

# THE CITY OF DAWSON



## COMMITTEE OF THE WHOLE MEETING #CW18-18

**DATE:** TUESDAY, MAY 8, 2018

**TIME:** 7:00 PM

**LOCATION:** Council Chambers, City Office

1. **CALL TO ORDER**
2. **ACCEPTANCE OF ADDENDUM & ADOPTION OF AGENDA**
  - a) Committee of Whole Agenda CW18-18
3. **PUBLIC HEARING**
  - a) Dredge Tailings Historic Site Designation
  - b) Subdivision Application #18-023
  - c) Subdivision Application #18-026
4. **DELEGATIONS AND GUESTS**
5. **ADOPTION OF THE MINUTES**
6. **BUSINESS ARISING FROM THE MINUTES**
7. **SPECIAL MEETING, COMMITTEE, AND DEPARTMENTAL REPORTS**
  - a) Request for Decision RE: Lot 29 Dredge Pond Subdivision
  - b) Request for Decision RE: Subdivision Application #18-026, Official Community Plan Amendment #18-027, and Zoning By-Law Amendment #18-027, Lots 1, 2, 3, and 4, Block M, Ladue Estate
  - c) Request for Decision RE: Fitness Centre Policy
  - d) Request for Decision RE: Farmers Market Lease
8. **CORRESPONDENCE**
9. **PUBLIC QUESTIONS**
10. **INCAMERA SESSION**
  - a) Land Related Matters
11. **ADJOURNMENT**



# THE CITY OF DAWSON

P.O BOX 308, DAWSON CITY, YUKON Y0B 1G0  
PH: (867) 993-7400, FAX: (867) 993-7434

## NOTICE OF PUBLIC HEARING: MUNICIPAL HISTORIC SITE DESIGNATION

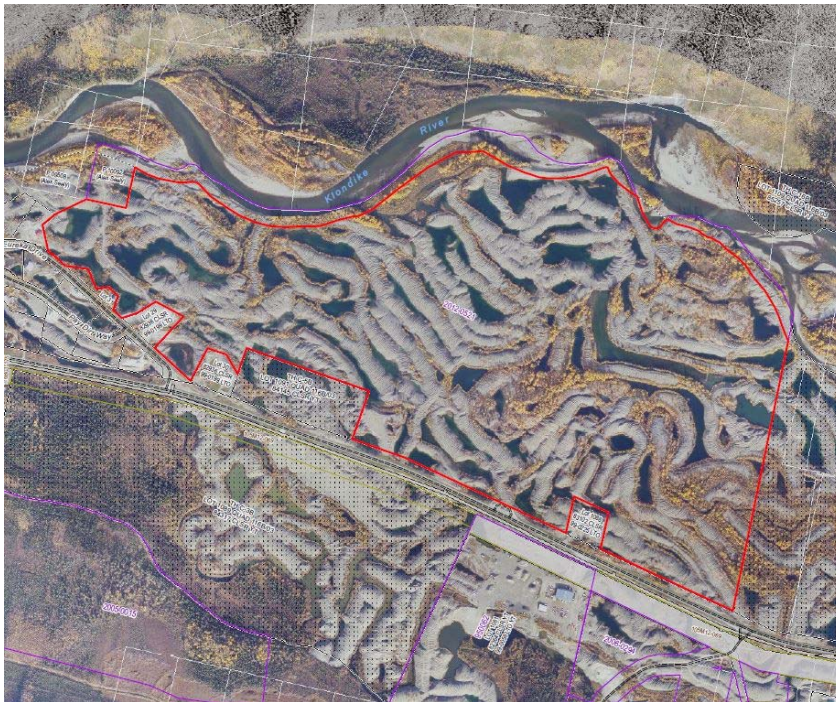
*Dredge Tailings Municipal Historic Site*

**Subject Property: Land Disposition 2012-0521**

**Date: May 8, 2018**

**Time: 7:00pm**

**Location: Council Chambers, Town Hall**



As per the *Heritage By-Law #09-04*, upon receiving a petition to designate a Municipal Historic Site, council must give public notice of the application.

Therefore, the City of Dawson is now requesting input from the public regarding the designation of Land Disposition 2012-0521 as a the Dredge Tailings Municipal Heritage Site.

**For more information, to view the petition details, or to provide your input confidentially prior to the public meeting, please contact the Community Development Officer using the following contact information:**

**Clarissa Huffman**

Community Development Officer

Box 308, Dawson City YT Y0B1G0

[cdo@cityofdawson.ca](mailto:cdo@cityofdawson.ca)

867-993-7400 ext. 414

**DAWSON CITY — HEART OF THE KLONDIKE**

Re: Dredge Tailings Municipal Historic Site

Name: Mel Weber, Lot 30 Dredge Pond

Supports the idea of a park but the town needs land, and that should be considered as well. The original subdivision had 85 lots slated to go in there and the community needs residential lots. All that is preserved is the tailings so the tourists have something to look at. It seems like there is premature panic because there are lots of tailings along the highway. Even in Dredge Pond Subdivision, it is not all flattened even though there are lots in there.



A partnership of the City of Dawson, Dawson City Chamber of Commerce,  
Klondike Institute of Art & Culture, Klondike Visitors Association, and Chief Isaac Incorporated

City of Dawson  
PO Box 308  
Dawson City  
Yukon, Y0B 1G0

April 9, 2018

Re: Proposed Dredge Tailings Municipal Heritage Site

Dear Clarissa, Community Development Officer,

Klondike Development Organization would like to express its alarm at plans to erase an entire residential subdivision in the Klondike Valley in favor of creating a dredge tailings heritage site.

Dawson is by far the fastest growing community in the Yukon, with a population rising 18.3 % since 2010, from 1,881 to 2,226 people. Projections from Yukon Bureau of Statistics expect this to continue, adding another 510 people by 2030.

According to recent KDO surveys, the number one barrier for someone trying to move from renting to home ownership in Dawson is the lack of land for building, even before affordability or access to finance.

Yukon Government has developed no new residential lots since 1999. Lack of appropriate housing has been repeatedly raised in community needs surveys since 2011. Both the 2017 Household Survey and the 2017 Business Retention and Expansion Survey confirmed housing as the top priority for improving Dawson and strengthening the economy, ahead of recreation, transportation, infrastructure or other investments.

Dawson is experiencing acute shortages of both suitable rental housing and availability of land for building. It is therefore disconcerting to see the City contemplate throwing out plans for a much-needed residential development. KDO would like to suggest that a balance between protection of heritage values and the needs of a growing population be found. In the case of Land Disposition 2012-0521 we would request that either:

- 1- A significant part of this land parcel remain designated for residential development; or
- 2- An alternate area of similar size and equally unencumbered by mining claims be found in the Klondike valley to serve as replacement residential subdivision before further consideration of this land parcel for heritage designation; or
- 3- An alternate area be found to serve as a dredge tailings municipal heritage site.

Thank you for your attention to this matter, we urge you to consider a balance of community needs prior to taking a decision.

Respectfully,

A handwritten signature in black ink, appearing to read "B. Stethem".

Brian Stethem  
President, KDO

April 6, 2018

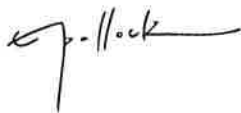
City of Dawson  
Box 308  
Dawson City, YT  
Y0B 1G0

Hello Clarissa,

I am writing to express my heartfelt opposition to the City's intent to designate Land Disposition 2012-0521 as a historic site, for the following reasons:

- 1- The dredging of the Klondike River was an environmental catastrophe. As such, the direct results of this outrageously disrespectful mining practice should not be enshrined in a historic site. Parks Canada's Dredge Number 4, the Bear Creek Compound, and the vast photographic record should serve as monument enough.
- 2- This appears to be virtually the only area in the Klondike Valley not encumbered by mining claims, so protecting the results of a mining activity with this particular land parcel strikes me as an ironic slap in the face to the community's residents who have to live with and navigate around complex surface rights issues on a frequent and ongoing basis.
- 3- We have greater need of this land parcel for another use: as a place where people can build homes and meet the needs of a growing population in Dawson City. I urge you to initiate development of this land parcel into a rural residential subdivision as was previously planned and intended, instead of creating an un-needed protected area for the environmental abuses of antiquated mining techniques.
- 4- Dawson City already does an outstanding job of respecting and commemorating its mining history. Let's not forget that we also have a history that pre-dates the Dredge. If the municipality wants to celebrate a historic physical feature I would nominate the Klondike River itself; and would suggest the creation of a modest park along it within the residential subdivision that permits access to the waterway for paddling, swimming, fishing, picnicking and other recreational uses- something that will benefit the lives of residents of this community in a way that looking at a pile of rocks cannot.

Sincerely,



Evelyn Pollock



# THE CITY OF DAWSON

P.O BOX 308, DAWSON CITY, YUKON Y0B 1G0  
PH: (867) 993-7400, FAX: (867) 993-7434

## NOTICE OF PUBLIC HEARING: SUBDIVISION APPLICATION

*Subdivision Application: #18-023*

**Subject Property: Lot 1058 Quad 116 B/03**

**Date: May 8, 2018**

**Time: 7:00pm**

**Location: Council Chambers, Town Hall**



As per the *Municipal Act*, S. 319.4, upon receiving an application for subdivision, council must give public notice of the application.

Therefore, the City of Dawson is now requesting input from the public regarding dividing Lot 1058 Quad 116 B/03 into two lots.

