



**Village of Haines Junction
June 12, 2024
Regular Council Meeting 7:00 p.m.**

This meeting will be held in Council Chambers. Attendance at this meeting is also available through Zoom web or teleconferencing (see below for instructions).

AGENDA

- 1. Call to Order**
- 2. Acknowledgement of Champagne and Aishihik First Nations Traditional Territory**
- 3. Adoption of Agenda**
- 4. Declaration of Pecuniary Interest**
- 5. Adoption of Minutes of Regular and Special Council Meetings**
 - a. Draft Regular Council Meeting Minutes May 22, 2024
- 6. Proclamations**
- 7. Delegations**
 - a. St. Elias Chamber of Commerce – Stimulating community Investment Project Update
 - b. Residents – Replacement of Muffin
- 8. Public Hearings and Public Input Sessions**
 - a. Metrix Group. Draft Audit Presentation
 - b. Bylaw 411-21 Zoning Bylaw -
 - c. Appended for reference:
 - i. Notes from March 11, 2024 Public Engagement Session
 - ii. Notes from April 11, 2024 Public Engagement Session
 - iii. Notes from May 14, 2024 Committee of the Whole
 - iv. Notes from May 23, 2024 Public Engagement Session
- 9. Old Business**
- 10. New Business**
 - a. Accounts Payable to June 12, 2024
 - b. RTC Convention Centre Swallows
 - c. RTC Business License Review
 - d. RTC Build Conditions
 - e. RTC Quarry Permit
 - f. RTC Building Geospatial Capacity
 - g. RTC Council 2023-2024 Motions Tracker
 - h. RTC Council Meeting Schedule
 - i. RTC Emergency Management Plan Consultant
 - j. RTC Yukon 125 Historical Mural
- 11. Bylaws – Reports, Readings and Adoption**
 - a. Bylaw 411-21 Zoning Bylaw, First Reading
- 12. Correspondence**
 - a. Letter from Julie Bauer re compost concerns
 - b. Letter from Julie Bauer re Invasive Species
- 13. Council Reports**
- 14. Questions from the Public**

*The Village of Haines Junction respectfully acknowledges that we are situated on the
Traditional Territory of the Champagne and Aishihik First Nations.*

15. Motion to Close Meeting to the Public

16. Adjournment

The next Regular Council Meeting will take place at 7:00 p.m. on June 26, 2024 in Council Chambers and via Zoom.

Join Zoom Meeting

<https://us02web.zoom.us/j/8676347100>

Meeting ID: 867 634 7100

One tap mobile

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Dial by your location

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Find your local number: <https://us02web.zoom.us/u/kbq7uk0jkn>

Please call the Village Office (634-7100) during regular office hours for assistance in joining via zoom.



Village of Haines Junction Delegation Request

As per s. 15. of Bylaw 352-19, Council Procedural Bylaw

- 15.1. Any person or delegations wishing to appear before council or committee must give notice prior to 11:00 am on the second last business day prior to the meeting.
- 15.2. Persons or delegations are requested to provide any information materials by the second last business day so that the documents may be included in the Agenda Package.
- 15.3. Persons or delegations are required to provide their name, address, contact information and reason for wishing to appear before council or committee.
- 15.4. Persons or delegations addressing council or committee are required to state their names, addresses, and the purpose of their presentation.
- 15.5. Persons or delegations will be given five (5) minutes with which to make their presentation.
- 15.6. Council or committee may agree by vote to extend the time available for a presentation if the persons or delegations has given advance notice to the Chief Administrative Officer or designate.
- 15.7. Council will only hear up to a maximum of three delegations at one meeting.
- 15.8. If a Member asks the delegation a question of clarification, the delegation may answer the question.
- 15.9. A general discussion or dialogue shall not take place unless Council adopts a resolution to suspend the rules.

Requested Council Meeting Date: _____

Individual, Group or Association: _____

Representative(s) of the Above: _____

Main Spokesperson: _____

Topic(s): _____

Written Materials Submitted (if applicable): _____

Projector or Other Electronic Support Required: _____

Request Made By: _____ Date: _____



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- 15.9. A general discussion or dialogue shall not take place unless Council adopts a resolution to suspend the rules.

Requested Council Meeting Date: June 12, 2024

Individual, Group or Association: Individuals

Representative(s) of the Above: Michael Pealow, Erin Jamieson, and other interested residents

Main Spokesperson: Michael Pealow

Topic(s): Gauging interest in replacing the Muffin with a year-round community meeting space that celebrates the natural splendor and phenomenal vistas offered by the location.

Written Materials Submitted (if applicable): Not applicable.

Projector or Other Electronic Support Required: Projector

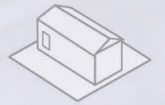
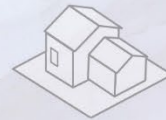
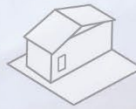
Request Made By: Michael Pealow Date: 24/05/28

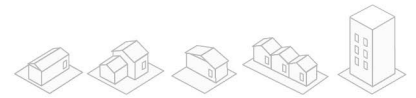
Village of Haines Junction

Zoning Bylaw

Latest Working Draft
June 7, 2024

Bylaw No. ###





THE CORPORATION OF THE VILLAGE OF HAINES JUNCTION

ZONING BYLAW

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

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

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

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

Short Title

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

Repeal of Existing Legislation

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

Enactment

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

Read a first time on the ___ day of _____, 2024.

Read a second time on the ___ day of _____, 2024.

Read a third time and adopted on the ___ day of _____, 2024.

Bruce Tomlin, Mayor

David Fairbank, Chief Administrative Officer



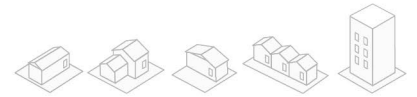


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SCHEDULES:

A – ZONING MAP

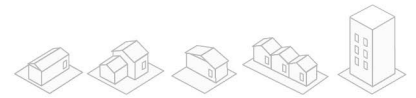
B – DEZADEASH RIVER AND PINE CREEK BUFFER



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

| Amendment Bylaw No. | Date of Adoption | Purpose and Description of Amendment | Text | Map |
|---------------------|------------------|--------------------------------------|------|-----|
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PART I ADMINISTRATION

I.1 TITLE

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

I.2 PURPOSE OF THE BYLAW

1.2.1 This bylaw provides the regulatory framework for orderly, economic, social, and environmentally responsible development within the Village of Haines Junction by:

- a) Implementing the goals and objectives of the Official Community Plan;
- b) Establishing land use zones and associated regulations to control the use, location, type, and level of development allowed to occur on a parcel of land within the Village of Haines Junction; and
- c) Setting out rules and procedures, information requirements, and processes to be followed to permit the consistent review and timely decision-making on an application to undertake a development, rezone a parcel, or file a development appeal.

I.3 ENABLING LEGISLATION

1.3.1 This bylaw has been passed in conformance with the *Municipal Act*, Chapter 154, R.S.Y.T., 2002.

I.4 SEVERABILITY

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

I.5 APPLICATION OF REGULATIONS

1.5.1 Wherever the requirements of this bylaw are at variance with the requirements of other bylaws, regulations, statutes, deed restrictions or covenants, the more restrictive or that imposing the higher standard shall govern;

1.5.2 Where this bylaw sets out both general and specific regulations that could apply to a situation, the specific regulation shall apply.

I.6 COMPLIANCE WITH OTHER LEGISLATION

1.6.1 In addition to complying with this bylaw, a person applying for a development permit is responsible for ascertaining and complying with the requirements of any other applicable municipal, territorial, or federal legislation, without limiting the generality of the foregoing health, fire and building standards.

1.6.2 The issuance of a permit does not relieve the property owner from complying with any easement, covenant, lease, scheme, or development agreement that affects the development.

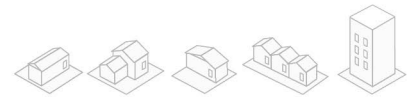
I.7 CONFORMITY

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

I.8 NON-CONFORMING BUILDINGS & USES

1.8.1 Non-conforming uses will be dealt with according to the provisions of the *Municipal Act*. A non-conforming use may be continued, but if that use is discontinued for twelve (12) months or more, any





subsequent use of the land or building shall conform to the provisions of the Official Community Plan and Zoning Bylaw then in effect.

- 1.8.2 A non-conforming building or structure may not be enlarged, added to or substantially altered except to increase its conformity.
- 1.8.3 Repairs, maintenance, decoration or installations that do not alter the size of the building or other structure or involve the rearrangement or replacement of structural supporting elements shall not be considered to be structural alterations and are permitted.
- 1.8.4 The lawful non-conforming use of a portion of the land, building or structure may be extended throughout the rest of the site, building or structure provided there are no structural alterations or construction of additional buildings and structures.
- 1.8.5 The non-conforming use of land or a building is not affected by a change of ownership, tenancy or occupancy of the land or building except as limited by the conditions set out in section 1.8.4.
- 1.8.6 If a non-conforming building or structure is destroyed by fire or damaged to an extent of 75% of the assessed value of the building, it may not be rebuilt or repaired except in conformity with the Official Community Plan and Zoning Bylaw then in effect.

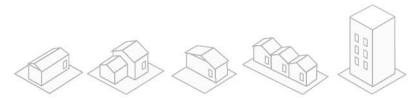
1.9 NON-CONFORMING LOT SIZES

- 1.9.1 Lots created before the approval of this bylaw that are less than the minimum dimensions, or more than the maximum dimensions, required of the zone they are in, shall be considered to be conforming lots for the purposes of this bylaw.
- 1.9.2 All lots that are shown on a registered plan prior to the passage of this bylaw which have an area less than the minimum lot size, or more than the maximum lot size, required for the zone in which they are situated, shall be allowed to develop the uses permitted in that particular zone provided that all other requirements of this bylaw are complied with. Rear and side yard setbacks may be reduced proportionately by the same percentage that the lot is less than the minimum for that zone.

1.10 DEVELOPMENT OFFICER

- 1.10.1 The position of Development Officer is established to administer this bylaw. One or more employees of the Village shall be appointed to fulfill the duties of this position.
- 1.10.2 The Development Officer shall receive completed applications for a development permit, an amendment to this bylaw, or a Certificate of Zoning Compliance.
- 1.10.3 The duties of the Development Officer include:
 - a) receiving, reviewing, and making recommendations to Council on any application to amend the text of this bylaw or Schedule A, the Zoning Map;
 - b) approving, rejecting, or approving development permits with conditions as the case may be, and issuing Certificates of Zoning Compliance;
 - c) referring an application to any federal or territorial department, the Champagne and Aishihik First Nation or any other agency or body deemed appropriate for advice and comment;
 - d) maintaining a current copy of this bylaw for inspection or purchase at a reasonable cost by the public during normal office hours;



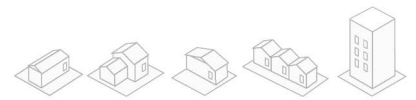


- e) maintaining a public register of all development permit and zoning amendment applications received, including the decisions made;
- f) exercising discretion in relaxing yard setbacks of up to 5% of the requirements of this bylaw, provided there will be no detrimental impact on adjacent properties or the neighbourhood and the density is not increased by virtue only of the variance; and
- g) performing such other duties as described or implied by this bylaw.

1.11 FEES, FORMS, AND RECORDS

- 1.11.1 Council shall periodically review and update by resolution a standard fee schedule for the application and administration of this bylaw.
- 1.11.2 Council shall adopt by resolution a standard set of forms to be used for the administration of this bylaw with such forms available in hard copy and electronic form.





PART 2 ZONES AND ZONE REGULATIONS

2.1 ZONING MAPS

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

2.2 ZONE BOUNDARIES

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

2.2.1 Where a zone boundary is shown as following a highway or road right-of-way or watercourse, the centre line of the right-of-way or watercourse shall be the zone boundary;

2.2.2 Where the zone boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the zone boundary shall be determined by referencing topographic and scaling information from the zoning maps;

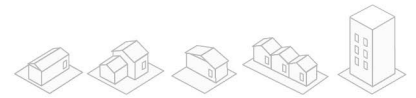
2.2.3 When any public roadway is closed, the roadway lands have the same zoning as the abutting land. Where different zones govern abutting lands, the centre of the roadway is the zone boundary unless the boundary is shown clearly following the edge of the roadway.

2.3 LIST OF ZONES

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

- | | | |
|----|------------------------------|-----|
| a) | Urban Residential | R-1 |
| b) | Multiple Unit Residential | R-2 |
| c) | Country Residential | RC |
| d) | Tourist Commercial | CT |
| e) | Mixed Commercial | CM |
| f) | Light (Service) Industrial | M-1 |
| g) | Public Use Community | PD |
| h) | Airport | AP |
| i) | Parks & Recreation Community | PR |
| j) | Greenbelt Community | GB |
| k) | Open Space | OS |
| l) | Agriculture Limited | AL |
| m) | Future Development | FD |





2.4 URBAN RESIDENTIAL ZONE (R-1)

2.4.1 Zone Intent:

- a) This zone is to provide for low and medium density residential development and residential related uses on smaller lots with municipal services i.e. water and sewer.

2.4.2 Permitted Uses

- a) Dwelling, Attached
- b) Parks / Playgrounds
- c) Single Family Dwellings
- d) Mobile Homes

2.4.3 Accessory Uses

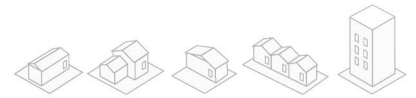
- a) Bed and Breakfasts
- b) Family Day-Homes
- c) Home Businesses
- d) Minor Agricultural Pursuits
- e) Secondary Suites
- f) Short Term Rental Accommodations

2.4.4 Regulations

- a) Minimum and Maximum Requirements:

| Requirements | | |
|--|-----------------------------------|---|
| Minimum Lot Size | Single | 400.00 m ² (4,305.56 ft ²) |
| | Dwelling, Attached | 300.00 m ² (3,229.17 Ft ²) |
| (when each unit is sited on its own titled property) | | |
| Maximum Lot Size | | 750.00 m ² (8,072.93 ft ²) |
| Maximum Number of Dwelling Units | Lots 400 m ² or larger | Two |
| | Lots under 400 m ² | One |
| Maximum Site Coverage | | 50% |
| Minimum Size of Dwelling (GFA) | | 20.00 m ² (215.28 ft ²) |
| Dwelling | Height (max) | 10.00 m (32.81 ft) |
| | Front Yard (min) | 3.05 m (10 ft) |
| | Side Yard (min) | 2.50 m (8.20 ft) |
| | Rear Yard (min) | 1.52 m (5 ft) |
| | With abutting lot at rear | Rear Yard (min) |
| Accessory Building (without dwelling) | Height (max) | 5.00 m (16.4 ft) |
| | Front Yard (min) | 3.05 m (10 ft) |
| | Side Yard (min) | 1.00 m (3.28 ft) |
| | Rear Yard (min) | 1.00 m (3.28 ft) |

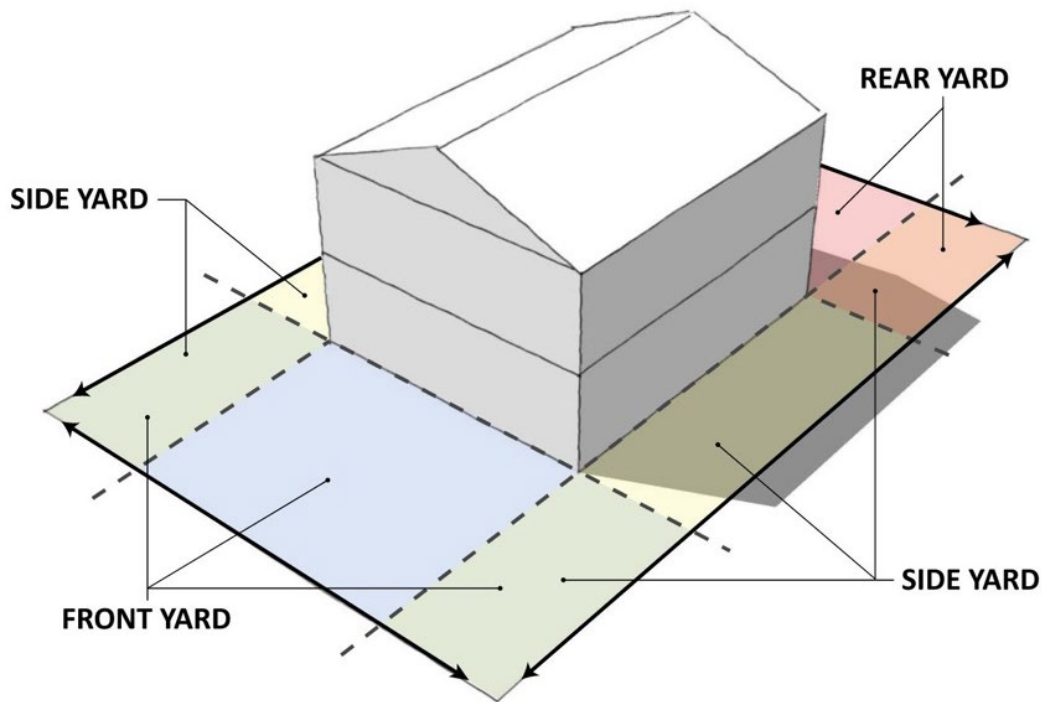


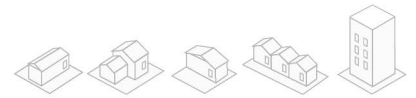


2.4.5 Other Regulations

- a) No accessory buildings or uses will be permitted until the first dwelling is under construction, unless approval is granted by the Development Officer.
- b) The principal residence of the operator of a Short-Term Rental Accommodation must be located on the same property.
- c) An operator of a Short-Term Rental Accommodation is exempted from Section 2.4.5 b) if the Village of Haines Junction has granted a valid Business Licence specifying permission to operate notwithstanding the principal residence requirement of Section 2.4.5 b).
- d) Every mobile home placed on a lot shall be identified by an attached Canadian Standards Association (C.S.A.) metal label stating that its construction meets C.S.A. standards.
- e) New placement of mobile homes on a lot is restricted to homes no older than ten years old.
- f) 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.

Illustration of Yards





2.5 MULTIPLE UNIT RESIDENTIAL ZONE (R-2)

2.5.1 Zone Intent:

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

2.5.2 Permitted Uses

- a) Care Facilities, Group
- b) Care Facilities, Seniors
- c) Multiple Unit Housing

2.5.3 Accessory Uses

- a) Family Day-Homes
- b) Home Businesses
- c) Minor Agricultural Pursuits
- d) Parks / Playgrounds
- e) Short Term Rental Accommodations

2.5.4 Regulations

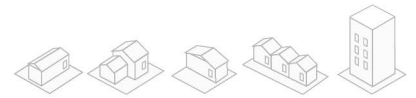
- a) Minimum and Maximum Requirements:

| Requirements | | |
|----------------------------------|------------------|---|
| Minimum Lot Size | | 400.00 m ² (4,305.56 ft ²) |
| Minimum Density | | 25 Units per Hectare |
| Minimum Number of Dwelling Units | | Three |
| Building with Dwelling | Height (max) | 15.00 m (49.21 ft) |
| | Front Yard (min) | 3.05 m (10 ft) |
| | Side Yard (min) | 2.50 m (8.20 ft) |
| | Rear Yard (min) | 1.52 m (5 ft) |
| Accessory Building | Height (max) | 5.00 m (16.4 ft.) |
| | Front Yard (min) | 3.05 m (10 ft) |
| | Side Yard (min) | 1.00 m (3.28 ft) |
| | Rear Yard (min) | 1.00 m (3.28 ft) |

2.5.5 Other Regulations

- a) No accessory buildings or uses will be permitted until the principal building is under construction, unless approval is granted by the Development Officer.
- b) The principal residence of the operator of a Short Term Rental Accommodation must be located in the same dwelling.
- c) Adequate provision for the storage and removal of garbage.





2.6 COUNTRY RESIDENTIAL ZONE (RC)

2.6.1 Zone Intent:

- a) This zone is to provide for larger residential lots in a rural setting where the owner is responsible for sewage disposal and water supply.

2.6.2 Permitted Uses

- a) Duplexes
- b) Parks/Playgrounds
- c) Single Family Dwellings

2.6.3 Accessory Uses

- a) Bed and Breakfasts
- b) Family Day-Homes
- c) Home Businesses
- d) Home Industries
- e) Minor Agricultural Pursuits
- f) Secondary Suites
- g) Short Term Rental Accommodations

2.6.4 Regulations

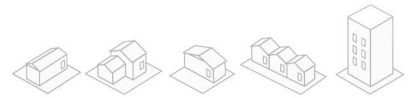
- a) Minimum and Maximum Requirements:

| Requirements | | |
|----------------------------------|-------------------------|--|
| Minimum Lot Size | | 0.9 ha (2.22 acres) |
| Maximum Lot Size | | 1.9 ha (4.70 acres) |
| Maximum Number of Dwelling Units | | Three |
| Minimum Size of Dwelling (GFA) | First dwelling | 60.00 m ² (645.83 ft ²) |
| | Second & Third dwelling | 20.00 m ² (215.28 ft ²) |
| Building with Dwelling | Height (max) | 10.00 m (32.81 ft) |
| | Front Yard (min) | 7.50 m (24.61 ft) |
| | Side Yard (min) | 4.60 m (15.09 ft) |
| | Rear Yard (min) | 7.50 m (24.61 ft) |
| Accessory Building | Height (max) | 7.00 m (22.97 ft) |
| | Front Yard (min) | 7.50 m (24.61 ft) |
| | Side Yard (min) | 4.60 m (15.09 ft) |
| | Rear Yard (min) | 7.50 m (24.61 ft) |

2.6.5 Other Regulations

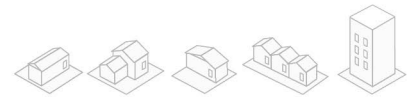
- a) No accessory buildings or uses will be permitted until the first dwelling is under construction, unless approval is granted by the Development Officer.





- b) The principal residence of the operator of a Short Term Rental Accommodation must be located on the same property.
- c) An operator of a Short-Term Rental Accommodation is exempted from Section 2.6.5 b) if the Village of Haines Junction has granted a valid Business Licence specifying permission to operate notwithstanding the principal residence requirement of Section 2.6.5 b).





2.7 TOURIST COMMERCIAL ZONE (CT)

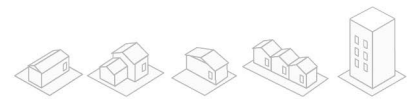
2.7.1 Zone Intent:

- a) This zone is to provide for a range of commercial uses that provide service to local industry and /or highway tourism and service needs. Mixed commercial and residential uses in this zone are permitted, though the area remains predominantly a service commercial zone.

2.7.2 Permitted Uses

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





2.7.3 Accessory Uses

- a) Bed and Breakfasts
- b) Home-Based Business
- c) Secondary Suites
- d) Single Family Dwellings
- e) Temporary Retail Sales
- f) Temporary Uses
- g) Outdoor Storage

2.7.4 Regulations

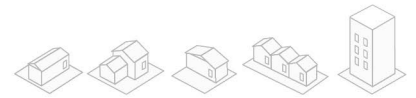
- a) Minimum and Maximum Requirements:

| Requirements | | |
|--|------------------|---|
| Minimum Lot Size | | 464.00 m ² (4,994.45 ft ²) |
| Minimum Size of Dwelling (GFA) | | 20.00 m ² (215.28 ft ²) |
| Maximum Size of Single Detached Dwelling (GFA) | | 100.00 m ² (1,076.39 ft ²) |
| Principal Building | Height (max) | 15.00 m (49.21 ft) |
| | Front Yard (min) | None |
| | Side Yard (min) | 2.50 m (8.20 ft) |
| | Rear Yard (min) | 2.50 m (8.20 ft) |
| Accessory Building | Height (max) | 10.00 m (32.81 ft) |
| | Front Yard (min) | None |
| | Side Yard (min) | 2.50 m (8.20 ft) |
| | Rear Yard (min) | 2.50 m (8.20 ft) |

2.7.5 Other Regulations

- a) An accessory dwelling cannot be built or occupied until the principal commercial unit is complete or its use operational.
- b) One single family dwelling accessory to the principal use shall not exceed 40% of the gross floor area of the combined buildings on the lot.
- c) Notwithstanding 2.7.5 (b), if the applicant demonstrates, to the satisfaction of the Development Officer, that the principal commercial use is complete and operational without the requirement of a principal commercial or industrial building, the 40% gross floor area restriction of 2.7.5 (b) will not apply until such time as a principal commercial building is developed.
- d) If uses may be or become hazardous or injurious as regards health or safety or which adversely affect the amenities of the neighbourhood or interferes with or may interfere with normal enjoyment of any land, building or structure, these uses shall be screened from adjacent sites and roads, through the use of fences, berms, landscaping, or a combination therefore, to the satisfaction of the Development Officer.





2.8 MIXED COMMERCIAL ZONE (CM)

2.8.1 Zone Intent:

- a) This zone is to provide for a mixture of commercial and residential uses and to promote a vibrant commercial core.

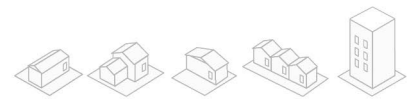
2.8.2 Permitted Uses

- a) Animal Clinics/Hospitals
- b) Bake Shops
- c) Broadcasting and Recording
- d) Child Care Centres
- e) Commercial Recreation
- f) Commercial and Residential Mixed Uses
- g) Licensed Premises pursuant to the Liquor Act
- h) Multiple Unit Housing
- i) Offices
- j) Overnight Accommodations
- k) Personal Service Establishments
- l) Public Buildings
- m) Parks / Playgrounds
- n) Restaurants
- o) Retail Stores
- i) Short Term Rental Accommodations

2.8.3 Accessory Uses

- a) Bed and Breakfasts
- b) Home-Based Businesses
- c) Secondary Suites
- d) Single Family Dwellings
- e) Temporary Retail Sales
- f) Temporary Uses
- g) Outdoor storage





2.8.4 Regulations

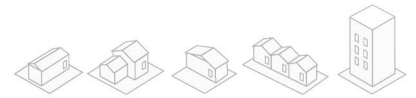
a) Minimum and Maximum Requirements:

| Requirements | | |
|--|------------------|---|
| Minimum Lot Size | | 464.00 m ² (4,994.45 ft ²) |
| Maximum Number of Dwelling Units | | None |
| Minimum Size of Dwelling (GFA) | | 20.00 m ² (215.28 ft ²) |
| Maximum Size of Single Detached Dwelling (GFA) | | 100.00 m ² (1,076.39 ft ²) |
| Principal Building | Height (max) | 15.00 m (49.21 ft) |
| | Front Yard (min) | None |
| | Side Yard (min) | 2.50 m (8.20 ft) |
| | Rear Yard (min) | 2.50 m (8.20 ft) |
| Accessory Building | Height (max) | 10.00 m (32.81 ft) |
| | Front Yard (min) | None |
| | Side Yard (min) | 2.50 m (8.20 ft) |
| | Rear Yard (min) | 2.50 m (8.20 ft) |

2.8.5 Other Regulations

- a) An accessory dwelling cannot be built or occupied until the principal commercial unit is complete or its use operational.
- b) One single family dwelling accessory to the principal use shall not exceed 40% of the gross floor area of the combined buildings on the lot.
- c) Notwithstanding 2.8.5 (b), if the applicant demonstrates, to the satisfaction of the Development Officer, that the principal commercial use is complete and operational without the requirement of a principal commercial or industrial building, the 40% gross floor area restriction of 2.8.5 (b) will not apply until such time as a principal commercial building is developed.
- d) If uses may be or become hazardous or injurious as regards health or safety or which adversely affect the amenities of the neighbourhood or interferes with or may interfere with normal enjoyment of any land, building or structure, these uses shall be screened from adjacent sites and roads, through the use of fences, berms, landscaping, or a combination therefore, to the satisfaction of the Development Officer.





2.9 LIGHT (SERVICE) INDUSTRIAL ZONE (M-1)

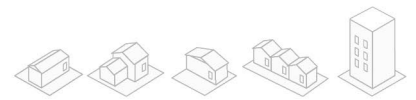
2.9.1 Zone Intent:

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

2.9.2 Permitted Uses

- a) Agricultural Supply and Sales
- b) Alcohol Productions
- c) Animal Clinics/Hospitals
- d) Animal Shelters
- e) Boarding or Breeding Facilities
- f) Broadcasting and Recording
- g) Car Washes
- h) Commercial Greenhouses
- i) Commercial Vehicle Sales, Rental and Services
- j) Equipment Sales, Service and Rentals
- k) General Contractor Services
- l) Hazardous Goods Storage
- m) Manufacturing, Light
- n) Offices
- o) Outdoor Storage
- p) Outdoor Storage, Truck
- q) Processing, Light
- r) Public Buildings
- s) R. V. Campgrounds
- t) Recycling Depots
- u) Retail Stores
- v) Service Stations
- w) Utility Infrastructure
- x) Vehicle Sales, Rental and Services
- y) Warehouse Facilities





2.9.3 Accessory Uses

- a) Restaurants
- b) Secondary Suites
- c) Shipping Containers
- d) Single Family Dwelling
- e) Temporary Retail Sales
- f) Temporary Uses

2.9.4 Regulations

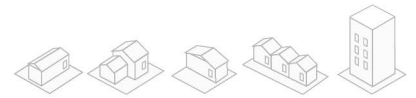
- a) Minimum and Maximum Requirements:

| Requirements | | |
|----------------------------------|------------------|---|
| Minimum Lot Size | | 0.20 hectares (0.49 acres) |
| Maximum Number of Dwelling Units | | One |
| Minimum Size of Dwelling (GFA) | | 20.00 m ² (215.28 ft ²) |
| Maximum Size of Dwelling (GFA) | | 100.00 m ² (1,076.39 ft ²) |
| Principal Building | Height (max) | 15.00 m (49.21 ft) |
| | Front Yard (min) | 4.60 m (15.09 ft) |
| | Side Yard (min) | 4.60 m (15.09 ft) |
| | Rear Yard (min) | 4.60 m (15.09 ft) |
| Accessory Building | Height (max) | 10.00 m (32.81 ft) |
| | Front Yard (min) | 2.50 m (8.20 ft) |
| | Side Yard (min) | 2.50 m (8.20 ft) |
| | Rear Yard (min) | 2.50 m (8.20 ft) |

2.9.5 Other Regulations

- a) An accessory dwelling cannot be built or occupied until the principal industrial use is operational to the satisfaction of the Development Officer.
- b) One dwelling accessory to the principal use shall not exceed 40% of the gross floor area of the combined buildings on the lot.
- c) Notwithstanding 2.9.5 (b), if the applicant demonstrates, to the satisfaction of the Development Officer, that the principal industrial use is complete and operational without the requirement of a principal commercial or industrial building, the 40% gross floor area restriction of 2.9.5 (b) will not apply until such time as a principal industrial building is developed.
- d) Any other permitted accessory use, such as office, administrative, or retail operations shall not exceed 33% of the total floor area of the building(s) devoted to the principal use.
- e) Shipping containers shall not be stacked in any M-1 zone.
- f) A Site Plan will be required with the submission of a Development Permit application at the discretion of the Development Officer. This will indicate the landscape treatment, screening, and location of parking, loading outside operation / storage areas, waste / recycling receptacles,

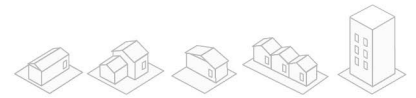




fencing, and accessory buildings. The Development Officer shall ensure that the locations of these facilities are accessible to service vehicles as necessary, and do not disrupt onsite circulation and are appropriately fenced or screened.

- g) Where a permitted development abuts a non-industrial use or land use district, the Development Officer may require mitigation of potential development impacts on adjacent land use, including but not limited to:
 - (i) Provision of noise attenuating walls;
 - (ii) Increased landscaping, including a landscaped buffer;
 - (iii) Relocation of parking areas, walkways, business entrances or other high activity areas from residential property lines;
 - (iv) Screening or relocating on-site lighting to avoid spillage onto residential sites;
 - (v) Restricting the location of outdoor speakers;
 - (vi) Changing the proposed structure to mitigate noise, light, or glare impacts.
- h) A Solid Waste Management Plan may be required with the submission of a Development Permit application at the discretion of the Development Officer, which will depend on the use and nature of the proposed facility.
- i) A Water Demand Estimation report may be required with the submission of a Development Permit application at the discretion of the Development Officer, which will depend on the proposed operations to occur at the proposed facility.
- j) A Stormwater Management Plan may be required with the submission of a Development Permit application at the discretion of the Development Officer, which will depend on an assessment of the proposed water, sanitary, and storm servicing.
- k) An environmental impact statement may be required with the submission of a Development Permit application at the discretion of the Development Officer for any use or development that may result in significant noise, air, or water emissions or create a fire or explosive hazard that would extend beyond the permitter of the site.
- l) A description of the type and nature of business operations will be required upon application of a Development Permit. Factoring in the location of the site, adjacent uses, related traffic operations (deliveries, pickups, etc.) and impacts of business operations, the Development Officer may place restrictions on hours of operation of the proposed facility.





2.10 PUBLIC USE COMMUNITY ZONE (PD)

2.10.1 Zone Intent:

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

2.10.2 Permitted Uses

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

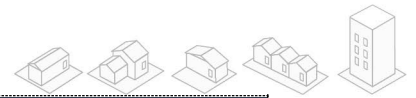
2.10.3 Accessory Uses

- a) Restaurants
- b) Secondary Suites
- c) Single Family Dwelling
- d) Temporary Sales
- e) Temporary Uses

2.10.4 Regulations

- a) Minimum and Maximum Requirements:



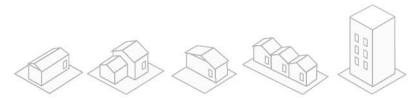


| Requirements | | |
|--------------------|------------------|---|
| Minimum Lot Size | | 464.00 m ² (4,994.45 ft ²) |
| Principal Building | Height (max) | 15.00 m (49.21 ft) |
| | Front Yard (min) | None |
| | Side Yard (min) | 2.50 m (8.20 ft) |
| | Rear Yard (min) | 2.50 m (8.20 ft) |
| Accessory Building | Height (max) | 10.00 m (32.81 ft) |
| | Front Yard (min) | None |
| | Side Yard (min) | 2.50 m (8.20 ft) |
| | Rear Yard (min) | 2.50 m (8.20 ft) |

2.10.5 Other Regulations

- a) One single family dwelling accessory to the principal use shall not exceed 40% of the gross floor area of the combined buildings on the lot.
- b) No accessory buildings or uses will be permitted until the principal unit is under construction.
- c) Where the site abuts a residential zone, the property shall be fenced and/or screened with landscaping to the satisfaction of the Development Officer having regard to the nature of the use, the potential impacts on the use on the normal use and enjoyment of the neighbouring properties and security.





