



THE CITY OF DAWSON

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NOTICE OF SPECIAL MEETING COMMITTEE OF WHOLE #CW19-02

This is to inform you that a special meeting of Committee of the Whole has been requested.

DATE OF MEETING: MONDAY, JANUARY 28, 2019
PLACE OF MEETING: COUNCIL CHAMBERS, CITY OFFICE
TIME OF MEETING: 7:30 PM (following the council meeting)

PURPOSE OF MEETING:

- 1) *Official Community Plan Bylaw #2018-18*
- 2) *Zoning Bylaw #2018-19*

DATE MEETING REQUESTED: January 25, 2019
MEETING REQUESTED BY: Wayne Potoroka, Mayor

Original signed by: _____
Cory Bellmore, CAO

January 25, 2019
Date



Official Community Plan

Bylaw #2018-18





THE CITY OF DAWSON

Official Community Plan Bylaw

Bylaw No. 2018-18

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 may adopt or amend by bylaw 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

1.01 This bylaw may be cited as the ***Official Community Plan Bylaw***.

2.00 Purpose

2.01 As per section 279(1) of the *Municipal Act*, RSY 2002, c. 154, and amendments thereto, the purpose of this bylaw is to provide for

- (a) the future development and use of land in the municipality;
- (b) the provision of municipal services;
- (c) environmental matters in the municipality;
- (d) the development of public utility and public transportation systems; and
- (e) provisions for the regular review of the *Official Community Plan Bylaw* and *Zoning Bylaw* with each review to be held within a reasonable period of time.



THE CITY OF DAWSON

Official Community Plan Bylaw

Bylaw No. 2018-18

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THE CITY OF DAWSON

Official Community Plan Bylaw

Bylaw No. 2018-18

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) “CAO” means the Chief Administrative Officer for the City of Dawson;
- (c) “city” means the City of Dawson;
- (d) “council” means the Council of the City of Dawson.
- (e) “Presiding Officer” means the member of council who presided over the meeting in which the third and final reading of a bylaw was passed by council.

PART II – APPLICATION

4.00 Schedules

- 4.01 The following schedules attached hereto are hereby made a part of this bylaw and form the components of the *Official Community Plan Bylaw*:
 - (a) Schedule A: Official Community Plan Text
 - (b) Schedule B: Land Use Map (Valley, Confluence and Bowl)
 - (c) Schedule C: Land Use Map (Historic Townsite)



THE CITY OF DAWSON

Official Community Plan Bylaw

Bylaw No. 2018-18

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 Bylaw Repealed

- 6.01 *The City of Dawson Official Community Plan Bylaw No. 12-23, 2012 and its amendments (14-19, 14-20, 15-11, 15-12, 16-07, 2018-01) are hereby repealed.*

7.00 Enactment

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

8.00 Bylaw Readings

Readings	Date of Reading
FIRST	September 18, 2018
Public Notice	September 25, 2018
Public Notice	October 2, 2018
Public Hearing	October 9, 2018
SECOND	
Ministerial Approval	
THIRD and FINAL	

Original signed by

Wayne Potoroka, Mayor

Presiding Officer

Cory Bellmore, CAO

Chief Administrative Officer



THE CITY OF DAWSON

Official Community Plan Bylaw

Bylaw No. 2018-18

PART IV – SCHEDULES

SCHEDULE A

Official Community Plan Text

BYLAW #2018-18

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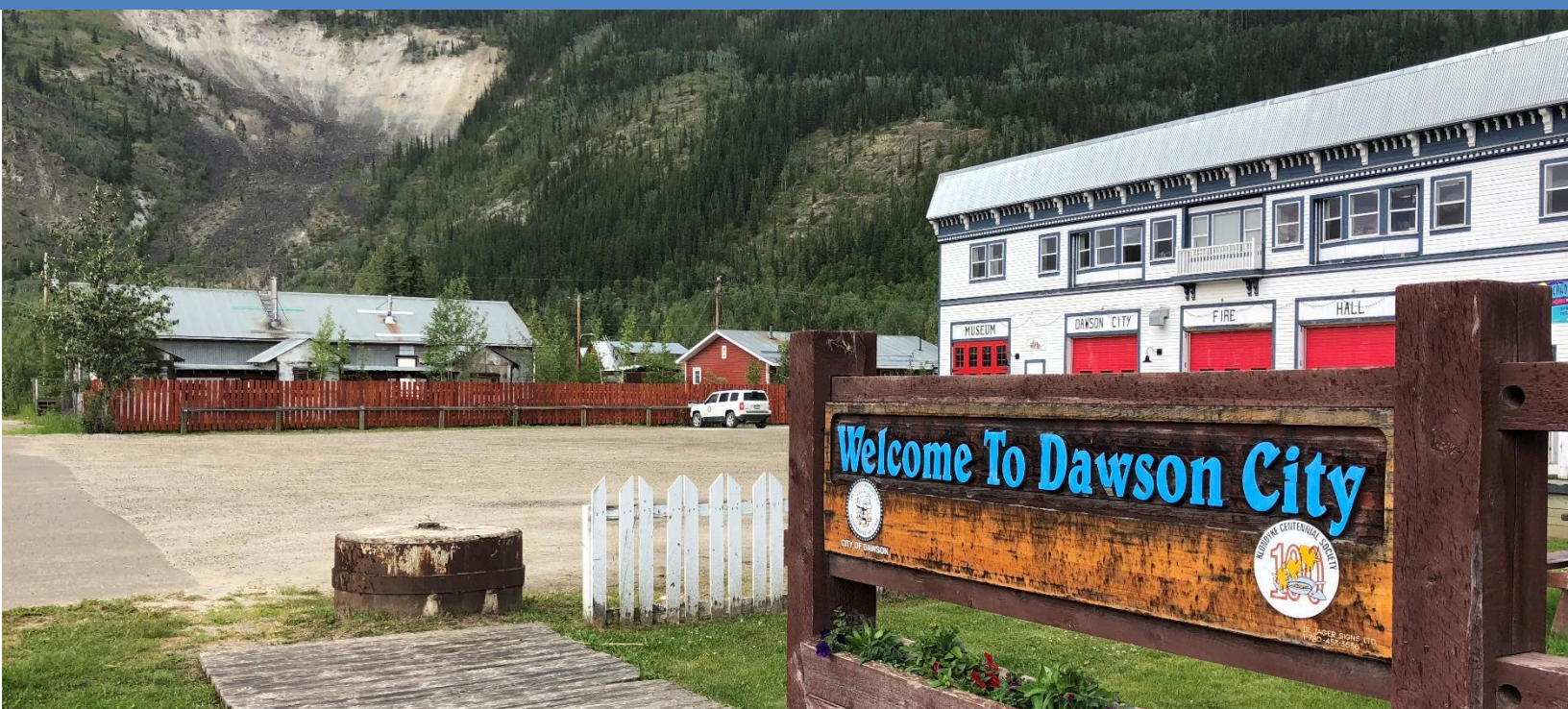
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OFFICIAL COMMUNITY PLAN



1.0 Introduction

This *Official Community Plan Bylaw* (OCP) is the main policy document for the City of Dawson (City). It outlines the goals and policies that are used to guide decision making on planning and land use management.

1.1 Purpose of the Official Community Plan

In compliance with section 279 of the Yukon *Municipal Act* (the Act), all future planning and land use decisions made by the City of Dawson Council (Council) shall be consistent with the goals and policies outlined in this OCP. In the event of changing circumstances including, but not limited to, population growth, housing demand, and public interest, Council shall revise the policies and/or land use designations established in this OCP by an amending bylaw in accordance with the Act.

1.2 Relation to Other Plans

The OCP is intended to illustrate the overall vision of the municipality and provide general direction for future growth. In addition to guiding Council's decisions, the OCP sets the stage for other municipal planning documents and development processes, such as bylaws relating to zoning, subdivision, or heritage management.

Whereas the OCP sets out broad land use guidelines for different areas in the municipality, the *Zoning Bylaw* is the main tool for implementing the OCP and prescribes specific land uses for each parcel and identifies policies to regulate development. Policies found in the *Zoning Bylaw* include those related to permitted uses, building height, densities, setbacks, fences, landscaping, and parking.

1.3 Considerations

enables the community to identify key characteristics they want to preserve or enhance, as well as those they want to see changed.

provides an opportunity for the community to develop and communicate a shared vision for Dawson's future.

provides Council and staff with direction and a framework for the implementation of other plans and policies.

provides land use related information to developers, senior government and their agencies, industry, business, First Nations, and others.

In addition to ensuring compliance with current legislation, this OCP

2.0 Community Vision

The policies of this OCP are based on the vision of *After the Gold Rush: An Integrated Community Sustainability Plan* (2006) agreed to by the City and Tr'ondëk Hwëch'in.

“Honouring the Past, Sharing the Present, Embracing the Future”

To create a balanced community, each part of the vision must be considered equally important. Dawson City is a community with a rich past; currently the community faces challenges and opportunities, and must look for ways to move into the future in an authentic way.



3.0 Guiding Principles

The following guiding principles shall provide the framework for the realization of the OCP's vision, goals, and policies.

3.1 Work Together

- Collaborate with Tr'ondëk Hwëch'in
- Create and maintain partnerships
- Engage residents
- Use open and transparent decision-making processes

3.2 Foster a Sense of Home

- Create a complete, year-round community
- Encourage healthy and active lifestyles
- Promote inclusion and universal accessibility
- Encourage the development of diverse housing options

3.3 Be Authentically Dawson

- Celebrate Dawson's multi-faceted heritage, history, and culture
- Promote opportunities and solutions that are authentic to our local situation
- Promote outdoor lifestyles

3.4 Grow Responsibly

- Maintain a sufficient land supply for future development
- Use comprehensive development practices
- Invest in municipal infrastructure
- Enhance emergency preparedness

3.5 Promote Environmental Stewardship

- Protect and respect the natural environment
- Support a healthy ecosystem and biodiversity
- Mitigate environmental hazards
- Use comprehensive waste management practices

3.6 Strive for Economic Resilience

- Support a strong and diverse economy
- Encourage opportunities for local employment
- Develop local skills and knowledge



4.0 Community Profile

Dawson offers a superior quality of life rich in Tr'ondëk Hwëch'in culture and are best known for our Klondike Gold Rush history. Dawson City offers a wide variety of lifestyle choices, employment opportunities, and activities and our social life is bustling year-round. In addition to its picturesque landscape and surrounding wilderness, our community has a vibrant arts and culture scene, year-round events and festivals, and a thriving business community. Our population includes an eclectic mix of old-timers, new-timers, placer miners, entrepreneurs, artists, and adventurers of all kinds.

The following is an overview of Dawson at the time of this OCP's completion. It is intended to inform decision making by providing background information about the economy and demographic makeup of the city.

4.1 Development Influences

Prominent economic sectors in Dawson generally align with those seen in the Yukon, tourism and resource extraction are especially important to the local economy. Based on 2016 Statistics Canada employment numbers, the leading economic sectors in Dawson are

- public administration
- health care and social assistance

- accommodation and food services
- arts, entertainment, and recreation

The prominence of jobs in accommodation and food services, mining, and arts, entertainment and recreation directly impacts Dawson's demographic profile, as these jobs tend to have younger work forces.

Placer mining in Dawson is a defining component of the landscape, where active claims are worked throughout the goldfields. Although placer mining now uses modern technology and is subject to a set of regulations, it retains many of its historic characteristics. Mining is still an uncertain endeavor that requires heavy investment in time and money without guaranteed return. The work is hard, and the environment in which it takes place is harsh. Most miners do it for the lifestyle and the sense of pride, accomplishment, and community that comes from carrying on the region's long tradition.

Lastly, culture and tourism have become mainstays of the economy. Tourists come from all over the world to visit Dawson City, where our cultural heritage is evident in local land forms, infrastructure, buildings, structures, sites, routes, venues, events, people, and cultural practices. Many people choose to live in the region and carry on the lifestyle that has become emblematic of the region.

4.2 Population

Planning requires an understanding of Dawson's demographic profile: Who are Dawson's residents? Why do they choose to live in Dawson? And why do they choose to leave? According to the Yukon Bureau of Statistics, the population of Dawson and the immediate surrounding areas is around 2,350 (December 2018). Although Dawson typically sees moderate growth and regression each census year, it experienced a 4.2% growth between the 2011 and 2016 federal censuses.

As described in section 7.0, Dawson residents' existing housing needs are not being met for a variety of reasons. Unfortunately, seasonal population counts are not completed for Dawson. This missing information would be a useful planning tool since speculations suggest the introduction of seasonal employees roughly doubles the permanent population of Dawson. This increase, regardless of its size, places pressures on all services in the community, particularly housing.

4.2.1 Demographic Profile

A clear feature of Dawson's demography is that it consistently gains residents in their 20s. Like a university town, Dawson has a high capacity to attract young adults. Usually these residents migrate to Dawson seeking adventure and a unique experience. These individuals, particularly those in their late 20s, have a high potential to settle long term and start families, thereby increasing the population. In addition to gaining residents in their 20s, Dawson has a moderate tendency to gain residents in their 40s; causes for this gain are unknown.

Although in-migration of residents in their 20s is strong, past census information also shows the out-migration of residents in their 30s, suggesting that as these residents age they move away.

Population decline is also seen from residents in their 50s. Causes for this out-migration may vary.

4.2.2 Growth Projections and Trends

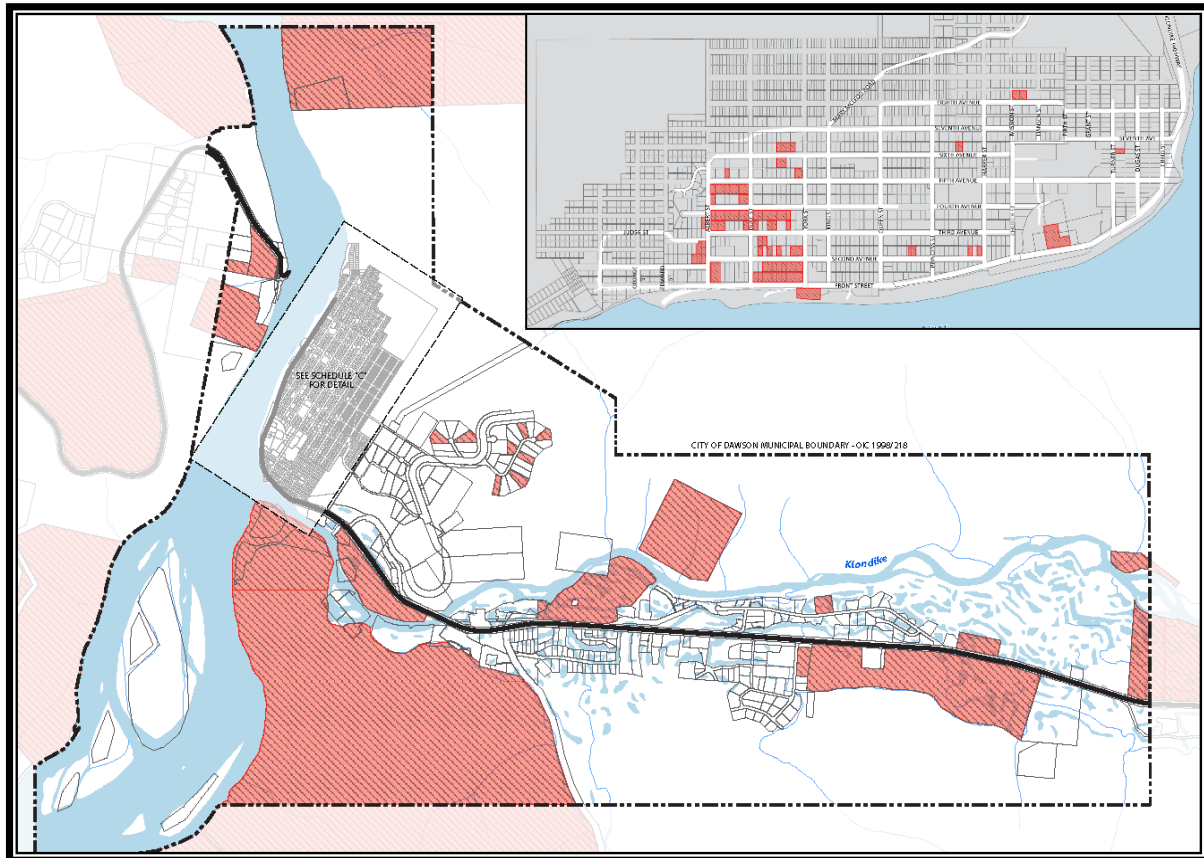
The Yukon Bureau of Statistics completed growth projections for Dawson in 2016. The most likely scenario projected the 2030 population at 2,720, an increase of 560 people compared to the 2016 population.

Based on the historic and projected population profile of Dawson, the community demography tends to remain relatively unchanged. Overall, the demographic projections for Dawson suggest the population will age moderately, with a mean age of under 40. Dawson has many employment opportunities for residents and is successful in attracting new residents during what is usually the most critical age to bring them into a community. To create growth in the community, Dawson must retain its residents for the long term.

5.0 Tr'ondëk Hwëch'in Lands

Tr'ondëk Hwëch'in settlement lands are located throughout the community (see red areas in the map below).

Figure 5-1 Tr'ondëk Hwëch'in Settlement Lands.



5.1 Long-term goal

- Collaborate with Tr'ondëk Hwëch'in to ensure all development within the municipal boundary is mutually compatible.

5.2 Implementation approaches

- Consult Tr'ondëk Hwëch'in on municipal land use planning initiatives that impact their settlement lands in accordance with the provisions of chapter 25 of the Tr'ondëk Hwëch'in *Self-Government Agreement*.
- Strive to build an ongoing and collaborative working relationship with Tr'ondëk Hwëch'in to address broad community land use and development issues.
- Work with Tr'ondëk Hwëch'in to identify future land uses within the OCP for their lands.

6.0 Land Use Concept

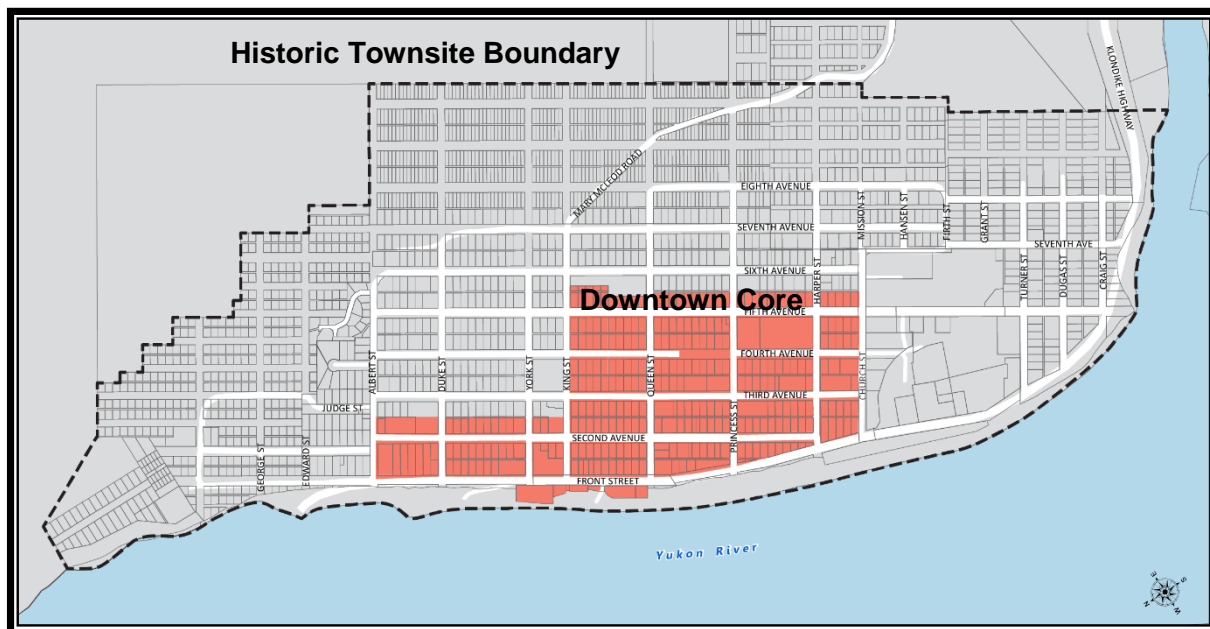
6.1 Long-term goals

- Strive to use a highest and best use approach.
- Promote safety and compatible land uses.
- Protect environmentally sensitive areas, including those surrounding water courses.
- Promote appropriate development of the Historic Townsite
- Recognize the Downtown Core as the heart of the community.
- Protect heritage resources
- Reduce encroachment issues.
- Encourage local food production.

Figure 6-1 Historic Townsite vs. Downtown Core.

Historic Townsite vs. Downtown Core

The map below defines the boundaries of the Historic Townsite. The Downtown Core refers to a specific land use designation located within the Historic Townsite. For more information on land use designation and the Downtown Core, see **section 6.2**.



6.2 Land Use Designations

The OCP is implemented through a set of generalized land use districts. Schedule “B” and Schedule “C” show the long-term land use concept for the lands within Dawson’s municipal boundary. The land uses identified are based on the predominant type of land use found in an area. Boundaries shown are intended to be general in nature; more specific boundaries and information on the precise land uses will be provided through future development plans, area redevelopment plans, and the *Zoning Bylaw*. Similarly, other items shown on the map, such as the location of trails, will be refined as more detailed planning is undertaken.

The major land use categories shown on the map are Country Residential, Urban Residential, Downtown Core, Mixed Use, Institutional, Agricultural, and Parks and Natural Spaces. The overall vision for each district is described below. The *Zoning Bylaw* provides more detail on each major category.

Country Residential

Country Residential areas shown on Schedule “B” illustrate the location of existing and future rural neighbourhoods. Residential lots in these areas do not necessarily rely on being connected to municipal water and sewer infrastructure. Although the area will predominantly consist of low-density residential uses, small-scale open spaces and institutional uses such as childcare centres or religious assemblies may also be located in these areas.

Urban Residential

Urban Residential areas shown on Schedule “B” and Schedule “C” illustrate the location of existing and future urban neighbourhoods. Residential lots in these areas are intended to be smaller in size than Country Residential lots and will be designed for immediate or eventual connection to municipal water and sewer infrastructure. While the area will predominantly consist of low- and medium-density residential uses, small-scale open spaces and institutional uses such as childcare centres or religious assemblies may also be located in these areas. Urban Residential areas located in the historic townsite are also suitable for commercial development.

Downtown Core

The Downtown Core area, originally identified in the Dawson City Heritage Management Plan and shown on Schedule “C,” is the area that best depicts the commercial core of Dawson during the gold rush. This location is recognized as the heart of Dawson City since it accommodates a broad range of uses focusing on the commercial, cultural, and community needs of residents and visitors.

While the area will predominantly consist of commercial and institutional uses, high- and low-density residential uses are also acceptable. This diverse mixture of uses is essential to the Downtown Core’s vibrant, mixed-use character.

Mixed Use

The mixed use areas shown on Schedule “B” and Schedule “C” illustrate the location of an integrated mix of commercial and industrial uses complemented by residences and small-scale open spaces. These areas may include single uses per parcel or multiple land uses per parcel—a true reflection of Dawson’s unique nature wherein residents’ living and working spaces are often intertwined.

Institutional

Institutional areas shown on Schedule “B” and Schedule “C” illustrate the location of major institutional areas that provide services to Dawson and the surrounding region. Although institutional areas are designated as stand-alone districts, smaller institutional uses such as historic sites, cemeteries, places of worship, childcare centres, and community recreation facilities may exist in other districts.

