



CITY OF YELLOWKNIFE

NORTHWEST TERRITORIES

CONSOLIDATION OF CAPITAL AREA DEVELOPMENT SCHEME BY-LAW NO. 3934

Adopted December 16, 1996

AS AMENDED BY

By-law No. 4811 – September 22, 2014

**(This Consolidation is prepared for convenience only.
For accurate reference, please consult the City
Clerk's Office, City of Yellowknife)**

**CITY OF YELLOWKNIFE
BY-LAW NO. 3934**

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife authorizing the City of Yellowknife to adopt a Development Scheme.

PURSUANT TO:

- a) Section 25 to 29 inclusive of the *Planning Act*, R.S.N.W.T., 1988, c. P-7;
- b) Due notice to the public, provision for inspection of this by-law and due opportunity for objections thereto to be heard, considered and determined; and
- c) The approval of the Minister of Municipal and Community Affairs, certified hereunder.

WHEREAS the the Municipal Corporation of the City of Yellowknife wishes to adopt a Development Scheme By-law for the lands known as the Capital Area.

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular session duly assembled, hereby enacts as follows:

APPLICATION

- 1. This By-law may be cited as the Capital Area Development Scheme By-law.
- 2. The Capital Area Development Scheme, comprised of Schedule "A", which is attached to and forms part of this By-law, is hereby adopted.

EFFECT

- 3. THIS By-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 57 of the *Cities, Towns and Villages Act*.

Capital Area Development Scheme

1996

City of Yellowknife and
The Government of the Northwest Territories

Schedule A to By-law No. 3934

Capital Area Development Scheme
Schedule A to By-law No. 3934
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CAPITAL AREA DEVELOPMENT SCHEME

A VISION FOR THE FUTURE

The Legislative Assembly Building of the Northwest Territories is situated in a pristine setting with beautiful views of the surrounding land and water. The design of the Building and its site relate well to the natural environment, as was the wish of those who guided the project to completion.

The Government of the Northwest Territories and the City of Yellowknife share a common vision that the natural setting around the Legislative Assembly Building be maintained. The shared vision is one of a continuing demonstration, and symbol, of the concept of people living in harmony with nature.

The Capital Area Development Scheme is the means by which the vision will be fulfilled. The Scheme, being an instrument of the Planning Act of the Northwest Territories, provides the conceptual and management framework within which the future development and preservation of the Capital Area will occur. The Scheme will also reinforce the image of the City of Yellowknife as the Capital of the Northwest Territories through the implementation of this vision.

GOALS AND OBJECTIVES FOR THE CAPITAL AREA

Introduction

The Capital Area Development Scheme's Goals and Objectives give tangible meaning to the expressed vision for the Capital Area. They outline the future for the area. They describe a synthesis of views on interrelated concerns respecting building design, environmental protection and the use of land.

For the purposes of this Development Scheme, the Capital Area shall be the land identified on Figure No. 1.

Goals and Objectives

1. Capital Site

The most important area is that which provides the setting for the Legislative Assembly itself. The Capital Site is illustrated on Figure No. 1.

A Goal of the Capital Area Development Scheme is to preserve the natural setting of the Capital Site as a continuing demonstration, and symbol, of the concept of people living in harmony with nature. Therefore the following objectives are adopted:

Objective 1: The Capital Site will be retained in a natural state, except for the area around the Legislative Assembly where accessory government facilities may be developed provided they comply with high standards of design.

Objective 2: Recreational opportunities (e.g., natural parks, trails and lookouts) will be developed between Frame Lake and Jackfish Lake.

Objective 3: The shorelines and waters of Frame Lake and Jackfish Lake will be maintained and improved where economically feasible.

Objective 4: Views of the Legislative Assembly Building will be protected.

Objective 5: The Capital Site will be conserved in its natural state to ensure views from the Legislative Assembly Building are predominately of natural elements.

2. Capital Vicinity

Within the City there are other areas that have an important role in projecting the image of a Capital City and in maintaining the Capital Area Development Scheme's vision. These areas are illustrated on Figure No. 1.

