

THE CITY OF DAWSON



COMMITTEE OF THE WHOLE MEETING #CW19-25

DATE: MONDAY, SEPTEMBER 30, 2019

TIME: 7:00 PM

LOCATION: Council Chambers, City Office

- 1. CALL TO ORDER**
 - a) Bill Kendrick RE: Water and Sewer Connections, North End Lots – *Waive Notice Required for Delegations*
- 2. ACCEPTANCE OF ADDENDUM & ADOPTION OF AGENDA**
 - a) Committee of Whole Agenda CW19-25
- 3. DELEGATIONS AND GUESTS**
 - a) Dredge Pond Residents RE: Tax Rate Bylaw and Rural Services
 - b) Rachel Wieggers and Steve Shatilla RE: Lot 40 Dome Road
 - c) Bill Kendrick RE: Water and Sewer Connections, North End Lots – *If accepted*
- 4. BUSINESS ARISING FROM DELEGATIONS**
- 5. ADOPTION OF THE MINUTES**
 - a) Committee of Whole Meeting Minutes CW19-23 of August 26, 2019
 - b) Special Committee of Whole Meeting Minutes CW19-24 of September 10, 2019
- 6. BUSINESS ARISING FROM THE MINUTES**
 - a) Committee of Whole Meeting Minutes CW19-23 of August 26, 2019
 - b) Special Committee of Whole Meeting Minutes CW19-24 of September 10, 2019
- 7. FINANCIAL AND BUDGET REPORTS**
- 8. SPECIAL MEETING, COMMITTEE, AND DEPARTMENTAL REPORTS**
 - a) Request for Decision RE: Subdivision Application Lot 19, Callison Subdivision
 - b) Regular Council and Committee Meeting Dates
 - c) Municipal Involvement at YESAB Stage
 - d) Association of Yukon Communities Update
 - e) Climate Change
- 9. BYLAWS AND POLICIES**
 - a) Request for Decision RE: *Heritage Bylaw*
 - b) Bylaw Update RE: Single use Plastic Bags and Straws
- 10. CORRESPONDENCE**
- 11. PUBLIC QUESTIONS**
- 12. INCAMERA SESSION**
 - a) Land and Legal Related Matters
- 13. ADJOURNMENT**



September 22, 2019

City of Dawson
Box 308
Dawson City, Yukon
Y0B 1G0

RE:Lot 40 Dome Road Sale Agreement

To Whom it May Concern:

The following letter and complementary files contain updated information which I would like considered in the upcoming council meeting on September 30th, for which I have requested a delegation.

Upon reviewing our land sale agreement, I discovered that Section 6.2 of Section 6 (Extension and Termination) clearly states that if I fail to complete the building requirement that the vendor **has the option** to null and void the agreement. I am requesting that the City does not opt to terminate the agreement, but rather grant us one last extension.

Why would you? From what I understand the original purpose of the Dome Road Subdivision was to increase housing quickly (hence the 3 year deadline). At this point we are better poised to be granted occupancy faster than anyone else, especially if the land is once again offered in a lottery.

To illustrate this, we have paid a downpayment on a prefab house and have since, finalised the design. The company is just waiting on us to pay the remainder (if we are allowed to continue). In addition, here is a summary of the prep work that has been completed, if you haven't had a chance to visit the property personally; some of it was completed in the last month.

Cleared space for driveway, septic field and pad:	\$ 7,000
Installed approved septic field, driveway and pad.	: \$40,000
In the past month:	
Installed power pole	\$4,325.75
Fixed pad (it had eroded)	\$606.38
Consulted a geotechnical engineer:	\$ 52.50
Paid a deposit on a prefab home :	<u>\$ 5,000</u>
Total	<u>\$56,984.63</u>

(These expenses plus the purchase price of the lot results in a substantial financial investment of \$138,740.38 to date.)

To be frank, with this information it is possible for you to still be worried about our ability to see this to completion by the new proposed deadline, if granted; that is fair. Since my recent

seasonal work ended I have focused all my time on our new home and essentially become project manager and general contractor. To illustrate I have:

- Worked closely with the building inspector and the house manufacturer to ensure that the pad, foundation, and prefab will meet the local Zone 8 building requirements
- Ordered armour for our pad to reduce erosion as per the recommendation of the geotechnical assessment
- Gathered information about the building, electrical, and plumbing permits, inspections and time lines.
- Ensured that our main contractor has met deadlines for his foundation and crawl space designs and material list
- Developed both a budget and a realistic timeline (and to do list) for the project (these are in the supporting documents;please take a look)
- Stayed in touch and updated all vendors, governments and contactors
- Cancelled two very important out of town professional engagements to ensure the house is and will continue to be my primary focus.

If you are still in doubt that we can compete the project by the new deadline, I hope you will address these concerns with me directly at the September 30th council meeting that we will attend.

In summary, with this new information, and the understanding of our personal situation and remorse from our last letter, I hope you will vote in our favor of extending our deadline to March 1st, 2020. I personally think it is possible to have occupancy by December 31, 2020 but was recommended by a lawyer to add more time to ensure the deadline can be met. Renewing our contract is in the public interest as a new housing option would be available by early next year, honoring the spirit of the creation of the subdivision. Terminating the agreement would result in a longer wait period for new available housing and would result in a devastating financial loss to our family. Thank you for your consideration and time on this matter.

Respectfully,

Rachel Wieggers

MINUTES OF COMMITTEE OF WHOLE MEETING CW19-23 of the council of the City of Dawson called for 7:00 PM on Monday, August 26, 2019 in the City of Dawson Council Chambers.

PRESENT: Mayor Wayne Potoroka
Councillor Natasha Ayoub
Councillor Stephen Johnson
Councillor Molly Shore

REGRETS: Councillor Bill Kendrick

ALSO PRESENT: A/CAO Mark Dauphinee
EA Heather Favron
CDO Clarissa Huffman

Agenda Item: Call to Order

The Chair, Wayne Potoroka called the meeting to order at 7:00 p.m.

Agenda Item: Agenda

CW19-23-01 Moved by Mayor Potoroka, seconded by Councillor Ayoub that the agenda for committee of the whole meeting #CW19-23 be accepted as presented. Carried 4-0

Agenda Item: Public Hearing

a) Zoning Bylaw Amendment RE: Cannabis Retail Service Regulations

The Chair called for submissions.

Anna Radzimirska was present to ensure her business will be able to sell other non-cannabis retail items. The CDO confirmed the bylaw will not prohibit the business from being able to sell non-cannabis retail items but does prohibit individuals under the age of majority from entering the area of the business dedicated to cannabis retail.

The Chair called for submissions a second time.

The Chair called for submissions a third and final time, and hearing none declared the Public Hearing closed.

Agenda Item: Adoption of the Minutes

a) Special Committee of Whole Meeting Minutes CW19-16 of June 12, 2019

CW19-23-02 Moved by Mayor Potoroka, seconded by Councillor Shore that the minutes of special committee of the whole meeting #CW19-16 of June 12, 2019 be accepted as presented. Carried 4-0

b) Committee of Whole Meeting Minutes CW19-21 of August 5, 2019

Page 1: Committee requested the minutes be amended to reflect Councillor Ayoub as not present.

CW19-23-03 Moved by Mayor Potoroka, seconded by Councillor Shore that the minutes of committee of the whole meeting #CW19-21 of August 5, 2019 be accepted as amended.
Carried 4-0

c) Special Committee of Whole Meeting Minutes CW19-22 of August 15, 2019

Page 1: Committee requested the minutes be amended by changing the title of agenda item "Draft Development Incentive Policy" to "Land Related Matter".

CW19-23-04 Moved by Councillor Shore, seconded by Mayor Potoroka that the minutes of special committee of the whole meeting #CW19-22 of August 15, 2019 be accepted as amended.
Carried 4-0

Agenda Item: Business Arising from the Minutes

a) Special Committee of Whole Meeting Minutes CW19-16 of June 12, 2019

Committee requested an update on the Recreation Facility planning contract and work. The A/CAO will obtain requested information and report back to committee.

b) Committee of Whole Meeting Minutes CW19-21 of August 5, 2019

At the request of the committee, the A/CAO provided an update regarding what has been taking place with the cable system and the issues subscribers have been experiencing. The A/CAO confirmed subscribers should see the system back to normal in about two weeks time. A \$15 discount was provided to subscribers for the month of August and further discounts are being considered.

The committee requested Administration provide communication to the subscribers about what has been taking place and when they can expect to see the issues resolved.

The committee requested to know why no contract is in place with the cable contractor. The A/CAO confirmed to obtain the history and report back to committee.

Agenda Item: Bylaws and Policies

a) Draft Development Incentive Policy

CW19-23-05 Moved by Mayor Potoroka, seconded by Councillor Ayoub that committee of whole forwards the Draft Development Incentive Policy, as presented, to council with a recommendation to approve. Carried 4-0

b) Request for Decision RE: Zoning Bylaw Amendment No. 3 -Cannabis Retail Service Regulations

CW19-23-06 Moved by Councillor Shore, seconded by Councillor Ayoub that committee of whole forwards Zoning Bylaw Amendment No. 3 to council with a recommendation to proceed with second and third reading. Carried 4-0

Agenda Item: Correspondence

Committee raised concerns with enforcement for areas outside the municipality including Bear Creek, Rock Creek, and Henderson Corner. Who will be responding to animal control issues in these areas? If animals are picked up where will they go and who will pay?

