests direction on whether changes are desired prior to third reading.

APPROVAL		
NAME:	Kim McMynn, A/CAO	SIGNATURE: 
DATE:	July 15, 2022	



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

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

WHEREAS section 289 of the Municipal Act provides that a zoning bylaw may prohibit, regulate and control the use and development of land and buildings in a municipality; and

WHEREAS section 294 of the Municipal Act provides for amendment of the 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. 14 Bylaw***

2.00 Purpose

2.01 The purpose of this bylaw is to provide for:

- (a) A re-zoning of Lot 1213 QUAD 116B/03 FP: Future Planning to C2: Commercial Mixed Use.
- (b) A series of text amendments.



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

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THE CITY OF DAWSON

Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

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) “city” means the City of Dawson;
- (c) “council” means the Council of the City of Dawson;

PART II – APPLICATION

4.00 Amendments

- 4.01 This bylaw amends Schedule B to re-zone Lot 1213 QUAD 116B/03 from FP: Future Planning to C2: Commercial Mixed Use, as shown in Appendix 1.
- 4.02 Repeal the EXHIBITION AND CONVENTION FACILITIES definition in S.2.2 and replace with the following: “EXHIBITION AND CONVENTION FACILITIES means a development that provides permanent facilities for meetings, seminars and conventions, product and trade fairs, circuses, and other exhibitions”.
- 4.03 Repeal the GARDEN SUITE definition in S.2.2 and replace with the following: “GARDEN SUITE means a self-contained secondary dwelling unit that is within an accessory building, located on a lot where the principal use is either a single detached dwelling unit or a duplex and where both dwelling units are registered under the same land title, as shown in figure 2-3. A garden suite can be up to 100% of the floor area of the accessory building”.
- 4.04 Insert the following definition to S.2.2: “HELIPORT means development used for the take-off and landing, sale, charter, or rental of helicopters together with maintenance services, and the sale of parts and accessories”.
- 4.05 Insert the following definition to S.2.2: “HISTORIC STRUCTURE means, for the purposes of this bylaw, a structure that is listed in the Municipal Inventory of Historic Sites and constructed prior to the adoption of Zoning Bylaw #203. This includes structures that are designated as a Municipal Historic Site or listed in the Yukon Register



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

of Historic Places, the Canadian Register of Historic Places, or the Yukon Historic Sites Inventory within the Historic Townsite, and constructed prior to the adoption of Zoning Bylaw #203”.

- 4.06 Insert the following definition to S.2.2: “REGULAR MAINTENANCE AND REPAIR means routine building repairs, maintenance, including building levelling, or installations that do not alter the size of the building, involve the rearrangement or replacement of structural supporting elements, constitute structural alteration, or change the use or intensity of use of the land, building, or structure”.
- 4.07 Insert the following definition to S.2.2: “SIGN, FIXED means a wall sign, fixed on the surface of a building”.
- 4.08 Insert the following definition to S.2.2: “SIGN, FREE STANDING means a self-supporting sign permanently fixed to the ground and visibly separated from a building”.
- 4.09 Insert the following definition to S. 2.2: “SIGN, PAINTED FASCIA means a wall sign painted directly on the surface of a building, visible to the street”.
- 4.10 Insert the following definition to S. 2.2: “SIGN, PROJECTING means any self-supporting sign other than a wall sign which is attached to or projects more than 45cm from the face of a structure or building wall with no visible guywires, braces, or secondary supports”.
- 4.11 Repeal the STRUCTURAL ALTERATION definition in S.2.2 and replace with the following: “STRUCTURAL ALTERATION means any change to structural supporting elements of a structure including but not limited to foundations, exterior load-bearing walls, door and window openings, roof, and access/egress components (such as decks or porches). For the purposes of this bylaw, full removal of a structure or structural component and replacing it in its entirety constitutes structural alteration. Repairs, maintenance, including building levelling, or installations, that do not alter the size of the building or other structure or involve the rearrangement or replacement of structural supporting elements does not constitute structural alteration.”
- 4.12 Insert the following clause to S. 4.1.1.3: “The security deposit is to be released upon development officer confirmation of the completion of the development as per the approved development permit.”



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

- 4.13 Repeal S. 4.2.1 and replace with the following: “regular maintenance and repair of any building or structure, provided it does not:
- I) include structural alterations
 - II) change the use or intensity of use of the land, building, or structure
 - III) include external building envelope alterations within the Historic Townsite”
- 4.14 Repeal S. 4.2.2.
- 4.15 Repeal S.4.3.2.VI(f) and S.4.3.2.VI(g) and replace with:
- “f) the location, size, type, and dimensions of all existing buildings and/or structures on the subject land, as well as the distance of the buildings and/or structures from the property lines and other structures.
 - g) the location, size, type, and dimensions of all proposed buildings and structures on the subject land, as well as the proposed distance of the buildings and/or structures from the property lines and other structures.”
- 4.16 Insert the following to S.4.3.2:
- “IX. A stormwater management plan that includes:
- a) The location and description of where water flows and pools on the property.
 - b) Description of how the water flow and pooling is/will be managed.
 - c) Existing and/or proposed infrastructure to manage stormwater and snow such as culverts, drains, snow dams, gutters, etc.”
- 4.17 Insert the following clause to S.4.3.2:
- “X. photos of the parcel and buildings.”
- 4.18 Repeal S.4.4.2.1 and replace with: “An applicant aggrieved by the decision of the development officer under section 4.4 ‘Decision Making’, may appeal to Council within 30 days of the date of the decision.”
- 4.19 Repeal S.4.4.2.2 and replace with: “Appeal applicants shall be limited to the original development permit applicant, landowner, and/or their designated representative.”
- 4.20 Repeal S.4.4.2.3



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

4.21 Insert the following clauses to S. 4.4.2 as follows:

“3. All maps, plans, drawings, and written material that the applicant intends to rely on in support of the appeal must be filed at least 10 days before the day of the hearing.

4. Council shall within 60 days of receipt of an appeal under this section, allow, disallow, or allow the appeal with conditions.

5. The hearing of the appeal shall be public and Council must hear the appeal applicant or any person representing the appeal applicant.

6. The decision of Council shall:

- I. be based on the facts and merits of the case;
- II. be in writing and set forth the reasons; and
- III. be personally delivered or mailed to the appeal applicant within 10 days of the date the decision was made.

7. A decision of Council under this section is final and binding and there is no further appeal from it.”

4.22 Repeal S.5.1.4, 5.1.5, and S. 5.1.6.

4.23 Insert the following clause to S. 5.1:

5.1.4 “On receipt of an application for subdivision approval, public notification must be provided in a method approved by Council for two successive weeks prior to decision.

- I. Methods of public notification may include the City of Dawson website, local newspapers, the City and Post Office Bulletin Boards, and written notification letters.
- II. Written notification letters shall be mailed to contiguous properties.”

4.24 Amend S. 6.2 as follows: “When a structure is being moved off of a lot within the historic townsite, the application must be accompanied by an approved redevelopment plan for the original lot, to the satisfaction of the development officer.

- I. When a structure is being moved off of a lot within the historic townsite, an acceptable security deposit of \$1.00 per square foot of the lot under consideration shall be posted upon issuance of a development permit for the move to ensure that the intended redevelopment proceeds.”



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

- 4.25 Insert the following clause to S. 6.2: “The security deposit is to be released upon development officer confirmation of the completion of the development as per the approved development permit.”
- 4.26 Repeal S. 7.1.2 and replace with:
- 7.1.2 “accessory buildings and structures must be set back at least 3.05 m (10 ft.) from:
- I. any principal building, unless otherwise stated in the appropriate zone’s ‘Parcel Requirements’ table.
 - II. any accessory building, unless otherwise stated in the appropriate zone’s ‘Parcel Requirements’ table.”
- 4.27 Insert the following clauses to S. 7.5:
- 7.5.2 “If, through the development permitting process for a structural alteration, it is found that a historic structure is legally non-conforming, as per the *Municipal Act*, and does not meet the zone’s minimum parcel requirements, the application may be forwarded to the Heritage Advisory Committee at the discretion of the development officer.
- I. At the sole discretion of the Heritage Advisory Committee, the legally non-conforming, non-compliant minimum parcel requirement(s) of the historic structure may be waived so long as:
 - a. The proposed development does not increase the legally non-conforming nature of the use or structure.
 - b. The historic structure does not encroach on a contiguous property or right of way.
 - c. The waiver does not injuriously affect adjacent properties.”
- 4.28 Insert the following clauses to S.7.5:
- 7.5.3 “Written notification letters shall be mailed to adjacent land owners, who may be identified in the City tax assessment roll, advising them of the proposed waiver and providing an opportunity to submit comments prior to decision.”
- 4.29 Repeal S. 8.8.3 and replace with the following: “only one secondary suite or garden suite is permitted per principal single detached dwelling”.
- 4.30 Repeal S. 9.2.5 and replace with the following: “Except where cash in lieu is provided in accordance with City bylaws, the required off street parking and loading spaces shall be



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located on the same parcel as the building they serve or on a separate lot within 152.4 m (500 ft.) of the building and must be registered as an easement”.

- 4.31 Insert ‘Child Care Centres’ as a use to Table 9-1 ‘REQUIRED OFF-STREET PARKING SPACES’, requiring 1 parking stall per 8 children.
- 4.32 Insert ‘Painted fascia sign’ to Table 10-1 ‘SIGN REGULATIONS’, with no maximum size requirement, as shown in Appendix 2.
- 4.33 Repeal S. 10.0.4 and replace with the following: “Signage, including lettering must be erected or applied in such a manner as to reflect the *Heritage Design Guidelines* and the *Heritage Management Plan* if located in the historic townsite.”
- 4.34 Repeal S. 10.0.5 and replace with the following: “Prior to erection or installation all fixed, free-standing, or projecting types of signs shall be approved by the development officer.”
- 4.35 Repeal the clause under S.11.1.2 and replace with the following:
- “.1 On a parcel located in an area zoned R1,
- I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
 - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in table 11-1, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.”
- 4.36 Insert the following clauses into Table 11-1, (‘R1 Zone Minimum Parcel Requirements’) under ‘minimum setback of buildings from’, as shown in Appendix 3:
- Buildings
 - For a dwelling to dwelling (3.05m/10ft)
 - For a dwelling to non-dwelling (0.61m/2ft)
 - For a non-dwelling to non-dwelling (0.61m/2ft)
- 4.37 Repeal the clause under S.11.2.2 and replace with the following:
- “.1 On a parcel located in an area zoned R2



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- I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
- II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.”
- 4.38 Repeal the minimum parcel size requirements in Table 11-3 (‘R2 Zone Minimum Parcel Requirements’) and replace with 464.5m² / 5,000ft² in Column 2.
- 4.39 Insert the following clauses into Table 11-3 (‘R2 Zone Minimum Parcel Requirements’) under ‘minimum setback of buildings from’, as shown in Appendix 4:
- Buildings
 - For a dwelling to dwelling (3.05m/10ft)
 - For a dwelling to non-dwelling (0.61m/2ft)
 - For a non-dwelling to non-dwelling (0.61m/2ft)
- 4.40 Repeal S.11.2.2 table title and replace with the following: ‘TABLE 11-2: R2 ZONE MINIMUM PARCEL REQUIREMENTS’.
- 4.41 Repeal the clause under S.11.3.2 and replace with the following:
- “.1 On a parcel located in an area zoned R3,
- I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I applies
- II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.”
- 4.42 Repeal the clause under S.12.1.2 and replace with the following:
- “.1 On a parcel located in an area zoned C1,
- I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
- II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in



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which column 1 sets out the matter to be regulated and column 2 sets out the regulations.”

4.43 Repeal S.12.2.2.1 and replace with the following:

- “.1 On a parcel located in an area zoned C2,
- I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or S.5.1.3 applies
 - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.”

4.44 Repeal S.12.2.2.2 and replace with: “The development regulations for the R1 Zone, not including R1 zone parcel line setbacks, shall apply to the development of single family detached dwellings.”

4.45 Insert ‘heliport’ in S. 13.1.1.

4.46 Remove ‘residential security unit’ from S.13.1.1 and add to Secondary Uses in S.13.1.2

4.47 Repeal S.13.1.3.1 and replace with:

- “13.1.3.1 On a parcel located in an area zoned M1,
- I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I applies
 - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.”

4.48 Repeal S.13.1.3.2.III and replace with the following: “be constructed and operational after the construction of the principal building, unless the permitted use of the property does not require a principal building”.

4.49 Repeal S. 4.01 and 4.02 of Zoning Amendment Bylaw No. 6 (Bylaw #2019-17), and replace with the following:

“4.01 Section 13.0 is hereby amended by adding a new section 13.1.4 titled ‘Special Modifications’.



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- 4.02 Section 13.1.4 is hereby amended by adding a new section as follows: a) Grant numbers: P 00748, P 00749, P 00750, P 07901, P 07992, P 07993, P 07994, P 08446, P 08861, P 08862, P 08981, P 10413, P 10414, P 10783, P 35904, P 35905 are temporarily zoned Industrial until November 4, 2030, as per Bylaw No. 2019-17.”
- 4.50 Insert the following to S.14.1:
“14.1.2 ‘Secondary Use’
.1 community recreation facility”
- 4.51 Repeal the clause under S.14.1.2 and replace with the following:
“.2 On a parcel located in an area zoned P1,
I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.”
- 4.52 Move ‘TABLE 14-1: P1 ZONE MINIMUM PARCEL REQUIREMENTS’ below S.14.1.2.2.
- 4.53 Insert ‘mixed use development’ in S.14.2.1
- 4.54 Insert ‘offices’ in S.14.2.1
- 4.55 Insert the following to S.14.2:
“14.2.2 ‘Secondary Use’
.1 ‘eating and drinking establishment”
- 4.56 Repeal the clause under S.14.2.2 (now S 14.2.3 as per the above amendment) and replace with the following:
“.1 On a parcel located in an area zoned P2,
I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in



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which column 1 sets out the matter to be regulated and column 2 sets out the regulations.”