A Goal of the Capital Area Development Scheme is to ensure that the development within the Capital Vicinity areas complements and enhances the role of the City of Yellowknife as the Capital of the Northwest Territories. Therefore the following objectives are adopted:

Objective 1: The area southeast of the Legislative Assembly Building (Area 4) will be a transitional area between the natural setting of the Capital Site and the more intensively developed areas of the City's downtown core.

Objective 2: The main roadway approaches (Areas 1 and 3) shall respect the natural setting as much as possible.

Objective 3: New development shall, wherever possible, respect the natural setting of the Capital Vicinity (Areas 1 to 6).

Objective 4: On public land, institutional and recreational development will be the primary land uses.

3. Capital Area Management

To effectively manage the Capital Area, a management structure is required which will be able to operate within the requirements of the Planning Act and the Development Scheme.

A Goal of the Capital Area Development Scheme is to ensure that the implementation of the Capital Area Development Scheme is achieved through a process of joint management between the City of Yellowknife and the Government of the Northwest Territories. Therefore the following objectives are adopted:

Objective 1: The Government of the Northwest Territories and the City of Yellowknife will form a partnership to jointly manage the development and maintenance of the Capital Area.

Objective 2: All development proposals will be reviewed in order to ensure that the Scheme's vision is achieved.

Objective 3: The joint management of the Capital Area will involve public participation in the process (i.e., as advisory members on the Development and Program Committee and as members of the Development Appeal Board).

Objective 4: The joint management of the Capital Area shall reflect the importance of this area to the Northwest Territories as a whole.

POLICIES FOR THE CAPITAL SITE

Introduction

This section provides the policies necessary to guide land use within the Capital Site. The policies identify acceptable land uses and provide guidance on their development in the Capital Site. Through implementation of these policies, the role and character of Capital Site in the City as a whole will be realized. These policies fulfill the Goals and Objectives of the Capital Area Development Scheme.

Policies

1. Land Use

Policy 1: Additional buildings in the Capital Site will be permitted (e.g., the expansion of the Prince of Wales Northern Heritage Centre and one or two other major public buildings that will stand alone functionally such as a legislative library, or a cultural, fine arts and/or performing arts centre).

Policy 2: Recreational uses that promote and enhance the pedestrian use of the Capital Site (e.g. hiking or ski trails and related amenities) will be encouraged as important elements of the Capital Site.

2. Frame and Jackfish Lakes:

Policy 1: The lakes' water levels should be maintained whenever possible.

Policy 2: Development will be set back from the lakes in order to retain natural shorelines and to minimize impact to the lakes' water quality.

3. Views:

Policy 1: To preserve views of the natural environment within the Capital Site, the natural vegetation, features and habitats shall be maintained.

Policy 2: The view corridor down city streets onto the Capital Site shall be maintained to enhance the views and vistas of the Capital Site.

4. Approaches to the Legislative Assembly Building

Policy 1: The processional approach to the Legislative Assembly Building (as shown on Figure No. 1 shall retain and/or restore the natural setting to provide a transition from the "city" to the "land".

Policy 2: The beginning of the processional approach will mark a zone of visual hierarchy with the Legislative Assembly Building being the most prominent feature.

Policy 3: Access to the processional approach requires prominence on the Yellowknife Access Road and adequate separation from other access points within the Capital Site shall be maintained.

5. Buildings in the Capital Site

Policy 1: Building design shall complement the Legislative Assembly Building in terms of shape, style, roof lines, colour and materials.

Policy 2: Building elevations and rooftops shall minimize their impact through selection of colours which complement the surrounding environment and careful siting in order to be as unobtrusive as possible.

Policy 3: Buildings shall be designed and sited to preserve and enhance special views, in particular, views of the Legislative Assembly Building and other important buildings and natural features within the Capital Site.

Policy 4: Buildings shall be sited so that their impact on adjacent buildings and surrounding developed areas is minimized.

6. Landscaping

Policy 1: Prominent natural elements shall be retained.