Committee requested the matter be included as an agenda item for the upcoming meeting with Minister Streicker.

CW19-23-07 Moved by Councillor Shore, seconded by Councillor Johnson that committee of the whole acknowledges receipt of the following correspondence:
Minister Frost RE: Review of Animal Protection and Control Legislation in Yukon for informational purposes. Carried 4-0

Agenda Item: In Camera Session

CW19-23-08 Moved by Councillor Johnson, seconded by Mayor Potoroka that committee of the whole move into a closed session for the purposes of discussing land related matters as authorized by section 213 (3) of the Municipal Act. Carried 4-0

CW19-23-09 Moved by Councillor Johnson, seconded by Mayor Potoroka that committee of the whole reverts to an open session of committee of the whole and proceeds with the agenda. Carried 4-0

CW19-23-10 Moved by Councillor Shore, seconded by Councillor Ayoub that committee of the whole recommends council waive formal public tender procurement policy requirements and directs administration to solicit quotes for rubber playground surfacing for direct award. Carried 4-0

CW19-23-11 Moved by Mayor Potoroka, seconded by Councillor Johnson that committee of the whole recommends council confirms the agreement to purchase for lot 40, Dome Subdivision is null and void, and directs administration to bring forward a budget amendment to return the purchase price less deposit and re-release the lot via new lottery. Carried 4-0

CW19-23-12 Moved by Mayor Potoroka, seconded by Councillor Johnson that committee of the whole recommends council direct administration to: Contact the remaining owners of Block 5, Days Addition to determine if they are interested in purchasing adjacent portions of the alley to avoid creating undevelopable part lots where possible, invoking the Encroachment Policy where necessary; and prepare a land sale bylaw disposing of the alley in Block 5, Days Addition, subject to confirmation that Yukon Energy has no interest in the land. Carried 4-0

Agenda Item: Adjournment

CW19-23-13 Moved by Mayor Potoroka, seconded by Councillor Johnson that committee of the whole meeting CW19-23 be adjourned at 8:50 p.m. with the next regular meeting of committee of the whole being September 16, 2019. Carried 4-0

**THE MINUTES OF COMMITTEE OF WHOLE MEETING CW19-23 WERE APPROVED BY
COMMITTEE OF WHOLE RESOLUTION #CW19-__-__ AT COMMITTEE OF WHOLE MEETING
CW19-__ OF SEPTEMBER 30, 2019.**

Wayne Potoroka, Chair

Mark Dauphinee, A/CAO

MINUTES OF SPECIAL COMMITTEE OF WHOLE MEETING CW19-24 of the council of the City of Dawson called for 6:00 p.m. on Tuesday, September 10, 2019 in the City of Dawson Council Chambers.

PRESENT: Mayor Wayne Potoroka
Councillor Natasha Ayoub
Councillor Stephen Johnson
Councillor Bill Kendrick
Councillor Molly Shore

ALSO PRESENT: CAO Cory Bellmore
PW Superintendent Mark Dauphinee

Agenda Item: Call to Order

The Chair, Mayor Potoroka called the meeting to order at 6:00 p.m.

Agenda Item: Agenda

CW19-24-01 Moved by Mayor Potoroka, seconded by Councillor Johnson that the agenda for special committee of the whole meeting #CW19-24 be accepted as presented. Carried 3-0

Agenda Item: In Camera

CW19-24-02 Moved by Mayor Potoroka, seconded by Councillor Ayoub that committee of the whole move into a closed session for the purposes of discussing a land related matter as authorized by section 213 (3) of the Municipal Act. Carried 3-0

Councillor Kendrick and Councillor Shore joined council at 6:02 p.m.

CW19-24-03 Moved by Mayor Potoroka, seconded by Councillor Shore that committee of the whole reverts to an open session of committee of the whole and proceeds with the agenda. Carried 5-0

Agenda Item: Adjournment

CW19-24-04 Moved by Mayor Potoroka, seconded by Councillor Shore that committee of the whole meeting CW19-24 be adjourned at 9:04 p.m. with the next regular committee of whole meeting being September 10, 2019. Carried 5-0

THE MINUTES OF SPECIAL COMMITTEE OF WHOLE MEETING CW19-24 WERE APPROVED BY COMMITTEE OF WHOLE RESOLUTION #CW19-__-__ AT COMMITTEE OF WHOLE MEETING CW19-__ OF SEPTEMBER 30, 2019.

Wayne Potoroka, Mayor

Cory Bellmore, CAO

Report to Council



For Council Decision For Council Direction For Council Information

In Camera

SUBJECT:	Subdivision Application #19-111: Lot 19 Callison Subdivision	
PREPARED BY:	Libby Macphail, Acting CDO	ATTACHMENTS: 1. Applications & Supporting Documentation
DATE:	September 16, 2019	
RELEVANT BYLAWS / POLICY / LEGISLATION:	Municipal Act Subdivision Bylaw Official Community Plan Zoning Bylaw	

RECOMMENDATION

It is respectfully recommended that Council:

1. Grant subdivision authority to subdivide Lot 19 Callison Subdivision, subject to the following conditions:
 - 1.1. Application successfully passes through a public hearing.
 - 1.2. The applicant submits a Stormwater Management Plan to the satisfaction of the CDO and Public Works Superintendent.
 - 1.3. The applicant submits a plan of subdivision completed by a certified lands surveyor drawn in conformity with the approval.
 - 1.4. The applicant shall, on approval of the subdivision plan by the City of Dawson, take all necessary steps to enable the registrar under the Land Titles Act to register the plan of subdivision.

ISSUE

The applicant has submitted a Subdivision Application for Lot 19, Callison Subdivision. The applicant is requesting to subdivide their industrial lot into two lots.

ANALYSIS / DISCUSSION / ALIGNMENT TO OCP & STRATEGIC PRIORITIES

Comments

Comments were received from the Public Works Superintendent regarding the southernmost access point. The access point needs to be maintained at a minimum distance of 6 m from the corner of the lot to maintain sight lines. Administration confirmed with the applicant that this minimum distance would be maintained. Distances from both southern corners are currently maintained at 20 m.

Municipal Act

The Municipal Act s. 314 details the requirements for any proposed plan of subdivision to have direct access to the highway to the satisfaction of the approving authority. Access to a highway is achieved for both parcels using existing access points to Callison Way.

S. 319 stipulates that a subdivision approval may be valid for a period of up to twelve months. If the applicant has not provided proof that the conditions of approval have been met, under the Act approval is

void. The applicant can request an extension of a further twelve months, which may be granted in whole or in part, at the discretion of the approval authority.

Subdivision Bylaw

Subdivision Control By-Law S3.01 states that every subdivision of land must be made in accordance with the Municipal Act, the Official Community Plan, the Zoning Bylaw, and the Subdivision Control Bylaw. The Analysis/Discussion section of this report is intended to discuss the proposal's conformity with the provisions outlined in the relevant legislation, policies, and plans.


Official Community Plan

The existing titled property is currently designated as MU – Mixed Use. Uses associated with this designation primarily include a range of commercial and industrial structures. Therefore, the subdivided lot would be required to retain the same designation. Any new use or development on the proposed lots would be required to conform to the OCP designation.

Zoning Bylaw

The subject property is currently designated as Industrial (M1). The Zoning By-Law is intended to implement the goals of the OCP. Therefore, the M1 designation is intended to permit industrial activities that provide industrial services, light manufacturing, warehousing and storage. Examples include contractor services, processing of raw materials, commercial storage, service stations, etc. As a contractor service, the use of the land is compatible with the permitted use of the land, and no changes are proposed or required.

A zoning assessment was also conducted on the property, and no outstanding issues were noted. The existing house is being used as a Residential Security Unit as there is an accompanying business on the lot (Ganter Diesel Solutions Inc., Business License No. 000456) and the primary use is contractor services. All structures on the lot are compliant with the zoning bylaw and do not impact the subdivision. Therefore, administration is comfortable recommending approval of this subdivision.

APPROVAL	
NAME: Cory Bellmore, CAO	SIGNATURE: 
DATE:	



THE CITY OF DAWSON

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

OFFICE USE ONLY	
APPLICATION FEE:	250 + GST
DATE PAID:	August 20 nd
PERMIT #:	19-111

33541

SUBDIVISION/CONSOLIDATION APPLICATION

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

PROPOSED DEVELOPMENT

CIVIC ADDRESS: 90 CALLISON WAY VALUE OF DEVELOPMENT: _____

EXISTING USE OF LAND / BUILDINGS: COMMERCIAL RENTAL

PROPOSED DEVELOPMENT: Please provide a brief description of the proposed development, including the legal description (lot, block, estate, plan) of each part to be subdivided/consolidated.

LOT 19, PLAN 81971.
SUBDIVIDE THE EXISTING LOT INTO 2 LOTS.
ONE WOULD BE THE PARCEL THAT IS NOW FENCED
THE SECOND WOULD BE REMAINDER OF EXISTING LOT.

APPLICANT INFORMATION

APPLICANT NAME(S): JONATHAN GANTER

COMPANY NAME: GANTER DIESEL SOLUTIONS INC.

MAILING ADDRESS: P.O. BOX 1500, DAWSON CITY, YT. POSTAL CODE: Y0B 1G0

EMAIL: jonathanganter@hotmail.com FAX #: _____

PHONE #: 780-289-4989 ALTERNATE PHONE #: _____

OWNER INFORMATION

OWNER NAME(S): _____

MAILING ADDRESS: _____ POSTAL CODE: _____

EMAIL: _____ FAX #: _____

PHONE #: _____ ALTERNATE PHONE #: _____

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

FURTHER INFORMATION

ACCESS: Does the proposed development require additional access to any public road or highway? If yes, please name the road and describe the location of the proposed access.

