



**Agenda**  
**Town of Faro Regular Council Meeting**  
**January 20, 2026, at 7:00 p.m.**  
**Council Chambers**

- 1. CALL TO ORDER**
- 2. ADOPTION OF AGENDA**
  - 2.1 Council Meeting Agenda
- 3. DELEGATIONS & HEARINGS**
  - 3.1 Sgt Cedric Proulx, RCMP Ross River/Faro Detachment Commander
- 4. BUSINESS ARISING FROM DELEGATIONS & HEARINGS**
- 5. ADOPTION OF MINUTES**
  - 5.1 Minutes of the December 16, 2025, Regular Meeting of Council
  - 5.2 Minutes of the January 12, 2026, Special Meeting of Council
  - 5.3 Minutes of the January 16, 2026, Special Meeting of Council
- 6. BUSINESS ARISING FROM MINUTES**
- 7. FINANCIAL**
  - 7.1 Finance Report
  - 7.2 Change in Travel Reimbursement
- 8. REPORTS**
  - 8.1 Mayor's Report
  - 8.2 Council Reports
  - 8.3 Administration's Reports
    - 8.3.1. Chief Administrative Officer
    - 8.3.2. Manager of Operations
    - 8.3.3. Manager of Recreation and Culture
- 9. BYLAWS**
  - 9.1 Bylaw No. 2025-06 – Lot 42 Property Acquisition Bylaw – Third Reading
  - 9.2 Bylaw No. 2025-10 – Municipal Auditor Bylaw – Third Reading
  - 9.3 Bylaw No. 2025-07 – Zoning Bylaw – Second Reading
- 10. UNFINISHED BUSINESS**
  - 10.1 Amend Workplace Violence, Discrimination and Harassment Policy
  - 10.2 Recycling Agreement Termination & Disposition of Balers
  - 10.3 Bylaw 2025-08 – Amendments proposed for Procedural Bylaw

## **11. NEW BUSINESS**

- 11.1 Proposed MOU – Town of Faro and Del Van Gorder School
- 11.2 Safe Sport Policy (2026-02)
- 11.3 Draft Plan for Residential Lots on Rose Crescent and Ladue Drive
- 11.4 Proposed Motion Concerning Questions for MP Dr Hanley
- 11.5 Proposed Motion Concerning Sanctions Letters
- 11.6 Proposed Motion Concerning Mayor and Council Visits to Private Residences
- 11.7 Housing Accelerator Fund - Draft Residential Conversion Grant Policy

## **12. CORRESPONDENCE FOR INFORMATION (OUT & IN)**

- 12.1 Letter from Transport Canada, dated December 12, 2025 re: Proposed Regulation to Repeal Various Obsolete Airport Zoning Regulations
- 12.2 Letter from YG Department of Environment, dated January 2, 2026 re: Yukon Extended Producer Responsibility
- 12.3 Email from Yukon Energy, dated December 31, 2025 re: Follow-up to Town of Faro questions
- 12.4 Letter from Premier Dixon, dated January 2, 2026, re: Mandate Letters for Cabinet

## **13. PUBLIC QUESTION PERIOD**

## **14. IN-CAMERA**

- 14.1 Employment Matter - in accordance with Municipal Act Section 213 (3)(c & d)  
re: Employment Matter

## **15. ADJOURNMENT**



**Town of Faro  
Regular Meeting Minutes  
December 16, 2025, at 7:00 p.m.  
Council Chambers**

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**PRESENT:**

Mayor	Jack Bowers	CAO	Kimberly Ballance
Councillors	Gary Jones	Ops Manager	Mark Vainio
	Wendy Michell-Larocque	Executive Assistant/ Financial Assistant	Trudy Amos
	Michelle Vainio		
	Neil Yee		

Delegation: Graham White, Elevator Yukon

Public Present: 1      Public on Zoom: 5

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**1. CALL TO ORDER**

Mayor Bowers called the meeting to order at 7:00 p.m.

**2. ADOPTION OF AGENDA**

**2.1 Council Meeting Agenda**

Resolution 25-459

Jones, Vainio

**RESOLVED THAT** the agenda for the December 16, 2025, Meeting of Council be adopted as presented.

Carried

**3. DELEGATIONS**

Resolution 25-460

Michell-Larocque, Yee

**RESOLVED THAT** Council do now move into Committee of the Whole for delegations.

Carried

**3.1 Sgt Cedric Proulx, RCMP Ross River/Faro Detachment Commander**

Sgt Proulx notified Administration in advance that he was unable attend.

**3.2 Graham White, Elevator Yukon – Zoning Bylaw Updates**

Updates to the Zoning Bylaw made since the first reading have been identified in the report. These changes are based on recommendations from Council members, staff and the public and to make technical corrections.

Council discussed changes and requested clarification several matters including:

- Residential Zone provisions in RS and RM
- Add a new Mobile Home Residential zone to permit mobile homes in the Rose Crescent area. This zone would also permit tiny, manufactured, and single-family homes as well as guesthouses
- Language for the appeal provisions will be reviewed to ensure consistency with the Municipal Act while maintaining user-friendly language
- The floor area limitations for home occupations was discussed (Section 7.7.2 and 7.7.9) and the limits will be reviewed.
- Parking restrictions in Section 7.7.6 should be updated to be from 8 pm to 8 am
- The restriction on exterior storage in Section 7.7.8 was reviewed
- Definitions for Guesthouse and Bed and Breakfast were reviewed
- An update for Section 8.3 will be made to amend Community Use to Community Facility
- Interest in agricultural properties within the boundary was discussed and have been captured in the Hinterland zone for Major Agricultural and the Country Residential Zone for smaller, hobby farms/homesteads
- Secondary residential suites in the IC Zone was discussed as being accessory to the primary Industrial or Commercial use
- The definition of a Pound as an institutional facility was discussed
- An amendment to Map 3 will be made to remove the road allowance to the north of Ross Road and expand the boundary on the south side of the road
- Map updates were discussed.

Resolution 25-461

Michell-Larocque, Vainio

**RESOLVED THAT** Council do now revert into Regular Meeting of Council.

Carried

#### 4. BUSINESS ARISING FROM DELEGATION

None.

#### 5. ADOPTION OF MINUTES

5.1 Minutes of the December 02, 2025, Regular Meeting of Council

Resolution 25-462

Michell-Larocque, Yee

**RESOLVED THAT** the minutes of the December 02, 2025, Regular Meeting of Council be adopted as presented.

Carried

5.2 Minutes of the December 08, 2025, Special In-Camera Meeting of Council

Resolution 25-463

Vainio, Michell-Larocque

**RESOLVED THAT** the minutes of the December 08, 2025, Special In-Camera Meeting of Council be adopted as presented.

Carried

#### 6. BUSINESS ARISING FROM MINUTES

None.

## 7. FINANCIAL

### 7.1 Finance Report

#### Resolution 25-464

Vainio, Michell-Larocque

**RESOLVED THAT** Council receive for information the Finance Officer's report, including the Payment Register Summary, and acknowledge the Cheque Register for the period November 27 - December 10, 2025; and,

**FURTHER THAT** Council receive for information the Draft Budget Analysis report for the period of January to November 2025.

Carried

## 8. REPORTS

### 8.1 Mayor's Report

Nothing to report

### 8.2 Council Reports

Councillor Gary Jones

- Kids Christmas Party was a great success. A big thanks goes out to the organizers. Great to see this type of volunteerism in the community.

Councillor Michelle Vainio

- Has attended several great community events lately including the Yukon University Open House, Community Potluck, and will soon be attending the Council Open House. It was too bad to hear about the cancellation of the Christmas Concert due to the cold weather.

Councillor Wendy Michell-Larocque

- The Kids Christmas Party was great and well attended.
- The recent doctor's visit was cancelled this week due to the cold weather, but phone appointments are still being held. Bloodwork appointments are on hold because some of the bloodwork that has been done has frozen. Bloodwork will be completed again in the new year and it is recommended that people book all appointments due to the Health Centre being short-staffed.

Councillor Neil Yee

- Council completed its Christmas Light Competition judging today, with results to be announced at the Council Open House on December 22.
- The recent earthquake does not appear to have impacted any local facilities which is good to see.
- The Town's Employee Christmas party was very nice; Thanks to the staff for organizing.
- The Yukon University Open House was good.
- Has still heard comments from the Public that they think the public Question Period is desirable for inclusion in the new Procedural Bylaw.

Council requested clarification on Councillor Yee's previous Council Report about his lawsuit against Yukon Energy and the impact that an award would have on the fee structure moving forward if costs needed to be recovered. Administration will follow up and provide a response to Council.

### 8.3 Administration's Reports

#### 8.3.1 Chief Administrative Officer

CAO Ballance summarized her written report and responded to questions from Council.

#### 8.3.2 Operations Manager

Acting Operations Manager Vainio summarized his written Report and responded to questions by Council.

#### 8.3.3 Manager of Recreation and Culture

CAO Ballance responded to questions from Council about the written Report.

### 8.4 Committee Meeting Minutes and Reports

8.4.1. Joint Health and Safety Meeting Minutes – July 24, 2025

8.4.2. Joint Health and Safety Meeting Minutes – September 18, 2025

8.4.3. Joint Health and Safety Meeting Minutes – October 16, 2025

#### Resolution 25-465

Vainio, Yee

**RESOLVED THAT** the Joint Health and Safety Committee Meeting Minutes for:

- July 24, 2025;
  - September 18, 2025; and,
  - October 16, 2025;
- be received and filed.

Carried

## 9. BYLAWS

### 9.1 Bylaw No. 2025-07 – Zoning Bylaw - Second Reading

Administration will bring back amendments for Council prior to proceeding with the Second Reading of the bylaw.

Council discussed the procedural change presented for bylaw readings at this meeting, including not reading the preamble to the bylaw as part of the process to pass a bylaw, and not going into Committee of the Whole for every bylaw. Council can determine times where seeking public input prior to voting on a bylaw is needed.

### 9.2 Bylaw No. 2025-09 – Council Indemnity Bylaw – Third Reading

#### Resolution 25-466

Yee, Jones

**RESOLVED THAT** Council provide Third Reading of Bylaw 2025-09 – Council Indemnity Bylaw.

Carried

9.3 Bylaw No. 2025-10 – Municipal Auditor Bylaw – First and Second Reading  
Resolution 25-467 Michell-Larocque, Yee

**RESOLVED THAT** Council provide First and Second Reading of Bylaw 2025-10 – Municipal Auditor Bylaw.

Carried

## 10. UNFINISHED BUSINESS

10.1 Purchasing Policy (2026-01)

Resolution: 25-468

Jones, Michell-Larocque

**RESOLVED THAT** Council approve the Purchasing Policy (2026-01), which will come into effect on January 1, 2026; and

**FURTHER THAT** the previous Purchasing Policy (002-2014) is repealed effective January 1, 2026.

Carried

Councillor Yee opposed

Council discussed the forthcoming Code of Conduct for Employees and the ethical provisions about purchasing practices that will be included in it.

10.2 Communities Lottery Program – Faro Ravens Ball Team

Resolution: 25-469

Jones, Yee

**RESOLVED THAT** Council approve the Community Lottery Program Application in the amount of \$4,000.00 for the Faro Ravens Ball Team; and,

**FURTHER THAT** funds will be released to Stephane Grenon, on behalf of the Faro Ravens Ball Team, upon submission of the final report and receipts to the Town and no later than March 10, 2026; and,

**FURTHER THAT** if the final report and all receipts are not received within 90 days, the funds will be reallocated to other groups.

Carried

10.3 Communities Lottery Program – Remaining Funds

Resolution: 25-470

Jones, Michell-Larocque

**RESOLVED THAT** Council approves that any remaining funds in the 2025 Community Lottery Program be directed to the Faro Recreation Centre.

Carried

10.4 Strategic Plan 2025 - 2028

Resolution: 25-471

Vainio, Yee

**RESOLVED THAT** Council approves the Strategic Plan for 2025 – 2028 as presented.

Carried

## 10.5 Faro Mine Remediation Project's Tse Zul Camp Potable Water and Septic Project

Council discussed the potential media coverage on this matter based on the confirmation that the Potable Water and Septic Project being proposed to be developed is based on a recommendation, not a requirement of Environmental Health.

Councillor Jones left the meeting at this time.

Council voiced concerns that the Potable Water and Septic portion of the overall Faro Mine Remediation project was not clearly highlighted in the YESAB review when it was initiated in 2019 and should have been more explicitly identified to the parties that would be impacted. The current term of Council had not been made aware that prior notice was provided, likely due to the timing of the initial project review in late 2019.

Councillor Jones returned meeting at this time.

Council concurred that giving Dr. Hanley an opportunity to respond to Council's request for information would be appropriate prior to speaking with the media.

## 11. NEW BUSINESS

### 11.1 2026 Regular Meeting Schedule - Proposed

Council concurred with the schedule as proposed. A special meeting has tentatively been set for January 20, 2026, at 6 pm for a Pecuniary Interest Training session from Community Services.

## 12. CORRESPONDENCE FOR INFORMATION (OUT & IN)

## 13. PUBLIC QUESTION PERIOD

### Resolution 25-472

Jones, Vainio

**RESOLVED THAT** Council do now move into Committee of the Whole for public question period.

Carried

*No questions from the gallery.*

### Resolution 25-473

Vainio, Michell-Larocque

**RESOLVED THAT** Council do now revert into Regular Meeting of Council.

Carried

### Resolution 25-474

Vainio, Michell-Larocque

**RESOLVED THAT** Council recess at 9:27 p.m. for five minutes and reconvene in-camera.

Carried

## 14. IN CAMERA

- 14.1 Employment Matter - in accordance with Municipal Act Section 213 (3)(c & d) re: Employment Matter
- 14.2 Conduct of Investigation - in accordance with Municipal Act Section 213 (3)(g) re: Code of Conduct Sanctions

*In Camera Discussion.*

### Resolution 25-475

Vainio, Michell-Larocque

**RESOLVED THAT** Council revert into the Regular Meeting of Council at 9:55 p.m.  
Carried

### Resolution 25-476

Jones, Vainio

**RESOLVED THAT** Council extend the Regular Meeting of Council past 10:00 p.m.  
Carried

### Resolution 25-477

Jones, Vainio

**RESOLVED THAT** Council hereby approves that the following sanctions be placed on Councillor Yee for his failure to act respectfully in the workplace:

- That Councillor Yee be prohibited from accessing all municipal facilities unless formally approved by Council, with the following exceptions:
  - The Municipal Office Council Chambers for the purpose of attending Meetings of Council
  - The Fire Hall and its Meeting Room for the purpose of participating in fire practice, fire training and fire calls
  - The Municipal Office, for the purpose of a meeting, scheduled and approved in advance by the CAO, for the purpose of complying with Section 177 and/or 178 of the Municipal Act.
- That Councillor Yee be prohibited from attending the AYC Conference; and,

**FURTHER THAT** these sanctions will remain in place until:

- Council receives an unmodified version of the Town of Faro's Code of Conduct, Schedule A executed by Councillor Yee, and,
- Council receives an acceptable apology letter from Councillor Yee for his disrespectful remarks to former CAO Baran during the January 14, 2025, Council Meeting.

Carried

Councillors Yee and Michell-Larocque opposed.

## 15. ADJOURNMENT

### Resolution 25-478

Jones, Vainio

**RESOLVED THAT** the December 02, 2025, Regular Meeting of Council be adjourned at 10:03 p.m.

Carried

Approved at the Regular Meeting of  
Council held on January 20, 2026, by  
Resolution # 26-\_\_\_

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Jack Bowers, Mayor

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Kimberly Ballance, CAO



**Minutes**  
**Town of Faro Special Council Meeting**  
**January 12, 2026, at 11:00 a.m.**  
**Council Chambers**

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**PRESENT:**

Mayor	Jack Bowers	CAO	Kimberly Ballance
Councillors	Gary Jones		
	Michelle Vainio		
	Neil Yee		

Public Present: 0

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**1. CALL TO ORDER**

Mayor Bowers called the meeting to order at 11:02 a.m.

**2. ADOPTION OF AGENDA**

2.1 Council Meeting Agenda

Resolution 26-01

Yee, Vainio

RESOLVED THAT the agenda for the January 12, 2026, Special Meeting of Council be adopted as presented.

Carried

**3. NEW BUSINESS**

3.1 Tax Lien Procedures in accordance with S. 83 of the Assessment and Taxation Act

Resolution 26-02

Vainio, Jones

RESOLVED THAT Council accept the 2026 Tax Lien List -TL1 as presented and move that it be authenticated by signing and affixing the Town seal.

Carried

**4. ADJOURNMENT**

Resolution 26-03

Vainio, Jones

RESOLVED THAT the January 12, 2026, Special Meeting of Council be adjourned at 11:04 a.m.

Carried

Approved at the Regular Meeting of  
Council held on January 20, 2026, by  
Resolution # 26-\_\_\_

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Jack Bowers, Mayor

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Kimberly Ballance, CAO



**Minutes  
Town of Faro Special Council Meeting  
January 16, 2026, at 12:15 p.m.  
Council Chambers**

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**PRESENT:**

Mayor	Jack Bowers	CAO	Kimberly Ballance
Councillors	Gary Jones		
	Wendy Michell-Larocque		
	Michelle Vainio		
	Neil Yee		

Public Present: 1

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**1. CALL TO ORDER**

Mayor Bowers called the meeting to order at 12:15 p.m.

**2. ADOPTION OF AGENDA**

2.1 Council Meeting Agenda

Resolution 26-04

Vainio, Michell-Larocque

RESOLVED THAT the agenda for the January 16, 2026, Special Meeting of Council be adopted as presented.

Carried

**3. NEW BUSINESS**

3.1 Reconsideration of Resolution No. 25-477

Resolution 26-05

Jones, Vainio

RESOLVED THAT Council hereby repeals Resolution No. 25-477, dated December 16, 2025.

Carried

**4. ADJOURNMENT**

Resolution 26-06

Jones, Vainio

RESOLVED THAT the January 16, 2026, Special Meeting of Council be adjourned at 12:17 p.m.

Carried

Approved at the Regular Meeting of  
Council held on January 20, 2026, by  
Resolution # 26-\_\_\_\_

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Jack Bowers, Mayor

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Kimberly Ballance, CAO



## TOWN OF FARO MEMORANDUM

To: Mayor & Council, CAO  
Date: January 14, 2026  
From: Akram Shah, General Manager, Finance  
Re: Report to Council Meeting January 20, 2026

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I like to take this opportunity to introduce myself. My name is Akram Shah and I am taking over from Ms. Kazda. I must say that I am enjoying working with Ms. Ballance and the Team and look forward to a smooth transition.

Please be advised that the deadline to claim 2025 Homeowner's Grant is **February 15<sup>th</sup>, 2026**.

### Payroll:

12/24/2025	Town Employees	\$ 37,889.16	Dec 8 - 21, 2025, Pay Period
01/09/2026	Town Employees	\$ 52,316.16	Dec 22, 2025 – Jan 4, 2026 Pay Period
01/07/2026	Council Indemnities	\$ 5,669.12	December 1 – 31, 2025, Pay Period

### Payment Register Summary December 11, 2025 – January 14, 2026

Administration	7,283.24
Environmental Services	18,643.33
Fire Dept and Protective Services	862.00
Professional Fees & Remittance	88,238.06
PW and Gardening	64,071.30
Recreation and CRIC	18,895.20
Utilities	78,042.89
<b>Total</b>	<b>276,036.02</b>

**Resolution:** 26-\_\_\_\_

**THAT** Council receive for information the Finance Manager's report, including the Payment Register Summary and acknowledge the Cheque Register for the period December 11, 2025 – January 14, 2026.

Moved: \_\_\_\_\_  
Seconded: \_\_\_\_\_  
Any discussion?  
All in Favour?  
Carried/Defeated



## TOWN OF FARO MEMORANDUM

**To:** Mayor & Council, CAO

**Date:** January 12, 2026

**From:** Akram Shah, GMF

**Re:** Change in Travel Reimbursement

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Each year, the rates per kilometre are reviewed by Canada Revenue Agency and, if there is a significant change in the rates, we will recommend a change in the rates on our expense claim forms.

By following the 'reasonable rates' established by Canada Revenue Agency, any reimbursement for mileage is not considered a taxable benefit.

Canada Revenue Agency has adjusted the reasonable rate for per-kilometre travel in personal vehicles, so we recommend that the rates for 2025 be adjusted accordingly.

**Suggested Motion of Council:**

If Council supports this recommendation, a proposed Motion of Council might be worded as follows:

**Resolution #\_\_\_\_\_**

**WHEREAS** Canada Revenue Agency has amended reasonable per-kilometre allowance from \$0.76 to \$0.78 for the first 5,000 kms driven, and from \$0.70 to \$0.72 after 5,000 kms driven;

**Therefore Be It Resolved** that the 2025 rates on Expense Account Claim - Schedule "A", Bylaw 2014-10 change to \$0.78 for first 5,000 kms driven and \$0.72 after 5,000 km driven.



## TOWN OF FARO MEMORANDUM

**To:** Mayor & Council  
**From:** Kimberly Ballance, CAO  
**Re:** CAO's Report to Council – January 20, 2026 Regular Meeting

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### ***Budget 2026***

- Departmental reviews for the Recreation and Culture and Operations Budget reviews are underway. Fire Department Budget meeting is planned for next week.
- Corporate and capital budgets are in development including projects identified during Council's Strategic Planning workshop
- Council may need to consider the replacement or rehabilitation of the Fire Pit / Gazebo at the ball fields, following the fire at the site in late December 2025. Insurance adjuster has received the report from the Town but has not completed a site inspection. More information will be presented to Council once this inspection is completed.

### ***Tourism Cooperative Marketing Fund (TCMF)***

- TCMF approval has been provided with the following modifications. Total Funding remains unchanged but the Town cannot create independent marketing documents, it can only use TCMF to promote within existing publications or create content for promotions in existing publications.

<b><i>Publication/Activity</i></b>	<b><i>Cost</i></b>
Facebook Ads	\$250
Whitehorse Guide	\$3,250
Milepost	\$1,982
Alaska Highway Business and Travel Guide	\$6,170
Bells Travel Guide	\$1,575
Up Here Magazine	\$1,875
<del>Faro Guide</del>	<del>\$10,000</del>
<del>Highway Sign (Klondike &amp; Robert Campbell Intersection)</del>	<del>\$2,500</del>

Photography and Digital Content Creation	\$5,500
Digital Promotion (Social Media Marketing, Promotion by Digital Influencer, Google Ads)	\$7,000
<b>Total</b>	<b>\$27,602</b>

### ***Zoning Bylaw***

- Public Hearing and Council workshop is tentatively set for February 25 or 26 subject to Council's preference. The Public Hearing requires specific public notice, so once set won't be able to be changed without incurring additional costs for advertising in the newspaper.
- The Council workshop is being recommended to be held after the Public Hearing so that Members can consider the input from the public during the workshop.

### ***Employment Matters***

- Violence & Harassment Training for Employees will be scheduled following Council's adoption of the changes recommended by WSCB to the Town's policy.
- Job description review process has begun and will be coordinated with departmental staff and the IUOE.
  - Seasonal jobs will be prioritized for completion prior to Spring Postings
  - Existing full-time positions will follow
- Organizational Chart review is underway in coordination with the review of job descriptions.
- Code of Conduct Complaint Processes are underway

### ***Land Development Presentation***

- Representatives from YG's Land Development Branch is proposing to come to a Council Meeting in February to provide an update to Council on the Country Residential Zone that was considered (south of the Pelly River) and potential new sites for consideration.

### ***Conflict of Interest and Roles & Responsibilities Training***

- YG's Community Services Branch has re-scheduled Council's Conflict of Interest Training to February 24 @ 6 pm.
- Roles & Responsibilities Training will be scheduled once the Branch's training program is confirmed.

### ***Community Lottery Program & Town of Faro Policy***

- Administration is reviewing the CLP requirements and the Town of Faro's Policy prior to the upcoming renewal of the Transfer Payment Agreement. Ideally this will be done prior to the end of March to facilitate clear direction to new applicants starting in April 2026 (i.e. the beginning of the new TPA term).

***Action Items:***

- Violence & Harassment Training for Council & Volunteers – Date TBD
- Employee and Council Codes of Conduct – new drafts completed and will be brought forward for draft review in 2026.
- Communications Policy – draft nearly completed
- Develop drafts of the following for Council's consideration:
  - Hiring Policy – update
  - Maintenance Bylaw - update
  - Vehicle Use Policy – new
  - Sale / Acquisition of Land Policy – new
  - Cemetery Bylaw – update
  - Animal Control Bylaw – update
  - Snow Plowing Policy – new



**Town of Faro  
MEMORANDUM**

**To:** Mayor & Council  
**From:** Mark Vainio, Operations Manager

January 15, 2026

**Re:** PW report to Council for January 20, 2026

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**Landfill/Bylaw** – I renewed the Town's Special Waste Permit. I contracted Boreal to break up our grubbing pile at the landfill along with the wall for cover material and road sand.

**Wells/WT** – short power outages over the last few weeks which required manual resetting of alarms for our wells and WT plant.

**Water/Sewer** – System is operating very well with minor issues which we're handling normally.

**Property Development** – Mueller will be back soon to resolve our ventilation issues at the PWFH (manual overrides as automatics don't work as designed), Arena kitchen electrical, parking and hot line vehicle plug-ins at PWFH programming and other small items.

Arena and Rec kitchen's Fire Suppression upgrades have been rescheduled to the week of January 19th. An application was submitted to the Canada Community Building Fund for this work. Weather has delayed this work.

Rec wheelchair lift was inspected and some minor repairs undertaken. Parts will be ordered after we get a quote and we're still waiting for the report. It does work reliably now though is not certified yet.

**Pumphouse 3 Backup Generator** – Still waiting for SCADA inputs for Genset from Setplan Engineering. Adding all Backup Generators to our SCADA system. This work is promised to be completed in January and hopefully final inspections soon after. Mueller will handle the electrical with Adrian. While here, they will do some calibration on some of our sensors.

**FireSmart** – Good progress was made with equipment assisting. Project is shut down now for too much snow making it dangerous on the steep grades.

**Mitchell Road Outhouse** – No news on this project yet.

**Roads** – Keeping up with plowing and sanding. Driveway gate is not yet installed as we're still trying to get light vehicles running. Our hotline was not working at PWFH and that really hurt our fleet.



## TOWN OF FARO MEMORANDUM

**To:** Mayor & Council January 14, 2026

**From:** Morgan Manuel, Manager of Recreation and Culture

**Re:** January 20, 2026 - Report to Council

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### ***Current Priorities***

- Hiring for the Arena
  - Rec Assistant position (Jan-April) has been posted for the arena
- Finalizing program of events and schedule for Ice Worm Squirm 2026 (Feb 27 – Mar 1)
- Working with Arctic Ultra organizers to prepare for hosting them at the Rec Centre during the first two weeks of February
- Thanks to funding from the CPRA skating lessons will be starting in the next two weeks (Tots, Kids/Youth, Adult)
- Working with Faro Minor Hockey Association to finalize arena schedule for the season – schedule will be finalized once staffing is sorted

### ***Planning Work***

- Crane and Sheep 2026 – set for May 1-3
  - Awaiting TCMF funding approval (~January 2026)
  - Organizing a planning meeting by the end of January
  - Contacting potential keynote speakers
- Youth Group Ski Trip Dates (mid/late February)
- Seniors planning meeting (Jan-Mar) – Thursday, Jan 22 3:00 pm (Rec Centre)

### ***Program / Event Evaluation***

- Opening skates at the Arena were well attended
- Overall program attendance was down in December because of the extreme cold. Despite this we still had good numbers come out for carpet bowling, archery, youth group and gingerbread house making
- Despite issues with the bus the grocery shuttle was incredibly well received

### ***Training***

- JH&S Worker training is underway for Morgan
- WHMIS training for all Rec Staff



## TOWN OF FARO BYLAW 2025-06

### A Bylaw to provide for the acquisition of Lot 42 Faro, YT, Plan 31525 in the Town of Faro

**WHEREAS** Section 220 of the *Municipal Act*, Chapter 154, Statutes of the Yukon provides that Council may create bylaws;

**AND WHEREAS** Section 265 (e) provides that Council may, by bylaw, acquire for municipal purposes any real property;

**AND WHEREAS** the Council deems it expedient to acquire Lot 42 Faro, YT, Plan 31525 for municipal/recreational purposes;

**NOW THEREFORE** the Municipal Council of the Town of Faro in the Yukon Territory, in open meeting assembled, hereby ENACTS AS FOLLOWS:

#### 1. TITLE

1.1 This bylaw may be cited as the “**Lot 42 Property Acquisition Bylaw**”

#### 2. DEFINITIONS

2.1 In this Bylaw:

“**Act**” means the *Municipal Act*, revised Statutes of the Yukon 2002, Chapter 154, and associated regulations and amendments;

“**Council**” – shall mean the Council of the Town of Faro.

“**Faro**” means the municipal corporation of the Town of Faro.

#### 3. ACQUISITION TERMS & CONDITIONS

3.1 This bylaw shall authorize Council of the Town of Faro to complete the purchase of real property, titled as Lot 42 Faro, YT, Plan 31525, from Yukon Government, Energy, Mines, & Resources for the acquisition price of one dollar (\$1.00).

3.2 The terms and conditions for this acquisition that shall bind Faro, now and into the future, are recorded as follows:

If at any time after the transfer of the Property to the Town, the Town begins to use the Property for any purpose other than a public purpose or transfers the Property to a third party, the Town will pay Yukon the amount of Three Thousand and One Hundred Dollars (\$3,100.00) at the time of the change in use, and such amount will be due and payable immediately.

#### **4. COMING INTO FORCE**

4.1 This Bylaw shall come into effect upon Third and Final Reading.

READ A FIRST TIME this 19<sup>th</sup> day of August 2025

READ A SECOND TIME this 19<sup>th</sup> day of August 2025

READ A THIRD TIME and finally passed this 20<sup>th</sup> day of January 2026

-----  
Jack Bowers, Mayor

-----  
Kimberly Ballance, CAO

**GOVERNMENT OF YUKON  
PURCHASE AND SALE  
AGREEMENT**

BETWEEN:

**THE GOVERNMENT OF YUKON**  
as represented by the Minister of Energy, Mines and Resources  
(“Yukon”)

AND:

**THE TOWN OF FARO,**  
a municipal corporation constituted under the *Municipal Act*,  
as represented by the Mayor and the Town Clerk  
(the “Town”)

**WHEREAS**

- A. Yukon and the Town have identified certain lands that the Town wishes to obtain and use for a public purpose; and
- B. Section 78 of the *Lands Regulations*, OIC1983/192, authorizes Yukon to sell a lot or parcel to a municipality for nominal consideration if certain requirements are met.

**THEREFORE**, in consideration of the covenants and agreements set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the parties agree as follows:

**1. Purchase**

- 1.1. Yukon will sell to the Town certain lands located at Faro, Yukon, being Lot 42, Plan No. 31525 LTO, as set out in the attached sketch dated March 28, 2025 (the “Property”), at the purchase price and on the terms and conditions set out in this Agreement.
- 1.2. The Property is sold on an “as is, where is” basis.
- 1.3. The Town agrees to use the Property for a public purpose.

**2. Purchase Price**

- 2.1. The purchase price of the Property shall be one dollar (\$1.00).
- 2.2. If at any time after the transfer of the Property to the Town, the Town begins to use the Property for any purpose other than a public purpose or transfers the Property to a third party, the Town will pay Yukon the amount of Three Thousand and One Hundred Dollars (\$3,100.00) at the time of the change in use, and such amount will be due and payable immediately.

**3. Goods and Services Tax**

- 3.1 The Town agrees to pay any goods and services tax, payable in respect of any outstanding amount, in accordance with the *Excise Tax Act* of Canada.

**4. Completion**

- 4.1. The sale will be completed on \_\_\_\_\_, 2026 (“Completion Date”).
- 4.2. The Property shall be transferred to the Town on the Completion Date.

**5. Possession**

- 5.1. The Town shall have vacant possession of the Property at 2:00 p.m. of the Completion Date.

*Initial here* \_\_\_\_\_

EMR Lands

Parcel of Interest

Application

Disposition

Licence

Notation

EMR Agriculture

AG Application

AG Disposition

Legal Surveys

Easements

Parcels

First Nations' Interests

Heritage Sites

Heritage Routes

Heritage Site Areas

Settlement Land (surveyed)

Settlement Land (unsurveyed)

Parks & Protected Areas

Protected Area

Territorial Park & Campground

National Park

Mining Interests

Mineral Claim

Placer Claim

Quartz Claim

N

1:1,500

0

10

20

Metres

Yukon

This is an aerial photograph of a residential area in Faro, Yukon. The map shows several streets including Dawson Drive, Harper Street, Kitze Avenue, and River Road. Numerous lots are labeled with their lot numbers and CLSR (Cadastral Land Survey Registration) numbers. A large parcel, 880148, is highlighted in red and labeled '0.9 ha'. This parcel is situated between Dawson Drive and Kitze Avenue, and is bounded by Lot 42 (CLSR 55582) to the west and Lot 158 (CLSR 61001) to the east. Other nearby lots include Lot 234 (CLSR 64706), Lot 233 (CLSR 64706), Lot 454 (CLSR 107898), Lot 455 (CLSR 107898), Lot 156-1 (CLSR 70884), Lot 453 (CLSR 107898), Lot 456 (CLSR 107898), Lot 468 (CLSR 107898), Lot 467 (CLSR 107898), Lot 466 (CLSR 107898), Lot 457 (CLSR 107898), Lot 451 (CLSR 107898), Lot 449 (CLSR 107898), Lot 448 (CLSR 107898), Lot 452 (CLSR 107898), Lot 450 (CLSR 107898), Lot 126-1 (CLSR 107898), Lot 126-2 (CLSR 107898), Lot 127 (CLSR 56700), Lot 70 (CLSR 55582), Lot 80 (CLSR 55582), Lot 81 (CLSR 55582), Lot 82 (CLSR 55582), Lot 83 (CLSR 55582), Lot 39 (CLSR 55582), Lot 40-1 (CLSR 91795), Lot 40-2 (CLSR 91795), Lot 40-3 (CLSR 91795), Lot 40-4 (CLSR 91795), Lot 115 (CLSR 75481), Lot 414 (CLSR 62139), Lot 408 (CLSR 73388), Lot 41 (CLSR 55582), and Lot 158 (CLSR 61001). A 'POWERLINE EASEMENT' is also indicated on the map.