Policy 2: The maximum number of existing healthy trees shall be preserved when a site is developed.

Policy 3: Landscaping shall:

- add visual interest to open spaces and blank facades;
- provide definition of public trails and open areas;
- provide protection on trails and other pedestrian areas from excessive winds;
- provide a consistent visual image between adjacent properties within the Capital Site; and
- stabilize steep embankments.

Policy 4: Areas disturbed by development shall be revegetated with native species.

7. Amenity Spaces

Policy 1: Development should provide public open spaces that are oriented to receive

sunlight, sheltered from the wind and are able to take advantage of views.

Policy 2: Trails shall be integrated with the natural features and sited to take advantage of existing vegetation.

Policy 3: Trails shall be integrated and connect places of interest and routes of probable travel.

Policy 4: Trails should provide views of the Capital Site.

Policy 5: Trails and viewing platforms along the shoreline will be supported with permanent retaining structures of natural materials.

8. Parking Areas

Policy 1: Parking lots and access roads will be limited to the minimum required.

Policy 2: Parking lots shall be located as unobtrusively as possible to minimize their visual impact.

Policy 3: Extensive parking lots, loading areas, snow piling areas, transformers and meters shall be screened from public view by buildings and/or attractive planting or low walls.

Policy 4: Parking lots shall be paved.

Policy 5: Road and directional signs, barriers and lighting shall be designed and sited to minimize their visual impact.

Policy 6: Garbage containers shall be stored inside buildings or enclosures.

9. Art and Signage

Policy 1: Guidelines shall be adopted for signage within the Capital Site.

Policy 2: Guidelines and procedures shall be adopted for the selection and siting of art within the Capital Site.

10. Site Services

Policy 1: Services shall be integrated into the development.

Policy 2: Management plans for snow removal shall ensure that the natural vegetation is not damaged.

Policy 3: Consultation with the utility agencies shall be pursued at the initial design stages.

Policy 4: Services shall be located to give minimum disruptions to the site in case of repairs.

Policy 5: Services should be buried wherever possible.

POLICIES FOR THE CAPITAL VICINITY

Introduction

This section provides the policies necessary to guide land use within those areas of the Capital Area Development Scheme that lie outside of the Capital Site. There are six (6) such areas illustrated on Figure No. 1. The policies describe the role of these areas in the City, and identify acceptable land use and the character of that land use in these areas. Through implementation of these policies, the role and character of Capital Area in the City as a whole will be fulfilled. These policies fulfill the Goals and Objectives of the Capital Area Development Scheme.

Policies

1. All Areas

Policy 1: Public land that has been disturbed will be restored by the reintroduction of native vegetation and through the use of natural materials.

Policy 2: Private land owners will be encouraged to restore disturbed areas through the use of native vegetation and natural materials.

Policy 3: Landscaping shall make use of native vegetation and natural materials.

2. Highway 3 and Yellowknife Access Road Corridor Policies (Area 1)

Policy 1: Highway 3, from the City boundary to its junction with the Yellowknife Access Road, and the Yellowknife Access Road from its junction with Highway 3 to 49th Avenue is recognized as the principal entrance corridor and gateway to the Capital Site and the City of Yellowknife's central business district.

Policy 2: The view of the predominately natural setting along Highway 3 between Airport Road and the Yellowknife Access Road will be protected by establishing a buffer to retain this natural setting.

Policy 3: Views of Back Bay from the Yellowknife Access Road will be protected.

Policy 4: The natural state of the rock outcrops along the western shore of Jackfish Lake will be maintained.

Policy 5: The provision of screening and vegetation adjacent to existing development along the Highway corridor will be encouraged.

Policy 6: Only limited access points will be allowed onto the Highways.

Policy 7: A policy on signage along the Highways will be developed.

3. Bristol Heights (Area 2)

Policy 1: Bristol Monument shall be retained as the major focal point at this entrance to the City of Yellowknife.

Policy 2: Recreational and open space opportunities will be provided for in any plans for this area.

Policy 3: Permitted Development in this area will include a college campus or other similar institutional uses that tie into and reinforce the institutional development of the Capital Site.