WATER: Is the land situated within 0.5 miles of a river, stream, watercourse, lake or other permanent body of water, or a canal or drainage ditch? If yes, please name the body of water and describe the feature.

N/A.

TOPOGRAPHY: Describe the nature of the topography of the land (flat, rolling, steep, mixed), the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc. & sloughs, creeks, etc.), and the kind of soil on the land (sandy, loam, clay, etc.).

FLAT LOT, NO VEGETATION, NO WATER.

EXISTING BUILDINGS: Describe any buildings, historical or otherwise, and any structures on the land and whether they are to be demolished or moved:

ONE HOUSE, NOT TO BE DEMOLISHED OR MOVED.

DECLARATION

- I/WE hereby make application for a Development Permit under the provisions of the City of Dawson Zoning Bylaw No. 12-27 and in accordance with the plans and supporting information submitted and attached which form part of this application.
- I/ WE have reviewed all of the information supplied to the City of Dawson with respect to an application for a Development Permit and it is true and accurate to the best of my/our knowledge and belief.
- I/WE understand that the City of Dawson will rely on this information in its evaluation of my/our application for a Development Permit and that any decision made by the City of Dawson on inaccurate information may be rescinded at any time.
- I/WE hereby give my/our consent to allow Council or a person appointed by its right to enter the above land and/or building(s) with respect to this application only.

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

19 JULY, 2019.

DATE SIGNED

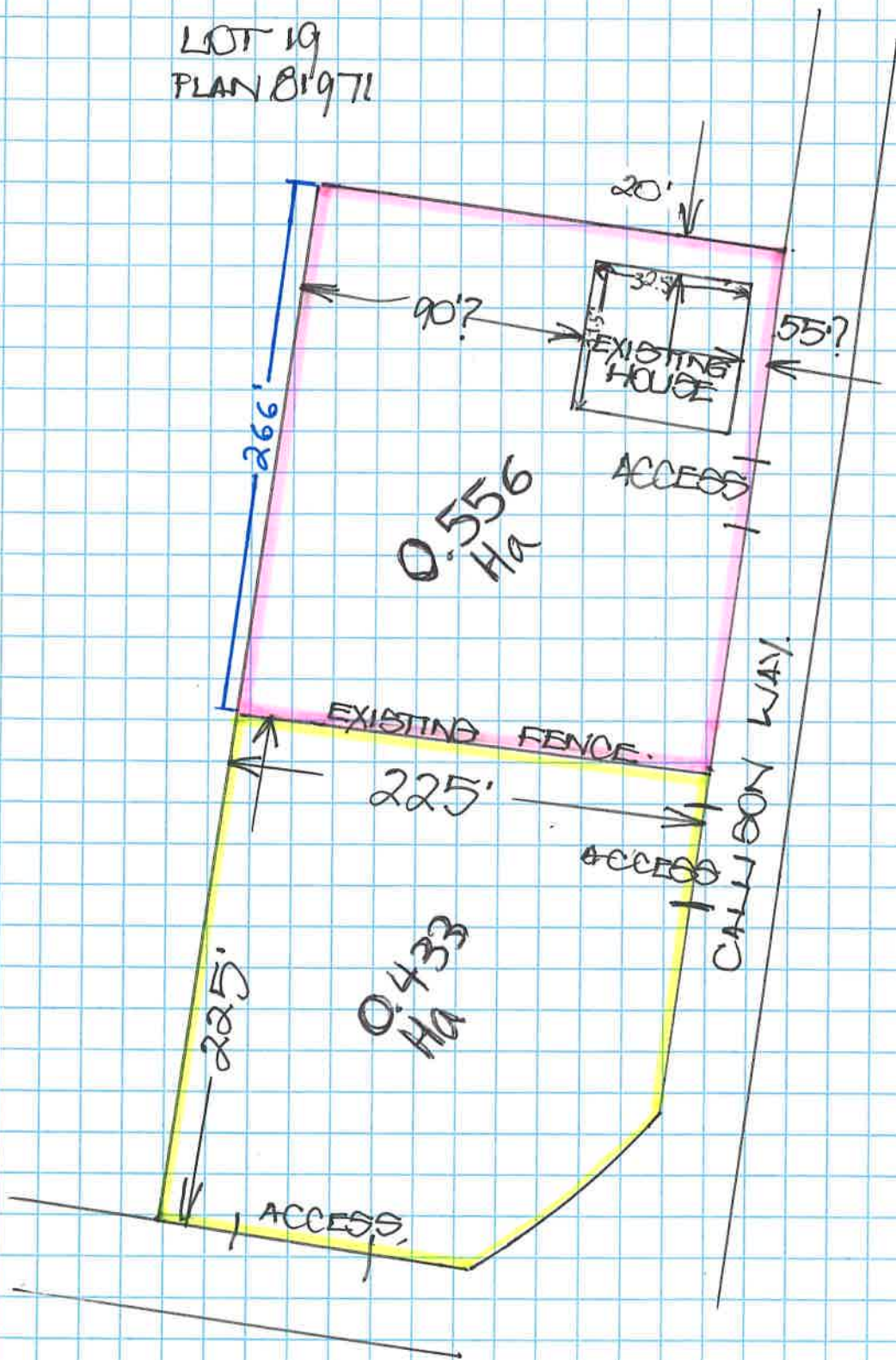


SIGNATURE OF APPLICANT(S)

DATE SIGNED

SIGNATURE OF OWNER(S)

LOT 19
PLAN 81971





THE CITY OF DAWSON

P.O BOX 308, DAWSON CITY, YUKON Y0B 1G0
PH: (867) 993-7400, FAX: (867) 993-7434



SUBDIVISION/CONSOLIDATION APPLICATION CHECKLIST

Permit #: 19-111 Applicant Name: Jonathan Gantor
Legal Description: Lot 19 Callison Mailing Address: PO Box 1500

Step	Signature	Date
Completed Application and Supporting Documentation Submitted	LM	Aug 22
Permit Paid, Stamped, and Listed in Permit Database	LM	Aug 22
Pre-Consultation and Zoning Assessment	LM	Aug 22
Public Notice <u>October 10/18</u> <ul style="list-style-type: none">• Copy of Public Notice emailed to Heather and added to RFD folder• Mailed to affected property owners [], posted at COD office [], posted at Post Office [], COD website [], E-news [], Klondike Sun []• Circulation to Other Depts (Public Works, Fire, By-Law, Recreation)• Posted at site		
Public Hearing Date: <u>October 28, 2019</u>	CH	Sept 5
CDO Report	LM	Sept. 19
Permit Decision <ul style="list-style-type: none">• Council makes decision based on Public Hearing and CDO Report• Letter detailing decision drafted. Letter must include:<ul style="list-style-type: none">legal description of lands to be subdivided/consolidatedwritten description of subdivision detailsmap outlining approved configurationany conditions imposed by Councilexplanation of expiry date		
Permit Filing <ul style="list-style-type: none">• Original Permit, letter, & supporting documentation in open subdivisions file• Scanned in to CDO Z: drive & Saved in appropriate location• Copy of permit only put in binder• Copy of letter & permit mailed to applicant• Conditions tracked in subdivision/consolidation tracking database		
Finalization <ul style="list-style-type: none">• Legal survey received from applicant and filed in land file with original permit, letter, and supporting documentation		



THE CITY OF DAWSON

P.O BOX 308, DAWSON CITY, YUKON Y0B 1G0
PH: (867) 993-7400, FAX: (867) 993-7434



SUBDIVISION/CONSOLIDATION APPLICATION CHECKLIST

Permit #: _____ Applicant Name: _____

Legal Description: _____ Mailing Address: _____

<ul style="list-style-type: none">• Copy of survey sent to Protective Services for Civic Addressing		
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THE CITY OF DAWSON

P.O BOX 308, DAWSON CITY, YUKON Y0B 1G0

PH: (867) 993-7400, FAX: (867) 993-7434

Zoning Assessment

File Number: 19-111

Date: Aug. 22 and Sept. 10

Zone: M1

Assessment Completed By: Libby M.