The waterbody base data is a graphical representation only and may differ from the actual geographical feature.

Imagery dated 1989-2026, Courtesy of Geomatics Yukon.

Lat: 62°13'46"N  
Lon: 133°21'30"W

Mapsheet: 105K03  
January 7, 2026

Town of Faro

Agreement for Sale  
Municipal Park (for Public Purpose)

Lot 42 Faro Plan 31525 LTO

PID: 100017954

Disposition: 880148

This is an inset map showing the location of parcel 880148 within the Town of Faro. The map shows the town's layout with streets including Mitchell Road, Campbell Street, Ross Road, River Road, Bell Avenue, Lorna Boulevard, and Douglass Drive. The Van Gorder Creek is shown flowing through the town. Parcel 880148 is highlighted in red and labeled '880148'. A scale bar indicates 500 Metres. The map also shows the location of the town of Faro relative to the surrounding area.

Drawn by: CWMKERT Date: Jan 7, 2026

Date: Initials:

**6. Title**

6.1. Yukon shall give title free and clear of all encumbrances except subsisting conditions, provisos, restrictions, exceptions and reservations contained in the original grant or contained in any other grant or disposition from the Crown, registered or pending restrictive covenants and rights of way in favor of utilities and public authorities.

**7. Costs**

7.1. The Town will bear all costs of the transfer, including survey costs, filing fees and other costs related to the transfer of title, and Yukon shall bear the costs of clearing title.

**8. Legal Fees**

8.1.Each Party shall be responsible for its own legal fees.

**9. Signing of this Agreement**

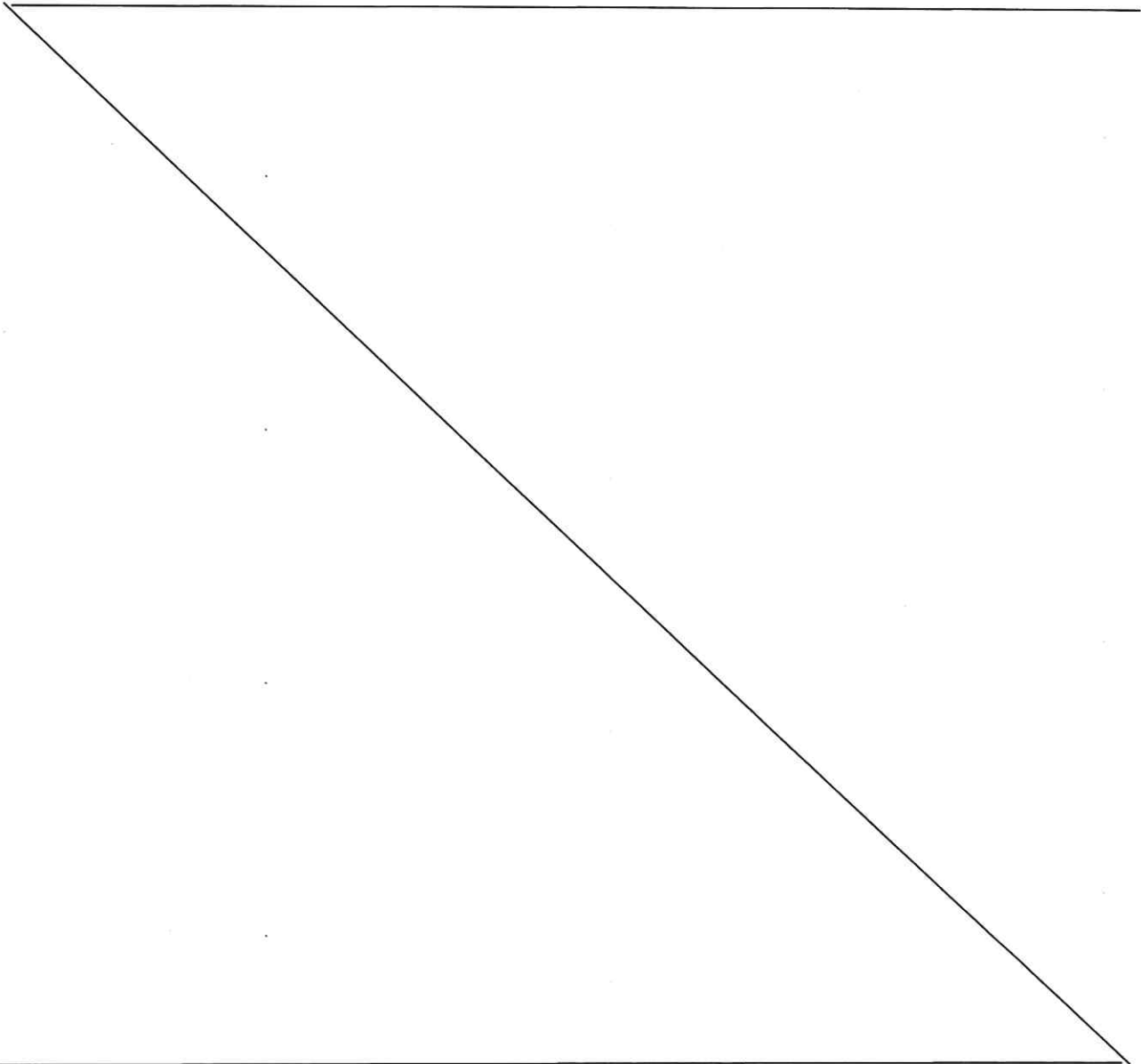
9.1. Each party represents and warrants that it has full power and authority to enter into, perform and execute this agreement, and that each person signing this agreement on behalf of a party has been properly authorized and empowered to enter into and execute this agreement.

**10. Headings**

10.1. The division of this Agreement into sections and the insertion of headings are for convenience of reference only and shall not affect the construction or interpretation of this Agreement.

**11. Governing Law**

11.1. This Agreement shall be governed by and interpreted in accordance with the laws of Yukon.



*Initial here*\_\_\_\_\_

12. Effective Date

12.1. This Agreement will be effective upon the signing of both Parties, and if signed on different dates, the latter of those dates.

IN WITNESS WHEREOF the Town has duly executed this agreement of purchase and sale under seal at the Town \_\_\_\_\_, Yukon this, \_\_\_\_\_ day of \_\_\_\_\_ 2026.

THE CORPORATE SEAL OF )  
THE TOWN OF \_\_\_\_\_ )  
Was hereunto affixed in )  
the presence of: )  
 )  
 )  
 )  
 )  
\_\_\_\_\_)  
Mayor Jack Bowers )  
 )  
 )  
\_\_\_\_\_)  
Town Clerk )  
 )

IN WITNESS WHEREOF Yukon has duly executed this agreement of purchase and sale at the Town of Whitehorse, Yukon, this \_\_\_\_\_ day of \_\_\_\_\_ 2026.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Colin Urquhart  
Manager, Client Services  
Land Management Branch

Initial here \_\_\_\_\_



**TOWN OF FARO  
BYLAW #2025-10**

**A Bylaw to Appoint an Auditor  
for the Town of Faro**

**WHEREAS** Section 256 of the Yukon Municipal Act ("the Act") requires Council to appoint an Auditor by bylaw; and,

**WHEREAS** Section 258 of the Act outlines the duties of the Auditor;

**NOW THEREFORE** the Council of the Town of Faro, in open meeting assembled, hereby ENACTS AS FOLLOWS:

**1. TITLE**

1.1. This bylaw may be cited as the "**Municipal Auditor Bylaw**".

**2. DEFINITIONS**

2.1. In this bylaw:

"**Auditor**" shall mean Metrix Group LLP.

"**Administration**" shall mean the administrative and operational arm of the municipality, comprising of its various departments and including its employees who operate under the leadership of the CAO.

"**CAO**" – shall mean the Chief Administrative Office appointed by the Council of the Town of Faro, or person designated as the Acting CAO.

"**Council**" – shall mean the Council of the Town of Faro.

"**Fiscal Year**" shall mean the period of January 1 to December 31 of each calendar year.

**3. GENERAL PROVISIONS**

3.1. The firm **Metrix Group LLP** (located at 12840 St. Albert Trail, Edmonton AB T5L 4H6) is hereby appointed as the Auditor for the Town of Faro and all its advisory boards and committees.

- 3.2. The appointment shall remain valid for the fiscal years from 2026 to 2030, subject to the satisfactory performance of the Auditor.
- 3.3. The CAO shall be responsible for the implementation of this Bylaw and for reporting any non-satisfactory performance of the Auditor to Council.
- 3.4. The CAO may delegate or direct a member of Administration the responsibility for implementing or enforcing specific provision(s) of this Bylaw.
- 3.5. In the event that any provision of this bylaw is determined to be void, invalid, or unenforceable in whole or in part by a Court of competent jurisdiction, such provision shall be deemed not to affect or impair the validity of the remaining provisions, all of which shall be and remain in full force and effect.
- 3.6. The CAO is authorized to execute a service agreement with the Auditor governing the services required.

#### **4. COMING INTO FORCE**

- 4.1. This Bylaw shall come into force and have effect from and after the date of third reading thereof.

READ A FIRST TIME December 16, 2025

READ A SECOND TIME December 16, 2025

READ A THIRD TIME AND ENACTED January 20, 2026

-----  
Jack Bowers, Mayor

-----  
Kimberly Ballance, CAO



**TO:** Mayor and Council

**FROM:** Jordan Stackhouse, & Graham White, Elevator Yukon

**DATE:** January 13, 2026

**SUBJECT:** Faro Zoning Bylaw Update Report

---

**PURPOSE:** The purpose of this note is to provide Council with an overview of recommended changes to the attached DRAFT Zoning Bylaw and seek feedback from Council to move forward with further bylaw readings and the public hearing.

**BACKGROUND:** The Town of Faro adopted its Official Community Plan (OCP) in October of 2024. Section 288 of the *Municipal Act* compels the municipality to adopt a revised Zoning Bylaw that complies with their OCP within two years of adoption. This Zoning Bylaw update is also an action item under the Town of Faro's Housing Accelerator Plan.

On December 16, 2025 Elevator Yukon presented changes made the draft Zoning Bylaw which came from the November public house in Faro. During this presentation, Council requested some additional changes to address key housing and interpretation of the zoning bylaw, among other things. Below is a breakdown of the key issues that need addressing. Additional changes were also made to the zoning map.

## **ZONING BYLAW CHANGES AND RECOMMENDATIONS:**

### **1. Addition of a new Residential zone to allow for mobile homes on smaller lots**

Mobile homes had been removed from the Residential Single zone. There are smaller lots in the Rose Crescent area that have been identified as suitable for mobile homes, as well manufactured and tiny homes. A new zone was created to capture this need and provide an area it. This new Zone is R-3 Mobile Home Residential

### **2. Changing of the name for the Residential – Single zone**

With the permitted principle use of a duplex within the existing Residential – Single zone, the name has been updated to provide clarity on the type of permitted principle dwelling(s) that can be built here. The new name for the zone is R-1 Urban Residential.

### **3. Updating of the names of the Residential zones**

With the addition of a fourth residential zone and update to the Rs zone, the rest of the residential names have been changed to make the zoning bylaw and maps easier to understand and read. With this, Rm – Residential - Multiple has been changed to R-2 Multiple Unit Residential, Rc Residential - Country to CR – Country Residential, along with the updated change to Rs noted above.

#### 4 Review and change language for appeal provisions

Language within the appeal section of the zoning bylaw was reviewed and updated to better capture what is found within the same section of the Municipal Act.

#### 5. Home Occupation floor area increase

The maximum floor area for a home occupation within a primary dwelling was increased to 45%. This increase addresses the concern raised about limiting the size that a home occupation can use within the primary dwelling, without falling outside the subordinate nature of such a use, as defined and stated within the zoning bylaw.

#### 6. Parking Restriction time update

Wording for parking restrictions for home occupations was changed to state that off street parking shall not occur between the hours of 8pm to 8am.

### **DRAFT ZONING MAP CHANGES AND RECOMMENDATIONS:**

1. Removed road allowance north of Ross Road and changed zoning to IC, as well as expanded the boundary of the IC zone on the south side of the road.
2. Changed specific lots around the Ross Crescent area to be zoned as the new R-3 Mobile Home Residential zone. These lots are undersized and were non-compliant with the previous zones they were within. The new zone now allows for compliance and redevelopment of many of these lots.

**ANALYSIS:** The changes captured in the presented draft reflect the input of Council, Administration, and the community thus far. Council and community members will have opportunity to further refine and shape the Zoning Bylaw through discussion at the public hearing which will be scheduled at a later time and prior to the third reading.

**FINANCIAL IMPLICATIONS:** There are no financial implications for approving or providing feedback / recommendations to this draft of the Zoning Bylaw.

**STRATEGIC PRIORITIES:** This initiative brings the Zoning Bylaw into compliance with Faro's Official Community Plan and fulfills one of the action items under Faro's Housing Accelerator program.

### **RECOMMENDATION:**

- 1) Approve the draft Zoning Bylaw to proceed to 2nd reading and set dates for a public hearing **(RECOMMENDED)**
- 2) Provide further feedback and direction to Administration before proceeding to 2nd reading and public hearing.
- 3) Do not approve the draft Zoning Bylaw

**NEXT STEPS:** Once Council approves the content of the draft Zoning Bylaw, Administration will proceed with scheduling the public hearing.

Submitted By:



---

Jordan Stackhouse, MBA, Ec.D.  
Elevator Yukon  
[jordan@elevatoryukon.com](mailto:jordan@elevatoryukon.com)

Submitted By:



---

Graham White  
Elevator Yukon  
[Graham@elevatoryukon.com](mailto:Graham@elevatoryukon.com)



## **Town of Faro BYLAW # 2025-07**

### **Town of Faro Zoning Bylaw**

**WHEREAS** pursuant to Section 279(1) of the Municipal Act (the "Act"), the Town of Faro adopted an Official Community Plan to address the future development and use of land in the municipality; and,

**WHEREAS** Section 288 of the Act requires the Town to adopt a Zoning Bylaw applicable to the land affected by the Official Community Plan; and,

**WHEREAS** Section 289 of the Act enables the Town, by passing a zoning bylaw conforming to the Official Community Plan, to prohibit, regulate, and control the use and development of lands and buildings in the Town; and,

**WHEREAS** Section 290 of the Act enables a zoning bylaw to, among other things, establish zones and provide for a system of development and use permits, temporary uses, and establishment of a board of variance; and,

**NOW THEREFORE** the Council of the Town of Faro hereby **ENACTS AS FOLLOWS:**

#### **1. TITLE**

1.1 This bylaw may be cited as the "**Zoning Bylaw**".

#### **2. ADOPTION**

2.1. The document titled Town of Faro Zoning Bylaw 2025-07, attached and forming part of this bylaw, is hereby adopted.

#### **3. REPEAL**

3.1. Bylaw 2017-01, including all amendments, is hereby repealed.

#### **4. COMING INTO FORCE**

4.1. This bylaw shall come into force and have effect from and after the date of third and final reading.

FIRST READING: September 16, 2025 (Resolution 25-315)

SECOND READING: January 20, 2026 (Resolution 26-XXX)

PUBLIC HEARING NOTICE:

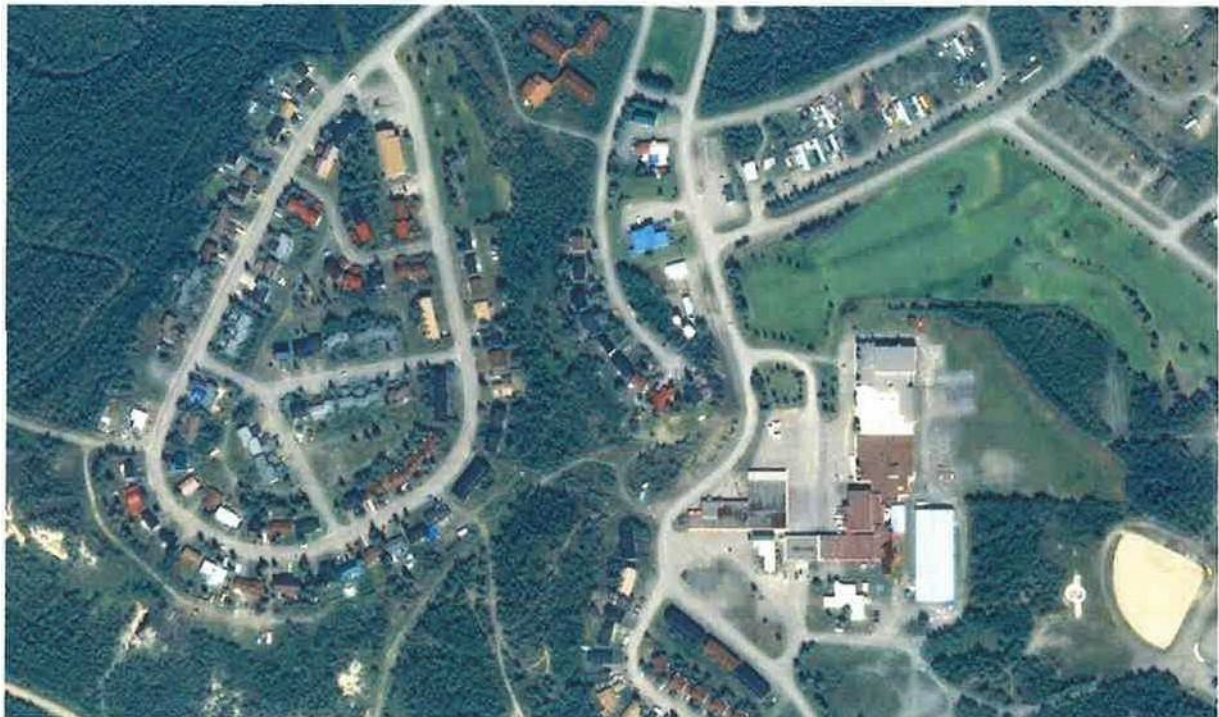
PUBLIC HEARING:

THIRD READING AND FINALLY ENACTED:



# Zoning Bylaw 2025-07

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## **A USERS GUIDE TO THE ZONING BYLAW**

Zoning Bylaw 2025-07 applies to all lands within the boundary of the Town of Faro. This introduction is intended to make the bylaw easier to understand and reference, and to outline how to use the bylaw to find basic zoning information. All Yukon municipalities are required under the Municipal Act to have a Zoning Bylaw. Zoning separates land uses that are thought to be incompatible. The main types of land use are residential, industrial, commercial and open space. Specific regulations and guidelines for each type of land use are set out through zoning.

The wording of the Zoning Bylaw may sometimes seem a bit severe, but please don't let the language intimidate you. A bylaw is a legal document, which must be written the same way as any law or legislation. The intent of the wording is to make it clear what is, and what is not, permissible for new development. Development can mean building something entirely new, expanding/altering something that already exists, or changing how land is being used.

If you have any questions about the content, how to interpret this bylaw, or to discuss whether or not a project you would like to do requires a Development Permit, please contact the Town Office.

### **What is the purpose of a Zoning Bylaw?**

A zoning bylaw is a "rule book" that controls building and development. Zoning bylaws regulate how land and buildings are used, the location of buildings, minimum lot sizes and dimensions, building heights, and other provisions necessary to ensure proper development.

The zoning bylaw implements the community vision and policies for future growth and development expressed in the Town's 2024 Official Community Plan. The zoning bylaw puts the recent Official Community Plan vision and policies into terms, permissions, and numbers that can be measured. The recent Official Community Plan was adopted by Council on September 25, 2024. While the Official Community Plan is a guide for development of the town, the Zoning Bylaw is the control for development, based on the principles of that guide.

### **Zoning Bylaw 2025-07 replaces the previous Zoning Bylaw 2017-01**

The Zoning Bylaw is not something that is new in Faro. Faro's first Zoning Bylaw was enacted in 1973. This 2025 version replaces the last one, which was adopted in 2017 and has been revised several times since then. The 2017 bylaw was based on an earlier official community plan. Since then, a lot has changed in Faro, although many attributes remain the same. The passing of the new Official Community Plan in 2024 initiated the requirement for a new Zoning Bylaw based on its guiding principles.

### **How to Use this Bylaw**

The following four steps describe how to identify the uses can be undertaken and the size and location of buildings that can be erected on a specific property:

1. Start with the maps in Schedule A of the bylaw to determine the zone of your property.
2. Turn to Part 7 to identify general development regulations that apply in all zones.
3. Turn to Part 8 and to the zone corresponding to your property for the use permissions and building regulations applying in your zone.
4. Turn to Part 9 to find definitions of specific terms used in the bylaw regulations.

### **Are you planning a development?**

If you are planning to build something new, such as a new house, an addition, a fence, a garage, or carport, or to start a new business, Part 3 describes the Development Permit application process, and whether you require a Development Permit for what you are planning to do.

### **Development permits and building permits**

A Development Permit is not the same as a building permit. A Development Permit is issued by the Town and ensures that a proposed development is allowed under the Zoning Bylaw regulations. A Development Permit may be required to obtain a building permit for new construction or exterior renovations. Building permits are issued by the Building Safety and Standards branch of Yukon Government to ensure that a proposed development complies with the building code and other safety regulations.

### **What if an existing building or use does not comply with the new Zoning Bylaw?**

Older buildings might not meet all the current zoning bylaw requirements. If the building was constructed prior to those zoning regulations, but in compliance with regulations in effect at the time, the development is considered legally "non-conforming" as long as the situation continues. However, renovation or expansion of such a building, or a change in land use, needs to comply with the current bylaw requirements. Please see Part 5 for further information.

### **Development approval and changes to the Zoning Bylaw**

Proposed developments are evaluated by the Development Officer to ensure that they comply with the zoning bylaw. See Part 3 for the development approval process.

If a proposed development does not comply with the zoning bylaw, the Development Officer cannot issue a Development Permit. If the development is desirable and meets the Official Community Plan guidelines, there are three options that can be pursued to get the development approved.

1. The development may be revised so that it meets the existing zoning requirements.
2. An application can be made for a minor variance to the bylaw. The application will be heard by an independent Board of Variance made up of citizens appointed by Council. The board will decide if the proposed development meets the intent of the bylaw regulations. Please see Part 3.
3. An application can be made for a zoning change. Site specific, or "spot" zoning can be introduced for individual properties to address unique circumstances, subject to the approval of Council. Please see Part 4.

A decision of the Development Officer or the Board of Variance can be appealed to Council, who will then have the final say on whether or not a Development Permit can be issued.

The Zoning Bylaw is a living document that can be amended by Council, as long as the changes retain the principles of the Official Community Plan.

## **PART 1      GENERAL PROVISIONS**

### **1.1    PURPOSE**

The purpose of this bylaw is to implement the development control provisions of the Town's Official Community Plan, and for that purpose, among others:

- a. To divide the Town into zones;
- b. To prescribe and regulate, for each zone, the purposes for which buildings and land may be used;
- c. To prohibit the use of such land or buildings for any other purposes; and,
- d. To prescribe and regulate standards for outdoor commercial advertising, parking and industrial performance in the interests of the amenity and safety of the Town's residents.

### **1.2    INTERPRETATION**

- 1.2.1. Certain terms or words have specific meanings in the context of this bylaw and will therefore be interpreted as defined in the definitions under Part 9 of this bylaw.
- 1.2.2. Typical uses listed as examples with the definitions are not intended to be exclusive or restrictive. The intent, impact, and definition of the use, among others, will be considered in determining whether a use is permitted.
- 1.2.3. Where a specific use does not conform to the wording of any use definition, or generally conforms to the wording of two or more definitions, a Development Officer may use discretion to deem that the use conforms to and is included in that use which is most appropriate in character and purpose.
- 1.2.4. If a use is not listed as permitted, it will be considered prohibited.
- 1.2.5. Unless otherwise specified:
  - a. A word used in the present tense shall include the future tense.
  - b. The singular includes the plural.
  - c. The word person includes a partnership, association, or corporation as well as an individual or joint-owners.
  - d. The terms shall, will, or must mean something that is mandatory.
  - e. The terms may, can or should mean something that is discretionary.
  - f. The word used or occupied, as applied to any land or building, shall be construed to include the words "intended, arranged, or designed to be" used or occupied.
- 1.2.6. The following are included herein for the purpose of explanation, clarification and convenience only, but are not operative parts of this bylaw:
  - a. Illustrations and their descriptions;
  - b. Italicized text at the beginning of certain parts of this bylaw; and,
  - c. The section titled "A User's Guide to the Zoning Bylaw."

### **1.3    METRICATION**

- 1.3.1. The units of measure in this bylaw are in Metric.
- 1.3.2. The abbreviations m means metres and m<sup>2</sup> means square metres.
- 1.3.3. Existing developments shall not be deemed to be non-conforming with this bylaw by reason only of the conversion of previously existing imperial regulations to their approximate metric equivalent.

#### **1.4 APPLICATION, SCOPE AND EFFECT OF THIS BYLAW**

- 1.4.1. Development Permit issued under the provisions of this bylaw will be required for any development in the Town, unless the development is exempt under Section 3.2.
- 1.4.2. Any use of land, buildings or structures, and development for any purpose, will only be permitted if in conformity with this bylaw.
- 1.4.3. Public infrastructure, Fire Smart projects, reclamation of former mine sites and remediation of land containing contaminated material shall be permitted in any zone subject to the approval of the government having jurisdiction, Subsections 1.4.1 and 1.4.2 notwithstanding.
- 1.4.4. No person shall authorize or do any construction that is at variance with the description, specifications or plans that were the basis for the issuance of a Development Permit or a Building Permit, unless the variation has been reviewed and authorized in writing by the Development Officer or, where applicable, the Building Inspector.
- 1.4.5. No Development shall be permitted which would violate any applicable Federal, Territorial, Municipal Act, other Town Bylaw, or Regulation.
- 1.4.6. Any section or provision of this bylaw deemed to be invalid by the Courts shall not affect the validity of any other part of this bylaw which can be given effect without such invalid section or provision.
- 1.4.7. In the event of any inconsistency in this bylaw, or disagreement of any provision or requirement of this bylaw with that of any other bylaw of the Town, the stricter of the provisions or regulations shall prevail.
- 1.4.8. Council may, by resolution, amend the Fee and Fine Schedule in "Schedule B" forming part of this bylaw in respect of any fine, offence, permit, or other fees contemplated under this bylaw from time to time, including adding or removing fee categories.
- 1.4.9. Council may, by resolution, amend, add or remove any of the Forms in "Schedule C" forming part of this bylaw from time to time.

#### **1.5 ZONING MAP AND ZONE BOUNDARIES**

- 1.5.1. The Town is divided into land use zones and the boundaries of those zones are shown on the Zoning Maps attached as Schedule "A" and forming part of this bylaw.
- 1.5.2. The boundaries on the Zoning Maps shall, unless otherwise clearly indicated on the Zoning Maps, be interpreted as follows:

- a. where a boundary follows a public roadway, lane, railway, pipeline, powerline, utility or easement, it follows the centre line;
- b. where a boundary is shown as approximately following the edge or shoreline of a river or other water body, it follows the Ordinary High Water Mark (OHWM);
- c. where a boundary is shown as approximately following a property line, it follows the property line;
- d. where a boundary is shown as approximately following a geographic feature such as a top-of-bank contour line, it follows that line;
- e. where a boundary is shown as being generally parallel to or as an extension of any of the features listed above, it shall be so.

## **PART 2 DUTIES AND RESPONSIBILITIES**

*This part of the bylaw defines the duties and responsibilities of the Development Officer, the Board of Variance and Council. Pursuant to the procedures outlined in Parts 3 and 4 of this bylaw, these three authorities provide a due process for Development Permit applications, decisions and appeals, and amendments to this bylaw.*

### **2.1 DEVELOPMENT OFFICER**

- 2.1.1. The position of Development Officer is hereby established and such position may be filled by a person appointed by resolution of Council.
- 2.1.2. In the absence of a person so appointed by Council, the Chief Administrative Officer shall be designated as the Development Officer.
- 2.1.3. The Development Officer shall:
  - a. administer this bylaw and decide on all Development Permit applications;
  - b. keep a publicly accessible copy of this bylaw and all amendments thereto, and ensure that copies of same are available to the public at a reasonable charge;
  - c. keep a register of all applications made under this bylaw, for public inspection during office hours, together with their applicable decisions;
  - d. receive and consider all applications made under this bylaw, and provide reasons for decisions rendered;
  - e. approve all applications that are in conformity with this bylaw and the Official Community Plan;
  - f. impose conditions to approval that are authorized by this bylaw;
  - g. shall receive, review, refer and make recommendations on any application to amend the text of this bylaw or the Zoning Map to Council;
  - h. make, or arrange for, such inspections as are necessary for the proper administration of this bylaw and enforcement of the conditions of Development Permits, and;
  - i. collect fees according to a Fee and Fine Schedule to be established by resolution of Council.

### **2.2 BOARD OF VARIANCE**

- 2.2.1. The Board of Variance (Board) is hereby established by Council, pursuant to Section 290(5) and Section 306 of the Act, to:
  - a. hear Development Permit applications involving a variance or exception from this bylaw or the Official Community Plan.
- 2.2.2. The Board shall consist of three (3) members who are not members of Council.
- 2.2.3. Council shall appoint members to the Board for the current term of Council or on an ad hoc basis.

- 2.2.4. The chairperson of the Board shall be selected by the Board from its members.
- 2.2.5. The secretary of the Board may be appointed by Council, and shall not be a member of Council.
- 2.2.6. A minimum of two (2) Board members shall be required for quorum.
- 2.2.7. If an application to the Board is received, and either Council has not appointed members to the Board, or a quorum of Board members is not available, Council shall appoint members to the Board at their next regular meeting or call a special meeting so that the Board will be assembled to hear the application within the time limit specified.

## 2.3 **COUNCIL**

- 2.3.1. Council shall:
  - a. hear appeals to decisions of the Development Officer or the Board of Variance;
  - b. consider Development Permit applications for Discretionary Uses; and,
  - c. consider amendments to this bylaw or the Official Community Plan.

## **PART 3      DEVELOPMENT PERMIT PROCESS**

*This part of the bylaw outlines the Development Permit application and approval process, and the specific circumstances under which a Development Permit is not required. This section also outlines the appeal procedure if an application for a Development Permit is denied, or if a permit is issued with conditions that the applicant does not agree to. The Board of Variance can hear permit applications for minor variances or exceptions to this bylaw that would otherwise be denied.*

### **3.1      DEVELOPMENT REQUIRING A DEVELOPMENT PERMIT**

- 3.1.1. All development undertaken, or use commenced, shall require that a Development Permit be obtained by following the procedure under Section 3.3, unless the development or use is permitted without a permit under Section 3.2.
- 3.1.2. A Development Permit shall not be valid unless it conforms to this bylaw and the provisions of the Act.

### **3.2      DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**

- 3.2.1. The following developments are permitted in any zone without a Development Permit provided that such developments comply with all provisions of this bylaw or other applicable legislation:
  - a. the carrying out of routine maintenance or repair of any building or structure, which does not include structural alterations, major renovation, or a change in the use or intensity of use of the building or structure;
  - b. the use of any building or land attached to or used in conjunction with a dwelling for any purpose incidental to its enjoyment as a residence, excluding a home occupation;
  - c. the completion of a development that is lawfully under construction at the date when this bylaw comes into effect in accordance with the terms of the Development Permit and zoning regulations under which it was granted;
  - d. the erection, construction, or alteration of a gate, fence, wall or other means of enclosure, subject to the Yard provisions in Part 7;
  - e. landscaping, where the existing grade and surface drainage pattern is not materially altered and will not create off-site impacts;
  - f. the construction or erection of an accessory building in a residential zone of less than 10 m<sup>2</sup> in gross floor area, subject to the Accessory Building provisions in Part 7;
  - g. erection of temporary structures incidental to construction, maintenance or alteration of a building or structure for which a development permit has been issued;

- h. the maintenance and repair of public works, services and utilities carried out on behalf of Federal, Territorial, Municipal or other public authorities on land which is publicly controlled.
- i. the extension, alteration, or repair of industrial buildings is permitted where the original buildings had been constructed under a Development Permit if the extension does not increase the cubic content (length x width x height) of the original building by more than 10%;
- j. construction, maintenance and repair of private walkways, pathways and driveways;
- k. greenbelts, buffer strips and walkways.