Policy 4: Development shall retain the maximum tree cover.

Policy 5: Development should use the landscape to maintain a low visibility from Highway 3 and the Capital Site.

Policy 6: Development shall enhance the existing trail network between Frame Lake and Fred Henne Territorial Park.

4. Airport Road (Area 3)

Policy 1: New development shall complement the natural setting through the careful siting of buildings, protection of existing vegetation, provision of landscaping and the use of colours.

Policy 2: The Frame Lake Road shall be located as far as possible from Frame Lake and minimize any encroachment into the Capital Site.

5. Transition Area (Area 4)

Policy 1: The Transition Area shall provide an area of transition between the Capital Site and the central business district of the City of Yellowknife.

Policy 2: Permitted Developments are compatible recreational and institutional uses.

Policy 3: Outdoor storage will not be permitted.

Policy 4: The maximum height of buildings should be 15 metres.

Policy 5: Landscaping shall integrate into the Frame Lake Trail system and complement the landscaping plans for the Capital Site.

Policy 6: View corridors onto the Capital Site from streets abutting 49th Avenue shall be preserved.

6. Block 301 (Area 5)

Policy 1: Development shall recognize the importance of the Legislative Assembly Building and the Capital Site.

Policy 2: Outdoor storage or display will not be permitted.

Policy 3: New development will require a 20 metre landscaped buffer to provide a screening of uses from the Yellowknife Access Road. The buffer shall be rehabilitated and restored to a condition compatible with the Capital Site through the use of natural vegetation and reintroduced native species.

Policy 4: Only one access point, in accordance with the Public Highways Act, will be permitted onto the Yellowknife Access Road.

Policy 5: The maximum height of buildings shall be 15 metres.

Policy 6: Required access, parking and servicing shall be located on the side of building(s) away from the Yellowknife Access Road.

7. N.W.T. Power Corporation Site (Area 6)

Policy 1: Opportunities to rehabilitate the land surrounding the power plant, through the reintroduction of native species, should be encouraged.

Policy 2: Unenclosed storage shall be limited.

Policy 3: A coordinated colour scheme shall be developed.

Policy 4: Whenever possible, power lines shall be rationalized to reduce their number and to give a more orderly appearance to the area.

JOINT MANAGEMENT POLICIES

Introduction

This section describes the structure and role of the management partnership between the City of Yellowknife and the Government of the Northwest Territories (GNWT). The partnership is accountable to, and guided by, three principles:

- 1. Respect for the jurisdictional interrelationships of the two levels of government;**
- 2. Sensitivity to the interests of the two levels of government; and**
- 3. Sensitivity to the interests of the community, both City and Territorial wide, that will be served.**

The Capital Area Joint Management structure is illustrated in Figure No. 2. The coordination between the City and the GNWT in the management of the Capital Area will provide a unique opportunity to develop an integrated open space system and allow for the maximization of resources. This management structure fulfills the Goals and Objectives of the Capital Area Development Scheme.

Policies

1. Decisions

Policy 1: All decisions will be achieved through consensus.

2. Capital Area Steering Committee

Policy 1: A Capital Area Steering Committee will be established and be composed of the following four members:

- The Deputy Minister responsible for the GNWT Department of Municipal and Community Affairs (co-chair);
- The Senior Administrative Officer for the City of Yellowknife (co-chair);
- the Clerk for the Legislative Assembly; and
- the Director of Finance for the City of Yellowknife.

Policy 2: The duties of the Capital Area Steering Committee are to:

- strengthen and promote the partnership between the City of Yellowknife and the Government of the Northwest Territories;
- provide a forum for the exchange of information to help promote the

- Capital Area;
- review and coordinate proposed capital expenditures and works within the Capital Area;
- review and monitor the General Plan and Zoning By-law as they affect the Capital Area;
- review and propose amendments to the General Plan and Zoning By-law to the City and the Government of the Northwest Territories;
- direct preparation of action plans to carry out the intent of the Capital Area Development Scheme;
- direct the activities of the Development and Program Committee;
- appoint the advisory members to the Development and Program Committee; and
- recommend appointments to the Development Appeal Board for the purposes of appeals in the Capital Area.