Agricultural

Agricultural areas shown on Schedule “B” and Schedule “C” illustrate the location of lands suitable for uses that are primarily agricultural in nature, such as large-scale crop production or livestock farming.

Parks and Natural Space

Parks and Natural Space areas shown on Schedule “B” and Schedule “C” illustrate the location of major park spaces or natural areas. Areas identified as Parks and Natural Space are not deemed suitable for future development.

Future Planning

Future Planning areas shown on Schedule “B” and Schedule “C” illustrate areas that may be suitable for future development. Suitability of these areas must be determined through the completion of additional planning.

6.3 Implementation Approaches

- The City shall direct future developments to the areas conceptually shown on Schedule “B” and Schedule “C.”
- Identify lands which may be suitable for future development as future planning areas.
- Identify lands unsuitable for future development as Parks and Natural Space areas, which should be maintained in their natural state or used for passive recreation.
- Maintain a strong sense of community by locating essential services and customer-focused commercial businesses in the Downtown Core.
- Promote a compact development pattern to ensure existing infrastructure is used efficiently and preserve habitat and wilderness areas.
- Compact development should be used as a mitigating and adaptive strategy to confront climate change.
- Work to prevent and reduce encroachment issues, especially in residential areas.

- Encourage development of under-used properties through the consideration of development incentives or disincentives.
- The City may require future development plans or area redevelopment plans be completed prior to new development in order to
 - determine the suitability of the area
 - ensure proposals are in alignment with the overall community vision
 - gather feedback from Tr'ondëk Hwëch'in and Dawson residents as applicable
- Required planning studies shall include the following information, as deemed necessary by the Community Development Officer:
 - location description
 - existing natural conditions, including topography
 - identification of environmentally significant areas
 - policy context in relation to the OCP and Heritage Management Plan
 - heritage assessment
 - proposed development concept
 - proposed land uses as identified in the *Zoning Bylaw*
 - development density
 - property access
 - municipal servicing
 - storm water drainage
 - phasing
 - any other items as requested by the Community Development Officer or Council.

6.3.1 Area Characteristics

The following characteristics describe intended development within each land use designation identified in the OCP. The locations for each land use designation are shown on Schedule “B” and Schedule “C”. Regardless of location, all development must be in accordance with the Dawson City Heritage Management Plan.

Designation	Predominate Built Form	Place Characteristics
Country Residential	<ul style="list-style-type: none"> Single detached dwellings 	<ul style="list-style-type: none"> Houses are located on individual lots with on-site parking Lots are generally larger in size and rural in nature
Urban Residential	<ul style="list-style-type: none"> Single detached dwellings Attached dwellings (duplex) 	<ul style="list-style-type: none"> The historic character of building facades defines the streetscape Houses are located on individual lots with on-site parking Lots are generally smaller in size and urban in nature Houses are typically oriented to face the street
Downtown Core	<ul style="list-style-type: none"> Single or multi-unit buildings Single or mixed use buildings (residential/commercial) May include institutional buildings 	<ul style="list-style-type: none"> The historic character of building facades defines the streetscape Buildings are located with no, or minimal, setback from the public roadway Commercial or community services are accessible from the ground floor and oriented toward the public street
Mixed Use	<ul style="list-style-type: none"> Free-standing commercial buildings Free-standing industrial buildings Free-standing residential buildings, which are secondary to commercial or industrial uses Mixed use buildings 	<ul style="list-style-type: none"> Lots are generally larger in size and rural in nature with on-site parking The mixture of residential, commercial, and industrial uses reflects the unique nature of Dawson All processes are self-contained on site, including circulation, storage, parking, materials handling, and processing Accommodates a live-work lifestyle
Institutional	<ul style="list-style-type: none"> Institutional buildings or structures 	<ul style="list-style-type: none"> Characteristics vary May include large landscaped open spaces

Agriculture	<ul style="list-style-type: none"> • Rural agricultural land 	<ul style="list-style-type: none"> • Buildings and structures are accessory to the primary agriculture uses. E.g., barns or sheds
Parks and Natural Space	<ul style="list-style-type: none"> • Landscaped parks • Undeveloped natural space • Trails 	<ul style="list-style-type: none"> • Buildings and structures are accessory to the primary park uses. E.g., picnic shelters, washroom facilities, garbage facilities, signage
Future Planning	<ul style="list-style-type: none"> • To be determined through the completion of additional planning 	<ul style="list-style-type: none"> • To be determined through the completion of additional planning

7.0 Housing

Housing is a critical issue in Dawson as there is an ongoing need for permanent long-term and short-term accommodations. It is widely understood that there is a small stock of existing housing in the community and a limited amount of developable residential land available. Although there is still a fair amount of privately owned serviced land in the historic townsite that is either undeveloped or contains vacant and underutilized buildings, housing needs are not being met.

In addition to identifying new areas for future residential development, utilizing existing areas that are undeveloped or under-developed will also contribute to alleviating Dawson's residential land pressures.

7.1 Long-term goals

- Meet the full spectrum of housing needs in the community.
- Provide sufficient land available for residential development.
- Minimize the amount of vacant or underutilized residential land in the historic townsite.

7.2 Implementation approaches

- Consider gathering seasonal population data to assist in determining the actual housing needs of the community.
- Meet the needs of Dawson's diverse population by encouraging the development of a range of housing types.
- Consider maintaining a dwelling unit inventory, categorized by building form (i.e., single detached, secondary suites, apartment, etc.) to inform future decision making.
- Improve the quality of the existing housing stock by encouraging renovation and retrofit projects in existing homes.
- Introduce new residential units into the historic townsite by encouraging the retrofit, renovation, and repurposing of underutilized commercial buildings.
- Encourage owners of vacant land and underutilized parcels, particularly in the historic townsite, to either develop or sell their land to facilitate the strengthening of the historic townsite.
- Consider maintaining a vacant lot map that identifies vacant lots and corresponding property owners to inform incentive programs.
- Encourage vacant lot development by continuing to investigate different incentive program options.
- Increase the total housing stock by encouraging the development of new rental housing options.
- Investigate the suitability of the Slinky Mine and Dredge Pond areas for new residential development.

8.0 Economic Development

As described in section 4.0, Dawson's economy is rooted in public services, mining, the accommodation and food service sector, and arts, entertainment, and recreation. Economic development involves supporting existing economic sectors, attracting new businesses, and creating an environment where different economic interests are balanced. It is also important to recognize the various supporting elements required for each of Dawson's economic sectors; for example, the tourism sector requires seasonal accommodation for employees. Maintaining a liveable and vibrant community is vital to attracting and keeping the labour force required for local businesses to succeed.

Commercial development in Dawson provides residents, visitors, and the surrounding population with a range of goods and services. Industrial development includes activities that may or may not pose a safety risk or impact surrounding persons.

8.1 Long-term goals

- Thriving and supported economic sectors
- New economic sectors have an opportunity to succeed.
- There is an adequate supply of commercial and industrial land.
- The needs of Dawson's population are met through local commercial development.
- A range of industrial development types are accommodated.
- Conflicts between industrial uses and other uses are avoided or minimized.
- Residents can grow and evolve professionally while remaining in the community.

8.2 Implementation approaches

- Collaborate with Tr'ondëk Hwëch'in and external groups or agencies in the tourism, arts, or sport sectors to support Dawson's role in Yukon tourism.
- The City should seek to attract a local skilled labour force to meet the expanding needs of industry and commerce by
 - maintaining community amenities such as parks and natural spaces, recreation facilities, cultural programming, and public services
 - encouraging educational institutions to provide necessary education and training
- Support the development of high quality recreational opportunities for youth and child care as a means of retaining families in the community.

9.0 Heritage and Culture

The story of Dawson City, with its early beginnings in the heart of Tr'ondëk Hwëch'in territory, its stampeding development as the home of the Klondike gold rush, and its current operation as a living historical community has fascinated residents and visitors for ages. In addition to our unique multifaceted heritage, Dawson is a growing centre for the arts. Preserving and showcasing our heritage, as well as celebrating our transforming culture, will be a crucial element in the long-term sustainability of Dawson.

What is Culture?

Culture is the expression of ideas, experiences, and customs individuals or groups through arts, heritage, and events, including festivals, tournaments, and other community events.

9.1 Long-term goals

- Tr'ondëk Hwëch'in heritage is showcased through public art, cultural programming, interpretive signage, public festivals, and other methods.
- Dawson's gold rush history is showcased by preserving key historical resources where possible.
- Dawson is recognized as the cultural capital of the Yukon.

9.2 Implementation approaches

Heritage

- Collaborate with Tr'ondëk Hwëch'in to identify methods to showcase Tr'ondëk Hwëch'in culture and heritage throughout Dawson and its festivals.
- Maintain a Heritage Bylaw to conserve and manage heritage assets.
- Development within the Historic Townsite shall be completed in accordance with the Dawson Heritage Management Plan.
- Implement the recommendations of the Dawson Heritage Management Plan with a focus on
 - preserving or recreating historic architecture, design, and construction styles
 - protecting and preserving key vulnerable historic buildings and sites
 - Tr'ondëk Hwëch'in history

Culture

- Recognize culture as a key socio-economic pillar in the community.
- Work collaboratively, where possible, with non-profit organizations to assist them with providing cultural programming.
- Strategically support local festivals and events as a means to further diversify Dawson's economy and enhance potential investment opportunities.
- Concentrate cultural facilities, including art galleries and museums, in the Historic Townsite and, more specifically, the Downtown Core when possible.
- Encourage the installation of public art on or within public buildings and property.

- Public art
 - may include permanent and temporary installations of statuary, murals, and other visual art displays
 - should showcase the heritage of Tr'ondëk Hwëch'in, the history of Dawson City, or local culture
 - should be completed or designed by local artists, or those with ties to the community
- Visiting artists should also be welcomed to contribute to Dawson's public art
- Due to Dawson's cold winter climate, design of outdoor recreation areas and public walkways should consider methods to improve the user experience.
 - Ornamental lighting may be encouraged to add colour and light into the streetscape.
 - Warming shelters in outdoor spaces may be encouraged to facilitate the space's use year round for activities such as festivals or special events.

10.0 Environmental Stewardship

Dawson surrounded by a rich and vibrant natural environment. The natural environment is a key element of Tr'ondëk Hwëch'in culture and plays an important role in the lives of residents. The natural environment also provides important habitat areas for wildlife, reduces the potential for erosion, enhances water quality, and absorbs carbon dioxide. Addressing local environmental impacts is essential to Dawson's overall sustainability.

10.1 Long-term goals

- Protect environmentally sensitive areas including waterways and major wildlife corridors
- Risk of wildfire is mitigated.

10.2 Implementation approaches

- Follow environmental regulations and applicable bylaws in all cases.
- Watercourse alterations or crossings for trails shall not be permitted without an environmental assessment and applicable regulatory approvals.
- Consider the impacts of climate change on permafrost and our landscape when constructing new structures.
- Due to the safety hazards associated with steep slopes, a professional geotechnical assessment may be required to support construction on steep slopes.
- Support the continued protection of Dawson from a major flood event using dikes, development setbacks, or other means as determined appropriate by Council.
- New development must address storm water management to reduce the potential for erosion and watercourse pollution.
- All subdivisions, buildings, and structures—including campgrounds—shall have defensible spaces, as laid out in the FireSmart standards. Implementation of site-specific FireSmart measures shall be the responsibility of the landowner.
- Careful attention shall be given to the clearing of underbrush in order to minimize the danger of wildfire. For future development, care must be taken to create and maintain natural fireguards to minimize the danger of wildfires.
- The City shall work with other orders of government to maintain awareness of wildfire hazards and, where feasible, aid residents in clearing areas that are susceptible to a wildfire.

11.0 Food Security

Food security means the ability to secure nutritious, affordable, and culturally appropriate food through healthy systems. High transportation costs for food, environmental changes impacting traditional food sources, and a variety of other factors threaten the current supply of food that Dawson residents depend on.

11.1 Long-term goal

- Work towards a more self-sufficient and reliable food supply for Dawson.

11.2 Implementation approaches

- Consider participating in a local steering committee to lead or enable agriculture development and food security initiatives.
- Encourage local food production by
 - continuing to allocate vendor stalls for the farmers market
 - considering different options for enhancing and expanding the farmers market
 - supporting the development and expansion of community gardens
 - supporting household food production by allowing greenhouses and gardens in residential areas.
- Support commercial agriculture by identifying areas suitable for those uses, such as large commercial greenhouses.

12.0 Parks and Recreation

Recreation facilities are widely distributed throughout the community. In order to sustain a year-round population and attract new residents to the community, new recreation facilities need to be constructed and existing facilities need to be improved in terms of accessibility, amenities, condition, and staffing.

12.1 Long-term goal

- Encourage healthy and active lifestyles through the provision of parks and recreational resources that meet the needs of Dawson's diverse population.

12.2 Implementation approaches

- Provide recreational resources that encourage active lifestyles.
- Maintain an inventory of recreational resources that meet the needs of Dawson's diverse population, which includes residents of different ages and mobility levels.
- Maintain an inventory of recreational resources that provide residents with opportunities to be active year round.
- Provide high-quality recreational infrastructure and facilities to encourage their use.
- Consider partnerships with Tr'ondëk Hwëch'in, Yukon Government, industry, or other non-government organizations to enhance and maintain recreational facilities.
- Complete an assessment on recreational facilities that are at the end of their life span to determine if the facility should be replaced, enhanced, and/or relocated.

13.0 Transportation

Transportation networks to and within Dawson are critical to the community's success. Ensuring the efficient movement of people and goods is a key planning consideration; as such, it is important to recognize the implications land use patterns have on transportation needs and vice versa. Equally important is accommodating the various modes of transportation that residents and visitors use, as well as residents and visitors' varying levels of mobility. Modes of transportation include using private or large recreational vehicles, cycling, and walking. In addition to facilitating convenient movement throughout the community, the importance of long-term connectivity between east and west Dawson, and communities surrounding, must be considered.

13.1 Long-term goal

- Maintain and broaden access to, and within, the community for all modes of travel.

13.2 Implementation approaches

- Maintain a walkable community to encourage the use of non-motorized transportation.
- Develop trail linkages between rural neighbourhoods and the Historic Townsite.
- Develop a comprehensive and connected trail network by requiring future development to provide connections to surrounding trails.
- Facilitate universal accessibility in the Downtown Core by improving sidewalk connectivity and maintenance.
- Enhance transportation connections between Dawson and Whitehorse to promote tourism and industry connections, and support resident needs.
- Plan for the continued connection between east and west Dawson by protecting the area surrounding the existing ferry docking and parking areas.

14.0 Municipal Infrastructure

Municipal utility infrastructure includes the municipal water system, sanitary sewer system, storm water drainage systems, solid waste systems, and roadways. These services are essential for the day to day health, safety, and convenience of residents. Maintaining, operating, replacing, and expanding this infrastructure is costly and must be considered as a long-term investment.

14.1 Long-term goal

- Develop and provide municipal infrastructure that is effective, safe, and efficient.

14.2 Implementation approaches

- Promote the development of continuous and compact development in order to reduce the infrastructure required and its associated costs.
- Prioritize the development of vacant or underutilized lands in the Historic Townsite over extending services into new areas in order to utilize existing infrastructure in a more efficient manner.
- Use asset management best practices to inform capital planning.
- Where possible, consider extending piped water and sanitary services to areas of the community that are not connected to these services.
- Increase the capacity of the existing water and sanitary servicing systems to accommodate future community growth and system expansion.
- Support waste diversion as a waste management tool by promoting the principles of reduce, reuse, and recycle.
- Extend the lifetime of the landfill to accommodate future community growth.

15.0 Municipal Finance

The municipality's primary responsibilities to its residents and taxpayers are to provide services to properties and exercise good government. Understanding the cost of these services, implementing sound financial policies, and expanding the economic base will help the community achieve its vision.

15.1 Long-term goal

- The financial sustainability of the municipality is enhanced over the long term.
- Build and maintain services and infrastructure that are affordable and will not become an undue burden on future generations.

15.2 Implementation approaches

- Consider the full costs and financial implications of all municipal projects and initiatives when making decisions.
- Ensure the Yukon Government considers any operating, maintenance, and replacement costs when a project is proposed for the municipality.
- Use various methods to distribute the cost of new infrastructure and services in the community to those who benefit from them by
 - requiring the municipal costs associated with new developments be shared between the City and developers
 - considering establishing a fee-for-service approach to municipal services that are used by peripheral residents, businesses, and industry.
- Conduct annual reviews of municipal rates in order to pay for ongoing operations and maintenance and to ensure adequate reserves are available for future infrastructure rehabilitation and expansion.
- Participate in the development and implementation of community and regional economic development strategies and initiatives as necessary.

16.0 Implementation

16.1 Ensuring Consistency with the Plan

- All municipal plans, policies, bylaws and program documents prepared subsequent to the adoption of this plan shall include an OCP context statement that
 - references the objectives and policies of this plan
 - generally describes how adoption of the plan, policy, bylaw, or program will contribute to the achievement of an OCP goal
- All municipal plans, policies, and bylaws that address the content areas of this plan shall be consistent with the OCP.

16.2 Reviewing the Plan

This OCP will be regularly reviewed on an ongoing basis.

- Council shall schedule a review of the OCP at the first regular meeting in the month of October in each year and proceed to amend it as deemed advisable at that time.
- Council shall publicly adopt a methodology and schedule for a comprehensive review of the OCP at the first regular meeting in October 2023.

SCHEDULE B

Land Use Map (Valley, Confluence, and Bowl)

Bylaw No. 2018-18

Schedule B Land Use Map (Valley, Confluence, and Bowl)

SCHEDULE C

Land Use Map (Historic Townsite)

Bylaw No. 2018-18

Schedule C Land Use Map (Historic Townsite)



Zoning Bylaw

Bylaw #2018-19





THE CITY OF DAWSON

Zoning Bylaw

Bylaw No. 2018-19

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

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

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***.

2.00 Purpose

2.01 As per section 289 of the *Municipal Act*, RSY 2002, c. 154, and amendments thereto, the purpose of this bylaw is to prohibit, regulate, and control the use and development of land and buildings in a municipality.



THE CITY OF DAWSON

Zoning Bylaw

Bylaw No. 2018-19

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THE CITY OF DAWSON

Zoning Bylaw

Bylaw No. 2018-19

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 Schedules

4.01 The following schedules attached hereto are hereby made a part of this bylaw and form the components of the *Zoning Bylaw*:

- (a) Schedule A (Zoning Bylaw Text);
- (b) Schedule B (Zoning Map – Valley, Confluence and Bowl);
- (c) Schedule C (Zoning Map – Historic Townsite);
- (d) Schedule D (Heritage Management Map – Valley, Confluence and Bowl); and
- (e) Schedule E (Heritage Management Map – Historic Townsite)



THE CITY OF DAWSON

Zoning Bylaw

Bylaw No. 2018-19

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 Bylaw Repealed

- 6.01 *The City of Dawson Zoning Bylaw No. 12-27* and its amendments (13-10, 13-11, 14-01, 14-08, 14-09, 14-16, 15-15, 16-01, 16-02, 16-08, 16-10, 16-11, 17-01, 17-03, 2017-14, 2018-02) are hereby repealed.

7.00 Enactment

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

8.00 Bylaw Readings

Readings	Date of Reading
FIRST	September 18, 2018
Public Notice	September 25, 2018
Public Notice	October 2, 1018
Public Hearing	October 9, 2018
SECOND	
THIRD and FINAL	

Original signed by

Wayne Potoroka, Mayor
Presiding Officer

Cory Bellmore, CAO
Chief Administrative Officer



THE CITY OF DAWSON

Zoning Bylaw

Bylaw No. 2018-19

PART IV – SCHEDULES

SCHEDULE A

Zoning Bylaw Text

Bylaw #2018-19

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1.0 GENERAL ADMINISTRATION

1.1 Purpose

This bylaw provides for orderly, efficient, economic, and environmentally and socially responsible development in the City of Dawson by

- .1 implementing the goals and objectives of the *Official Community Plan* (OCP)
- .2 establishing land use zones and associated regulations to control the use, location, type, and level of development allowed to occur on a parcel of land within the City of Dawson
- .3 setting out rules and procedures, information requirements, and processes to regulate land use and development within the City of Dawson
- .4 maintaining and enhancing the unique character and history of Dawson City

1.2 Enabling Legislation

This bylaw has been passed in conformance with the *Yukon Municipal Act*.

1.3 Basic Provisions

1.3.1 Application

This bylaw shall be applicable to all land, including the surface of water, and buildings and structures within the boundaries of the City of Dawson.

1.3.2 Conformity

Land, including air space and the surface of water, shall not be used and buildings and structures shall not be located in an area or constructed, altered, or used except as specifically permitted in this bylaw.

1.3.3 Severability

If any section, subsection, sentence, clause, or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed from the bylaw and such decision shall not affect the validity of the remaining portions of this bylaw.

1.3.4 Metric Units

Metric units are used for all measurements in this bylaw. Imperial units are provided for convenience only.

1.3.5 Applicable Regulations

- .2 Where this bylaw sets out two or more regulations that could apply to a situation, the most stringent regulation shall apply.
- .3 Where this bylaw sets out both general and specific regulations that could apply to a situation, the specific regulation shall apply.

1.4 Zoning Maps

The City of Dawson is divided into land use zones and the boundaries of those zones are shown on the zoning maps, attached as Schedule “B” and Schedule “C,” forming part of this bylaw.

1.5 Zone Boundaries

The boundaries on the zoning maps shall be interpreted as follows:

- .1 where a zone boundary is shown as following a highway or road right- of- way or watercourse, the centre line of the right of way or watercourse shall be the zone boundary
- .2 where the zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the zoning boundary shall be determined by referencing topographic and scaling information from the zoning maps
- .3 when any public roadway is closed, the roadway lands have the same zoning as the abutting land. When different zones govern abutting lands, the centre of the roadway is the zone boundary unless the boundary is shown clearly following the edge of the roadway

1.6 Compliance with Other Legislation

- .1 In addition to complying with this bylaw, a person applying for a development permit or change of use is responsible for ascertaining and complying with the requirements of any other applicable municipal, territorial, or federal legislation.
- .2 The issuance of a permit does not relieve the property owner from complying with any easement, covenant, lease, scheme, or development agreement that affects the development.

1.7 Uses and Regulations

Except as otherwise allowed by this bylaw, use and development in each zone shall be in accordance with the uses listed for the zone and all the appropriate requirements of this bylaw.

1.8 Non-Conforming Uses or Structures

Non-conforming uses will be dealt with according to the provisions of the *Yukon Municipal Act*, as amended from time to time.

1.9 Lots Less Than Minimum Size

- .1 Lots created before the approval of this bylaw that are less than the minimum dimensions required of the zone they are in shall be considered to be conforming lots for the purposes of this bylaw.
- .2 A principal or secondary use is permitted on a lot less than the minimum lot size in that zone provided that the development otherwise complies with all the regulations of this bylaw.
 - I. Rear and side yard setbacks may be reduced by the same percentage that the lot is less than the minimum for the zone.

1.10 Applications in Process

An application for a development permit that is received in its complete and final form prior to the effective date of this bylaw shall be decided upon within 90 days of this bylaw coming into effect, and no time extension shall be granted to any development permit issued under this section for which development has not commenced within 12 months.