### 3.3 **APPLICATION PROCEDURE FOR A DEVELOPMENT PERMIT**

- 3.3.1. An application for a Development Permit shall be made to the Development Officer on the application form attached to this bylaw in Schedule C.
- 3.3.2. The application shall be signed by the owner of the lot or their authorized agent, include the legal description of the lot and the civic address, and be accompanied by the application fee.
- 3.3.3. The following documents and written statements relating to the proposed development may be required at the discretion and satisfaction of the Development Officer:
  - a. a site plan or survey, with scale and north arrow showing the legal description, the front, rear, and side yards, the provision for off-street vehicle loading and parking (if applicable) and egress to the site;
  - b. floor plans, elevations, and sections;
  - c. statement of existing and proposed uses;
  - d. copy of the land title certificate;
  - e. a surveyor's certificate;
  - f. a sketch clearly showing location and distances to property lines of all existing and proposed buildings, structures, utility poles, fences, retaining walls, trees, landscaping, and any other details requested by the Development Officer;
  - g. location of sidewalks, curbs, edge of street;
  - h. existing and proposed utilities shown in streets, avenues, and lanes;
  - i. all easements shown and labelled;
  - j. description of exterior finishing materials, proposed landscaping and drainage works;
  - k. estimated commencement and completion dates;
  - l. a statement providing any additional information required by the Development Officer;

- 3.3.4. A Development Officer may refuse to accept a Development Permit application if the information, in their opinion, it is incomplete, inaccurate, or of inadequate quality to properly evaluate the application.
- 3.3.5. A Development Officer may refuse to accept an application for a Development Permit for a proposed development that would otherwise comply with the requirements of this bylaw if:
- a. there is no access to a lot from a legally surveyed road; or,
  - b. the utility services necessary for the proper operation of the proposed development are not available.
- 3.3.6. A Development Officer may request any of the following additional information to be submitted as part of the application depending on the location, use, type and complexity of development proposed, if applicable:
- a. a geo-technical evaluation of the site to confirm soil and slope stability, detect the presence of permafrost, designate top-of-bank setbacks, and assess site suitability for on-site septic sewage disposal;
  - b. a landscaping plan to show site grading, drainage, retaining walls, existing and future tree locations, and open space landscape treatment;
  - c. a development impact assessment where the magnitude or type of use may have off-site implications of short or long term duration by virtue of the nature of the development proposed. Typical impact considerations would include the physical, social, and economic consequences, impacts on municipal services and infrastructure, adjacent land uses, noise, emissions, and future site rehabilitation;
  - d. an environmental site assessment report detailing the existing contamination level present in soil, groundwater, and surface water;
  - e. a digital drawing of the proposed development in a format compatible with Town software;
  - f. as-built drawings for any infrastructure, servicing, or other site elements;
  - g. proof of approval of the proposed on-site sewage disposal system by the authority having jurisdiction on lots not serviced by a municipal sewage system;
  - h. evidence of compliance with any applicable Federal, Territorial, and Municipal laws, bylaws, and other enactments;
  - i. any other information, such as proposed on-site drainage, and traffic studies required by the Development Officer; and
  - j. confirmation of consultation with utility providers, including but not limited to, Yukon Energy and NorthwesTel Inc., on servicing options for the proposed development (for commercial and multiple residential developments only).

- 3.3.7. A Development Officer may inform adjacent property owners of the application in writing or require the applicant to do so.

### **3.4 ISSUANCE OF A DEVELOPMENT PERMIT**

- 3.4.1. Where an application is in complete compliance with this bylaw applicable to the lot or site, the Development Officer shall issue a Development Permit and may inform adjacent property owners in writing or require the applicant to do so.

### **3.5 MODIFICATION OF APPLICATION**

- 3.5.1. Where an application does not meet the requirements of this bylaw, and cannot readily be modified to meet the requirements of this bylaw, the Development Officer shall not issue a Development Permit.
- 3.5.2. Where an application does not meet the requirements of this bylaw, and the proposed development may be modified to meet the requirement of this bylaw, the Development Officer may:
- a. issue a Development Permit subject to such reasonable conditions as may be necessary to bring the development into compliance with this bylaw;
  - b. require the applicant to obtain the written support of adjacent property owners for the application.
- 3.5.3. The Development Officer shall not issue a Development Permit where a condition of issuance would be to order that the use of the land, a building, or structure be changed in order to comply with this bylaw.

### **3.6 DEVELOPMENT OFFICER DECISION**

- 3.6.1. In rendering a decision, the Development Officer, having regard for the Official Community Plan and this bylaw, may:
- a. approve an application unconditionally if the application fully conforms with this bylaw and the Official Community Plan;
  - b. approve an application conditionally if the application does not fully conform with this bylaw but the proposed development or use can be reasonably made to conform by meeting the specified conditions, permanently or for a limited period of time;
  - c. approve a temporary use permit if the application otherwise conforms to this bylaw but is seasonal or temporary in nature, the impacts associated with the proposed use will be mitigated, and the site restored after the use has ceased;
  - d. exercise discretion in granting an allowance, where such allowance is desirable and there will be no detrimental impacts on neighbouring properties:
    - i. in height, setbacks or floor area no greater than 10% beyond the requirements of this bylaw; or

- ii. where the setbacks generally conform to the requirements of this bylaw but the lot is irregularly shaped, **or**
    - iii. **in minimum depth and width of residential lots to allow for residential development of lot.**
  - e. refer an application to Council where the application is for a Discretionary Use, together with a report containing a recommendation for approval or denial;
  - f. refer an application to the Board of Variance where the application involves a variance or exception from this bylaw or the Official Community Plan, together with a report containing a recommendation for approval or denial;
  - g. refer an application to another municipal officer, legal counsel, professional planning consultant, territorial or federal department or agency for comment or advice prior to making a decision, after informing the applicant of costs the applicant may be responsible to bear for such referral, however such comment or advice shall not be binding on the Development Officer;
  - h. refuse an application if the proposed development or use does not meet the requirements of this bylaw; or,
  - i. refuse an application that otherwise meets the requirements of this bylaw but, in the opinion of the Development Officer, the utility services necessary for the proper operation of the proposed development are not available to the proposed development.
- 3.6.2. Where a specific use does not conform to the wording of any use definition or generally conforms to the wording of two or more definitions, a Development Officer may use discretion to deem that the use conforms to and is included in the use that is considered to be most appropriate in character and purpose.
- 3.6.3. A decision of the Development Officer on an application for a development shall:
- a. be in writing and a copy shall be immediately mailed or delivered to the applicant and any other person who expressed an interest in the application; and,
  - b. contain reasons for the approval, conditional approval, or refusal.
- 3.6.4. Where a Development Permit application has been refused by the Development Officer and no appeal is requested within 30 days of the decision, or where the Council has refused the appeal, submission of another application for a Development Permit on the same property of the same or similar use of the land or buildings by the same or any other applicant may not be accepted by the Development Officer for at least six months after the date of the previous refusal.

### 3.7 BOARD OF VARIANCE DECISION

- 3.7.1. The Board of Variance, having regard for Section 307 of the Act,:
- a. shall hear the Development Permit application for a variance or exemption from this bylaw or the Official Community Plan;
  - b. may make an order or decision to issue a Development Permit, with or without conditions, notwithstanding that the proposed development does not comply with this bylaw if, in the Board's opinion, the variance or exemption granted:
    - i. would not unduly interfere with the amenities of the neighbourhood, or materially interfere with, or affect the use, enjoyment, or value of neighbouring properties; and,
    - ii. is within the general intent and use prescribed for that land in this bylaw and the Official Community Plan.
- 3.7.2. The Board of Variance shall give its decision in writing, together with reasons for the decision, within 15 days of the conclusion of the public hearing **and within 30 days of receipt of the application**;

### 3.8 APPEAL OF DECISION

- 3.8.1. Within 30 days of a decision by the Development Officer or Board of Variance, an appeal to Council may be filed by the applicant or any person aggrieved by the decision (the "appellant") where:
- a. an application has been refused;
  - b. a decision has not been rendered within 30 days of acceptance of the application, unless the application has been referred under Subsections 3.6.12 (e), (f), or (g);
  - c. a Development Permit is issued subject to conditions; or,
  - d. a variance or exception to this bylaw has been granted.
- 3.8.2. A fee for appeal as set out in Schedule B shall be paid by the appellant upon the filing of an appeal.
- 3.8.3. **Council shall set a day for the appeal hearing within 30 days of the filing of the notice of appeal.** ~~Within 30 days of receipt of a Notice of Appeal, the Council shall hold a public hearing respecting the appeal.~~
- 3.8.4. Council shall give at least ten days' notice of the public hearing in writing to the appellant, adjoining land owners, and any other persons that Council considers affected by the matter.
- 3.8.5. **All documents and materials that the applicant intends to rely on in support of the appeal must be filed at least 10 days before the day of the hearing.**
- 3.8.6. **Council shall make all material filed under Subsection 3.8.5** ~~All relevant documents and materials respecting the appeal including the application for the Development Permit will be~~ available for public inspection before the commencement of the public hearing.

- 3.8.7. At the public hearing, the Council shall hear:
- a. the appellant, or any other person acting on their behalf;
  - b. the Development Officer, or a person designated to act on behalf of the Development Officer;
  - c. any other person who was served with notice of the public hearing and who wishes to be heard or a person acting on their behalf; and
  - d. any other person who claims to be affected by the order, decision, or application or a person acting on their behalf that Council agrees to hear.
- 3.8.8. Council shall render their decision in writing within 30 days of the hearing to **allow or disallow or allow with conditions the appeal. This decision will:**
- a. Confirm, revoke, or vary a decision of the Development Officer or Board of Variance;
  - b. add or alter any a condition attached to a Development Permit;
  - c. make or substitute an order;
  - d. issue a Development Permit of its own; or,
  - e. dismiss the appeal.
- 3.8.9. A decision of Council under Subsection 3.8.87 shall:
- a. not invalidate, weaken or amend any section or provision of this bylaw, the Official Community Plan, or any bylaw of the Town, except to provide such variance as explicitly stated in the decision for the exceptional circumstance of the appeal;
  - b. **be based on the facts and merits of the case;**
  - c. **be in writing and set forth the reasons for the decision; and**
  - d. **shall** will be **sent by registered** mailed or personally delivered to the appellant within 10 days of the decision.
- ~~3.8.10. A copy of the decision shall will be mailed or personally delivered to the appellant within 10 days of the decision.~~
- 3.8.11. Within 10 days of Council's decision authorizing the development to occur, or after the last day of appeal of a decision by the Board of Variance authorizing the development to occur if no further appeal is filed, the Development Officer shall issue the Development Permit including any conditions, time limits or things imposed in such decision.
- 3.8.12. ~~A The~~ decision of Council **under Section 3.8** shall be final and binding, **with no further appeal from it.**

### 3.9 CONDITIONS AND DUTIES WHERE PERMIT ISSUED

- 3.9.1. Every Development Permit shall be deemed to be issued upon the following conditions unless otherwise stated thereon:

- a. the development must start within 12 months from the date on which the Development Permit is issued;
  - b. the principal building, if any, must be erected first and clad to weather within a specified time; and,
  - c. the development must not be suspended or discontinued for a period of more than 12 months.
- 3.9.2. If development commences prior to the end of the appeal period, such development shall be entirely at the risk and liability of the applicant, and if an appeal is filed, no development can occur until the appeal is heard and a decision issued.
- 3.9.3. A Development Permit issued for any proposed development that also requires a building permit under the Yukon Building Standards Act shall not be acted upon until a building permit is obtained.
- 3.9.4. The applicant, the owner and any other person having authority over the development shall permit the Development Officer, Building Inspector or any public official who has a duty or power of inspection in relation to the development to enter and inspect the development at any reasonable time for the purpose of administering or enforcing this Bylaw or any other pertinent law.
- 3.9.5. The applicant, personally or by agent, shall notify the Development Officer when the work has reached stages of completion specified on the Development Permit and, upon completion of the development, before going into occupancy.
- 3.9.6. During the period of carrying out the development, the applicant shall keep posted, in a conspicuous place on the site, a copy of the Development Permit and shall keep a copy of the drawings and specifications available on the site for inspection by the Development Officer or any other public official.
- 3.9.7. If at any time it appears to the Development Officer that a development is not being carried out according to the terms of the permit, or that a Development Permit has been obtained by fraud or misrepresentation, the Development Officer may stop the development and may revoke, suspend or modify the original Development Permit.

## **PART 4      AMENDMENTS TO THE BYLAW**

*This Part of the bylaw outlines how the regulations, zones or maps of the bylaw are amended. There are two types of amendments: changes to the text (wording) of the bylaw, or changes to the zoning designation of land (maps), which is also referred to as a "re-zoning". Amendments to the bylaw can be either initiated by a person who would like to proceed with a development that does not comply with the current zoning regulations for the land, or can be initiated by Council. Amending the bylaw must follow a process including a public hearing and notification as set out under the Act*

### **4.1      GENERAL**

- 4.1.1. Any person may apply to have this bylaw amended by applying, in writing, to the Development Officer stating reasons in support of the application.
- 4.1.2. A proposed amendment which has been rejected by Council within the previous 12 months shall not be reconsidered by Council unless otherwise resolved.
- 4.1.3. Amendment of the bylaw shall be subject to the requirements, notices, and procedures as set out in the Act.
- 4.1.4. An amendment to this bylaw must conform to any existing Official Community Plan that affects the land.
- 4.1.5. Council may approve, by resolution, editorial amendments to this bylaw, such as correcting spelling, punctuation, grammar, or formatting provided those changes do not alter the meaning of the bylaw.

### **4.2      PROCEDURE FOR APPLICATION TO AMEND THE BYLAW**

- 4.2.1. An application to amend this bylaw shall be accompanied by:
  - a. a current copy of the Certificate of Title for the subject lot;
  - b. the applicant's name, address and interest in the property;
  - c. a statement of reasons in support of the application;
  - d. an application fee as specified in the Fee and Fine Schedule; and
  - e. the application shall be signed by the registered owner of the land.
- 4.2.2. Upon receipt of an application to amend this bylaw, in addition to the Review Process in Section 4.4, the Development Officer shall:
  - a. request any additional information, studies, plans or reports from the applicant to carry out an investigation or analysis;
  - b. advise the applicant if a referral of the application to legal counsel or professional planning consultant will be required that the applicant may bear the costs associated with the referral.
- 4.2.3. Council shall:
  - a. examine the proposed amendment along with the Development Officer's report; and

- b. advise the applicant, in writing, within ten days from the date of the Council meeting where the application was examined that:
  - i. Council is prepared to approve the amendment without further investigation;
  - ii. Council rejected the amendment;
  - iii. Council requires further investigation and shall direct the Development Officer to carry out such investigations; or,
  - iv. Council is prepared to approve an alternative amendment at once or after due investigation.

4.2.4. Where Council rejects the proposed amendment, the applicant may request in writing to Council that Council proceed with further investigation of either the proposed amendment or an alternative amendment, failing which the proposed amendment will be considered abandoned.

4.2.5. In rendering a decision to approve the amendment, Council may require that the Development Officer issue a Development Permit to the applicant establishing the conditions of approval for the proposed development.

#### 4.3 **COUNCIL INITIATED AMENDMENT TO THE BYLAW**

4.3.1. Council, at its discretion, may initiate an amendment to this bylaw.

#### 4.4 **REVIEW PROCESS**

- 4.4.1. Upon receipt of a completed application to amend the bylaw, or Council initiated amendment to the bylaw, the Development Officer shall carry out any necessary investigations, which may include but are not limited to:
- a. analysis of the potential impacts of the proposed amendment;
  - b. referral of the proposed amendment to legal counsel, professional planning consultant, territorial or federal department or agency for a report, comment or advice prior to making a recommendation,
  - c. confirming compliance with the Official Community Plan;
  - d. preparing an administrative report on the proposed amendment along with their recommendations; and,
  - e. submitting a copy of the report, maps and all material relevant thereto, to the Council.

## PART 5 NON-CONFORMING USES

*Non-conforming uses include developments and uses of land that were in place prior to approval of this bylaw. Provided that the developments occurred, or the uses were established, in compliance with an earlier Zoning Bylaw or other regulations that were in place at the time, these non-conforming uses are considered legal and may continue even if they are not in compliance with this bylaw. However, if the land is redeveloped or the use is changed, the non-conforming status no longer applies.*

### 5.1 YUKON MUNICIPAL ACT PROVISIONS REGARDING NON-CONFORMING USES

- 5.1.1. In addition to any provision for non-conforming uses in this bylaw, such uses, land, buildings, or structures are subject to the provisions of **Part 7** - Division 4 of the Act.

### 5.2 STRUCTURAL ALTERATIONS AND NEW CONSTRUCTION

- 5.2.1. This bylaw shall not prevent the maintenance, renovation, or redecoration of a building or structure that was non-conforming as of the date of adopting this bylaw, and the use of the building or structure may be temporarily discontinued for the purpose of doing the renovation or redecoration work.
- 5.2.2. **Any work on a non-conforming building may not enlarge, add to, rebuild or structurally alter such building except to increase its conformity.**
- 5.2.3. The lawful use of land or a building or other structure existing at the date of the approval of this bylaw, that does not conform to this bylaw, may be continued, but if the non-conforming use is discontinued for a period of **12** ~~18~~ months or more, then any subsequent use of the land, building or structure must conform to this bylaw.
- 5.2.4. **If a non-conforming building or structure is destroyed by fire, or is otherwise damaged to an extent of 75 percent or more of the assessed value, it may not be rebuilt or repaired except in conformity of the official community plan and this bylaw. This assessed value may be determined by the local tax assessor or a licensed assessor.**

### 5.3 CHANGE OF OWNERSHIP, TENANCY OR OCCUPANCY

- 5.3.1. The use of land or the use of a building is not affected by reason only of a change in ownership, tenancy, or occupancy of the land or building.

### 5.4 CONFORMANCE WITH THIS BYLAW

- 5.4.1. Lots created before the approval of this bylaw that are less than the minimum area or dimensions required of the lot's zone shall be considered to be conforming lots for the purposes of this bylaw. **Rear and side yard setbacks may be reduced proportionately by the same percentage that the lot is less than the minimum for that zone.**
- 5.4.2. Buildings legally constructed before the approval of this bylaw that have less than the minimum side yard setbacks required of the lot's zone shall be

considered to be in conformance with this bylaw if the use of the building is a permitted use of the zone.

- 5.4.3. Notwithstanding Subsection 7.14.3, Council may, by bylaw, authorize the subdivision of existing residential lots containing multiple dwellings constructed prior to 1985 to establish separate lots for the existing buildings or dwelling units and such development shall be deemed to be in conformance with this bylaw.
- 5.4.4. The minimum setback for any expansion to a building falling under Subsection 5.4.2 or 5.4.3 shall be the minimum as set out in this bylaw for that zone.

## **PART 6      ENFORCEMENT**

*Enforcement of this bylaw is necessary when a person commences development illegally, either without, or contrary to, a Development Permit, or when land or a structure is being used in a way that is not permitted in that zone or is contrary to a regulation in this bylaw. The action the Development Officer can take varies with the individual situation, but usually begins with a letter or visit to the person in violation to inform them of the regulations. But depending on the severity of the violation, or unwillingness of the person to cooperate, these provisions of the bylaw enable escalating levels of the enforcement, including orders, fines, remedies and court action.*

### **6.1      GENERAL**

- 6.1.1.    The Development Officer, a Bylaw Enforcement Officer, or other Officer so designated by Council, may enforce the provisions of this bylaw.
- 6.1.2.    All enforcement activities of the Development Officer or Bylaw Enforcement Officer as provided pursuant to the Municipal Act, this Part, or any other section of this bylaw, may be commenced simultaneously.

### **6.2      OFFENCES**

- 6.2.1.    Any person who contravenes, causes, or permits a contravention of this bylaw commits an offence.
- 6.2.2.    Any person who owns, occupies, or uses land, constructs a building or structure or makes an addition or alteration thereto for which a Development Permit is required but has not been issued; or is in contravention of a Development Permit issued under this bylaw, commits an offence.

### **6.3      RIGHT OF ENTRY FOR INSPECTION**

- 6.3.1.    After reasonable notice to the owner or occupant, the Development Officer or any other authorized representative of the Town may enter onto any land or into any building or structure at any reasonable time in order to conduct an inspection to ascertain compliance with this bylaw.
- 6.3.2.    No person shall interfere with or obstruct the entry of the Development Officer or authorized representative onto any land or into any building or structure to which entry is made or attempted pursuant to the provisions of this bylaw.
- 6.3.3.    Where entrance into or upon any property within the Town is refused, a Justice may, upon application made on behalf of Council, by order require the occupier of the property to admit the Development Officer or any authorized representative into or upon the property for the purpose of an inspection under Subsection 6.3.1.
- 6.3.4.    An order made by a Judge under this Section continues in force until the purpose for which it was made has been fulfilled.

### **6.4      NOTICES**

- 6.4.1. Once the Development Officer has found a violation of this bylaw, the Development Officer or Bylaw Enforcement Officer may notify the owner of the property, the person in possession of the land or development, and/or the person responsible for the violation, by:
  - a. delivering, either in person, by ordinary mail or fax, a Notice of Violation; and,
  - b. posting the notice in a conspicuous location on the site.
- 6.4.2. Such Notice of Violation shall state:
  - a. the nature of the violation of this bylaw;
  - b. the scope of the corrective measures required to comply with this bylaw; and,
  - c. the time limit within which such corrective measures must be performed.
- 6.4.3. The Development Officer is not required to issue a Notice of Violation before commencing any other enforcement action under the Municipal Act or this bylaw.

## **6.5 REFUSAL, SUSPENSION OR REVOCATION OF PERMIT**

- 6.5.1. The Development Officer may suspend, or revoke or refuse to issue a Development Permit where:
  - a. the applicant fails to comply with the conditions of the issuance of the permit; or,
  - b. any person undertakes or causes or allows any development on a site contrary to the terms or conditions of a permit; or,
  - c. any person fails to complete the corrective measures described in a Notice of Violation issued pursuant to Section 6.4.

## **6.6 OFFENCE TICKETS**

- 6.6.1. Where a person has contravened a provision of this bylaw, or if the corrective measures described in a Notice of Violation issued pursuant to Section 6.4 are not completed within the specified time, or if development continues after a permit has been revoked, the person to whom the Notice of Violation was issued may be issued an offence ticket by a Development Officer or Bylaw Enforcement Officer in the amount specified in Subsection 6.10.2.
- 6.6.2. The offence ticket shall specify the alleged offence committed, the person to whom the offence ticket is issued, and require payment of the penalty by a specified date.
- 6.6.3. The offence ticket shall be served personally or by registered mail on the person identified in Subsection 6.4.1.
- 6.6.4. A separate offence shall be deemed to be committed on each day during or on which a violation occurs or continues.

- 6.6.5. Any person who contravenes the same provision of this bylaw within twelve months after the date of the first contravention is liable to double the amount of the specified penalties set out in the Fee and Fine Schedule for such second or subsequent offence.

## **6.7 REPORT TO COUNCIL**

- 6.7.1. Where a Development Officer is satisfied that there is a continued contravention of this bylaw, a Development Officer may elect to report such a contravention to Council in a timely manner if it appears the contravention will not be corrected in a timely manner.
- 6.7.2. Council may, on finding that any development or use of land or buildings is in contravention of this bylaw:
- a. direct the Development Officer to act on the matter in accordance with Section 6.8;
  - b. suspend or revoke a Development Permit with respect to the contravention; and,
  - c. apply to the court for an injunction to restrain the contravention.

## **6.8 ORDERS**

- 6.8.1. A Development Officer or Bylaw Enforcement Officer may issue to the owner of the property, the person in possession of the land or buildings, or the person responsible for the contravention, a written order to comply with the provisions of this bylaw.
- 6.8.2. The order may:
- a. direct a person to stop doing something or to change the way in which the person is doing it;
  - b. direct a person to take any action or measure necessary to remedy the contravention of the Act or bylaw, including the removal or demolition of a structure that has been erected or placed in contravention of a bylaw and, if necessary, to prevent a re-occurrence of the contravention;
  - c. state a date and time by which the person must comply with the directions;
  - d. state that if the person does not comply with the directions within the specified time, the municipality will take the action or measure at the expense of the person; and,
  - e. state that a person who receives a written order may request that Council review the order within 14 days after the date the order is received. After reviewing the order, Council may confirm, vary, substitute, or cancel the order.
- 6.8.3. This order shall be delivered by registered mail or be personally served on the person described in Subsection 6.4.1.

## **6.9 MUNICIPALITY REMEDYING CONTRAVENTION**

- 6.9.1. Where a person fails or refuses to comply with the order issued under Section 6.8, the Development Officer may take such action as is necessary to enforce the order.
- 6.9.2. The costs and expenses incurred by the Town in carrying out an order shall be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on the land.

#### 6.10 **PENALTIES**

- 6.10.1. Any person who commits an offence under Section 6.2 is, upon summary conviction, liable to a fine in accordance with the Summary Convictions Act.
- 6.10.2. Any person who commits an offence under this bylaw is, in addition to any other punishment, liable on summary conviction to:
  - a. a voluntary fine issued pursuant to Section 20 of the Summary Convictions Act and in respect of an offence up to the amount specified in Schedule B; and,
    - i. in the case of a continuing offence, to a further fine for each day during which the offence continues; or,
  - b. a fine not exceeding ten thousand dollars (\$10,000.00) or to imprisonment for six months or both where proceedings are commenced pursuant to the summary convictions provisions of the Criminal Code of Canada; or
  - c. a fine not exceeding five hundred dollars (\$500.00) or to imprisonment for six months or both where proceedings are commenced pursuant to Section 9(1) of the Summary Convictions Act of the Yukon.
- 6.10.3. Where a person fails or refuses to comply with an Order pursuant to Sections 6.2 and 6.8, that person is liable on summary conviction to a fine of not more than \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the offence continues.
- 6.10.4. In addition to the penalties provided for under Subsection 6.10.2, a person convicted of an offence pursuant to Section 6.2 in respect to the use of land or buildings or development carried out in contravention of this bylaw, may be ordered to remove such development and reclaim the site at that person's own expense.
  - a. Should any person owning or occupying real property within the Town refuse or neglect to pay any penalties that have been levied pursuant to this bylaw, the Development Officer may inform such person in default that, if these charges are unpaid on the thirty-first day of December on the same year, these shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.

## **PART 7      GENERAL DEVELOPMENT REGULATIONS**

*These regulations are common to any zone to which the use or development applies. For example, if you are interested in running a business from your home, you will find the regulations for Home Occupations in this section.*

### **7.1      ACCESSORY BUILDINGS, INCLUDING GARAGES AND GREENHOUSES**

- 7.1.1. No accessory building shall be erected within 2.5m of any part of a principal building or structure.
- 7.1.2. No accessory building shall be built in a front yard, except that such development may be approved in a front yard where:
  - a. the depth of the front yard is greater than 20m; and,
  - b. the design and size of the structure is harmonious with the principal building or structure.
- 7.1.3. A Development Permit for carport in a front yard may be permitted to replace an existing legal non-conforming carport provided the proposed carport is open on all sides.
- 7.1.4. A garage or carport attached to and forming part of a principal building or structure shall be considered to be part of the principal building or structure.
- 7.1.5. A detached garage shall be built so that the doors of the garage are not facing closer than 3.0m to property boundary abutting a street or 2.0m to any other facing property boundary.
- 7.1.6. An accessory building may be erected in a residential zone without a Development Permit, provided the accessory building is:
  - a. less than 10m<sup>2</sup> in gross floor area;
  - b. setback a minimum of 1.0m from the property line, or at the discretion of the Development Officer, a lesser setback provided the applicant submits written authorization from the adjacent property owner;
  - c. located a minimum of 2.0m from other accessory buildings;
  - d. anchored to the ground, if of metal construction; and,
  - e. in compliance with Subsections 7.1.1. and 7.1.2.

### **7.2      BED AND BREAKFAST OR GUESTHOUSE**

- 7.2.1. In the case of a bed and breakfast:
  - a. the owner/operator must live on site; and,
  - b. must comply with all the regulations applicable to a home occupation.
- 7.2.2. The maximum total overnight occupancy of a bed and breakfast or guesthouse is 10 persons, including any persons who normally reside in the dwelling.
- 7.2.3. The person wishing to operate a bed and breakfast or guesthouse must:

- a. provide proof from the appropriate government health authority confirming the premises are suitable from a health and sanitation purpose for the intended use, if applicable.
- b. install and maintain a smoke detector, carbon monoxide detector and fire extinguisher on each storey of the dwelling.

### **7.3 CANNABIS-RELATED BUSINESS**

- 7.3.1. The establishment of a cannabis-related business shall, prior to the issuance of any license or approval by another authority having jurisdiction, require approval of an application to amend this bylaw and establish spot zoning for the property on which the cannabis-related business would operate.
- 7.3.2. If approved by Council, the spot zoning regulations shall specify the type of cannabis-related business permitted and may include conditions to:
  - a. specify hours of operation, building design, lighting, security, or other requirements deemed appropriate for the use and location;
  - b. include a time limit or probationary period;
  - c. limit or restrict other uses that would otherwise be permitted in the previous zone regulations; and,
  - d. lapse and revert back to the previous zone regulations if:
    - i. the use is discontinued for a period of 12 months; or,
    - ii. the license for the cannabis-related business is terminated.
- 7.3.3. Council may arbitrarily refuse approval of any cannabis-related business spot zoning.
- 7.3.4. Council may enact a bylaw to control, limit or prohibit cannabis-related business within the Town, and such legislation shall have precedence over this section and any spot zoning previously approved.

### **7.4 COOPS**

- 7.4.1. In addition to being subject to the requirements of an accessory structure, a coop must also conform to the requirements of the Animal Control Bylaw.

### **7.5 EXCAVATION AND REMOVAL OF TOPSOIL**

- 7.5.1. No person shall commence or continue removal of topsoil or excavation on a lot to be developed without first obtaining a Development Permit.
- 7.5.2. A minimum topsoil coverage of 0.15m shall be provided upon occupancy and the affected area shall be landscaped.
- 7.5.3. No excavation or grading shall occur during development that would alter the natural course or flow of drainage from the lot.
- 7.5.4. Erosion control measures shall be taken to prevent erosion of bare soil during excavation, grading or clearing of a lot and such measures shall remain in place until natural vegetation or development has stabilized the ground.

## **7.6 FENCES AND SCREENING**

- 7.6.1. In all zones, fences are permitted in front, rear or side yards.
- 7.6.2. In any residential zone, a fence must:
  - a. not exceed a height of 1.22m in any front yard; and;
  - b. not exceed a height of 1.83m in any side or rear yard.
- 7.6.3. For any corner lots, both yards fronting streets will adhere to the front yard height limitation.
- 7.6.4. In commercial and industrial zones, fencing and screening above 2.44m in height shall be at the discretion of the Development Officer.
- 7.6.5. Fences and screening material shall be consistent with the character of the zone in which they are located.
- 7.6.6. The height of a fence or screening shall be measured from grade, or from the base of a wall upon which it may be located.

## **7.7 HOME OCCUPATIONS**

- 7.7.1. Home occupations are an accessory use in residential zones and must conform to all provisions of this bylaw.
- 7.7.2. A home occupation shall not use more than ~~40%~~ 25% of the gross floor area of a dwelling.
- 7.7.3. A home occupation may use up to 100% of the gross floor area of an accessory building that conforms to all accessory building regulations in this bylaw.
- 7.7.4. A home occupation shall be run by those living in the dwelling and may employ up to two persons who are not residents of the household.
- 7.7.5. There shall be no change in the outside appearance of the dwelling or accessory building housing the home occupation that would detract from the residential character of the area.
- 7.7.6. Any need for parking generated by the home occupation ~~during outside the hours of 8pm to 8am shall be provided on site.~~
- 7.7.7. No equipment or process shall be used in a home occupation that creates levels of noise, vibration, smoke, dust, glare, fumes, or odour inconsistent with the residential nature of the area, or by virtue of the hours of operation, type and level of activity impairs the use and enjoyment of neighbouring residential properties.
- 7.7.8. Only goods and materials directly related to the home occupation activities may be stored on-site in a principal or accessory building. The Development Officer may permit outside storage and impose conditions as required to ensure that:
  - a. the storage area is screened from adjacent properties;
  - b. the volume of goods and material stored is consistent with the residential character of the property;

- c. the goods and materials stored are essential to the operation of the business activity;
  - d. the goods and materials are stored in a safe, organized manner so as not to pose a fire hazard or nuisance to neighbouring properties.
- 7.7.9. More than one home occupation may be on the same lot provided that the aggregate area devoted to home occupation activities does not exceed 25% of the dwelling gross floor area for all home occupations.
- 7.7.10. A Development Permit or business license for a home occupation may be revoked at any time if, in the opinion of the Development Officer, the use is or has become detrimental, a nuisance to the neighbourhood or otherwise does not comply with any provision of this bylaw.
- 7.7.11. **A sign for a home occupation is subject to Section 7.13.8**

## **7.8 KENNELS**

- 7.8.1. **In reviewing an application for a kennel, the Development Officer may recommend such additional conditions with respect to the placement of buildings, erection of fences and screening, manner of waste disposal and numbers housed to ensure the development is compatible with abutting land uses and does not create a nuisance.**

## **7.9 MICRO ENERGY GENERATION SYSTEMS**

- 7.9.1. A development permit is required for the erection, construction or installation of a micro energy generation system other than solar panels attached to a building.
- 7.9.2. Micro energy generation systems must be constructed and operated in a manner that minimizes any adverse visual, audial, safety and environmental impacts.
- 7.9.3. Stand-alone solar panels must meet the requirements of an accessory structure.
- 7.9.4. Establishment of wind energy systems with a rated capacity of more than 5 KW shall require the approval of Council and are not permitted in a Rs or Rm zone.
- 7.9.5. The minimum setback for a wind energy system shall be twice the height of the turbine, no wall or roof mounted turbine shall be higher than 2 m above the building height, and guy wire anchors must meet the minimum yard setback requirements.

## **7.10 OFF-STREET LOADING**

- 7.10.1. In an industrial or commercial area, a loading area must be provided so that, while loading or unloading, no portion of a commercial vehicle:
- a. extrudes on to a public roadway; or,
  - b. blocks access to parking areas, main entrances, or pedestrian movement.