**For more information, to view the application details, or to provide your input confidentially prior to the public meeting, please contact the Community Development Officer using the following contact information:**

**Clarissa Huffman**

Community Development Officer

Box 308, Dawson City YT Y0B1G0

[cdo@cityofdawson.ca](mailto:cdo@cityofdawson.ca)

867-993-7400 ext. 414



# THE CITY OF DAWSON

P.O BOX 308, DAWSON CITY, YUKON Y0B 1G0  
PH: (867) 993-7400, FAX: (867) 993-7434

## NOTICE OF PUBLIC HEARING: SUBDIVISION APPLICATION

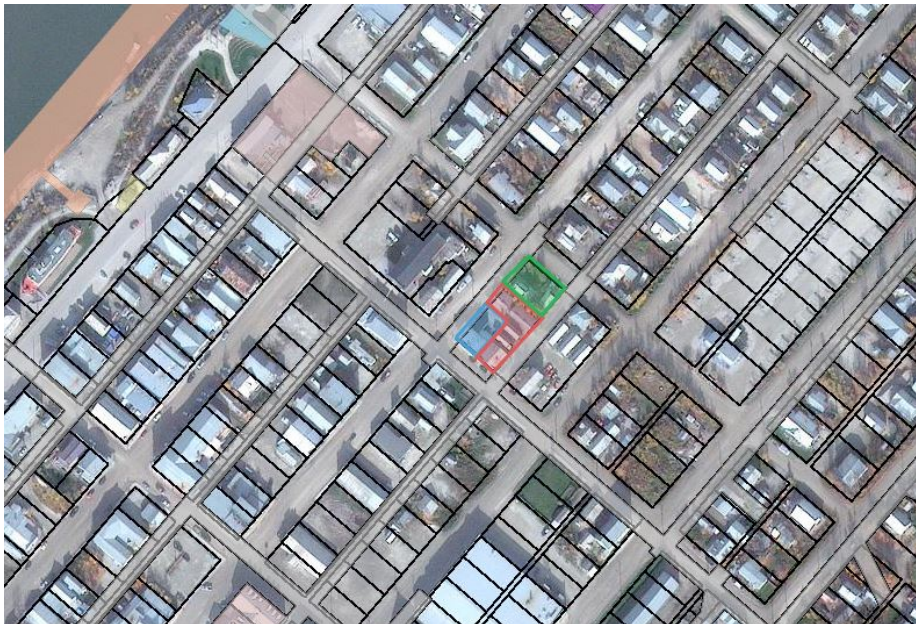
*Subdivision Application: #18-026*

**Subject Property:** Lots 1, 2, 3, and 4, Block M, Ladue Estate

**Date:** May 8, 2018

**Time:** 7:00pm

**Location:** Council Chambers, Town Hall



As per the *Municipal Act*, S. 319.4, upon receiving an application for subdivision, council must give public notice of the application.

Therefore, the City of Dawson is now requesting input from the public regarding dividing Lots 1, 2, 3 and 4, Block M, Ladue Estate into three lots.

**For more information, to view the application details, or to provide your input confidentially prior to the public meeting, please contact the Community Development Officer using the following contact information:**

**Clarissa Huffman**

Community Development Officer  
Box 308, Dawson City YT Y0B1G0  
[cdo@cityofdawson.ca](mailto:cdo@cityofdawson.ca)  
867-993-7400 ext. 414



# THE CITY OF DAWSON

## Request for Decision

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**TO:** Mayor and Council  
**FROM:** Clarissa Huffman, CDO  
**DATE:** 25 April, 2018  
**SUBJECT:** Subdivision Application #18-013  
Lot 29 Dredge Pond Subdivision

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### RECOMMENDATION

It is respectfully recommended that:

1. Council approve Subdivision Application #18-013, subject to the following conditions:
  - 1.1. The applicant submit a Stormwater Management Plan to the satisfaction of the CDO and Public Works Superintendent.
  - 1.2. The applicant submits details on access in accordance with the *Municipal Act S. 314*.
  - 1.3. Applicant to provide confirmation via registered survey that all structures conform with setback requirements of a C3 zone, and all non-compliant structures are removed or moved into compliance, to the satisfaction of the CDO.
  - 1.4. Driveway access be indicated on site plan to the satisfaction of the Public Works Superintendent.
  - 1.5. The applicant submits a plan of subdivision completed by a certified lands surveyor drawn in conformity with the approval.
  - 1.6. The applicant shall, on approval of the subdivision plan by the City of Dawson, take all necessary steps to enable the registrar under the Land Titles Act to register the plan of subdivision.

### PURPOSE

The applicant wishes to subdivide their residential lot at Lot 29 Dredge Pond Subdivision into two properties.

### BACKGROUND

The applicant submitted an application on March 5, 2018 to subdivide their 1.12-hectare lot into two 1.4 acre parcels.

The application was advertised in March and April 2018, with a Public Hearing that took place on April 17, 2018. No speakers attended the Public Hearing to speak either for or against this application.

## CURRENT STATUS

In order to meet legislated timelines for this application, the deadline for decision on this application is June 5, 2018. All legislated notice requirements have been fulfilled, and Council now has the opportunity to contemplate the recommendations of the CDO.

## CONSIDERATIONS / DISCUSSION

### Comments

Public Works was asked to comment on this application for purposes of assessing access, lot grading, slope stability, and other operating requirements. It was noted that a Stormwater Management Plan should be submitted as a condition of approval. Additionally driveway access was considered to be potentially problematic. Directly across the road from the lot is a perpendicular road, which could potential cause access and safety concerns. Therefore, the Public Works Superintendent requested that the subdivision not be final until approval of the driveway/access locations are approved by the Public Works Superintendent. It was noted that acceptable driveway locations would be either directly across from the centreline of the perpendicular road with a stop sign on the driveway, or in a location that is not across from the perpendicular road. See the below sample driveway locations for an example of potential driveway locations that would be suitable.



The application was also circulated to every property owner in a 1km radius of this property, inviting comments and questions. No direct concerns were identified during this consultation process.

### **Subdivision By-Law**

Subdivision Control By-Law S3.01 states that every subdivision of land must be made in accordance with the Municipal Act, the Official Community Plan, the Zoning Bylaw, and the Subdivision Control Bylaw. The Considerations/Discussion section of this report is intended to discuss the proposal's conformity with the provisions outlined in the relevant legislation, policies, and plans.

### **Municipal Act**

The Municipal Act S. 314 details the requirements for any proposed plan of subdivision to have direct access to the highway to the satisfaction of the approving authority. The proposed lot configuration would allow each lot access to Eureka Drive. It is recommended that the applicant provide details of the proposed access points in order to meet the requirements of S. 314.

S. 319 stipulates that an approval may be valid for a period of up to twelve months. If the applicant has not provided proof that the conditions of approval have been met, under the Act approval is void. The applicant can request an extension of a further twelve months, which may be granted in whole or in part, at the discretion of the approval authority.

### **Official Community Plan**

The property is currently designated as CR – Country Residential. Uses associated with this designation include single detached dwellings on rural lots. Therefore, the two proposed lots would retain the same designation. Any new use or development on the proposed lots would be required to conform to the OCP designation, or else apply for an OCP Amendment.

### **Zoning By-Law**

The property is currently zoned R3 – Country Residential. The Zoning By-Law is intended to implement the goals of the OCP. Therefore, the purpose of the R3 zone as per the Zoning By-Law is to permit a range of low-density, single detached homes on rural lots. A full range of permitted uses and associated provisions are contained in the Zoning By-Law, and any future development of the proposed lots must also conform with the Zoning By-

Law. This proposal would create two residential lots, both that are approximately 1.4 acres in size, and therefore meet the minimum lot size requirement of 1 acre.

The applicant submitted dimensions of the two trailers located on the lot, intended to serve as residential dwellings. Currently the zoning regulates mobile homes within the historic townsite only. As a residential dwelling, each mobile home is required to meet the minimum setback information. This information was requested but not received, therefore the applicant has been requested to provide this information as a condition of approval.

### **Heritage Management Plan**

The property is outside of the area currently under the jurisdiction of the Heritage Management Plan. Therefore, the Heritage Advisory Committee is not required to review this proposal. However, the applicant and any future owners are urged to consider the unique heritage of Dawson City when considering new development of these lots.

### **OPTIONS**

Council may consider one of the following options regarding this application:

1. Approve the application as recommended above.
2. Approve the application with modifications to the conditions.
3. Refuse the application.
4. Defer the application for decision at a later date.

### **APPENDICES / SCHEDULES**

Appendix A. Application  
Appendix B. Site Plan & Map  
Appendix C. Request for Additional Information

### **APPROVAL & CAO COMMENTS**

Respectfully Submitted,

\_\_\_\_\_  
Clarissa Huffman, CDO

\_\_\_\_\_  
Date

I have reviewed and have no further comments regarding this report.

\_\_\_\_\_  
Cory Bellmore, CAO

\_\_\_\_\_  
Date

FORM 1A - BYLAW #95-08

PAID  
MAR 05 2018  
28292

APPLICATION FOR SUBDIVISION/CONSOLIDATION APPROVAL <input checked="" type="checkbox"/> By plan of subdivision <input type="checkbox"/> By plan of consolidation <input type="checkbox"/> By other instrument	<b>FOR OFFICE USE ONLY</b>	
	Date of Receipt: <u>02/03/18</u>	File # <u>18-013</u>
Fees Submitted: <u>250</u>	Received by: <u>CH</u>	

THIS FORM IS TO BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED OWNER OF THE LAND WHICH IS THE SUBJECT OF THE APPLICATION OR BY AN AUTHORIZED PERSON ACTING ON HIS BEHALF.

1. a. Name (printed) of registered owner of land: FINE GOLD RESOURCES INC.

b. Address & telephone number of registered owner:  
29360 TOWNSHIP LINE ROAD ABBOTSFORD B.C., V4X 1S1  
604-607-7250

2. a. Name (printed) of Authorized person acting on behalf of owner: GLEN LAMERTON

b. Address & telephone number of authorized person:  
BOX 928 DAWSON CITY, YT Y0B 1G0  
867-334-7233

3. FULL LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED/CONSOLIDATED:  
LOT 29, DREDGE POND SUBDIVISION, DAWSON CITY, PLAN 99-0199

4. LOCATION OF LAND TO BE SUBDIVIDED/CONSOLIDATED

a. Is the land situated within 0.5 miles of a river, stream, watercourse, lake or other permanent body of water, or a canal or drainage ditch?  Yes  No

b. If yes, state its name: KLONDIKE RIVER

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED/CONSOLIDATED

a. Describe existing use of the land:

b. Describe proposed use of the land:

6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED/CONSOLIDATED

a. Describe the nature of the topography of the land (flat, rolling, steep, mixed):  
FLATTENED TAILINGS PILES, CAPPED WITH GRAVEL AND LEVELED

b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc. & sloughs, creeks, etc.): SOME VEGETATION AROUND THE PERIMETER

c. Describe the kind of soil on the land (sandy, loam, clay, etc.): ROCK AND GRAVEL

7. EXISTING BUILDINGS ON THE LAND PROPOSED TO BE SUBDIVIDED/CONSOLIDATED  
 Describe any buildings, historical or otherwise, and any structures on the land and whether they are to be demolished or moved:  
TRAILERS ON PADS - ONE TO BE MOVED SO EACH PARCEL WILL HAVE A DOMICILE

8. REGISTERED OWNER FINE GOLD RESOURCES INC.

I, MIKE HEISEY hereby certify that I am the registered owner and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision/consolidation approval.