1. Application Type

OCP Amendment	Variance
<input checked="" type="checkbox"/> Zoning Amendment	Development
<input checked="" type="checkbox"/> Subdivision	Other

2. Official Community Plan Designation: MU-Mixed Use
 Does the proposed development meet OCP requirements? yes no unknown

3. Zoning By-Law Designation: M1-Industrial
 Does the proposed development meet ZBL requirements? yes no unknown

4. Heritage Management Plan Designation: Klondike Valley
 Does the proposed development require HAC review? yes no unknown

5. Zone Specific Regulations:

Provision	Permitted	Proposed	Compliant	Variance Required
Permitted Use	<u>res. security unit</u>	<input checked="" type="checkbox"/>	<input checked="" type="radio"/> Y / <input type="radio"/> N	<u>note 1.</u>
Minimum Parcel Size	<u>0.40 ha</u>	<u>0.556ha, 0.433ha</u>	<input checked="" type="radio"/> Y / <input type="radio"/> N	
Maximum Parcel Size	<u>—</u>	<u>—</u>	Y / N	
Minimum Parcel Width	<u>—</u>	<u>—</u>	Y / N	
Minimum Setback (Front)	<u>20 Ft.</u>	<u>55 Ft.</u>	<input checked="" type="radio"/> Y / <input type="radio"/> N	
Minimum Setback (Side)	<u>20 Ft.</u>	<u>20 Ft.</u>	<input checked="" type="radio"/> Y / <input type="radio"/> N	
Minimum Setback (Side)	<u>20 Ft.</u>	<u>211.5 Ft.</u>	<input checked="" type="radio"/> Y / <input type="radio"/> N	
Minimum Setback (Rear)	<u>20 Ft.</u>	<u>90 Ft.</u>	<input checked="" type="radio"/> Y / <input type="radio"/> N	
Minimum Floor Area	<u>—</u>	<u>—</u>	Y / N	



THE CITY OF DAWSON

P.O BOX 308, DAWSON CITY, YUKON Y0B 1G0

PH: (867) 993-7400, FAX: (867) 993-7434

Maximum Height (Principal)	35 ft.	16 ft.	Y/N	
Maximum Height (Accessory)	—	—	Y/N	
Maximum Parcel Coverage	—	—	Y/N	
Maximum Floor Area Ratio (FAR)	—	—	Y/N	
Minimum Off-Street Parking Spaces	—	—	Y/N	
Minimum Setback (Between Principal and Accessory)	—	—	Y/N	
Zone Specific: _____			Y/N	
Zone Specific: _____			Y/N	

6. Notes:

1. Business license #000456 means house can be defined as a res. security unit.



CITY OF DAWSON

PO Box 308, Dawson City, YT Y0B 1G0

BUSINESS LICENSE

Name Ganter Diesel Solutions Inc.
of PO Box 1500
Business Dawson City, YT
Y0B 1G0

Year	License Number
2019	000456

Issue Date	Expiration Date
1/1/2018	12/31/2019

Description of Business:

Heavy Equipment Field Mechanic

The licensee herein named having paid the prescribed fee is hereby licensed with the City of Dawson to carry on the business stated herein, unless this license is sooner cancelled, suspended or revoked. This license is issued subject to the Business License Bylaw of the City of Dawson now or hereafter in force and any amendments that may hereafter be made to said bylaw during the term of this License.

In the event that any condition of the business has changed (e.g., Address, location, description of business, etc) a new application must be completed and approved by the Licensed Inspector. If the business ceases to operate, you are required to notify the License Inspector in writing immediately. This license is personal and cannot be sold or transferred, except through the City of Dawson, as the bylaws direct.

License Inspector

DISPLAY IN A PROMINENT PLACE

Subdivision/Consolidation Notice Process

Decision Required By: March 22, 2019

Action	Date
1. Notice of a Public Hearing released to public (refer to S.1 below)	OCTO / Oct 18
2. Committee of the Whole	Sept 30
3. Public Hearing (refer to S.2 below)	Oct 28
4. Council	Oct 28

Section 1. Notice of a public hearing.

The notice must be circulated, in the method approved by Council, once a week for two successive weeks. The notice shall:

- a) describe the area affected by the proposed Subdivision;
- b) state the date, time, and place for the public hearing respecting the proposed Subdivision;
- c) include a statement of the reasons for the amendment and an explanation of it.

'Method approved by Council' includes the City of Dawson website, the Klondike Sun, the City and Post Office Bulletin Boards, and written notification as detailed below.

Written notification letters produced by the City of Dawson describing the area affected by the proposed amendment, stating the date, time and place for the public hearing and the reasons for the subdivision and an explanation of it shall be mailed to all properties prior to the public hearing within the following radii of the subject property:

- A) within the Historic Townsite, 100m (328 ft.);
- B) all other areas, 1km (3,281 ft.).

A notification sign shall be placed on the subject property following First Reading until such time as Council has ruled on the application. The sign shall state the details of the subdivision and the date, time and place of the public hearing as well as contact information of the City of Dawson.

The applicant shall allow a sign manufacturer contracted by the City to install the sign on the subject property in a conspicuous location. The applicant shall pay the required fee for the sign as specified in the Fees Bylaw in addition to the application fee.

Section 2. Public Hearing

Before making a decision, Council shall hold a public hearing to hear and consider all submissions respecting the proposed subdivision. The public hearing shall be held not earlier than 7 days after the last date of publication of the notice.

Section 3. Notice Requirements

- Klondike Sun
- Bulletin Board/Post Office
- Website/E-News
- Sign on Property
- Letters
- Public Works

2019 REGULAR COUNCIL & COMMITTEE OF WHOLE MEETINGS

JANUARY						
SU	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

FEBRUARY						
SU	M	T	W	TH	F	S
					1	2
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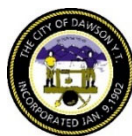
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	Council Meeting
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	Committee of Whole
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Deputy Mayor Appointments	
Councillor Shore	January to March
Councillor Johnson	April to June
Councillor Kendrick	July to September
Councillor Ayoub	October to December

WHEREAS human-generated climate change is an indisputable, scientifically proven reality, and

WHEREAS climate change affects everyone, with northerners particularly susceptible to its impacts, and

WHEREAS greenhouse gas emissions from fossil-fuel combustion is a leading cause of climate change, and

WHEREAS it's up to everyone to respond to the challenge of climate change and all citizens of the City of Dawson are encouraged to find ways to do, and continuing doing, their part in reducing their environmental footprint and greenhouse gas emissions.

THEREFORE BE IT RESOLVED that the City of Dawson Council directs the following:

As part of the upcoming budget-planning process, the CAO determines the municipality's annual average fuel consumption, in litres, and advise how the City of Dawson will reduce that number by at least 3% in 2020 and track the financial savings.

As part of the upcoming budget-planning process, the CAO determines the municipality's annual average electricity consumption and advise how the City of Dawson will reduce that number by at least 3% in 2020 and track the financial savings.

As part of the upcoming budget-planning process, the CAO prioritizes at least one of Council's climate-change ideas generated as part of the climate-strategy planning process and ensure it is in the 2020 budget presented to Council.

That any municipal carbon-tax rebates received from, at a minimum, 2020 to 2025 be directed to a reserve fund with the express purpose of paying for municipal initiatives aimed at limiting environmental impacts and reducing greenhouse gas emissions and that the CAO advise before September 30, 2020, on how that money will be accessed by departments.

That managers continue the practice of calculating carbon emissions in lifecycle costing of vehicle purchases.

That from now on, authors of briefing notes to Council consider, to the best of their ability, climate and environmental impacts and include that information in the "implications" or "analysis" section of those briefing notes.

That before March 31, 2020, the CAO advises on reasonable changes to the Procurement Policy that would give preference to contractors and service providers who limit greenhouse gas emissions and have a demonstrated commitment to green business practices.

That before March 31, 2020, the CAO and managers complete the FCM climate-adaption maturity scale tool and the greenhouse gas emissions reduction maturity scale and report the results back to Council.

That the City of Dawson continue to be a willing and engaged partner in implementing the Yukon's Climate Change Strategy.

That water coolers be removed from all City of Dawson buildings with up-to-standard waterpipes.

That the Mayor write a letter to the Yukon Government Community Services Minister (and forward it to Council) on the first of every month until petroleum hydrocarbon containers are included in the Designated Material Regulations and petroleum products are considered as an item for Extended Producer Responsibility.

Report to Council



For Council Decision For Council Direction For Council Information

In Camera

SUBJECT:	DRAFT Heritage Bylaw	
PREPARED BY:	Clarissa Huffman, CDO	ATTACHMENTS: 1. DRAFT Heritage Bylaw
DATE:	September 11, 2019	
RELEVANT BYLAWS / POLICY / LEGISLATION:	Official Community Plan	

RECOMMENDATION

It is respectfully recommended that Council:

1. Forward Heritage Bylaw 2019-04 to Council for second reading.

ISSUE

The existing Heritage Program is currently challenging to navigate, split between 5 very similar bylaws, and contains outdated programming and interpretation language. Feedback received from HAC and the public indicated that this program required review.

BACKGROUND SUMMARY

In February and March 2019, YG Historic Sites provided funding to review all of the heritage-related bylaws and provide feedback on next steps for improvement to clarity, ease of interpretation, consistency, and removal of duplication. The overall result of this review indicated that the most efficient way to manage the heritage program would be through one bylaw that consolidated the efforts of the current five bylaws. Throughout the June and July, the Heritage Advisory Committee provided feedback on iterations of this DRAFT bylaw and is now satisfied with its contents.

After first reading, the bylaw was sent back to Committee of the Whole to answer additional questions about the contents of the bylaw. This report does not repeat previous analyses and only discusses the questions raised at the most recent COW meeting.

ANALYSIS / DISCUSSION / ALIGNMENT TO OCP & STRATEGIC PRIORITIES

Heritage Reserve Fund

The Heritage Reserve Fund is intended to be a cash-funded reserve fund for a range of heritage related purposes, as per Reserve Fund Bylaw #11-21. The City of Dawson currently contributes money to cash funded reserves on an ad hoc basis based on available funds during the budgeting process. As per the 2018 audited financial statements, there is currently \$174,482 in the Heritage Reserve Fund.

Council will need to decide how much money they want to put into this reserve on an annual basis. The Heritage Bylaw as it is currently written states that "Tier I and II Heritage Incentives are granted on an annual basis to a combined maximum that is equal to half of the Heritage Reserve Fund of \$20,000 per year, whichever is lesser". Additionally, municipal heritage projects that are not allocated budget funding can access up to \$5,000 per year, for a total of \$25,000 per year.