## 7.11 PARKING

7.11.1. Where land or a building or structure is used for any purpose, parking shall be provided entirely on the lot or site as follows:

- a. in residential zones, a minimum of 1 parking space per dwelling unit;
- b. in commercial or industrial zones, a minimum of;
  - i. 1 parking space per 50 m<sup>2</sup> of gross floor area; or,
  - ii. 1 parking space per table in an eating or drinking establishment; and,
  - iii. 1 parking space per 4 employees.
- c. for each hotel, guesthouse, bed and breakfast, or boarding and rooming house, a minimum of;
  - i. 1 parking space, plus additional parking spaces based on 0.33 parking spaces per bedroom or sleeping unit, rounded up to the next whole number.
- d. in commercial zones, the required parking may be provided on an abutting municipally owned and maintained parking lot.

~~7.11.2. Any vehicle extruding out into, or parked within, the right of way of a public road shall be deemed to be parked on a public road.~~

~~OR No person shall keep a partially dismantled or wrecked vehicle on a lot or site in a residential zone for more than 14 days.~~

~~7.11.3. No person shall keep a partially dismantled or wrecked vehicle in the front yard of a lot or site in a residential zone.~~

7.11.4. No person shall keep, on a lot or street within a residential zone for longer than is reasonably necessary to load or unload, a vehicle that is considered to be:

- a. a commercial vehicle of class 1, 2, or 3;
- b. heavy or construction equipment; or,
- c. in excess of 12,000 kg gross vehicle weight.

## 7.12 PLACES OF WORSHIP AND ASSEMBLY HALLS

7.12.1. A site proposed for a place of worship, or assembly hall shall be subject to the following provisions:

- a. the site shall be located on a corner lot or sited in such a way that it will not adversely affect the adjacent developments;
- b. the site shall be such a size that would allow adequate parking and landscaping;
- c. the front, side and rear setbacks shall be those permitted within the zone in which the site is located, provided the structure is less than 7.6m in height. Any structure above 7.6m in height (excluding steeple) shall have side yards in excess of 10% of the width of the lot and of such

width as will protect the privacy and the sunlight to the adjacent developments to the satisfaction of the Development Officer; and

- d. each building shall be of such an appearance with respect to its design, proportion, and exterior treatment as, in the opinion of the Development Officer, will complement the existing design fabric of the neighbourhood.

#### 7.13 **SECONDARY SUITES**

- 7.13.1. A secondary suite, where permitted, shall be treated as an accessory use in the zone which it is located. The secondary suite shall not exceed 40% of the gross floor area of the principal use building.
- 7.13.2. Notwithstanding 7.11.1, if the applicant demonstrates, to the satisfaction of the Development Officer, that the principal commercial or industrial use is complete and operational without the requirement of a principal commercial or industrial building, the 40% gross floor area restriction will not apply until such time as a principal commercial or industrial building is developed.
- 7.13.3. Only one secondary suite is permitted on a lot.
- 7.13.4. A detached secondary suite may be constructed prior to a principle use dwelling, at the discretion of the Development Officer, subject to:
  - a. a development permit that shows details for both the primary use dwelling and secondary suite must be submitted and approved;
  - b. the development permit must include a time limit that dictates how long the secondary suite may exist without completion of the primary use dwelling;
  - c. the placement of the secondary suite must allow for sufficient space to construct the principle use dwelling;
  - d. the secondary suite must meet all other regulations for a principle use dwelling as a stand-alone structure; and
  - e. anything else the Development Officer deems appropriate to ensure the development is completed in compliance with this bylaw.

#### 7.14 **SERVICE STATIONS AND CARD LOCKS**

- 7.14.1. A site for a service station or card lock, shall comply with the following special provisions:
  - a. such sites shall have two separate accesses from a public road to allow orderly ingress, egress and circulation to fuel pumps from either direction;
  - b. site coverage, exclusive of pump islands, shall not exceed 30%;
  - c. the minimum frontage of the lot shall be 30.0m; and
  - d. any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the site only and not on any adjoining properties;

- 7.14.2. The owner, tenant, operator or person in charge of a service station shall, at all times be responsible for the proper, safe and orderly operation thereof and of motor vehicles using said service station or being repaired or serviced, and without restricting the generality of the foregoing, shall ensure that operators of motor vehicles:
- a. do not obstruct the sidewalks and boulevards abutting or adjacent to the service station, and
  - b. enter and leave the service station only at the entrances and exits provided for such purposes.

## 7.15 **SIGNS**

- 7.15.1. Regulations provide standards for outdoor commercial signs in the interest of amenity and traffic safety and having consideration to the number, size and location of advertisements insofar as the signs are likely to affect:
- a. the appearance and character of any building or locality frequented by the public; and
  - b. the concentration of the motoring public and its ability to define authorised traffic signs.
- 7.15.2. No signs, including temporary commercial advertising signs, shall be erected within the Town of Faro except those signs provided for in this bylaw.
- 7.15.3. Signs may be luminous, reflecting or illuminated, but not oscillating.
- 7.15.4. No sign shall be erected that interferes with traffic or the visibility of a traffic control device.
- 7.15.5. The following signs shall be permitted under the following conditions in all Zones of the Town:
- a. Real Estate - Maximum area - 0.6m<sup>2</sup>. The notices shall not be illuminated, and there shall be a limit of one notice for each side of the land or buildings on different streets.
  - b. Community Activity
  - c. Warning
  - d. Political posters relating specifically to a pending election shall be removed within 14 days of the election.
  - e. Public Building Maximum 3.0m<sup>2</sup>. There shall be a limit of one notice for each side of the land or buildings on different streets.
  - f. Construction notices. Maximum 6.5m<sup>2</sup>. Such notices shall be removed within 14 days of occupancy or completion of construction and there shall be a limit of one notice for each side of land or buildings on different streets.
  - g. Prohibition
  - h. Home Identification - Maximum 0.1m<sup>2</sup>.

- i. Directory
  - j. Directional
- 7.15.6. Signs specified in this Part are deemed permitted and may be erected without a Development Permit, provided that the permission hereby granted in respect of any such signs specified below shall be subject to all other orders, bylaws, and regulations affecting such signs:
- a. statutory and official notices and functional advertisements of local authorities and public transport undertakers;
  - b. traffic and directional signs authorised by Council;
  - c. notices of identification, including the advertisement of retail services and products, in respect of the land or buildings on which the signs are displayed, and professional business or trade name plates relating to the occupants of the land or buildings on which the signs are displayed, provided that:
    - i. each notice or name plate shall not exceed 0.6m<sup>2</sup>; and
    - ii. there shall be a limit of one notice for each occupant or each firm or company represented within the building, at one entrance on each different street.
  - d. temporary advertisements referring to sales which are displayed upon the premises upon or within which such sales will be or are being conducted, provided that:
    - i. the advertisements shall not be illuminated and shall be constructed of paper, canvas, cardboard, or other light materials or painted on glass and intended to be displayed for a short period of time only; and
    - ii. such advertisements shall not be erected more than seven days before the start of the sale to which the signs refer, and shall be removed within four days of the completion of the sale.
- 7.15.7. Applications for a Development Permit made to the Development Officer shall include a drawing that indicates:
- a. the location of the sign,
  - b. the overall dimensions of the sign,
  - c. the height of the sign above a public street or sidewalk or the height above the average ground level at the face of the building, the least distance that the sign will be erected from an intersection of one street with another.
- 7.15.8. A sign for a home occupation is subject to approval by the Development Officer which will require, among other things, that the sign:
- a. must not be illuminated;

- b. located on the ground floor of the building for which the home occupation is located within;
- c. has a maximum area of 1.0m<sup>2</sup>; and
- d. a maximum of one (1) sign for each individual home occupation

7.15.9. No person shall perform any work of erection or of placing a sign differing from or enlarging the work for which a Development Permit has been issued.

7.15.10. A Development Permit shall not be required to clean, repair or repaint any sign.

## **7.16 SUBDIVISION OF LAND**

7.16.1. Where the development of land involves the subdivision of land, no Development Permit shall be issued until the proposed subdivision has been approved by the approving officer for the Government of Yukon.

7.16.2. Application for subdivision or lot adjustment made to approving officer for the Government of Yukon shall require the approval of Council.

7.16.3. No lot shall be reduced in area so that it does not meet the requirements of this bylaw.

7.16.4. Notwithstanding Subsection 7.15.3, a residential lot, may be reduced in area by way of subdivision or lot adjustment if the Development Officer has granted an allowance to reduce the minimum depth and/or width under Subsection 3.6.1.iii.

## **7.17 TEMPORARY USES**

7.17.1. 1 A mobile home, recreation vehicle or temporary structure is permitted as a temporary residence in all residential zones providing that:

- a. A building permit has been issued for a dwelling on the subject lot
- b. Adequate provision for water supply, wastewater treatment, utilities, solid waste and recycling has been made to the satisfaction of the Development Officer
- c. The term of the temporary residence shall not exceed two (2) years; and
- d. The temporary residence shall cease within 30 days of occupancy of the dwelling to which the building permit was issued for.

7.17.2. Notwithstanding Subsection 7.16.1.c., an extension of one (1) year may be granted if, in the opinion of the Development Officer, attempts have been made to complete the dwelling and that work is proceeding with reasonable attempt.

## **7.18 YARDS**

7.18.1. No yard or other open space about any building or structure shall be considered to provide a yard or required open space for a building or structure on another lot.

7.18.2. No development shall be permitted in any yard other than:

- a. the erection of a gate, fence, wall or other means of enclosure referred to in Subsection 3.2.I.d);
- b. the construction of an accessory structure, roof overhang, sills, cornices, or chimneys, which may project no closer to the property boundary than 0.5m; or,
- c. an Accessory Building pursuant to Subsection 7.1.6.

## PART 8      **ZONE REGULATIONS**

*This part specifies the uses that are permitted in each of the land use zones, along with the development regulations and special provisions that are applicable to them. Most of the permitted uses are defined in the Definitions section (Part 9) to provide clarity on what specific words and uses mean in the context of this bylaw. If a specific use is not listed under the permitted uses for a zone, it is not allowed in that zone. If a use is listed as discretionary, the development will require the approval of Council. If a use is neither listed nor defined in this bylaw, but is similar (a "like use") to one that is already permitted, there is some discretion to allow the development but it may require approval from the Board of Variance. For proposed development that does not fit into the regulations or uses for these zones, an amendment to the bylaw or spot zoning may be considered by Council (see Part 4).*

### 8.1      **USE ZONES**

8.1.1.      For the purpose of this Zoning Bylaw, the Town of Faro is divided into the following zones:

- C      Commercial
- ~~CFU~~      Community **Facility Use**
- ER      Environmental Reserve
- FCR      Future Country Residential
- H      Hinterland
- IC      Industrial Commercial
- MU      Mixed Use
- P      Parks and Open Space
- ~~R-1s~~      **Urban Residential—Single**
- ~~R-2m~~      **Multiple Unit Residential—Multiple**
- R-3      Mobile Home Residential**
- ~~CRe~~      **Country Residential—Country**
- UR      Urban Reserve

## 8.2 C - COMMERCIAL

8.2.1. Purpose: To provide a zone for a mix of business and commercial uses, including those that are vehicle oriented.

8.2.2. Permitted Principal Uses:

- a. ~~Accessory Buildings & Uses~~
- b. Amusement Establishments
- c. Auditoriums
- d. Business Support Services
- e. Catering Establishments
- f. Eating and Drinking Establishments
- g. Funeral Homes
- h. Government Services
- i. Health Services
- j. Hotels and Motels
- k. Liquor Stores
- l. Offices
- m. Outdoor Markets
- n. Personal Service Offices and Stores
- o. Physical Fitness Centres
- p. Post Offices
- q. Private Clubs and Lounges
- r. Public Utilities and Uses
- s. Rental Shops
- t. Repair Shops
- u. Retail Shops and Services
- v. Shopping Centres
- w. Veterinary Clinics

8.2.3. **Secondary Uses:**

- a. Accessory Buildings & Uses
- b. **Home occupation**
- c. **Secondary Suite**

8.2.4. Discretionary Uses

- a. Bus Terminals
- b. Emergency and Protective Services
- c. Greenhouses
- d. RV Parks

8.2.5. Development Regulations:

- a. Maximum Development Density: **One dwelling unit**
- b. Minimum Lot Size: Frontage 10.5 m and 420 m<sup>2</sup> in lot area
- c. Minimum Yard Requirements: **None**
  - i. ~~Front: 0.0m~~
  - ii. ~~Side: 0.0m~~
  - iii. ~~Rear: 0.0m~~
- d. Maximum Height -13.5m
- e. **Maximum** Site Coverage - 75% Of Site Area
- f. Maximum Floor Area Ratio - 1.0

8.2.6. Special Provisions:

- a. In the case of a building containing both residential and non-residential uses: there shall be no dwelling units on the main floor but all dwelling units shall have direct access to the outside street level.
- b. Retail services shall not include buildings or yards used for the sale or storage of construction or heavy industrial machinery or equipment, or lumber or building supplies, or new or used motor vehicles, including campers and recreational vehicles.
- c. Prior to issuance of a Development Permit, a site plan indicating location, height, and external finish, including accessory buildings, proposed lighting, landscaping, parking, access and driveways and signs and any fencing or screening shall be approved by the Development Officer.
- d. All storage areas and parking shall be screened from any adjacent residential zone by a fence not less than 2.0 m high.
- ~~e. In the case of Lots 101 and 103 (commonly known as the "The Solar Complex") and Lots 43, 237 and 404 the existing site coverage shall be deemed to conform to this bylaw.~~
- f. In the case of Lot 1028 (commonly known as the "Float Plane Base") the principal use for this lot and any other use listed as principal or secondary shall be treated as a discretionary uses for this lot.**
- g. The minimum yard requirement adjacent to a non-Commercial zone shall be 3.0m.
- h. The Development Officer may require a uniform roof line in case of two or more abutting buildings, a uniform line of canopy or projections, and a uniform height from sidewalk to display windows.
- i. The design, siting, external finish and height of principal and accessory buildings and structures shall be to the satisfaction of the Development Officer where it is appropriate to maintain a consistent architectural character.

### 8.3 COMMUNITY ~~FACILITY - CF~~ ~~USE - CU~~

8.3.1. Purpose: To provide a zone that allows uses that may be enjoyed by the broader community.

8.3.2. Permitted Principal uses:

- a. Accessory Buildings and Structures
- b. Campgrounds
- c. ~~Child Care Centre~~ ~~Day Care Center~~
- d. Community Gardens/Greenhouses
- e. Education Facility
- f. Emergency And Protective Services
- g. Golf Courses
- h. Government Offices
- i. Health Services
- j. Institutional Facility
- k. Parks
- l. Places of Worship
- m. Private Clubs and Lodges
- n. Public Utilities
- o. Services Club, Legion & Union Halls
- p. Studios
- q. Trails

8.3.3. Development Regulations:

- a. Maximum Development Density- N/A
- b. Maximum Lot Sizes- N/A
- c. Minimum Yard Requirements -
  - i. Front: ~~3.0m~~ ~~7.5m~~
  - ii. Side: 3.0m
  - iii. Rear: ~~2.5m~~ ~~7.5m~~
- d. Maximum Height – 10.5m
- e. Maximum Site Coverage – ~~50%~~ ~~As determined by the Development Officer~~

8.3.4. ~~Special Provisions~~

- a. ~~Where the lot abuts a residential zone, the property shall be fenced or screened with landscaping to the satisfaction of the Development Officer having regard to the nature of the use, the potential impacts on the normal use and enjoyment of the neighbouring properties, and security.~~

#### 8.4 ENVIRONMENTAL RESERVE - ER

8.4.1. Purpose: To provide a zone where development is restricted due to hazard lands and for protection of the environment.

8.4.2. Permitted Principal Uses:

- a. Forestry
- b. Nature Interpretation Facilities
- c. Public Utilities and Uses
- d. Trails

8.4.3. Development Regulations: As required by the Development Officer.

## 8.5 FUTURE COUNTRY RESIDENTIAL - FCR

8.5.1. Purpose: To provide a holding zone for future development as Residential - Country. Until such time as Council deems appropriate for such development to occur pursuant to the Official Community Plan, these lands shall have the same development restrictions as Environmental Reserve.

8.5.2. Permitted Principal Uses:

- a. Forestry
- b. Nature Interpretation Facilities
- c. Public Utilities and Uses
- d. Trails

8.5.3. Development Regulations: As required by the Development Officer.

## 8.6 HINTERLAND - H

8.6.1. Purpose: To provide a rural zone that is largely undeveloped.

8.6.2. Permitted Principal Uses:

- a. Accessory Buildings and Uses
- b. Agriculture - Major
- c. Aircraft Sales/Services/Rentals
- d. Airport
- e. Campground
- f. Cemeteries
- g. Communication Installations
- h. Forestry
- i. ~~Float Plane Base~~
- j. Natural Resource Extraction
- k. Nature Interpretation Facilities
- l. Outdoor Recreation Guides and Outfitters
- m. Parks
- n. Public Utilities and Uses
- o. Trails

8.6.3. Development Regulations: **As required by the Development Officer.**

a. ~~As required by the Development Officer~~

8.6.4. Special provisions:

- a. No use shall be carried on which would produce a nuisance factor, including noise, odour or air contaminants beyond the site boundary wherein the use is located.
- b. No use shall be carried on which would impair the use and enjoyment of adjoining lands.
- c. Any development in Hinterland must be self-contained with its own water and sewage systems and must meet all environment regulations.

## 8.7 INDUSTRIAL COMMERCIAL - IC

8.7.1. Purpose: To provide a zone for large-scale industrial, commercial and other uses that may have large land requirements or nuisance effects on adjacent uses.

8.7.2. Permitted Principal Uses:

~~a. Accessory Buildings and Uses~~

b. Bottle Depot

c. Building Supplies

d. Car Washing Establishments

e. Commercial Vehicle Garages

f. Contractors & Service Establishments

g. Emergency and Protective Services

h. Equipment Rentals/Sales

i. Greenhouses

j. Junkyards

~~k. Kennel~~

l. Light Manufacturing

m. Non-Noxious Industrial Uses

n. Public Utilities and Uses

o. Retail Shops and Services

p. Service Stations and Card Locks

q. Vehicle Sales and Service

r. Warehousing, Storage, Supply Depots

s. Wholesale Sales

t. Workshops

8.7.3. ~~Secondary Uses:~~

~~a. Accessory Buildings and Uses~~

~~b. Secondary Suite~~

8.7.4. Discretionary Uses:

a. Any other Manufacturing, Commercial, or Public Service uses unlikely to restrict use of the zone for Industrial & Commercial Uses

b. Caretaker Residence

c. Batch Plant

d. Bulk Fuel Facility

8.7.5. Development Regulations:

a. Maximum Development Density: ~~One dwelling unit As required by the Development Officer~~

- b. Minimum Lot Size: 2,000m<sup>2</sup> / 0.2ha ~~As required by the Development Officer~~
- c. Minimum Yard Requirements:
  - i. Front: 6.0m
  - ii. Side: 1.0m
  - iii. Rear: 4.0m
- d. For Discretionary Uses: as required by the Development Officer
- e. Maximum Height – 13.5m
- f. Maximum Site Coverage and Floor Area Ratio:
  - i. 50% coverage or 0.5 FAR for lots within 100 metres of a fire hydrant.
  - ii. 33% coverage or 0.33 FAR for lots greater than 100 metres from a fire hydrant.

8.7.6. Special Provisions:

- a. No industrial operation, including production, cleaning, testing, repairing, storage, or distribution of material shall be carried on which, in the opinion of the Development Officer, will or does violate the following standards: emits offensive noise audible at any point on the lot boundary, emits dust, fly ash, noxious smoke, or any other particulate matter, emits any odorous gas or odorous matter, produces glare or heat discernible beyond the lot boundary, external storage is permitted if kept in a neat and orderly manner.
- b. Junkyards shall be visually screened from the street fronting the lot by landscaping, berm or fence. No junkyard shall be permitted on a lot fronting onto McQuesten Road between Campbell Street and Ross Road.
- c. All yards and buildings shall be developed and maintained in a manner that, in the opinion of the Development Officer, is appropriate to such a zone, and which will not visually detract from the use and enjoyment of surrounding properties.
- d. The relationship of the buildings to each other, to the site, and adjacent properties and the architectural appearance, provision of adequate light, air, privacy and landscaping shall be fully shown on the site plans for the whole development and shall be to the satisfaction of the Development Officer.
- e. The principal building on a lot shall be connected to the municipal water and sewer system if those services are available on the street fronting the lot.

## 8.8 MIXED USE - MU

8.8.1. Purpose: To provide a zone for a compatible mix of commercial and residential use.

8.8.2. Permitted Principal Uses:

~~a. Accessory Buildings and Uses~~

b. Apartments

c. Dwelling, Multiple

d. Eating and Drinking Establishments

e. Guesthouse

f. Health Services

g. Hotels

h. Indoor Theatres and Cinemas

i. Institutional Facility

j. Offices

k. Public Utilities and Uses

l. Retail Services

m. Studios

8.8.3. **Secondary Uses:**

a. Accessory Buildings and Uses

**b. Home Occupations**

**c. Secondary Suite**

8.8.4. Development Regulations:

a. Maximum Development Density - As required by the Development Officer

b. Maximum Lot Size: **800m<sup>2</sup>** ~~As required by the Development Officer~~

c. Minimum Yard Requirements: ~~As required by the Development Officer~~

**i. Front: none**

**ii. Side: 2.5m**

**iii. Rear: 2.5m**

d. Maximum Height: **15m** ~~As required by the Development Officer~~

e. Maximum Site Coverage: **60%** ~~33% of Site Area~~

f. Maximum Floor Area Ratio - 0.5

~~g. General Regulations - As required by the Development Officer~~

8.8.5. Special Provisions:

a. For multi-storey buildings, Retail Services shall only be on the ground level, **while** ~~and~~ offices **and** ~~or~~ dwelling ~~residential~~ units may be situated on the upper levels.

- b. Eating and Drinking Establishments shall be on the ground level only.

## 8.9 PARKS AND OPEN SPACE - P

8.9.1. Purpose: To provide for recreation activities for all community members and visitors.

8.9.2. Permitted Principal Uses:

- a. Accessory Buildings and Structures
- b. Band Shells
- c. Campgrounds
- d. Golf Courses
- e. Interpretive Kiosk/Centres
- f. Parks
- g. Public Playgrounds
- h. Public Utilities and Uses
- i. Recreation Facility
- j. Trails

8.9.3. Development Regulations: As required by the Development Officer

## 8.10 ~~URBAN RESIDENTIAL- R-1 SINGLE-Rs~~

8.10.1. Purpose: To provide a primarily residential zone that encourages the retention of the neighbourhood's single detached character but allows for slightly higher development density.

8.10.2. Permitted Principal Uses:

- ~~a. Accessory Buildings and Uses~~
- ~~b. Bed and Breakfast~~
- c. Duplexes
- d. Dwelling, Semi-Detached
- e. Dwelling, Single-Detached
- f. Education Facilities
- ~~g. Family Care Facilities~~
- ~~h. Family Day Home~~
- ~~i. Home Occupations~~
- ~~j. Living Suite~~
- k. Places of Worship
- l. Public Parks and Playgrounds
- m. Public Utilities and Uses
- n. Senior Citizens and Nursing Homes

8.10.3. **Secondary Uses:**

- a. Accessory Buildings and Uses
- b. Bed and Breakfast
- c. Family Day Home
- d. Home Occupations
- e. Secondary Suite**

8.10.4. Discretionary Uses:

- ~~a. Mobile,~~ Modular or Tiny Homes
- b. Community Garden/Greenhouse
- c. Guesthouse

8.10.5. Development Regulations:

- a. Maximum Development Density: **Two dwelling units As required by the Development Officer**
- b. Minimum Size of Principle Dwelling (GFA): 41.0m<sup>2</sup>**
- c. Minimum Lot Size:
  - i. Dwelling, Single-Detached - 15.0m wide; 34.0m deep
  - ii. Duplex - 18.0m wide; 34.0m deep
  - iii. Dwelling, Semi-Detached - 9.0m wide; 34.0m deep

- d. Minimum Yard Requirement:
  - i. Dwelling, Single-Detached - Front: 6.0m; Side: 1.5m; Rear: 7.5m
  - ii. Duplex - Front: 6.0m; Side: 2.0m; Rear: 7.5m;
  - iii. Accessory Building- Front: N/A; Side: 1.0m; Rear: 1.0m
- e. Maximum Height:
  - i. The lesser of 10.5 m or 2.5 storeys
  - ii. Accessory Building – 5.0m
- f. Maximum Site Coverage - 40%

#### 8.10.6. Special Provisions

- a. All ~~multiple dwelling multi-family~~ developments shall include common amenity areas for recreational purposes and landscaping to the satisfaction of the Development Officer.
- b. Semi-detached dwelling units may be divided through a common roof by a shared lot line and the minimum required side yard for the common lot line may be reduced to 0.0m. This provision also applies to shared carports and duplex garages.
- c. The minimum lot size shall not apply to ~~the Mobile or~~ Tiny Homes.
- d. ~~Mobile or~~ Tiny Homes may only be permitted, as a discretionary use, on lots that are less than the minimum lot size.

8.11 **MULTIPLE UNIT RESIDENTIAL – R-2**~~MULTIPLE – Rm~~

8.11.1. Purpose: To provide a zone for low to medium density housing on urban lots with a range of related uses.

8.11.2. Permitted Principal Uses:

- ~~a. Accessory Buildings and Uses~~
- ~~b. Bed and Breakfast~~
- c. Duplex
- d. Dwelling, Multiple
- e. Dwelling, Single-Detached**
- f. Dwelling, Semi-Detached
- g. Education facility
- ~~h. Family Day Homes~~
- ~~i. Guesthouse~~
- ~~j. Home Occupations~~
- k. Parks
- l. Places of Worship
- m. Parks and Playground
- n. Public Utilities and Uses
- o. Senior Citizen and Nursing Homes
- ~~p. Studios~~
- q. Townhouse

8.11.3. **Secondary Uses:**

- a. Accessory Buildings and Uses
- b. Bed and Breakfast
- c. Family Day Home
- d. Guesthouse
- e. Home Occupations
- f. Secondary Suite**
- g. Studios

8.11.4. Discretionary Uses:

- a. Community Garden/Greenhouse
- b. The following commercial uses on the ground floor of a three (3) storey residential building subject to the same provisions as a home occupation except that Subsection 7.6.4 need not apply:
  - i. Cafes or Catering Establishments
  - ii. Health services
  - iii. Offices

- iv. Personal Service Offices and Stores
  - c. Mobile Home Parks
  - d. Apartment Buildings
- 8.11.5. Development Regulations:
- a. Maximum Development Density: As required by the Development Officer
  - b. Minimum Size of Principle Dwelling (GFA): 41.0m<sup>2</sup>
  - c. Minimum Lot Size:
    - i. Dwelling, Single-Detached - 15.0m wide; 34.0 m deep
    - ii. Duplex ~~and Townhouse~~ - 18.0m wide; 34.0m deep
    - iii. Dwelling, Semi-Detached - 9.0m wide x 34.0m deep
    - iv. Dwelling, Multiple – ~~750m<sup>2</sup> As required by the Development Officer~~
    - v. ~~Apartment building – 1,000m<sup>2</sup>~~
  - d. Minimum Yard Requirement:
    - i. Dwelling, Single-Detached - Front: 6.0m; Side: 1.5m; Rear: 7.5m
    - ii. Duplex, ~~Townhouse and Dwelling, Semi-Detached~~ - Front: 6.0m; Side: ~~2.5m~~ 2.0m; Rear: 7.5m;
    - iii. ~~Townhouse – Front: 6.0m; Side: 3.0m; Rear: 7.5m~~
    - iv. Dwelling, Multiple ~~and Apartment Building~~: As required by the Development Officer
    - v. ~~Accessory Building- Front: N/ A; Side: 1.0m; Rear: 1.0m~~
  - e. ~~Accessory Building – Front: N/ A; Side: 1.0m; Rear: 1.0m~~
  - f. Maximum Height:
    - i. Single-Detached and Duplex, Townhouse and Dwelling, Semi-Detached dwellings - the lesser of 10.5m or 2.5 storeys
    - ii. Dwelling, Multiple ~~and Apartment Building~~ -10.5m or three (3) storeys
    - iii. Accessory Building - 5.0m
  - g. Maximum Site Coverage – ~~50%~~ 33%
- 8.11.6. Special Provisions:
- a. Where two or more buildings are on the same site, a minimum separation of 3.0m is required.
  - b. Where duplex or townhouse dwelling units are divided through a shared roof by a common lot line the minimum required side yard for the common lot line is reduced to 0.0m. Accessory structures, other than shared carports, must maintain the 1.0m side yard requirement from the common lot line. Townhouse dwelling units may be connected by a duplex garage.

- c. ~~The minimum lot size for an apartment building shall be 1,000 m2.~~
- d. For a multiple dwelling or apartment building development, a site plan shall be provided that shows the landscape treatment, screening, and location of parking, amenity areas, outside storage garbage receptacles and fencing, all to the satisfaction of the Development Officer having regard to the density of the development and the potential impacts on the normal use and enjoyment of the neighbouring properties. ~~All multiple dwelling multi-family developments, including apartments, without private rear yards for each dwelling shall include common amenity areas for recreational purposes and landscaping to the satisfaction of the Development Officer.~~
- e. Discretionary commercial uses must have an entrance separate from the dwelling, and Council may specify limits the hours of operation, signs, types of products or services offered, or any other thing to maintain compatibility with the neighbouring residential dwellings.

## 8.12 MOBILE HOME RESIDENTIAL – R-3

- 8.12.1. Purpose: To provide a zone for mobile homes, modular homes and tiny homes on smaller, serviced lots
- 8.12.2. Permitted Principal Uses:
  - a. Mobile, modular and tiny homes
  - b. Public Parks and Playgrounds
  - c. Public Utilities and Uses
- 8.12.3. Secondary Uses:
  - a. Accessory Buildings and Uses
  - b. Bed and Breakfast
  - c. Guesthouse
  - d. Home Occupations
- 8.12.4. Discretionary Uses:
  - a. Bed and breakfast lodging
- 8.12.5. Development Regulations:
  - a. Maximum Development Density: One dwelling unit
  - b. Minimum Size of Principle Dwelling (GFA): 20.0 m<sup>2</sup>
  - c. Minimum Lot Size: 12.0m wide; 30.0m deep
  - d. Minimum Yard Requirement: Front: 6.0m; Side: 2.0m; Rear: 3.0m
  - e. Maximum Height:
    - i. The lesser of 10.5 m or 2.5 storeys
    - ii. Accessory Building: 5.0m
  - f. Maximum Site Coverage: 50%
- 8.12.6. Special Provisions
  - a. Every mobile and modular home placed on a lot shall be identified by an attached Canadian Standards Association (C.S.A.) metal label stating that its construction meets C.S.A. standards
  - b. Dwellings shall be placed on footings, foundations or pad to the satisfaction of the Building inspector and/or Development Officer.
  - c. New placement of mobile homes on a lot is restricted to homes no older than ten years old, unless approval is granted by the Development Officer.
  - d. A mobile home shall have fitted skirting manufactured of materials to a standard of quality similar to that of the mobile home to which the skirting is attached, prior to occupancy.
  - e. An addition or porch shall be made of materials and of a quality equivalent to the materials of which the dwelling is made.

8.13 **COUNTRY RESIDENTIAL – CR** ~~COUNTRY – R<sub>c</sub>~~

8.13.1. Purpose: To provide a single detached housing zone for a rural lifestyle of a permanent nature on larger lots, without the provision of full utility services.

8.13.2. Permitted Principal Uses:

- ~~a. Accessory Buildings and Uses~~
- ~~b. Agriculture, Hobby~~
- ~~c. Bed and Breakfast~~
- ~~d. Family Day Home~~
- ~~e. Guest Cabin~~
- ~~f. Home Occupations~~
- ~~g. Mobile, Modular or Tiny Homes~~
- h. Duplex**
- i. Dwelling, Single-Detached

8.13.3. **Secondary Uses:**

- a. Accessory Buildings and Uses
- b. Agriculture, Hobby
- c. Bed and Breakfast
- d. Family Day Home
- e. Guest Cabin
- f. Home Occupations
- g. Mobile, Modular or Tiny Homes
- h. Secondary Suite**

8.13.4. Development Regulations:

- a. Maximum Development Density: Two dwelling units**
- b. Maximum Lot Size: 3.0ha
- c. Minimum Lot Size: 1.0ha**
- d. Minimum Yard Requirement:
  - i. Dwelling, Single-Detached **and Duplex** - Front: 7.5m; Side: 7.5m; Rear: 7.5m
  - ii. Accessory Building- Front: 7.5m; Side: 3.0m; Rear: 3.0m
  - iii. Accessory buildings housing animals shall not be located within 10.0m of any lot line.

8.13.5. Maximum Height: The lesser of 10.0m or 2.5 storeys

8.13.6. Maximum Site Coverage: **25% N/A**

8.13.7. Special Provisions

- a. Only one principal building is permitted per lot.

#### 8.14 URBAN RESERVE - UR

8.14.1. Purpose: To provide a zone for agriculture, recreational and utility uses, and to set aside land for future development subject to the land use designations of the Official Community Plan.