Glen Lamerton  
 SIGNATURE OF REGISTERED OWNER

FEB. 15, 2018  
 DATE



## Clarissa Huffman

---

**From:** Glen Lamerton <glamerton@gmail.com>  
**Sent:** April 26, 2018 7:38 PM  
**To:** Clarissa Huffman  
**Subject:** Re: Subdivision Application #18-013  
**Attachments:** LOT29.pdf

As per the numbering on the attached pdf file:

Trailer 1 will stay (Dimensions 4.34m x 20.40)  
Trailer 2 will move to 4 (Dimensions 4.32m x 20.07)  
Storage Sheds & Seacan to be removed from site

On Wed, Apr 25, 2018 at 5:19 PM, Clarissa Huffman <[cdo@cityofdawson.ca](mailto:cdo@cityofdawson.ca)> wrote:

Hi Glen,

I am currently assessing Subdivision Application #18-013, for which you are the authorized agent listed on file.

I note that in question seven of the application form, it is listed that two trailers currently exist on the lot, with one to be moved so that there is one on each of the proposed new lots. I also note that neither the existing or proposed locations and dimensions of these trailers are not listed on the site plan provided with this application.

As you may know, one of the main components of a subdivision application assessment is to verify compliance with all relevant municipal policies and by-laws, the main one being the Zoning By-Law. Without knowing the location and dimension of all structures, including accessory structures, dwelling units, etc., I cannot adequately perform this assessment.

If you could please provide me an updated site plan that shows the location and dimensions of all existing and proposed structures, I will be able to continue my assessment at that time. The deadline for reports for the May 8 Committee of the Whole is Monday, April 30, so if you are able to provide this information to me by tomorrow, I will be able to send this application through to the May 8 Committee of the Whole for discussion.

Let me know if you have any further questions.



0.1  
0  
0.03  
0.1 Kilometers

Yukon Adbers  
Produced from: Yukon Lands Viewer

This map is a user-generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.  
Date Printed: 26-Apr-2018

1: 1,280



**Legend**

- Land Applications - Active
- Land Dispositions
- Transfer Request
- Agreement for Sale
- Easement
- Lease
- Reseasment
- Land Licenses
- Lots for Sale
- Notations
- Development Hold Areas
- Agricultural Planned Land App
- Agricultural Land Applications
- Agricultural
- Grazing
- Agricultural Land Dispositions
- Agricultural
- Grazing
- Surveyed Land Parcels (<80K)
- Surveyed Easements (<80K)
- Settlement Lands (Surveyed)
  - A: Surface and Subsurface Rights
  - B: Surface Rights
  - FS: Fee Simple
  - 4.1.1 Retained Reserve
- Settlement Lands (Unsurveyed)
  - A: Surface and Subsurface Rights
  - B: Surface Rights
  - 4.1.1 Retained Reserve

**Notes**

SITE NOTES



# THE CITY OF DAWSON

## Request for Decision

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**TO:** Mayor and Council  
**FROM:** Clarissa Huffman, CDO  
**DATE:** 25 April, 2018  
**SUBJECT:** Subdivision Application #18-026, Official Community Plan Amendment #18-027, and Zoning By-Law Amendment #18-027, Lots 1, 2, 3, and 4, Block M, Ladue Estate

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### RECOMMENDATION

It is respectfully recommended that:

1. Council refuse Subdivision Application #18-026.
2. Council decline to forward Official Community Plan Amendment #18-027 for first reading.
3. Council decline to forward Zoning By-Law Amendment #18-028 for first reading.

### PURPOSE

The applicant wishes to consolidate and adjust the boundary lines of Lots 1, 2, 3, and 4, Block M, Ladue, known as Klondike Kate's Restaurant, into three separate properties. This subdivision application requires an Official Community Plan Amendment and a Zoning By-Law amendment, as the proposed subdivision is not currently in conformity with the existing regulations.

### BACKGROUND

The applicant submitted an application on April 17, 2018 to consolidate and adjust the boundary lines of Lots 1, 2, 3, and 4, Block M, Ladue, into a configuration of three new properties. This proposal effectively creates a separate lot for each the restaurant, the office building, and the residence. The majority of the cabins are not included in this proposal (though there are a few that remain on the proposed office property).

The application was advertised in April 2018, with a Public Hearing that took place on May 8, 2018.

**CURRENT STATUS**

In order to meet legislated timelines for the subdivision application, the deadline for decision on this application is July 17, 2018. All legislated notice requirements for the Official Community Plan and Zoning By-Law will be fulfilled by the CDO following first reading of each by-law.

**CONSIDERATIONS / DISCUSSION****Comments**

Public Works was asked to comment on this application for purposes of assessing access, lot grading, slope stability, and other operating requirements. No negative impacts were identified, however it was noted that a Stormwater Management Plan should be submitted as a condition of approval, and that all underground services that cross a property line should have access protected through a registered easement.

The application was also circulated to every property owner in a 1km radius of this property, inviting comments and questions. No direct concerns were identified during this consultation process at the time of writing of this report.

This proposal also includes a proposed closure of the alley, and a by-law would have to be passed to this effect.

**Subdivision By-Law**

Subdivision Control By-Law S3.01 states that every subdivision of land must be made in accordance with the Municipal Act, the Official Community Plan, the Zoning Bylaw, and the Subdivision Control Bylaw. The Considerations/Discussion section of this report is intended to discuss the proposal's conformity with the provisions outlined in the relevant legislation, policies, and plans.

**Municipal Act**

The Municipal Act S. 314 details the requirements for any proposed plan of subdivision to have direct access to the highway to the satisfaction of the approving authority. It is recommended that the applicant provide details of the proposed access points in order to meet the requirements of S. 314.

S. 319 stipulates that an approval may be valid for a period of up to twelve months. If the applicant has not provided proof that the conditions of approval have been met, under the Act approval is void. The applicant can request an extension of a further twelve months, which may be granted in whole or in part, at the discretion of the approval authority.

## **Official Community Plan**

The property is currently designated as DC – Downtown Core. Uses associated with this designation include commercial buildings, mixed-use buildings, and multi-unit residential dwellings. Proposed 'Lot A' (restaurant) and proposed 'Lot B' (office and cabins) both comply with the intent of the Official Community Plan. However, the single detached dwelling on the proposed 'Lot C' does not conform with the provisions of the OCP. A single detached dwelling on a medium-sized lot is not considered to be a use appropriate for the Downtown Core designation. Therefore, Official Community Plan #18-027 proposes to amend the designation of proposed 'Lot C' to urban residential, in order to allow for the continued use of the site as a residential property.

The purpose of an Official Community Plan is to convey the long-term vision of a municipality, and delineating areas where certain classes of land use should be directed (for example – residential, commercial, industrial). The applicant notes that the proposed Lot C is near to other residential uses, given that the block across from York Street is designated Urban Residential.

It is important to note that the dwelling exists as a caretaker's/owner's residence in association with the business, and the proposed subdivision removes this association. Currently, the Official Community Plan supports mixed-use and multi-residential developments in an Urban Residential zone, both of which would promote developments that would be compatible in size, scale, and land use with the commercial fabric of the Downtown Core. Introducing a single-detached dwelling on a commercial block that is no longer associated with the business(es) on that block would potentially introduce conflict.

Prior to approving this Official Community Plan Amendment, Council may wish to consider whether having a single detached home on a large commercial block is fitting with the long-term vision that exists for the City of Dawson's downtown core area. This is a particularly interesting question given the fact that to allow this re-designation could in fact be detrimental to the City's efforts to foster new mixed-use and multi-residential developments in the Downtown Core. The City of Dawson has been working diligently to direct growth and density to the Downtown Core and has created policies to support this. This amendment would conflict with the intent of the City of Dawson's Development Incentive Policy, which exists to encourage higher-density, mixed-use, and multi-residential dwellings within the Downtown Core. Administration is of the opinion that this type of use would be more suitable, and that to approve this amendment could be construed as short-sighted. Therefore, it is recommended that this re-designation request not be approved.

## **Zoning By-Law**

The property is currently zoned C2 – Downtown Core. The Zoning By-Law is intended to implement the goals of the OCP. Therefore, the purpose of the C1 zone as per the Zoning By-Law is to foster a vibrant core with a range of residential and commercial uses. A full range of permitted uses and associated provisions are contained in the Zoning By-Law, and any future development of the proposed lots must also conform with the Zoning By-Law. It should be noted that single-detached residential is not a permitted use within the Downtown Core zone.

This proposal is intended to consolidate and realign the lot boundaries of Lots 1, 2, 3 and 4, Block M, Ladue Estate, into three new lots, as follows:

Lot Description	Current Use	Proposed Size	Proposed Zoning
A	Restaurant	5,000 square feet	C1 (no change)
B	Office/Cabins	8,100 square feet	C1 (no change)
C	Detached Dwelling	6,900 square feet	R2 (rezoned from C1)

A full zoning assessment has been conducted on the subject properties in their proposed configurations to ensure conformity with the proposed zoning of each lot. Neither proposed Lots A nor B fully conform with the zoning regulations currently in place for a C1 zone. Lot A is required to have a rear-yard setback of 5 feet, but in the site plan provided, the setback is only listed as 3'5". Additionally, the proposed configuration would mean that proposed Lot B has a deck encroaching onto Lot A by 2 feet. The Zoning By-Law does not allow for encroachments onto neighbouring properties or rights-of-way (this is one of many reasons for including setback provisions in zoning by-laws).

Therefore, if approval is recommended by Council, administration recommends that the lot line be moved in such a way that there is space to accommodate a 5 foot rear-yard setback. Additionally, a condition should be included that the encroaching building either be moved to no longer encroach onto proposed Lot A, or else an easement be registered against Lot A to legitimize the encroachment.

The applicant did not provide Floor Area Ratios (FARs) for any of the structures, so if approval is recommended, a final condition would be that the applicant provide details of FAR compliance as per a C1 zone for proposed Lots A and B.

Proposed Lot C, containing a single detached dwelling and an accessory garage, is not currently compliant with a C1 zone, so should approval be recommended, this property will need to be re-designated and re-zoned.

