# THE CITY OF DAWSON

COMMITTEE OF THE WHOLE MEETING #CW22-05

DATE:WEDNESDAY March 16, 2022TIME:7:00 PMLOCATION:City of Dawson Council Chambers

# Join Zoom Meeting

https://us02web.zoom.us/j/89921561348?pwd=cjVmbDBWSHFqcG1MVHE3YU90ekxOdz09 Meeting ID: 899 2156 1348 Passcode: 683083

# 1. CALL TO ORDER

# 2. ACCEPTANCE OF ADDENDUM & ADOPTION OF AGENDA

a) Committee of the Whole Meeting CW22-06

# 3. DELEGATIONS & GUESTS

- a) Dawson Regional Planning Commission
- b) Dawson City Farmer's Market Society
- c) Wayne Potoroka North End

# 4. BUSINESS ARISING FROM DELEGATIONS & GUESTS

- a) Dawson Regional Planning Commission
- b) Dawson City Farmer's Market Society
- c) Wayne Potoroka North End

# 5. PUBLIC HEARINGS

- a) Public Hearing: Condominium Subdivision Application- Lot 8, Block R, Ladue Estate
- b)

# 6. MÍNUTES

- a) Committee of the Whole Meeting Minutes CW22-01 of January 12, 2022
- b) Committee of the Whole Minutes CW22-03 of February 9, 2022
- c) Special Committee of the Whole Minutes CW22-04 of February 10, 2022

# 7. BUSINESS ARISING FROM MINUTES

- a) Committee of the Whole Meeting Minutes CW22-01 of January 12, 2022
- b) Committee of the Whole Minutes CW22-03 of February 9, 2022
- c) Special Committee of the Whole Minutes CW22-04 of February 10, 2022

# 8. REFERRALS FROM PRIOR MEETINGS

a) Andre Zadrazil RE: Laundry Services

# 9. SPECIAL MEETING, COMMITTEE, AND DEPARTMENTAL REPORTS

- a) AYC AGM Resolutions
- b) RCMP 2022 Policing Priorities
- c) Vacant Lot Tax
- d) Information Report Rec Centre Update
- e) Council Chambers IT Update

# **10. BYLAWS & POLICIES**

- a) Official Community Plan Bylaw Amendment No. 5 (2021-14)-Second Reading
- b) Zoning Bylaw Amendment No. 14 (2021-15)-Second Reading

# **11. PUBLIC QUESTIONS**

# 12. IN CAMERA

a) Legal/Land related matters

# 13. ADJOURNMENT



# Draft Land Use Plan Highlights June 2021



Dawson Regional Planning Commission

On The Land We Walk Together Nän käk ndä tr'ädäl

# The Dawson Planning Region



The Dawson Planning Region<sup>1</sup> is in the west central part of Yukon and is about 39,854 km2 or 10% of Yukon. Three highways transect the region as well as the Yukon River. The population is 2220 (2017), representing 5.7% of Yukon's total population. Dawson City is the main settlement in the Region.



The Government of Yukon manages most of the region, which is public land. The Tr'ondëk Hwëch'in is also a major land holder in the region having 135 parcels of settlement land. These are the two Parties to the Plan who will be jointly responsible for its implementation.



The First Nations of Nacho Nyäk Dun and Vuntut Gwitchin First Nation, have overlapping traditional territory and White River, a non-self-governing First Nation under the UFA, have identified a land selection in the Region.



The Dawson Region is one of the most unique areas of the Yukon – it boasts opportunities and employment in mining and other economic sectors such as forestry, agriculture, wilderness tourism, trapping, big game outfitting, subsistence wildlife harvesting and fishing. It sustains a thriving community and cultural landscape, and healthy ecosystems that support a wide variety of fish and wildlife.



The Tr'ondëk Hwëch'in, as well as many other First Nations have lived and travelled in the area for generations. It is a place of immense importance as the Tr'ondëk Hwëch'in identity, culture, beliefs, traditions and practices are all rooted in the land (TH 2020).



The region is of global archaeological and paleontological interest because of its beringian and Gold Rush Past

<sup>1</sup>The City of Dawson (and surrounding communities), Tombstone Territorial Park, and Klondike National Historic Sites are not in the scope of the regional plan.

The purpose of this booklet is to introduce the Draft Plan for the Dawson Planning Region and to present some Key Highlights. The full version of the Draft Plan can be found at Dawson.PlanYukon.ca

# The Draft Plan is not final and should not be read as such.

The Commission wants to hear your perspectives as well as your input on all plan elements, especially those identified in the plan for discussion. We have tried our best to respect the issues and interests as identified to us in the design of the Plan.

# Draft Plan Concepts and Principles

# Vision:

The future of the region will include a diverse economy, rich cultural legacy, healthy environment with a shared and respectful use of natural resources.

# Sustainable Development and Stewardship:

The plan was built with a strong commitment to sustainable development as defined it the Tr'ondëk Hwëch'in Final Agreement and the principle of stewardship.

# Land Use Designation System:

There are 23 Landscape Management Units (LMU) in the Draft Plan, and each are assigned one of the following land designations (or zones).

- Integrated Stewardship Areas (ISA) Special Management Areas I & II (SMA)
- B Highway Corridors Inture Planning Areas

# Key Recommendations

# Caribou

A mix of protection and limits to development in critical summer habitat and migration corridors.

# Access

Careful and responsible development of roads and trails.



# **Conservation Areas**

Recommendation for legal designation for protection of Matson Uplands and Upper Klondike LMUs.



Wetlands Recognition of wetlands of special importance (Upper Indian River and Scottie Creek wetland



# Stewardship

The introduction of Integrated Stewardship Areas in the land designation system, and creation of a Dawson Land Stewardship Trust for ongoing practice of stewardship.

# Mineral Development and Exploration



Continued viability of existing claims in areas designated as SMA II, support for recommendations in the Yukon Mineral Development Strategy.



What does Stewardship Mean?

Stewardship is taking collective responsibility and actions for the continued health and vitality of the region. It also means being part of a strong community that is connected to the land.



Land Use Category	Sub-category	Description
Special Management Area	SMA I Maximum Conservation	<ul> <li>Intended for permanent withdrawal from any new industrial land use and surface access.</li> <li>Intended to be legally designated as a protected area with a management plan.</li> </ul>
	SMA II High Conservation	<ul> <li>Existing surface and sub-surface rights recognized.</li> <li>Development can proceed subject to disturbance thresholds and special and general management direction.</li> <li>Recommended for permanent or interim withdrawal from staking.</li> <li>Not intended to be a legally designated protected area.</li> </ul>
Integrated Stewardship Areas	<i>ISA I</i> Lowest Development	<ul> <li>Very high ecological and/or heritage/cultural values</li> </ul>
	<i>ISA II</i> Low Development	<ul> <li>High ecological and/or heritage/cultural values</li> </ul>
	<i>ISA III</i> Moderate Development	<ul> <li>Moderate ecological and/or heritage/cultural values</li> </ul>
	<i>ISA IV</i> Highest Development	<ul> <li>Lower ecological or heritage/cultural values</li> </ul>
Other		
	FPA Future Planning Areas	<ul> <li>Recommended for sub-regional planning</li> </ul>
	Tombstone Park	• Out of scope of Planning Region

# We want **your** feedback



The Draft Plan is open for discussion; **no final decisions have been made.** We want to hear from a diverse range of perspectives – we want this to be a plan that everyone can see themselves in, especially those that live and work in, and care for the Dawson region.

# Here are some questions for you to think about:

What is your overall impression of the Draft Plan?

What does the plan need to be successful in supporting a future you envision?



# We want to hear from you!

Throughout the Draft Plan you will see boxes (like this one!) that highlight specific options for a particular land issue or gaps that the Commission is seeking input on. Your comments in these areas will be particularly helpful for the Commission to reflect the community's vision for the Dawson Region. The consultation period is open until November 1, 2021

# Areas that the Commission is seeking additional input are:

- Wetlands
- Special Management Area II
- ④ Cumulative Effects Management
- Stories from the Land
- Oraft Plan Format and Usability

# How do l participate?

- Check out **engagedawson.planyukon.ca** for more information and to tell us what you think
- Send us a letter or an email with your thoughts and input
- Attend upcoming engagement events and pop-ups
- Review and respond to questions in the Draft Plan

# **Our Commitment**

The Commission will work with you to ensure your concerns and aspirations are considered when it is time to write the Recommended Plan. We commit to providing information on how input is considered by the Commission.





Public Engagement will be planned in several communities, including Dawson City, Whitehorse, Old Crow, Mayo and Beaver Creek.



# Look out for the Commission and Staff

this summer at pop-ups around Dawson, and formal workshops in the Fall.

# Where We Are Now



# What Happens Next?



As per Chapter 11 of the Tr'ondëk Hwëch'in Final Agreement, the next steps for the Commission are to consider all the feedback to this Draft Plan, and to create and submit the Recommended Plan to the Parties.

The Parties (Tr'ondëk Hwëch'in and Yukon governments) will then consult on it.

# On The Land We Walk Together Nän käk ndä tr'ädäl



Dawson Regional Planning Commission Office #4 (Southside) 978 2nd Ave, Dawson City, 867-993-4400

Suite 201, 307 Jarvis St. Whitehorse, Yukon 867-667-7397

Photographs by Katie Fraser

EngageDawson.planyukon.ca dawson.planyukon.ca dawson@planyukon.ca Get Outlook for Android

From: Becky Sadlier <beckysadlier@gmail.com>
Sent: Thursday, March 3, 2022 2:57:47 PM
To: Sherry Masters <sherrymasters@hotmail.com>
Subject: Re: Sunday Market

Hi Sherry,

To Whom it May Concern:

This is a request to consider have Sunday as an additional day added to the Farmers Market. For the past 4 years we have been a vendor at the market selling eggs, vegetables, pickles and jams.

From this point forward we will no longer be selling on Saturday. We request that Sunday or another day be made available to us.

Thank you for considering this matter.

Sun North Ventures Becky Sadlier

On Wed., Mar. 2, 2022, 4:10 p.m. Becky Sadlier, <<u>beckysadlier@gmail.com</u>> wrote: I'm forwarding this to you so you can write a letter for your part. I will write one for us. Becky

------ Forwarded message ------From: **Sherry Masters** <<u>sherrymasters@hotmail.com</u>> Date: Wed., Mar. 2, 2022, 4:04 p.m. Subject: Sunday Market To: <u>beckysadlier@gmail.com</u> <<u>beckysadlier@gmail.com</u>>

I need a letter ASAP from you and Klondike Creamery. About why Sundays are better for you and why Saturday is no longer works. I need why the creamery has never come in and

how Sundays worked well for them. I hope to get your letters a letter from farmers market and there are 2 meeting this month to work on it. I need every thing before the 8<sup>th</sup>. Thank you Sherry

Sent from Mail for Windows

## Get Outlook for Android

From: Sherry Masters <sherrymasters@hotmail.com>
Sent: Monday, March 7, 2022 4:10:53 PM
To: Jennifer Sadlier <kvcreamery@gmail.com>
Subject: Re: Sunday Market

Thank you so much this will help.

Get Outlook for Android

From: Jennifer Sadlier <kvcreamery@gmail.com>
Sent: Monday, March 7, 2022 3:20:13 PM
To: sherrymasters@hotmail.com <sherrymasters@hotmail.com>
Subject: Sunday Market

To Whom it may concern,

This is a request to instate an additional day to the Dawson Farmers Market. We at Klondike Valley Creamery would participate in a market day on Sunday as we did the 2 times the additional day was offered in September of 2021.

We have not been vendors at the Saturday market due to our Faith and not working on our Sabbath.

We would greatly appreciate the opportunity to share our products with the Dawson public in the Farmers Market venue. We strongly believe in our Faith, food security, supporting local and mindfulness of carbon outputs. By instating another day to the Farmers Market these goals can be helped to be achieved.

Blessings and Shalom, Jen and Loren Sadlier

--Klondike Valley Creamery P.O. Box 949 Dawson City, YT Y0B 1G0 (867)993-3690

From:	Sherry Masters
To:	Executive Assistant
Subject:	Sunday Market
Date:	March 11, 2022 2:11:11 AM

We would like to extend to Sunday Market. It was very successful with a small but acquit attendance. Being able to offer a opportunity to Klondike Creamery was very successful to them and the community. There is a reduction of steady farmers attending market. We have lost 2 large suppliers. We would like to extend to Sunday to fill the void and not lose another. There are events that go on the dike Farmers Market will not interfere with these. I have had a good working relationship with the Recreation Department it will continue. Please consider our request.

Sherry Masters 403-837-2532

Sent from <u>Mail</u> for Windows CCC

# **Report to Council**



For Council Decision

For Council Direction X For Council Information

In Camera

SUD IECT.	Conventional Condominium Subdivision Application #22-001: Lot 8, Block R, Ladue				
SUBJECT:	Estate				
PREPARED BY:	Stephanie Pawluk, CDO &	ATTACHMENTS:			
	Stephani McPhee, PDA	None.			
DATE:	March 8, 2022				
RELEVANT BYL	AWS / POLICY / LEGISLATION:				
Municipal Act					
Subdivision Bylaw	/				
Official Communit	y Plan				
Zoning Bylaw					
Heritage Bylaw					

## RECOMMENDATION

It is respectfully recommended that Council accept this report as information for the Public Hearing of Condominium Subdivision Application #22-001 to subdivide Lot 8, Block R, Ladue Estate into 4 conventional condominium 'strata' units.

# **ISSUE / BACKGROUND**

Subdivision Application #22-001 was received on February 4, 2022, which applied to subdivide Lot 8, Block R, Ladue Estate into 4 conventional condominium units, as outlined in Figure 1. The proposal is to divide ownership of the recently built multi-unit residential building into 4 units with common property and individually owned sections of the deck/balconies, as outlined in Figure 2 and 3.