8.14.2. Permitted Principal Uses:

- a. Agriculture, Major
- b. Public Utilities and Uses
- c. Recreation Trails

8.14.3. Discretionary Uses:

- a. Construction Camp
- b. Recreational Facility

8.14.4. Development Regulations: **As required by the Development Officer**

- ~~a. Maximum Development Density—N/A~~
- ~~b. Maximum Lot Sizes—N/A~~
- ~~c. Minimum Yard Requirements—As required by the Development Officer~~
- ~~d. Maximum Height—As required by the Development Officer~~
- ~~e. Maximum Site Coverage—As required by the Development Officer~~

8.14.5. Special Provisions:

- a. No development or subdivision or transfer of land for any use shall be allowed that may be detrimental to the future development of the land.
- b. No land shall be rezoned from UR - Urban Reserve unless the development of the land constitutes an orderly, sustainable and economic development that is in conformity with the Official Community Plan.

## PART 9 DEFINITIONS

In this bylaw:

### A

"ACCESSORY BUILDING" means a separate, **non-residential** building which is normally ancillary, incidental, subordinate, exclusively devoted to, and located on the same lot as the principal building. An accessory building may not be used as a dwelling unit except in the case of a Caretaker Residence. Examples of accessory buildings include garages, garden sheds, carports, coops, gazebos, greenhouses, storage sheds, and similar buildings.

"ACCESSORY STRUCTURE" means a structure that is attached to the principal building or an accessory building. Examples of accessory structures include decks, awnings, porches, verandahs, steps, door canopies, light wells to basement windows and doors, satellite dishes, masts, and similar structures.

"ACT" means the Yukon Municipal Act, as amended from time to time, unless otherwise specified.

"AGRICULTURE, HOBBY" means small-scale, non-crop based agricultural activity such as the raising of livestock, horticulture, greenhouses, apiculture and market gardening, all of which must be accessory to a principal use.

"AGRICULTURE, MAJOR" means non-crop based agricultural activity such as the raising of livestock, orchards, horticulture, greenhouses, apiculture, aquaculture, market gardening, and nurseries where the majority of cleared land on the lot is used for such endeavour.

"AIRPORT" means any area of land and water that functions as a facility for the arrival, departure, movement, or servicing of aircraft and associated cargo; and includes any associated buildings, installations, runways and adjacent open space, equipment, parking and waiting areas for passengers and crew.

"ANIMAL SHELTER" means the use of land or premises for the temporary care of lost, abandoned, or neglected animals.

"APARTMENT" means a dwelling unit in a single building containing three or more dwelling units, each of which has its principal access from a common entrance.

"APARTMENT BUILDING" means a building comprised of three or more apartments that is no more than three storeys high, with a density not exceeding 85 units per hectare.

### B

"BASEMENT" means the portion of a building that is partially underground and has a ceiling that is less than 1.8m above grade.

"BATCH PLANT" means a facility that is temporarily erected for the manufacturing of asphalt or concrete and the incidental onsite storage of required materials and equipment.

"BED AND BREAKFAST" means a secondary use to a dwelling unit whereby short-term, overnight accommodation is offered to tourists and visitors, and where the first meal of the day is provided by the dwelling owner, who must reside in the dwelling.

"BOARD OF VARIANCE" means the board established by Council in accordance with the Act that shall hear applications for minor variances to this bylaw and appeals to decisions of the Development Officer.

"BOTTLE DEPOT" means a facility for the collection and handling of materials under the beverage container or designated materials refund program and other non-refundable recyclable materials.

"BOULEVARD" means the land between the property line of a commercial or residential property and the curb, and if there is no curb, to the edge of the travelled portion of the roadway, lane or alley that is immediately contiguous to the property.

"BUILDABLE AREA" means that portion of the lot remaining after required yard setbacks have been provided.

"BUILDING" means any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals, chattels and equipment.

"BUILDING GRADE" means the average of the finished ground adjacent to each face of the building taken at the centre of the wall.

"BUILDING HEIGHT" means the vertical distance measured from the average elevation of the finished grade along the front of the building to:

- a) the highest point of the roof surface or any parapet thereon if a flat roof;
- b) a deck line of a mansard roof; or,
- c) the highest point of a ridge for a gable, hip or gambrel roof.

Solar panels, chimney stacks, elevator housings, flagpoles, guardrails, roof stairway entrances, skylights, steeples, or ventilating equipment shall not be considered for the purpose of determining height.

"BUILDING INSPECTOR" means an official appointed to administer and enforce the provisions of the Yukon Building Standards Act.

"BUILDING PERMIT" means the document issued by a Building Inspector pursuant to the National Building Code authorizing the carrying out of any work. A Building Permit is different and distinct from a Development Permit.

"BULK FUEL FACILITY" means a premise used for the storage, sales and distribution of bulk fuel products.

"BUSINESS SUPPORT SERVICES" means support services to businesses and by means of (without limitation) the use of minor mechanical equipment for printing, duplicating, binding; secretarial services; the provision of office maintenance or custodial services; the provision of office security; and the sale, rental, repair, or servicing of office equipment, furniture and machines.

## **C**

"CAFE" means an eating and drinking establishment offering light meals and snacks or baked goods.

"CAMPGROUND" means the provision of space for tents or recreational vehicles intended to be occupied primarily by the travelling public for short-term overnight accommodation.

"CAR WASHING ESTABLISHMENT" means an indoor or outdoor facility for cleaning vehicles. "CANNABIS-RELATED BUSINESS" means a business or person carrying on of activity where:

a) cannabis, products containing cannabis, or paraphernalia used in the consumption of cannabis, are sold or otherwise provided to persons for any purpose;

b) cannabis is grown and/or stored for a purpose of sale or distribution.

"CARD LOCK" means a facility for the self-serve sale of motor fuel, including pumps, fuel storage, and related control equipment.

"CARETAKER RESIDENCE" means an accessory building, or separate part of a principal building, used to provide on-site accommodation for the owner/employer of, or persons employed by, the business use primary to the lot.

"CARPORT" means a permanent, unenclosed, roofed accessory building to shelter parked vehicles that is adjacent to a principal building.

"CATERING" means a place where food and beverages are prepared for consumption off-site, but are not served on the premises or for take-out;

"CEMETERY" means land that is set aside for the burial of human remains, excluding crematoria, mausoleums, and mortuaries.

"CHILD CARE CENTRE" means an establishment that provides a licensed "child care centre program," as defined and regulated under the Child Care Act at a place other than a family day home.

"COMMERCIAL VEHICLE GARAGE" means a building used for the storage and maintenance of buses or trucks.

"COMMUNITY GARDEN/GREENHOUSE" means the use of a building or land by the Town, a community organization such as a community association, condominium/ strata corporation, or non-profit group for cultivating or growing plants primarily for their own consumption or sale within the community.

"CONSTRUCTION CAMP" means buildings or structures erected and arranged for the accommodation of workers employed in construction or mine reclamation.

"CONTAMINATED MATERIAL" means soil, water, sediment, snow or other similar media considered contaminated pursuant to any Federal, Territorial, or Municipal Enactment.

"COOP" means a structure intended for the keeping of hens. "COUNCIL" means the Council of the Town of Faro.

## **D**

"DEVELOPMENT" means the carrying out of any activity involving a material change to any use on, over or under the land or buildings on the land that results, or is likely to result, in a change of use or intensity of use.

**"DEVELOPMENT DENSITY" means the total number of dwelling units permitted on a single lot.**

"DEVELOPMENT OFFICER" means the officer appointed under Section 2.1.

"DEVELOPMENT PERMIT" means a permit for development applicable to this bylaw.

"DISCRETIONARY USES" are those uses that are considered on their own individual merits and circumstances by Council, and may be permitted, with or without conditions, on a site-specific basis within a zone provided that the discretionary use is similar to or compatible with, those already permitted in the zone, conforms to all other regulations of the zone, and provided due consideration is given to adjoining land uses.

"DRIVEWAY" means a vehicular access to at least one off-street parking space on a lot.

"DUPLEX GARAGE" means a garage joining two dwelling units that straddles a common lot line.

"DUPLEX" means a building that is divided horizontally or vertically into two separate dwelling units. Each dwelling has its own independent entrance and **any newly constructed dwelling will have their own independent** utility connection. ~~A duplex does not include secondary suites.~~

"DWELLING UNIT" means a building or portion of a building operated as a single housekeeping unit, used or intended to be used as a domicile by one or more persons and **contains usually containing** cooking, eating, living, sleeping and sanitary facilities.

"DWELLING, SEMI-DETACHED" means a duplex divided through a shared roof by a common lot line.

"DWELLING, SINGLE-DETACHED" means a building consisting of one dwelling unit and occupied or intended to be occupied as a permanent home or residence, but does not include a mobile home.

"DWELLING, MULTIPLE" means any physical arrangement of three or more dwelling units. Additionally, one or more dwelling units located in a mixed use development may also be considered as multiple housing. Multiple housing may consist of modular type construction, apartments, townhouse, and triplex housing types.

## E

"EATING AND DRINKING ESTABLISHMENT" means the use of land and premises for preparing and offering foods and beverages for sale to the public for the consumption within the premises or taken or delivered off-site. Such establishments may include bars, neighbourhood pubs, licensed and unlicensed restaurants, cafes, delicatessens, refreshment stands, and take-out restaurants.

"EDUCATION FACILITY" means a public school or college.

"EMERGENCY AND PROTECTIVE SERVICES" means a public facility used by fire, police, ambulance, and others as a base of operations.

"EQUIPMENT SALES/RENTALS" means a premise used for sale, repair, or rental of heavy vehicles and light equipment, machinery, or equipment typically used in building, roadway, pipe-line and mining construction. Light equipment sales/rentals are also permitted, excluding motor vehicle rentals.

## F

"FAMILY DAY HOME" means the secondary use of a dwelling, licensed under the Child Care Act to provide care, educational services, and supervision for children for less than 24 consecutive hours.

"FEE SCHEDULE" means the schedule of fees and charges attached hereto and forming part of this bylaw.

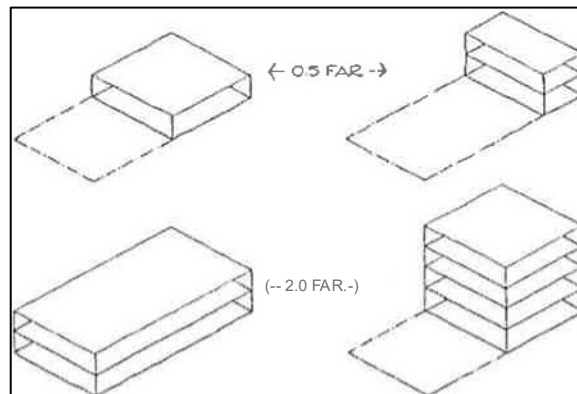
"FENCE" means an artificially constructed barrier erected to enclose or screen a lot. Fence height is the vertical distance between the normal ground level and the top of the fence at any given point.

"FIRE SMART" means a project sanctioned by the territorial government that helps reduce the threat posed by wildfire. Projects may include removing deadfall and forest fuels, thinning trees, species conversion, creating firebreaks and making roadways more accessible for fire-fighting equipment.

"FLOAT PLANE BASE" means an area adjacent to a body of water with a dock used for the storage and movement of float planes.

"GROSS FLOOR AREA" means the sum of the horizontal floor areas for each storey of the building or structure, measured to the exterior walls and contained within the exterior and basement walls.

"FLOOR AREA RATIO" means the floor area of all buildings and structures on a lot divided by the lot area, as shown in Figure 4 below.



**Illustration of Floor Area Ration (FAR)**

"FORESTRY" means sustainable wood harvesting subject to a license or permit issued under the Forest Resources Act.

"FRONTAGE" means the lot line abutting a public street. If a lot abuts more than one public street, the frontage shall be the lot line towards which the front entrance of the primary building is oriented, or the shorter of the lot lines if the lot is undeveloped.

## **G**

"GARAGE" means an accessory building or structure, or a part of the principal building, designed and intended primarily for the storage of the motor vehicles of the occupants of the premises.

"GOLF COURSE" means a recreational use that includes a driving range and related accessory buildings and structures.

"GRADE" means, as applicable,

a) the average elevation of the finished surface of the ground at ground level, excluding an artificial embankment or excavation at the perimeter of a building, measured on any side of a building;

b) the elevation of the ground surface in its natural state, before man-made alterations; or,

c) on sloping or irregular sites, the angled plane determined by the Development Officer in relation to (a) or (b) above.

"GREENBELT" means an area that is left in a generally natural state that may be used for passive or active recreation, trails, or buffers between adjacent lots.

"GREENHOUSE" means a commercial horticulture operation with the majority of products of the operation intended for export out of the community, excluding a Cannabis-Related Business.

"GUEST CABIN" - means a use that provides temporary tourist or visitor accommodation in an accessory building containing sleeping facilities and optional cooking and sanitary facilities.

"GUESTHOUSE" means a dwelling primarily used for the short-term overnight accommodation of tourists and visitors, with a common entry, kitchen, living room, and sanitary facilities. ~~and where the first meal of the day may be provided by the business owner.~~

## H

"HAZARD LANDS" means an area of land that is within a floodplain, wetland or classified as high risk on the Hazards Classification Map, whereupon development shall be restricted.

"HEALTH SERVICES" means the provision of physical and mental health services on an outpatient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical uses include medical and dental offices, health clinics, Hospitals, and counselling services.

"HEN" means a female domesticated chick or chicken.

"HOME OCCUPATION" means a secondary use within a principal dwelling and/or an accessory building for one or more businesses operated by the dwelling occupant. The home occupation does not generally generate offensive noise or odours **and has limited visits and employees on-site.** ~~that do not generally generate traffic, offensive noise or odours.~~

"HOTEL" means a building containing commercial sleeping units for guest accommodation accessed by a common corridor. Hotels may also contain accessory uses such as a restaurant, licensed drinking facilities, liquor sales, retail sales, indoor recreation and meeting rooms.

"HOUSEHOLD" means one or more persons sharing a dwelling unit.

## I

"INSTITUTIONAL FACILITY" means the use of land and premises for public or non-profit purpose including municipal services, recreation facilities, community centres, libraries, places of worship, museums and visitor and tourist information centres.

"INTERIM PROTECTED LANDS" means land set aside for future Ross River Dena Council settlement land, whereupon development shall be restricted.

## **J**

"JUNKYARD" means any building or land used for the wrecking, salvaging, dismantling or disassembly of vehicles, vehicle parts, vehicle frames or vehicle bodies.

"JUSTICE" means a Justice of the Peace or a Judge of the Territorial Court.

## **K**

"Kennel" means land and premises used for the business of breeding, buying, selling, or boarding of animals including but not limited to cats, dogs, sled dog teams, or other domesticated animals, excluding livestock.

## **L**

"LANDSCAPING" means to change, modify or enhance the visual appearance of a site by reshaping the ground, planting lawns, shrubs, trees or preserving the original natural vegetation, adding walks, fencing, patios and other ornamental features for the purpose of beautifying or screening the appearance of a lot.

"LANE" means a public right-of-way, less than 9.0m wide that provides a second access to a lot at the side or rear.

"LIGHT MANUFACTURING" means fabrication, manufacturing, assembly or processing of materials that are in refined form and that do not in their transformation create excessive smoke, gas, odour, dust, noise, or vibration.

"LIVESTOCK" means an animal that is traditionally used or raised on a farm including asses, cattle, horses, mules, sheep, swine and fur-bearing animals.

~~"LIVING SUITE" means a separate, self-contained, designated area within a dwelling containing toilet, bathroom, sleeping and living areas, and cooking facilities.~~

"LOT" means any parcel of land, block or other area in which land is held or into which it is subdivided, but does not include a highway, street or lane.

"LOT AREA" means the total horizontal area within the lot lines of a lot. "LOT LINE" the legally defined boundary of any lot.

## **M**

"MICRO ENERGY GENERATION SYSTEM" means a small-scale wind, solar, or biomass energy generation system.

"MIXED USE DEVELOPMENT" means one or more buildings on a lot containing commercial and residential uses and amenities associated with such uses.

"MOBILE HOME" means a factory built single or multiple section single family dwelling designed to be transportable on its own chassis that conforms to the CSA Z240 Manufactured Home Series of Standards. It does not include modular home and prefabricated dwellings.

"MOBILE HOME PARK" means the use of land and facilities for placement of two or more mobile homes that is subject to the regulations of the Mobile Home Park Bylaw as amended or successor legislation.

"MODULAR HOME" means a factory built single- or multiple-section building constructed to the National Building Code of Canada CAN/CSAA277 standard that is designed to be transported to the site and fitted together structurally, mechanically and electrically to form a single-detached dwelling placed on a permanent foundation.

"MOTEL" means a building or group of Buildings divided into self-contained sleeping units, each with a separate exterior entrance and convenient access to on-site parking.

## **N**

"NATURAL RESOURCE EXTRACTION" includes the quarrying, mining, processing, removal and off-site sale of sand, gravel, earth, mineralized rock, water, or other similar natural materials.

"NATURE INTERPRETATION FACILITIES" means passive nature appreciation, wildlife viewing activities, guided walks, and the related structures including viewing decks or platforms, elevated boardwalks, towers, shelters, and interpretive signs or panels and may include associated parking.

"NON-CONFORMING USE" means, where land or a building was being lawfully used or had been constructed on or before the date of adoption of this bylaw in such a way that does not conform to this bylaw, that such use may legally continue subject to Division 4 of the Act and Part 5 of this bylaw.

"NON-NOXIOUS INDUSTRIAL USES" means an industry not involved in the manufacturing or production of any explosive, flammable, hazardous or toxic chemical, waste, by-product, pollutant, contaminant, compound, product or substance, including without limitation any liquid, solid or gaseous material for which the manufacturing, production, disposal or remediation is prohibited, controlled or regulated under federal or territorial law.

## **O**

"OFFICE" means the use of premises for professional, management, administrative, consulting, contracting and financial services in an office setting.

"OUTDOOR MARKET" means a specific area set aside by the Town for the sale of locally produced plants and vegetables, baked goods, arts and crafts by licensed businesses, hawkers and peddlers on dates and times as designated by the Town.

"OUTDOOR RECREATION GUIDES AND OUTFITTERS" means a base of operation for trail riding, hunting, outfitting and guided tours.

"OUTSIDE STORAGE" means the storing of equipment, goods and materials in the open air on a portion of a lot, which is ancillary to a principal use.

## **P**

"PARK" means any public outdoor area or lot set aside specifically for passive or active recreation including buffers, arboretum, environmental protection areas, greenbelts, nature interpretation areas, playgrounds,

trails, tot-lots, walkways, and similar uses.

"PARKING LOT" means the use of land and premises consisting of parking spaces for the temporary parking of more than one vehicle by customers, employees and visitors.

"PARKING SPACE" means an area of land that is a minimum of 2.5 m wide by 5.5 m deep, graded, well drained, surfaced with asphalt or gravel, and easily accessible from a public road that is intended for parking a vehicle.

"PATIO" means any solid structure meant for support of people or materials outdoors and less than 0.6m above grade.

"PERMITTED USES" are those uses which are allowed in a zone, to the exclusion of other uses, provided that the use conforms to the regulations of this bylaw.

"PERSONAL SERVICE OFFICES AND STORES" means activities encompassing a wide range of professions including barber, hairdresser, seamstress, massage therapist, law, finance, fitness, health and wellness, training, and consulting services and sales.

"PORCH" means a roofed, open structure projecting from the exterior wall of a building with walls that are open or screened to facilitate use as an outdoor living area.

"PRINCIPAL BUILDING" means a building that contains floor space, the majority of which is used for the permitted principal use(s) on a lot.

"PRINCIPAL USE" means the use of land, buildings or structures that is provided for in the schedule of zones of this bylaw for which a permit when applied for, shall be granted with or without conditions, where the use applied for conforms to the requirements of this bylaw. As the context requires, it means the main purpose for which land, buildings or structures are ordinarily used. ~~means the main purpose for which the lot, building or structure is used.~~

"PUBLIC AREA" means an area used by the public such as a gymnasium, swimming pool, auditorium, school field, etc.

"PUBLIC UTILITIES AND USES" means buildings, facilities, or equipment, whether owned or operated by the Town or by a corporation or commission under agreement with or under franchise from the Town or under a Territorial or Federal statute, which furnishes services and facilities available to or for the use of all the inhabitants of the Town, including but not limited to landfills and waste treatment facilities, sewage treatment facilities, lines and towers, pump houses and stations, water treatment plants, and electrical production facilities.

## **R**

"RECLAMATION" means the process of converting disturbed land to its former or other productive uses.

"RECREATION FACILITY" means a structure or public area that includes but is not limited to arenas, athletic fields, squash court, outdoor rinks, stadiums and tennis courts.

"RECREATIONAL VEHICLE" means a transportable structure intended as a temporary accommodation for travel, vacation, or recreational use and includes travel trailers, motorized homes, slide-in campers, chassis-mounted campers, and tent trailers, but not including mobile homes.

"REGISTERED PLAN" means a plan registered in the Yukon Land Titles Office for the Yukon Land Registration District.

"RENOVATION" means the repair and restoration or alteration of a building or a structure including the levelling and strengthening of foundations, but does not include replacement of a building or structure.

"RETAIL SERVICES/STORES" means premises where goods, merchandise, other materials, and personal services are offered for sale at retail to the general public and includes limited on-site storage to support that store's operations. Typical uses include department, appliance, clothing, grocery, hardware, pharmaceutical and sporting goods stores.

"RETAINING WALL" means a structure constructed to hold back, stabilize, or support an earthen bank as a result of differences in lot grades.

"RV PARK" means a parcel of land used to temporarily accommodate recreational vehicles on serviced sites.

## S

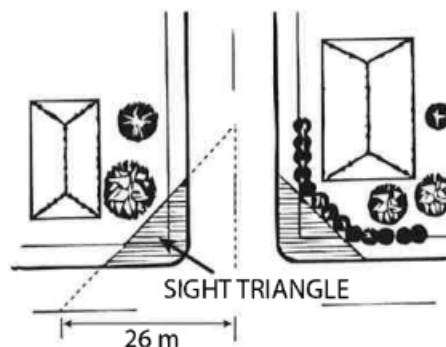
"SECONDARY USES" means uses that must be in conjunction with and subordinate to a principal use. Such uses require development approval as a separate use unless otherwise exempted from a development permit by this bylaw.

"SECONDARY SUITE" means a self-contained, accessory dwelling unit that can be attached to or detached from the principle use building.

"SENIOR CITIZEN OR NURSING HOME" means a multiple dwelling residence for the aged and, in the case of a nursing home, in which food, nursing or similar care and treatment are provided.

"SERVICE STATION" means a facility for any combination of fuel sales, automotive repairs and servicing, car wash and detailing, and travel convenience services.

"SIGHT TRIANGLE" means that triangle formed by a straight line drawn between two points 26.0 m back of the mid-point of the intersection of two road rights-of way.



**Illustration of Sight Triangle**

"SIGN" means,

- any visual medium, including its structure and other component parts;
- any banner, illuminated or non-illuminated, which is visible from any public street, or;

c) any lettering, words, picture, logos, or symbols which identify, describe, illustrate or advertise a product, place, activity, business, service, or institutional facility.

Without limiting the foregoing, sign includes designs, devices, displays, elements of external design of a building, or a structure, banners, placards, and painted messages, but not flags, interior window displays of merchandise. Sign does not include murals or other works of art that do not include a commercial message provided the sign is not erected above the roofline of a building.

"SITE COVERAGE" means the percentage of the horizontal area of a lot that may be built upon including accessory buildings or structures excluding steps, eaves, cornices and similar projections, courtyards, terraces or patios, driveways, aisles and parking stalls.

"SITE DENSITY" means a measure of density of population calculated as the number of dwellings per total lot area in units per hectare. If the result of a density calculation results in a fraction, maximum density will be rounded up to the next whole number.

"SLEEPING UNIT" means a room or set of habitable rooms with bathing facilities used for the lodging of a person or persons.

"SPOT ZONING" means the rezoning of a lot to a different zone from that of neighbouring lots to permit uses or regulate development in a way that is unique to the lot but remains compatible with the adjacent land uses and the Official Community Plan.

"STREET" means a public thoroughfare having a minimum surveyed width of 9m, which affords the principal means of access to abutting properties.

"STRUCTURE" means any construction fixed to, supported by, or sunk into land or water, but does not include concrete or asphalt paving or similar surfacing.

"STUDIO" means the use of premises for design, creation, manufacture, exhibition, and sales performed by artists and/or skilled trades people. Typical uses may include potters, art painters, sculptors, furniture makers, and other types of artists.

"SUBDIVISION" means the subdividing of land into lots to facilitate development.

## **T**

"TEMPORARY" means a period of two years or less.

"TEMPORARY USE" means a use established for a fixed period of time with the intent to discontinue the activity upon the expiration of the fixed time period. Temporary uses include fairs, special events, investigation of land, and the use of land for storage of materials or equipment or a site office while construction work is in progress.

"TINY HOME" means a residential building containing a single dwelling unit intended for year-round use, with a maximum gross floor area of 40 m<sup>2</sup>. These may be constructed on a chassis or placed a foundation subject to building code requirements.

"TRAIL" means a path or track used for recreational purposes that provides a visibly apparent route to follow through the landscape, including any structures associated with them such as bridges, boardwalks or viewing decks. Trails may be motorized, non-motorized or multi-use.

"TOWNHOUSE" means a building divided into three or more dwelling units located side by side under one roof with private entrances to each dwelling from the exterior of the building and with each dwelling sharing at least one common wall.

## **V**

"VARIANCE" means a relaxation of the requirements specified in this bylaw as permitted by the Act and subject to the approval of the Board of Variance.

"VEHICLE SALES AND SERVICE" means the premises where motor vehicles may be repaired, equipped, parked or stored for remuneration, sale, or display, including vehicle washing facilities as an ancillary use, but excluding gas bars, recreation vehicles or heavy equipment sales/rentals.

"VETERINARY CLINIC" means premises where pets, animals, and birds are treated and kept for medical or surgical purposes and are directly or indirectly under the care of a veterinarian. Veterinary clinics also include non-medical uses such as pet grooming and daytime pet boarding. Non-medical clinics are restricted from overnight boarding.

## **W**

"WALKWAY" means a public path designed for use by pedestrian and/or bicycle traffic.

"WHOLESALE SALES" means a business primarily buying and storing merchandise for resale to retailers or to industrial, commercial, institutional, business users or other wholesalers rather than for sale to the general public.

"WORKSHOP" means a place of business for skilled trades including but not limited to metal, plumbing or carpentry work.

## **Y**

"YARD, FRONT" means the area extending across the frontage of the lot between side lot lines extending from the front property line to the nearest permitted building or structure.

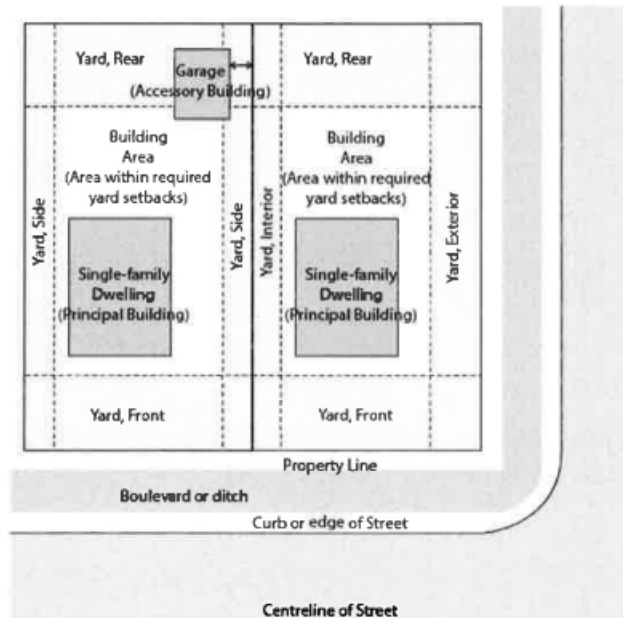
"YARD, REAR" means the portion of a lot which extends across the full width of the lot between the rear property line and the nearest permitted principal building or structure.

"YARD, SETBACK" means the minimum distance between the property line and the nearest point which can be occupied by the principal building or structure.

"YARD, SIDE" means the portion of a lot which extends from a front yard to the rear yard between the side lot line and the nearest permitted principal building or structure.

"YARD, SIDE, EXTERIOR" means a side yard immediately adjoining a public street.

"YARD, SIDE, INTERIOR" means a side yard immediately adjoining another lot or a lane.



**Illustration of required Yards setbacks. The area within the required Yards is the buildable area for the principal building. The actual Yard is measured from the nearest point on the face of the building to the property line.**

## Z

"ZONING MAP" means a map that delineates the boundaries of the zones set out in this bylaw, attached hereto as Schedule A.

All other words and expressions shall have the meanings respectively assigned to them in the Act if defined therein.

PART 10     **SCHEDULES**

10.1    Schedule “A” – Zone Maps

TOWN OF FARO

BYLAW 2025-07

Zoning Bylaw

"SCHEDULE A"

ZONE MAPS

## 10.2 Schedule "B" – Fee Schedule

TOWN OF FARO  
BYLAW 2025-07  
Zoning Bylaw

"SCHEDULE B"

FEE and FINE SCHEDULE

### Application Fees

Description of Fee	Fee
Development Permit - Principal Building or Use	\$550.00
Development Permit - Accessory Building or Structure	\$55.00
Development Permit - Signs or Other	\$55.00
Board of Variance	\$550.00
Appeal to Council	\$550.00
Bylaw Amendment	\$550.00

### Penalties

Description of Offence	Fine
Fail to comply with Zoning Bylaw regulations	\$250.00
Fail to comply with Zoning Bylaw regulations (2 <sup>nd</sup> or subsequent offence)	\$500.00
Fail to obtain a Development Permit	\$250.00
Fail to obtain a Development Permit (2 <sup>nd</sup> or subsequent offence)	\$500.00
Fail to comply with Development Permit Conditions	\$250.00
Fail to comply with Development Permit Conditions (2 <sup>nd</sup> or subsequent offence)	\$500.00
Fail to comply with a Notice of Violation	\$250.00
Fail to comply with a Notice of Violation (2 <sup>nd</sup> or subsequent offence)	\$500.00
Fail to grant right of entry	\$250.00
Fail to grant right of entry (2 <sup>nd</sup> or subsequent offence)	\$500.00
Fail to comply with an Order	\$250.00
Fail to comply with an Order (2 <sup>nd</sup> or subsequent offence)	\$500.00
Parking a vehicle contrary to the bylaw	\$200.00

TOWN OF FARO  
BYLAW 2025-07  
Zoning Bylaw

"SCHEDULE C"

DEVELOPMENT PERMIT FORMS

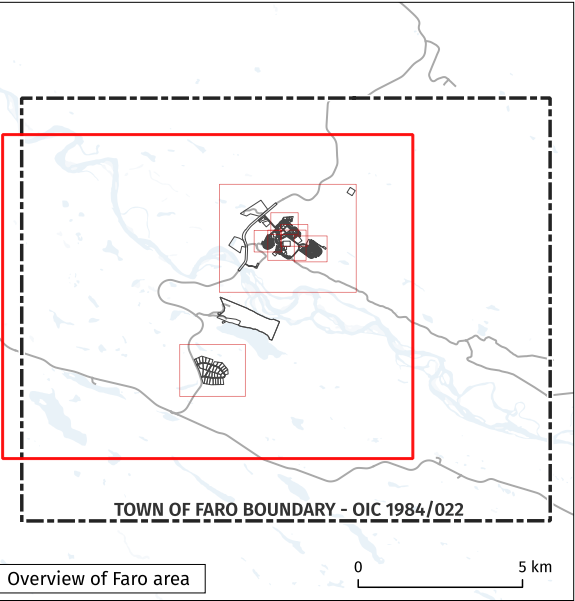
Town of Faro  
Proposed Zoning  
Map 1 of 8

Town of Faro (Overview)

Scale 1 : 37500

Zoning

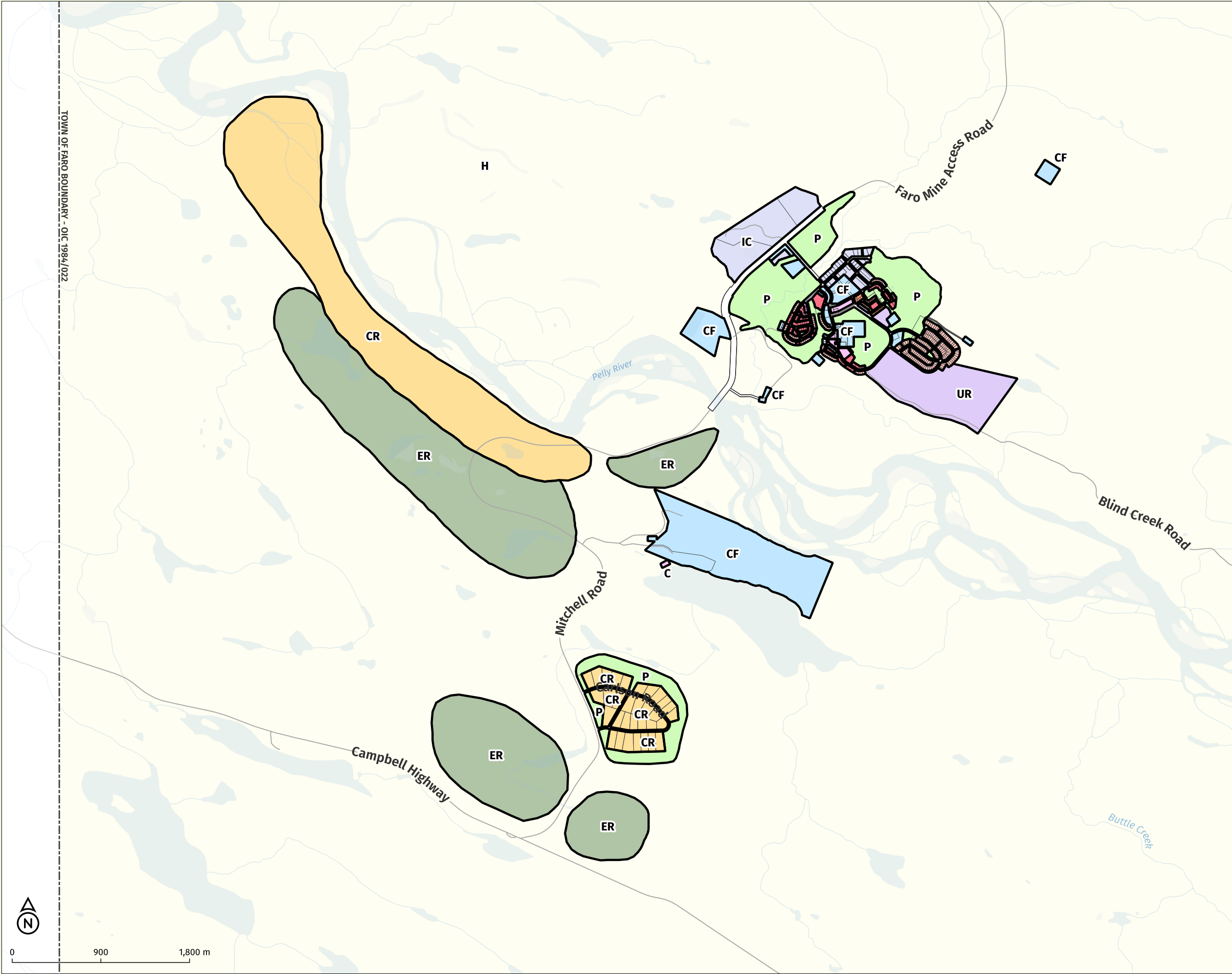
- R-1 Urban Residential
- R-2 Multiple Unit Residential
- R-3 Mobile Home Residential
- CR Country Residential
- C Commercial
- IC Industrial-Commercial
- CF Community Facility
- MU Mixed Use
- P Parks & Open Space
- ER Environmental Reserve
- UR Urban Reserve
- H Hinterland

