

Village of Haines Junction Zoning Bylaw #104-96 Index

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PART ONE – ADMINISTRATION

1.1 PURPOSE OF THE BYLAW

The purpose of this Bylaw is to implement the development control provisions of the Official Community Plan of the Village of Haines Junction, and for that purpose, among others:

- (1) to divide the Village into zones;
- (2) to prescribe and regulate for each zone the purpose for which buildings and land may be used;
- (3) to prohibit the use of such land or buildings for any other purposes; and
- (4) to prescribe and regulate standards for outdoor commercial advertising, and off-street parking in the interests of the amenity and safety of the Village's residents.

1.2 NAME OF THE BYLAW

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

1.3 METRICATION

- (1) The regulations shown in this Zoning Bylaw are in metric (SI measure).
- (2) No existing development shall be deemed to be non-confirming with this Bylaw by reason only of the conversion of previously existing imperial regulations to their approximate metric equivalent.

1.4 DEFINITIONS

For the purpose of this Bylaw, certain terms or works 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'.

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 principle use on the lot and exclusively devoted to the principle use or building, including a greenhouse, and located on the same lot or site.

ANIMAL HOSPITAL means any building in which animals are medically treated or hospitalized.

APARTMENT BUILDING means a residential building having more than four dwelling units with common ownership.

APIARY means a facility for keeping bees.

ARCADE means a commercial entertainment service where the principal business function is providing amusement machines for use by the general public on the premises.

ASSEMBLY means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, rehabilitative, private recreational or private educational purposes. It includes auditoriums, youth centers, 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.

AUTO WRECKING or JUNK YARD means a facility where used motor vehicles and commercial equipment are dismantled for parts and includes the storage of such vehicles, equipment and parts and a facility for the sale of such vehicles, equipment and parts.

AUTO SALES means a facility for the sale of new and/or used motor vehicles, including recreational vehicles and commercial vehicles and equipment plus incidental maintenance and repair and the sale of parts.

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.

BAKE SHOP means a facility where bread, pies, cakes and 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 used of a dwelling in which a maximum of two (2) rooms (minimum per room ten (10) square meters) are used for the provision of temporary overnight accommodation to a maximum of eight guests and in which breakfast is provided to tourists or visitors.

BOARD OF VARIANCE means the Village of Haines Junction Board of Variance.

BOARDER means an individual who, for consideration, receives accommodation with or without meals.

BOARDING/GUEST HOUSE means a building (not a hotel or motel) containing a maximum of five (5) sleeping rooms to a maximum of 10 guests, where meals and/or lodging are provided for compensation on an on-going basis pursuant to previous arrangements or agreements.

BOARDING OR BREEDING KENNELS means premises in which more than two animals over the age of eight months are kept, trained, cared for, bred and/or boarded.

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, for elevation, the vertical distance from the average finished ground level at the perimeter of the building or structure to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the mean level between the eaves and the ridge for all other roofs.

BULK STORAGE means a facility for the storage of nontoxic goods in bulk.

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

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

CHURCH mean a building wherein persons regularly assemble for religious worship, and which is maintained and controlled by a religious body organized to sustain public worship.

CIVIC means a use providing for public functions under the auspices of government body. It includes offices, municipal offices, public schools and colleges, public hospital, community centers, libraries, museums, jails and prisons and courts of law.

CLERK means the Municipal Clerk of the Village of Haines Junction.

COMMERCIAL means for trade or financial gain.

COMMERCIAL OFFICE means a use of land for the provision of business services and generates a high level of consumer activity such as real estate offices, travel agents, banks and other such establishments.

COMMERCIAL RECREATION means a recreation facility privately operated for the purpose of financial gain.

COMMUNICATION FACILITY includes transmitting stations and towers.

CONSTRUCTION OUTLET means any outlet for the provision of construction goods and services, including plumbing, heating, electrical, and metal fabricating services and includes provision for the storage of commercial equipment incidental to the provision of such goods and services.

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

COTTAGE 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.

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

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 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.

DRIVE IN BUSINESS means a facility for providing on-site service to customers while in their motor vehicles or parks the vehicles for a short period for the purpose of doing business at the premises.

DUPLEX means a residential building having two dwelling units with common ownership.

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 Act and current amendments thereto.

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

FAIRGROUNDS means an open space or exhibition facility where at regular intervals there is entertainment, amusement facilities, educational displays, the barter and sale of goods, and exhibition, often competitive, of farm, household, international, and manufactured products.

FAMILY MEANS either:

(a) one (1) or more persons all related to one another by blood, marriage, adoption, or foster parenthood; or

(b) a maximum of three unrelated individuals living together in a household.

For the purposes of this definition, two people living together in a common-law relationship shall be deemed to be in a marriage, relationship and each of the blood relatives of the parties to a common-law relationship shall be considered to be related to the partners and to the blood relatives thereof. This definition excludes roomers and boarders.

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 within the Municipality of Haines Junction owned by or leased by a farmer, used for the purposes of agriculture, and which may or may not be continuous.

FINISHED GRADE means the final level of the ground or paving at the specific location of the building, structure or sign in question.

FLOOR AREA means the sum of the total floor area of each storey in each building, including exterior walls.

FOURPLEX means a residential building having four dwelling units with common ownership.

FRONT BUILDING LINE means the line of the wall of a building which faces the front lot line, extended across the width of the lot on which it is located.

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.

GAS STATION means any facility for the retail sales of motor fuel with or without facilities for the service and repair of motor vehicles.

GENERAL ADMINISTRATIVE OFFICES means office development which does not normally generate pedestrian or retail activity other than those working in the offices.

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.

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

HOME OCCUPATION 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 and does not change the residential character thereof.

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.

HOSTEL means a facility where accommodation is provided to the traveling public on a shared or dormitory basis, with or without meals, and does not include hotels, motels, bed and breakfasts, boarding and guest houses.

HOTEL means a building which provides sleeping accommodation for transient lodgers, 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.

IN-LAW SUITE means a dwelling unit contained within another dwelling unit and is occupied by an in-law and not rented out for financial gain. For the purpose of this bylaw, an in-law is defined as a relative by marriage.

JUNK YARD see "Auto Wrecking or Junk Yard".

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

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 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.
- (d) 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.

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 a home occupation or for the personal use and consumption by the residents and adheres to the Haines Junction Animal Control Bylaw.

MOBILE HOME means a transportable dwelling unit with 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 meters.

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.

MOTEL means a building or group of buildings on a site providing separate sleeping units complete with washing and sanitary facilities and which may also include a restaurant, recreation and cooking facilities and with adjoining or conveniently located parking spaces designed and operated for the purpose of providing temporary accommodation to the transient motorist.

MUNICIPAL ACT means the Municipal Act, R.S.Y. Yukon, Chapter 119 and amendments thereto.

NEIGHBORHOOD 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.

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.

NURSING FACILITY means any facility for the provision of nursing services.

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, odor, 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 neighborhood 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, as amended from time to time.

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

PARK means a park established under the Parks Act, Municipal Act, or any land so designated under the Land Titles Act or the Canada Land Survey Act.

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.

PARKING SPACE, OFF-STREET means an off-street area of 28 square meters or more 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.

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.

PLANNING BOARD means the Council of the Village of Haines Junction, or a Board appointed by Council, which will meet as established under the terms of this bylaw.

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

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.

PRIVATE TRANSIT LODGE means an accessory use of a dwelling in which a maximum of 5 rooms (minimum per room; ten (10) square meters) to a maximum of 15 guests, where food may or may not be provided, for not more than 14 days within a 30-day period, for the provision of temporary overnight accommodation to individuals/tour groups before moving to another activity destination. Parking will be regulated by Section 5.1 of the Zoning Bylaw under Hotel requirements of 1 per 2 units (bedrooms). Noise will be governed by Haines Junction Noise Bylaw #232-08.

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.

PUBLIC UTILITY means a use providing for public utility facilities for water, sewer, electrical, telephone 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.

R.V. CAMPGROUND means a site occupied and maintained, or intended to be occupied and maintained, for the temporary accommodation for all wheeled recreational vehicles and does not include tents.