Figure 1. Proposed Condominium Subdivision



Figure 2 and 3: Proposed Condominium Units to be regarded as a legal layer atop the 5,000ft<sup>2</sup> lot

# ANALYSIS / DISCUSSION / ALIGNMENT TO OCP & STRATEGIC PRIORITIES

# Comments

This application has been circulated internally for the purpose of assessing operational requirements such as access, lot grading, and slope stability, and no comments have been received at the time of writing this report.

The application was also circulated to every property owner within a 100m radius of this property, inviting comments and questions. No comments have been received at the time of writing this report.

The public hearing is scheduled for March 16, 2022.

# **Municipal Act**

Condominium subdivisions are regulated in the Yukon by the Condominium Act. As per the Municipal Act, condominium subdivisions are a type of subdivision that the City of Dawson has the authority to regulate as the Subdividing Authority (s. 309 / s. 311).

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. The existing vehicle access to the site is via King Street.

# Subdivision Bylaw

Subdivision Control Bylaw S. 3.01 states that every subdivision of land must be made in accordance with the Municipal Act, the OCP, the ZBL, 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 properties are currently designated as UR – Urban Residential. The area is predominantly lowand medium-density residential uses. Therefore, the current property conforms to the OCP and the proposed subdivision would retain the same designation. Any new use or development on the proposed lot would be required to continue conforming to UR – Urban Residential.

# Zoning Bylaw

The subject property is currently designated as R2 – Multi-unit residential. The ZBL is intended to implement the goals of the OCP. The purpose of the R2 zone is "to permit multi-unit residential development in appropriate locations" and is consistent with the objective of providing medium-density, multi-unit residential housing. Development Permit application #21-005 was approved on February 10, 2021 for the building that currently exists on the lot. A compliance check is pending to complete the development permitting process and ensure that the structure was indeed built according to the plans. The plans provided for condominium subdivision application #22-001 are compliant and consistent with what was approved in 2021.

## Heritage Bylaw

These lots are situated in the Historic Townsite and are subject to the City's Heritage Bylaw. The plans for the development that was built in 2021 were approved by the Heritage Advisory Committee at meeting 21-03 on February 4, 2021. Any future development on these lots will continue to be assessed to ensure conformity with the Heritage Bylaw.

APPROVAL				
NAME:	Cory Bellmore	SIGNATURE:		
DATE:	11-03-2022	KBellmore		

# THE CITY OF DAWSON

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



# NOTICE OF PUBLIC HEARING: CONDOMINIUM SUBDIVISION APPLICATION

Condominium Subdivision Application #22-001

Subject Property: Lot 8, Block R, Ladue Estate, Plan #8338A Date: March 16, 2022 Time: 7:00pm Location: Council Chambers, City Hall Listen to Public Hearing: Radio CFYT 106.9 FM or cable channel #11

As per the Municipal Act, S. 319.4, upon receiving an application for a subdivision, Council must give public notice of the application. Therefore, the City of Dawson is now requesting input from the public regarding the condominium subdivision application located at Lot 8, Block R, Ladue Estate.



Figure: Location context map

For more information or to provide your input prior to the public meeting, please contact the Community Development and Planning Officer or Planning Assistant using the following contact information:

# Stephanie Pawluk

Community Development & Planning Officer Box 308, Dawson City YT Y0B 1G0 <u>cdo@cityofdawson.ca</u> 867-993-7400 ext. 414

# Stephani McPhee

Planning & Development Assistant Box 308, Dawson City YT Y0B 1G0 <u>planningassist@cityofdawson.ca</u> 867-993-7400 ext. 438

# **MINUTES OF COMMITTEE OF THE WHOLE MEETING CW22-01** of the Council of the City of Dawson called for 7:00 PM on Wednesday, January 12, 2022, via Zoom video conferencing

PRESENT:	Mayor	William Kendrick	
	Councillor	Elizabeth Archbold	
	Councillor	Alexander Somerville	
	Councillor	Patrik Pikálek	
	Councillor	Brennan Lister	
REGRETS:			
ALSO PRESENT:	CAO	Cory Bellmore	
	EA	Elizabeth Grenon	
	CDO	Stephanie Pawluk	
	CFO	Kim McMynn	
	PWM	Jonathan Howe	

#### Agenda Item: Call to Order

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

Agenda Iter	m: Ag	enda					

**CW22-01-01** Moved by Mayor Kendrick, seconded by Councillor Pikálek that the agenda for Committee of the Whole meeting CW22-01 of January 12, 2022, be accepted as presented. Carried 5-0

#### Agenda Item: Minutes

- a) Committee of the Whole Meeting Minutes CW21-30 of December 1, 2021
- **CW22-01-02** Moved by Mayor Kendrick, seconded by Councillor Pikálek that the minutes of Committee of the Whole meeting CW21-30 of December 1, 2021, be accepted as amended. Carried 5-0

-Patrik's name spelt wrong

- b) Special Committee of the Whole Meeting Minutes CW21-31 of December 13, 2021
- **CW22-01-03** Moved by Mayor Kendrick, seconded by Councillor Somerville that the minutes of Special Committee of the Whole meeting CW21-31 of December 13, 2021, be accepted as amended. Carried 5-0
  - Cory was not present at the meeting, Kim was A/CAO

Agenda Item: Special Meeting, Committee, and Departmental Reports

- a) Request for Direction: Request to Purchase Land: Section of ROW Adjacent to South ½ Lot 20, Block LA, Ladue Estate
- **CW22-01-04** Moved by Councillor Somerville, seconded by Councillor Archbold that Committee of the Whole forward the decision to Council to deny the request to purchase a portion of York St. adjacent to Lot 20, Block LA, Ladue Estate, Plan #8338A at this time. Carried 5-0

- b) Information Report: 2022 Properties Subject to Tax Lien
- **CW22-01-05** Moved by Councillor Somerville, seconded by Councillor Pikálek that Committee of the Whole accepts Information Report: 2022 Properties Subject to Tax Lien, for informational purposes. Carried 5-0
  - c) Request for Clarification: Council Chambers IT.
  - Written suggestions that the mayor provided:
    - Live stream all City Council meetings through City of Dawson internet website, as well as by Zoom?
    - Record meetings and have them available for viewing for x number of days after, then they go to archive?
    - 2 cameras on Council? also with integration of the OWL Camera, or using just the OWL camera?
    - o one of the above cameras also available for the CAO, or a separate one for CAO?
    - At least one camera dedicated to the public gallery/delegation speaker?
    - One camera available for screen/computer output at all times? (Could be available as a separate "breakout" window on a public participant's computer screen so that people can make it smaller or larger depending on whether there is a presentation or slide being looked at by council?)
    - Microphones capable of picking up all of Council, plus CAO, Delegation, ?? and visiting staff, and the Executive Assistant
    - o Consolidated audio output to the satisfaction of CFYT
    - o easy to turn on and use the system
    - o Mayor as Chair of meetings able to control cameras and microphones for meeting
    - o good audio speakers for when external participants join our meetings remotely

Council had a general discussion on the following items:

- Would the Communication position be able to provide IT support?
- The mayor can provide a list of IT specialist from Dawson
- Subtitles on Community Channel
- Mic activated switches
- Top priority is to look into microphones and ensure meetings can be heard by the public
- Ensure that resolution slides and presentation information can been seen by the public
- The CAO will put together Council's comments/suggestions
- d) Request for Direction: Vacant Land Tax Policy and Bylaw Amendment
- Need to raise density and achieve heritage goals
- Can't use improvements from Tax Assessment Roll, needs to be done by ground truth
- Should focus on downtown core for now
- A lot of questions can be answered through the Official Community Plan
- If private owners of property are penalized, then government lots should be taxed the same
- Vacant Land tax should be applied to residential and commercial lots
- Need to ensure that the test is clear of what constitutes a vacant lot
- Reasonable, fair, and consistent levy
- e) Request for Direction: City of Dawson and TH Municipal Services Agreement
- Reason for new agreement is that current agreement is dated and needed to be updated and rewritten

- Grant programs are for taxation purposes only, i.e., Homeowner's Grant
- f) Request for Direction: LeFevre Land Sale Request
- Council held discussion regarding the request. It's a good plan but may be premature because a lot of work needs to be done on the area first.
- **CW22-01-06** Moved by Mayor Kendrick, seconded by Councillor Archbold that Committee of the Whole meeting CW22-01 be extended not to exceed one hour. Carried 5-0
- **CW22-01-07** Moved by Councillor Somerville, seconded by Councillor Pikálek whereas it has not been determined that this land can be deemed as surplus by Administration, that Committee of the Whole deny this request and add this development area to the future Council Priorities list. Carried 4-1

## Agenda Item: Correspondence

- **CW22-01-08** Moved by Mayor Kendrick, seconded by Councillor Somerville that Committee of the Whole acknowledges receipt of correspondence from:
  - a) Heritage Advisory Committee Meeting Minutes 21-18 & 21-19
  - b) Christopher Irvin, Mayor of Town of Watson Lake RE: Congratulatory Letter
  - c) Lee Bodie, Mayor of Village of Carmacks RE: Congratulatory Letter
  - d) Bruce Tomlin, Mayor of Village of Haines Junction RE: Congratulatory Letter
  - e) Premier Silver RE: Senior Leadership Changes

f) Christiane Cramp RE: Dangerous Dog Section of Animal Control Bylaw, provided for informational purposes. Carried 5-0

Agenda Item: Public Questions

Christiane Cramp: Discussed the letter she submitted to Council.

- Christiane's dog being impounded
- Bylaw Officer to follow procedures
- Dog owners should be provided all documents and pictures taken

### Agenda Item: Adjournment

**CW22-01-09** Moved by Mayor Kendrick, seconded by Councillor Somerville that Committee of the Whole meeting CW22-01 be adjourned at 10:21 p.m. with the next regular meeting of Committee of the Whole being February 9, 2022. Carried 5-0

# THE MINUTES OF COMMITTEE OF THE WHOLE MEETING CW22-01 WERE APPROVED BY COMMITTEE OF THE WHOLE RESOLUTION #CW22-06-02 AT COMMITTEE OF THE WHOLE MEETING CW22-06 OF MARCH 16, 2022.

# **MINUTES OF COMMITTEE OF THE WHOLE MEETING CW22-03** of the Council of the City of Dawson called for 7:00 PM on Wednesday, February 9, 2022, via Zoom video conferencing

PRESENT:	Mayor	William Kendrick	
	Councillor	Elizabeth Archbold	
	Councillor	Alexander Somerville	
	Councillor	Patrik Pikálek	
	Councillor	Brennan Lister	
REGRETS:			
ALSO PRESENT:	CAO	Cory Bellmore	
	EA	Elizabeth Grenon	
	CFO	Kim McMynn	
	PWM	Jonathan Howe	
	Rec Manager	Paul Robitaille	
	CDO	Stephanie Pawluk	
	Project Manager	Brodie Klemm	

Agenda Item: Call to Order

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

#### Agenda Item: Agenda

**CW22-03-01** Moved by Councillor Somerville, seconded by Mayor Kendrick that the agenda for Committee of the Whole meeting CW22-03 of February 9, 2022, be accepted as presented. Carried 5-0

#### Agenda Item: Delegations & Guests

a) Greg Hakonson on behalf of LeFevre

Greg Hakonson discussed lot development in Dawson:

- Yukon Government (YG) vs private development.
  - YG lacks creativity
  - YG more expensive
  - Don't know what buyers' needs are
- Need to produce good products for a good price
- Private developers can get things done faster
- City of Dawson (COD) shouldn't make things complicated
- COD should work with developers like LeFevre

#### Agenda Item: Public Hearings

a) Zoning Bylaw Amendment- Lot 3, Block LD, Ladue Estate

The Chair called for submissions.

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.

b) Official Community Plan & Zoning Bylaw Annual Review

The Chair called for submissions.

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: Minutes

a) Committee of the Whole Meeting Minutes CW22-01 of January 12, 2022

Moved by Councillor Somerville, seconded by Councillor Pikálek that the minutes of Committee of the Whole meeting CW22-01 of January 12, 2022, be accepted as amended.

- RFQ-Council Chambers IT: Communication spelt wrong
- CW22-01-02 & CW22-01-03 change to "amended"
- Change wording of discussion
- **CW22-03-02** Moved by Councillor Somerville, seconded by Mayor Kendrick that the approval of the minutes of Committee of the Whole meeting CW22-01 of January 12, 2022, be postponed until the next Committee of the Whole meeting. Carried 5-0
  - b) Special Committee of the Whole Meeting Minutes CW22-02 of January 26, 2022
- **CW22-03-03** Moved by Councillor Somerville, seconded by Councillor Pikálek that the minutes of Special Committee of the Whole meeting CW22-02 of January 26, 2022 be accepted as presented. Carried 5-0

#### Agenda Item: Financial & Budget Reports

a) 2022-2024 Capital Budget Plan- Draft 1

Council held discussion regarding the 2022-2024 Capital Budget Plan.

Agenda Item: Special Meeting, Committee, and Departmental Reports

a) CBC Building End Use Discussion

Council held discussion reading the end use of the CBC building:

- Co-working hub introduces competition to private businesses in Dawson
- City of Dawson (COD) should utilize the space first if COD has space needs
- Could possibly move the Council Chambers there
- Discuss with architect placement of elevators and stairs (possibly inside the building)
- Add this as an agenda item to the Joint HAC meeting
- b) Joint HAC Meetings Agenda Items Discussion

Council held discussion regarding the HAC agenda items:

- Prioritize and change the order of the items
- c) Joint TH Meeting Agenda Items Discussion

Council held discussion regarding the HAC agenda items.