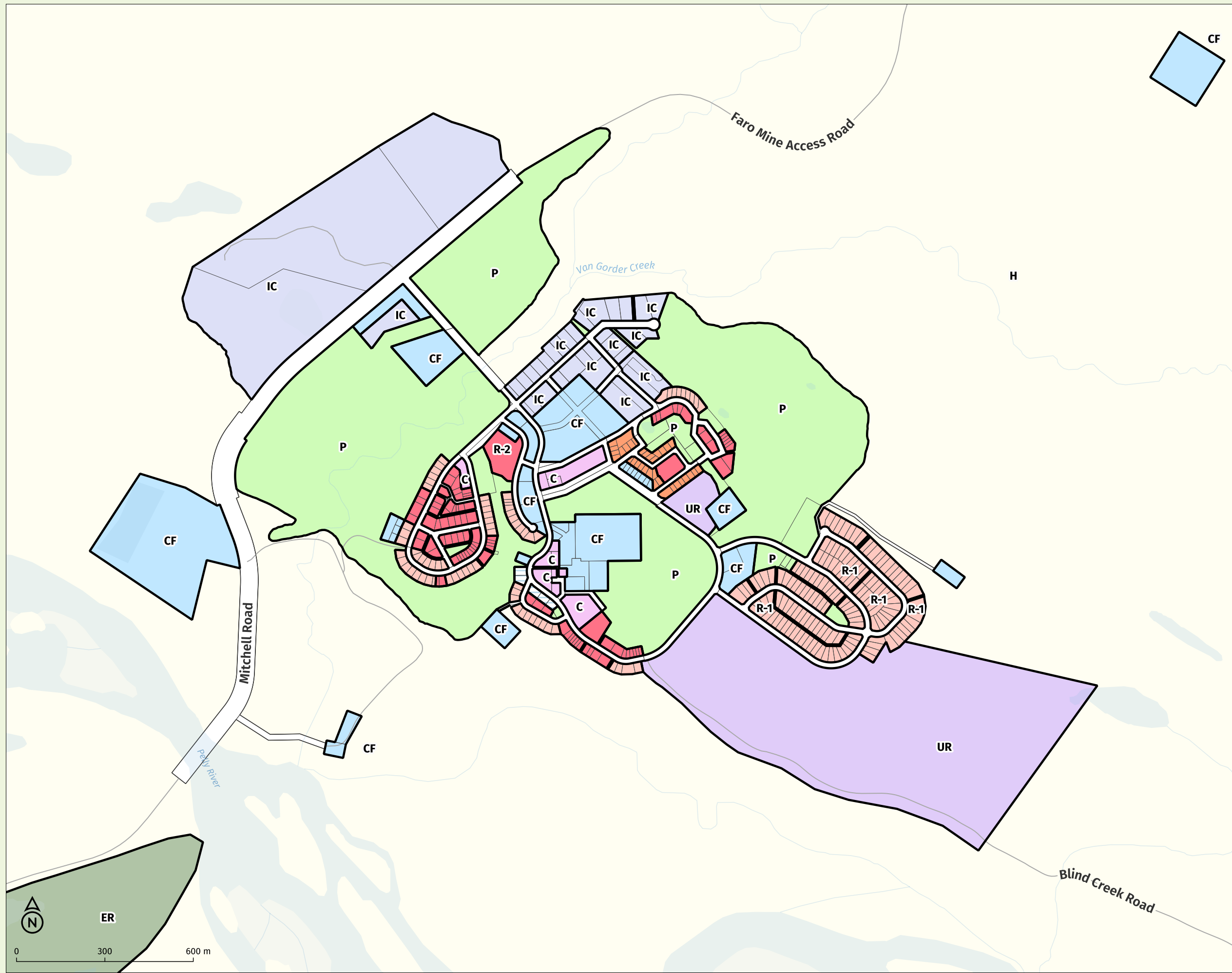


**DRAFT - FOR REVIEW ONLY**

Data sources:  
Roads & hydrology: Canvec  
Land parcels: NRCan

NOTE: Nominal scale accurate at 11x17" page size.





# Town of Faro

## Proposed Zoning

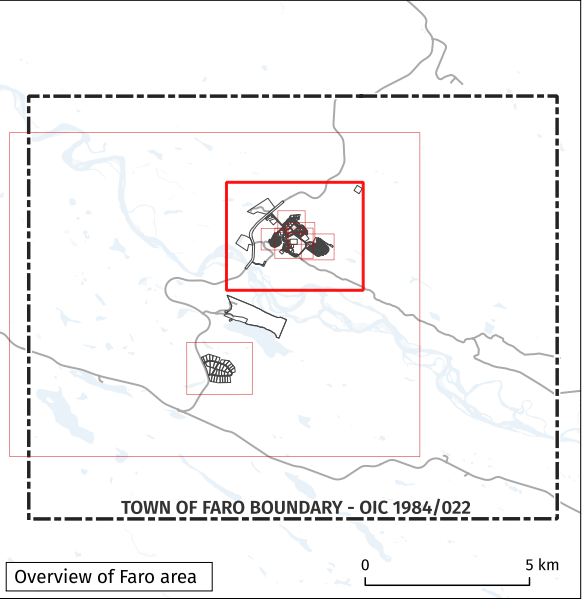
### Map 2 of 8

#### Faro Townsite

Scale 1 : 12500

#### Zoning

- R-1** Urban Residential
- R-2** Multiple Unit Residential
- R-3** Mobile Home Residential
- CR** Country Residential
- C** Commercial
- IC** Industrial-Commercial
- CF** Community Facility
- MU** Mixed Use
- P** Parks & Open Space
- ER** Environmental Reserve
- UR** Urban Reserve
- H** Hinterland



Overview of Faro area



**DRAFT - FOR REVIEW ONLY**

**Data sources:**  
Roads & hydrology: Canvec  
Land parcels: NRCan

**NOTE:** Nominal scale accurate at 11x17" page size.



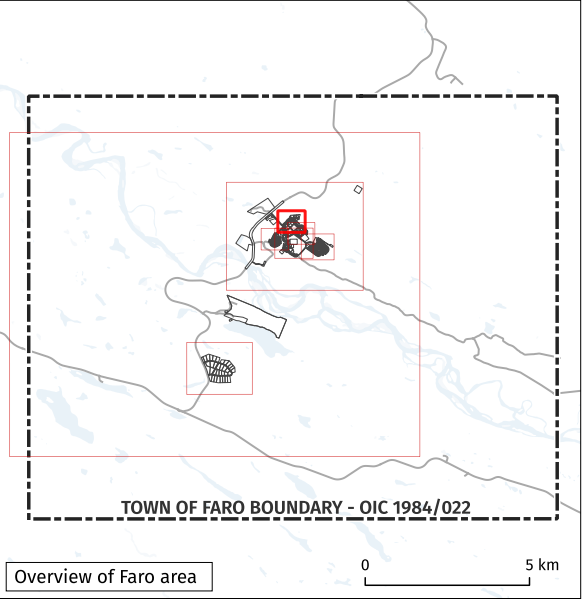
Town of Faro  
Proposed Zoning  
Map 3 of 8

Industrial Area

Scale 1 : 2500

Zoning

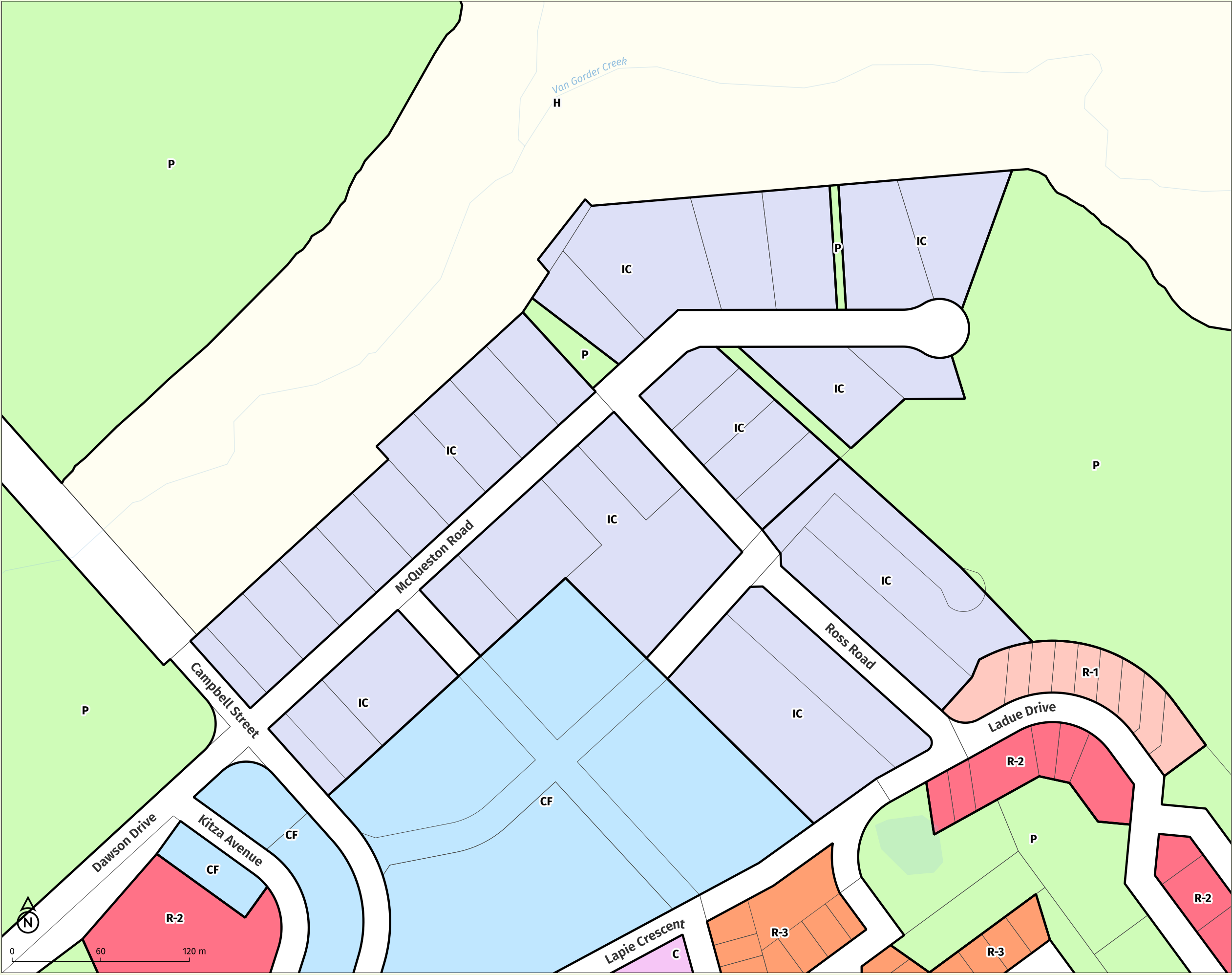
- R-1 Urban Residential
- R-2 Multiple Unit Residential
- R-3 Mobile Home Residential
- CR Country Residential
- C Commercial
- IC Industrial-Commercial
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- MU Mixed Use
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- UR Urban Reserve
- H Hinterland



DRAFT - FOR REVIEW ONLY

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Land parcels: NRCan

NOTE: Nominal scale accurate at 11x17" page size.



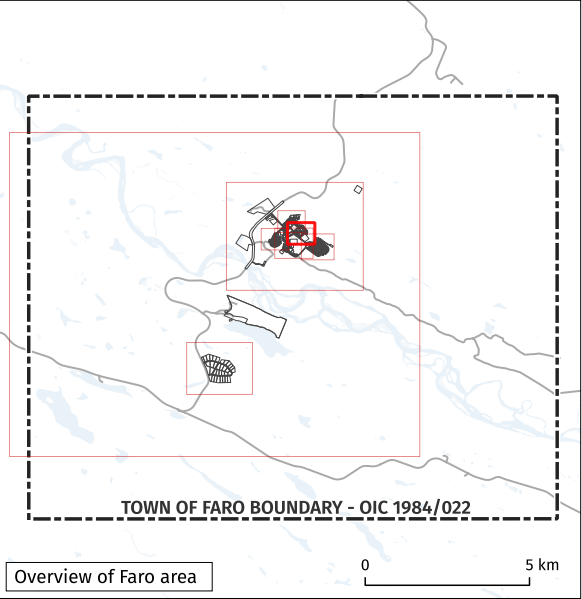
Town of Faro  
Proposed Zoning  
Map 4 of 8

The 79s

Scale 1 : 2500

Zoning

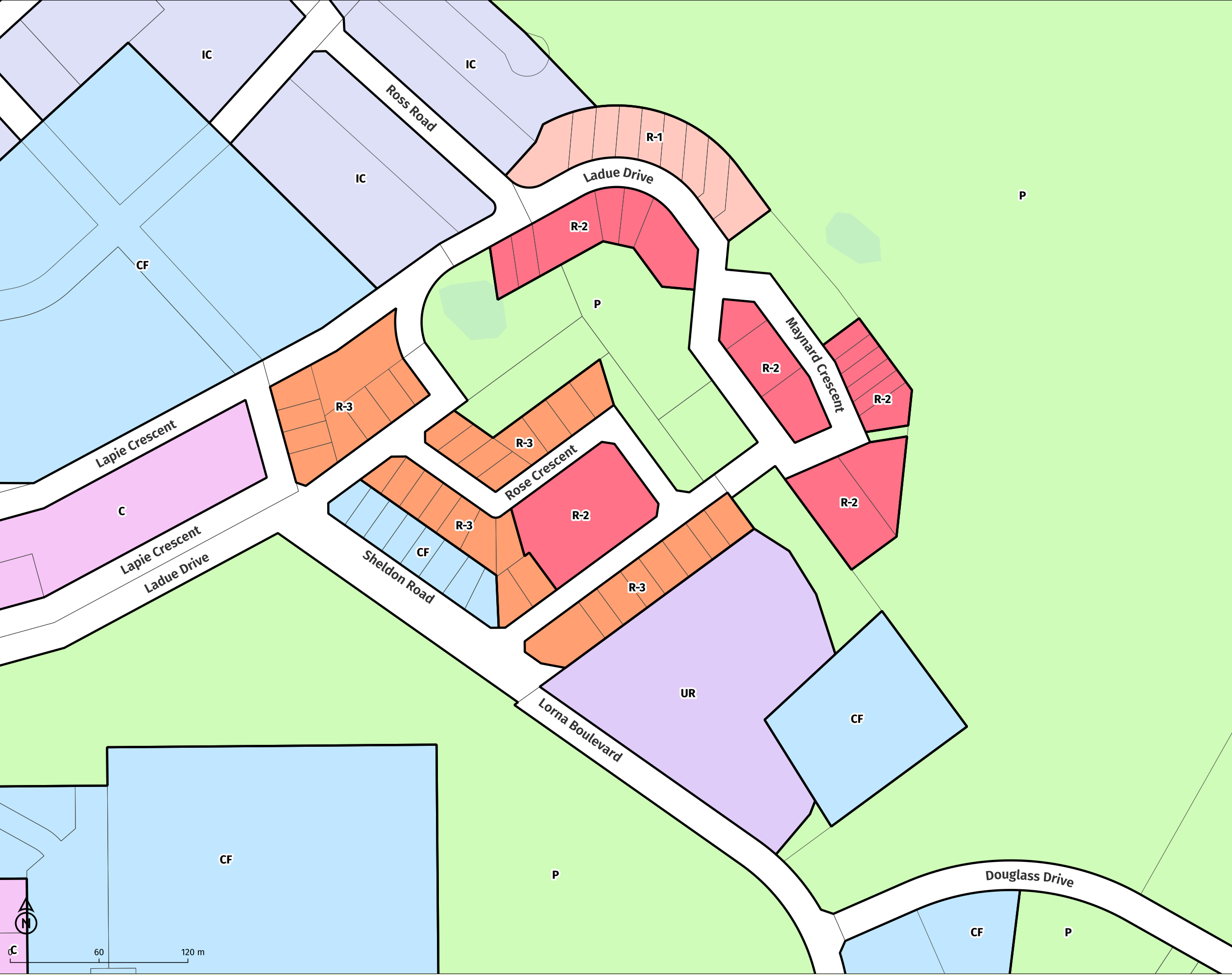
- R-1 Urban Residential
- R-2 Multiple Unit Residential
- R-3 Mobile Home Residential
- CR Country Residential
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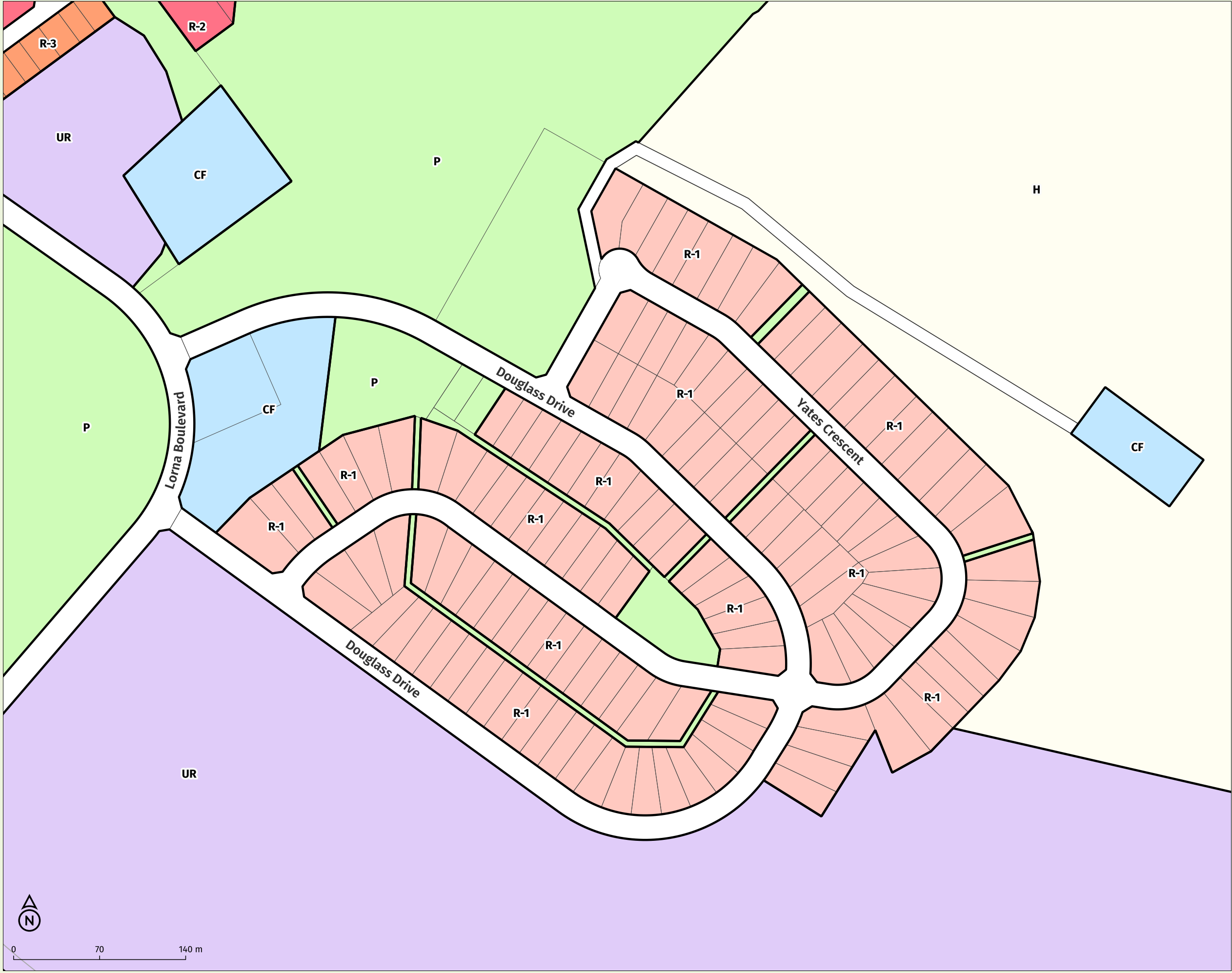


**DRAFT - FOR REVIEW ONLY**

Data sources:  
Roads & hydrology: Canvec  
Land parcels: NRCan

NOTE: Nominal scale accurate at 11x17" page size.





# Town of Faro

## Proposed Zoning

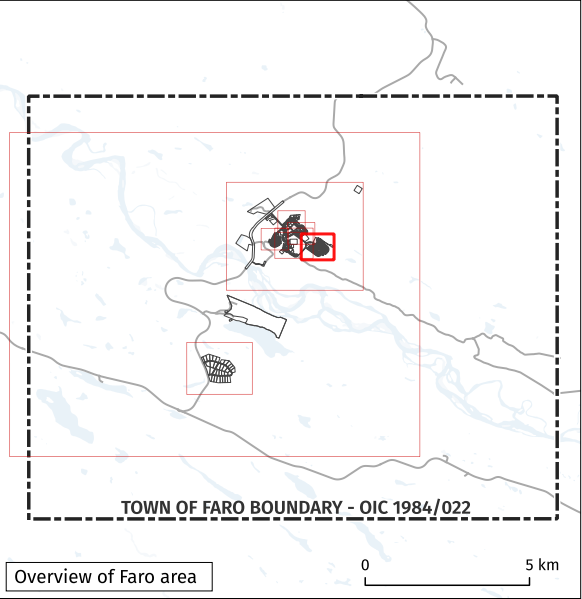
### Map 5 of 8

#### Upper Bench

Scale 1 : 3000

#### Zoning

- R-1** Urban Residential
- R-2** Multiple Unit Residential
- R-3** Mobile Home Residential
- CR** Country Residential
- C** Commercial
- IC** Industrial-Commercial
- CF** Community Facility
- MU** Mixed Use
- P** Parks & Open Space
- ER** Environmental Reserve
- UR** Urban Reserve
- H** Hinterland



**DRAFT - FOR REVIEW ONLY**

**Data sources:**  
Roads & hydrology: Canvec  
Land parcels: NRCan

NOTE: Nominal scale accurate at 11x17" page size.



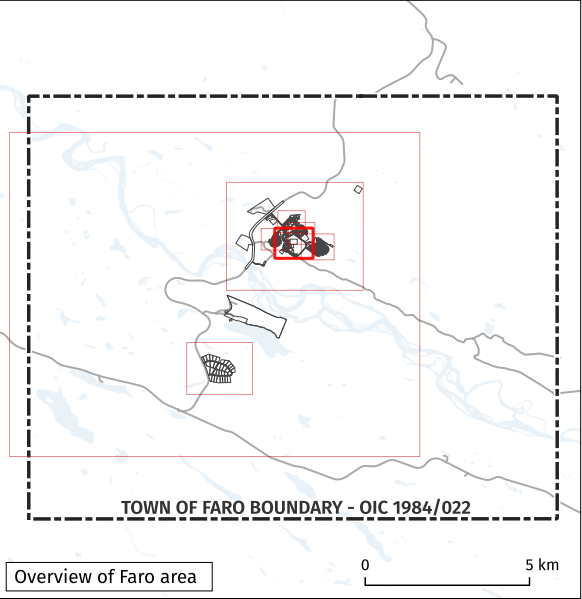
Town of Faro  
Proposed Zoning  
Map 6 of 8

Middle Bench

Scale 1 : 3500

Zoning

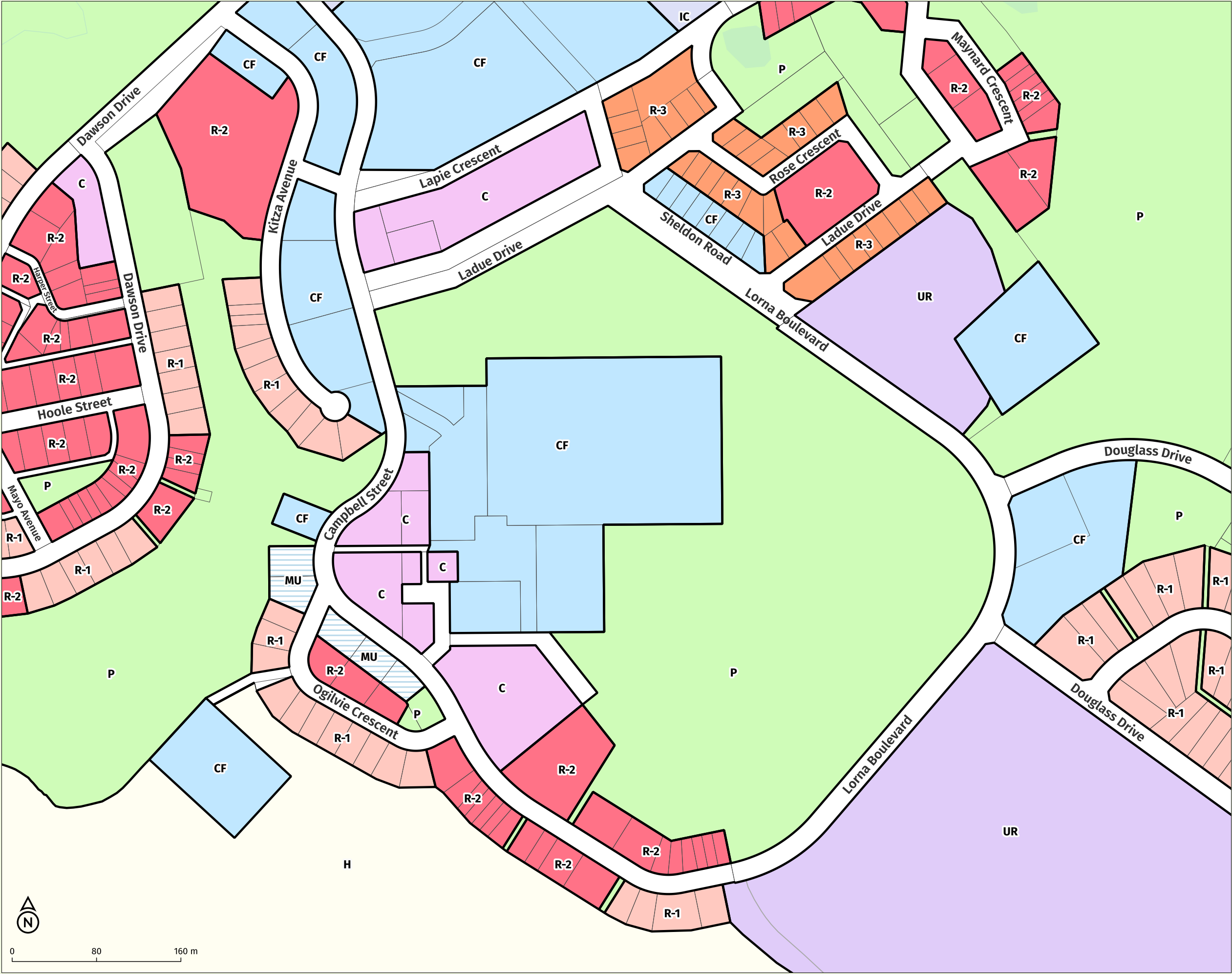
- R-1 Urban Residential
- R-2 Multiple Unit Residential
- R-3 Mobile Home Residential
- CR Country Residential
- C Commercial
- IC Industrial-Commercial
- CF Community Facility
- MU Mixed Use
- P Parks & Open Space
- ER Environmental Reserve
- UR Urban Reserve
- H Hinterland



DRAFT - FOR REVIEW ONLY

Data sources:  
Roads & hydrology: Canvec  
Land parcels: NRCan

NOTE: Nominal scale accurate at 11x17" page size.



0 80 160 m

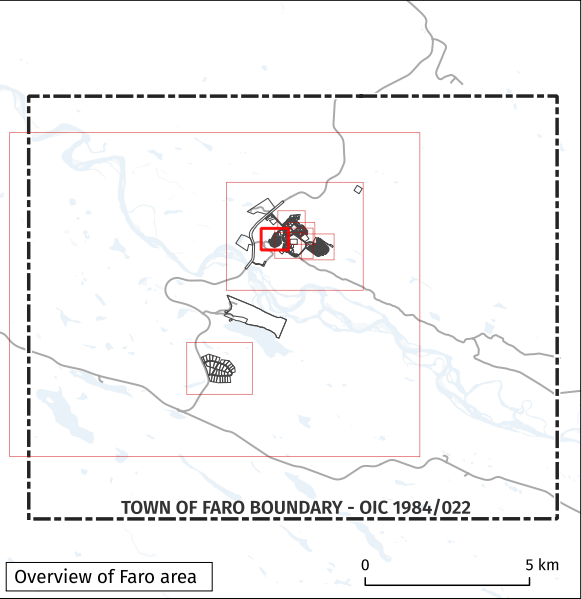
Town of Faro  
Proposed Zoning  
Map 7 of 8

Lower Bench

Scale 1 : 2500

Zoning

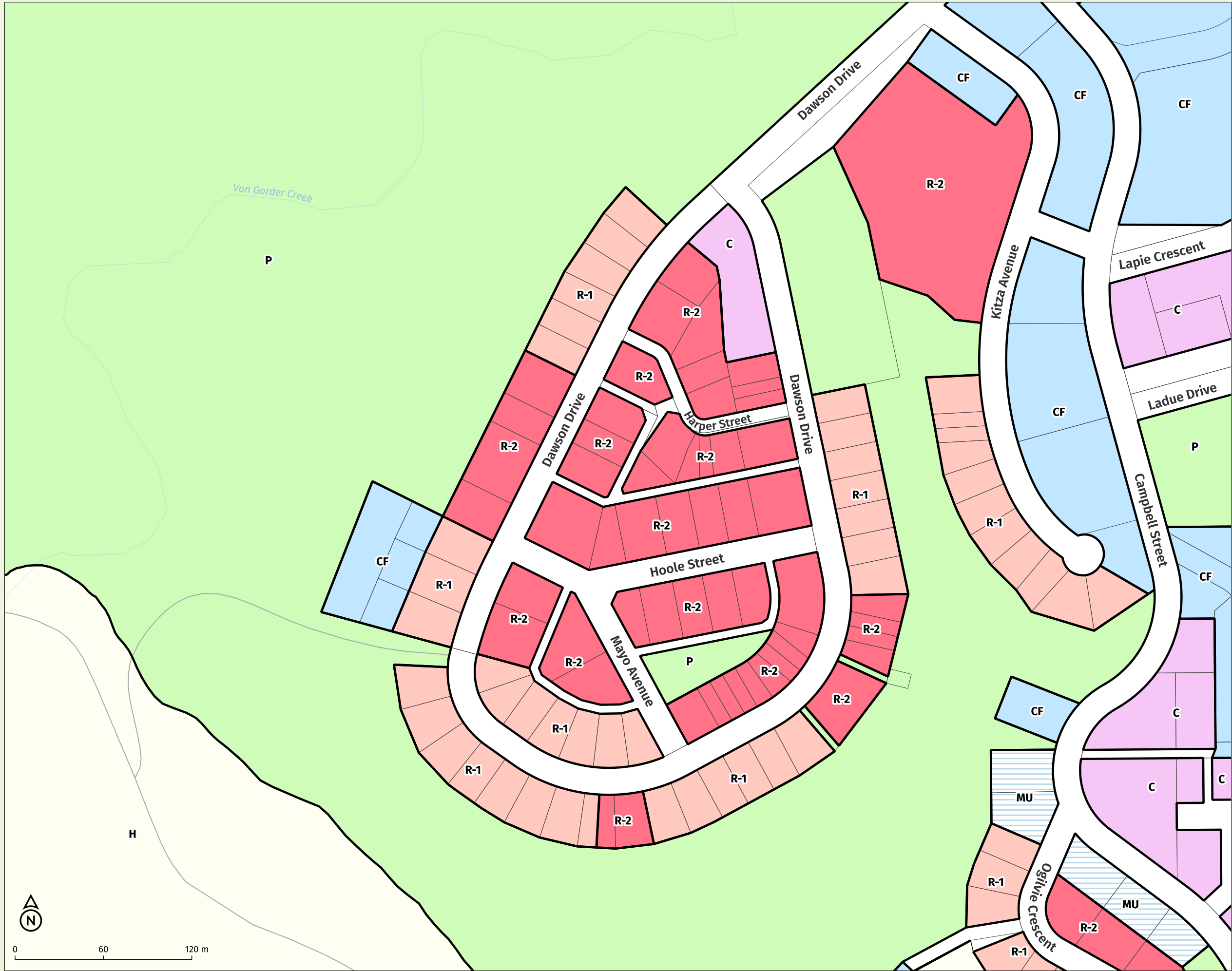
- R-1 Urban Residential
- R-2 Multiple Unit Residential
- R-3 Mobile Home Residential
- CR Country Residential
- C Commercial
- IC Industrial-Commercial
- CF Community Facility
- MU Mixed Use
- P Parks & Open Space
- ER Environmental Reserve
- UR Urban Reserve
- H Hinterland



DRAFT - FOR REVIEW ONLY

Data sources:  
Roads & hydrology: Canvec  
Land parcels: NRCan

NOTE: Nominal scale accurate at 11x17" page size.