RECREATIONAL VEHICLE 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.

REPAIR GARAGE means a facility for the service and repair of motor vehicles.

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

RESIDENTIAL OFFICE means a space in a dwelling unit that is used as an office only, in connection with a business carried on elsewhere.

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 Use Class includes neighborhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunchrooms, refreshment stands and take-out restaurants. This Use Class does not include Drive-In 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.

REVENUE SUITE means a dwelling unit contained within another dwelling unit and is occupied by a renter for financial gain.

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

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 under the Yukon Territorial Government Private and Community Highway Signs Regulations.

SIGN, FASCIA means a sign displayed on the surface of a building or in a plane parallel to a building and not more than 50 cm from the building but shall not extend more than 50 cm above the roof of the building.

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

SIGN, GENERAL ADVERTISING means a sign which refers to goods and/or services other than those produced, offered for sale or obtainable at the premises on which the sign is displayed.

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

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.

TAXI OFFICE means an office from which taxis are dispatched by radio to pick up fares.

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

TRANSPORTATION FACILITY means any facility for the provision of services related to the moving and storage of goods, warehousing and a facility for parking commercial vehicles.

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

WHOLESALE FACILITY means a facility for the transportation, storing, distribution and sale of goods to retail stores.

YARD means a part of a lot upon or over which no building or structure other than a boundary fence is erected unless otherwise hereinafter permitted.

YARD, FRONT means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building.

YARD, REAR means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the principal building.

YARD, SIDE means a yard extending from the front yard to the rear yard and situated between the side lot lines and the nearest portion of the principal building.

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 "1".

1.5 APPLICATION, SCOPE AND EFFECT OF THIS BYLAW

- (1) No development shall be carried out without a development permit issued under this bylaw.
- (2) 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.
- (3) 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.
- (4) Should any provision of this bylaw be held to be invalid by a court of competent jurisdiction, the decision shall not affect the validity of this bylaw as a whole.
- (5) All development shall be in accordance with the development permit and all other Municipal, Territorial and Federal legislation concerns, without limiting the generality of the foregoing, health, fire and building standards.

PART TWO – DEVELOPMENT OFFICER & PERMIT PROCESS

2.1 DEVELOPMENTS FOR WHICH A PERMIT IS NOT REQUIRED

- (1) The following developments are permitted in any zone, and a development permit is not required for:
 - (a) the carrying out of routine maintenance or repair of any building or structure, where such works do not include structural alterations or major renovations;
 - (b) the completion of a building that is lawfully under construction at the date when this Bylaw comes into effect, provided that the building is completed in accordance with the terms of the development permit granted by the Council or any Board in respect of it, and subject to the conditions which that development permit was granted.
 - (c) The development of trails and greenbelts.
- (2) The construction of an accessory building or structure in residential zones is permitted, provided the accessory buildings or structures:
 - (a) does not encroach into any yard requirements.
 - (b) is less than 10 m² in gross floor area.
 - (c) is located a minimum of 2.5 m from principal building and 2 m from other accessory buildings.
- (3) The construction of gates, fences, screens, windbreaks or other means of enclosure of less than 1.83 m in height, except in a sight triangle.
- (4) 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.
- (5) The construction of decks, if the deck is less than .6m in height from the ground and within .5 m of the property line. 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.

2.1.1 [A] DEVELOPMENTS FOR WHICH A PERMIT IS REQUIRED

- (1) A permit is required for:
 - (a) removal of topsoil, gravel and other surface materials.
 - (b) cutting 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) excavating to accommodate construction, and

- (d) drainage work, driveways and the placement of culvert materials.

2.1.1 [B] TEMPORARY USE DEVELOPMENT PERMIT

- (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.
- (2) Notwithstanding Subsection 2.1.1 (1) and Section 5.5 (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.

2.2 DEVELOPMENT OFFICER AUTHORITY AND ROLE

- (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.
- (2) Council, by resolution, shall appoint an alternate to act and assume the duties of the Development Officer in his/her absence.
- (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 Municipal Act
 - (b) The Official Community Plan
 - (c) This Bylaw, or
 - (d) Any Development permit issued pursuant to this Bylaw are being observed.
- (4) The Development Officer shall:
 - (a) administer this Bylaw and decide on all Development Permit applications.
 - (b) 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.

- (c) keep a register of all applications made under this Bylaw for public inspection during office hours, together with their applicable decision.
 - (d) receive and consider all applications made under this Bylaw and provide reasons for those applications on which he/she renders a decision.
 - (e) make, or arrange for such inspections as are necessary for the proper administration of this Bylaw and enforcement of the conditions of development permits.
 - (f) collect fees as established by resolution of Council.
 - (g) enforcement of this Bylaw as established by section 3.
- (5) In making a decision, the Development Officer shall, in conformance with the Official Community Plan and this Bylaw:
- (a) **Approve** the application unconditionally and issue an unconditional development permit for permitted uses when the application otherwise conforms with this bylaw;
 - (b) **Impose conditions** considered appropriate, permanently, or for a limited period of time and issue a conditional development permit for permitted uses when the application does not otherwise conform with this bylaw, if the development can be reasonably made to conform by meeting the specified conditions;
 - (c) **Refuse** the application with reasons;
 - (d) **Refer** applications to the Planning Board, together with any recommendations he/she may wish to make for all applications for temporary uses, discretionary uses or uses not established by this Bylaw;
 - (e) **Refer** to the Planning Board any application for development which, in his/her opinion, either is not within the intent of this Bylaw or which, falls outside the powers delegated to him/her by this bylaw;
 - (f) **Refer** to the Planning Board any application which constitutes a permitted use, if in his/her 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 2.1(4) and 2.1(4)b inclusive; and
 - (g) **Refer**, at his/her discretion, any application for development or permitted or discretionary uses to any municipal department for comment.

2.3 PROCEDURE FOR APPLICATION FOR A DEVELOPMENT PERMIT

- (1) An application for a Development Permit shall be made to the Development Officer on the application Form 'A', attached to this Bylaw or any other form as deemed appropriate.

- (2) An application for a development permit shall be accompanied by the following documents and statements relating to the proposed development:
- (a) a site plan, with scale and north arrow, in duplicate, satisfactory to the Development Officer drawn at a scale of 1:200 or larger showing the legal description and front, rear, and side yards, any provision for off-street vehicle loading and parking and access and egress to the site;
 - (b) a surveyor's certificate may be requested by the Development Officer;
 - (c) floor plans, elevations, and section, in duplicate;
 - (d) statement of existing and proposed uses;
 - (e) statement of ownership of land and interest of the applicant therein;
 - (f) location and distances to property lines of all buildings, structures, utility poles, fences, retaining walls, trees, landscaping, etc.
 - (g) existing and proposed utilities shown in streets, avenues and lanes;
 - (h) estimated commencement and completion dates;
 - (i) a fee of ten dollar (\$10.00) for all development applications;
 - (j) a statement providing any additional information required by the Development Officer.
- (3) A Development Officer may refuse to accept a development permit application where the information required by subsection 2.3(2) has not been supplied, or where, in his/her opinion, it is inaccurate or of inadequate quality to properly evaluate the application.

2.4 DEVELOPMENT PERMIT DECISIONS

- (1) A decision on an application for a development permit shall be given to the applicant in writing on:
- (a) Form 'A', attached hereto and forming part of this bylaw as a development permit in the case of an approval; or
 - (b) As a Notice of Decision in the case of a refusal and shall state the reasons for the refusal and advise the applicant of the process and the right to appeal.
- (2) When an application is refused by the Development Officer or the Planning Board or in the case of an appeal, as specified in section 3.3, another application on the same site for the same or similar use of land shall not be accepted from the same or any other applicant until at least six (6) months after the date of refusal.

2.5 MUNICIPAL PLANNING BOARD AUTHORITY AND ROLE

- (1) The Municipal Planning Board is an appointed Board of Council, established under this bylaw to decide and make recommendations to Council on certain provisions as outlined in this bylaw.
- (2) The Municipal Planning Board, hereinafter call the "Planning Board" shall:
 - (a) receive, review, decide and make recommendations upon all applications for development permits for discretionary uses;
 - (b) receive, review and make recommendations to council upon applications for amendments to the Haines Junction Zoning Bylaw, and
 - (c) perform such other duties as may be prescribed by bylaw.