1.11 Copy of Record and Availability

A development officer shall

- .1 keep and maintain for inspection by the public during normal office hours a copy of this bylaw, as amended
- .2 keep and maintain for inspection by the public during normal office hours a register of all development permit applications, including the decisions and the reasons therefore
- .3 ensure that copies of the bylaw and amendments are obtainable by the public at the prescribed fee

2.0 DEFINITIONS

2.1 Interpretation

- .1 Typical uses listed as examples in the definitions are not intended to be exclusive or restrictive. Intent, impact, and definition of the use, among others, will be considered when determining whether or not a use is permitted.
- .2 When a specific use does not conform to the wording of any use definition, or generally conforms to the wording of two or more definitions, a community development officer may use discretion to deem that the use conforms to, and is included in, that use which is considered to be most appropriate in character and purpose.
- .3 If a use is not listed as permitted, it shall be interpreted as not permitted.

2.2 General Definitions

A

ABUT or **ABUTTING** means immediately contiguous to, or physically touching. When used with respect to lots or sites, this definition refers to lots or sites that share a common property line or border.

ACCESSORY BUILDING or **STRUCTURE** means a separate building or structure, on the same lot as a primary building or structure, which is ancillary or subordinate to the primary building or structure. Examples of accessory structures include garages, gazebos, garden sheds, greenhouses, and storage sheds.

ACT means the *Yukon Municipal Act* as amended from time to time.

ADDITION means a new structure, or portion of a structure, added to an existing structure in a manner that creates a shared wall.

ADJACENT means land that is contiguous to and accessible from a site, including land that would be contiguous if not for a public road, lane, walkway, utility lot, underground pipeline, power line, drainage ditch, or similar feature. This definition does not include land separated by a stream or river.

AGRICULTURE means growing, rearing, harvesting, and selling agricultural crops and/or livestock; this includes processing the primary agricultural products harvested, reared, or produced on the parcel. This definition does not include small-scale growing on a residential property.

ALCOHOL SALE means the retail sales of any and all types of alcoholic beverages to the public.

AMUSEMENT ESTABLISHMENT means a permanent building or structure that has been erected for the purpose of providing entertainment and amusement activities.

APARTMENT means a single building containing three or more dwelling units, each of which has its principal access from an entrance common to the building.

B

BASEMENT means the portion of a building that is partially underground and has a ceiling that is less than 1.8 m (5.9 ft.) above grade.

BED AND BREAKFAST means a home occupation comprising of the commercial rental of up to three sleeping units, all within a single detached dwelling.

BOARD OF VARIANCE means the City of Dawson Board of Variance established in accordance with the *Yukon Municipal Act*.

BOARDING HOUSE means the commercial rental of one or more sleeping units, all within a single detached dwelling. Sleeping units share common living and cooking spaces. Boarding houses are considered single detached dwellings in this bylaw.

BROADCASTING AND RECORDING means the production and/or broadcasting of audio or visual programming typically associated with radio, television, and motion picture studios.

BUILDING means a roofed structure used, or intended to be used, for supporting or sheltering any use or occupancy.

BULK FUEL FACILITY means a premise used for the storage, sales, and distribution of bulk fuel products.

C

CAMPGROUND means the provision of space for tents and recreational vehicles primarily occupied by the travelling public for overnight accommodation.

CANNABIS RETAIL SERVICE means the retail sale of cannabis and products containing cannabis to the public; this includes storing cannabis onsite to support the operations of those premises.

CARPORT means a roofed accessory structure, which is normally attached to the principal building and is not fully enclosed, that is intended to shelter parked vehicles. A carport is considered part of the principal building to which it is attached when calculating requirements.

CEMETERIES means those areas of land that are set aside for the burial of human or animal remains, which includes ashes. This definition excludes crematoria, mausoleums, and mortuaries.

CHILDCARE CENTRE means an establishment licensed under the *Child Care Act* and intended to provide care, educational services, and supervision for children during a period of less than 24 consecutive hours. Unlike a family day home, childcare centres are not secondary to a residential use.

CITY means the City of Dawson.

COMMERCIAL AND RESIDENTIAL MIXED USE means a building that has commercial uses located on the ground floor and residential dwelling units located on the upper floors or on the ground floor behind the commercial uses.

COMMERCIAL SCHOOL means a school conducted for hire or gain, such as an art or drama school, dance studio, business, safety training or trade school, or any other specialized school; it shall not include a private academic, religious, or philanthropic school.

COMMERCIAL STORAGE means a self-contained building or group of buildings containing lockers available for rent for the storage of goods, or a facility used exclusively to store bulk goods of a non-hazardous nature.

COMMUNITY RECREATION FACILITY means land or premises used for recreational, social, or multi-purpose use. This facility is primarily intended for local community purposes. Typical uses include community halls, non-profit social clubs, and community centres operated by a residents' association.

CONTRACTOR SERVICE means the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, or sewer services, or similar services of a construction nature. These uses may or may not require onsite storage space for materials, construction equipment, or vehicles normally associated with the contractor service.

CONVENIENCE STORE means a retail commercial establishment, not exceeding 300 m² (3,229.2 ft.²) of floor area, that supplies groceries and other daily household necessities.

CONVERSION means a change in use of land or buildings, or act an done in relation to land or a building, that results, or is likely to result, in a change in the use of such land or building without involving major structural alterations.

COUNCIL means the Council of the City of Dawson.

CSA means Canada Standards Association.

CUL-DE-SAC means a length of a local street made for vehicular use; the end of the road is permanently closed either by subdivision design or by a natural feature such as inaccessible terrain.

CULTURAL EVENTS OR DISPLAY means, but is not limited to, the presentation of cultural activities such as musical performances, theatre, artisan workshops, or dance demonstrations.

C ZONE means all commercial zones described in [section 12](#) of this bylaw.

D

DECK means a structure more than 0.6 m above grade without a roof or walls, except for visual partitions and railings, used as an outdoor amenity area.

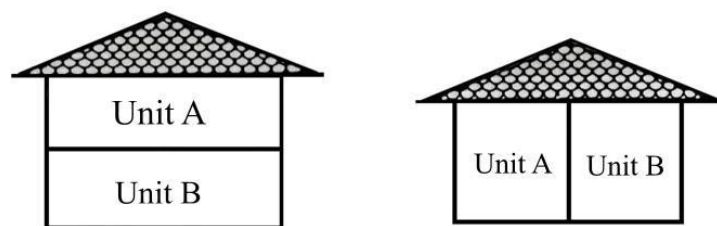
DEVELOPMENT means the carrying out of any activity involving a material change to any use on, over, or under the land or buildings on the land that results, or is likely to result, in a change of use or intensity of use.

DEVELOPMENT APPROVING AUTHORITY means a community development officer, the Board of Variance, or Council as the context requires.

DOCK means any structure, either seasonal or permanent, for the mooring of floatplanes, boats, or other watercraft.

DUPLEX means a building that is divided horizontally or vertically into two separate dwelling units that may or may not be registered under the same land title; a duplex is not a secondary suite. Each dwelling unit has its own independent entrance, as shown in figure 2-1.

FIGURE 2-1: ILLUSTRATION OF DUPLEX



DWELLING UNIT means a self-contained building or portion of a building, whether occupied or not, that is used or intended to be used as a residence. Dwelling units usually contain cooking, eating, living, sleeping, and sanitary facilities. All dwelling units require City approval through the development permit process.

E

EATING AND DRINKING ESTABLISHMENT means the use of land and premises for preparing and offering of food and beverages for sale to the public. Food and beverages for sale may be consumed within the premises or taken off-site. Eating and drinking establishments may or may not include those licensed under the Yukon *Liquor Act*.

EMERGENCY AND PROTECTIVE SERVICES means a public facility used by firefighters, police, emergency responders, and others as a base of operations.

ENCLOSED PARKING means an area provided for off-street parking that is screened from view by the surrounding streets and buildings. Enclosed parking spaces are either within a structure or behind a screen of landscaping, perforated masonry, metal, or other material.

EQUIPMENT SALES, RENTALS, AND SERVICE means the use of premises used for sale, repair, or rental of equipment or machinery.

EXHIBITION AND CONVENTION FACILITIES means a development that is owned and managed by a public authority or non-profit agency and that provides permanent facilities for meetings, seminars and conventions, product and trade fairs, circuses, and other exhibitions.

EXTERIOR STORAGE means an area where goods, materials, or equipment are stored outside. Exterior storage does not include the storage of goods and materials in accessory buildings.

F

FAMILY DAY HOME means an establishment licensed under the Yukon *Child Care Act* that is intended to provide care, educational services, and supervision for children during a period of less than 24 consecutive hours. Unlike childcare centres, family day homes are located in dwelling units and are secondary to a residential use.

FENCE means an artificially constructed barrier erected to enclose or screen a property or use.

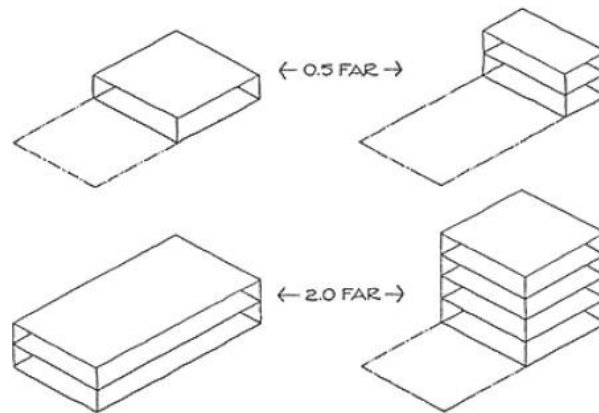
FLEA MARKET means the sale of new or used goods by multiple vendors renting tables and/or space. Vendors may vary from day to day, but the general layout of space to be rented remains the same.

FLEET SERVICE means a fleet of vehicles used for the delivery of people, goods, or services in a place where such vehicles are not available for sale or long-term lease.

FLOOR AREA means the sum of the horizontal floor areas for each storey of the building or structure. This sum must be measured to the exterior walls and contained within the exterior and basement walls.

FLOOR AREA RATIO or **FAR** means the floor area of all buildings and structures on a parcel divided by the parcel area, as shown in figure 2-2.

FIGURE 2-2: ILLUSTRATION OF FLOOR AREA RATIO (FAR)



FRONTAGE means the minimum straight-line distance between the intersection of the side lot lines and the front lot line.

FUNERAL SERVICES means the use of premises for the preparation of the dead for burial or cremation, or the holding of funeral ceremonies.

G

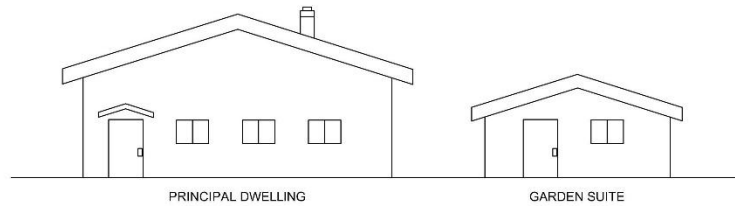
GARAGE means an enclosed accessory building or structure, or a part of the principal building, designed and used primarily for the storage of motor vehicles of the occupants of the premises.

GARDEN means the use of land for cultivating or growing plants.

GARDEN CENTRE means the use of land and premises for retail sale of plants, lawn and garden equipment, furnishings, nursery materials, and associated supplies.

GARDEN SUITE means a type of secondary suite that is within in 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.

FIGURE 2-3: ILLUSTRATION OF GARDEN SUITE



GRADE means the average elevation of all finished or unfinished ground. Grade is measured from the exterior perimeter of the building or structure, as shown in

Figure 2-4: Illustration of Height and Grade.

GREENHOUSE means a building used to grow plants. Greenhouses utilize transparent covering to heat the air and provide a more hospitable environment for growth.

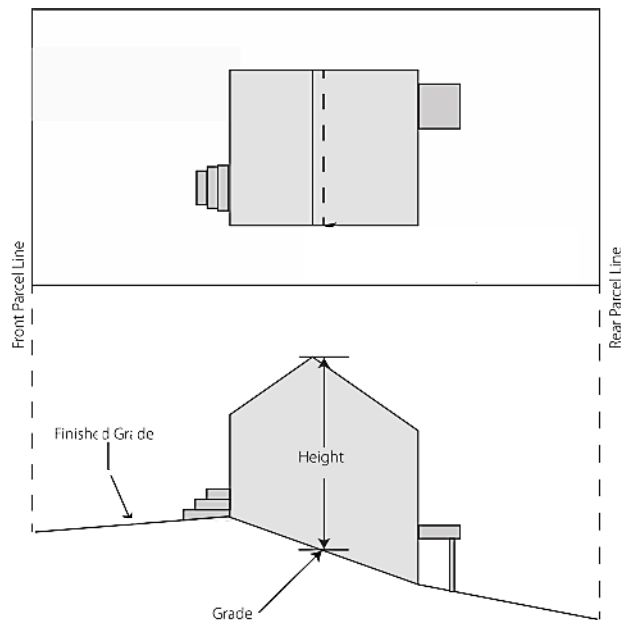
H

HEAVY EQUIPMENT STORAGE means the storage of heavy vehicles, machinery, or equipment typically used in building, roadway, pipeline, and mining construction.

HEIGHT, BUILDING means the maximum vertical distance between grade and the highest point of the building or structure, as shown on figure 2-4. Solar panels, chimney stacks, elevator housings, flagpoles, guardrails, roof stairway entrances,

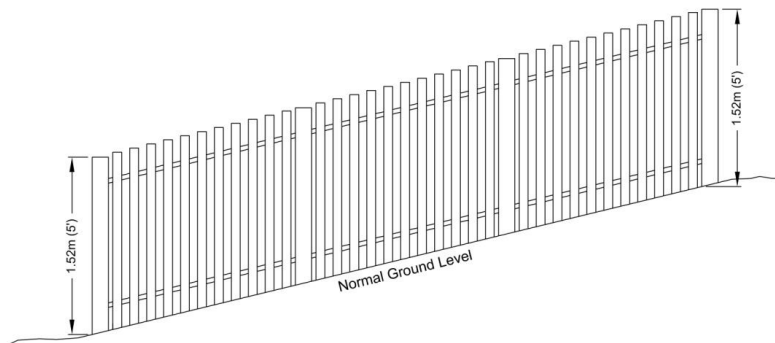
skylights, steeples, or ventilating equipment shall not be considered for the purpose of determining height.

FIGURE 2-4: ILLUSTRATION OF HEIGHT AND GRADE



HEIGHT, FENCE means the maximum vertical distance between the natural ground level and the top of the fence at any given point, as shown in figure 2-5.

FIGURE 2-5: ILLUSTRATION OF FENCE HEIGHT



HISTORIC TOWNSITE means the area as shown in Schedule “C” of this bylaw.

HOME INDUSTRY means a small-scale industrial use operated as a secondary use to a single detached dwelling.

HOME OCCUPATION means a small business that is based out of a dwelling unit. See also *bed and breakfast* and *family day home*.

HOTEL means one or more buildings containing three or more dwelling or sleeping units, each of which has its principal access from an entrance common to the building. Hotels provide commercial rental of dwelling or sleeping units primarily for use overnight or for short periods of time. In addition to the dwelling or sleeping units, hotels may contain accessory uses such as an eating and drinking establishment, retail sales, indoor recreation, and meeting rooms.

HOUSEHOLD REPAIR SERVICE means the provision of repair services to goods, equipment, and appliances normally found within the home. Typical uses include appliance repair shops, radio and television repair shops, furniture refinishing, and upholstery shops.

I

INDUSTRIAL ZONES are any zones described in [section 13](#) of this bylaw.

INSTITUTIONAL SERVICES means the use of land and premises for public or non-profit purposes. Typical uses include schools, hospitals, recreation facilities, community centres, visitor and tourist information centres, and government buildings.

J

JUNKYARD means any building or land used for the wrecking, salvaging, dismantling or disassembly of vehicles, vehicle parts, vehicle frames, or vehicle bodies.

L

LANDSCAPING means to change, modify, or enhance the visual appearance of a site in order to beautify or screen the appearance of a lot. This may be done by reshaping the earth; planting lawns, shrubs, or trees; preserving the original natural vegetation; and adding walks, fencing, patios, and other ornamental features.

LANE means a public right of way, 3.05 m (10 ft), wide that provides a second access to a parcel at the side or rear.

LIVESTOCK means an animal that is traditionally used or raised on a farm. This definition does not include generally domesticated animals such as dogs or cats.

LOADING SPACE means an onsite parking space directly accessible from a street or lane that is reserved for parking, and is used for the purpose of loading or unloading goods and materials. Loading spaces shall be occupied for less than one hour at a time.

LODGING FACILITY means multiple buildings containing one or more dwelling or sleeping units, each of which has its principal access from an exterior entrance not common to the building. Lodging facilities provide commercial rental of dwelling or sleeping units primarily for overnight use, seasonal use, or for short periods of time. In addition to the sleeping or dwelling units, lodging facilities may contain accessory uses such as common eating or cooking facilities, living spaces, or recreation areas.

LODGING FACILITY, NON-PERMANENT means a lodging facility that has buildings or structures which may be dismantled and removed from the site from time to time. Typical uses include seasonal camps.

LODGING FACILITY, PERMANENT means a lodging facility that has buildings or structures that are permanent in nature. Typical uses include visitor cabin rentals or workers camps.

M

MANUFACTURING means the use of facilities for the construction, creation, or assembling of semi-finished or finished goods, products, or equipment.

MIXED USE DEVELOPMENT means one or more buildings on a lot containing different permitted uses, either within one building or within different buildings, and any amenities associated with such uses.

MOBILE HOME means a factory-built single or multiple section single detached dwelling unit that is designed to be transportable on its own chassis and that conforms to the CSA Z240 Manufactured Home Series of Standards.

MOBILE HOME PARK means the use of land and facilities for placement of two or more mobile homes.

MODULAR HOME means a factory-built single- or multiple-section single detached dwelling unit that is constructed to the National Building Code of Canada CAN/CSA277 standard and

is designed to be transported to the site and fitted together structurally, mechanically, and electrically to form a single structure placed on a permanent foundation.

MOTEL means a single building containing three or more dwelling or sleeping units, each of which has its principal access from an exterior entrance not common to the building. Motels provide commercial rental of dwelling or sleeping units primarily for use overnight or for short periods of time. In addition to the dwelling or sleeping units, motels may contain accessory uses such as an eating and drinking establishment, retail sales, indoor recreation, and meeting rooms.

MULTI-UNIT RESIDENTIAL means any physical arrangement of three or more permanent dwelling units.

N

NATURAL RESOURCE DEVELOPMENT means the onsite removal, exploration, extraction, and primary processing of raw materials that are found on or under the site or that are accessible from the site. Typical uses include clay pits, gravel pits, placer mining, sandpits, and topsoil stripping.

NATURAL SCIENCE EXHIBITS AND INTERPRETATIVE SIGNAGE means the collection, preservation, interpretation, and display of scientific, cultural, heritage, or natural objects.

O

OFFICE means the use of premises for professional, management, administrative, consulting, and/or financial services in an office setting.

OFFICE SUPPORT SERVICE means the provision of a service that includes one or more of the following features:

- the use of minor mechanical equipment for binding, duplicating, photographic processing, or printing
- office maintenance or custodial services
- office security and the renting, repair, sale, or servicing of office equipment, furniture, and machines

Typical uses include film processing establishments, janitorial firms, office equipment sale and repair establishments, and printing establishments.

OFFICIAL COMMUNITY PLAN (OCP) means the *Official Community Plan* as has been adopted and amended by Council pursuant to the Act.

OPEN SPACE means land not occupied by buildings.

P

PARCEL means any lot, block, or other area in which land is held, or into which land is subdivided. This definition does not include a highway, street, or lane.

PARCEL, AREA means the total horizontal area within the parcel lines of a parcel.

PARCEL, CORNER means the parcel at the intersection or junction of two or more streets; for the purpose of this definition, *street* does not mean *lane*.

PARCEL COVERAGE means the percentage of parcel area that may be built upon for uses including primary or accessory buildings or structures. Parcel coverage does not include steps, eaves, cornices and similar projections, courtyards, terraces or patios, driveways, aisles and uncovered decks, and uncovered parking stalls. Cantilevered portions of buildings above the first storey will not be included in parcel coverage calculations.

PARCEL WIDTH (FRONTAGE) means the distance measured between the side parcel lines at the front parcel line as shown in figures 2-6 and 2-7.

PARCEL LINE means the legally defined boundary of any parcel. (See figure 2-6.)

PARCEL LINE, EXTERIOR SIDE means a side parcel line that abuts a public roadway (this term excludes lanes) on a corner parcel as illustrated in figure 2-6 or, in the case of an irregular lot, as illustrated in figure 2-7.

PARCEL LINE, FRONT means any parcel line common to a parcel and one highway (for the purposes of this bylaw, this term includes streets but excludes lanes), as illustrated in figure 2-6. Where a parcel is contiguous to the intersection of two highways, the front parcel line is the shortest parcel line contiguous to a highway.

PARCEL LINE, INTERIOR SIDE means a parcel boundary, other than a front or rear parcel line, that is between two or more parcels or a lane, as illustrated in figure 2-6 or, in the case of an irregular lot, as illustrated in figure 2-7.

PARCEL LINE, REAR means the boundary of a parcel which lies the most opposite to, and is not connected to, the front parcel line, as illustrated in figure 2-6.

P ZONE means all public and institutional zones described in section 14 of this bylaw.

FIGURE 2-6: ILLUSTRATION OF PARCEL LINES

Section 2.0 Definitions

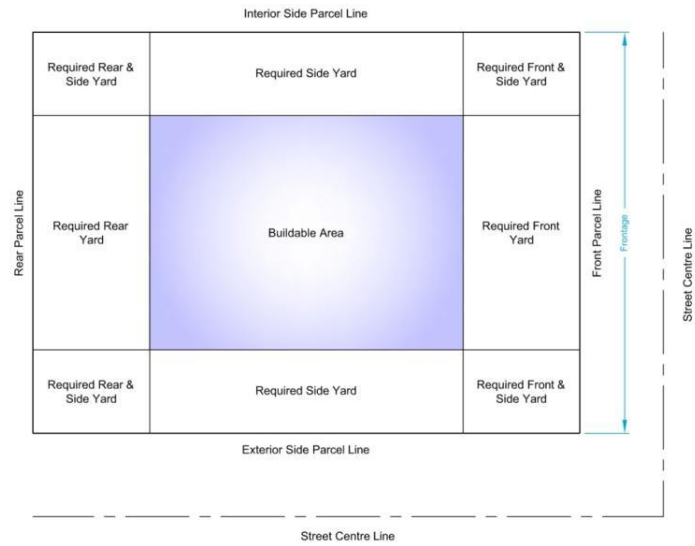
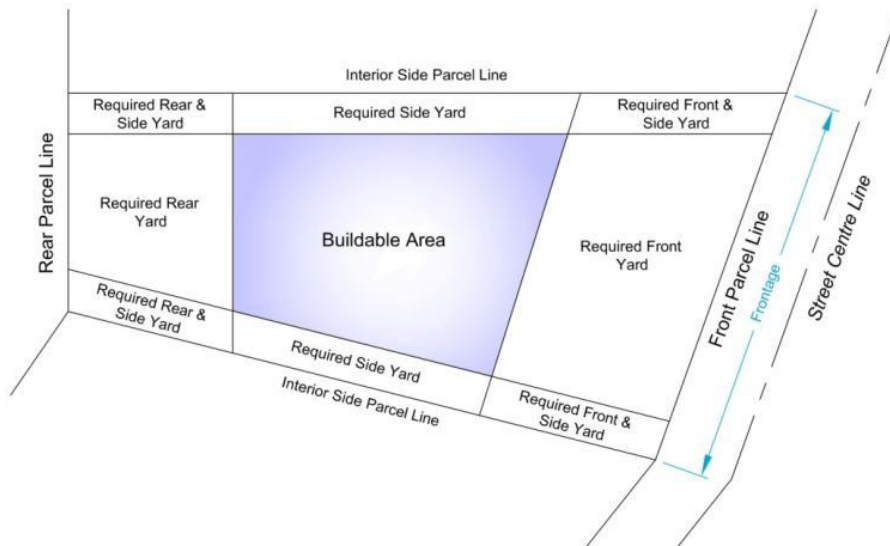


FIGURE 2-7: ILLUSTRATION OF IRREGULAR PARCEL



PARK means any public outdoor area or parcel set aside specifically for passive or active recreation. Parks include buffers, environmental protection areas, greenbelts, nature interpretation areas, playgrounds, trails, tot-lots, walkways, and similar uses.