2.11 AIRPORT ZONE (AP)

2.11.1 Zone Intent:

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

2.11.2 Permitted Uses

- a) Aviation
- b) Aviation-Restricted
- c) Bulk Fuel Storage
- d) Maintenance Facilities
- e) Offices
- f) Public Buildings
- g) Utility Infrastructure
- h) Other compatible uses as deemed by the Development Officer

2.11.3 Accessory Uses

- a) Temporary Uses

2.11.4 Regulations

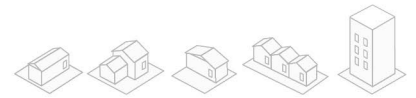
- a) Minimum and Maximum Requirements:

| Requirements | | |
|------------------|------------------|---|
| Minimum Lot Size | | 464.00 m ² (4,994.45 ft ²) |
| Any Building | Height (max) | 20.00 m (65.62 ft) |
| | Front Yard (min) | None |
| | Side Yard (min) | None |
| | Rear Yard (min) | None |

2.11.5 Other Regulations

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





2.12 PARKS AND RECREATION COMMUNITY ZONE (PR)

2.12.1 Zone Intent:

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

2.12.2 Permitted Uses

- a) Band Stands
- b) Cemeteries and Funeral Services
- c) Fairgrounds
- d) Golf Courses
- e) Greenbelts
- f) Minor Agricultural Pursuits
- g) Outdoor Amphitheatre
- h) Parks/Playgrounds
- i) Public Buildings

2.12.3 Accessory Uses

- a) Temporary Sales
- b) Temporary Uses

2.12.4 Regulations

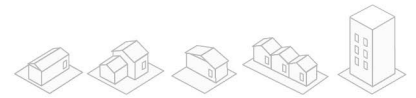
- a) Minimum and Maximum Requirements:

| Requirements | | |
|--------------------|------------------|--------------------|
| Principal Building | Height (max) | 15.00 m (49.21 ft) |
| | Front Yard (min) | 3.00 m (9.84 ft) |
| | Side Yard (min) | 3.00 m (9.84 ft) |
| | Rear Yard (min) | 3.00 m (9.84 ft) |
| Accessory Building | Height (max) | 15.00 m (49.21 ft) |
| | Front Yard (min) | 1.00 m (3.28 ft) |
| | Side Yard (min) | 1.00 m (3.28 ft) |
| | Rear Yard (min) | 1.00 m (3.28 ft) |

2.12.5 Other Regulations

- a) Consideration will be given to public safety and wildlife prior to any development.
- b) All parcel and development regulations shall be at the discretion of the Development Officer.





2.13 AGRICULTURE RESIDENTIAL (AR)

2.13.1 Zone Intent:

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

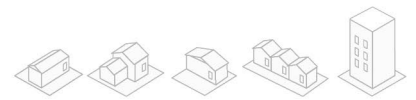
2.13.2 Permitted Uses

- a) Agricultural Supply and Sales
- b) Animal Clinics/Hospitals
- c) Apiary
- d) Boarding or Breeding Facilities
- e) Child Care Centres
- f) Farms
- g) Farm Sales of Agricultural Products Produced on the Lot
- h) Gardens
- i) Greenhouses
- j) Horticulture
- k) Keeping of Domestic Livestock up to the Regulated Maximum
- l) Landscaping Operations
- m) Nurseries
- n) Parks/Playgrounds
- o) Private Riding Facilities and Stables
- p) Rodeo Facilities
- q) Single Family Dwelling

2.13.3 Accessory Uses

- a) Bed and Breakfasts
- b) Family Day-Homes
- c) Home Businesses
- d) Home Industries
- e) Secondary Suites
- j) Short Term Rental Accommodations
- f) Temporary Uses





2.13.4 Regulations

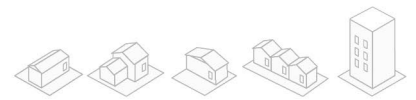
a) Minimum and Maximum Requirements:

| Requirements | | |
|----------------------------------|-------------------------|--|
| Minimum Lot Size | | 4.00 hectares (9.88 acres) |
| Maximum Lot Size | | 6.00 hectares (14.83 acres) |
| Maximum Number of Dwelling Units | | Three |
| Minimum Size of Dwelling (GFA) | First dwelling | 60.00 m ² (645.83 ft ²) |
| | Second & Third dwelling | 20.00 m ² (215.28 ft ²) |
| All Buildings | Height (max) | 15.00 m (49.21 ft) |
| | Front Yard (min) | 15.00 m (49.21 ft) |
| | Side Yard (min) | 15.00 m (49.21 ft) |
| | Rear Yard (min) | 15.00 m (49.21 ft) |

2.13.5 Other Regulations

- a) The principal residence of the operator of a Short-Term Rental Accommodation must be located on the same property.
- b) An operator of a Short-Term Rental Accommodation is exempted from Section 2.13.5 d) if the Village of Haines Junction has granted a valid Business Licence specifying permission to operate notwithstanding the principal residence requirement of Section 2.13.5 d).
- c) The maximum combined number of domestic livestock (including horses, pigs, cattle etc.) on a property up to 6.00 hectares in size, is 12.
- d) The maximum number of poultry (including chickens, turkeys, quails, ducks, geese etc.) on a property over 6.00 hectares in size, is 25.
- e) Appropriate fencing shall be in place on all properties for any livestock, animals, horses, poultry, pigs, etc. and shall include overhead fencing when necessary.
- f) The nature of agricultural use and intensity of development may be restricted if, in the option of the Development Officer, the use would:
 - (vii) attract migratory birds or potentially create human/wildlife conflicts, and
 - (viii) 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.





2.14 AGRICULTURE GENERAL (AG)

2.14.1 Zone Intent:

- a) This zone is to provide for a full range of agricultural pursuits.

2.14.2 Permitted Uses

- a) Agricultural Supply and Sales
- b) Apiary
- c) Boarding or Breeding Facilities
- d) Farms
- e) Farm Sales of Agricultural Products Produced on the Lot
- f) Gardens
- g) Greenhouses
- h) Horticulture
- i) Keeping and Grazing of Domestic Livestock
- j) Nurseries
- k) Private Riding Facilities and Stables

2.14.3 Accessory Uses

- a) Secondary Suites
- b) Single Family Dwelling
- c) Temporary Uses

2.14.4 Regulations

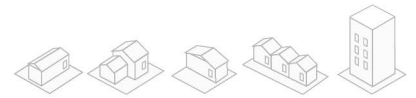
- b) Minimum and Maximum Requirements:

| Requirements | | |
|----------------------------------|------------------|-----------------------------|
| Minimum Lot Size | | 6.00 hectares (14.83 acres) |
| Maximum Number of Dwelling Units | | Three |
| All Buildings | Height (max) | 15.00 m (49.21 ft) |
| | Front Yard (min) | 15.00 m (49.21 ft) |
| | Side Yard (min) | 15.00 m (49.21 ft) |
| | Rear Yard (min) | 15.00 m (49.21 ft) |

2.14.5 Other Regulations

- g) Appropriate fencing shall be in place on all properties for any livestock, animals, horses, poultry, pigs, etc. and shall include overhead fencing when necessary.
- h) The nature of agricultural use and intensity of development may be restricted if, in the opinion of the Development Officer, the use would potentially create human/wildlife conflicts.





2.15 GREENBELT COMMUNITY ZONE (GB)

2.15.1 Zone Intent:

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

2.15.2 Permitted Uses

- a) Greenbelts
- b) Parks

2.15.3 Accessory Uses

- a) None

2.15.4 Regulations

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

2.16 OPEN SPACE ZONE (OS)

2.16.1 Zone Intent:

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

2.16.2 Permitted Uses

- a) None

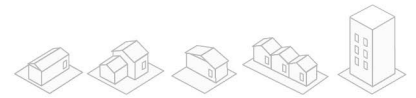
2.16.3 Accessory Uses

- a) None

2.16.4 Regulations

- a) All parcel and development regulations shall be at the discretion of the Development Officer.
- b) Consideration will be given to public safety and wildlife prior to any development.
- c) Any building, structure, and/or infrastructure on-site shall be temporary to ensure the proposed development does not limit future planning and orderly development of lands.
- d) The Development Officer may impose such temporal and use conditions as necessary to ensure the proposed development does not limit future planning and orderly development.





2.17 FUTURE DEVELOPMENT ZONE (FD)

2.17.1 Zone Intent:

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

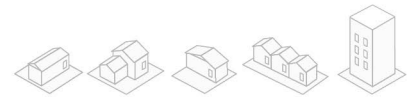
2.17.2 Permitted Uses

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

2.17.3 Regulations

- a) All parcel and development regulations shall be at the discretion of the Development Officer.
- b) Consideration will be given to public safety and wildlife prior to any development.
- c) Any building, structure, and/or infrastructure on-site shall be temporary to ensure the proposed development does not limit future planning and orderly development of lands.
- d) The Development Officer may impose such temporal and use conditions as necessary to ensure the proposed development does not limit future planning and orderly development.
- e) The Development Officer may require the applicant to enter into a Development Agreement for any proposed use within this zone to limit encumbrances to the future planning and orderly development of lands.





PART 3 GENERAL PROVISIONS

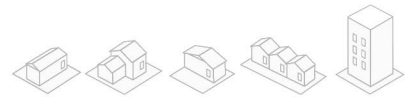
3.1 USES PERMITTED IN ALL ZONES

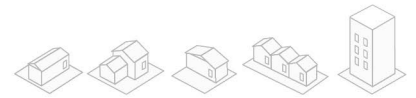
- 3.1.1 The following uses shall be permitted in any zone providing they conform to the regulations of this bylaw:
- a) Public Utility services and underground or submarine utility systems, the installations of which may be sited on any portion of a lot.
 - b) Public parks and playgrounds.
 - c) Trails and active transportation routes.
 - d) Accessory buildings and structures.
 - e) Domestic gardens and greenhouses.
 - f) Signs, when confirming with the requirements outlined in Subsection 3.20.
 - g) Home office in any permitted dwelling unit.
 - h) Solar energy systems as an accessory use, except in the Open Space (OS) zone and Community Green Belt (GB) zone.
 - i) Required minimum parking areas.

3.2 TEMPORARY USES

- 3.2.1 A temporary use, other than a temporary residence, may be authorized 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.
- 3.2.2 A mobile home, recreation vehicle, or temporary structure is permitted as a temporary residence in all residential zones providing that:
- a) A building permit has been issued for a dwelling;
 - b) Adequate provision for water supply, wastewater treatment, utilities, solid waste and recycling has been made, to the satisfaction of the Development Officer.
 - c) The term of the temporary residence does not exceed 24 months; and
 - d) The temporary residency shall cease within 30 days of the first residential occupancy of the dwelling on-site.
- 3.2.3 An extension of the temporary residence may be considered by if the dwelling construction has been proceeding with a reasonable diligence during the term of the stay.







3.3 SECONDARY SUITES

3.3.1 A secondary suite, where permitted, shall be treated as an accessory use in the zone in which it is located.

3.4 BED AND BREAKFASTS

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

- a) The principal residence of the operator must be located in the same dwelling.
- b) The Bed and Breakfast shall not change the principal residential character or external appearance of the property involved.

3.5 SHORT TERM RENTAL ACCOMMODATIONS

3.5.1 A Short Term Rental Accommodation, when permitted in a residential zone, shall be subject to the following regulations:

- a) The principal residence of the operator must be located on the property.
- b) An operator of a Short-Term Rental Accommodation is exempted from Section 3.5.1 if the Village of Haines Junction has granted a valid Business Licence specifying permission to operate notwithstanding the principal residence requirement of Section 3.5.1.
- c) The Short Term Rental shall not change the principal residential character or external appearance of the property involved.

3.6 HOME OFFICE

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

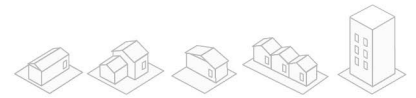
- a) Only residents living on the property may work in the home office.
- b) The home office shall not change the residential character of the site and there shall be no change in the outside appearance of the dwelling unit or accessory building.
- c) There shall be no audible, visible or other evidence of the conduct of a home office.
- d) There shall be no business-related visits on-site, or additional parking needs generated.

3.7 HOME BUSINESS

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

- a) Only residents living on the property and up to two other persons who are not residents may work in the home business on the property. Additional employees may work off site.
- b) The use of a property for a home business shall be incidental and subordinate to its use for residential purposes and shall have no visible change in the outside appearance of the dwelling unit or accessory building, other than one sign.
- c) There shall be no more than 8 business-related visits on-site per day.
- d) The home business shall not
 - i) Change the residential character of the site;
 - ii) Create visual, audible or other interference off the property;





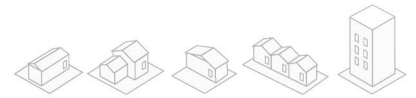
- (ix) Use or store equipment which creates noise, vibration, smoke, dust, odour, glare, fumes, electrical interference, litter, and/or other factors that cause a nuisance to adjacent residents;
 - iii) Store or keep goods, materials or commodities other than in the dwelling and/or in an accessory building, except in the AL and RC zones;
 - iv) Park or maintain a commercial vehicle of a capacity of more than 5,000 kg on the property, except in the AL and RC zones;
 - v) Operate between the hours of 8:00 pm to 8:00 am
- e) Retail sales shall not be permitted in a home business except for:
- (i) Sales where the customer does not enter the premises;
 - (ii) Products incidental to a service being provided; and
 - (iii) Products produced on the site.
- f) Any need for parking generated by the conduct of a home business shall be met on-site.

3.8 HOME INDUSTRY

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

- a) Only residents living on the property and up to four other persons who are not residents may work in the home industry on the property. Additional employees may work off site.
- b) The use of a property for a home industry shall be incidental and subordinate to its use for residential purposes and shall have no visible change in the outside appearance of the dwelling unit or accessory building, other than one sign.
- c) There shall be no more than 16 business-related visits on-site per day.
- d) The home industry shall not
 - (i) Change the residential character of the site;
 - (ii) Create visual, audible or other interference off the property;
 - (iii) Use or store equipment which creates noise, vibration, smoke, dust, odour, glare, fumes, electrical interference, litter, and/or other factors that cause a nuisance to adjacent residents;
 - (iv) Salvage or store derelict vehicles and equipment, used building materials, products, and/or similar discarded materials; or
 - (v) Operate between the hours of 8:00 pm to 8:00 am
- e) Only goods and materials directly related to the home industry may be stored on-site, and shall be:
 - (i) Essential to the operation of the home industry;
 - (ii) In a volume consistent with the residential character of the property;
 - (iii) Stored in a safe and organized manner so as not to pose any hazard or nuisance to the surrounding area; and



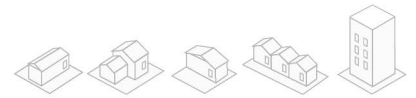


- (iv) Screened from view from adjacent properties, if stored outside.
- f) Retail sales shall not be permitted in a home industry except for:
 - (i) Sales where the customer does not enter the premises;
 - (ii) Products incidental to a service being provided; and
 - (iii) Products produced on the site.
- g) Any need for parking generated by the conduct of a home industry shall be met on-site.

3.9 BOARDING OR BREEDING FACILITY

- 3.9.1 The Development Officer may, when issuing a development permit, determine the maximum number of animals that may be kept at any one time by the operator. In determining the maximum number of animals, the Development Officer shall take into account:
 - a) the size of the property;
 - b) the use of adjacent properties;
 - c) the setback distances to any property line or residential dwelling on an adjacent property; and
 - d) noise attenuation measures.
- 3.9.2 In determining the number of animals, animals less than 6 months of age shall not normally be included.
- 3.9.3 The setback distances specified in the district in which a boarding or breeding facility is located shall apply to all structures or facilities used in the boarding operation, regardless of size or function of the structure or facility. The Development Officer may vary the required setback distance if deemed necessary.
- 3.9.4 No buildings, pens, rooms, exercise runs or holding stalls used to accommodate the animals shall be allowed within 300.00 m (984.25 ft) of an existing dwelling located on an adjacent lot.
- 3.9.5 The Development Officer may require visual screening of the facility, which may include fencing, landscaping and berming.
- 3.9.6 Pens, rooms, exercise runs, and holding stalls shall be adequately soundproofed, if deemed necessary by the Development Officer who shall base their decision on the recommendations of a noise study, the number of animals to be kept at the facility, the proximity of the facility to other uses or other facilities, and the possibility that noise from the facility may adversely affect the amenities of the area.
- 3.9.7 The Development Officer may require animals to be kept indoors between the hours of 8:00 p.m. to 8:00 a.m., except when on leashed walks.
- 3.9.8 Where boarding or breeding facilities are to be located near known wildlife corridors or habitat areas, there shall be strict measures incorporated into the design of the development and operating procedures to ensure that the animals are securely restrained at all times.
- 3.9.9 Boarding and breeding facilities shall be operated in accordance with Yukon health regulations and, in particular, faeces and similar wastes shall be disposed of in a manner acceptable to the public health authority. In no case shall such waste be disposed of in the municipal waste collection system without the written consent of the municipality.





3.9.10 A development permit issued for a boarding or breeding facility may be issued for a period up to 5 years and is subject to immediate revocation if the boarding or breeding facility is not developed or operated in accordance with the conditions of approval or if the boarding or breeding facility is deemed by the Development Officer to be having an adverse effect on the amenities of the area or nearby properties.

3.10 ACCESSORY BUILDINGS, PRIVATE GARAGES AND GREENHOUSES

- 3.10.1 Accessory uses and accessory buildings or structures are permitted in all zones where a permit has been issued for a principal use.
- 3.10.2 Unless otherwise specified in this bylaw, accessory buildings and structures are not permitted on any parcel unless the principal use is active and/or the principal building has already been erected or will be erected simultaneously.
- 3.10.3 A private garage or carport attached to and forming part of a principal building or structure shall be considered to be part of the principal building or structure.
- 3.10.4 A greenhouse larger than 10.00 m² (107.64 ft²) GFA is considered an accessory building.

3.11 SHIPPING CONTAINERS

- 3.11.1 All Shipping Containers are considered an accessory building and shall meet the minimum required setbacks for accessory buildings.
- 3.11.2 Shipping Containers shall not be placed on a lot or parcel in a manner that the containers exceed the maximum height restriction specified in the zoning regulations.
- 3.11.3 Shipping containers used for storage shall be vented to lessen the risk of combustion.
- 3.11.4 Shipping containers shall be placed in a manner that the doors are facing away from all residences.

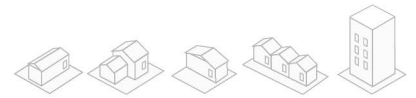
3.12 FENCES AND SCREENING OF OUTDOOR STORAGE AREAS

- 3.12.1 In all zones, fences are permitted in front, rear or side yards.
- 3.12.2 In any residential zone, a fence must:
 - a) Not exceed a height of 1.22 m (4.00 ft) in any required front yard; and
 - b) Not exceed a height of 1.83 m (6.00 ft) in any side or rear yard.
- 3.12.3 In any commercial or industrial zone, all fencing and screening above 2.5 m (8.20 ft) in height shall be at the discretion of the Development Officer.
- 3.12.4 In any non-industrial zone, uses which involve the outdoor storage of goods, machinery, vehicles, building materials, equipment, waste materials, and other similar objects, shall be screened from adjacent sites and roads, through the use of fences, berms, landscaping, or a combination therefore, to the satisfaction of the Development Officer.
- 3.12.5 To increase the chance of survival, landscaping for screening purposes shall be at least 1.8 m (5.91 ft) high at planting and trees shall be placed at regular intervals.

3.13 SOLID WASTE AND RECYCLING

- 3.13.1 Solid waste and recycling management facilities which are suitable for the intended land use may be required by the Development Officer and shall be:





- a) Stored in animal proof and weatherproof containers that prevent the spread of waste materials;
- b) Screened from adjacent sites and public roads in an aesthetically pleasing manner at the discretion of the Development Officer; and
- c) Designed and placed in a location that is easily accessible for waste disposal and pickup.

3.13.2 Where any proposed development requires collective waste disposal facilities, the location, manner of storage and screening shall be indicated on the site plan submitted with the development permit application.

3.13.3 Collective waste disposal facilities are not permitted within the front or side yard setbacks.

3.14 HEIGHT EXCEPTIONS

3.14.1 The maximum height regulations of this bylaw do not apply to the following:

- a) Chimney stacks
- b) Elevator housings
- c) Flagpoles
- d) Parapet walls
- e) Roof stairway entrances
- f) Skylights
- g) Steeples
- h) HVAC equipment
- i) Any other items deemed by the Development Officer to be of a similar nature to those noted above.

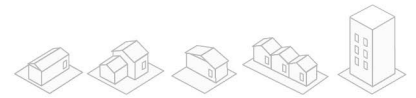
3.15 YARDS AND ALLOWABLE ENCROACHMENT

3.15.1 No development shall be permitted in any yard other than the erection of a gate, fence, wall, or other means of enclosure referred to in Subsection 3.12.

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

- a) Chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, steps, door canopies, or other similar features, may encroach up to 0.61 m (2.00 ft) into front, side, and rear yards.
- b) Encroachments of steps, eaves, canopies, or decorative overhangs are permitted up to 0.61 m (2.00ft) into front, side, and rear yards.
- c) Encroachments of steps, ramps, or boardwalks, at the discretion of the Development Officer, when required for safe access to a permitted primary or accessory structure due to parcel grade.
- d) Encroachments of uncovered patios or decks up to 0.61 m (2.00 ft) in maximum height from grade, are permitted up to 0.91 m (3.00 ft) into front, side, and rear yards.
- e) Wheelchair ramps are permitted to encroach into any required yard setback, at the discretion of the Development Officer, provided that the ramp:





- (i) Does not impede fire access to or around the building; and
- (ii) Is complimentary to and well-integrated into the existing building.

3.16 VISIBILITY AT INTERSECTIONS

3.16.1 No landscaping, screening, building, or structure shall be planted or erected at a height greater than 0.91 m (3.00 ft) above the established grade within the shaded space, as illustrated in Figure 1. This shaded space spans 6.10 m (20.00 ft) in either direction from the corner of a parcel.

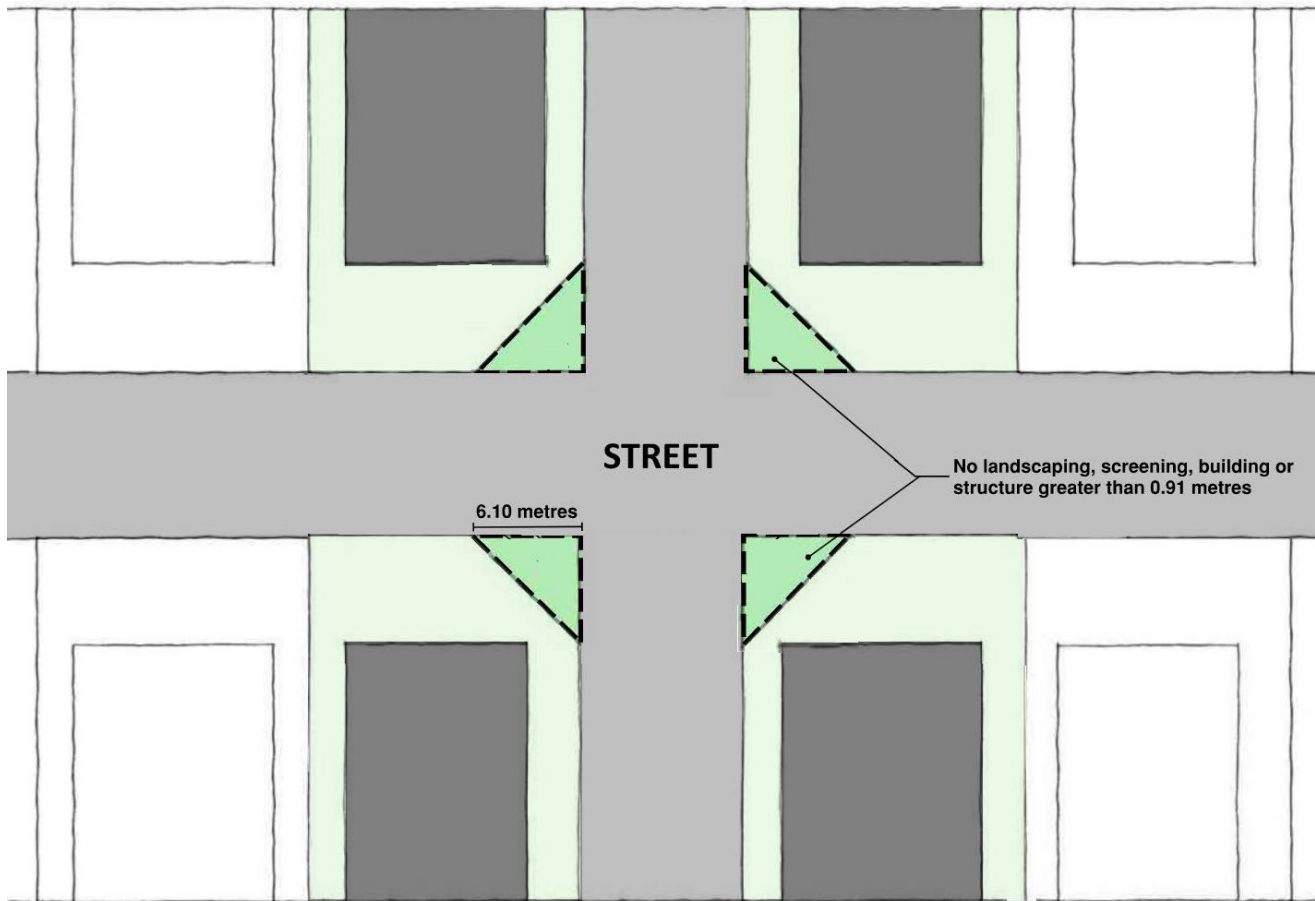


Figure 1 – Visibility at Intersections, Area that landscaping, screening, building, or structures are prohibited over 0.91 metres in height

3.17 OFF-STREET PARKING SPACE REGULATIONS

3.17.1 The Development Officer may require all developments in non-residential zones to provide as a minimum, a durable, gravel surfaced parking area with sufficient slope to ensure proper drainage.

3.17.2 When land or a building or structure is used for any purpose, there shall be, provided on the lot or an alternate site, the number of parking spaces and commercial vehicle off-street loading and parking areas as specified in Table 1.



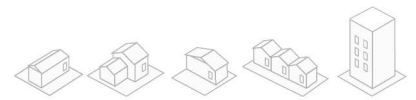


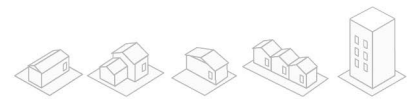
Table 1 – Minimum Parking Requirements

| MINIMUM PARKING REQUIREMENTS | | |
|---|---|---|
| TYPE OF DEVELOPMENT / USE | PARKING SPACES | LOADING SPACES |
| Urban Dwelling and Dwelling, Attached | 2 plus 1 per additional dwelling unit | |
| Multiple Unit Housing | 1 plus 1 per dwelling unit | |
| Bed and Breakfast | 2 plus 1 per rental suite | |
| Home Business, Home Industry | 1 per business plus 1 per non-resident employee | |
| Care facility, regardless of type | 1 per 2 dwelling units plus 1 per 3 employees | ± is this required at all sizes? |
| Hotels, motels, hostels | 1 per sleeping unit | ± Is this required at all sizes? |
| Offices, business, personal & service establishments, and retail stores | 1 per 50 m ² (538.20 ft ²) of gross floor area | ± Is this required at all sizes? |
| Service station | 3 per service bay | 1 |
| Industrial uses | 1 per 4 employees per shift, minimum of 4 | 1 space per loading dock / loading door |
| Eating and drinking establishments | 1 per 6 seats | 1 |
| Schools – Kindergarten and Elementary | 1 per classroom | 1 per building |
| Schools – Middle Years / High School / Other | 1 per classroom plus 1 per each staff member | 1 per building |
| Indoor Recreation Facilities, Clubs, Assembly Halls | 1 per 10 m ² (107.64 ft ²) of public GFA | 1 |
| Theatre, Arena, Auditorium, Church | 1 per 6 seats | ± Is this required at all sizes? |

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

- 3.17.3 Where any development comprises uses in several of the categories mentioned in Table 1, the parking requirement is that of the category requiring the highest number of parking spaces.
- 3.17.4 When the calculation of the required off-street parking spaces or loading spaces results in a fraction, the calculation shall be rounded up.
- 3.17.5 No person shall keep a vehicle having a maximum gross weight in excess of 18,000 kg on a lot, site or street in a residential zone for longer than is reasonably necessary to load or unload a vehicle.
- 3.17.6 No person shall keep a dismantled or wrecked vehicle in view for more than 14 days on a lot, site or street unless authorized under the provisions of this bylaw.
- 3.17.7 In any zone, when any new development is proposed including a change in use of existing development, or when any existing development is in the opinion of the Development 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 bylaw.





3.18 PARKING AND MANEUVERING DESIGN

- 3.18.1 All parking space access points, parking and loading areas shall be specified to the satisfaction of the Development Officer having due regard to the use proposed, the type of traffic expected to be generated, roadway function and visibility, emergency vehicle movement and the needs of the elderly and disabled.
- 3.18.2 All off-street parking areas shall conform to the following requirements in Table 2 and conform with the Parking Design Standards as per Figure 2.

Table 2 – Parking Design Standards, Minimum Requirements

| PARKING DESIGN STANDARDS | | | | |
|--------------------------|-----------------------|---|--|--------------------------------------|
| A | B | C | D | E |
| PARKING ANGLE IN DEGREES | WIDTH OF STALL METERS | DEPTH OF STALL PERPENDICULAR TO MANEUVERING AISLE IN METERS | WIDTH OF STALL PARALLEL TO MANEUVERING AISLE IN METERS | WIDTH OF MANEUVERING AISLE IN METERS |
| 0 | 2.6 | 2.6 | 6.7 | One way 3.0 |
| 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 | 6.0 | 2.6 | One way 6.0 |

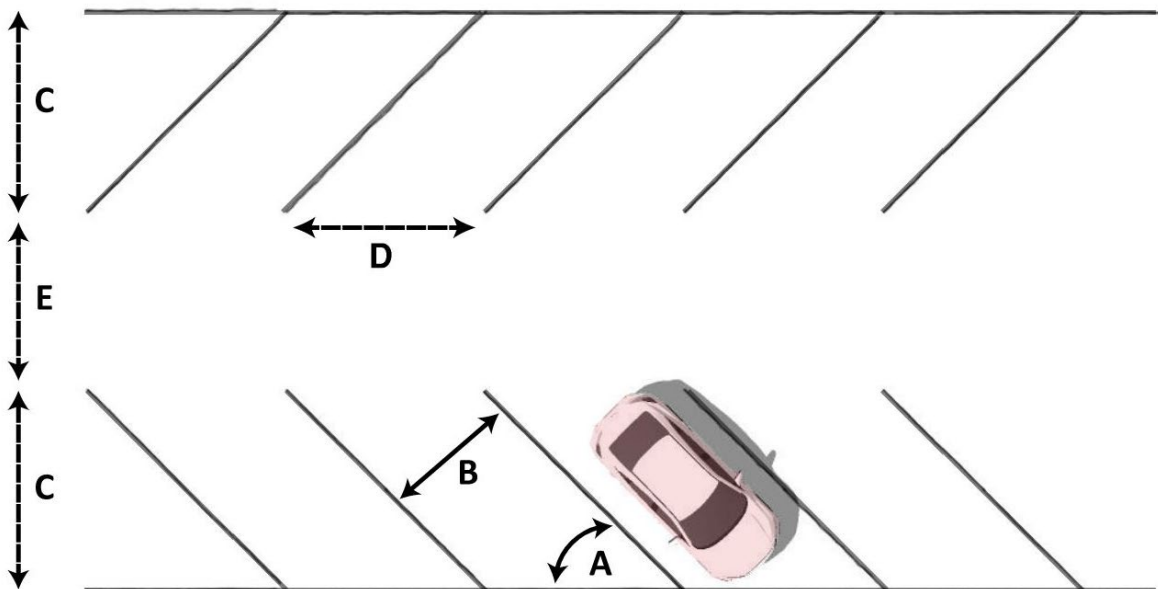
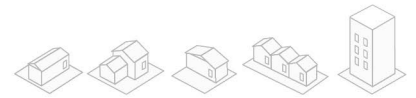


Figure 2 - Parking Design Standards

3.19 LOADING SPACE REGULATIONS

- 3.19.1 The number of commercial off-street loading spaces provided for a development must conform with Table 2.
- 3.19.2 Loading spaces must be no less than 3.00 m (9.84 ft) in width, 7.60 m (24.93 ft) in length, and 4.30 m (14.11 ft) in height.





3.19.3 Loading spaces must be designed to:

- a) Provide vehicular access to and from a street or land such that no backing or turning movements of vehicles going to and from the site causes interference with traffic in the abutting streets or lanes; and
- b) Be sited at an elevation or elevations convenient to a major floor level in the building or to a utility serving each major floor level.

3.20 DRIVEWAY ACCESS

3.20.1 For any development, driveway access shall be designed in such a way as to minimize the number of entrances and exits.