2.6 PROCEDURE FOR PROPOSED DEVELOPMENT FOR DISCRETIONARY USES

- (1) Upon receipt of a completed application, Form "A" for a development permit for a discretionary use and the non-refundable applicable fee of \$100 per application, the Development Officer:
 - (a) shall cause to be mailed a Notice of Proposed Development to all assessed property owners within one hundred (100) meters of all proposed development in any zone;
 - (b) shall cause a Notice of Proposed Development to be posted 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 the Planning Board.
- (2) A Notice of the Proposed Development pursuant to subsection 2.6 (1) above 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 the Planning Board; and
 - (d) that any person who objects to or has concerns about the proposed development may deliver to the Planning Board a written statement of objections or present those objections in person at the Planning Board meeting where the application will be considered.
- (3) The Planning Board shall consider and recommend applications for development permits for discretionary uses 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) A Notice of Proposed Development shall not be required for an application for a development permit for a permitted use.

2.7 DISCRETIONARY USE DECISIONS

- (1) When a development application has been made to the Planning Board, the Board may recommend to Council:
 - (a) **approval** of the development permit application either permanently or for a limited period of time; or
 - (b) **approval** of the development permit application with or without conditions; or
 - (c) **refusal** of a development permit application for a discretionary use having consideration for the intent and objectives of the Official Community Plan and the Village of Haines Junction Zoning Bylaw to ensure orderly development of land within the municipality.
- (2) The Planning Board may recommend an addition to a development permit such conditions as are necessary to ensure compliance with this Bylaw, the Official Community Plan and the Municipal Act.
- (3) When a decision regarding a 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 the Board and or Council; and
 - (b) cause a notice of decision to be posted at least two conspicuous places in the community.

2.8 DEVELOPMENT AGREEMENT CONDITIONS

- (1) The Development Officer or Planning Board may, as a condition of the issuance of a development permit, require that the applicant enter into a development agreement with Council which shall be attached to and form part of such a development permit.
- (2) The Planning Board or the Development Officer, as the case may be, may recommend to Council that the development agreement contain agreement as to any or all of the following:
 - (a) the use of the land in relation to any existing or proposed building or structure;
 - (b) the timing of the development;
 - (c) the siting and design, including exterior materials, of any proposed building or structure;
 - (d) the provision for traffic control and parking space;

- (e) the construction, in whole or in part, of roads, streetlighting, storm drainage, water supply distribution and sewage disposal;
- (f) the provision of recreational or other amenities;
- (g) the establishment of such other conditions as Council may consider reasonable under the circumstances.

2.9 VALIDITY OF PERMIT

- (1) When an application for a development permit has been approved, the development permit shall not be valid unless and until any conditions, save those of a continuing nature, have been fulfilled.
- (2) Unless otherwise specified in the decision, every decision approving a development permit application shall cease to have effect if the use of land has not commenced within twelve (12) months of the date on which the permit was issued.
- (3) A development permit is not valid where an appeal is made to the Board of Variance until a decision has been made on the appeal to allow the permit as approved.

2.10 RIGHT OF APPEAL

- (1) Where the Development Officer refuses to issue a development permit or issues a development permit subject to conditions, the applicant shall be advised of his/her rights of appeal and the process.

2.11 CONDITIONS AND DUTIES WHERE PERMIT ISSUED

- (1) Every development permit shall be deemed to be issued upon the following conditions:
 - (a) the development shall start within twelve (12) months from the date on which the development permit is issued.
 - (b) the principal building, if any, shall conform to the appropriate special provisions in that zoning.
 - (c) the development shall not be suspended or discontinued for a period of more than twelve (12) months.
- (2) A development permit issued for any proposed development, which also requires approval under the Yukon Building Standards Act RSY shall be invalid for building purposes unless and until a valid building permit is obtained under the terms of the Yukon Building Standards Act RSY. The requisite development permit shall be included when application is made under that Act for a building permit.

- (3) The applicant, the owner and any other person having authority over the development shall permit any public official who has a duty or power of inspection in relation to the development to enter and inspect the development at any reasonable time for the purpose of administering or enforcing this Bylaw or any other pertinent law.
- (4) The applicant, personally or by agent, shall notify the Development Officer when the work has reached stages of completion specified on the development permit and, upon completion specified on the development permit, before going into occupancy.
- (5) During the period for carrying out the development, the applicant shall keep posted in a conspicuous place on the site a copy of the development permit and shall keep a copy of the drawings and specifications available on the site for inspection by the Development Officer or any other Municipal Officer.
- (6) If at any time it appears to the Development Officer 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 Officer may stop the development and may revoke, suspend or modify the original development permit.
- (7) Prior to issuing a development permit, comments may be considered from the Yukon Territorial Government Aviation and Marine Branch, regarding any development within 1 kilometer of the Aviation and Marine Branch land.

PART THREE – ENFORCEMENT AND APPEALS

3.1 ENFORCEMENT

- (1) Enforcement of this Bylaw is governed by the provisions of the Yukon Municipal Act.
- (2) Any person who violates any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required by any of the provisions of this Bylaw, shall be deemed to have violated the provisions of this Bylaw.
- (3) Any person who violates any of the provisions of this Bylaw shall be subject to the penalties and sanctions provided in the Municipal Act.

3.2 BOARD OF VARIANCE

- (1) The village of Haines Junction Council shall appoint a Board of Variance pursuant to the Yukon Municipal Act.
- (2) The Chairperson of the Board will be selected by its members.
- (3) The mandate and authority of the Board of Variance shall be that which is defined in the Yukon Municipal Act.
- (4) The Application Fee for a Board of Variance Hearing shall be set by Consolidated Municipal Fees Bylaw #343-19 and subsequent Bylaw Amendments.
- (5) A majority of the Board shall be a quorum.
- (6) The secretary of the Board shall be the Village of Haines Junction Chief Administrative Officer or their designate.

3.3 RIGHT OF APPEAL AND PROCEDURE FOR APPEAL

- (1) Any person who is aggrieved by a decision of the Development Officer, the Municipal Planning Board or the Council under this Bylaw, may appeal in writing, within thirty (30) days of the decision, to the Board of Variance.
- (2) An appeal may be made to the Board of Variance by the applicant or person affected by an order where a Development Officer;
 - (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.

- (3) Within thirty (30) days of receipt of a Notice of Appeal, the Board of Variance shall hold a Public Hearing respecting the appeal.
- (4) The Board of Variance shall give at least five (5) days notice of the Public Hearing in writing, to:
 - (a) the Appellant;
 - (b) the Development Officer from whose order, decision, or development permit that appeal is made;
 - (c) those adjacent landowners in the Village who, in the opinion of the Board of Variance, are affected by the order, decision, or permit; and
 - (d) such other persons as the Board of Variance specifies.
- (5) The Board of Variance shall make available for public inspection before the commencement of the Public Hearing all relevant documents and materials respecting the appeal including the application for the development permit, its refusal, and the appeal therefrom.
- (6) At the public hearing the Board of Variance shall hear:
 - (a) the appellant or any person acting on his/her behalf;
 - (b) the Development Officer, or a person designated to act on behalf of the Development Officer;
 - (c) any person who was served with notice of the Public Hearing and who wishes to be heard or a person acting on his/her behalf; and
 - (d) any other person who claims to be affected by the order, decision, or permit and that the Board of Variance agrees to hear a person acting on his/her behalf.

3.4 BOARD OF VARIANCE DECISIONS AND FURTHER APPEALS

- (1) The Board of Variance shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the Public Hearing.
- (2) In determining an appeal from either the Development Permit Officer or the Planning Committee the Board of Variance will comply with the Yukon Municipal Act.
- (3) Pursuant to the Yukon Municipal Act, a person may appeal a decision of the Board of Variance to Council.