PARKING LOT means the use of land and premises for parking of more than one vehicle by customers, employees, and the public at large.

PATIO means any solid structure meant for support of people or outdoor materials that is less than 0.6 m in height.

PERSONAL SERVICES means the provision of personal services to an individual that are related to the care and appearance of the body, or to the cleaning and repair of personal effects. Typical uses include barbershops, beauty salons, dressmakers, dry cleaning establishments and laundromats, hairdressers, shoe repair shops, and tailors.

PORCH means a roofed, open structure projecting from the exterior wall of a building with walls that are open or screened to facilitate use as an outdoor living area.

PRINCIPAL BUILDING means a building that contains floor space, the majority of which is used for the permitted principal use on a parcel.

PRINCIPAL USE means the main purpose for which the parcel, building, or structure is used.

PUBLIC UTILITIES means buildings, facilities, or equipment,—that is either owned or operated by the City or by an external body under agreement with the City to comply with a territorial or federal statute,—which furnishes services and facilities for the use of all Dawson City residents. Typical uses include, but are not limited to, landfills and waste treatment facilities, sewage treatment facilities, pump houses and stations, water treatment plants, and electrical production facilities.

R

RECREATIONAL VEHICLE means a transportable structure intended as overnight or seasonal accommodation for travel, vacation, or recreational use. Typical uses include travel trailers, motorized homes, slide-in campers, chassis-mounted campers, and tent trailers. This definition does not include mobile homes.

RECREATIONAL FACILITY means a public or private recreational facility including, but not limited to, arenas, athletic fields, driving ranges, golf courses, outdoor rinks, stadiums, and tennis courts.

RECYCLING DEPOT means a facility that buys, sorts, and/or stores bottles, cans, newspapers, and similar household goods for reuse. All storage is contained within an enclosed building or screened area. Such establishments shall not have more than four vehicles for the pick-up and delivery of goods.

RENOVATION means the repair, restoration, or alteration of a building or a structure and includes, but is not limited to, foundation leveling and strengthening. This definition does not include replacement of a building or structure.

RESIDENTIAL SECURITY UNIT means a dwelling unit that is secondary to a principal industrial or commercial use.

RETAIL STORE means premises where goods, merchandise, other materials, or personal services are offered for sale at retail to the public.

R ZONE means all residential zones described in [section 11](#) of this bylaw.

S

SEASONAL means a period of eight months or less.

SECONDARY SUITE means a self-contained dwelling unit that is located within a primary dwelling unit and is less than 40% of the total floor area of the building. A secondary suite has its own cooking, sleeping, and sanitary facilities. Both dwelling units are registered under the same land title. A secondary suite is not a duplex. See also “garden suite.”

SECONDARY USE means uses that must be in conjunction with and subordinate to a principal use. Secondary uses require development approval as a separate use unless otherwise exempted from a development permit by this bylaw.

SERVICE EFFICIENCY LINK means a connecting link that is constructed between two approved buildings and is designed for the sole purpose of allowing publicly funded institutions to share facilities in order to reduce operational costs.

SERVICE STATION means a business intended for the sale of fuel, lubricating oils, automotive fluids, car wash, and convenience store products.

SETBACK means the minimum permitted distance between a class of building, structure, or use specified in this bylaw. This definition includes a parcel line or other feature specified in this bylaw.

SHORT TERM means a period of two years or less.

SEASONAL means a period of eight months or less.

SINGLE DETACHED DWELLING means a free-standing building that contains one primary dwelling unit; this dwelling unit may or may not include a secondary suite. Single detached dwellings are constructed onsite and do not include mobile homes or modular homes. See also boarding house.

SITE references any parcel of land.

SITE DENSITY is a measure of population density calculated as the number of dwellings per total parcel or site area. If the result of a density calculation results in a fraction, maximum density will be rounded up to the next whole number.

SLEEPING UNIT means a portion of a building, whether occupied or not, used or intended to be used in a temporary accommodation such as a hotel or motel. Sleeping units may contain sleeping and sanitary facilities but shall not contain cooking facilities.

STOREY, FIRST means the bottom-level storey that has a floor level not more than 2 m above grade.

STOREY, HALF means a storey under a sloping roof. The wall plates of a half storey, on at least two opposite walls, are not more than 0.61 m above the finished floor of such a storey.

STRUCTURE means any construction fixed to, supported by, or sunk into land or water. This definition does not include concrete or asphalt paving, or similar surfacing.

T

TOWNHOUSE means a building divided into three or more dwelling units, which are located side by side under one roof, with private entrances to each dwelling from the exterior of the building. Each dwelling shares at least one common wall.

V

VARIANCE means a relaxation of the requirements specified in this bylaw as permitted by the *Yukon Municipal Act*.

VEGETATIVE BUFFER means a landscaped or natural area intended to visibly separate and screen one use from another in order to improve land use compatibility and environmental quality by reducing noise, lighting glare, and other nuisances, or to facilitate natural drainage and wildlife movement.

VEHICLE SALES AND SERVICE means the premises where motor vehicles may be repaired, equipped, parked, or stored for remuneration, sale, or display. Such premises may include vehicle washing facilities as an ancillary use. This definition excludes service stations.

VENDOR, COMMERCIAL means the carrying on of a business providing professional, personal, or other services not including the sale of food, beverages, and refreshments for immediate consumption. This definition includes the sale of arts and craft products by non-profit organizations. Commercial vendors may be dismantled and removed from the site from time to time and must follow the regulations of section 8.10 of this bylaw.

VENDOR, FOOD means a booth, stand, or vehicle that sells food, beverages, and/or refreshments for immediate consumption. Food vendors must be temporary in nature and must be able to be dismantled and removed from the site from time to time and must follow the regulations of [section](#) 8.10 of this bylaw.

VETERINARY SERVICE means the care and treatment of animals. Veterinary services primarily involve outpatient care and minor medical procedures involving hospitalization for fewer than four days. All animals shall be kept within an enclosed building.

Y

YARD means the area of setback required from a parcel line as illustrated in Figure 2-6: Illustration of Parcel Lines or, in the case of an irregular parcel, as illustrated in

Figure 2-7: Illustration of Irregular Parcel.

Z

ZERO LOT LINE means the legally defined limit in a parcel that a development may be built up to.

ZONE means an area of the City as defined in sections [10](#), [11](#), [12](#), [13](#), [14](#), and [15](#) of this bylaw.

3.0 DUTIES AND RESPONSIBILITIES

3.1 Inspection

- .1 The chief administrative officer, community development and planning officer, or other persons appointed by Council as a development approving authority, shall administer this bylaw.
- .2 Persons appointed under section 3.1 may enter any building or premises at any reasonable time to administer or enforce this bylaw.

3.2 Council

Council shall

- .1 by resolution appoint one or more development officer(s) under this bylaw
- .2 by resolution appoint the members of the Heritage Advisory Committee for terms of office, as specified under the *Heritage Advisory Committee Bylaw*
- .3 by resolution appoint the five members of the City of Dawson Board of Variance for a period of two years each. No members of the Board of Variance may be Council members
- .4 consider and decide upon all development permit applications in a heritage management area when, for heritage conservation purposes, the development projects into a required rear or side yard by more than 10% of the required rear or side yard, or exceeds maximum height, density, or floor area ratio. Council may grant a development permit provided there will be no detrimental impact on adjacent properties or the neighbourhood
- .5 consider and decide upon all development permit applications that include an encroachment upon a public roadway or right of way
- .6 consider and decide upon all applications to amend the City of Dawson *Zoning Bylaw* and *Heritage Management Plan*
- .7 consider and decide upon heritage management guidelines and design guidelines for each heritage management area
- .8 consider and decide upon all appeals to Council
- .9 consider and decide upon all development permit applications referred to Council in the case of a disagreement between the recommendations of the Heritage Advisory Committee and the opinion of the development officer. The decision of Council shall be final
- .10 initiate, consider, and decide upon a comprehensive review of this bylaw every five years
- .11 take into account terms and conditions suggested by the development officer and shall approve, approve with conditions, or reject development permits brought to its attention

3.3 Development Officers

A development officer shall

- .1 receive and review development permit applications to determine their completeness, and shall be the sole determinant of completeness in accordance with section 4.0
- .2 refer a development permit application to any City department or any federal, territorial, or other agency or body deemed appropriate by the development officer, to obtain comments on the application
- .3 consider and decide upon a development permit application for a minor alteration, and at their discretion, the development officer may refer the application to other staff or the Heritage Advisory Committee for consideration and recommendations
- .4 refer a development permit application for a major alteration to the Heritage Advisory Committee for consideration and recommendation
- .5 refer an application for a new infill development (i.e., a new building) to the Heritage Advisory Committee for consideration and recommendation
- .6 consider, in consultation with the Heritage Advisory Committee, the provision of external technical advice in the case of a major new building or major alteration. This may be requested from the Yukon Government, Parks Canada, another government agency, and/or a private sector architect or consultant
- .7 refer a development permit application to Council if the development officer does not agree with the recommendations of the Heritage Advisory Committee
- .8 consider and recommend to the Board of Variance an approval or refusal of a variance to the land use regulations governing an application
- .9 consider and decide upon, subsequent to review by the Heritage Advisory Committee, development permit applications in a heritage management area when, for heritage conservation purposes, the development projects into a required rear or side yard. The development officer may grant a development permit provided such projections do not exceed 10% of the required rear or side yard and do not detrimentally impact adjacent properties or the neighbourhood
- .10 subsequent to review by the development officer and the Heritage Advisory Committee, refer a development permit application in a heritage management area to Council for consideration, when, for heritage conservation purposes, the development projects into a required rear or side yard by more than 10% of the required rear or side yard, or exceeds maximum height, density, or floor area ratio
- .11 consider and decide upon a development permit application for only the foundation component of a permitted use inside the historic townsite, provided that the application complies with this bylaw and that an acceptable security deposit equal to 25% of the value of the foundation or the appropriate fee listed in the *Fees and Charges Bylaw* is posted
- .12 receive and review all applications for amendments to the *Zoning Bylaw* and/or *Heritage Management Plan*, and may consider such applications and recommend Council approve or refuse said application

Section 3.0 Duties and Responsibilities

- .13 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
- .14 receive submissions for and approve or reject the designs of all fences within the historic townsite
- .15 undertake other duties specified in this bylaw
- .16 where a development permit application is for a temporary, short-term, or seasonal development,
 - 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

3.4 Heritage Advisory Committee

The Heritage Advisory Committee is established pursuant to section 179(1) of the Act and shall

- .1 make recommendations to the development officer on the heritage aspects of all development permit applications referred to the committee by the development officer
 - I. In the event that the committee recommends amendments to the development permit application, the application may be referred back to the applicant for revision and the development officer, in consultation with the applicant, may determine whether the application needs to be resubmitted to the committee for another review or whether it can be considered by the development officer only.
- .2 perform other duties as may be prescribed by this bylaw
- .3 perform other responsibilities as Council may, from time to time, delegate to the committee by resolution

3.5 Board of Variance

- .1 The City of Dawson Board of Variance is hereby established pursuant to authority given in the *Yukon Municipal Act*.
- .2 The Board of Variance will hear and decide upon any applications before it in accordance with the provisions of the *Yukon Municipal Act*.

4.0 DEVELOPMENT PERMITS

4.1 Development Permit Required

- .1 Unless otherwise stated in this bylaw, no person shall commence, cause, or allow to commence any development, change of existing use, or change of intensity of use unless a development permit has been issued pursuant to the provisions of this bylaw.
- .2 Excavating, filling, and/or building a foundation is considered a development for the purposes of this bylaw.
- .3 Submission of a development permit for a structure that has been partially constructed without authority shall result in a 25% increase in the permit fee for that structure.
- .4 Submission of a development permit for a structure that has been substantially completed without authority shall result in a 50% increase in the permit fee for that structure.

4.1.1 Demolitions

- .5 Demolition of structures will only be permitted if the proposed demolition and/or replacement would improve the quality of the built environment.
- .6 All service connections must be removed before demolition begins.
- .7 An acceptable security deposit of \$1.00 per square foot of the lot under consideration shall be posted by the developer upon issuance of a development permit for a demolition in order to ensure that the intended re-development proceeds.
- .8 Demolition must be accompanied by an approved redevelopment plan to the satisfaction of the development officer.
- .9 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.

4.2 Development Permit Not Required

No development permit is required for the following, provided that such development conforms to all other provisions of this bylaw:

- .1 regular maintenance and repair of any building or structure, provided it does not include structural alterations or does not change the use or intensity of use of the land, building, or structure
- .2 regular maintenance and repair of any building or structure in the heritage management areas that meets the heritage management design guidelines
- .3 landscaping where the existing grade and surface drainage pattern is not materially altered, except when landscaping is required as part of a development permit
- .4 minor utilities, as determined by a development officer

- .5 the use of a building or part thereof as a temporary polling station, returning officer's headquarters, candidate's campaign office, and any other official temporary use in connection with a federal, territorial, or municipal election, referendum, or census
- .6 a fence, wall, or gate that does not exceed 2 m (6.6 ft.) in height and is located outside of the historic townsite
- .7 an accessory development not greater than 10 m² (107.6 ft.²) and not exceeding 2.5 m (8.2 ft.) in height
- .8 a sign located outside of the historic townsite, provided that such sign conforms to all other provisions of this bylaw
- .9 demolition of a building or structure under 10 m² (107.6 ft.²), unless designated in the Yukon Government Historic Sites Inventory

4.3 Development Permit Applications

- .1 Applications for a development permit shall be made to a development officer in writing.
- .2 Applications should, at the discretion of the development officer, include
 - I. the completed prescribed form
 - II. a letter of intent that provides a detailed description of the proposed development
 - III. the certificate of title, dated no more than 30 days prior to application date
 - IV. a letter of authorization from all property owners registered on the title and the property owner or owners' contact information
 - V. the required fee and/or deposit
 - VI. a site plan that includes
 - VII. a north arrow and scale
 - VIII. property lines shown and labeled as per the most recent legal survey
 - IX. all easements and rights of way shown and labeled
 - X. the location and labeling of all abutting streets, lanes, highways, road rights of way, sidewalks, water bodies, and vegetation
 - XI. the topography and other physical features of the subject land
 - XII. 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
 - XIII. 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
 - XIV. the location of retaining walls and fences (existing and proposed)

Section 4.0 Development Permits

- XV. the location, dimensions, and number of onsite parking areas
 - XVI. the location of loading facilities
 - XVII. the date of the plan
 - XVIII. an elevation plan that includes
 - XIX. coloured elevations of each face of the building(s)
 - XX. illustration and/or annotated description of the appearance of all fences (existing and proposed) on the site
 - XXI. a description of exterior finishing materials
 - XXII. illustration and/or annotated description of the appearance of all garbage and/or recycling enclosures
 - XXIII. the building height from grade, and the number of storeys
 - XXIV. the date of plan
 - XXV. a floor plan that includes the proposed use and dimensions of each room
- .3 For applications for activities permitted under the *Placer Mining Act*, the following shall also be submitted to the development officer:
- I. a copy of the notification (Classes 1 and 2)
 - II. for claims overlapping surface rights, proof of permission from all applicable surface rights holders (Classes 1–4)
 - III. for Tr’ondëk Hwëch’in settlement land, a Tr’ondëk Hwëch’in access notice certificate and/or land use permit (Classes 1–4)
 - IV. mining land use approval (Classes 3 and 4)
 - V. an operating plan and map (Classes 2–4)
 - VI. a water license (Class 4)
- .4 For applications for areas located in heritage management areas, the following shall also be submitted at the discretion of the development officer:
- I. the date and style of the built form
 - II. siting information
 - III. This shall include annotated drawings and/or photographs that describe the following:
 - IV. front, side, and rear setbacks
 - V. orientation
 - VI. location and dimensions of circulation or access features
 - VII. views and sightlines
 - VIII. scale information

Section 4.0 Development Permits

- IX. This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of
 - X. scale of buildings
 - XI. lot coverage (i.e., the pattern of arrangement of buildings and the size of said buildings)
 - XII. Floor-to-floor heights and their relationship to the street
 - XIII. form information
 - XIV. This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of
 - XV. the predominant form of neighbouring buildings
 - XVI. the roof form and skyline as well as ridge lines, roof slopes, chimneys, and skylights
 - XVII. the proportions and number of openings
 - XVIII. the solids-to-voids ratio
 - XIX. a description and/or list of materials and colours
 - XX. detailing
- .5 In addition to the requirements listed under sections 4.3.2 and 4.3.3 of this bylaw, the development officer may also require the following:
- I. geotechnical studies that demonstrate the soundness and suitability of the proposed development
 - II. an approved onsite sewage disposal system in areas not serviced by the City's piped sewer system
 - III. a parking and traffic study
 - IV. a landscaping plan that includes
 - V. the location of all existing and proposed landscaping, including trees, shrubs, and grasses
 - VI. any existing landscaping to be removed
 - VII. the number, size, and species of all proposed trees and shrubs
 - VIII. a surveyor's certificate to verify the location of a development
 - IX. a certificate from a qualified, registered professional engineer licensed to practice in the Yukon or architect to support the design of buildings and structures and their placement on the land
- .6 An application shall not be considered to have been received until all requirements above have been submitted to the satisfaction of a development officer.

- .7 Notwithstanding section 4.3.4, a development officer may consider an application if, in the development officer's opinion, the development is of such a nature as to enable a decision to be made on the application without the required information.

4.4 Decision Making

Decision making and appeals regarding development permits shall be undertaken in accordance with the *Yukon Municipal Act*.

- .1 Upon receipt of a complete development permit application, the development officer shall within 30 days
 - I. grant permission;
 - II. refuse permission;
 - III. grant permission with specified conditions; or
 - IV. defer making a decision on the application for a period not exceeding 60 days from the date of the application.
- .2 Within five working days after a decision on a development permit application, a development officer shall send a notice of the decision by regular mail to the applicant.

4.4.1 Permit Conditions

- .3 When issuing a permit, a development officer may impose any conditions required to ensure compliance with this bylaw.
- .4 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 off-site levy or redevelopment levy or both.
- .5 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/or other services or facilities.
- .6 A permit may be refused when it is determined by the development officer that
 - I. satisfactory arrangements have not been made for the payment and supply of water, power, sewer, and/or other services or facilities
 - II. taxes on the property associated with the permit application have not been paid
- .7 A development officer may suspend or revoke a development permit when
 - I. the applicant fails to comply with the conditions of the issuance of the permit
 - II. any person undertakes, 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

- IV. the permit was issued in error

4.4.2 Development Permit Appeals

- .8 An applicant aggrieved by the decision of the development officer under section 4.4.1 may appeal to Council within 30 days of the date of the decision.
- .9 Appeal applicants shall be limited to the original development permit applicant and landowner.
- .10 Council shall within 60 days of receipt of an appeal under this section grant permission, refuse permission, or grant permission with conditions.

4.5 Validity of Permit

- .1 When a development permit has been approved, the permit shall not be valid until the decision is issued in writing by a development officer.
- .2 When a development permit has been issued by a development officer, the permit shall not be valid until the conditions of the permit, save those of a continuing nature, have been fulfilled.
- .3 The final determination of an appeal shall validate, amend, or revoke, as the case may be, a development permit suspended under section 4.5.3.

4.6 Expiry of Permit

- .1 A development permit issued in accordance with the notice of decision is valid for a period of 12 months from the date of issue.
- .2 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.
- .3 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.

4.7 Variance

- .1 All variance appeals shall be undertaken in accordance with PART 7, DIVISION 5, VARIANCES of the *Yukon Municipal Act*.
- .2 A person may apply for a variance or exemption from the *Zoning Bylaw* to the Board of Variance if there are practical difficulties or unnecessary hardships in meeting the requirements of the *Zoning Bylaw* because of a property's exceptional narrowness, shortness, shape, topographic features, or any other unusual condition.
- .3 All variances shall be limited to parcel boundaries.
- .4 A variance shall not be approved if
 - I. the unusual condition is the result of the applicant's or the property owner's action

- II. the adjustment requested would constitute a special privilege inconsistent with the restrictions on the neighbouring properties in the same district
 - III. the variance or exemption would be contrary to the purposes and intent of the OCP or this bylaw
 - IV. the variance or exemption would injuriously affect the neighbouring properties
 - V. the variance or exemption would allow a change to a use that is not similar to a permissible use in the area
- .5 Within 30 days of receipt of an application, the Board of Variance shall approve, refuse, or approve with conditions an application that in the board's opinion meets the four tests as outlined in section 4.7.4, and preserve the purposes and intent of the Dawson City Heritage Management Plan.
- .6 Within five working days after granting a variance, a development officer shall send a notice to adjacent landowners, who may be identified in the City tax assessment roll, advising them of the variance and the right of appeal.
- I. For the purposes of this bylaw, adjacent landowners are those who are owners of land that is contiguous to a site, including land that would be contiguous if not for a public roadway, river, stream, pipeline, power line, or railway.
- .7 A decision of the Board of Variance may be appealed in accordance with section 308 of the *Yukon Municipal Act*.
- .8 If the Board of Variance is served with notice of an appeal of its decision, such notice shall suspend the permit.
- .9 A decision by Council on a variance appeal is final and binding.

5.0 SUBDIVISION PROCESS

5.1 Subdivision

- .1 Council shall not approve any application for the subdivision of any land within any zone or on any site where the parcels do not meet the minimum requirements prescribed for that zone.
 - I. At the sole discretion of Council, parcels with a pre-existing legally non-conforming use or structure may be subdivided so long as the subdivision does not increase the legally non-conforming nature of the use or structure.
- .2 Spot land applications and parcel enlargements can be approved at the sole discretion of Council and will not be approved by Council unless the application conforms to the long-term plan for those lands, as described in the OCP or other applicable approved plans.
- .3 Notwithstanding section 5.1.1, Council may approve an application for the subdivision of any land within the historic townsite into lots that do not meet the minimum site area requirements prescribed for the underlying zoning district as a heritage conservation incentive, provided
 - I. that subdivision is in keeping with the heritage integrity of the community; and
 - II. the development proposed for those lots meets the heritage management policies and guidelines of the OCP and the *Zoning Bylaw*
- .4 Prior to final approval, Council shall hold a public hearing to hear and consider all submissions respecting the proposed subdivision. The public hearing shall be held no earlier than seven days after the last date of publication of the notice.
- .5 The notice must be circulated, in a method approved by Council, once a week for two successive weeks.
 - I. Methods of notice circulation may include posting on the City website, in local newspapers, and/or on the City and Post Office Bulletin Boards, as well as sending written notification.
 - II. The notice shall
 - III. describe the area affected by the proposed subdivision
 - IV. state the date, time, and place for the public hearing respecting the proposed subdivision
 - V. include a statement of the reasons for the subdivision and an explanation of it
 - VI. Written notification letters shall be mailed prior to the public hearing to all properties within the following radii of the subject property:
 - VII. 100 m (328.1 ft.) for properties within the historic townsite
 - VIII. 1 km (3,280.1 ft.) for properties outside the historic townsite

- .6 A notification sign shall be placed on the subject property for a minimum of seven days.
 - I. The sign shall state the details of the subdivision and the date, time, and place of the public hearing, as well as the City's contact information.
 - II. The sign shall be provided by the City and shall be returned to the City on the day following the public hearing.
 - III. Signs not returned will be subject to an advertising fee equal to the replacement of the sign materials.

