



THE CITY OF DAWSON

Zoning Bylaw Amendment No. 21 Bylaw

Bylaw No. 2022-21

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*, RSY 2002, c. 154 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*, RSY 2002, c. 154 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. 21 Bylaw***

2.00 Purpose

2.01 The purpose of this bylaw is to provide for:

- (a) A series of text amendments.
- (b) A series of amendments to Table 9-1 'REQUIRED OFF-STREET PARKING SPACES', as shown in Appendix 1.
- (c) Amendments to Table 9-2 'REQUIRED OFF-STREET LOADING SPACES', as shown in Appendix 2.



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3.00 Definitions

3.01 In this Bylaw:

- (a) Unless expressly provided for elsewhere within this bylaw the provisions of the *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 Repeal S.5.3 Water and Sewer Facilities from the Table of Contents and insert: “4.8 Water and Sewer Facilities”.
- 4.02 Insert “4.9 Demolitions” to Table of Contents.
- 4.03 Insert the following definition to S.2.2: “HISTORIC RESOURCE means a historic site, historic object, or any work or assembly of works of nature or human endeavor listed in the Yukon Historic Sites Inventory”.
- 4.04 Repeal SEASONAL definition duplicate in S.2.2.
- 4.05 Repeal the LANDSCAPING definition in S.2.2 and replace with the following:
“LANDSCAPING means to change, modify, or enhance the visual appearance of a site in order to beautify or screen the appearance of a lot. This may be done by reshaping the earth; planting lawns, shrubs, or trees; preserving the original natural vegetation; and adding walks, fencing, patios, ornamental features, and public art.”
- 4.06 Repeal S.4.2.2 and replace with the following: “landscaping where the existing grade and surface drainage pattern is not materially altered, except when landscaping is required as part of a development permit. Landscaping should not impact existing utilities, obstruct windows and entryways, or divert pedestrian, cyclist and vehicular circulations.”



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- 4.07 Insert the following definition to S.2.2: “RELIGIOUS ASSEMBLY means development used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms, food preparation and service facilities, classrooms, dormitories and other buildings. This use does not include Commercial School”.
- 4.08 Repeal the PERSONAL SERVICE ESTABLISHMENT definition in S.2.2 and replace with the following: “PERSONAL SERVICE ESTABLISHMENT means a business which is associated with the grooming or health of persons or the maintenance or repair of personal wardrobe articles and accessories, and may include a barber shop, spa, medical and dental office, beauty parlor, shoe repair shop, self-service laundry or dry-cleaning establishment”.
- 4.09 Repeal ‘PERSONAL SERVICES’ definition in S.2.2.
- 4.10 Insert the following definition to S.2.2: “TEMPORARY SHELTER SERVICES means the provision of communal, transient accommodation sponsored or supervised by a public authority or nonprofit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time”.
- 4.11 Repeal S.7.9 Visibility at Intersections.
- 4.12 Repeal S.3.2.2 and replace with the following: “by resolution appoint the members of the Heritage Advisory Committee for terms of office, as specified under the *Heritage Bylaw*.”
- 4.13 Repeal S.4.1.1.5 and replace with the following: “Demolition of a structure 40 or more years old or listed in the Yukon Historic Sites Inventory shall be processed in accordance with the provisions of the Heritage Bylaw, and must be approved by Council in consultation with the Heritage Advisory Committee and Yukon Government Historic Sites.”
- 4.14 Insert the following as S.8.1:
Conditional Use:
Conditional Uses are specific land uses which may or may not be acceptable on a given property, depending on the context and particular circumstances of the proposed development. There is a requirement for public notice of the application and a public hearing as per s.17.5.2 through s.17.5.5 of this bylaw.



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1. Council may approve, deny, or approve with conditions applications for development permits for conditional uses provided the Conditional Use:

i) will be compatible with the general nature of the surrounding area;

ii) will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area; and

iii) is generally consistent with the applicable provisions of the current bylaw, Official Community Plan, and Heritage Management Plan.