End of Year Fund Value	Example 1: no contributions	Example 2: \$30,000 contribution (approx. current)
2019	\$174,482	\$204,782
2020	\$149,482	\$209,782
2021	\$124,482	\$214,782
2022	\$99,482	\$219,782
2023	\$74,482	\$224,782
2024	\$49,482	\$229,782

Choosing not to contribute to the fund will exhaust it within approximately 6-7 years. On the other hand, to continue the approximate current contribution will allow the fund to continue to grow and develop, giving Council the flexibility to expand the program or take on additional heritage-related projects in the future.

Not shown in this chart is the idea of a committed percentage value. For example, Council could decide that a certain percentage of revenues from a given funding stream, or a certain percentage of an annual surplus be contributed to the Heritage Reserve on an annual basis. This option is potentially more financially palatable but would result in funding inconsistencies for the program. This is a major drawback for an annual program.

Finally, Council asked when the Reserve Fund Bylaw was likely to be amended for this program. Should the new Heritage Bylaw be passed, the first application deadline for the Heritage Incentive would be in April 2020. Therefore, the amendment to the Reserve Fund Bylaw would need to be passed and operational prior to this date in order for the public to be able to access the fund as intended. Administration plans to initiate this process shortly after the Heritage Bylaw passes third and final reading.

HAC Honorarium

The idea of providing the Committee members honoraria for their time is an idea that has been expressed by the Committee and by Council. Administration supports this idea and feels that it would aid in commitment and retention if the Committee members feel recognized by Council for their contributions.

This could take several forms, and a few examples are given so that Council can understand the budget implications and recommend an amount.

Option 1. Half of the Council Remuneration

At a current rate of \$10,143.17 per annum, half of this rate would be \$5,071.59. With 2 meetings per month, this works out to a remuneration of \$211.32 per meeting. With 5 committee members, this would add an annual budget amount of \$25,357.95.

Option 2. Honorarium in Lieu of Wages

Some volunteer organizations provide honoraria in lieu of wages when funding is available. Using the 2019 Yukon minimum wage as a starting point (\$12.71), each committee member would receive approximately \$610.08 annually (average of 2 meetings per month, at an average length of two hours each). Alternatively, based on the most recent statistical data available for Dawson (2015), the average hourly wage is approximately \$26.16. Using that value, each committee member would receive approximately \$1,255.68 annually. This model would add an annual budget amount of approximately \$3,050.40-\$6,278.40, depending on the value chosen, as well as tax, EI, and CPP contributions.

Another option available is a value per month honorarium. This would set a standard value and would provide a stable option that is less burdensome administratively and more predictable to budget. A downside of this option is that it does not consider member absences, both excused and unexcused. This model would add a similar budget amount approximated above.

HAC Comments

HAC feedback has been incorporated into this bylaw and the following is a summary of their comments.

Signage

HAC wanted to see all signage eligible for funding, not just interpretive signage. It was clarified that the interpretive signage was included specifically for increased education for the public about Dawson’s historic structures. New commercial signage is not eligible because the Fund is not intended to assist applicants with the creation of new structures; it is intended for the restoration and preservation of Dawson’s historic resources. Council had previously deliberated adding ‘Tier III’ to the Fund, however this was decided against because it expanded the scope of the program too wide and was too complicated to administer.

Educational/Informational Projects

HAC wanted to see educational/informational projects eligible for funding. It was clarified that these types of projects would be eligible for funding as long as they are available for public consumption, as this would be classed as “publicly available interpretive media”.

New Inclusions based on HAC Feedback

Many clauses were amended or updated based on HAC feedback. This includes:

- ‘technical review’ of nominations (i.e. assessing for completeness and accuracy)
- assessing Historic Resource Permits based on the assessed against the Standards and Guidelines for the Conservation of Historic Places in Canada
- clarity around the appointment of chairs and acting chairs
- more robust language relating to who can serve as an advisory member
- ability to access Heritage Fund to assist with resolving legal non-conforming and encroachment issues on historic properties where the change would not substantially impact the heritage value of the structure
- provisions for a biannual meeting with Council

Next Steps (in approximate order of completion)

1. Amendment to the Reserve Fund Bylaw and the Heritage Management Plan.
2. Development of a municipal Heritage Inventory, a Historic Resources Permit, and a Development & Heritage Guide.
3. Amendment to the Zoning Bylaw.

APPROVAL		
NAME:	Cory Bellmore, CAO	SIGNATURE:
DATE:		



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

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 37(1) of the *Historic Resources Act*, RSY 2002, c. 109, and amendments thereto, provides that a municipal council may, by bylaw, designate as a municipal historic site, any site in the municipality that, in the opinion of the council, has sufficient historic significance in accordance with section 15 of the *Act*.

WHEREAS section 15 of the *Historic Resources Act*, RSY 2002, c. 109, and amendments thereto, provides that a municipal council designate any site as a historic site when satisfied that the site is, whether in itself or because of

- a) historic resources or human remains discovered or believed to be at the site, an important illustration of the historic or pre-historic development of the Yukon or a specific locality in the Yukon, or of the peoples of the Yukon or locality and their respective cultures; or
- b) the natural history of the Yukon or a specific locality in the Yukon,

and has sufficient historic significance to be so designated.

WHEREAS section 179 of the *Municipal Act*, RSY 2002, c. 154, section 48(f) of the *Historic Resources Act*, RSY 2002, c. 109, and amendments thereto, provides that a municipal council may establish a committee to advise Council on heritage matters.

WHEREAS section 245 of the *Municipal Act*, RSY 2002 c. 154 and amendments thereto, provides that Council may by bylaw provide grants as Council considers expedient to any person, institution, association, group, government, or body of any kind.

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 *Heritage Bylaw*.

2.00 Purpose

2.01 The purpose of this bylaw is to outline:

- (a) The duties and responsibilities of the Heritage Advisory Committee;
- (b) The designation and protection of municipal historic resources; and
- (c) The framework of a Heritage Fund program;



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

Table of Contents

PART I - INTERPRETATION	1
1.00 Short Title	1
2.00 Purpose	1
3.00 Definitions	3
PART II – APPLICATION.....	4
4.00 Heritage Advisory Committee Structure and Proceedings	4
5.00 Heritage Advisory Committee Duties & Responsibilities	5
6.00 Heritage Advisory Committee Meetings	6
7.00 Heritage Advisory Committee Agendas and Minutes	6
8.00 Municipal Historic Sites	7
9.00 Heritage Inventory	8
10.00 Protection of Historic Sites	8
11.00 Historic Resources Permit	9
12.00 Heritage Fund.....	9
13.00 Heritage Incentives.....	10
14.00 Penalties.....	13
PART III – FORCE AND EFFECT	15
15.00 Severability	15
16.00 Bylaw Repealed.....	15
17.00 Enactment	15
18.00 Bylaw Readings.....	15



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

3.00 Definitions

3.01 In this Bylaw:

- (a) Unless expressly provided for elsewhere within this bylaw the provisions of the *Interpretations Act*, RSY 2002, c. 125, shall apply;
- (b) "city" means the City of Dawson;
- (c) "council" means the Council of the City of Dawson.
- (d) "Historic Townsite" means the combined area of the Downtown Heritage Management Area and the Residential Heritage Management Area as defined by the *Zoning Bylaw*.
- (e) "Development Officer" means the Community Development and Planning Officer or their delegate as appointed by the Chief Administrative Officer (CAO).
- (f) "Heritage Inventory" means a listing of historic resources within the City of Dawson that includes relevant information from the Yukon Historic Sites Inventory (YHSI). The Heritage Inventory is intended to complement, not duplicate, the YHSI.
- (g) "Historic Resource" means a historic site, historic object, or any work or assembly of works of nature or human endeavor listed in the Yukon Historic Sites Inventory.
- (h) "Historic Resources Permit" means a permit issued by the Development Officer to authorize any proposed alteration to a historic resource.
- (i) "Minister" means the Minister of the Yukon Legislative Assembly responsible for the Historic Resources Act.
- (j) "Municipal Historic Site" means an area or place, parcel of land, building or structure, or the exterior or interior portion of a building or structure that is by itself, or by reason of containing a historic resource, designated by Council as a Municipal Historic Site.
- (k) "Municipal Historic Sites Inventory" means a listing of the Municipal Historic Sites designated by Council.
- (l) "Registered Owner" means the individual(s) listed as the owner on the current land titled for the property.