5.2 Site Access

- .1 All access points and boardwalk cuttings shall be located to the satisfaction of the City.
- .2 No person shall construct a driveway from a site to a public roadway if such driveway, in the opinion of the City, would create an unnecessary traffic hazard, unless there is no other practical method of vehicular access to the site.

5.3 Water and Sewer Facilities

No building, structure, or land in any zone shall be used for any purpose where such purpose requires water and/or sanitary sewer services unless,

- .1 where municipal water and/or sewer infrastructure exists, the owner or authorized agent provides a service connection to the building or structure at the property boundary; or
- .2 where no municipal services exist, the owner or authorized agent provides a private water supply and sewage disposal system approved in accordance with the authority who has jurisdiction. Proof of the approval must be provided to the development officer.

6.0 MOVING OF STRUCTURES

- .1 No person shall move a building or structure within, into, or out of the City unless a development permit has first been obtained.
- .2 When a structure is being moved off of a lot within the historic townsite, the application must be accompanied by an approved redevelopment plan 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.

Section 6.0 Moving of Structures

- .3 Moving of a structure listed in the Yukon Government Historic Sites Registry will occur only in extenuating circumstances and in consultation with both the Heritage Advisory Committee and Yukon Government Historic Sites.
- .4 No person shall move a mobile home from a location within the historic townsite to another location within the historic townsite.
- .5 A development permit is required to move a mobile home from a location within the historic townsite to a location outside the historic townsite; however, the application fee is waived.
- .6 In deciding on the moving of a building or buildings to a parcel within the City, a development officer may
 - I. refer the application to a Yukon building inspector for a recommendation confirm the structure's compliance to the National Building Code
 - II. require such renovations and alterations as may be necessary for the building to conform to the requirements of the zone into which the building is proposed to be moved, and to conform to the territorial building and plumbing codes
 - III. refuse to issue a permit if
 - IV. there are any taxes or other charges due to the City with respect to the building or the lot on which it is situated, unless arrangements satisfactory to the City's chief financial officer have been made for payment of such taxes or other charges
 - V. the building fails to conform to the requirements of this bylaw or the *Water and Sewer Bylaw*
 - VI. the building is not compatible, in the opinion of the development officer, with the character and appearance of existing buildings in the area in which the building is to be located
- .7 The development officer may require a performance bond to be posted or a certified cheque in the amount of the established cost of the required renovations or alterations pursuant to section 3.3 of this bylaw.
- .8 If the applicant and/or owner of the building fails to complete the required renovations within such time as prescribed by the development officer, the City may
 - I. use the funds posted in section 3.3 to have the required renovations completed; or
 - II. if the cost necessary for section 3.3 is in excess of those funds posted, the balance of the cost may be charged against the property as an extra levy.
- .9 All conditions of a development permit shall be satisfied within 12 months of issuance of the permit.

7.0 GENERAL REGULATIONS

This section applies to all zones established under this bylaw.

7.1 Accessory Buildings and Structures

Accessory buildings and structures are permitted in all zones provided they comply with the following regulations:

- .1 unless otherwise specified in this bylaw, accessory buildings and structures are not permitted on any parcel unless the principal building to which the building or structure is accessory has already been erected or will be erected simultaneously
- .2 accessory buildings and structures must be set back at least 3.05 m (10 ft.) from any principal building
- .3 in R zones, accessory buildings and structures may be placed in a required rear or side yard; however,
 - I. they must be set back at least 0.61 m (2 ft.) from any rear or interior side parcel line
 - II. they must be set back at least 3.05 m (10 ft.) from any exterior side parcel line
 - III. where an accessory building or structure is a garage, it must be set back at least 1.52 m (5 ft.) from any interior side parcel lines.
 - IV. gardens and greenhouses may be located in a front yard
- .4 in all R zones, C zones, and P zones the combined area of all accessory buildings, excluding detached secondary suites, must not exceed
 - I. 10% parcel coverage for parcels in the historic townsite
 - II. 20% parcel coverage for parcels outside the historic townsite.
- .5 in all R zones and C zones, an accessory building must not exceed
 - I. 10% parcel coverage for parcels in the historic townsite
 - II. 20% parcel coverage for parcels outside the historic townsite.
- .6 An accessory building must not be used as a dwelling or sleeping unit unless permitted as a garden suite.

7.2 Easements and Rights of Way

In addition to the regulations contained in this bylaw, buildings and structures must respect all other property encumbrances, such as easements and rights of way.

7.3 Fences and Screening

- .1 In all zones, fences are permitted in required front, rear, or side yards.
- .2 In any R zone, a fence must

Section 7.0 General Regulations

- I. not exceed a height of 1.22 m (4 ft.) in any required front yard
 - II. not exceed a height of 1.83 m (6 ft.) in any area, including any required side or rear yard but excluding the required front yard
- .3 All exterior storage of goods, material, and equipment in any C zone must
 - I. be located to the rear or side of the principal building
 - II. be screened from view from any public roadway other than a lane and from adjacent sites in an R zone by fences, berms, landscape materials, or a combination of these to the satisfaction of the development officer
 - III. not exceed a height of 1.83 m (6 ft.) above grade
- .4 Exterior storage or display of goods, material, and equipment in the M1 zone must
 - I. be screened from view from any public roadway other than a lane and from adjoining sites not in an M1 zone by fences, berms, landscape materials, or a combination of these to the satisfaction of the development officer
 - II. not exceed a height of 2.43 m (8 ft.) above grade.
- .5 Junkyards and automobile wrecking yards shall be completely enclosed by
 - I. a 2.43 m (8 ft.) tall solid wooden fence;
 - II. a 2.43 m (8 ft.) tall chain link fence with continuous hedging; or
 - III. other screening to the satisfaction of the development officer.

7.4 Height Exceptions

The maximum height regulations of this bylaw do not apply to the following:

- .1 chimneystacks
- .2 elevator housings
- .3 flagpoles
- .4 parapet walls
- .5 roof stairway entrances
- .6 skylights
- .7 steeples
- .8 HVAC equipment
- .9 any other item deemed by the development officer to be of a similar nature to those noted above

7.5 Heritage

The heritage of Dawson City and its region shall be managed in accordance with Appendix "A" of this bylaw and by the Dawson City Heritage Management Plan (March 2008) adopted by Council, or any successor legislation.

7.6 Location and Siting

No building or structure is permitted in a required front, rear, or side yard unless otherwise specified in this bylaw.

7.7 Principal Buildings

No more than one principal building is permitted per parcel unless otherwise specified in this bylaw.

7.8 Setback Exceptions

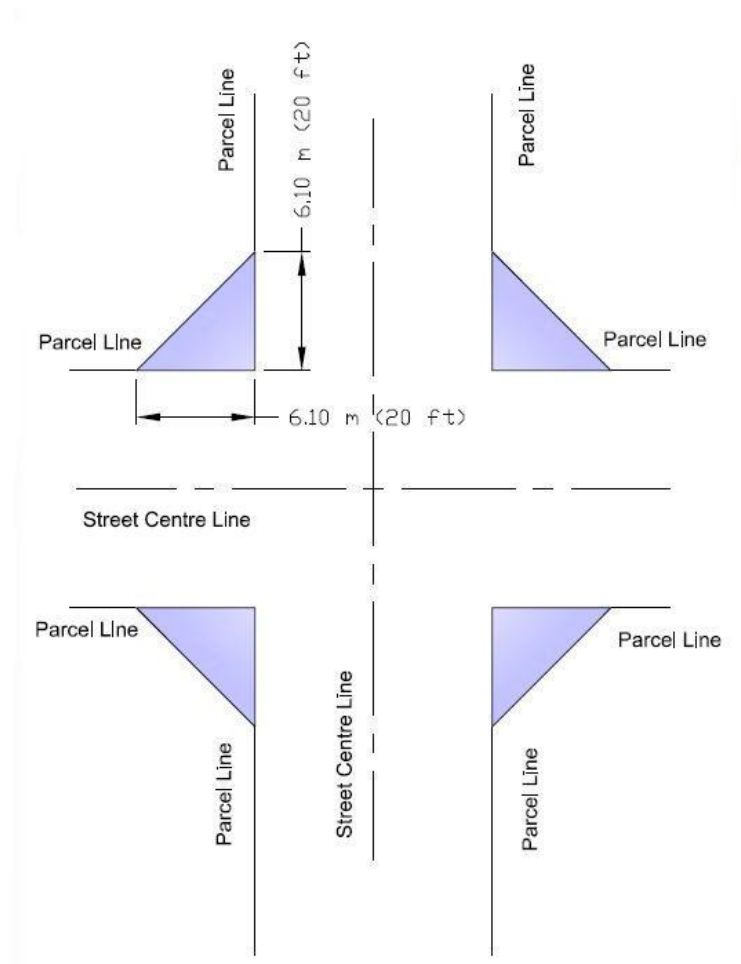
The front, side, and rear yard setback regulations of this bylaw do not apply to the following:

- .1 chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, or other similar features, provided that such projections do not exceed 0.61 m (2 ft.)
- .2 steps, eaves, canopies, decorative overhangs, balconies, or porches, provided that they
 - I. do not project more than 1.22 m (4 ft.) into a required front, rear, or exterior side yard
 - II. do not project more than 0.61 m (2 ft.) into a required interior side yard
- .3 steps, ramps, or boardwalks required for safe access to a permitted primary or accessory structure due to parcel grade
- .4 uncovered patios, sun decks, or terraces, provided that they
 - I. meet any fence height requirements of this bylaw
 - II. do not project more than 2.44 m (8 ft.) into a required front yard
- .5 any feature that the development officer approves for heritage conservation purposes, provided that it does not occupy more than 10% of the area required for the rear or side yard
- .6 a service efficiency link in the P2 zone may be allowed by decision of Council when
 - I. the service efficiency link has been approved by the owners of the linked buildings
 - II. the applicant has identified the nature of the reduced operational costs created by the service efficiency link
 - III. the identified reduced operational costs are in the public interest

7.9 Visibility at Intersections

No landscaping, screening, building, or structure shall be planted or erected at a height greater than 0.91 m (3 ft.) above the established grade within the shaded space, as illustrated in [figure 7-1](#). This shaded space spans 6.10 m (20 ft.) in either direction from the corner of a parcel.

FIGURE 7-1 ILLUSTRATION OF SIGHT TRIANGLE



8.0 SPECIFIC USE REGULATIONS

8.1 Bed and Breakfasts

Where permitted, bed and breakfasts must meet all the requirements of all other relevant municipal bylaws.

8.2 Childcare Centres and Family Day Homes

- .1 Childcare centres and family day homes shall provide documentation demonstrating that they are compliant with all appropriate federal and/or territorial legislation.
- .2 Family day homes shall follow the regulations for home occupations.
- .3 Childcare centres and family day homes are not permitted in multi-unit residential dwelling units.
- .4 Childcare centres are not permitted in duplexes.

8.3 Home Industries

Where permitted, home industries must comply with the following regulations:

- .1 a home industry is an accessory use that must only be conducted within the principal residential building and within up to one accessory building
- .2 the home industry must not occupy more than 74.3 m² (800 ft.²) of the dwelling unit or 25% of the total floor area of the dwelling unit, whichever is less
- .3 The combined floor area of accessory buildings used for home industry must not exceed 185.8 m² (2,000 ft.²).
- .4 except in the front yard setback, exterior storage of materials associated with the home industry shall be permitted, provided that storage areas do not exceed 92.9 m² (1,000 ft.²) and are enclosed by a privacy fence or landscaped screen to ensure that the stored materials are not visible beyond the property line.
- .5 an exterior storage area must be set back at least 4.57 m (15 ft.) from any parcel line.
- .6 a home industry
 - I. must not create a hazardous or dangerous condition for the neighbourhood or the environment
 - II. must not generate traffic congestion or parking problems for the City or the immediate neighbourhood
 - III. must not produce odour, smoke, dust, or fumes beyond the property line
 - IV. must not involve materials or products that produce flammable or explosive vapours or gasses under normal Dawson City temperature ranges
 - V. must not produce interference with radio, television, telephone, or other electronic or communications devices beyond the parcel line of the parcel on which the home industry is located

- .7 no home industry may be used for the salvage or storage of derelict vehicles and equipment, used buildings, domestic products, and/or similar discarded materials
- .8 retail sales shall not be permitted in a home industry except for
 - I. products incidental to a service being provided
 - II. mail order sales
 - III. telephone sales, online sales, or other types of sales where the customer does not enter the premises to inspect or pick up goods
 - IV. direct distributorships where customers do not enter the premises to inspect, purchase, or pick up goods
 - V. products produced on the site

8.4 Home Occupations

Where permitted, home occupations must comply with the following regulations:

- .1 the home occupation must be considered a secondary use to the principal use of the building or site
- .2 other than a duly authorized sign, no exterior evidence of a home occupation is permitted to be visible on the site on which the home occupation is located
 - I. For the purposes of this section, the presence of a garden and/or greenhouse shall not be deemed to be exterior evidence of a home occupation.
- .3 no exterior storage of materials associated with a home occupation is permitted
- .4 there shall be no manner of use or noise of an offensive or objectionable nature to interfere with the peaceful and quiet enjoyment of neighbouring properties.

8.5 Gardens and Greenhouses

Gardens and greenhouses are permitted as an accessory use in all zones, provided that they comply with all regulations for accessory buildings and structures laid out in this bylaw.

8.6 Parks and Natural Space

Any development of a permitted P1 use must comply with all setbacks for the zoning in which it is being developed.

8.7 Public Utilities

- .1 Public utility facilities for the distribution of water, sewage, electrical power, telephone, cable television, and other similar services are permitted in all zones.
 - I. This does not include sewage treatment plants, lagoons, or electrical substations.
- .2 Permanent electrical power is permitted only if it is required to support an approved, permanent use on a parcel.

- .3 Individual parcels for public utility facilities are exempt from minimum parcel area requirements.
- .4 All changes and new installations of a public utility must have a valid development permit.

8.8 Secondary and Garden Suites

Where permitted, secondary and garden suites must comply with the following regulations:

- .1 a secondary suite is only permitted within a single detached dwelling
- .2 a garden suite is only permitted within an accessory building on the same parcel as a single detached dwelling
- .3 no more than one secondary suite is permitted per principal single detached dwelling
- .4 a garden suite is not permitted on the same parcel as a property with a secondary suite
- .5 one additional parking space must be provided on the parcel for the secondary or garden suite, in addition to the parking required for the single detached dwelling
- .6 a secondary or garden suite is not permitted in conjunction with the operation of a bed and breakfast in the principal single detached dwelling
- .7 a secondary or garden suite must have a minimum floor area of 23.8 m² (256 ft.²)
- .8 at the discretion of the development approving authority, a garden suite may be constructed prior to a single detached dwelling, subject to the following criteria:
 - I. garden suites are to be constructed in accessory buildings only; as such, a development permit that shows details for both the primary and accessory building must be submitted and approved
 - II. the development permit must include a time limit that dictates how long the garden suite can exist without the construction of the primary building (single detached dwelling).
 - III. the placement of the garden suite must allow for sufficient space to construct the primary dwelling
 - IV. the garden suite must meet all other regulations for a primary dwelling as a stand-alone structure

8.9 Service Stations

Where permitted, service stations must conform to the following provisions:

- .1 pump island storage tanks and related appurtenances must meet the requirements of all relevant federal and territorial legislation
- .2 all repair equipment shall be kept, and all repair work shall be done, entirely within the building or in the maintenance yard
- .3 all exterior lighting must deflect away from adjacent parcels
- .4 a minimum 1.83 m (6 ft.) fence must be provided on all property lines separating the parcel from any abutting R zone.

8.10 Vendors

Vendors include both commercial and food vendors. These uses are intended to be short-term or seasonal in nature and may be dismantled and removed from the site from time to time.

- .1 Vendors shall be responsible for
 - I. complying with all statutes, regulations, and bylaws whether federal, territorial, or municipal
 - II. obtaining all licenses and permits required at the vendor's own expense
 - III. the supply and maintenance of garbage receptacles and disposal of garbage to an approved disposal site
 - IV. maintaining the lands in the vicinity of their operation in a clean, litter-free, and tidy state
 - V. not interfering with the quiet use and enjoyment of the surrounding areas by the public
 - VI. supplying proof of valid public liability insurance when located on lands owned by the City.
- .2 Each vendor shall apply to the City for permission to operate using a temporary development permit. Each application shall
 - I. specify the type and nature of the proposed business
 - II. include a sketch showing their desired location
 - III. The required sketch shall have dimensions and show the proposed site in relation to existing developments in the area.
 - IV. obtain the signature of the land owner as an indication of permission to occupy the space allocated
- .3 Upon receipt of a temporary development permit to create a vendor stall, the City shall
 - I. review each application
 - II. request any additional information deemed necessary by the City
 - III. approve, approve with conditions, or refuse the application
- .4 Any non-mobile activity involving the construction of a temporary structure shall be required to obtain a temporary development permit.
- .5 Vendors shall be limited to
 - I. a mobile refreshment stand completely contained within a trailer, a motorized vehicle, a bicycle, a push-cart, an approved container, or some other non-mechanized means;
 - II. a temporary commercial operation completely contained within a trailer, a

motorized vehicle, a bicycle, a push-cart, an approved container, or some other non-mechanized means.

- .6 Vendors shall not be permitted anywhere other than the site specified in the City's approval.
- .7 Temporary electrical hook-up shall be allowed, subject to the vendor stall meeting all applicable codes and regulations.
- .8 The City may inspect any temporary vendor facility to ensure compliance with this policy. If non-compliance is found, the City has the right to revoke the approval for such use. Ongoing operation of a temporary vendor permit shall not be inferred as a right or entitlement.

9.0 PARKING AND LOADING

9.1 Existing Building and Structures

No off-street parking requirements contained in this section shall apply to buildings, structures, or uses existing on the effective date of this bylaw except the following:

- .1 off-street parking shall be provided and maintained in accordance with this section for any addition to such existing buildings or structures, or any change or addition to such use
- .2 off-street parking existing on the effective date of this bylaw shall not be reduced below the applicable off-street parking requirements of this section

9.2 Required Number of Parking and Loading Spaces

- .1 The number of off-street parking spaces required for a class of building is calculated according to table 9-1, in which the first column sets out the class of building and the second column sets out the number of required off-street parking spaces that are to be provided for each class of building in the first column.
- .2 The number of off-street loading spaces required for a class of building is calculated according to table 9-2, in which the first column sets out the class of building and the second column sets out the number of required off-street loading spaces that are to be provided for each class of building in the first column.
- .3 When the calculation of the required off-street parking spaces or loading spaces results in a fraction, the calculation shall be rounded up.
- .4 When seating accommodation, including benches, pews, booths, or seating of a similar nature, is the basis for a unit of measurement under this section, each 0.46 m (1.5 ft.) of width of such seating shall be deemed to be one seat.
- .5 Except where cash in lieu is provided in accordance with City bylaws, the required off-street parking and loading spaces shall be located on the same parcel as the building they serve or on a separate lot within 152.4 m (500 ft.) of the building.

TABLE 9-1 REQUIRED OFF-STREET PARKING SPACES

Use	Required Parking Spaces
Residential uses	
Single detached and duplex dwelling (4 bedrooms or less)	1 per dwelling unit
Single detached and duplex dwelling (over 4 bedrooms)	2 per dwelling unit and 1 per additional bedroom over 4
Multi-unit residential	1 per dwelling unit
Bed and breakfast	1 per 2 bedrooms available for rent (in addition to the space required for the residential use)
Secondary suite or garden suite	1 per suite
Institutional uses	
Hospital	1 per 100 m ² (1076.4 ft. ²) of floor area
School	1 per classroom
Place of public assembly, including arena, assembly halls, auditorium, club, lodge and fraternal building, community centre, convention hall, funeral parlour and undertaking establishment, gymnasium, meeting hall, or theatre	1 per 8 seats
Recreational use, including curling rink	1 per 3.5 seats
Museum and public library	1 per 50 m ² (538.2 ft. ²) of floor area
Commercial uses	
Bank, administrative, or professional office	1 per 100 m ² (1,076.4 ft. ²) of floor area
Medical or dental office or clinic	1 per 100 m ² (1,076.4 ft. ²) of floor area
Retail store, personal service establishment, shopping centre, department store, and supermarket	1.5 per 100 m ² (1,076.4 ft. ²) of floor area
Furniture and appliance sales, automobile and boat sales	1 per 150 m ² (1,614.6 ft. ²) of floor area
Restaurant or eating establishment, lunch counter, diner, beer parlour, cocktail lounge, bar, or other similar establishment for the sale and consumption of food or beverages on the premises	1 per 8 seats
Hotel	1 per every 4 dwelling or sleeping unit with bus stall 1 per every 2 dwelling or sleeping unit without bus stall
Motel	1 per dwelling or sleeping unit
Lodging facility, non-permanent or permanent	1 per dwelling or sleeping unit
Billiard and pool hall	1 per playing table
Bowling alley	2 per alley
Laundromat	1 per 4 washing machines

Use	Required Parking Spaces
Campground	1 per camping site plus 1 space for the operator
Industrial uses	
Contractor or public works yard	1 per 150 m ² (1,614.6 ft. ²) of floor area
Machinery sales and repair	1 per 150 m ² (1,614.6 ft. ²) of floor area
Warehousing or storage	1 per 150 m ² (1,614.6 ft. ²) of floor area
Tire repair	1 per 150 m ² (1,614.6 ft. ²) of floor area plus 1 per service bay
Manufacturing and industrial	1 per 150 m ² (1,614.6 ft. ²) of floor area
Contractor or public works yard	1 per 150 m ² (1,614.6 ft. ²) of floor area
Machinery sales and repair	1 per 150 m ² (1,614.6 ft. ²) of floor area

TABLE 9-2 REQUIRED OFF-STREET LOADING SPACES

Class of Building	Required Loading Spaces
Retail store, manufacturing, fabricating, processing, warehousing and wholesaling establishment	
i. Less than 2,000 m ² (21,527.8 ft. ²) in floor area	1
ii. 2,000 to 4,000 m ² in floor area	2
iii. Greater than 4,000 m ² in floor area	3

9.3 Cash in Lieu of Onsite Parking and Loading

- .1 Where the requirements for parking space cannot be met, the owner and the City may enter into an agreement to provide cash in lieu of onsite parking.
- .2 Council shall establish each year the value of one onsite parking stall and one onsite loading space. In establishing the value, Council shall consider the cost of providing such a parking or loading space, including the cost of replacement land and improvements.

9.4 Dimensions and Access to Parking and Loading Spaces

- .1 Each off-street parking space required by this bylaw shall not be less than 2.74 m (9 ft.) wide or 6.10 m (20 ft.) long, or have a vertical clearance less than 2.29 m (7.5 ft.).
- .2 Loading and unloading spaces shall be of adequate size as determined by the development officer, and will have an access that accommodates the types of

Section 9.0 Parking and Loading

vehicles that will be loading and unloading without those vehicles projecting into a public roadway.

- I. In no case shall the space be less than 28 m² (301.4 ft.²) or less than 2.59 m (8.5 ft.) wide or have less than 3.81 m (12.5 ft.) overhead clearance.
- .3 Where a parcel is adjacent to a rear lane, access to the internal aisle providing access to the parking or loading spaces shall be via the rear lane.
- .4 Where a bus stall is provided it shall be clearly marked "Buses" and that parking stall shall be not less than 3.3 m (10.8 ft.) wide or 14.3 m (47 ft.) long or have a clearance of less than 3.3 m (10.8 ft.).