- 4.57 Repeal S.14.2.3.1 and replace with the following: “The regulations contained in Table 12-1 of this bylaw shall apply to all P2 parcels that are located within the historic townsite as shown on Schedule “D”.”
- 4.58 Repeal the clause under S.15.1.2 and replace with:
- “.1 On a parcel located in an area zoned A1,
- I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I applies
- II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.”
- 4.59 Repeal 17.5.5.II and replace with:
- “500 m (1640.4 ft.) for properties in all other areas”
- 4.60 Repeal S. 17.5.6.
- 4.61 Administrative numbering edit of S. A.1.4, A.2.4, A.3.2

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	December 8, 2021
PUBLIC HEARING	February 9, 2022
SECOND	July 6, 2022
THIRD and FINAL	

William Kendrick, Mayor
Presiding Officer

Cory Bellmore, CAO
Chief Administrative Officer



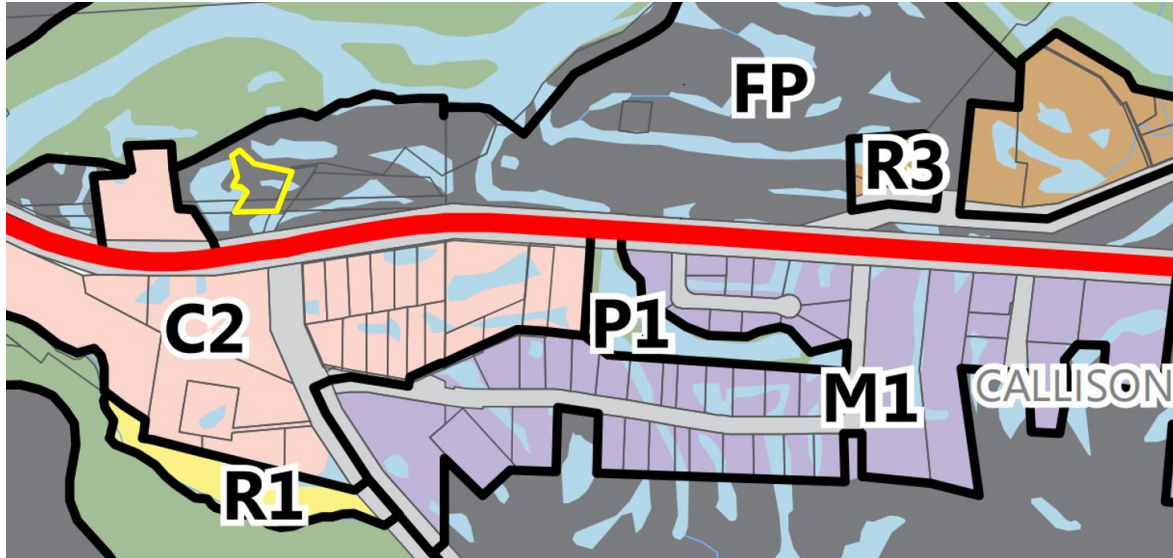
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8.00 Appendices

Appendix 1. Amendment to Schedule B



Appendix 2. Amendment to Table 10-1

Signs	Maximum Size	Permitted Type
Painted fascia sign	No maximum size	Fixed



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Appendix 3. Amendment to Table 11-1

TABLE 11-1 R1 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	
Minimum parcel size	232.3 m ²	(2,500 ft. ²)
Minimum parcel width	7.6 m	(25 ft.)
Minimum setback of buildings from		
• front parcel line	3.05 m	(10 ft.)
• interior side parcel line		
➤ for a dwelling	1.52 m	(5 ft.)
➤ for a non-dwelling accessory building	0.61 m	(2 ft.)
➤ for a duplex with a shared wall on property line	0 m	(0 ft.)
• exterior side parcel line	3.05 m	(10 ft.)
• rear parcel line	1.5 m	(5 ft.)
• buildings		
➤ for a dwelling to dwelling	3.05 m	(10 ft.)
➤ for a dwelling to non-dwelling	0.61 m	(2 ft.)
➤ for a non-dwelling to non-dwelling	0.61 m	(2 ft.)
Maximum parcel coverage	50%	
Minimum floor area of primary dwelling unit	23.8 m ²	(256 ft. ²)
Maximum height for		
• principal building	10.67 m	(35 ft.)
• accessory building	6.10 m	(20 ft.)

Appendix 4. Amendment to Table 11-3

TABLE 11-3: R2 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	
Minimum floor area of primary dwelling unit	23.8 m ²	(256 ft. ²)
Minimum parcel size	464.5 m	(1,524 ft.)
Minimum parcel width	15.24 m	(50 ft.)
Minimum setback of buildings from		
• front parcel line	3.05 m	(10 ft.)
• interior side parcel line	1.52 m	(5 ft.)
• exterior side parcel line	3.05 m	(10 ft.)
• rear parcel line	1.52 m	(5 ft.)
• buildings		
➤ for a dwelling to dwelling	3.05 m	(10 ft.)
➤ for a dwelling to non-dwelling	0.61 m	(2 ft.)
➤ for a non-dwelling to non-dwelling	0.61m	(2 ft.)
Maximum height for		
• principal building	10.67 m	(35 ft.)
• accessory building	6.10 m	(20 ft.)

Report to the Heritage Advisory Committee



☐ For HAC Decision ☒ For HAC Direction ☐ For HAC Information

☐ In Camera

AGENDA ITEM:	2021 Zoning Bylaw Housekeeping Amendment: Historic Structure Definition	
PREPARED BY:	Planning & Development	<ul style="list-style-type: none">- Bylaw 2021-15 (ZBL Amendment No. 14)- Email correspondence ‘RE YHSI Info Request’- Municipal Historic Sites Directory: https://www.cityofdawson.ca/p/municipal-historic-sites-directory- Yukon Register of Historic Places: http://register.yukonhistoricplaces.ca/- Canadian Register of Historic Places: https://www.historicplaces.ca/en/results-resultats.aspx?m=2&Keyword=dawson%20city
DATE:	May 13, 2022	
RELEVANT BYLAWS / POLICY / LEGISLATION: <ul style="list-style-type: none">- OCP- Zoning Bylaw- Heritage Management Plan- Yukon Historic Resources Act- Design Guidelines- Standards and Guidelines for the Conservation of Historic Places in Canada		

RECOMMENDATION

That the HAC provide direction on the definition of 'historic structure' for the proposed HAC zoning waiver process.

PURPOSE

For Council to seek feedback from the HAC on what historic structures should be eligible for the proposed HAC Zoning Bylaw parcel requirement waiver process (addition of S. 7.5.1 to the Zoning Bylaw).

Key question for consideration: what constitutes a valuable heritage structure in the Historic Townsite? Is it A) the age of a building or B) formal designation of a building?

BACKGROUND SUMMARY

As previously reviewed by the HAC, an amendment to section 7.5 of the Zoning Bylaw 'Heritage' is being made to create a process whereby the HAC may waive minimum parcel requirements (eg. setback and minimum square footage requirements) on historic structures. The goal is to ensure that parcel requirement compliance issues do not prevent valued historic structures from obtaining development permits and thus being upkeep.

In the past, these kinds of situations were addressed by variance applications to the Board of Variance; however, this is technically inconsistent with the intention of variances, as outlined in the *Municipal Act*. As such, there is currently no process in place to approve major development permits (structural alterations) for historic structures that may have a noncompliant setback or may not meet the minimum square footage or height requirements. This results in owners of non-compliant registered historic structures not being able to (legally) upkeep and maintain the building, resulting in structural disrepair over time. This issue is in direct conflict with the City's mandate to promote the protection of valued historic structures.

This proposed amendment was reviewed by the HAC at HAC meeting #22-04 and at the joint HAC/Council meeting on February 17, 2022. The Committee provided their full support for this amendment.

Proposed addition:

S. 7.5.1 If, through the development permitting process for a structural alteration, it is found that a *registered* historic structure is legally non-conforming, as per the *Municipal Act*, and does not meet the zone's minimum parcel requirements, the application may be forwarded to the Heritage Advisory Committee at the discretion of the development officer.

- I. At the sole discretion of the Heritage Advisory Committee, the legally non-conforming, noncompliant minimum parcel requirement(s) of the *registered* historic structure may be waived by resolution so long as:
 - a. the proposed development does not increase the legally non-conforming nature of the use or structure
 - b. The historic structure does not encroach on a contiguous property or right of way
 - c. The waiver does not injuriously affect adjacent properties
- II. For the purposes of this section, a 'historic structure' is ... *TBD*

On April 27, 2022, Committee of the Whole requested direction from the HAC on what definition should be used for 'registered historic structure'.

ANALYSIS / DISCUSSION

The implications of this definition are significant in that it will determine which structures are eligible to have minimum parcel requirements waived, which enables compliance and development permitting. Depending on the definition, it could open the door to many buildings over the age of 50 being eligible, or only those that have been identified as having heritage value through designation.

Options:

1. **Historic structure= a structure that is listed in the Municipal Inventory of Historic Sites. This includes structures that are designated as a Municipal Historic Site or listed in the Yukon Register of Historic Places, the Canadian Register of Historic Places, or the Yukon Historic Sites Inventory within the Historic Townsite.**
 - This option provides the most flexibility in that inclusion in the YHSI could include any building that is over 50 years old. As informed by the YG Historic Sites Unit: being included in the YHSI is not an automatic indication of a high level of historic significance. It is not the equivalent of designation under the Yukon Historic Resources Act.
 - This creates cause for concern in that this may enable 1972 buildings (if legally non-conforming) to become eligible for the heritage waiver, even if the structure is not historically significant. This could result in rendering the Zoning Bylaw parcel requirements obsolete for buildings without significant heritage value; thus, permitting potentially non heritage-valued structures to continue in noncompliance in perpetuity. This poses challenges in 'remedying' long standing non compliance in the townsite.
 - It should be noted that the Heritage Management Plan states:

"The City has the discretion to permit demolition of buildings and structures less than 40 years old if the proposed replacement would improve the quality of the built environment. Buildings and structures 40 or more years old may be demolished only in exceptional circumstances."

As such, it could be argued that extending this waiver process to all building over 50 years old, hence all buildings listed in the YHSI, is in line with the HMP.
- The creation of a Municipal Inventory of Historic Sites is noted in the HMP. The Municipal Inventory of Historic Sites would be created by the YG Historic Sites Unit by compiling all YHSI listed structures within the Historic Townsite, designated Municipal Historic Sites, or structures

designated under the Yukon Register of Historic Places and Canadian Register of Historic Places. This list would be publicly accessible.

2. Historic structure = a structure that is listed in the Yukon Historic Sites Inventory and constructed before **insert date relevant to City heritage goals or has been designated by Council as a Municipal Historic Site or listed in the Yukon Register of Historic Places or the Canadian Register of Historic Places.**

- The reason for including the listing on the YHSI and the year of the building is to:
 - a) Provide for the option to limit the age of buildings that are eligible for the waiver so as to balance heritage management goals with the goals of the Zoning Bylaw regulations. Council had raised the concern that perhaps not all 50 year-old buildings are historically significant and therefore it may not be sensible for the waiver to apply to all YHSI listed structures.
 - b) The YHSI provides proof of the date of the building and other information that may be relevant to decision making.

Should the HAC recommend this option, it is requested that the HAC recommend a date that achieves heritage goals. Council had suggested 1960.

- The *Design Guidelines for Historic Dawson* “provide an analysis of the architectural and landscape elements that went to make up the unique visual character of Dawson City in the years 1897-1918.”
- The following are excerpts from the *Heritage Management Plan* under ‘vision and objectives’ related to timelines:
 - “The heritage management program will tell the stories of the entire human history of the Klondike Valley, with particular emphasis on the Gold Rush era of 1896-1910”
 - “Conserve and interpret the full history of the cultural landscape – before, during, and after the Gold Rush”
 - “Retain the dominant character as a Gold Rush-era cultural landscape”
 - “Communicate that the Gold Rush was a short but highly significant era in the long course of natural and human history, and ensure that resources remain and stories are told from the other periods of history”
- The *Heritage Management Plan* includes a limited history brief on the years following the end of the Gold Rush. A brief timeline of Dawson’s history following the Gold Rush is outlined on pgs. 9-11:
 - In 1923 the Yukon Consolidated Gold Corporation (YCGC) absorbed many dredge operators which triggered a significant decrease in Dawson’s population, and dredged the area until 1966. As a result, many Gold Rush-era buildings became derelict and new types of architecture took their place.
 - Tourism began to develop after the Second World War, and the Klondike Visitors’ Association was formed in the early 1950s to bolster the industry. The KVA and the federal government together recognized the value of Dawson’s heritage to attract tourism, which would stimulate the economy.
 - In 1959 the Historic Sites and Monuments Board of Canada (HSMBC) recommended ‘that Dawson be regarded as a “historical complex” of national importance and studied as such.’ The HSMBC recommended ‘that the commemorative undertaking at Dawson should deal with the full extent of the Gold Rush and its impact on Canadian history. The federal government acquired a number of buildings to protect, and instituted a commemorative program in Dawson, and ‘by the 1970s it was the leading employer in the town and the mainstay of the area’s tourist industry.
 - In 1974 the Department of Indian and Northern Affairs, which had succeeded Northern Affairs and National Resources, issued a massive four-volume report that outlined a comprehensive, long-term program of conservation in Dawson. This has remained a blueprint for policy and physical development.