The applicant included in their proposal that the reason for requesting an R2 zoning is as follows:

*“In the future, when the house is no longer required as a family home by the current owners and reaches the end of its useable life, having an R2 zoning would allow the lot to be redeveloped to higher density that will be compatible with the use of lots 5 to 8 directly to the east.”*

Based on this rationale, staff believe that the same result could be achieved by not rezoning the property, allowing it to remain as C1. Allowed uses in an R2 zone include apartments, townhouses, and accessory buildings. This is a quite restrictive zone that is intended to introduce density in a controlled way into residential areas. In the C1 zone, both apartments and townhouses are still permitted, with the addition of a multitude of other uses, including commercial/residential mixed use, retail, restaurants, professional offices, etc. Therefore, if the goal is to introduce density to a redevelopment of this property, located in the Downtown Core of Dawson, leaving this property zoned C1 would be a more effective long-term strategy.

Additionally, proposed Lot C is not compliant with an R2 zone. An R2 zoned property has permitted uses such as apartments and townhouses. A single detached dwelling is not a permitted use, and one cannot zone a property into non-compliance.

The applicant identified that an alternative but less preferable option would be to rezone the property to R1 – Single Detached/Duplex Residential. Administration agrees that this proposal is less preferable.

Proposed Lot C does meet the requirements for an R1 zone, however this approach is not recommended. The rationale for leaving the property zoned C1 (as detailed above) supports the applicant's interest in seeing this property be available for a vibrant and higher-density use to support growth in the Downtown Core. Rezoning this property to R1 would achieve conformity for what is existing currently on the proposed Lot C but is not an effective long-term strategy for achieving density on the lot.

However, it is also important to consider this rezoning request in relation to the above OCP amendment request. Administration recommends that the OCP not be amended. The *Municipal Act S. 288(2)* does not allow a municipality to approve a zoning by-law amendment that is inconsistent with the Official Community Plan. Therefore, if the recommendation not to amend the OCP be accepted by Council, neither rezoning request can be approved, and the zoning will remain as C1. This is the recommended approach, which will allow for the most flexibility in redeveloping the lot in a way that is consistent with the existing and future fabric of the Downtown Core.

## **Heritage Management Plan**

The subject property is located on the boundary of the historic Downtown Character Area and the North End Character Area. In the Heritage Management Plan, the North End is defined as north of York Street. This property is the block south of York Street between Third and Fourth Avenue. Therefore, this block is considered to be within the historic Downtown Core area and should be considered appropriately.

The significance of the Downtown Core character area is that it “best depicts the commercial core of Dawson during the Gold Rush”. It is considered to contain the majority of the Town's Gold Rush-era commercial structures, and single-family uses are not contemplated in this definition. This is consistent with the block being designated as 'Downtown Core' and 'Core Commercial' in the OCP and ZBL, respectively.

Based on this, it is the opinion of administration that the Heritage Management Plan also supports the recommendation to not re-designate or re-zone this property.

It is important to note that the three applications included in this report are linked by legislative requirements; if one or more of the components are refused, then all three must be refused. Therefore, in recommending that the re-designation and re-zoning not proceed, the subdivision also cannot be recommended for approval. This is because a subdivision must meet all applicable zoning. The creation of Lot C without an OCP/ZBL amendment would zone the property into non-conformity. Therefore, it is recommended that the application be refused. The applicant could come forward with a revised proposal should they choose to do so.

### **OPTIONS**

Council may consider one of the following options regarding this application, listed in order of administrative preference:

#### **Option 1 (recommended)**

1. Council refuse Subdivision Application #18-026.
2. Council decline to forward Official Community Plan Amendment #18-027 for first reading.
3. Council decline to forward Zoning By-Law Amendment #18-028 for first reading.

#### **Option 2**

1. Council approve Subdivision Application #18-026, subject to the following conditions:
  - 1.1. The applicant submit a Stormwater Management Plan to the satisfaction of the CDO and Public Works Superintendent.

- 1.2. The shared lot line between Lot A and Lot B be readjusted to accommodate the required 5-foot rear yard setback for Lot A, shown in the registered survey to the satisfaction of the CDO.
- 1.3. The encroaching cabin of Lot B be resolved in one of two ways: a) the cabin is moved to resolve the encroachment as shown on the registered survey to the satisfaction of the CDO OR b) an easement be registered on title legally granting Lot B the right to encroach onto Lot A.
- 1.4. The applicant provide details of FAR compliance as per a C1 zone for proposed Lots A and B, to the satisfaction of the CDO.
- 1.5. The applicant submits a plan of subdivision completed by a certified lands surveyor drawn in conformity with the approval.
- 1.6. The applicant shall, on approval of the subdivision plan by the City of Dawson, take all necessary steps to enable the registrar under the Land Titles Act to register the plan of subdivision.
- 1.7. A permanent road closure by-law pass third and final reading for the closure of the alley.
- 1.8. The registered plan of survey shows registered easement on title providing access to all underground utilities that cross a property line.
- 1.9. Official Community Plan Amendment #18-027 receives third and final reading.
- 1.10. Zoning By-Law Amendment #18-028 receives third and final reading.
2. Council forward Official Community Plan Amendment #18-027 for first reading to amend proposed Lot C from DC - Downtown Core to UR – Urban Residential
3. Council forward Zoning By-Law Amendment #18-028 for first reading to rezone proposed Lot C from C1 – Core Commercial to R2 – Multi Residential.
4. Council forward a Permanent Road Closure By-Law for first reading to permanently close the alley bounded by Third Ave, Fourth Ave, York St, and King St.

### **Option 3**

1. Council approve Subdivision Application #18-026, subject to the following conditions:
  - 1.1. The applicant submit a Stormwater Management Plan to the satisfaction of the CDO and Public Works Superintendent.
  - 1.2. The shared lot line between Lot A and Lot B be readjusted to accommodate the required 5-foot rear yard setback for Lot A, shown in the registered survey to the satisfaction of the CDO.
  - 1.3. The encroaching cabin of Lot B be resolved in one of two ways: a) the cabin is moved to resolve the encroachment as shown on the registered survey to the satisfaction of the CDO OR b) an easement be registered on title legally granting Lot B the right to encroach onto Lot A.
  - 1.4. The applicant provide details of FAR compliance as per a C1 zone for proposed Lots A and B, to the satisfaction of the CDO.
  - 1.5. The applicant submits a plan of subdivision completed by a certified lands surveyor drawn in conformity with the approval.
  - 1.6. The applicant shall, on approval of the subdivision plan by the City of Dawson, take all necessary steps to enable the registrar under the Land Titles Act to register the plan of subdivision.

- 1.7. A permanent road closure by-law pass third and final reading for the closure of the alley.
- 1.8. The registered plan of survey shows registered easement on title providing access to all underground utilities that cross a property line.
- 1.9. Official Community Plan Amendment #18-027 receives third and final reading.
- 1.10. Zoning By-Law Amendment #18-028 receives third and final reading.
2. Council forward Official Community Plan Amendment #18-027 for first reading to amend proposed Lot C from DC - Downtown Core to UR – Urban Residential
3. Council forward Zoning By-Law Amendment #18-028 for first reading to rezone proposed Lot C from C1 – Core Commercial to R1 – Single Detached/Duplex Residential.
4. Council forward a Permanent Road Closure By-Law for first reading to permanently close the alley bounded by Third Ave, Fourth Ave, York St, and King St.

**APPENDICES / SCHEDULES**

- Appendix A. Subdivision Application #18-026
- Appendix B. Official Community Plan Amendment #18-027
- Appendix C. Zoning By-Law Amendment #18-028
- Appendix D. Planning Rationale
- Appendix E. Maps and Site Plans

**APPROVAL & CAO COMMENTS**

Respectfully Submitted,

\_\_\_\_\_  
Clarissa Huffman, CDO

\_\_\_\_\_  
Date

I have reviewed and have no further comments regarding this report.

\_\_\_\_\_  
Cory Bellmore, CAO

\_\_\_\_\_  
Date

FORM 1A - BYLAW #95-08

APPLICATION FOR SUBDIVISION/CONSOLIDATION APPROVAL

- By plan of subdivision
- By plan of consolidation
- By other instrument

FOR OFFICE USE ONLY

Date of Receipt: 17/04/18 File # 18-026  
 Fees Submitted: 315<sup>00</sup> + GST Received by: CM

THIS FORM IS TO BE COMPLETED IN FULL WHEREVER APPLICABLE BY THE REGISTERED OWNER OF THE LAND WHICH IS THE SUBJECT OF THE APPLICATION OR BY AN AUTHORIZED PERSON ACTING ON HIS BEHALF.

1. a. Name (printed) of registered owner of land:  
14129 Yukon Inc., CEO Josee Savard
- b. Address & telephone number of registered owner:  
Box 417, 1100 Block East, 3rd Avenue, Dawson City YT, Y0B 1G0  
Office: (867) 993-6527 Cell: (867) 993-3745

2. a. Name (printed) of Authorized person acting on behalf of owner: Alice Thompson
- b. Address & telephone number of authorized person:  
Box 1681, Dawson City YT Y0B 1G0  
Ph: (867) 993-2532

3. FULL LEGAL DESCRIPTION OF LAND TO BE SUBDIVIDED/CONSOLIDATED:  
Lots 1, 2, 3 and 4, Block M, Ladue Estate, Plan 8338A, Dawson City YT Y0B 1G

4. LOCATION OF LAND TO BE SUBDIVIDED/CONSOLIDATED
- a. Is the land situated within 0.5 miles of a river, stream, watercourse, lake or other permanent body of water, or a canal or drainage ditch?  Yes  No
- b. If yes, state its name: The lots are on 3rd Avenue, 2 blocks from Front Street and Yukon River

5. EXISTING AND PROPOSED USE OF LAND TO BE SUBDIVIDED/CONSOLIDATED
- a. Describe existing use of the land: A Restaurant, a small gift store and Office, Accommodation Cabins and a personal residence used for the Manager.
- b. Describe proposed use of the land: Same use of land, but organized to create 2 independant freestanding businesses and a freestanding personal residence

**6. PHYSICAL CHARACTERISTICS OF LAND TO BE SUBDIVIDED/CONSOLIDATED**

- a. Describe the nature of the topography of the land (flat, rolling, steep, mixed):  
Level graveled and grassed urban buildings and landscaping.
- b. Describe the nature of the vegetation and water on the land (brush, shrubs, tree stands, woodlots, etc, & sloughs, creeks, etc.): Fully developed commercial and residential buildings with graveled parking areas. graveled areas and lawn.
- c. Describe the kind of soil on the land (sandy, loam, clay, etc.): Primarily hard packed dirt & gravel

**7. EXISTING BUILDINGS ON THE LAND PROPOSED TO BE SUBDIVIDED/CONSOLIDATED**

Describe any buildings, historical or otherwise, and any structures on the land and whether they are to be demolished or moved: On proposed Lot A, is the Klondike Kate Restaurant a Gold Rush building fully upgraded in 1997. There is a proposed parking easement on Lot A for cabins on lot B. On proposed Lot B is the Office built new in 2002, and 3 duplex cabins and one triplex cabin built in 1970 and renovated in 2002. On Lot C is a residential 3 Bedroom home made from 3 older buildings put together with additions & a shed and garage built in the 1979..