3.20.2 The width of a driveway providing access from a road to any type of development, may not exceed:

- a) 6.00 m (19.69 ft) where the lot width is less than 12.00 m (39.37 ft),
- b) 50% of the lot width where the lot width is between 12.00 m (39.37 ft) and 20.00 m (65.62 ft), and
- c) 10.00 m (32.81 ft) where the lot width is greater than 20.00 m (65.62 ft).

3.20.3 For residential developments, driveway access widths must provide adequate width and turning radii for emergency vehicle access, as well as a slope no greater than 8%, to the satisfaction of the Development Officer.

3.21 SIGNS

3.21.1 Signs up to 2.97 m² (32 ft²) are permitted in all zones, on sites where a permit has been issued for a principal use.

3.21.2 The operator of a home office, home business or home industry may attach only one nonilluminated fascia sign to the principal residence advertising the business, or in the case of a country residential zone, at the entrance to the driveway.

3.21.3 All signs shall be related to the principal use or uses of the site and serve to identify the name of the business and the products and services available.

3.21.4 Where a sign is found to identify a use incorrectly or is in an overall state of disrepair, the Development Officer may, by written notice, order a sign owner or person responsible for the sign, to alter, refurbish or remove the sign within the time specified in the notice.

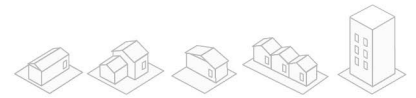
3.21.5 Only businesses holding a Village business license may apply to erect billboards along the Alaska Highway and Haines Road within municipal boundaries, except that other businesses may advertise at designated rest areas intended to provide an orientation to regional attractions and other communities.

3.21.6 No sign shall be attached to any object in a public place except a kiosk or bulletin board erected by the Village for that purpose. Temporary political campaign signs are exempted from this but must be removed within 5 days after the corresponding election date.

3.21.7 No part of any sign shall project beyond the property line.

3.21.8 No sign shall by reason of its location, colour, shape, format or content imitate an official traffic sign.





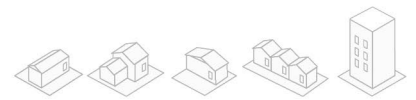
3.22 WATER, SANITARY SEWER FACILITIES, AND UTILITY SERVICES

- 3.22.1 When municipal servicing infrastructure is available, all new residential, commercial, and industrial development shall be required to adequately connect to adequate municipal servicing. The Village may require that each new development demonstrate adequate servicing capacity.
- 3.22.2 Each unit of an attached dwelling shall be individually and directly connected to the water and sanitary lines located in the public right-of-way.
- 3.22.3 Where piped municipal sanitary sewer service is not available, the owner or authorized agent shall provide a private water supply and wastewater system. The design, installation and setback of the private wastewater system shall be in accordance with current legislation and approval of Environmental Health Services.
- 3.22.4 Where a building is not connected to a municipal wastewater system, the Development Officer shall require, as a condition of issuing a development permit that:
- a) In the case of a new building, that the developer provides the municipality with evidence that a permit from an accredited agency has been obtained by the developer for the installation of a private wastewater system in accordance with current legislation and standards, prior to commencement of any construction; or
 - b) In the case of an addition to an existing building, that the developer provides either a permit referenced in Subsection 3.22.4 (a), or documentation showing that the existing system was sized to accommodate additional capacity, or a statement signed and sealed from a qualified professional that the existing wastewater system operates properly and is capable of handling the additional wastewater expected to be generated as a result of the addition, prior to the commencement of any construction; and
 - c) In the case of the construction of a new building or the addition to an existing building, proof that the building or addition does not cover existing or proposed wastewater systems.
- 3.22.5 The Development Officer may require that a developer provide evidence that an inspection of a private wastewater system was undertaken by the accredited agency that issued the permit for the wastewater system and that the inspection showed the system to have been properly installed.
- 3.22.6 A person shall not commence a development until provision has been made for utility services or facilities to the satisfaction of the Development Officer.

3.23 FLOOD CONTROL, ENVIRONMENTAL PROTECTION AND AQUIFER PROTECTION

- 3.23.1 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 (98.43 ft) of the natural boundary of Pine Creek and/or Dezadeash River.
- 3.23.2 No development shall be permitted on any lot that falls within lands designated as susceptible to a 1:200 year flood as outlined on the Dezadeash River and Pine Creek Buffer Map (Schedule B), unless the applicant can demonstrate an acceptable method of flood proofing the proposed development and completes a flood hazard waiver that acknowledges the risk and indemnifies the Village against any future loss.





- 3.23.3 Where a proposed development involves land filling, the Development Officer may require the applicant to submit verification of compaction testing, a drainage plan, and include provision for drainage easements.
- 3.23.4 In all zones, all driveways crossing roadside drainage ditches require a culvert.
- 3.23.5 Development that could cause an impact on groundwater may not be allowed unless:
- a) It can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollutions of the groundwater supply; or
 - b) Appropriate remedial measures have been or will be taken to sufficiently mitigate the risk of endangering the potability of the groundwater supply.
- 3.23.6 Land use and development activities that have a high pollution risk and the potential to contaminate groundwater within regulatory Well Protection Zones, as per the Village's Aquifer and Wellhead Protection Plan, will be restricted. These land uses can include, but are not limited to, chemical fertilization storage, disposal fields, fuel tanks, waste disposal, and wastewater treatment facilities. In instances where restriction is not possible, the following considerations must be met:
- a) The proponent shall prove, through adequate engineering or hydro-geological investigation, that the proposed activity will not cause pollution of the public drinking water supply; and/or
 - b) Appropriate precautionary measures are taken to sufficiently mitigate risk of endangering the public drinking water supply.

3.24 PARKS, GREENBELTS, AND ENVIRONMENTAL RESERVE

- 3.24.1 Environmentally sensitive lands including wetlands, lands along the Pine Creek and/or Dezadeash River, and lands of spiritual and cultural significance to the Champagne and Aishihik First Nations shall be protected from development and inappropriate use through restricted access, setbacks, buffers and such similar means as Council deems appropriate.
- 3.24.2 Development that improves public access to and along the Pine Creek and/or Dezadeash River shall be permitted where such development enhances the visitor experience (i.e. interpretative signage) and limits the impacts of users on the environment (i.e. boardwalks).

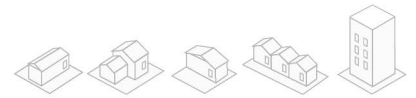
3.25 LIGHTING

- 3.25.1 Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at adjoining properties.
- 3.25.2 The Development Officer, in keeping with the principles of crime prevention through environmental design, may require such additional site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings and abutting streets of parking areas and walkways.

3.26 SATELLITE DISHES, ANTENNAS, TELECOMMUNICATION FACILITIES AND UTILITY TOWERS

- 3.26.1 All utility towers, facilities and visible accessory equipment shall meet the minimum setback requirements of the district in which it is located. Guy wires and other supporting structures shall be a setback a minimum of 2.00 m (6.56 ft) from any lot line.
- 3.26.2 An applicant for a communication tower and facility shall consider the visual impact of the development on the local surroundings, including the physical appearance and height of the tower. The Development Officer may limit tower height or design based on visual impact considerations.





- 3.26.3 All utility towers and facilities shall be designed to blend in with the surrounding environment, except where prevented by aeronautical safety requirements.
- 3.26.4 The applicant shall demonstrate that consideration has been given to minimize the risks to birds, including that new towers should be located away from wetlands or other known areas of high bird concentrations or along bird migratory routes; tower heights should be kept as low as possible to avoid lighting requirements; placing daytime visual markers on guy wires; and selecting lighting that has been shown to be less of an attractant to birds.
- 3.26.5 All buildings, structures and visible equipment accessory to utility towers and facilities should be architecturally compatible with the surrounding environment. Use of appropriate vegetation and screening is encouraged.
- 3.26.6 Satellite dishes, antennas and all structural supports shall be located on the same site as the intended signal user.
- 3.26.7 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.
- 3.26.8 Except in the Industrial Zone, no advertising shall be allowed on a satellite dish nor shall the antenna be illuminated.
- 3.26.9 A satellite dish that is larger than 0.90 m (3.00 ft) in diameter shall not be located on a roof except for multiple-unit residential and non-residential buildings, subject to the discretion of the Development Officer.
- 3.26.10 When communication towers and facilities become obsolete and / or damaged and unrepaired, they shall be immediately removed, and the development site reclaimed.

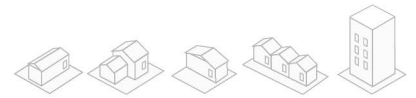
3.27 STORAGE OF MATERIALS

- 3.27.1 During the period a development permit is in effect, temporary storage of building materials shall be permitted in any yard of any lot, in all zones.
- 3.27.2 In any residential zone, no person shall keep, store or permit to accumulate outside and unscreened, any objects, chattels, goods or materials for a period of 14 days or more, which, in the opinion of the Development Officer, are unsightly, out of character with the residential character of the zone, or by their nature and location, diminish the reasonable use and enjoyment of neighbouring properties.
- 3.27.3 No person shall permit to accumulate, stockpile, keep or store on any lot, or in any building or structure, rubbish, building materials, fluids, machinery or other goods and chattels, in such quantities that in the opinion of the Development Officer, they pose a potential fire risk, nuisance or hazard to the physical health and safety of adjoining property owners or the public at large.

3.28 STORAGE FACILITIES FOR HAZARDOUS GOODS

- 3.28.1 All above-ground storage vessels for liquified petroleum gases and flammable liquids shall:
 - a) Be considered as an Accessory Use to a primary use within an industrial site;
 - b) Obtain a storage permit from the Yukon Government;
 - c) Notwithstanding the setbacks as outlined in the specific industrial land use district, be a minimum of 3.00 m (9.84 ft) from all side and rear lot lines.





3.28.2 The Development Officer may require a above-ground storage vessel for liquified petroleum gases and flammable liquids to be adequately screened from view of adjacent properties or roads through the use of vegetation, berming, or fencing.

3.29 TEMPORARY STRUCTURES

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

3.30 MOVING OF STRUCTURES

3.30.1 No person shall move a building, structure or a non-C.S.A. approved mobile home off or onto a lot without obtaining a development permit.

3.30.2 Any relocated building or structure must be brought up to current National Building Code standards or C.S.A. standards or both, as applicable, upon relocation.

3.31 SUBDIVISION

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

3.32 LANDSCAPING

3.32.1 The Development Officer may require a site landscaping and screening plan to be included in a development permit application for multiple family housing, commercial, industrial and institutional developments.

3.32.2 Plant materials shall be hardy to the region and to the location of the site in which they are planted.

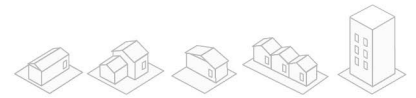
3.32.3 Existing trees and large shrubs on a site shall be preserved, protected or replaced where possible.

3.32.4 Any area required to be landscaped may, at the discretion of the Development Officer, be left in its natural state or be landscaped with a combination of hard and soft landscaping materials to enhance and complement the appearance of the development.

3.32.5 Where a landscaping plan is required, no landscaping work shall be commenced until the landscaping plan is approved by the Development Officer; and shall include the following:

- a) Boundaries and dimensions of the site;
- b) Adjacent land uses;
- c) Location and name of adjacent roads, lanes, driveway entrances, sidewalks and trails;
- d) Footprint and dimensions of all buildings;
- e) Location of any utilities or right-of-ways;
- f) Pedestrian circulation and open space systems;
- g) Location and description of any existing or proposed physical features such as fences, berms, retaining walls, outdoor furniture, decorative paving, water features;
- h) Location and description of any hard landscaping materials such as rocks or mulching;





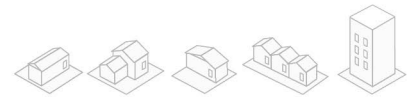
- i) Location and description of any existing or proposed plant materials, identifying plant common and botanical name, quantity and size at planting; and
- j) Site area proposed to be landscaped, and percent of site coverage.

3.32.6 At the discretion of the Development Officer, a landscaping plan may be required to be stamped by a registered Landscape Architect.

3.32.7 The Development Officer may require as a condition of a development permit or development agreement that the developer provides a landscaping security deposit, and that the security deposit shall only be returned in full to the developer upon completion of the landscaping according to the approved plan, to the satisfaction of the Development Officer.

3.32.8 The owner of a property, or any successors or assignees, shall be responsible for landscaping and proper maintenance for the life of the development. In the event that planting materials in an approved landscaping plan fail to survive, the Development Officer may require or approve alternate planting materials.





PART 4 DEVELOPMENT PERMITS

4.1 DEVELOPMENT PERMIT REQUIRED

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

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

4.1.2 In addition to Subsection 4.1.1, a development permit is required for:

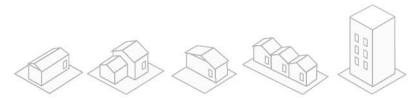
- a) The removal of topsoil, gravel and other surface materials for the preparation of a lot for development;
- b) The cutting of and/or removal of trees by individuals prior to those individuals having title to the property in question, or where such work is a prelude to construction that would require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

4.2 DEVELOPMENT PERMIT NOT REQUIRED

4.2.1 No development permit is required for the following developments provided that such developments comply with all provisions of this bylaw and other applicable legislation:

- a) Routine maintenance, minor repairs, and/or alterations to any building or structure provided that such work does not change the use or intensity of use of the building or structure;
- b) Residential construction for which there is no change in use or intensity of use;
- c) Additions to existing dwellings that do not create a new dwelling unit;
- d) Construction of accessory buildings and structures in residential zones that do not include a dwelling unit;
- e) Commercial uses in non-residential zones for which there is no change in use or intensity of use;
- f) Erection of any fence, wall or gate not exceeding the height specified in the applicable zone, or any canopy or awning not overhanging public property;
- g) Use of premises as a temporary polling station, Returning Officer's headquarters, candidate's campaign office and any other official temporary use in connection with a Federal, Territorial, School Council, or Village election, referendum or census;
- h) Erection, repair and replacement of television and other minor communication related structures such as aerials, towers and satellite receivers/dishes in non-residential districts;
- i) Installation, maintenance or repair of public infrastructure;
- j) Erection of temporary structures, except dwelling units, incidental to construction, maintenance or alteration of a building or structure for which a development permit has been issued;



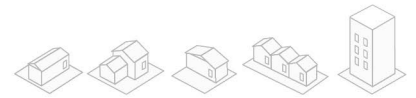


- k) Landscaping, including private walkways, pathways and driveways, where the existing grade and surface drainage pattern is not materially altered and will not create off-site impacts;
- l) Demolition of a building or structure under 10 m² (107.64 ft²) GFA, except a designated heritage structure;
- m) Construction, maintenance and repair of private walkways, pathways and driveways;
- n) Completion of a building which was lawfully under construction at the date on which this bylaw came into full force and effect provided that the building is completed in accordance with the terms of any permit granted by the Village and the building is completed within 24 months of the date on which this bylaw came into full force and effect; and
- o) Erection and use of signs.

4.3 APPLICATION

- 4.3.1 Every application for a development permit shall be made in writing on the form prescribed by the Development Officer and signed by the registered owner of the affected property or their authorized agent.
- 4.3.2 An applicant for a development permit shall pay a non-refundable processing fee, as set by Council.
- 4.3.3 Every application shall include:
 - a) The legal description of the property and municipal address if available;
 - b) A statement of the existing and proposed uses;
 - c) An illustration acceptable to the Development Officer, showing at a minimum:
 - (i) lot lines with dimensions;
 - (ii) location of existing and proposed buildings or structures;
 - (iii) location of any existing and proposed on-site water and wastewater systems including wells, septic tanks and disposal fields;
 - (iv) location of any existing and proposed utility connections including power, water and wastewater systems;
 - (v) location of any existing and proposed access and parking areas; and
 - (vi) setbacks and site coverage
- 4.3.4 The Development Officer may require the following additional information to make an informed decision:
 - a) A detailed site plan specifying the location of existing and proposed site features (e.g., fences, buildings, accessory structures, power poles, trees, slopes and watercourses), parking and loading areas, building heights and dimensions and existing and proposed building and lot grades;
 - b) Floor plans of each level and elevation drawings of each side of proposed buildings, including building height measurements and number of storeys;
 - c) A geotechnical evaluation of the site to confirm slope stability; appropriate top-of-bank, lakeshore, and watercourse setbacks;





- d) Evidence of site suitability for an on-site wastewater system;
- e) Evidence of access to the property from a legal right-of-way;
- f) A drainage plan illustrating site topography and drainage details including directions of discharge, percentage of grades, swales, ditches and connections to storm mains;
- g) A landscape plan showing existing and proposed physical features including turf areas, trees, shrubs, planting beds, walls, fences, signage, site furnishing, and hard surfaces; site grading, areas of fill and drainage, existing and future tree locations, and related features to improve the appearance of the development (or screen its activities);
- h) A landscape reclamation plan where the nature of the proposed development will significantly alter the landscape, or the proposed use has a limited life span;
- i) An environmental impact assessment where the magnitude or type of use may have off-site implications of a short or long-term duration by virtue of the nature of the activity proposed;
- j) Written confirmation that satisfactory arrangements have been made for access, the supply of services such as water, electricity or wastewater disposal and garbage pick-up;
- k) Comments from the Yukon Government, regarding any development within 1 kilometre of the Airport Zone (AP).
- l) A surveyor's certificate; and
- m) Any other technical report that may be requested by the Development Officer to adequately evaluated the application.

4.3.5 An application for a development permit shall not be considered complete until all the requirements of this section of the bylaw have been met to the satisfaction of the Development Officer.

4.3.6 If the Development Officer determines that the application is incomplete, a notice shall be issued to the applicant advising of any missing requirements. If these requirements are not submitted within 3 months the application shall expire.

4.4 DECISION

4.4.1 Upon receipt of a complete development permit application, the Development Officer shall within 30 days:

- a) Approve the application;
- b) Approve the application subject to imposing conditions considered necessary; or
- c) Refuse the application, stating the reasons for the refusal.

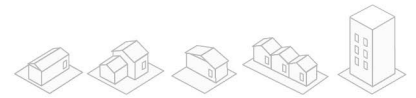
4.4.2 Where a Development permit application has been referred to external authorities or agencies for comments, the Development Officer may defer a decision beyond 30 days.

4.4.3 The Development Officer shall approve all applications for a permitted use upon the application conforming in all respects to the provision of this bylaw and may impose conditions to ensure compliance with this bylaw.

4.4.4 A permit application shall be refused when it is determined by the Development Officer that:

- a) Property taxes or other municipal fees and charges associated with the property are overdue;





- b) There is no access to the property from a legal right-of-way that is necessary for the proper operation of the development;
- c) Power, water and wastewater systems necessary for the proper operation of the development are not available; or
- d) The proposed development requires a subdivision of land.

4.4.5 When an application is refused by the Development Officer, another application on the same site for the same or similar use as that previously applied for, shall not be accepted from the same or any applicant until at least six months after the date of refusal or final appeal, as the case may be.

4.4.6 Subsection 4.4.5 shall not apply in the case of an application for a Development permit if the new application is for a use that complies with the regulations of this bylaw.

4.4.7 An application for a development permit that is received in its complete and final form prior to the effective date of this bylaw shall be decided upon within 90 days of this bylaw coming into effect, and no time extension shall be granted to any development permit issued under this section for which development has not commenced within 12 months.

4.4.8 As per the *Municipal Act*, within five working days after a decision on a development permit application, the Development Officer shall send a notice of the decision to the applicant. In the case of a refusal, the notice of decision shall state the reasons for refusal and advise the applicant on the process and the right to appeal.

4.5 CONDITIONS

4.5.1 When a development permit has been approved, the development permit shall not be valid until the decision is issued in writing by the Development Officer.

4.5.2 A development permit is not valid where an appeal is made to Council until the Development Officer has approved the permit as directed by Council.

4.5.3 When issuing a permit, the Development Officer may impose any conditions required to ensure compliance with this bylaw including satisfactory arrangements for the supply of necessary power, water and wastewater systems.

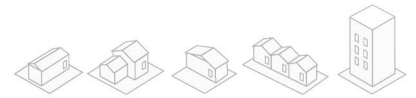
4.5.4 When a development permit has been issued, the permit shall not be valid until the conditions of the permit, save those of a continuing nature, have been fulfilled.

4.5.5 If the development authorized by the development permit is not commenced within 12 months from the date of issue, or any associated construction not carried out with reasonable diligence, the permit is deemed void.

4.5.6 Notwithstanding Subsection 4.5.5, the applicant may request an extension prior to the expiry date by notifying the Development Officer in writing indicating the reasons for the extension request. The Development Officer may grant, reject or approve the extension with conditions based on the merits of the case. Such an extension may only be granted once.

4.5.7 When a development permit expires, a new application is required. Such application shall be dealt with as a first application and the development approving authority shall be under no obligation to approve it on the basis that a previous permit had been issued.





4.5.8 The person to whom a development permit has been issued shall, during construction, keep in a conspicuous place on the site a copy of the approved development permit, including a copy of all approved drawings and specifications for inspection by the Development Officer.

4.6 APPEALS

4.6.1 Any person who is aggrieved by a decision of the Development Officer or the Board of Variance as the case may be under this bylaw, may appeal in writing to Council within 30 days of that decision by filing a written notice of appeal using the form provided and paying the applicable processing fee.

4.6.2 Council shall schedule a hearing of the appeal within 30 days of filing following the procedures set out in the *Municipal Act*. The decision of Council is final and binding on all parties.

4.7 VARIANCES

4.7.1 A Board of Variance is established in accordance with the *Municipal Act*. The Board of Variance shall consist of not less than three members, none of whom are members of Council, to review and make decisions on applications made to it.

4.7.2 The Chairperson of the Board of Variance shall be selected by its members. The Chairperson shall sign all notices of decision and other documents on behalf of the Board. In their absence, such documents may be signed by one of the members present at the hearing to which they apply.

4.7.3 A majority of the members of the Board of Variance shall constitute a quorum. Only those members present may vote and a majority decision of the members present constitutes the decision of the Board.

4.7.4 Pursuant to the *Municipal Act*, a person may apply to the Board of Variance for a variance or exemption from an Official Community Plan or Zoning Bylaw if there are practical difficulties or unnecessary hardships in meeting the requirements of the Official Community Plan or Zoning Bylaw because of the exceptional narrowness, shortness, shape, topographic features, or any other unusual condition of the property.

4.7.5 Within 30 days of receipt of a completed application, the Board of Variance shall hold a hearing respecting the variance request and approve, disapprove or approve with conditions an application that in its opinion will preserve the purposes and intent of the Official Community Plan and Zoning Bylaw.

4.7.6 The Board of Variance shall give at least 14 days notice of the public hearing date, in writing to the applicant, the Development Officer, all land owners within 30.00 m (98.4 ft) of the development and other such persons as the Board of Variance specifies.

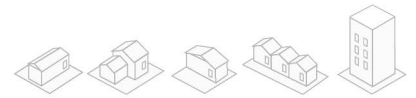
4.7.7 The Development Officer shall act as Secretary to the Board of Variance and perform the following duties:

- a) organizing the public hearing within 30 days of receipt of filing of an application and payment of a non-refundable processing fee;
- b) publicly posting notice on the municipal office bulletin board and other prominent locations within the community the date of the public hearing at least 14 days in advance;
- c) notifying property owners within a 30.00 m (98.4 ft) radius of the affected location; and
- d) preparing and maintaining a written record of the proceedings and issuing a Notice of Decision to the affected parties and all interveners outlining the Board's decision and rationale within 5 working days of the public hearing.

4.7.8 The Board of Variance shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the variance.

4.7.9 At the public hearing, the Board of Variance shall hear:





- a) the person requesting the variance or any person acting on their behalf;
- b) the Development Officer or a person designated to act on their behalf;
- c) any other person who was served with notice of this public hearing and who wishes to be heard or a person acting on his/her behalf; and
- d) any other person that the Board of Variance agrees to hear or a person acting on their behalf.

4.7.10 The Board of Variance shall give its decision in writing together with the reasons for the decision within five days of the conclusion of the public hearing. In determining a decision, the Board of Variance shall not approve an application for a variance if:

- a) the unusual condition is the result of the applicant's or the property owner's action;
- b) the adjustment requested would constitute a special privilege inconsistent with the restrictions on the neighbouring properties in the same district;
- c) the variance or exemption would be contrary to the purposes and intent of the Official Community Plan or Zoning Bylaw and injuriously affect the neighbouring properties; or
- d) the variance or exemption would allow a change to a use that is not similar to a permissible use in the area.

4.8 DEVELOPMENT AGREEMENTS

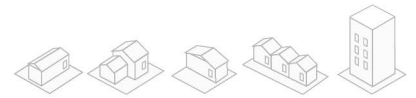
4.8.1 The Development Officer, or Council in the case of an appeal, may require the applicant to enter into a Development Agreement with the Village to cover the terms and conditions set out in the development permit that are deemed necessary to ensure compliance with this bylaw, the Official Community Plan, and the *Municipal Act*.

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

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

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



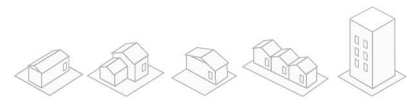


PART 5 AMENDMENT

5.1 PROCEDURE

- 5.1.1 Council may initiate any text or map amendments to this bylaw.
- 5.1.2 Any person may apply for an amendment to the text of this bylaw by submitting the required application to the Development Officer in writing along with the required fee and submitting a written statement that describes and justifies the proposed amendment.
- 5.1.3 A property owner, or their authorized agent, may apply to make a zoning amendment to their property by submitting the required application to the Development Officer in writing along with the required fee and providing:
- a) Documentation of ownership or authority to act on behalf thereof; a written statement of justification including a location map showing the proposed change in the context of adjacent land;
 - b) Permission for the Development Officer to enter onto and inspect the property; and such other information as the Development Officer deems necessary to prepare an evaluation of the request with a recommendation to Council.
- 5.1.4 Upon receipt of a completed application for a text amendment or map amendment, a Development Officer shall initiate or undertake an investigation and analysis of the potential impacts of development under the proposed zone. The analysis shall be based on the full development potential of the uses and development regulations specified in the proposed zone and not on the merits of any particular development proposal.
- 5.1.5 The analysis shall, among other factors, consider the following criteria:
- a) Relationship to, and compliance with, the OCP and other approved municipal plans and Council policies;
 - b) Relationship to, and compliance with, municipal plans in preparation;
 - c) Compatibility with surrounding development in terms of land use function and scale of development;
 - d) Traffic impacts;
 - e) Relationship to, or impacts on, services (such as water and sewage systems), utilities, and public facilities (such as recreational facilities and schools);
 - f) Relationship to municipal land, rights of way, or easement requirements;
 - g) Effect on the stability, retention, and rehabilitation of desirable existing uses, buildings, or both in the area
 - h) Necessity and appropriateness of the proposed text amendment or re-zoning according to the stated intentions of the applicant;
 - i) Analysis of any documented concerns and opinions of area residents and land owners regarding the application.





- 5.1.6 Subsequently, the Development Officer shall:
- a) Prepare a report on the proposed amendment; and
 - b) Submit a copy of the application and the Development Officer's recommendation and report to Council for decision.
- 5.1.7 Before approving a text, map or site rezoning amendment request, Council shall comply with those requirements and notification procedures set out in the *Municipal Act*.
- 5.1.8 When an application for an amendment to this bylaw has been refused by Council, another application for the same, or substantially the same, amendment shall not be submitted within 12 months of the date of refusal unless Council directs otherwise.

PART 6 ENFORCEMENT

6.1 GENERAL

- 6.1.1 A Development Officer or the Chief Administrative Officer may enforce the provisions of this bylaw.
- 6.1.2 All enforcement activities of a Development Officer as provided pursuant to the Municipal Act, this section, or any other section of this bylaw, may be commenced simultaneously.

6.2 OFFENCES

- 6.2.1 Any person who contravenes, causes, or permits a contravention of this bylaw, commits an offence.
- 6.2.2 Any person who owns, occupies, or uses land, constructs a building or structure, or makes an addition or alteration thereto for which a development permit is required but has not been issued; or is in contravention of a condition of a development permit issued under this bylaw, commits an offence.

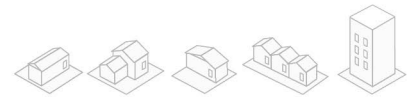
6.3 RIGHT OF ENTRY

- 6.3.1 After reasonable notice to the owner or occupant, a Development Officer or any other authorized Village representative may enter onto any land or into any building or structure at any reasonable time in order to conduct an inspection to ascertain compliance with this bylaw.
- 6.3.2 No person shall interfere with or obstruct the entry of a Development Officer or any authorized Village representative onto any land or into any building or structure to which entry is made or attempted pursuant to the provisions of this bylaw.
- 6.3.3 Where entrance into or upon any property within the Village is refused, a Judge, upon application made on behalf of council, may by order require the occupier of the property to admit a Development Officer or any authorized Village representative into or upon the property for the purpose of an inspection under section 6.3.1.
- 6.3.4 An order made by a Judge under this section continues in force until the purpose for which it was made has been fulfilled.

6.4 NOTICES

- 6.4.1 Once a Development Officer has found a violation of this bylaw, a Development Officer or the Chief Administrative Officer may notify the owner of the property, the person in possession of the land or development, and/or the person responsible for the violation, by:





- a) delivering either in person, by email, ordinary mail or a Notice of Violation; and
- b) posting the notice in a conspicuous location on the site.

6.4.2 Such Notice of Violation shall state:

- a) the nature of the violation of this bylaw;
- b) the scope of the corrective measures required to comply with this bylaw; and
- c) the time limit within which such corrective measures must be performed.

6.4.3 A Development Officer is not required to issue a Notice of Violation before commencing any other enforcement action under the Municipal Act or this bylaw.

6.5 REFUSAL, SUSPENSION OR REVOCATION OF PERMIT

6.5.1 A Development Officer may refuse to issue, suspend, or revoke a development permit where:

- a) the applicant fails to comply with the conditions of the issuance of the permit;
- b) any person undertakes or causes or allows any development on a site contrary to the terms or conditions of a permit;
- c) any person fails to complete the corrective measures described in a Notice of Violation issued pursuant to section 6.4; or
- d) the permit was issued in error.

6.5.2 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.

6.6 OFFENCE TICKETS

6.6.1 Where a person has contravened a provision of this bylaw, or if the corrective measures described in a Notice of Violation issued pursuant to section 6.4 are not completed within the specified time, or if development continues after a permit has been revoked, the person to whom the Notice of Violation was issued may be issued an offence ticket by a Development Officer or the Chief Administrative Officer in the amount specified in section 6.10.2.

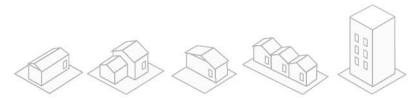
6.6.2 The offence ticket shall specify the alleged offence committed, the person to whom the offence ticket is issued, and require payment of the penalty by a specified date.

6.6.3 The offence ticket shall be served personally or by registered mail on the person identified in section 6.4.1.

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

6.6.5 Any person who contravenes the same provision of this bylaw within twelve months after the date of the first contravention is liable to the specified penalties for such second or subsequent offence in the amount set out in section 6.11





6.7 REPORT TO COUNCIL

- 6.7.1 Where a Development Officer is satisfied that there is a continued contravention of this bylaw, a Development Officer may elect to report such a contravention to Council in a timely manner if it appears the contravention will not be corrected in a timely manner.
- 6.7.2 Council may, on finding that any development or use of land or buildings is in contravention of this bylaw:
- direct the Development Officer to act on the matter in accordance with section 6.8;
 - suspend or revoke a development permit with respect to the contravention; and
 - apply to the court for an injunction to restrain the contravention.

6.8 ORDERS

- 6.8.1 A Development Officer or the Chief Administrative Officer may issue to the owner of the property, the person in possession of the land or buildings, or the person responsible for the contravention, a written order to comply with the provisions of this bylaw.
- 6.8.2 The order may:
- direct a person to stop doing something or to change the way in which the person is doing it;
 - direct a person to take any action or measure necessary to remedy the contravention of the Act or bylaw, including the removal or demolition of a structure that has been erected or placed in contravention of a bylaw and, if necessary, to prevent a reoccurrence of the contravention;
 - state a date and time by which the person must comply with the directions;
 - state that if the person does not comply with the directions within the specified time, the municipality will take the action or measure at the expense of the person; and
 - state that a person who receives a written order may request that Council review the order within 14 days after the date the order is received. After reviewing the order, Council may confirm, vary, substitute, or cancel the order.
- 6.8.3 This order shall be delivered by registered mail or be personally served on the person described in section 6.4.1.

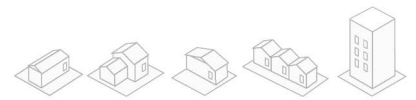
6.9 MUNICIPALITY REMEDYING CONTRAVENTION

- 6.9.1 Where a person fails or refuses to comply with the order issued under section 6.8, a Development Officer may take such action as is necessary to enforce the order.
- 6.9.2 The costs and expenses incurred by the Village in carrying out an order shall be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on the land.

6.10 PENALTIES

- 6.10.1 Any person who commits an offence under section 6.2 is, upon summary conviction, liable to a fine as specified in the Summary Convictions Act.
- 6.10.2 Any person who commits an offence under this bylaw is, in addition to any other punishment, liable on summary conviction to:





- a) a voluntary fine issued pursuant to Section 20 of the Summary Convictions Act and in respect of an offence specified in section 6.11; or
- b) a fine not exceeding ten thousand dollars (\$10,000.00) or to imprisonment for six months or both where proceedings are commenced pursuant to the summary convictions provisions of the Criminal Code of Canada; or
- c) a fine not exceeding five hundred dollars (\$500.00) or to imprisonment for six months or both where proceedings are commenced pursuant to section 9(1) of the Summary Convictions Act of the Yukon.

6.10.3 Where a person fails or refuses to comply with an Order pursuant to sections 6.2 and 6.8, that person is liable on summary conviction to a fine of not more than \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the offence continues.

