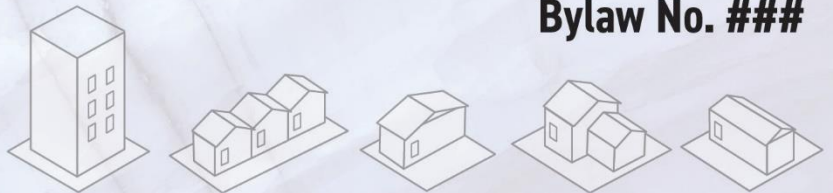
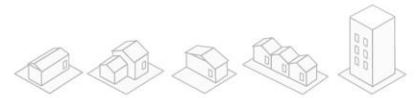


Village of Haines Junction

Zoning Bylaw

Bylaw No. ###





THE CORPORATION OF THE VILLAGE OF HAINES JUNCTION

ZONING BYLAW

A Bylaw to provide zoning for orderly, economic, social, and environmentally sensitive development in the Village of Haines Junction

WHEREAS, the Village of Haines Junction has adopted an Official Community Plan pursuant to the Municipal Act, Chapter 119, R.S.Y.T., 2002;

WHEREAS, it is desirable and expedient to enact a zoning bylaw which is applicable to the Official Community Plan; and

THEREFORE, the Council for the Municipality of the Village of Haines Junction, in open meeting duly assembled, ENACTS AS follows:

Short Title

1. This Bylaw shall be cited as the Village of Haines Junction Zoning Bylaw.

Repeal of Existing Legislation

2. Bylaw # 104-96, as amended, is hereby repealed as of the date of commencement of this Bylaw.

Enactment

3. This Bylaw shall come into force and effect on the final passage thereof.

Read a first time on the ____ day of _____, 2022.

Read a second time on the ____ day of _____, 2022.

Read a third time and adopted on the ____ day of _____, 2022.

Bruce Tomlin, Mayor

Tracy Thomas, Chief Administrative Officer



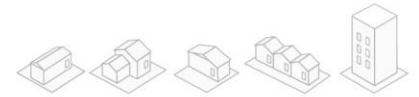


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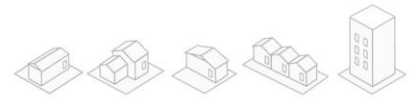
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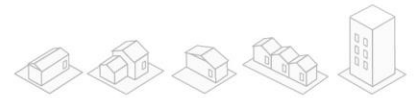
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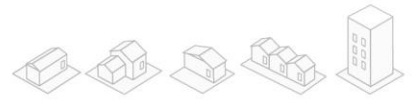
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APPENDIX A : APPLICATION FORMS



**List of Amendments to the Village of Haines Junction
Zoning Bylaw No. XXX**

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PART I - ADMINISTRATION AND AMENDMENT

I.1 TITLE

- 1.1.1 This bylaw is called “The Village of Haines Junction Zoning Bylaw” and also includes Schedules A and B.

I.2 PURPOSE OF THE BYLAW

- 1.2.1 This bylaw provides the regulatory framework for orderly, economic, and environmentally responsible development within the Village of Haines Junction by:
- (a) Implementing the goals and objectives of the Official Community Plan;
 - (b) Establishing land use zones and associated regulations to control the use, location, type, and level of development allowed to occur on a parcel of land within the Village of Haines Junction;
 - (c) Setting out rules and procedures information requirements, and processes to be followed to permit the consistent review and timely decision-making on an application to undertake a development, rezone a parcel, or file a development appeal; and
 - (d) Maintaining and enhancing the unique character and history of Haines Junction.

I.3 ENABLING LEGISLATION

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

I.4 COMPLIANCE WITH OTHER LEGISLATION

- 1.4.1 In addition to complying with this bylaw, a person applying for a development permit or change of use is responsible for ascertaining and complying with the requirements of any other applicable municipal, territorial, or federal legislation, without limiting the generality of the foregoing, health, fire and building standards
- 1.4.2 The issuance of a permit does not relieve the property owner from complying with any easement, covenant, lease, scheme, or development agreement that affects the development.

I.5 APPLICATION

- 1.5.1 No development shall be carried out without a development permit issued as required under this bylaw.
- 1.5.2 An application for a development permit or rezoning, which is received in its complete form prior to the effective date of this bylaw, shall be decided upon in accordance with the regulations currently in effect.

I.6 CONFORMITY

- 1.6.1 No land, building, or structure shall be used, and no development in the entire geographical area of the Municipality of Haines Junction is permitted for any purpose, except in conformity with this bylaw.

I.7 SEVERABILITY





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

I.8 APPLICATION REGULATIONS

- 1.8.1 Wherever the requirements of this bylaw are at variance with the requirements of other bylaws, regulations, statutes, deed restrictions or covenants, the more restrictive or that imposing the higher standard shall govern;
- 1.8.2 Where this bylaw sets out both general and specific regulations that could apply to a situation, the specific regulation shall apply.

I.9 ZONING MAPS

- 1.9.1 The Village of Haines Junction is divided into land use zones and the boundaries of those zones are shown on the zoning map, attached as Schedule A, forming part of this bylaw.

I.10 ZONE BOUNDARIES

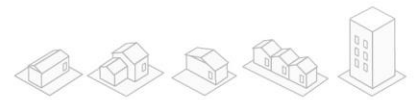
The boundaries on the zoning maps shall be interpreted as follows:

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

I.11 TEXT AND MAP AMENDMENTS

- 1.11.1 Any person may apply for an amendment to the text or map of this bylaw by submitting the required application to Council in writing and submitting a written statement that describes and justifies the proposed amendment.
- 1.11.2 A property owner, or their authorized agent, may apply to make a zoning amendment to their property by providing:
- (a) Documentation of ownership or authority to act on behalf thereof; a written statement of justification including a location map showing the proposed change in the context of adjacent land;
 - (b) Permission for the Development Authority to enter onto and inspect the property; and such other information as the Development Authority deems necessary to prepare an evaluation of the request with a recommendation to Council.
- 1.11.3 Council may initiate any text or map amendments to this bylaw.





- 1.11.4 The Council shall give notice of intention to pass a zoning bylaw amendment, initiated by any person, property owner, or Council, by complying with those requirements and notification procedures as outlined in the *Yukon Municipal Act*.
- 1.11.5 Any person making an application for a zoning change, at the time of such application, shall pay a non-refundable application fee as set by Council, as per the *Consolidated Municipal Fees Bylaw*.
- 1.11.6 Upon receipt of a completed application for a text amendment or map amendment, a Development Officer shall initiate or undertake an investigation and analysis of the potential impacts of development under the proposed zone. The analysis shall be based on the full development potential of the uses and development regulations specified in the proposed zone and not on the merits of any particular development proposal.
- 1.11.7 The analysis shall, among other factors, consider the following criteria:
- (a) Relationship to, and compliance with, the OCP and other approved municipal plans and Council policies;
 - (b) Relationship to, and compliance with, municipal plans in preparation;
 - (c) Compatibility with surrounding development in terms of land use function and scale of development;
 - (d) Traffic impacts;
 - (e) Relationship to, or impacts on, services (such as water and sewage systems), utilities, and public facilities (such as recreational facilities and schools);
 - (f) Relationship to municipal land, rights of way, or easement requirements;
 - (g) Effect on the stability, retention, and rehabilitation of desirable existing uses, buildings, or both in the area
 - (h) Necessity and appropriateness of the proposed text amendment or re-zoning according to the stated intentions of the applicant;
 - (i) Analysis of any documented concerns and opinions of area residents and land owners regarding the application.
- 1.11.8 Subsequently, the Development Officer shall:
- (a) Prepare a report on the proposed amendment; and
 - (b) Submit a copy of the application and the Development Officer's recommendation and report to Council.
- 1.11.9 When an application for an amendment to this bylaw has been refused by Council, another application for the same, or substantially the same, amendment shall not be submitted within 12 months of the date of refusal unless Council directs otherwise.

I.12 DEVELOPMENT AGREEMENTS

- 1.12.1 The Development Officer, or Council in the case of an appeal, may require the applicant to enter into a Development Agreement with the Village to cover the terms and conditions set out in the





Development Permit that are deemed necessary to ensure compliance with this bylaw, the Official Community Plan, and the Yukon Municipal Act.

1.12.2 A Development Agreement may contain contractual arrangements as to any, or all, of the following:

- (a) The use of the lot in relation to any existing or proposed buildings or structures including the preservation of buildings and structures;
- (b) Any requirements for flood-proofing, environmental setbacks or waivers of municipal liability relating to known potential hazards;
- (c) Land dedicated for public use, in compliance with the *Yukon Municipal Act*;
- (d) The timing and nature of development including such matters as siting, drainage, grading, building height and dimensions, facade treatment, landscaping, screening, parking and access;
- (e) The extension, construction, or replacement, in whole or in part, of roads, sidewalks, street lighting, storm drainage, water supply distribution, garbage and sewage disposal;
- (f) The provision of on-site recreation or other amenities to serve the development; and
- (g) The levying of a fee in lieu of otherwise providing for any of the matters mentioned in the sub-clauses above.

1.12.3 Pursuant to the *Yukon Municipal Act*, Council may require the Development Agreement to be registered in the Land Titles Office, and any agreement as registered shall have the force and effect of a restrictive covenant running with the land.

1.13 FEES, FORMS, AND RECORDS

1.13.1 Council shall periodically review and update by resolution a standard fee schedule within the *Consolidated Municipal Fees Bylaw* for the application and administration of this bylaw.

1.13.2 Council shall adopt by resolution a standard set of forms to be used for the administration of this bylaw with such forms available in hard copy and/or electronic form.

PART 2 - DEFINITIONS

2.1 RULES OF INTERPRETATION

For the purpose of this Bylaw, certain terms or words herein shall be interpreted or defined as follows:

Words used in the present tense shall include the future tense. The singular includes the plural, the word 'person' includes a corporation as well as an individual. The term 'shall' is always mandatory. The word 'used' or 'occupied' as applied to any land or building shall be construed to include the words 'intended, arranged, or designed to be used or occupied'.

Typical uses listed as examples in the definitions are not intended to be exclusive or restrictive. Intent, impact, and definition of the use, among others, will be considered when determining whether or not a use is permitted.





When a specific use does not conform to the wording of any use definition, or generally conforms to the wording of two or more definitions, the Development Officer may use discretion to deem that the use conforms to, and is included in, that use which is considered to be most appropriate in character and purpose.

2.2 GENERAL DEFINITIONS

This section outlines general regulations that apply to development within the Village.

ABUT means to have a common boundary, to border on.

ACCESSORY when used to describe a use, building, or structure means a building, structure or use of which is ancillary or subordinate to that of the principal use on the lot and exclusively devoted to the principal use or building and located on the same lot or site.

ADJACENT means contiguous or would be contiguous if not for an easement, right-of-way, road, and/or natural features.

ANIMAL means animal as defined in the Animal Control Bylaw and amendments thereto.

BOARD OF VARIANCE means the Village of Haines Junction Board of Variance, established in accordance with the *Yukon Municipal Act*.

BUILDING means any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattels.

BUILDING HEIGHT means the maximum vertical distance as measured from the average ground level elevation from the base of the exterior wall at that point, to the highest point of the building. The calculation of building height excludes a roof stairway entrance, an elevator housing, heating or ventilation equipment, flush-mounted solar collectors, a skylight, a steeple, a chimney, a smokestack, a flagpole, a firewall, guardrail, or similar feature or device not structurally essential to the building that is less than 1.0 metre, see Figure 1.

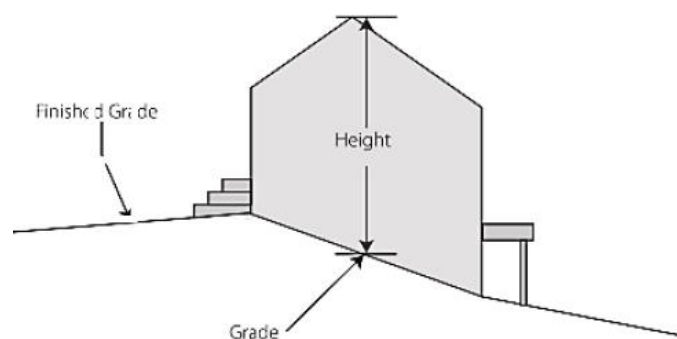


Figure 1 – Building Height Calculation

COMMERCIAL means for trade or financial gain.

CONDOMINIUM means a condominium plan registered in a Land Titles office that complies with the requirement of the *Condominium Act*.

CORNER LOT means a lot at the intersection of two or more roads and/or highways.





COUNCIL means the Municipal Council of the Village of Haines Junction.

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

DENSITY means the number of Dwelling Units on a site expressed in units per hectare (uph).

DEVELOPMENT means the carrying on of any construction or any other operation in, on, over or under any land or the making of any change in the use of the land, building or premises.

DEVELOPMENT AUTHORITY means a Development Officer, Board of Variance, or Council as the context requires.

DEVELOPMENT OFFICER means the person appointed by Council to administer and enforce this bylaw.

DEVELOPMENT PERMIT means a certificate to allow development and includes the documents on the basis of which the Development Permit was issued.

DISCRETIONARY USES means those uses of land, buildings or structures provided for in the schedule of zones for this bylaw for which development permits with or without conditions may be issued only at the discretion of Council as specified under the provision of this Bylaw.

ENCLOSURE means an area screened from view by the surrounding streets and buildings. Enclosed spaces are either within a structure or behind a screen of landscaping, perforated masonry, metal, or other materials.

EXISTING means at the time of the passage of this bylaw.

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

GRADE means the ground elevation established for the purpose of regulating the number of storeys and the height of a building. If the ground is not entirely level, the grade is to be determined by averaging the elevation of the ground for the four elevations.

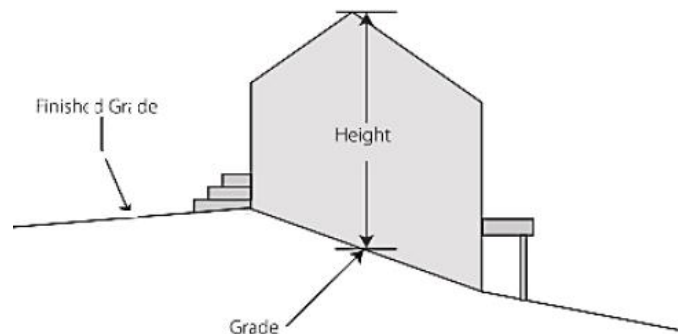
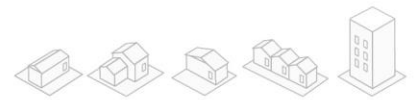


Figure 2 - Illustration of Grade Calculation

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

GROSS FLOOR AREA (GFA) means the total floor area of a building within the exterior walls. This does not include basement areas, parking areas below grade, and areas devoted exclusively to mechanical or electrical equipment servicing the development.





HOLDING PENS means a facility for the temporary keeping of animals in transit.

HIGHWAY includes a street, road, lane, bridge, viaduct and any other way open to the use of motor vehicles but does not include a private right-of-way on private property.

LANDSCAPING means to change or modify the natural features of a site by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, drives, or other similar structures and materials.

LIVESTOCK means livestock as defined in the Animal Control Bylaw and amendments thereto.

LOADING SPACE means an on-site parking space directly accessible from a street reserved for temporary parking for the purpose of loading and unloading goods and materials.

LOT means the smallest unit as shown on the records of the Land Titles Office or which are described in a certificate of title of land in which land is held or which land is subdivided. The words 'site' and 'parcel' shall have the same meaning as the word 'lot'.

LOT LINE means a line which marks the legal boundary of a lot (see Figure 3) and, in particular:

- a. **Front Lot Line** means the lot line that divided the lot from the highway, provided that in the case of a corner lot the shorter lot line that abuts the highway shall be deemed to be the front lot line. In the case of a through lot, the lot lines abutting two parallel or approximately parallel highways shall be considered as front lot lines.
- b. **Side Lot Line** means a lot line other than a front or rear lot line.
- c. **Rear Lot Line** means the lot line opposite to and most distant from the front lot line or, where the rear portion of the lot is bounded by intersecting side lot lines, it shall be the point of such intersection.

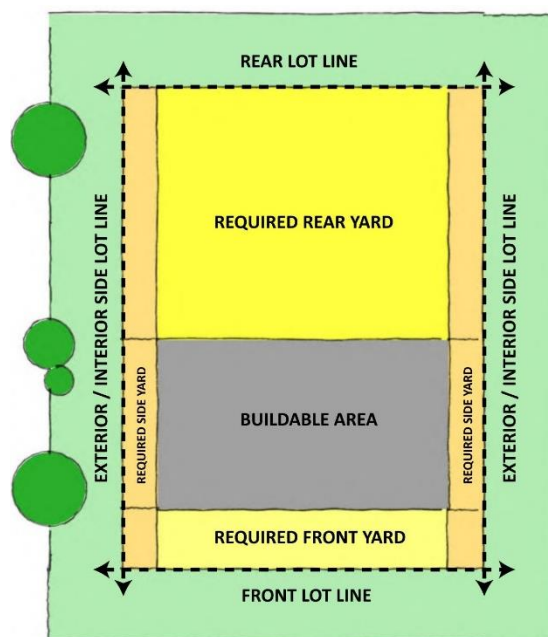


Figure 3 - Illustration of Lot Lines

LOT WIDTH means the width of a lot where it abuts a highway except in the case of an irregular





shaped lot where the lot width shall be the width of the lot along the front yard setback, see Figure 4.

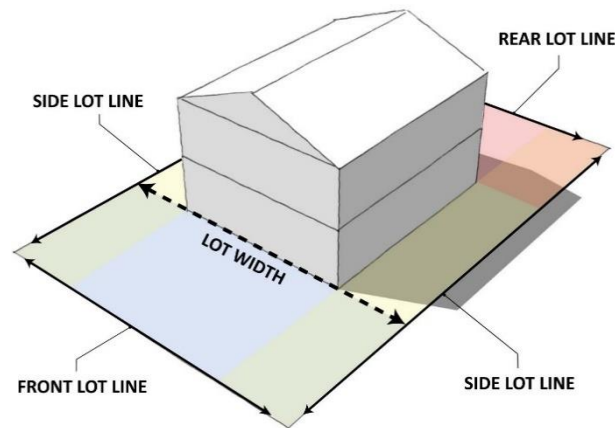


Figure 4 - Illustration of Lot Width

MAINTENANCE means the upkeep of a building or property that does not involves structural change, the change of use, or the change of intensity of use.

MUNICIPAL ACT means the Yukon Municipal Act and amendments thereto.

NON-CONFORMING BUILDING OR USE means any lawful building or use existing at the time of the adoption of this Bylaw which does not or will not conform to all the provisions of this Bylaw.

OFFENSIVE OR OBJECTIONABLE when used with reference to any use of any land, building or structure, means a use which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason of noise, vibration, smoke, dust or other particulate matter, odour, toxic or noxious matter, radiation hazards, fire or explosive hazards, heat, humidity or glare, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other materials, a condition which, in the opinion of Council or Board of Variance (as the case may be), may be or become hazardous or injurious as regards health or safety or which adversely affects the amenities of the neighbourhood or interferes with or may interfere with normal enjoyment of any land, building or structure.

OFFICIAL COMMUNITY PLAN means the Official Community Plan adopted by bylaw by the Municipality of Haines Junction, and amendments thereto.

OWNER means the person who has the beneficial ownership of land and includes a lessee or purchaser by way of Agreement of Sale.

PARKING SPACE, OFF-STREET means an off-street area available for the parking of one motor vehicle, exclusive of driveway, ramps, columns and office or work areas.

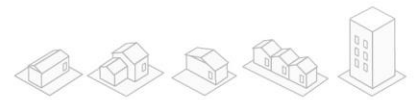
PERMITTED USE means the use of land, buildings, or structures for which an approval shall be obtained with or without conditions where the use applied for conforms with this bylaw.

PRINCIPAL BUILDING means a building which contains the chief or main use on a lot and constitutes, by reason of its uses, the primary purposes for which the lot is used.

PRINCIPAL USE means the chief or main use of the land, buildings and structures on a lot.

RECREATIONAL VEHICLE (R.V.) means a portable structure intended as a temporary accommodation





for travel, vacation or recreational use and includes: travel trailers, motorized home, slide-in camper, chassis-mounted campers, and tent trailers but not including mobile homes.

RESIDENTIAL means the use of a building or part thereof as a dwelling unit.

SCREENING means a fence, earth berm, row of trees, hedge, or established shelterbelt used to visually and/or physically separate areas or functions.

SETBACK means the distance that the development must be set back from a front, side, and/or rear lot lines or any physical feature of a site as specified by this Bylaw.

SIGHT TRIANGLE means the triangle formed by two intersecting highway right-of-way boundaries and two points on those boundaries six metres from the point of intersection, see Figure 5.

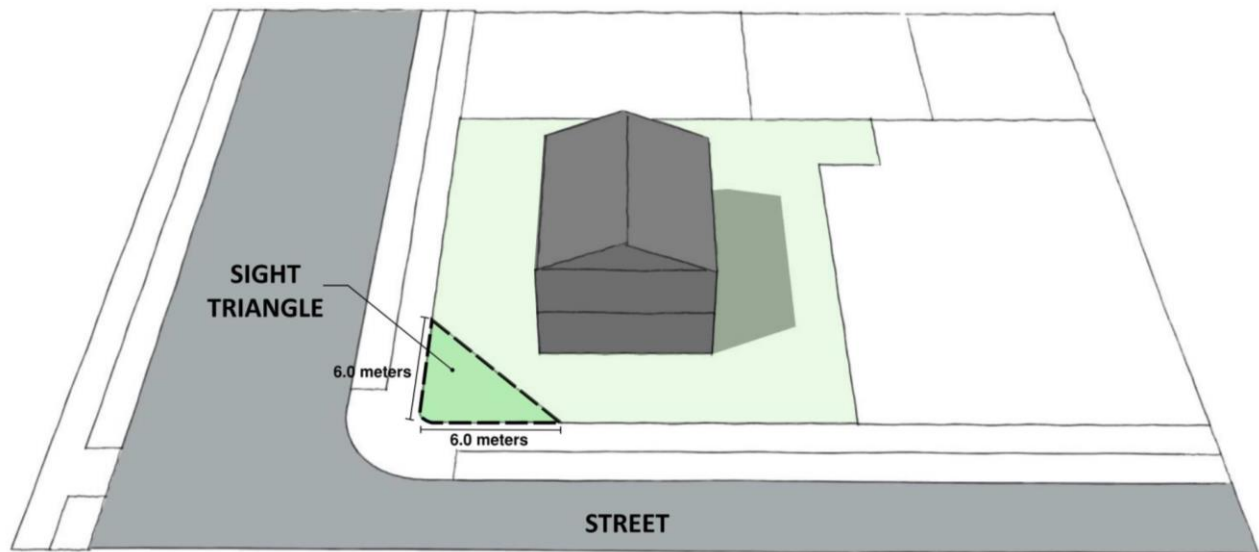


Figure 5 - Illustration of Sight Triangle

STRUCTURE means a construction of any kind whether fixed to or supported by or sunk into land, including stadiums, sheds, fences, platforms, signs, tanks, poles, towers, pools, etc.

USE means the purpose or function to which land, buildings, or structures are designed or intended.

VARIANCE means a variation, relaxation, or waiver of a development regulation and/or other requirements of this Bylaw.

YARD means a portion of a lot upon or over which no structure or building shall be erected, unless otherwise permitted in this Bylaw.

YARD, FRONT means that portion of the lot extending across the full width from the front lot line to the nearest exterior wall of the Principal Building and shall be measured at right angles to the front property boundary, see Figure 6.

YARD, REAR means that portion of the lot extending across the full width from the rear lot line to the nearest exterior wall of the Principal Building and shall be measured at right angles to the rear property boundary, see Figure 6.

YARD, SIDE means that portion of the lot situated between the front yard and the rear yard, which





extends from the side property boundary to the nearest exterior wall of the Principal Building and shall be measured at right angles to the side property boundary, see Figure 6.

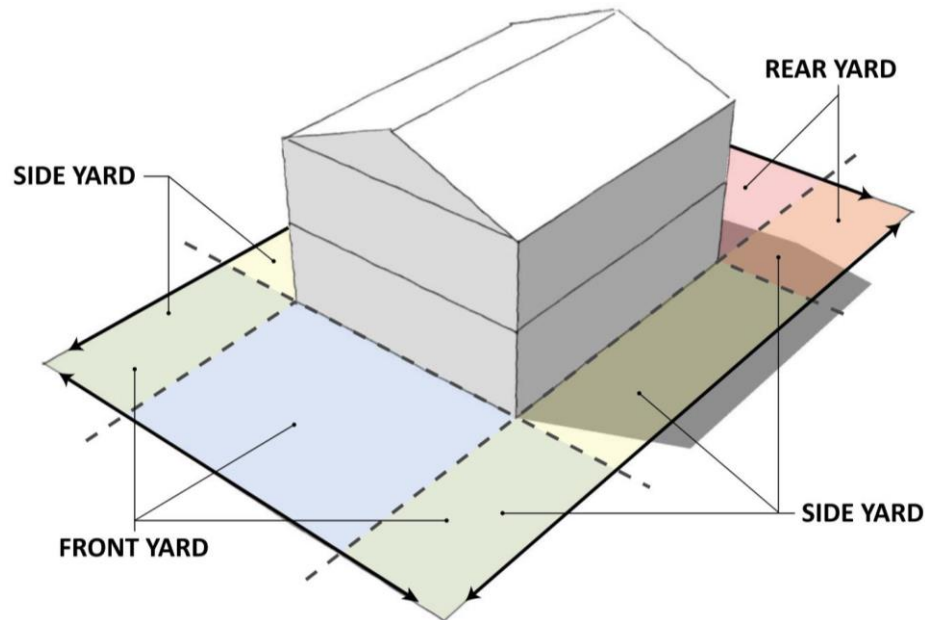


Figure 6 - Illustration of Yards

YUKON MUNICIPAL BOARD means the Board established pursuant to the Municipal Act.