**8. REGISTERED OWNER**

I, JOSEE SAVARD hereby certify that I am the registered owner and that the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision/consolidation approval.

Joëe Savard  
SIGNATURE OF REGISTERED OWNER

April 16 2018  
DATE

Lots 1 through 4 are reorganized into lots A, B and C for the following reasons. At the time the business was assembled, the owners as young entrepreneurs were were developing Klondike Kate's as a whole, as a restaurant and accommodation business. They built up the business and restored and brought up to code the historic building housing the restaurant, and have preserved and kept functional 2 other heritage buildings, the Transport Building and the Lucky Inn.

Now they are starting to plan for their retirement, and find their combined business is not affordable by young entrepreneurs seeking a business opportunity, but their business is not in a traditional enough format to interest the hoteliers that can afford their business.

The owners realize that in order to turn their business over to new entrepreneurs who can bring fresh energy to their restaurant and their accommodation business, they need to reorganize the lots to separate the restaurant from the office/accommodation to make each component of the business in an affordable and manageable configuration for an entrepreneurial couple. Otherwise, there is the risk that in order to retire, the restaurant will have to be closed or re-purposed to another commercial use, causing Dawson to lose a vital part of it's food services and a big part of the city's cultural and entertainment ambiance.

This one business, based on the efforts of one couple approaching their planned retirement, can be turned instead into 2 businesses run on the fresh energy and ideas of 2 new entrepreneurial partnerships.

Also, splitting off the residence in proposed lot C will allow the owners to keep their family home at that point in the future when they no longer own the restaurant or accommodation.

The residence on Lot C has only been used as a family home with residential use and has never experienced commercial use, is across from other residences, and meets the setback requirements for residential zoning. In order to change the lot configuration of lots 1 through 4 to proposed lots A, B and C, the sewer service to the office and 2 cabins closest to the office will have to be redone from the south side of Lot B to comply with the bylaws of the City of Dawson. Parking requirements for the cabins on Lot B will be met with the addition of a parking easement on lot A.

There is additional applications in this package to change the OCP and Zoning to change the zoning on Lot C to residential, to allow for Lot C to remain a family home as it has been used since it was moved and rebuilt on it's current site.



# THE CITY OF DAWSON

Box 308 Dawson City, YT Y0B 1G0  
PH: 867-993-7400 FAX: 867-993-7434  
[www.cityofdawson.ca](http://www.cityofdawson.ca)

OFFICE USE ONLY	
APPLICATION FEE:	18-027
DATE PAID:	17/04/18
PERMIT #:	1030 <sup>00</sup> +65T

CM

## DEVELOPMENT APPLICATION & PERMIT

PLEASE READ THE ATTACHED INSTRUCTIONS, GUIDELINES AND SUBMISSION REQRIMENTS PRIOR TO COMPLETING FORM.

### PROPOSED DEVELOPMENT

CIVIC ADDRESS: Third Avenue, Dawson City VALUE OF DEVELOPMENT: No change  
 LEGAL DESCRIPTION: LOT(S) Lot 4 + part Lot 3 BLOCK M ESTATE Ladue PLAN# 8338A  
 EXISTING USE OF LAND / BUILDINGS: 3 Bedroom family home used as residence with garage

PROPOSED DEVELOPMENT: Please provide a brief description of the proposed development.

The applicant proposes to change the zoning for proposed Lot C to Residential, as it is across from residential lots to the North, and has only been used as a residence since building established.

### APPLICANT INFORMATION

APPLICANT NAME(S): Agent Alice Thompson  
 COMPANY NAME: 14129 Yukon Inc.  
 MAILING ADDRESS: Box 417, Dawson City YT POSTAL CODE: Y0B 1G0  
 EMAIL: aliceindawsoncity@gmail.com FAX #: \_\_\_\_\_  
 PHONE #: 867-993-2532 ALTERNATE PHONE #: 867-993-3002

### OWNER INFORMATION

OWNER NAME(S): 14129 Yukon Inc., CEO Josee Savard  
 MAILING ADDRESS: Box 417, Dawson City YT POSTAL CODE: Y0B 1G0  
 EMAIL: info@klondikekates.ca FAX #: \_\_\_\_\_  
 PHONE #: 867-993-6527 ALTERNATE PHONE #: 867-993-3745

It is the responsibility of the applicant to ensure that all plans conform to the provisions of the City of Dawson Zoning Bylaw and applicable territorial and federal legislation.

### DECLARATION

- I/WE hereby make application for a Development Permit under the provisions of the City of Dawson Zoning Bylaw No. 12-27 and in accordance with the plans and supporting information submitted and attached which form part of this application.
- I/ WE have reviewed all of the information supplied to the City of Dawson with respect to an application for a Development Permit and it is true and accurate to the best of my/our knowledge and belief.
- I/WE understand that the City of Dawson will rely on this information in its evaluation of my/our application for a Development Permit and that any decision made by the City of Dawson on inaccurate information may be rescinded at any time.
- I/WE hereby give my/our consent to allow Council or a person appointed by its right to enter the above land and/or building(s) with respect to this application only.

I/WE HAVE CAREFULLY READ THIS DECLARATION BEFORE SIGNING IT.

April 16/2018  
DATE SIGNED

[Signature]  
SIGNATURE OF APPLICANT(S)

April 16 2018  
DATE SIGNED

[Signature]  
SIGNATURE OF OWNER(S)





# THE CITY OF DAWSON

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[www.cityofdawson.ca](http://www.cityofdawson.ca)

OFFICE USE ONLY	
APPLICATION FEE:	
DATE PAID:	1704-18 CA
ADVERTISING FEE:	
DATE PAID:	
APPLICATION #:	410 <sup>00</sup> + GST 18-028

## ZONING AMENDMENT APPLICATION

PLEASE READ THE ATTACHED INSTRUCTIONS, GUIDELINES AND APPLICATION REQRIMENTS PRIOR TO COMPLETING FORM.

### AUTHORIZED AGENT INFORMATION

APPLICANT / AUTHORIZED AGENT NAME(S): Josee Savard / Agent Alice Thompson  
 COMPANY NAME: 14129 Yukon Inc.  
 MAILING ADDRESS: Box 417, Dawson City YT POSTAL CODE: Y0B 1G0  
 EMAIL: aliceindawsoncity@gmail.com FAX #: \_\_\_\_\_  
 PHONE #: 867-993-2532 ALTERNATE PHONE #: 867-993-3002

### OWNER INFORMATION

OWNER NAME(S): 14129 Yukon Inc.  
 MAILING ADDRESS: Box 417, Dawson City YT POSTAL CODE: Y0B 1G0  
 EMAIL: info@klondikekates.ca FAX #: 867-993-3745  
 PHONE #: 867-993-6527 ALTERNATE PHONE #: 867-993-3745

DOCUMENTATION OF OWNERSHIP ATTACHED TO APPLICATION

### PROPOSED AMENDMENT

A.) REZONING: (Attach map showing the scale, dimensions and proposed change in the context of adjacent land)

CIVIC ADDRESS: \_\_\_\_\_ PARCEL SIZE OR LAND AREA: 69' x 100'  
 LEGAL DESCRIPTION: LOT(S) Lot 4 + part Lot 3 BLOCK M ESTATE Ladue PLAN# 8338A  
 PROPOSED AMENDMENT:  
 FROM ZONING DESIGNATION: C1 TO ZONING DESIGNATION: R2

REASON FOR PROPOSED AMENDMENT: Please provide justification of the proposed amendment.

Proposed Lot C has been used only as a family home, meets residential setback and is across from other residences on the north.

B.) TEXT AMENDMENT: (Attach additional sheets if required)

DESCRIPTION OF PROPOSED AMENDMENT: Please provide a description of the proposed amendment.

The applicant proposes to change the zoning for proposed Lot C to Residential 2.

REASON FOR PROPOSED AMENDMENT: Please provide justification of the proposed amendment.

The owners wish to keep their family home after any future sale of their business, so wish to separate the home from the business component. The home has a limited life span left (see additional notes)



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APPLICATION #:	
----------------	--

APPLICATION REQUIREMENT CHECK LIST	
	Completed Development Application Form, in full, including written statement to describe and justify the proposed amendment.
	Application fee as per the City of Dawson Fees and Charges Bylaw
	Advertising fee as per the City of Dawson Fees and Charges Bylaw - required advertising associated with the application
	Documentation of Ownership
	Map showing scale, dimensions and the proposed change in the context of adjacent land
	Any additional information requested by the Development Officer.
◆	
◆	
◆	
◆	

## DECLARATION

- I/WE hereby make application for a zoning amendment under the provisions of the City of Dawson Zoning Bylaw No. 12-27 and in accordance with the supporting information submitted and attached which form part of this application.
- I/ WE have reviewed all of the information supplied to the City of Dawson with respect to an application for a zoning amendment and it is true and accurate to the best of my/our knowledge and belief.
- I/WE understand that the City of Dawson will rely on this information in its evaluation of my/our application for a zoning amendment and that any decision made by the City of Dawson on inaccurate information may be rescinded at any time.
- **I/WE hereby give my/our consent to allow Council or a person appointed by its right to enter the above land and/or building(s) with respect to this application only.**

**I/WE HAVE CAREFULLY READ THIS DECLARATION BEFORE SIGNING IT.**

April 16/2018  
DATE SIGNED

*Celia Almon*  
SIGNATURE OF APPLICANT(S)

\_\_\_\_\_  
DATE SIGNED

\_\_\_\_\_  
SIGNATURE OF OWNER(S)

TO BE COMPLETED BY DEVELOPMENT OFFICER:

## FOR OFFICE USE ONLY

\_\_\_\_\_  
DATE APPLICATION RECEIVED

\_\_\_\_\_  
SIGNATURE OF DEVELOPMENT OFFICER



# THE CITY OF DAWSON

Box 308 Dawson City, YT Y0B 1G0  
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OFFICE USE ONLY	
APPLICATION FEE:	
DATE PAID:	
ADVERTISING FEE:	
DATE PAID:	
APPLICATION #:	

## ZONING AMENDMENT APPLICATION

PLEASE READ THE ATTACHED INSTRUCTIONS, GUIDELINES AND APPLICATION REQRIMENTS PRIOR TO COMPLETING FORM.