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

PART II – APPLICATION

4.00 Heritage Advisory Committee Structure and Proceedings

- 4.01 Council shall by resolution appoint a minimum of three (3) and a maximum of five (5) voting members to the Heritage Advisory Committee (HAC). Members shall be residents of, or be the registered owner of property/properties in, the City of Dawson but are not required to be Canadian citizens.
- 4.02 Terms for voting members shall be of a two-year period and shall be staggered so that the terms of members end in alternate years. Appointments shall be to terms concluding on September 30th of any given year. Members may be reappointed to succeeding terms.
- 4.03 Members serve at the pleasure of Council.
- 4.04 Where a member of HAC has failed to attend three (3) consecutive HAC meetings without the consent of the chair, HAC may, by resolution, recommend to Council that Council revoke the appointment of such member by resolution.
- 4.05 At the first regular meeting following September 30th in any year, HAC shall, by resolution appoint a chair and deputy chair for a term not exceeding one year.
- (a) Members may volunteer their names for consideration. If no volunteers come forward, chair and deputy chair shall fall to the two longest-standing members of HAC.
- (b) A chair may serve for more than one successive term.
- 4.06 Council shall appoint up to four (4) heritage professional advisory members to HAC, with one (1) each invited from Tr'ondëk Hwëch'in, Parks Canada, Yukon College, and Government of Yukon.
- (a) Each professional advisory member may appoint an alternate who may participate on their behalf should they be unavailable to attend a meeting.
- (b) The Yukon College professional advisory member should be teaching or studying in a relevant building related field such as carpentry.
- (c) Individuals not affiliated with one of the organizations listed in 4.06 may serve as professional advisory members under the following conditions:
- I. There are currently less than four (4) professional advisory members appointed by Council; and
- II. The number of voting members appointed to HAC has already reached the maximum of five (5) members.
- 4.07 Professional advisory members shall:
- (a) Be non-voting members of HAC with participation in all HAC meetings;
- (b) Be appointed to a term not exceeding two years, but may be reappointed to succeeding terms; and
- (c) Serve at the pleasure of Council.



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

- 4.08 Unless otherwise specified in this bylaw, conduct at meetings shall be in accordance with section 11 the *Council Proceedings Bylaw*, and amendments thereto.
- 4.09 Three (3) voting members of HAC shall constitute a quorum at any meeting.
- (a) If quorum is not present within 30 minutes after the time fixed for a regular or special meeting of HAC, the Development Officer shall ensure the names of members present are recorded and the meeting shall be adjourned until the next regular or special meeting.
- (b) If a member arrives late, no prior discussion shall be reviewed for that member's benefit except with the unanimous consent of all members present at the meeting.
- 4.10 Members who are in conflict of interest must declare the conflict and step down from the table during discussion and voting for the related agenda item(s).
- (a) Members are considered to be in conflict where they may be perceived as unable to make an unbiased assessment of the matter at hand due to monetary or other tangible benefits relating to:
- I. The member or the member's immediate family;
 - II. A corporation in which the member is a shareholder, director, or officer;
 - III. A society in which the person is a member, officer or employee; or
 - IV. A partnership or firm of which the person is a member.
- (b) The withdrawal and return of the member shall be recorded in the minutes.
- 4.11 Each member of the Heritage Advisory Committee will be compensated with an annual honorarium of \$0.00 to be paid out at the end of each calendar year.
- 5.00 Heritage Advisory Committee Duties & Responsibilities**
- 5.01 HAC shall:
- (a) Consider and make recommendations to the Development Officer regarding historic resource permit applications;
 - (b) Consider and make recommendations to the Development Officer regarding heritage aspects of a development permit applications in the historic townsite;
 - (c) Consider and make recommendations to the Development Officer regarding nominations for designation of a Municipal Historic Site based on publicly available evaluation criteria;
 - (d) Provide a list of proposed heritage-related projects once per fiscal year for consideration in the Council annual operating budget process;
 - (e) Provide feedback and input to the Development Officer to assist with the development and maintenance of a Development & Heritage Guide to provide a consistent framework for decision making; and
 - (f) Other duties as delegated to it by Council from time to time.
- 5.02 HAC and its members shall not represent the City of Dawson in a formal or informal capacity unless requested and/or approved by Council.



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

- 5.03 If, after two consecutive meetings, HAC is unable to make a decision on any matter referred to HAC, HAC shall refer the matter to Council.
- 5.04 HAC members will be required to attend orientation and ongoing training as recommended by the Development Officer and determined by Council.

6.00 Heritage Advisory Committee Meetings

- 6.01 At the last meeting of each calendar year, HAC shall establish the regular HAC meeting dates for the following year.
- 6.02 All regular meetings shall be scheduled from 7:00pm to 9:00pm. HAC may, by resolution, extend the hours of a regular meeting, not exceeding two periods of thirty (30) minutes.
- 6.03 When the day fixed for a regular meeting of HAC falls on a statutory holiday, the meeting shall be held on the following working day.
- 6.04 The Development Officer may recommend cancellation of a regular meeting if there are no matters referred to HAC.
- 6.05 Notwithstanding s. 6.04 above, HAC shall hold a minimum of one regular meeting per month.
- 6.06 Meetings shall be attended in person wherever possible. A member may participate by electronic means if it is not feasible to attend in person. Electronic participation contributes to the quorum of the meeting.

7.00 Heritage Advisory Committee Agendas and Minutes

- 7.01 Notice for each meeting shall be given in the form of an agenda and meeting package distributed electronically not less than two (2) working days prior to the time of the meeting.
- 7.02 All matters to be considered at a meeting, including development permit and historic resources permit applications, shall be submitted to the Development Officer at least four (4) business days prior to the time of the meeting.
- 7.03 No business other than that stated in the regular meeting agenda shall be heard at that meeting unless all members present pass a resolution unanimously to accept a time-sensitive item.
- 7.04 Upon the meeting being called to order, the following shall be the order of business unless otherwise determined by unanimous consent of the members present at the meeting:
- (a) Call to Order
 - (b) Adoption of Agenda
 - (c) Delegations
 - (d) Business Arising from Delegations
 - (e) Adoption of Minutes
 - (f) Business Arising from Minutes



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

- (g) Applications
 - (h) Reports
 - (i) Unfinished Business
 - (j) New Business
 - (k) Correspondence
 - (l) Information
 - (m) Adjournment
- 7.05 Delegates may register an interest in a specific topic, in advance, in order to address HAC about the topic, with a speaking time not to exceed ten (10) minutes.
- 7.06 Notwithstanding s. 7.05 above, delegations on standalone topics that are not associated with an application shall be no longer than ten minutes, and may only be accepted if time permits, at the discretion of the Development Officer.
- 7.07 All recommendations shall be approved by a resolution. Reasons and explanations for a resolution shall be outlined in the minutes.
- 7.08 The Chair, or any two members, may call special meetings as deemed necessary, provided that two (2) working days notice be given to all members prior to the meeting.
- 7.09 HAC will hold a joint special meeting with Council on a biannual basis, to be scheduled jointly by the Development Officer and the Executive Assistant.
- (a) The agenda for the joint meeting shall be finalized and circulated as per s. 7.01 above.
- 7.10 HAC may, by resolution, close a meeting to the public if the matter to be discussed is a matter contemplated by section 213(3)(b) of the *Municipal Act*.
- 7.11 The Development Officer shall ensure that minutes of all proceedings are legibly recorded and approved as accurate by resolution at the next regular meeting.
- (a) When approved as accurate, the Development Officer shall forward the minutes to Council as information.
- 8.00 Municipal Historic Sites**
- 8.01 Council may either, on its own motion, or upon nomination by any person or group of persons, designate any site as a Municipal Historic Site when it has determined, in its opinion, that the site is an important illustration of the historic development of the Klondike Valley, or the natural history or peoples and cultures of the Klondike Valley Cultural Landscape, as delineated in the *Heritage Management Plan*.
- 8.02 Designation of site as a Municipal Historic Site under s. 8.01 above must be in compliance with the requirements listed in Part 5 of the *Historic Resources Act* and amendments thereto.
- 8.03 When a person or group of persons wishes to designate a site as a Municipal Historic Site, they shall complete a nomination form and submit it to the Development Officer with the prescribed fee as per the *Fees and Charges Bylaw*.



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

- 8.04 When the Development Officer receives a nomination to designate a Municipal Historic Site, they shall:
- (a) Assess the application for completeness and accuracy;
 - (b) Present the nomination to HAC for evaluation; and
 - (c) Prepare a report including:
 - I. the recommendations of HAC;
 - II. whether the site meets the requirements of this bylaw and of the *Historic Resources Act*; and
 - III. an overall assessment of the nomination with respect to overall planning considerations.
 - (d) Present the report detailed in s. 8.04(b) above for Council consideration.
- 8.05 Prior to passing a bylaw to designate a Municipal Historic Site under s. 8.01 above, Council will give full consideration of the recommendations provided in the report provided under s. 8.04(b).
- 8.06 A bylaw to designate a Municipal Historic Site shall include, at minimum:
- (a) A legal description of the land to be designated, if available, and/or a written description of the land to be designated;
 - (b) A map delineating the land to be designated;
 - (c) Reasons for designation; and
 - (d) Any specific protection measures or prohibitions as determined necessary by Council.
- 8.07 All transfers or sales of Municipal Historic Sites shall be completed in accordance with sections 51 and 52 of the *Historic Resources Act*.
- 9.00 Heritage Inventory**
- 9.01 Council will maintain an inventory of
- (a) all designated Municipal Historic sites in compliance with s. 55 of the *Historic Resources Act*; and
 - (b) all existing historic resources within the municipality, including sites which have historical significance but which have not been designated by Council as a Municipal Historic Site.
- 10.00 Protection of Historic Sites**
- 10.01 The Development Officer is appointed by this bylaw to serve as an inspector for the purposes of enforcing this bylaw and the *Historic Resources Act*, as per sections 48, 49, and 50 of the *Historic Resources Act*.
- 10.02 No person shall make, demolish, move, or make alterations to a Municipal Historic Site and/or a site listed on the Heritage Inventory unless such alteration is carried out in accordance with a valid development permit or historic resources permit.



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

10.03 In addition to s. 10.01 and 10.02 above, no person shall carry out an activity that will in the opinion of HAC, alter the character defining elements of a Municipal Historic Site, without the approval of Council by resolution.