Policy 3: The Steering Committee will be a forum for the exchange of information, expertise and ideas between the two levels of government.

Policy 4: The Steering Committee will review all proposed amendments to the General Plan that affect the Capital Area and will seek approval by the City of Yellowknife and the Government of the Northwest Territories before recommending that any amendment to the General Plan that affects the Capital Area be adopted.

3. Development and Program Committee

Policy 1: A Development and Program Committee will be established and be composed of the following members:

- Director, Community Planning and Lands, Department of Municipal and Community Affairs;
- Director, Department of Planning and Lands, City of Yellowknife;
- Facility Manager, Legislative Assembly Building;
- Director, Department of Community Services, City of Yellowknife; and
- A minimum of three non-voting advisory members.

Policy 2: The Chair of the Committee will annually rotate among the voting Committee members.

Policy 3: The duties of the Development and Program Committee are to:

- report to the Capital Area Steering Committee regarding:
 - matters of land use planning;
 - amendments to the General Plan and Zoning By-law;
 - site development guidelines for the Capital Site;
 - public events, activities and programs in the Capital Site; and
 - promotion of the Capital Site as a focal of the Territorial Government.
- review all proposed development within the Capital Area and make recommendations thereon to the City's Development Officer or City Council as appropriate; and
- ensure and facilitate the input of affected public agencies is considered in the formulation of advice and recommendations.

DEVELOPMENT APPROVAL POLICIES

Introduction

In addition to the standard regulatory processes outlined in the City of Yellowknife's Zoning By-law, within the boundaries of the Capital Area Development Scheme all Applications for a Development Permit shall be reviewed by the Development and Program Committee. The Committee shall provide a recommendation to the Development Officer as to whether the application should be approved, approved with conditions or refused. The structure of the Development Appeal Board is also modified whenever the Board considers issues in the Capital Area. This process fulfills the Goals and Objectives of the Capital Area Development Scheme.

Policies:

Policy 1: Applications for Development Permits in the Capital Area, will be referred by the City's Development Officers to the Development and Program Committee for their review.

Policy 2: The Development and Program Committee shall review Applications to assess their compliance with the intent of the Capital Area Development Scheme's policies.

Policy 3: The Development and Program Committee may discuss development proposals with applicants in order to establish acceptable conditions for development permit approvals.

Policy 4: A Capital Area Development Appeal Board will be formed for the purposes of hearing appeals in the Capital Area. Membership of this special Board will include the following representatives from the City's Development Appeal Board and the Territory as a whole:

- The Secretary to the City's Development Appeal Board;
- The Chairperson of the City's Development Appeal Board, who shall also serve as the Chairperson of the Capital Area Development Appeal Board;
- One member of Council, who is also on the City's Development Appeal Board, shall be appointed to the Board;
- The Capital Area Steering Committee will submit a list of prospective Board members to Council for selection of a minimum of three (3) individuals for appointment to the Capital Area Development Appeal Board; and
- The Capital Area Development Appeal Board will follow the same procedures as the City's Development Appeal Board as outlined in the Zoning By-law, as may be amended from time to time.

IMPLEMENTATION

Introduction

The implementation of the Capital Area Development Scheme involves a series of important actions that must be undertaken in order to achieve the Goals, Objectives and Policies of the Scheme.

Initial Actions

In order to implement the Capital Area Development Scheme the following actions must be undertaken:

Action 1: The Capital Area Steering Committee and the Development and Program Committee must meet to define their organizational and administrative practices.