PART FOUR – NON-CONFORMING USES/NON COMPLYING BUILDINGS

4.1 YUKON MUNICIPAL ACT PROVISIONS REGARDING NON-CONFORMING USES/NON-COMPLYING BUILDINGS

- (1) In addition to the requirements of this Bylaw, non-conforming uses are subject to the requirements of the Yukon Municipal Act.

4.2 STRUCTURAL ALTERATIONS AND NEW CONSTRUCTION

- (1) This Bylaw shall not prevent the renovation or redecoration of a non-complying building or structure, and the use of the building or structure may be temporarily discontinued for the purpose of doing the renovation or redecoration work.
- (2) A non-complying building or lot shall not be made to comply to this Bylaw by the alteration of an adjacent building, structure, lot or site if such alteration would cause the adjacent lot, site, building or structure to become non-complying.
- (3) The lawful use of land or a building or other structure existing at the date of the approval of the Official Community Plan or the Zoning Bylaw that does not conform to the Plan or the Bylaw may be continued, but if the non-confirming use is discontinued for a period of eighteen (18) months or more, the future use of the land, shall be in conformity with the Plan or Bylaw.

4.3 CHANGE OF OWNERSHIP, TENANCY OR OCCUPANCY

- (1) The use of land or the use of a building is not affected by reason only of a change in ownership, tenancy or occupancy of the land or building.

4.4 NON-CONFORMING USES PROCESS

- (1) When a new nonconforming use is being performed by a property owner or another user, the Development Officer:
 - (a) shall mail a registered written notice to the assessed owner to cease the nonconforming use within thirty (30) days of the date of the notice or sooner if the use in the opinion of the Development Officer, is a threat to the safety of the general public.
 - (b) after thirty (30) days, if the nonconforming use is not ceased, shall mail a second registered written notice to the property owner to cease operations within ten (10) days of the date of the second notice.
 - (c) if after ten (10) days of the second notice, the nonconforming use has still not ceased, shall cause a Notice of Actions to be posted in at least two conspicuous places in the community and proceed with the provisions of 3.1 of this Bylaw

PART FIVE – GENERAL PROVISIONS

5.1 OFF STREET PARKING

- (1) 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 specified in Table 5.1.

TABLE 5.1: PARKING AND LOADING REQUIREMENTS			
Type of Development or Use	Parking Spaces	Commercial Vehicle Areas	
		Parking	Loading
Single Family Dwelling	2	-	-
Dwelling, Two Family	2 per dwelling unit	-	-
Dwelling, Multiple Family	1.3 per dwelling unit	-	-
Schools - Kindergarten & Elementary	1 per classroom	-	1 per building (*2)
-Other	1 per classroom & 1 for each staff member & 1 per 10.0m2 public area (*1)	(*2)	1 per building
Retail Store, personal service stores and professional offices, banks	1 per 45.0m2 gross floor area	-	1 (*2)
Motel, Motor Hotel	1 per sleeping area	-	1
Hotel	1 per 2 units	-	1
Restaurant, Beer Parlour, Cocktail Lounge	1 per 3 seats	-	1
Club, Fraternal organizations, and assembly halls	1 per 10.0m2 public area (*1)	-	1
Arena, Auditorium, Theatre, Church	1 per 6 seats	-	1
Industrial Uses	1 per 4 employees per shift, minimum 4	1 per 100m2 gross floor area	1 (*3)
Service Station	3 per service bay	2	1
*1 Public area means an area used by the public such as a gymnasium, swimming pool, auditorium, etc. *2 Where commercial vehicle loading spaces are provided in the design of the development. *3 One space per loading door or dock in the design.			

- (2) Where any development comprises uses in several of the categories mentioned in Table 5.1, the parking requirement is that of the category requiring the highest number of parking spaces.

- (3) 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.
- (4) 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.
- (5) 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 Officer, 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 Zoning Bylaw.

5.2 PARKING AND MANEUVERING DESIGN STANDARDS

- (1) All off-street parking areas shall conform to the following requirements:

TABLE 5.2 PARKING DESIGN STANDARDS				
A	B	C	D	E
Parking Angle in Degrees	Width of Stall in 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

Please refer to Figure 5.1, on the following page, for a graphic description of the Parking Design Standards as they relate to the column headings noted in Table 5.2.

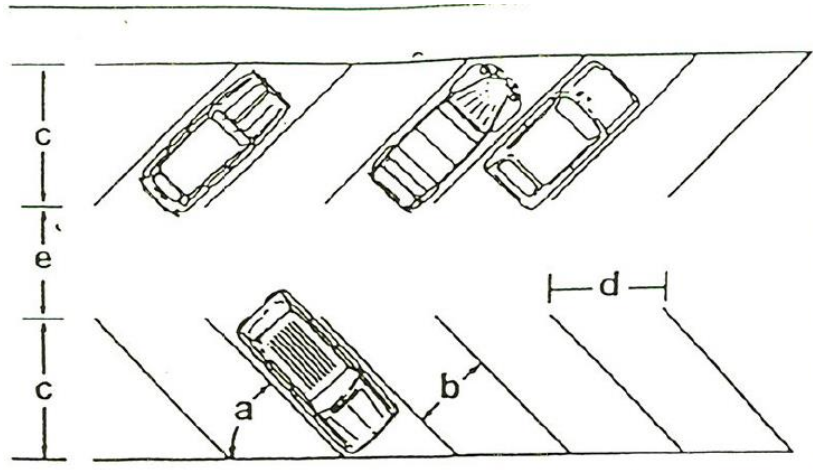


FIGURE 5.1: PARKING DESIGN STANDARDS

5.3 OFF-STREET LOADING

- (1) When required by the Zone Regulations of this Zoning Bylaw, or when required by the Development Officer, a development shall:
 - (a) provide loading spaces, each having dimensions of not less than 3.0 meters in width, 7.6 meters in length, and 4.3 meters in height;
 - (b) 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;
 - (c) 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; and
 - (d) be so graded and drained as to dispose of all storm water runoff.

5.4 SUBDIVISION OF LAND

- (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 (2002) Regulations and amendments thereto.
- (2) In situations where a proposed subdivision will result in an existing accessory building being located on one lot and the principal building on another lot, the subdivision will be approved if:
 - (a) The subdivision meets all the other Zoning Bylaw regulations; and,
 - (b) The property owner commits in writing, that within three years of the date of the Subdivision Approval, the accessory building will be removed, or the required principal building will be approved by the Yukon Government for Conditional Occupancy.

5.5 DWELLING UNITS ON A LOT

- (1) In any single-family residential zone or any zone that permits single family residential dwellings, no development permit shall be granted for the erection of more than one dwelling unit on a single lot.
- (2) With the approval of the Development Officer, the minimum site area may be less in the case of existing under-sized lots.

5.6 ACCESSORY BUILDINGS, PRIVATE GARAGES AND GREENHOUSES

- (1) No accessory building or structure shall be erected within 2.5 meters of any part of a principle building or structure.

- (2) No accessory building shall be built closer to a property boundary abutting a street than the front or side wall of the principal building unless the property is:
 - (a) Zoned as Rural Residential or Limited Agriculture property; or,
 - (b) The property owner receives a Setback Allowance for the Accessory Building from Municipal Council.
- (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 principle building or structure.
- (4) A detached private garage shall be built so that the doors of the garage are not closer than 3.1 meters to a facing property boundary abutting a street, nor closer than 2.0 meters to any other facing property boundary.

5.7 HOME OCCUPATION RESTRICTIONS

- (1) A home occupation shall not be engaged by anyone other than the family living in the dwelling and one (1) other person.
- (2) The use of a dwelling unit for a home occupation shall be incidental and subordinate to it's use for residential purposes and the home occupation shall not use more than 25% of the total floor area of the dwelling.
- (3) There shall be no change in the outside appearance of a dwelling or other visible evidence of the conduct of a home occupation in it other than one (1) unilluminated sign not exceeding .2 m2 in area mounted flat against a wall of the dwelling.
- (4) Goods may be stored subject to approval by the Development Officer, provided the storage of such shall not be exposed to the public view, nor shall involve a change in the appearance of the residence or its accessory buildings.
- (5) Any need for parking generated by the conduct of a home occupation shall be met off the street.
- (6) Except with the approval of the Development Officer, no commercial vehicle of a capacity of more than 5000 kg shall be parked or maintained on or about the lands.
- (7) No equipment or process shall be used or stored in a home occupation which creates noise, vibration, glare, fumes, odors, smoke or electrical interference.
- (8) No equipment or process shall be used in a home occupation 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.