0 60 120 m

# Town of Faro

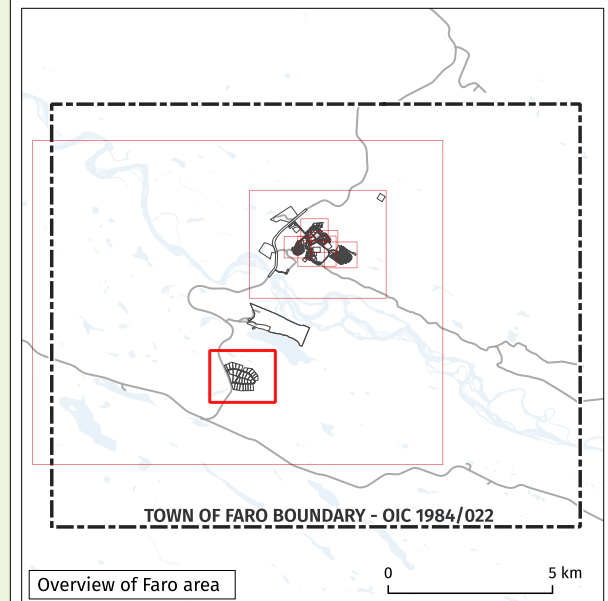
Proposed Zoning  
Map 8 of 8

## Tintina Subdivision

Scale 1 : 6000

### Zoning

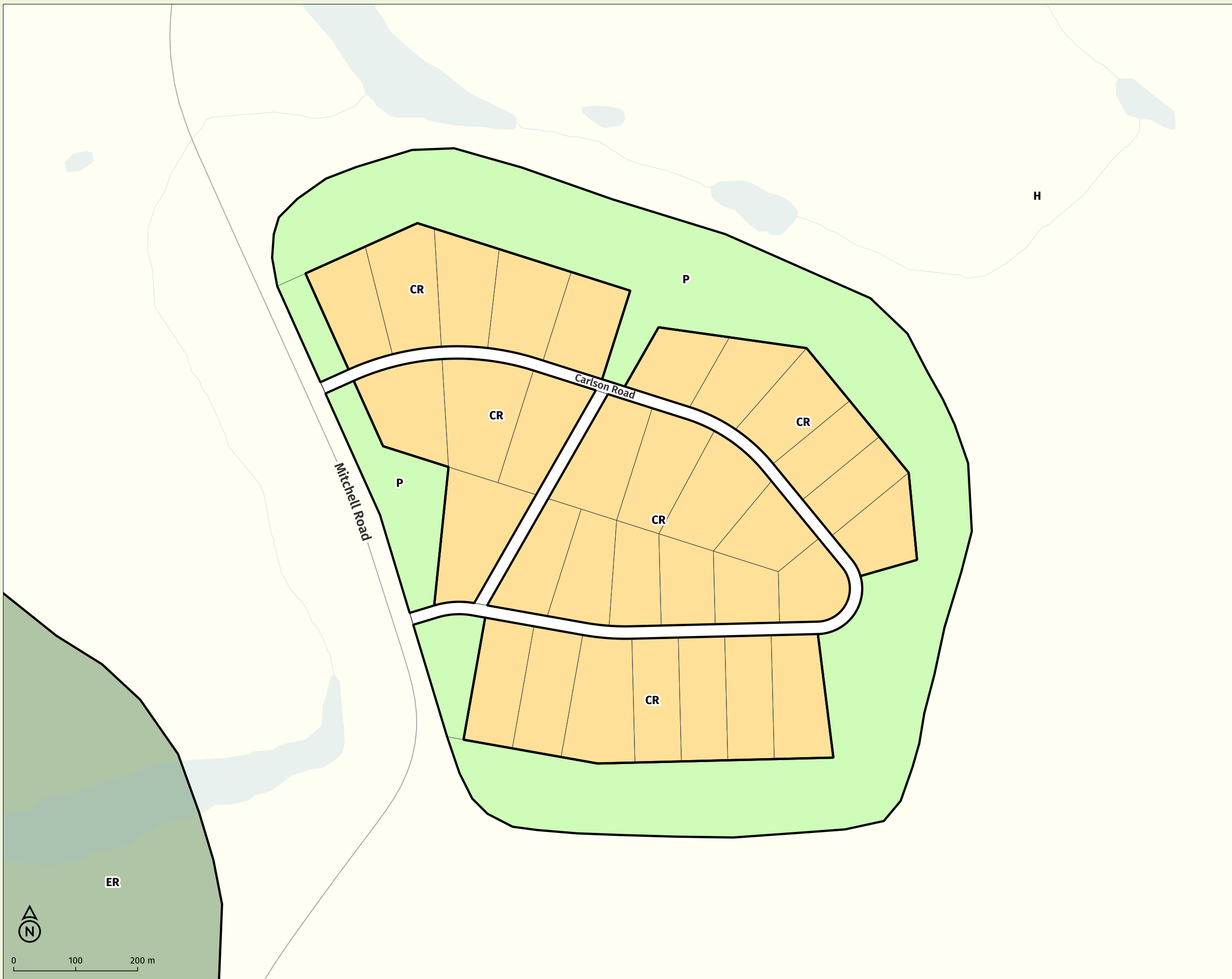
- R-1** Urban Residential
- R-2** Multiple Unit Residential
- R-3** Mobile Home Residential
- CR** Country Residential
- C** Commercial
- IC** Industrial-Commercial
- CF** Community Facility
- MU** Mixed Use
- P** Parks & Open Space
- ER** Environmental Reserve
- UR** Urban Reserve
- H** Hinterland



**DRAFT - FOR REVIEW ONLY**

**Data sources:**  
Roads & hydrology: Canvec  
Land parcels: NRCan

**NOTE:** Nominal scale accurate at 11x17" page size.





## WORKPLACE VIOLENCE, DISCRIMINATION, AND HARASSMENT PREVENTION POLICY

(2500-01)

Approved by Resolution No: 25-450, December 2, 2025

Amended by Resolution No: 26-???, January 20, 2026

Next Review - 2029

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### PURPOSE:

The Town of Faro is committed to ensuring that all employees, citizens, volunteers and Members of Council are treated with dignity and respect. Further, the Town of Faro is committed to ensuring that all employees and Members of Council treat others with dignity and respect, by upholding the Employee Code of Conduct and the Council Code of Conduct, respectively. These Codes include a commitment to basic values and principles of ethical behaviour, such as integrity, honesty, respect, humility, responsibility, fairness, and compassion.

The Town of Faro believes that everyone has the right to a workplace that is free from violence, discrimination, and harassment. The definition of workplace includes all Town of Faro worksites, meetings and activities. As such, violence, discrimination, and harassment will not be tolerated from any person including our employees, volunteers or Members of Council. Nor will any action or behaviour that meets the definition of violence, discrimination, or harassment that is directed towards our employees, volunteers or Members of Council be tolerated.

### SCOPE:

This Policy applies to everyone performing duties on behalf of the Town of Faro, including interactions within and outside of the municipality, with the public, with employees, with volunteers, and with Members of Council.

This Policy covers conduct that occurs in Town of Faro workplaces or that relates to work conducted by the Town of Faro.

This Policy does not pertain to respectful political disagreement or discourse in the Council Chambers.

### DEFINITIONS:

**Co-Chairs** – shall mean the Worker and Management members of the Joint Health and Safety Committee who have been appointed to these positions.

**Chief Administrative Officer (CAO)** – shall mean the person appointed to this position by Council, or their delegate.

**Council** – shall mean the Council of the Town of Faro

**Discrimination** – occurs when a person or group is treated unfavourably (for example subjected to workplace harassment), at least in part, because of a protected personal characteristic called protected grounds and areas under the Yukon Human Rights Act.

These grounds include:

1. Ancestry, including colour and race
2. National origin
3. Ethnic or linguistic background or origin
4. Religion or Creed, or religious belief, religious association, or religious activity
5. Age
6. Sex, including pregnancy
7. Gender identity or gender expression
8. Sexual orientation
9. Physical or mental disability
10. Criminal charges or criminal record
11. Political belief, political association, or political activity
12. Marital or family status
13. Source of income
14. Actual or presumed association with other individuals or groups whose identity or membership is determined by any of the above

**Domestic Violence** – shall mean any abuse, including physical, emotional, sexual, or financial, between intimate partners who are often living in the same household.

**Employee** – shall mean an employee of the Town of Faro

**Joint Health and Safety Committee (JH&SC)** – shall mean the Town of Faro's Joint Health and Safety Committee.

**Member of Council** – shall mean an elected official of the Town of Faro Council

**Workplace Violence** - is generally understood as the threatened, attempted, or actual application of physical force toward a worker that is likely to cause harm or lead a worker to believe that they are likely to be harmed. Workplace Violence can cause physical and psychological injuries.

**Workplace Harassment** - is generally understood as any objectionable comments or behaviours that we know, or should know, are likely unwelcome in a workplace. This includes any inappropriate comments or objectionable behaviour relating to a worker's sex, sexual orientation, gender identity or gender expression.

Examples of this include, but are not limited to:

- Making inappropriate gestures or comments
- Misuse of power or authority or access to an individual's personal information
- Using physical or psychological bullying
- Excluding, intimidating, humiliating, or isolating someone
- Making inappropriate sexual advances
- Discriminating based on gender identity or gender expression
- Referring to a person using terms that do not align with the person's stated gender
- Engaging in cyberbullying, such as posting offensive or intimidating messages through social media or email
- Deliberately setting someone up to fail
- Unwelcome or persistent questioning of someone's identity or origin

**Volunteer** – shall mean a person engaging in volunteer activities on behalf of, and sanctioned by, the Town of Faro

#### **STANDARD:**

The Town of Faro, its employees, volunteers, and Members of Council will respect and comply with the Workplace Violence, Discrimination, and Harassment Prevention Policy and Procedures. The Town of Faro is committed to ensuring a safe work environment, free from violence, discrimination, and harassment. All employees, volunteers and Members of Council are required to comply with this policy and supporting procedures.

Everyone is entitled to a workplace free from violence, discrimination, and harassment. Town of Faro employees, volunteers and Members of Council must treat each other with respect and not engage in any workplace violence, discrimination, or harassment. All employees, volunteers and Members of Council have the right to report any concerns or incidents of violence, discrimination or harassment, and to have their concerns addressed.

To support this policy, the Town of Faro has developed Workplace Violence, Discrimination, and Harassment Prevention Procedures. These procedures include steps to protect employees, volunteers and Members of Council from violence, discrimination, and harassment and a process to raise concerns or report incidents.

Reasonable and respectful actions of an employer or supervisor to manage workers is not harassment. Examples of managing workers include giving instructions, changing workers' job duties, setting and amending work schedules and workloads, evaluating performance and taking disciplinary action.

Reasonable and respectful disagreement with a view to solve problems through discourse is also not considered harassment under this policy.

## **CONFIDENTIALITY:**

The privacy of all involved in a complaint or incident of violence, discrimination, and harassment will be protected as much as possible. The Town of Faro will not identify to anyone a complainant, a respondent, a witness(es), or any circumstances about a complaint, including personal information, unless it is necessary for the purpose of the investigation. This may include sharing the results of an investigation, implementing corrective action relating to the complaint, informing employees, volunteers, or Members of Council of a risk of violence, discrimination, or harassment or where required by law. Every effort shall be made to protect the identity of complainant(s).

If any personal information is shared, it will be the minimum needed to complete the investigation.

This violence, discrimination, and harassment prevention policy does not limit an individual's rights under any other laws.

## **RESOURCES:**

- Workplace Violence and Harassment Prevention Guide, Yukon Workers' Compensation Health & Safety Board, 2020
- Yukon Human Rights Act
- Workplace Health and Safety Regulations, Part 19: Harassment and Violence Prevention

## VIOLENCE, DISCRIMINATION AND HARASSMENT PREVENTION PROCEDURES

The Town of Faro is committed to eliminating, or otherwise minimizing, the hazard of violence, discrimination, and harassment.

1. If any employee, volunteer or Member of Council believes they have been subject to violence, discrimination, or harassment, they must follow the procedures for reporting the incident.
  - a. Incidents of violence, discrimination, or harassment shall be reported to the Chief Administrative Officer (CAO) as soon as practical after an incident has occurred and shall include a completed Incident Report form (Appendix 1);
  - b. Where the CAO is the subject of the complaint **or is reporting a complaint**, an incident report shall be submitted to the Co-Chairs of the Joint Health and Safety Committee. The Co-chairs shall review the matter and determine if the complaint has merit. The Co-chairs are permitted to seek additional input from the JH&SC and/or a Member of Council if required.
    - i. If the Co-Chairs deem the complaint to have merit, or if they are uncertain as to the validity of the complaint, the complaint shall be referred to an External Third-Party Reviewer as identified in Appendix 2.
    - ii. If the Co-Chairs deem the complaint to be frivolous, vexatious or without merit, they will provide a written response to the complainant.
    - iii. If one of the Co-Chairs is the complainant **or is the subject of a complaint**, the JH&SC is authorized to take their place in the determination on whether the complaint should be referred to an External Third-Party Reviewer.
2. The CAO will investigate all complaints and incidents of violence, discrimination, and harassment in a fair, respectful, and timely manner. The CAO will:
  - a. ensure that a meeting is scheduled with the complainant within one week of a complaint being lodged
  - b. **implement reasonable measures to eliminate or control the risk identified in the incident which may include the modification of an employee's duties and/or work location during the completion of the investigation.**
  - c. ensure that all investigations into an incident is completed, and
  - d. ensure a report is completed within 90 days **which identifies the results of the investigation and any corrective action to be taken.**
3. The CAO is authorized to refer any complaint to an External Third-Party reviewer as identified in Appendix 2.

4. When the investigation is complete, the party who received the complaint (CAO, JH&SC, Third-Party Investigator) will inform the complainant and the respondent of the results of the investigation in a timely manner.
5. Should an employee, volunteer or Member of Council be found to have committed an act of Workplace Violence, Discrimination or Harassment against another person while carrying out functions on behalf of the Town of Faro, they will be subject to appropriate corrective action.
  - a. Corrective actions may include, but are not limited to the following:
    - Training on municipal policies and procedures
    - Training on conflict resolution or assertiveness
    - Training on workplace harassment & violence prevention
    - A full or partial ban from municipal facilities
    - Reprimand, suspension or termination
    - Other remedies deemed appropriate in the circumstances
6. The CAO (or investigator) will provide a report to the Joint Health and Safety Committee on the corrective actions resulting from the investigation within 14 days of the report's completion.
7. Any disciplinary action taken as a result of violence, discrimination or harassment by an employee will be implemented by the CAO (in order to comply with the provisions of the Collective Agreement).
8. No employee, volunteer or elected official can be penalized or reprimanded when doing their best to follow this policy and the procedures for preventing workplace violence, discrimination, and harassment.
9. Employees who have been affected by workplace violence, discrimination or harassment may be supported through the Counselling Support available through the Town's Benefit Plan. Should a person not be covered by the plan, the CAO is authorized to make alternate arrangements.
10. If an employee or Member of Council becomes aware, or ought reasonably to be aware, that a worker is or is likely to be exposed to domestic violence in the workplace, they will report it to the CAO as soon as practical.
11. The Town of Faro, through its Council, CAO, Employees and Joint Health and Safety Committee will work cooperatively to protect workers from domestic violence in the workplace. The CAO is authorized to take reasonable precautions to protect workers and any other person in the workplace who may be affected by domestic violence.

12. The Town of Faro will ensure that all its employees, volunteers and Members of Council receive training on its workplace violence, discrimination, and harassment prevention policy and supporting procedures. Training will be updated if/when the policy or procedures are amended and will otherwise be reviewed on a regular basis.
13. The Town of Faro will ensure that this policy and supporting procedures are implemented and maintained. The policy and procedures will be reviewed and adjusted when needed, at least once every four years. If there are any concerns with this policy or the procedures, they should be brought to the attention of the CAO of the Town of Faro or a member of the Joint Health and Safety Committee.

**Appendix 1**  
**Workplace Violence, Discrimination and Harassment**  
**Incident Report**

Employee's Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time: \_\_\_\_\_

Location of Incident: \_\_\_\_\_

Name of aggressor(s) or provide physical description: \_\_\_\_\_

\_\_\_\_\_

Are they a:

☐ Co-Worker / Manager / **Supervisor**

☐ Member of Council

☐ Member of the Public

☐ Volunteer

Witness(es): \_\_\_\_\_

Description of the Incident (attach additional page if needed): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Employee Signature \_\_\_\_\_ Date: \_\_\_\_\_

CAO Signature \_\_\_\_\_ Date: \_\_\_\_\_

Meeting Date: \_\_\_\_\_

**Appendix 2**  
**Workplace Violence, Discrimination and Harassment**  
**Third Party Investigator**

NORTH COUNTRY CONSULTING LP  
Angela Drainville, CRST, CHSC, NCSO  
Vice President  
(867) 334-2241  
[angela.ncconsulting@gmail.com](mailto:angela.ncconsulting@gmail.com)

**Appendix 3**  
**Workplace Violence, Discrimination and Harassment**  
**Investigation Checklist**

Use this checklist for incident investigations to ensure all aspects of the incident have been reviewed. Prepare a Report based on your findings which identifies the results of the investigation and any corrective action to be taken.

- Names, addresses, telephone numbers of complainants, assailants and witnesses
- Occupation of complainants, assailants and witnesses
- Date and time of incident
- Date and time incident reported to employer
- Exact location of incident
- Exact location of complainants, assailants and witnesses
- Activities of complainants, assailants and witnesses before, during and after incident
- Statements of witnesses and their locations
- Detailed explanation of events in order of sequence of occurrence
- Complainant's account of events
- Description of assailant(s)
- Description of any vehicles involved in incident
- Assailant's account of events
- What participants said and did immediately before and after incident
- Physical conditions of work environment at time of incident
- Assailant's physical and mental state prior to and at the time of incident
- Unusual activity that may have contributed to incident
- Substance use or abuse
- Relationship between complainant and assailant, if any
- Investigator's relationship to complainant and assailant, if any
- Photographs of incident site
- Diagram of incident site, location of injured worker and witnesses



## Recommendation to Council

**Re:** Termination of Recycling MOU and Disposition of Baler

**Date:** January 5, 2026

---

### Recommendation

That Council pass a motion to terminate the Recycling MOU with Faro Woodwork & Bottle Depot due to the sale of the business and land.

That Council pass a motion authorizing Administration to dispose of two (2) balers to Tintina Ventures LTD Yukon Inc 845243 in exchange for the labour costs associated with manufacturing a new bumper for the Town's 2020 Crew Cab Fire Rescue Truck.

### For Information

Faro Woodwork & Bottle Depot has sold its property and recycling business to Tintina Ventures LTD Yukon Inc 845243 effective December 31, 2025.

On November 1 2025, Circular Materials took over operation of recycling service management in the Yukon under the extended producer responsibility (EPR). This service now includes corrugated cardboard recycling, which was previously non-refundable. The Town had maintained an MOU with Faro Woodwork & Bottle Depot to compensate for the non-refundable cardboard to keep it out of the landfill. This is no longer required.

The other main item considered in the MOU is the Town's baler which is owned and maintained by the Town of Faro for Faro Woodwork & Bottle Depot. In discussion with the new owner of Tintina Ventures LTD Yukon Inc 845243, a trade of the two balers in exchange for the labour costs associated with manufacturing a new bumper for the Town's 2020 Crew Cab Fire Rescue Truck (#6-05) has been identified as fair. The two balers are:

- 2019 Harmony M30HD baler
- 2008 Harmony M42HD baler

Costs for maintenance will be covered by Circular Materials going forward.

Estimated labour costs for the manufacturing of the bumper is ~\$4,800. Materials for the bumper will be provided by the Town.

Submitted by: Kimberly Ballance, CAO



**TOWN OF FARO  
BYLAW 2025-08**

**A Bylaw to Amend the Procedures Bylaw for the Town of Faro to regulate the proceedings of meetings and identify meeting procedures for the transaction of business**

**WHEREAS** Section 210 of the Municipal Act, RSY 2002, c. 154 (the Act), provides that Council shall, by bylaw, make rules governing its meeting procedures; and

**WHEREAS** notice of a proposed amendment to the Procedures Bylaw must be given at the Regular Meeting preceding the Council Meeting at which the first reading of the amendment will occur (s. 210 (3)(b) of the Act);

**NOW THEREFORE** the Council of the Town of Faro in the Yukon Territory hereby enacts an amended Procedures Bylaw in the form attached in Schedule "A"; and,

**FURTHER THAT** Bylaw No. 2007-05 is hereby repealed; and,

**FURTHER THAT** that this bylaw shall come into full force and effect upon final passing thereof.

NOTICE OF INTENT: November 18, 2025

READ A FIRST TIME: December 2, 2025

READ A SECOND TIME: December 2, 2025

READ A THIRD TIME:

-----  
Jack Bowers, Mayor

-----  
Kimberly Ballance, CAO

**SCHEDULE "A"**  
**PROCEDURES BYLAW**

<b>1</b>	<b>PURPOSE</b>	<b>4</b>
<b>2</b>	<b>DEFINITIONS</b>	<b>4</b>
<b>3</b>	<b>GENERAL PROVISIONS</b>	<b>6</b>
<b>4</b>	<b>NOTICE OF COUNCIL MEETINGS</b>	<b>6</b>
<b>5</b>	<b>MEETINGS</b>	<b>7</b>
5.1	Inaugural Meetings	7
5.2	Regular Meetings	7
5.3	Special Meetings	8
5.4	In-Camera Meetings	8
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<b>7</b>	<b>CONDUCT OF MEMBERS AND GUESTS</b>	<b>9</b>
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<b>8</b>	<b>CALL TO ORDER / ATTENDANCE</b>	<b>11</b>
<b>9</b>	<b>PROCEEDINGS OF COUNCIL MEETINGS</b>	<b>11</b>
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<b>13</b>	<b>RECONSIDERATION</b>	<b>20</b>
<b>14</b>	<b>ACCESS TO INFORMATION FOR COUNCIL</b>	<b>20</b>

15	ELECTRONIC PARTICIPATION AT MEETINGS _____	20
16	PUBLIC QUESTION PERIOD _____	22
	APPENDIX “A” TO BYLAW NO. 2025-08 _____	23
	APPENDIX “B” TO BYLAW NO. 2025-08 _____	25

## 1 PURPOSE

To establish the Town of Faro' procedures for governing the calling, place and proceedings of Meetings and provide notice of Meetings to the public.

## 2 DEFINITIONS

In this Bylaw, the following words shall have the meaning given herein:

**"Acting Mayor"** – shall mean the Member selected by Council to preside at a Meeting in the absence of the Mayor or Deputy Mayor.

**"Administration"** – shall mean the administrative and operational arm of the municipality, comprising of its various departments and including its employees who operate under the leadership of the CAO.

**"Business Day"** – shall mean a day on which the Town Office is open for business.

**"CAO"** – shall mean the Chief Administrative Office appointed by the Council of the Town of Faro, or person designated as the Acting CAO.

**"Chair"** – shall mean the Mayor, Deputy Mayor, Acting Mayor or person given the responsibility to direct the conduct of a Meeting.

**"Committee"** – shall mean any advisory or other Committee, Sub-Committee or similar entity that is carrying out a power, duty or function delegated by Council but excluding Committee of the Whole. Committees may only be created by a Resolution of Council which identifies its purpose, term, appointees and any other requirements deemed necessary by Council.

**"Committee of the Whole"** – shall mean all the Members of Council present at a Meeting while sitting in Committee.

**"Consent Agenda"** – shall mean items on an Agenda that may be dealt with by Council or Committee in accordance with Section 9 of this Bylaw.

**"Council"** – shall mean the Council of the Town of Faro.

**"Delegation"** – shall mean a person(s) addressing Council, Board or Committee at a Meeting for the purpose of making a request or recommendation.

**"Deputy Mayor"** – shall mean the person appointed as Deputy Mayor by Council.

**"Mayor"** – shall mean the person elected to the position of Mayor for the Town of Faro.

**“In-Camera Meeting”** – shall mean a Meeting closed to the public in accordance with Section 213 of the Municipal Act and Section 5.4 of this Bylaw.

**“Majority”** – shall mean more than half of the Members present and voting on an issue. The count shall include only those present including the Chair of the Meeting.

**“Meeting”** – shall mean any Regular, Special, In-Camera or other Meeting of Council or Committee.

**“Member”** – shall mean a Member of Council or a Committee as the case may be.

**“Main Motion”** – shall mean a question to be considered by Council or Committee which is moved, seconded, presented, read by the Chair and is subject to debate.

**“Municipal Act”** – shall mean *the Municipal Act, RSY 2002, C. 154*

**“Presentation”** – shall mean a person(s) providing information to Council, Board or Committee at a Meeting on an issue that impacts the community in a broad manner (e.g. RCMP Report).

**“Point of Order”** – may be called by any Member of Council and means to call attention to:

- (a) any breach of the Rules of Debate of Council; or
- (b) any defect in the constitution of any Meeting of the Council; or
- (c) the use of improper, abusive or offensive language; or
- (d) notice of the fact that the matter under discussion is not within the scope of the proposed motion; or
- (e) any other informality or irregularity in the proceedings of Council.

**“Quorum”** – shall be the minimum number of Members of Council or Committee that must be present at a Meeting to vote on motions and Bylaws. This number shall be equal to a majority of members of Council or Committee as the case may be. Quorum may be reduced to two (2) members if, due to a pecuniary interest of a member of council in relation to a matter, only two members of council are entitled to vote on the matter, those two members constitute a quorum for the matter.

**“Recorded Vote”** – shall mean the recording in the Minutes the name and vote of every Member present on any matter or question.

**“Resolution”** – shall mean a motion that has been voted on by Council or a Committee and represents a binding decision of Council.

**“Special Circumstances”** – shall mean a situation or the threat of an impending situation, which may affect the environment, the life, safety, health and/or welfare of the general public or the property of the residents of the Town of Faro, or to prevent serious damage, disruption of work, or to restore or to maintain essential service to a minimum level.

### **3 GENERAL PROVISIONS**

- 3.1 Where rules are not provided within this Bylaw for the proceedings of the Council or Committees, Roberts Rules of Order shall prevail.
- 3.2 In the event of any conflict between the provisions of this Bylaw and those contained in any of the authorities set out previously, the provisions of this Bylaw shall apply.
- 3.3 Subject to the Municipal Act, the rules established in this Bylaw shall be the rules governing the proceedings of the Council and its Committees.
- 3.4 An amendment, suspension or repeal of this Bylaw shall be considered at any Meeting of Council, where Notice of the proposed amendment, suspension or repeal was given at a previous Regular Meeting of Council. Council may not waive such Notice.
- 3.5 Council may suspend the Notice Provisions of this Bylaw where there are Special Circumstances.

### **4 NOTICE OF COUNCIL MEETINGS**

- 4.1 The CAO shall give Notice of each Inaugural and Regular Meeting to all residents of the Municipality by posting on the Municipal Office bulletin board, a notice which lists:
  - the type of Meeting
  - date and time of Meeting
  - location of Meeting
- 4.2 The CAO shall give 24 hours' Notice of each Special Meeting to the public by posting on the Municipal Office bulletin board a Notice which lists:
  - the type of Meeting

- date and time of Meeting
- location of Meeting
- the issue(s) to be discussed

4.3 The CAO shall give Notice of each Meeting to all members of Council and to other persons as the CAO deems advisable in writing.

4.4 The CAO may provide additional notifications and may create procedures to identify other methods of notice (online, digital sign, additional posting locations etc.) which may vary based on legislative requirements or the nature of the Meeting.

## **5 MEETINGS**

### **5.1 Inaugural Meetings**

5.1.1 The Inaugural Meeting of Council shall be held within 14 days after a General Election.

5.1.2 The date, time and location of the Inaugural Meeting will be set at the discretion of the CAO.

### **5.2 Regular Meetings**

5.2.1 Regular Meetings of Council shall be held in the Municipal Council Chambers as follows:

- on the first and third Tuesday of each month at 7:00 p.m. with the following exceptions:
  - the Meeting scheduled for the first Tuesday in January will be cancelled;
  - the Meeting scheduled for the first Tuesday in August will be cancelled;
- on such other day and place as may be determined by a majority of Council upon the passing of a Resolution.
- when the day for a Regular Scheduled Meeting of Council falls on a Holiday, Council shall meet at the established hour on the next following day which is not a Holiday, Saturday nor Sunday.

5.2.2 Regular Meetings of Council may continue after 10:00 p.m. with a motion carried by a majority vote by Council.

5.2.3 Regular Meetings of Council may continue past 11:00 p.m. with a motion carried by a unanimous vote by Council.

### **5.3 Special Meetings**

5.3.1 In accordance with Section 214 of the Municipal Act, the CAO shall call a Special Meeting of Council when requested in writing by the Mayor or any two (2) Council Members.

5.3.2 The CAO may call a Special Meeting if they can confirm that a quorum is available for the meeting, and subject to the notice requirements in Section 5.3.3 and Section 214(2) of the Act being provided.

5.3.3 Twenty-four (24) hours' notice shall be provided to all Members of Council by the CAO. Notice shall be provided in writing and must state the nature of the business to be discussed.

5.3.4 The only business to be dealt with at a Special Meeting is that which is given in the Notice of the Meeting.

5.3.5 Special Meetings of Council may continue beyond 3 hours with a motion carried by a majority vote by Council.

5.3.6 Special Meetings of Council may continue beyond 4 hours with a motion carried by a unanimous vote by Council.

### **5.4 In-Camera Meetings**

5.4.1 All Meetings shall be open to the public except that a Meeting or part of a Meeting may be closed to the public in accordance with Section 213(3) of the Municipal Act.

5.4.2 No Member, Officer or employee of the Town shall disclose the content of the matter or substance of the deliberations of a Closed Meeting, unless expressly authorized to do so by Council as required by law.

5.4.3 The CAO shall be present at all Closed sessions.

## **6 DUTIES AND ROLES OF THE CHAIR**

### **6.1 Role of Chair**

6.1.1 It shall be the role of the Chair to:

- a) open the Meeting by taking the Chair and calling the Members to order.
- b) advise that anyone present may not record (video or audio) without permission.
- c) announce the business before Council in the order in which it is to be acted upon.
- d) receive and submit, in the proper manner, all motions presented by the Members.
- e) put to a vote all motions which are moved and seconded, or necessarily arise in the course of the proceedings and to announce the result.
- f) decline to put to a vote, motions that infringe upon the rules of procedure.
- g) designate the Member who has the floor when two (2) or more Members wish to speak at the same time.
- h) restrain the Members within the rules of order when engaged in debate.
- i) make any decision required to maintain order and decorum.
- j) call by name any Member persisting in breach of the rules of order of the Council and order the Member to vacate the Council Chambers.
- k) authenticate by signature all Bylaws, Resolutions and Minutes of the Council.
- l) inform the Council, when necessary or when referred to for the purpose, on a Point of Order.
- m) represent and support the Council, declaring its will and obeying its decisions in all things.
- n) adjourn the Meeting without the question being put in the case of grave disorder arising in the Council Chambers.
- o) order any individual or group in attendance at the Meeting to cease and desist any behaviour which disrupts the order and decorum of the Meeting, and to order the individual or group to vacate the Council Chambers where such behaviour persists.
- p) adjourn the Meeting when the business is complete.
- q) shall vote on all motions.

## **7 CONDUCT OF MEMBERS AND GUESTS**

### **7.1 Role of Members**

#### **7.1.1 It shall be the role of the Members to:**

- a) participate in Council Meetings and Committee Meetings to which the member is appointed by Council;

- b) keep in confidence matters that are discussed at In-Camera Meetings

7.2 No Member shall:

7.2.1 speak disrespectfully of:

- a) the reigning Sovereign or any of the Royal Family;
- b) the Governor-General of Canada;
- c) the Government of Canada;
- d) the Government of the Yukon;
- e) a current or previous member of Council; or
- f) a current or previous employee of the Town of Faro.

7.2.2 use indecent, offensive or insulting language;

7.2.3 speak on any subject other than the subject in debate;

7.2.4 disobey the rules of Council or a decision of the Chair regarding order or practice or upon the interpretation of the rules of Council. If a Member persists in any such disobedience after having been called to order by the Chair, the Chair shall forthwith put the question "that such Member be ordered to leave his / her seat for the duration of the Meeting of the Council", and there shall be no amendments, debate or adjournment allowed on the question, but if the Member apologizes, he/she may, by vote of the remaining Members of Council, be permitted to retake his/her seat.