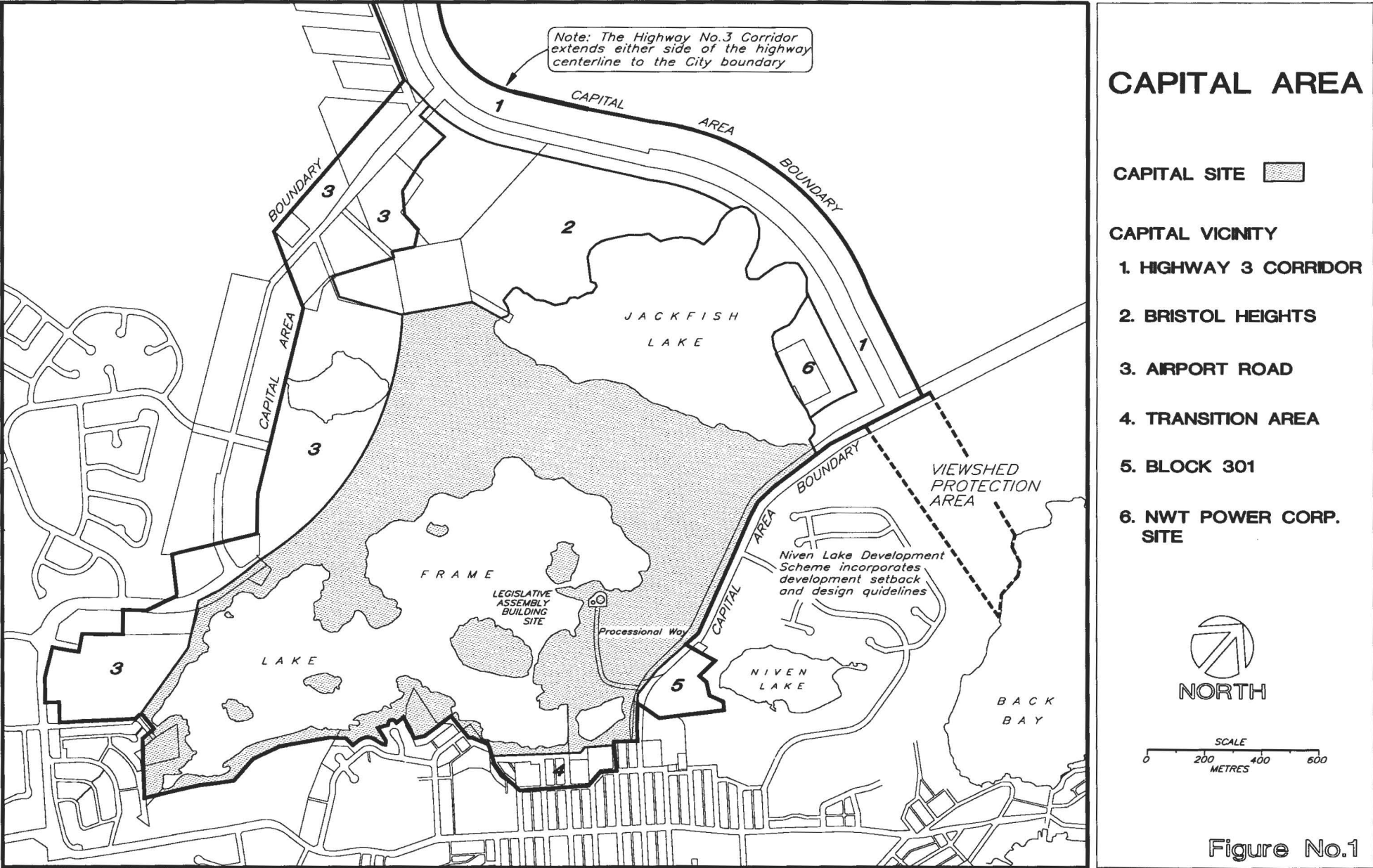
Action 2: The Development and Program Committee must initiate development of the necessary General Plan and Zoning amendments.

Action 3: The Capital Area Steering Committee must solicit and select individuals for a list of potential members for the Capital Area Development Appeal Board for review and member selection by City Council.

Action 4: The Development and Program Committee must solicit advisory members.

Action 5: The Development and Program Committee must initiate the development of a policy concerned with the selection and siting of art within the Capital Site.