6.10.4 In addition to the penalties provided for under section 6.10.2, a person convicted of an offence pursuant to section 6.2 in respect to the use of land or buildings or development carried out in contravention of this bylaw, may be ordered to remove such development and reclaim the site at that person’s own expense.

6.10.5 Should any person owning or occupying real property within the Village refuse or neglect to pay any penalties that have been levied pursuant to this bylaw, the Development Officer may inform such person in default that, if these charges are unpaid on the thirty-first day of December on the same year, these shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

6.11 SCHEDULE OF FINES

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

| Description of Offence | Penalty |
|---|----------|
| Fail to comply with Zoning Bylaw regulations* | \$250.00 |
| Fail to comply with Zoning Bylaw regulations (2nd or subsequent offence)* | \$500.00 |
| Fail to obtain development permit | \$250.00 |
| Fail to obtain development permit (2nd or subsequent offence) | \$500.00 |
| Fail to comply with an Order* | \$250.00 |
| Fail to comply with an Order (2nd or subsequent offence)* | \$500.00 |
| Fail to comply with permit conditions | \$250.00 |
| Fail to comply with permit conditions (2nd or subsequent offence) | \$500.00 |
| Fail to comply with Notice of Violation | \$250.00 |
| Fail to comply with Notice of Violation (2nd or subsequent offence) | \$500.00 |
| Fail to grant right of entry | \$250.00 |
| Fail to grant right of entry (2nd or subsequent offence) | \$500.00 |



PART 7 DEFINITIONS

7.1 RULES OF INTERPRETATION

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

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

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

7.2 GENERAL DEFINITIONS

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

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

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

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

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

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

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

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

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

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

APIARY means facility for keeping bees.

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

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 or other bakery goods are produced for wholesale to retail outlets and includes the retail outlets where such products are sold.

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

BED AND BREAKFAST means an accessory use of the operator's principal residence for commercial purposes, in which temporary overnight accommodation and breakfast is provided for less than 30 consecutive days at a time.

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

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

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

BUILDING HEIGHT means the maximum vertical distance as measured from the average ground level elevation from the base of the exterior wall at that point, to the highest point of the building. The calculation of building height excludes a roof stairway entrance, an elevator housing, heating or ventilation equipment, flush-mounted solar collectors, a skylight, a steeple, a chimney, a smokestack, a flagpole, a firewall, guardrail, or similar feature or device not structurally essential to the building that is less than 1.0 m (3.28 ft) in added height, see Figure 3.

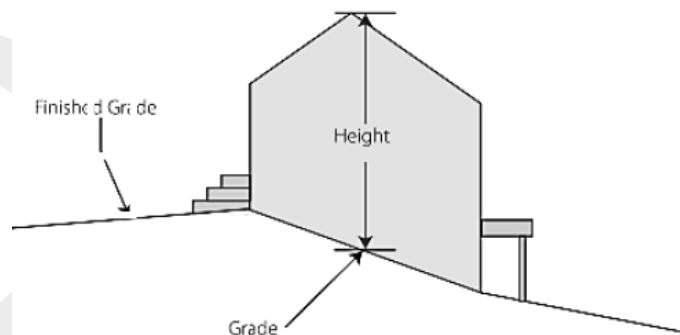


Figure 3 – Building Height Calculation

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.

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

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

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

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

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

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

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

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

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

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

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

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

COMMERCIAL means for trade or financial gain.

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

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

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

DECK means a structure more than 0.60 m above grade without a roof or walls, except for visual partitions and railings, used as an outdoor amenity area.

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

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

DEVELOPMENT OFFICER means a 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.

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

DUPLEX means a building that is divided horizontally or vertically into two separate dwelling units. The units may or may not be registered on the same title. Each dwelling unit has its own independent entrance.

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

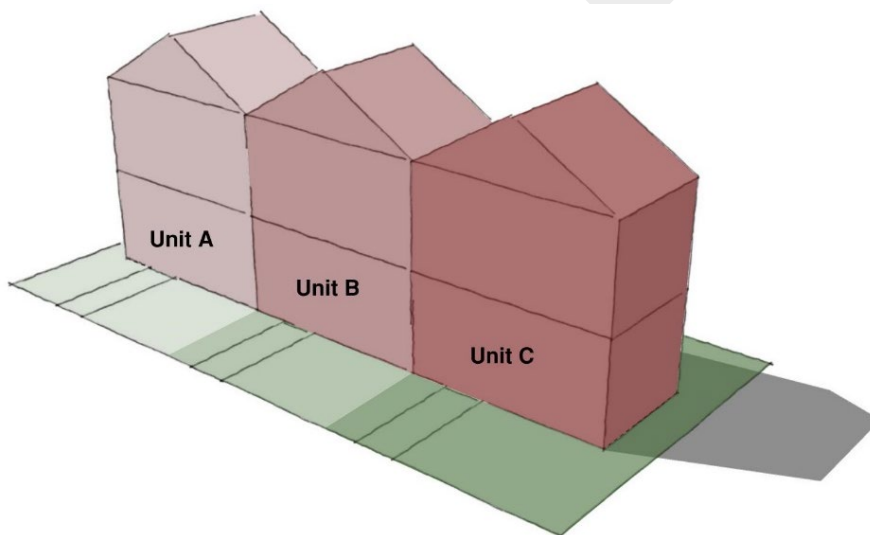


Figure 4 - Illustration of Attached Dwelling, 3-Unit Rowhouse / Townhouse on Separate Lots

DWELLING, ATTACHED means a building designed and built to contain two or more Dwelling Units separated from each other by a fire rated wall, with each having separate entrances, and for the purposes of this Bylaw, each is located on a separate titled lot.

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

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

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

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

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

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

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

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

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

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

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.

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

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

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

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

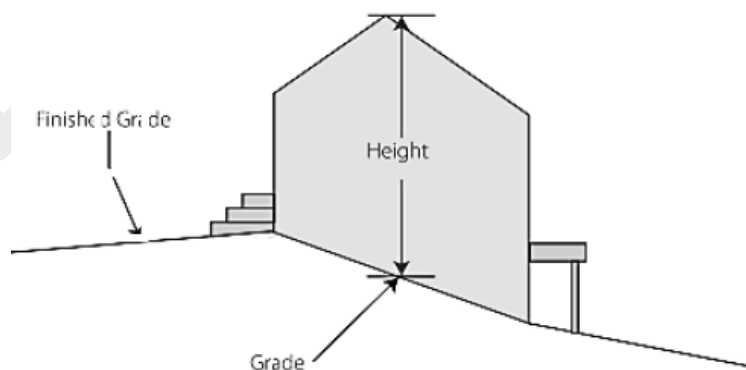


Figure 5 - Illustration of Grade Calculation

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

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

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

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

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.

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

HOME 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.

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

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

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

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

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

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

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

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

LOT LINE means a line which marks the legal boundary of a lot (see Figure 6) and, in particular:

- a) **Front Lot Line** means the lot line that divides the lot from a highway, excluding a lane. 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) **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.
- c) **Side Lot Line** means a lot line other than a front or rear lot line.

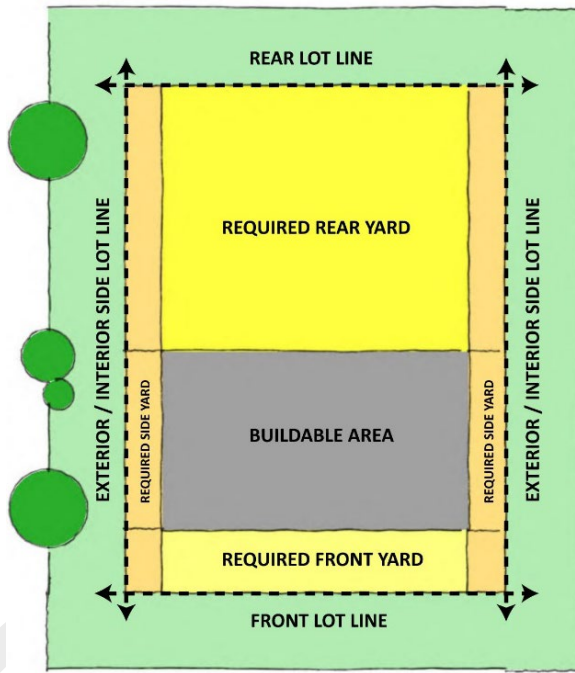
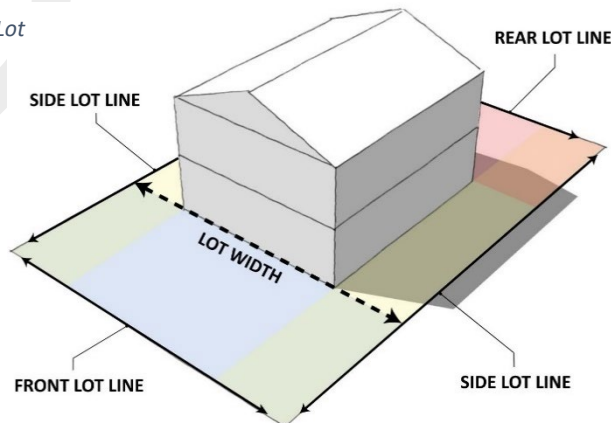


Figure 6 - Illustration of Lot Lines

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 WIDTH means the width of a lot where it abuts a highway except in the case of an irregular shaped lot where the lot width shall be the width of the lot along the front yard setback, see Figure 7.

Figure 7 - Illustration of Lot



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

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

MANUFACTURING, LIGHT means the use of facilities for the construction, creation, or assembling of semi-finished or finished goods, products or equipment that does not produce significant nuisance or environmental factors such as noise, appearance, or odour that may interfere with the use of any contiguous lot.

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

MOBILE HOME means a transportable dwelling unit which has or had a self-contained chassis, meeting current C.S.A. 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 C.S.A. standards or equivalent.

MOBILE HOME PARK means a parcel of land under one 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 200.00 m² (2,152.78 ft²).

MULTIPLE UNIT HOUSING means any physical arrangement of three or more dwelling units intended to be occupied by separate households.

MUNICIPAL ACT means the *Yukon Municipal Act* and amendments thereto.

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

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECREATIONAL VEHICLE (R.V.) means a portable structure intended as a temporary accommodation for travel, vacation or recreational use and includes travel trailers, motorized home, slide-in camper, chassis-mounted campers, and tent trailers but not including mobile homes.

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

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

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

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

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

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

SECONDARY SUITE means a self-contained, accessory dwelling unit in any physical arrangement and includes garden suites.

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

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

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

SHORT TERM RENTAL ACCOMMODATION means the use of a dwelling unit, or one or more bedrooms in a dwelling unit, for commercial purposes as temporary accommodation for less than 30 consecutive days at a time, but does not include Hotels, Motels, Hostels or Bed and Breakfast.

SIGHT TRIANGLE means the triangle formed by two intersecting highway right-of-way boundaries and two points on those boundaries six metres from the point of intersection, see Figure 8.

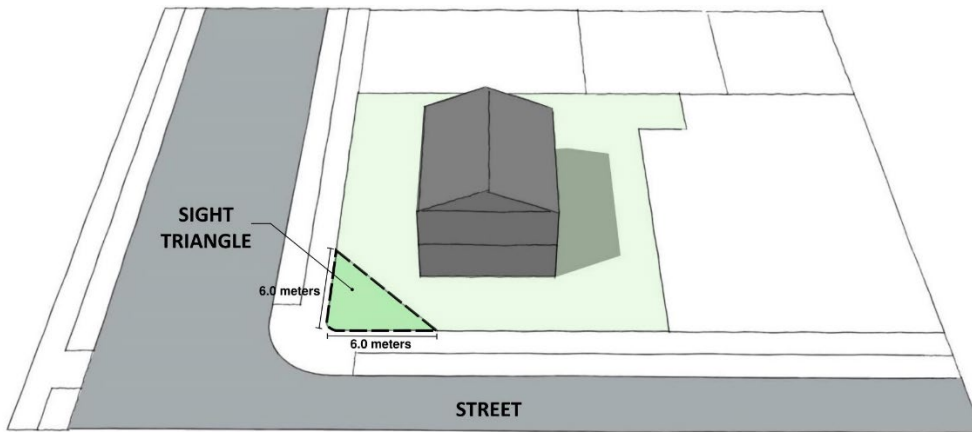


Figure 8 - Illustration of Sight Triangle

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

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

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

SINGLE FAMILY DWELLING means a free-standing building that contains one primary dwelling unit and includes modular homes that meet current *National Building Code* standards.

SITE COVERAGE means the percentage of horizontal area of a lot that may be built upon including accessory buildings or structures excluding steps, eaves, cornices and similar projections, courtyards, terraces or patios, driveways, aisles and parking stalls. Cantilevered portions of buildings above the first storey will not be included in site coverage calculations.

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.

TEMPORARY RETAIL SALES means sales carried out over a period not to exceed 5 months in a twelve month period.

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

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

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

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

VARIANCE means a variation, relaxation, or waiver of a development regulation or other requirement of this Bylaw.

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

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

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

YARD, FRONT means that portion of the lot extending across the full width from the front lot line to the nearest point of the exterior wall (including siding and trim) of the Principal Building and shall be measured at right angles to the front property boundary, see Figure 9.

YARD, REAR means that portion of the lot extending across the full width from the rear lot line to the nearest exterior wall (including siding and trim) of the Principal Building and shall be measured at right angles to the rear property boundary, see Figure 9.

YARD, SIDE means that portion of the lot situated between the front yard and the rear yard, which extends from the side property boundary to the nearest exterior wall (including siding and trim) of the Principal Building and shall be measured at right angles to the side property boundary, see Figure 9.

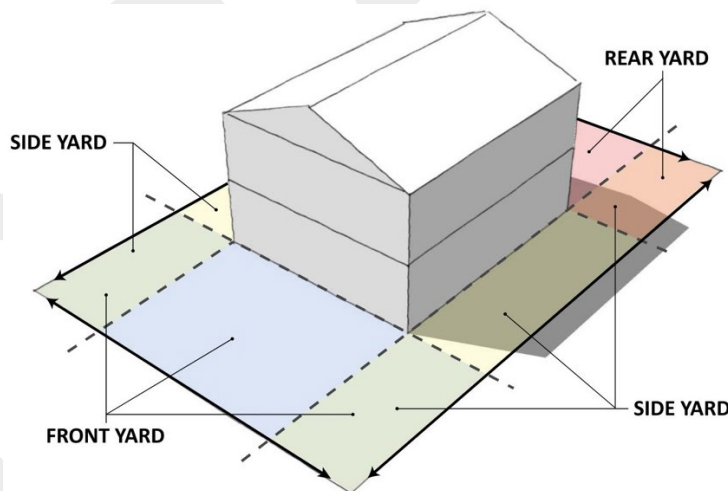


Figure 9 - Illustration of Yards

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 Village of Haines Junction and attached as Schedule A.

**Village of Haines Junction
Committee of the Whole Meeting
May 14, 2024**

Present:

Mayor Bruce Tomlin
Councillor Angie Charlebois
Councillor Mark Nassiopoulos
Councillor Diane Strand

CAO Dave Fairbank
Corporate Manager Aynslie Ogden
Consultant Mark Wickham

Agenda: Draft Zoning Bylaw

Call to Order

The meeting was called to order at 3:22pm

Acknowledgement of Champagne and Aishihik First Nations Traditional Territory

Mayor Tomlin acknowledged that we are on the traditional territory of the Champagne and Aishihik First Nations

Introductory comments:

- The objective of the revising the Zoning Bylaw are to:
 - Implement the Official Community Plan
 - Enable a targeted relaxation of existing rules to support affordable housing; few new restrictions are proposed to enable housing development.
 - Produce a readable/implementable/understandable document.
- The purpose of today's meeting is to provide Council with an opportunity to
 - Reflect on the outcomes of the two public engagements held in March (on residential zones) and April (on commercial and industrial zones), and
 - Provide any other feedback on the latest draft.
- The goal for today is to discuss key topics that arose during public engagements, noted that the engagements were excellent community dialogues – attendees listened closely to one another, the tone of the conversation was very positive and very respectful.
- Proposed next steps are to:
 - Incorporate direction from Council today on several issues that came up during the public engagements,
 - Hold one additional public engagement session (tentatively scheduled for May 23)
 - Incorporate comments from the engagement into First Reading, where there will be an additional opportunity for public comment.

1. Second Dwellings

Questions for Council: Should we enable second dwellings in all residential zones (R-1 and CR)? Should a maximum site coverage be included e.g. 50%-60%? Should 3 dwellings be permitted in the larger RC zone properties?

Discussion:

- How is a dwelling defined? Does it include a suite within the same house, a separate garden suite?
 - It is a second dwelling in any form, to provide the owner with flexibility as long as dwellings are compliant with the building code and meet minimum size requirements (proposed at 256 sq ft).
 - This does not require identifying a principle and a secondary dwelling - the owner could choose to live in the smaller or the larger dwelling.
- How does this differ from multi-family residential?
 - Multi family properties are generally larger properties and have a minimum density requirement e.g. 25 units per hectare.
- Can lagoon accommodate Area 1, new CAFN developments, plus densification with regards to secondary dwellings?
 - We currently discharge every other year, and when we do, we are not at flood water levels.
 - We have capacity to roughly double the current population.

Council Direction: Supportive, noting this will require changing setbacks (as discussed below), and lot plans will need to ensure there is space for 2 parking spots for principle and 1 parking spot for secondary that are not within setbacks.

2. R-1 Minimum Dwelling Size

Questions for Council: Should the minimum dwelling size be reduced from 256 sq ft from 753 sq ft? Should the minimum be removed entirely (as has been done in Carmacks)?

Discussion:

- Are there any issues with building codes with constructing a 256 sq ft dwelling?
 - Below 450 sq ft the Government of Yukon allows a relaxation of the energy code (insulation levels) from what is in the building code to encourage the construction of smaller homes. It is a lot easier to meet energy code in a larger home than a tiny home.
- What does the rest of Yukon do?
 - Dawson is 256 sq ft
 - No minimum in Carmacks.
- Concern raised at public engagement is if size is reduced to where it is too affordable, people may build themselves a vacation residence, or pull in a tiny home on a trailer just to meet requirements to get title.

Council Direction: Supportive.

3. RC Minimum Dwelling Size

Questions for Council: Should we maintain minimum at 753 sq ft? Should we allow a 256 sq ft minimum for a second (or third) dwelling?

Discussion:

- We heard in public engagement that country residential are desirable lots, along with the concern that a 256 sq ft home would result in underutilization of these lots. This can be addressed by requiring one dwelling larger than 753 sq ft.
- Some of the new lots planned in Area 3 will be smaller than current country residential lots – will this be an issue for septic systems?
 - This is an issue that owners will need to address either by reducing water consumption or having a holding tank.
- Would a third dwelling encourage short-term residential? This feels like we are getting away from intention of country residential, which is to feel like you live in a less-dense area.

Council Direction: Maintain 753 for principal residence, 256 ok for second dwelling. Not super comfortable with idea of allowing a third dwelling.

4. R-1 Setbacks

Questions for Council: Should we reduce from 15 ft to 10 ft in front and 15 ft to 5 ft at back (as the back yards typically border alley or greenspace) and keep side setbacks per current 8ft requirement, to better enable second dwellings.

Discussion:

- In existing setbacks, could have two 36' x 36' buildings on a 50x100 lot. Most existing residential properties could not do this; however, this would be a possibility for new construction.
- Statistics show that 10% of new home developers include a garden house/carriage suite.
- There is opportunity for upset in changing rear yard setbacks when rear yards abut each other (e.g. were there is no alley or greenspace)
- Need to ensure there is space for parking. This is a current issue around town.
 - Development permit needs to outline how parking will be provided.
- Do setback changes affect accessibility by Fire Department?
 - No

Council Direction: Changing setbacks as proposed is ok except where no alley/greenspace between rear yards where rear setbacks should remain as they are in current bylaw.

5. Change RM Zone to R-1

Questions for Council: Should we remove all discriminatory zoning and allow mobile homes that meet 2020 National Building Code (CSA) including energy requirements in all R-1 zoning. All mobile homes are required to meet the same requirements for water, sanitary and other utility services.

Discussion:

- This means someone could build a stick home on a mobile home lot and vice versa, if mobile home meets 2020 building code requirement.
- With 2020 building code requirement, older homes would need to be put on a permanent foundation, new siding, new windows/door – effectively requiring replacement of entire shell. This would minimize impact on adjacent property values.
- Modular housing – now hard to distinguish from traditional stick-built housing. No longer considered to be a different form of housing.
- Currently only one neighbourhood where mobile zones are allowed. If want to upgrade to stick-build house because mobile home is aging, would need to move to another property, limiting flexibility to allow someone to plan for a replacement home on their current lot.
- This enables property owners to start with mobile home and build second dwelling that is a stick home in R1.
- This would allow second dwelling to be a mobile home in R1.
- RM and R1 are currently at the same tax rate.
- Construction can be daunting, not everyone has fortitude to oversee a house building project. In this way, mobile homes may be in lifestyle reach for people.
- Want to hear more about what current owners of mobile homes feel about this proposal.
- This could increase value of mobile homes, which could increase value of property (and property taxes).
- Could investigate whether zoning designation has an impact on YG property assessments.

Council Direction: Generally supportive -- want to hear more about what current owners of mobile homes feel about this proposal.

6. R-2 Zone

Questions for Council: Should we permit multi-unit residential in any building form if minimum density is met? Cluster homes are easier to build and finance than single large structures.

Discussion:

- Defined on p 56 as three or more dwelling units occupied by separate households.
- Current zoning allows someone to put a single dwelling on a multi-unit residential property. This is why they are not being put on the market at present; desire to close this loophole.
- Page 5 – typo in table (single)
- Minimum lot size seems small (same as R-1 where we allow only 2 dwellings)
 - For comparison, the Parkside Inn (zoned Tourist Commercial) has 5 rooms on a 50x100 lot, with a separate lot for parking.
- Table - Minimum number of dwellings needs to reflect >1 on multi-res lots
- City of Whitehorse discussing whether to allow fourplexes on R-1 – this is not what this draft is considering for R1 – a fourplex would need to be in R2.
- Some zoning bylaws require one large building in multi-res. This is tougher for builders with less financial capacity; could finance/build smaller building and then rent and then finance/build

second building etc. Like idea of this but concerned about enforceability. Would banks finance this approach?

- How would this be enforced? Development Agreements. Requiring occupancy/siding on approved DP to get title – need to work on building approvals process.
- We want to encourage multi-family, not every developer can finance an eightplex, need to do in phases which may take 7-10 years instead of 3-5 years.

Council Direction: Like idea of this but concerned about enforceability.

7. CM - Multi-Unit Residential

Questions for Council: Should multi-residential be permitted in Mixed Commercial Zone? Consider second street properties behind Highway corridor in Mixed Commercial? Consider multi-unit residential in all commercial zones?

Discussion:

- Heard strong desire to maintain commercial along Alaska Highway Corridor at public meeting.
- Tourist commercial vs. mixed commercial – CT is more prevalent than CM.
- Including multi-family in mixed commercial CM was proposed at public engagement e.g. Residential above or behind but not in front – ground floor frontage would need to be commercial.
- Haven't seen distinction between CM and CT on a map available to the public for some time.
- OCP maps tend to be generalized and may blend these zones together.
- Intention is that a CT would be highway corridor where we expect most visitors.
- Intention is that CM would be the backside of the alley that is not directly facing the highway - current uses would be permitted. Mixed commercial zone – extend to whole of second street back from highway.
- CT can be difficult to get funding from banks.
- Presently, there are a lot of commercial properties, and most properties are not being used for commercial purposes. Most are being used for residential lots. Changing these from CT to CM would bring them closer into compliance.

Council Direction: Comfort with changing CT/CM zoning map to focus CT on Highway Corridor and re-zone street back from highway corridor as CM. Existing uses would not be affected/grandfathered in.

8. Commercial and Industrial Dwellings

Questions for Council: Should we permit one small accessory dwelling on Commercial and Industrial properties? Adopt a minimum and maximum size? Require commercial or industrial use to be completed and operational first?

Discussion:

- Public engagement – consensus that community wants to see industrial lots to stay industrial lots because they are in limited supply in the community.

- Propose bringing in a maximum dwelling size (1070 sq ft) so caretaker homes that are needed for security purposes stay modest in size and are secondary to the industrial use.
- Dwelling can be a separate structure.
- Also proposing that the dwelling shall not exceed 40% of gross floor area of the combined buildings on the lot – some industrial uses, e.g. trucking, don't need a building and could build a home – need to show some industrial investment on the property.
- How many lots would be put out of compliance with this?
 - Few are in compliance to begin with...
- Desire to prevent any future light industrial to inadvertently become a mixed-use area.
- If industrial lots are not being used for industrial purposes, we want to encourage these people to move to residential properties.
- Desire for changes to not affect existing properties.
- Many commercial and industrial properties have residences on them.
- Screening of commercial properties adjacent to residential – if we switch zoning on street behind may require fencing to be put in which may be less sightly than what is already there e.g. trees – is this always necessary, particularly if some of these lots are really being used for residential. Preference to not have mandatory fencing requirements between commercial and residential properties – don't want to penalize someone doing commerce in town. May have unsightly residential lot and we don't penalize that. On the other hand, some residents may want this fence. If it is in as a requirement there is no flexibility. Desire for more public engagement on this topic.
- Fencing requirements was taken out for the industrial area based on public engagement.
- If commercial mixed property is currently being used as residential, owners could come forward to Council to request consideration for a change in zoning from CM to R1 (which would lower tax rates)

Council Direction: Supportive. Want more input from public on proposal to require fencing between commercial and residential lots. Want to reassure current owners that these changes will not affect them – the desire is to prevent any future light industrial/ commercial from inadvertently becoming a residential area as has happened in the past.

9. Short-term rentals 'moratorium'

Questions for Council: Should we prohibit in new residential subdivisions? To show clear intention that these are for community housing and directs short term rentals to existing neighbourhoods.

Discussion:

- Bed and Breakfast is already regulated in current bylaw – primary residence of property owner must be located on property, up to 14-day stays, max 2 bedrooms.
- Concerns raised at public engagement of new lots in Area 1 being bought up by investors to build vacation rentals and squeezing out local housing market.
- Two letters have been received from folks who operate short term rental. Neither felt comfortable speaking at public engagement. Indicated vacation rentals serve a unique market, some people may not visit community if not able to rent a whole house. Felt not in competition with hotels. Shared they attracted tourism dollars to broader community.

- If wealthy enough to buy a second home to come out on weekends vs. subsidizing this with a short-term rental – what does this do to the fabric of a neighbourhood? Probably not a significant risk to existing market because this is often a different market. Can be tough for travelling families to all be in the same room – can't be in a separate space from young children.
- Would be great to have a fulsome discussion, but hard to do if people who don't feel safe having this discussion in public.
- Changing zoning to allow a secondary suite on every lot – this will become difficult to enforce. Ok if live on lot and lot is set up for this. In this case would they pay commercial tax rates if garden suite is a short-term rental?
 - a. All licensed Air B&Bs, unless in a commercial zone, pay residential property taxes (if in a residential zone). S
 - b. If Vacation Rental is only use of property should have to have inspections – fire marshall etc., should have to pay taxes like a hotel does
 - c. Must have enough parking spots.
- Currently doing a review of business licenses. Makes it easier to assess what homes are being rented – can look at where rentals are advertised. So far have identified 6 or 7 or about 2% of housing stock. Working to ensure all current Air B&Bs have business licenses.
- Public engagement – started by staff indicating that we wanted to defer this to future as didn't want it to delay passing the rest of the bylaw, have time to come up with a more balanced approach. A new regulatory regime can be complex to study and develop, different dynamics/impacts in different neighbourhoods and communities. Could be a long and contentious discussion. Public asked for moratorium on Area 1.
- Need a better sense of what numbers are. Don't have enough hotel rooms when big events come to town – can't do a conference here. Would like to see more events in town.
- How do we explore this more and also pass a bylaw? Need a public meeting.
- Would Council want to allow short term (and long term) rentals in multi-family mixed commercial?
- Current application for ground floor commercial, second story short term rentals, third story convention space. Can't be approved under current bylaw.
- Not every landlord wants long term rentals above commercial space. Having flexibility to allow short-term rentals may increase business case for mixed commercial developments. Once in a commercial zone it is difficult to monitor how long someone stays.
- Short term rentals are already allowed/ok within commercial and within residential zones.
- Don't currently have a definition for short-term rental.
- People do live in hotels here for extended periods of time – in commercial areas.

Council Direction: No concerns with retaining B&B language from old zoning bylaw. Comfort with excluding short term rentals from being a permitted use in Area 1. Don't want to shut down current operators.

Next steps:

- Public engagement
 - Need to review how we've got here
 - Need to explain changes don't impact existing users.
 - Share target date for 1st reading – June 12th Council Meeting
 - Mark needs to turn around changes discussed today and we need to post/share so people can review prior to public session. Should be able to post by this Friday. Highlight key changes that people will be worried about and want to draw people's attention to e.g. setbacks won't change for people who don't have an alley.
- Need to update Zoning Map
 - Add Area 1, show CM/CT
 - There was a map approved in the OCP that we need to use
 - Don't want to delay a meeting because we need to change map
 - Absolutely need map for 1st reading
- Date for public engagement May 23, 2024
 - Bruce, Mark and Angie can attend
 - Doesn't work for Diane
 - Aynslie to send out invite so in everyone's calendars
 - Start time 5:30
 - Add note to posting that we will accept submissions in writing
 - Highlight key areas for discussion in advertisement as we've done in the past
 - Have something like was provided today – one pager – on the table – CAO offered to do this
 - Prepare highlights of most substantive changes from 1996 bylaw? Will be hard to do for Friday – better to just say this doesn't impact current uses.



Meeting Notes

Zoning Bylaw Public Engagement Session

April 11, 2024

Purpose of engagement: The purpose of the April 11, 2024 Zoning Bylaw Public Engagement Session was to get input on commercial/industrial zoning.

Introductory remarks

- Zoning Bylaw is law by which the Official Community Plan (OCP) is implemented.
- Questions we wish to discuss this evening include:
 - How can Zoning encourage development of vacant lots in the downtown core?
 - Should single family dwellings be permitted as accessory uses on industrial and commercial properties?
 - Should multi family residential development be permitted on commercial lots in downtown core?
 - How can zoning enable commercial/industrial development in the community?

Discussion Topic: What's changed in the latest draft of Zoning Bylaw

Introductory remarks: Have taken out cannabis production/retail, renewable energy/independent power production for now. Desire to slim the document to focus on what is relevant to Haines Junction at the moment.

- The old bylaw was difficult to read, how does this differ, is this material on the table the old bylaw or proposed changes?
 - It would be difficult to compare old to proposed as structure is quite different.
 - Used to be discretionary uses in old bylaw, have proposed moving these to accessory or permitted uses.
- If we make changes to definitions of zones, how does this affect current/existing/active uses under the zoning bylaw?
 - These would be grandfathered in
 - All new developments would have to follow new bylaw.
 - Map would be changed to reflect intended use.

Discussion Topic: Multi-Residential in the Downtown Core

Introductory comments -- The OCP suggests bringing more residents into downtown core area, this is why multi-unit residential is proposed to be permitted in downtown core. The Housing Need Assessment and Vacant Lot Assessment points to permitting this sort of use. The current bylaw allows mixed commercial e.g. commercial on ground floor and residential above.

- Is this needed? Area 1 is opening a lot of new housing lots. Prefer to keep downtown core for commercial use.
- Will there be multi-residential lots in Area 1? This is missing in this community.
 - Only one multi-residential lot in Area 1.
- As a business owner in the downtown core, would prefer to see commercial development in the downtown core. Would like more commercial neighbours. There are few restaurants and services for tourists. Lots of land, can put multi-family elsewhere, doesn't need to be in commercial area.
- Too many vacant lots in the core. Dawson – minimum non-residential property tax is \$1,100; it is \$400 here. Minimum for vacant residential in Dawson is \$1,600. Increasing minimum taxes will encourage development.
 - Council has given direction to Admin to investigate this, desire to incentivize development of vacant lots.
- What if multi family was allowed in mixed commercial but not tourist commercial -- this would protect the focus of the downtown on traditional commercial uses.
 - Zoning may not fix downtown abandoned core. Most vacant lots are along the highway. Multiple lots along the highway would be considered contaminated lots. This may be why there is no development – no one wants to take over responsibility. This may not be a matter of rezoning, may be a matter of dealing with contaminated soils to get these lots developed. The cost of consultants is the limiting factor. Dust control used to be oil. Don't want to test because once you know you need to do something about it.
 - Land remediation costs are high and would exceed Villages ability to pay for to remediate the soils.
 - Land Treatment Facilities are being planned.
 - Why would a business invest in the downtown if lots are contaminated?
- Multi family residential – parking, families, kids – is this appropriate on the highway corridor?
- It is a slippery slope to include multi-residential in a commercial area – bakery shows how complicated this can get.
- Seniors benefit from a walkable neighbourhood.
- A previous resident wanted to build multi-residential across from Cozy Corner, it wasn't compliant with zoning and their request to change the zoning was denied. Complaints that there would be too much traffic or noise. He could have put in a 50-room hotel without any zoning changes and that would have been allowed.
- Mixed commercial is intended to be a bridge between residential and commercial. At one point commercial was along the highway, mixed was the back one street of the strip, and then residential behind that.

Discussion Topic: Residential in Commercial and Industrial Zones

Introductory remarks -- Is it currently ok to have a dwelling on industrial and commercial lots?