- This may be in contradiction to the HMP from the 40 year demolition recommendation, as described above under option #1.

3. Registered historic structure= a building or structure that is listed in the Yukon Register of Historic Places, the Canadian Register of Historic Places, or has been designated by Council as a Municipal Historic Site.

- This option means that the structure would be identified as having heritage value via their designation on a municipal, territorial, or national level, including municipal and territorial designation under the Yukon Historic Resources Act.
- Although this option provides the benefit of ensuring that the structure has significant heritage value, it may be unnecessarily restrictive and thus not meet the goal of enabling the upkeep of heritage resources in the Historic Townsite as this would only cover 35 out of 250+ YHSI sites. The Municipal Historic Site designation process requires a significant amount of time to undertake, which may be restrictive for property owners in upkeeping their historic resource.
- Many structures listed on the three registries feature overlap (have multiple levels of designation), and at this time, few privately owned structures have been designated under any of the three registries.

- The following 8 sites are listed on the Yukon Register of Historic Places:

1. Arctic Brotherhood Hall
2. Bank Of Commerce
3. Dawson City Telegraph Office
4. Harrington's Store
5. Minto Park
6. Moosehide Slide
7. P. Denhardt Cabin
8. Yukon Sawmill Company Office


- The following 27 sites (within the municipal boundary) are listed on the Canadian Register of Historic Places:

- | | | |
|-------------------------------------|--|--|
| 1. St. Andrew's Presbyterian Church | 2. Winaut's Store | 3. Courthouse |
| 4. Dawson City Telegraph Office | 5. Yukon Sawmill Company Office | 6. Mme. Tremblay's Store |
| 7. St. Andrew's Manse | 8. Dawson Daily News | 9. Robert Service Cabin |
| 10. Ruby's Place | 11. Harrington's Store | 12. Black Residence |
| 13. NWMP Married Quarters | 14. 1North West Mounted Police Stables | 15. Old Territorial Administration Building National Historic Site of Canada |
| 16. North West Mounted Police Jail | 17. Lowe's Mortuary | 18. Yukon Hotel National Historic Site of Canada |
| 19. BYN Ticket Office | 20. Commissioner's Residence | 21. Commanding Officer's Residence |
| 22. Third Avenue Hotel, Building 14 | 23. KTM Building | 24. Canadian Bank of Commerce National Historic Site of Canada |
| 25. Post Office | 26. Bank of British North America | 27. Tr'ochëk National Historic Site of Canada |

- The following 6 sites have been designated as Municipal Historic Sites:

1. Harrington's Store
2. Paul Denhardt Cabin

3. Canadian Bank of Commerce
4. Minto Park
5. Arctic Brotherhood Hall
6. Moosehide Slide

APPROVAL		
NAME:	Stephanie Pawluk, PDM	SIGNATURE:
DATE:	May 13, 2022	

Committee Minutes

THURSDAY JULY 7 2022
19:00

Meeting Type: Regular

Meeting: # HAC 22-11

Facilitators: Stephani McPhee, PDO

Attendees: Eve Dewald (chair), Charlotte Luscombe, Megan Gamble, Angharad Wenz

Regrets: Rebecca Jansen

Meeting Called to order at 7:04 PM.

Minutes

Agenda Item: Agenda Adoption

Presenter: Eve Dewald

Resolution: 22-11-01

Seconded: Angharad Wenz

THAT the Agenda for Heritage Advisory Committee Meeting 22-11 has been adopted as presented.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Conflict of Interest

Resolution: n/a

Discussion: None.

Agenda Item: Committee of the Whole

Resolution: 22-11-02

THAT the Heritage Advisory Committee move into the Committee of the Whole.

Discussion: None

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Delegations

Ueli Kunzi and Jared Klok – DP #22-019

Discussion:

- Upon reviewing the new designs brought forward, the HAC commented that the structure looks balanced and symmetrical. The HAC is pleased by how the delegates took the advice given.
- The HAC appreciates the signage. The sign was inspired by photos in the archives of banana peddlers in historic Dawson.

Agenda Item: Delegations

Lee Manning and Riley Grey (Yukon Spaces) – DP #22-052 and #22-053

Discussion:

- The delegate confirmed details of the amended application:
 - The building's frontage will be put in the front of the parking lot, and will be erected like a billboard.
 - The access will be maintained from the rear alley.
 - The façade is approximately ½' wide.

- It will be flush where the door is currently inset, due to its structural instability.
- In the long term, the lot will not remain a parking lot.

Agenda Item: Delegations

Simon Vincent (Tr'ondëk Hwëch'in) – DP #22-043 and #22-055

Discussion:

- The HAC showed appreciation that in the past, TH had provided slight differences in the designs of the duplexes. The delegate mentioned that TH intends to create a larger portfolio of duplexes in the near future to provide even more options and variation for future developments.
- The delegate confirmed that the intention on the street is to create slightly varied setbacks with this construction to avoid 'row housing'.
- The HAC looks forward to seeing the future duplex options.

Agenda Item: Delegations

Yukon Government Representative – DP #22-061

Discussion:

- The delegate confirmed that one window is being removed.
- The HAC commented that likely Yukon Historic Sites would have seen this design and endorsed it.
- The HAC provided no questions or concerns.

Agenda Item: Delegations

Jackie Burgess (s.no Architecture) – DP #22-063

Discussion:

- The HAC thanks the delegate for being so cooperative with providing amendments and examples.
- The HAC clarified their comment re: the roof skirt:
 - the roof skirt does not end with the gable, which makes it look modern
- The HAC will accept a side entrance
- The delegate confirmed that they are prepared to replace the skirting with trim board, as per the HAC's comments.
- The HAC appreciates the addition of turned columns.
- The delegate confirmed that they intend to modify the roofing material, as requested.

Business arising from delegations:

None.

Agenda Item: Revert to Heritage Advisory Committee
Resolution: 22-11-03

Presenter: Eve Dewald
Seconded: Megan Gamble

THAT the Committee of the Whole revert to the Heritage Advisory Committee.

Discussion: None.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Adoption of Meeting Minutes
Resolution: 22-11-04

Presenter: Eve Dewald
Second: Angharad Wenz

THAT the Heritage Advisory Committee APPROVE the minutes from meeting #22-10 as presented.

Discussion: None.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Business Arising from the Minutes

None.

Agenda Item: Applications
Resolution: 22-11-05

Presenter: Angharad Wenz
Second: Megan Gamble

THAT the Heritage Advisory Committee APPROVE development permit #22-019.

Discussion:

- None.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Applications
Resolution: 22-11-06

Presenter: Eve Dewald
Second: Megan Gamble

THAT the Heritage Advisory Committee APPROVE development permit #22-052 and #22-053.

Discussion:

- The HAC noted that having the façade appear as a billboard may appear slightly ‘Disney-fied’, however understands that it is not a permanent solution. The HAC suggests that more of a structured façade with more depth could remedy this concern.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Applications
Resolution: 22-11-07

Presenter: Eve Dewald
Second: Angharad Wenz

THAT the Heritage Advisory Committee APPROVE development permit #22-043.

Discussion:

- None.

Votes For: 3

Votes Against: 0

Abstained: 1 CARRIED

Agenda Item: Applications
Resolution: 22-11-08

Presenter: Eve Dewald
Second: Angharad Wenz

THAT the Heritage Advisory Committee APPROVE development permit #22-055.

Discussion:

- None.

Votes For: 3

Votes Against: 0

Abstained: 1 CARRIED

Agenda Item: Applications

Resolution: 22-11-09

Presenter: Eve Dewald

Second: Charlotte Luscombe

THAT the Heritage Advisory Committee APPROVE development permit #22-061.

Discussion:

- None.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Applications

Resolution: 22-11-10

Presenter: Eve Dewald

Second: Charlotte Luscombe

THAT the Heritage Advisory Committee APPROVE development permit #22-063, subject to the following conditions:

1. That the roof skirt be removed and replaced with flush board trim on the front and rear of the building.
2. That the roof material be changed to corrugated metal.
3. That the porch posts be turned columns.

Discussion:

- None.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: Applications

Resolution: 22-11-11

Presenter: Eve Dewald

Second: Charlotte Luscombe

THAT the Heritage Advisory Committee APPROVE development permit #22-065.

Discussion:

- The HAC commented that the form is fantastic and the design looks historically compliant.
- Polycarbonate is an accepted material.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Agenda Item: New Business

Resolution: n/a

Presenter: Eve Dewald

Second: Megan Gamble

None.

Agenda Item: Unfinished Business

Resolution: 22-11-12

Presenter: Eve Dewald

Second: Angharad Wenz

THAT the Heritage Advisory Committee provide comments on the 'Historic Structure' definition as part of the ZBL Housekeeping Amendment.

Discussion:

- Administration brought forward an RFD requesting direction from the HAC re: the proposed definition for 'historic structure'. Three options have been provided; the HAC provided the following comments based on the understanding that the purpose of the definition is to accommodate the proposed HAC variance process:
 - The HAC wishes to encourage the upkeep of historic structures, regardless of a building's perceived value. Value cannot be attributed specifically to a building's age. Instead, one must take into account the historical context of the building, which tends to be context dependent.
 - Designation is also not a good basis for determining heritage value, as there are other factors that may influence whether a historic building is or is not designated.
 - There should be a balance between allowing this waiver and recognizing that structures built contrary to existing zoning bylaws should be required to adhere to active bylaw requirements at the time of their construction. Therefore, the HAC proposed that rather than using a building's age to determine whether it should be eligible for a parcel requirement waiver, the date of passing of the 1st Zoning Bylaw should be used as a benchmark for determining a 'historic structure' within this context. A structure that was built prior to the passing of the 1st ZBL (1975) could therefore be eligible. Using a decade as a marker for age would prevent the inevitable inclusion of more recent buildings within the '50 year' limit with each passing year. This could eventually result in buildings with non-conforming parcel requirements to not conform to bylaws active at their time.
 - The HAC does not perceive any bad outcomes of allowing anyone with a building older than 1975 be eligible to be processed, so long as they are required to pass through the proposed HAC variance process. This process should ensure that there is still space for discourse, and that it does not simply allow anyone with an old building to be exempted from following their zone's parcel requirements.

Agenda Item: Adjournment

Resolution: 22-11-13

Presenter: Angharad Wenz

Seconded: Megan Gamble

That Heritage Advisory Committee meeting HAC 22-11 be adjourned at 7:58pm on July 7, 2022.

Votes For: 4

Votes Against: 0

Abstained: 0 CARRIED

Minutes accepted on:

Report to Council



☐ For Council Decision ☒ For Council Direction ☐ For Council Information

☐ In Camera

SUBJECT:	YG Land Development Branch Infill Project 2		
PREPARED BY:	Planning & Development	ATTACHMENTS: 1. Bylaw #2022-09 (OCP amendment no. 9) 2. Bylaw #2022-11 (ZBL amendment no. 18) 3. Infill 2 Concept Plans	
DATE:	July 13, 2022		
RELEVANT BYLAWS / POLICY / LEGISLATION: Municipal Act Official Community Plan Zoning Bylaw Land Development Protocol			

RECOMMENDATION

It is respectfully recommended that Committee of the Whole accept this report as information and forward the decision to Council to give Second Reading of bylaw #2022-09 being the OCP amendment no. 9 (Infill #2) and bylaw #2022-11 being the ZBL amendment no. 18 (Infill #2).

ISSUE / BACKGROUND

Work done to date includes:

- Infill Area 1:
 - Feasibility work (Phase 1 ESA, desktop and drilling geotechnical studies, heritage assessments, pond assessments).
 - Planning report with conceptual site plan options.
 - Consultation with TH.
- Infill Area 2:
 - Feasibility work (Phase 1 ESA, desktop and drilling geotechnical studies, heritage assessments, pond assessments).
 - Planning report with conceptual site plan options.
 - Work plan outlining CoD & YG roles & responsibilities.

Council Direction

Council Resolution C19-15-10 directed administration to pursue commercial infill for sites 1 and 2 and industrial infill for site 3.

C19-15-10 Moved by Councillor Johnson, seconded by Councillor Ayoub that council direct administration to begin preliminary development planning work for Industrial Infill Areas 1, 2, and 3 and Dome Residential Areas A, C, and D, as shown in Development Boundary Maps 1 and 2.

Following LDB's presentation to Committee of the Whole CW21-09 on April 21, 2021, Council made a decision on infill site 3, but postponed the decisions for sites 1 and 2 as per the following resolutions:

Council meeting C21-11

Request for Decision- YG Land Development Branch Infill Projects 1-3:

C21-11-11 Moved by Councillor Shore, seconded by Mayor Potoroka that Council direct administration to pursue the potential option of releasing a raw land parcel (Infill #3) to the private sector for development.