4.15 Insert the following as S.3.2.12: “approve, deny, or approve with conditions applications for development permits for conditional uses”

4.16 Insert the following as S.3.3.17: “refer development permit applications for conditional uses to Council for decision”

4.17 Insert the following as S.14.2:
14.2.3. Conditional Use
1. landfill and waste treatment facility
2. sewage treatment plant
3. lagoon
4. Electrical substation

4.18 Amend S.8.7.1.1 as follows: “This does not include landfills and waste treatment facilities, sewage treatment plants, lagoons, or electrical substations”

4.19 Repeal S.4.1.1 and insert contents into new S.4.9.

4.20 Repeal and replace Table 9-1 with the amendments shown in Appendix 1.

4.21 Repeal and replace Table 9-2 with the amendments shown in Appendix 2.

4.22 Insert ‘temporary shelter services’ to S.11.1.1.

4.23 Insert ‘temporary shelter services’ to S.11.2.1.



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- 4.24 Insert 'personal service establishment' to S.12.1.1.
- 4.25 Repeal 'recreation facilities' from S.12.1.1.
- 4.26 Insert 'temporary shelter services' to S.12.1.1.
- 4.27 Administrative numbering edit of S.12.0 'C2 Zone (Commercial Mixed Use)' to S.12.2.
- 4.28 Administrative numbering edit of S.12.0.1 to S.12.2.1.
- 4.29 Administrative numbering edit of S.12.0.2 to S.12.2.2.

PART III – FORCE AND EFFECT

5.00 Severability

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

6.00 Enactment

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



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7.00 Bylaw Readings

Readings	Date of Reading
FIRST	May 17, 2023
PUBLIC HEARING	May 31, 2023
SECOND	June 14, 2023
THIRD and FINAL	July 12, 2023

Original signed by:

William Kendrick, Mayor

Presiding Officer

David Henderson, CAO

Chief Administrative Officer



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8.00 Appendices

Appendix 1. Amended Table 9-1 'REQUIRED OFF-STREET PARKING SPACES':

USE	REQUIRED PARKING SPACES
Residential uses	
Single detached and duplex dwelling (4 bedrooms or less)	1 per dwelling unit
Single detached and duplex dwelling (over 4 bedrooms)	2 per dwelling unit and 1 per additional bedroom over 4
Multi-unit residential	1 per dwelling unit
Bed and breakfast	1 per 2 bedrooms available for rent (in addition to the space required for the residential use)
Secondary suite or garden suite	1 per suite
Temporary shelter services	1 per every 2 sleeping units
Institutional uses	
Hospital	1 per 100m. ² (1,076ft. ²) of floor area
School	1 per classroom
Place of public assembly, including arena, assembly halls, auditorium, club, lodge and fraternal building, community centre, convention hall, funeral parlour and undertaking establishment, gymnasium, meeting hall, theatre, or community recreation facility	1 per 10m. ² (108ft. ²) of floor area
Museum and public library	1 per 50m. ² (538ft. ²) of floor area
Child Care Centres	1 parking stall per 8 children <i>(Bylaw 2021-15 passed on August 3, 2022)</i>
Commercial uses	
Bank, administrative, or professional office	1 per 100m. ² (1,076ft. ²) of floor area
Medical or dental office or clinic	1 per 100m. ² (1,076ft. ²) of floor area
Retail store, personal service establishment, shopping centre, department store, and supermarket	1 per 100m. ² (1,076ft. ²) of floor area
Furniture and appliance sales, automobile and boat sales	1 per 150m. ² (1,615ft. ²) of floor area
Restaurant or eating establishment, lunch counter, diner, beer parlour, cocktail lounge, bar, or other similar establishment for the sale and consumption of food or	1 per 50m. ² (538ft. ²) of floor area



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beverages on the premises	
Hotel	1 per every 4 dwelling or sleeping unit with bus stall 1 per every 2 dwelling or sleeping unit without bus stall
Motel	1 per dwelling or sleeping unit
Lodging facility, non-permanent or permanent	1 per dwelling or sleeping unit
Billiard and pool hall	1 per playing table
Bowling alley	2 per alley
Laundromat	1 per 4 washing machines
Campground	1 per camping site + 1 space for the operator
Industrial uses	
Contractor or public works yard	1 per 150m. ² (1,615ft. ²) of floor area
Machinery sales and repair	1 per 150m. ² (1,615ft. ²) of floor area
Warehousing or storage	1 per 150m. ² (1,615ft. ²) of floor area
Tire repair	1 per 150m. ² (1,615ft. ²) of floor area + 1 per service bay
Manufacturing and industrial	1 per 150m. ² (1,615ft. ²) of floor area
Contractor or public works yard	1 per 150m. ² (1,615ft. ²) of floor area
Machinery sales and repair	1 per 150m. ² (1,615ft. ²) of floor area

Appendix 2. Amended Table 9-2 'REQUIRED OFF-STREET LOADING SPACES':

CLASS OF BUILDING	REQUIRED LOADING SPACES
Retail store, manufacturing, fabricating, processing, warehousing and wholesaling establishment	
i. Less than 2,000m. ² (21,528ft. ²) in floor area	1
ii. 2,000m. ² (21,528ft. ²) to 4,000m. ² (43,056ft. ²) in floor area	2
iii. Greater than 4,000m. ² (43,056ft. ²) in floor area	3