#### Agenda Item: Bylaws & Policies

- a) Official Community Plan Bylaw Amendment No. 5 (2021-14) & Zoning Bylaw Amendment No. 14 (2021-15)
- **CW22-03-04** Moved by Mayor Kendrick, seconded by Councillor Somerville that Committee of the Whole meeting CW22-03 be extended not to exceed one hour. Carried 5-0

Council held discussion regarding the Official Community Plan and Zoning Bylaw Amendments but did not make it through all the suggested changes. Will discuss at the next Committee of the Whole meeting.

Moved by Councillor Somerville, seconded by Councillor Pikálek that Committee of the Whole accept this as information for the public hearing, and forward Amendment Bylaws 2021-14 and 2021-15 to Council for Second Reading. Defeated 2-3

#### Agenda Item: Adjournment

**CW22-03-05** Moved by Councillor Somerville, seconded by Councillor Pikálek that Committee of the Whole meeting CW22-03 be adjourned at 10:58 p.m. with the next regular meeting of Committee of the Whole being March 16, 2022. Carried 5-0

THE MINUTES OF COMMITTEE OF THE WHOLE MEETING CW22-03 WERE APPROVED BY COMMITTEE OF THE WHOLE RESOLUTION #CW22-06-02 AT COMMITTEE OF THE WHOLE MEETING CW22-06 OF MARCH 16, 2022.

Mayor Kendrick, Chair

Cory Bellmore, CAO

**MINUTES OF SPECIAL COMMITTEE OF THE WHOLE MEETING CW22-04** of the Council of the City of Dawson called for 7:00 PM on Thursday, February 10, 2022, via Zoom video conferencing

PRESENT:	Mayor	William Kendrick	
	Councillor	Elizabeth Archbold	
	Councillor	Alexander Somerville	
	Councillor	Patrik Pikálek	
	Councillor	Brennan Lister	
REGRETS:			
ALSO PRESENT:	CAO	Cory Bellmore	
	CFO	Kim McMynn	

Agenda Item: Call to Order

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

Agenda Item: Agenda

**CW22-04-01** Moved by Councillor Somerville, seconded by Councillor Pikálek that the agenda for Special Committee of the Whole meeting CW22-04 be accepted as presented. Carried 5-0

#### Agenda Item: In Camera

- **CW22-04-02** Moved by Mayor Kendrick, seconded by Councillor Pikálek that Committee of the Whole move into a closed session of Committee of the Whole, as authorized by Section 213(3) of the *Municipal Act*, for the purposes of discussing a legal and land related matter. Carried 5-0
- **CW22-04-03** Moved by Mayor Kendrick, seconded by Councillor Somerville that Committee of the Whole revert to an open session of Committee of the Whole to proceed with the agenda. Carried 5-0

Agenda Item: Adjournment

**CW22-04-04** Moved by Mayor Kendrick, seconded by Councillor Pikálek that Special Committee of the Whole meeting CW22-04 be adjourned at 8:38 p.m. with the next regular meeting of Committee of the Whole being March 16, 2022. Carried 5-0

THE MINUTES OF SPECIAL COMMITTEE OF THE WHOLE MEETING CW22-04 WERE APPROVED BY COMMITTEE OF THE WHOLE RESOLUTION #CW22-06-03 AT COMMITTEE OF THE WHOLE MEETING CW22-06 OF MARCH 16, 2022.

William Kendrick, Chair

Cory Bellmore, CAO

Dear Mayor and City of Dawson Council;

I am writing with concerns as to public health and laundry facilities in Dawson. At the moment there are none. This seems even more crucial during the on going pandemic. It is an essential quality of life service and, for the most part, there always has been a lack of adequate laundry services in Dawson. As we are all aware many places of residence are off the grid or lack running water of any kind.

The Bonanza Gold motel service is closed indefinitely (citing lack of parts), and both the Dawson Men's and Women's shelters are closed to drop in public, have laundry services suspended, or severely restricted due to COVID safety concerns. Those facilities are limited at the best of times and could not keep up with the town's needs during optimal circumstances.

I understand that during these trying times it makes offering this service safely very difficult, however it also means that many people go without clean clothes. Which is all the more important during potential outbreaks and is a basic essential service.

My proposal is a facility with a few separate laundry rooms with 2 to 3 washers and dryers each where people can book time slots. I feel two to three (+-) hours is adequate for most people. The idea of a closed facility and time slots is to insure public safety. It could either be run as a coin operated facility or people pay a fee similar to the rec centre gym use. Pay per booking or perhaps in 1 month/ 3 month/ 6 month/ or yearly intervals with pre booked slots. Where the recipients use a FOB to access the services. This could possibly be managed through the rec centre offices above the gym as they have the systems in place for FOB accounts already.

I know it is a fairly large cost but the town needs it. I am confident, however, that The City of Dawson can find adequate space to set something like this up. If you wish to contact me for more information or with concerns, please, do not hesitate to reach out.

Kind regards

Andre Zadrazil. Contact Cell # 867-335-9141

## **Resolutions – Preparation and Presentation (Policy 3.7)**

Adopted:

Reviewed: December 2018

Retired:

#### **Purpose**

To detail a procedure to be followed by member communities in presenting resolutions for consideration at general meetings.

#### **Policies**

#### **Preparation of Resolutions**

Resolutions are formal presentations of a call for action on the part of the organization passing the resolution or on some other body, organization or government. They are, in their simplest form, written motions that are placed before a deliberative body.

In the accepted style of resolutions, there are two types of clauses. The first type of clause is a preamble that begins with the word "WHEREAS". These clauses are not required but they are frequently used because they can be helpful in describing why a particular action is being sought. They are factual statements that are not subject to debate and are not voted on.

The second type of clause is the operative clause. It contains the specific action being called for and identifies who is being called upon to act. This type of clause is preceded by the words "THEREFORE BE IT RESOLVED THAT". Occasionally, there is an additional request for action within the same resolution and these are preceded by the words "BE IT FURTHER RESOLVED THAT".

The operative clause is subject to debate, may be amended and is the only portion of a resolution that is voted on.

#### Preamble:

It is usually not advisable when submitting a written motion to attempt to include reasons for a motion's adoption within the motion itself. To do so may encumber the motion and weigh against its adoption; since some members who approve of the proposed action may disagree with any or all of the written reasons.

A preamble permits the resolution to contain information that supports the action being called for without requiring those voting on the matter to be in support of the rationale.

When circumstances require some statement of the background of a motion, it should be cast in the form of a resolution with the background or reasons incorporated in a preamble.

A preamble consists of one or more clauses beginning "WHEREAS." To avoid detracting from the force of the resolution itself, a preamble generally should contain no more clauses than are strictly necessary. The preamble provides the opportunity to highlight the present situation and any inadequacies that exist, and that logically lead to understanding and support for the action called for in the operative clause(s).

Where complexity requires more background than can be reasonably contained in a preamble, a brief memo outlining the background of the issue shall be submitted with the resolution, for distribution to the members prior to the meeting.

### **Operative Clause(s):**

The operative clause(s) of a resolution begins with the words "THEREFORE BE IT RESOLVED THAT" and identifies a specific action that follows from any preamble. This clause should be as short as possible but, most important, it must clearly describe what specific action is being requested and the person or body being requested to act.

Subsequent operative clauses would begin with "BE IT FURTHER RESOLVED THAT" and must be equally specific in the request or demand and the person or body being called upon to act. Any additional clauses must be related to the original operative clause and the drafters should ask themselves if the requested action is best presented as a separate resolution or as an addition to the current one.

### Drafting of a Resolution:

The language of a resolution should be simple, clear, direct and free of ambiguous terms. A resolution that contains well-chosen words will provide the greatest understanding, be more likely to be adopted and to succeed in achieving its goal.

Each resolution should address one specific subject. Since the author seeks to influence attitudes and actions, the resolution should directly state the desired action. Persuasive communication is unlikely if the audience does not have a common notion of what is to be supported or opposed.

Resolutions should be accompanied by factual information in the form of a briefing note. Even the most perfectly constructed resolution may fail to clearly indicate the rationale for the action being requested. Any supporting information that was used at the time that the resolution was recommended for submission to the Association may be included with the resolution in the form of a briefing note (format available from AYC office). This will assist the Resolutions Committee (and later the membership) in understanding the problem, but it, like any preamble, will not be subject to the final vote. Resolutions should be properly titled. A resolution is never quite complete, no matter how well constructed, without giving it the final touch – the inclusion of an appropriate short title. A title will assist in identifying the intent of the resolution and reduce the possibility of misinterpretation. A title is usually determined from the operative clause of the resolution.

Resolutions should contain accurate references. The author of the resolution should ensure that the jurisdictional responsibility has been correctly identified (e.g. ministry or department within the Federal or Territorial Governments). When references are made within the resolution to particular legislation, the correct Act and Section(s) must be identified.

#### **Procedure for Submitting Resolutions**

It is the practice of the Association that a call for resolutions is issued prior to the Annual General Meeting. A municipality sponsoring a resolution must ensure that the following criteria are met:

- 1. Resolutions must address a topic of concern to municipalities throughout the Yukon. Specific local concerns may be addressed by the Board of Directors;
- 2. Resolutions may only be submitted by a member municipality, the AYC Executive, or AYC Staff and each resolution must bear the official endorsement of the sponsoring municipality's Council;
- Resolutions must be forwarded to the Executive Director no later than 30 calendar days prior to the date of the General Meeting or other such date as may be directed by the Executive Director; and
- 4. Proposed resolutions must be distributed by the Executive Director to all member municipalities no later than 21 calendar days prior to the General meeting.

### Late Resolutions

Resolutions dealing with matters of urgent concern that have come to light following the deadline for receipt of resolutions may be accepted as late resolutions 30 days prior to the start of the AGM, provided they are accompanied by supporting documentation that demonstrate both the importance of the issue or concern and the reason why it could not have been submitted prior to the deadline and the official endorsement of the sponsoring municipality's Council.

Late resolutions will be processed by the Resolutions Committee as time permits but all late resolutions must be approved, as late resolutions, by the membership at the Annual General Meeting before they can be placed on the agenda for debate.

#### **Disposition of Resolutions**

The Executive Director on behalf of the Resolutions Committee may return any submitted resolutions, including late resolutions, to have deficiencies corrected. Deficiencies may include:

- 1. The lack of a clear description of the rationale for the specific solution being sought;
- 2. The lack of a specific remedy or responsible party to take the requested action; and
- 3. Ambiguous or contradictory language in the supportive or operative clause(s).

The Resolutions Committee shall review all resolutions intended for submission to each Annual General Meeting and shall refer back to the originator any resolutions deemed inappropriate, with reasons why, for redrafting, resubmission or withdrawal of the resolutions.

In conducting its review, the Resolutions Committee may:

- 1. Amend the grammar or format of a resolution;
- 2. Consolidate resolutions of similar intent or subject matter;
- 3. Provide comments on each resolution with regard to its background; and
- 4. Recommend refinements to make the resolution actionable; and
- 5. Inform the sponsoring municipality when the resolution is deemed to be inappropriate.

The Resolutions Committee shall categorize all appropriate resolutions as A, B or C Resolutions with recommendations from Councils as follows:

Category A describes resolutions dealing with issues of major concern to many of the member municipalities. They will be presented for debate;

Category B describes those resolutions with a narrower focus, impacting some member municipalities. These resolutions will be presented for debate if time permits;

Category C includes resolutions of a technical or housekeeping nature and may be debated if time permits or referred to the Board of Directors for action without debate at a General Meeting;

A second level of identification describes the organization or body that is called upon to act on the resolution and includes the following categories.

Federal Government- F Federal/Territorial- FT Territorial Government- T Association- A First Nations- FN

Late resolutions shall be categorized by the Resolutions Committee.

Resolutions which are not debated at a General Meeting may be presented to the next meeting of the Board of Directors or a Special Meeting at the discretion of the membership.

#### **Recommended Procedure for the Resolutions Committee**

The Chair of the Annual General Meeting will turn the meeting over to the Resolutions Committee. The Committee Chair shall be the Chair of the Resolutions portion of the Annual General Meeting.

The Chair will, beginning with 'A' resolutions, introduce each resolution by number, title and sponsoring member and will read the operative clause. The members will move and second each resolution to simply put the resolution on the floor as a motion for debate.

The Chair or a designated Committee member may report on the resolution and may provide a recommendation.

The Chair will then call for a representative from the sponsor to speak to the resolution and open the debate. The opening speaker will close debate when they speak to the motion a second time.

The opening speaker will be allowed two minutes for the opening comments and one minute for a closing statement. All other speakers to the motion will be limited to two minutes and shall not speak more than once on any motion unless and until all other delegates have had an opportunity to speak.

Duly moved and seconded friendly amendments will be accepted from the floor but must be submitted in writing when requested to do so by the Chair. The Chair is the final arbiter of 'friendly'. Debate on the amendment to the motion will be governed by the procedures outlined above.

Voting shall be by a show of hands, or when necessary, by a standing vote.

Motions to refer or table a resolution will be in order at any time. Motions to refer are not debatable and must be put to a vote immediately.

#### **Expiration of Resolutions**

All AYC Resolutions shall expire within three years of being accepted by the membership. New resolutions on the same topic may be brought forward after consideration of any progress made and the current status of the issues.