Motion Carried 5-0

C21-11-12 Moved by Mayor Potoroka, seconded by Councillor Johnson that Council postpone to a Committee of the Whole meeting the discussion of:

1. Pursuing phased development of two unserviced lots on the west side of the road in the short-term and two unserviced lots on the east side of the road in a later phase for Infill Area 1.
2. Pursuing serviced development of ~22 lots at 0.3 to 1.0 acres in size for Infill Area 2.

Motion Carried 4-1

At Committee of the Whole C21-15 on June 15th, 2021, CoW resolved to change the direction of these sites as per the following resolution:

CW21-15-03 Moved by Councillor Kendrick, seconded by Councillor Ayoub that Committee of the Whole forward the following decision to Council:

Pursue phased development of one C2 and one R3 unserviced lots on the west side of the road in the short-term and two R3 unserviced lots on the east side of the road in a later phase for Infill Area 1.

Carried 3-2

CW21-15-04 Moved by Councillor Johnson, seconded by Councillor Ayoub that Committee of the Whole forward the following decision to Council:

Pursue serviced development of C2 and residential lots for Infill Area 2.

Carried 4-1

On August 3rd, 2021, Council resolved to pursue a mix of commercial and residential development for infill sites 1 and 2. Additionally, direction was given to work with KDO to conduct a commercial and industrial lot need and demand study to support this decision making. As quoted from the August 3rd, 2021 RFD on the proposed study: "Following discussion with council and change of direction on Infill lots I and II from C2 to include residential zoning, council questioned what the need and demand is for lots zoned other than residential in the community and directed Administration to pursue a study."

Request for Decision: Land Development Branch (YG) Infill Projects 1 & 2

C21-16-08 Moved by Councillor Kendrick, seconded by Councillor Johnson that Council direct administration to:

1. Pursue phased development of one C2 and one R3 unserviced lots on the west side of the road in the short-term and two R3 unserviced lots on the east side of the road in a later phase for Infill Area 1.
2. Pursue serviced development of C2 and residential lots for Infill Area 2.

Motion Carried 4-1

Request for Decision: KDO Commercial and Industrial Lot Need and Demand Analysis

C21-16-12 Moved by Councillor Kendrick, seconded by Councillor Shore that Council direct administration to contract the Klondike Development Organization to carry out a Commercial and Industrial Lot Need and Demand Analysis as per the attached proposal.

Motion Carried 5-0

At Council meeting C22-07 on April 13, 2022, Council accepted the Klondike Development Organization Industrial and Commercial Land Needs Report as information and passed first reading of the OCP and Zoning Bylaw amendments associated with Infill #1 and #2. A public hearing was held on May 18, 2022.

Council gave second reading to bylaw #2022-08 being the OCP amendment no. 8 (Infill #1) on July 6, 2022. Bylaw #2022-09 being the OCP amendment no. 9 (Infill #2) was not given second reading and forwarded to Committee of the Whole for discussion.

ANALYSIS

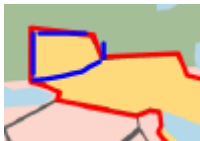
Infill #2 OCP Land Use Designation & Zoning

This site is currently designated as MU Mixed Use in the Official Community Plan. As per Council direction, the area along the river is to be re-designated to UR Urban Residential, as these are intended to be residential properties connected to piped water and sewer.

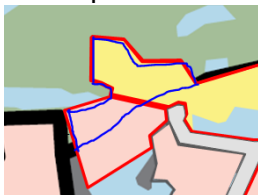
The entire infill area #2 must be rezoned given that it is currently zoned Future Planning. In line with the OCP, the area by the river is being re-zoned to R1 Single Detached / Duplex Residential, with the area adjacent to the highway re-zoned to C2 Commercial Mixed Use, as per Council direction.

Administration made the following amendments to the Bylaws since July 6, 2022:

- Removed reference to lot numbers, as the associated concept plans are not the official development plans.
- OCP Amendment Bylaw: “The redesignation of Infill Development #2 from MU: Mixed Use to UR: Urban Residential and **P: Parks and Natural Space to UR: Urban Residential.**”
 - This is to reflect the small Parks and Natural Space area that is being redesignated to accommodate the development. This was previously missed.



- Zoning Amendment Bylaw: “An amendment to Infill Development #2 from FP: Future Planning to R1: Single-Detached/Duplex Residential, FP: Future Planning to C2: Commercial Mixed Use, **P1: Parks and Natural Space to R1: Single-Detached/Duplex Residential, and P1: Parks and Natural Space to C2: Commercial Mixed Use.**”
 - This is to reflect the small P1 area that is being redesignated to accommodate the development. This was previously missed.



Adjacent Settlement Parcels TH C-13B and TH C-87FS

On July 6, 2022, Council requested information on development plans for adjacent Settlement parcels TH C-13B and TH C-87FS.

The following information was provided from YG LDB:

- A letter of consultation was sent from Yukon Government to Tr'ondëk Hwëch'in in early May 2022, seeking input on whether the proposed Infill 2 project impacts treaty rights as well as soliciting input on specific aspects like the road options including the thru-road to the Settlement parcels.
- YG LDB has met with staff from Tr'ondëk Hwëch'in about this project to receive initial comments and perspectives. The adjacent parcel C-13B is identified in the [Central Tr'ondëk Land Management Area](#) (CTLMA) as a higher priority project. The CTLMA is primarily located within the City of Dawson boundaries and includes TH Settlement Lands available for future commercial and residential uses. Additional initial feedback LDB obtained from TH in 2020, included the importance of the Klondike

River corridor from an environmental, heritage, and traditional use perspective. As a result, the concept plans were developed with an appropriate riparian setback.

- YG LDB's recommendation is to pursue the thru-road option. There are several benefits to having a thru-road including more integrated development with adjacent Settlement parcels, lower development costs (cul-de-sacs are costly), and the possibility of having less highway connections.

Tr'ondëk Hwëch'in was notified of the public hearing for these bylaw amendments. Additionally, Administration has sent a follow up email outlining the bylaw amendments, inviting discussion and comment.

Land Use Needs: Klondike Development Organization

Following resolution C21-16-12, the Klondike Development Organization released a public online survey, for which the goal was "to source additional information about the types of commercial activities that individuals, businesses and entrepreneurs are looking to undertake, and aim to better understand their needs." [The results of this survey can be found at this link.](#)

KDO also conducted a review of available statistical and other information including changes in the regional economy and population growth, that may provide insights into upcoming demand for additional commercial and industrial land. This information can be found in the [KDO Report: Commercial and Industrial Lot Need Indicators](#).

The purpose of this work is as follows: "to investigate local and Territory-wide indicators of economic growth and potential lot need with commercial and industrial zoning and to provide baseline information that may help inform decisions about land use and development, but the scope of work outlined here is not intended as an exhaustive study of commercial and industrial lot needs for the entire Dawson and Klondike region. In order to limit the scope of work, we will focus this project on need and demand for commercial/industrial lots OUTSIDE of the historic downtown core."

The intent is for these reports to aid in Council land use decision making for infill areas #1 and #2 in order to evaluate the need for commercial and industrial lots with residential needs.

Options

1. Forward the decision to Council to give Second Reading of bylaw #2022-09 being the OCP amendment no. 9 (Infill #2) and bylaw #2022-11 being the ZBL amendment no. 18 (Infill #2) as is.
2. Forward the decision to Council to give Second Reading of bylaw #2022-09 being the OCP amendment no. 9 (Infill #2) and bylaw #2022-11 being the ZBL amendment no. 18 (Infill #2) as amended.

APPROVAL

NAME: Kim McMynn, A/CAO

DATE: July 15, 2022

SIGNATURE:





THE CITY OF DAWSON

Official Community Plan Amendment No. 9 Bylaw

Bylaw No. 2022-09

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. 9 Bylaw**

2.00 Purpose

2.01 The purpose of this bylaw is to provide for

- (a) The redesignation of Infill Development #2 from MU: Mixed Use to UR: Urban Residential and P: Parks and Natural Space to UR: Urban Residential.



THE CITY OF DAWSON

Official Community Plan Amendment No. 9 Bylaw

Bylaw No. 2022-09

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THE CITY OF DAWSON

Official Community Plan Amendment No. 9 Bylaw

Bylaw No. 2022-09

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 This bylaw re-designates Infill Development #2 from MU: Mixed Use to UR: Urban Residential and P: Parks and Natural Space to UR: Urban Residential, as shown in Appendix A of this bylaw.



THE CITY OF DAWSON

Official Community Plan Amendment No. 9 Bylaw

Bylaw No. 2022-09

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	April 13, 2022
MINISTERIAL NOTICE	April 20, 2022
PUBLIC HEARING	May 18, 2022
SECOND	
MINISTERIAL APPROVAL	
THIRD and FINAL	

Original signed by

William Kendrick, Mayor

Presiding Officer

Cory Bellmore, CAO

Chief Administrative Officer



THE CITY OF DAWSON

Official Community Plan Amendment No. 9 Bylaw

Bylaw No. 2022-09

PART IV – APPENDIX A

Figure 1. Location Context Map

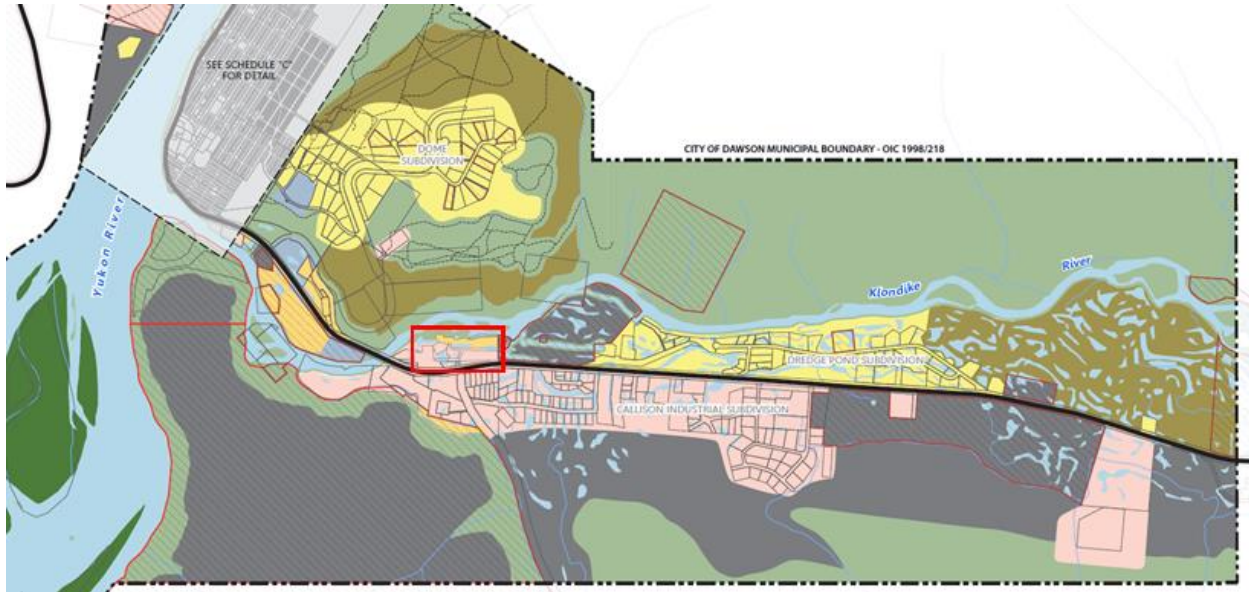


Figure 2. Amendment to Schedule B





THE CITY OF DAWSON

Zoning Bylaw Amendment No. 18 Bylaw

Bylaw No. 2022-11

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

WHEREAS section 289 of the Municipal Act provides that a zoning bylaw may prohibit, regulate and control the use and development of land and buildings in a municipality; and

WHEREAS section 294 of the Municipal Act provides for amendment of the 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

1.01 This bylaw may be cited as the ***Zoning Bylaw Amendment No. 18 Bylaw***.

2.00 Purpose

2.01 The purpose of this bylaw is to provide for

- (a) An amendment to Infill Development #2 from FP: Future Planning to R1: Single-Detached/Duplex Residential, FP: Future Planning to C2: Commercial Mixed Use, P1: Parks and Natural Space to R1: Single-Detached/Duplex Residential, and P1: Parks and Natural Space to C2: Commercial Mixed Use.



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 18 Bylaw

Bylaw No. 2022-11

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THE CITY OF DAWSON

Zoning Bylaw Amendment No. 18 Bylaw

Bylaw No. 2022-11

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) “city” means the City of Dawson;
- (c) “council” means the Council of the City of Dawson;

PART II – APPLICATION

4.00 Amendment

- 4.01 This bylaw amends Infill Development #2 from FP: Future Planning to R1: Single-Detached/Duplex Residential, FP: Future Planning to C2: Commercial Mixed Use, P1: Parks and Natural Space to R1: Single-Detached/Duplex Residential, and P1: Parks and Natural Space to C2: Commercial Mixed Use in the Zoning Bylaw Schedule B, as shown in Appendix A of this bylaw.