ZONE means a defined area of the Village as set out in this Bylaw and as shown on the Zoning Map.

ZONING MAP means the map delineating out the boundaries of the zones as set out in this bylaw within the Municipality of Haines Junction and attached as Schedule A.

2.3 USES DEFINITIONS

This section outlines specific definitions that apply to particular types of Development within the Village.

AGRICULTURE PROCESSING means a use for storage and upgrading of agricultural products for distribution or sale through value added processes such as mixing, drying, canning, fermenting; applying temperature, chemical, biological or other treatments to plant matter, the cutting, smoking, aging, wrapping and freezing of meat, or similar production methods. This use does not include Agriculture (Intensive or Regulated), Cannabis Cultivation or Cannabis Processing.

AGRICULTURAL SUPPLY AND SALES means the use of land and premises for retail sale of lawn and garden equipment, furnishing, nursery materials and supplies.

ALCOHOL PRODUCTION means a use where beer, spirits and other alcoholic beverages are manufactured that may have a private hospitality area where products made on the premises are provided to private groups for tasting and consumption as a Special Event and are sold to the public for consumption on the premises and that may include the retail sale of products. Typical uses include breweries, distilleries, wineries, and meaderies.

ANIMAL CLINIC/HOSPITAL means a use where the principal use is to provide medical treatment and/or hospitalization to animals/livestock. Boarding services may be provided on-site.





ANIMAL SHELTER means the use of land or premises for the temporary care of lost, abandoned, or neglected animals.

APARTMENT BUILDING means a residential building consisting of four or more dwelling units, each of which has its principal access from an entrance common to the building.

APIARY means facility for keeping bees.

ASSEMBLY means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, rehabilitative, private recreational or private educational purposes. Typically, assembly would occur at auditoriums, youth centres, social halls and group camps.

AUCTION FACILITY means a facility where the sale of goods by auction is carried out, but does not include a facility for the sale of livestock by auction.

AVIATION means an aerodrome/airport and includes hangars, storage and maintenance facilities, aviation service facilities, terminal buildings and heliports.

AVIATION-RESTRICTED means a helipad and related emergency response activities, including fire suppression and pre fire suppression.

BAND STANDS means circular, semicircular or polygonal structure designed to accommodate bands performing musical concerts.

BAKE SHOP means a facility where bread, pies, cakes or other bakery goods are produced for wholesale to retail outlets and includes the retail outlets where such products are sold.

BED AND BREAKFAST means an accessory use of an owner-occupied residence in which temporary overnight accommodation and breakfast is provided to tourists and visitors for commercial purposes.

BOARDING OR BREEDING FACILITY means land and premises used for the business of breeding, buying, selling, or boarding of animals, excluding livestock.

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

BULK FUEL STORAGE means the premises used for the storage, sales, and distribution of bulk fuel products mainly for commercial and / or industrial purposes.

BUS TERMINAL means a facility where buses, that are mainly transporting people, and goods associated with those people, arrive and depart.

CAMP-SITE means a site occupied and maintained, or intended to be occupied and maintained, for the temporary accommodation of tourists, or temporary and / or seasonal workers, in trailers, or tents, which is operated for the purposes of financial gain, but does not include a motel, hotel or hostel.

CANNABIS CULTIVATION means the growing and harvesting of cannabis as licensed by Health Canada.

CANNABIS PROCESSING means a development, as licensed by Health Canada, where cannabis is grown, harvested, processed, tested, destroyed and/or stored on site, but does not include Cannabis Retail Store.





CANNABIS RETAIL STORE means a building or a portion thereof that is licensed for the sale of cannabis and cannabis accessories for consumption off the premises.

CAR WASH means a building or part of a building used for the washing of motor vehicles.

CARE FACILITY, CLINIC means a use where the principal use is to provide medical and health care services on an outpatient basis only. Typical uses include medical and dental offices, health care clinics, pre-natal clinics and counseling services.

CARE FACILITY, GROUP means a use where individuals who are either disabled or in need of supervision reside on a temporary or long-term basis, in accordance with their individual needs. Typical uses include foster or boarding homes for children, group homes, family homes and long-term care facilities.

CARE FACILITY, MEDICAL means a development providing room, board, and surgical or other medical treatment for the sick, injured, or infirm including out-patient services and accessory staff residences. Typical facilities would include hospitals, sanitariums, convalescent homes, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

CARE FACILITY, SENIORS means a use where accommodation with moderate care provisions for residents in a congregate setting. Residents do not require continuous access to professional services or on-site professional services. Room and board services, light housekeeping services, twenty-four (24) hour availability of assistance and oversight with personal care and social and recreation support may be provided. Typical uses include lodges and senior homes.

CEMETERIES AND FUNERAL SERVICES means development for the burial of the deceased and may include such facilities as crematories, cineraria, columbaria, mausoleum, memorial parks, burial grounds, cemeteries, and gardens of remembrance.

CHILD CARE CENTRE means a facility for the provision of a child care centre program pursuant to the Child Care Act and current amendments thereto.

CIVIC USE means a use providing for public functions under the auspices of government body. It includes offices, municipal offices, public schools and colleges, education facilities, public hospital, community centres, libraries and archives, museums, police stations, fire stations, correctional institutions, jails and prisons, and courts of law.

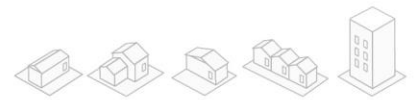
COMMERCIAL AND RESIDENTIAL MIXED USE means a building that has commercial uses located on the ground floor and residential dwelling units located on the upper floors or on the ground floor behind commercial uses.

COMMERCIAL RECREATION, INDOOR means a recreation facility that is privately operated for the purposes of financial gain, that also operates indoors. This could include facilities such as pool halls, arcades, private clubs, bingo halls, theatres, etc.

COMMERCIAL RECREATION, OUTDOOR means a recreation facility that is privately operated for the purposes of financial gain, that also operates outdoors. This could include facilities such as miniature golf, a driving range, go carts, etc.

COMMERCIAL VEHICLE SALES, RENTAL AND SERVICE means the premises for the sale, rental, lease, service, or restoration of commercial and / or industrial vehicles, and the retail sales of parts and petroleum products for these types of vehicles.





CONCRETE AND ASPHALT PLANT means a facility used for the manufacturing of concrete or asphalt and the incidental onsite storage of required materials and equipment.

DRIVE-IN OR DRIVE-THRU BUSINESS means a facility providing on-site service to customers while in their motor vehicles or the use of land and premises to park their vehicles for a short period for the purpose of doing business on-site.

DUPLEX means a building that is divided horizontally or vertically into two separate dwelling units, as shown in Figure 2. Each dwelling unit has its own independent entrance, see Figure 7.

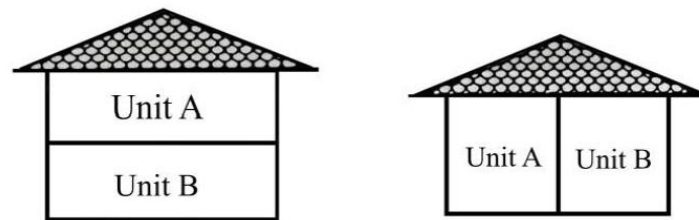


Figure 7 - Illustration of a Duplex

DWELLING, ATTACHED means a building designed and built to contain three (3) or more Dwelling Units separated from each other by a fire rated wall, with each having separate entrances, and for the purposes of this Bylaw, includes row and townhouse units, see Figure 8.

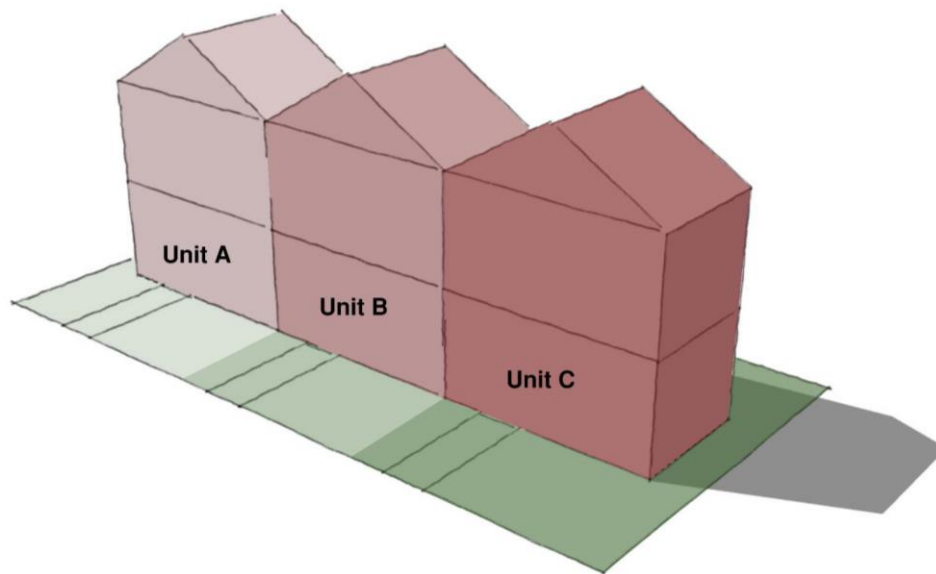


Figure 8 - Illustration of Attached Dwelling, 3-Unit Rowhouse / Townhouse

DWELLING UNIT means one or more rooms for the use of one family as a residence containing cooking, living, sleeping and sanitary facilities.

EDUCATION FACILITY means any facility where education is dispensed, as defined by the Education Act and Yukon College University Act and current amendments thereto.





EQUIPMENT SALES, SERVICE AND RENTALS means the use of premises for the sales, repair or rental of equipment, and/or machinery typically used in building roadway, pipeline, public works, and mining construction. This excludes vehicle rentals.

EXHIBITION AND CONVENTION FACILITIES means a development that provides spaces for meetings, seminars and conventions, product and trade fairs, and other exhibitions.

FAIRGROUNDS means an open space or exhibition facility that provides permanent facilities for activities such as entertainment, amusement facilities, educational displays, the barter and sale of goods, and exhibitions, often competitive, of farm, household, international, and manufactured products.

FAMILY DAY-HOME means a facility for the provision of a family day home program pursuant to the Child Care Act and current amendments thereto.

FARM means one or more parcels of land owned by or leased by a farmer, used for the purposes of agriculture, and which may or may not be continuous. This use does not include Cannabis Cultivation or Cannabis Processing.

FARM SALES means a use where the sale of farm products which are produced in the same farming operation takes place.

FOURPLEX means a residential building having four dwelling units separated from each other. Each dwelling unit has its own independent entrance, see Figure 9.

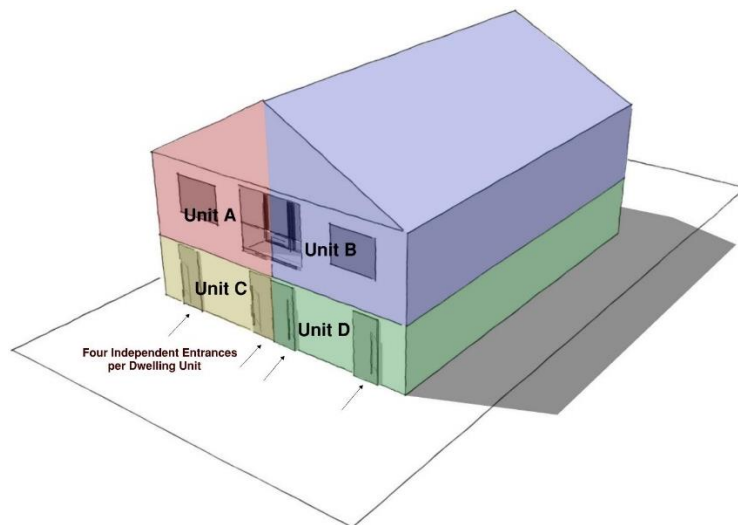


Figure 9 – Illustration of Fourplex

GARDEN means the use of land for cultivating or growing plants. This use does not include Cannabis Cultivation or Cannabis Processing.

GARDEN SUITE means a type of secondary suite that is located within an accessory building, as a separate structure on a lot where the principal use is an owner-occupied residence and/or a principal building that provides accommodation to an occupant(s) with/without financial gain. A garden suite can be up to 100% of the floor areas of the accessory building, see Figure 10.



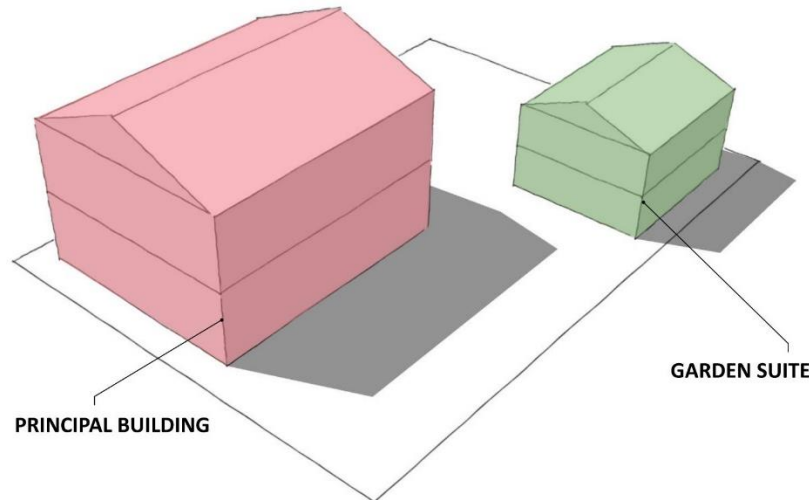
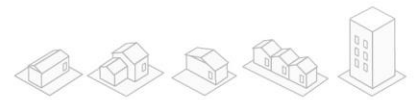


Figure 10 - Illustration of Garden Suite

GENERAL CONTRACTOR SERVICES means premises used for the provision of building and general construction services including landscaping, concrete, electrical, excavation, drilling, heating and plumbing, or similar services of a construction nature which require on-site storage and warehouse space and includes any sales, display, office or technical support service areas.

GOLF COURSE means a public or private area operated for the purpose of playing golf and includes tees, greens, fairways, cart paths, driving range, open space, public trails and parks.

GOLF COURSE CLUBHOUSE FACILITIES means a facility which provides a variety of day-use services such as golf related equipment and merchandise sales and rentals, meals and meeting facilities to golfers and other recreational users of the golf course. This facility provides a variety of special events such as but not limited to golf related tournaments, social gatherings, music festivals, art fairs, public markets, or similar activities which may vary in scale and duration. The facilities may include a restaurant, drinking establishment, convention facilities and associated parking areas.

GOLF COURSE MAINTENANCE AND STORAGE FACILITIES means a facility for the storage and maintenance of vehicles and equipment, and the storage and handling of goods, fuels, fertilizers and other products required for the operation and maintenance of a golf course. A maintenance and storage facility include but is not limited to yard areas, buildings and structures, and infrastructure for maintenance staff such as office space and its associated parking areas.

GREENBELTS means an area of non-developed land that is generally left in a natural state that may be used for passive or active recreation, trails, or buffers.

GREENHOUSE means a building and/or structure used to grow plants and utilizes transparent covering to heat the air and provide a more hospitable environment for growth. This use does not include Cannabis Cultivation or Cannabis Processing.

HAZARDOUS GOODS STORAGE means a premise for the storage of chemicals in the Transportation of Dangerous Goods Act.





HOME-BASED BUSINESS means a use where business is conducted in a principal dwelling and/or its accessory building(s) by an occupant for the purpose of financial gain. The home-based business is a secondary use of a dwelling unit and does not change the residential appearance of the land and buildings with limited visits and employees on-site.

HOME OFFICE means an occupation, trade, profession or craft carried on by an occupant for the purposes of financial gain which is a secondary use of a dwelling unit or to the residential use of a lot occupied by a dwelling. The home office does not change the residential character of the site.

HOME INDUSTRY means a trade of a small-scale industrial nature, which is clearly accessory to the use of a dwelling unit, such as but not limited to fabricating, light manufacturing, servicing and repairing, distribution, assembly, wholesaling, and testing.

HORTICULTURE means the growing, producing and harvesting of fruit, vegetables, trees, shrubs and flowers but does not include animals or animal products, for the purpose of financial gain. This use does not include Cannabis Cultivation or Cannabis Processing.

INDUSTRIAL, SALVAGE means the use of land and premises for collection, demolition, dismantlement, salvage, storage, recycling or sale of waste materials including scrap metal, abandoned vehicles, machinery and other discarded materials. Typical uses are auto wreckers and junk yards.

LANDSCAPING OPERATION means a facility for growing materials for landscaping services including the provision of such services and a plant nursery.

LICENSED PREMISES PURSUANT TO THE LIQUOR ACT means a facility that sells alcohol as regulated by *The Liquor Act*, such as a liquor store or a beer vendor.

MAINTENANCE FACILITY means a facility for the servicing and repairing of commercial vehicles and equipment, including vehicles and equipment used for public works.

MINOR AGRICULTURAL PURSUITS means a horticulture or agriculture operation which is for the personal use and consumption by the residents and adheres to the Animal Control Bylaw.

MOBILE HOME means a transportable dwelling unit which has or had a self-contained chassis, meeting current CSA standards or equivalent, suitable for long-term occupancy and which, upon arriving at the lot or site for location, is apart from the incidental operations such as placement on foundation supports and connection to utilities, ready for occupancy; it does not include modular home or prefabricated dwelling, meeting current CSA standards or equivalent.

MOBILE HOME PARK means a parcel of land under one (1) ownership which has been planned, divided into mobile home plots and improved for the placement of mobile homes for permanent residential use. The minimum plot size for a mobile home shall be 200 square metres.

MODULAR HOME means a single structure composed of separate pre-manufactured components which have no chassis for transportation and which, when transported to a site, are fitted together structurally, mechanically and electrically to form a single structure.

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





NEIGHBOURHOOD STORE means a development used for the retail sale of those goods required by area residents or employees on a day-to-day basis, from business premises which do not exceed 275m² in gross floor area. Typical uses include small food stores, drug stores and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware and/or printed matter.

NURSERIES means a building or structure where plants are propagated and grown to a desired size. This use does not include Cannabis Cultivation or Cannabis Processing.

OFFICE means a facility for the provision of professional, management, administrative, consulting or financial services, such as offices for clerical, secretarial, employment, and similar office support services; offices for *Care Facility, Clinic* is not included.

OUTDOOR AMPHITHEATRE means open-air venue used for entertainment, performances, and recreation purposes.

OUTDOOR STORAGE means the storing, stock piling or accumulating of products, goods, equipment, vehicles, or material in an area that is open or exposed to the natural elements; this does not include the outdoor storage of commercial trucks and truck trailers.

OUTDOOR STORAGE, TRUCK means an industrial area of land set aside for the outdoor storage of commercial trucks and truck trailers.

OVERNIGHT ACCOMMODATION means a facility where overnight accommodation is provided to the travelling public and which may also contain commercial uses and such additional facilities or services as a restaurant, a dining room, room service or public convention rooms. This could include hotels, hostels, or motels.

PARK means an area of land consisting largely of open space which may include a recreational area, playground, play field or similar use. Typically parks are owned and maintained by the Municipality or another public authority.

PARKING AREA OR LOT means an open area of land other than a street, or a building designed and used for the parking of a number of vehicles.

PERSONAL SERVICE ESTABLISHMENT means uses which provide personal services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects.

PLACES OF WORSHIP means a development owned by a religious organization used for worship and related religious, philanthropic or social activities including accessory rectories, classrooms, and auditoriums. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

PLAYGROUND means a non-commercial outside recreational facility for non-organized recreational use.

PRIVATE CLUBS AND LODGES means a facility used for the meeting, social or recreation activities of members of non-profit, charitable, social services, athletic, business, or fraternal organization, with/without on-site residences. Private clubs and lodges may include rooms for eating, drinking and assembly.





PRIVATE RIDING FACILITIES AND STABLES means a private facility for the training, exercising, and boarding of horses. The arena shall not be used for horse shows, rodeos, or similar events to which there is a fee to participate in or to use the facilities.

PROCESSING, HEAVY means the use of land or facilities for construction, creation, of assembling of products and equipment, or the testing, refining, sampling, or preparing raw materials that may produce significant nuisance or environmental factors as noise, appearance, odour, emission of contaminants, and fire or explosive hazards, on adjacent lots. This includes tanneries and slaughterhouses.

PROCESSING, LIGHT means the use of land or facilities for construction, creation, of assembling of products and equipment, or the testing, refining, sampling, or preparing raw materials that do not produce significant nuisance or environmental factors such as noise, appearance, or odour that may interfere with the use of any contiguous lot.

PUBLIC BUILDING means a building owned or occupied by a Municipal, First Nations, Territorial or Federal governmental agency, which may or may not be accessible to the general public.

R.V. CAMPGROUND means a site occupied and maintained, or intended to be occupied by recreational vehicles being used by the transient public.

RECYCLING DEPOT means a facility that buys, sorts, and/or stores bottles, cans, newspapers, and similar household goods for reuse. All storage is contained within an enclosed building or screened area.

RESTAURANT means a development where prepared foods and beverages are offered for sale to the public, or consumption within the premises or off the site. This includes neighborhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunchrooms, refreshment stands, take-out restaurants, and food vendors. This does not include drive-thru businesses or mobile catering food services.

RETAIL STORE means a building where goods, wares or merchandise are offered or kept for retail sale, and includes storage on or about the store premises of limited quantities of such goods, wares or merchandise sufficient only to service such store.

RENEWABLE ENERGY SYSTEM means a system or device where energy is derived from sources that are not depleted by using them and transformed for use. Renewable energy systems include but are not limited to solar-electric or solar-thermal panel systems.

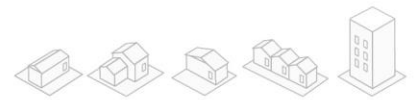
RODEO FACILITY means buildings, shelters, fences, corrals, holding pens, or other structures used for commercial rodeo events.

SECONDARY SUITES means a subordinate dwelling unit within an owner-occupied residence and/or a principal building that provides accommodation to an occupant(s) with/without financial gain.

SERVICE STATION means a business intended for the sale of fuel , alternative energy/fuels, lubricating oils, automotive fluids, may include a car wash, convenience store, electric vehicle charging stations, and a restaurant as accessory uses.

SHIPPING CONTAINER means a large metal container with suitable strength for the shipping, handling and storage of goods. Shipping Containers are also known as 'sea cans' or 'intermodal containers'.





SIGN means a letter, numeral word, picture or attention-drawing devise, excluding traffic control devises, displayed out of doors in such a manner as to be visible from a highway but does not include any signs regulated by the Yukon Territorial Government Private and Community Highway Signs Regulations.

SIGN, ADVERTISING means a sign message which refers to goods or services produced, offered for sale, or obtainable at the premises only on which the sign is displayed.

SIGN, BANNER means a temporary sign that is made from cloth or similar lightweight non-rigid material which is secured or mounted to a building, a fixed, or a freestanding sign.

SIGN, BED AND BREAKFAST means a fixed or freestanding sign containing only the name of a permitted bed and breakfast.

SIGN, COMMUNITY ACTIVITY means a temporary sign erected to announce or advertise community initiatives, public construction projects, and special events of limited duration.

SIGN, DIRECTIONAL means a freestanding sign erected by the Village or other competent jurisdiction to provide direction to public facilities, areas of public interest, or warn of dangers or hazards to health.

SIGN, DIRECTORY means a freestanding direction sign containing multiple listings in a common format.

SIGN, FIXED means a sign that is displayed on the surface of a structure, generally a building.

SIGN, FREESTANDING means a permanent sign which displays identification messages and is supported independently of a building, wall or structure. It is supported by one or more columns, uprights, or braces anchored in or on the ground.

SIGN, HOME IDENTIFICATION means a sign identifying the residence by occupant's name or number.

SIGN, HOME-BASED BUSINESS means a fascia sign containing only the name, address, and occupation of a permitted Home-Based Business.

SIGN, HOME INDUSTRY means a fixed or freestanding sign containing only the name, address and occupation of a permitted home industry.

SIGN, IDENTIFICATION means a fascia or free-standing sign identifying a residence building and/or institution, and contains no advertising.

SIGN, POLITICAL means a temporary sign erected during a Federal, Territorial, First Nation, or Municipal election to promote voting for a political candidate, political party, or cause.

SIGN, PUBLIC BUILDING means a freestanding or fixed sign located on the property of a public building such as a religious assembly, school, or museum, to identify the name and purpose of the facility.

SIGN, PROHIBITION means a sign prohibiting behaviours likely to cause a risk to health or safety, or to prevent trespassing. This can either be fixed, freestanding, or temporary.

SIGN, REAL ESTATE means a temporary, free-standing or fixed sign indicating that the property on which it is located is for sale or rent along with the name of the agent, contract or owner offering the





property.

SIGN, TEMPORARY means a portable sign erected for a specified period of time, announcing or advertising an event of limited duration.