# AYC Briefing Note [Template]

## Subject:

[Brief on-line statement/title of the subject to be discussed]

## Issue:

[Brief and succinct – one paragraph – overview of the issue to be brought forward for consideration/discussion]

## Background:

[Brief – one to two paragraph(s) or bullet points – key background information with additional information added as appendixes, only if required]

## Analysis/Discussion:

[Brief – one to two paragraph(s) or bullet points – analysis of the issue as presented highlighting key considerations, impacts and concerns]

## **Recommendation (Optional):**

[Brief – one paragraph or bullet points – if appropriate the sponsor may put forward a recommendation forward for the AYC Board for addressing next steps or actions specific to the issue as presented]

## **Municipal Sponsor:**

[Name of municipality brining issue forward for discussion and consideration] **Date and Version:** [Date that note was drafted and version number for tracking purposes]

## When and Why to Use the AYC Briefing Note Template:

- To provide a means by which a Municipal Sponsor (council or CAO) can bring issues forward for <u>discussion</u> at AYC Board meetings or for general information updates (if a decision is being sought then please defer to the AYC Decision Note TemplateO.
- The information contained within the Briefing Note will provide Executive and Board members a way in which to be better informed about an issue in advance of meeting.
- *Retaining such Briefing Notes will allow for better tracking of issues by AYC members and staff.*

Please keep Briefing Notes to a maximum of 1 page in length

# Association of Yukon Communities

2022 Resolution Form

Title of Resolution: \_\_\_\_\_

WHEREAS:

WHEREAS:

THEREFORE BE IT RESOLVED:

BE IT FURTHER RESOLVED:

Submitted by the Community of: \_\_\_\_\_

Signature of Mayor or Council Member \_\_\_\_\_

Date: \_\_\_\_\_

From: Grant, Dustin <<u>Dustin.Grant@rcmp-grc.gc.ca</u>>
Sent: February 2, 2022 2:37 PM
To: Bill Kendrick
Subject: RCMP Policing Priorities - 2022/2023

Good Afternoon Mayor Kendrick,

I hope you are doing well. I am reaching out to you in hopes of gathering formal input regarding the 2022/2023 policing priorities for the Dawson City RCMP Detachment. I am looking for input from yourself and council about what areas/activities you would like your local RCMP Detachment to concentrate our efforts on in relation to policing Dawson City.

Last year our four areas of focus were on the following priority issues: Police / Community Relations Positive Relationships between Youth and the Police Road Safety Substance Abuse – Drugs and Alcohol Restorative Justice

The issues that you would like us to focus on this year can remain the same or be changed in any way to address issues identified by council. The plan will take into account issues that you identify, issues identified by other stakeholders in the community, Territorial policing priorities, and National policing priorities. A plan will then be developed uniquely for Dawson City to meet the needs / concerns of all who choose to participate. This forms the basis of developing our Detachment Annual Performance Plan for the 2022/2023 year. This plan is used to assist the Detachment in determining which areas we concentrate our efforts and will measure how well we are working towards successfully addressing your priority issues for policing.

If you would like to discuss the Dawson City policing priorities or if you have any questions relating to this request, please do not hesitate to contact me directly.

Thank-you for your time, do appreciate it.

Dustin.

Dustin Grant, Cpl. Operations N.C.O. Dawson City R.C.M.P. 402 Front Street, PO Box 159, Dawson City, YT, Y0B 1G0 Ph: 867-993-2677 Fx: 867-993-5936

# **Report to Council**



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For Council Decision For Council Direction

For Council Information

In Camera

AGENDA ITEM: Vacant Land Tax	
PREPARED BY: C Bellmore	ATTACHMENTS: - Dawson Vacant Lots Analysis – Across
DATE:	the River Consulting
RELEVANT BYLAWS / POLICY / LEGISLATION: Annual Property Tax Bylaw Official Community Plan	

## RECOMMENDATION

That committee receive this update on information collected to date on this project and provide feedback as we move this project forward.

## **ISSUE / PURPOSE**

Analyse properties in the Historic Townsite to understand the scope of what this levy may achieve in encouraging development of vacant lands.

## **BACKGOUND SUMMARY**

Council provided direction by way of Council Priorities – Vacant Lands: Levy Options and defined parameters at a Committee of the Whole meeting in Jan CW22-01 on moving forward with the analysis of properties in Dawson City that may be subject to a Vacant Land levy.

# ANALYSIS / DISCUSSION

Administration has procured assistance from Across the River Consulting to do a detail analysis of the City of Dawson Assessment Roll along with additional resources (Geo Yukon mapping) that could determine which properties may be subject to a levy and provide advice on what additional information may be required to continue to move forward based on the clarification provided at CW22-01.

APPROVAL				
NAME:	Cory Bellmore, CAO	SIGNATURE:		
DATE:	March 12, 2022	(KBellmore)		

# Vacant Lots in City of Dawson

# **Encouraging Development**



Researching The Potential of Tax Policy

First Draft Report




Consolidated property including a vacant lot



- 51 clear vacant titles
- 49 vacant lots are part of tax consolidations



44 are in active use without a taxable improvement or unsurveyed

# **Tax Consolidations**

Of the 56 remaining properties



- 42 clear vacant titles
- 14 vacant lots are part of tax consolidations

# Zoning

# Of the 42 clear vacant titles



# Multi-Residential includes:

- 3 lots at 5<sup>th</sup> & King (development plan in progress)
- I lot at 6<sup>th</sup> & Princess (former Korbo site Yukon Housing)

# **Next Steps**

- Research owner development plans/permits in-progress
- Investigate if the 14 vacant lots are legitimately consolidated for tax purposes under Yukon laws
  - Would not be impacted by any rise in minimum tax
  - 7 are residential and 7 are commercial
- Field inspections of vacant lots to further consider
  - Structures not visible from imagery
  - Other encroachments
  - Any other impediments to development such as access, topography, geotechnical etc.

# **Report to Council**



Council Decision 🔲 For Council Dire

For Council Direction X For Council Information

In Camera

AGENDA ITEM:	Recreation Center Planning Update			
PREPARED BY:	C Bellmore			
DATE:	March 11, 2022			
RELEVANT BYLAWS / POLICY / LEGISLATION:		<ul> <li>Study – Republic Architecture</li> <li>Next Steps for Project Advancement - Colliers</li> </ul>		

### **ISSUE / PURPOSE**

To continue the work on the new Recreation Centre in partnership with Yukon Government.

#### BACKGOUND SUMMARY

Council passed the following resolution in 2021 in relation to the Recreation Centre Project:

**Rec Centre Location** 

**C21-13-08** Moved by by Councillor Shore, seconded by Councillor Johnson that Council direct administration to determine the next steps in pursuing the design, funding and development of a new recreation centre, to be located at Dome Road (Lot 1059 QUAD 116 B/3) and provide recommended plan of action to Council

#### **Rec Centre Next Steps**

**C21-19-12** Moved by Councillor Ayoub, seconded by Councillor Johnson that Council: • Select basic amenities identified in Option 1 Dome Road Site from the Republic Architecture Final Feasibility Study Report as a starting point with an understanding that the final design will allow for future amenities via expansion. • Direct administration to finalize reserve funds available for this project for internal contribution, and • Direct administration to set a meeting with Council and Yukon Government Minister of Community Services to discuss the steps forward for this project as presented

### **ANALYSIS / DISCUSSION**

Following these resolutions, Council also discussed the Recreation Centre Project with Minister Mostyn in the fall of 2021.

The following additional work has been completed in this area in conjunction with the Dome Road Master Planning

- Preliminary Geotechnical Evaluation Tetra Tec March 2020
- Metal Concentrations Assessment Golder Sept 2020
- Phase II Environmental Site Assessment Golder Sept 2020

Two main reports are guiding our discussion for moving this project forward:

- Feasibility Study Republic Architecture July 2021
- Next Steps for Project Advancement Colliers July 2021

Recent Developments:

- Subsequently, administration has recently met with Infrastructure Development on moving forward with the next steps in this project.
- Next steps with YG Infrastructure as the current project manager for this project is to complete the conceptual design and refine details of option1 Dome road
- Continue to work with YG in securing adequate funds for the project as well as leveraging City of Dawson funds that have been reserved in the Rec Facility Reserve to its maximum potential.
- Administration will be meeting in person with Infrastructure Development Branch at the end of March on several projects, including the new Recreation Centre project.

APPROVAL			
NAME:	Cory Bellmore, CAO	SIGNATURE:	
DATE:	March 12, 2022	KBelemore	

#### 5.3.2.1 Dome Road Option 1 - Building Description

This option provides a compact building footprint characterized by aligning the long linear forms of the Ice Rink and Curling Rink with common services located in between.

While there is a fair degree of southern glazing, a large window is offered to the ice rink that looks east towards the far mountains. Spectators can enjoy the game while also taking in the beauty of the surrounding environment. As it is east facing on this site, glare is not a concern.

The entry vestibule serves as a large mudroom where patrons can leave soiled outdoor footwear and transition to clean athletic gear. As patrons continue into the building, the Common Lounge provides a focal point, forming the majority of the circulation between amenities and allowing heated seating areas with views into each of the major recreation spaces.

The Curling Rink Lounge provides great views down the rink sheets. The lounge is in close proximity to the Canteen/Servery for food service options.

The Ice Rink features separate public washroom facilities and several sections of viewing bleachers.

The Multipurpose/Gym is directly accessible from the Common Lounge and has generous storage and shower/change rooms with convenient direct access. Should the community require a larger gym facility in the future, the space could be expanded to the South.

The Office area adjacent to the entry allows for effective supervision and client service and maximized daylighting into the workstation.





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Fitness

1	Common Lounge

- 2 Canteen 3
- Office Mechanical / Electrical 4
- Storage
- 5 6 Ice Rink
- 7 Skate Sharpening
- 8 Zamboni
- 9 lce plant
- 10 Curling Rink
- 11 Curling Lounge 12 Change Room
- 13 Gymnasium
- 14 Indoor Playground 15 Potential Unfinished Area



SECOND FLOOR PLAN - DOME ROAD OPTION 1 1:800

Room Name	Option 1 Approved FSP	Option 1 Dome Road Actual	Notes
	04 8	004	Notes
RECREATION AMENITIES	4.074.0	2044 5	
Ice Rink (Hockey, Ringette, Skating)	1,874.0	2,041.5	Increased area includes circulation
Ice Rink Viewing Area (unheated)	79.5	74.6	
Ice Rink Viewing Area (heated)	-	-	
Team Dressing Rooms	240.0	244.7	
Ref Change Room	35.0	36.6	
Skate Sharpening	15.0	17.9	
Zamboni Room	45.0	111.3	Increased area to suit architectural building features
Ice Plant/Mechanical Room	45.0	209.8	SMS recommends area increase to accommodate equipment
Storage	60.0	76.4	
Curling Rink	856.0	858.2	
Changing Area/Lockers	-	-	
Lounge	75.0	75.0	
Multipurpose/Flex Space/Gym	-	-	
Multipurpose/Flex Space	500.0	510.0	
Gym Viewing Area	-	-	
Change Rooms	60.0	156.8	Increased area to suit architectural building features
Fitness Centre	-	-	
Change Rooms	-	-	
Walking Track	-	-	
Lap Pool	-	-	
Kiddie Pool	-	-	
Hot Tub/Jacuzzi	-	-	
Change Rooms	-	-	
Lifeguard/First Aid	-	-	
Pool Mechanical & Chemical Stor	-	-	
Steam Room	-	-	
Sauna	-	-	
Indoor Playground	-	52.5	Included as a value-added feature
Climbing Wall	-	-	
Sub-Total	3,884.5	4,465.3	
COMMUNITY AMENITIES			
Common Lounge/Entry	75.0	75.0	
Canteen/Servery	63.0	68.6	
Multi-use Party/Meeting Room	-	-	
Full Team Office	155.0	152.8	
Sub-Total	293.0	296.4	
LOGISTICS			
Washrooms	100.0	145.0	Additional washroom stalls can be reduced in future design phases
Janitor Room	20.0	23.5	
Laundry Facilities	10.0	11.2	
Mechanical	227.5	873.4	Area can be reduced significantly in later design phases
Electrical	42.0	incl. above	
Telecom	31.5	incl. above	
Elevator/Lift	12.0	-	
General Storage	80.0	108.4	
Sub-Total	523.0	1,161.5	
Net Total	4,700.5	5,923.2	
Gross Up (35%)	1,645.2	604.2	
USABLE AREA	6,345.7	6,527.4	