- Why not say first floor is commercial, but second floor can be residential in either commercial zone. This allows people to create efficiencies – can live upstairs or rent out upstairs. Contributes to a walkable downtown core. Balanced development may make it easier for development to proceed.
 - Are there any challenges in applying for a mortgage on a commercial lot?
 - What a bank is willing to finance can depend on how land is zoned.
 - Commercial mortgages require more of a down payment.
 - If have a home on tourist commercial it is difficult to sell because it is difficult to mortgage.
 - A multi-residential dwelling on a commercial lot shouldn't have difficulty getting a mortgage?
 - Scotia bank won't provide a mortgage on industrial lots under \$500k.
 - This has been an issue in Whitehorse.
- There is a desire for larger lots. Industrial are 1 acre – desirable, people have built homes, and some haven't really had industrial uses.
 - Caretaker suite quarters are allowed on industrial lots as accessory to a business.
 - Dwellings are also allowed as accessory buildings on commercial lots. If a business ceases being a business, is an accessory dwelling is no longer permitted?
 - Can only build accessory dwelling when primary use is under construction.
- Does it matter to the community whether the commercial/industrial accessory dwelling is rented or occupied by the owner?
 - Having someone on lot provides for security – lots that aren't occupied are vulnerable to theft.
 - If becomes wide open they could resent existing zoning and request zoning be changed – have a real problem with this, light industrial is an integral part of a zoning plan in any community. We need industrial lots inside the community.
- Were illegal residences put on commercial/industrial lots from the get-go (example given of someone citing a “typewriter repair” business).
 - If someone applies for a permitted use in the zoning bylaw, the development permit cannot be denied.
- Residences on light industrial lots have no right to complain about uses of lots for light industrial purposes. Imperative light industrial stays light industrial.
- Why don't we have residential neighbourhoods separate from commercial neighbourhoods and separate from light industrial neighbourhoods? Mixed use increases risks to children. This is why we shouldn't have residential neighbourhoods with Air B&Bs in them as people are coming and going. We want a safe and health community without conflict between neighbours. Village bakery example, had to get involved with lawyers, neighbours shouldn't have to go to bat for neighbours, should have policies and policies should be followed so don't disturb a quiet neighbourhood.

- Language for industrial that has been proposed would have been helpful for the Bearberry Subdivision – imperative that the industrial subdivision stays industrial and does not convert to agricultural and residential.
- Option to have a smaller house with a storefront is more affordable for small business owners, there are a lot of small businesses in this community that could benefit from this. There is a need for a hub in this community. In the summer there is the outdoor market. Having this expand into shops and storefronts would be very positive. Walkability is a benefit for small businesses.
- If starting out, when young, need to start somewhere.
- Must establish business first, then build a residence. Know people that have grown up ok in an industrial area.
- Caretaker/little house ok, not sure about multi-residential.

Discussion Topic: Balance between mixed commercial and tourist commercial

Introductory comments -- Would multi family be more appropriate in one zone or another?

There are very few mixed commercial zoned lots. Most is tourist commercial (80%).

Random placement of a few mixed commercial, most near highway. Area designated as downtown core in OCP is 80% tourist commercial, there is a lot of vacant lots in this area.

- Highway corridor shouldn't be multi family housing. Ok if it is located back one street.
- Where will commercial lots go when eventually these lots are built up? We are constrained by river, CAFN lots.
- What is the barrier / reason for abandoned lots – is it a cost of development/remediation issue, or is it a zoning issue? Is there a shortage of commercial property? Are people looking for commercial property? Some commercial land doesn't have servicing (water/sewer) which adds to cost of development.
- There is a need for multi-residential in town, but this doesn't make sense for future growth to have this on the highway – there is no office space or retail space. A street back makes more sense than on the highway.
- When the town started, everyone lived on the highway.
- We need to attract more light industrial business, one way to do this is to allow dwellings as an accessory use in mixed commercial.
- Allowing multi-family in mixed commercial is not going to result in a bunch of apartments – cost of rental can not match cost of development.
- May only see YHC or CAFN taking advantage of this zoning. But it may open a few doors that could attract a business or two.

Discussion Topic: Screening and fencing of industrial properties

Introductory remarks -- Should screening and fencing of industrial properties be required?

How prescriptive should the community be? Any need to fence for aesthetic reasons?

- Don't think this is needed. Industrial is laid out in a way that it is all industrial, it is separate from other zoned area. Neighbours in industrial area don't need other industrial neighbours to build a fence.
- Hazardous materials and storage of old cars pose a liability – kids, vandalism.
- If security is a concern, property owners should go ahead and build a fence. Right now, only the Village's Public Works Yard and one other lot is fenced.
- If want people to develop business we need to make it easy, not more difficult -- fencing is expensive.
- If storing hazardous materials -- should be fenced.
- Who would fencing for visual reasons benefit? It is an industrial area.
- If need to keep children out from trespassing in junkyard, need to build a taller fence.

Discussion Topic: Hazardous materials storage

- Situation in Watson Lake where abandoned vehicles leaked fluids and contaminated neighbours' lots – protection from this sort of situation is needed.
- Grading, drainage can be addressed by Municipality.
- This may be better dealt with by Government of Yukon than by municipality. Municipality has little capacity to take on issues that deal with complex legal issues.
- Zoning could address setbacks, where hazards can be stored on a property.
- Need a lot grading plan /stormwater drainage management plan in industrial zones (and residential zones)
- May need to push this to next version of bylaw as it is a more complex issue (like Air B&Bs). Desire to get version 1.0 ready before start of build season.

Discussion Topic: Encouraging entrepreneurial activity in the community

Introductory remarks -- How could zoning help with this? Are there examples where businesses have been held back by zoning regulations that we can learn from? Has this been a barrier to business development in the community?

- How able to develop an industrial lot is quite restricted because of the zoning. If something fails would like flexibility to transition to another use. Flexibility would be helpful, options to be able to make something work, enable change over time.
 - List is not intended to be the only activities, intended to be examples of the character and intensity of use that is permitted.

Discussion Topic: Air B&Bs

- Providing lodging, Air B&B's, Area 1 lots are soon coming up for sale, people may want to build and rent these as Air B&B's – this may have an impact on the community. Whitehorse is requiring people to live in a home and only rent out part

of it as an Air B&B. Want people to be able to run hotels sustainably, hotels contribute to community in a way that Air B&Bs don't.

- This is an issue across the country. A lot of policy work is underway. Wading into this now would delay approval past the start of the build season. Would prefer to give this conversation more time. Laws coming in at provincial level.
- There are 28 in and around Haines Junction at this time.
- Need this in place before new lots go up for sale. Would be unfair to change this after lots are sold.
 - Intention of new bylaw – less restrictive but more enforced.
 - New lots likely on market early next summer.
- No point in waiting. Air B&B already having an effect on hotels. Start early and quash before this has momentum. This isn't fair to businesses who are trying to invest.
- Could say short term rentals are not allowed in new buildings after this date?
 - Or would it be more appropriate to allow a density within a certain neighborhood.
- Problem is enforcement, don't know when people have these units.
- 300 listings in Whitehorse.
- Some people running B&B's are subsidizing their income to pay off their mortgage.
- Community is lacking long-term rentals.
- Could also see Air B&B's popping up in secondary dwellings/garden suites. Is this what this community/council wants? If not, say no new construction of Air B&B.
 - Two options: moratorium or status quo, until bylaw is revisited on this issue. Which option is preferred? Majority in support of a moratorium for the time being.
- Local builder constructed an Air B&B last year on pretense that owner was going to live in it for part of the year, these plans didn't materialize. Support nipping in the bud as soon as possible.
 - B&Bs are already in bylaw, have to live on property – this has been ok for past 30 years. Is Air B&B included in this definition?
- Some Air B&Bs are needed by single parents to pay a mortgage. By and large it is about building wealth.
- Is it about having to live on the property, or is it about the length of rental (harder to enforce)?
- Perhaps we need a combination of both regulatory tools.
- Allow a percentage of each say 5%.
- Mixed / tourist commercial be exempt from regulation (overnight accommodation is permitted).
- Air B&B is better called short term rental.
- Do we currently regulate B&Bs?
- Relate to percentage of rental houses in community. Links to intent – Village does not want certain percentage of housing to be short term rentals or vacant housing.

- Desire that we not allow ‘grandfathering’ in – this may need to be in another bylaw to capture existing activities. Could also be addressed in property taxation bylaw – not taxed at residential rate.
- Sometimes we rely on Air B&B for events when don’t have enough hotel accommodation.
- Hesitate to have only one mechanism for oversight.

Discussion Topic: Home office, home business, home industry

Introductory remarks – Draft bylaw proposes home offices are ok on any residential property. Home business – may have a few employees, a greenhouse in the backyard, a few people visiting daily, accounting service or physiotherapy service. Not operating between 8pm and 8am. Home industry - only on country residential properties. Carpentry shops out the back. Light retail sales of what you have made.

- Home Business
 - Could limit to 9 to 5.
 - Limiting to four clients may be too restrictive, e.g. if operating a nail salon.
 - Would be hard to enforce four visits per day. Soften so intent not enforcement driven.
 - This information is to help VHJ assess intent of the business to see if it is appropriate for the zone.
 - Tie into parking – business needs to provide onsite parking for clients.
- Home industry.
 - Goods and materials must be stored in dwelling or accessory building. Not realistic. Better to say can’t be visible from road.
 - May need a separate bylaw – property maintenance bylaw – to address storage of materials so commercial properties are required to maintain their properties to a certain standard. Not having this discourages people from starting businesses.
 - Would this allow parking and storage of heavy equipment and trucks?

Discussion Topic: Dwellings on Industrial Lots

- Are there minimum sizes for dwellings on light industrial lots?
 - This is not in existing bylaw, why not?
 - We heard feedback on residential house sizes on minimum home size during earlier public engagement, would likely apply same.
 - It may be problematic to not have a minimum. If smaller minimum in industrial than in residential that would be problematic. It is a way to build something really small and create a “business”.
 - There aren’t a lot of options for industrial lot development – why keeping industrial zones for industrial uses is important.

- Only one residential home on light industrial? Allowing two dwellings on residential lots, same for residential? What is the intent of allowing residential on industrial? Is this to have a caretaker?
 - In favour of keeping industrial lots industrial, so this doesn't make sense – especially when next industrial development may have better views than any current development.
- Seasonal housing ok in light industrial? E.g. as required for workers? Is this currently allowed?
 - Old bylaw didn't have heavy industry, only light. Would we want to address this in the future? Maybe well site trailers would be ok in heavy industry.

Final questions and comments from the public:

- We have desired a biomass facility in community, is there a provision for this type of facility to be put within the boundary?
 - This wouldn't be heavy industry, considered light industry
 - Would fall under renewable energy piece that is being deferred.
- HJ is going to run out of land. We need to be careful with what we have. Country residential really takes up land.
- Individual outdoor boilers – will this be in new bylaw or deferred?
 - Based on discussion tonight there is good chance we can include a moratorium on this as discussed for Air B&Bs
- Light industrial standards for beautification (how to build fence and prune shrubs) are higher than for commercial zones, seems onerous. Is this needed?
 - No interest to establish architectural guidelines for residential zones that are up to the discretion of the development authority
 - Commercial is limited to screening if adjacent to residential.
 - Leaning towards separate bylaw for property maintenance for commercial lots.



Meeting Notes

Zoning Bylaw Public Engagement Session

March 11, 2024

Purpose of engagement:

The purpose of the March 11, 2024 Zoning Bylaw Public Engagement Session was to get input on residential zoning.

Comments raised during the discussion:

R1 - Single Family Residential Zone

- A request was made to either use the same units in tables (m or ft) or to provide measurements in both units.
- The smaller minimum dwelling size will result in less property tax to the Village. [Note: this could be mitigated by setting a minimum property tax e.g. equivalent to that collected from a 752 square foot dwelling]
- Smaller homes have lower resales than larger homes, on a square foot basis.
- Provide flexibility for property owners to build their garden suite first, then their larger home.
- Garden suites are nice sized projects for smaller contractors.
- Concern was raised over the potential for the amalgamation of lots within the Willow Acres Infill project, and the possibility for there to be larger R1 lots than is possible under the current bylaw, and for there to be fewer lots available for development if lot amalgamation is permitted (which doesn't help with addressing the current housing shortage). It was noted that amalgamation is covered under the Subdivision Act, which is under YG's Authority. YG has a policy of consulting the OCP and with Council to confirm that an application is in keeping with the OCP. The current bylaw has a maximum lot size that is permitted in the R1 zones.
- Recommend allowing 21feet, not 16 feet, for the maximum height of an accessory building with a dwelling as this would allow for a shop with a suite on top. This height is permitted in the Whitehorse Zoning bylaw. [Note: the desire is to get away from primary and secondary residences all together and have same requirements for both].

- Outdoor wood boilers should not be allowed on single serviced lots (it is ok in country residential). Check with Environmental Health to see if this is already restricted.
- Building code for wall thickness has changed since the zoning bylaw was passed in 1996. Then, walls could be 6” thick. Now, walls must be 18” thick. Because this increases the exterior footprint of a building (to have the same interior footprint), this makes an argument for reducing setback requirements. It was further noted that in the building code, homes under 486 square feet don’t need 16” thick walls.
- Consider having a maximum buildable footprint on a property (being aware that this may push up the height of homes to have the same floorspace)
- It was noted that detached secondary suites usually run services through the primary residence, and that the building code requires secondary residences to be smaller. It was further noted that there seems to be a desire to construct dry cabins as secondary residences.

R2 – Multi-Family Residential Zone

- With today’s building costs and mortgage costs, it is not possible to rent out a duplex at the cost of building it. This has changed within the past three years.
- Allowing the staged construction of multi-family developments would be more affordable for the local developer (e.g. pull a permit for the first duplex which is built and finished, then pull a permit for the second duplex etc. The development agreement with YG could cover the whole development, but construction financing would be allowed to happen in stages. A concern was raised over this approach – what would happen if the development was not finished?
- Concerns were raised over the lack of enforcement by YG and the Village, neither are seen to enforce the bylaw or development agreements. It was noted that YG just reclaimed a lot on spruce street that was being used to store heavy equipment (which was noted as being a first).

CR – Country Residential Zone

- Concerns were raised over the appropriateness of a minimum dwelling size of 256 square feet. Concerns include that someone could come in and build a small dwelling for \$20,000 just to get title, and then move the shack once title is secured.
- To the contrary, others argued that tiny homes is the best way to allow for affordable housing, noting that getting title requires an occupancy permit (which involves having water and sewer) and that this would cost much more than \$20k. Allowing smaller homes in country residential makes country residential subdivisions less elitist. It was noted that small homes also need to meet building code requirements, and that this should be the most important measure.
- Concerns were raised that having small minimum house size may make these properties attractive as vacation homes for Whitehorse. It was argued, to the contrary, that the larger minimum house sizes may mean these lots are only

affordable to the wealthy in the Whitehorse market. Attracting the Whitehorse market for a second home would not be a problem if homes are rented and address the rental market shortage, but this would be a problem if homes are used for vacation rentals.

- Would it be ok to allow a suite in the principle dwelling plus a garden suite? It was noted that septic would need to be able to support 3 dwellings, and that first having a conversation with Environmental Health about the capacity for septic on these lots would be a good idea. Noting: dwellings may not be the best indicator of use of a septic system (3 small dwellings with 2 in each may be less use than one large house with a family of 8). Also septic system approval is not required prior to the approval of a development permit. There is also the option of having a holding tank instead of a field, so septic fields may not be a limiting factor to allowing 3 dwellings.
- Many in Willow acres are finding it to be cheaper/preferable to fill up a water tank than to drill a well.

RM - Mobile Home Residential Zone

- Recognition of the importance of mobile homes as an affordable housing option was nearly unanimous (benefit for first time homeowners, seniors, across the board).
- Concerns were raised about the zoning on otter crescent, noting it was zoned as RM and at some point this zoning was changed to R1, which means that replacing a current mobile home with a new mobile home is not permitted.
- Concerns were raised that if RM and R1 zones are combined, that eventually mobile homes will be replaced and eventually disappear, contributing to gentrification. On the contrary, combining RM and R1 zones mean you are able to start with a mobile home and eventually replace with a stick-built home.
- Concerns were raised that there are no residential mobile lots in the Willow Acres Infill project plan, noting there are currently no mobile home lots available in Haines Junction.
- Concerns were raised about clumping mobile homes into one location – that this leads to ghettoization and social stratification.
- Concerns were raised about dispersing mobile homes throughout residential areas, that they would have an impact on property values (particularly if an old mobile home was brought in). [Note this could be addressed by only permitting mobile homes over a certain age or requiring older homes to be up to code and have recent siding].
- There was strong support in the room to add mobile home zoning to the Willow Acres Infill project plan

Land lottery process

- Concern was raised that developers may buy up all the lots in the land lottery. It was noted that to date, this has not been the case. In addition, Haines Junction has

never had all of its lots taken up in a lottery. There has always been lots left over to go on the market following a lottery.

- Suggestions for how to make the lottery more accessible for locals were provided including: require that applications be dropped off, in person, at the Village office (as has been done in Dawson), require applicants to be a resident in order to purchase property (as has been done in Yakutat), to restrict the first lottery to local residents, followed by a lottery that is opened up to non-residents

Other comments

- The goal of making housing more affordable should be more important than protecting the investment of people who have money.
- Contractors asked the Village to talk to YG about ways in which subdivision contracts could be made more competitive for local contractors.
- The Village could take land development away from YG and put it in the hands of private developers, as is the case elsewhere in Canada.
- Area 3 power is planned to be aboveground because it is much cheaper. It was noted that compared to the cost of building a house, the extra additional cost to put power below ground is insignificant. In addition, it is cheaper to maintain underground lines as you don't have to deal with weather events blowing trees on to lines or blowing down power poles etc. [Note: it may still be an option to put power belowground, noting Council was concerned with keeping lot costs as low as possible]

Written submissions:

- The package of handouts included policy direction regarding housing affordability, social housing and home-based-business from page 22 from the Official Community Plan. Use of the word “may”, as in “may support”, “may provide”, “may collaborate”, “may encourage”, “may explore” is pervasive within the OCP, and on this page, making the direction provided on OCP with regards to housing policy, vague. The word “may” can mean you are permitted to do something, or it can mean that you might be permitted to do something pending the outcome of a future decision. It is recommended that this language be clarified so the OCP is clearer on the direction it is providing.
- I would like to see some of the new lots [in the Willow Acres Area 1 Infill] allow mobile homes. Currently, there are no lots available in Haines junction for mobile homes. It would be nice to see some mobile homes within a residential subdivision.
- I think it is great that the goal is to decrease hurdles and increase options for people building in Haines Junction. I think suites and garden suites are great. The small 256 sq. ft. (or no) building size increases options. Smaller setbacks would be needed

so that existing homeowners could take advantage of the suite/garden suite/second dwelling changes.

- No wood polers in single service lots. The smoke stays low and moves to other single service lots. Approve wood boilers for country residential only. I would like to see some mobile home dedicated zoning in the new subdivision.



Meeting Notes

Zoning Bylaw Public Engagement Session

May 23, 2024

Purpose of engagement:

The purpose of the May 23, 2024 Zoning Bylaw Public Engagement Session was to get feedback on the latest draft that was updated based on outcomes of two recent public engagements. Specifically, we were looking for input on the following proposals:

- The Mobile Residential Zone is *proposed* to be incorporated into the Single-Family Residential Zone.
- The front and rear yard setback requirements are *proposed* to be reduced.
- A maximum lot size is *proposed* for the Single-Family Residential Zone.
- Increasing density to allow for two dwellings in residential zones is *proposed*.
- Short-term rentals are *proposed* to be prohibited in new developments, specifically Area 1 and Area 3.

Key takeaways:

- Suggestion is to send a message to Council, when re-doing the OCP, look at changing Area B to country residential as this is a more suitable use for this land.
- The room was supportive of the proposed reduction in front and rear yard setbacks, with different requirements for yards with/without alley/greenspace/laneway (without =10 feet, with = 5 feet)
- The room was supportive of the proposal to incorporate the mobile home into single family residential.
- A clear definition of how house size, setbacks are measured that ensures bylaw is interpreted the same way by different people.
- Remove Area 1/Area 3 STR restriction and instead limit any new STR's to being located on a property that is the owner's principal residence.
- Remove caps on B&B's (room size, length of stay, number of rooms)
- Add workshops and light manufacturing to light industrial uses.
- Increase number of dwellings on country residential to 3, noting need to meet environmental health requirements for septic.
- Consider 3 dwellings on limited ag (limited in size)
- Village requested to take over control of subdivision bylaw as there is a lack of trust in the community with YG making these decisions.

Q. from Public: Will new bylaw address enforcement?

- New development is monitored.
- Intention isn't to go out and punish people that didn't comply with bylaw of the day; rather focus on moving forward.
- May be some degree of enforcement going backward but unclear how this will work.

Q. from Public: What happens to people living in the light industrial zone that are not using the lot for light-industrial purposes?

- Existing homes will be grandfathered in.
- Won't be allowed going forward.
- Proposing a maximum house size.
- Desire is to encourage people to conform with bylaw without causing massive upset in the process, will take many years.
- A small caretaker suite, not a family home, is suggested to be allowed going forward so the current situation doesn't happen again.

Q. from Public: Area B

- Why is Area B not highlighted as Future Development on zoning map?
 - We just got a hold of the GIS files and will be making some corrections, including this correction.
 - Area B was identified in OCP, but there is no immediate plan to develop this area for industrial.
- Why is such a nice area being set aside for industrial when there seems to be more demand for residential?
 - Area A is currently under consideration, this is in the very early days.
 - Part of Area A may not be able to be developed because of proximity to sewage lagoons.
 - Argument put forward that it is better to have industrial land and not need it than need it and not have it.
 - Concern expressed that a lot of land is set aside for industrial – both Area A and Area B.
- Can Area B just be open space?
 - No – this is identified in the OCP as future industrial development.
 - Area B is unlikely to be developed any time soon.
 - This map is a conceptual zoning Map. A process of master planning is required to formalize any zoning change. For example, part of Area 1 has now been rezoned.
- Has there been demand for industrial land?
 - We have one larger project in very early stages that would likely build their own roads and infrastructure if it goes ahead.
- Suggestion is to send a message to Council, when re-doing the OCP, look at changing Area B to country residential as this is a more suitable use for this land.

Q. from Public: Is there a minimum lot size requirement for a second residence noting old 50x100 residential lots are tiny, can they really fit two dwellings?

- There is a maximum lot coverage of 50%

Prompt from Facilitator: Thoughts on proposed reduction in front and rear yard setbacks, with different requirements for yards with/without alley/greenspace/laneway (without =10 feet, with = 5 feet)?

- Concern expressed at what was proposed by Council last week when backyards are abutting. This only affects inner Otter and Alesk/Rainbow) where Council proposed leaving the setbacks as is. That reduced rear yard setbacks would be allowed on the other side of the street doesn't seem fair. Happier with iteration that has been proposed today than what Council proposed. What Council proposed will make it harder for this small area in Alesk/Rainbow/Otter to have a secondary suite. Should be the same for everyone to be fair. Most existing houses are in the middle of their lot so it will be hard to create a second dwelling, particularly if setbacks are not relaxed. To be fair everyone should have this option, could make house/lot worth less because unable to create a second dwelling.
- Is there a fire restriction for how close together houses can be?
 - Yes. Building safety has ultimate say on this. What is proposed here is within acceptable distance between buildings.
- Support expressed proposal allowing more encroachment – house on Rainbow cited as an example -- if garage burned down would not be able to rebuild with current setback requirements. Location of house on lot is prohibitive of putting a deck on side yard which is needed as a second exit for safety reasons.
- No opposition expressed to proposal for with/without alley/greenbelt setbacks.

Q. from Public: Measurements of house size and setbacks

- Is there guidance on how floor area is to be measured? E.g. from exterior or interior.
 - Proposing to measure minimum floor size from interior area/living space.
- And how are setbacks to be measured?
 - Setbacks are measured from exterior wall.
- How is 100 square foot measured (below which no development permit is required)?
 - 100 square feet measured by internal floor area.
- To exterior wall is not a clear definition. Need a clear definition so interpretation doesn't change as staffing changes, particularly when in the middle of a project – which has happened before (different CAO's have interpreted the bylaw differently)
- Dave Weir offered to look through the draft and provide feedback.
- Note that this minimum house size from country residential may in fact be increased.
- If now basing size on interior square footage, the minimum requirement has increased which is counter to making things more affordable.
- This has changed over time based on how measured, has changed by CAO's interpretation of the bylaw – different CAOs have interpreted differently.

Q. from Public: What happened with earlier conversations about not having a minimum square footage?

- Reduced from 754 to 256 in urban residential.

- Concerns raised about doing this in country residential – people would purchase and put a tiny home on it and use it to get title and tie up the land with very little investment.

Q. from Public: Short term rentals

- How is short term defined? Insurance defines STR as anyone renting out their home for less than one year – this is not a bylaw issue. Landlord Tenant Act also has a definition for STR.
 - A definition has been included in the draft bylaw: defined as less than 30 consecutive days, not including hotels, hostels and B&Bs.
- How is this enforced?
 - Business licenses
 - Work through advertising so easy to follow up to see who advertising is.
- Bring tourists to the area, for economic reasons it makes sense for some people to have these. Does this bylaw facilitate STRs?
 - Explained desire to get bylaw passed, this has been flagged as a complex issue, first plan was to leave this for version 1.1 Got a lot of feedback from community to put in limitations now before Area 1 and Area 3 go ahead. Compromise suggested is to define STR's and prohibit from Area 1 and Area 3 – for now. And then do more work going to
 - In many communities a separate bylaw exists for regulating STR's, it isn't part of the zoning bylaw. Zoning is about what can happen where.
- Concerns raised about these homes being removed from rental market.
- Concerns raised with having geographic limitations. Better to address through business licenses. Better to put moratorium on any future granting of business licenses until this is looked at in depth. Need to find a balance. Not easy to do but should be defined geographically.
 - Intention was to have a temporary quick fix before new lots go for sale until the new bylaw is developed.
 - May be legalities in limiting number of business licenses. Rush on licenses at business licence renewal season.
- Better if temporary fix is not geographic. In community's better interest to have a moratorium on future rentals.
- Suggestion that many STRs may not have a business license.
- Should be allowed to do STR within your primary residence as a mortgage helper. This is important for younger generation looking to get into the market.
 - Hard to prove that someone lives there full time.
- Suggestion to charge a room tax.
 - Yukon does not have ability to set a room tax by use of property.
- Suggestion to regulate based on family income.
 - unable to do this at this level of government because of privacy legislation.
- B&B's are allowed – have to live on property. Must provide food. Must rent a room and not a suite.
- Air B&B travellers are not as inclined to stay in someone's home (B&B)
- Ok if renting to people we need in the community e.g. construction workers, teachers, nurses.

- Feels privacy-infringing.
- What is the problem we are trying to solve – people buying up land and not living here?
 - Lot sales are through YG – can't be discriminatory on who land is sold to.
- Concern raised about 2 lots sold through YG this winter on wintergreen that were sold within a minute to someone from outside the territory.
- Second dwellings both increase density and availability of units and create economic opportunities for homeowners. Don't want to close door on certain segment of tourist economy that want to travel this way, and to diversifying the economy. Renting to locum nurse or helicopter pilot here for a month is also considered a short-term rental.
- Can't count missed opportunities and things we are saying no to. We don't know what opportunities we are missing for say conferences or staffing of positions. It is a lot to ask someone to move here who hasn't been here before to have to buy a lot and build a house before knowing if they like it here. Don't know what we are saying no to.
- Go through names of who bought on Spruce and wintergreen. A lot took 8 years to build and were not HJ residents. Properties sat longer than development agreements. Yukon Lands fumbles regularly. How lands handles sales of property is causing problems.
- We don't know how much STR out community can accommodate. We don't know what the market is. Could be short 100 rooms every summer but we don't know.
- There is a lot to figure out in this conversation! Need to find balance. Putting a temporary moratorium puts heat on council and staff to sort this out. HAF funding could go towards finding out what a reasonable number is. A geographic approach is the wrong way.
- Instead of Area 1/Area 3 --- focus on absentee landlords as the present primary issue – focus on capping this. Suggest allowing a business license for STR if live on property so single moms or lower income can have economic opportunity (for now). Business licenses can determine whether live on property so this proposal should be easily enforceable.
- Caution about doing limitations on STRs until work is done well as could stay for many, many years.
- Zoning document vs: Business License – different tools for different things.
- Seasonal workers are part of the Yukon workforce, could be supported through STRs
- If moratorium is based on people having to live there, this will have an impact. It will deter a certain type of traveller coming to the community that wants to rent a whole house.
- Traditionally, commercial, and residential uses have been separated into different districts for a reason. Requiring STR to be in a principal residence address some of these concerns.

Q. from Public: B&B

- Why is this capped at 2 rooms?
- Why is this limited to 14 days? This limits for example a locum nurse.

- This was drafted in the 1996/existing bylaw and hasn't changed.
- Room size requirements are close to minimum house size!

Q. from Public: Home office vs home business

- No where to meet in town in wintertime.
- Most community meetings happen in people's living rooms.
- Encouragement of infilling on one hand, but discouraging of using it for B&Bs, STRs, having people visiting your office. Seems at cross-purposes.
 - Desire to find balance between enabling and not having to great an impact on neighbours.
 - Typically, people enjoy less regulations until something happens next door.
 - Need to have some limitations if things go too far.

Q. from Public: Light service industrial

- Workshops (carpentry, artists) – consider adding as a permitted use.
- It is hard to put all uses on the list, look for something comparable.
- What is temporary retail sales – e.g. pop up shop, like Evelyn's place
- Restaurant? Example of Winterlong
- Could add light manufacturing.

Q. from Public: Light service industrial

- How address issues created by there being no available industrial lots and people want to park heavy equipment in a residential zone as a result?
 - On one hand we have people living on residential, and on the other hand we have people needing industrial – why is market not functioning, e.g. people who have industrial lots being approached by people who need it to purchase it from them?
 - If people aren't incentivized to move graders off their residential property, they won't be incentivized to approach industrial lot owners to purchase.

Q. from Public: Country Residential Dwellings

- What is reason for limiting dwellings on 2 acres to same as on 50x100 lot? Suggestion to increase to 3.
 - Arguments against – septic field limitations
 - Need space for second septic as first may go kaput – has happened.
 - 3 dwellings are on realtor.ca for millions – issue, counter to affordability.
- Grizzly valley can build two houses and 4 cabins.
- Can't build a dry cabin?
 - Can, but need septic / holding tank.

Q. from Public: Dwellings on Agricultural Lots

- Zoning only allows 2 and the lots are 9 acres, suggest increasing to 3.
 - Ag. General vs. Limited Ag.
 - This bylaw is Limited Ag (not Ag. General – this is a typo).
- We used to have Ag. General (way back) – there was a taxation code of 0.5% -- check to see if what our property taxation bylaw allows.

- Ag. General -- YG has regulations on this that we default to.
- Limited Ag doesn't exist elsewhere in Yukon.
 - Defining Ag. General is being deferred until the future.
- Can become problematic – land grabs, meadow lakes golf course for example, intended purpose was for agriculture and use is changed and then property can't sale and expect government to help either with sale or rezoning to actual use.
- BC Agriculture Land Reserve – no subdivision. A way to keep agriculture as agriculture.
- Subdivision of agriculture would require a rezoning.
- Tate's field is Agriculture General.
- Need to maintain agricultural land and integrity of these lots.
- Hard to make money on ag here so case to be made for having 3 homes, also need seasonal workers accommodations. Could limit size of housing.

Q. from Public: Subdivision of Agriculture and CR lots

- Municipality could take control of subdivision bylaw (this is now through YG although municipality is consulted, YG is required to make decisions consistent with OCP). Would like Council to take on this authority – YG is no longer trusted because of Area 1
- Want Ag Branch to be directly petitioned to prevent subdivision of ag land in Yukon.
- Only 10 lots in Willow Acres are subdividable – issue is lack of faith with YG and wanting decision making to reside locally.
- Subdivision requests are extremely rare so not likely to be a crushing workload.

Prompt from Facilitator: Thoughts on proposal to merge mobile homes and residential?

- Great idea, no place to put a mobile home right now.
- Pros – more options for affordable housing, option for people who don't have ability to do a construction project or need a place fast. Option when there are limited builders available. Prevents ghettoization.
- Cons – concerns about impact on value of neighbouring properties. Mitigating this concern by requiring newer mobile homes
- Modular homes are permitted – distinct from a mobile home which is on a chassis and can be moved and put on a foundation and a skirt put on it.
- Tiny home can be built on a trailer and put onto a permanent foundation and hook up to water and power and can be used to get title.
- Title with YG doesn't require you to have septic and water, YG just requires to be clad to weather / now requiring occupancy which does require hookups.
 - Note: VoHJ is working on changing building requirements.
- Are we ok if Area 1 is all trailers? Example of Arkell in Whitehorse that is a nice neighbourhood because people own their lots.
- Consensus that we've struck a good balance here.

Q. from Councillor Charlebois: Architectural Requirements for Area 1?

- Could be a way to help this neighbourhood to be more attractive.

- This town likes its independence – didn't get support from the room.
- Might be hard to find the right aesthetic.
- People love that all houses on spruce street look different.
- In general Area 1 is seen as a landscaping issue, need trees.
- This was in an earlier in the draft and was removed. Desire to keep ZB simple; entertaining developing a property maintenance bylaw.
- Working with YG on “tree vouchers” so once lot is developed can have mature trees brought in and planted. Would like berry shrubs/for birds included.