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 18 Bylaw

Bylaw No. 2022-11

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	April 13, 2022
PUBLIC HEARING	May 18, 2022
SECOND	
THIRD and FINAL	

William Kendrick, Mayor
Presiding Officer

Cory Bellmore, CAO
Chief Administrative Officer



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 18 Bylaw

Bylaw No. 2022-11

PART IV – APPENDIX A

Figure 1. Location Map

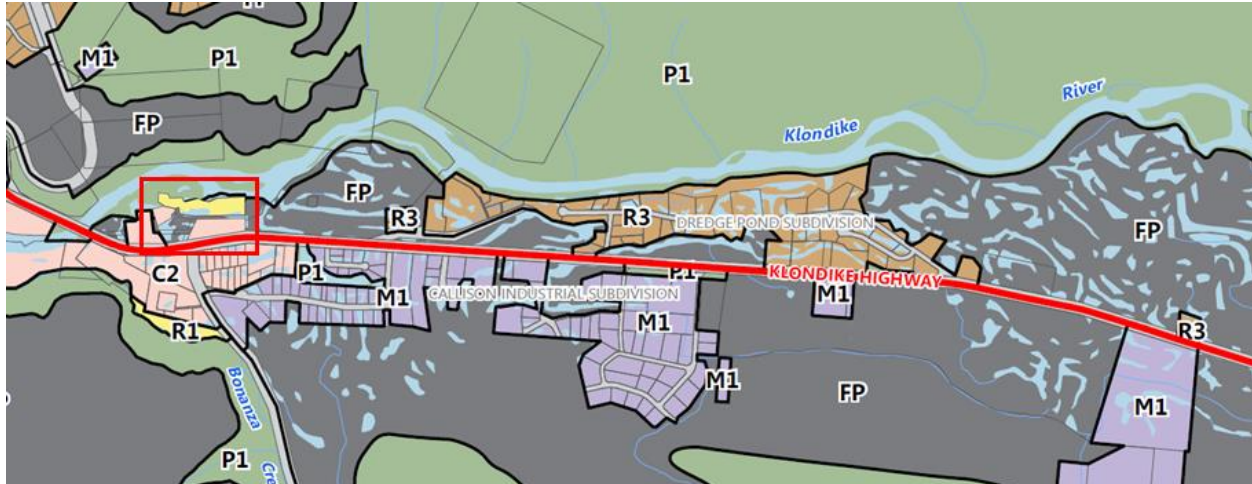
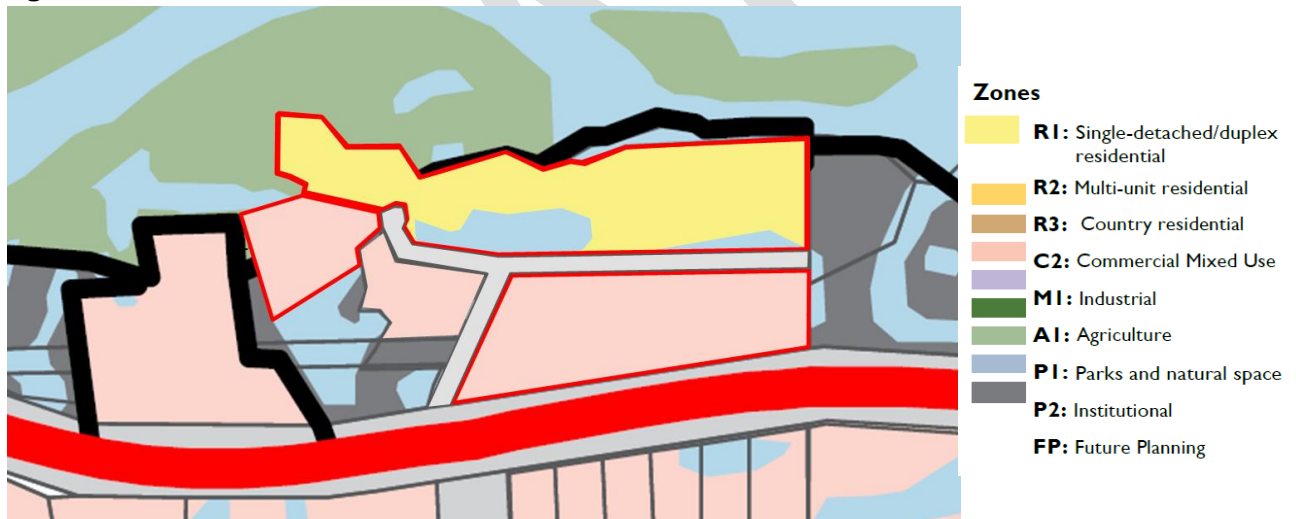


Figure 2. Amended area



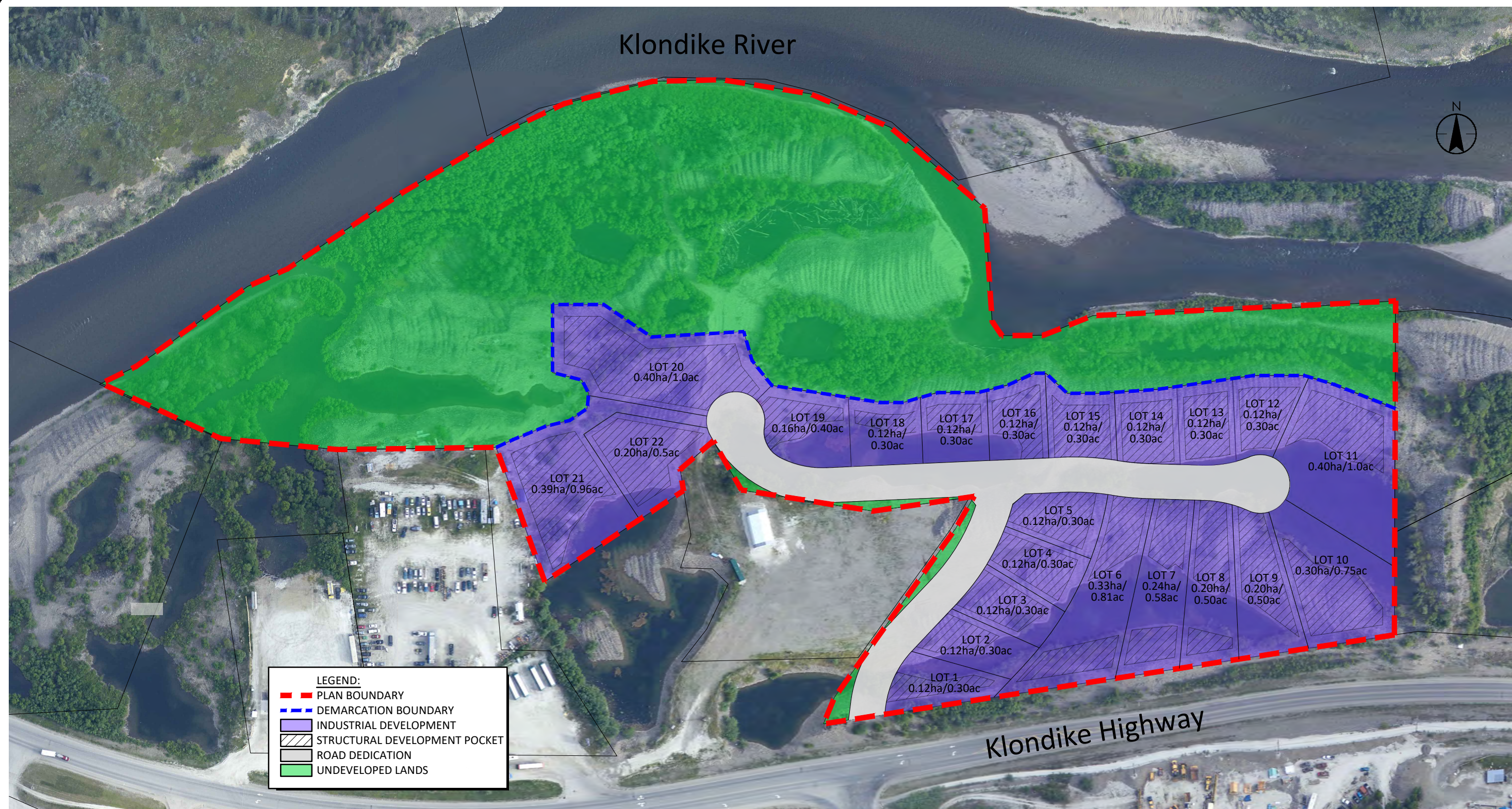


Figure 10.0 - Option C
Infill Site #2 - 22 Lot Cul-de-sac (Mixed sized lots)

1:2000 0 20 60 100m

Prepared for:
Government of
Yukon

DRAWN BY: SAS
CHECKED BY: GCL
SCALE: 1:2000
PROJECT #:

April, 2021

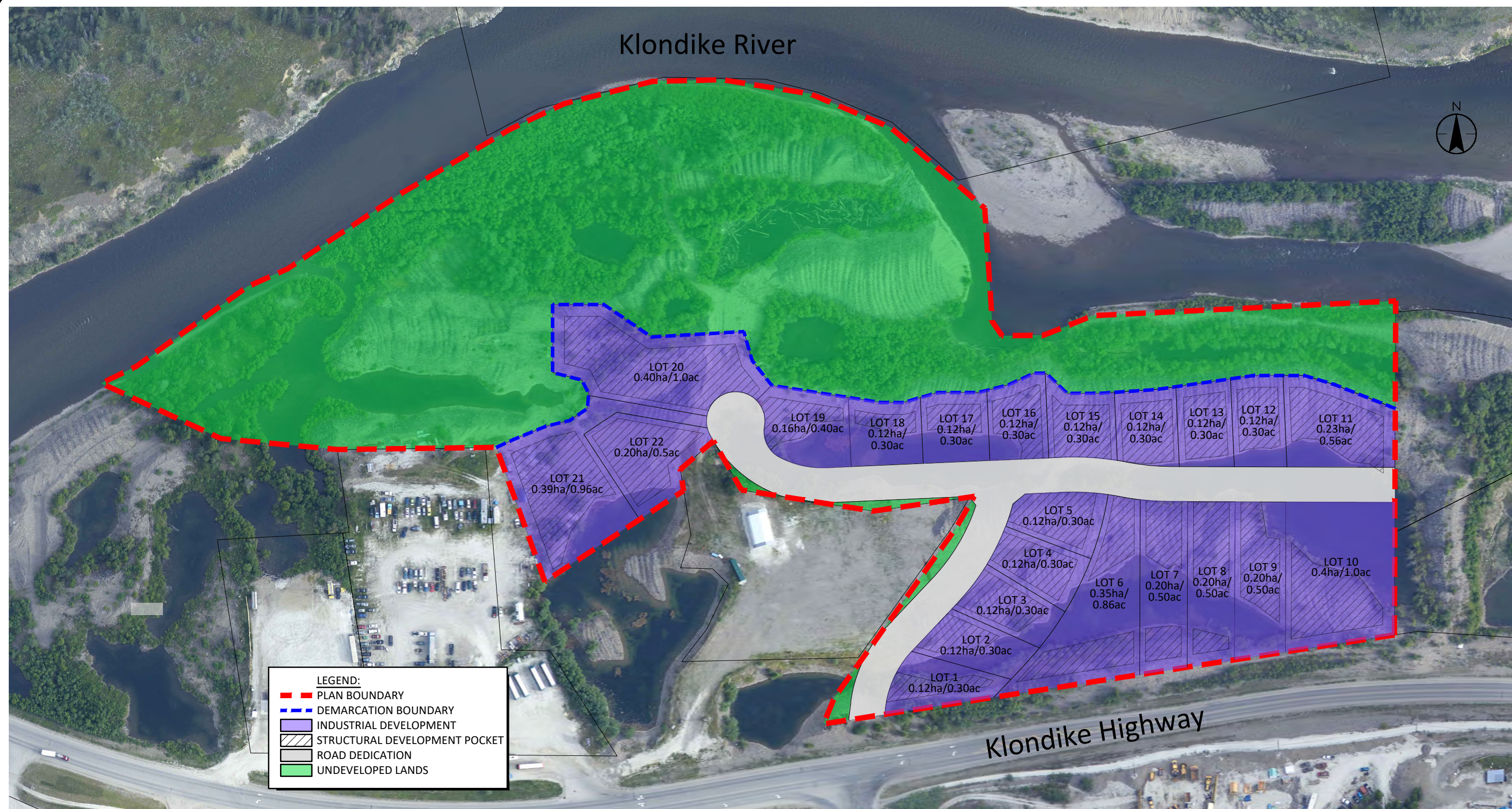


Figure 11.0 - Option C-1

Infill Site #2 - 22 Lot Connector Roadway (Mixed Lots)



Prepared for:
Government of
Yukon

DRAWN BY: SAS
CHECKED BY: GCL
SCALE: 1:2000
PROJECT #:

April, 2021



THE CITY OF DAWSON

Traffic Bylaw

Bylaw No. 2022-17

WHEREAS section 265(a) of the *Municipal Act* RSY 2002 C. 154 (the “Act”) provides that council may pass bylaws for the safety, health, and welfare of people and the protection of persons and property; and

WHEREAS section 265(i) of the *Act* provides that council may, subject to the *Motor Vehicles Act*, pass bylaws for the use of motor vehicles or other vehicles, on or off highways, and the regulation of traffic, parking and pedestrians; and

WHEREAS section 266(a) of the *Act* provides that, without restricting section 265, a council may in a bylaw adopted under this Division regulate, control, or prohibit; and

WHEREAS sections 124(1)(a) and (b) of the *Motor Vehicles Act* RSY 2002 C.153 (the “MVA”) provide that, with respect to highways subject to its jurisdiction, a municipality by bylaw may prescribe a maximum speed in excess of, or less than, 50 kilometers per hour for all or part of a highway; and

WHEREAS section 125(1) of the *MVA* provides that a municipality may authorize the placing, erecting, or marking of traffic control devices at any locations considered necessary for controlling highways subject to its jurisdiction; and

WHEREAS section 126(1) of the *MVA* provides that a municipality may, with respect to highways subject to its jurisdiction, make bylaws not inconsistent with this Act and on matters for which no provision is made in this Act, for the regulation and control of vehicle, animal, and pedestrian traffic, the specifics of which are set forth in subsections (a) through (m); and

WHEREAS section 126(2) of the *MVA* provides that without limiting the generality of subsection (1), a municipality may make bylaws under and for the purposes of subsection (1) respecting those matters which are set forth in subsections (d), (g), (h), (i) through (m), and (p); and

WHEREAS section 126(4) of the *MVA* provides that a municipality may make bylaws prohibiting, controlling, and regulating the use of vehicles, including vehicles operated exclusively off-highway, on land that is not a highway; and

WHEREAS section 249(2) of the *MVA* provides that, for the enforcement of any bylaw made by a municipality under sections 36, 50, 86, 106, 114, 130, 133 – 136, 181, 203, 217, 230 and 232, a municipality may by bylaw confer on an officer or employee of the municipality the powers of a peace officer; and

WHEREAS section 34 of the *Summary Convictions Act* RSY 2002 C. 210 provides that the council of a municipality may prescribe the forms of tickets to be used for those proceedings which may be commenced by ticket;

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:**



THE CITY OF DAWSON

Traffic Bylaw

Bylaw No. 2022-17

PART I - INTERPRETATION

1.00 SHORT TITLE

1.01 This bylaw may be cited as the ***Traffic Bylaw***.

2.00 PURPOSE

2.01 The purpose of this bylaw is to regulate and control vehicular and pedestrian traffic and use of highways within the City of Dawson.