10.04 Upon receipt of an application for a development permit or historic resources permit for an activity that may alter the historic character of a non-designated site listed on the Heritage Inventory, HAC may recommend that the Development Officer bring the application forward to determine if Council wishes to commence the process for designation as a Municipal Historic Site.

11.00 Historic Resources Permit

11.01 A historic resources permit is required for any proposed exterior alterations and/or alterations of a character defining element of a Municipal Historic Site and/or to a site listed on the Heritage Inventory that does not meet the threshold for a development permit as defined in the sections 4.1 and 4.2 of the *Zoning Bylaw*.

11.02 Historic resources permits will be assessed and approved by the Development Officer, with recommendations from HAC, in accordance with the following, as applicable:

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

12.00 Heritage Fund

12.01 As per the *Reserves Fund Bylaw* Appendix A, the Heritage Fund may be used to assist with the following:

- (a) Restoration, enhancement, or renovation of Municipal Historic Sites and sites listed on the Heritage Inventory;
- (b) Acquisition, by the City of Dawson, of Municipal Historic Sites and sites listed on the Heritage Inventory for heritage conservation/restoration purposes;
- (c) Provision of financial assistance to owners or lessees of Municipal Historic Sites and sites listed on the Heritage Inventory for restoration, enhancement, or renovation of the site;
- (d) Research to aid with interpretation of the culture and history of the Klondike Valley Cultural Landscape;
- (e) Development of interpretive media such as signage, panels, or tours;
- (f) Increasing public awareness of historic resources and heritage management of the City; and
- (g) Other heritage purposes as specified by the resolution of Council.



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

- 12.02 Council shall transfer revenues from historic resources permits and Municipal Historic Site nominations to the Heritage Fund.
- 12.03 The Heritage Fund may be accessed by two project types:
- (a) Municipal projects, not exceeding a value of \$5,000 per fiscal year, that have been identified by HAC but have not been allocated budget funding; and
 - (b) Private projects that have proceeded through the Heritage Incentive application process as outlined in s. 13 of this bylaw.
- 12.04 Where HAC wishes to propose a project that meets the requirements for withdrawal from the Heritage Fund as per s. 12.01 and s. 12.03(a) above, HAC shall work with the Development Officer to devise a scope of work to be considered by Council. Municipal projects accessing the Heritage Fund will only be considered after the Heritage Incentive intake each year.
- 12.05 With respect to s. 12.03 above, Council shall hear project proposals for the Heritage Fund and may decide to:
- (a) Approve the project and transfer the full requested amount out of the Heritage Fund;
 - (b) Approve the project with minor changes transfer a full or partial amount out of the Heritage Fund;
 - (c) Request that changes are made to the project scope and returned with an updated proposal; or
 - (d) Decline the project because it is not eligible and/or is not deemed a project priority.
- 13.00 Heritage Incentives**
- 13.01 Registered owners or lessees (with written authorization from the registered owner) of a Municipal Historic Site or a site listed on the Heritage Inventory may apply to the Heritage Fund as per s. 12.01 above.
- 13.02 Eligible restoration, enhancement, or renovation costs for Tier I and II incentives include the following:
- (a) Repair or replacement of roofs or foundations;
 - (b) Sealing to weather;
 - (c) Stabilization and/or installation of additional bracing;
 - (d) Repair or reproduction of doors and windows;
 - (e) Repair or replacement of cladding;
 - (f) Returning the exterior to its original appearance as per photographic evidence or other research as appropriate;
 - (g) Painting, where it can be demonstrated as a conservation activity;
 - (h) Interpretive signage and/or other publicly available interpretive media;
 - (i) Alterations that bring a structure into compliance with current bylaws in order to resolve a legal non-conforming status but do not impact the heritage values or character defining elements;



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

- (j) Procurement of materials to undertake any of the above; and
 - (k) Procurement of skilled labour to undertake any of the above.
- 13.03 Non-eligible projects include the following:
- (a) Projects where a government is the applicant;
 - (b) Cyclical repair such as cosmetic repainting and landscaping;
 - (c) Private purchase of land or structures;
 - (d) Projects that have already commenced or are already complete;
 - (e) Projects on properties that have received funding under this bylaw within the last five (5) calendar years;
 - (f) Restoration or redevelopment that does not conform with the *Zoning Bylaw*, *Heritage Management Plan* and the *Design Guidelines for Historic Dawson*; and the *Standards and Guidelines for the Conservation of Historic Places in Canada*. Exceptions may be made for structures that are demonstrated to be legal non-conforming and meet the criteria for alterations to a legal non-conforming structure as per the *Municipal Act*.
 - (g) Projects on properties with outstanding property tax or compliance infractions with respect to any municipal bylaw;
- 13.04 Owners or lessees of a Municipal Historic Site are eligible for a Tier I Heritage Incentive, which constitutes up to 50% of an eligible project to a maximum of \$10,000.
- 13.05 Owners or lessees of a non-designated heritage site are eligible for a Tier II Heritage Incentive, which constitutes up to 50% of an eligible project to a maximum of \$5,000.
- 13.06 Tier I and II Heritage Incentives are granted on an annual basis to a combined maximum that is equal to half of the Heritage Reserve Fund or \$20,000 per year, whichever is lesser.
- 13.07 Applications for Tier I and II Heritage Incentives will be considered complete when the following information is submitted to the Development Officer by April 15 of each year:
- (a) Completed application form;
 - (b) Project Proposal detailing:
 - I. Work plan and timeline;
 - II. Rationale for the project;
 - III. Current state of the structure/site (with photographs);
 - IV. Explanation of how the project advances the goals of the *Heritage Management Plan* and preserves the heritage values and/or character defining elements of the site; and
 - V. Explanation of how the project will extend the life of the site and provide heritage value to the broader community;
 - (c) Project budget, including details on proposed outside funding sources and ability to finance the project;



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

- (d) Detailed drawings showing compliance with the *Zoning Bylaw*, *Heritage Management Plan*, *Design Guidelines for Historic Dawson*, and *Standards and Guidelines for the Conservation of Historic Places in Canada* where appropriate;
 - (e) Historical evidence of the site/structure's original use and features, such as historic photos or museum records; and
 - (f) Written approval from the registered owner of the site (where applicable).
- 13.08 Applications that do not meet all of the criteria listed in s. 13.07 above will not be assessed.
- 13.09 Applications for a heritage incentive will be assessed against the following criteria:
- (a) Whether the application is for a Tier I or II incentive, with Tier I being the highest weighted incentive;
 - (b) The degree of deterioration and necessity of restoration;
 - (c) The financial and technical ability of the applicant to complete the work;
 - (d) Ability of the applicant to access other funding for the project;
 - (e) The clarity, accuracy, and credibility of the project proposal;
 - (f) The degree of benefit to the heritage integrity of the site;
 - (g) The degree of community benefit; and
 - (h) Demonstration of commitment to using design features, materials, and styles that meet the *Design Guidelines for Historic Dawson* and the *Standards and Guidelines for the Conservation of Historic Places in Canada*.
- 13.10 Applicants may, upon request to the Development Officer, speak as a delegate to HAC to explain and get feedback on their proposal prior to formal submission of an application for a Heritage Incentive.
- 13.11 Council shall, upon the recommendation of HAC, determine by resolution whether an application, or any part thereof, should be:
- (a) Fully approved;
 - (b) Partially approved;
 - (c) Approved with additional conditions; or
 - (d) Denied.
- 13.12 Successful applications will be required to enter into a Contribution Agreement with the City of Dawson, detailing at minimum, the following conditions:
- (a) The proposed project shall not commence until the proponent has obtained a valid development permit and/or historic resources permit, as applicable.
 - (b) Funds will be released upon the completion of the project based on a site visit conducted by the Development Officer to confirm that the work has been completed as agreed;
 - (c) Confirmation that any applicable territorial permits have been approved and closed;
 - (d) The applicant must remain in compliance with all relevant municipal and territorial legislation;



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

- (e) The Contribution Agreement may be terminated if, in the opinion of the City of Dawson, the applicant fails to comply with any conditions of the Agreement;
 - (f) Any project-specific conditions as identified by the Development Officer, HAC, or Council.
- 13.13 Receipt of an incentive through another funding opportunity does not change the eligibility of a project under this program.

14.00 Penalties

- 14.01 A development officer may enforce the provisions of this bylaw in accordance with the *Yukon Municipal Act*.
- 14.02 Any person who does the following commits an offence:
- (a) contravenes, causes, or permits a contravention of this bylaw or a historic resources permit;
 - (b) neglects or omits anything required under this bylaw or a historic resources permit;
 - (c) fails to comply with an order, direction, or notice given under this bylaw; or
 - (d) fails to provide entry for inspection under this bylaw.
- 14.03 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.
- 14.04 A development officer may issue a notice of offence order to:
- (a) the owner of the property;
 - (b) the person in possession of the land or buildings; or
 - (c) the person responsible for the offence.
- 14.05 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.
- 14.06 A notice of offence order shall:
- (a) describe the nature of the violation;
 - (b) describe the actions or measures required to remedy the violation, including the removal or demolition of a structure that has been erected or placed;
 - (c) state a time within which the person must comply with the directions or the order; and
 - (d) 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.
- 14.07 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.
- 14.08 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.