Municipal Accounts Payable to June 12 , 2024

| <u>Cheque No.</u> | <u>Name</u> | <u>Amount</u> | <u>Department</u> | <u>Description</u> |
|-------------------|---|---------------|----------------------|---|
| Transfer | Payroll Account #4305418 | \$ 28,542.61 | Administration | Net Pay - Pay Period 11 |
| | | \$ 5,533.62 | Administration | RRSP Contribution - Pay Period 11 |
| | | \$ 658.89 | Administration | Union Dues May 2024 |
| | | \$ 34,735.12 | | |
| Bill Pay | Visa | \$ 972.65 | Administration | Office supplies, cell, zoom subscription |
| | | \$ 3,049.61 | Legislative | Travel AYC Dawson CAO and Councillor |
| | | \$ 4,478.67 | Public Works | cell, vehicle registrations, repair kits, sundry supplies |
| | | \$ 698.41 | Landfill & Recycling | cell, freight for food cyclers |
| | | \$ 7,359.43 | Water & Sewer | Repair Kits, Brass nipples |
| | | \$ 36.00 | Protective Services | Vehicle registration |
| | | \$ 500.56 | Convention Centre | Pipes for swallow nests |
| | | \$ 2,146.71 | Capital Projects | Rainbow banners, dry erase board |
| | | \$ 19,242.04 | | |
| CMO | ATCO Electric | \$ 548.71 | Administration | Electricity: May 2024 billing |
| | | \$ 8,081.41 | Arena | Electricity: May 2024 billing |
| | | \$ 548.71 | Convention Centre | Electricity: May 2024 billing |
| | | \$ 169.64 | Community Hall | Electricity: May 2024 billing |
| | | \$ 309.57 | Fire Department | Electricity: May 2024 billing |
| | | \$ 290.73 | Landfill & Recycling | Electricity: May 2024 billing |
| | | \$ 61.55 | Pool | Electricity: May 2024 billing |
| | | \$ 626.48 | Public Works | Electricity: May 2024 billing |
| | | \$ 3,353.78 | Roads & Streets | Electricity: May 2024 billing |
| | | \$ 7,344.79 | Water & Sewer | Electricity: May 2024 billing |
| | | \$ 21,335.37 | | |
| EFT | Coverco Buildings Ltd. | | Capital Project | 1st installment for coverage building |
| 27997 | Associated Fire Safety Group | \$ 7,775.56 | Capital | Replacement cheque |
| | | \$ 753.90 | Fire Department | Fire Helmet |
| | | \$ 10,956.96 | | |
| 27998 | Ellen Stutz Petty - Cash | \$ 2,408.60 | Recycling Centre | Refundables paid out |
| | | \$ 18.90 | Administrative | Coffee |
| | | \$ 2,427.50 | | |
| 27999 | 15042 Yukon Inc. (Grime Stoppers Janitorial) | | Administration | Table cloth cleaning |
| | | \$ 353.85 | | |

Municipal Accounts Payable to June 12 , 2024

| | | | | | |
|-------|---|-----------|--------------|-------------------|--|
| 28000 | 535561 Yukon Inc.(Little Green Apple) | | \$ 1,348.88 | Legislative | Zoning bylaw engagement meeting |
| 28001 | Across the River Consulting | | \$ 10,227.84 | Administration | Revised draft zoning bylaw, public + client meetings |
| 28002 | Clark's Supply Service Ltd. | | \$ 358.76 | Public Works | Hydrostatic Fluid |
| 28003 | Colin Kallio | | \$ 100.00 | Capital Project | Honoraria Trail Signage Committee |
| 28004 | Chris Cybulskie | | \$ 100.00 | Capital Project | Honoraria Trail Signage Committee |
| 28005 | Dave Heath | | \$ 100.00 | Capital Project | Honoraria Trail Signage Committee |
| 28006 | Dave Weir | | \$ 100.00 | Capital Project | Honoraria Trail Signage Committee |
| 28007 | Devin Wittig | | \$ 100.00 | Capital Project | Honoraria Trail Signage Committee |
| 28008 | Discovery Woodworks | | \$ 483.00 | Convention Centre | Reverse door at Convention Center |
| 28010 | Gordon Neitz Infinity Services | \$ 390.00 | | Recycling Centre | Septic pump out May 2024 |
| | | \$ 390.00 | \$ 780.00 | Water & Sewer | Manhole pump out |
| 28011 | Jacob's Industries Ltd. | | \$ 373.28 | Water & Sewer | Co2 |
| 28012 | Kirkwood Elevators Ltd. | | \$ 56,240.00 | Capital | Deposit as per Pro Lift contract |
| 28013 | Lianna Grice | | \$ 100.00 | Capital Project | Honoraria Trail Signage Committee |
| 28014 | Manitoulin Transport | | \$ 2,952.89 | Capital | Freight for Mower |
| 28015 | Michael Schmidt | | \$ 800.00 | Administration | Photos for website |
| 28016 | NF Electrical and Event Production Ltd. | | \$ 792.75 | Convention Centre | Repairs done for theater seating |
| 28017 | Northwestel | \$ 249.30 | | Administration | April 27, 2024 billing |
| | | \$ 73.44 | | Public Works | April 27, 2024 billing |
| | | \$ 697.62 | | Water and Sewer | April 27, 2024 billing |

Municipal Accounts Payable to June 12 , 2024

| | | | | | |
|-------|------------------------------------|-------------|--------------|---------------------|--|
| | | \$ 690.12 | | Protective Services | April 27, 2024 billing |
| | | \$ 36.73 | | Convention Centre | April 27, 2024 billing |
| | | \$ 36.73 | | Arena | April 27, 2024 billing |
| | | \$ 65.69 | \$ 1,849.63 | Recycle Centre | April 27, 2024 billing |
| 28018 | Owen MacKinnon | | \$ 100.00 | Capital Project | Honoraria Trail Signage Committee |
| 28019 | Pedal Junction | | \$ 2,000.00 | Capital Project | Honoraria/grant for June 1st trail event |
| 28020 | Robert Moore | | \$ 523.95 | Fire Department | Medical Supplies AED |
| 28021 | Superior Propane | | \$ 1,559.50 | Public Works | Utilities Heat |
| 28022 | Sylvain Human Resource Services | | \$ 105.00 | Administration | Draft Job Description |
| 28023 | TaLedi Enterprise Development Inc. | | \$ 14,316.75 | Convention Centre | Repair bleachers |
| 28024 | Tangerine Technology | \$ 735.00 | | Administration | Network support |
| | | \$ 210.00 | \$ 945.00 | Legislative | Network support |
| 28025 | TK Elevator Limited | | \$ 1,261.26 | Convention Center | Elevator maintenance |
| 28026 | Twiss and Shine | \$ 520.00 | | Administration | Custodial Services May and June 2024 |
| | | \$ 3,233.75 | | Convention Centre | Custodial Services May and June 2024 |
| | | \$ 455.00 | | Fire Department | Custodial Services May and June 2024 |
| | | \$ 845.00 | | Mezzanine | Custodial Services May and June 2024 |
| | | \$ 97.50 | | Public Works | Custodial Services May and June 2024 |
| | | \$ 257.56 | \$ 5,408.81 | GST | Custodial Services May and June 2024 |
| 28027 | Xerox | | \$ 261.23 | Administration | Printing and photocopies Feb-Mar 2024 |
| 28028 | Yukon Gardens | | \$ 491.41 | Public Works | Basket Stuffers and Flowers |
| 28029 | Yukon Service Supply CO | | \$ 562.28 | Water & Sewer | Sodium hypochlorite |

Municipal Accounts Payable to June 12 , 2024

Municipal Accounts Payable \$ **251,384.30**

Adopted on _____ Motion# _____

Mayor _____ CAO _____



Village of Haines Junction Report to Council

June 12, 2024

Council Decision
 Council Direction
 Council Information
 Closed Meeting

RE: Convention Centre Swallows

Recommendation

To consult with CWS for advice on the installation of alternative nesting structure on the grounds of the Convention Centre and/or in other areas around the community.

Background

The Cliff Swallow is one of several species of aerial-foraging insectivores showing widespread declines in Canada. Causes of these declines remain unclear, but changes in aerial insect populations have been suggested as one possible factor as well as landscape changes and climate change. A single swallow can catch up to 850 mosquitoes a day, making them effective agents of mosquito control.

Active Cliff Swallow nests are protected under the Migratory Birds Act. Damaging, destroying, removing or disturbing nests that contain a live migratory bird or a viable egg is against the law. For most migratory bird species, removing the nest when it does not contain a migratory bird or viable egg (generally after the breeding season) will have no effect on the ability of those birds to nest again. The great majority build or occupy new nests each year. However, some species may reuse the same nest structure year after year, and the loss of these nests could have a negative effect on future nesting success. Cliff swallows are one of these species; they have high nest site fidelity and will often repair and reuse an existing nest¹.

Conflicts with swallows occur when these birds nest close to humans, primarily because of the droppings and other debris they deposit. Wildsight.ca suggests several simple solutions to allow birds and humans to co-exist.

Current Status

Cliff swallows have been nesting on the St. Elias Convention Centre for over 20 years. Local birder Julie Bauer counted 100 active Cliff Swallow nests on the Convention Centre last summer. This is indicative that the Convention Centre is used by a large colony of birds.

Prior to nesting season (early May to late August), and in response to many complaints the Village has received about bird poop, Public Works removed nests from the east and south wall of the

¹ https://www.allaboutbirds.org/guide/Cliff_Swallow/lifehistory#

Convention Centre and installed PVC pipe to prevent birds from re-building their nests (as recommended by Julie Bauer in her 2018 Letter to Council – see attached Appendix A.).

It is important to note that removal of the nests has not discouraged swallow activity around the Convention Centre. Swallows continue to frequent the area. Residents have expressed concern about the state of the swallows, which are continuing to try to rebuild their nests, noting the Village did not provide an alternative habitat for the birds.

Discussion/Analysis

The Village's actions to remove inactive nests outside of nesting season was not illegal. Environment and Climate Change Canada specifies:

- Avoiding any clearing during the nesting period (early May to late August).
- If avoidance of clearing activities during the nesting season is not possible, you must confirm that there are no nesting migratory birds in the area. If swallows are found nesting, you must take precautions to avoid any disturbance to them or their habitat.
- If active nests are causing danger to human health or public safety or damage to the use of land or agricultural interests, a Migratory Bird Damage or Danger permits must be applied for to remove or relocate nests.
- Removing and destroying inactive nests to discourage the birds from nesting in the same area does not require a permit; however, it is best to be in contact with the Canadian Wildlife Service prior to doing so for guidance on best management practices.
- In YESAB assessments, CWS recommends compensating when nesting sites are removed by providing an alternate site that can support nesting.

Alternatives considered

There are several options for how to respond to public concerns about Cliff Swallows.

1. Take no further action – Buildings are not critical nesting habitats, and the nests were not removed during nesting season. This option does not address community concerns about the state of the swallows.
2. Take down the piping and allow the birds to rebuild their nests. Concerns over bird poop can be addressed by moving vehicle barriers back so cars are not parked beneath nesting sites.
3. Leave the piping and contract the installation of alternative nesting structures on the grounds of the Convention Centre and/or in other locations around the community (as recommended by Julie Bauer in her 2018 Letter to Council – see attached Appendix A.) to provide an alternative habitat.

Fiscal Impact

Public works staff can take down piping as soon as possible.

The construction of new nest boxes could be contracted.

Draft Resolution

THAT Council direct Public Works to consult with CWS for advice and install alterative nesting structure on the grounds of the Convention Centre.

Prepared by

Aynslie Ogden
Corporate Manager

Approved and amended by

David Fairbank
Chief Administrative Officer

Appendix A: Letter from Julie Bauer, 19 July 2018

To Mayor and Council,

The Convention Center has had cliff swallows nesting on the building for many years. Most of the nests are on the east side of the building but there are a few nesting near the front entrance. Many people have mentioned to me the unsightly debris as the results of the few nests at the entrance. In the fall after the birds have left, the nests could be washed off and some structure put in this area to deter nesting next year. On the front of the building, round white pipe that looks like PVC had already been used successfully. See also diagram of modifications.

I would like mayor and Council to consider a nesting structure similar to ones at the Dezadeash river and old Parks buildings that have been used successfully for over a decade. This would be advantageous to consider before construction of new recreation buildings that are in discussion. I have already mentioned this to Cathy Clarke that the design of the building might consider prevention of nesting birds. Timing of such a structure would have to be before arrival of the cliff swallows in the spring.

A second suggestion rather than a structure would be to provide a roof line similar to the one used on the east side of the Convention Center. This would be on the new building and then let the birds do exactly what they are doing this year. Tin could be used on that wall and then no worries about the excrement damaging the exterior. A great opportunity to increase nesting, provide an attraction and interpretation. Many of the Junction residents enjoy and view these swallows already.

So I am available for clarification about my suggestions and am happy to do more research on this issue. I could also provide examples of other nest structures to Cathy for council to consider.

Sincerely,

Julie Bauer

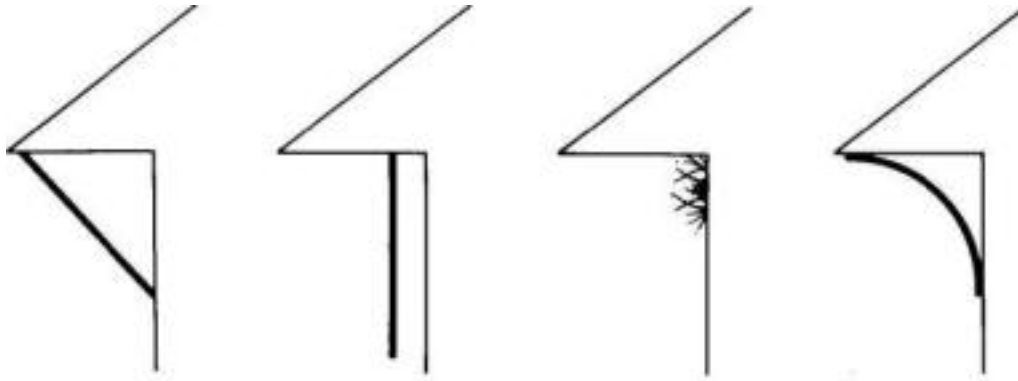


Fig. 4. Four methods which may deter swallow nesting. From left to right: Netting attached from the outer edge of the eave down to the side of the building; a curtain of netting; metal projections along the junction of the wall and eave; fiberglass panel mounted to form a smooth, concave surface.

Substrate Modification. Modification of the nest substrate has proven effective. Swallows prefer surfaces that provide a good foothold and nest attachment. Removal of the rough surface of a wall and/or overhang makes a site less attractive. This may be accomplished in various ways. Fiberglass panels make nest attachment difficult if installed between the eave and wall to form a smooth, concave surface (Fig. 4). A smooth surface is also created by a curtain of aluminum foil or plastic tarp draped from a wire strung along the junction of the wall and roof overhang. Other smooth-surfaced materials such as glass, plexiglass, or sheet metal can be used.

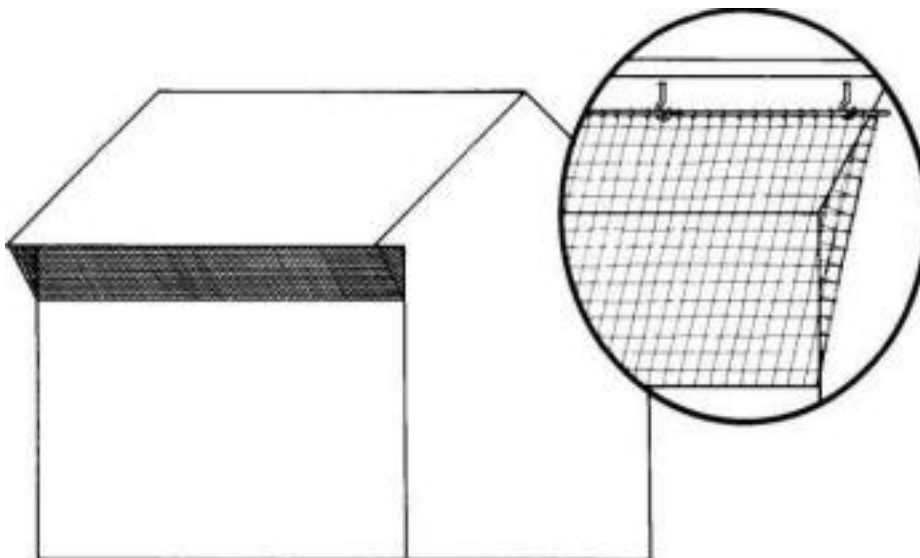


Fig. 3. Netting mounted on building from the outside edge of the eave down to the side of the building. Insert shows a method of attachment using hooks and dowels.



Village of Haines Junction Report to Council

November 22, 2023

Council Decision
 Council Direction
 Council Information
 Closed Meeting

RE: Business License Review

Recommendation

In response to the large number of unlicensed businesses operating within Haines Junction, staff will remove all unlicensed businesses from the Village's online Business Listings and notify active businesses in writing that if a license is not obtained within 30 days, the business will be subject to fines. Owners of short-term rentals will also be sent notification letters of changes to the zoning bylaw requiring new STR's to be located on the same property as the principle residence of the owner.

Background

The [Village of Haines Junction's Municipal Business License Bylaw #105-96](#) has been in effect since 1996. The bylaw provides for the municipal licensing of certain businesses carried on within the municipal boundaries of Haines Junction.

Persons carrying on a business that is required to be licensed, without being licensed, commits an offense and is liable, upon summary conviction, to pay a fine up to the maximum allowed under the Summary Conviction Act. Each day that there is a contravention under this Bylaw is deemed a separate offense.

A public notice was distributed on April 23, 2024 reminding business owners to ensure they are licensed. Businesses were notified that the Village will be taking steps to remove unlicensed businesses from the Business Listings on the Village Website.

Current Status

To determine what businesses are active in Haines Junction, a scan of the [Business Listings](#) on our website, along with a google and Facebook search, was carried out. Business names were compared against the list of businesses issued licenses in 2024. Based on this analysis, we determined the following:

Table 1: Summary

| Within the Municipality of Haines Junction | Number of Businesses |
|--|----------------------|
| Licensed, to date, in 2024 (see Table 2) | 75 |
| Listed on the Village website (see https://hainesjunction.ca/p/business-listings) | 86 |
| Licensed and listed on the Village website (see Table 3) | 45 |
| Unlicensed and listed on the Village website (see Table 4). Of these | 41 |

| | |
|---|---------------|
| <ul style="list-style-type: none"> • 2 are not a business (Visitor Info Centres) • 7 are located outside the municipal boundary • 3 are licensed under the multiple business classification (confirm) • 7 are actively operating without a license • We are uncertain whether 22 are active businesses | |
| Licensed and not the Village website (see Table 5) | 31 |
| Active and operating without a license (see Table 6) | 23 |
| Active short-term rentals (see Table 7) | 6, possibly 7 |
| Unlicensed and active short-term rentals (see Table 7) | 3, possibly 4 |

Discussion/Analysis

While it is not mandatory for businesses to be listed in the Village’s web directory, the directory should only advertise licensed businesses. Our directory also contains tourist services (visitor information centres), active businesses located outside of the municipality, as well as businesses that may or may not still be in operation.

Next Steps

The following next steps are recommended:

1. Village Web Listing Business Directory:
 - Retain the tourist info centres within the directory
 - Retain active businesses located outside the municipal boundary
 - Remove all businesses that do not have an active business license.
 - Encourage licensed businesses that are not currently listed on the website to be listed.
2. Active businesses operating without a license:
 - Send letters to the 23 known and active businesses operating without a license with a warning. If a business license is not obtained within 30 days, the business will be subject to fines.
 - Send letters to the 22 businesses for which we are uncertain about whether they are active and request confirmation of their status. Remind them that if they are an active business and if a business license is not obtained within 30 days, the business will be subject to fines.
 - With regards to short-term rentals (STR’s), provide notification letters of new zoning bylaw requirements requiring all STR’s to be licenced and on the same property as the principle residence of the owner. Licensed operational STRS that are not the principal residence of the owner will be permitted to continue. Unlicensed and operating businesses that are not on the same property as the owners principle residence will have to prove, with receipts, that the business has been active in order to get grandfathered in to receive a license.

Draft Resolution

THAT Administration proceed with next steps as outlined in the Business Licence Review Report to Council.

Prepared by

Aynslie Ogden
Corporate Manager

Approved by

Dave Fairbank
Chief Administrative Officer

Table 2: Businesses Licensed, to date, in 2024

| Business Name | 2024 Business License Issued |
|---|-------------------------------------|
| MackBuilt Contracting | HJ-24-01 |
| Grime Stoppers Janitorial | HJ-24-02 |
| Auriol Chocolates | HJ-24-03 |
| MacKellar Contracting | HJ-24-04 |
| NF Electrical & Event Production | HJ-24-05 |
| TesserAct Associates | HJ-24-06 |
| Kluane Skyline Vacation Rental | HJ-24-07 |
| Russell Trailer Court | HJ-24-08 |
| Discovery Woodworks | HJ-24-09 |
| Sylvain Human Resources Services | HJ-24-10 |
| Earl Thompson Contracting | HJ-24-11 |
| Rod Jager Trucking | HJ-24-12 |
| Poplar Tree Services | HJ-24-13 |
| MKS Ceramic/Healing | HJ-24-14 |
| Kari Johnston | HJ-24-15 |
| Kluane Park Inn | HJ-24-16 |
| Olaf Contracting | HJ-24-17 |
| Wild Coast Carpentry | HJ-24-18 |
| Tax Link Canada | HJ-24-19 |
| Parkside Office Rentals | HJ-24-20 |
| Parkside Inn | HJ-24-21 |
| Guys and Dolls Bistro | HJ-24-22 |
| Lucky Dragon Restaurant | HJ-24-23 |
| Michael Pealow Consulting | HJ-24-24 |
| Aspen Place Suite | HJ-24-25 |
| Source Motors Ltd | HJ-24-26 |
| Michael Schmidt Photography | HJ-24-27 |
| Marguerite's Quilting and Crafts | HJ-24-28 |
| 871333 Yukon Inc (General Contracting) | HJ-24-29 |
| 838750 Yukon Inc Crow's Light Healing and Discovery | HJ-24-30 |
| Wade Klassen Carpentry (Klassen Ent) | HJ-24-31 |
| M&D Services | HJ-24-32 |
| Haines Junction FasGas and RV Park (535561 Yukon Inc) | HJ-24-33 |
| Little Lo's Storage | HJ-24-34 |
| Adventure Time (841891 Yukon Inc Isabelle Piche) | HJ-24-35 |
| Inky Fingers Art Studio and Gallery | HJ-24-36 |

| | |
|--|----------|
| Green Banana Properties | HJ-24-37 |
| Big Bud Contracting | HJ-24-38 |
| K&F Services | HJ-24-39 |
| Top Spot Ltd | HJ-24-40 |
| Infinity Services | HJ-24-41 |
| Great Slave Helicopters 2018 Ltd | HJ-24-42 |
| AROJAY | HJ-24-43 |
| Oakley's Wild | HJ-24-44 |
| Glens Woodlot | HJ-24-45 |
| Carnivore Cabins | HJ-24-46 |
| Haven in the Willows Vacation Rental | HJ-24-47 |
| Ralph Hotte Contracting | HJ-24-48 |
| Wildwood Spirit | HJ-24-49 |
| Wintergreen Business Services | HJ-24-50 |
| North of Asgard | HJ-24-51 |
| True North Electric | HJ-24-52 |
| Twiss & Shine Custodial Services | HJ-24-53 |
| Trash Panda | HJ-24-54 |
| Frostbite Fitness | HJ-24-55 |
| JD Farms Inc | HJ-24-56 |
| Golden Fox Sewing Services | HJ-24-57 |
| Paint Mountain Landscaping | HJ-24-58 |
| Raven's Rest Inn, gift Shop, Café, Equipment Rentals | HJ-24-59 |
| Alcan Motor Inn | HJ-24-60 |
| Darlene Sillery Notary Public | HJ-24-61 |
| Falcon Electric | HJ-24-62 |
| Dark Horse Contracting | HJ-24-63 |
| Rebecca Schatz | HJ-24-64 |
| Kluane House | HJ-24-65 |
| Nunez Place | HJ-24-66 |
| Perx Sound Services | HJ-24-67 |
| Alpine Suite | HJ-24-68 |
| Wanderer's Inn Backpackers Hostel | HJ-24-69 |
| Western Skye Consulting | HJ-24-70 |
| BG Yukon Home Contracting and Construction LTD | HJ-24-71 |
| Stardust Motel | HJ-24-72 |
| Village Bakery and Deli | HJ-24-73 |
| Cozy Corner Motel | HJ-24-77 |
| Blue Diamond Contracting | HJ-24-78 |

Table 3: Licensed and listed on the Village website

| Business Name | On Village Website May 14, 2024 | 2024 Business License Issued |
|---|--|-------------------------------------|
| Adventure Time (841891 Yukon Inc Isabelle Piche) | Yes | HJ-24-35 |
| Alcan Motor Inn | Yes | HJ-24-60 |
| Aspen Place Suite | Yes | HJ-24-25 |
| Carnivore Cabins | Yes | HJ-24-46 |
| Cozy Corner Motel | Yes | HJ-24-77 |
| Darlene Sillery Notary Public | Yes | HJ-24-61 |
| Discovery Woodworks | Yes | HJ-24-09 |
| Falcon Electric | Yes | HJ-24-62 |
| GlensWoodLot | Yes | HJ-24-45 |
| Golden Fox Sewing Services | Yes | HJ-24-57 |
| Grime Stoppers Janitorial | Yes | HJ-24-02 |
| Haines Junction FasGas and RV Park (535561 Yukon Inc) | Yes | HJ-24-35 |
| Haven in the Willows Vacation Rental | Yes | HJ-24-47 |
| Inky Fingers Art Studio and Gallery | Yes | HJ-24-36 |
| Kluane Park Inn | Yes | HJ-24-16 |
| Kluane Skyline Vacation Rental | Yes | HJ-24-07 |
| Lucky Dragon Restaurant | Yes | HJ-24-23 |
| M&D Services | Yes | HJ-24-32 |
| MackBuilt Contracting | Yes | HJ-24-01 |
| MacKellar Contracting | Yes | HJ-24-04 |
| Michael Pealow Consulting | Yes | HJ-24-24 |
| Michael Schmidt Photography | Yes | HJ-24-27 |
| MKS Ceramic | Yes | HJ-24-14 |
| MKS Healing | Yes | HJ-24-14 |
| NF Electrical & Event Production | Yes | HJ-24-05 |
| Olaf Contracting | Yes | HJ-24-17 |
| Paint Mountain Landscaping | Yes | HJ-24-58 |
| Parkside Inn | Yes | HJ-24-21 |
| Ralph Hotte Contracting | Yes | HJ-24-48 |
| Raven's Rest Inn, gift Shop, Café, Equipment Rentals | Yes | HJ-24-59 |
| Rebecca Schatz | Yes | HJ-24-64 |
| Rod Jager Trucking | Yes | HJ-24-12 |
| Source Motors Lts | Yes | HJ-24-26 |
| Stardust Motel | Yes | HJ-24-72 |
| Sylvain Human Resources Services | Yes | HJ-24-10 |

| | | |
|--------------------------------------|-----|----------|
| Tax Link Canada | Yes | HJ-24-19 |
| Top Spot Ltd | Yes | HJ-24-40 |
| True North Electric | Yes | HJ-24-52 |
| Twiss & Shine Custodial Services | Yes | HJ-24-53 |
| Village Bakery and Deli | Yes | HJ-24-73 |
| Wade Klassen Carpentry (Klassen Ent) | Yes | HJ-24-31 |
| Wanderer's Inn Backpackers Hostel | Yes | HJ-24-69 |
| Wild Coast Carpentry | Yes | HJ-24-18 |
| Wildwood Spirit | Yes | HJ-24-49 |
| Wintergreen Business Services | Yes | HJ-24-50 |

Table 4: Unlicensed and listed on the Village website

| Business Name | On Village Website May 14, 2024 | 2024 Business License Issued | If not licensed, is the business active? |
|---|--|-------------------------------------|---|
| Acacia Vintage | Yes | NO | uncertain |
| Elsek Valley Hiking | Yes | NO | Yes - licensed under the Raven? |
| Backyard Services | Yes | NO | uncertain |
| Bear Creek Logging | Yes | NO | Yes - located outside municipal boundary |
| Burls By Jim | Yes | NO | uncertain |
| Clear Cut Business Tactics | Yes | NO | uncertain |
| Da Ku Cultural Centre | Yes | NO | Yes |
| Dalton Trail Lodge | Yes | NO | Yes - located outside municipal boundary |
| Dimok Timber LTD | Yes | NO | Uncertain - located outside municipal boundary |
| Dulac Art Studio | Yes | NO | uncertain |
| From the Forest Floor YT | Yes | NO | uncertain |
| Frosty's Restaurant | Yes | NO | Yes |
| Glacier View Inn | Yes | NO | Yes - licensed under lucky dragon |
| Haines Junction Visitor Information Centre | Yes | NO | Yes, but not a business |
| Ice Blink Expeditions | Yes | NO | uncertain |
| J&D Services | Yes | NO | uncertain |
| Klassen Enterprises Home Solutions | Yes | NO | Yes |
| Kluane Cabins | Yes | NO | Yes - located outside municipal boundary |
| Kluane National Park and Reserve Visitor Centre | Yes | NO | Yes, but not a business |
| Kluane Rentals | Yes | NO | uncertain |
| Melanson Construction | Yes | NO | uncertain |
| Mile 1016 Pub | Yes | NO | Yes - licensed under Alcan |
| Mount Logan Lodge & Yukon Guided Adventures | Yes | NO | Yes - located outside municipal boundary |
| Neitz Firewood | Yes | NO | uncertain |
| Sawmill on Wheels | Yes | NO | uncertain |
| Shakat Tun Adventures | Yes | NO | Yes |
| Shane Oakley Contracting | Yes | NO | uncertain |
| Soaring Eagle Counselling | Yes | NO | uncertain |

| | | | |
|----------------------------------|-----|----|--|
| Spruce Cottage Farm | Yes | NO | Yes - located outside municipal boundary |
| St. Elias Sod, Soil and Services | Yes | NO | uncertain |
| Sundog Heating and Ventilation | Yes | NO | uncertain |
| Tana Contracting Ltd | Yes | NO | uncertain |
| The Green Sprout | Yes | NO | Yes |
| The Little Green Apple | Yes | NO | Yes |
| The Plumbineers | Yes | NO | Yes - located outside municipal boundary |
| Timber Dog Logging | Yes | NO | uncertain |
| Trans North Helicopters | Yes | NO | Yes |
| TRB Firewood | Yes | NO | uncertain |
| Triple S Services Ltd | Yes | NO | uncertain |
| Wilderness Technologies | Yes | NO | uncertain |
| Wintergreen Business Services | Yes | NO | uncertain |

Table 5: Licensed and not the Village website

| Business Name | On Village Website May 14, 2024 | 2024 Business License Issued |
|---|--|-------------------------------------|
| Alpine Suite | NO | HJ-24-68 |
| AROJAY | NO | HJ-24-43 |
| Auriol Chocolates | NO | HJ-24-03 |
| BG Yukon Home Contracting and Construction LTD | NO | HJ-24-71 |
| Big Bud Contracting | NO | HJ-24-37 |
| Blue Diamond Contracting | NO | HJ-24-78 |
| Earl Thompson Contracting | NO | HJ-24-11 |
| Frostbite Fitness | NO | HJ-24-55 |
| Great Slave Helicopters 2018 Ltd | NO | HJ-24-42 |
| Green Banana Properties | NO | HJ-24-37 |
| Guys and Dolls Bistro | NO | HJ-24-22 |
| Infinity Services | NO | HJ-24-41 |
| JD Farms Inc | NO | HJ-24-56 |
| Kari Johnston | NO | HJ-24-15 |
| K&F Services | NO | HJ-24-39 |
| Kluane House | NO | HJ-24-65 |
| Little Lo's Storage | NO | HJ-24-34 |
| Marguerite's Quilting and Crafts | NO | HJ-24-28 |
| Nunez Place | NO | HJ-24-66 |
| Oakley's Wild | NO | HJ-24-44 |
| North of Asgard | NO | HJ-24-51 |
| Parkside Office Rentals | NO | HJ-24-20 |
| Perx Sound Services | NO | HJ-24-67 |
| Poplar Tree Services | NO | HJ-24-13 |
| Russell Trailer Court | NO | HJ-24-08 |
| TesserAct Associates | NO | HJ-24-06 |
| Trash Panda | NO | HJ-24-54 |
| Western Skye Consulting | NO | HJ-24-70 |
| 871333 Yukon Inc (General Contracting) | NO | HJ-24-29 |
| 838750 Yukon Inc Crow's Light Healing and Discovery | NO | HJ-24-30 |
| Dark Horse Contracting | NO | HJ-24-63 |

Table 6: Active and operating within Municipal Boundaries without a license

| Business Name | 2024 Business License Issued | Active Business ? | Where advertised |
|--|-------------------------------------|--------------------------|---|
| Kluane Green Sprout | No | Yes | Air B&B |
| Modern Kluane Mountain View House | No | Yes | Air B&B |
| BearBerry Chalet | No | Yes | Air B&B |
| Fear Hackers Academy/Angie Charlebois | No | Yes | LinkedIn, Facebook |
| Da Ku Cultural Centre | No | Yes | https://njustore.ca |
| EnviroNorth Consulting / Denise Hume | No | Yes | CAFN Business Listings |
| Sha'ala Leadership / Luke Campbell | No | Yes | CAFN Business Listings |
| Asheyi' Mechanical | No | ? | CAFN Business Listings |
| Castlerock | No | Yes | CAFN Business Listings |
| Bonnie Chambers Catering | No | ? | CAFN Business Listings |
| Mountain Shade Equine / Kyra Chambers | No | Yes | CAFN Business Listings |
| Shakat Tun Adventures / James Allen | No | Yes | CAFN Business Listings |
| Champagne Pack Trains | No | Yes | Facebook |
| Allan's Backyard Services | No | Yes | VHJ Third Party Tenders List |
| April Sternbergh | No | Yes | VHJ Third Party Tenders List |
| GearWorx | No | Yes | VHJ Third Party Tenders List |
| Sawsome/Hippy Meadows/Sam Turcotte | No | Yes | Awarded Dec 5, 2023 Firesmart Contract |
| Yukon Wildlings - Firewood / Maria Aila Hilja | No | Yes | Facebook |
| Rebecca Holeczi/Physical Therapy | No | Yes | Facebook |
| Nataschaa Chatterton Counselling Support/ Equine Therapy | No | Yes | https://cafn.ca/wellness-supports/ |
| Northern Focus Counselling | No | Yes | https://cafn.ca/wellness-supports/ |
| Osteopath | No | Yes | |
| Yukon Guided Adventures | No | Yes | https://yukonguidedadventures.com/ |

Table 7: Active short-term rentals operating within Municipal Boundaries

| Business Name | Location | On Village Website May 2024 | 2024 Business License Issued | Owner's Principle Residence? | Active Business ? | Where advertised |
|--------------------------------------|-------------------|------------------------------------|-------------------------------------|-------------------------------------|--------------------------|-------------------------|
| Haven in the Willows Vacation Rental | Willow Acres | Yes | HJ-24-47 | ? | Yes | VRBO |
| Kluane Skyline Vacation Rental | Wintergreen Cres. | Yes | HJ-24-07 | No | Yes | Air B&B |
| Kluane Green Sprout | Lowell St. | No | No | No | Yes | Air B&B |
| Modern Kluane Mountain View House | Spruce Street | No | No | No | Yes | Air B&B |
| BearBerry Chalet | Bearberry | No | No | No | Yes | Air B&B |
| Wanderer's Inn Backpackers Hostel | Backe St | Yes | HJ-24-69 | ? | Yes | Air B&B |
| Canyon Country B&B - Stay with Faye | ? | ? | No | Yes | Yes | Air B&B |



Village of Haines Junction Report to Council

June 12, 2024

Council Decision
 Council Direction
 Council Information
 Closed Meeting

RE: Build Conditions

Recommendation

The Village replace its 1995 Build Requirements Policy with a Build Requirements Bylaw requiring final occupancy and making the land title transfer conditional on Development Officer approval of the build requirements and require this approval to be reflected in Yukon government's agreement of sale for lots sold in Haines Junction.