- (9) No materials or commodities shall be stored or kept in connection with a home occupation other than in the dwelling, or in the case of a single- or two-family dwelling, in an accessory building.
- (10) The discretionary use shall only be applicable for the period of time the property is occupied by the application for such discretionary use.
- (11) A home occupation may be revoked at any time if, in the opinion of the Development Officer, the use is or has become detrimental to the amenities of the neighbourhood.

5.8 PERMITTED HOME OCCUPATIONS

- (1) The following activities are permissible home occupations:
 - (a) hairdressing, dressmaking, tailoring, home cooking, preserving and like home crafts;
 - (b) professions including accounting, bookkeeping, technical drafting;
 - (c) building trades;
 - (d) the manufacture and sales of novelties, souvenirs and handicrafts;
 - (e) the purchase, collection and selling of stamps, coins and like articles;
 - (f) individual instruction to music students;
 - (g) writing, painting, or other individual professional artistic callings;
 - (h) the carrying out of minor repairs to domestic equipment normally used within dwellings;
 - (i) horticulture, whether in the open or in a greenhouse;
 - (j) medical and dental practices
 - (k) such other similar uses as may from time to time upon the advice of the council, be approved by the Development Officer.

5.9 BED AND BREAKFASTS LODGING

- (1) Where a Bed and Breakfast Lodging is permitted as an accessory use, the following requirements must be met:
 - (a) a maximum of two (2) rooms shall be used for such an operation;
 - (b) each room shall be a minimum of seven (10) square meters in area;
 - (c) one (1) additional off-street parking stall shall be provided per guest room;

- (d) shall be a licensed Home Occupation;
 - (e) length of stay for a lodger shall not exceed ten (10) consecutive days;
 - (f) the dwelling unit in which the Bed and Breakfast operates shall be 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 shall be permitted to display one (1) sign of up to .6 m square as a fascia sign attached to the residence.
 - (h) the Bed and Breakfast must be approved by the appropriate government health inspection authority.
- (2) Bed and Breakfast Lodging shall be permitted in single detached housing.

5.10 COTTAGE INDUSTRY

- (1) A cottage industry, when permitted in any zone, shall be subject to the following regulations:
- (a) employees shall be limited to the family of the dwelling unit on the lot on which the cottage industry is located; in addition, on lots of more than 2 hectares, no more than three non-residential employees or three boarder employees, and on lots of more than 4 hectares, four non-residential employees or four boarder employees shall be permitted.
 - (b) there shall be no variation or alteration to the exterior of the dwelling or the land on which the cottage industry is carried out.
 - (c) it shall be carried out wholly within a building, which may be either the dwelling or an accessory building, or both, except where the cottage industry is of a horticultural nature.
 - (d) the maximum floor area of an accessory building shall be 58.05 m²
 - (e) no more than one unilluminated sign, up to .6 m² in area for each face, with a maximum of two faces, indicating that a cottage industry is being carried on, may be exhibited on the land.
 - (f) external storage of materials, tools, equipment, containers or finished products associated with the cottage industry that such storage is not visible from adjacent highways and neighboring properties is kept from view by means of a landscaping screen and no equipment or process shall be used which creates audible electrical interference in any radio or television receiver off the premises, or which causes fluctuations in line voltage off the premises.

- (g) the cottage industry shall not produce noise, vibration, smoke, dust, odor or litter which causes a nuisance to adjacent residents, and it shall not create or cause any fire hazard, electrical interference or traffic congestion.
- (h) any cottage industry that involves the provision of food or drink must be approved by the appropriate governmental health inspection authority.
- (i) any need for parking generated by the conduct of a cottage industry shall be met off the street.
- (j) a cottage industry may be revoked at any time if, in the opinion of the Development Officer, the use is or has become detrimental to the amenities of the neighborhood.

5.11 YARDS

- (1) No yard or other open space about any building or structure shall be considered to provide a yard or required open space for a building or structure on another lot.
- (2) No development shall be permitted in any yard, other than:
 - (a) the erection of a gate, fence, wall or other means of enclosure referred to in section 2.1 (3); or
 - (b) the construction of steps, sills, cornices, door canopies, roof overhangs and light wells to basement windows and doors, none of which may project closer to the property boundary than .5 m.
 - (c) balconies and sunshades, provided that such projects do not protrude more than 1 m into the required setbacks.

5.12 BUILDING HEIGHT

- (1) For the purposes of this Zoning Bylaw, the height of buildings shall be measured as the vertical distance from the average elevation of the proposed building grade to:
 - (a) in the case of a flat roof, the highest point of the roof or parapet; and
 - (b) in the case of a pitched or sloping roof, the mean height between the eaves and in the ridge or peak.

5.13 SIGNS

- (1) No sign shall be erected or displayed except in compliance with this Bylaw.
- (2) No person shall erect a sign with a sign area larger than .6 m² without first obtaining a development permit.

- (3) Regulations provide standards for outdoor commercial advertising in the interest of amenity and traffic safety and having consideration to the number, size, and location of advertisements insofar as they are likely to affect:
 - (a) the appearance and character of any building or locality frequented by the public; and
 - (b) the concentration of the motoring public and its ability to define authorized traffic signs.
- (4) No signs, including temporary commercial advertising signs, shall be erected within the boundaries of the Village of Haines Junction except those signs provided for in this Part.
- (5) Signs may be luminous, reflecting or illuminated.
- (6) No sign shall be erected that interferes with traffic or the visibility of a traffic control device.
- (7) Permitted Signs: The following signs shall be permitted under the following conditions in all zones of the Village:
 - (a) Real Estate – in all zones. Maximum area – 0.6m².
 - (b) Community Activity – in all zones.
 - (c) Warning – in all zones.
 - (d) Political – in all zones.
Posters relating specifically to a pending election shall be removed within thirty (30) days after the election.
 - (e) Public Buildings – in all zones. Signs over .6 m² require a development permit.
There shall be a limit of one (1) notice for each side of the land or buildings on a different street.
 - (f) Construction notices – in all zones. Maximum 6.5 m².
Such notices shall be removed within fourteen (14) days of occupancy or completion of construction and there shall be a limit of one (1) notice for each side of the land or buildings on a different street.
 - (g) Prohibition – in all zones.
 - (h) Home Identification – in all zones. Maximum 1 m².
 - (i) Directory – in all zones.
 - (j) Directional – in all zones.
- (8) Permitted Development: Advertisements specified in this Part are deemed permitted and may be erected without application being made for development permit, provided that the

permission hereby granted in respect of any such advertisements specified below shall be subject to all other orders, bylaws, and regulations affecting such advertisements:

- (a) Statutory and official notices 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.
 - (d) Temporary advertisements referring to sales which are displayed upon the premises upon or within which such sales will be or are being conducted, provided that:
 - (i) 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
 - (ii) 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.
- (9) Details of Application:
- (a) A development permit for a sign under the authority of the Zoning Bylaw shall not be issued until the applicant for such a permit has first submitted proof that:
 - (i) the erection of such a sign is a permitted activity under the terms of these regulations; and
 - (ii) the erection of such a sign is covered by a valid development permit.
 - (b) Applications for a development permit shall be made to the Development Officer.
 - (i) The application shall be:
 - made out on Form A provided by the Development Officer,
 - supported by two (2) copies of drawing to scale;
 - (ii) The drawings shall indicate:

- the location of the sign
- the overall dimensions of the sign.
- 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.
- the least distance that the sign will be erected from an intersection of one street with another.

(c) 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.

(d) A development permit shall not be required to clean, repair, or repaint any sign.