SIGN, TRAFFIC CONTROL means a sign erected within the public right-of-way identifying restrictions on travel. Examples of traffic control signs include stop signs, one-way signs, and speed limit signs. These signs can either be fixed, freestanding, or temporary.

SINGLE FAMILY DWELLING means a free-standing building that contains one primary dwelling unit but excluding modular homes and mobile homes.

TRAILS means a path or track used for recreational purposes that provides a visibly apparent route to follow through the landscape, including any structures associated with the path such as bridges, boardwalks or viewing decks.

TEMPORARY SALES means sales carried out over a period not to exceed five (5) months in a twelve (12) month period.

TEMPORARY USE means a use or development established for a fixed period of time with the intent to discontinue the activity upon the expiration of the time period specified. Temporary uses may include fairs, special events, use of land for material or equipment storage, or a site office while construction is in progress.

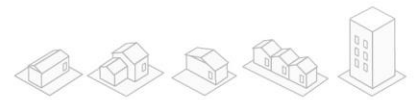
UTILITY INFRASTRUCTURE means any structure, facility or related infrastructure necessary for the operation of a utility, such as power lines, communication towers, telephone transformers, lift stations, pumping stations, water and sewage treatment plants, waste disposal areas, electrical and similar services where such use is established by one of the levels of government, a Crown corporation, or by a company regulated by a government commission.

VACATION RENTAL – means a Dwelling Unit that provides temporary overnight accommodation to tourist and visitors for commercial purposes via a hospitality service brokerage company such as but not limited to Airbnb, Vrbo, TurnKey, HomeAway etc.

VEHICLE SALES, RENTAL AND SERVICE means the premises for the sale, rental, lease, service, or restoration of new and / or used personal or recreational motor vehicles and the retail sales of parts, petroleum products, and alternative fuels for personal and recreational motor vehicles.

WAREHOUSE FACILITY means a facility for the transportation, storing, distribution and sale of goods.





PART 3 - DEVELOPMENT AUTHORITIES

3.1 COUNCIL

3.1.1 Council shall:

- (a) Perform the duties and responsibilities in accordance with the provisions of the *Yukon Municipal Act*.
- (b) By resolution appoint one or more Development Officer(s) under this bylaw;
- (c) By resolution, appoint the members of the Board of Variance as per the *Yukon Municipal Act*;
- (d) Consider and decide upon all Development Permit applications that include an encroachment upon a public roadway or right-of-way;
- (e) Consider and decide upon all applications for Discretionary Uses or uses not established by this bylaw;
- (f) Consider and decide upon all applications for a conditional Development Permit for permitted uses when the application does not conform with this bylaw, if the development can be reasonable made to conform by meeting the specified conditions;
- (g) Consider and decide upon all applications for a Development Permit that is, in the Development Officer's opinion, either is not within the intent of this bylaw or falls outside the powers delegated to the Development Officer by this bylaw;
- (h) Consider and decide upon all applications for a Development Permit which constitutes a permitted use, if in the Development Officer's opinion, utility services are not readily available to the land or the proposed development will detract from the character or appearance of the general development in the area, notwithstanding the provision of Subsection 3.2.5(c) inclusive;
- (i) Consider and decide upon all applications to amend this bylaw of the Official Community Plan;
- (j) Consider and decide upon all appeals to Council;

3.1.2 All decision for Development Permit applications referred to by Council, whether through a referral from the Development Officer or through an appeal, shall be final.

3.1.3 Initiate, consider, and decide upon a comprehensive review of this bylaw every five (5) years.

3.2 DEVELOPMENT OFFICER

3.2.1 The position of Development Officer is hereby established and such position may be filled by a person to be appointed by resolution of Council.

3.2.2 Council, by resolution, shall appoint an alternate to act and assume the duties of the Development Officer in his/her absence.

3.2.3 The Development Officer may enter on any property subject to the regulation of this bylaw at all reasonable times to ascertain whether the provisions of:





- (a) Part 7 of the *Yukon Municipal Act*;
 - (b) The Official Community Plan;
 - (c) This bylaw; or
 - (d) Any Development Permit issued pursuant to this Bylaw are being observed.
- 3.2.4 The Development Officer shall receive completed applications for a Development Permit, an amendment to this bylaw, or a Certificate of Zoning Compliance.
- 3.2.5 The Development Officer shall:
- (a) Receive, review, and making recommendations to Council on any application to amend the text of this bylaw, or associated map;
 - (b) Receive and review Development Permit applications to determine their completeness, and shall be the sole determinant of completeness in accordance with Section 4.1.4;
 - (c) Approve without conditions, approve with conditions , or reject and provide a reason for rejection for a Development Permit for a Permitted Use;
 - (d) Issue Certificates of Zoning Compliance;
 - (e) Refer Development Permit applications to any Village department or any federal, territorial, or other agency or body deemed appropriate by the Development Officer, to obtain comments on the application;
 - (f) Refer all Discretionary Use Development Permits to Council;
 - (g) Refer all Development Permits requesting a variance to the Board of Variance;
 - (h) Refer a Development Permit application to Council, together with any recommendations the Development Officer may wish to make for all applications for Discretionary Uses or uses not established by this bylaw;
 - (i) Refer applications to Council, in order to impose conditions considered appropriate, permanently, or for a limited period of time to issue a conditional Development Permit for permitted uses when the application does not conform with this bylaw, if the development can be reasonable made to confirm by meeting the specified conditions;
 - (j) Refer to the Council, any application for development which, in the Development Officer's opinion, either is not within the intent of this bylaw or which, falls outside the powers delegated to the Development Officer by this bylaw;
 - (k) Refer to the Council, any application which constitutes a permitted use, if in the Development Officer's opinion, utility services are not readily available to the land or the proposed development will detract from the character or appearance of the general development in the area, notwithstanding the provision of Subsection 3.2.5(c) inclusive;
 - (l) Keep a publicly accessible copy of the Bylaw and all amendments thereto, and ensure that copies of same are available to the public at a reasonable charge;
 - (m) Keep a register of all applications made under this bylaw for public inspection during office hours, together with their applicable decision;





- (n) Make, or arrange for such inspections as are necessary for the proper administration of this bylaw and enforcement of the conditions of development permits;
- (o) Collect fees as established by resolution of Council;
- (p) Enforce this Bylaw as established by Part 5.

3.3 BOARD OF VARIANCE

- 3.3.1 The Village of Haines Junction Board of Variance is hereby established pursuant to authority given in the *Yukon Municipal Act*.
- 3.3.2 The Board of Variance will hear and decide upon any applications before it in accordance with the provisions of the *Yukon Municipal Act*.
- 3.3.3 Council shall appoint a Board of Variance consisting of three (3) members, none of whom are members of Council or employees of the Village, to review and make decisions on applications made to it. A majority of this Board shall be quorum.
- 3.3.4 A Chairperson of the Board of Variance shall be selected from amongst its members. The Chairperson shall sign all notices of decision and other documents on behalf of the Board or, in absence of the Chairperson, such documents may be signed by one of the members present at the hearing to why they apply.
- 3.3.5 The Board of Variance shall not approve an application for a variance if:
- (a) The unusual condition is the result of the applicant's or the property owner's action;
 - (b) The adjustment requested would constitute a special privilege inconsistent with the restrictions on the neighbouring properties in the same district;
 - (c) The variance or exemption would be contrary to the purposes and intent of the Official Community Plan or thus bylaw and would injuriously affect the neighbouring properties;
or
 - (d) The variance or exemption would allow a change to a use that is not similar to a permissible use in the area.
- 3.3.6 The Board of Variance may approve an application for a Development Permit requiring a variance to:
- (a) Ten percent (10%) of the maximum building height;
 - (b) Thirty percent (30%) of the minimum required front and rear yard setbacks;
 - (c) Twenty percent (20%) of all other minimum or maximum development standards.
- 3.3.7 The Board of Variance may approve an application that exceeds the maximum limits in Subsection 3.3.6 if the Board is in the opinion that the provisions within Subsection 4.1.1 are met.

Table 1 – Approving Authority Responsibilities

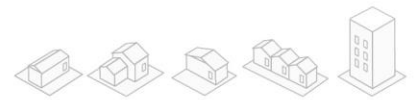
Types of Applications – For Reference Only	Approving Authority
Permitted Use Development Permits	Development Officer





Permitted Use Development Permits with variance up to: (a) Ten percent (10%) of the maximum building height; (b) Thirty percent (30%) of the minimum required front and rear yard setbacks; and (c) Twenty percent (20%) of all other minimum or maximum development	Board of Variance
Discretionary Use Development Permit	Council
Appeal to Development Permit decisions by Development Officer	Council (Decision is final)
Appeal to Development Permit decisions by Board of Variance	Council (Decision is final)
Zoning Bylaw Text or Map Amendments	Council





PART 4 - DEVELOPMENT PERMITS

4.1 DEVELOPMENT PERMITS REQUIRED

4.1.1 Except as provided for below, no person shall commence and undertake any development unless:

- (a) A Development Permit has been first issued pursuant to this bylaw; and
- (b) The development is proceeded with in accordance with the terms and conditions of the Development Permit.

4.1.2 In addition to Subsection 4.1.1, a Development Permit is required for:

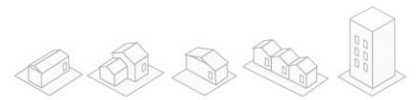
- (a) The removal of topsoil, gravel and other surface materials for the preparation of a lot for development;
- (b) The cutting of and/or removal of trees by individuals prior to those individuals having title to the property in question, or where such work is a prelude to construction that would require a development or building permit;
- (c) Excavation for the purposes to accommodate construction, and drainage work, driveways and the placement of culvert materials; and
- (d) The construction of a lean-to greater than 10m² in floor area or 10% of the building footprint of the principal dwelling, whichever is smaller.
- (e) Any developments requiring a variance, such as a setback requirement, building height, etc.

4.2 DEVELOPMENT PERMIT NOT REQUIRED

4.2.1 The following developments are permitted in any zone and do not require a Development Permit, provided that such developments comply with all provisions of this bylaw and other applicable legislation:

- (a) The carrying out of routine maintenance, alternations, and / or minor building repairs to any building or structure, provided that such work does not change the use or intensity of the building or structure;
- (b) The completion of a building which was lawfully under construction at the date on which this bylaw came into full force and effect provided that the building is completed in accordance with the terms of any permit granted by the Village, and the building is completed within 12 months of the date on which this bylaw came into full force and effect;
- (c) Erection of temporary structures incidental to construction, maintenance, or alteration of a building or structure for which a Development Permit has been issued;
- (d) The development of trails and greenbelts;
- (e) The construction of a single storey accessory building or structure not greater than 10m² in floor area provided it does not encroach any yard requirements;





- (f) The erection of any fence, wall, screen, windbreak, or gate not exceeding 2.0 metres or the height specified in the applicable zone, or any canopy or awning;
- (g) The construction of decks, if the deck is less than .6m in height from the ground and does not encroach any side yard requirements. Decks higher than .6 m in height will be considered part of the principle building and must comply to the principle building provisions of this bylaw;
- (h) The construction of a lean-to less than 10m² in floor area or 10% of the building footprint of the principal dwelling, provided it does not encroach any yard setbacks;
- (i) The use of premises as a temporary polling station, Returning Officer's headquarters, candidate's campaign office and any other official temporary use in connection with a federal, territorial, School Council, or municipal election, referendum or census;
- (j) The erection, repair, replacement of television and other minor communication related structures, such as aerials, towers, and satellite receivers / dishes in non-residential districts;
- (k) Landscaping, where the existing grade and surface drainage pattern is not materially altered and will not create off-site impacts;
- (l) The demolition of a building or structure under 10m² in floor area, except a designed heritage structure;
- (m) The construction, maintenance, and repair of private walkways, pathways and driveways;
- (n) The maintenance and/or repair of public works, services and utilities carried out by or on behalf of Federal, Territorial, First Nations, Municipal or other public authorities on land which is publicly controlled.

4.3 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

4.3.1 An application for a Development Permit shall be made to the Development Officer using the prescribed form, signed by the owner or agent and accompanied by:

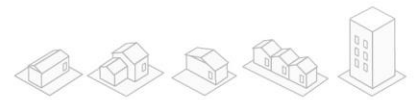
- (a) A site plan drawn to an appropriate scale, showing:
 - (i) North arrow and scale;
 - (ii) Legal description of the property and municipal address if available;
 - (iii) Lot lines shown with dimensions;
 - (iv) Site topography showing grades and drainage;
 - (v) Other features, including but not limited to escarpments, water courses, and water bodies;
 - (vi) Location of existing and property buildings or structures, dimensioned to property lines;
 - (vii) Development density and site coverage calculations;





- (viii) Location of existing and property on-site water and wastewater systems, including septic tanks and disposal fields;
 - (ix) Location of existing and proposed driveway approaches, culverts, driveways and parking areas; and
 - (x) Location of existing and proposed trees, landscaping, fencing, retaining walls and other physical features.
- (b) Floor plans of each level and elevation drawings of each side of the building, including building height measurements and number of storeys, in accordance with the definitions of the bylaw;
- (c) A drainage plan illustrating drainage details including existing and proposed elevations at lot corners, building perimeter, grade breaks, and edge of surface treatments, direction and percentage of grades, main floor / top of slab elevation(s), location of downspouts and direction of discharge including swales, ditches, retaining walls, rock sumps, connection to existing storm mains, and / or storm sewer interceptors for areas with high contamination potential;
- (d) A statement of existing and proposed uses;
- (e) A statement of ownership of land and interest of the applicant;
- (f) The location of existing and proposed utilities shown in streets, avenues and lanes;
- (g) A description of estimated commencement and completion dates;
- (h) A statement providing any additional information required by the Development Authority;
- (i) The Development permit fee as outlined in the *Consolidated Municipal Fees Bylaw*.
- (j) The Development Authority may require the following additional information to make an informed decision on the Development Permit application (updated):
 - (i) A geotechnical evaluation of the site to confirm: slope stability; appropriate top-of-bank, lakeshore, and watercourse setbacks; and site suitability for on-site septic sewage disposal;
 - (ii) A landscape plan showing existing and proposed physical features including turf areas, trees, shrubs, planting beds, walls, fences, signage, site furnishing, and hard surfaces; site grading, areas of fill and drainage, existing and future tree locations, and related features to improve the appearance of the development (or screen its activities);
 - (iii) A landscape reclamation plan where the nature of the proposed development will significantly alter the landscape or the proposed use has a limited life span;
 - (iv) An environmental impact assessment where the magnitude or type of use may have off-site implications of a short or long-term duration by virtue of the nature of the activity proposed;





- (v) Written confirmation that satisfactory arrangements have been made for access, the supply of services such as water, electricity or sewage disposal and garbage pick-up;
- (vi) A surveyor's certificate may be requested by the Development Officer to be included as part of the Development Permit application; and
- (vii) Any other technical report that may be requested by the Development Authority to adequately evaluate the application.

4.4 INCOMPLETE DEVELOPMENT PERMIT APPLICATIONS

- 4.4.1 An application shall not be considered complete until the application fee has been paid in full to the Village as per the *Consolidated Municipal Fees Bylaw*.
- 4.4.2 An application for a Development Permit shall not be considered complete until all the requirements of Subsection 4.1.4 of this bylaw have been met to the satisfaction of the Development Authority
- 4.4.3 If a Development Permit application does not contain all of the required documents and information or lacks sufficient details for an accurate evaluation of the development proposal required in order to make a decision, the Development Authority shall determine that the application is incomplete and shall issue a notice to the applicant electronically advising the applicant of any missing documents and information requirements and setting the date by which such missing documents and information must be submitted.
- 4.4.4 Incomplete development permit applications shall expire three (3) months after the date they are received.

4.5 DEVELOPMENT PERMIT DECISIONS

- 4.5.1 A Development Authority may refuse to accept an application for a Development Permit for a proposed development that would otherwise comply with the requirements of this bylaw if:
 - (a) There is no access to a lot from a legally surveyed road; or
 - (b) The utility services necessary for the proper operation of the proposed development are not available.
- 4.5.2 As per the *Yukon Municipal Act*, upon receipt of a complete Development Permit application, the Development Authority shall within 30 days:
 - (a) Approve the application;
 - (b) Refuse the application, stating the reasons for the refusal;
 - (c) Approve the application subject to conditions considered appropriate or necessary;
 - (d) Defer making a decision on the application for a period not exceeding sixty (60) days from the date of the application.
- 4.5.3 The Development Officer shall approve all applications for a Permitted Use upon the application conforming in all respects to the provision of this bylaw and may impose conditions to ensure compliance with this bylaw.





- 4.5.4 Where a Development Permit application has been referred to authorities or agencies for comment, the Development Authority may process the application within thirty (30) days from the date of referral, whether or not comments have been received.
- 4.5.5 A permit may be refused when it is determined by the Development Authority that:
- (a) Satisfactory arrangements have not been made for the payment and supply of water, power, sewer, and/or other services or facilities;
 - (b) Taxes on the property associated with the permit application have not been paid.
- 4.5.6 When an application is refused by the Development Authority, another application on the same site for the same or similar use as that previously applied for, shall not be accepted from the same or any applicant until at least six (6) months after the date of refusal or final appeal, as the case may be.
- 4.5.7 Subsection 4.1.14 shall not apply in the case of an application for a Development Permit or Certificate of Zoning Compliance if the new application is for a use that complies with the regulations of this bylaw
- 4.5.8 An application for a Development Permit that is received in its complete and final form prior to the effective date of this bylaw shall be decided upon within 90 days of this bylaw coming into effect, and no time extension shall be granted to any development permit issued under this section for which development has not commenced within 12 months.

4.6 DISCRETIONARY USE DEVELOPMENT PERMIT

- 4.6.1 All Discretionary Use Development Permit applications can only be reviewed, approved with or without conditions, or refused by Council.
- 4.6.2 Upon receipt of a completed application as per the Development Authority, a Development Permit for a discretionary use and the required application fee as per the *Consolidated Municipal Fees Bylaw*, the Development Officer:
- (a) Shall mail a Notice of Proposed Development to all assessed property owners within one hundred (100) meters of all proposed development in any zone;
 - (b) Shall post a Notice of Proposed Development in at least two conspicuous places in the community; and
 - (c) May require the applicant to post a Notice of Proposed Development in a conspicuous place on the site of the proposed development for not less than fourteen (14) days prior to the date on which the application is to be considered by Council.
- 4.6.3 A Notice of the Proposed Development pursuant to Subsection 4.1.18 (c) shall state:
- (a) The proposed use of the building or site;
 - (b) The location of the proposed use;
 - (c) The date on which the application will be considered by Council; and
 - (d) That any person who objects to or has concerns about the proposed development may deliver to Council a written statement of objections, or present those objections in person at the Council meeting where the application will be considered.





- 4.6.4 Council shall consider and recommend applications for Discretionary Use Development Permits no sooner than fourteen (14) days from the date that Notice of Proposed Development has been mailed to property owners, and no later than forty-five (45) days from the date the complete application is received by the Development Officer.
- 4.6.5 A Notice of Proposed Development shall not be required for an application for a Development Permit for a Permitted Use.
- 4.6.6 When a Discretionary Use Development Permit application has been made to Council, Council may:
- (a) Approve the Development Permit application either permanently or for a limited period of time; or
 - (b) Approve the Development Permit application with or without conditions; or
 - (c) Refuse the Development Permit application, having considered the intent and objectives of the Official Community Plan and this bylaw to ensure orderly development of land within the municipality, and provide the applicant with the reasons for this refusal.
- 4.6.7 When a decision regarding a Discretionary Use Development Permit application has been approved by the Council, the Development Officer shall:
- (a) Mail a notice of decision with five (5) days of the date of decision to all persons who made representations to Council; and
 - (b) Post the notice of decision in at least two conspicuous places in the community.

4.7 NOTICE OF DECISION AND ISSUANCE OF PERMITS

- 4.7.1 As per the *Yukon Municipal Act*, within five (5) working days after a decision on a Development Permit application, the Development Authority shall send a notice of the decision by regular mail to the applicant. In the case of a refusal, the notice of decision shall state the reasons for refusal and advise the applicant on the process and the right to appeal.

4.8 PERMIT CONDITIONS

- 4.8.1 When issuing a permit, the Development Authority may impose any conditions required to ensure compliance with this bylaw.
- 4.8.2 If the development authorized by the Development Permit is not commenced within twelve (12) months from the date of issue, or any associated construction not carried out with reasonable diligence, the permit is deemed void.
- 4.8.3 Notwithstanding Subsection 4.1.26, the applicant may request an extension prior to the expiry date by notifying the Development Authority in writing indicating the reasons for the extension request. The Development Authority may grant, reject or approve the extension with conditions based on the merits of the case.
- 4.8.4 The person to whom a Development Permit has been issued shall, during construction, keep in a conspicuous place on the site a copy of the approved Development Permit, including a copy of all approved drawings and specifications for inspection by the Development Authority.



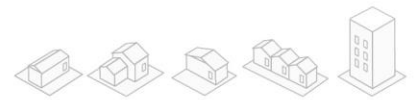


- 4.8.5 Where the proposed development requires a subdivision of land, no Development Permit shall be issued until the proposed subdivision has been approved in accordance with the *Yukon Municipal Act or Subdivision Act and Regulations*, as the case may be.
- 4.8.6 A Development Authority may as a condition of a permit require the applicant to make satisfactory arrangements for the payment and supply of water, power, sewer, and/or other services or facilities.
- 4.8.7 A Development Authority may suspend or revoke a development permit when:
- (a) The applicant fails to comply with the conditions of the issuance of the permit;
 - (b) Any person undertakes, causes, or allows any development on a site contrary to the terms or conditions of a permit;
 - (c) The permit was issued on the basis of incorrect information or misrepresentation by the applicant;
 - (d) The permit was issued in error.
- 4.8.8 If at any time it appears to the Development Authority that a development is not being carried out according to the terms of the permit, or that a development permit has been obtained by fraud or misrepresentation, the Development Authority may stop the development and may revoke, suspend or modify the original Development Permit.
- 4.8.9 Prior to issuing a Development Permit, comments may be considered from the Yukon Territorial Government Aviation and Marine Branch, regarding any development within 1 kilometre of the Aviation and Marine Branch land.

4.9 DEVELOPMENT PERMIT APPEALS

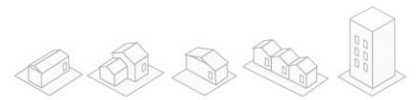
- 4.9.1 Where a Development Permit is approved and an appeal is subsequently filed within the required time limits, the Development Permit is not effective until a decision has been made on the appeal, at which point the permit may be affirmed, modified or nullified.
- 4.9.2 Where the Development Officer or Board of Variance refuses to issue a Development Permit or issues a Development Permit subject to conditions, the applicant shall be advised of their rights of appeal and the process.
- 4.9.3 Appeal applicants shall be limited to the original Development Permit applicant or any landowner who may be implicated by the Development Permit decision.
- 4.9.4 An appeal may be made to Council by the applicant or person affected by an order where a Development Officer or the Board of Variance;
- (a) Refuses or fails to issue a Development Permit to a person within forty (40) days of receipt of the application;
 - (b) Issues a Development Permit subject to conditions.
- 4.9.5 Any person who claims to be aggrieved by the Development Officer or Board of Variance, may appeal in writing to Council within thirty (30) days of that decision by filing a written notice of appeal together with a fee as per the *Consolidated Municipal Fees Bylaw*.
- 4.9.6 Council shall set a day for the hearing that is not later than 30 days after filing of the appeal.





- 4.9.7 Council shall give at least 10 days written notice of the hearing of the appeal in a manner considered appropriate by Council, to the:
- (a) Appellant
 - (b) The Development Officer or Board of Variance, from whose order, decision, or Development Permit that appeal is made;
 - (c) Those adjacent landowner in the Village, who in the opinion of Council, are affected by the order, decision, or permit; and
 - (d) Any other person that the Council considers is affected by the manner.
- 4.9.8 All maps, plans, drawing 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.
- 4.9.9 Council shall make the material filed under Subsection 4.9.8 available for inspection of any interested person.
- 4.9.10 The hearing of the appeal shall be public and the Council must hear:
- (a) The appellant or any person representing the appellant;
 - (b) The Development Officer, or a person designated to act on behalf of the Development Officer;
 - (c) Every person who was given notice of the hearing who wishes to be hear or any other person who claims to be affected by the matter or their agents.
- 4.9.11 In determining an appeal, the Council:
- (a) Shall comply with the Official Community Plan and subject to clause (c), this bylaw and any land use regulation in effect.
 - (b) May confirm, revoke, or vary the order, decision, or Development Permit, or any condition attached to any of them or make or substitute an order, decision, or development of its own;
 - (c) May make an order or decision or issue or confirm the issue of a Development Permit notwithstanding the proposed development does not comply with this bylaw if, in its opinion:
 - (i) The proposed development would not unduly interfere with the amenities of the neighborhood, or materially interfere with, or affect the use, enjoyment, or value of neighboring properties; and
 - (ii) The proposed development conforms with the use prescribed for that land in this bylaw.
- 4.9.12 Council shall allow, disallow, or allow the appeal with conditions.
- 4.9.13 The decision of the Council shall:
- (a) Be based on the facts and merits of the case;
 - (b) Be made within thirty (30) days of the hearing;





- (c) Be in writing and set forth the reasons; and
- (d) Be personally delivered or mailed to the appellant within ten (10) days of the date the decision was made.