THE CITY OF DAWSON

Traffic Bylaw

Bylaw No. 2022-17

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THE CITY OF DAWSON

Traffic Bylaw

Bylaw No. 2022-17

DEFINITIONS

2.02 In this Bylaw:

- (1) Unless expressly provided for elsewhere within this bylaw the provisions of the *Interpretations Act (RSY 2002, c. 125)* shall apply;
- (2) “Alley” means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land.
- (3) “Bylaw Enforcement Officer” means a person employed by the City of Dawson to enforce bylaws.
- (4) “Central Business District” means the area as shown in Appendix “B”.
- (5) “CAO” means the Chief Administrative Officer for the City of Dawson.
- (6) “City” means the City of Dawson in the Yukon Territory.
- (7) “Commercial Vehicle” means any motor vehicle other than a private vehicle as defined in the *Motor Vehicles Act* where such Vehicle has been issued a Yukon License plate starting with the letter “C” and is registered as a commercial vehicle.
- (8) “council” means the duly elected Council of the City.
- (9) “Designated Officer” means an employee of the City or an authorized representative as designated by the CAO.
- (10) “Driver” or “Operator” means a person who drives or is in actual physical control of a vehicle.
- (11) “Gross Weight” means the combined weight of vehicle and load.
- (12) “Heavy Vehicle” means any vehicles having a total of more than three axles, including the steering axle, and with or without a load which alone or together with any trailer, semi-trailer or other vehicle being towed, weighs 4.5 tons or more, but does not include:
 - (i) vehicles primarily intended for conveyance of passengers;
 - (ii) vehicles in use for the purpose of construction or repair of any public utility or infrastructure on or within the right-of-way of a highway;
 - (iii) emergency vehicles;



THE CITY OF DAWSON

Traffic Bylaw

Bylaw No. 2022-17

- (iv) vehicles intended for the purpose of moving buildings while engaged in conveying a building for which the necessary moving permits have been issued; and
 - (v) vehicles recovering a disabled vehicle from a highway.
- (13) "Highway" means any cul-de-sac, boulevard, thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
- (i) a sidewalk, including a boulevard portion thereof,
 - (ii) where a ditch lies adjacent to and parallel with the roadway, the ditch,
 - (iii) where a highway right-of-way is contained between fences or contained in a cut-line or between a fence and one side of the roadway, all the land between the fences, all the land in the cut-line, or all the land between the fence and the edge of the roadway, as the case may be,
 - (iv) all the land shown on a registered plan of survey of a highway right-of-way,
 - (v) where a highway right-of-way is not shown on a registered plan of survey or is not contained between fences or cut-lines, all the land within thirty (30) meters of the center line of the highway.
- (14) "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines or, if none, the exterior edges of the roadways of two or more highways which join one another at an angle, whether or not one highway crosses the other.
- (15) "Judge" or "Court" includes a Judge of the Territorial Court of the Yukon.
- (16) "Lane" means any highway where the width of the roadway is less than seven (7) meters.
- (17) "Motor Coach/Bus" means a vehicle in excess of 11,000 kilograms and Nine (9) meters in length primarily intended for conveyance of passengers.
- (18) "Motor Vehicle" means an automobile, motorcycle, motor assisted bicycle, and any other vehicle propelled or driven other than by muscular power, but does not include a motor vehicle running upon rails, or a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road building machine within the meaning of the Motor Vehicles Act.
- (19) "Officer" means a Bylaw Officer of the City, or a member of the Royal Canadian Mounted Police.
- (20) "Official" means the Chief Administrative Officer or any other person authorized



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by Council or the Chief Administrative Officer to act on behalf of the City.

- (21) "Owner" means the person in whose name a motor vehicle or trailer is or is required to be registered under the Motor Vehicles Act of the Yukon Territory.
- (22) "Park" OR "Parking" shall mean the stopping or standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of goods and/or materials, or in obedience to traffic regulations, signs or signals.
- (12) "Person" includes an individual, partnership, association, company, trustee, executor, administrator or legal representative.
- (19) "Public Works Manager" means the person hired by the City to fulfill the duties of Public Works Manager or their designate.
- (20) "Recreational Vehicle" means a vehicle or trailer that is designed, constructed and equipped as a temporary dwelling place, living abode or sleeping place.
- (21) "Residential Area" means any land zoned in the City's Zoning Bylaw as *Residential in any R zone*, or any grouping of dwellings in any other area in which the predominant use of buildings in the area is for single family or multiple family dwellings.
- (22) "Road Allowance" means any surveyed road right-of-way or, where no surveyed road right-of-way exists, all the land within thirty (30) meters of the center line of the road.
- (23) "Stop" means a complete cessation from movement.
- (24) "Summary Conviction" means summary conviction under and by virtue of the Criminal Code and the Yukon Summary Convictions Act.
- (25) "Traffic Control Device" means any sign, signal, marking or device, including the post or standard on which it is mounted, placed, marked or erected under the authority of this Bylaw for the purpose of regulating, warning or guiding traffic.
- (26) "Traffic Control Signal" means a traffic control device whether manually, electrically, or mechanically operated by which traffic is directed to stop and to proceed.
- (27) "Trailer" means any Vehicle so designed that it may be attached to or drawn by a Motor Vehicle or tractor, and is intended to transport property or persons; and includes any Vehicle that is designed, constructed and equipped as a dwelling place, living abode, or sleeping place, and includes any type of machinery, tractor or such like.
- (28) "Vehicle" shall include a motor vehicle, trailer, semi-trailer, self-propelled machine, traction engine, or any device in, upon or by which any person or property is or may be transported or drawn upon a highway.



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PART II – APPLICATION

3.00 ROAD PROTECTION AND SAFETY COMMITTEE

- 3.01 There is hereby established a Road Protection and Safety Committee, consisting of:
- (a) The Chief Administrative Officer, or in their absence their designate,
 - (b) Public Works Manager, or in their absence their designate,
 - (c) Protective Services Manager, or in their absence their designate, and
 - (d) The Bylaw Enforcement Officer

4.00 PROTECTION OF HIGHWAYS

- 4.01 No person shall cause or allow or do any act which is likely to cause or does cause damage to or interfere with the operation of one or more of the following:
- (a) a highway
 - (b) a culvert
 - (c) a bridge
 - (d) a traffic control device
 - (e) any public property or permitted private property situated on a highway or within a road allowance.
- 4.02 No person shall affix any advertising material, poster, placard, sign, or other material on any traffic control device or any part of a highway, bridge or culvert without written permission of the City and no person shall erect any device or structure, either in or outside of a road allowance which interferes with the effectiveness or visibility of a traffic control device.
- 4.03 No person shall cause or allow or do any act which is likely to cause or does cause any obstruction to be on or within one or more of the following:
- (a) a highway
 - (b) a culvert
 - (c) a bridge
 - (d) any public property or permitted private property situated on a highway or within a road allowance
 - (e) power poles
 - (f) traffic control device
- 4.04 No person shall:
- (a) excavate or otherwise destruct a highway, including the road allowance thereof, or
 - (b) transport material or loads of material over a highway which would be of an extraordinary use likely to imperil the highway or people living on or near the highway.



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- 4.05 Notwithstanding Section 5.04, a person, with the written approval of an Official of the City, may excavate or otherwise destruct a highway, including the road allowance thereof, or make extraordinary use of a highway subject to such conditions as may be imposed by the Official. If any unauthorized excavation or destruction occurs, the person responsible for the action shall repair the disturbance to the satisfaction of the City or reimburse the City for the cost of repair.
- 4.06 No person shall cause or allow to be caused by vehicular traffic any disturbance to the traveled roadway surface of paved, gravel or dirt highways which will rut or mark the traveled roadway surface of the paved highway, or which will rut or mark the traveled roadway surface of the gravel or dirt highway to the extent that it will create a hazard for a typical passenger car using that highway. If such a disturbance is caused, the person responsible shall repair the disturbance to the satisfaction of the City or reimburse the City for the cost of repair.
- 4.07 Where a person is using a highway to the extent that such usage creates an excessive amount of dust problems which is annoying or hazardous to people living alongside of or near the highway, the City may require said person to provide dust suppression treatment for the highway for as long as the annoyance or hazard exists.
- 4.08 Where a person uses the highway to an extent which causes the need for more than routine maintenance by the City, the City may require said person to be responsible for providing the additional maintenance needed.
- 4.09 No person shall use any implement or machine to cultivate, mow or in any other way disturb or cause damage to any road allowance or the shoulder of any highway without the written permission of the City.
- 4.10 No person shall cause or do any act which causes all or parts of a load being transported along a highway to be distributed or otherwise spread onto the surface of the highway or onto the road allowance, without the written permission of the City.
- 4.11 No person shall construct an access onto a highway, nor build a pipeline or other infrastructure along or across a developed highway or undeveloped road allowance, nor use an undeveloped road allowance without the written permission of the City.
- 4.12 No person shall dispose of rubbish in a public place or on a highway or within a road allowance unless the rubbish is disposed of in a container placed for the purpose of collecting rubbish.
- 4.13 An Officer or Official may destroy or otherwise dispose of rubbish or other matter which has been unlawfully deposited on a highway or in a public place or within a road allowance.



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- 4.14 No person shall operate or move on a highway any vehicle, equipment, or machine not equipped with rubber tires which support the weight of the vehicle, without the written permission of the City.

5.00 PLACEMENT OF OBSTRUCTIONS ON HIGHWAYS

- 5.01 No person shall deposit or dispose of rocks, earth, snow, vegetation, petroleum products, chemicals, or other similar materials on a highway or within a road allowance without the written permission of the City. Any person doing so without permission shall be responsible for removal of all materials deposited and, where necessary, for the restoration of the highway or road allowance to its original or better condition.
- 5.02 No person shall place an electrical cord across any highway.
- 5.03 No person shall place, pile, or store any material or equipment on City property without first obtaining written permission for such purpose from the Chief Administrative Officer or their designate.

6.00 RATES OF SPEED

- 6.01 For the purposes of this Part, Council hereby designates authority for fixing of maximum rates of vehicle speed to the Road Protection and Safety Committee, who shall from time to time set out on a form as prescribed in Schedule "B" maximum rates of vehicle speed which shall have full force and effect in the zones or areas and highways described in the said Schedule. In setting maximum rates of speed, the Road Protection and Safety Committee shall consider policy of Council and recommendations of the Manual of Uniform Traffic Control of Canada.
- 6.02 The Road Protection and Safety Committee, by signs posted along any highway, may fix a maximum vehicle speed limit in respect of any curve in a highway where the design of the curve requires a safe travelling speed which is less than the regular maximum vehicle speed for that highway or portion if that highway. Said vehicle speed limit will be applicable to all vehicles or to any class or classes of vehicles while travelling.
- 6.03 The Road Protection and Safety Committee, by signs posted along any highway, may fix a maximum vehicle speed limit in respect of any part of the highway under construction of repair or in a state to disrepair. Said vehicle speed limit will be applicable to all vehicles or to any class or classes of vehicles while traveling over that part of the highway.
- 6.04 The Road Protection and Safety Committee is hereby authorized to place such traffic control devices and signals, including but not restricted to speed limit signs and warnings



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of changes in speed limits as may be necessary to inform the traveling public of the vehicle speed limits and recommended traveling speeds.

7.00 WEIGHT AND DIMENSION CONTROL ON HIGHWAYS AND BRIDGES

- 7.01 The Road Protection and Safety Committee is hereby designated the authority to:
- (a) prohibit the use of any highway by a traction engine or public vehicle, or by a class or classes thereof, for a period or periods that the Committee determines.
 - (b) limit or restrict the speed of a traction engine or public vehicle, or of a class or classes thereof, using a highway for a period or periods that the Committee determines, and
 - (c) increase, limit, or restrict the maximum gross weight that may be borne by a tire, an axle, or an axle group, or any of them or the maximum gross weight that may be borne by a vehicle or a combination of vehicles on a highway for a period or periods that the Committee determines, when the Committee is of the opinion that the prohibition, limitation or restriction is necessary for public safety or the preservation of the highway, or that the increase is appropriate for the road conditions at the time.
- 7.02 All the decisions of the Road Protection and Safety Committee shall be recorded in writing. Changes to standard Territorial road weights shall be advertised by posting the appropriate signage on the highway affected and by notifying the Dawson Detachment of the RCMP and the Territorial Vehicle Enforcement Section.