### AUTHORIZED AGENT INFORMATION

APPLICANT / AUTHORIZED AGENT NAME(S): Josee Savard / Agent Alice Thompson  
 COMPANY NAME: 14129 Yukon Inc.  
 MAILING ADDRESS: Box 417, Dawson City YT POSTAL CODE: Y0B 1G0  
 EMAIL: aliceindawsoncity@gmail.com FAX #: \_\_\_\_\_  
 PHONE #: 867-993-2532 ALTERNATE PHONE #: 867-993-3002

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 PHONE #: 867-993-6527 ALTERNATE PHONE #: 867-993-3745

DOCUMENTATION OF OWNERSHIP ATTACHED TO APPLICATION

### PROPOSED AMENDMENT

A.) REZONING: (Attach map showing the scale, dimensions and proposed change in the context of adjacent land)

CIVIC ADDRESS: \_\_\_\_\_ PARCEL SIZE OR LAND AREA: 69' x 100'  
 LEGAL DESCRIPTION: LOT(S) Lot 4 + part Lot 3 BLOCK M ESTATE Ladue PLAN# 8338A  
 PROPOSED AMENDMENT:  
 FROM ZONING DESIGNATION: C1 TO ZONING DESIGNATION: R1

REASON FOR PROPOSED AMENDMENT: Please provide justification of the proposed amendment.

Proposed Lot C has been used only as a family home, meets residential setback and is across from other residences on the north.

B.) TEXT AMENDMENT: (Attach additional sheets if required)

DESCRIPTION OF PROPOSED AMENDMENT: Please provide a description of the proposed amendment.

The applicant proposes to change the zoning for proposed Lot C to Residential 1.

REASON FOR PROPOSED AMENDMENT: Please provide justification of the proposed amendment.

The owners wish to keep their family home after any future sale of their business, so wish to separate the home from the business component.



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APPLICATION #:	
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APPLICATION REQUIREMENT CHECK LIST	
	Completed Development Application Form, in full, including written statement to describe and justify the proposed amendment.
	Application fee as per the City of Dawson Fees and Charges Bylaw
	Advertising fee as per the City of Dawson Fees and Charges Bylaw - required advertising associated with the application
	Documentation of Ownership
	Map showing scale, dimensions and the proposed change in the context of adjacent land
	Any additional information requested by the Development Officer.
◆	
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◆	

## DECLARATION

- I/WE hereby make application for a zoning amendment under the provisions of the City of Dawson Zoning Bylaw No. 12-27 and in accordance with the supporting information submitted and attached which form part of this application.
- I/ WE have reviewed all of the information supplied to the City of Dawson with respect to an application for a zoning amendment and it is true and accurate to the best of my/our knowledge and belief.
- I/WE understand that the City of Dawson will rely on this information in its evaluation of my/our application for a zoning amendment and that any decision made by the City of Dawson on inaccurate information may be rescinded at any time.
- **I/WE hereby give my/our consent to allow Council or a person appointed by its right to enter the above land and/or building(s) with respect to this application only.**

**I/WE HAVE CAREFULLY READ THIS DECLARATION BEFORE SIGNING IT.**

April 16/18  
DATE SIGNED

*Celia D'Almeida*  
SIGNATURE OF APPLICANT(S)

April 16/18  
DATE SIGNED

*Toni Savard*  
SIGNATURE OF OWNER(S)

TO BE COMPLETED BY DEVELOPMENT OFFICER:

### FOR OFFICE USE ONLY

DATE APPLICATION RECEIVED

SIGNATURE OF DEVELOPMENT OFFICER

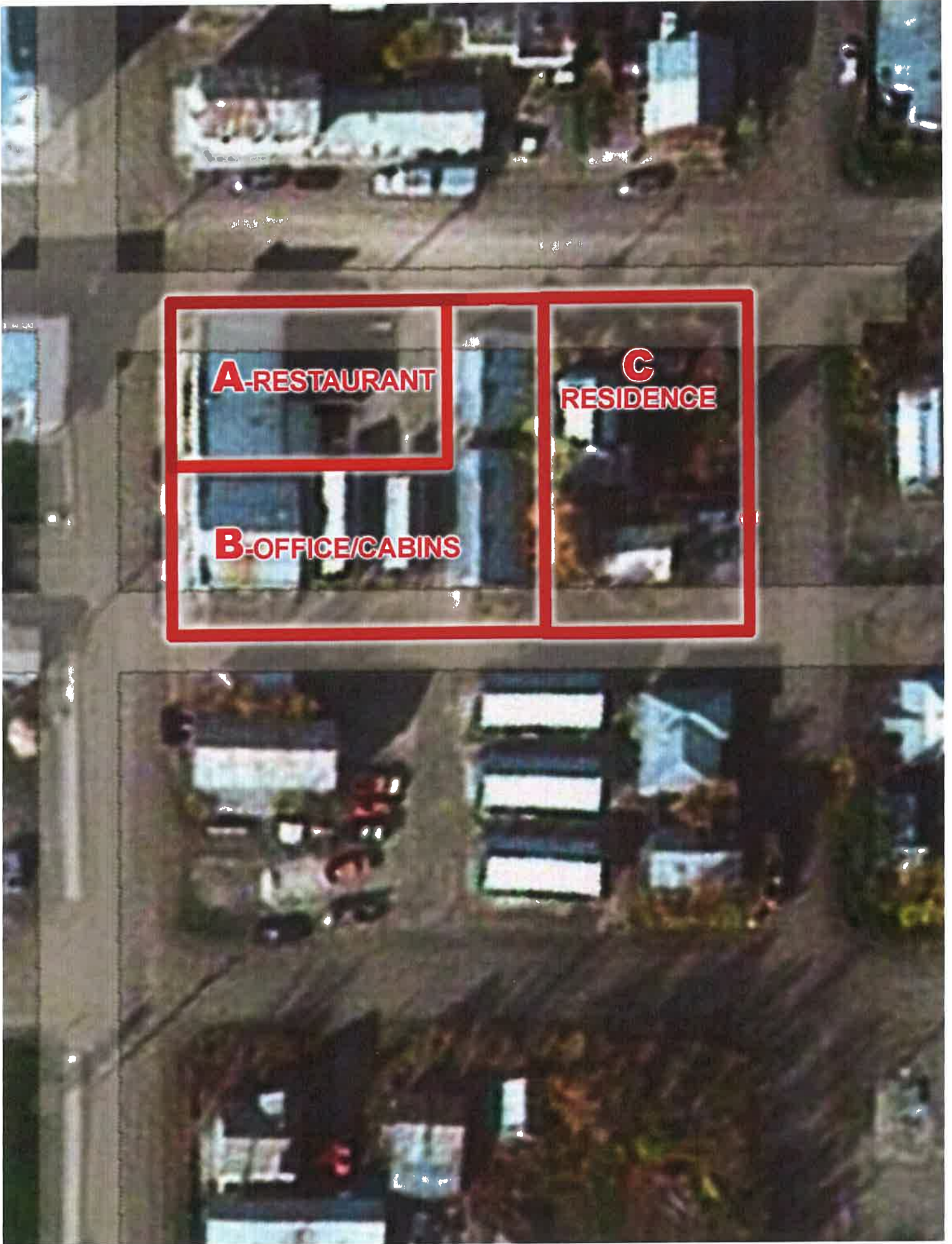
## Zoning Amendment Application for Klondike Kates

Additional notes for page 1, section B, Reason for proposed amendment.

The owners wish to keep their family home after any future sale of their business, so wish to separate the home from the business component.

The home has a limited life span left as it is a combination of several older buildings moved onto the site and put together. It is a larger than normal residential lot (final size will be close to 100 feet by 69 feet), and the lots directly to the East (lots 5 to 8) are planned to be turned into a housing development under the C1 zoning, which allows apartments or townhouses.

In the future, when the house is no longer required as a family home by the current owners and reaches the end of it's usable life, having a R2 zoning would allow the lot to be redeveloped to higher density that will be compatible with the use of lots 5 to 8 directly to the east. This also better meets the needs of the Dawson community, which has a current and anticipated future housing shortage.



**A-RESTAURANT**

**C  
RESIDENCE**

**B-OFFICE/CABINS**

see house

MANAGER STORE

C

69 x 100

old shed

terrace

shed

LOT 3

LOT 4

LOG CABIN 1  
LOG CABIN 2

LOG CABIN 3  
LOG CABIN 4

30.48 50 x 100 + 31 x 90

0.14 to property line  
0.11 to property line

LOT 2

50 x 100

GAZEBO

A

KLONDIKE KATES RESTAURANT  
WOOD FRAME BUILDING  
RESTAURANT

CABINS  
SINGLE STOREY FRAME BUILDING

B

LOG CABIN 5  
LOG CABIN 6

LOT 8

TWO STOREY METAL CLAD BUILDING  
TRAPPOUT

50 x 100

LOT 7

PARKING goes with 3 Cabins

50 x 100

LOT 6

50 x 100

LOT 5

50 x 100

CABINS

LOT 14

LOT 15

STAFF HOUSE

LOT 5

TWO STOREY FRAME BUILDING ON WOOD BLOCKS

STAFF HOUSE

TWO STOREY FRAME BUILDING ON WOOD BLOCKS

124' 18' 35" property line

LOCATION CEI

OF

LOTS 1, 2, SOUTH EAST 22.86 OF 5,

BLOCK

LADUE ES

PLAN 8338A (

DAWSON CITY,

SCALE 1 :

I hereby certify that I registered dimensions properly and the appraisals thereon

Alvin ...  
CANADA LANDS SURVEY  
DATE : NOVEMBER 3,

Notes:

This plan is for the protective mortgage only and, is not for the location of the property boundaries.