Element	Ele	ementa	l Cost	Element	al Amount	Rate per m2
	Quantity	,	Unit Rate	Sub-Total	Total	Sub-Total
A SHELL	6,590	m2			13,072,900	
A1 SUBSTRUCTURE					4,608,700	
A11 Foundations	5,720		516.04	2,951,700		447.91
A12 Bulk Excavation/Fill	18,970		74.17	1,407,000		213.51
A13 Special Condititions A2 STRUCTURE	1	sum	250,000.00	250,000	4,755,600	37.94
A2 STRUCTURE A21 Lowest Floor Construction	5,720	m2	182.52	1,044,000	4,755,000	158.42
A22 Upper Floor Construction	870		650.00	565,500		85.81
A23 Roof Construction	5,720		550.01	3,146,100		477.41
A3 EXTERIOR ENCLOSRUE	-, -			-, -,	3,708,600	
A31 Walls Below Grade	0	m2	0.00	0		0.00
A32 Walls Above Grade	2,858	m2	600.00	1,714,800		260.21
A33 Windows & Entrances	91	m2	1,491.21	135,700		20.59
A34 Roof Coverings	5,720	m2	275.01	1,573,100		238.71
A35 Projections	6,590	m2	43.25	285,000		43.25
B INTERIORS	6,590	m2			2,428,100	
B1 PARTITIONS & DOORS					969,300	
B11 Partitions	3,465		221.21	766,500		116.31
B12 Doors	83	No	2,442.86	202,800	016 400	30.77
B2 FINISHES B32 Floor Finishes	6,590	m)	44.46	293,000	816,400	44.46
B22 Ceiling Finishes	6,590		44.40 56.69	373,600		56.69
B23 Wall Finishes	9,355		16.01	149,800		22.73
B3 FITTINGS & EQUIPMENT	5,000		10.01	10,000	642,400	22170
B31 Fittings & Fixtures	6,590	m2	81.77	538,900	- ,	81.78
B32 Equipment	6,590		15.71	103,500		15.71
B33 Elevators	1	No		0		0.00
C SERVICES	6,590	m2			8,203,200	
C1 MECHANICAL					5,934,000	
C11 Plumbing & Drainage	6,590	m2	144.04	949,200		144.04
C12 Fire Protection	6,590	m2	44.71	294,600		44.70
C13 HVAC	6,590		651.72	4,294,800		651.71
C14 Controls	6,590	m2	60.00	395,400		60.00
C2 ELECTRICAL	6 500	2	06.54	cac 000	2,269,200	06.54
C21 Service & Distribution	6,590		96.51	636,000		96.51
C22 Lighting, Devices & Heating C23 Systems & Ancilliaries	6,590 6,590		154.78 93.05	1,020,000 613,200		154.78 93.05
NET BUILDING COST - EXCLUDING SITE	6,590		55.05	013,200	22 704 200	3,597.00
D SITE WORK	0,590	1112			<b>23,704,200</b> 2,832,900	3,397.00
D11 Site Development	27,330	m2	81.70	2,232,900	2,832,900	
D12 Mechanical Site Services		sum	280,000.00	280,000		
D13 Electrical Site Services		sum	320,000.00	320,000		
D14 Demolition	0		,	0		
D15 Alterations	0			0		
NET BUILDING COST - INCLUDING SITE					26,537,100	4,026.87
Z1 GENERAL CONDITIONS					14,200,300	
Z10 Location Factor (Dawson, YT)	38%			10,084,100		
Z11 General Conditions	8%			2,929,700		
Z12 Fee	3%			1,186,500		
NET BUILDING COST - EXCLUDING ALLOWANCES					40,737,400	6,181.70
Z2 ALLOWANCES					13,372,000	
Z21 Design & Pricing Allowance	15%			6,110,600		
Z22 Escalation Allowance	5%			2,342,400		
Z23 Construction allowance	10%			4,919,000		
TOTAL CONSTRUCTION ESTIMATE - INCLUDING ALLO		0/			54,109,400	8,210.83
VALUE ADDED TAX (GST/HST)	0	%		0	0	0.040.00
TOTAL CONSTRUCTION ESTIMATE					54,109,400	8,210.83



# Memorandum

To:	Cory Bellmore	F
From:	Kyle Humphreys	[
Project:	Dawson City Recreation Centre	[
Subject:	Next Steps for Project Advancement	

For info of:	City of Dawson
Doc Ref:	P7201-39856623-95 (1.0)
Date:	July 15, 2021

Dear Cory,

As recently discussed, the City of Dawson would like to build on current momentum and continue to see this project move forward. The purpose of this memorandum is to highlight the proposed next steps for the New Recreation Centre in Dawson City.

In 2018, Stantec Architecture completed a Pre-planning Study that highlighted the needs and vision for developing a New Recreation Centre in Dawson City to replace the Art and Margaret Fry Recreation Centre in the City's downtown core. Stantec's report also highlighted several sites within the city limits that would be feasible to support a new multiplex facility. Council selected the existing Gold Rush Campground and the Bottom of Dome Road as sites to consider.

Over the last year and a half, the City of Dawson engaged with the Yukon Government Infrastructure Development Branch to advance the project in selecting the preferred site and developing a functional program and concept design for several options at each site that City Council and the citizens of Dawson City could consider. During this phase, the City also retained Colliers Project Leaders to assist with project planning, to manage the City's tasks and responsibilities, and to act as the City's Owner's Representative on the project.

Work recently completed includes geotechnical investigations and environmental site assessments at each site, the procurement of Republic Architecture Inc., the development of functional programming and high-level concept designs, energy modelling and public engagement. This phase of the work recently concluded with the submission of the Final Feasibility Study report, issued by RAI on June 4, 2021. The final report concluded that the Bottom of Dome Road was the most feasible site and building Option 1 the most feasible concept based on their technical merit, operational considerations, and community feedback.

Since then, Council has passed a resolution to construct the new recreation centre at the Bottom of Dome Road site. This site has enough space to fit any of the proposed programming options and can allow for future expansion beyond what has currently been considered. The preferred building option has yet to be confirmed.



#### **PROPOSED NEXT STEPS**

In order to advance the project, the Project Team recommends the following actions:

- 1. Council to confirm desired building configuration/included amenities. These may be based on Options 1 to 3 from the RAI report, or an alternate configuration as directed by Council.
- Council to confirm its internal maximum capital contribution for the design and construction of this project.
- Enter into, and complete discussions with Yukon Government regarding funding support for this
  project. The letter previously received from the Minister of Community Services can be
  addressed, with a proposal to negotiate a higher funding limit that is appropriate to achieve the
  City's goals for this project.
- 4. Complete additional environmental site assessments at the Bottom of Dome Road site that consider the proposed use of the site to determine the scope of any remediation work that will need to take place. Recent ESA reports have confirmed the presence of contaminants but have not confirmed their potential hazard level to human health, nor identified the need for remediation at this time. It has been a typical requirement in the past that projects receiving federal funding confirm that the site is free of contamination.
- 5. Identify federal funding source for this project.
- 6. Select Project Manager. Confirm if the City will manage the project internally using its own resources, an independent Project Management firm, Infrastructure Branch, or a combination thereof.
- Develop an updated project plan that includes the desired delivery methodology for this project (Design-Bid-Build, Design-Build, Construction Management, Integrated Project Delivery, P3, etc.). This plan will also identify project scope, budget, schedule, and risk mitigation strategies.
- 8. Develop funding application to the identified funding source(s).
- 9. Fundraise private funding, if required and feasible. This may be achieved through sponsorships of various elements of the facility, including the facility itself.
- 10. Retain a Design firm and Contractor using a competitive procurement process and following the project delivery methodology identified during the planning phase.
- 11. Design, build, and commission the new facility. Site remediation may occur in these phases.
- 12. Grand opening to the community.

#### TIMELINES

Due to upcoming Council elections, it is recommended that items 1 to 3 be completed by mid-September of 2021. Item 4 should happen as soon as possible, pending YG approval. Items 5 to 12 may happen over the next 3 years pending the outcome of item 3, 5 and 8. It would be a reasonable expectation that the new Dawson City Recreation Centre could be opening its doors to the public in late 2024 or sometime in 2025.



We trust this information is to your satisfaction, and we are available to discuss this memo with you at any time.

Sincerely,

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Kyle Humphreys P.Eng., PMP

Principal | Northern Canada

**Colliers Project Leaders** 





For Cour

For Council Decision X For Council Direction

For Council Information

In Camera

AGENDA ITEM:	Official Community Plan and Zoning Bylaw 2021 Annual Review			
PREPARED BY:	Stephanie Pawluk, CDO, Stephani McPhee, PDA	ATTACHMENTS: 1. Draft Bylaw 2021-14 (OCP Amendment		
DATE:	February 23, 2022	No. 4) 2. Draft Bylaw 2021-15 (ZBL Amendment		
RELEVANT BYLAWS / POLICY / LEGISLATION: Municipal Act Official Community Plan Zoning Bylaw		No. 14)		

### RECOMMENDATION

It is respectfully recommended that Committee of the Whole accept this as information for the public hearing, and forward Amendment Bylaws 2021-14 and 2021-15 to Council for Second Reading.

### **ISSUE / PURPOSE**

The OCP is required to be reviewed on an ongoing basis, specifically in October each year. The Zoning Bylaw is reviewed annually in tandem. This review was initiated in September on account of the election.

### **BACKGOUND SUMMARY**

OCP s. 16.2 states that "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". The Zoning Bylaw is also reviewed in tandem.

First Reading occurred on December 8, 2021 and a Public Hearing was held February 9, 2021. Public comments will continue to be accepted by Administration until March 3, 2022.

Text highlighted in yellow is either something that Administration wishes to highlight to Council or something that has changed since Committee's most recent review on February 9, 2022.

### ANALYSIS / DISCUSSION

When assessing the OCP and Zoning Bylaw, it is first important to understand the fundamental purpose of each document. Though they are both binding documents under *the Municipal Act*, they both serve a different purpose that is implemented differently in practice.

An OCP is conceptual and high-level, outlining municipal goals and strategies. According to S. 279(1) of the *Municipal Act*, the purpose of an OCP is to address a range of concepts such as goals for future land development, the provision of municipal services and facilities, environmental matters, transportation systems, etc.

A ZBL is different in the sense that it provides the actionable mechanism to implement the goals and conceptual framework provided by the OCP. According to S. 289(1) of *the Municipal Act*, "A zoning bylaw may prohibit, regulate, and control the use and development of land and buildings in a municipality".

# OCP Bylaw Amendments

On October 13<sup>th</sup> at meeting CW21-27, Council presented a list of items in the Official Community Plan to be reviewed and researched by Administration. Administration received this feedback and conducted follow up research to inform the following proposed amendments.

1. Add stronger language to encourage the adaptive reuse or rehabilitation of vacant properties and derelict buildings. Administration recommends adding stronger language to both S.6.0 Land Use Concept and S.7.0 Housing to ensure that all underutilized land can be developed, not only residential properties.

## 6.0 Land Use Concept

Edit S.6.3 Implementation Approaches

- "Encourage Foster a vibrant and livable neighborhood character by developing and applying strategies to promote future development and adaptive reuse of under-used properties and derelict buildings, such as through the consideration of development incentives and or disincentives"
- The rationale from Council was to provide stronger language in the OCP regarding the encouragement and repurposing of empty buildings. The highlighted changes were made as per February 9, 2022 Council direction.

# 7.0 Housing

Edit S.7.2 Implementation Approaches to:

- Change "Encourage Develop and apply strategies, such as through incentivizing and disincentivizing, to promote owners of vacant land and underutilized parcels, particularly in the historic townsite, to either develop or sell their land".
- The intent of Council's direction was to provide stronger language to the OCP around encouraging the repurposing of empty buildings.
- 2. S.12.2 Implementation Approaches:
  - Edit "Consider Develop and maintain partnerships with Tr'ondëk Hwëch'in, Yukon Government, industry, or and other nongovernment organizations to enhance and maintain recreational facilities."
  - The highlighted change was made as per February 9, 2022 Council direction.
- OCP map amendment to correct what is believed to have been a mistake when the 2018 OCP Land Use Designations map was created, which designated Blocks 11 + 14 Government Reserve Addition Institutional (INT). Administration recommends that Block 11, Lots 1+2, Block 12, Lot 1, Block 13, and Lot 16, Block 14, Government Reserve Addition be re-designated Mixed Use (MU) and Lots 1-4 + 8-15, Block 14, and Lot 16, 116B/3, Government Reserve Addition to Urban Residential (UR), as shown in Figure 1.



Figure 1. OCP Map Amendments

## Zoning Bylaw Amendments

1. ZBL map amendment to correct what is believed to have been a mistake when the 2018 Zoning Bylaw map was created, which zoned titled Lot 1213 QUAD 116B/03 Future Planning (FP) instead of Commercial Mixed Use (C2), which it was previously zoned.



Figure 2: Zoning map

2. As per Council direction and amendment suggestion, the COMMERCIAL AND RESIDENTIAL MIXED-USE definition is being reviewed. Council must decide whether it is desirable for residential dwelling units to exist *beside* commercial the commercial use, fronting the commercial streetscape. Council may direct Administration to add the amended definition in the housekeeping bylaw for Second Reading.

'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 residential dwelling units located on the ground floor behind the commercial uses; or residential dwelling units located on the ground floor beside and secondary to the commercial use in that it occupies less than 35% of the building frontage compared to the commercial use, with the entrance for the residential use located at the rear of the building.

At HAC meeting #22-03 on February 3, the HAC made the following comments about the formerly proposed amendment to the definition by Council:

- The HAC raised concerns about the limited controls that exist to regulate the type of activities that are likely to transpire in residential settings. Paying some thought to the domestic types of uses that would take place is critical to understanding how private uses could alter the public perception of the streetscape. Should residential entrances be located directly on the street, potential impacts to the commercial streetscape could possibly include:
  - 1. Domestic activities: Tenants hosting parties/ barbecues on the boardwalk.

- 2. Storage overflow into the public realm: wood storage, bicycle, and stroller parking.
- 3. Impacts on parking in the commercial core: Fronting the boardwalk, tenants may park on the street.
- 4. Parking in relation to accessibility concerns: if annex units are intended to be 'accessible suites', they would require parking directly on the street they are fronting to be genuinely an accessible unit. Allowing on-street parking could set precedent that might have impacts on the availability of street parking in the commercial core if it widely becomes a phenomenon.
- The Committee noted that they try not to comment on use as it is outside of the HAC's scope. Further, the Committee recognizes that the needs of the community are ever changing (including the current prevalent need for housing), therefore, instead of regulating *use*, the HAC regulates *design* to have historic trends reflect modern needs.
- The HAC discussed three possible scenarios for residential units existing beside commercial uses:
  - 1. Residential dwelling unit with rear entrance, located on ground floor beside commercial use (permitted as per Council-proposed amendment): The HAC brought up the Monte Carlo as a successful example of a split commercial and residential façade, attributing its success to the location of the entrance to the residential unit existing in the rear of the building. Ensuring that the entrance is not located on the street limits the potential for domestic activities to interfere with the cohesion of the public realm.
  - 2. Residential dwelling unit with street-facing door, located on ground floor beside commercial use (not permitted as per Council-proposed amendment): If the residential unit is to be self-contained and in a visually separate unit or addition from the main commercial use (i.e. be visually distinct from the main commercial use in an accessory building), it's possible for a front door to be considered. Consideration should be paid to how domestic impacts would impact the public realm, should the residential entrance be located on the street. There should be a balance between minimizing domestic impacts on the commercial streetscape, while still upholding historic streetscaping requirements in the commercial zone. Historically commercial streetscapes would feature small units with commercial façades that activate the street.
  - 3. Separate accessory structure residential dwelling unit with street-facing door, located on ground floor beside commercial use (not permitted as per ZBL): In the commercial zone, accessory structures used for residential purposes should give the illusion that they are commercial buildings through design, despite their residential use (Streetscapes Vol 3, 1974). Regardless of use, residential units should be well integrated into the streetscape. For example, with cohesive setbacks, adequate space for selfcontained living, buildings being situated closely together (Administration notes that due to setbacks, it is not possible to have accessory residential structures right up against commercial buildings, as occurred historically), complementary building design, etc. (see below for historic examples of small commercial annex buildings on commercial streetscapes). As noted above, consideration should be paid to how domestic impacts would impact the public realm.

