

**CITY OF YELLOWKNIFE  
BY-LAW NO. 4517**

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 Zoning By-law No. 4404.

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;

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

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

**APPLICATION**

1. That Zoning By-law No. 4404 is hereby amended by amending the following:

A) Amending Section 3.5(2) as follows:

For an Application for a Development Permit requesting a variance, the Development Officer may allow a variance in regard to site coverage, building height, front, side and rear yard setbacks, of up to 10%.

- B) Amending Section 3.5(3) as follows:

Council may consider allowing a variance in excess of 10% of any standard prescribed in this by-law with the exception of floor area, floor area ratio, lot depth/width, parking, landscaping, site area and site density provisions.

- C) Amending Section 3.5 by adding the following as subsection (8) and renumbering the subsequent paragraph:

(8) The Development Officer may allow a variance of Floor Area Ratio up to 15% if:

- (a) The subject site has irregular lot lines or is a size and shape that presents challenges to development.
- (b) The subject site has physical limitation relating to terrain, topography and grade that may create difficulties in meeting the maximum regulation for Floor Area Ratio prescribed in this by-law.
- (c) The subject site has natural features such as rock outcrops and vegetation that may create difficulties in meeting the maximum regulation for Floor Area Ratio prescribed in this by-law.

- D) Amending Section 10.14(3)(c) by replacing it with:

(c) FAR: Maximum Floor Area Ratio of 0.35

- E) Amending Section 10.14(5)(b) by adding the following subsection:

(i) The Elevation Plane of the garage may be closer to the front yard lot line than the front entranceway of the principal residential structure only in the following instances:

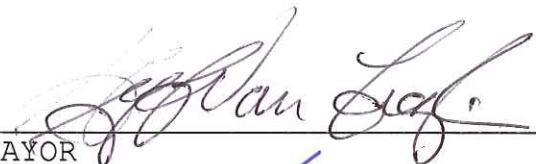
1. The property is considered to be of an irregular shape;

2. The grade of the property does not allow for a garage to be safely sited in any other location on the property; or,
3. The siting of the garage allows a natural landscaping feature, such as bedrock or existing full-growth vegetation, to be retained on the property.

**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 25 day of May, A.D. 2009.

  
MAYOR

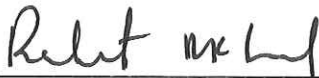
  
CITY ADMINISTRATOR

READ a Second time this 15 day of JUNE, A.D. 2009.

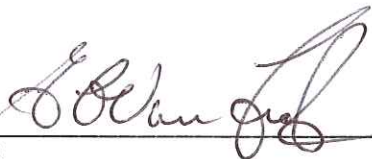
  
MAYOR


  
CITY ADMINISTRATOR

APPROVED by the Minister of Municipal and Community Affairs of the Northwest Territories this 13 day of July, A.D. 2009.

  
\_\_\_\_\_  
MINISTER  
MUNICIPAL AND COMMUNITY AFFAIRS

READ a Third time and finally passed this 27 day of July, A.D. 2009.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CITY ADMINISTRATOR

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