Background

The Village established the [Building Requirements Policy 11-95](#) in 1995 that specifies additional building requirements that may be required by the Lands Branch. Specifically, our policy requires:

- All lots have a five (5) year building restriction.
- The five-year building requirements means that the principle building has to meet the minimum requirements which are: the principle building on the lot has to be clad to the weather and the final outdoor finish has to be completed by the fifth year anniversary of the purchase date.
- These building requirements apply to the following zones: Single Family Residential, Multi-Residential, Mobile Home Residential, Country Residential, Civil Commercial, Tourist Commercial.
- Yukon government is also asked to provide a yearly progress report on all lots and buildings and the different stages they are at.

Yukon government's current agreement for sale attached (also available online: [emr-agreement-sale-sample.pdf \(yukon.ca\)](#)). The Lands Branch confirmed that, except for the term of the building commitment, the terms and conditions and specifications of these agreements are the same for all residential lot sales throughout the Yukon.

- Terms and conditions:
 1. The permanent improvements to be constructed on the land must be Residential and comply with the specifications set out in this Schedule.
 - a. The Purchaser must provide the Vendor proof the following inspections have been completed and the work approved by the inspector:
 - b. Electrical rough in inspection from Government of Yukon, Community Services, Building Safety Branch
 - c. Framing Insulation and Vapour barrier inspection from the City of Whitehorse
 2. Plumbing rough-in with test on inspection from the City of Whitehorse (the "required approvals")
 3. The permanent structures must be constructed to meet the specifications outlined in this schedule and the proof of authorization to occupy the improvement must

be provided within (**building commitment term**) of the effective date of this Agreement.

- The Sale Agreement Template contains place holder text (building commitment term). This term is typically 3-years in Whitehorse and has typically been 5-years for lots that have been sold in the communities.
- Specifications:
 1. Minimum size of the structure must be 600 sq. ft. or as required to comply with zoning.
 2. Structures must be built in compliance with zoning requirements and in compliance with federal, territorial and municipal laws.

Once the Purchaser has paid the full purchase price and has complied with all the terms, conditions, and specifications of the agreement, they are granted title to the property.

Current Status

Yukon government's sale agreement requires proof of authorization to occupy the improvement for title to be granted. Per information on the [Building Safety](#) website, occupancy can be:

- Conditional – conditional occupancy is granted when all health and safety items are in place (guard rails, handrails, smoke and carbon monoxide alarms).
- Final – final occupancy is granted when all work has been completed and approved.

Proof of authorization to occupy the improvement is required to get title to the property. Title is often granted on the basis of conditional occupancy, which is inconsistent with our Building Requirements Policy.

Discussion/Analysis

We often see buildings that have land title, and never seem to complete their siding. As a community are left looking at “Yukon siding” or Tyvek paper, for years afterward with limited mechanisms to enforce completion.

Since the Village's Build Requirements Policy is almost 30 years old, a refresh of the policy would give us an opportunity to provide more specific build requirements / expectations, and to specifically require these to be reflected in Yukon government's agreement of sale.

Alternatives considered

We have identified three options to resolve the issue of unsightly “Yukon siding” in the community.

Option 1: Build Requirements Policy – Clad to Weather

- One benefit of having the build requirement established at ‘clad to weather’ is that it allows builders and homeowners access to financing options. Pushing title to final occupancy may cause some increased financial burden on developers.

Option 2: Build Requirements Policy – Final Occupancy

- The most appropriate mechanism to enforce the completion of buildings is the ability to withhold granting of title to the property until construction is complete.

- The Village could require final occupancy inspection to have sign off by the Village's Development Officer prior to the transfer of title. This would require cooperation and coordination with the Lands Branch.
- Yukon government may be reluctant to enforce this requirement when a purchaser has made a substantial investment in building on property.
- The Village may have little influence on Yukon government's title granting process.
- Council could send a letter to Yukon government with this request.

Option 3: Create a Build Requirements Bylaw – Final Occupancy

- As for Option 2 but strengthening by making the policy a bylaw.
- The most appropriate mechanism to enforce the completion of buildings is the ability to withhold granting of title to the property until construction is complete.
- Yukon government may be reluctant to enforce this requirement when a purchaser has made a substantial investment in building on property.
- The Village may have little influence on Yukon government's title granting process.
- Council could send a letter to Yukon government with this request.

Draft Resolution

THAT The Village replace its 1995 Build Requirements Policy with a Build Requirements Bylaw requiring final occupancy and making the land title transfer conditional on Development Officer approval of the build requirements and require this approval to be reflected in Yukon government's agreement of sale for lots sold in Haines Junction.

Prepared by

Aynslie Ogden
Corporate Manager

Approved by

Dave Fairbank
Chief Administrative Officer

**GOVERNMENT OF YUKON
AGREEMENT FOR SALE**

BETWEEN:

**THE GOVERNMENT OF YUKON
as represented by the Minister of Energy, Mines and Resources**

("Vendor")

AND:

Name(s)
Tenancy type

("Purchaser")

THE *VENDOR* AND THE *PURCHASER* agree, according to the terms and conditions described below, to the sale and purchase of the following land subject to the *Lands Act*:

Lot legal description
("Land")

for the purchase price of XXXX Dollars (\$XX.XX) ("*Purchase Price*").

Payment

1. The *Vendor* acknowledges receiving the sum of \$**XX.XX**, as a deposit, plus the total amount of Goods and Services Tax ("GST") due on the *Purchase Price*, if any.
2. The *Vendor* also acknowledges receiving the \$25.00 non-refundable application fee, plus applicable GST ("*Application Fee*"), which sum does not form part of the *Purchase Price*.
3. The balance on the *Purchase Price* is \$**XX.XX** and is due and payable as set out in Schedule C.
4. Interest will be charged on all amounts owing under this Agreement at an annual rate of the greater of:
 - a. **2.5% above** the rate used by the Bank of Canada for advance to financial institution that are Canadian Payments Association members; or
 - b. **5%**,and shall be due and payable on the balance of the *Purchase Price* and any other amount due and payable to the *Vendor* as remains outstanding for any given period of time, not in advance.
5. The *Purchaser* may at any time pay additional amounts on account of, or the whole of, the then outstanding *Purchase Price*, without notice or penalty, if the *Purchaser* is not in *Default* or in *Breach* (as defined in section 18). Any such payment will be applied first against interest accrued on amounts payable under this Agreement, then against any other amounts due under this Agreement and thereafter, against the *Purchase Price*.

Term

6. This Agreement comes into effect on the date the lot is offered to the purchaser (the "*Effective Date*") and expires on **DATE** (the "*Expiry Date*").

Building Commitment

7. The *Purchaser* shall construct or cause to be constructed permanent improvements on the *Land* in accordance with the terms, conditions and specifications in Schedule B.
8. Failure to comply with section 7 is a fundamental breach of this Agreement and cause for cancellation by the *Vendor* in accordance with section 18.

Title Transfer

9. At any time prior to the expiry of this Agreement, if the *Purchaser* is not in breach of any fundamental term or condition of this Agreement, the *Vendor* may cause transfer of title to the *Land*, when the *Purchaser* has:
 - a. paid the *Purchase Price*, interest and all other money due under this Agreement, in full; and
 - b. complied with all the terms, conditions and specifications of Schedule B.
10. Legal fees and disbursements associated with transfer of title shall be the responsibility of the *Purchaser*.
11. If the *Purchaser* satisfies the *Vendor* that, for the purpose of obtaining mortgage financing, the *Purchaser* requires title to the *Land*, the *Vendor* may transfer title to the *Purchaser* for the purpose of enabling a mortgage to be registered under the *Land Titles Act* upon trust conditions that the *Purchaser* executes all required documents and registers the obligations under this Agreement as either an encumbrance on title to the *Land* subject only to the mortgage, a development agreement, or both.
12. The issuance of title pursuant to section 11 does not relieve the *Purchaser* of the *Purchaser's* obligations to comply with this Agreement, including all fundamental terms, and this Agreement shall remain in force until the *Purchaser* has fulfilled the transfer conditions in section 9.

Termination by Purchaser

13. The *Purchaser* may provide written notice to the *Vendor* of their intention to terminate this Agreement without cause at any time.
14. If the *Purchaser* provides notice of their intention to terminate this Agreement within sixty (60) days of the *Effective Date*, the *Purchaser* will be entitled to the refund of any amount paid towards the *Purchase Price* by the *Purchaser*, less three hundred dollars (\$300.00).
15. If the *Purchaser* provides notice of their intention to terminate this Agreement more than sixty (60) days after the *Effective Date*, the *Purchaser* will forfeit 20% of the *Purchase Price* to the *Vendor* as liquidated damages; however, any additional amount paid by the *Purchaser* toward the *Purchase Price* shall be refunded unless otherwise due to the *Vendor* under this Agreement.
16. This Agreement will not be terminated until the *Vendor* confirms the termination in writing and provides a termination date.
17. The provision of notice of intention to terminate does not relieve the *Purchaser* of the *Purchaser's* obligations to comply with this Agreement and this Agreement continues until the termination date provided by the *Vendor*.

Cancellation by Vendor

18. In the event that the *Purchaser*:
 - a. defaults in payment of any amount of money payable under this Agreement (a "*Default*"); or,
 - b. is in breach of any fundamental term of this Agreement (a "*Breach*"),

the *Vendor* may serve written notice of the *Default* or *Breach* to the *Purchaser*. If the *Default* or *Breach* is not remedied to the satisfaction of the *Vendor* within 90 days after the date the notice is served, then the *Vendor* may cancel this Agreement by serving written notice of cancellation. Such cancellation will be effective 15 days from the date of service. Upon cancellation, any money paid by the *Purchaser* to the *Vendor* on account of the Agreement will be forfeited to the *Vendor*.

19. Entry and repossession of the *Land* or the doing of any act or thing with respect to the *Land*

by the *Vendor* does not cancel this agreement.

20. Upon service of a notice of *Default* or *Breach*, if the *Purchaser* has commenced construction of a permanent residence on the *Land* and is residing in that residence, the *Purchaser* may notify the *Vendor* in writing of such and request up to one year to remedy the *Default* or *Breach*. Approval of such request by the *Vendor* shall not be unreasonably withheld.
21. In no event shall the period to remedy the *Default* or *Breach* extend past the *Expiry Date* of this Agreement.

Expiry

22. If title has not been transferred to the *Purchaser* in accordance with section 9 prior to the *Expiry Date*, this Agreement will be deemed to have been canceled by the *Vendor* and any money paid by the *Purchaser* to the *Vendor* on account of the Agreement will be forfeited to the *Vendor*.

Return of Land to the Vendor

23. In the event of the expiry, termination or cancellation of this Agreement the *Purchaser* ceases to have any rights or interest in the *Land* and shall return the *Land* to the *Vendor*, and any permanent improvements made by the *Purchaser* on the *Land* become the property of the *Vendor*.
24. The *Purchaser* agrees to return the *Land* to the *Vendor* in substantially the same condition as when this Agreement was entered into.
25. If the *Purchaser* does not return the *Land* in substantially the same condition, the *Vendor* may take all reasonable action to remediate and return the *Land* to substantially the same condition, including the removal and sale or disposal of personal property of the *Purchaser* left on the *Land*. The cost of such action, less any amount recovered, shall be a debt immediately due and payable by the *Purchaser* to the *Vendor*. Any amount owing pursuant to this section will be subject to interest in accordance with section 4. This section shall survive the expiry, termination or cancellation of this Agreement.
26. For the purposes of clause 24 and 25, "substantially the same condition" means the *Land* is free of:
 - a. Completed buildings, fixtures or improvements, above or below ground, that do not have the required permits and completed inspections;
 - b. Partially completed buildings, fixtures or improvements, above or below ground, unless they have the required permits and inspections and the *Vendor* agrees in writing they may remain on the *Land*;
 - c. All personal property, including, without limitation, trailers, sheds or other structures not affixed to the *Land*; and
 - d. All solid waste, special waste, or contaminants, as they are defined in the (Yukon) *Environment Act*.

For clarity, the *Land* is considered in substantially the same condition if it has been cleared of trees, leveled or graded, or other similar disturbances of the *Land* have been made.

27. The *Purchaser* shall as soon as practicable after notice of termination is provided or this agreement is cancelled or expires remove or cause to be removed all liens, charges, judgements, claims, encumbrances or mortgages from title to the *Lands*.

Other Covenants of the Purchaser

28. From and after the *Effective Date*, the *Purchaser* shall be responsible to pay in full all taxes, local improvement rates and assessments, and all public utility charges respecting the *Land*.
29. If this Agreement expires, is terminated or cancelled, the *Purchaser* shall pay to the *Vendor* any property taxes, local improvement rates and assessments or public utility charges due or

accrued for the period during which this Agreement was in effect. Should the *Purchaser* be owed a refund of any money paid to the *Vendor* under this Agreement, the *Vendor* may retain all or some of the refund for the payment of any property taxes, local improvement rates or assessment or public utility charges due or accrued. Should the amount retained by the *Vendor* not be sufficient to cover the amount owing, the difference shall be immediately due and payable by the *Purchaser*. Any amount owing pursuant to this section will be subject to interest in accordance with section 4. This section shall survive the expiry, termination or cancellation of this Agreement.

30. During the term of this Agreement, the *Purchaser* will allow entry in and under or upon the *Land* or so much thereof as is reasonable for the purpose of constructing, maintaining and operating sewer, water, telephone, electric power, street lighting and fire and police protection installations, and on request by the *Vendor*, the *Purchaser* will execute any documents necessary to confirm such right. This is a fundamental term of this Agreement.
31. In addition to the general obligations in section 30, the *Purchaser* agrees to the easements and/or subdivisions, if any, as set out in Schedule A and will execute any documents necessary to perfect such easements or subdivisions. The *Purchaser* acknowledges and agrees that the easements and/or subdivisions set out in Schedule A shall be submitted with the transfer and registered on title to the *Land*. This is a fundamental term of this Agreement.
32. During the term of this Agreement, the *Purchaser* will allow authorized employees or agents of the *Vendor* to enter upon the *Land* at any reasonable time for the purpose of examining or inspecting the *Land* and the *Purchaser's* compliance with this Agreement. This is a fundamental term of this Agreement.
33. The *Purchaser* shall not without the written consent of the *Vendor*, which consent may not be unreasonably withheld:
 - a. assign, lease or transfer in whole or in part, and shall not encumber, charge, mortgage or otherwise use as security this Agreement or any right under this Agreement; or,
 - b. before title to the *Land* has been transferred or is free of all trust conditions imposed by the *Vendor* pursuant to clause 11, agree to assign, lease, transfer, encumber, charge, mortgage or make any other disposition of the *Land*.This is a fundamental term of this Agreement.
34. The *Purchaser* will comply, in respect of the *Land* and any permanent improvements made thereon with all applicable federal, territorial and municipal laws, and, not to limit the forgoing, including all applicable zoning bylaws or regulations or community development plans. This is a fundamental term of this Agreement.
35. The *Purchaser* shall keep the *Land* free and clear of any and all liens, charges, judgments, claims and encumbrances whatsoever that have not been specifically consented to in writing by the *Vendor*.
36. In addition to other remedies available under this Agreement or at law, if the *Purchaser* is in breach of any provision of this Agreement, other than respecting the payment of monies due to the *Vendor*, and if the *Purchaser* does not remedy the breach within the period required to do so, the *Vendor* may, at its option, remedy such breach by taking any reasonable action. The cost of such action will be due and payable by the *Purchaser* to the *Vendor* immediately. Any amount owing pursuant to this section will be subject to interest in accordance with section 4. This section shall survive the expiry, termination or cancellation of this Agreement.

General

37. This Agreement is subject to the provisions of the *Lands Act* and the *Lands Regulation*. In the event of a conflict with this Agreement, the provisions of the *Lands Act* and the *Lands Regulation* govern.
38. The *Land* is being offered on an “as is, where is” basis. In consideration of this Agreement

the *Purchaser* hereby releases and forever discharges the *Vendor* from all claims, demands, actions, or causes of action arising out of or in connection with this Agreement; including, without limiting the forgoing, claims, demands, actions or causes of action resulting from damages or losses to the *Land* or any property of the *Purchaser* caused by a third party.

39. The *Purchaser* shall have vacant possession of the *Land* upon the *Effective Date* of this Agreement.
40. Time shall be of the essence in this Agreement.
41. No amendment of this Agreement will be effective unless it is in writing and signed by the parties.
42. No failure by the *Vendor* to enforce any of its rights under this Agreement shall operate as a waiver of such rights.
43. This Agreement constitutes the entire agreement between the parties and supersedes all previous expectations, understandings, undertakings, communications, representations, warranties and agreements, whether verbal or written, between the parties. There are no collateral agreements, representations or warranties pertaining to the *Land* or the subject matter of this Agreement.
44. This Agreement shall enure to the benefit of and be binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties.
45. All written notices respecting the *Land* or this Agreement shall be deemed to have been served on the *Purchaser* when mailed by registered mail to:
Purchaser mailing address(es)

or such other address as the *Purchaser* subsequently provides;

and to *Vendor* at:

Land Management Branch
Department of Energy, Mines and Resources
Government of Yukon
Box 2703 (K-320)
Whitehorse, Yukon Y1A 2C6

IN WITNESS WHEREOF the Parties have executed this Agreement by their duly authorized representatives on the dates noted below.

Purchaser name

Purchaser name 2

(if corporation, firm, etc)

«Bp6»
«Bp7»«Bp8»

GOVERNMENT OF YUKON
as represented by the
Minister of Energy, Mines and Resources

In the presence of

(witness signature, 19 years of age or older)

Witness Name: _____

Per: **CS Manager**
Manager, Client Services

Date: _____

SAMPLE

Schedule A
Required Easements, Subdivisions and/or Conditions

Conditions related to easements will be inserted here, if applicable.

SAMPLE

Schedule B
Building Construction Terms, Conditions and Specifications

Terms and Conditions:

1. The permanent improvements to be constructed on the land must be Residential and comply with the specifications set out in this Schedule.
2. The Purchaser must provide the Vendor proof the following inspections have been completed and the work approved by the inspector:
 - a. Electrical rough in inspection from Government of Yukon, Community Services, Building Safety Branch
 - b. Framing Insulation and Vapour barrier inspection from the City of Whitehorse
 - c. Plumbing rough-in with test on inspection from the City of Whitehorse (the “required approvals”)
3. The permanent structures must be constructed to meet the specifications outlined in this schedule and the proof of authorization to occupy the improvement must be provided within **(building commitment term)** of the effective date of this Agreement.

Specifications:

- B. Minimum size of the structure must be 600 sq. ft. or as required to comply with zoning.
- C. Structures must be built in compliance with zoning requirements and in compliance with federal, territorial and municipal laws.



Village of Haines Junction Report to Council

June 12, 2024

Council Decision
 Council Direction
 Council Information
 Closed Meeting

RE: Quarry Permit

Recommendation

Council direct Administration to proceed with applying to Yukon government for a quarry lease for Village Public Works and to provide local operators with access to granular materials at an equivalent cost to what the Yukon government would charge in royalties plus a fee to offset lease fees that is proportional to the operator's use of the quarry.

Background

Aggregate resources are relatively limited in the Haines Junction area. The largest deposits are found within glaciofluvial materials (deposited by glacial meltwater rivers). Active gravel pits are in the Bear Creek, Pine Lake, Merle Lien Ranch and Marshall Creek areas. Further reserves exist around these active pits. More localized resources can also be found in modern stream terraces and fans, within remnant Neoglacial Lake Alsek beach ridges and in recessional moraine ridges. In 2022, Yukon Geologic Survey initiated a detailed surficial geology mapping program for the greater Haines Junction area– the final map is expected to be released later this summer.

Earlier this year, the Village received complaints from local operators who are experiencing difficulties in getting access to local granular resources. The situation resulted a (perceived and/or actual) competitive advantage to the one company in a recent Yukon government tender that had access to a local gravel pit. The Village passed this concern along to Yukon government.

There are two mechanisms to access granular material:

1. Obtain a quarry permit for a designated public pit
 - a. Permits for public pits allow permit holders to take up to 35 cubic meters of material for personal use only.
 - b. The location of public pits can be found out by contacting the local Compliance, Monitoring and Inspections office.

2. Obtain a commercial quarry lease
 - a. Only registered businesses in good standing with Yukon Corporate Registries are eligible for a commercial quarry lease.
 - b. Commercial quarry sites must be within 1 kilometer of a road maintained year-round, 30.5 m away from a lake or river and 10m away from a creek.
 - c. Sites must meet criteria specified in YG's [commercial and industrial land policy](#).
 - d. Applications may require an environmental and socioeconomic review by the Yukon Environmental and Socio-economic Assessment Board.
 - e. Local Compliance, Monitoring and Inspections Office staff can assist with site selection.

Neither mechanism provides access to granular resources by municipal governments.

Current Status

The Village of Haines Junction does not have a quarry permit or lease, which it presumably requires to have access to granular material needed for various public works activities. The Village would also like to ensure that contractors in town have access to a local quarry to ensure the market is competitive. Since concerns were expressed to YG about local quarry access, several operators now have local quarry leases.

Discussion/Analysis

Having a Village quarry could benefit local operators that do not have a quarry lease. Such operators could access granular resources, at cost, through the Village's quarry lease. On other words, the Village could recover costs from an operator to access a Village pit equivalent to what the Yukon government would charge in royalties plus fee to offset lease fees that is proportional to the operator's use of the quarry.

Fiscal Impact

Permits for public pits (for personal use) are free. Commercial quarries have application costs, development costs, royalties and lease fees.

1. Application costs - Costs of applying for a commercial quarry include an application fee and preparation of a site plan, operation and rehabilitation plan and business plan.
2. Development costs - Costs to develop a commercial quarry may include removal of trees and building of an access road.
3. Royalties: topsoil is \$1 per cubic metre, all other material is \$0.25 per cubic metre.
4. Lease fee: The lease fee is based on the value of the land.

Next Steps

1. Determine, through conversations with YG, whether the Village should apply for a public pit permit or a commercial quarry lease.
2. Discuss potential quarry locations with the local CMI office.

Draft Resolution

THAT Administration proceed with applying to Yukon government for a quarry lease for Village Public Works and to provide local operators with access to granular materials (at cost).

Prepared by

Aynslie Ogden
Corporate Manager

Approved by

Dave Fairbank
Chief Administrative Officer



Village of Haines Junction Report to Council

June 12, 2024

Council Decision
 Council Direction
 Council Information
 Closed Meeting

RE: Building Geospatial Capacity

Recommendation

THAT the Project and Asset Manager develop a Project Management Plan and detailed costing/Gantt chart, based on the work that the City of Dawson is undertaking, to support the Village in developing GIS capabilities with the goal of having those capabilities in place prior to Area 1 lot sales.

Background

Access to centralized geospatial data is an asset to municipal governments. Geographic Information Systems (GIS) are used to support municipal service delivery and planning, including land use, infrastructure asset management (e.g. roads, sewers, water pipes), emergency response, economic development, engineering and more.

It is not atypical for smaller Canadian municipalities to have minimal to no in-house GIS capacity; in these communities, staff work from paper-based maps, with only some data available in digital formats, and not in relational databases.

In the Yukon, GIS services are provided by the Yukon government (YG). YG provides access to the public to geographical information services through Geomatics Yukon. However, such public datasets do not include many (if not most) of the datasets that Municipal governments rely on for municipal planning and service delivery.

The City of Whitehorse has created a public facing GIS that provides access to (non-personal) information to support planning (zoning, geohazards, environmental information including soil types, environmentally sensitive areas etc.) and engineering (sanitation valves, stations, mains; storm ditches, culverts, outfalls; water hydrants, meters, inline bleeders, wells and valves, etc.) The City's GIS also stores personal information that is not available to the public that is used by staff.
<https://gisext.whitehorse.ca/Html5Viewer/index.html?viewer=PlanningViewer>

The City of Dawson is currently hired a consultant to assist them with creating their base maps. The consultant is assisting the City with identifying the most recent data sources, gaps in existing datasets, and types of maps and analyses that may be required in the future. They are also launching an e-permitting system for development permits that will be integrated into their GIS software.

With the growth that is projected to take place in Haines Junction in the coming years – Yukon Housing Corporation is estimating additional 100 units will be added to the housing stock in the municipality, the Village is anticipating increased workloads around development permits, infrastructure maintenance responsibilities among other demands, making this is a good time to transition from paper-based record keeping systems to a relational database/GIS.

Current Status

The Village of Haines Junction accesses the following geospatial data through webservice provided by Yukon government:

- Survey plans, lot sizes, high resolution satellite imagery – accessed through GeoYukon <https://mapservices.gov.yk.ca/GeoYukon/>
- Civic addressing – accessed through the Yukon Street Addresses Viewer <https://experience.arcgis.com/experience/ba9c795bc2a14fbca1f733f9845b9ef4/page/Page-1/?views=South-Yukon>
- Contaminated sites – accessed through the Contaminated sites viewer <https://yukon.maps.arcgis.com/apps/webappviewer/index.html?id=d331e96802054e6aabc8f0d8ed61311a>

The following information is only available through paper files or pdf files in the Village office:

- Community Reference Plan map
- Zoning map, noting we have had challenges recently in locating the most up to date zoning map (pdf files)
- Zoning amendments, noting the files are often incomplete
- Variances, noting records prior to ~2020 may be in boxes in the storage room
- Lot amalgamations and subdivisions, noting these are processed by EMR Lands who are the owners of these records.
- Property ownership (noting determining ownership is presently a cumbersome process, and our files are often out of date as we are not always notified by EMR Lands of title transfers)
- Infrastructure (water shut on/shut off valves, location/depth of water and sewer mains, etc).
- Assessment roll (pdf format)
- Road ownership
- Easements
- Geotechnical studies
- Location of underground infrastructure

The following information is in a digital format (GIS files or excel spreadsheets) on Village servers, and are readily available for conversion into base maps should the Village decide to purchase software)

- Zoning
- Trails
- Assessment roll civic addresses (excel spreadsheet)
- Village assets (last updated in 2015)

The following information is not readily available either in paper or digital format:

- What lots are vacant – noting this could be inferred from the tax roll (minimum tax assessments)
- What type of housing is on each lot
- Age of housing stock
- Housing units that are short or long-term rentals
- Cemetery map/burial sites

Discussion/Analysis

While there are costs to set up and maintain, a GIS, there are also costs to not having access to geo-spatial data including decisions that are made on the basis of incomplete/out-of-date information, staff time to sift through paper records, etc. Three business cases outlining the benefits of GIS to a small municipality are found in Appendix A.

Data conversion and data collection are common obstacles to transitioning to a GIS based system. Scanning and georeferencing records can be tedious and time consuming, and the volume of existing data to be converted can be overwhelming. Prioritizing “this point forward” and digitizing historic data as time/resources allow is an approach that can make the data conversion process more manageable.

Training staff can be an issue – asking staff to abandon paper record-keeping and move to a GIS environment can be met with resistance.

Once the initial work to create base maps is complete, there will be ongoing data entry demands on staff to ensure that records (such as property ownership, approved lot amalgamations and variances) are kept up to date in the system.

Fiscal Impact

The fiscal impact will be reduced by adopting the process that the City of Dawson has developed to get consultant support to create their base maps.

The Village has secured funding from CMHC under the Housing Accelerator Fund to staff a 3-year term position devoted to Project and Asset Management. This position creates capacity within Village administration to take on a project of this and the job description is perfectly aligned with leading work on a project of this nature.

Draft Resolution

THAT the Project and Asset Manager develop a Project Management Plan and detailed costing/Gantt chart, based on the work that the City of Dawson is undertaking, to support the Village in developing GIS capabilities with the goal of having those capabilities in place prior to Area 1 lot sales..

Prepared by

Aynslie Ogden
Corporate Manager

Approved by

David Fairbank
Chief Administrative Officer

Appendix A: Business Cases for GIS

Case Study 1 – Notifications

The Village is required to notify adjacent landowners when an application is made to the Board of Variance. To mail a notification letter, staff first consult the Community Reference Plan paper map, posted on our office wall, to identify the Block and Lot numbers of each adjacent lot. With block and lot numbers in hand, staff then go to central files to find out who owns those lots. Once ownership is determined, staff then go to the tax roll spreadsheet to find out the mailing address of the owners of the adjacent lots. We then send out letters of notification, only to get several letters sent back saying the owner we have on file no longer lives at the property. Sometimes the old addressee contacts us to let us know the name and contact information for the present owners of the property. If the Village had a GIS with the following data layers (plan number, block number, lot number, owner, contact information) a simple search to determine who owns a lot could be carried out within seconds (instead of the present approach which can take hours when multiple mailing addresses need to be determined).

Case Study 2 – Lot Analysis

Two initiatives are currently underway to analyze lots within the Village:

- 1) The St. Elias Chamber has funding to do an assessment of vacant/derelict lots and
- 2) Council has requested staff to do an assessment of opportunities to release YG-held lots for sale.

The efficiency and ease of carrying out these analyses would be greatly improved with a GIS. Providing the appropriate base maps have been created, queries can be done to identify all vacant lots and all lots held by YG, with the system immediately producing a map with the locations of these lots. A GIS would both improve accuracy of the analysis, and save considerable time involved that would otherwise be required to search paper files.

Case Study 3 – Asset Management

GIS can be a valuable tool to assist municipalities in prioritizing infrastructure maintenance and capital renewal. For example, for our water infrastructure, systematically saving information not only on asset location, but also pipe age, soil type, pipe loading and cost of repairs can provide useful information for queries that can produce maps of anticipate problem events in order to prioritize maintenance.



Village of Haines Junction Report to Council

June 12, 2024

X Council Decision
X Council Direction
Council Information
Closed Meeting

RE: Council Motions Tracker

Recommendation

Given we are nearing the end of this Council's Mandate, Administration would like to review all outstanding action items on a meeting-by-meeting basis to get an assessment of which are Council's priorities for Administration to work on for the next, and subsequent, Council meetings

Current Status

There are currently 19 motions that have not been actioned from 2024 (Table 1), and an additional 19 motions from 2023 (Table 2). We have identified an additional 39 action items to follow up on issues that have been brought forward either to Council or to Administration (Table 3).

| Year | Number of Motions | Not Complete |
|------|-------------------|--------------|
| 2023 | 387 | 19 |
| 2024 | 155 (to date) | 19 |

Discussion/Analysis

Given we are nearing the end of this Council's Mandate, Administration would like to review action items at every Council meeting to get an assessment of which are Council's priorities for Administration to work on for the next Council meeting. We suggest the following prioritization scheme:

1. **Near-term priorities** - action items Council would like Administration to complete for the next Council meeting.
2. **Mid-term priorities** - action items Council would like Administration to complete for the subsequent Council meeting.