8.00 STOP AND YIELD

- 8.01 Subject to the provisions of this Bylaw, “stop” and “yield” regulations and prohibitions shall be in compliance with the Yukon Motor Vehicle Act.
- 8.02 The Road Protection and Safety Committee is hereby authorized to determine the locations at which stop signs and yield signs shall be affixed and at which operators are required to stop or yield as the case may be. In determining these locations, the Road Protection and Safety Committee shall consider public safety, the free flow of traffic, policy approved by Council, and the recommendations of the Manual of Uniform Traffic Control for Canada.

9.00 PARKING AND RESTRICTED PARKING

- 9.01 No owner of a Vehicle or Person operating a Vehicle shall stop a Vehicle or permit a Vehicle to be left upon any Highway in such a manner as to obstruct traffic, unless the obstruction is unavoidable due to mechanical failure of a Vehicle, provided the owner or operator of the Vehicle promptly takes measures to remove the Vehicle from the Highway.



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- 9.02 No person shall park a vehicle for any period at any of the following locations:
- (a) Emergency - exit- in any place where the vehicle will in any way interfere with the use of a doorway intended as a fire emergency exit from any building abutting the Highway;
 - (b) Entrance to Fire Hall or Hospital- in the entranceway of any fire hall or the ambulance entranceway to any hospital.
- 9.03 No person shall park a vehicle in contravention of a “no parking” or “restricted parking” sign erected by authority of this Bylaw.
- 9.04 Parking in Alleys within the City shall not be permitted unless otherwise posted, but Alleys may be used for:
- (a) the loading or unloading of goods from a Commercial Vehicle for a period not exceeding thirty (30) minutes with the engine turned off or,
 - (b) the loading or unloading of goods or passengers from a private non-commercial Vehicle for a period not exceeding five (5) minutes.
- 9.05 The Public Works Manager may authorize the placement, on or near a Highway, of temporary signs that read, “No Parking” or contain an international symbol that indicates “No Parking.” After such signs are placed on or near a Highway, no person shall park or leave a Vehicle in contravention of such sign.
- 9.06 Any Vehicle parked on the Highway prior to the placement of a temporary “No Parking” sign must be removed within twenty-four (24) hours of the placement of the sign.
- 9.07 No person shall tear down, remove, or interfere with any such signs, signals, barricades, flares, or other things placed in accordance with such provisions and regulations.
- 9.08 Unless required or permitted by this Bylaw, or by a traffic control device erected by the authority of this Bylaw, or by the order of an Officer, or in order to prevent a traffic accident, no person shall stop or park any vehicle:
- (a) on a sidewalk or boulevard,
 - (b) in a crosswalk or on any part of a crosswalk,
 - (c) within an intersection,
 - (d) at an intersection nearer than five (5) meters to the projection of the corner property line immediately ahead or immediately to the rear, except when their Vehicle is parked in the space where a Traffic Control Device indicates parking is permitted,
 - (e) within 1.5 meters of an access to a garage, private road, or driveway,
 - (f) within, upon, alongside or opposite any public works excavation, obstruction, road construction or road repair project,



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- (g) in such a manner as to obstruct traffic or in a position or place that prevents or is likely to prevent the removal of any other Vehicle, parked or standing on the highway,
 - (h) in such a manner as to obstruct or prevent the clearing or removal of snow, ice, or dirt from the Highway,
 - (i) on any bridge or overpass, or in any underpass, or in the approaches thereto,
 - (j) within five (5) meters of any fire hydrant
 - (k) within six (5) meters of a stop or yield sign.
 - (l) at any other place where a Traffic Control Device prohibits stopping or parking, during the time stopping or parking is prohibited,
 - (m) at or near the site of any fire, explosion, accident, or other incident, if stopping or parking would obstruct traffic or hinder Peace Officers, members of the fire department, ambulance drivers, rescue officers or any of their assistants,
 - (n) on a highway for overnight accommodation.
- 9.09 No wrecked, dismantled, discarded, inoperative, abandoned, or unregistered Vehicle shall park on any Highway.
- 9.10 The parking or storing of a tanker truck with a capacity exceeding 17,000 liters and generally used for the purpose of transporting flammable liquids or gases or other dangerous goods shall be prohibited in the Historic Townsite, as defined by the Zoning Bylaw, and in any residential area. Notwithstanding this Section, said vehicles may stop for the purpose of immediately off-loading their contents.
- 9.11 Notwithstanding any other provision of this bylaw, no person shall store a vehicle upon a highway, and where a vehicle is left standing for more than 72 consecutive hours, it shall be deemed to have been stored by the owner of the vehicle contrary to this bylaw unless it can be shown that the vehicle was taken without the owner's consent.
- 9.12 A Person shall not Park a Vehicle on vacant municipally owned property unless such person has received prior written approval from the City or there are signs erected on the property which allows parking.

During Snow Removal or Street Cleaning/Maintenance

- 9.13 A person shall not park a vehicle in a position that causes it to interfere with the maintenance of, or removal of snow from, a Highway.
- 9.14 Notwithstanding anything herein contained, in conjunction with snow removal, street cleaning or road repair operations carried on by the City employee or contractors, the City may tow or remove vehicles from the street being cleared or repaired and, without impounding them, may remove them to an adjacent street.



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Residential Parking

- 9.15 No vehicle in excess of five (5) tones gross vehicle weight may be parked on a road within a residential area of the City. This section shall not be used to prohibit larger vehicles from parking in a residential area for the period of time in which they are engaged in delivering a service to a residence.
- 9.16 No person shall park a vehicle, school bus, recreational vehicle, trailer, or a vehicle with a trailer attached exceeding 6 meters in length, a truck tractor unit with or without a semi-trailer or trailer attached, on a highway, in front of, residential properties.
- 9.17 Nothing in this Part shall be construed to prohibit the driver of a school bus from parking on a highway for the purpose of loading or unloading passengers if there is insufficient space off the highway to load or unload passengers.
- 9.18 This section shall not apply to:
- (a) a Vehicle being parked on a Highway while unloading or loading goods to or from a premises.
 - (b) a utility or other trailer being used for the purpose of construction, demolition, or landscaping, providing that such utility or other trailer does not obstruct other users of the highway and is clearly visible and attended to at all times.

Recreational Vehicles and Trailers

- 9.19 No operator or owner shall leave parked or permit to be left parked on any Highway a Trailer, whether the Trailer is designed for the occupancy of persons or the carrying of goods or equipment; a semi-trailer, mobile equipment or any Vehicle which has been detached from the Vehicle in which is used to draw it.
- 9.20 When attached to the Vehicle which is used to draw it, a Trailer, semi-trailer, or mobile equipment shall be deemed to be part of the Vehicle and subject to the provisions of this Bylaw pertaining to Vehicles.

Emergency Vehicles

- 9.21 Nothing in this Bylaw prohibits police Vehicles, Bylaw enforcement Vehicles, ambulances, fire trucks, or any other emergency vehicle as well as vehicles engaged in highway repair, maintenance, or inspection from being parked on the highway by their operators in the performance of their duties.



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10.00 HEAVY VEHICLES

- 10.01 Except as otherwise indicated by a traffic control device or as provided for in this Section, no person shall operate, park, or stop to load or off-load a heavy vehicle upon any highway in the Central Business District.
- 10.02 Except as provided for in this Section, no person shall operate a heavy vehicle on a highway not designated a truck route in Appendix "A" of this Bylaw.
- 10.03 Except as provided for in this Part, no person shall park a heavy vehicle upon a highway for more than two (2) consecutive hours.
- 10.04 For the purpose of access to and exit from a work site and for the purpose of loading or unloading a person may operate, stop, and park a heavy vehicle on any highway.
- 10.05 Where a heavy vehicle must operate on a highway not designated to be a truck route, such heavy vehicle shall proceed on the most direct and shortest route between the nearest heavy vehicle route and the point of destination.
- 10.06 The operation of engine compression or engine exhaust brakes is prohibited in residential areas.

11.00 TRACKED VEHICLES

- 11.01 Notwithstanding Section 5.14, a person may operate a tracked vehicle or equipment on any gravel or dirt road within the Callison Industrial Subdivision and may load or unload tracked vehicles and equipment at or near a work site without the written permission of the City providing that the person shall be responsible for repairing any damage caused to the road in accordance with Section 5.06.
- 11.02 For the purpose of installing, maintaining, or altering installations in a road allowance, the City and any public utility may operate tracked vehicles or equipment on a highway or in a road allowance provided that the public utility has first obtained written authorization from the City and provided that the owner shall be responsible for repairing any damage caused to the road in accordance with Section 5.06.

12.00 MOTOR COACH/BUS OPERATIONS

- 12.01 Council by resolution may establish restricted areas of operation and regulations governing motorcoaches and buses for the purpose of conducting tours. Within residential areas, a person may only operate a bus-on-bus routes designated by Council resolution and only between the hours of 8:00 AM and 9:00 PM.




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- 12.02 A person shall not stop or park a bus or motorcoach on any highway in the Central Business District for a duration of more than thirty (30) minutes except for the purpose of loading and off-loading passengers and/or their luggage.
- 12.03 A person may only stop or park a bus or motorcoach in a residential area for the purpose of loading and off-loading of passengers and/or luggage at locations designated by Council resolution.
- (a) Where a person, in order to reach a designated location in a residential area, must operate a bus or motorcoach on other than an approved bus route, they shall proceed on the most direct and shortest route between the nearest truck route and the designated location.
- 12.04 The use of down draft exhaust air conditioners and engine compression or engine exhaust brakes in residential areas is prohibited.

13.00 GENERAL TRAFFIC CONTROL

- 13.01 The Road Protection Safety Committee are hereby authorized to designate:
- (a) any Highway for through traffic purposes;
 - (b) the location of cross-walks upon Highways;
 - (c) any Highway as one which is closed temporarily in whole or in part to traffic;
 - (d) the location of school zones and playground zones;
 - (e) loading or unloading zones;
 - (f) the distance from any intersection within which no parking is permitted;
 - (g) portions of Highways where parking is limited to a period of time;
 - (h) portions of Highway where stopping prohibited entirely, or for a specified period of time;
 - (i) areas for parallel parking and angle parking;
 - (j) parking spaces upon a highway for the use of any taxi cab business holding a valid and subsisting vehicle for hire license issued by the City, as a Taxi stand;
 - (k) the location of bus stop;
 - (l) parking spaces designated for Disabled parking.
 - (m) rates of speed
 - (n) traffic control devices or signals of a “regulatory”, “warning” or “advisory” nature not already authorized by this or any other Bylaw which might be necessary to ensure the safety of the traveling public and pedestrians and to assist with the free flow of traffic on the highways. 
- 13.02 An inventory of all signs erected under the authority of this or other Bylaws shall be kept by the Chief Administrative Officer or their designate in writing or in map form.
- 13.03 Vehicle operators are required to obey all regulatory signs erected under the authority of this Bylaw and to obey all directions from Officers, issued in accordance with this Bylaw.



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13.04 Where written permission of the City is required or provided for under this Bylaw, it may be in the form of a letter, agreement or standardized form signed by an Official of the City.

14.00 ADMINISTRATION

14.01 The CAO or their designate is hereby authorized to design, review and decide on all forms, agreements and permits necessary for the administration of this Bylaw.

14.02 A person who obtains written approval from the City for activities on highways or within road allowances in accordance with this Bylaw but who fails to comply with the conditions of those approvals is guilty of an offence.

14.03 Failure to comply with the conditions of a permit or agreement issued in accordance with this Bylaw renders the permit or agreement invalid and any procedure or prosecution subsequent to the violation of a condition of a permit or agreement will proceed as though the permit or agreement did not exist.

15.00 AUTHORITY

15.01 Notwithstanding anything in this Bylaw, an Officer may direct traffic according to their discretion where they reasonably consider it necessary to do so in order to:

- (a) ensure orderly movement of traffic,
- (b) prevent injury or damage to persons or property,
- (c) permit proper action in an emergency.

15.02 An Officer or Official is hereby authorized to take any action deemed reasonable and necessary to prevent the continuation of any act prohibited by this Bylaw and may do, but is not restricted to, the following:

- (a) Impound a vehicle, or a vehicle and its cargo and/or equipment, or any other machine or object or thing used to commit an offence under this Bylaw and to hold same until it is, in the opinion of the Officer, rendered inoffensive.
- (b) Order the vehicle, machine or equipment to be removed from the highway or road allowance.
- (c) Detour any vehicle and cargo or other machinery and equipment.
- (d) Order a person to cease any act which causes an offence under this Bylaw.
- (e) Remove and dispose of any signs or other objects improperly affixed to or interfering with traffic control devices, parts of a highway, bridge or culvert.

15.03 For the purpose of the enforcement of the parking provisions of this Bylaw, an Officer is authorized to place a sticker, notice, or erasable mark on the tire of any parked or stopped Vehicle and the Officer and the City incur no liability for doing so.