4.9.14 A decision of a Council is final and binding and there is no further appeal as per the *Yukon Municipal Act*.

4.10 VALIDITY AND EXTENSION OF PERMIT

- 4.10.1 When a Development Permit has been approved, the Development Permit shall not be valid until the decision is issued in writing by a Development Authority.
- 4.10.2 When a Development Permit has been issued by a Development Authority, the permit shall not be valid until the conditions of the permit, save those of a continuing nature, have been fulfilled.
- 4.10.3 A Development Permit is not valid where an appeal is made to Council until a decision has been made on the appeal to allow the permit as approved.
- 4.10.4 Unless otherwise specific in the decision, a Development Permit issued in accordance with the notice of decision is valid for a period of 12 months from the date of issue.
- 4.10.5 A Development Authority may grant an extension of the effective period of a permit prior to the expiry of the permit; the effective period shall not exceed 12 months and the Development Authority may only grant such an extension once.
- 4.10.6 When a Development Permit expires, a new application is required. Such application shall be dealt with as a first application and the development approving authority shall be under no obligation to approve it on the basis that a previous permit had been issued.

4.11 VARIANCE PROCEDURES

- 4.11.1 The Development Authority may approve a variance application for a development that is either for a Permitted or Discretionary Use, but does not otherwise comply with the provision of this bylaw or the Official Community Plan, if in the opinion of the Development Authority, the proposed development would not:
 - (a) Unduly interfere with the amenities of the neighbourhood;
 - (b) Materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land, and the proposed development conforms with the use prescribed for that land or building in this bylaw;
 - (c) The variance requested maintains the intent and purpose of the Official Community Plan;
 - (d) The variance requested maintains the intent and purpose of this bylaw; and
 - (e) The variance is desirable for the appropriate and orderly development or use of the land.
- 4.11.2 All applications for a variance shall be accompanied by a letter from the applicant clearly stating the reasons for the variance, and the nature of the hardship incurred if the variance is not granted.



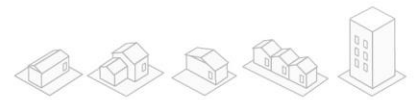


- 4.11.3 Within thirty (30) days of receipt of an application, if the application meets the criteria in Subsection 3.2.5(g), the Development Officer shall approve, refuse, or approve with conditions.
- 4.11.4 Within thirty (30) days of receipt of a completed application, if the application meets the criteria in Subsection 3.3.6 or 3.3.7, the Board of Variance shall approve, refuse, or approve with conditions.
- 4.11.5 Pursuant to the *Yukon Municipal Act*, a person may apply to the Board of Variance for a variance or exemption from an Official Community Plan or this bylaw if there are practical difficulties or unnecessary hardships in meeting the requirements of the Official Community Plan or this bylaw because of the exceptional narrowness, shortness, shape, topographic features, or any other unusual condition of the property.

4.12 TEMPORARY USE DEVELOPMENT PERMIT

- 4.12.1 A Development Officer may authorise a temporary use permit for a temporary development where it is in the public interest to do so and:
- (a) It conforms to the regulations of this bylaw;
 - (b) It is seasonal or temporary in nature and provides a service in the public interest;
 - (c) It is an interim land use with a defined lifespan of less than one year;
 - (d) Impacts associated with the proposed use will be mitigated; and
 - (e) The site will be restored suitable to an intended future use.
- 4.12.2 Notwithstanding Subsection 4.12.1 the Development Officer may authorize the use of a mobile trailer or recreational vehicle to be sited on a lot not zoned as Mobile Home Residential if the property owner will be using the mobile trailer or recreational vehicle as their dwelling unit during the construction or renovation of a dwelling unit; and, provided that the mobile trailer or recreational vehicle will be no longer be used as a the dwelling unit within twenty-four months of the Temporary Use Development Permit being issued.





PART 5 - ENFORCEMENT

5.1 GENERAL

- 5.1.1 The Development Authority may enforce the provision of this bylaw in accordance with the *Yukon Municipal Act*.
- 5.1.2 Any person who violates any of the provisions of this Bylaw shall be subject to the penalties and sanctions provided in the *Yukon Municipal Act*.

5.2 OFFENCES

- 5.2.1 Any person who contravenes, causes, or permits a contravention of this bylaw, commits an offence.
- 5.2.2 Any person who owns, occupies, or uses land, constructs a building or structure or makes an addition or alteration thereto for which a Development Permit is required but has not been issued; neglects or omits anything required under this bylaw or a Development Permit; fails to comply with an order, direction, or notice given under this bylaw; or is in contravention of a condition of a Development Permit issued under this bylaw, commits an offence.

5.3 RIGHT OF ENTRY

- 5.3.1 After reasonable notice to the owner or occupant, the Development Authority may enter onto any land or into any building or structure at any reasonable time in order to conduct an inspection to ascertain compliance with this bylaw.
- 5.3.2 No person shall interfere with or obstruct the entry of the Development Authority onto any land or into any building or structure to which entry is made or attempted pursuant to the provisions of this bylaw.
- 5.3.3 Where entrance into or upon any property within the Village is refused, a Judge, upon application made on behalf of Council, may by order the occupier of the property to admit a Development Officer or any authorized Village representative into or upon the property for the purpose of an inspection under Subsection 5.3.1.
- 5.3.4 An order made by a Judge under this section continues in force until the purpose for which it was made has been fulfilled.

5.4 NOTICE OF OFFENCE ORDER

- 5.4.1 If the Development Authority finds that a person is committing an offence under this bylaw, the Development Authority may require the person responsible for the violation to remedy it through a notice of offence order.
- 5.4.2 The Development Authority may issue a notice of offence order to:
 - (a) The owner of the property;
 - (b) The person in possession of the land or buildings;
 - (c) The person responsible for the offence.
- 5.4.3 The notice of offence order must be delivered in person, by registered mail, or by posting the notice in a conspicuous location on the site.





5.4.4 A notice of offence order shall:

- (a) Describe the nature of the violation;
- (b) Describe the actions or measures required to remedy the violation, including the removal or demolition of a structure that has been erected or placed;
- (c) State a time within which the person must comply with the directions or the order; and
- (d) State that if the person does not comply with the directions within a specified time an offence ticket will be issued and/or the municipality will take action or measure at the expense of the person.

5.4.5 Where a person fails or refuses to comply with the notice of offence order, the Development Authority may take such action as is necessary to enforce the order.

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

5.5 OFFENCE TICKETS

5.5.1 Where a person has contravened a provision of this bylaw, or if the corrective measures described in a notice of offence issued pursuant to Subsection 5.4 are not completed within the specified time, or if development continues after a permit has been revoked, the person to whom the notice of offence was issued may be issued an offence ticket by the Development Authority in the amount specified in Subsection 5.8.

5.5.2 The offence ticket shall specify the alleged offence committed, the person to whom the offence ticket is issued, and require payment of the penalty by a specified date.

5.5.3 The offence ticket shall be served personally or by registered mail on the person identified in Subsection 5.4.2.

5.5.4 A separate offence shall be deemed to be committed on each day during or on which a violation occurs or continues.

5.5.5 Any person who contravenes the same provision of this bylaw within twelve months after the date of the first contravention is liable to the specified penalties for such second or subsequent offence in the amount set out in Subsection 5.8.1.

5.6 REPORT TO COUNCIL

5.6.1 Where a Development Authority is satisfied that there is a continued contravention of this bylaw, the Development Authority may elect to report such a contravention to Council in a timely manner if it appears the contravention will not be corrected in a timely manner.

5.6.2 Council may, on finding that any development or use of land or buildings is in contravention of this bylaw:

- (a) Direct the Development Authority to act on the matter in accordance with Subsection 5.4;
- (b) Suspend or revoke a Development Permit with respect to the contravention; and





- (c) Apply to the court for an injunction to restrain the contravention.

5.7 PENALTIES

- 5.7.1 Any person who commits an offence under Subsection 5.2 is, upon summary conviction, liable to a fine as specified in the *Summary Convictions Act*.
- 5.7.2 Any person who commits an offence under this bylaw is, in addition to any other punishment, liable on summary conviction to:
- (a) A voluntary fine issued pursuant to Section 20 of the *Summary Convictions Act* and in respect of an offence specified in Subsection 5.8; or
 - (b) A fine not exceeding ten thousand dollars (\$10,000.00) or to imprisonment for six months or both where proceedings are commenced pursuant to the summary convictions provisions of the *Criminal Code of Canada*; or
 - (c) A fine not exceeding five hundred dollars (\$500.00) or to imprisonment for six months or both where proceedings are commenced pursuant to section 9(1) of the *Summary Convictions Act of the Yukon*.
- 5.7.3 Where a person fails or refuses to comply with an Order pursuant to Subsections 5.2 and 5.4, that person is liable on summary conviction to a fine of not more than \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the offence continues.
- 5.7.4 In addition to the penalties provided for under Subsection 5.7.2, a person convicted of an offence pursuant to Section 5.2 in respect to the use of land or buildings or development carried out in contravention of this bylaw, may be ordered to remove such development and reclaim the site at that person's own expense.
- 5.7.5 Should any person owning or occupying real property within the Village refuse or neglect to pay any penalties that have been levied pursuant to this bylaw, the Development Authority may inform such person in default that, if these charges are unpaid on the thirty-first day of December on the same year, these shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

5.8 SCHEDULE OF FINES

- 5.8.1 A voluntary fine under section 20 of the Summary Convictions Act RSY 2002, Chapter 210, issued in respect of an offence, shall be increased for second and subsequent offences as specified herein:

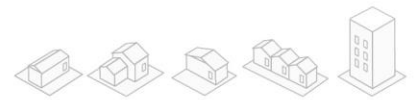
Description of Offence	Penalty
Fail to comply with Zoning Bylaw regulations*	\$250.00
Fail to comply with Zoning Bylaw regulations (2nd or subsequent offence)*	\$500.00
Fail to obtain Development Permit	\$250.00
Fail to obtain Development Permit (2nd or subsequent offence)	\$500.00
Fail to comply with an Order*	\$250.00





Fail to comply with an Order (2nd or subsequent offence)*	\$500.00
Fail to comply with permit conditions	\$250.00
Fail to comply with permit conditions (2nd or subsequent offence)	\$500.00
Fail to comply with Notice of Violation	\$250.00
Fail to comply with Notice of Violation (2nd or subsequent offence)	\$500.00
Fail to grant right of entry	\$250.00
Fail to grant right of entry (2nd or subsequent offence)	\$500.00





PART 6 - GENERAL REGULATIONS

6.1 USES PERMITTED IN ALL ZONES

6.1.1 The following uses shall be permitted in any zone:

- (a) Public Utility services and underground or submarine utility systems, the installations of which may be sited on any portion of a lot.
- (b) Except for the Open Space zone and Greenbelt Zone, a garage or carport.
- (c) Public parks and playgrounds.
- (d) Signs, when confirming with the requirements outlined in Subsection 6.13.
- (e) Notwithstanding anything contained in this bylaw, except for uses in the Industrial zones, no use shall be permitted which may be noxious or offensive to any adjoining uses.

6.2 ACCESSORY BUILDINGS, PRIVATE GARAGES AND GREENHOUSES

6.2.1 Accessory uses and accessory buildings or structures are permitted in all zones where a permit has been issued for a principal use.

6.2.2 Unless otherwise specified in this bylaw, accessory buildings and structures are not permitted on any parcel unless the principal building to which the building or structure is accessory has already been erected or will be erected simultaneously.

6.2.3 A private garage or carport attached to and forming part of a principal building or structure shall be considered to be part of the principal building or structure.

6.2.4 A greenhouse is considered as an accessory building.

6.3 EASEMENTS AND RIGHTS OF WAY

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

6.4 FENCES AND SCREENING OF OUTDOOR STORAGE AREAS

6.4.1 In all zones, fences are permitted in front, rear or side yards.

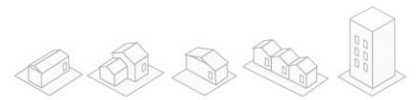
6.4.2 In any Residential Zone, a fence must:

- (a) Not exceed a height of 1.22 metres in any required front yard.
- (b) Not exceed a height of 1.83 metres in any side or rear yard.

6.4.3 In any Commercial or Industrial Zone, fencing and screening shall be between 1.8 and 2.5 metres in height, with the exception of fencing for the purposes of securing outdoor manufacturing / processing activities as described in Subsection 6.4.4. All fencing and screening above 2.5 metres in height shall be at the discretion of the Development Authority.

6.4.4 All outdoor manufacturing / processing activities must be completely enclosed and secured by a 2.5 meter solid fence or a transparent fence with continuous hedging, or to the satisfaction of the Development Authority.





- 6.4.5 The Development Authority may require a security fence not less than 1.8 metres in height to be erected to prevent access to an energy generation system.
- 6.4.6 Uses which involve the outdoor storage of goods, machinery, vehicles, building materials, equipment, waste materials, and other similar objects, shall be screened from adjacent sites and roads, through the use of fences, berms, landscaping, or a combination therefore, to the satisfaction of the Development Authority.
- 6.4.7 Landscaping for screening purposes shall be at least 1.8 m high at planting and shall include a minimum of two rows of trees placed at regular intervals.

6.5 GARBAGE AND RECYCLING

- 6.5.1 Garbage and recycling may be required by the Development Authority which is suitable for the intended land use and shall be:
- (a) Stored in animal proof and weatherproof containers designed to prevent the spread of waste materials;
 - (b) Screened from adjacent sites and public roads in an aesthetically pleasing matter at the discretion of the Development Authority; and
 - (c) Designed and placed in a location that is easily accessible for waste disposal and pickup.
- 6.5.2 Where any proposed development requires collective waste disposal facilities, the location, manner of storage and screening shall be indicated on the site plan submitted with the Development Permit application.
- 6.5.3 Collective waste disposal facilities are not permitted within the front or side yard setbacks.

6.6 HEIGHT EXCEPTIONS

- 6.6.1 The maximum height regulations of this bylaw do not apply to the following:
- (a) Chimney stacks
 - (b) Elevator housings
 - (c) Flagpoles
 - (d) Parapet walls
 - (e) Roof stairway entrances
 - (f) Skylights
 - (g) Steeples
 - (h) HVAC equipment
 - (i) Any other items deemed by the Development Authority to be of a similar nature to those noted above.

6.7 YARDS AND ALLOWABLE ENCROACHMENT

- 6.7.1 No development shall be permitted in any yard other than the erection of a gate, fence, wall, or other means of enclosure referred to in Subsection 6.4.





6.7.2 In all zones, the allowable encroachments are permitted as follows:

- (a) Chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, steps, door canopies, or other similar features, may encroach up to 0.61 metres (2 feet) into front, side, and rear yards.
- (b) Encroachments of steps, eaves, canopies, decorative overhangs, balconies, or porches, are permitted:
 - (i) Up to 1.22 metres (4 feet) into a required front, rear, or exterior side yard.
 - (ii) Up to 0.61 metres (2 feet) into a required interior side yard.
- (c) Encroachments of steps, ramps, or boardwalks required for safe access to a permitted primary or accessory structure due to parcel grade.
- (d) Encroachments of uncovered patios or sun decks, provided that they:
 - (i) Meet any fence requirements of this bylaw.
 - (ii) Do not project more than 2.44 metres (8 feet) into a required front yard.
- (e) Wheelchair ramps are permitted to encroach into any required yard setback, to the discretion of the Development Authority, provided that the ramp:
 - (i) Does not impede fire access to or around the building; and
 - (ii) Is complimentary to and well integrated into the existing building.

6.8 VISIBILITY AT INTERSECTIONS

6.8.1 No landscaping, screening, building, or structure shall be planted or erected at a height greater than 0.91 metres (3 feet) above the established grade within the shaded space, as illustrated in Figure 11. This shaded space spans 6.10 metres (20 feet) in either direction from the corner of a parcel.



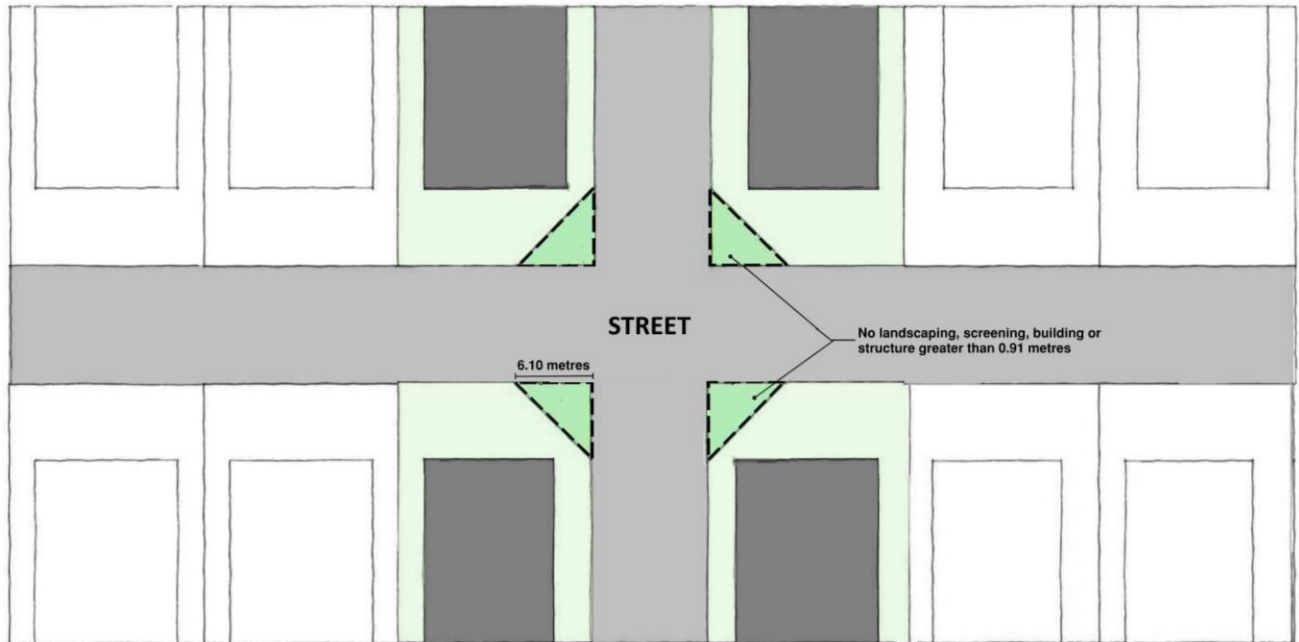
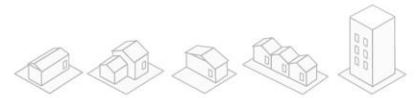


Figure 11 – Visibility at Intersections, Area that landscaping, screening, building, or structures are prohibited over 0.91 metres in height

6.9 OFF- STREET PARKING SPACE REGULATIONS

- 6.9.1 The Development Authority may require all developments in non-residential zones to provide as a minimum, a durable, gravel surfaced parking area with sufficient slope to ensure proper drainage.
- 6.9.2 When land or a building or structure is used for any purpose, there shall be, provided on the lot or an alternate site, the number of parking spaces and commercial vehicle off-street loading and parking areas as specified in Table 2.

Table 2 – Minimum Parking Requirements

MINIMUM PARKING REQUIREMENTS		
TYPE OF DEVELOPMENT / USE	PARKING SPACES	LOADING SPACES
Single Family Dwelling	2 per dwelling unit	
Multiple Family Dwelling (Duplex, Fourplex, Etc.)	1 per dwelling unit	
Secondary Suites, Bed and Breakfast, Home-based Business	1 per suite in addition to the number required for the principle dwelling unit	
Senior citizen housing, regardless of type	1 per 2 dwelling units plus 1 per 3 staff	1
Hotels, motels	1 per sleeping area	1





Offices, business and personal service establishments, and retail stores	1 per 50 m2 of gross floor area	1
Service station	3 per service bay	1
Industrial uses	1 per 4 employees per shift, minimum of 4	1 space per loading dock / loading door
Eating and drinking establishments	1 per 5 seats	1
Schools – Kindergarten and Elementary	1 per classroom	1 per building
Schools – Middle Years / High School / Other	1 per classroom, 1 per each staff member, and 1 per 10m2 of public area	1 per building
Indoor Recreation Facilities, Clubs, Assembly Halls	1 per 10m2 of public area	1
Theatre, Arena, Auditorium, Church	1 per 6 seats	1

*Public Area means an areas used by the public such as a gymnasium, swimming pool, auditorium, etc.

6.9.3 Where any development comprises uses in several of the categories mentioned in Table 2, the parking requirement is that of the category requiring the highest number of parking spaces.

6.9.4 When the calculation of the required off-street parking spaces or loading spaces results in a fraction, the calculation shall be rounded up.

6.9.5 No person shall keep a vehicle having a maximum gross weight in excess of 18,000 kg on a lot, site or street in a residential zone for longer than is reasonably necessary to load or unload a vehicle.

6.9.6 No person shall keep a dismantled or wrecked vehicle for more than fourteen (14) days on a lot, site or street unless authorized under the provisions of this bylaw.

6.9.7 In any zone, when any new development is proposed including a change in use of existing development, or when any existing development is in the opinion of the Development Authority, substantially enlarged or increased in capacity, then provision shall be made for off-street parking or garage spaces in accordance with the regulations and standards contained in this bylaw.

6.10 PARKING AND MAUVERING DESIGN

6.10.1 All parking space access points, parking and loading areas shall be specified to the satisfaction of the Development Authority having due regard to the use proposed, the type of traffic expected to be generated, roadway function and visibility, emergency vehicle movement and the needs of the elderly and disabled.





6.10.2 All off-street parking areas shall conform to the following requirements in Table 3 and conform with the Parking Design Standards as per Figure 12.

Table 3 – Parking Design Standards, Minimum Requirements

PARKING DESIGN STANDARDS				
A	B	C	D	E
PARKING ANGLE IN DEGREES	WIDTH OF STALL METERS	DEPTH OF STALL PERPENDICULAR TO MANEUVERING AISLE IN METERS	WIDTH OF STALL PARALLEL TO MANEUVERING AISLE IN METERS	WIDTH OF MANEUVERING AISLE IN METERS
0	2.6	2.6	6.7	One way 3.5
30	2.6	4.9	5.2	One way 3.5
45	2.6	5.5	3.6	One way 3.5
60	2.6	5.8	2.8	One way 5.8
90	2.6	5.8	2.6	One way 7.0

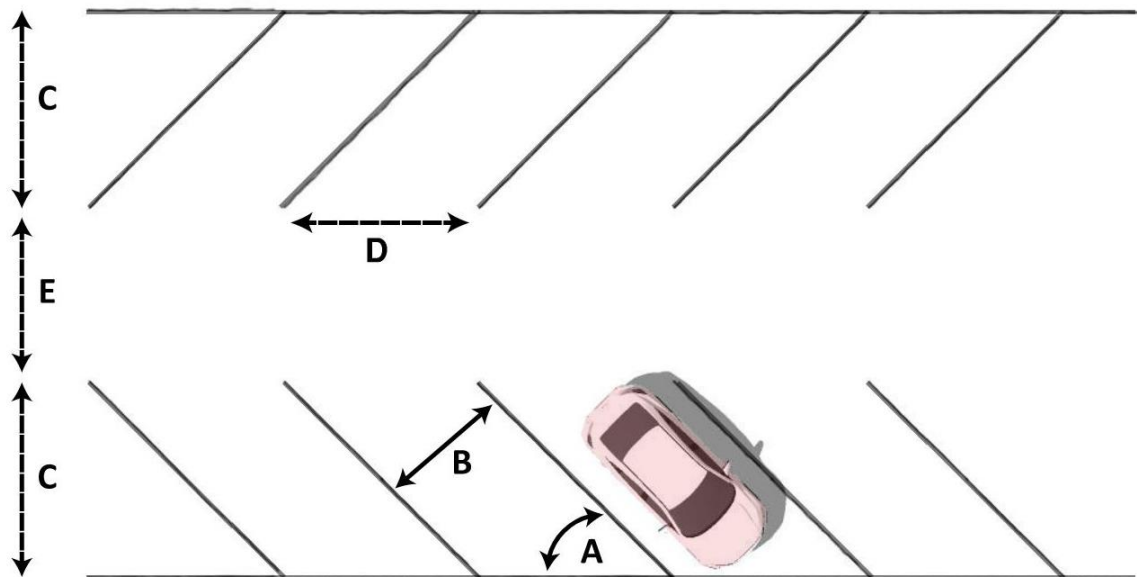


Figure 12 - Parking Design Standards

6.11 LOADING SPACE REGULATIONS

6.11.1 The number of commercial off-street loading spaces provided for a development must conform with Table 2.

6.11.2 Loading spaces must be no less than 3.00 metres in width, 7.60 metres in length, and 4.30 metres in height.

6.11.3 Loading spaces must be designed to:

- (a) Provide vehicular access to and from a street or land such that no backing or turning movements of vehicles going to and from the site causes interference with traffic in the abutting streets or lanes;





- (b) Be sited at an elevation or elevations convenient to a major floor level in the building or to a utility serving each major floor level.

6.12 DRIVEWAY ACCESS

- 6.12.1 For any all developments, driveway access shall be designed in such a way as to minimize the number of entrances and exits.
- 6.12.2 The width of a driveway providing access from a road to any type of development, may not exceed:
 - (a) 6.00 m where the lot width is less than 12.00 m,
 - (b) 50% of the lot width where the lot width is between 12.00 m and 20.00 m, and
 - (c) 10.00 m where the lot width is greater than 20.00 m
- 6.12.3 For Residential developments, driveway access widths must provide adequate width and turning radii for emergency vehicle access, as well as a slope no greater than 8%, to the satisfaction of the Development Authority.