Based on this feedback from the HAC, all scenarios are potentially possible from a historic design perspective, with design regulation as implemented by the HAC. That said, there are concerns regarding the proposed residential use on the commercial streetscape that Council must consider.



Figures 3 and 4. Small, historic commercial buildings



Figure 5. Historic Front St. streetscape design featuring identical building setbacks, with buildings situated closely together



Figure 6. Historic streetscape style featuring a small, annex building along the commercial Front St. façade (left)

Figures 7 and 8. Commercial streetscapes from "Indian and Northern Affairs (1974) *Dawson City Y.T. Conservation Study, Vol. 3 'Streetscapes ca 1902 and 1973"* that illustrate a variety of building sizes in the commercial core. Each building has the same setback from the street as it's neighboring building, which promotes a cohesive streetscape.

- 3. Edit the 'EXHIBITION AND CONVENTION FACILITIES' definition (p. 8) as follows: 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.
- 4. Amend 'Garden Suite' to differentiate Garden Suites from Secondary Suites, as they are differentiated in s. 8.8 'Secondary and Garden Suites'.

GARDEN SUITE means a type of secondary suite self-contained secondary dwelling unit that is within an accessory building, located on a lot where the principal use is either a single detached dwelling unit or a duplex and where both dwelling units are registered under the same land title, as shown in figure 2-3. A garden suite can be up to 100% of the floor area of the accessory building.

Amend s. 8.8.3: "<del>no more than only</del> one secondary suite or garden suite is permitted per principal single detached dwelling".

5. Add 'Heliport' to M1 permitted uses and to definitions.

The City of Whitehorse defines and permits 'aircraft sales/service' in their Mixed-Use Commercial/Industrial zone. 'HELIPORT' means development used for the take-off and landing, sale, charter, or rental of helicopters together with maintenance services, and the sale of parts and accessories. Administration removed the recommendation to add 'Heliport' as a permitted use to C2, since single detached dwellings are permitted as a primary use in the C2 zone. Furthermore, recent Council direction to develop a C2 zoned subdivision raised the point that such a subdivision could result in a mostly residential neighborhood since single detached dwellings are permitted as a primary use. Integrating Heliports into potential residential neighborhoods raises concerns about noise, which would not promote a cohesive zoning designation.

- 6. Add a definition for 'REGISTERED HISTORIC STRUCTURE': means a building or structure that is listed in the Yukon Historic Sites Inventory or has been designated by Council as a Municipal Historic Site.
- 7. Add a definition for 'REGULAR MAINTENANCE AND REPAIR': means routine assessment of a building's structural integrity through building repairs, maintenance, including foundation levelling, or installations, that do not alter the size of the building, involve the rearrangement or replacement of structural supporting elements, constitute structural alteration, or change the use or intensity of use of the land, building, or structure.

Many buildings in the municipality require frequent levelling work due to permafrost conditions. Council expressed concern about the requirement for routine levelling work to obtain a development permit. The intent of this addition of 'foundation levelling' to the regular maintenance and repair definition is to enable routine levelling work without the need to obtain a development permit, so long as it does not constitute a structural alteration.

Levelling is classified as 'regular maintenance and repair'; therefore, does not require a development permit unless it involves the "the rearrangement or replacement of structural supporting elements" in which case it becomes classified as a 'structural alteration'. Once classified as a 'structural alteration,' it requires a comprehensive development permit for a major alteration (including a detailed application submission and review of the entire lot's compliance). The reason for the trigger to require a development permit if deemed a structural alteration, is on account of S. 4.2.1.

 Amend the definition for 'structural alteration' to clarify building levelling, as requested by Council, and to be consistent with the 'regular maintenance and repair' definition. A section on building dimensions has been removed for improved clarity and to better reflect the intent:

"STRUCTURAL ALERATION means any change to structural supporting elements of a structure including but not limited to foundations, exterior load-bearing walls, door and window openings, roof, and access/egress components (such as decks or porches) which does not increase the exterior dimensions of height or footprint. For the purposes of this bylaw, full removal of a structure or structural component and replacing it in its entirety constitutes structural alteration. Repairs, maintenance, including foundation levelling, or installations that do not alter the size of the building or other structure or involve the rearrangement or replacement of structural supporting elements does not constitute structural alteration."

- 9. Adding signage definition for clarity.
- 10. S. 4.1.1.3 indicates that a security deposit is to be posted for demolition applications to ensure that the intended redevelopment occurs. Similarly, S. 6.2.I indicates that a security deposit is to be posted for building moves (this section has been added after First Reading). These sections do not indicate precisely *when* the security deposit is to be released. This has caused deposits to be released inconsistently. Administration requests that Council chose one of the following options to provide clarity. The recommended option is a) receipt of occupancy, to promote the competition of livable, usable structures.

- a. **Receipt of the occupancy permit**, where applicable (it is not always applicable in cases where the redevelopment is a park for example).
  - a) If the goal is to ensure that the redevelopment is a usable, occupancy-level structure to provide much needed additional residential units to the community, then this would meet this goal.
  - b) This is the recommended option.
- b. **CDO confirmation of the completion of the development permit** that was approved as per the redevelopment plan.
  - a) A site visit only ensures that the permitted development occurred where it was permitted to occur (adequate setbacks) and that the design is consistent with what was approved. It does not ensure internal completion of the structure. If the intent of the security deposit and re-development requirement is to have a structure that will meet the taxation threshold, then this meets the goal; however, if the goal is to have a usable, occupancy-level structure to provide much needed additional residential units to the community, then this does not meet the goal.
- c. **Clad to weather building stage**. This would require the addition of a definition for clad to weather.
  - a) Clad to weather is defined by YG in a land lotteries document: "the building is clad to the weather when it is sealed to the elements (wind, rain or snow). Siding can be Tyvek, plywood with corners sealed, etc. All soffits and fascia must be installed."
  - b) This is one step below CDO confirmation, as described above, because it would not be possible to assess the design at this stage.
  - c) If the intent of the security deposit and re-development requirement is to have a structure that will meet the taxation threshold, then this meets the goal; however, if the goal is to have a usable, occupancy-level structure, then this does not meet the goal.
- 11. Amend s. 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:

- a. S. 4.2.1 regular maintenance and repair of any building or structure, provided it does not:
  - I) include structural alterations
  - II) change the use or intensity of use of the land, building, or structure
  - III) include external building envelope alterations within the Historic Townsite"

The formatting of this clause has been amended as per February 9, 2022 Council direction.

b. Repeal S. 4.2.2 "regular maintenance and repair of any building or structure in the heritage management areas that meets the heritage management design guidelines".

This section can be removed since it will now be accounted for in s. 4.2.1. The intent of this change is to improve clarity and ensure external changes go through the permitting and HAC process in the historic townsite, even if they constitute regular maintenance and repair, as is practice.

12. Amend S.4.3.2.VI(f) and S.4.3.2.VI(g) (site plan requirements) to:

f) the location, size, type, and dimensions of all existing buildings and/or structures on the subject land, as well as the distance of the buildings and/or structures from the property lines and other structures.g) the location, size, type, and dimensions of all proposed buildings and structures on the subject land, as well as the proposed distance of the buildings and/or structures from the property lines and other structures structures.

- 13. Add section to S.4.3.2 to enable administration to request stormwater management plan as part of Development Permit applications:
  - IX) "A stormwater management plan that includes:
    - i) The location and description of where water flows and pools on the property
    - ii) Description of how the water flow and pooling is/will be managed
    - iii) Existing and/or proposed infrastructure to manage stormwater and snow such as culverts, drains, snow dams, gutters, etc.
- 14. Insert the following clause to S.4.3.2:

(X) photos of the parcel and buildings

15. Remove "under section 4.4.1" from s. 4.4.2: Development Permit Appeals as this is not how appeals have been implemented in practice. Referencing s. 4.4.1 means that applicants can only appeal the CDO's decision if the appeal is in regard to a development agreement, refusal on the basis of inadequate services such as water/sewer or outstanding taxes, permit conditions, or if a development permit is suspended or revoked. The City has been consistently offering applicants the opportunity to appeal permit decisions on any basis any time a permit is denied. The ZBL should be updated to accurately reflect this practice. Additionally, Administration proposes adding additional steps to s. 4.4.2 to clarify the process of appeals. This would be done in accordance with other appeals outlined in the *Municipal Act* including subdivision and Board of Variance appeals.

# 4.4.2 Development Permit Appeals

- An applicant aggrieved by the decision of the development officer under section 4.4.1 under S.4.4 'Decision Making', may appeal to Council within 30 days of the date of the decision.
- 2. Appeal applicants shall be limited to the original development permit applicant, landowner, and/or their designated representative.
- 3. All maps, plans, drawings, and written material that the applicant intends to rely on in support of the appeal must be filed at least 10 days before the day of the hearing.
- 4. Council shall within 60 days of receipt of an appeal under this section, allow, disallow, or allow the appeal with conditions.
- 5. The hearing of the appeal shall be public and Council must hear the appeal applicant or any person representing the appeal applicant
- 6. The decision of the council shall
  - I) be based on the facts and merits of the case;
  - II) be in writing and set forth the reasons; and
  - III) be personally delivered or mailed to the appeal applicant within 10 days of the date the decision was made.
- 7. A decision of Council under this Section is final and binding and there is no further appeal from it.
- 16. According to the Municipal Act, a public hearing is not required for subdivision approval. This requirement has been removed by the repealing of s. 5.1.4. Although Public Hearings are not required for subdivision, Public Notification is:

*M.A.* 319 (4) On receipt of an application for subdivision approval, the approving authority must give public notice of the application by a method determined appropriate by the approving authority. S.Y. 1998, c.19, s.319.

As such, s. 5.1.4 has been added as highlighted below. Practice at the City of Whitehorse is to post subdivision public notification to the City website and in a newspaper. Administration recommends switching to this practice plus posting to bulletin boards at the City and Post Office, instead of mail outs.

Administration is seeking feedback from Council as the Approving Authority as to how subdivision public notification is to be given.

Additionally, administrative practice has not included the posting of physical signs to properties being considered for a subdivision. The posting of a physical sign is also not a requirement of the Municipal Act. As such, the posting of a physical sign (s. 5.1.6) has been repealed.

Remove S.5.1.4, 5.1.5, and 5.1.6 and replace with the following:

- 5.1.4 On receipt of an application for subdivision approval, public notification must be provided in a method approved by Council for two successive weeks.
  - i) Methods of public notification may include posting on the City website, in local newspapers, and/or on the City and Post Office Bulletin Boards.
- 17. The issue that the City of Dawson continuously faces in processing subdivision applications is that the ZBL has a black and white clause in each zone that requires the subject property to conform to the current ZBL in order to receive a subdivision. The current clause is believed to be unreasonably restrictive, as subdivisions may not occur on legally non-conforming properties. For example, properties that had developments erected prior to the enactment of this 2018 ZBL are unable to subdivide, consolidate, or adjust the boundaries of their property if the minimum parcel requirements (setbacks, parcel size, building height etc.) were different at the time they received a development permit and built. As per this clause, a subdivision cannot be approved even if it will improve (but not resolve) the noncompliance. This aligns with S. 5.1.1.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."

Amend the 'Zone Specific Regulations' section for each zone to the following:

- .1 On a parcel located in an area zoned \_\_\_\_,
- i) no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or s. 5.1.3 applies
- ii) and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations.
  - Note: 5.1.3 only applies to zones inside the Historic Townsite. This is reflected in the Amendment Bylaw.
- 18. Amend s. 6.0.2 for clarity: "When a structure is being moved off of a lot within the historic townsite, the application must be accompanied by an approved redevelopment plan for the original lot, to the satisfaction of the development officer."
- Add a clause to s. 7.1 to clarify the required setback distance between accessory buildings. Currently, s.
   7.1.2 outlines the required distance between principal and accessory buildings, but there is no indication of the required setback between accessory structures. For clarity, all building-to-building setbacks should be addressed.

Repeal and replace 7.1.2 with "accessory buildings and structures must be set back at least 3.05 m (10 ft.) from:

a) any principal building, unless otherwise stated in the appropriate zone's 'Parcel Requirements' table.

# b) any accessory building, unless otherwise stated in the appropriate zone's 'Parcel Requirements' table.

20. Add to section 7.5 'Heritage' to create a process whereby Council or the Heritage Advisory Committee (HAC recommended) makes decisions on compliance concerns that arise through the development permitting process on registered historic structures. In the past, these kinds of situations were addressed by variance applications to the Board of Variance; however, this is technically inconsistent with the intention of variances, as outlined in the *Municipal Act*. As such, there is currently no process in place to approve major development permits (structural alterations) for registered historic structures that may have a noncompliant setback or may not meet the minimum square footage or height requirements. This results in owners of non-compliant registered historic structures not being able to (legally) upkeep and maintain the building, resulting is structural disrepair over time. This issue is in direct conflict with the City's mandate to protect registered historic structures.

