

**CITY OF YELLOWKNIFE
BY-LAW NO. 4588**

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife in the Northwest Territories, authorizing the Municipal Corporation of the City of Yellowknife to amend City of Yellowknife Zoning By-law No. 4404, as amended.

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 Municipal Corporation of the City of Yellowknife has enacted Zoning By-law No. 4404, as amended;

AND WHEREAS the Municipal Corporation of the City of Yellowknife wishes to amend Zoning By-law No. 4404, as amended;

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

APPLICATION

1. That By-law No. 4404, as amended, of the Municipal Corporation of the City of Yellowknife, is hereby amended by:

A. Amending section 1.6 by adding the following:

"Computer-aided design" means using computer software to assist in the production of technical drawings, such as a site plan or elevation drawings.

- B. Amending Section 1.6 by deleting "legal non-conforming structure" and replacing it with the following:

"legal non-conforming building or structure" means a building or structure that was lawfully constructed or lawfully under construction at the date of this by-law coming into force, and does not conform to the requirements of this by-law.

- C. Amending Section 3.2(1) by adding the following subsections:

- (k) Installation of additional insulation on an existing building
- (l) Replacement of a residential accessory use, building, or structure previously approved by Development Permit, if such works do not increase any dimensions of the original.
- (m) Erection of temporary tents and other structures for the purpose of cultural, recreational, medical or similar public or quasi-public purposes held on land to which the City of Yellowknife has tenure.

- D. Amending Section 3.2(1)(a) to read as follows:

"Maintaining or repairing any building, provided there is no increase in the dimensions of the original building. This does not include replacement of the building"

- E. Amending Section 3.3(2) by adding the following as subsection (c) and renumbering the subsequent paragraphs:

- (c) All required Development Permit Application drawing submissions shall be drawn using computer aided design, except if development is a residential accessory building or structure.
- F. Amending Schedule 3 - Compliance Certificate by deleting paragraphs 1 and 2, replacing them with the following, and renumbering the subsequent paragraphs.
1. For the purpose of this Schedule, Compliance Certificate means a document which may be issued by a Development Officer, upon written request and payment of the required fee, confirming compliance with the regulations of this By-law. A Compliance Certificate shall not operate as a Development Permit nor shall it approve any variance to the yard regulations of this By-law not previously approved.
 2. A Certificate of Compliance will be issued provided that:
 - i. The building has been located on site in accordance with the yards specified in Development Permits which may have been issued for the site; and
 - ii. The development has taken place in conformance with the issued Development Permit and all conditions of approval, if any, have been fully complied with.
 3. Buildings will be considered legal non-conforming as per Section 1.6 of this By-law, "legal non-conforming buildings and structures". For greater clarity, this means the building has met all conditions of the Development Permits issued for the site, but the yard requirements do not conform to those set out in this By-law. A Certificate of Compliance can be issued for such buildings with "legal non-conforming" indicated on the Certificate.

EFFECT

2. That this by-law shall come into effect upon receiving Third Reading and otherwise meets the requirements of Section 75 of the *Cities, Towns and Villages Act*.

READ a First Time this 26 day of July, A.D. 2010.

[Signature]
MAYOR

[Signature]
CITY ADMINISTRATOR

READ a Second Time this 23 day of August, A.D. 2010.

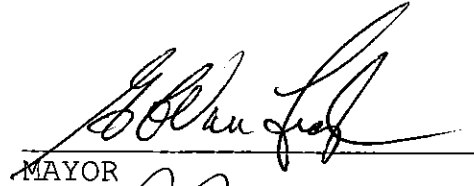
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MAYOR

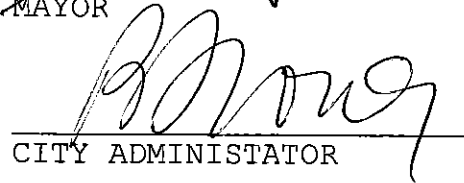
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CITY ADMINISTRATOR

APPROVED by the Minister of Municipal and Community Affairs of the Northwest Territories this 22 day of September, A.D. 2010.

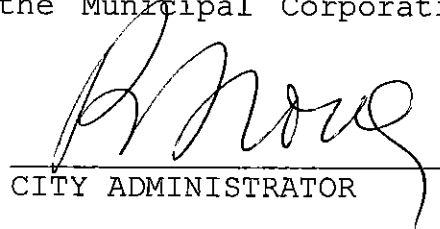
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MINISTER
MUNICIPAL AND COMMUNITY
AFFAIRS

READ a Third Time and Finally Passed this 25 day of OCTOBER A.D., 2010.


MAYOR


CITY ADMINISTATOR

I hereby certify that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the by-laws of the Municipal Corporation of the City of Yellowknife.


CITY ADMINISTRATOR

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