10.0 SIGNS

- .1 No signs shall be erected within the City except those provided for in this bylaw.
- .2 Unless exempted under [section](#) 4.2, the erection, display, alteration, replacement, or relocation of a sign requires a development permit.
- .3 Signs shall be of either a fixed, free-standing, or projecting type and shall conform to the requirements listed in the following schedule:

TABLE 10-1 SIGN REGULATIONS

Signs	Max. Size		Permitted Type
	(m ²)	(ft. ²)	
Home occupation	0.18	(1.9)	Fixed or free standing
Home identification	0.18	(1.9)	Fixed or free standing
Bed and breakfast	0.63	(6.8)	Fixed or free standing
Community activity	0.54	(5.8)	Fixed or free standing
Prohibition	0.54	(5.8)	Fixed or free standing
Directional	0.54	(5.8)	Free standing
Directory	5.76	(62)	Free standing except RS, RT
Public building	2.8	(30.1)	Fixed or free standing
Advertising	14.4	(155)	Fixed or free standing or projecting
Banners	14.4	(155)	
Traffic control	5.76	(62)	Fixed or free standing or projecting

- .4 Signage lettering must reflect heritage design guidelines if it is located in the historic townsite.
- .5 Prior to erection all fixed, free-standing, or projecting types of signs shall be approved by the development officer.
- .6 No sign shall be erected that, in the opinion of Council, interferes with traffic or the visibility of a traffic control device.
- .7 No free-standing sign may exceed the maximum permissible height for an accessory structure in the zone in which the sign is located.
- .8 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.
- .9 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.
- .10 Notwithstanding sections 9.1 through 9.6 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.
- .11 Notwithstanding sections 9.1 through 9.6 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.

11.0 RESIDENTIAL ZONES

11.1 R1 Zone (Single Detached and Duplex Residential)

The purpose of the R1 zone is to permit single detached and duplex dwellings.

11.1.1 Permitted Uses

The following use(s) are permitted in the R1 zone:

- .2 accessory building or structure
- .3 bed and breakfast
- .4 boarding house
- .5 duplex
- .6 family day home
- .7 garden suite
- .8 home occupation
- .9 modular home
- .10 secondary suite
- .11 single detached dwelling

11.1.2 Zone-Specific Regulations

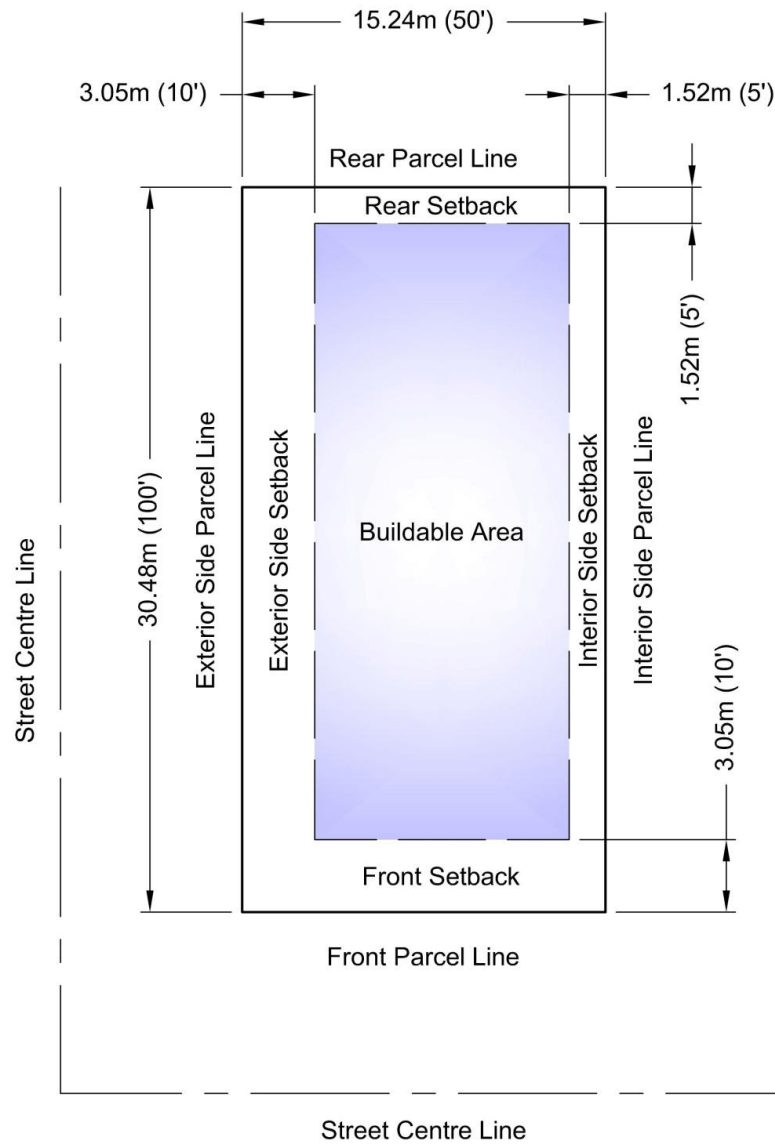
On a parcel located in an area zoned R1, no plan of subdivision shall be approved and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in table 11-1, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.

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.)
Maximum parcel coverage	50%	
Minimum floor area of primary dwelling unit	23.8 m ²	(256 ft. ²)
Maximum height for		

Column 1	Column 2	
• principal building	10.67 m	(35 ft.)
• accessory building	6.10 m	(20 ft.)

FIGURE 11-2 R1 ZONE MINIMUM PARCEL REQUIREMENTS



11.2 R2 Zone (Multi-Unit Residential)

The purpose of the R2 zone is to permit multi-unit residential development in appropriate locations.

11.2.1 Permitted Uses

The following use(s) are permitted in the R2 zone:

- .2 accessory building or structure
- .3 apartment
- .4 home occupation
- .5 multi-unit residential
- .6 parking lot
- .7 townhouse

11.2.2 Zone-Specific Regulations

On a parcel located in an area zoned R2, no plan of subdivision shall be approved 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.

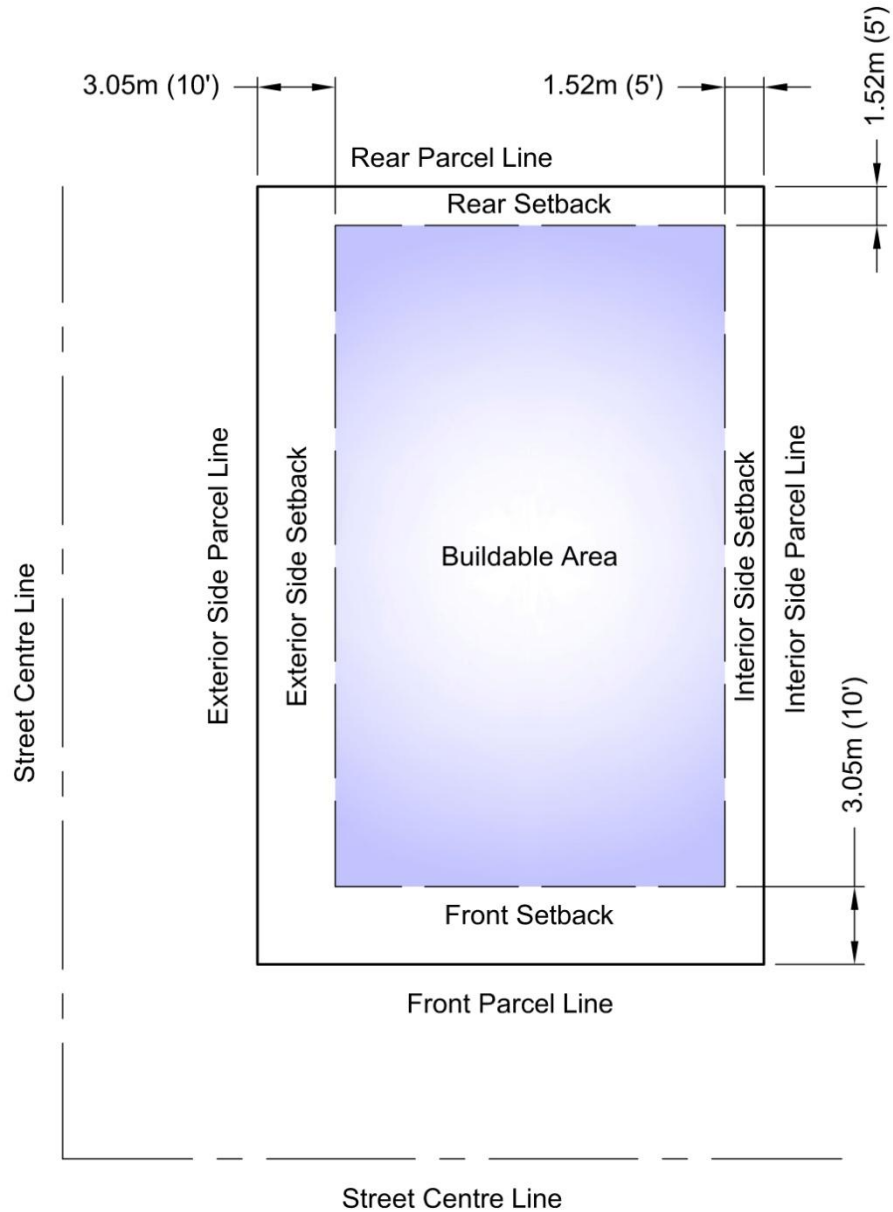
TABLE 11-3: R2 ZONE MINIMUM PARCEL REQUIREMENTS

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.)
Maximum height for		
principal building	10.67 m	(35 ft.)
accessory building	6.10 m	(20 ft.)

11.2.3 Other Zone-Specific Regulations

- .8 Each dwelling unit containing two or more bedrooms must be provided with not less than 37.2 m² (400 ft.²) of recreational space onsite, either collectively or separately.

FIGURE 11-4 R2 ZONE MINIMUM PARCEL REQUIREMENTS



11.3 R3 Zone (Country Residential)

The purpose of the R3 zone is to permit low-density single detached housing in a rural setting.

11.3.1 Permitted Uses

The following use(s) are permitted in the R3 zone:

- .2 accessory building or structure
- .3 bed and breakfast
- .4 garden suite
- .5 home industry
- .6 home occupation
- .7 modular home
- .8 secondary suite
- .9 single detached dwelling

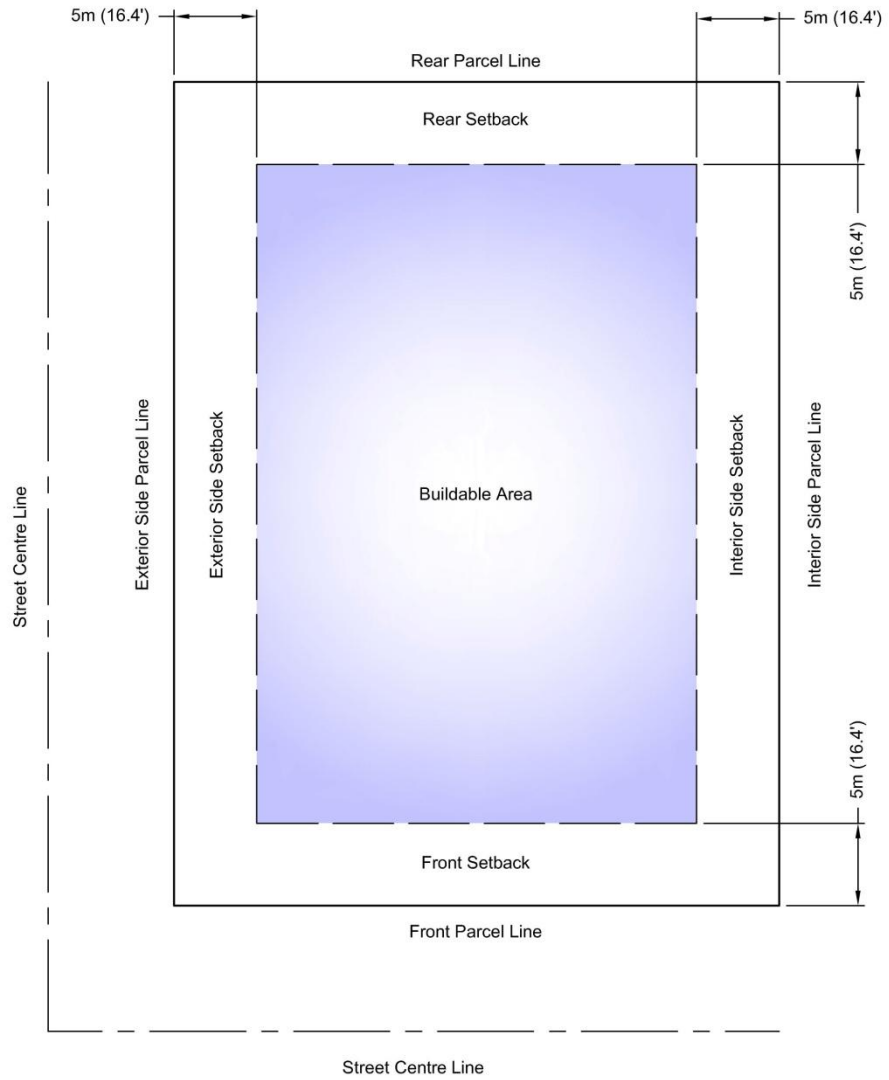
11.3.2 Zone-Specific Regulations

On a parcel located in an area zoned R3, no plan of subdivision shall be approved 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.

TABLE 11-3: R3 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	
Minimum parcel size	0.40 ha	(1 acre)
Maximum parcel size	1.6 ha	(4 acres)
Minimum setback of buildings from		
front parcel line	5.00 m	(16.4 ft.)
interior side parcel line	5.00 m	(16.4 ft.)
accessory building	5.00 m	(16.4 ft.)
exterior side parcel line	5.00 m	(16.4 ft.)
rear	5.00 m	(16.4 ft.)
Minimum floor area of primary dwelling unit	83.6 m ²	(900 ft. ²)
Maximum height for		
principal building	10.67 m	(35 ft.)
accessory building	6.10 m	(20 ft.)

FIGURE 11-5 R3 ZONE MINIMUM PARCEL REQUIREMENTS



12.0 COMMERCIAL ZONES

12.1 C1 Zone (Core Commercial)

The purpose of the C1 zone is to permit a mixture of commercial and residential uses and to promote a vibrant commercial core.

12.1.1 Permitted Uses

The following use(s) are permitted in the C1 zone:

- .2 accessory building or structures
- .3 alcohol sales
- .4 amusement establishment
- .5 broadcasting and recording
- .6 cannabis retail services
- .7 childcare centre
- .8 commercial and residential mixed use
- .9 commercial school
- .10 contractor services
- .11 convenience store
- .12 eating and drinking establishment
- .13 exhibition and convention facility
- .14 flea market
- .15 fleet services
- .16 garden centre
- .17 greenhouse
- .18 home occupation
- .19 hotel
- .20 household repair services
- .21 mixed-use development
- .22 multi-unit residential
- .23 motel
- .24 offices
- .25 office support services
- .26 parking lot
- .27 recreation facilities
- .28 recycling depot
- .29 retail store
- .30 vendor, commercial
- .31 vendor, food
- .32 veterinary service

12.1.2 Zone-Specific Regulations

On a parcel located in an area zoned C1, no plan of subdivision shall be approved 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.

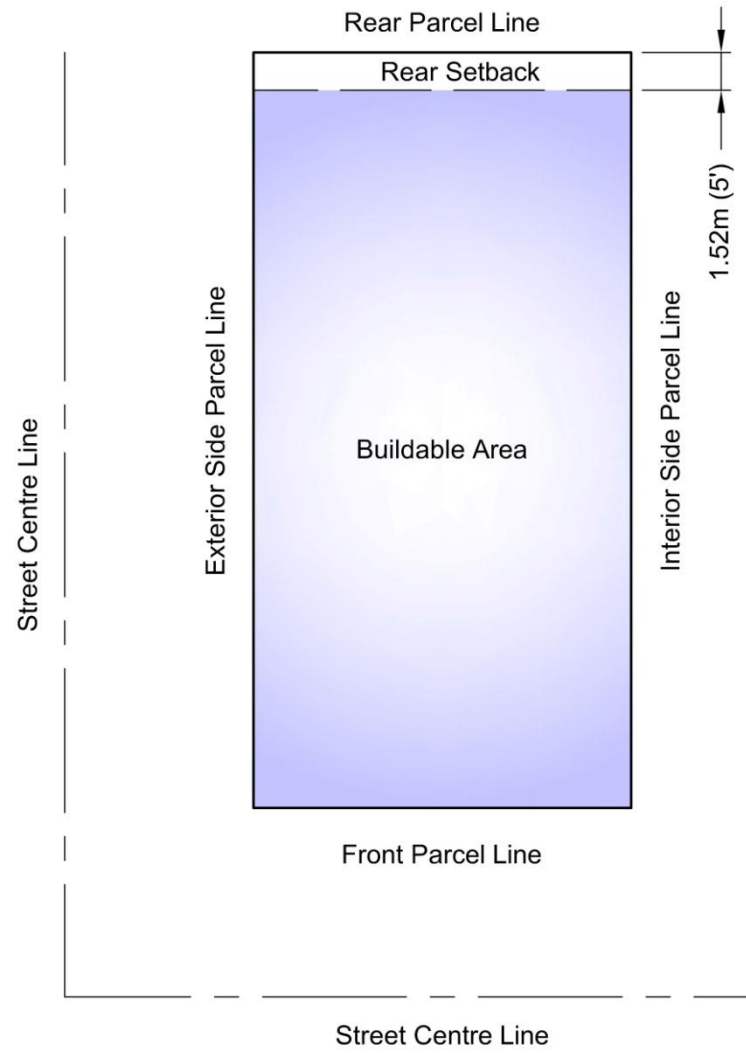
TABLE 12-1: C1 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	
Minimum floor area of dwelling unit	23.8 m ²	(256 ft. ²)
Minimum parcel size	464.5 m ²	(5,000 ft. ²)
Minimum setback of buildings from front parcel line	0 m	(0 ft.)
interior side parcel line	0 m	(0 ft.)
accessory building	0 m	(0 ft.)
exterior side parcel line	1.52 m	(5 ft.)
rear	0 m	(0 ft.)
Maximum floor area ratio (FAR)	3	
Minimum building height	13.72m	(45 ft.)

12.1.3 Other Zone-Specific Regulations

- .33 Off-street parking provisions shall be in accordance with the requirements of [section 9.0](#) of this bylaw except in the following circumstances:
- I. When the requirements for parking space cannot be met, the owner and the City may enter into an agreement to
 - II. provide the required parking space in a communal or public parking lot
 - III. allow the owner to provide cash in lieu to the City in an amount as per the *Fees and Charges Bylaw*, enabling the City to provide an equivalent number of required off-street parking stalls in the core commercial district as a parking, non-accessory use.

FIGURE 12-2 C1 ZONE MINIMUM PARCEL REQUIREMENTS



12.2 C2 Zone (Commercial Mixed Use)

The purpose of the C2 zone is to permit a wide range of commercial uses that provide service to local industry and/or highway tourism and service needs. Permitted residential uses in this district are secondary to the principal commercial use.

12.2.1 Permitted Uses

The following use(s) are permitted in the C2 zone:

- .2 accessory building or structure
- .3 auctioneering
- .4 bed and breakfast
- .5 campground
- .6 commercial storage
- .7 contractor services
- .8 convenience store
- .9 eating and drinking establishment
- .10 equipment sales, rentals, and service
- .11 family day home
- .12 flea market
- .13 fleet service
- .14 garden centre
- .15 garden suite
- .16 greenhouse
- .17 home industry
- .18 home occupation
- .19 household repair service
- .20 lodging facility, permanent
- .21 lodging facility, non-permanent
- .22 manufacturing
- .23 modular home
- .24 motel
- .25 outside storage
- .26 residential security unit
- .27 retail store
- .28 secondary suite
- .29 service station
- .30 single detached dwelling
- .31 vehicle sales, rentals, and service
- .32 vendor, food

12.2.2 Zone-Specific Regulations

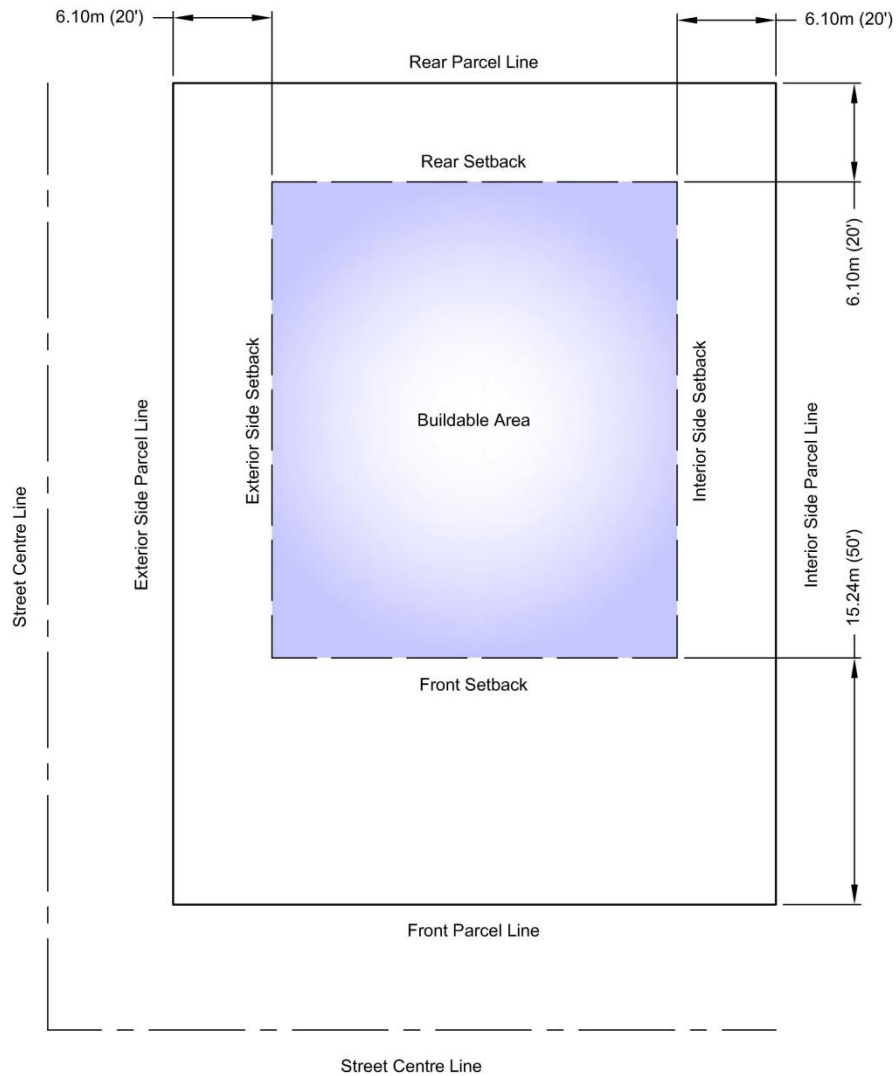
- .33 On a parcel located in an area zoned C2, no plan of subdivision shall be approved and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2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

TABLE 12-3: C2 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	
Maximum number of dwelling units	1 per parcel	
Minimum parcel size	0.4 ha	(1 acre)
Minimum setback of buildings from		
front parcel line	15.24 m	(50 ft.)
interior side parcel line	6.10 m	(20 ft.)
accessory building	6.10 m	(20 ft.)
exterior side parcel line	6.10 m	(20 ft.)
rear	6.10 m	(20 ft.)
Maximum parcel coverage	60%	
Minimum building height	10.67 m	(35 ft.)

