

**CITY OF YELLOWKNIFE  
BY-LAW NO. 4510**

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:

**A) Amending Section 7.6(4) as follows:**

i) Deleting the following paragraph:

"In addition to meeting the requirements of Sections 7.6(1) and 7.6(2), development of an industrial site shall comply with the following:"

ii) Amending a portion of Section 7.6(4)(a) as follows:

"The minimum front yard of a site in the I and LI zones may be used only for:"

iii) Amending a portion of Section 7.6(4) (b) as follows: }

"Any portions of a site in any industrial district, excluding the minimum Front Yard setback, not covered by buildings and not used for open storage, shall be:"

**B) Amending Section 10.22 as follows:**

i) Amending 10.22(3) (c) as follows:

"Front Yard\* 8.0 metres minimum"

ii) Amending 10.22(5) (a) as follows:

"Parking shall be provided in accordance with Part 9.

iii) Amending 10.22(5) (d) as follows:

"Loading, storage (as an accessory use) and trash collection shall be located to the rear or sides of the principal building."

iv) Amending the heading of 10.22(6) from "Site Development" to "Used Buildings".

v) Deleting 10.22(8) in its entirety and replacing it with the following:

a) All landscaping must be approved as part of either a landscape plan or a site plan, whichever is required as per Section 7.1(2).

b) All landscaping to be undertaken as per the requirements of this section shall also meet the requirements of Section 7.1(2), excluding Section 7.1(2) (d), of this By-law.

c) The preservation and retention of existing natural vegetation and bedrock as the primary method of landscape buffering is encouraged.

d) 100% of required Front Yard setbacks shall be landscaped with a landscape buffer in accordance with the following:

- (i) At the Development Officer's discretion, any natural vegetation or bedrock contained within the minimum Front Yard setback may serve to fulfill the landscape requirements.
  - (ii) Trees shall be planted in rows following the lot line, 4.5 metres on centre, with rows of shrubbery planted 1.5 metres on centre.
  - (iii) At the Development Officer's discretion, alternative methods of landscape buffers that achieve a similar buffering effect may be permitted.
- e) If the Side Yard and/or Rear Yard property lines abut a public right-of-way (including the primary arterial road), a public trail, or a public open space, either a landscape buffer or a screen shall be required and shall meet the following requirements:
- (i) At the Development Officer's discretion, any natural vegetation or bedrock contained within the minimum Side Yard and/or Rear Yard setbacks, whichever is applicable, may serve to fulfill the landscape buffer requirements.
  - (ii) Landscape buffers shall consist of, at a minimum, a single row of trees following the lot line planted 4.5 metres on centre with a row of shrubbery planted 1.5 metres on centre.
  - (iii) The landscape buffer or screen must effectively block or limit the public's view of any parking or loading areas, trash collection areas, storage areas, or any other use on site as determined by the Development Officer.
  - (iv) Screening may include one or more of the following:
    - a. A decorative fence, meaning solid or semi-solid fencing, but excluding chain-link, barbed-wire, razor-wire, or snow fencing. Corrugated metal, sheet metal and tarps are also excluded from this reference.
    - b. Screen fences and walls shall compliment design and materials of the principal structure and be consistent with the



quality of building design and materials of the principal structure.

c. All fences used for screening purposes must be a minimum height of 1.5m.

(v) At the Development Officer's discretion, alternative methods of landscape buffers or screens that achieve a similar buffering or screening effect may be permitted.

f) As per Section 3.5, setback variance requests are subject to Development Officer and/or Council approval and may require that required setback area landscaping be provided elsewhere on site.

g) At the discretion of the Development Officer on those properties fronting the Primary Arterial Roadway a landscaped berm a minimum of 1.5 metres in height is required.

vi) Deleting 10.22(9) in its entirety.

vii) Amending 10.22(12) by adding the following subsections:

b) Access driveways shall have a maximum width of 10.0m.

c) No more than two driveways shall be permitted per primary use, building, or structure and this shall refer to those primary uses, buildings, or structures wholly contained within one lot and those primary uses, buildings, or structures which act to consolidate more than one lot through development.

d) Only individual lots or lots consolidated through development, with a front yard wider than 50.0m may apply for said second driveway.