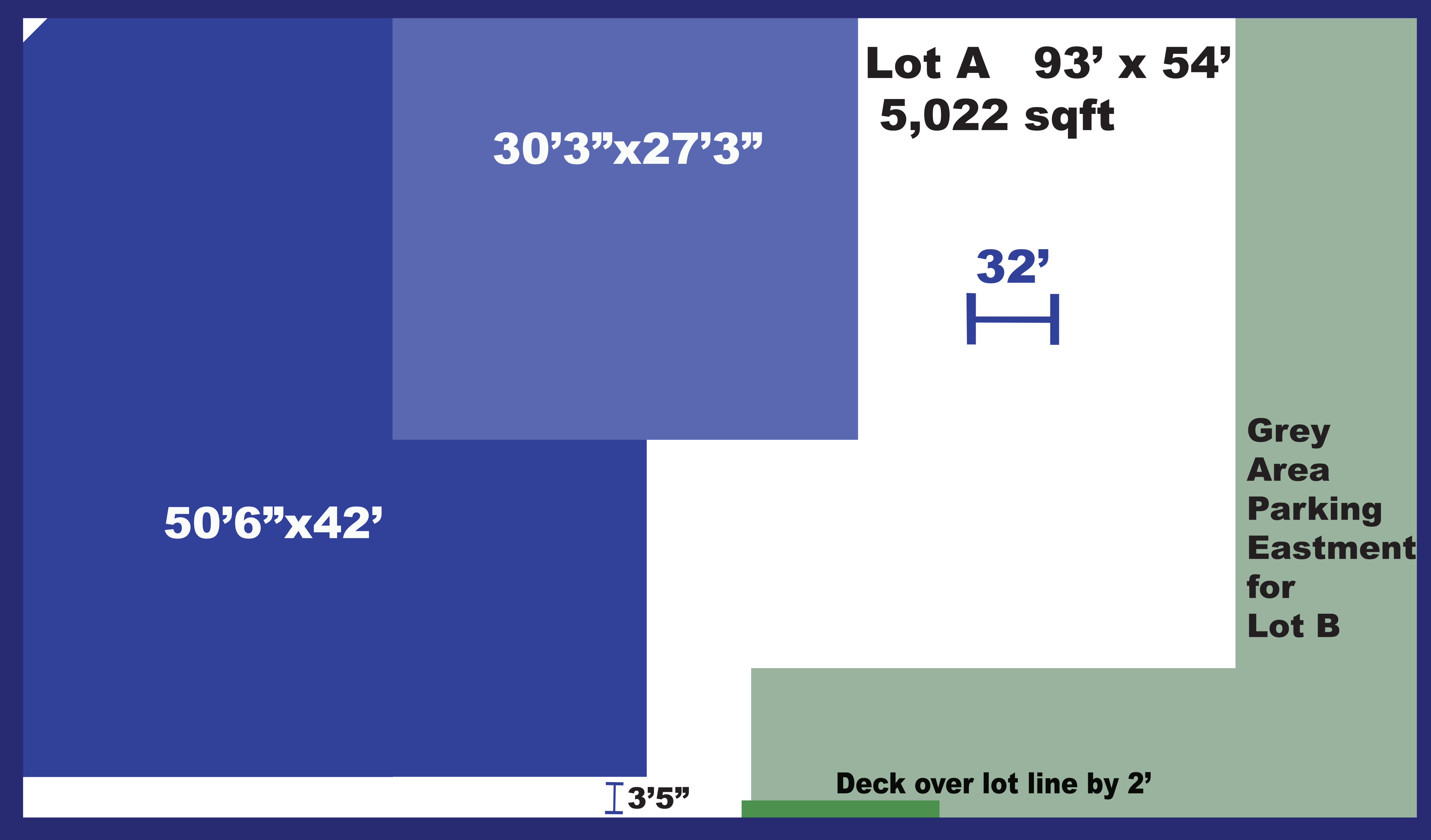
We accept no responsibility for use.

Distances are shown in meters.

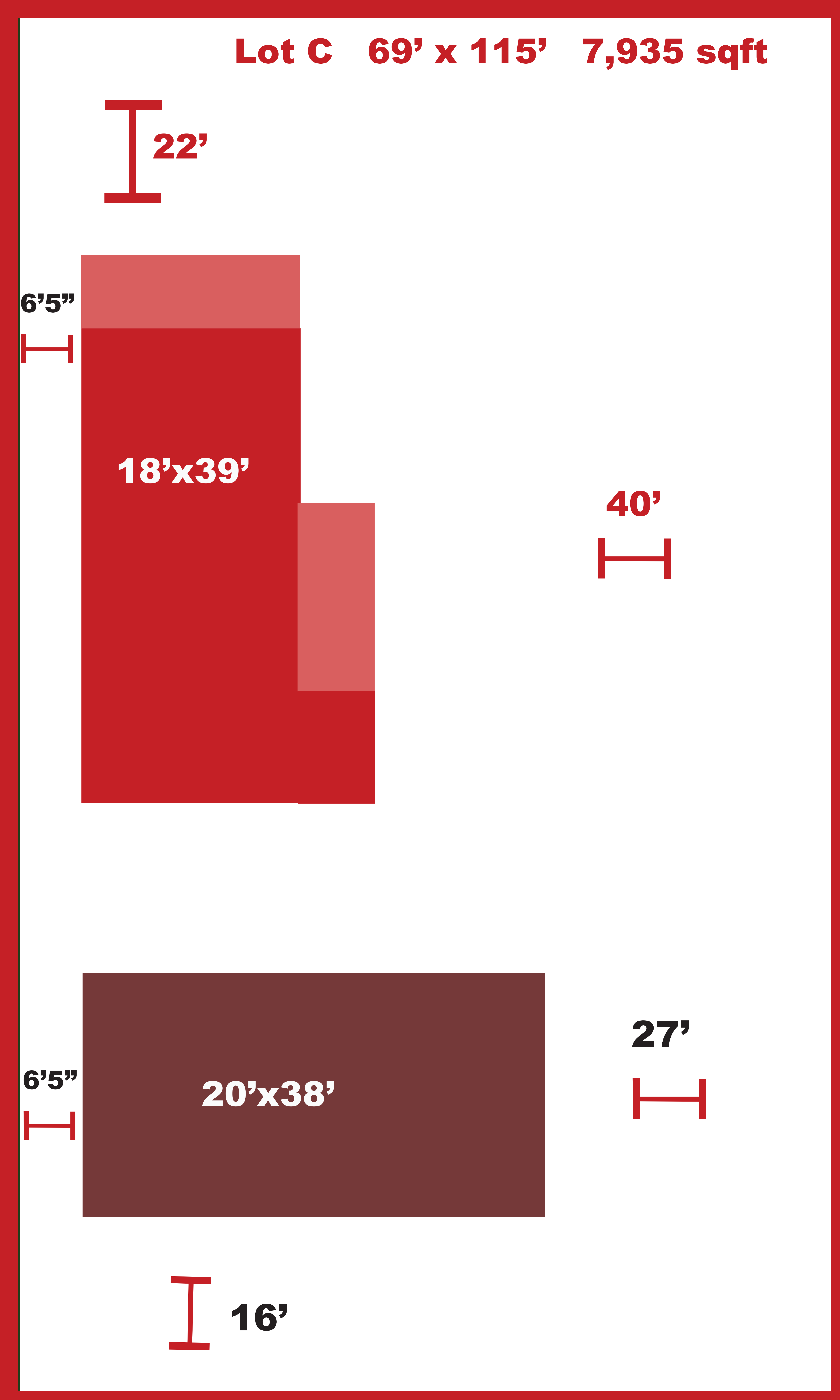
Unless otherwise specified, all dimensions are shown in meters. Dimensions shown were obtained with good survey practices.

This document is not valid

F O U R T H S U R V E Y A V E N U E



**Lot B L Shaped 61' x 131' plus 54' x 38' 10,043 sqft**



# THE CITY OF DAWSON

## Request for Decision



---

**TO:** Mayor and Council  
**FROM:** Marta Selassie, Recreation Manager  
**DATE:** April 27, 2018  
**SUBJECT:** Fitness Centre Policy

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### RECOMMENDATION

That Council approve the amended fitness centre policy that reflect the changes in facility access.

### PURPOSE

In an effort to improve access to the fitness centre and reduce risks, this past winter a new a new security system and keyless entry was installed. Each member now requires a fob to access the facility. The fitness centre policy has been amended to reflect the change from pin codes to fob entry.

### OPTIONS

1. That Council approve the amended fitness centre policy that reflect the changes in facility access.
2. That Council not approved the amended fitness centre policy.

### APPENDICES / SCHEDULES

- Fitness Centre Policy

### APPROVAL & CAO COMMENTS

Reviewed and approve this request for decision.

Cory Bellmore, CAO  
Date: May 2, 2018



# City of Dawson

## Fitness Centre Policy

### #2018-01

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#### 1. POLICY STATEMENT

- a) Municipal recreation plays a vital role in contributing to the quality of life enjoyed by the residents of Dawson City. The City of Dawson (the "City") operates and maintains the Dawson City Fitness Centre to promote healthy and active living within the community.

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#### 2. OBJECTIVES

- a) It is the purpose of this policy to:
- a. To ensure the facility is accessible to the community. "Accessible" includes a safe and comfortable environment for all users.
  - b. To provide guidelines and responsibilities for all Fitness Centre users.

#### 3. FACILITY PASSES AND FEES

- a) Fitness Centre user fees are outlined in the Fees and Charges Bylaw and will be reviewed annually.
- b) Fitness Centre passes and fob deposits are non-transferable.
- c) Cancellations are subject to a cancellation fee. Users will be refunded for any unused full months minus the cancellation fee.

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#### 4. FITNESS CENTRE USER POLICIES

- a) All users must have a valid pass and have signed a Fitness Centre waiver. A parent or guardian must sign the waiver for users under the age of 18 prior to his or her first visit to the facility.
- b) Minimum age to access the Fitness Centre is 12 years. Users 12-14 years of age must be directly supervised by a parent/guardian or be participating in a department-approved program in which supervision is provided.
- c) Individuals under the age of 12 may access the Fitness Centre if participating in a department-approved program.
- d) Users under the age of 16 must have a Fitness Centre orientation by Recreation Staff or qualified person such as a fitness trainer, physical education teacher or other department-approved individual.
- e) Failure to abide by the rules of the Fitness Centre may result in termination of Fitness Centre privileges.

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Mayor      CAO

## 5. FACILITY RULES AND GUIDELINES

- a) Facility users must be respectful of other users and City employees.
- b) Equipment is to be used at the individuals own risk and only for its intended purpose.
- c) Using the facility while impaired by alcohol or drugs is prohibited.
- d) Appropriate fitness attire and clean indoor shoes must be worn.
- e) For the comfort of all patrons, personal music devices are to be used with headphones only.
- f) Fitness Centre users are asked to notify Recreation Staff of any suspicious activity in the facility.
- g) During peak times, users are encouraged to share equipment by limiting time on cardio equipment to 20 minutes and allowing others to work in-between sets.
- h) Facility usage guidelines are to be established by the Recreation Manager and posted at the facility.