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

- 14.09 If the corrective measures described in a notice of offence 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.
- 14.10 All offence tickets shall be prepared and served in accordance with part 3 of the Yukon *Summary Convictions Act*.
- 14.11 An offence ticket shall be served by registered mail or in person.
- 14.12 Set fines under this section include the following:
- (a) Failure to obtain a historic resources permit - \$250.00
 - (b) Failure to obtain a historic resources permit (second or subsequent offence) - \$500.00
 - (c) Failure to comply with permit conditions - \$250.00
 - (d) Failure to comply with permit conditions (second or subsequent offence) - \$500.00
 - (e) Failure to comply with notice of offence order - \$250.00
 - (f) Failure to comply with notice of offence order (second or subsequent offence) - \$500.00
 - (g) Failure to grant right of entry - \$250.00
 - (h) Failure to grant right of entry (second or subsequent offence) - \$500.00
- 14.13 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.
- 14.14 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.
- 14.15 Council may, on finding that any development or use of land or buildings is in contravention of this bylaw:
- (a) direct the development officer to act on the matter;
 - (b) suspend or revoke a development permit with respect to such contravention; and/or
 - (c) apply to the Court for an injunction to restrain such contravention.
- 14.16 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*.
- 14.17 In addition to the penalties provided for in this bylaw, a person convicted of an offence may be ordered to remove such development and reclaim the site at that person's own expense.
- 14.18 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.



THE CITY OF DAWSON

Heritage Bylaw

Bylaw No. 2019-04

PART III – FORCE AND EFFECT

15.00 Severability

15.01 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.

16.00 Bylaw Repealed

16.01 Bylaw 09-04, 09-06, 14-12, 15-06, and their amendments are hereby repealed.

17.00 Enactment

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

17.02 This bylaw shall be reviewed every 5 years.

18.00 Bylaw Readings

Readings	Date of Reading
FIRST	July 29, 2019
SECOND	
THIRD and FINAL	

Original signed by _____

Name of Presiding Officer, Title
Presiding Officer

Name of CAO (or designate), Title
Chief Administrative Officer



THE CITY OF DAWSON

Single Use Plastics Bylaw

Bylaw No. **2019-nn**

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

- (a) Nuisance, unsightly property, noise and pollution and waste in or on public or private property;
- (b) Businesses, business activities and persons engage in business and the enforcement of bylaws

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

1.02 This bylaw may be cited as the *Single Use Plastics Bylaw*.

2.00 Purpose

2.01 The purpose of this bylaw is to

- (a) Regulate the business use of single use plastics to reduce the creation of waste and associated municipal costs,
- (b) to better steward municipal property, including sewers, streets and parks, and
- (c) to promote responsible and sustainable business practices that are consistent with the values of the community.



THE CITY OF DAWSON

Single Use Plastics Bylaw

Bylaw No. 2019-nn

Table of Contents

PART I - INTERPRETATION 1

 1.00 Short Title 1

 2.00 Purpose 1

 3.00 Definitions 3

PART II – APPLICATION 4

 4.00 Checkout Bag Regulation 4

 5.00 Exemptions 4

 6.00 Offence 5

 7.00 Penalties 5

PART III – FORCE AND EFFECT 6

 8.00 Severability 6

 9.00 Bylaw Repealed 6

 10.00 Enactment 6

 11.00 Bylaw Readings 6

PART IV – APPENDIX (APPENDICES) 7



THE CITY OF DAWSON

Single Use Plastics Bylaw

Bylaw No. 2019-nn

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) "business" means I. any commercial, merchandising, or industrial activity or undertaking, or II. any profession, trade, occupation, calling or employment, or III. any activity providing goods or services for the purpose of gain or profit.
- (d) "checkout bag" means:
 - (a) any bag intended to be used by a customer for the purpose of transporting items purchased or received by the customer from the business providing the bag; or
 - (b) bags used to package take-out or delivery of food
 - (c) and includes Paper Bags, Plastic Bags, or Reusable Bags;
- (e) "CAO" means the Chief Administrative Officer for the City of Dawson;
- (f) "city" means the City of Dawson;
- (g) "council" means the Council of the City of Dawson.
- (h) "paper bag" means a bag made out of paper and containing at least 40% post-consumer recycled paper content, and displays the words "recyclable" and "made from 40% post-consumer recycled content" or other applicable amount on the outside of the bag but does not include a Small Paper Bag;
- (i) "plastic drinking straw" means a tube made of plastic, including biodegradable or compostable plastics, used to transfer a beverage from a container to the mouth of the individual drinking the beverage by suction;
- (j) "plastic bag" means any bag made with plastic, including biodegradable plastic or compostable plastic, but does not include a Reusable Bag;



THE CITY OF DAWSON

Single Use Plastics Bylaw

Bylaw No. 2019-nn

- (k) "reusable bag" means a bag with handles that is for the purpose of transporting items purchased by the customer from a Business and is
- (a) designed and manufactured to be capable of at least 100 uses; and
 - (b) primarily made of cloth or other washable fabric;

- (k)"small paper bag" means any bag means any bag made out of paper that is less than 15 centimeters by 20 centimeters when flat.

PART II – APPLICATION

4.00 Checkout Bag Regulation

- 4.01 Except as provided in the Bylaw, no Business shall provide a customer with any of the following items;
- (a) Checkout Bag
 - (b) Plastic Drinking Straw
- 4.02 A Business may provide a Checkout Bag to a customer only if:
- (a) The customer is first asked whether they need a bag;
 - (b) The bag provided is a Paper Bag or a Reusable Bag
- 4.03 For certainty, no Business may;
- (a) Sell or provide to a customer a Plastic Bag;
- 4.04 No Business shall deny or discourage the use by a customer of their own Checkout Bag for the purpose of transporting items purchased or received by the customer from the Business or discourage the use of the customers own plastic drinking straw.

5.00 Exemptions

- 5.01 Section 4.00 does not apply to Small Paper Bags or bags used to:
- (a) Package loose bulk items such as fruit, vegetables, nuts, grains, or candy;
 - (b) Package loose small hardware items such as nails and bolts;
 - (c) Contain or wrap frozen foods, meat, poultry, or fish, whether pre-packaged or not;
 - (d) Wrap flowers or potted plants;
 - (e) Protect prepared foods or bakery goods that are not pre-packaged;
 - (f) Contain prescription drugs received from a pharmacy;
 - (g) Transport live fish;
 - (h) Protect newspapers or other printed material intended to be left outdoors

Commented [CD1]: Will this ever be a thing here?



THE CITY OF DAWSON

Single Use Plastics Bylaw

Bylaw No. 2019-nn

- 5.02 Section 4.00 does not limit or restrict the sale of bags, including Plastic Bags, intended for use at the customer's home or business, provided that they are sold in packages or multiple bags
- 5.03 Section 4.00 does not limit or restrict the sale of Plastic Drinking Straws intended for use in the customer's home, provided they are sold in packages of multiple straws..
- 5.04 A Business may provide a Checkout Bag if:
- (a) the Business meets the requirements of section 4.02);
 - (b) the bag has already been used by a customer; and;
 - (c) the bag has been returned to the Business for the purpose of being re used by other customers.
- 5.05 Section 5.03 does not apply to a Checkout Bag that was purchased by a Business prior to third reading of this Bylaw

Commented [CD2]: Do we want this? It continues to allow plastic bags but bags brought from other businesses out of the community

6.00 Offence

- 6.01 A person who commits an offence and is subject to the penalties imposed by this Bylaw if that person,
- (a) Contravenes a provision of the Bylaw, or;
 - (b) Consents to, allows, or permits an act or thing to be done contrary to this Bylaw,
- 6.02 Each instance that a contravention of a provision of the Bylaw occurs and each day that a contravention continues shall constitute a separate offence.

7.00 Penalties

- 7.01 Any person who fails to comply with the requirements of this bylaw commits an offence and is liable, upon summary conviction, to:
- (a) a voluntary fine under section 20 of the Summary Convictions Act, issued in respect of an offence specified in Appendix "A" attached hereto and forming part of this bylaw;
 - (b) a fine not less than five hundred dollars (\$500.00) where proceedings are commenced pursuant to the Summary Convictions Act of the Yukon.



THE CITY OF DAWSON

Single Use Plastics Bylaw

Bylaw No. 2019-**nn**

PART III – FORCE AND EFFECT

8.00 Severability

8.02 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.

9.00 Bylaw Repealed

9.01 Bylaw YY-xx (or YYYY-xx) and its amendments are hereby **repealed**.

Commented [CD3]: This section can go

10.00 Enactment

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

Commented [CD4]: We should pick a certain date for this one and not just on third reading

11.00 Bylaw Readings

Readings	Date of Reading
FIRST	
SECOND	
THIRD and FINAL	

Original signed by

Wayne Potoroka, Mayor
Presiding Officer

Cory Bellmore, CAO
Chief Administrative Officer



THE CITY OF DAWSON

Single Use Plastics Bylaw

Bylaw No. 2019-**nn**

PART IV – APPENDIX (APPENDICES)

Appendix A – Voluntary Fines

Authority	Ticket Description	Penalty
4.01	Providing a checkout bag or plastic drinking straw to a customer except as provided in this bylaw	??
4.02 (a)	Providing a checkout bag or plastic drinking straw without asking whether a customer wants one	??
4.02 (b)	Providing a checkout bag that is not a paper bag or reusable bag	??
4.03	Selling or providing a plastic bag	??
4.04	Discouraging the use of a customer's own reusable bag or plastic drinking straw	??