5.14 ARCHITECTURAL CONTROLS

- (1) The purpose of this section is to provide the Village with controls to ensure an attractive appearance of the Civic Commercial and Tourist Commercial zones.
- (2) The design, siting, external finish and height of all buildings in the Zones described in paragraph (1), including any accessory buildings and structures, shall be to the satisfaction of the Development Officer.
- (3) The Development Officer may require a uniform roof line in the case of two (2) or more abutting buildings, a uniform line of canopy or projections, and a uniform height from sidewalk to display windows.

5.15 SATELLITE DISH ANTENNAE

- (1) In Commercial Zones, where any part of the antenna is less than 12.0 meters above grade level, it shall be screened and located to the satisfaction of the Development Officer.
- (2) 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.
- (3) Except in Industrial Zones, no advertising shall be allowed on a satellite dish, nor shall the antenna be illuminated.

5.16 CHURCHES, ASSEMBLY HALLS & PLACES OF WORSHIP

- (1) A site to be used for a church, assembly hall, or place of worship where permitted under this Zoning Bylaw, shall comply with the following special provisions.
 - (a) A site proposed for a church building, place of worship, or an assembly hall shall be subject to the following conditions:
 - (i) the site shall be such a size that would allow adequate parking and landscaping.

- (ii) each church building and/or assembly hall shall be of such appearance with respect to its design, proportion, and exterior treatment as, in the opinion of the Development Officer, will not detract or clash with the general appearance of an adjacent Residential Zone; and
- (iii) a minimum of 20% of the total site area shall be landscaped.

5.17 FLOOD CONTROL AND ENVIRONMENTAL PROTECTION

- (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 m of the natural boundary of Pine Creek and/or Dezadeash River.

5.18 STORAGE OF MATERIALS, TEMPORARY BUILDINGS

- (1) During the period of development permit is in effect, storage of building materials necessary and incidental to the development is permitted on any lot on which the development is taking place.
- (2) A temporary building or structure may be erected for construction purposes on a lot being developed for a period not to exceed the duration of such construction, the length of time provided in the development permit, or three years, whichever is less.

5.19 USES PERMITTED

- (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) 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.

PART SIX – ZONES AND ZONE REGULATIONS

6.1 LIST OF ZONES

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

(a) Single Family Residential	R-1
(b) Multiple Family Residential	R-2
(c) Mobile Home Residential	RM
(d) Country Residential	RC
(e) Civil Commercial	C-1
(f) Tourist Commercial	C-2
(g) Commercial Mixed	CM
(h) Light (Service) Industrial	M-1
(i) Heavy Industrial	M-2
(j) Public Use Community	PD
(k) Restricted Public Use Community	PDx
(l) Parks & Recreation Community	PR
(m) Greenbelt Community	GB
(n) Open Space	OS
(o) Limited Agricultural	AL
(p) Agriculture General	AG
(q) First Nation Land Use	FNLU

6.2 ZONING MAP AND BOUNDARIES

(1) The boundaries of the Zones listed in Section 6.1, paragraph (1) are as delineated on the Zoning Map, Schedule 1-A and which map forms a part of this Bylaw, and may be amended in the same manner as any other part of this Zoning Bylaw.

(2) Where uncertainty exist as to the boundaries of zones as shown on the Zoning Map, the following rules shall apply:

Rule 1. In all cases, the Zoning Map takes precedence over the text of this Bylaw in determining the boundaries of zones.

Rule 2. Where a boundary is shown as following a street, lane or stream, it shall be deemed to follow the center line thereof.

Rule 3. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

Rule 4. Where a boundary is shown as approximately following the Village limits, it shall be deemed to follow the Village limits.

Rule 5. In circumstances not covered by Rules 2 to 4, the location of the zone boundary shall be determined:

(a) by the dimensions as set out on the Zoning Map or

(b) by measurement of and use of the scale shown on the Zoning Map.

(3) Where the application of the above rules does not determine the exact location of the boundary of a zone, the Council, either on its own motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, shall fix by resolution the portion of the zone boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as the circumstances may require.

(4) After the Council has fixed the zone boundary pursuant to the provisions to paragraph (3), the portion of the boundary so fixed shall not be thereafter altered except by amendment of this Bylaw.

(5) The Council shall maintain a list of decisions with respect to boundaries or portions thereof fixed by Resolution according to paragraph (3) above.

PART SEVEN – AMENDMENTS TO THE BYLAW

7.1 GENERAL

- (1) Any person may apply to have this Bylaw amended by applying in writing to the Development Officer stating reasons in support of the application.
- (2) Notwithstanding anything contained in Sections 7.1 and 7.2 inclusive, a proposed amendment which has been rejected by Council within the previous twelve (12) months shall not be reconsidered by the Council unless otherwise directed.
- (3) Proposed amendments to the Bylaw shall be subject to the requirements and procedures as set out in the Yukon Municipal Act RSY.
- (4) An amendment to this Bylaw shall conform to any existing Official Community Plan that affects or will affect the land.

7.2 PROCEDURE FOR APPLICATION TO AMEND THE BYLAW

- (1) Any person applying to amend Zoning Map, Schedule 1 of this Bylaw to change the zone governing any land shall apply in writing to the Development Officer on the Form 'B' attached hereto and forming part of this Bylaw, and such application shall be accompanied by:
 - (a) a current copy of the certificate of title for the subject parcel of land;
 - (b) the applicant's name, address and interest in the property;
 - (c) a statement of reasons in support of the application; and
 - (d) a non-refundable application fee of two hundred and fifty dollars (\$250.00);
 - (e) and the application form shall be signed by the registered owner of the land.
- (2) Upon receipt of an application to amend the Bylaw, the Planning Board shall:
 - (a) initiate or carry out any necessary investigations or analysis of the potential impacts of the proposed amendment;
 - (b) prepare an administrative report on the proposed amendment along with his/her recommendations; and
 - (c) submit a copy of the report, maps and all material relevant thereto, to the Council.
- (3) The Council shall:
 - (a) examine the proposed amendment along with the Planning Board report; and

- (b) advise the applicant in writing within ten (10) days from the date of the Council meeting where the application was examined that:
 - (i) the Council is prepared to approve the amendment without further investigation; or
 - (ii) the Council rejects the amendment; or
 - (iii) the Council is prepared to approve an alternative amendment at once or after due investigation.
- (4) Where the Council rejects the proposed amendment, the applicant shall advise the Council in writing, within thirty (30) days, requesting that:
 - (a) the Council proceed with further investigations of either the proposed amendment or an alternative as proposed; or
 - (b) the Council abandon the proposed amendment to the Bylaw.
- (5) If the applicant does not advise the Council, as referred in section 7.2 (4), on the proposed amendment, Council's decision shall be binding unless provided for in this bylaw.

7.3 COUNCIL INITIATED AMENDMENTS TO THE BYLAW

- (1) Council, at its discretion, may initiate an amendment to this Bylaw, and may, prior to First Reading of any proposed amendment, refer the proposal to the Planning Board for his or her report and recommendation.

PART EIGHT – BYLAW ADOPTION

8.1 REPEAL OF EXISTING BYLAW

- (1) Bylaw #38-90, as amended, is hereby repealed as of the date of commencement of this Bylaw.

8.2 DATE OF COMMENCEMENT

- (1) The Bylaw comes into full force and effect upon the final passing thereof.

READ a first time the 11th day of September 1996.

PUBLIC HEARING held this 13th day of November 1996.

PUBLIC HEARING held this 8th day of January, 1997.

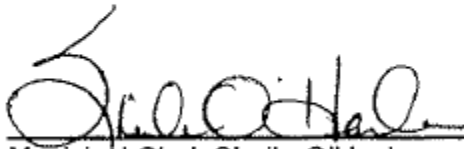
READ a second time this 8th day of January, 1997.

APPROVED by the Executive Council Member this 29th day of August, 1997.

READ a third and final time the 10th day of September, 1997.



Mayor Eric Simpson



Municipal Clerk Sheila O'Hanlon

PART NINE – ALLOWANCES

- 9.1 The authority to grant Allowances is invested in Council.
- 9.2 Setbacks: Allowances may be granted in residential zones for no greater than 15% for front and rear yard requirements and for no greater than 10% for side yard requirements.
- 9.3 Building Height: Allowances may be granted in residential zones for no greater than 10% for height of buildings.