It is important that not all exceptions from the requirements are granted for registered historic sites, as there are varying degrees and impacts of noncompliance and as such, there cannot be a one size fits all rule. This is why it is recommended that a board decision process be implemented as each situation is unique. It is not recommended that these decisions are made Administratively, as a public process ensures equitability and transparency.

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

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

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

Add the following public notification process under S.7.5 to ensure that the decision does not injuriously affect adjacent properties:

- .2 a development officer shall send a notice to adjacent landowners, who may be identified in the City tax assessment roll, advising them of the proposed waiver and providing an opportunity to submit comments prior to decision.
- For the purposes of this bylaw, adjacent landowners are those who are owners of land that is contiguous to a site.
- 21. Amend s. 9.2.5: "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 and must be registered as an easement".
- 22. Add 'Child Care Centres' to Table 9-1 'REQUIRED OFF-STREET PARKING SPACES.' The City of Whitehorse's Zoning Bylaw #2012-20 requires 1 parking stall per 8 children for Child Care Centres. The same is recommended.
- 23. Add the following to Table 10-1 (under Signs):

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

Amend 10.4 to:

"Signage, including lettering must be erected or applied in such a manner as to reflect heritage design guidelines and the heritage management plan if located in the historic townsite."

### Amend S.10.5 to:

"Prior to erection or installation all fixed, free-standing, or projecting types of signs shall be approved by the development officer", as per HAC's request.

- 24. It has been observed that the 10-foot setback requirements between accessory buildings is perhaps no longer legislatively relevant nor best practice; therefore, it is proposed that a minimum of 2ft be required between non-dwelling to non-dwelling buildings and dwelling to non-dwelling buildings, and 10ft be required between dwelling-to-dwelling buildings. Here is a brief outline of how the 2ft setback requirement was determined:
  - The rationale behind minimizing the setback requirement between accessory buildings on a lot is to offer more flexibility.
  - It has been observed that many heritage structures in town do not have setbacks between them. As a result, a lack of flexibility in building-to-building setback distances on lots with heritage structures often leads to non-compliance, and therefore, no ability to obtain development permits. Therefore, applicants cannot upkeep or rehabilitate heritage structures. The new proposed HAC variance process will also address this.
  - Informed by the Building Inspector, according to the National Building Code, no required setbacks specifically are in place to regulate the distance between non-dwelling buildings. Additionally, there is no required setback between a dwelling to non-dwelling building – a minimum setback distance would only be required between two dwellings. Although setbacks could be 0ft, according to Code, 2ft was chosen for the following reasons:
    - o Hazard/fire reduction
    - Impacts on urban form and scale
    - More comprehensive research would be required to consider limiting the setback distance further
  - As an example, the City of Whitehorse's Zoning Bylaw #2012-20 requires accessory buildings to "not be located less than 1 m (3.3 ft) from the principal building" (s. 5.1.2.e), so long as they are not used as dwellings, unless otherwise specified in the zone.

This amendment was discussed at the joint Council and HAC meeting on February 17, 2022. HAC raised concerns regarding historic structures that might be injuriously affected by this decreased setback (snow load from adjacent buildings impacting the structural integrity of historic accessory structures); however, HAC concluded that this concern is outweighed by the benefits this increased setback flexibility allows for the upkeep and protection of historic structures. Administration echoes the HAC's cautions of snow load impacts that this decreased setback could pose on historic structures and new-builds alike. The HAC also noted that decreased building-building setbacks are historically accurate, as it reflects the historic compact development pattern.

The 2ft setback only applies to R1 and R2 as all other zones specify different accessory structure setback requirements. As such, table amendments are required to the R1 and R2 zone minimum parcel requirements table. Amend R1 and R2 'Parcel Requirements' tables to the following to reflect this change:

#### TABLE 11-1 R1 ZONE MINIMUM PARCEL REQUIREMENTS

#### TABLE 11-3: R2 ZONE MINIMUM PARCEL REQUIREMENTS

			Column 1	Column 2	
Column 1	Column 2		Minimum floor area of primary dwelling unit	23.8 m2	(256 ft.2)
Minimum parcel size	232.3 m <sup>2</sup>	(2,500 ft. <sup>2</sup> )	Minimum parcel size	464.5 m	(1,524 ft.)
Minimum parcel width Minimum setback of buildings from	7.6 m	(25 ft.)	Minimum parcel width	15.24 m	(50 ft.)
front parcel line	3.05 m	(10 ft.)	Minimum setback of buildings from		
interior side parcel line     for a dwelling     for a non-dwelling accessory building     for a duplex with a shared wall on property line     exterior side parcel line	1.52 m 0.61 m 0 m 3.05 m	(5 ft.) (2 ft.) (0 ft.) (10 ft.)	<ul> <li>front parcel line</li> <li>interior side parcel line</li> <li>exterior side parcel line</li> <li>rear parcel line</li> </ul>	3.05 m 1.52 m 3.05 m 1.52 m	(10 ft.) (5 ft.) (10 ft.) (5 ft.)
<ul> <li>rear parcel line</li> <li>buildings</li> <li>for a dwelling to dwelling</li> <li>for a dwelling to non-dwelling</li> </ul>	1.5 m 3.05 m 0.61 m	(5 ft.) (10 ft.) (2 ft.)	<ul> <li>buildings</li> <li>for a dwelling to dwelling</li> <li>for a dwelling to non-dwelling</li> </ul>	3.05 m 0.61 m	(10 ft.) (2 ft.)
<ul> <li>for a non-dwelling to non-dwelling</li> <li>Maximum parcel coverage</li> </ul>	0.61 m 50%	(2 ft.)	<ul> <li>for a non-dwelling to non- dwelling</li> </ul>	0.61m	(2 ft.)
Maximum height for		(256 ft. <sup>2</sup> )	Maximum height for • principal building	10.67 m	(35 ft.)
<ul> <li>principal building</li> <li>accessory building</li> </ul>	10.67 m 6.10 m	(35 ft.) (20 ft.)	accessory building	6.10 m	(20 ft.)

- 25. Edit typo in table 11-3 ('R2 Zone Minimum Parcel Requirements'). The minimum parcel size requirements should reflect the following in Column 2: 464.5m<sup>2</sup> / 5,000ft<sup>2</sup>
- 26. Administrative edit of table numbering in the R2 zone on p. 54.
- 27. Amend S.12.2.2.2 as follows: "The development regulations for the R1 Zone, not including R1 zone setbacks, shall apply to the development of single family detached dwellings".
  - This ensures that adequate building-to-building setbacks are maintained in the C2 zone, once the current 10ft minimum setback is reduced to 2ft in the R1 zone for dwelling to non-dwelling and non-dwelling to non-dwelling buildings and structures.
- 28. Amend s. 13.1.3.2.III as follows: residential security units must: "be constructed and operational after the construction of the principal building, unless the permitted use of the property does not require a principal building".
- 29. Administrative edit of s. 4.01 and 4.02 of Zoning Amendment Bylaw No. 6 (Bylaw #2019-17) due to incorrect numbering, as follows:

4.01 Section <u>14.2</u> 13.0 is hereby amended by adding a new section <u>14.2.4</u> 13.1.4 titled 'Special Modifications'.

4.02 Section <u>14.2.4</u> 13.1.4 is hereby amended by adding a new section as follows: a) Grant numbers: P 00748, P 00749, P 00750, P 07901, P 07992, P 07993, P 07994, P 08446, P 08861, P 08862, P 08981, P 10413, P 10414, P 10783, P 35904, P 35905 are temporarily zoned Industrial until November 4, 2030, as per Bylaw No. 2019-17.

- 30. Move 13.1.1.21 'residential security unit' to 13.1.2.4 Secondary uses in M1 zone.
- 31. Add a 'Secondary Use' section under S.14.1.1, and allow 'community recreation facility' as a Permitted Use to allow multipurpose spaces
  - A community recreation facility inherently supports the intent under 14.1, however is not the primary intent of the zone.
  - An example of this use is in the Minto Park facility. The City regularly utilizes the Minto Park building as a multipurpose space, with a food concession as well as classes and activities.

32. Administrative edit: move Table 14-1 below s.14.1.2.2

- 33. Add 'mixed use development' as a Permitted Use in S.14.2.1 (Institutional zone), to allow multipurpose spaces (eg. a mixed use building including a church, café, and childcare centre).
- 34. Add 'offices' as a Permitted Use in s.14.2.1 in the P2 (Institutional) zone. Given the purpose of the Institutional zone to provide government and health services, as well as libraries and museums, it makes sense to permit offices as a use.
- 35. Add 'eating and drinking establishment' to 'Secondary Uses' in S.14.2 to effectively meet the zone's goal of providing community facilities for use by the public, and to provide the opportunity to allow a greater range of mixed uses and services in the institutional zone.
  - The City regularly contracts eating and drinking establishments to operate in the Rec Centre.
- 36. S. 14.2.3.1 currently renders all P2 zoned parcels in the Historic Townsite as C1. Administration believes this clause should read "The regulations contained in Table 12-1 of this bylaw shall apply to all P2 parcels that are located within the historic townsite..." and has included this change in the amendment bylaw.
- 37. Repeal s. 17.5.6. Administrative practice has not included the posting of physical signs to properties being considered for a zoning amendment. The posting of a physical sign is not a requirement of the *Municipal Act* and Administrative resources could be better allocated.
- 38. Administrative numbering edit of s. A.1.4, A.2.4, A.3.2

APPROVAL				
NAME:	Cory Bellmore, CAO	SIGNATURE:		
DATE:	11-03-2022	(L'Bellmore		



Official Community Plan Amendment No. 5 Bylaw

#### Bylaw No. 2021-14

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

**WHEREAS** section 278 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that a council must, within three years of formation or alteration of municipal boundaries, adopt or amend by bylaw an official community plan.

**WHEREAS** section 285 of the Municipal Act, RSY 2002, c. 154, and amendments thereto, provides that an official community plan may be amended, so long as the amendment is made in accordance with the same procedure established for adoption of an official community plan.

**THEREFORE**, pursuant to the provisions of the *Municipal Act* of the Yukon, the council of the City of Dawson, in open meeting assembled, **ENACT AS FOLLOWS**:

### **PART I - INTERPRETATION**

#### 1.00 Short Title

This bylaw may be cited as the Official Community Plan Amendment No. 5 Bylaw

#### 2.00 Purpose

- 2.01 The purpose of this bylaw is to provide for:
  - (a) A series of text amendments
  - (b) A re-designation of lands from Institutional to Urban Residential and Mixed Use
  - (c) A re-designation of lands from Urban Residential to Institutional



Official Community Plan Amendment No. 5 Bylaw

Bylaw No. 2021-14

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Official Community Plan Amendment No. 5 Bylaw

#### Bylaw No. 2021-14

#### 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) "Amended Area" means the area shown in Appendix 1;
  - (c) "Bylaw Enforcement Officer" means a person employed by the City of Dawson to enforce bylaws;
  - (d) "CAO" means the Chief Administrative Officer for the City of Dawson;
  - (e) "City" means the City of Dawson;
  - (f) "Council" means the Council of the City of Dawson;

### PART II - APPLICATION

#### 4.00 Amendments

- 4.01 Repeal S.6.3 and replace with: "Foster a vibrant and livable neighborhood character by developing and applying strategies to promote future development and adaptive reuse of under-used properties and derelict buildings, such as development incentives and disincentives".
- 4.02 Repeal S.7.2 and replace with: "Develop and apply strategies, such as incentivizing and disincentivizing, to promote owners of vacant land and underutilized parcels, particularly in the historic townsite, to either develop or sell their land".
- 4.03 Repeal S.12.2 and replace with: "Develop and maintain partnerships with Tr'ondëk Hwëch'in, Yukon Government, industry, and other nongovernment organizations to enhance and maintain recreational facilities".
- 4.04 This bylaw re-designates Lot 1183 QUAD 116B/03, Lots 1-4 + 8-15, Block 14, Government Reserve Addition, and Lot 4, 5, 8, 9 Block 15, Government Reserve Addition to Urban Residential (UR), as shown in Appendix 1.



Official Community Plan Amendment No. 5 Bylaw

Bylaw No. 2021-14

#### PART III – FORCE AND EFFECT

#### 5.00 Severability

5.01 If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder unless the court makes an order to the contrary.

#### 6.00 Enactment

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

#### 7.00 Bylaw Readings

Readings	Date of Reading
FIRST	December 8, 2021
MINISTERIAL NOTICE	January 6, 2022
PUBLIC HEARING	February 9, 2022
SECOND	
MINISTERIAL APPROVAL	
THIRD and FINAL	

William Kendrick, Mayor

**Presiding Officer** 

Cory Bellmore, CAO
Chief Administrative Officer

Official Community Plan Amendment No. 5 Bylaw

Presiding Officer



Official Community Plan Amendment No. 5 Bylaw

Bylaw No. 2021-14

### 8.00 Appendices



Official Community Plan Amendment No. 5 Bylaw

CAO



Zoning Bylaw Amendment No. 14 Bylaw

#### Bylaw No. 2021-15

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

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

WHEREAS section 294 of the Municipal Act provides for amendment of the Zoning Bylaw;

**THEREFORE**, pursuant to the provisions of the *Municipal Act* of the Yukon, the council of the City of Dawson, in open meeting assembled, **ENACT AS FOLLOWS**:

### PART I - INTERPRETATION

#### 1.00 Short Title

This bylaw may be cited as the Zoning Bylaw Amendment No. 14 Bylaw

#### 2.00 **Purpose**

- 2.01 The purpose of this bylaw is to provide for:
  - (a) A re-zoning of Lot 1213 QUAD 116B/03 FP: Future Planning to C2: Commercial Mixed Use.
  - (b) A series of text amendments.