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15.04 No person shall remove an erasable chalk mark while the Vehicle remains parked in the location where it was marked.

16.00 REMOVAL AND IMPOUNDMENT OF VEHICLES

16.01 Any Officer or Official may remove or cause to be removed any Vehicle or Trailer that is unlawfully placed, left, or kept on any street or lane, public parking place, or other public place, or on City owned property, and to impound or store such Vehicles.

16.02 Where a Vehicle has been impounded or stored after it has been removed, it may be retained for a period of thirty (30) days from the date of removal unless the cost of removal, impound and storage are sooner paid. Upon payment of the full costs herein, the Vehicle may be released to the owner thereof.

16.03 No impounded Vehicle shall be released to its owner or agent until the impounding charge and removal and storage charge on the vehicle have been paid, such charges shall be in addition to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution as hereinafter provided. The City is not responsible for impounding, storage, towing, or removal charges.

16.04 Where a fine is levied by the Yukon Territorial Court as a result of a conviction under this bylaw is unpaid after 30 days, the vehicle may be impounded by the City.

16.05 If the costs of removal, impounding and storage are not paid within the period of thirty (30) days as specified in Section 17.02, the City shall have the right to recover same from the owner of the vehicle by:

- (a) legal action in a court of competent jurisdiction;
- (b) sale by public auction on publication of a notice designating the time and place of sale at least ten days prior to the sale in a newspaper circulating in the City and on sending such a notice by registered mail to the owner at the address appearing on the last registration of the Vehicle.
- (c) sale by sealed tender, with the public notice being advertised in the local newspaper, identifying the vehicle to be tendered and the deadline for tenders to be received.

17.00 PROCEDURES AND PROSECUTION

17.01 For the purpose of procedure and prosecution under this Bylaw, the Council adopts the provisions of Part CCVII of the Criminal Code of Canada respecting summary conviction; the Canada Interpretation Act; and the Summary Convictions Act, Interpretation Act, Municipal Act, Highways Act, Motor Transport Act, and the Motor Vehicles Act of the Revised Statutes of the Yukon Territory and amendments thereto.



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- 17.02 In a prosecution for contravening this Bylaw, the existence of a traffic control device or signal is prima facie proof that the device was properly designated and erected by the proper authority without other or further proof.
- 17.03 A certificate or document purporting to be signed by the Chief Administrative Officer stipulating any particular relative to this Bylaw shall be admitted in evidence as prima facie proof of the facts stated in the certificate or document, without proof of the facts stated in the certificate or document, without proof of the signature or authority of the persons signing the certificate.
- 17.04 The owner of a vehicle is liable for any contravention of this Bylaw, regulations, or schedules in connection with the vehicle unless the owner proves to the satisfaction of the Judge trying the case that at the time of the offence, the vehicle was not being operated by him or by any other person having his consent, express or implied.
- 17.05 Where a person violates or contravenes any provisions of this Bylaw respecting the transportation of cargo or a piece of equipment or machinery, the shipper and the carrier shall be jointly and severally responsible for the violation or contravention unless the shipper or the carrier, as the case may be, produces evidence to show that he did not violate or contravene the provision.
- 17.06 While enforcing the provisions of this Bylaw, an Officer may do any reasonable thing relevant to stopping vehicles and determining the identity of drivers, offenders, or suspects, including contravening provisions of this Bylaw providing such contravention is carried out in a manner which has concern for the safety of the general public.
- 17.07 Unless prohibited by territorial statute, an Officer may use any insignia, device or piece of equipment which is reasonably necessary for carrying out duties imposed by this Bylaw.

18.00 PENALTIES

- 18.01 Any person who contravenes any provisions as set out in Schedule "A" is guilty of an offence punishable on summary conviction and is liable to a penalty as set out in Schedule "A".
- 18.02 Any person who contravenes any provisions of this Bylaw for which a penalty has not otherwise been provided is guilty of an offence punishable on summary conviction and is liable to a fine of not less than twenty five dollars (\$25.00) and not more than two thousand five hundred dollars (\$2,500.00), and in default of payment is liable to imprisonment for a term not exceeding six (6) months, or to imprisonment for a term not exceeding six (6) months without the option of a fine, or to both a fine and imprisonment.



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- 18.03 A person served with notice of an offence of this Bylaw may pay to the City the specified penalty, out of Court, and in lieu of appearing in answer to a charge or information.
- (a) The voluntary payment option shall be valid for no more than ten (10) days following issue of the notice. Thereafter, if the person does not pay the penalty, they may be summoned to appear before a Judge in answer to a charge or information.
- 18.04 Notwithstanding Section 17.03, an Officer may:
- (a) Issue to a person charged with an offence a summons forming part of a "Violation Ticket" according to the Summary Convictions Act, Violation ticket Regulation, and indicate thereon the specified penalty applicable to the offence as prescribed in Schedule "A".
- (b) Issue to a person charged with an offence, a Criminal Code Form 6 Summons requiring a person to appear before a Judge of the Territorial Court of the Yukon in answer to a charge or information.
- 18.05 Service of notice of an offence referred to in Section 17.03 and 17.04 above shall be sufficient if it is:
- (a) personally served, or
- (b) attached to or left in or on the vehicle in respect of which an offence is alleged to have been committed, and/or
- 18.06 Schedules "A" and "B" of this Bylaw may be amended from time to time by resolution of Council.
- 18.07 Should any person owning or occupying Property refuse or neglect to pay any penalties that have been levied pursuant to this Bylaw, the Designated Officer may inform such person in default that, if these charges are unpaid on the thirty-first (31) day of December in the same year, the charges will be added to, and form part of, the taxes payable in respect of that Property as taxes in arrears.

PART III – FORCE AND EFFECT

19.00 SCHEDULES AND APPENDICIES

- 19.01 Schedule "A", Schedule "B" and Appendix "A", Appendix "B" attached to and referred to in this bylaw forms part of this bylaw and is to be read in conjunction with this bylaw.

20.00 SEVERABILITY

- 20.01 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.



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21.00 BYLAW REPEALED

21.01 Bylaws 00-21, 01-17 and 03-08, and amendments thereto, are hereby repealed.

22.00 ENACTMENT

22.01 This bylaw shall come into force on the day of the passing by council of the third and final reading.

23.00 BYLAW READINGS

Readings	Date of Reading
FIRST	
SECOND	
THIRD and FINAL	

William Kendrick, Mayor
Presiding Officer

Cory Bellmore, CAO
Chief Administrative Officer



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PART IV – SCHEDULE “A”

SET FINES

SECTION	TICKET DESCRIPTION OF OFFENCE	PENALTY
5.01	Cause/allow damage to, or interfere with the operation of, a highway, culvert, bridge, etc.	\$500.00
5.02	Affix advertising or erect device or structure without written permission	\$100.00
5.03	Cause/allow any obstruction of, a highway, culvert, bridge, power poles, etc.	\$300.00
5.04	Excavate on highway without permission or transport material likely to imperil the highway	\$1000.00
5.06	Damage the highway surface	\$500.00
5.09	Cultivate, mow, or disturb road allowance or shoulder of highway without permission	\$300.00
5.10	Cause all or parts of a load being transported to be distributed or spread onto surface of highway without permission	\$300.00
5.11	Construct an access or build along or across a developed or undeveloped highway without permission	\$300.00
5.12	Dispose of rubbish in a public place, highway, or road allowance	\$300.00
5.14	Operate a vehicle not equipped with rubber tires without permission	\$500.00
6.01	Deposit or dispose of rocks, earth, snow, etc. on highway without permission	\$200.00
6.02	Place an electrical cord across highway	\$100.00
6.03	Place, pile or store material or equipment on City property without permission	\$100.00
10.01	Stop or leave vehicle on highway that causes an obstruction	\$150.00
10.02(a) & (b)	Park vehicle in front of emergency exit, entrance to firehall or hospital	\$150.00
10.03	Park in “No Park” or “Restricted Parking”	\$100.00
10.04(a)	Commercial vehicle park in alley exceeding thirty minutes	\$75.00
10.04(b)	Non-commercial vehicle parked exceeding five minutes	\$75.00
10.05	Park in temporary “No Park” on a highway	\$100.00



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10.07	Tear down, remove, or interfere with signs, signals, barricades, etc.	\$250.00
10.08(1) to (14)	Improper parking	\$75.00
10.09	Park wrecked, dismantled, discarded, inoperative, abandoned, or unregistered vehicle on highway	\$150.00
10.10	Park or store a tanker truck with capacity exceeding 17,000 litres in the Historic Townsite or residential area	\$100.00
10.11	Store a vehicle on highway for over seventy-two consecutive hours	\$100.00
10.12	Park on vacant City property without permission	\$75.00
10.13	Parking interferes with maintenance or removal of snow from a highway	\$100.00
10.15	Park vehicle in excess of five tons gross vehicle weight in residential area	\$100.00
10.16	Park oversized vehicle on a highway in front of a residential property	\$75.00
10.19	Park recreational vehicle or trailer on a highway	\$75.00
11.01	Operate, park, or stop heavy vehicle in the Central Business District	\$100.00
11.02	Operate heavy vehicle on highway not designated as a truck route	\$100.00
11.03	Park heavy vehicle on a highway for more than two consecutive hours	\$100.00
11.06	Operate engine compression or engine exhaust in residential area	\$75.00
13.01	Operate bus or motorcoach on a non-designated bus route or outside the hours of 8:00 AM and 9:00 PM	\$75.00
13.02	Park bus in Central Business District for more than thirty minutes	\$75.00
16.04	Remove erasable chalk mark	\$75.00



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SCHEDULE "B"

MAXIMUM RATES OF VEHICLE SPEED

1. General Rates

- (1) Except as otherwise provided in this Schedule, the maximum rate of speed on a highway shall be Forty (40) kilometers per hour.
- (2) The maximum rate of speed in a school zone or playground zone shall be Twenty-five (25) kilometers per hour.

2. Other Rates

- (1) The maximum rate of speed on Front Street, Klondike Highway North of the Dome Road Intersection shall be Forty (40) kilometers per hour.
- (2) The maximum rate of speed on the Klondike Highway from the Dome Road Intersection South to the Bonanza Creek Road Intersection shall be Seventy (70) kilometers per hour.
- (3) The maximum rate of speed on the Klondike Highway South from Bonanza Creek Road Intersection to the boundary limit of Dawson City (Quigley Dump) shall be Ninety (90) kilometers per hour.



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APPENDIX "A"

ROUTES, LOADING ZONES, TRAFFIC PATTERNS

(1) TRUCK ROUTES

The following highway sections are hereby designated to be truck routes.

- 1) 5th Avenue from Front to York Streets.
- 2) Front Street for the entire length.
- 3) Church Street from Front Street to 5th Avenue.
- 4) York Street from Front Street to 5th Avenue.

(2) BUS/MOTORCAOCH ROUTES

- (1) 5th Avenue from Front to Duke Streets.
- (2) Front Street for the entire length
- (3) 5th Avenue from Front to King Streets
- (4) Front Street, down Harper Street to 2nd Avenue
- (5) 2nd Avenue from Harper Street to King Street
- (6) 5th Avenue from Front to Queen Streets
- (7) 5th Avenue from 8th Avenue to Queen Streets
- (8) 3rd Avenue from Princess Street to Queen Street
- (9) 5th Avenue from 2nd Avenue to Princess Streets
- (10) Front Street along 5th Avenue to Duke Street
- (11) 5th Avenue to 7th Avenue along Princess Street
- (12) 7th Avenue between Princess Street and Harper Street
- (13) 5th Avenue to 7th Avenue along Harper Street
- (14) 5th Avenue to 6th Avenue along Craig Street
- (15) Front to Craig Street on 6th Avenue
- (16) Front to Firth Street on 7th Avenue up to 8th Avenue on Firth Street
- (17) 8th Avenue on Firth Street to Queen Street



BUS/MOTORCOACH LOADING ZONES AND CONDITIONS

ZONES

- 1) Jack London Centre
- 2) Robert Service Cabin
- 3) Bed & Breakfasts currently in operation

CONDITIONS

- 1) Effective between the hours of 8:00am and 9:00p.m.daily.
- 2) Maximum stopping time 10 minutes.
- 3) Shut off bus engine during loading/off-loading.
- 4) Bus parking to be in accordance with this Bylaw.
- 5) Emergency situations to be reported to the City within 24 hours.



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(4) TRAFFIC PATTERN - ZONE I

- 1) Zone I shall consist of 5th Avenue and Front Street.
- 2) All access highways to Front Street shall be controlled by a Stop sign.
- 3) All access highways to 5th Avenue shall be controlled by a Stop sign.
- 4) The access from 5th Avenue to Front Street shall be controlled by a Stop sign.

(5) TRAFFIC PATTERN - ZONE II

- 1) Zone II shall consist of the area bound by Front Street, York Street, 5th Avenue and Church Street.
- 2) All intersections in Zone II shall be controlled by a Stop sign pursuant to the following pattern:
 - a) On 2nd Ave at York Street, Queen Street, Princess Street and Harper Street.
 - b) On 3rd Avenue at York Street, King Street, Queen Street, Princess Street, Harper Street and Church Street.
 - c) On 4th Avenue at York Street, King Street, Queen Street, Princess Street, Harper Street and Church Street.
 - d) On Princess Street and York Street at 3rd.
 - e) On King Street at 2nd and 3rd.
 - f) On Queen at 3rd.



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APPENDIX "B" CENTRAL BUSINESS DISTRICT MAP