## 6. FITNESS CENTRE ACCESS POLICY

- a) The Fitness Centre can be accessed daily between 5 a.m. and 9:30 p.m., users must vacate the facility by 10 p.m.
- b) Each user requires a personal fob for access to the facility.
- c) Fobs are only effective for the duration of an active membership. It is the responsibility of the user to ensure their fitness centre pass is current.
- d) Under no circumstance are users permitted to share their personal fob. If a fob is used to access the facility by anyone other than the individual to which the fob has been assigned the fob will be deactivated and may result in termination of fitness centre privileges.
- e) A personal fob will be required to access the facility through the main entrance on the north side of the building and the shower rooms. Excessive use of a fob will terminate use until further notice.

## 7. PERSONAL TRAINER POLICY

- a) The Fitness Centre may be used by fitness trainers and other fitness professionals (referred to as "trainers") to provide services to the community. Trainers must obtain permission from the Recreation Staff and are required to provide proof of certification and professional liability insurance.
- b) Individuals using the facility to provide services will be charged a 10% administration fee. Fees must be submitted on a regular basis to be determined by the Recreation Department and trainer.
- c) When using the Fitness Centre for personal training or monitoring more than 3 individuals at a time, the personal trainer must obtain pre-approval from the Recreation Department.
- d) Both the trainer and the trainee must have a valid Fitness Centre membership.

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Mayor      CAO

**8. GENERAL CONDITIONS**

- a) The Recreation Department reserves the right to close the facility for maintenance or special programs with limited access.
- b) This Policy shall be reviewed at least every two years to ensure that it is current and relevant.

**POLICY TITLE:**                      Fitness Centre Policy

**POLICY #:**                      2018-01

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**EFFECTIVE DATE:**                      ▼

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**ADOPTED BY COUNCIL ON:**                      ▼

Deleted: March 13, 2017

**RESOLUTION #:**                      ▼

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Wayne Potoroka, Mayor

Cory Bellmore, CAO

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# THE CITY OF DAWSON

## Request for Decision



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**TO:** Mayor and Council  
**FROM:** Marta Selassie, Recreation Manager  
**DATE:** April 27, 2018  
**SUBJECT:** Farmers Market Lease

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### RECOMMENDATION

THAT Council direct administration to enter into a lease agreement between the City of Dawson and Dawson City Farmers Market Society, for the operation and allocation of vendor stalls on Front Street, adjacent to CLSR 8338A, Dawson City in Quad 116B/03, commonly referred to as the Farmers Market.

### PURPOSE

Bylaw #10-10 "Lease and Rental Bylaw" requires a resolution of Council to lease or rent property from another party. Upon passing of a resolution the authority is delegated to the CAO. Administration is seeking a resolution of Council to enter into a lease agreement with Dawson City Farmers Market Society for the operation and allocation of vendor stalls.

### CURRENT STATUS

In 2017 the City leased the farmers market area to CKS for the operation of the market, CKS did not wish to renew the agreement.

The vendors have recently formed a society for the purposes of operating the Farmers Market. This group approached the City expressing an interest in leasing the market area.

### CONSIDERATIONS / DISCUSSION

The vendors forming a society and organizing the market themselves was council's preference when discussions around the market began two years ago.

In 2016 the City received ~\$2600 in revenue from the sale of vendor stalls. Each vendor purchased a stall individually some for the season and other's specific days over the course of the summer.

The proposed lease rate is less than previous revenues for a variety of reasons. Leasing the area to an organization drastically reduces the amount of staff time and financial resources spent administering the sale and organization of vendor stalls to individuals. The Dawson City Farmers Market Society (DCFMS) is a newly formed group and just beginning to establish their organization. DCFMS is applying for funding to support the society but as a new group their

operational costs are not entirely known at this point. Administration would like to contribute to the success of this group keeping in line with the OCP implementation approach to *recognize the importance of the non-profit organizations that work to provide cultural events in the community.*

## IMPLICATIONS

**General:** *n/a*

**Staffing:**

- There will be no new staffing requirements

**Financial:**

- There are not any anticipated budgetary impacts. In 2017 the City leased the area to CKS for \$1000, the proposed lease agreement with DCFM is for \$1000

**Policy / Legislated Requirements:**

- Requires amendments to the Zoning By-law which are forthcoming

**Legal:** *n/a*

**Follow up Action:**

- Finalize lease agreement with DCFM

## ALIGNMENT TO OFFICIAL COMMUNITY PLAN & MUNICIPAL PRIORITIES

**Official Community Plan:**

In line with OCP's Food Security:

- Work towards a more self-sufficient and reliable food supply for Dawson
  - Support and encourage local food production by continuing to allocate vendor stalls for the Farmers Market and consider investigating options for enhancement and expansion

## OPTIONS

1. THAT Council direct administration to enter into a lease agreement between the City of Dawson and Dawson City Farmers Market Society, for the operation and allocation of vendor stalls on Front Street, adjacent to CLSR 8338A, Dawson City in Quad 116B/03, commonly referred to as the Farmers Market.

2. THAT Council direct administration not to enter into a lease agreement between the City of Dawson and Dawson City Farmers Market Society, for the operation and allocation of vendor stalls on Front Street, adjacent to CLSR 8338A, Dawson City in Quad 116B/03, commonly referred to as the Farmers Market.

<b>APPENDICES / SCHEDULES</b>
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- Farmers' Market Policy

<b>APPROVAL &amp; CAO COMMENTS</b>
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Reviewed and approve this request for decision

Cory Bellmore, CAO

Date: May 2/2018



# City of Dawson

## Farmers' Market

### Policy #17-03

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#### **1.0 POLICY STATEMENT**

The City of Dawson supports the local agricultural community; encourages local food production and promotes a healthy community through the allocation of vendor stalls.

#### **2.0 PURPOSE**

This policy establishes the rules and guidelines of the Farmers' Market and ensures a fair process to all the vendors.

#### **3.0 AUTHORITY FOR APPROVALS**

3.1 The authority for approving vendor stall requests shall be as per this policy.

3.2 Council may by resolution enter into a lease agreement with a Lessee for the coordination of the Farmers' Market and this agreement shall establish an annual price for the lease of the vendor stalls.

#### **4.0 ADMINISTRATION AND ENFORCEMENT**

Unless otherwise indicated, the City of Dawson or its delegates shall be responsible for the administration and enforcement of all vendor stalls.

#### **5.0 MARKET SEASON**

The Market Season shall commence May 1<sup>st</sup> and continue up to the Thanksgiving Weekend each year.

#### **6.0 RULES AND REGULATIONS**

6.1 The Market stalls are available each Saturday during Market Season from 9:00 am to 8:00 pm.

6.2 Council may by resolution establish an additional Market Day for special events or as deemed necessary.

6.3 All Vendors must have a current and approved Business License as per the Business License Bylaw or any successor legislation.

6.4 Vendor stalls shall be available for rent each year on March 1<sup>st</sup> on a first come, first served basis.

- 6.5 Vendor stalls shall be available for rent each year on February 1<sup>st</sup> for any vendor that rented a stall and attended ten (10) or more market days in the previous market season.
- 6.6 Vendors shall remove all stalls and displays from the site by market close including all packaging and waste material.
- 6.7 Vendors unwilling to observe the terms set out in this policy may result in the termination of vendor stall privileges.

## **7.0 GOODS SOLD IN THE MARKET**

- 7.1 Priority for stall allocation shall be granted for the sale of items that are grown, produced or substantially enhanced in the following areas in this order:
  - i. Traditional territory of the Tr'ondëk Hwëch'in
  - ii. Yukon Territory
  - iii. Canada.
- 7.2 Seventy percent (70%) of all vendor stalls shall be reserved for vendors that comply with the criteria in 7.1. The remaining thirty percent (30%) shall be available on a first come, first serve basis.
- 7.3 Vendors are not permitted to prepare and sell consumable goods on site.
- 7.4 Mobile Refreshment Stands are permitted to operate during the Farmers' Market in accordance with the "Business License Bylaw".
- 7.5 All products may be subject to approval by the Chief Administrative Officer; vendors selling prepared food shall provide proof of an Environmental Health permit/exemption.

## **8.0 SIGNAGE**

- 8.1 All signage associated with individual stall holders must be removed by market close each day.
- 8.2 All Farmers' Market signage and advertising must be removed by season end.

## **9.0 RESPONSIBILITIES**

- 9.1 The City of Dawson shall determine the size and location of the Farmers Market.
  - 9.2 A Lessee shall provide Certificate of Liability Insurance for a minimum amount of two million (\$2,000,000.00) dollars, or an amount of greater value when required by the Chief Administrative Officer, naming the City of Dawson as an additional insured. Certificate of Insurance must be submitted to the City, in a form acceptable to the City, at the time of stall rental.
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- 9.3 Indemnify and save harmless the City of Dawson from and against any and all claims, including without limiting the foregoing all claims for bodily injury or property damage caused by, arising from or connected with any act or omission of the applicant or any agent, employee, customer, licensee or invitee of the application, and against and from all liabilities, expense costs and legal or other fees incurred in respect of any such claims or actions or proceedings brought thereon arising directly or indirectly from or in connection with the property, facilities or services of the City.
- 9.4 Vendors shall follow all requirements of the Occupation Health and Safety Regulations and observe all legislation, bylaws and regulations;
- i. Abide by all conditions as identified by the Chief Administrative Officer
  - ii. Co-operate with and take direction from all City of Dawson staff
  - iii. Clean up all debris and waste after the activity is over
  - iv. Restore any disturbed or damaged surface works to City standards, unless otherwise directed by the Chief Administrative Officer

## 10.0 GENERAL CONDITIONS

- 10.1 This Policy shall be reviewed at least every three years to ensure that it is current and relevant.

<b>POLICY TITLE:</b>	<b>City of Dawson Farmers' Market Policy</b>
<b>POLICY #:</b>	<b>17-03</b>
<b>EFFECTIVE DATE:</b>	<b>May 9, 2017</b>
<b>ADOPTED BY COUNCIL ON:</b>	<b>May 9, 2017</b>
<b>RESOLUTION #:</b>	<b>C17-14-27</b>

Original signed by:  
Wayne Potoroka, Mayor

John Skilnyk, CAO

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