Prepared by
Aynslie Ogden
Corporate Manager

Approved by
Dave Fairbank
Chief Administrative Officer

Table 1: Incomplete action items on the 2024 Council Motions Tracker

| Date | Motion Number | Motion | Council Priority |
|-------------|--|---|-------------------------|
| 2024-01-10 | #8-24 Letter from Source Motors | THAT the letter be received and filed and be brought forward for consideration during future landfill discussions. | |
| 2024-01-24 | #18-24 Updated Donated Refundables Fund policy | THAT Administration revise the Village’s Donation of Refundable Items Policy #31-20 to extend the deadline for applications further into the new year to allow community groups more time to apply. | |
| 2024-01-24 | #24-24 Seek funding for end-of-life vehicle disposition | THAT Administration explore the possibility of funding from YG for end-of-life vehicle disposition to explore options and opportunities for Haines Junction | |
| 7-Feb-24 | #33-24 Amend Donated Refundables Fund policy | THAT Administration revise the Village’s Donation of Refundable Items Policy #31-20 to extend the deadline for applications by two weeks to allow community groups more time to apply. | |
| 28-Feb-24 | #50-24 Trails committee, signage and app | THAT Administration proceed to establish a trail signage project committee, and with advice from the Committee, contract the development of a trail network app and the design and production of trail network signage with the goal of having this work complete for the Summer 2024 season. | |
| 13-Mar-24 | #71-24 One-time retroactive payment | THAT Council approves the one-time retroactive payment to current staff with greater than one year of continuous service or returning seasonal employment based on 4.5% of their annual earnings in the 2023 calendar year. | |
| 27-Mar-24 | #79-24 Pedal Junction | THAT Administration continue discussions with Pedal Junction on lot options, specifically Location 5 in the Report and the Tomlin Hill location and that work be undertaken once selection has been made to establish the appropriate land disposition process and the lease agreement components come back to Council. | |
| 27-Mar-24 | #82-24 Minimum property tax levy | THAT Council receive this report and request Administration to prepare a report on all undeveloped, non-residential lots within the Municipality with options to encourage their development or sale, including exploring raising of property tax minimums. | |

| | | | |
|-----------|---|--|--|
| 10-Apr-24 | #96-24 Interim Regionalization Agreement | THAT Council direct Administration to begin required work on the required Policies and Bylaws to update landfill operations in accordance with the Interim Regionalization Agreement and that the Interim Regionalization Agreement be signed. | |
| 24-Apr-24 | #118-24 CityScape Housing Needs Assessment | THAT we receive and file the City Scape Consultants Housing Needs Assessment presentation and that we bring this topic up for further discussion once the final report is ready. | |
| 8-May-24 | #131-24 FireSmart Incentive Program | THAT staff be directed to begin implementing Options 1 and 2 as identified in the RTC, and to explore Option 5 for next year – and whether other options (e.g. 3 and 4) can be rolled into Option 5. | |
| 22-May-24 | #140-24 101 Hume Street and Lot Sale Process | THAT the RTC on 101 Hume Street and the Lot Sale process be tabled and revisited at a future, to be scheduled, meeting. | |
| 22-May-24 | #142-24 Spring Litter Clean Up | THAT the staff be directed to coordinate the spring litter clean up program as directed in the RTC and proceed with Option 3 and a \$1500 budget. | |
| 22-May-24 | #143-24 Name of Area 1 Subdivision | THAT the Council direct staff to officially name the Area 1 infill development as Dhäl Gähly, roughly translated to Mountain Ridge, with a check in on the spelling. | |
| 22-May-24 | #146-24 CCBF Renewal | THAT the May 8, 2 024 letter from the Minister be received and filed. When the new agreement is available, the letter, and all relevant earlier correspondence, will be brought forward for Council’s review and consideration. | |
| 22-May-24 | #151-24 Shakwak Street Lot Sale | THAT Administration be directed to offer a counter sale of 6 lots on Shakwak street | |
| 22-May-24 | #152-24 Affordable Housing EOI | THAT Administration be directed to prepare a draft Expression of Interest to any local partners for affordable housing in Haines Junction | |
| 22-May-24 | #153-24 Elevator Yukon Contract | THAT staff be directed to provide a contract to Elevator Yukon as drafted. | |
| 22-May-24 | #154-24 Union Agreement | THAT the minutes of the settlement between PSAC and the Village of Haines Junction be approved | |

Table 2: Incomplete action items on the 2023 Council Motions Tracker

| Date | Motion Number | Motion | Council Priority |
|---------------|--|--|-------------------------|
| 11-Jan-23 | #10-23 Asset Management Maturity Assessment and Roadmap | THAT Council award the Asset Management Maturity Assessment and Roadmap project contract to WSP and that Administration be directed to provide Council with a comparative analysis report between the two firms that responded with proposals. | |
| 11-Jan-23 | #19-23 Noise Bylaw Correspondence | THAT Council direct Administration to respond to the correspondence listed in the Agenda package, thanking each for taking the time to submit their concerns and questions and that consideration to these will be given during the next step of the legislative process. The public input portion of the development of 399-22 Noise Control Bylaw is closed. | |
| 25-Jan-23 | #25-23 40th Anniversary Art Commission | THAT Council hire Chris Caldwell to start on a Haines Junction version of the map visual. | |
| 25-Jan-23 | #27-23 Unforeseen Closures Policy | THAT Council direct Administration to revisit the issue and look for better examples to word the policy. | |
| 8-Mar-23 | #72-23 YESAB Registry - Fuel Abatement and Road Development - Haines Junction Phase 1 | Deputy CAO Istchenko record Council's concerns to send to YESAB process and invite Wildland Fire Management Branch to the next Council meeting for discussion. | |
| July 12, 2023 | #194-23 YTG Lot Sale Initiative | THAT Council approve Administration to proceed with the direction given on the YTG Lot Sale Initiative. | |
| Aug 30, 2023 | #240-23 Land treatment facility | THAT Council direct staff to investigate the feasibility of a land treatment facility. | |
| Sept 13, 2023 | #253-23 Kluane National Park and Reserve Dark Sky Preserve | THAT Administration be directed to explore the implications of the Village's responsibilities in providing support to the dark sky designation. | |
| Sept 27, 2023 | #260-23 Assessment of donated refunds policy | THAT Administration prepare a report on the donated refunds policy and any concerns or opportunities that may exist. | |

| | | | |
|--------------|---|--|--|
| | | It was noted that this could be brought forward as part of the larger landfill discussion | |
| Oct 11, 2023 | #272-23 Country Residential Area 3 lot development | THAT Council direct Administration and Land Development Branch to proceed with Option 2 of the Country Residential Area 3 lot development, to incorporate additional trail spaces and ensure that each lot meets the existing zoning bylaw minimum lot size of 1 ha. | |
| Oct 11, 2023 | #275-23 Landfill Free Store Operational Improvements | THAT Council directs Administration to meet with Ms. Mackinnon to provide information on the pending landfill regionalization and to explore opportunities on how a potential committee could support the community and Council in the transition process. | |
| Oct 25, 2023 | #290-23 RTC on Landfill Operations Considerations | THAT the recommendations contained in the October 25, 2023 Report to Council on Landfill Operations Considerations be accepted. Administration is directed to move forward on these recommendations. Implementation of these recommendations to be informed by a legal review on privacy issues around the use of security cameras at the landfill.... | |
| Nov 8, 2023 | #309-23 Recreation Needs Assessment Implementation | THAT, in September 2024, Administration will prepare a summary of the recommendation from the Haines Junction Recreation Needs Assessment to move forward with the development of a tourism strategy so that it can be brought forward for incoming Council's consideration in their transition document. | |
| Nov 8, 2023 | #310-23 Recreation Needs Assessment Implementation | THAT a review of the recreation facility rental policy will be postponed until April 2024. | |
| Nov 8, 2023 | #310-23 Recreation Needs Assessment Implementation | THAT a review of the recreation facility rental policy will be postponed until April 2024. | |
| Nov 8, 2023 | #312-23 Recreation Needs Assessment Implementation | THAT Administration prepare a multi-year RTC on possible agreements, partnerships, subsidies and other opportunities to address the need for swimming lessons, for the purpose of water safety, before early March, 2024. | |
| Nov 8, 2023 | #319-23 RTC on 2024 CMG | THAT the November 8, 2023 RTC on the Comprehensive Municipal grant be received and filed a Committee of the Whole meeting, when | |

| | | | |
|--------------|---|---|--|
| | | time permits, will be scheduled to review the AYC report and related FCM work in more detail to support Council's advocacy efforts. | |
| Dec 20, 2023 | #375-23 Review of Urban Electrification Policy | THAT Administration is directed to review this policy in the new year and provide a report to council. | |
| Dec 20, 2023 | #380-23 Christmas Open House | THAT a report with options for children's activities at next year's open house be provided for incoming Council's consideration. | |

Table 3: Other action items

| Type of Action | Description | Council Priority |
|--------------------------------|---|-------------------------|
| Schedule CoW | YG Land Sales | |
| Schedule CoW | New lot development options | |
| Schedule CoW | Housing Accelerator Fund | |
| Schedule CoW | Industrial Development / Windshear | |
| RTC | Election Planning | |
| RTC | Council transition | |
| RTC | 40 th Anniversary | |
| RTC | Landfill tipping fees | |
| RTC | Grand piano | |
| RTC | Yukon 125 exhibit | |
| RTC | Roundtable policy | |
| RTC | Tish Tomlin Scholarship | |
| RTC | Council Renumeration | |
| RTC | CAFN Water and Sewer Agreement | |
| RTC | Staff vacation / overtime | |
| RTC | Council meeting schedule | |
| RTC | Lot amalgamation/subdivision authority | |
| RTC | Property tax - vacant lots | |
| RTC | Office renovation | |
| RTC | Noise bylaw | |
| RTC | Interim Emergency Plan | |
| RTC | Area 3 and Area A Planning | |
| RTC | VHJ Quarry Permit | |
| RTC | Current status of commercial parking | |
| RTC | Zoning Bylaw Public Hearing | |
| RTC | Acting Appointments | |
| Follow up on Council direction | Skills Park land transfer | |
| Follow up on Council direction | Publish What We Heard – Area 1 Engagement | |
| Follow up on Council direction | Area 1 After Action / Future Planning | |
| Follow up on Council direction | Order meeting owl camera? | |
| Follow up on Council direction | Shakwak lot sale | |
| Office priority | GIS | |
| Follow up on Council direction | Schedule tabletop | |
| Update Bylaw | Property tax minimums | |
| Update Bylaw | Consolidated fees (tipping fees) | |
| Update Bylaw | Council procedures bylaw (roundtable) | |
| Update Bylaw | Council renumeration | |
| Update Bylaw | Non-Union (Vacation/OT) | |
| Update Bylaw | Union (ratification) | |
| Update Bylaw | Zoning | |
| RFP | Chamber – Business Growth and Supports | |



**Village of Haines Junction
Report to Council**

June 12, 2024

**Council Decision
Council Direction
Council Information
 Closed Meeting**

RE: Council Meeting Schedule

Recommendation

That Council change its regular meeting schedule from two times a month to one meeting every three weeks until the end of its term, per the following schedule. This new meeting schedule will be advertised per the Village of Haines Junction Procedures for Communicating Public Notices and the Council Procedural Bylaw:

- June 12, 2024
- July 3, 2024
- July 24, 2024
- August 14, 2024
- September 4, 2024
- September 25, 2024
- October 16, 2024

Background

The Municipal Act provides the following guidance on the time and frequency of meetings of Municipal Council:

Section 206 - Except as may be otherwise provided for under this Act, the first meeting of a council following any general election shall be held no later than two weeks after election day of the election year at a time and place designated by the chief administrative officer, and thereafter the council shall have regularly scheduled public meetings as it may determine.

The Council Procedural Bylaw #352-1 also provides guidance on scheduling and notification of meetings:

Section 9 - Regular Council Meetings will be held on the second and fourth Wednesday of each month.

Section 10 - The CAO shall give public notice of all Regular Council meetings on the Village of Haines Junction's website at least five (5) days prior to the meeting.

The Government of Yukon has not yet confirmed the upcoming Municipal Election Date other than to say that it will take place in October 2024; this means that there is roughly four months remaining in Council's term.

Current Status

Regular Council meetings are held on the second and fourth Wednesdays of every month, per the Council Procedural Bylaw.

Discussion/Analysis

Administration is proposing that the Regular Council Meeting schedule be temporarily reduced to one meeting every three weeks until the end of this Council's mandate. This would reduce the number of meetings from 10 to 7. The pros and cons of this proposal are outlined below:

Pros:

- Staff summer vacation schedules may reduce the amount of content in Council meeting agenda packages.
- Reduced staffing in the office, due to summer vacations, will increase workloads – more time between meetings will give staff more time to prepare Council meetings.
- At least three Committee of the Whole meetings are planned, requiring additional meeting preparation work and meeting time.

Cons:

- Council may have already made vacation plans around the existing Council meeting schedule.
- The public is used to the regular meeting schedule.
- The public may not want to see a reduction in opportunities to get issues/delegations in front of Council in advance of the Fall elections.
- Council agenda packages could be longer and require longer meetings.

| Current Meeting Dates: | Proposed Meeting Dates |
|--|---|
| <ul style="list-style-type: none">• June 12, 2024• June 26, 2024• July 10, 2024• July 31, 2024• August 14, 2024• August 28, 2024• September 11, 2024• September 25, 2024• October 9, 2024• October 23, 2024 | <ul style="list-style-type: none">• June 12, 2024• June 26, 2024• July 17, 2024• August 7, 2024• August 28, 2024• September 18, 2024• October 9, 2024 |

Draft Resolution

That Council change its meeting schedule from two times a month to one meeting every three weeks until the end of its term. This new meeting schedule will be advertised per the Village of Haines Junction Procedures for Communicating Public Notices and the Council Procedural Bylaw.

Prepared by

Aynslie Ogden
Corporate Manager

Approved by

Dave Fairbank
Chief Administrative Officer



**Village of Haines Junction
Report to Council**

June 12, 2024

**Council Decision
Council Direction
Council Information
 Closed Meeting**

RE: Emergency Management Plan Consultant

Recommendation

Council approve hiring of Holistic Emergency Preparedness and Response Consultants to support the Village of Haines Junction's participation in the development of a Joint Emergency Management Plan with Champagne and Aishihik First Nation.

Background

VHJ and CAFN have been working with EMO to develop an updated Emergency Plan for the Municipality of Haines Junction and Dakwākāda Region. EMO promised to provide updated draft Emergency Plans – one for the Village and one for CAFN – in April that have yet to be provided. EMO's availability to work on these plans has been reduced because they have been drawn into Emergency Response activities.

CAFN (and the Village) are very keen to have a plan in place before the fire season gets into full swing. CAFN has reached out to Holistic Emergency Preparedness and Response Consultants (Holistic) to assist with drafting the joint plan. Holistic supported the Village of Mayo and the Nacho Nyak Dun First Nation in preparing their joint plan, with funding from CIRNAC. CIRNAC is expected to be able to fund the Haines Junction / Dakwākāda plan; holistic will be assisting CAFN with applying for funding and will need to state that the Village and CAFN strongly want to work together.

Since EMO has indicated they are in the process of developing plans for the Village and CAFN, Holistic wanted to meet with EMO to ensure that EMO is comfortable with them helping CAFN and the Village.

EMO has expressed some concerns with this approach – they have signalled that there is no CIRNAC funding for municipalities, that they would like to continue to be involved in the planning, that they would prefer CAFN and the Village have separate plans that are joined together through an MOU, and that they wanted to make sure that the Village's bylaws are included in the update.

Current Status

Council's approved 2024 Capital and Projects Budget has set aside \$75,000 for Emergency Response Planning. Staff have asked EMO to provide its blessing to CAFN and VHJ to move forward on joint planning while EMO is busy with emergency response work. EMO has repeatedly indicated they will soon be available to put attention into developing the plans, but continues to be unavailable.

Holistic has indicated to CAFN that it could be a year to go through the work that is required to have a complete, joint plan in place. In the meantime, CAFN has proposed an Interim plan for both Councils to adopt to get us through the summer season.

CAFN Chief and Council, and Village Mayor and Council, have recently confirmed their mutual desire to work together on a coordinated Emergency Management Plan.

Draft Resolution

THAT Council approve hiring of Holistic Emergency Preparedness and Response Consultants to support the Village of Haines Junction's participation in the development of a Joint Emergency Management Plan with Champagne and Aishihik First Nation.

Prepared by

Aynslie Ogden
Corporate Manager

Approved by

Dave Fairbank
Chief Administrative Officer



**Village of Haines Junction
Report to Council**

June 12, 2024

Council Decision
 Council Direction
 Council Information
 Closed Meeting

RE: Yukon 125 Historical Mural

Recommendation

That Council review this report and provide staff with direction to move forward with the proposed Historical Mural concept

Background

In 2023, the Village applied for, and was awarded \$7,500 in funding through Yukon 125 to produce a design to extend the Millenia exhibit in the Convention Center foyer. Council Motion 172-23 moved to match the award funding creating a budget of \$15,000 to produce the design. Brent Liddle was awarded the project through an RFP and has been working with Village staff and CAFN citizens to produce a conceptual design and to draft storyboards for the exhibit. The story boards are still in review, but the conceptual design has advance to a decision point for Council. \$60,000 was included in the 2024 Budget to complete this project.

Current Status

Three options are presented here for the conceptual design, this is the overall layout of the proposed exhibit and does not include specific text or images to be used in the storyboards.

Inkspirationz has provided cost estimates for the three options:

Option A: \$6,406

Option B: \$13,211

Option C: \$16,619

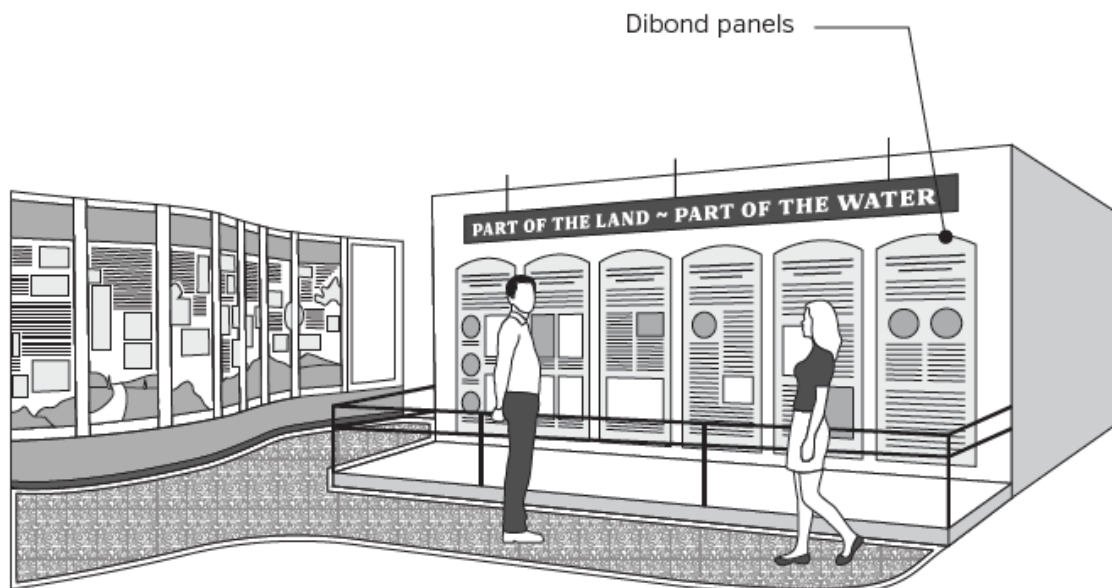
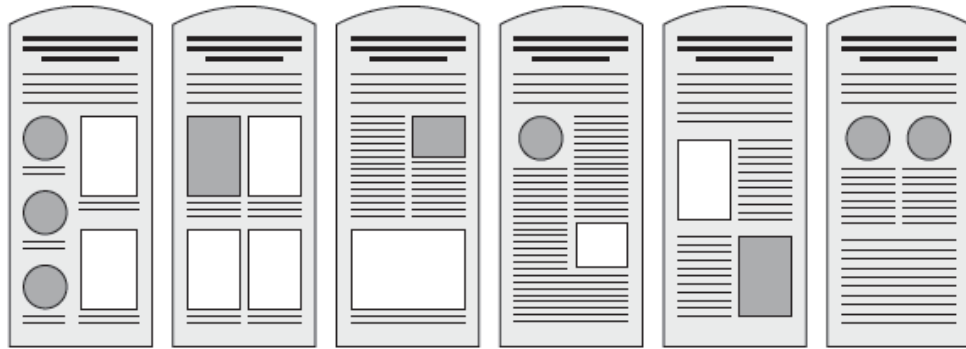
These cost estimates include the fabrication and installation of the exhibit. Additional costs may include electrical/lighting, flooring, and backer material for the displays. The additional costs will vary depending on the design chosen. All options allow for an additional freestanding display that could include audio/visual elements such as interactive video or audio recordings (as shown in Option B below).

Option A

Linear arrangement of exhibit panels.

Conceptual Historical Mural Layout #1

- Six dibond panels approximately 30" x 72".
- Pebbled trail design to guide visitor flow.
- Arrangement of images and text, interspersed with Tutchone words throughout.
- Large overhead theme statement with sub-themes on each panel
- Baseboard entire length of wall, optional display boxes of artifacts.
- Security rail atop baseboard.

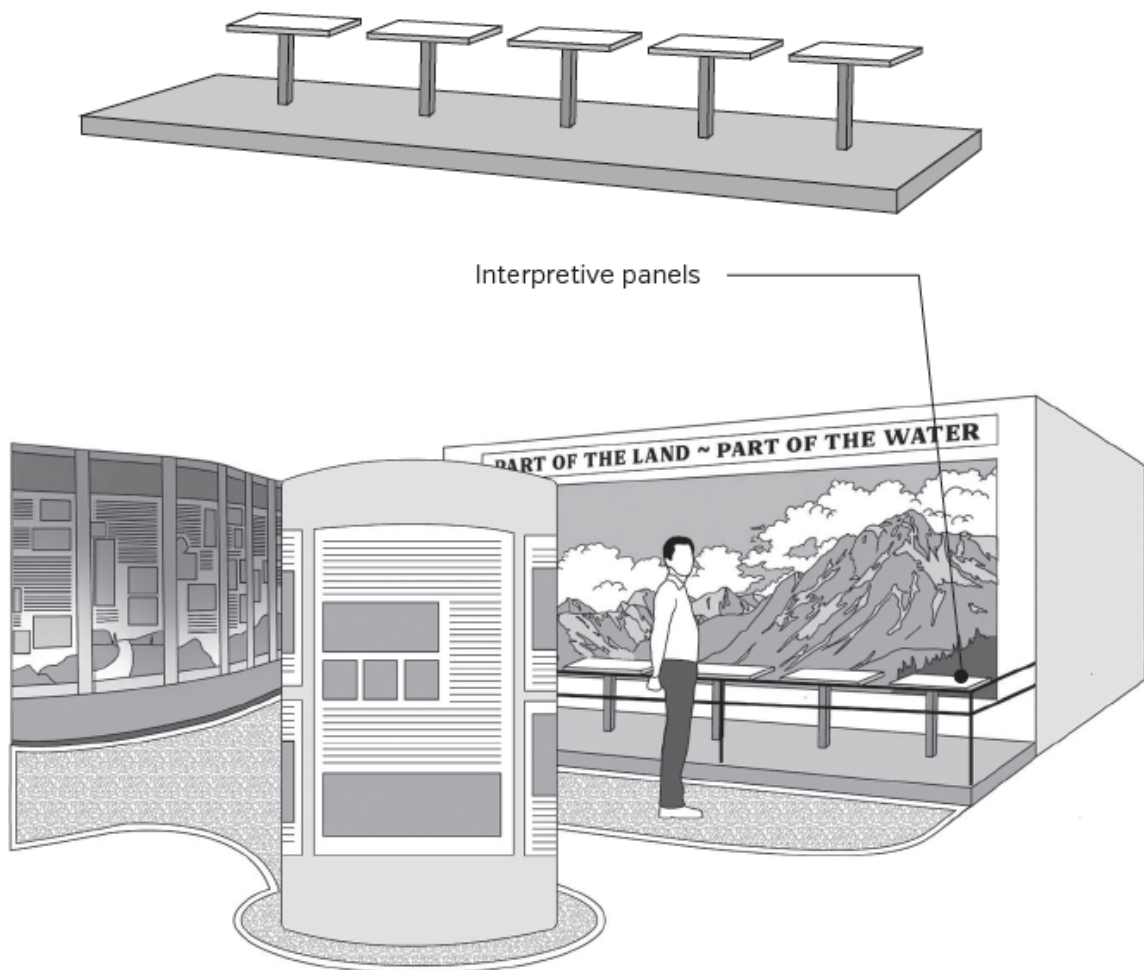


Option B

Panoramic image of the frontal Kluane Ranges, locally known as “Auriol” or in Tutchone “Nash at’äy”, describing how the sun rises across the mountains.

Conceptual Historical Mural Layout #2

- Three large dibond panels to form panorama with photograph or art mural of any view showing the land and water.
- High visual impact, with separate low profile interpretive panel.
- Pebbled trail design to guide visitor flow.
- Theme statement and sub-theme on free standing or suspended panels, without blocking the panorama.
- Text and graphics separated offering more flexibility.
- Central interactive kiosk with audio playbook of interpretive stories.
- Security rail atop baseboard.

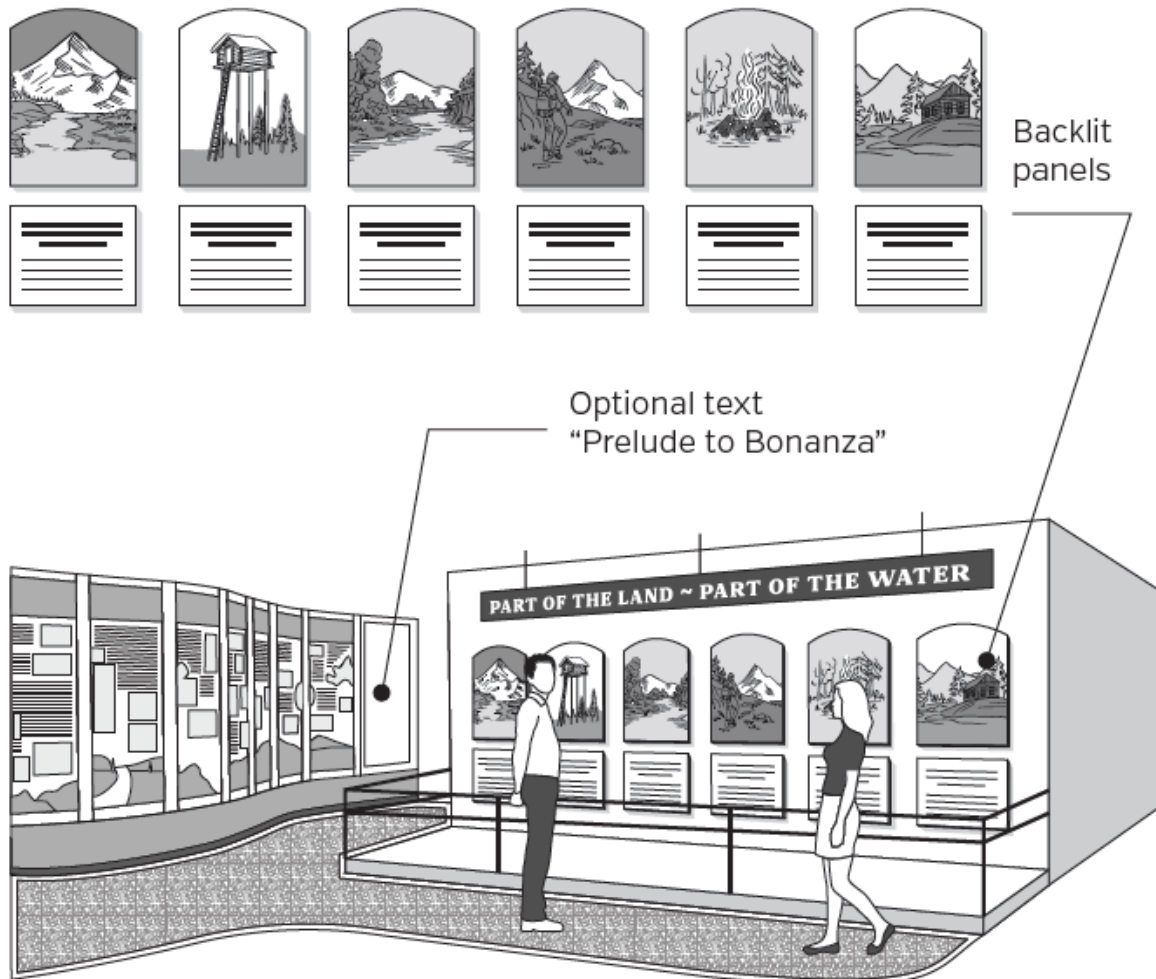


Option C

Lineal arrangement of backlit panels with interpretive text.

Conceptual Historical Mural Layout #3

- Brightly backlit images, collage of landscapes, animals and people.
- Interpretive text on separate panels beneath each backlit image.
- Pebbled trail design to guide visitor flow.
- Optional addition of display boxes atop baseboard.
- Security rail atop baseboard.
- Optional video screen to project images or short documentary on one or more of the panels.



Discussion/Analysis

The three options provided will all fall under the \$60,000 cap budgeted for the project. The remainder of the budget can be saved or used to develop the freestanding interactive display. Prior to the storyboards being printed the drafts will be brought to Council for final review.

Alternatives considered

The project design is nearly complete and should be finished. From there, it is an option to shelve the project.

Draft Resolution

That Council having reviewed the conceptual design options supports option “X”.

Prepared by

Dave Fairbank
Chief Administrative Officer

VILLAGE OF HAINES JUNCTION

BYLAW #411-24

A Zoning Bylaw for the Village of Haines Junction.

WHEREAS, Sections 278-299 of the Municipal Act requires Municipalities to adopt an Official Community Plan in accordance with the Municipal Act that must address:

- a) the future development and use of land in the municipality;
- b) the provision of municipal services;
- c) environmental matters in the municipality;
- d) the development of public utility and public transportation systems;
- e) provisions for the regular review of the OCP and zoning bylaw with each review to be held within a reasonable period of time.

WHEREAS, The Council of the Village of Haines Junction adopted Bylaw #383-211 Village of Haines Junction Official Community Plan in 2021.

WHEREAS Section 288 of the Municipal Act requires a Council Plan to adopt a zoning bylaw within two years, or as soon as is practicable, after the adoption of an Official Community Plan that is:

- a) applicable to the area subject to the Official Community Plan
- b) consistent with the Official Community Plan

WHEREAS Section 289 of the Municipal Act enables a zoning bylaw to prohibit, regulate, and control the use and development of land and buildings in a municipality.

WHEREAS Section 290 of the Municipal Act

- a) enables a zoning bylaw to establish districts, areas or zones in the municipality; provide for a system of development and use permits; permit the temporary use of land or buildings or other structures within a zone;
- b) requires setting out zones, areas and districts by the use of maps and text; and
- c) provides for the establishment of a Board of Variance.

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

Short Title

This Bylaw shall be cited as the **2024 Zoning Bylaw**.

Bylaw Repeal

Bylaw #104-96, Village of Haines Junction Zoning Bylaw is repealed.

Enactment

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

Read a first time on the 12th day of June 2024.

Read a second time on the _____ day of _____ 2024.

Read a third time and adopted on the _____ day of _____ 2024.

Bruce Tomlin
Mayor

David Fairbank
Chief Administrative Officer

June 5, 2024

Concerns re: composting and landfill

Dear Mayor and Council,

I have been a person interested in composting and have done so for many years. I have seen attempts by councils to encourage composting and am happy to see the uptake of the kitchen units by the community. There is material such as pizza boxes, meat waste, yard waste...that needs a larger container and I believe one is coming for the village. I have mentioned to council members that attend the AYC to get YTG to have a shredder that can rotate between the rural communities. Maybe this is being considered? With our landfill becoming a regional waste facility we need to consider the extra load from other communities. I am writing this letter but know I have support of other community members.

I would like to mention a few concerns when our landfill becomes gated.

1. To encourage the community to recycle and compost I would recommend that clear plastic bags be used. Easy to see if the bag has compostable material or recyclable material inside and maybe an additional fee should be applied if that material is in the bag. What about the garbage coming from other communities, how will this issue be handled? Likely that the bags will have to be provided by the village until people get the hang of it. Will need to get the big garbage producers on board ie Parks Canada, restaurants.....
2. EDUCATION much needed.
3. Need to look at the bags used for composting, not all are compostable and some are called biodegradable (small bits of plastic). I believe Whitehorse has already identified specific bags? Maybe the Village needs to provide these as well for a short period. Ideally composting without the bags is best.
4. Need to work with individuals and groups. There is an active "green team" at the school for many years. There is a composting unit at the school but likely cannot handle all the material.
5. Look at our convention center. There is a green container for composting located in the kitchen and bathrooms. It usually has a black plastic bag! In the bathroom it is in a corner away from the paper towels and usually the towels are thrown in the container below the towels. Needs to be relocated. We have many groups use the convention center and hardly ever see the compost containers used properly. Need to make it easy for people.
6. FACILITY RENTAL AGREEMENT. Need to add to this agreement the need to compost, not bring Styrofoam, and use facility dishes. If bringing disposable dishes/utensils have to be compostable, not plastic. Need to recycle. Perhaps an extra fee? Perhaps get a list of available compostable material that is available in Whitehorse that can be provided with the agreement? Or a fee and appropriate bag provided. Often caterers come with groups and there should be a clause for them to be informed of above.
7. There are many events that take place in the outside environment. At one time I saw a trailer that was available in Whitehorse that had containers for garbage, recycle

and compost. I believe the village already has trailers for storage of cardboard.

Make it the organizers responsibility to pick up and drop off the trailer or a set fee?

8. Our village has a great pickup of recyclables at community members driveways! Perhaps we could look at pickup for compost? Of course there is consideration of wildlife and bears in the community so that may make it difficult. Maybe another option?
9. Have all caterers that operate in the facility informed of the need to compost and recycle. No Styrofoam. No plastic (not sure if we will be able to recycle #1-7 soon?)
10. Have a clause put in the janitorial contract for proper use of compost bags. This would inform different companies when contractor changes.
11. One concern I have is the storage of tin cans on the ground. To make the effort to wash and then have these are stored inappropriately. I am sure many in the community are not aware of this practice. I have been transporting my tin to Whitehorse.

June 5, 2024 Concerns about invasive species

Dear Mayor and Council,

There are members of the community that are concerned about invasive plants within the village. In the area of Willow acres where I live, myself and others have been pulling yellow and white sweet clover and occasionally Lucerne for years. This area is relatively clear but needs to be checked yearly. Last year we had a pull advertised on Facebook which resulted in a good gathering of volunteers. There is no hope that we will clear clover from the Alaska Highway but we can maintain free areas within our community. Mowing can be done at the appropriate time before the plant goes to seed.

Parks Canada has also been pulling invasives and has teamed with the Champagne and Aishihik First Nation (CAFN) on occasion. There is an invasive called bird vetch that was located in West Junction area and Parks Canada did a pull there because of the great risk for this plant to invade the forest.

There is the Yukon Invasive Species Council (YISC) which is available for education and invasive pulling. <https://www.yukoninvasives.com>

I am presently trying to pick a date for a pull with this group. Would council be interested in a meeting or community presentation? YISC has already done this last year at Daku.

I would like to see a co-ordinated effort or a team approach between the village, Parks, CAFN, Highwaysperhaps the village could arrange a meeting?

Much concern should be given to the new housing development that is occurring and the high risk for invasive species to take hold on the cleared land. If there is any planting to cover the land that it be native species. The very nearby Spruce street has clover and this will march into this available area.

I am more than willing to help with this issue.

Thanks for your consideration.

Julie Bauer