- .34 The development regulations for the R1 Zone shall apply to the development of single family detached dwellings.

FIGURE 12-4 C2 ZONE MINIMUM PARCEL REQUIREMENTS



13.0 INDUSTRIAL ZONES

13.1 M1 Zone (Industrial)

The purpose of the M1 zone is to permit industrial activities that provide industrial services, light manufacturing, warehousing, and storage. Permitted residential uses in this district are secondary to the principal industrial use.

13.1.1 Permitted Uses

The following use(s) are permitted in the M1 zone:

- .2 accessory building or structure
- .3 broadcasting and recording
- .4 bulk fuel facility
- .5 commercial storage
- .6 contractor services
- .7 exterior storage
- .8 equipment sales, rentals, and service
- .9 fleet services
- .10 funeral services
- .11 garden centre
- .12 greenhouse
- .13 heavy equipment storage
- .14 junkyard
- .15 manufacturing
- .16 natural resource development
- .17 offices
- .18 office support services
- .19 processing of raw materials
- .20 recycling depot
- .21 residential security unit
- .22 service station
- .23 vehicle sales, rentals, and service
- .24 vendor, food
- .25 veterinary service

13.1.2 Secondary Use

- .26 Single detached dwelling
- .27 Lodging facility, permanent
- .28 Lodging facility, non-permanent

13.1.3 Zone-Specific Regulations

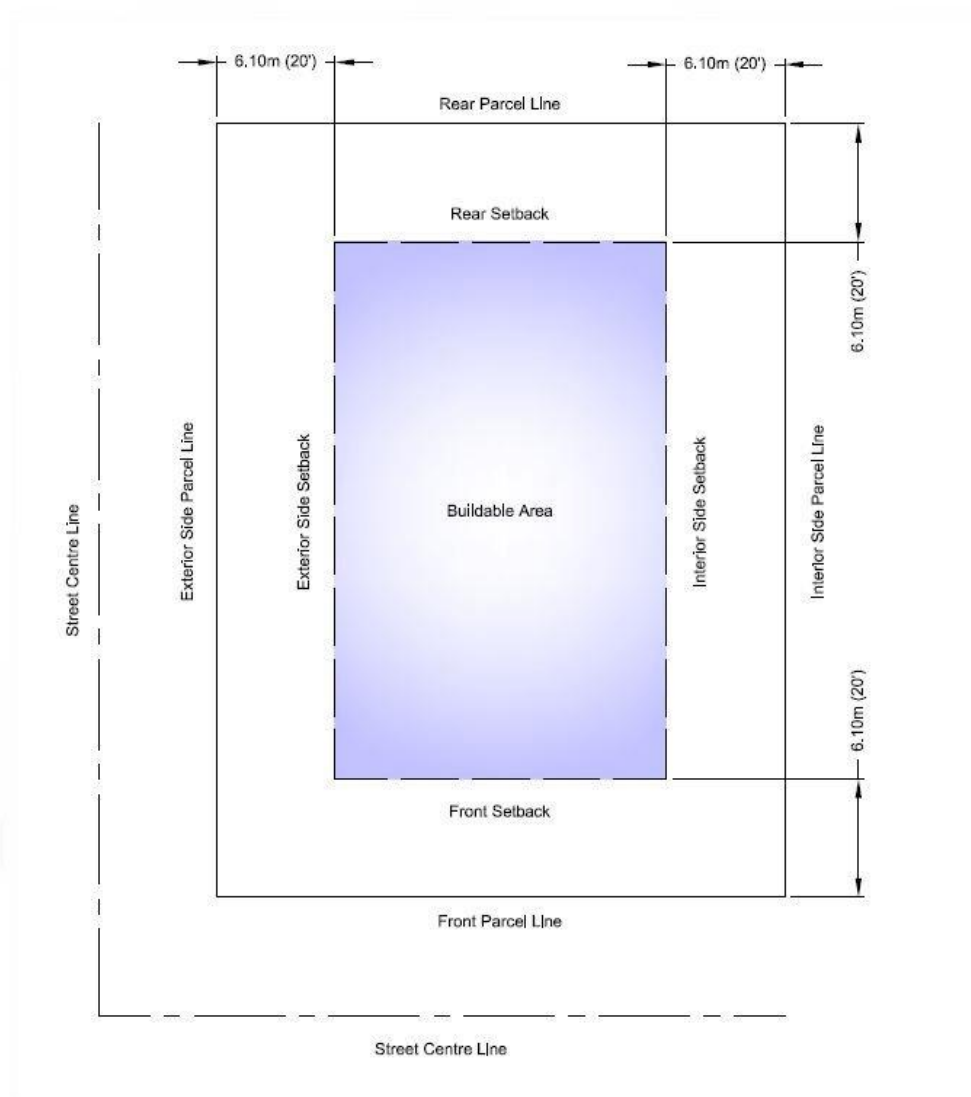
- .29 On a parcel located in an area zoned M1, no plan of subdivision shall be approved and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2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

TABLE 13-1: M1 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	
Minimum parcel size	0.4 ha	(1 acre)
Minimum setback of buildings from front parcel line	6.10 m	(20 ft.)
interior side parcel line	6.10 m	(20 ft.)
accessory building	6.10 m	(20 ft.)
exterior side parcel line	6.10 m	(20 ft.)
rear	6.10 m	(20 ft.)
Minimum setback of building from interior and rear parcel lines when they abut an R zone	15.24 m	(50 ft.)
Maximum building height	10.67 m	(35 ft.)

- .30 Residential security units must
- I. be used solely by the owner, manager, or caretaker of the premises
 - II. be a maximum size of 111.48 m² (1,200 ft.²)
 - III. be constructed and operational after the construction of the principal building
- .31 No more than one residential dwelling unit of any type may be permitted per parcel.
- I. Single detached dwellings are not permitted on parcels with residential security units.
- .32 Any office, technical, administrative, or indoor display areas or any retail sale operations must be accessory to the uses identified above.
- I. The floor area devoted to such accessory activities shall not exceed 33% of the total floor area of the building(s) devoted to the principal use.

FIGURE 13-2 M1 ZONE MINIMUM PARCEL REQUIREMENTS



14.0 PUBLIC AND INSTITUTIONAL ZONES

14.1 P1 Zone (Parks and Natural Space)

The purpose of the P1 zone is to provide parks and natural areas for outdoor enjoyment.

14.1.1 Permitted Uses

The following use(s) are permitted in the P1 zone:

- .2 accessory building or structure
- .3 campground
- .4 cultural event or display
- .5 park
- .6 dock
- .7 natural science exhibits and interpretive signage
- .8 outdoor recreation facility
- .9 public washrooms
- .10 trails
- .11 vendor, commercial
- .12 vendor, food

14.1.2 Zone-Specific Regulations

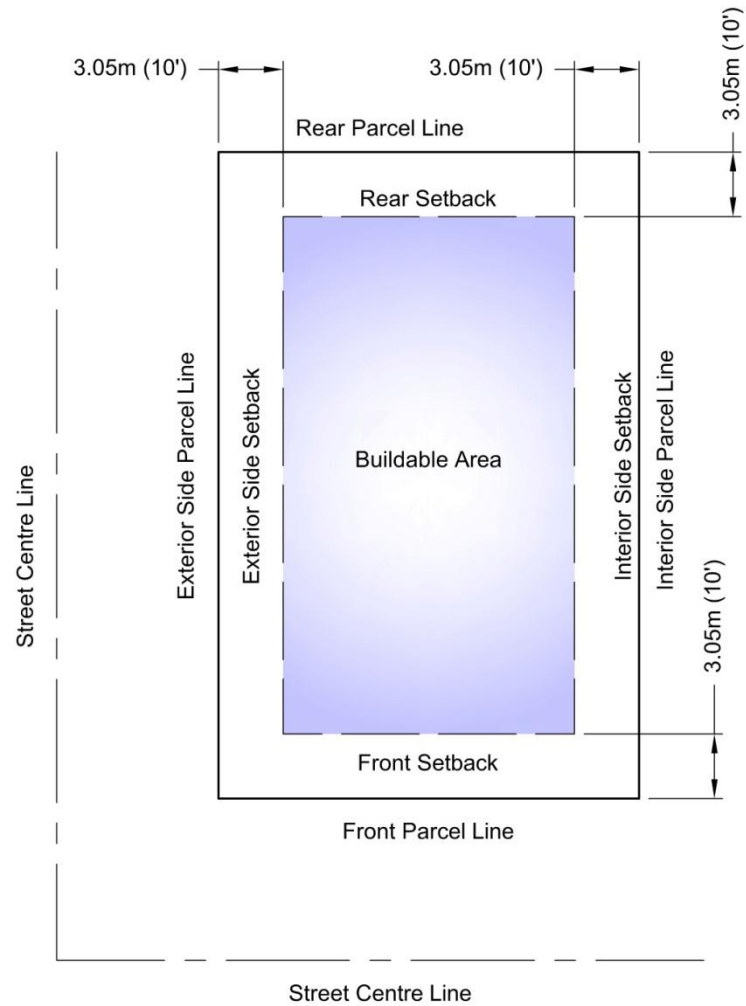
On a parcel located in an area zoned P1, no plan of subdivision shall be approved and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.

TABLE 14-1: P1 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	
Minimum setback from front parcel line	3.05 m	(10 ft.)
interior side parcel line	3.05 m	(10 ft.)
exterior side parcel line	3.0 5m	(10 ft.)
rear parcel line	3.0 5m	(10 ft.)

- .13 Areas with underground or overhead utilities should be landscaped for inclusion as part of the City's overall parks and trails network, if deemed safe to do so by the City and the applicable utility providers.

FIGURE 14-2 P1 ZONE MINIMUM PARCEL REQUIREMENTS



14.2 P2 Zone (Institutional)

The purpose of the P2 zone is to provide community facilities for use by the public, such as recreation and education facilities, government and health services, and libraries and museums.

14.2.1 Permitted Uses

The following use(s) are permitted in the P2 zone:

- .2 accessory building or structure
- .3 cemeteries
- .4 childcare centre
- .5 community recreation facility
- .6 cultural events or display
- .7 emergency and protective services
- .8 exhibition and convention facilities
- .9 healthcare facility
- .10 heritage resources
- .11 library
- .12 museum
- .13 natural science exhibit and interpretive signage
- .14 religious assembly facilities
- .15 service efficiency link
- .16 school
- .17 vendor, commercial
- .18 vendor, food

14.2.2 Zone-Specific Regulations

On a parcel located in an area zoned P2, no plan of subdivision shall be approved 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.

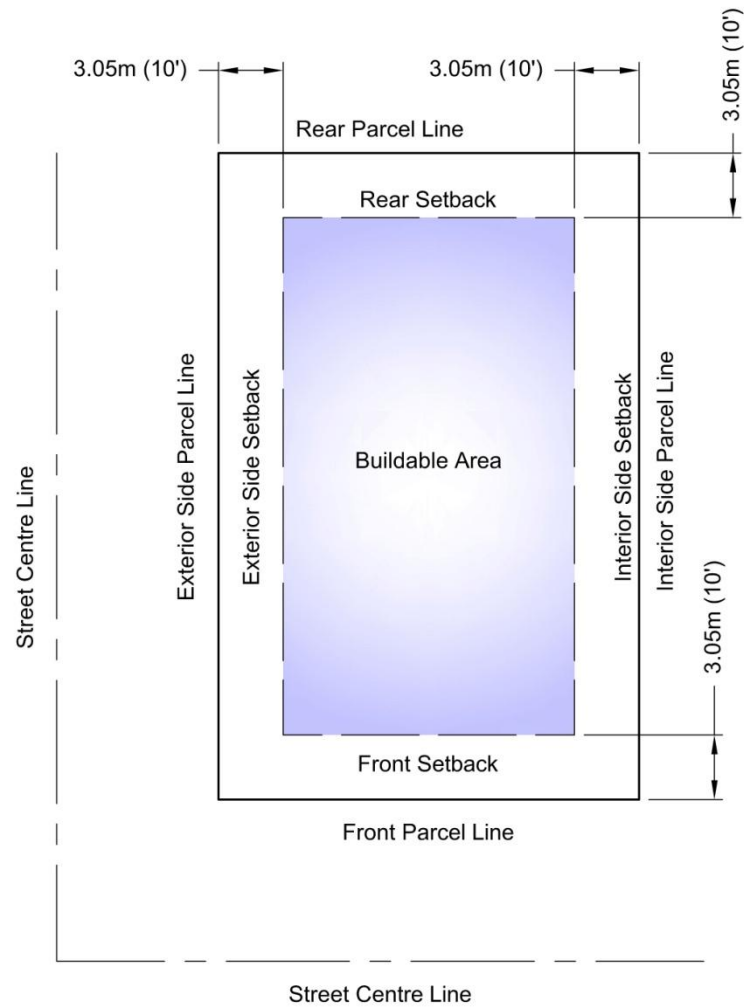
TABLE 14-2: P2 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	
Minimum setback from		
• front parcel line	3.05 m	(10 ft.)
• interior side parcel line	3.05 m	(10 ft.)
• exterior side parcel line	3.05 m	(10 ft.)
• rear parcel line	3.05 m	(10 ft.)
Maximum building height	10.67 m	(35 ft.)

14.2.3 Other Regulations

- .19 The regulations contained in [section 12.1](#) of this bylaw shall apply to all P2 parcels that are located within the historic townsite as shown on Schedule “D.”

FIGURE 14-3 P2 ZONE MINIMUM PARCEL REQUIREMENTS



15.0 OTHER ZONES

15.1 A1 Zone (Agriculture)

The purpose of the A1 zone is to permit agriculture within the municipality.

15.1.1 Permitted Uses

The following use(s) are permitted in the A1 zone:

- .2 accessory building or structure
- .3 agriculture
- .4 bed and breakfast
- .5 campground
- .6 cultural events or displays
- .7 dock
- .8 flea market
- .9 garden centre
- .10 garden suite
- .11 greenhouse
- .12 home industry
- .13 home occupation
- .14 livestock
- .15 lodging facility, non-permanent
- .16 secondary suite
- .17 single detached dwelling

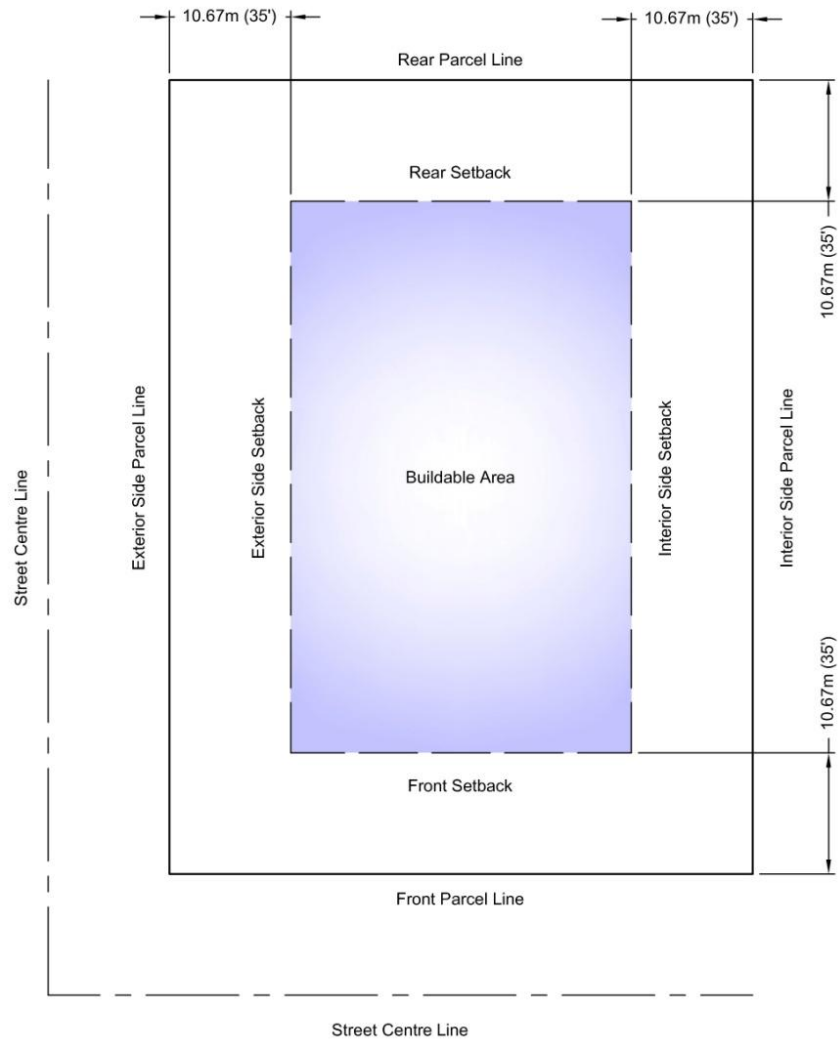
15.1.2 Zone-Specific Regulations

On a parcel located in an area zoned A1, no plan of subdivision shall be approved 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.

TABLE 15-1: A1 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	
Minimum setback of buildings from		
• front parcel line	10.67 m	(35 ft.)
• interior side parcel line	10.67 m	(35 ft.)
• exterior side parcel line	10.67 m	(35 ft.)
• rear parcel line	10.67 m	(35 ft.)
Maximum building height	10.67 m	(35 ft.)

FIGURE 15-2 A1 ZONE MINIMUM PARCEL REQUIREMENTS



15.2 FP Zone (Future Planning)

The purpose of the FP zone is to preserve land as open space until such time as the land is required for development.

15.2.1 Permitted Uses

The following use(s) are permitted in the FP zone:

- .2 agriculture
- .3 cultural event or display
- .4 livestock
- .5 park
- .6 trails

15.2.2 Zone-Specific Regulations

On a parcel located in an area zoned FP, no permanent buildings, structures, or infrastructure shall be erected and no permanent use shall be established prior to further planning being completed and re-zoning completed.

16.0 ENFORCEMENT

16.1 General

- .1 A development officer may enforce the provisions of this bylaw in accordance with the *Yukon Municipal Act*.

16.2 Offences

Any person who does the following commits an offence:

- .1 contravenes, causes, or permits a contravention of this bylaw or a development permit
- .2 neglects or omits anything required under this bylaw or a development permit
- .3 constructs a building or structure or makes an addition or alteration for which a development permit is required but has not been issued
- .4 fails to comply with an order, direction, or notice given under this bylaw
- .5 prevents or obstructs, or attempts to prevent or obstruct, the authorized entry under [section 3.1](#)

16.3 Notice of Offence Order

- .1 If a development officer finds that a person is committing an offence under this bylaw, the development officer may require the person responsible for the violation to remedy it through a notice of offence order.
- .2 A development officer may issue a notice of offence order to
 - I. the owner of the property
 - II. the person in possession of the land or buildings
 - III. the person responsible for the offence
- .3 The notice of offence order must be delivered in person, by registered mail, or by posting the notice in a conspicuous location on the site.
- .4 A notice of offence order shall
 - I. describe the nature of the violation;
 - II. describe the actions or measures required to remedy the violation, including the removal or demolition of a structure that has been erected or placed;
 - III. state a time within which the person must comply with the directions or the order; and
 - IV. state that if the person does not comply with the directions within a specified time an offence ticket will be issued and/or the municipality will take action or measure at the expense of the person.
- .5 Where a person fails or refuses to comply with the notice of offence order, a development officer may take such action as is necessary to enforce the order.

- .6 The costs and expenses incurred by the City in carrying out a notice of offence order shall be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on the land.

16.4 Offence Tickets

- .1 If the corrective measures described in a notice of offence order issued pursuant to [section 16.3](#) are not completed within the specified time, or if development continues after a permit has been revoked or a fine has been issued, the person to whom the order was issued may be issued an offence ticket by a development officer.
- .2 All offence tickets shall be prepared and served in accordance with part 3 of the *Yukon Summary Convictions Act*.
- .3 An offence ticket shall be served by registered mail or in person to the person identified in [section 16.2](#).
- .4 Set fines under this section include the following:

Description of Offence	Penalty
Failure to obtain development permit	\$250.00
Failure to obtain development permit (second or subsequent offence)	\$500.00
Failure to comply with permit conditions	\$250.00
Failure to comply with permit conditions (second or subsequent offence)	\$500.00
Failure to comply with notice of offence order	\$250.00
Failure to comply with notice of offence order (second or subsequent offence)	\$500.00
Failure to grant right of entry	\$250.00
Failure to grant right of entry (second or subsequent offence)	\$500.00

- .5
- .6 The costs and expenses incurred by the City in carrying out a notice of offence order shall be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on the land.

16.5 Report to Council

- .1 When a development officer is satisfied that there is a continued contravention of this bylaw and it appears the contravention will not be corrected in a timely manner, the development officer may report such a contravention to Council.
- .2 Council may on finding that any development or use of land or buildings is in contravention of this bylaw
- I. direct the development officer to act on the matter
 - II. suspend or revoke a development permit with respect to such contravention
 - III. apply to the Court for an injunction to restrain such contravention.

16.6 Penalties

- .1 A person who fails or refuses to comply with a notice of offence order is liable to sanctions as described in section 343 of the *Yukon Municipal Act*.

- .2 In addition to the penalties provided for under [section 16.4](#) of this bylaw, a person convicted of an offence pursuant to [section 16.2](#), may be ordered to remove such development and reclaim the site at that person's own expense.
- .3 Should any person owning or occupying real property within the City refuse or neglect to pay any penalties that have been levied pursuant to this bylaw, the development officer may inform such person in default that the charges shall be added to, and shall form part of, the taxes payable in respect of that real property as taxes in arrears if unpaid on December 31 of the same year.

17.0 AMENDMENTS

17.1 Text Amendments

- .1 Council may initiate any text amendment to this bylaw. Any such amendment shall be reviewed in accordance with [section 3.0](#).
- .2 Any person may apply for an amendment to the text of this bylaw by paying the required application fee, as specified in the *Fees and Charges Bylaw*, and submitting a written statement that describes and justifies the proposed amendment.

17.2 Re-zoning Applications

- .1 Council may initiate any amendment to the zoning maps. Any such amendment shall be reviewed in accordance with [section 3.0](#).
- .2 An owner of a parcel in the City, or an authorized agent of an owner, may apply to have the zoning designation of the land amended to another zoning designation.
- .3 An application for a re-zoning shall be made in writing to the development officer using the form provided and accompanied by the following:
 - I. documentation of ownership;
 - II. a written statement to describe and justify the proposal;
 - III. a map showing the proposed change in the context of adjacent land;
 - IV. the necessary processing and advertising fees as set out in the *Fees and Charges Bylaw*;
 - V. permission for right of entry onto the land by City staff for reasonable inspection; and
 - VI. any additional information a development officer may require in order to prepare, evaluate, and make recommendations on the proposed amendment.
- .4 A development officer may request the applicant provide an analysis by a qualified professional of the potential impact on land use, traffic, utilities, and other City services and facilities if the amendment proposes an increase in density or other intensification of use.
- .5 An application may not be considered to have been received until all requirements of section 4.0 have been submitted to the satisfaction of a development officer.
 - I. Notwithstanding these requirements, the application may be considered if, in the opinion of a development officer, it is of such a nature as to enable a decision to be made without some of the required information.
- .6 If it appears that the proposed amendment is one that is applicable to most of the persons affected in the area and/or will benefit the City at large, Council may direct that the application fee be returned to the applicant.