**C) Amending Section 10.23 as follows:**

i) Amending 10.23(3)(c) as follows:

"Front Yard\* 10.0 metres minimum"

ii) Deleting 10.23(5) - Landscaping Requirements - in its entirety and replacing it with the following:

- a) All landscaping must be approved as part of either a landscape plan or a site plan, whichever is required as per Section 7.1(2).
- b) All landscaping to be undertaken as per the requirements of this section shall also meet the requirements of Section 7.1(2), excluding Section 7.1(2)(d), of this By-law.
- c) The retention and preservation of existing natural vegetation and bedrock as the primary method of landscape buffering is encouraged.
- d) 100% of required Front Yard setbacks shall be landscaped with a landscape buffer in accordance with the following:
  - (i) At the Development Officer's discretion, any natural vegetation or bedrock contained within the minimum Front Yard setback may serve to fulfill the landscape buffer requirements.
  - (ii) Trees shall be planted in rows following the lot line, 4.5 metres on centre, with rows of shrubbery planted 1.5 metres on centre.
  - (iii) At the Development Officer's discretion, alternative methods of landscape buffers that achieve a similar buffering effect may be permitted.
- e) If the Side Yard and/or Rear Yard property lines abut a public right-of-way (including the primary arterial road), a public trail, or a public open space, either a landscape buffer or a screen shall be required and shall meet the following requirements:
  - (i) At the Development Officer's discretion, any natural vegetation or bedrock contained within the minimum Side Yard and/or Rear Yard setbacks, whichever is applicable, may serve to fulfill the landscape buffer requirements.
  - (ii) Landscape buffers shall consist of, at a minimum, a single row of trees following the lot line planted 4.5 metres on centre with a row of shrubbery planted 1.5 metres on centre.
  - (iii) The landscape buffer or screen must effectively block or limit the public's view of any parking or loading areas, trash collection areas, storage areas, or any

other use on site as determined by the Development Officer.

- (iv) Screening may include one or more of the following:
  - a. A decorative fence, meaning solid or semi-solid fencing, but excluding chain-link, barbed-wire, razor-wire, or snow fencing. Corrugated metal, sheet metal and tarps are also excluded from this reference.
  - b. Screen fences and walls shall compliment design and materials of the principal structure and be consistent with the quality of building design and materials of the principal structure.
  - c. All fences used for screening purposes must be a minimum height of 1.5m.
- (v) At the Development Officer's discretion, alternative methods of landscape buffers or screens that achieve a similar buffering or screening effect may be permitted.
- f) As per Section 3.5, setback variance requests are subject to Development Officer and/or Council approval and may require that required setback area landscaping be provided elsewhere on site.
- iii) Deleting 10.23(6) in its entirety.
- iv) Amending 10.23(7)(a) as follows:

"Parking shall be provided in accordance with Part 9 of this by-law."
- v) Amending 10.23(7)(b) as follows:

"Loading, storage (as an accessory use) and trash collection shall be located to the rear or sides of the principal building ."
- vi) Adding the following subsection:

10.23(7)(I) Site Access

  - a) Access driveways shall have a maximum width of 10.0m.
  - b) No more than two driveways shall be permitted per

primary use, building, or structure and this shall refer to those primary uses, buildings, or structures wholly contained within one lot and those primary uses, buildings, or structures which act to consolidate more than one lot through development.

- c) Only individual lots or lots consolidated through development, with a front yard wider than 50.0m may apply for said second driveway.



**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 23<sup>rd</sup> day of MARCH, A.D. 2009.

  
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MAYOR

  
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A/CITY ADMINISTRATOR

READ a Second time this 14<sup>th</sup> day of April, A.D. 2009.

  
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MAYOR

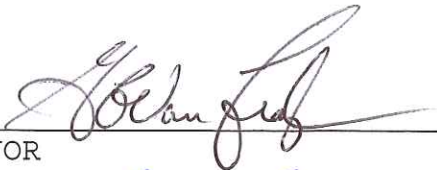
  
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CITY ADMINISTRATOR

APPROVED by the Minister of Municipal and Community Affairs of the Northwest Territories this 15 day of July, A.D. 2009.

  
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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