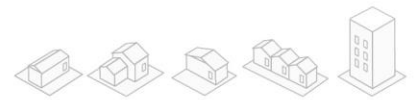
6.13 SIGNS

- 6.13.1 No sign shall be erected or displayed except in compliance with this bylaw.
- 6.13.2 Unless exempt by this bylaw, the erection, display, alteration, replacement, or relocation of a sign requires a Development Permit.
- 6.13.3 Signs shall be of either a fixed, free-standing, or projecting type, and shall be permitted in all zones conforming to the requirements listed in Table 4:

Table 4 - Sign Development Standards

SIGN TYPE	MAX SIZE	PERMITTED TYPE	ADDITIONAL REGULATION(S)
Home-based Business	0.18 m ²	Fixed or freestanding	The operator of a home office may attach only one non-illuminated fascia sign to the principal residence advertising the business, or in the case of the country residential zone, at the entrance to the driveway
Home Identification	0.18 m ²	Fixed or freestanding	
Bed and breakfast	0.63 m ²	Fixed or freestanding	
Community activity	0.54 m ²	Fixed or freestanding	
Prohibition	0.54 m ²	Fixed or freestanding	

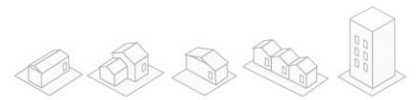




SIGN TYPE	MAX SIZE	PERMITTED TYPE	ADDITIONAL REGULATION(S)
Directional	0.54 m2	Freestanding	
Directory	5.76 m2	Freestanding	
Public building	2.8 m2	Fixed or freestanding	one (1) sign is permitted on each side of the parcel / building per street frontage
Advertising	14.4 m2	Fixed or freestanding or projecting	See Subsections 6.13.12 (a) and (b)
Banner	14.4 m2		
Traffic Control	5.76 m2	Fixed or freestanding or projecting	
Real Estate	0.63 m2	Fixed or freestanding	
Political	0.63 m2	Fixed or freestanding	

- 6.13.4 No freestanding sign may exceed the maximum permissible height for an accessory structure in the zone in which the sign is located.
- 6.13.5 An advertising sign may only be erected on the site where the service advertised is performed, or where the product advertised is made, sold, or serviced.
- 6.13.6 No person shall erect a sign with a sign area larger than 0.54 m2 without first obtaining a Development Permit.
- 6.13.7 Notwithstanding the above, Political signs do not require Development Authority approval, provided they are only placed after an election has been called and are taken down within thirty (30) days after the election has ended.
- 6.13.8 No part of any freestanding sign shall project beyond the property line.
- 6.13.9 Signs may be luminous, reflecting or illuminated, unless otherwise specified within this bylaw.
- 6.13.10 No sign shall be erected that interferes with traffic or the visibility of a traffic control device, or by reason of its location, colour, shape, format or content imitate an official traffic sign.
- 6.13.11 Permitted Advertising signs are as follows:
- (a) Statutory and official notes and functional advertisements of local authorities and public transport undertakers;
 - (b) Traffic and directional signs authorized by the Council;
 - (c) Notices of identification, including the advertisement of retail services and products, in respect of the land or buildings on which they are displayed, and professional business or





and trade name plates relating to the occupants of the land or building on which they are displayed, provided that:

- (i) Each notice or name plate shall not exceed 0.6 m²; and
- (ii) There shall be a limit of one (1) notice for each occupant or each firm or company represented within the building, at one entrance or each different street.

6.13.12 Temporary advertisement signs referring to sales which are displayed upon the premises upon or within which such sales will be or are being conducted, are permitted provided that:

- (a) The advertisements shall not be illuminated and shall be constructed of paper, canvas, cardboard, or other light materials or painted on glass and intended to be displayed for a short period of time only; and
- (b) Such advertisement shall not be erected more than seven (7) days before the start of the sale to which they refer, and shall be removed within four (4) days of the completion of the sale.

6.14 SIGN PERMIT APPLICATION

6.14.1 A sign must not be erected until a Development Permit is issued for that sign under the terms of this bylaw.

6.14.2 Applications for a Development Permit shall be made to the Development Officer, and shall include:

- (a) A complete Sign Permit application form;
- (b) Two (2) copies of the drawing of the proposed sign to scale. This drawing shall indicate:
 - (i) The location of the sign;
 - (ii) The overall dimensions of the sign;
 - (iii) The height of the sign above a public street or sidewalk or the height above the average ground level at the face of the building.
 - (iv) The least distance that the sign will be erected from an intersection of one street with another.

6.14.3 No person shall perform any work of erection or of placing a sign differing from or enlarging the work for which a Development Permit has been issued.

6.14.4 A Development Permit shall not be required to clean, repair, or repaint a sign.

6.15 LIGHTING

6.15.1 Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at adjoining properties.

6.15.2 The Development Authority, in keeping with the principles of crime prevention through environmental design, may require such additional site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings and abutting streets of parking areas and walkways.





- 6.15.3 All development shall adhere to the philosophy of the International Dark Sky Association and strive to preserve the night environment through the reduction of light pollution by the provision of quality outdoor lighting, while ensuring safety and security, see Figure 13.

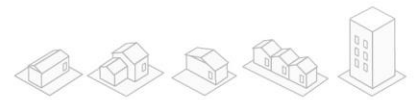


Figure 13 – Illustration of Examples of Lighting that is compliant with the philosophy of the International Dark Sky Association

6.16 SATELLITE DISHES, ANTENNAS, TELECOMMUNICATION FACILITIES AND UTILITY TOWERS

- 6.16.1 All utility towers, facilities and visible accessory equipment shall meet the minimum setback requirements of the district in which it is located. Guy wires and other supporting structures shall be a setback a minimum of 2.00 m from any lot line.
- 6.16.2 An applicant for a communication tower and facility shall consider the impact of the development on the local surroundings, including the physical appearance and height of the tower. Whereas high, lattice-type towers can accommodate many antennas and co-location opportunities, they often pose serious visual impacts. The Development Authority may limit tower height or design based on these considerations.
- 6.16.3 All utility towers and facilities shall be designed to blend in with the surrounding environment, except where prevented by aeronautical safety requirements.
- 6.16.4 The applicant shall demonstrate that consideration has been given to minimize the risks to birds, including that new towers should be located away from wetlands or other known areas of high bird concentrations or along bird migratory routes; tower heights should be kept as low as possible to avoid lighting requirements; placing daytime visual markers on guy wires; and selecting lighting that has been shown to be less of an attractant to birds.
- 6.16.5 Where communication towers and facilities are approved, the owners should give consideration to providing the opportunity for qualified professionals to undertake research on the site that may ultimately result in recommendations for reducing adverse effects of communication towers and facilities on birds and other wildlife.
- 6.16.6 All buildings, structures and visible equipment accessory to utility towers and facilities should be architecturally compatible with the surrounding environment. Use of appropriate vegetation and screening is encouraged.
- 6.16.7 Satellite dishes, antennas and all structural supports shall be located on the same site as the intended signal user.
- 6.16.8 No equipment or process shall be used which creates visual or audible electrical interference in any radio or television receiver off the premises, or which causes fluctuations in line voltage off the premises.





- 6.16.9 Except in the Industrial Zone, no advertising shall be allowed on a satellite dish nor shall the antenna be illuminated.
- 6.16.10 A satellite dish that is larger than 0.90 m (3.00 ft) in diameter shall not be located on a roof except for Apartment buildings and non-residential buildings, subject to the discretion of the Development Authority.
- 6.16.11 When communication towers and facilities become obsolete and / or damaged and unrepaired, they shall be immediately removed and the development site reclaimed.

6.17 WATER, SANITARY SEWER FACILITIES, AND UTILITY SERVICES

- 6.17.1 All developments within the Village shall adhere to any relevant municipal policies or Territorial and Federal regulations pertaining to water, sanitary and utility services.
- 6.17.2 All new residential, commercial, and industrial development shall be required to connect to municipal utilities, when municipal servicing infrastructure is available.
- 6.17.3 Each unit of a semi-detached dwelling or attached dwelling shall be individually and directly connected to the water and sanitary lines located in the public right-of-way.
- 6.17.4 A utility connection to municipal infrastructure must be inspected and approved by the Municipality. It is the responsibility of the developer to ensure that the Municipality is notified of the date of installation for inspection purposes.
- 6.17.5 The design, installation and setback of a private wastewater system shall be in accordance with current legislation.
- 6.17.6 Where piped municipal sanitary sewer service is not available, the owner or authorized agent shall provide a private water supply and sewage disposal system approved in accordance with relevant Territorial and Federal regulations.
- 6.17.7 Where a building is not connected to a municipal wastewater system, the Development Authority shall require, as a condition of issuing a Development Permit that:
- (a) In the case of a new building, that the developer provides the municipality with evidence that a permit from an accredited agency has been obtained by the developer for the installation of a private wastewater system in accordance with current legislation and standards, prior to commencement of any construction; or
 - (b) In the case of an addition to an existing building, that the developer provides either a permit referenced in Subsection 6.17.7(a) or a statement signed and sealed from a qualified professional that the existing wastewater system operates properly and is capable of handling the additional wastewater expected to be generated as a result of the addition, prior to the commencement of any construction; and
 - (c) In the case of the construction of a new building or the addition to an existing building, proof that the building or addition does not cover existing or proposed wastewater systems.
- 6.17.8 The Development Authority may require that a developer provide evidence that an inspection of a private wastewater system was undertaken by the accredited agency that issued the permit





for the wastewater system and that the inspection showed the system to have been properly installed.

- 6.17.9 A person shall not begin the excavation for the foundation nor commence the development until provision has been made for utility services or facilities to the satisfaction of the Development Authority.

6.18 FLOOD CONTROL, ENVIRONMENTAL PROTECTION AND AQUIFER PROTECTION

- 6.18.1 Notwithstanding any other provisions of this bylaw, no building or any part thereof shall be constructed, reconstructed, moved or extended nor shall any mobile home or unit, modular home or structure be located within 30.00 metres of the natural boundary of Pine Creek and/or Dezadeash River.
- 6.18.2 No development shall be permitted on any lot that falls within lands designated as susceptible to a 1:200 year flood as outlined on the Dezadeash River and Pine Creek Buffer Map (Schedule B), unless the applicant can demonstrate an acceptable method of flood proofing the proposed development and completes a flood hazard waiver that acknowledges the risk and indemnifies the municipality against any future loss.
- 6.18.3 Where a proposed development involves land filling, the Development Authority may require the applicant to submit a drainage plan and include provision for drainage easements in the proposed development.
- 6.18.4 In all zones, all driveways crossing roadside drainage ditches require a culvert.
- 6.18.5 Development that could cause an impact on groundwater may not be allowed unless:
- (a) It can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollutions of the groundwater supply; or
 - (b) Appropriate remedial measures have been or will be taken to sufficiently mitigate the risk of endangering the potability of the groundwater supply.
- 6.18.6 Land use and development activities that have a high pollution risk and the potential to contaminate groundwater within regulatory Well Protection Zones, as per the Village's Aquifer and Wellhead Protection Plan, will be restricted. These land uses can include, but are not limited to, chemical fertilization storage, disposal fields, fuel tanks, waste disposal, and wastewater treatment facilities. In instances where restriction is not possible, the following considerations must be met:
- (a) The proponent shall prove, through adequate engineering or hydro-geological investigation, that the proposed activity will not cause pollution of the public drinking water supply; and/or
 - (b) Appropriate precautionary measures are taken to sufficiently mitigate risk of endangering the public drinking water supply.

6.19 PARKS, GREENBELTS, AND ENVIRONMENTAL RESERVE

- 6.19.1 Environmentally sensitive lands including wetlands, lands along the Pine Creek and/or Dezadeash River, and lands of spiritual and cultural significance to the Champagne and Aishihik





First Nations shall be protected from development and inappropriate use through restricted access, setbacks, buffers and such similar means as Council deems appropriate.

- 6.19.2 Development that improves public access to and along the Pine Creek and/or Dezadeash River shall be permitted where such development enhances the visitor experience (i.e. interpretative signage) and limits the impacts of users on the environment (i.e. boardwalks).

6.20 STORAGE OF MATERIALS

- 6.20.1 During the period a Development Permit is in effect, temporary storage of building materials shall be permitted in any yard of any lot, in all zones.
- 6.20.2 In any residential zone, no person shall keep, store or permit to accumulate outside and unscreened, any objects, chattels, goods or materials for a period of one hundred eighty (180) days or more, which, in the opinion of the Development Authority, are unsightly, out of character with the residential character of the zone, or by their nature and location, diminish the reasonable use and enjoyment of neighbouring properties.
- 6.20.3 No person shall permit to accumulate, stockpile, keep or store on any lot, or in any building or structure, rubbish, building materials, fluids, machinery or other goods and chattels, in such quantities that in the opinion of the Development Authority, they pose a potential fire risk, nuisance or hazard to the physical health and safety of adjoining property owners or the public at large.

6.21 TEMPORARY STRUCTURES

- 6.21.1 A temporary building or structure may be erected on a lot that is being developed for a period of time that does not exceed the duration of the construction process, or the length of time provided in the Development Permit, whichever is less, for the purposes of storage or as a temporary dwelling.

6.22 MOVING OF STRUCTURES

- 6.22.1 No person shall move a building, structure or a non-CSA approved mobile home off or onto a lot without obtaining a Development Permit.
- 6.22.2 Any relocated building or structure must be brought up to current National Building Code standards upon relocation.
- 6.22.3 All Shipping Containers shall be properly maintained or screened of public view to the satisfaction of the Development Authority.

6.23 SUBDIVISION

- 6.23.1 Where the development of land involves a Subdivision of Land, no development permit shall be issued until the proposed subdivision has been approved in accordance with the Subdivision Act and Regulations thereto.

6.24 ARCHITECTURAL CONTROLS

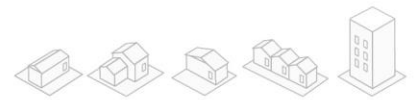
- 6.24.1 The design, use of materials, construction, character, location and appearance on the site of any development, structure or sign in any district must, to the satisfaction of the Development Authority:
- (a) Be consistent with the land use district and any specific regulations within that district;
and





- (b) Be compatible and complimentary with other developments in the area, unless the development is setting a new standard of design for that district.
- 6.24.2 The exterior finishing materials of a proposed development shall:
 - (a) Be those as shown on the approved plans for that development; and
 - (b) Be constructed of durable materials designed to maintain the initial quality throughout the intended duration of the development
- 6.24.3 All sides of a building that face a highway or public road shall be treated as a principal façade and be finished to the satisfaction of the Development Authority.
- 6.24.4 Residential dwellings should be, in the opinion of the Development Authority, appropriate in character. The following architectural and design elements are recommended to achieve this character:
 - (a) Front porches;
 - (b) Natural or traditional materials, such as local rock or stone, logs and timber;
 - (c) Gabled or hip roofs, steeply pitched;
 - (d) Log construction or clapboard style siding;
 - (e) Multi-paned, bay or bow windows; and
 - (f) Exposed structural elements such as timbers and decorative trim.
- 6.24.5 The following policies should be considered pertaining to residential dwelling façades:
 - (a) An attached garage facing the road should not dominate the dwelling façade and should not significantly protrude from the main façade.
 - (b) Dwellings should be designed to enhance the front façade so that vehicle-related elements are secondary.
- 6.24.6 Development sites within all Residential zones should give consideration to the following:
 - (a) Preservation and integration of existing mature trees;
 - (b) Use of attractive and durable fencing materials and landscape design;
 - (c) Screening of parking areas; and
 - (d) Compatible and complimentary design for accessory building.
- 6.24.7 All recreational development shall be architecturally designed to be compatible with and complimentary to the surrounding environment.
- 6.24.8 The following requirements should be considered pertaining to development within Commercial zones:
 - (a) Colour used on building façades should draw on the surrounding nature and existing townscape.



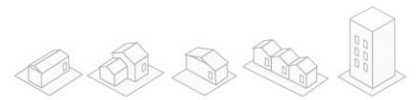


- (b) Accent materials used should include stone, masonry, wood trim, wood siding, and metal roofing.
- (c) Large expanses of flat walls along streets are not desirable; where large amounts of mass are required, the façade will be broken down by changes in plane, reveals, or decorative details.
- (d) Design of developments shall focus on enhancing the pedestrian environment through creating visual interest at a pedestrian scale. Buildings shall be articulated through changes in wall plane, material, and texture along with clearly demarcated entrances and human-scaled design elements such as canopies and awnings where appropriate.

6.25 LANDSCAPING

- 6.25.1 The Development Authority may require a site landscaping and screening plan to be included in a Development Permit application for multiple family housing, commercial, industrial and institutional developments.
- 6.25.2 Plant materials shall be hardy to the region and to the location of the site in which they are planted.
- 6.25.3 Existing trees and large shrubs on a site shall be preserved, protected or replaced where possible.
- 6.25.4 Any area required to be landscaped may, at the discretion of the Development Authority, be left in its natural state or be landscaped with a combination of hard and soft landscaping materials to enhance and complement the appearance of the development.
- 6.25.5 Where a landscaping plan is required, no landscaping work shall be commenced until the landscaping plan is approved by the Development Authority; and shall include the following:
 - (a) Boundaries and dimensions of the site;
 - (b) Adjacent land uses;
 - (c) Location and name of adjacent roads, lanes, driveway entrances, sidewalks and trails;
 - (d) Footprint and dimensions of all buildings;
 - (e) Location of any utilities or right-of-ways;
 - (f) Pedestrian circulation and open space systems;
 - (g) Location and description of any existing or proposed physical features such as fences, berms, retaining walls, outdoor furniture, decorative paving, water features;
 - (h) Location and description of any hard landscaping materials such as rocks or mulching;
 - (i) Location and description of any existing or proposed plant materials, identifying plant common and botanical name, quantity and size at planting; and
 - (j) Site area proposed to be landscaped, and percent of site coverage.
- 6.25.6 At the discretion of the Development Authority, a landscaping plan may be required to be stamped by a registered Landscape Architect.





- 6.25.7 The Development Authority may require as a condition of a Development Permit or development agreement that the developer provides a landscaping security deposit, and that the security deposit shall only be returned in full to the developer upon completion of the landscaping according to the approved plan, to the satisfaction of the Development Authority.
- 6.25.8 The owner of a property, or any successors or assignees, shall be responsible for landscaping and proper maintenance for the life of the development. In the event that planting materials in an approved landscaping plan fail to survive, the Development Authority may require or approve alternate planting materials.





PART 7 - SPECIFIC USE REGULATION

7.1 ASSEMBLY HALLS, PRIVATE CLUB AND LODGES, PLACES OF WORSHIP

7.1.1 A site to be used for an assembly hall, private club and lodges, and/or places of worship where permitted under this Zoning Bylaw, shall be subject to the following:

- (a) the site shall be such a size that would allow adequate parking to be provided on-site.
- (b) each building shall be of such appearance with respect to its design, proportion, and exterior treatment as, in the opinion of the Development Authority, will not detract or clash with the general appearance of an adjacent Zones.
- (c) where the site abuts a residential zone, the property shall be fenced and/or screened with landscaping to the satisfaction of the Development Authority having regard to the nature of the use, the potential impacts on the use on the normal use and enjoyment of the neighbouring properties and security.
- (d) any outdoor lighting shall be located and arranged so that no direct rays of light are directed at neighbouring properties.
- (e) a minimum of 10% of the site area shall be landscaped. The Development Authority may require additional landscaping to provide screening for neighbouring properties.

7.2 TEMPORARY RESIDENCE DURING CONSTRUCTION

7.2.1 A Mobile Home or Recreation Vehicle are permitted as a temporary residence in all residential zones providing that:

- (a) a Building Permit has been issued for a dwelling,
- (b) the term of the temporary residence does not exceed 12 months, and
- (c) the temporary residence would be removed from the parcel within 30 days of the first residential occupancy of the dwelling on-site.

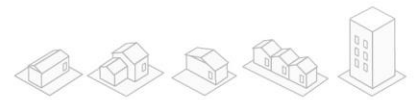
7.2.2 An extension of the temporary residence may be considered by the Development Authority if the dwelling construction has been proceeding with a reasonable diligence during the term of the stay.

7.3 HOME OFFICE

7.3.1 A home office, when permitted in any zone, shall be subject to the following regulations:

- (a) A home office shall not be engaged by anyone other than the occupants living in the dwelling.
- (b) The use of a dwelling unit for a home office shall be incidental and subordinate to its use for residential purposes and the home office shall not use more than 25% of the total floor area of the dwelling.
- (c) There shall be no change in the outside appearance of a dwelling or other visible evidence of the conduct of a home office.





- (d) There shall be no business-related visits on-site.
- (e) Any need for parking generated by the conduct of a home office shall be met on-site.
- (f) There shall be no commercial vehicle of a capacity of more than 5,000 kg parked or maintained on or about the lands.
- (g) There shall be no equipment used or stored in a home office which creates noise, vibration, glare, fumes, odours, smoke or electrical interference.
- (h) There shall be no equipment or process used in a home office which creates visual or audible electrical interference in any radio or television receiver off the premises, or which causes fluctuations in line voltage off the premises.
- (i) There shall be no goods, materials or commodities stored or kept in connection with a home office other than in the dwelling and/or in an accessory building.
- (j) The discretionary use shall only be applicable for the period of time the property is occupied by the application for such discretionary use.
- (k) A home office may be revoked at any time if, in the opinion of the Development Authority, the use is or has become detrimental to the amenities of the neighbourhood.
- (l) The following activities are permissible home offices:
 - (i) home cooking, preserving and like home crafts;
 - (ii) professions including accounting, bookkeeping, technical drafting;
 - (iii) the purchase, collection and selling of stamps, coins and like articles;
 - (iv) writing, painting, or other individual professional artistic callings;
 - (v) horticulture, whether in the open or in a greenhouse;
 - (vi) such other similar uses as may from time to time to be considered by the Development Authority.
- (m) The home office shall comply with any applicable territorial and federal regulations.

7.4 HOME-BASED BUSINESS

7.4.1 A home-based business, when permitted in any zone, shall be subject to the following regulations:

- (a) A home-based business shall not be engaged by anyone other than the occupants living in the dwelling and up to two (2) other person.
- (b) The use of a dwelling unit for a home-based business shall be incidental and subordinate to its use for residential purposes and the home-based business shall not use more than 40% of the total floor area of the dwelling.
- (c) There shall be no change in the outside appearance of a dwelling or other visible evidence of the conduct of a home-based business in it, other than one (1) unilluminated sign not exceeding 0.20 m² in area mounted flat against a wall of the dwelling.





- (d) Goods may be stored within the dwelling and/or accessory buildings subject to approval by the Development Authority, provided the storage of such shall not involve a change in the appearance of the residence or its accessory buildings.
- (e) There shall be no more than four (4) business-related visits on-site per day.
- (f) Any need for parking generated by the conduct of a home-based business shall be met on-site.
- (g) The hours of operation should be limited between the hours of 18:00 to 8:00 if the home-based business may impact the surrounding area.
- (h) There shall be no commercial vehicle of a capacity of more than 5,000.00 kg parked or maintained on or about the lands.
- (i) There shall be no equipment used or stored in a home-based business which creates noise, vibration, glare, fumes, odours, smoke or electrical interference.
- (j) There shall be no equipment used in a home-based business which creates visual or audible electrical interference in any radio or television receiver off the premises, or which causes fluctuations in line voltage off the premises.
- (k) There shall be no goods, materials or commodities stored or kept in connection with a home-based business other than in the dwelling and/or in an accessory building.
- (l) The discretionary use shall only be applicable for the period of time the property is occupied by the application for such discretionary use.
- (m) A home-based business may be revoked at any time if, in the opinion of the Development Authority, the use is or has become detrimental to the amenities of the neighbourhood.
- (n) The following activities are permissible home-based business:
 - (i) hairdressing, dressmaking, tailoring;
 - (ii) building trades;
 - (iii) the manufacture and sales of novelties, souvenirs and handicrafts;
 - (iv) instruction to students, such as art, music, yoga, tutoring and other similar disciplines;
 - (v) the carrying out of minor repairs to domestic equipment normally used within dwellings;
 - (vi) health and wellness practices, such as massage therapy;
 - (vii) such other similar uses as may from time to time to be considered by the Development Authority.
- (o) Retail sales shall not be permitted in a home-based business except for:
 - (i) Products incidental to a service being provided;





- (ii) Sales where the customer does not enter the premises (e.g., mail order, telephone, direct distributions, and online sales); and
 - (iii) Products produced on the site.
- (p) The home-based business shall comply with any applicable territorial and federal regulations.

7.5 HOME INDUSTRY

7.5.1 A home industry, when permitted in any zone, shall be subject to the following regulations:

- (a) A home industry shall not be engaged by anyone other than the occupants living in the dwelling and up to
 - (i) three (3) non-residential employees on lots of more than 2.00 hectares, and
 - (ii) four (4) non-residential employees on lots of more than 4.00 hectares.
- (b) The use of a dwelling unit for a home industry shall be incidental and subordinate to its use for residential purposes and the home-industry shall not use more than 50% of the total floor area of the dwelling.
- (c) The home industry shall be carried out wholly within a building, which may be either the dwelling and/or an accessory building, except where the home industry is of a horticultural nature.
- (d) There shall be no change in the outside appearance of a dwelling or other visible evidence of the conduct of a home industry, other than one (1) unilluminated sign not exceeding 0.60 m² in area for each face, with a maximum of two faces, may be exhibited on the land.
- (e) Goods may be stored within the dwelling and/or accessory buildings subject to approval by the Development Authority, provided the storage of such shall not involve a change in the appearance of the residence or its accessory buildings.
- (f) Only goods and materials directly related to the home industry activity may be stored on-site, subject to the Development Authority's discretion. The Development Authority may permit outside storage and impose such conditions as are required to ensure that:
 - (i) The storage area is screened from adjacent properties;
 - (ii) The volume of goods and materials stored is consistent with the residential character of the property;
 - (iii) The goods and materials stored are essential to the operation of the business activity; and
 - (iv) The goods and materials are stored in a safe and organized manner so as not to pose any hazard or nuisance to the surrounding areas.
- (g) Any external storage of materials, tools, equipment, containers or finished products associated with the home industry potentially visible from adjacent roadways and neighbouring properties shall be kept from view by means of a landscaping screen.