17.3 Review Process

- .1 Upon receipt of a completed application for a text amendment or re-zoning, a development officer shall initiate or undertake an investigation and analysis of the potential impacts of development under the proposed zone. The analysis shall be based on the full development potential of the uses and development regulations specified in the proposed zone and not on the merits of any particular development proposal.
- .2 The analysis shall, among other factors, consider the following criteria:
 - I. relationship to, and compliance with, the OCP and other approved municipal plans and Council policy
 - II. relationship to, and compliance with, municipal plans in preparation
 - III. compatibility with surrounding development in terms of land use function and scale of development
 - IV. traffic impacts
 - V. relationship to, or impacts on, services (such as water and sewage systems or public transit), utilities, and public facilities (such as recreational facilities and schools)
 - VI. relationship to municipal land, rights of way, or easement requirements
 - VII. effect on the stability, retention, and rehabilitation of desirable existing uses, buildings, or both in the area
 - VIII. necessity and appropriateness of the proposed text amendment or re-zoning according to the stated intentions of the applicant
 - IX. analysis of any documented concerns and opinions of area residents and land owners regarding the application
- .3 Subsequently, the development officer shall
 - I. prepare a report on the proposed amendment; and
 - II. submit a copy of the application and the development officer's recommendation and report to Council.
- .4 Before approving a text amendment or re-zoning, Council shall comply with the requirements and notification procedures set out in the Act.

17.4 Resubmission Interval

- .1 When an application for an amendment to this bylaw has been refused by Council, another application for the same, or substantially the same, amendment shall not be submitted within 12 months of the date of the refusal unless Council directs otherwise.

17.5 Public Notification

- .1 Before a second reading of a bylaw proposing amendments to the *Zoning Bylaw* is heard, Council shall hold a public hearing to hear and consider all submissions respecting the proposed amendments.
- .2 The public hearing shall be held no earlier than seven days after the last date of publication of the notice.
- .3 A notice must be circulated, in the method approved by Council, once a week for two successive weeks prior to the public hearing.
 - I. Methods of notice circulation may include the City of Dawson website, local newspapers, the City and Post Office Bulletin Boards, and written notification letters.
- .4 The notice shall
 - I. describe the area affected by the proposed zoning bylaw amendment;
 - II. state the date, time, and place for the public hearing respecting the proposed zoning bylaw amendment; and
 - III. include a statement of the reasons for the amendment.
- .5 Written notification letters shall be mailed to all applicable properties within the following radii of the subject property prior to the public hearing:
 - I. 100 m (328.1 ft.) for properties within the historic townsite
 - II. 1 km (3,280.8 ft.) for properties in all other areas
- .6 For zoning bylaw amendments proposed for one property, a notification sign shall be placed on the subject property following first reading until such time as Council has ruled on the application.
 - I. The sign shall state the details of the amendment; the date, time, and place of the public hearing; and the City's contact information.
 - II. The sign shall be provided by the City and shall be returned to the City on the day following the public hearing.
 - III. Signs not returned will be subject to an advertising fee equal to the replacement of the sign materials.

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Appendix A: Heritage Management

APPENDIX A

Heritage Management

APPENDIX 1 HERITAGE MANAGEMENT REGULATIONS

A.1 Downtown Heritage Management Area (DHM)

A.1.1 Purpose

To apply certain development and redevelopment criteria, as specified in the heritage management guidelines, to those uses specified in the underlying zoning district(s) of the downtown heritage management area in order to maintain the architectural style, streetscapes, and landscape features common during the 1897–1918 gold rush era, as well as the extant valued resources of later periods.

A.1.2 Application

- This area applies to those lands defined in the OCP and in the maps appended to this bylaw that form part of this bylaw.
 - When the provisions of the management area schedule are in conflict with the regulations of any other section of the *Zoning Bylaw* and *Heritage Management Plan*, the more restrictive provisions shall take precedence. When there is no conflict, the provisions of the heritage management area shall be applied in conjunction with the regulations of the underlying district(s) and other sections of the *Zoning Bylaw* and *Heritage Management Plan*.
 - Notwithstanding A.1.2.2, for heritage conservation purposes Council may exercise discretion in approving development permits when the development projects into a rear or side yard required by the underlying zoning district by more than 10% of the required rear or side yard, or exceeds the maximum height, density, or FAR required by the underlying zoning district, provided that there will be no detrimental impact on adjacent properties or the neighbourhood.
 - Notwithstanding A.1.2.2, for heritage conservation purposes the development officer may exercise discretion in approving the projection of a development into a rear or side yard required by the underlying zoning district, provided such projections do not exceed 10% of the required rear or side yard and that there will be no detrimental impact on adjacent properties or the neighbourhood.
 - Notwithstanding A.1.2.2, Council may also, at its sole discretion and as a heritage conservation incentive, approve an application for the subdivision of any land into lots that do not meet the minimum site area requirements prescribed for the underlying Zoning District, provided that there will be no detrimental impact on adjacent properties or the neighbourhood, when that subdivision is in keeping with the heritage integrity of the community and the development proposed for those lots meets the heritage management policies and guidelines of the OCP and the *Zoning Bylaw*.
 - The development officer shall apply the regulations of this area to a development permit application involving new development or any existing development that, in the opinion of the development officer, is being substantially enlarged or increased in intensity.
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- Notwithstanding that a development does not conform to this management area, a development permit that was issued prior to the adoption of this management area shall be deemed to conform to the regulations contained within this area. However, in the case of any subsequent changes—including the extension or enlargement of or addition to the development—the provisions of this area shall only apply to that particular extension, enlargement or addition and to that portion of the site that, in the opinion of the development officer, is related to and affected by the particular extension, enlargement, or addition.
- This area shall also apply to all public highways, roads, streets and lanes where streetscape features, such as boardwalks, railings, street furniture, decorations, banners and utilities, are involved.

A.1.3 Uses

The permitted uses are those specified in the underlying district(s).

A.1.4 Regulations

- Any structure being constructed onsite, assembled onsite, or moved onto the site must be done so in conformity with the regulations of the heritage management area and must have been issued a development permit that is valid at the time work is taking place.
- Applications must include drawings of all elevations.
- Any or all of the following must be provided at the direction of the development officer:
 - date and style of built form
 - siting
This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of
 - predominant setbacks, including front, side, and rear
 - orientation
 - location, dimensions of circulation, and/or access features
 - statement as to how views to and from the development will be retained
 - statement as to how significant archaeological features will be retained
 - scale
This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of
 - the scale of the building(s)
 - parcel coverage (i.e., the pattern of arrangement of buildings and size of buildings)
 - floor to floor heights and relationship to the street
 - form
This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of
 - the predominant form of neighbours
 - roof form and skyline, ridge lines, roof slopes, chimneys, and skylights

- its proportions and number of openings
 - the solids-to-voids ratio
 - its relationship to internal and external spaces
 - materials and colours
- This shall include drawings or photographs to describe the relationship between the proposed development and the context in terms of
- its response to predominant materials, textures, and colour palette -contrasting
 - the quality of new materials
 - detailing
- This shall include annotated drawings and/or photographs that describe the relationship between the proposed development and the context in terms of
- the relationship of its landscape elements to important existing details
 - the unobtrusive design of new elements, such as solar panels, skylights, service buildings
- Heritage Management Guidelines
- IV. Treatment of existing buildings
- Post-gold rush buildings will not be altered to look like gold rush buildings. Their integrity will be maintained and respected to illustrate and interpret the full history of Dawson City. An appropriate balance between property maintenance and relic character will be maintained. Historic buildings may be moved if there is a compelling reason to do so and if moving would conform to all zoning regulations.
- V. Design Guidelines
- VI. Gold rush era building (1897–1918)
- VII. Changes to existing structures will follow latest versions of “Standards and Guidelines for Conservation of Historic Places in Canada” **and** “Design Guidelines for Historic Dawson.”
- VIII. New additions to existing structures will follow the latest version of “Design Guidelines for Conservation and Infill - Additions to Existing Historic Buildings.”
- IX. Post-gold rush era building (1918–present)
- X. Changes to existing structures will follow latest versions of “Standards and Guidelines for Conservation of Historic Places in Canada” **and** “Design Guidelines for Conservation and Infill - Guidelines for Interventions to Buildings Erected After the Gold Rush Era.”
- XI. New additions to existing structures will follow latest version of “Design Guidelines for Conservation and Infill - Additions to Existing Historic Buildings.”
- XII. Treatment of new construction
- XIII. Buildings will replicate (reconstruct) the external design of the building that existed on that particular site during the gold rush era (ca. 1897–1918) when there is sound historic evidence as to the appearance of the former building.
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- XIV. Replication refers only to massing and exterior design of the former building as seen from the street. The footprint and appearance may be altered towards the rear of the site. Adjacent buildings in common ownership that are detached at the front may be connected at the rear to provide larger spaces and better interior circulation than detached buildings allow.
 - XV. Parks Canada streetscape elevations (1974), historic photographs of Dawson City buildings, and other reference material will be used as guides to indicate the appearance of the former building(s).
 - XVI. Exception will be made when the height and/or massing of the former building is either too large or too small to accommodate the building program proposed or when there is insufficient evidence as to the appearance of the former building to enable a good replication. The owner and the City will work together to select another building that formerly stood in the vicinity, and that was the appropriate scale, as an alternative model for replication. The replication will not duplicate an existing building.
 - XVII. New landscape features will follow the design guidelines and are subject to review in the development permit process.
 - XVIII. Downtown transitional character area
 - XIX. In exceptional circumstances, consideration will be given to the construction of buildings that are larger than those that existed in the gold rush period. This will be permitted when the proposed building program is of a scale that is larger than historical precedent.
 - XX. Downtown character area
 - XXI. Corner lots at intersections are particularly important to heritage character. The owners of vacant corner properties will be encouraged to build replications of the buildings that existed on that site during the gold rush.
 - XXII. Government reserve character area
 - XXIII. Landscape features, historic and new, are particularly valued and will follow heritage design guidelines.
 - XXIV. Design Guidelines
 - XXV. Reconstructions will follow latest versions of “Standards and Guidelines for Conservation of Historic Places in Canada” **and** “Design Guidelines for Historic Dawson” **and** “Design Guidelines for Conservation and Infill - Guidelines for Reconstructions.”
 - XXVI. Downtown transitional area exceptions for infill will follow the latest version of “Design Guidelines for Architectural Conservation and Infill - Guidelines for the Downtown Transitional Area.”
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A.2 Residential Heritage Management Area (RHM)

A.2.1 Purpose

To apply certain development and redevelopment criteria, as specified in the heritage management guidelines, to those uses specified in the underlying district(s) of the residential heritage management area in order to maintain the architectural style, streetscapes, and landscape features common during the 1897–1918 gold rush era, as well as the extant valued resources of later periods and the “Dawson Style” described in the Dawson City Design Guidelines for Architectural Conservation and Infill.

A.2.2 Application

- This area applies to those lands defined in the OCP and in the maps appended to this bylaw that form part of this bylaw.
 - When the provisions of the management area schedule are in conflict with the regulations of any other section of the *Zoning Bylaw* and *Heritage Management Plan*, the more restrictive provisions shall take precedence. When there is no conflict, the provisions of the heritage management area shall be applied in conjunction with the regulations of the underlying district(s) and other sections of the *Zoning Bylaw* and *Heritage Management Plan*.
 - Notwithstanding A.2.2.2, for heritage conservation purposes Council may exercise discretion in approving development permits, provided that there will be no detrimental impact on adjacent properties or the neighbourhood, when the development projects into a rear or side yard required by the underlying zoning district by more than 10% of the required rear or side yard, or exceeds the maximum height, density, or FAR required by the underlying zoning district.
 - Notwithstanding A.2.2.2, for heritage conservation purposes the development officer may exercise discretion in approving the projection of a development into a rear or side yard required by the underlying zoning district, provided such projections do not exceed 10% of the required rear or side yard and that there will be no detrimental impact on adjacent properties or the neighbourhood.
 - Notwithstanding A.2.2.2, Council may also, at its sole discretion and as a heritage conservation incentive, approve an application for the subdivision of any land into lots that do not meet the minimum site area requirements prescribed for the underlying zoning district, provided that there will be no detrimental impact on adjacent properties or the neighbourhood, when that subdivision is in keeping with the heritage integrity of the community and the development proposed for those lots meets the heritage management policies and guidelines of the OCP and the *Zoning Bylaw*.
 - The development officer shall apply the regulations of this management area to a development permit application involving new development, or any existing development, that, in the opinion of the development officer, is being substantially enlarged or increased in intensity.
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- Notwithstanding that a development does not conform to this management area, where a development permit was issued prior to the adoption of this management area, such development shall be deemed to conform to the regulations contained within this area. However, in the case of any subsequent changes—including the extension or enlargement of or addition to the development—the provisions of this area shall only apply to that particular extension, enlargement, or addition and to that portion of the site which, in the opinion of the development officer, is related to and affected by the particular extension, enlargement, or addition.
- This area shall also apply to all public highways, roads, streets, and lanes where streetscape features, such as boardwalks, railings, street furniture, decorations, banners, and utilities are involved.

A.2.3 Uses

The permitted uses are those specified in the underlying district(s).

A.2.4 Regulations

- .7 Any structure being constructed onsite, assembled onsite, or moved onto the site must be done so in conformity with the regulations of the heritage management area and must have been issued a development permit that is valid at the time work is taking place.
 - .8 Applications must include drawings of all elevations.
 - .9 Any or all of the following must be provided at the discretion of the development officer:
 - Date, and style of built form.
 - Siting. Annotate drawings and/or photographs to describe the relationship between the proposed development and the context in terms of the following criteria:
 - Predominant setbacks, front, side and rear
 - Orientation
 - Location, dimensions of circulation/access features
 - Statement as to how views to and from the development will be retained
 - Statement as to how significant archaeological features will be retained
 - Scale. Annotate drawings, photographs to describe the relationship between the proposed development and the context in terms of the following criteria:
 - Scale of buildings
 - Lot coverage - pattern of arrangement of buildings and size of buildings
 - Floor to floor heights and relationship to the street
 - Form. Annotate drawings, photographs to describe the relationship between the proposed development and the context in terms of the following design criteria:
 - Predominant form of neighbours
 - Roof form and skyline, ridge lines, roof slopes, chimneys, skylights
 - Proportions and number of openings
 - Solids-to-voids ratio
 - Relationship to internal and external spaces
-

- Materials and colours. Drawings or photographs to describe the relationship between the proposed development and the context in terms of the following design criteria:
- Response to pre-dominant materials, textures, and colour palate contrasting
- Quality of new materials
- Detailing. Annotate drawings, photographs to describe the relationship between the proposed development and the context in terms of the following design criteria:
- Relationship of landscape elements to important existing details
- Unobtrusive design of new elements, such as solar panels, skylights, service buildings

.10 Heritage Management Guidelines

- Treatment of existing buildings:
Post-Gold Rush buildings will not be altered to look like Gold Rush buildings. Their integrity will be maintained and respected to illustrate and interpret the full history of Dawson. An appropriate balance between property maintenance and relic character will be maintained. Historic buildings may be moved if there is a compelling reason to do so and if moving would conform to all zoning regulations.

I. Design Guidelines

Gold Rush Era Building (1897-1918)

- Changes to existing structures will follow latest versions of 'Standards and Guidelines for Conservation of Historic Places in Canada' AND 'Design Guidelines for Historic Dawson'.
- New additions to existing structures will follow latest version of 'Design Guidelines for Conservation and Infill - Additions to Existing Historic Buildings'.

Post Gold-Rush Era Building (1918-present)

- Changes to existing structures will follow latest versions of 'Standards and Guidelines for Conservation of Historic Places in Canada' **AND** 'Design Guidelines for Conservation and Infill - Guidelines for Interventions to Buildings Erected After the Gold Rush Era'.
- New additions to existing structures will follow latest version of 'Design Guidelines for Conservation and Infill - Additions to Existing Historic Buildings'.
- Treatment of new construction:
Three optional approaches will be allowed:
 - Buildings may replicate the external design of the building that existed on that particular site during the gold rush era (ca. 1897–1918) when there is sound historic evidence as to the appearance of the former building.
 - Buildings may replicate another historic residence in the vicinity. Replication refers only to massing and exterior design of the former building that can be seen from the street. The footprint and the appearance may be altered towards the rear of the site. Adjacent buildings in common ownership that are detached at the front

may be connected at the rear to provide larger spaces and better interior circulation than detached buildings allow.

- Parks Canada streetscape elevations (1974), historic photographs of Dawson buildings, and other reference material will be used as the guides to indicate the appearance of the former buildings.
- New design in the *Dawson Style*. This option is recommended.
- New landscape features will follow the design guidelines and are subject to review in the development permit process.

II. Design Guidelines

III. Reconstruction (optional) will follow latest versions of 'Standards and Guidelines for Conservation of Historic Places in Canada' AND 'Design Guidelines for Historic Dawson'.

IV. Infill will follow latest version of 'Design Guidelines for Architectural Conservation and Infill - Guidelines for Infill: the Dawson Style'.

A.3 Valley, Confluence, and Bowl Heritage Management Area (VCBHM)

A.3.1 Purpose

To apply certain development and redevelopment criteria, as specified in the heritage management guidelines, in order to maintain the heritage character of those portions of the Klondike Valley cultural landscape that lie within the jurisdiction of the City.

The purpose of the valley, confluence, and bowl heritage management area is to maintain the architectural style, streetscapes, and landscape features common to the Dawson City region—with special emphasis on the 1897–1918 gold rush era.

A.3.2 Application

- This area applies to those lands defined in the OCP and in the maps appended to this bylaw that form part of this bylaw.
 - Where the provisions of the Management Area schedule are in conflict with the regulations of any other section of the Zoning and Heritage Management Plan, the more restrictive provisions shall take precedence. Where there is no conflict, the provisions of the Heritage Management Area shall be applied in conjunction with the regulations of the Underlying District(s) and other sections of the Zoning and Heritage Management Plan.
 - Notwithstanding A.3.2.2, for heritage conservation purposes, Council may exercise discretion in approving Development Permits where the development projects into a rear or side yard required by the underlying Zoning District by more than 10% of the required rear or side yard, or exceeds the maximum height, density or floor area ratio required by the underlying Zoning District, provided that there will be no detrimental impact on adjacent properties or the neighbourhood.
 - Notwithstanding A.3.2.2, for heritage conservation purposes, the Development Officer may exercise discretion in approving the projection of a development into a rear or side yard required by the underlying Zoning District, provided such projections do not exceed 10% of the required rear or side yard and that there will be no detrimental impact on adjacent properties or the neighbourhood.
 - Notwithstanding A.3.2.2, Council may also, at its sole discretion, as a heritage conservation incentive, approve an application for the subdivision of any land into lots that do not meet the minimum site area requirements prescribed for the underlying Zoning District when that subdivision is in keeping with the heritage integrity of the community and the development proposed for those lots meets the heritage management policies and guidelines of the Official Community Plan and the Zoning Bylaw, provided that there will be no detrimental impact on adjacent properties or the neighbourhood.
 - The Development Officer shall apply the regulations of this Management Area to a Development Permit application involving new development or any existing
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development that, in the opinion of the Development Officer, is being substantially enlarged or increased in intensity.

- Notwithstanding that a development does not conform to this Management Area, where a Development Permit was issued prior to the adoption of this Management Area, such development shall be deemed to conform to the regulations contained within this Area. However, in the case of any subsequent changes including the extension or enlargement of or addition to the development, the provisions of this Area shall only apply to that particular extension, enlargement or addition and to that portion of the site which, in the opinion of the Development Officer, is related to and affected by the particular extension, enlargement or addition.
- This Area shall also apply to all public highways, roads, streets and lanes where streetscape features are involved, such as boardwalks, railings, street furniture, decorations, banners and utilities.

A.3.3 Uses

The permitted uses are those specified in the underlying District(s).

A.3.4 Regulations

- Any structure being constructed on-site, assembled on-site, or moved on to the site must be done so in conformity with the regulations of the Heritage Management Area and must have been issued a Development Permit and which is valid at the time work is taking place.
- All applications must include drawings of all elevations.
- Any or all of the following must be provided at the discretion of the Development Officer:
 - Date, and style of built form.
 - Siting. Annotate drawings and/or photographs to describe the relationship between the proposed development and the context in terms of the following criteria:
 - Predominant setbacks, front, side and rear
 - Orientation
 - Location, dimensions of circulation/access features
 - Statement as to how views to and from the development will be retained
 - Statement as to how significant archaeological features will be retained
 - Scale. Annotate drawings, photographs to describe the relationship between the proposed development and the context in terms of the following criteria:
 - Scale of buildings
 - Parcel coverage - pattern of arrangement of buildings and size of buildings
 - Floor to floor heights and relationship to the street
 - Form. Annotate drawings, photographs to describe the relationship between the proposed development and the context in terms of the following design criteria:
 - Predominant form of neighbours
 - Roof form and skyline, ridge lines, roof slopes, chimneys, skylights
 - Proportions and number of openings

- Solids-to-voids ratio
- Relationship to internal and external spaces
- Materials and colours. Drawings or photographs to describe the relationship between the proposed development and the context in terms of the following design criteria:
- Response to pre-dominant materials, textures, and colour palate -contrasting
- Quality of new materials
- Detailing. Annotate drawings, photographs to describe the relationship between the proposed development and the context in terms of the following design criteria:
- Relationship of landscape elements to important existing details
- Unobtrusive design of new elements, such as solar panels, skylights, service buildings
- Heritage Management Guidelines
- Treatment of existing buildings:
 - Post-Gold Rush buildings will not be altered to look like Gold Rush buildings. Their integrity will be maintained and respected to illustrate and interpret the full history of Dawson. An appropriate balance between property maintenance and relic character will be maintained. Historic buildings may be moved if there is a compelling reason to do so and if moving would conform to all zoning regulations.

V. Design Guidelines:

Gold Rush Era Building (1897-1918)

- Changes to existing structures will follow latest versions of 'Standards and Guidelines for Conservation of Historic Places in Canada' AND 'Design Guidelines for Historic Dawson'.
- New additions to existing structures will follow latest version of 'Design Guidelines for Conservation and Infill - Additions to Existing Historic Buildings'.

Post Gold-Rush Era Building (1918-present)

- Changes to existing structures will follow latest versions of 'Standards and Guidelines for Conservation of Historic Places in Canada' AND 'Design Guidelines for Conservation and Infill - Guidelines for Interventions to Buildings Erected After the Gold Rush Era'.
- New additions to existing structures will follow latest version of 'Design Guidelines for Conservation and Infill - Additions to Existing Historic Buildings'.
- Treatment of new construction:
 - New development will represent good new architectural design and planning, and not reflect the gold rush style. The *Dawson Style* is an acceptable alternative. Development permits will be assessed, in part, on the basis of minimizing impact on the landscape rather than displaying historic character.

VI. Design Guidelines

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- will give the applicant the option to follow the latest version of “Design Guidelines for Architectural Conservation and Infill - Guidelines for Infill: the Dawson Style.”

SCHEDULE B

Zoning Map:
Valley, Confluence, and Bowl

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SCHEDULE "B" – Zoning Map: Valley, Confluence, and Bowl

SCHEDULE C

Zoning Map: Historic Townsite

Bylaw #2018-19

SCHEDULE "C" – Zoning Map: Historic Townsite

SCHEDULE D

Heritage Management Map: Valley, Confluence, and Bowl

Bylaw #2018-19

SCHEDULE “D” – Heritage Management Map: Valley, Confluence, and Bowl

SCHEDULE E

Heritage Management Map: Historic Townsite

Bylaw #2018-19

SCHEDULE “E” – Heritage Management Map: Historic Townsite