These represent the initial actions required to implement the Capital Area Development Scheme. The need to review the Scheme on a regular basis (e.g., every five years) should be undertaken to ensure that the Scheme continues to be a relevant and key component in the structure of the community as a whole.



Joint Management Structure of the Capital Area

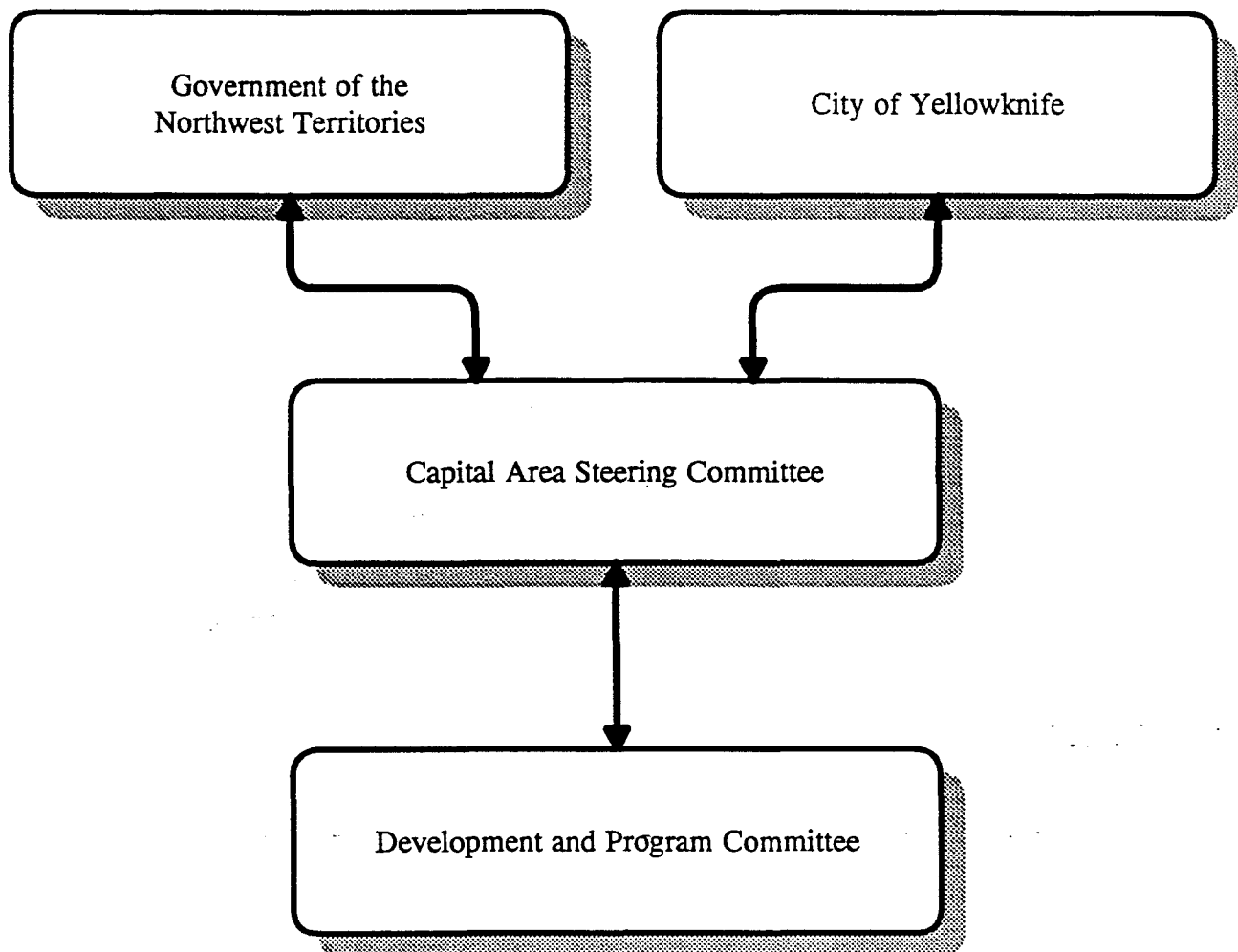


Figure 2