VILLAGE OF HAINES JUNCTION ZONING BYLAW #104-96
APPLICATION FOR A DEVELOPMENT PERMIT

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 _____

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.

**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 _____

LOCATION OF LANDS:

Street Address: _____

Legal Description: _____

Existing Zoning of Land: _____

Proposed Zoning of Land: _____

Reason amendment is being requested:

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

Date

Signature of Applicant

Fee _____

Receipt No. _____

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 is subject to the provisions of Part Seven of the Bylaw.

Regulations	Single Family Residential	Multiple Family Residential
Subdivision Requirements	The minimum lot area that may be created for single family residential shall be 450 m2. The minimum lot area that may be created for duplexes shall be 800 m2. The maximum lot area that may be created in the single-family zone is 1500m2.	The minimum lot area that may be created for fourplexes shall be 900 m2. The minimum lot area that may be created for apartment buildings shall be 1200 m2. The maximum lot area that may be created in the multiple family residential zone is 2100 m2.
Permitted Uses - Principal Uses	Single Family Dwellings Modular Homes not less than the width of 6m. Duplexes	Single Family Dwellings Modular Homes not less than the width of 6m. Duplexes Fourplexes Apartment Buildings Places of Worship
- Accessory Uses	Home Occupations Residential Offices Accessory Buildings/Structures In-Law Suites Bed & Breakfasts	Home Occupations Residential Offices Accessory Buildings/Structures In-Law Suites
- Discretionary Uses	Family Day Homes Revenue Suites Public Parks / Playgrounds Child Care Centre Private Transit Lodge	Bed & Breakfasts Family Day Homes Child Care Centres Sr. Citizens & Nursing Homes Neighborhood Stores Student Residences Related Uses Parking Lot
Number of Dwelling Units	There shall be no more than one principal building on the lot.	There shall be no more than one principal building on the lot.
Size of Dwelling Units	No dwelling unit shall have a living area of less than 70m2 except for lots on Spruce Street zoned single family residential that are less than 650m2 which have a minimum dwelling unit size of 27.87m2.	No duplex or fourplex shall have a living area of less than 70m2. No apartment shall have a living area of less than 40m2.
Height of Buildings	The height of the principal building shall not exceed 10m. The height of the accessory building shall not exceed 5m.	The height of a duplex/fourplex shall not exceed 10m. the height of an apartment building shall not exceed 15m. The height of the accessory building shall not exceed 5m.
Yard Requirements - Principal Building	A front yard shall be provided of not less than 4.6m in depth. Side yards shall be provided of not less than 2.5m in width. A rear yard shall be provided of not less than 4.6m in depth.	A front yard shall be provided of not less than 6.1m in depth. Side yards shall be provided of not less than 4m in width. A rear yard shall be provided of not less than 7.5m in depth.
- Accessory Buildings	A front yard shall be provided of not less than 4.6m in depth Side yards shall be provided of not less than 1m in width. A rear yard shall be provided of not less than 1m in depth.	A front yard shall be provided of not less than 4.6m in depth. Side yards shall be provided of not less than 1m in width. A rear yard shall be provided of not less than 1m in depth.
Special Provisions	No accessory buildings or uses will be permitted until the principal unit is under construction. 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 Officer. 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.	No accessory buildings or uses will be permitted until the principal unit is under construction. 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 Officer. 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.

Regulations	Civil Commercial	Tourist Commercial	Commercial Mixed
Subdivision Requirements	The minimum lot area that may be created shall be 464 m2.	The minimum lot area that may be created shall be 464 m2.	The minimum lot area that may be created shall be 464 m2.
Permitted Uses - Principal Uses	Bake shops Commercial Recreation Commercial Offices Personal Service Establishments Licensed Premises pursuant to the Liquor Act Restaurants Neighborhood Stores Taxi Offices Video Rental Outlets General Administrative Offices Child Care Centers	As outlined in Civil Commercial Gas Stations Hostels Hotels Motels Museums Repair Garages Theatres RV Campgrounds Drive in Businesses Retail Stores Tourist Information Booths Bus Terminals Car Rentals / Sales Car Washes Public Buildings	All Uses permitted in Civil Commercial All uses permitted in Single Family Residential excluding Duplexes.
- Accessory Uses	Single Family Dwelling Unit Accessory Residential Uses - bed & breakfast - home occupation - in-law suite - residential offices	Single Family Dwelling Unit Accessory Residential Uses - bed & breakfast - home occupation - in-law suite - residential offices Guest House	Home occupations Residential Offices Accessory Buildings/Structures In-law Suites Bed & Breakfasts
-Discretionary Uses	Arcades Parking Lots Theatres Vet Clinics Private Clubs or Lodges Mobile Home Parks Public Buildings Cottage Industry	Arcades Campsites Mini Golf Courses Temporary Retail Sales Parking Lots	Temporary Retail Sales Parking Lots
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 combined building on the lot.	One single family dwelling unit complimentary to the principal building and constituting not more than 40% of the gross floor area of the combined buildings on the lot	There shall be no more than one dwelling unit on a lot.
Size of Dwelling Units	No dwelling unit shall have a living area of less than 70m2.	No dwelling unit shall have a living area of less than 70m2.	No dwelling unit shall have a living area of less than 70m2.
Height of Buildings	The height of the principal building shall not exceed 15m. the height of the dwelling unit shall not exceed 10m.	The height of the principal building shall not exceed 15m. The height of the dwelling unit shall not exceed 10m.	The height of the principal building shall not exceed 15m. the height of the dwelling unit shall not exceed 10m.
Yard Requirements	No front Yard is required Side yards shall be provided, of not less than 2.5m in width. A rear yard shall be provided, of not less than 4.6m in depth.	No front Yard is required Side yards shall be provided, of not less than 2.5m in width. A rear yard shall be provided, of not less than 4.6m in depth.	A front yard shall be provided, of not less than 4.6 m in depth for residential development and there shall be no front yard requirement for a commercial development. Side yards shall be provided, of not less than 2.5m in width. A rear yard shall be provided, of not less than 4.6m in depth.
Special Provisions	No accessory buildings or uses will be permitted until the principal unit is under construction. All storage areas and parking lots shall be screened from any adjacent residential zone by a fence not less than 2 meters high.	No accessory buildings or uses will be permitted until the principal unit is under construction. All storage areas and parking lots shall be screened from any adjacent residential zone by a fence not less than 2 meters high.	No accessory buildings or uses will be permitted until the principal unit is under construction. All storage areas and parking lots shall be screened from any adjacent residential zone by a fence not less than 2 meters high.

Regulations	Light (Service) Industrial	Heavy Industrial
Subdivision Requirements	The minimum lot area that may be created shall be 0.4 hectares.	The minimum lot area that may be created shall be 0.4 hectares.
Permitted Uses - Principal Uses	Auction Facilities Auto Sales Animal Control Pound Bulk Storages Communication Facilities Construction Outlets Maintenance Facilities Processing Transport Facilities Wholesale / Retail Facilities Auto Body & Paint Shops Equipment Sales & Rentals Sheet Metal Shops Welding Shops Service Stations Carwashes Public Buildings	The uses permitted in the Light Industrial zone are not permitted in this zone. Facilities for the production, processing, storage and sale of aggregate, bitumen, products and concrete. Facilities for the production, storage and sale of mining equipment. Facilities for the process and storage of ore. Facilities for the storage of fuel in bulk, except as incidental to the use as a gas station. Facilities for the storage of chemicals in accordance with the Dangerous Goods Act. Facilities for the creation or treatment of animal or vegetable products, including a slaughterhouse or tannery.
- Accessory Uses	Single Family Dwelling Unit Accessory Residential Uses - bed & breakfast - home occupation - in-law suite - residential offices	Not Applicable
- Discretionary Uses	R. V. Campgrounds Auto Wrecking (Junk Yard) Temporary Retail Sales Boarding Kennels	Not Applicable
Number of Dwelling Units	There shall be no more than one dwelling unit on a lot.	Not Applicable.
Size of Dwelling Units	The portion of the lot used for residential purposes, including the dwelling unit, shall constitute no greater than 30% of the gross lot area.	Not Applicable.
Height of Buildings	The height of the principal building shall not exceed 15m. The height of the dwelling unit shall not exceed 10m.	The height of a building shall not exceed 20m..
Yard Requirements	A front yard shall be provided, of not less than 4.6m in depth. Side yards shall be provided, of not less than 4.6m in width. A rear yard shall be provided, of not less than 4.6m in depth.	A front yard shall be provided, of not less than 10m in depth. Side yards shall be provided, of not less than 10m in width. A rear yard shall be provided, of not less than 10m in depth.
Special Provisions	No accessory buildings or uses will be permitted until the principal unit is under construction. Premises used for auto wrecking or junk yard or for the storage of commercial equipment shall be totally enclosed by a solid wood or chain link fence of a height of not less than 2.5m.	No accessory building or uses will be permitted until the principal unit is under construction. All premises shall be enclosed by a solid wood or chain link fence of a height of not less than 2.5m.