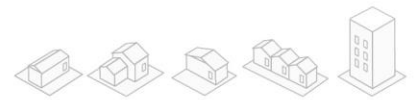


- (h) There shall be no salvage or storage of derelict vehicles and equipment, used building materials, products, and/or similar discarded materials.
- (i) There shall be no more than four (4) business-related visits on-site per day.
- (j) Any need for parking generated by the conduct of a home-industry shall be met on-site.
- (k) The hours of operation should be limited between the hours of 18:00 to 8:00 if the home-industry may impact the surrounding area.
- (l) Commercial vehicle of a capacity of more than 5,000.00 kg may be parked or maintained on or about the lands, subject to the Development Authority's discretion.
- (m) There shall be no equipment used or stored in a home-based business which creates noise, vibration, smoke, dust, odour, glare, fumes, electrical interference, litter, and/or other factors that cause a nuisance to adjacent residents.
- (n) There shall be no equipment used in a home-industry which creates visual or audible electrical interference in any radio or television receiver off the premises, or which causes fluctuations in line voltage off the premises.
- (o) Retail sales shall not be permitted in a home-industry except for:
 - (i) Products incidental to a service being provided;
 - (ii) Sales where the customer does not enter the premises (e.g., mail order, telephone, direct distributions, and online sales); and
 - (iii) Products produced on the site.
- (p) The discretionary use shall only be applicable for the period of time the property is occupied by the application for such discretionary use.
- (q) A home-industry may be revoked at any time if, in the opinion of the Development Authority, the use is or has become detrimental to the amenities of the neighbourhood.
- (r) The home-based business shall comply with any applicable territorial and federal regulations.

Table 5 – Home Office, Home-Based Business, and Home Industry Overview

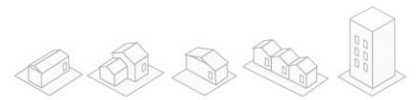
	HOME OFFICE	HOME-BASED BUSINESS	HOME INDUSTRY
Employees	None	Up to two (2) additional people outside of the household.	Up to three (3) additional people outside of the household on lots more than 2 hectares. Up to four (4) additional people outside of the





	HOME OFFICE	HOME-BASED BUSINESS	HOME INDUSTRY
			household on lots more than 4 hectares.
Visitors	None.	Limited to four (4) business related visit per day.	Limited to four (4) business related visit per day.
Percentage of dwelling	25%	40%	50%
Hours of Operation	No limit.	Should be limited in operation between the hours of 18:00 to 8:00 if the home-based business may impact the surrounding area.	Should be limited in operation between the hours of 18:00 to 8:00 if the home industry may impact the surrounding area.
Parking & Traffic	No Parking required.	Visitor parking may be required. Traffic generated by the home-based business to be confirmed at the time of application.	Visitor parking may be required. Traffic generated by the home industry to be confirmed at the time of application. Commercial vehicle may be allowed at the discretion of the Development Authority.
Storage	No outside storage.	No outside storage.	Outside storage subject to the Development Authority's discretion.
Signage/Advertisements	No signage.	One fascia sign on dwelling.	One fascia sign and one additional sign subject to the Development Authority's discretion.
Servicing (Water/Sanitary/Storm)	No/limited impacted on servicing infrastructure.	Limited impacted on servicing infrastructure.	To be assessed at time of application, subject to the Development





	HOME OFFICE	HOME-BASED BUSINESS	HOME INDUSTRY
			Authority's discretion.
Solid Waste Management	No/limited impacted on Solid Waste Management.	Limited impacted on Solid Waste Management.	To be assessed at time of application, subject to the Development Authority's discretion.

7.6 SECONDARY SUITES

7.6.1 A Secondary Suite, when permitted in any zone, shall be subject to the following regulations:

- (a) A secondary suite shall be treated as an accessory use in the zone in which it is located and should not exceed 40% of the total floor area of the principal dwelling.
- (b) The secondary suite shall be a minimum of 10.00 m² in area.
- (c) All parking for the principal dwelling and the associated Secondary Suites shall be provided on-site.
- (d) Only one secondary suite should be permitted within a principal dwelling.
- (e) Only one secondary suite may be permitted in a commercial or industrial building for the purpose of a caretaker suite.
- (f) In the residential and agricultural zones, the Secondary Suite shall be within the principal residence of the owner and the owner shall live on the premises where the Secondary Suite is active.
- (g) The Secondary Suite shall comply with any applicable territorial and federal regulations.

7.7 GARDEN SUITES

7.7.1 A Garden Suite, when permitted in any zone, shall be subject to the following regulations:





- (a) A garden suite is only permitted within an accessory building on the same parcel as a single attached dwelling, see Figure 14.

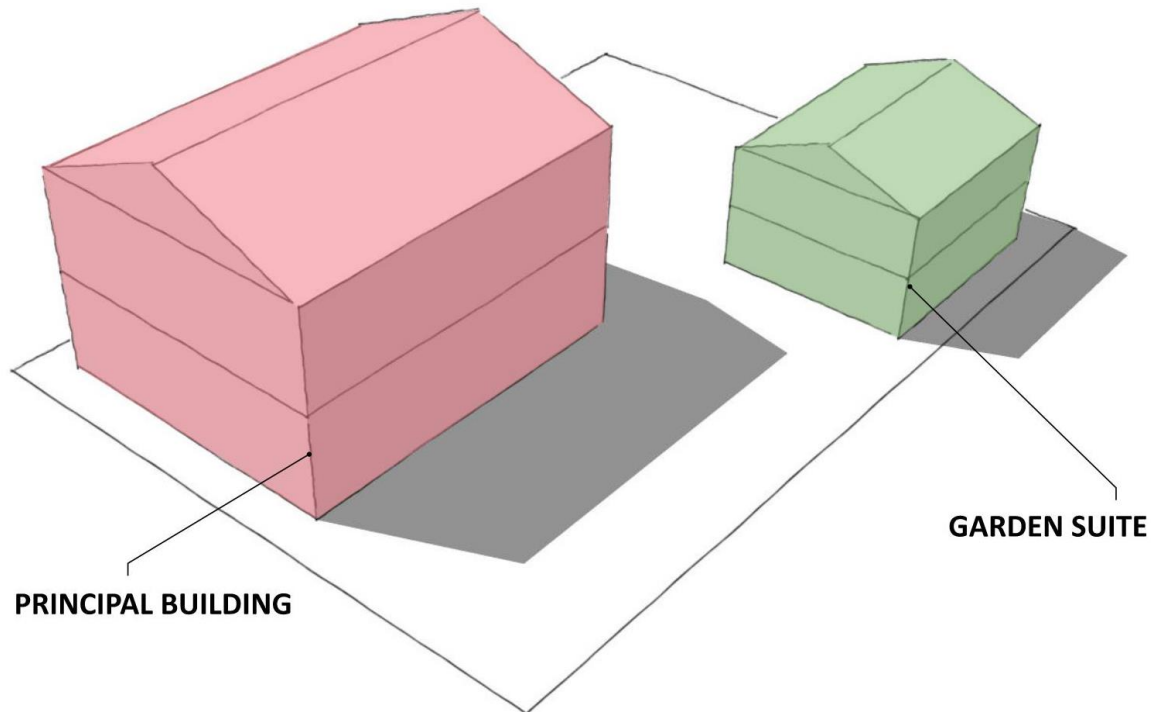


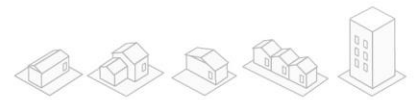
Figure 14 - Illustration of Garden Suite and Principal Building on Same Parcel

- (b) A garden suite is permitted on the same parcel as a property with one secondary suite.
- (c) A garden suite is permitted in any residential district or agriculture district with a lot a size greater than 450.00 m².
- (d) A garden suite must have a minimum floor area of 20.00 m².
- (e) At the discretion of the Development Authority, a garden suite may be construction prior to a single detached dwelling, subject to the following criteria:
- (i) Garden suites are to be constructed in accessory buildings only; as such, a Development Permit that shows details for both primary and accessory buildings must be approved
 1. The Development Permit must include a time limit that dictates how long the garden suite can existing without the construction of the primary building;
 2. The placement of the garden suite must allow for sufficient space to construct the primary dwelling;
 3. The garden suite must meet all other regulations for a primary dwelling as a stand-alone structure.

7.8 BED AND BREAKFASTS

7.8.1 A Bed and Breakfast, when permitted in any zone, shall be subject to the following regulations:





- (a) a maximum of two (2) rooms and the associated amenity areas shall be used for such an operation.
- (b) each room shall be a minimum of 10.00 m² in area.
- (c) All parking for the principal dwelling and the associated Bed and Breakfasts shall be provided on-site.
- (d) one (1) additional on-site parking stall shall be provided per guest room.
- (e) the length of stay for a lodger shall not exceed 14 consecutive days.
- (f) the Bed and Breakfast shall operate within the principal residence of the operator/owner and the operator/owner shall live on the premises where the Bed and Breakfast is active.
- (g) the Bed and Breakfast may be permitted to display one (1) sign of up to 0.60 m² as a fascia sign attached to the residence.
- (h) the Bed and Breakfast shall not change the principal residential character or external appearance of the dwelling involved.
- (i) the Bed and Breakfast shall comply with any applicable territorial and federal regulations.

7.9 VACATION RENTAL

7.9.1 A Vacation Rental, when permitted in any zone, shall be subject to the following regulations:

- (a) each Vacation Rental unit shall be a minimum of 10.00 m² in area.
- (b) All parking for the Vacation Rental shall be provided on-site.
- (c) the length of stay for a lodger shall not exceed 30 consecutive days.
- (d) the Vacation Rental may be permitted to display one (1) sign of up to 0.60 m² as a fascia sign attached to the residence.
- (e) the Vacation Rental shall not change the principal residential character or external appearance of the dwelling involved.
- (f) the Vacation Rental shall comply with any applicable territorial and federal regulations.





Table 6 – Development Standard Summary for Secondary Suites, Garden Suites, Bed and Breakfasts, and Vacation Rentals

	SECONDARY SUITES	GARDEN SUITES	BED AND BREAKFASTS	VACATION RENTAL
Employees	None	None	Owner/Operator living on site	Owner/Operator can be offsite
Percentage of dwelling/ maximum number of rooms	Up to 40% of the principal dwelling.	Permitted within an accessory building on the same parcel as a single attached dwelling.	Maximum of two (2) rooms.	Up to 100% of the principal dwelling and/or accessory building.
Minimum size	10.00 m2 per room.	20.00 m2	10.00 m2 per room.	10.00 m2 per room.
Parking & Traffic	Must be accommodated onsite.			
Duration of Stay	No limit.		Up to 14 consecutive days.	Up to 30 consecutive days.
Signage/Advertisements	None.		one (1) sign of up to 0.6 m square as a fascia sign.	one (1) sign of up to 0.6 m square as a fascia sign.
Servicing (Water/Sanitary/Storm)	To be assessed at time of application, subject to the Development Authority's discretion.			
Solid Waste Management	To be assessed at time of application, subject to the Development Authority's discretion.			

7.10 RENEWABLE ENERGY SYSTEMS

- 7.10.1 The maximum height of a renewable energy system shall be at the discretion of the Development Authority, which shall take into consideration the lot area and dimensions, system location, system specifications, and potential impact to neighbouring properties.
- 7.10.2 All powerlines connecting the energy generation system to a substation, grid, or other facility to which power is provided shall be underground, unless an overhead installation is approved by the Development Authority.
- 7.10.3 Wind energy generation systems shall be finished in a non-reflective matte and in a colour which minimizes the visual impact of such system.
- 7.10.4 Energy generation systems shall ensure there are no nuisance effects that extend beyond the site to the satisfaction of the Development Authority.
- 7.10.5 The Development Authority may require the developer to locate and screen the energy generation system by land forms (such as berms), natural vegetation or other means acceptable





to the Development Authority to minimize its visual impact on adjacent residences, public roads, trails or other public areas.

- 7.10.6 A development impact assessment may be required by the Development Authority to determine the effect of the system on wildlife, birds, and pets.
- 7.10.7 To ensure public safety, the Development Authority may require that a security fence not less than 1.80 m in height be erected, or safety mechanism or procedures be employed to prevent access to the energy generation system
- 7.10.8 No signage, advertising or accessory installations shall be placed on an energy generation system.
- 7.10.9 When an energy generation system becomes obsolete, it shall be immediately removed and the development site reclaimed.
- 7.10.10 The minimum setbacks of a small energy generation system shall be equal to the distance of the total system height to any property line, but in no case shall the setback be less than the minimum yard setback distances specified in the land use district in which it is located. This distance may be relaxed at the discretion of the Development Authority if it deems that due to the design, characteristics and location, the small energy conversion system will not have any adverse impacts on neighbouring properties.

7.11 INDUSTRIAL DEVELOPMENT

- 7.11.1 All development to occur in the M1 and M2 zone shall be subject to the following regulations:
 - (a) In all industrial zones, a minimum of 10% of the lands shall be landscaped.
 - (b) Outdoor storage must be screened from view from any public roadway, by fencing, berms, or landscape materials, or a combination of these to the satisfaction of the Development Authority.
 - (c) Fencing and screening shall be between 1.80 and 2.50 m in height. All fencing and screening above 2.50 m in height shall be at the discretion of the Development Authority.
 - (d) All outdoor manufacturing / processing activities must be completely enclosed and secured by a 2.50 m solid fence or a transparent fence with continuous hedging, or to the satisfaction of the Development Authority.
 - (e) Recycling and refuse bins can be located in any yard, as long as the bins are adequately screened from view.
 - (f) Where a permitted development abuts a non-industrial use or land use district, the Development Authority may require mitigation of potential development impacts on adjacent land use, including but not limited to:
 - (i) Provision of noise attenuating walls;
 - (ii) Increased landscaping, including a landscaped buffer;
 - (iii) Relocation of parking areas, walkways, business entrances or other high activity areas from residential property lines;





- (iv) Screening or relocating on-site lighting to avoid spillage onto residential sites;
- (v) Restricting the location of outdoor speakers;
- (vi) Changing the proposed structure to mitigate noise, light, or glare impacts.
- (g) Water, sanitary, and storm servicing will be assessed at the time of application, subject to the discretion of the Development Authority. A Stormwater Management Plan may be required with the submission of a Development Permit application.
- (h) All parking must be accommodated on site, as per the parking regulation Table 2.
- (i) The Development Authority shall require a site plan to be provided that indicates the landscape treatment, screening, and location of parking, loading outside operation / storage areas, waste / recycling receptacles, fencing, and accessory buildings. The Development Authority shall ensure that the locations of these facilities are accessible to service vehicles as necessary, and do not disrupt onsite circulation and are appropriately fenced or screened.
- (j) Any permitted accessory use, such as office, administrative, or retail operations shall not exceed 33% of the total floor area of the building(s) devoted to the principal use.
- (k) The Development Authority may require an applicant to submit an environmental impact statement for any use or development that may result in significant noise, air, or water emissions or create a fire or explosive hazard that would extend beyond the permitter of the site.
- (l) A description of the type and nature of business operations will be required upon application of a Development Permit. Factoring in the location of the site, adjacent uses, related traffic operations (deliveries, pickups, etc.) and impacts of business operations, the Development Authority may place restrictions on hours of operation of the proposed facility.

7.12 CANNABIS CULTIVATION AND CANNABIS PROCESSING

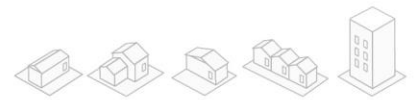
7.12.1 General requirements:

- (a) Cannabis Cultivation and / or Cannabis Processing shall not occur in a building where a residential use is located; and
- (b) A residential development constructed or created on a parcel after the approval of a Cannabis Cultivation or Cannabis Processing use shall not be considered as a residential use for the purposes of this Bylaw.

7.12.2 Site requirements:

- (a) In all land use districts, Cannabis Cultivation and / or Cannabis Processing must have a minimum separation distance of:
 - (i) At least 150.00 m from a parcel with a Care Facility (Clinic),
 - (ii) At least 150.00 m from a parcel with a School,
 - (iii) At least 150.00 m from a parcel that is a designated as Municipal School Reserve on title,
 - (iv) At least 150.00 m from a Residential parcel, and
 - (v) At least 150.00 m from a Dwelling.





- (b) Notwithstanding the provision above, in M1 and M2 the minimum separation distance of Cannabis Cultivation and / or Cannabis Process may be reduced to:
 - (i) 75.00 m from a Residential parcel, and / or
 - (ii) 75.00 from a Dwelling,
 - (iii) The minimum separation distance shall be measured from the closest point of the Cannabis Cultivation and / or Cannabis Processing building.
- (c) Development Permit Requirements:
 - (i) The maximum term for a Development Permit issued is ten (10) years.

7.13 CANNABIS RETAIL STORE

7.13.1 General requirements:

- (a) Cannabis Retail Stores must have a minimum separation distance of:
 - (i) At least 300.00 m from another Cannabis Retail Store,
 - (ii) At least 150.00 m from a parcel with a Care Facility (Clinic),
 - (iii) At least 150.00 m from a parcel with a School, and
 - (iv) At least 100.00 m from a parcel that is designated as a Municipal School Reserve on title,
- (b) The minimum separation distance shall be measured from the closest portion of the Cannabis Retail Store building.

7.13.2 Development Permit Requirements:

- (a) The maximum term of a Development Permit issued is ten (10) years.

7.14 BOARDING OR BREEDING FACILITY

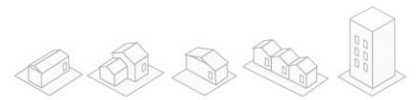
7.14.1 The Development Authority may, when issuing a Development Permit, determine the maximum number of animals that may be kept at any one time by the operator. In determining the maximum number of animals, the Development Authority shall take into account:

- (a) the size of the property;
- (b) the use of adjacent properties;
- (c) the setback distances to any property line or residential dwelling on an adjacent property; and
- (d) noise attenuation measures.

7.14.2 In determining the number of animals, animals less than 6 months of age shall not normally be included.

7.14.3 The setback distances specified in the district in which a boarding or breeding facility is located shall apply to all structures or facilities used in the boarding operation, regardless of size or function of the structure or facility. The Development Authority may vary the required setback distance if deemed necessary.





- 7.14.4 No buildings, pens, rooms, exercise runs or holding stalls used to accommodate the animals shall be allowed within 300.00 m of an existing dwelling located on an adjacent lot.
- 7.14.5 The Development Authority may require visual screening of the facility, which may include fencing, landscaping and berming.
- 7.14.6 Pens, rooms, exercise runs, and holding stalls shall be adequately soundproofed, if deemed necessary by the Development Authority which shall base its decision on the recommendations of a noise study, the number of animals to be kept at the kennel, the proximity of the kennel to other uses or other kennels, and the possibility that noise from the kennel may adversely affect the amenities of the area.
- 7.14.7 The Development Authority may require animals to be kept indoors between the hours of 7:00 p.m. to 8:00 a.m., except when on leashed walks.
- 7.14.8 Where boarding or breeding facilities are to be located near known wildlife corridors or habitat areas, there shall be strict measures incorporated into the design of the development and operating procedures to ensure that the animals are securely restrained at all times.
- 7.14.9 Boarding and breeding facilities shall be operated in accordance with provincial health regulations and, in particular, faeces and similar wastes shall be disposed of in a manner acceptable to the public health authority. In no case shall such waste be disposed of in the Municipal waste collection system without the written consent of the Municipality.
- 7.14.10 A development permit issued for a boarding or breeding facility may be issued for a period up to 5 years, and is subject to immediate revocation if the boarding or breeding facility is not developed or operated in accordance with the conditions of approval or if the boarding or breeding facility is deemed by the Development Authority to be having an adverse effect on the amenities of the area or nearby properties.

7.15 STORAGE FACILITIES FOR HAZARDOUS GOODS

- 7.15.1 All above-ground storage vessels for liquified petroleum gases and flammable liquids shall:
- (a) Be considered as an Accessory Use to a primary use within an industrial site;
 - (b) Obtain a storage permit from the Yukon Government;
 - (c) Notwithstanding the setbacks as outlined in the specific industrial land use district, be a minimum of 3.00 m from all side and rear lot lines.
- 7.15.2 The Development Authority may require a above-ground storage vessel for liquified petroleum gases and flammable liquids to be adequately screened from view of adjacent properties or roads through the use of vegetation, berming, or fencing.

7.16 SHIPPING CONTAINERS

- 7.16.1 All Shipping Containers shall meet the minimum required setbacks for accessory buildings.
- 7.16.2 Shipping Containers shall not be placed on a lot or parcel in a manner that the containers exceed the maximum height restriction specified in the land use district regulations.

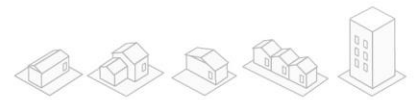
7.17 TEMPORARY USE





- 7.17.1 A temporary use may only be located on a parcel for 30 cumulative days in a calendar year, excluding the time used to erect or dismantle any temporary structures.
- 7.17.2 The maximum area of a Temporary Use shall not exceed 400.00 m² or 1% of the parcel area, whichever is less.
- 7.17.3 A Development Permit for a temporary use shall not exceed three (3) years, and shall indicate the date of commencement of the development and the date of completion, and may contain conditions necessary to ensure that the development ceases and that the area in which the development occurs returns to its natural state.





PART 8 - ZONES AND ZONE REGULATIONS

8.1 LIST OF ZONES

8.1.1 For the purpose of this Zoning Bylaw, the Village of Haines Junction is divided into the following Zones:

(a)	Single Family and Duplex Residential	R-1
(b)	Multiple Family Residential	R-2
(c)	Mobile Home Residential	RM
(d)	Country Residential	RC
(e)	Tourist Commercial	CT
(f)	Mixed Commercial	CM
(g)	Light (Service) Industrial	M-1
(h)	Heavy Industrial	M-2
(i)	Public Use Community	PD
(j)	Airport	AP
(k)	Parks & Recreation Community	PR
(l)	Greenbelt Community	GB
(m)	Open Space	OS
(n)	Agriculture General	AG
(o)	Future Development	FD





8.2 SINGLE FAMILY AND DUPLEX RESIDENTIAL ZONE (R-1)

8.2.1 Zone Intent:

- (a) This zone is to provide for low-density residential development and residential related uses.

8.2.2 Permitted Uses

- (a) Duplexes
- (b) Modular Homes not less than the width of 6m.
- (c) Parks / Playgrounds
- (d) Single Family Dwellings

8.2.3 Accessory Uses

- (a) Accessory Buildings/Structures
- (b) Bed and Breakfasts
- (c) Garden Suites
- (d) Home-Based Businesses
- (e) Home Offices
- (f) Keeping of Animals and Livestock as per the Animal Control Bylaw
- (g) Minor Agriculture Pursuits as per the Animal Control Bylaw
- (h) Renewable Energy Systems
- (i) Secondary Suites

8.2.4 Discretionary Uses

- (a) Child Care Centres
- (b) Civic Uses
- (c) Family Day-Homes
- (d) Home Industries
- (e) Vacation Rentals

8.2.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	Single: 450.00 m ²	4,843.76 Ft ²





Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
	Duplexes: 800.00 m ² when both dwelling units are on a single lot	8,611.13 Ft ²
	Duplexes: 400.00 m ² when each dwelling units are separated with their own Lot	4,305.56 Ft ²
Maximum Number of Dwelling Units	Single: 1 Principal, 1 Secondary Suite, and 1 Garden Suite	N/A
	Duplexes: 2 Principals, 2 Secondary Suites, and 2 Garden Suites	N/A
Minimum Size of Gross Floor Area	70.00 m ²	753.47 Ft ²
Minimum Size of Gross Floor Area for lots on Spruce Street that are less than 650.00 m ²	27.87 m ²	299.99 Ft ²
Maximum Height	Principal building: 10.00 m	32.81 Ft.
	Accessory building: 5.00 m	16.40 Ft.
Minimum Principal Building Yards		
Front Yard (min)	4.60 m	15.09 Ft.
Side Yard (min)	2.50 m	8.20 Ft.
Rear Yard (min)	4.60 m	15.09 Ft.
Minimum Accessory Building Yards		
Front Yard (min)	4.60 m	15.09 Ft.
Side Yard (min)	1.00 m	3.28 Ft.
Rear Yard (min)	1.00 m	3.28 Ft.

8.2.6 Other Regulations

- (a) No accessory buildings or uses will be permitted until the principal unit is under construction.
- (b) The relationship of the buildings to each other, to the site, and adjacent properties and the architectural appearance, provision of adequate light, air and privacy shall be fully





shown on the site plans for the whole development and shall be to the satisfaction of the Development Authority.

