



CITY OF YELLOWKNIFE

BY-LAW NO. 4788

BZ 322

A by-law of the Council of the Municipal Corporation of the City of Yellowknife authorizing the Municipal Corporation of the City of Yellowknife to amend City of Yellowknife Zoning By-law No. 4404, as amended, and Development Incentive Program By-law No. 4534.

PURSUANT TO:

- a) Sections 12 to 32 inclusive of the *Community Planning and Development Act*, S.N.W.T., 2013, c.9; and
- 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.

WHEREAS the Municipal Corporation of the City of Yellowknife has enacted Zoning By-law No. 4404, as amended and Development Incentive Program By-law No. 4534;

AND WHEREAS the Municipal Corporation of the City of Yellowknife wishes to amend Zoning By-law No. 4404, as amended, and Development Incentive Program By-law No. 4534;

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

APPLICATION

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

A. Adding the following new definitions to Section 1.6:

“Car sharing space” means a parking space used to park a motor vehicle provided by a car-sharing service.

“Car sharing service” means a service that provides motor vehicles solely for the shared use of members of that service, and does not include an automobile rental establishment or automobile dealership.

“Car share vehicle” means a vehicle that is owned and operated by an organization providing vehicle sharing services to its members, and may include commercial, cooperative, governmental or non-profit organizations.

- B. Deleting introductory Section of 9.2 and replacing therewith:
“Off-site Parking Requirements, Cash-in-lieu of Parking Requirements, and Land Contribution in the DT zone

Required parking in the DT zone may be provided in whole or part through off-site parking, cash-in-lieu of parking, or through a land-equivalent-to parking contribution, subject to the approval of the Planning Administrator and/or Council, and the following provisions:”

- C. Deleting Section 9.2 (a) ii) and replacing therewith:
“The off-site parking area shall be located within the DT zone;”
- D. Deleting Section 9.2 (b) ii) and replacing therewith:
“The amount paid for motor vehicle required parking shall be equal to one (1) times the value of the land and construction costs (including paving) for providing an equivalent amount of parking on the affected site on the basis of 31.0 square metres per parking stall (this being an average area for a typical parking stall and maneuvering space);”
- E. Deleting Section 9.2 (b) iii) and replacing therewith:
“The amount paid for bicycle parking shall be equal to one and one (1) times the market value of the bike element and installation;”
- F. Deleting Section 9.2 (b) iv) and replacing therewith:
“where new buildings are proposed, cash-in-lieu of parking shall not replace more than 50 percent of the required parking;”
- G. Adding the following subsections to Section 9.2:
- “(c) Subject to Council’s approval, the required parking may be provided through a contribution of land in the “Downtown – DT” district to the City, (transfer of fee simple title from the applicant to the City), whereby the area of the land contributed to the City is equivalent to the area of land required for parking pursuant to Section 9.3, and whereby such land shall be developed by the City as public parking or used to assemble additional land for a parking structure in accordance with the development standards herein;
 - (d) Subject to Council’s approval, developments with surface parking previously approved may apply to transfer the required parking to a parking structure in the Downtown zone.”

H. Adding the following section to Part Nine:

“Section 9.8 Car Sharing

(a) In all zones, for multi-family residential or mixed-use development, the parking requirement may be met through a car sharing service where:

- i) in the Downtown zone one car share vehicle shall be provided per eight residential units;
- ii) in all other zones one car share vehicle shall be provided per six residential units.

(b) When parking is provided through a car sharing service, the owner shall covenant with the City by an agreement registered against the title that both the car share parking space and car share vehicle/service shall be maintained for the life of the development or until an alternative parking arrangement is approved pursuant to this by-law.

(b) That Development Incentive Program By-law No. 4534 of the Municipal Corporation of the City of Yellowknife, is hereby amended by:

A. Adding a definition of “Parking Structure” to Section 2. INTERPRETATION

“Parking Structure” means a structure designed for the parking of motor vehicles in tiers or floors, as per Zoning By-law No. 4404, as amended.

B. Replacing “six” with “seven” in the introduction to Section 3 so it reads:

“3. This by-law provides for tax abatements and grants to encourage the following seven smart growth development and redevelopment initiatives:”

C. Adding the following to Section 3:

“(g) Downtown Parking Structure Development – The Downtown Parking Structure Development Incentive is designed to promote the construction of a multi-storey or below ground parking structure in the DT – Downtown Zone. The purpose is to better balance the building footprint to surface parking ratio in the downtown; enable the transfer of current surface parking to the structure; provide additional downtown parking; and enable additional development opportunities by opening land currently held by surface parking lots. This program applies in the DT – Downtown zone only.”

D. Amending Section 4. b. to read as follows:

“a. Declining Five Year Abatement – The declining five-year abatement reduces in equal increments over five-years (100%-80%-60%-40%-20%). This abatement formula applies to the following:

- i. *Secondary Area* of Residential Intensification
- ii. Industrial Relocation

- iii. Brownfield Remediation and Development (City-wide)
- iv. Leadership in Energy and Environmental Design (LEED) (City-wide)
- v. Downtown Parking Structure Development (Downtown)

E. Amending Section 11. By adding:

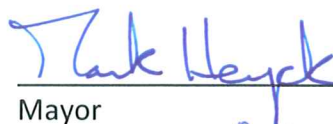
"G. Downtown Parking Structure Development Incentive

- (a) Parking structures must contain a minimum of one hundred (100) parking stalls.
- (b) Abatement shall only apply to the building improvements dedicated to vehicular and bicycle parking, excluding commercial or other purposes; and
- (c) Mixed-use structures may be approved by Council subject to recommendations provided by Administration for projects with a strong business case that support the City's Downtown revitalization objectives.


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 10TH day of MARCH, A.D. 2014.



Mayor



City Administrator

Read a Second Time this 24 day of MARCH, A.D. 2014.



A/ Mayor

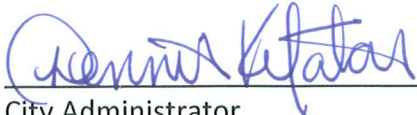


City Administrator

Read a Third Time and Finally Passed this 24 day of MARCH, A.D., 2014.



A/ 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