Regulations	Mobile Home Residential	Country Residential
Subdivision Requirements	The minimum lot area that may be created for mobile homes shall be 500 m2. The maximum lot area that may be created for the mobile home residential zone is 1500 m2. The maximum lot size for Block 29 & Block 30 is 1629 m2.	The minimum lot area that may be created for country residential shall be 1 hectare. The maximum lot area that may be created for country residential shall be 3 hectares.
Permitted Uses - Principal Uses	Mobile Homes Modular Homes	Single Family Dwellings Duplexes Modular homes not less than width of 6m.
- Accessory Uses	Home Occupations Residential Offices Accessory Buildings/Structures Bed & Breakfasts	Home Occupations Bed & Breakfasts In-Law Suites Accessory Buildings/Structures Residential Offices
- Discretionary Uses	Family Day Homes In-Law Suites Revenue Suites Public Parks/Playgrounds	Boarding Houses Cottage Industries Minor Agricultural Pursuits Public Parks / Playgrounds
Number of Dwelling Units	There shall be no more than one principal building on the lot.	There shall be no more than one principal building on the lot.
Size of Dwelling Units	No dwelling unit shall have a living area of less than 70m2.	No dwelling unit shall have living area of less than 70m2.
Height of Buildings	The height of the principal building shall not exceed 6m. the height of the accessory building shall not exceed 5m.	The height of the principal building shall not exceed 10m. the height of the accessory building shall not exceed 7m.
Yard Requirements - Principal Building	A front yard shall be provided of not less than 4.6m in depth. Side yards shall be provided of not less than 2.5m in width. A rear yard shall be provided of not less than 4.6m in depth.	A front yard shall be provided of not less than 7.5m in depth. Side yards shall be provided of not less than 4.6m in width. A rear yard shall be provided of not less than 7.5m in depth.
- Accessory Buildings	A front yard shall be provided of not less than 4.6m in depth. Side yards shall be provided of not less than 1m in width. A rear yard shall be provided of not less than 1m in depth.	A front yard shall be provided of not less than 7.5m in depth. Side yards shall be provided of not less than 4.6m in width. A rear yard shall be provided of not less than 7.5m in depth.
Special Provisions	<p>No accessory buildings or uses will be permitted until the principal unit is under construction.</p> <p>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 Officer.</p> <p>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.</p> <p>Every mobile home placed on a lot shall be identified by an attached Canadian Standards Association metal label stating that it's construction meets CSA standards.</p> <p>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.</p>	<p>No accessory buildings or uses will be permitted until the principal unit is under construction.</p> <p>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 Officer.</p> <p>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.</p>

Regulations	Greenbelt Community	Open Space	Limited Agriculture
Subdivision Requirements	Not Applicable	Not Applicable	Minimum lot area will be (4) four hectares Maximum lot area will be (6) six hectares
Permitted Uses - Principal Uses	Buffer Strips Lands not suitable for development Municipal Easements	This zone contains land which has not been annexed or for which no use has been allocated. No use is permitted until an appropriate use has been determined and allocated by bylaw. Any application to amend the Open Space designation shall have a minimum processing period of 6 months from the date of the receipt of the application in the Village of Haines Junction municipal office to the date of allocating the land use designation.	Domestic Livestock Raising to maximum of (6) six Domestic animals, including horses but excluding dogs, to a maximum of (6) six. (Note: Dogs are regulated under the Animal Control Bylaw) Pigs to a maximum of (12) twelve Poultry to a maximum of (100) one hundred Greenhouses/Nurseries/Gardens Landscaping operations Farm sales of agricultural products produced on the land. Animal hospital Boarding & Breeding facilities Riding facilities & stables Single family dwelling
- Accessory Uses			Accessory buildings & structures; - Bed & breakfast - Home occupation - Cottage industry
-Discretionary Uses			Domestic livestock raising to maximum of (20) twenty Domestic animals, including horses but excluding dogs, to a maximum of (20) twenty. (Note: Dogs are regulated under the Animal Control Bylaw) Poultry to a maximum of (300) three hundred Bee keeping Rodeo grounds Agricultural supply & sales
Number of Dwelling Units	Not Applicable	Not Applicable	No more than (1) one dwelling unit on a lot.
Size of Dwelling Units	Not Applicable	Not Applicable	No dwelling unit shall have a living area of less than 70M2
Height of Buildings	Not Applicable	Not Applicable	The height of a building shall not exceed 15M
Yard Requirements	Not Applicable	Not Applicable	A front yard shall be provided of not less than 15M in depth. Side yards shall be provided of not less than 15M in width. A rear yard shall be provided, of not less than 15M in depth.
Special Provisions	Not Applicable	Not Applicable	Appropriate fencing shall be in place on all properties for any livestock, animals, horses, poultry, pigs etc. and shall include overhead fencing when necessary. No accessory buildings/uses will be permitted until the principal use is established. The nature of agricultural use and intensity of development may be restricted if, in the option of the development officer and or Council, the use would (a) attract migratory birds or potentially create human/wildlife conflicts, and (b) 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

Regulations	Public Use Community	Restricted Public Use Community	Parks and Recreation Community
Subdivision Requirements	The minimum lot area that may be created shall be 464 m2.	The minimum lot area that may be created shall be 464 m2.	Not Applicable
Permitted Uses - Principal Uses	Assemblies Churches Daycare Centers Education Facilities Hospitals Nursing Homes Public Buildings Libraries and Archives Community Centers Museums Private Clubs and Lodges Municipal Water & Sewer Facilities Municipal Facilities dealing with public health and safety Water Reservoirs Public Utility Communication Facility	Aviation Municipal Water & Sewer Facilities Municipal Facilities dealing with public health and safety Water Reservoirs Public Utility Communication Facility and other compatible uses	Trails Cemeteries Non-commercial recreational facilities for organized recreation use. Parks Playgrounds / Fairgrounds Temporary Retail Sales Outdoor Amphitheatre Band Stands Greenbelts Golf Courses Public Recreation Buildings
- Accessory Uses	Accessory Buildings/Structures Single Family Dwelling Units		Parking Lot as required for principle use.
-Discretionary Uses	Police Stations Correctional Institutions Group Homes Communication Facilities Aviation-Restricted		Public Buildings
Number of Dwelling Units	One single family dwelling unit adjacent to and complimentary with the principal building or use.	Not Applicable	Not Applicable
Size of Dwelling Units	No dwelling unit shall have a living area of less than 70 m2.	Not Applicable	Not Applicable
Height of Buildings	The height of the principal building shall not exceed 15m. The height of the dwelling unit shall not exceed 10 m.	The height of a building shall not exceed 20m.	The height of a building shall not exceed 15m.
Yard Requirements	Side yards shall be provided, of not less than 4.6m in width. A rear yard shall be provided, of not less than 6m in depth.	Not Applicable	No structure or equipment shall be located within 3m of the property line.
Special Provisions	No accessory buildings or uses will be permitted until the principal use is under construction.	All aviation use shall comply with Federal Ministry of Transport Aeronautics Act.	Consideration will be given to public safety and wildlife prior to any development.