- (c) All accessory buildings, additions, porches, decks, patios or other structural additions shall be of equivalent quality and appearance to the principal dwelling unit and shall harmonize with the exterior of the unit.

8.3 MULTIPLE FAMILY RESIDENTIAL ZONE (R-2)

8.3.1 Zone Intent:

- (a) This zone is to provide for medium to high-density residential development and residential related uses.

8.3.2 Permitted Uses

- (a) Apartment Buildings
- (b) Dwellings, Attached
- (c) Duplexes
- (d) Fourplexes
- (e) Modular Homes not less than the width of 6m.
- (f) Parks / Playgrounds
- (g) Single Family Dwellings

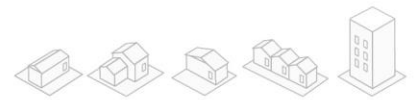
8.3.3 Accessory Uses

- (a) Accessory Buildings/Structures
- (b) Garden Suites
- (c) Home-Based Businesses
- (d) Home Offices
- (e) Keeping of Animals and Livestock as per the Animal Control Bylaw
- (f) Minor Agriculture Pursuits as per the Animal Control Bylaw
- (g) Renewable Energy Systems
- (h) Secondary Suites

8.3.4 Discretionary Uses

- (a) Bed and Breakfasts
- (b) Care Facilities, Group
- (c) Care Facilities, Seniors
- (d) Child Care Centres
- (e) Civic Uses





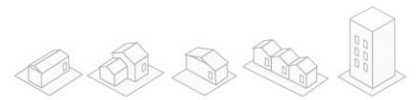
- (f) Family Day-Homes
- (g) Neighbourhood Stores
- (h) Places of Worship
- (i) Vacation Rentals

8.3.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	Single: 450.00 m ²	4,843.76 Ft ²
	Duplexes: 800.00 m ² when both dwelling units are on a single lot	8,611.13 Ft ²
	Duplexes: 400.00 m ² when each dwelling units are separated with their own lot	4,305.56 Ft ²
	Dwelling, Attached: 900.00 m ² when all dwelling units are on a single lot	9,687.52 Ft ²
	Dwelling, Attached: 300.00 m ² when each dwelling units are on their own lot	3,229.17 Ft ²
	Fourplexes: 1,000.00 m ² when all dwelling units are on a single lot	10,763.91 Ft ²
	Fourplexes: 200.00 m ² when each dwelling units are on their own lot	2,152.78 Ft ²
	Apartment: 1,200.00 m ²	12,916.69 Ft ²
Maximum Number of Dwelling Units	Single: 1 Principal and 1 Secondary Suite, and 1 Garden Suite	N/A





Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
	Duplexes: 2 Principals, 2 Secondary Suites, and 2 Garden Suites	N/A
	Fourplexes: 4 Principals, 4 Secondary Suites, and 4 Garden Suites	N/A
	Dwelling, Attached: as per the Development Authority's discretion	N/A
	Apartment: as per the Development Authority's discretion	N/A
Minimum Size of Gross Floor Area	Single/Duplex/Fourplex: 70.00 m ²	753.47 Ft ²
	Dwelling, Attached and Apartment: 40.00 m ²	430.56 Ft ²
Maximum Height	Single/Duplex/Fourplex: 10.00 m	32.81 Ft.
	Dwelling, Attached and Apartment: 15.00 m	49.21 Ft.
	Accessory building: 5.00 m	16.40 Ft.
Minimum Principal Building Yards		
Front Yard (min)	6.10 m	20.01 Ft.
Side Yard (min)	4.00 m	13.12 Ft.
Rear Yard (min)	7.50 m	24.61 Ft.
Minimum Accessory Building Yards		
Front Yard (min)	4.60 m	15.09 Ft.
Side Yard (min)	1.00 m	3.28 Ft.
Rear Yard (min)	1.00 m	3.28 Ft.

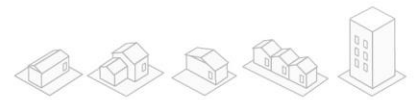
8.3.6 Other Regulations





- (a) No accessory buildings or uses will be permitted until the principal unit is under construction.
- (b) The relationship of the buildings to each other, to the site, and adjacent properties and the architectural appearance, provision of adequate light, air and privacy shall be fully shown on the site plans for the whole development and shall be to the satisfaction of the Development Authority.
- (c) All accessory buildings, additions, porches, decks, patios or other structural additions shall be of equivalent quality and appearance to the principal dwelling unit and shall harmonize with the exterior of the unit.





8.4 MOBILE HOME RESIDENTIAL ZONE (RM)

8.4.1 Zone Intent:

- (a) This zone is to provide for low-density Mobile Home residential development and residential related uses.

8.4.2 Permitted Uses

- (a) Mobile Homes
- (b) Modular Homes not less than the width of 6m
- (c) Parks/Playgrounds
- (d) Single Family Dwellings

8.4.3 Accessory Uses

- (a) Accessory Buildings/Structures
- (b) Bed and Breakfasts
- (c) Garden Suites
- (d) Home-Based Businesses
- (e) Home Offices
- (f) Keeping of Animals and Livestock as per the Animal Control Bylaw
- (g) Minor Agriculture Pursuits as per the Animal Control Bylaw
- (h) Renewable Energy Systems
- (i) Secondary Suites

8.4.4 Discretionary Uses

- (a) Child Care Centres
- (b) Civic Uses
- (c) Family Day-Homes
- (d) Vacation Rentals

8.4.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	Single: 450.00 m ²	4,843.76 Ft ²
	Mobile: 500.00 m ²	5,381.96 Ft ²





Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Maximum Number of Dwelling Units	Single/Mobile: 1 Principal, 1 Secondary Suite and 1 Garden Suite	N/A
Minimum Size of Gross Floor Area	70.00 m ²	753.47 Ft ²
Maximum Height	Principal building: 10.00 m	32.81 Ft.
	Accessory building: 5.00 m	16.40 Ft.
Minimum Principal Building Yards		
Front Yard (min)	4.60 m	15.09 Ft.
Side Yard (min)	2.50 m	8.20 Ft.
Rear Yard (min)	4.60 m	15.09 Ft.
Minimum Accessory Building Yards		
Front Yard (min)	4.60 m	15.09 Ft.
Side Yard (min)	1.00 m	3.28 Ft.
Rear Yard (min)	1.00 m	3.28 Ft.

8.4.6 Other Regulations

- (a) No accessory buildings or uses will be permitted until the principal unit is under construction.
- (b) The relationship of the buildings to each other, to the site, and adjacent properties and the architectural appearance, provision of adequate light, air and privacy shall be fully shown on the site plans for the whole development and shall be to the satisfaction of the Development Authority.
- (c) The underside of each mobile home shall be completely screened from view by the foundation, skirting or other means that is of a manufactured or similar type to harmonize with the unit within 30 days of placement on the lot.
- (d) Every mobile home placed on a lot shall be identified by an attached Canadian Standards Association metal label stating that its construction meets CSA standards.
- (e) All accessory building, additions, porches, decks, patios or other structural additions shall be of equivalent quality and appearance to the principal dwelling unit and shall harmonize with the exterior of the unit.





8.5 COUNTRY RESIDENTIAL ZONE (RC)

8.5.1 Zone Intent:

- (a) This zone is to provide for larger residential lots in a rural setting.

8.5.2 Permitted Uses

- (a) Duplexes
- (b) Modular homes not less than width of 6 m
- (c) Parks/Playgrounds
- (d) Single Family Dwellings

8.5.3 Accessory Uses

- (a) Accessory Buildings/Structures
- (b) Bed and Breakfasts
- (c) Garden Suites
- (d) Home-Based Businesses
- (e) Home Offices
- (f) Keeping of Animals and Livestock as per the Animal Control Bylaw
- (g) Minor Agriculture Pursuits as per the Animal Control Bylaw
- (h) Renewable Energy Systems
- (i) Secondary Suites

8.5.4 Discretionary Uses

- (a) Child Care Centres
- (b) Civic Uses
- (c) Family Day-Homes
- (d) Home Industries
- (e) Vacation Rentals

8.5.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	1.00 hectare	2.47 acres



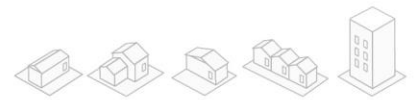


Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Maximum Number of Dwelling Units	1 Principal, 1 secondary Suite, and 1 Garden Suite	N/A
Minimum Size of Gross Floor Area	70.00 m ²	753.47 Ft ²
Maximum Height	Principal building: 10.00 m	32.81 Ft.
	Accessory building: 7.00 m	22.97 Ft.
Minimum Principal Building Yards		
Front Yard (min)	7.50 m	24.61 Ft.
Side Yard (min)	4.60 m	15.09 Ft.
Rear Yard (min)	7.50 m	24.61 Ft.
Minimum Accessory Building Yards		
Front Yard (min)	7.50 m	24.61 Ft.
Side Yard (min)	4.60 m	15.09 Ft.
Rear Yard (min)	7.50 m	24.61 Ft.

8.5.6 Other Regulations

- (a) No accessory buildings or uses will be permitted until the principal unit is under construction.
- (b) The relationship of the buildings to each other, to the site, and adjacent properties and the architectural appearance, provision of adequate light, air and privacy shall be fully shown on the site plans for the whole development and shall be to the satisfaction of the Development Authority.
- (c) All accessory buildings, additions, porches, decks, patios, or other structural additions shall be of equivalent quality and appearance to the principal dwelling unit and shall harmonize with the exterior of the unit.





8.6 TOURIST COMMERCIAL ZONE (CT)

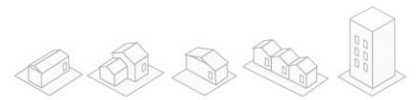
8.6.1 Zone Intent:

- (a) The purpose of this zone is to permit a range of commercial uses that provide service to the local industry and / or highway tourism and service needs. Small-scale residential uses in this zone are permitted, though the area remains predominantly a service commercial zone.

8.6.2 Permitted Uses

- (a) Agricultural Supply and Sales
- (b) Animal Clinics/Hospitals
- (c) Bake Shops
- (d) Broadcasting and Recording
- (e) Bus Terminals
- (f) Car Washes
- (g) Child Care Centres
- (h) Commercial and Residential Mixed Uses
- (i) Commercial Vehicle Sales, Rental and Services
- (j) Commercial Recreation, Indoor
- (k) Drive in or Drive-Thru Businesses
- (l) General Contractor Services
- (m) Greenhouses
- (n) Licensed Premises pursuant to the Liquor Act
- (o) Neighbourhood Stores
- (p) Offices
- (q) Overnight Accommodations
- (r) Personal Service Establishments
- (s) Public Buildings
- (t) R.V. Campgrounds
- (u) Restaurants
- (v) Retail Stores
- (w) Renewable Energy Systems
- (x) Service Stations





- (y) Utility Infrastructure
- (z) Vehicle Sales, Rental and Services

8.6.3 Accessory Uses

- (a) Dwelling Units
- (b) Bed and Breakfasts
- (c) Garden Suites
- (d) Home-Based Business
- (e) Home Offices
- (f) Secondary Suites
- (g) Parking Areas or Lots
- (h) Temporary Sales
- (i) Temporary Uses

8.6.4 Discretionary Uses

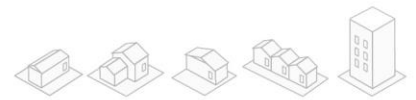
- (a) Auction Facilities
- (b) Commercial Recreation, Outdoor
- (c) Cannabis Retail Stores
- (d) Outdoor Storage
- (e) Places of Worship

8.6.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	464.00 m ²	4,994.45 Ft. ²
Maximum Number of Dwelling Units	One single family dwelling unit complimentary to the principal building and constituting not more than 40% of the gross floor area of the	N/A





Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
	combined buildings on the lot.	
Minimum Size of Gross Floor Area	N/A	
Maximum Height	Principal building: 15.00 m	49.21 Ft.
	Dwelling Unit: 10.00 m	32.81 Ft.
	Accessory building: 5.00 m	16.40 Ft.
Minimum Principal Building Yards		
Front Yard (min)	None	N/A
Side Yard (min)	2.50 m	8.20 Ft.
Rear Yard (min)	4.60 m	15.09 Ft.
Minimum Accessory Building Yards		
Front Yard (min)	None	N/A
Side Yard (min)	1.00 m	3.28 Ft.
Rear Yard (min)	1.00 m	3.28 Ft.

8.6.6 Other Regulations

- (a) No accessory buildings or uses will be permitted until the principal unit is under construction.
- (b) All storage areas and parking lots shall be screened from any adjacent residential zone by a fence not less than 2.00 metres high.





8.7 MIXED COMMERCIAL ZONE (CM)

8.7.1 Zone Intent:

- (a) The purpose of this zone is to provide for a mixture of commercial and residential uses and to promote a vibrant commercial core.

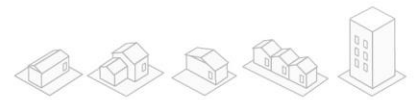
8.7.2 Permitted Uses

- (a) Animal Clinics/Hospitals
- (b) Apartment Buildings
- (c) Bake Shops
- (d) Broadcasting and Recording
- (e) Child Care Centres
- (f) Commercial and Residential Mixed Uses
- (g) Licensed Premises pursuant to the Liquor Act
- (h) Neighbourhood Stores
- (i) Offices
- (j) Overnight Accommodations
- (k) Personal Service Establishments
- (l) Public Buildings
- (m) Parks / Playgrounds
- (n) Restaurants
- (o) Retail Stores
- (p) Single Family Dwellings

8.7.3 Accessory Uses

- (a) Dwelling Units
- (b) Bed and Breakfasts
- (c) Garden Suites
- (d) Home Offices
- (e) Home-Based Businesses
- (f) Secondary Suites
- (g) Parking Areas or Lots
- (h) Temporary Sales
- (i) Temporary Uses





8.7.4 Discretionary Uses

- (a) Cannabis Retail Stores
- (b) Commercial Recreation, Indoor
- (c) Commercial Recreation, Outdoor

8.7.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	464.00 m ²	4,994.45 Ft. ²
Maximum Number of Dwelling Units	N/A	
Minimum Size of Gross Floor Area	N/A	
Maximum Height	Principal building: 15.00 m	49.21 Ft.
	Dwelling Unit: 10.00 m	32.81 Ft.
	Accessory building: 5.00 m	16.40 Ft.
Minimum Principal Building Yards		
Front Yard (min)	Commercial/Mixed Use: None Residential 4.60 m	Residential 15.09 Ft.
Side Yard (min)	2.50 m	8.20 Ft.
Rear Yard (min)	4.60 m	15.09 Ft.
Minimum Accessory Building Yards		
Front Yard (min)	Commercial/Mixed Use: None Residential 4.60 m	Residential 15.09 Ft.
Side Yard (min)	1.00 m	3.28 Ft.
Rear Yard (min)	1.00 m	3.28 Ft.

8.7.6 Other Regulations

- (a) No accessory buildings or uses will be permitted until the principal unit is under construction.





- (b) All storage areas and parking lots shall be screened from any adjacent residential zone by a fence not less than 2.00 metres high.





8.8 LIGHT (SERVICE) INDUSTRIAL ZONE (M-I)

8.8.1 Zone Intent:

- (a) This zone is to provide for the development of light industrial activities that provide light manufacturing, storage, industrial services, and other commercial services. Permitted residential uses in this district are secondary to the principal industrial use.

8.8.2 Permitted Uses

- (a) Agricultural Supply and Sales
- (b) Animal Clinics/Hospitals
- (c) Animal Shelters
- (d) Boarding or Breeding Facilities
- (e) Broadcasting and Recording
- (f) Commercial Vehicle Sales, Rental and Services
- (g) Equipment Sales, Service and Rentals
- (h) General Contractor Services
- (i) Greenhouses
- (j) Offices
- (k) Processing, Light
- (l) Public Buildings
- (m) Renewable Energy Systems
- (n) Retail Stores
- (o) Service Stations
- (p) Utility Infrastructure
- (q) Vehicle Sales, Rental and Services
- (r) Warehouse Facilities

8.8.3 Accessory Uses

- (a) Home Industry
- (b) Restaurants
- (c) Secondary Suites
- (d) Shipping Containers
- (e) Single Family Dwelling
- (f) Temporary Sales





(g) Temporary Uses

8.8.4 Discretionary Uses

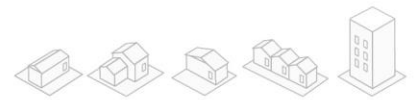
- (a) Alcohol Productions
- (b) Auction Facilities
- (c) Cannabis Cultivation
- (d) Cannabis Processing
- (e) Cannabis Retail Stores
- (f) Car Washes
- (g) Exhibition and Convention Facilities
- (h) Hazardous Goods Storage
- (i) Outdoor Storage
- (j) Outdoor Storage, Truck
- (k) R. V. Campgrounds
- (l) Recycling Depots

8.8.5 Regulations

(a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	0.20 hectares	0.49 acres
Maximum Site Coverage	60%	
Maximum Number of Dwelling Units	<p>One Dwelling Unit accessory to the Principal use.</p> <p>The portion of the lot used for residential purposes, including the dwelling unit, shall constitute no greater than 30% of the gross lot area.</p>	
Minimum Size of Gross Floor Area	N/A	



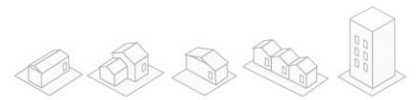


Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Maximum Height	Principal building: 15.00 m	49.21 Ft.
	Dwelling Unit: 10.00 m	32.81 Ft.
	Accessory building: 5.00 m	16.40 Ft.
Minimum Principal Building Yards		
Front Yard (min)	4.60 m	15.09 Ft.
Side Yard (min)	4.60 m	15.09 Ft.
Rear Yard (min)	4.60 m	15.09 Ft.
Minimum Accessory Building Yards		
Front Yard (min)	1.00 m	3.28 Ft.
Side Yard (min)	1.00 m	3.28 Ft.
Rear Yard (min)	1.00 m	3.28 Ft.

8.8.6 Other Regulations

- (a) Shipping containers shall not be stacked in any M1 zone.
- (b) Only one living unit may be located on an M1 site either as a separate residence or caretaker suite within the principal building and the residential component cannot be built or occupied until the principal industrial unit is complete or operational.
- (c) Outdoor storage must be located only in side and/or rear yards, and must be screened appropriately.
- (d) A Solid Waste Management Plan may be required with the submission of a Development Permit application at the discretion of the Development Authority, which will depend on the use and nature of the proposed facility.
- (e) A Water Demand Estimation report may be required with the submission of a Development Permit application at the discretion of the Development Authority, which will depend on the proposed operations to occur at the proposed facility.





8.9 HEAVY INDUSTRIAL ZONE (M-2)

8.9.1 Zone Intent:

- (a) To provide a zone for heavy industrial activities that may have large land requirements and / or specific nuisance impacts on adjacent lands. Light industrial activities are considered discretionary within this zone.

8.9.2 Permitted Uses

- (a) Processing, Light
- (b) Public Buildings
- (c) Renewable Energy Systems
- (d) Utility Infrastructure

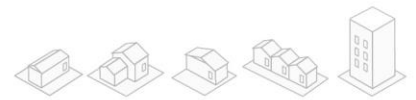
8.9.3 Accessory Uses

- (a) Car Washes
- (b) General Contractor Services
- (c) Offices
- (d) Shipping Containers

8.9.4 Discretionary Uses

- (a) Agriculture Processing
- (b) Alcohol Productions
- (c) Bulk Fuel Storage
- (d) Cannabis Cultivation
- (e) Cannabis Processing
- (f) Cannabis Retail Stores
- (g) Commercial Vehicle Sales, Rental and Services
- (h) Concrete and Asphalt Plants
- (i) Equipment Sales, Service and Rentals
- (j) Hazardous Goods Storage
- (k) Industrial, Salvage
- (l) Natural Resource Development
- (m) Outdoor Storage
- (n) Outdoor Storage, Truck
- (o) Processing, Heavy





- (p) Recycling Depots
- (q) Temporary Sales
- (r) Temporary Uses
- (s) Warehouse Facilities

8.9.5 Regulations

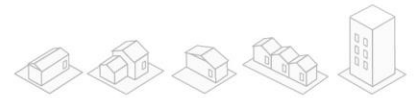
- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	0.40 hectares	0.99 acres
Maximum Number of Dwelling Units	None	
Maximum Site Coverage	70%	
Minimum Size of Gross Floor Area	N/A	
Maximum Height	Principal building: 20.00 m	65.62 Ft.
	Accessory building: 5.00 m	16.40 Ft.
Minimum Principal Building Yards		
Front Yard (min)	15.00 m	49.21 Ft.
Side Yard (min)	10.00 m	32.81 Ft.
Rear Yard (min)	10.00 m	32.81 Ft.
Minimum Accessory Building Yards		
Front Yard (min)	5.00 m	16.40 Ft.
Side Yard (min)	5.00 m	16.40 Ft.
Rear Yard (min)	5.00 m	16.40 Ft.

8.9.6 Other Regulations

- (a) Shipping containers may be stacked to the maximum height permitted within this zone.
- (b) Outdoor storage can be located in any yard, as long as it is adequately screened from view.
- (c) At the discretion of the Development Authority, an Emergency Access Plan and / or Risk Assessment may be required with submission of a Development Permit application that would define potential environmental risks based on the industrial development. Based

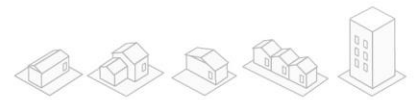




on the recommendations of a Risk Assessment, additional safety measures may be required by the Development Authority in order to consider a proposed development.

- (d) For Heavy Industrial Uses, all structures shall be designed for ease of evacuation, access by emergency services, and mechanical systems to provide protection to occupants in the case of a significant industrial accident.
- (e) Where the proposed development may generate nuisance or environmental factors, the Development Authority may impose such additional conditions as they deem appropriate to ensure the impact of such uses are minimized and do not restrict or unduly constrain adjacent lots.
- (f) A Water Demand Estimation report and Wastewater Treatment Plan may be required by the Development Authority with the submission of a Development Permit application, which will describe how much water the proposed operations will utilize on a daily basis as well as waste water treatment.





8.10 PUBLIC USE COMMUNITY ZONE (PD)

8.10.1 Zone Intent:

- (a) This zone is to provide for the development of institutional, educational, community service, and recreational uses and facilities.

8.10.2 Permitted Uses

- (a) Assembly
- (b) Band Stands
- (c) Care Facilities, Clinic
- (d) Care Facilities, Group
- (e) Care Facilities, Medical
- (f) Care Facilities, Seniors
- (g) Cemeteries and Funeral Services
- (h) Childcare Centres
- (i) Education Facilities
- (j) Family Day-Homes
- (k) Maintenance Facilities
- (l) Parks/Playgrounds
- (m) Places of Worship
- (n) Private Clubs and Lodges
- (o) Public Buildings
- (p) Utility Infrastructure

8.10.3 Accessory Uses

- (a) Accessory Buildings/Structures
- (b) Gardens
- (c) Greenhouses
- (d) Renewable Energy Systems
- (e) Restaurants
- (f) Secondary Suites
- (g) Temporary Sales
- (h) Temporary Uses
- (i) Trails





8.10.4 Discretionary Uses

- (a) Aviation-Restricted
- (b) Civic Uses

8.10.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	464.00 m ²	4,994.45 Ft. ²
Maximum Number of Dwelling Units	a Secondary Suite complimentary with the principal building or use	
Minimum Size of Gross Floor Area	N/A	
Maximum Height	Principal building: 15.00 m	49.21 Ft.
	Dwelling Unit: 10.00 m	32.81 Ft.
	Accessory Building: 5.00 m	16.40 Ft.
Minimum Principal Building Yards		
Front Yard (min)	N/A	
Side Yard (min)	4.60 m	15.09 Ft.
Rear Yard (min)	6.00 m	19.69 Ft.
Minimum Accessory Building Yards		
Front Yard (min)	N/A	
Side Yard (min)	1.00 m	3.28 Ft.
Rear Yard (min)	1.00 m	3.28 Ft.

8.10.6 Other Regulations

- (a) No accessory buildings or uses will be permitted until the principal unit is under construction.





8.11 AIRPORT ZONE (AP)

8.11.1 Zone Intent:

- (a) This zone is to provide for development of Airports and Aviation related facilities.

8.11.2 Permitted Uses

- (a) Aviation
- (b) Aviation-Restricted
- (c) Bulk Fuel Storage
- (d) Maintenance Facilities
- (e) Offices
- (f) Parking Area or Lot
- (g) Private Clubs and Lodges
- (h) Public Buildings
- (i) Utility Infrastructure

8.11.3 Accessory Uses

- (a) Accessory Buildings/Structures
- (b) Renewable Energy Systems
- (c) Temporary Uses

8.11.4 Discretionary Uses

- (a) Other compatible uses as deemed by the Development Authority

8.11.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	464.00 m ²	4,994.45 Ft ²
Maximum Number of Dwelling Units	N/A	N/A
Minimum Size of Gross Floor Area	N/A	N/A
Maximum Height	20.00 m	65.62 Ft.
Minimum Principal Building Yards		
Front Yard (min)	N/A	N/A



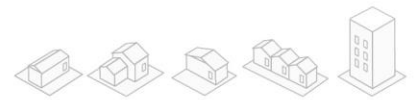


Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Side Yard (min)	N/A	N/A
Rear Yard (min)	N/A	N/A
Minimum Accessory Building Yards		
Front Yard (min)	N/A	N/A
Side Yard (min)	N/A	N/A
Rear Yard (min)	N/A	N/A

8.11.6 Other Regulations

- (a) All uses within the Airport Zone shall be aviation related or intended to service airport uses.
- (b) All uses in the Airport Zone shall comply with the Federal Ministry of Transport Aeronautics Act and any other relevant federal and provincial regulations.
- (c) All development applications for land abutting the Airport Zone shall be referred to the Government of Yukon and other applicable agencies for comment.