Zoning Bylaw Amendment No. 14 Bylaw

#### Bylaw No. 2021-15

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Zoning Bylaw Amendment No. 14 Bylaw

### Bylaw No. 2021-15

### 3.00 **Definitions**

- 3.01 In this Bylaw:
  - (a) Unless expressly provided for elsewhere within this bylaw the provisions of the *Interpretations Act,* RSY 2002, c. 125, shall apply;
  - (b) "city" means the City of Dawson;
  - (c) "council" means the Council of the City of Dawson;

### PART II – APPLICATION

### 4.00 Amendments

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

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Zoning Bylaw Amendment No. 14 Bylaw

### Bylaw No. 2021-15

- 4.06 Insert the following definition to S.2.2: "REGULAR MAINTENANCE AND REPAIR means routine building repairs, maintenance, including foundation levelling, or installations that do not alter the size of the building, involve the rearrangement or replacement of structural supporting elements, constitute structural alteration, or change the use or intensity of use of the land, building, or structure".
- 4.07 Insert the following definition to S.2.2: "SIGN, FIXED means a wall sign, fixed on the surface of a building".
- 4.08 Insert the following definition to S.2.2: "SIGN, FREE STANDING means a self-supporting sign permanently fixed to the ground and visibly separated from a building".
- 4.09 Insert the following definition to S. 2.2: "SIGN, PAINTED FASCIA means a wall sign painted directly on the surface of a building, visible to the street".
- 4.10 Insert the following definition to S. 2.2: "SIGN, PROJECTING means any self-supporting sign other than a wall sign which is attached to or projects more than 45cm from the face of a structure or building wall with no visible guywires, braces, or secondary supports".
- 4.11 Repeal the STRUCTURAL ALTERATION definition in S.2.2 and replace with the following: "STRUCTURAL ALERATION means any change to structural supporting elements of a structure including but not limited to foundations, exterior load-bearing walls, door and window openings, roof, and access/egress components (such as decks or porches). For the purposes of this bylaw, full removal of a structure or structural component and replacing it in its entirety constitutes structural alteration. Repairs, maintenance, including foundation levelling, or installations, that do not alter the size of the building or other structure or involve the rearrangement or replacement of structural supporting elements does not constitute structural alteration."
- 4.12 Insert the following clause to S. 4.1.1.3: "The security deposit is to be released upon receipt of the occupancy permit where applicable, and Development Officer confirmation of the completion of the development as per the approved development permit."
- 4.13 Repeal S. 4.2.1 and replace with the following: "regular maintenance and repair of any building or structure, provided it does not:
  - I) include structural alterations
  - II) change the use or intensity of use of the land, building, or structure
  - III) include external building envelope alterations within the Historic Townsite"

Presiding Officer



Zoning Bylaw Amendment No. 14 Bylaw

#### Bylaw No. 2021-15

- 4.14 Repeal S. 4.2.2.
- 4.15 Repeal S.4.3.2.VI(f) and S.4.3.2.VI(g) and replace with:

"f) the location, size, type, and dimensions of all existing buildings and/or structures on the subject land, as well as the distance of the buildings and/or structures from the property lines and other structures.

g) the location, size, type, and dimensions of all proposed buildings and structures on the subject land, as well as the proposed distance of the buildings and/or structures from the property lines and other structures."

4.16 Insert the following to S.4.3.2:

"IX. A stormwater management plan that includes:

- a) The location and description of where water flows and pools on the property.
- b) Description of how the water flow and pooling is/will be managed.
- c) Existing and/or proposed infrastructure to manage stormwater and snow such as culverts, drains, snow dams, gutters, etc."
- 4.17 Insert the following clause to S.4.3.2:

"X. photos of the parcel and buildings."

- 4.18 Repeal S.4.4.2.1 and replace with: "An applicant aggrieved by the decision of the development officer under section 4.4 'Decision Making', may appeal to Council within 30 days of the date of the decision."
- 4.19 Repeal S.4.4.2.2 and replace with: "Appeal applicants shall be limited to the original development permit applicant, landowner, and/or their designated representative."
- 4.20 Repeal S.4.4.2.3
- 4.21 Insert the following clauses to S. 4.4.2 as follows:

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



Zoning Bylaw Amendment No. 14 Bylaw

### Bylaw No. 2021-15

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

- 5. The hearing of the appeal shall be public and Council must hear the appeal applicant or any person representing the appeal applicant.
- 6. The decision of Council shall:
  - I. be based on the facts and merits of the case;
  - II. be in writing and set forth the reasons; and
  - III. be personally delivered or mailed to the appeal applicant within 10 days of the date the decision was made.

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

- 4.22 Repeal S.5.1.4, 5.1.5, and S. 5.1.6.
- 4.23 Insert the following clause to S. 5.1:
  - 5.1.4 "On receipt of an application for subdivision approval, public notification must be provided in a method approved by Council for two successive weeks.
    - I. Methods of public notification may include posting on the City website, in local newspapers, and/or on the City and Post Office Bulletin Boards."
- 4.24 Amend S. 6.2 as follows: "When a structure is being moved off of a lot within the historic townsite, the application must be accompanied by an approved redevelopment plan for the original lot, to the satisfaction of the development officer.
  - I. When a structure is being moved off of a lot within the historic townsite, an acceptable security deposit of \$1.00 per square foot of the lot under consideration shall be posted upon issuance of a development permit for the move to ensure that the intended redevelopment proceeds."
- 4.25 Insert the following clause to S. 6.2: "The security deposit is to be released upon receipt of the occupancy permit where applicable, and Development Officer confirmation of the completion of the development as per the approved development permit."
- 4.26 Repeal S. 7.1.2 and replace with:
  - 7.1.2 "accessory buildings and structures must be set back at least 3.05 m (10 ft.) from:



Zoning Bylaw Amendment No. 14 Bylaw

### Bylaw No. 2021-15

- I. any principal building, unless otherwise stated in the appropriate zone's 'Parcel Requirements' table.
- II. any accessory building, unless otherwise stated in the appropriate zone's 'Parcel Requirements' table."
- 4.27 Insert the following clauses to S. 7.5:
  - 7.5.2 "If, through the development permitting process for a structural alteration, it is found that a registered historic structure is legally non-conforming, as per the *Municipal Act*, and does not meet the zone's minimum parcel requirements, the application may be forwarded to the Heritage Advisory Committee at the discretion of a Development Officer.
    - At the sole discretion of the Heritage Advisory Committee, the legally non-conforming, non-compliant minimum parcel requirement(s) of the registered historic structure may be waived so long as
      - a. the proposed development does not increase the legally non-conforming nature of the use or structure.
      - b. The historic structure does not encroach on a neighboring property or right of way.
      - c. The waiver does not injuriously affect the neighboring properties."
- 4.28 Insert the following clauses to S.7.5:
  - 7.5.3 "A Development Officer shall send a notice to adjacent landowners, who may be identified in the City tax assessment roll, advising them of the proposed waiver and providing an opportunity to submit comments prior to decision.
    - I. For the purposes of this bylaw, adjacent landowners are those who are owners of land that is contiguous to a site."
- 4.29 Repeal S. 8.8.3 and replace with the following: "only one secondary suite or garden suite is permitted per principal single detached dwelling".
- 4.30 Repeal S. 9.2.5 and replace with the following: "Except where cash in lieu is provided in accordance with City bylaws, the required off street parking and loading spaces shall be located on the same parcel as the building they serve or on a separate lot within 152.4 m (500 ft.) of the building and must be registered as an easement".

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Presiding Officer



Zoning Bylaw Amendment No. 14 Bylaw

### Bylaw No. 2021-15

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

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Zoning Bylaw Amendment No. 14 Bylaw

### Bylaw No. 2021-15

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

4.43 Repeal S.12.2.2.1 and replace with the following:



Zoning Bylaw Amendment No. 14 Bylaw

### Bylaw No. 2021-15

- ".1 On a parcel located in an area zoned C2,
  - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I or S.5.1.3 applies
  - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations."
- 4.44 Repeal S.12.2.2.2 and replace with: "The development regulations for the R1 Zone, not including R1 zone parcel line setbacks, shall apply to the development of single family detached dwellings."
- 4.45 Insert 'heliport' in S. 13.1.1.
- 4.46 Remove 'residential security unit' from S.13.1.1 and add to Secondary Uses in S.13.1.2
- 4.47 Repeal S.13.1.3.1 and replace with:
  - "13.1.3.1 On a parcel located in an area zoned M1,
    - I. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.I applies
    - II. and no building or structure shall be constructed, altered, or located in such a way that contravenes the regulations set out in the table below, in which column 1 sets out the matter to be regulated and column 2 sets out the regulations."
- 4.48 Repeal S.13.1.3.2.III and replace with the following: "be constructed and operational after the construction of the principal building, unless the permitted use of the property does not require a principal building".
- 4.49 Repeal S. 4.01 and 4.02 of Zoning Amendment Bylaw No. 6 (Bylaw #2019-17), and replace with the following:

"4.01 Section 13.0 is hereby amended by adding a new section 13.1.4 titled 'Special Modifications'.

4.02 Section 13.1.4 is hereby amended by adding a new section as follows: a) Grant numbers: P 00748, P 00749, P 00750, P 07901, P 07992, P 07993, P 07994, P 08446, P 08861, P 08862, P 08981, P 10413, P 10414, P 10783, P 35904, P 35905 are temporarily zoned Industrial until November 4, 2030, as per Bylaw No. 2019-17."



Zoning Bylaw Amendment No. 14 Bylaw

### Bylaw No. 2021-15

- 4.50 Insert the following to S.14.1:
  - "14.1.2 'Secondary Use'
  - community recreation facility" .1
- 4.51 Repeal the clause under S.14.1.2 and replace with the following:
  - ".2 On a parcel located in an area zoned P1,
    - no plan of subdivision shall be approved in such a way that contravenes Ι. the regulations set out in the table below unless S. 5.1.1.1 or s. 5.1.3 applies
    - П. 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."
- Move 'TABLE 14-1: P1 ZONE MINIMUM PARCEL REQUIREMENTS' below S.14.1.2.2. 4.52
- 4.53 Insert 'mixed use development' in S.14.2.1
- 4.54 Insert 'offices' in S.14.2.1
- 4.55 Insert the following to S.14.2: "14.2.2 'Secondary Use' .1
  - 'eating and drinking establishment'"
- 4.56 Repeal the clause under S.14.2.2 (now S 14.2.3 as per the above amendment) and replace with the following:
  - ".1 On a parcel located in an area zoned P2,
    - L. no plan of subdivision shall be approved in such a way that contravenes the regulations set out in the table below unless S. 5.1.1.1 or s. 5.1.3 applies
    - 11. 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."



Zoning Bylaw Amendment No. 14 Bylaw

### Bylaw No. 2021-15

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

## PART III – FORCE AND EFFECT

### 5.00 Severability

5.01 If any section, subsection, sentence, clause, or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder unless the court makes an order to the contrary.

### 6.00 Enactment

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

### 7.00 Bylaw Readings

Readings	Date of Reading



Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

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

William Kendrick, Mayor

**Presiding Officer** 

Cory Bellmore, CAO Chief Administrative Officer

Zoning Bylaw Amendment No. 14 Bylaw

Presiding Officer



Zoning Bylaw Amendment No. 14 Bylaw

Bylaw No. 2021-15

### 8.00 Appendices

Appendix 1. Amendment to Schedule B



Appendix 2. Amendment to Table 10-1

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



Zoning Bylaw Amendment No. 14 Bylaw

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### Appendix 3. Amendment to Table 11-1

### TABLE 11-1 R1 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	Column 2	
Minimum parcel size	232.3 m <sup>2</sup>	(2,500 ft. <sup>2</sup> )	
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.)	
<ul> <li>buildings</li> </ul>			
for a dwelling to dwelling	3.05 m	(10 ft.)	
for a dwelling to non-dwelling	0.61 m	(2 ft.)	
for a non-dwelling to non-dwelling	0.61 m	(2 ft.)	
Maximum parcel coverage	50%	50%	
Minimum floor area of primary dwelling unit	23.8 m <sup>2</sup>	(256 ft. <sup>2</sup> )	
Maximum height for			
<ul> <li>principal building</li> </ul>	10.67 m	(35 ft.)	
<ul> <li>accessory building</li> </ul>	6.10 m	(20 ft.)	

## Appendix 4. Amendment to Table 11-3

#### TABLE 11-3: R2 ZONE MINIMUM PARCEL REQUIREMENTS

Column 1	Column 2	
Minimum floor area of primary dwelling unit	23.8 m2	(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		
<ul> <li>front parcel line</li> </ul>	3.05 m	(10 ft.)
<ul> <li>interior side parcel line</li> </ul>	1.52 m	(5 ft.)
exterior side parcel line	3.05 m	(10 ft.)
rear parcel line	1.52 m	(5 ft.)
<ul> <li>buildings</li> </ul>		
for a dwelling to dwelling	3.05 m	(10 ft.)
for a dwelling to non-dwelling	0.61 m	(2 ft.)
for a non-dwelling to non-	0.61m	(2 ft.)
dwelling		
Maximum height for		
<ul> <li>principal building</li> </ul>	10.67 m	(35 ft.)
accessory building	6.10 m	(20 ft.)

#### Zoning Bylaw Amendment No. 14 Bylaw

CAO