8.12 PARKS AND RECREATION COMMUNITY ZONE (PR)

8.12.1 Zone Intent:

- (a) This zone is to provide for the development of active and passive recreational areas.

8.12.2 Permitted Uses

- (a) Band Stands
- (b) Cemeteries and Funeral Services
- (c) Greenbelts
- (d) Minor Agricultural Pursuits
- (e) Outdoor Amphitheatre
- (f) Parks/Playgrounds
- (g) Trails

8.12.3 Accessory Uses

- (a) Accessory Buildings/Structures
- (b) Parking Area or Lot as required for principal use.
- (c) Renewable Energy Systems
- (d) Temporary Sales
- (e) Temporary Uses

8.12.4 Discretionary Uses

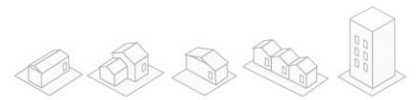
- (a) Fairgrounds
- (b) Golf Courses
- (c) Golf Course Clubhouse Facilities
- (d) Golf Course Maintenance and Storage Facilities
- (e) Public Buildings

8.12.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	N/A	
Maximum Number of Dwelling Units	N/A	



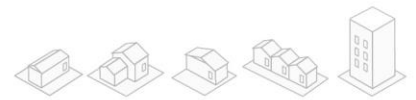


Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Size of Gross Floor Area	N/A	
Maximum Height	15.00 m	49.21 Ft.
Minimum Principal Building Yards		
Front Yard (min)	3.00 m	9.84 Ft.
Side Yard (min)	3.00 m	9.84 Ft.
Rear Yard (min)	3.00 m	9.84 Ft.
Minimum Accessory Building Yards		
Front Yard (min)	1.00 m	3.28 Ft.
Side Yard (min)	1.00 m	3.28 Ft.
Rear Yard (min)	1.00 m	3.28 Ft.

8.12.6 Other Regulations

- (a) Consideration will be given to public safety and wildlife prior to any development.
- (b) All parcel and development regulations shall be at the discretion of the Development Authority.
- (c) In addition to the regulations listed above, other general regulations in this Bylaw may also apply.





8.13 GREENBELT COMMUNITY ZONE (GB)

8.13.1 Zone Intent:

- (a) This zone is to protect environmentally sensitive areas and/or lands that is not suitable for development, while providing access to the public in a manner that programs and preserves the land in its natural state.

8.13.2 Permitted Uses

- (a) Greenbelts
- (b) Parks
- (c) Trails

8.13.3 Accessory Uses

- (a) None

8.13.4 Discretionary Uses

- (a) None

8.13.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	N/A	
Maximum Number of Dwelling Units	N/A	
Minimum Size of Gross Floor Area	N/A	
Maximum Height	N/A	
Minimum Principal Building Yards		
Front Yard (min)	N/A	
Side Yard (min)	N/A	
Rear Yard (min)	N/A	
Minimum Accessory Building Yards		
Front Yard (min)	N/A	
Side Yard (min)	N/A	
Rear Yard (min)	N/A	

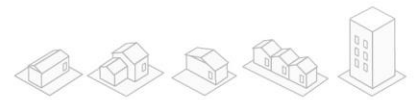




8.13.6 Other Regulations

- (a) Consideration will be given to public safety and wildlife prior to any development.
- (b) All parcel and development regulations shall be at the discretion of the Development Authority and shall proceed in a manner to minimize impacts on the natural environment.
- (c) In addition to the regulations listed above, other general regulations in this Bylaw may also apply.





8.14 OPEN SPACE ZONE (OS)

8.14.1 Zone Intent:

- (a) This zone contains land which for which no use has been allocated. No use is permitted until an appropriate use has been determined and allocated by bylaw.

8.14.2 Permitted Uses

- (a) None

8.14.3 Accessory Uses

- (a) None

8.14.4 Discretionary Uses

- (a) None

8.14.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	N/A	
Maximum Number of Dwelling Units	N/A	
Minimum Size of Gross Floor Area	N/A	
Maximum Height	N/A	
Minimum Principal Building Yards		
Front Yard (min)	N/A	
Side Yard (min)	N/A	
Rear Yard (min)	N/A	
Minimum Accessory Building Yards		
Front Yard (min)	N/A	
Side Yard (min)	N/A	
Rear Yard (min)	N/A	

8.14.6 Other Regulations

- (a) Consideration will be given to public safety and wildlife prior to any development.





- (b) All parcel and development regulations shall be at the discretion of the Development Authority.
- (c) Any building, structure, and/or infrastructure on-site shall be temporary to ensure the proposed development does not limit future planning and orderly development of lands.
- (d) The Development Authority may impose such temporal and use conditions as necessary to ensure the proposed development does not limit future planning and orderly development of lands.
- (e) In addition to the regulations listed above, other general regulations in this Bylaw may also apply.





8.15 AGRICULTURAL GENERAL ZONE (AG)

8.15.1 Zone Intent:

- (a) This zone is to provide for a range of agricultural pursuits in a rural setting.

8.15.2 Permitted Uses

- (a) Animal Clinics/Hospitals
- (b) Boarding or Breeding Facilities as per the Animal Control Bylaw
- (c) Farms
- (d) Farm Sales
- (e) Gardens
- (f) Greenhouses
- (g) Holding Pens
- (h) Horticulture
- (i) Keeping of Animals and Livestock as per the Animal Control Bylaw
- (j) Landscaping Operations
- (k) Modular Homes not less than the width of 6m
- (l) Nurseries
- (m) Parks/Playgrounds
- (n) Private Riding Facilities and Stables
- (o) Single Family Dwellings

8.15.3 Accessory Uses

- (a) Accessory Buildings/Structures
- (b) Bed and Breakfasts
- (c) Garden Suites
- (d) Home-Based Businesses
- (e) Home Offices
- (f) Home Industries
- (g) Renewable Energy Systems
- (h) Secondary Suites
- (i) Temporary Uses

8.15.4 Discretionary Uses





- (a) Agricultural Supply and Sales
- (b) Apiary as per the Animal Control Bylaw
- (c) Child Care Centres
- (d) Civic Uses
- (e) Family Day-Homes
- (f) Rodeo Facilities
- (g) Vacation Rentals

8.15.5 Regulations

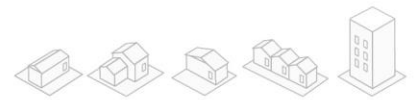
- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	4.00 hectares	9.88 acres
Maximum Number of Dwelling Units	1 Principal, 1 Secondary Suite, and 1 Garden Suite	
Minimum Size of Gross Floor Area	70.00 m ²	753.47 Ft. ²
Maximum Height	Principal Building: 15.00 m	49.21 Ft.
	Accessory Building: 10.00 m	32.81 Ft.
Minimum Principal Building Yards		
Front Yard (min)	15.00 m	49.21 Ft.
Side Yard (min)	15.00 m	49.21 Ft.
Rear Yard (min)	15.00 m	49.21 Ft.
Minimum Accessory Building Yards		
Front Yard (min)	7.50 m	24.61 Ft.
Side Yard (min)	4.60 m	15.09 Ft.
Rear Yard (min)	7.50 m	24.61 Ft.

8.15.6 Other Regulations

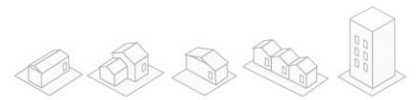
- (a) Appropriate fencing shall be in place on all properties for any livestock, animals, horses, poultry, pigs, etc. and shall include overhead fencing when necessary.





- (b) No accessory buildings /uses will be permitted until the principal use is established.
- (c) The nature of agricultural use and intensity of development may be restricted if, in the option of the Development Authority, the use would:
 - (i) attract migratory birds or potentially create human/wildlife conflicts, and
 - (ii) potentially create noise, odour, traffic, dust or related conflicts that would interfere with the use and enjoyment of neighbouring properties in the same or adjacent land zones.





8.16 FUTURE DEVELOPMENT ZONE (FD)

8.16.1 Zone Intent:

- (a) This zone is to protect land in a generally undeveloped and natural state until such time as comprehensive planning has occurred to determine appropriate zoning.

8.16.2 Permitted Uses

- (a) Farms
- (b) Farm Sales
- (c) Horticulture
- (d) Minor Agricultural Pursuits
- (e) Parks
- (f) Trails

8.16.3 Accessory Uses

- (a) Accessory Buildings/Structures
- (b) Renewable Energy Systems

8.16.4 Discretionary Uses

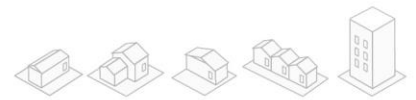
- (a) Temporary Uses

8.16.5 Regulations

- (a) Minimum and Maximum Requirements:

Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Minimum Lot Size	N/A	N/A
Maximum Number of Dwelling Units	N/A	N/A
Minimum Size of Gross Floor Area	N/A	N/A
Maximum Height	N/A	N/A
Minimum Principal Building Yards		
Front Yard (min)	N/A	N/A
Side Yard (min)	N/A	N/A
Rear Yard (min)	N/A	N/A
Minimum Accessory Building Yards		



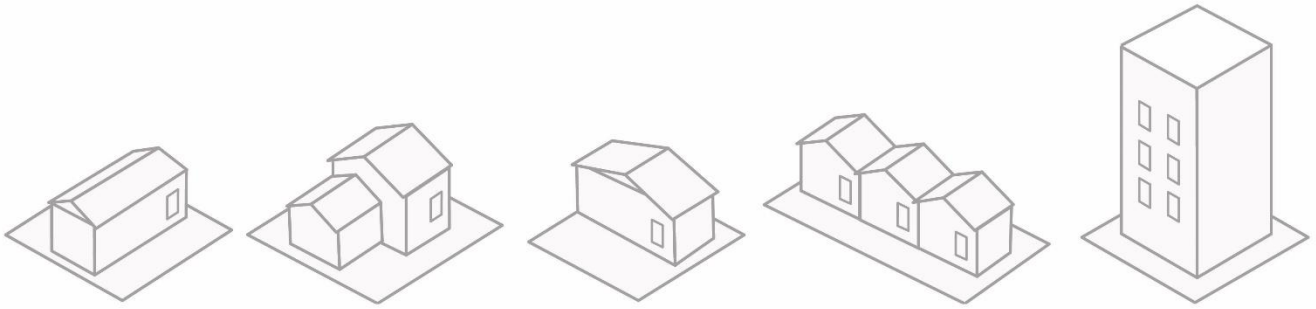


Minimum/Maximum Requirements	Metric Measurement	Imperial Measurement (For Reference Only)
Front Yard (min)	N/A	N/A
Side Yard (min)	N/A	N/A
Rear Yard (min)	N/A	N/A

8.16.6 Other Regulations

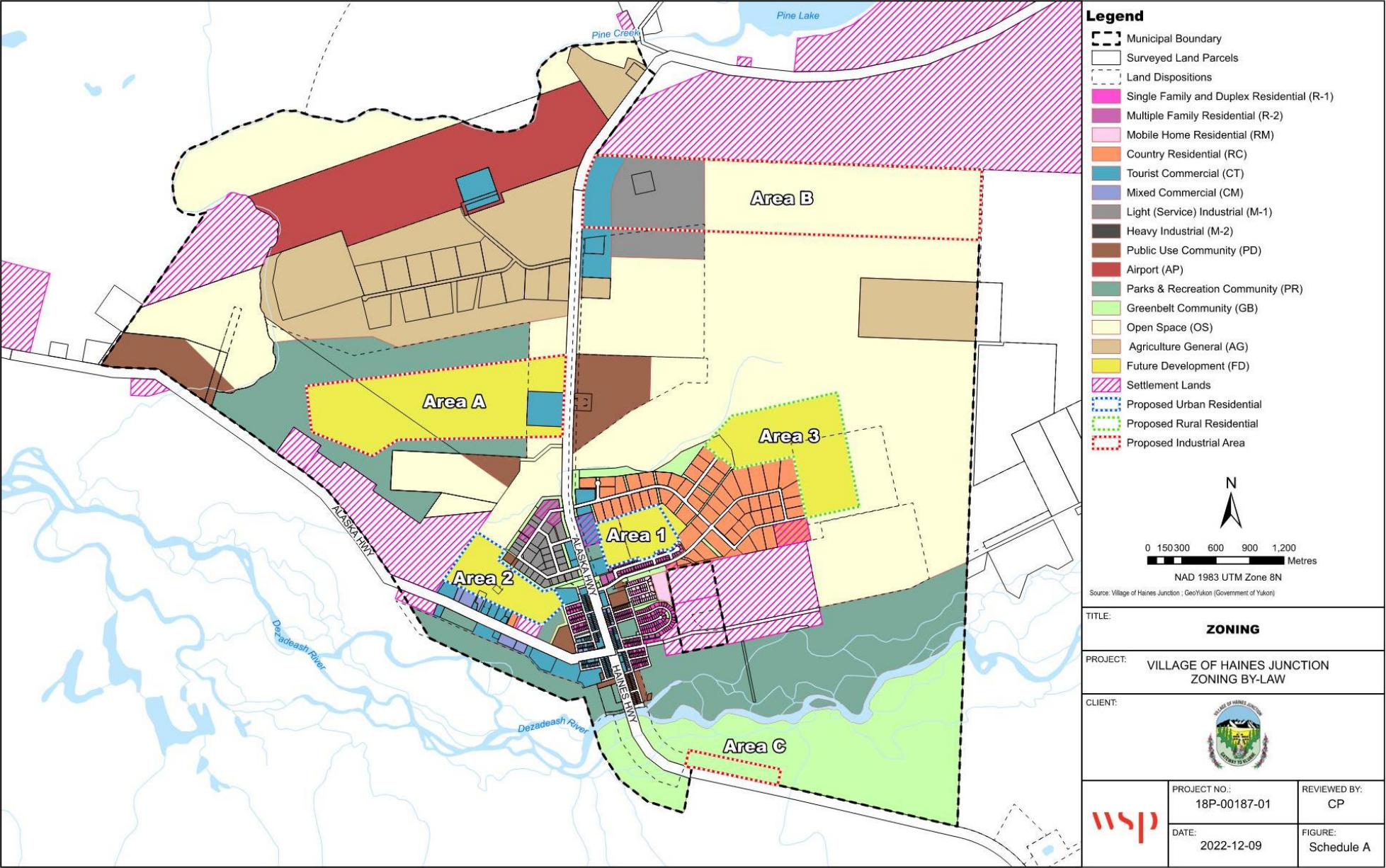
- (a) Consideration will be given to public safety and wildlife prior to any development.
- (b) Any building, structure, and/or infrastructure on-site shall be temporary to ensure the proposed development does not limit future planning and orderly development of lands.
- (c) The Development Authority may impose such temporal and use conditions as necessary to ensure the proposed development does not limit future planning and orderly development of lands.
- (d) The Development Authority may require the applicant to enter into a Development Agreement for any proposed use within this zone to limit encumbrances to the future planning and orderly development of lands.
- (e) In addition to the regulations listed above, other general regulations in this Bylaw may also apply.

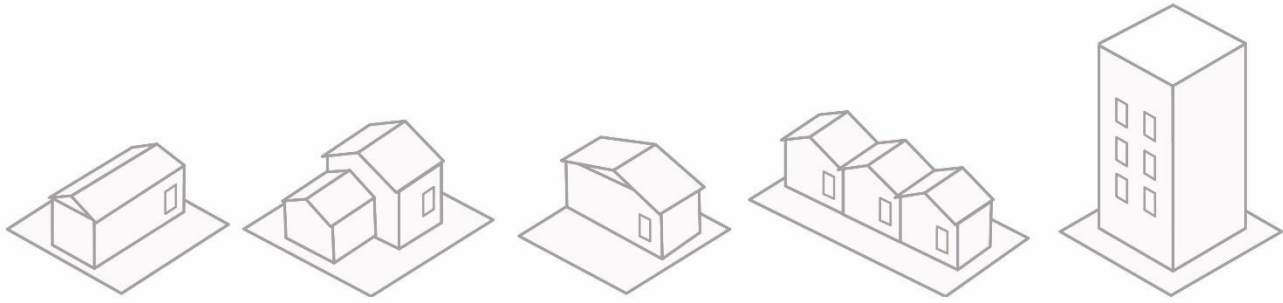




Schedule A: Zoning Map

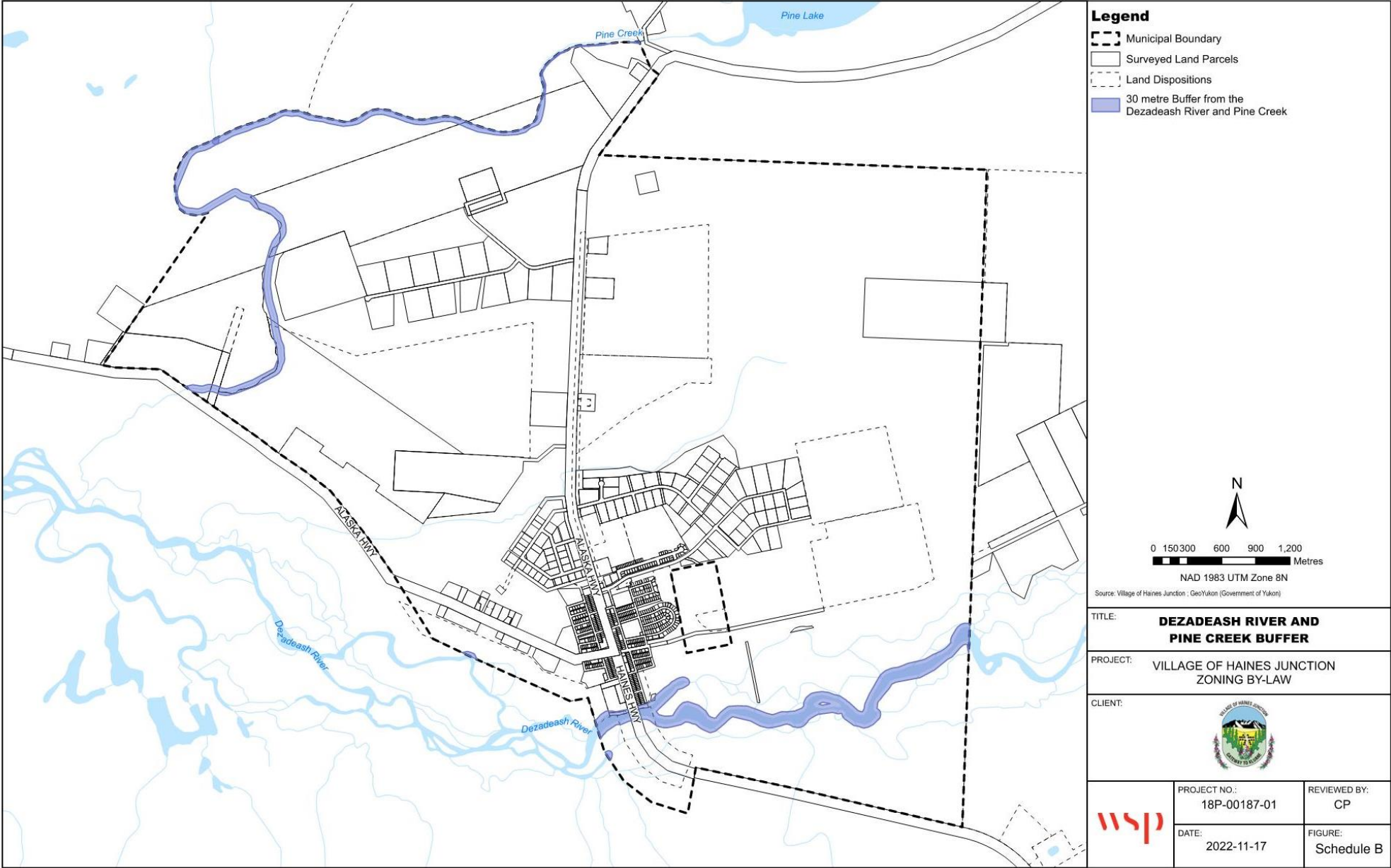
SCHEDULE A: ZONING MAP

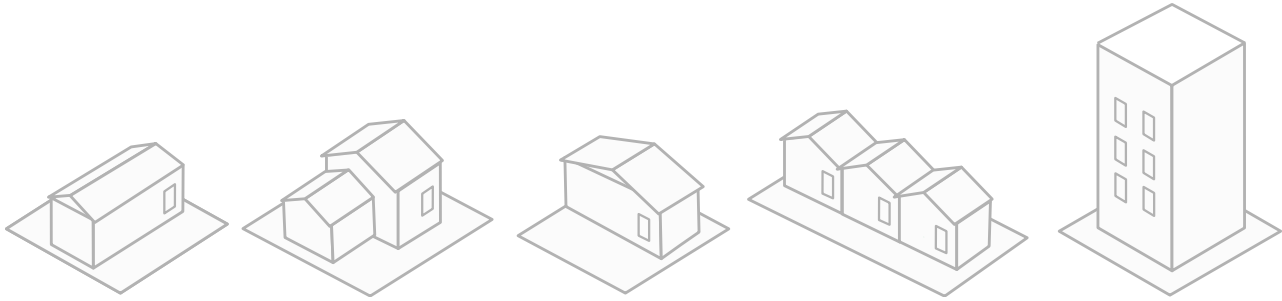




Schedule B: Dezadeash River and Pine Creek Buffer

SCHEDULE B: DEZADEASH RIVER AND PINE CREEK BUFFER





Appendix A: Application Forms

APPENDIX A : APPLICATION FORMS

1. Development Permit Application Form (Form A)
2. Bylaw Amendment Application Form (Form B)

FORM A APPLICATION No. _____

VILLAGE OF HAINES JUNCTION ZONING **BYLAW #104-96**

APPLICATION FOR A DEVELOPMENT PERMIT/VARIANCE

I/We hereby make application for Development Permit under the provisions of the Zoning Bylaw in accordance with the plans and supporting information submitted herewith and which form part of this application.

Applicant: _____

Address: _____ Telephone No. _____

Location of property on which development to be affected:

Block: _____ Lot: _____ Plan or Lease No. _____

Existing use of land or building on property _____

Proposed use of land or building on property _____

Development involves:

New Building _____ Alteration _____ Addition _____ Change of Use _____

Change of Intensity of Use _____ Variance _____

Proposed Yards:

Front _____ Rear _____ Side _____ Side _____ Garage _____

Driveway _____ Off Street parking _____ Off Street Loading _____

Estimated Commencement Date _____

Interest of applicant if not owner of property _____

Other supporting material attached _____

Date: _____ Signature of Applicant: _____

Fee: _____ Receipt No. _____

NOTICE OF DECISION/PERMIT

The above application has been
APPROVED:

APPROVED subject to the following conditions:

REFUSED for the following reasons:

Date of Decision: _____

Date of Issue of this Notice of Decision: _____ Development Officer: _____

NOTE: If Approved, this Form and Notice of Decision/Permit becomes the Development Permit.

FORM B APPLICATION No. _____

VILLAGE OF HAINES JUNCTION ZONING BYLAW #104-96 APPLICATION FOR AN AMENDMENT TO BYLAW #104-96

I/We hereby make application for an amendment to the Village of Haines Junction Zoning Bylaw in accordance with the information submitted herewith and subject to the provisions of Part Seven of the Zoning Bylaw.

APPLICANT:

ADDRESS: _____

Home Telephone _____ Business Telephone _____

Contact Email _____

LOCATION OF LANDS:

Street Address: _____

Legal Description: _____

Existing Zoning of Land:

Proposed Zoning of Land: _____

Reason amendment is being requested:

APPLICATION REQUIREMENTS CHECKLIST:

	Complete Application Form
	Application Fee
	Letter of Authorization, if applicant is different from the registered landowner
	Letter of Intent, describing of the proposal, planning rationale such as how the proposal addresses Council policy, how it is compatible with its surrounding context, and a description of proposed measures to mitigate expected on- and off-site impacts.
	Copy of the Certification of Title for the lands affected
	A properly dimension map indicating the area to be rezoned, the Development Authority may require a digital copy of the map to be provided
	If requested by the Development Authority, a Site Plan, Landscape Plan, Floor Plans, Building Elevations, Letter(s) of Support

Additional information may be attached to application and/or may be requested by the Development Officer.

Date

Signature of Applicant

IMPORTANT: Please read the following prior to submitting this application.

Any person applying to having this Bylaw amended shall apply in writing on Form B to the Development Officer and may furnish additional materials in support of the application.

Notwithstanding anything continued in this Bylaw, a proposed amendment which has been rejected by Council within the previous twelve (12) months shall not be reconsidered unless Council otherwise directs by Resolution.

A person making an application for an amendment to this Bylaw shall pay the Village of Haines Junction a non-refundable application fee of two hundred and fifty dollars (\$250.00)

An amendment to this bylaw shall conform to the Official Community Plan that affects or will affect the land.

Proposed amendment to the Village of Haines Junction Zoning Bylaw are subject to the provisions of Part Five of the Bylaw, including the Right of Entry policies Section 5.3.

Fee _____

Receipt issue (Y/N) _____