7.3 No Member or Guest shall:

- a) record (video or audio) any Meetings without the prior permission of the Council;
- b) use offensive words or unparliamentary language in or against the Council or against any member, staff or guest;
- c) disturb the Council, staff or guest, by any disorderly conduct disconcerting to the speaker or the Assembly;
- d) speak on any subject other than the subject in debate;
- e) disobey the rules of Council or the decisions of the Chair on questions of order or practice or upon the interpretation of the rules of Council; or
- f) be permitted to retake their seat after being ordered to vacate, having committed a breach of any rule of the Council, until the next Meeting and without making an apology to Council.

- 7.4 Members of the public attending the meeting electronically must truthfully identify themselves by name or by turning on their video. Persons who fail to comply with this requirement upon request by Council will be removed from the Meeting.
- 7.5 Persons shall be allowed to address Council or Committee with the permission of the Council or Committee. The Chair shall be permitted to authorize such persons to address Council or Committee, however the Chair's determination may be appealed by the remaining members of the Council or Committee by Resolution.

## **8 CALL TO ORDER / ATTENDANCE**

- 8.1 Within fifteen (15) minutes after the time set for a Meeting, and if the Chair does not attend, the designate shall call the Members to order if a quorum is present and shall preside during the Meeting or until the arrival of the Chair. Where the Chair has advised the CAO that he/she will not be at the Meeting the designate will be advised as soon as practicable.
- 8.2 If no quorum is present within twenty (20) minutes after the time set for a Meeting, the CAO shall record the names of those present and the Meeting shall stand adjourned until the same time on the following day which is not a Holiday, Saturday nor Sunday. If no quorum is present at the rescheduled Meeting, the Meeting shall stand adjourned until the next Regular Meeting.
- 8.3 A Member shall contact the CAO to advise that he/she will not be present at the Meeting as soon as practicable. Should a Member advise that they will be absent for two (2) or more consecutive Regular Meetings, the CAO will include on the next Regular Agenda, a Motion to authorize a Leave of Absence for the Member. The absence of a Council Member from one (1) Regular Meeting or Special Meeting shall not require a Council Approval for a Leave of Absence nor will it impact their remuneration.
- 8.4 If the CAO has been notified by a sufficient number of Members prior to the scheduled Meeting that there will be no quorum; the CAO may cancel the Meeting of Council or Committee. The CAO shall post the Notice of Cancellation on the Municipal Office bulletin board as soon as practicable.

## **9 PROCEEDINGS OF COUNCIL MEETINGS**

- 9.1 The CAO shall have prepared, for the use of Members, an Agenda as set out below for Regular and Special Meetings. Amendments to the Agenda format may be made by the CAO for Committee Meetings.

### 9.1.1 Agenda for a Regular Meeting of Council

#### **AGENDA**

Town of Faro – Regular Council Meeting

Month / Day / Year @ Time

Council Chambers

- 1 CALL TO ORDER**
- 2 ROLL CALL**
- 3 DISCLOSURE OF PECUNIARY INTEREST**
- 4 DELEGATIONS AND PRESENTATIONS**
- 5 BUSINESS ARISING FROM DELEGATIONS AND PRESENTATIONS**

#### **PART I – CONSENT AGENDA**

- 6 MINUTES**
  - 6.1 The review and passing of the Minutes of the previous Meetings.
  - 6.2 Minutes of Committees
- 7 MISCELLANEOUS MOTIONS**
  - 7.1 Financial Report
  - 7.2 Administrative Reports
    - 7.2.1 Chief Administrative Officer
    - 7.2.2 Manager of Operations
    - 7.2.3 Manager of Recreation and Culture
  - 7.3 Correspondence
  - 7.4 Other

#### **PART II – OTHER ITEMS**

- 8 BYLAWS**
- 9 REPORTS FROM MEMBERS OF COUNCIL**
- 10 ITEMS FOR DIRECTION**
- 11 PUBLIC QUESTION PERIOD**
- 12 IN-CAMERA MEETING**
- 13 IN-CAMERA MEETING REPORT**

## 14 ADJOURNMENT

### 9.1.2 Agenda for a Special Meeting of Council

#### AGENDA

Town of Faro – Special Council Meeting  
Month / Day / Year @ Time  
Council Chambers

- 1 CALL TO ORDER
- 2 ROLL CALL
- 3 DISCLOSURE OF PECUNIARY INTEREST
- 4 MATTER(S) FOR WHICH SPECIAL MEETING WAS CALLED
- 5 ADJOURNMENT

- 9.2 The CAO is responsible for the creation of Agendas for all Meetings of Council. **The CAO will coordinate its preparation with the Chair.**
- 9.3 The CAO will maintain and update procedures for the distribution of the Agenda Package to Council and the public. The CAO will implement distribution processes that are appropriate for individual Members of Council and for the public.
- 9.4 The business of Council shall, in all cases, be taken up in the order in which it stands upon the Agenda, or unless otherwise decided by a majority of Council.
- 9.5 With the approval of Council, a matter of an urgent nature may be added to the Agenda for Council's consideration subject to compliance with any required notice provision set out in legislation or municipal bylaw. This will be completed via a Resolution of Council. The item shall be provided in writing to the CAO prior to the commencement of the Meeting.
- 9.6 At each Meeting, the Minutes of the preceding Meeting(s) shall be submitted for adoption and, once approved by a majority of Members present, shall be signed by the Chair and the CAO.

- 9.7 A Consent Agenda shall be utilized for Regular Meetings of Council for items identified in the Agenda under PART I – CONSENT AGENDA. The process shall be as follows:
- 9.7.2 The Chair shall introduce by way of a Motion, duly moved and seconded, the items contained in the Agenda under PART I – CONSENT AGENDA.
  - 9.7.3 The Chair shall then inquire whether any Members wish to debate any items set forth in the Motion.
  - 9.7.4 Any Member who wishes to debate or amend an item set forth in the Motion shall advise the Chair of the item(s) number.
  - 9.7.5 Any items that have been identified for debate or amendment shall be debated or amended by Council.
  - 9.7.6 If at the conclusion of the debate, no amendments have been proposed to any of the items the Chair shall then call the vote on the Consent Agenda Motion.
  - 9.7.7 If at the conclusion of the debate amendments have been proposed, the Chair shall report all amendments to Council. The Chair shall then call the vote on each amended Motion prior to a vote on the Consent Agenda Motion.
  - 9.7.8 The Chair shall separately introduce any item on which a Member has declared a Pecuniary Interest in accordance with The Municipal Act prior to a vote on the Consent Agenda.
  - 9.7.9 A Member may request a separate vote on an item listed in the Consent Agenda. These items will be dealt with prior to a vote on the Consent Agenda.
  - 9.7.10 All items that are identified for clarification, amendment, pecuniary interest or separate vote shall be addressed in the order the items appear on the Agenda.
  - 9.7.11 The Chair shall then call for a vote on the Consent Motion excluding the items that have already been resolved.
- 9.8 Each item contained in a Consent Agenda shall include its own appropriately worded and properly moved and seconded Motion.
- 9.9 The CAO is hereby authorized to make minor deletions, additions or other changes in form to any Resolution or Bylaw before it is signed or sealed for the purpose of ensuring complete implementation of the actions of Council forming the subject matter. **This includes minor amendments to the Minutes or as requested by Council prior to the approval of the Minutes.**

## 10 DELEGATIONS AND PRESENTATIONS

- 10.1 A person who would like to appear as a Delegation or Presentation in a Meeting of Council, Board or Committee must complete and submit the

prescribed form (Appendix "A") and a copy of their Delegation Report / Presentation Report to the CAO by noon on Wednesday, one week prior to a Council Meeting.

- 10.2 The subject matter of Delegation / Presentation must be a matter within municipal jurisdiction.
- 10.3 A Delegation / Presentation consisting of one (1) person shall have five (5) minutes to address Council. Members or Officers may ask questions or seek additional information from the presenter beyond the five (5) minute time limit.
- 10.4 A Delegation / Presentation consisting of more than two (2) persons shall be limited to two (2) speakers, and each shall have five (5) minutes to address Council. Members or Officers may ask questions or seek additional information from the presenter(s) beyond the ten (10) minute time limit.
- 10.5 Council may, but is not required to, make a decision in response to a Delegation / Presentation following the Delegation / Presentation. Council may request that Administration bring forward a recommendation at a subsequent Meeting.
- 10.6 Members of Council or a Committee may seek clarification from the presenter(s) but will not enter into debate on the subject matter.
- 10.7 A presenter shall be limited to two (2) Delegations / Presentations in a calendar year on the same subject matter, unless deemed appropriate by the CAO (i.e. RCMP presentations to Council).
- 10.8 The CAO shall have the discretionary authority to determine whether sufficient detail has been provided in the prescribed form (Appendix "A") and to request additional information as required from the presenter or an Employee of the Town.
- 10.9 The CAO shall have the authority to determine the Meeting at which a Delegation / Presentation will be scheduled, having regard to time sensitive issues.
- 10.10 The CAO reserves the right to deny a Regular Meeting Delegation / Presentation request where the subject matter includes content which falls within Section 213(3) of The Municipal Act. The CAO may schedule an In-Camera delegation / presentation as appropriate.

## 11 MOTIONS AND ORDER OF PUTTING QUESTIONS

11.1 All Motions must be properly moved and seconded and shall be in writing.

11.2 Notwithstanding Section 11.1 of this Bylaw, Motions that are properly moved and seconded may be introduced verbally, pertaining to the following:

- a) a Point of Order or Point of Personal Privilege;
- b) a Motion to defer; (see Section 11.9)
- c) a Motion to withdraw a Motion before the Chair;
- d) a Motion to recess;
- e) a Motion for the previous question which shall not be passed without a majority vote of all Members; (see Section 11.7)
- f) a Motion that the Council resolve itself into Committee of the Whole, and/or to rise into Council;
- g) a Motion to separate a question;
- h) a Motion to continue a Regular Council Meeting beyond 10:00 p.m. or a Special Meeting beyond 3 hours;
- i) a Motion to continue a Regular Council Meeting beyond 11:00 p.m. or a Special Meeting beyond 4 hours;
- j) a Motion to adjourn a Meeting.

11.3 Motions that have been introduced in accordance with Section 11.2 shall be duly recorded in the Minutes.

11.4 After a Motion is read or stated by the Chair, it shall be deemed to be in possession of the Council and can be withdrawn before decision or amendment, only with leave of Council expressed by a Motion put forth by the mover of the original Motion.

11.5 A Motion properly before Council for decision, must receive disposition before any other Motion can be received except a Motion to amend, defer (adjourn debate) for the previous question, to adjourn a Meeting, to extend the hours of closing proceedings, or on a matter of a quorum.

11.6 A Motion to amend:

- a) may be presented verbally or in writing;
- b) shall receive disposition of Council before a previous amendment on the question;
- c) the question shall be allowed only once;
- d) shall be relevant to the question to be received.

11.7 A Motion for the previous question (to call the question):

- a) cannot be amended;
- b) on the main Motion, cannot be proposed when there is an amendment under consideration;
- c) shall preclude all amendments of the main question;
- d) when resolved in the affirmative, the question is to be put forthwith without debate or amendment;

11.8 A Motion to adjourn the Council Meeting:

- a) shall always be in order, except as provided in this Section, and shall be put immediately without debate;
- b) when resolved in the negative, cannot be made again until after some intermediate proceeding has been completed by Council;
- c) is not in order when a Member is speaking, nor during the verification of a vote;
- d) cannot be amended; and
- e) is not in order immediately following the affirmative Resolution of a Motion for the previous question.

11.9 A Motion to defer:

- a) shall always be in order, except as provided in this Section and shall be put immediately;
- b) shall be debated only on the date or time to which the item will be deferred;
- c) when resolved in the negative, cannot be made again until after some intermediate proceeding has been completed by Council;
- d) is not in order when a Member is speaking, nor during the verification of a vote; and
- e) is not in order immediately following the affirmative Resolution of a Motion for the previous question.

11.10 After a question is finally put by the Chair, no Member shall speak to the question, nor shall any other Motion be made until after the vote is taken and the result has been declared.

11.11 If a Member disagrees with the declaration of the Chair on the result of a vote, such Member must object immediately after such declaration, and request that the vote be retaken, and when so requested, the Chair shall have the vote retaken.

11.12 Debate shall be restricted to each proposal in its turn when a question has been separated upon the agreement of Council.

- 11.13 The manner of determining the decision of Council on a Motion shall be indicated by visual or vocal means as declared by the Chair, except for recorded votes.
- 11.14 Upon enactment, every Bylaw shall be endorsed by the Chair and the CAO with the date of enactment thereof and the Corporate Seal shall be affixed thereto.

## **12 RULES OF DEBATE**

- 12.1 Every Member at a Council Meeting, including the Chair, shall vote when a question is put, except where he/she is prohibited by statute from voting or disqualified to vote by reason of a Declared Pecuniary Interest, or is absent from the Council Chambers when the question is put.
- 12.2 If any Member present at a Meeting of Council does not vote when a question is put, he/she shall be deemed as voting in the negative, except where he/she is excused by Council from voting on the matter, prohibited from voting by statute or disqualified by reason of a Declared Interest.
- 12.3 Any question on which there is an equality of votes shall be deemed to be negative.
- 12.4 Any Member who has declared a Pecuniary Interest in an Item on an Agenda shall leave the meeting during the time that the matter is being considered, or voted on, so as to not influence the discussion or determination by Council. Such action shall be noted in the Minutes.

Members who declare a Pecuniary Interest in an Item are not required to leave the room if the declaration relates to Section 193.02 (2) or 193.02 (3) of the Act (excerpt is provided below for ease of reference, but is subject to legislative amendments)

*193.02 (2) If the matter with respect to which the member of council has a pecuniary interest is the payment of an account for which funds have previously been committed, it is not necessary for the member of council to withdraw from the council meeting.*

*193.02 (3) If the matter with respect to which the member of council has a pecuniary interest relates to a question on which, under this Act or another enactment, the member of council as an elector, taxpayer or an owner of property has a right to be heard by the council*

- 12.5 Any Member who is not disqualified from voting by any Act may request that a recorded vote be taken prior to, or immediately subsequent to the taking of a vote.
- 12.6 Upon a recorded vote being requested by a Member on any matter or question, the CAO shall ask those Members voting in favour of the question to indicate in a vocal or visible manner until their vote has been recorded. The CAO shall then ask those Members voting in opposition to the question to indicate in a vocal or visible manner until their vote has been recorded. Any Member who does not indicate his/her vote at the time of a recorded vote shall be deemed to be voting in the negative.
- 12.7 The CAO shall record the manner in which each Member voted in the Minutes by listing the Members in alphabetical order by last name. The CAO will also record the name of any Member who was prohibited or excused from voting.
- 12.8 Every Member speaking on any question or Motion shall address the Chair.
- 12.9 When two (2) or more Members wish to speak, the Chair shall designate the Member who is to have the floor and the Member, who in the opinion of the Chair, first requested to speak shall have the floor.
- 12.10 Each Member shall be allowed to speak only once on the question for a maximum period of five (5) minutes, except the Member who has made a Motion and/or an amendment to such Motion, shall be permitted the final reply to close the debate, and such final reply shall be limited to three (3) minutes.
- 12.11 A Member may speak a second time to a question, upon the concurrence of the Chair, but only if the question has not yet been put to a vote, and the Member shall be permitted an additional three (3) minutes, after which the Member who moved the Motion being debated, shall be granted a final reply which shall be limited to three (3) minutes.
- 12.12 No Member shall interrupt the Member who has the floor, except to raise a Point of Order or a question of quorum.
- 12.13 When a Member raises a Point of Order, the Member shall ask leave of the Chair to raise a Point of Order, and after a leave is granted, shall state the Point of Order to the Chair and the Chair shall then state and decide upon the Point of Order; and
- a) thereafter, the Member shall address only the Chair for the purpose of appealing to Council from the decision of the Chair; and

- b) if no Member appeals, the decision of the Chair shall be final; and
- c) Council, if appealed to, shall decide the question, without debate, and its decision shall be final.

12.14 No person except Members and Officers of the Town of Faro shall be allowed to come to the Council table during the sittings of Council without permission from the Chair or Council.

12.15 When the Chair is putting a question, Members shall remain in their seat and make no noise or disturbance.

12.16 When a Member is speaking to an issue, Members shall remain in their seat and make no noise or disturbance.

### **13 RECONSIDERATION**

13.1 Any Member may bring forward a Motion for reconsideration.

13.2 An issue shall not be brought back for reconsideration for a period of 12 months from the date that the Motion was originally determined.

13.3 A request for reconsideration by a majority of members of Council will override the reconsideration rule set out in section 13.2. This will require the completion of the Form in Appendix B and submission of it to the CAO who will include it on the next Regular or Special Meeting of Council, as necessary.

### **14 ACCESS TO INFORMATION FOR COUNCIL**

14.1 Members of Council shall have access to information through the CAO in order to fulfill their mandate as a Member, provided he/she is not prohibited by statute from having such information.

14.2 Files and documents may not be removed from the care and control of the CAO and, under no circumstances, shall such material be removed from the Municipal Office, except as required by Statute.

### **15 ELECTRONIC PARTICIPATION AT MEETINGS**

15.1 Members of Council or Committee may participate electronically in Meetings that are open or closed to the public, and their participation will be included in determining whether a quorum of members is present at any point in time.

- 15.2 The CAO shall determine the method of electronic participation that will be utilized and will consider the method based on available technology, budgetary considerations and transparency of the method to the public.
- 15.3 Members of Council that wish to participate in a Meeting electronically shall make arrangements with the CAO as soon as possible prior to the Meeting. The CAO will endeavour to make this option available, however precedence shall be given to the Members participating in person.
- 15.4 The CAO and Council shall ensure that the Meeting is not unnecessarily delayed or interrupted due to a Member's participation via an electronic means including the following:
- if a telephone line is staticky making it difficult for Council or the public to hear the Member, who is participating electronically, the method will cease to be utilized at that Meeting;
  - if an internet or WIFI connection does not have sufficient speed to allow for viewing/hearing the Member, who is participating electronically, the method will cease to be utilized at that Meeting;
  - if a Member or Council is experiencing technical difficulties in setting up or keeping a connection with a Member who is participating electronically, precedence will be given to the Members participating in person and the method will cease to be utilized at that Meeting;
  - If a member(s), who is participating electronically, is required for the purposes of quorum, and their electronic connection is lost, the meeting shall be recessed for a period of not more than 15 minutes to re-establish the connection. If a connection cannot be re-established, then the meeting is deemed to be over.
- 15.5 A Member's electronic participation in a Meeting shall be recorded in the Minutes of the Meeting as such. Electronic participation shall be considered in determining Council Member attendance.
- 15.6 Members shall not be permitted to participate electronically for a period of more than two (2) consecutive, Regular Meetings without being authorized to do so by a Resolution of Council.
- 15.7 Members participating electronically in a In-Camera Meeting will take all measures possible to ensure that their participation does not permit non-members to hear, see or participate in the Meeting proceedings. Security of In-Camera Meeting information is paramount. If a Member is unable to abide by this provision, they should not participate in the In-Camera Meeting.

## 16 PUBLIC QUESTION PERIOD

- 16.1 Members of the Public must be recognized by the Chair in order to ask a question during the Public Question Period.
- 16.2 Members of the Public must identify themselves, and the Item Number on the Agenda to which their question relates, prior to asking their question.
- 16.3 Should a Member of the Public's question not be related to a current Agenda Item, the Chair will request that they submit their request directly to Administration or register as a delegation for a subsequent Council Meeting.
- 16.4 No Member of the Public who has been authorized to ask a Question during the Public Question period shall:
  - 16.4.1 speak disrespectfully of:
    - a) the reigning Sovereign or any of the Royal Family;
    - b) the Governor-General of Canada;
    - c) the Government of Canada;
    - d) the Government of the Yukon;
    - e) a current or previous member of Council; or
    - f) a current or previous employee of the Town of Faro.
  - 16.4.2 use indecent, offensive or insulting language.
  - 16.4.3 disobey a decision of the Chair regarding meeting procedures or decorum.
- 16.5 If a Member of the Public persists in any such disobedience after having been called to order by the Chair, the Chair shall withdraw the persons permission to speak for the rest of that Meeting's Public Question period.
- 16.6 The Chair is authorized to determine the number of questions that will be permitted from a Member of the Public as well as the total amount of time that will be provided for Public Question Period.

**APPENDIX "A" TO BYLAW NO. 2025-08**

**DELEGATIONS AND PRESENTATIONS REQUEST**

By completing and signing this form I agree that I have received and reviewed the rules for giving a Delegation or Presentation and understand that I will be required to follow the procedures laid out in the Town of Faro' Procedural Bylaw.

I understand that this Delegation / Presentation Request Form is a public document and will be part of the Agenda Package for Council and the public.

Presenter(s) Name(s): \_\_\_\_\_

Presenter(s) Signature(s): \_\_\_\_\_

Phone Number or Email: \_\_\_\_\_

Date Request Submitted: \_\_\_\_\_

Available Dates to Present: \_\_\_\_\_

(Note: Actual Presentation date to be determined by CAO)

Nature of Business (please attach additional information as required)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Delegation / Presentation Submitted: Yes / No

~~~~~

FOR CAO USE:

Delegation or Presentation (circle one)

Staff Report / Recommendation Required: Yes / No

Staff Person: \_\_\_\_\_

Delegation / Presentation Approved: Yes / No

Date of Meeting: \_\_\_\_\_

CAO: \_\_\_\_\_ Date: \_\_\_\_\_

## DELEGATIONS AND PRESENTATIONS

1. A person who would like to appear as a Delegation or Presentation in a Meeting of Council, Board or Committee must complete and submit the prescribed form (e.g. Appendix "A") and a copy of their Delegation Report / Presentation Report to the CAO by 12:00 noon on Wednesday, a week prior to a Council Meeting.
2. The subject matter of Delegation / Presentation must be a matter within municipal jurisdiction.
3. A Delegation consisting of one (1) person shall have five (5) minutes to address Council. Members or Officers may ask questions or seek additional information from the presenter beyond the five (5) minute time limit.
4. A Delegation consisting of more than two (2) persons shall be limited to two (2) speakers, and each shall have five (5) minutes to address Council. Members or Officers may ask questions or seek additional information from the presenter(s) beyond the ten (10) minute time limit.
5. A Presentation to Council will be provided with a time limit by the CAO.
6. Council shall not make a decision in response to a Delegation / Presentation during the Delegation / Presentation. Members of Council or a Committee may seek clarification from the presenter(s) but will not enter into a debate or discussion on the subject matter.
7. A presenter shall be limited to two (2) Delegations / Presentations in a calendar year on the same subject matter.
8. The CAO shall have the discretionary authority to determine whether sufficient detail has been provided in the prescribed form (e.g. Appendix "A") and to request additional information as required from the presenter or an employee of the Town of Faro.
9. The CAO shall have the authority to determine the Meeting at which a Delegation / Presentation will be scheduled, having regard to time sensitive issues.
10. The CAO reserves the right to deny a Regular Meeting Delegation / Presentation request where the subject matter includes content which falls within Section 213(3) of The Municipal Act. The CAO may schedule an In-Camera delegation / presentation as appropriate.
11. Council may choose to defer a decision on a delegation to a future meeting if additional information is requested from either the presenter or staff.

**APPENDIX "B" TO BYLAW NO. 2025-08**

**COUNCIL REQUEST FOR RECONSIDERATION**

WHEREAS Section 13.3 of the Town of Faro' Procedural Bylaw requires that the majority of the Members of Council is required to Reconsider an Item prior to the 12 month timeline set out in Section 13.2.

NOW THEREFORE the following Members of Council of the Town of Faro, representing a majority of the Council, wish to reconsider the Resolution or Bylaw No.:

-----  
-----

| NAME OF MEMBER | SIGNATURE OF MEMBER |
|----------------|---------------------|
| 1. -----       | -----               |
| 2. -----       | -----               |
| 3. -----       | -----               |
| 4. -----       | -----               |
| 5. -----       | -----               |

|                                   |
|-----------------------------------|
| <b>CAO Use Only:</b>              |
| <b>Date:</b>                      |
| <b>Time Received: a.m. / p.m.</b> |



## Memorandum of Understanding

Between:

Town of Faro (TOF) and Del Van Gorder School (DVG)

This Memorandum of Understanding is valid beginning January 1, 2026, and is deemed to be renewed annually unless otherwise terminated by one of the parties.

**DVG will have free access to the Recreation Centre and Arena for activities that are planned and supervised by the DVG staff, provided that:**

1. A request for facility use is submitted and approved prior to the activity. The Manager of Recreation and Culture will be responsible for approvals.
2. Use will generally occur during regular operating hours of the facility.
3. Town of Faro staff must be present in the building when DVG is using the facility.
4. The planned activity will not negatively impact regularly scheduled programming.
5. The DVG is responsible for the care and maintenance of all equipment used during its programming at the facility. Any damage must be reported to Town of Faro Recreation Centre staff immediately
6. The DVG is responsible for the clean-up of facilities used. The facility is to be returned in the same state of cleanliness as it was received.
7. The DVG must maintain insurance for property damage and/or personal injury or death caused by or to any or by any persons involved in the activity, including any volunteers, instructors, participants or observers of the activity.
8. Equipment can not be removed from the facility unless authorized by the Manager of Recreation and Culture.
9. For events/programs involving youth in the weight room, the DVG is responsible for ensuring that youth are adequately supervised all the times.
10. The DVG shall not hold the Town of Faro, nor to its insurers, staff, volunteers, liable for property damage and/or personal injury or death caused by or to any or by any persons participating in the DVG Activity undertaken at the facility.
11. The TOF reserves the right to modify or cancel any Activity due to unforeseen circumstances.

**The Town of Faro will have free access to the DVG facility for activities that are planned and supervised by TOF staff, provided that:**

1. A request for facility use is submitted and approved prior to the activity. The Principal will be responsible for approvals.
2. Use will generally occur during regular operating hours of DVG, unless required during an Emergency as declared by the TOF.
3. DVG staff must be present in the building when TOF is using the facility.
4. The planned activity will not negatively impact regularly scheduled programming.
5. The TOF is responsible for the care and maintenance of all equipment used during its programming. Any damage must be reported to Principal immediately
6. The TOF is responsible for the clean-up of facilities used. The facility is to be returned in the same state of cleanliness as it was received.
7. The TOF must maintain insurance for property damage and/or personal injury or death caused by or to any or by any persons involved in the activity, including any volunteers, instructors, participants or observers of the activity.
8. Equipment can not be removed from DVG unless authorized by the Principal.
9. The TOF shall not hold the DVG, nor to its insurers, staff, volunteers, liable for property damage and/or personal injury or death caused by or to any or by any persons participating in the TOF Activity undertaken at DVG.
10. DVG reserves the right to modify or cancel any Activity due to unforeseen circumstances.

In the spirit of cooperation, this letter of understanding will be mutually updated as required.

-----  
DVG Principal

-----  
Mayor

-----  
Date

-----  
Date



## SAFE SPORT POLICY

Approved by Resolution No: 26-XXX  
Month, Day, 2026  
Next Review - 2030

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### A. PURPOSE

- To to create a safe, welcoming, and inclusive environment for all participants in Town of Faro's sports and recreation programs.
- To establish standards of behaviour and define prohibited conduct.
- To set out procedures for reporting and addressing concerns related to participant safety.

### B. DEFINITIONS

**Chief Administrative Officer (CAO)** – shall mean the person appointed to this position by Council, or their delegate.

**Discrimination** – occurs when a person or group is treated unfavourably (for example subjected to workplace harassment), at least in part, because of a protected personal characteristic called protected grounds and areas under the Yukon Human Rights Act.

**Employee** – shall mean an employee of the Town of Faro

**Harassment** - is generally understood as any objectionable comments or behaviours that we know, or should know, are likely unwelcome. This includes any inappropriate comments or objectionable behaviour relating to an person's sex, sexual orientation, gender identity or gender expression.

**Violence** - is generally understood as the threatened, attempted, or actual application of physical force that is likely to cause harm or lead a person to believe that they are likely to be harmed. Violence can cause physical and psychological injuries.

**Manager** – shall mean the person hired as the Manager of Finance, Manager of Operations, or Manager of Recreation and Culture.

**Volunteer** – shall mean a person engaging in volunteer activities on behalf of, and sanctioned by, the Town of Faro

## **C. SCOPE**

1. This policy applies to the following while attending or participating in Town of Faro Recreation Programs:
  - a. Athletes / Participants
  - b. Coaches / Instructors
  - c. Officials
  - d. Volunteers
  - e. Employees
  - f. Parents / Guardians / Spectators

## **D. CONDUCT AND PROHIBITED BEHAVIOURS**

1. Participants, as identified in Section C, shall:
  - a. Treat others with respect and fairness
  - b. Act with integrity in all activities
  - c. Abide by all applicable laws and sport rules
  - d. Avoid behaviours that could harm or endanger others
2. Prohibited behaviours include, but are not limited to:
  - a. Violence
  - b. Harassment
  - c. Discrimination
  - d. Misuse of Authority
  - e. Retaliation against individuals who report concerns

## **B. PROCEDURES AND DUTY TO REPORT**

1. Any individual who witnesses or suspects maltreatment must report it. Failure to report may result in disciplinary action.
2. Reports can be made to either of the following:

Manager of Recreation & Culture  
recreation@faroyukon.ca  
867.994.2375

Chief Administrative Officer  
cao-faro@faroyukon.ca  
867.994.2728 x 4
3. Reports involving criminal conduct shall be referred to law enforcement.

### **C. INVESTIGATION, CONFIDENTIALITY AND RESOLUTION**

1. Reports received verbally will be documented and acknowledged in writing by the Manager of Recreation & Culture and/or CAO to the complainant as soon as practicable following the report.
2. The Manager of Recreation & Culture and/or CAO will complete an Investigation while maintaining confidentiality to the greatest extent possible and provide a report to the parties involved.

### **D. SANCTIONS**

1. The Manager of Recreation & Culture and/or CAO may implement sanctions including but not limited to:
  - a. Referral to law enforcement
  - b. Education and training
  - c. Verbal / Written Warnings
  - d. Suspension
  - e. Termination

### **D. EDUCATION AND TRAINING**

1. All Employees, Coaches, and Volunteers participating in a Recreation Program will be required to complete the Safe Sport Training from Abuse Free Sport during their initial onboarding / orientation.

<https://abuse-free-sport.ca/safesport/training>

2. Employees, Coaches and Volunteers are required to submit proof of completion of their Safe Sport Training to the Manager of Recreation & Culture.
3. The Manager of Recreation & Culture will maintain the records in accordance with the Town of Faro's Records Retention Procedures.

**APPENDIX A**  
**SAFE SPORT INCIDENT REPORT FORM**

Date of Report: \_\_\_\_\_ Report # (office use): \_\_\_\_\_  
(YYYY-##)

**1. Reporter Information**

Name: \_\_\_\_\_

Role (circle one): Athlete / Coach / Volunteer / Parent / Official / Staff / Other:

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**2. Incident Information**

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_

Location: \_\_\_\_\_

**3. Individuals Involved**

Person(s) affected: Name(s): \_\_\_\_\_

Role(s): \_\_\_\_\_

Person(s) alleged to have caused harm: Name(s): \_\_\_\_\_

Role(s): \_\_\_\_\_

**4. Type of Concern (check all that apply)**

☐ Violence

☐ Discrimination

☐ Harassment

☐ Other: \_\_\_\_\_

**5. Description of Incident:**

6. Witnesses (name and contact information, if known):

7. Immediate Actions Taken

- ☐ Contacted law enforcement
- ☐ Contacted medical services
- ☐ Removed individual from environment
- ☐ Other:

8. Supporting Evidence

- ☐ Emails / texts / screenshots attached
- ☐ Photos or videos attached
- ☐ Other documents attached

9. Reporter Declaration

I confirm that the information provided is accurate to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Submission Instructions:

Email to: [recreation@faroyukon.ca](mailto:recreation@faroyukon.ca) and/or [cao-faro@faroyukon.ca](mailto:cao-faro@faroyukon.ca)

Mail to: Town of Faro, PO Box 580, Faro, Yukon Y0B 1K0

Received by the Town of Faro (Date): \_\_\_\_\_



# REQUEST FOR ADDITION TO AGENDA

Town of Faro

**Date:** 13-January, 2026

**Subject:** Proposed Motion Concerning Questions for MP Dr Hanley

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## **Recommendation / Proposed Motion:**

**WHEREAS** Council provided MP Dr. Hanley with questions concerning the contracting policies or practices of Parsons and specific contracts;

**RESOLVED THAT** Council direct Administration to write to MP Dr. Hanley to:

- withdraw Council's questions concerning the contracting policies or practices of Parsons,
- and to confirm that Council is reviewing the matter and may follow up with revised questions and concerns at a later date.

## **Background Information:**

The idea is that Council will engage in discussions with other orders of government and external parties only when Council is adequately prepared to do so. For the purpose of this motion, "adequately prepared" means that any meeting information intended to inform Council's discussions is:

- prepared and provided to Council for review in advance of the meeting; and
- is factual and confirmed (unless the request is for factual information)

**Member of Council: Councillor Neil Yee**

---

## **For CAO Use:**

Staff Report Required: No

Regular Meeting

Chief Administrative Officer: K. Ballance

Staff Person: N/A

Meeting Date: January 20, 2026

Date: January 15, 2026

# REQUEST FOR ADDITION TO AGENDA

## Town of Faro

**Date:** 13-Jan 2026

**Subject:** Proposed Motion Concerning Sanctions Letters

---

### **Recommendation / Proposed Motion:**

**WHEREAS** Code of Conduct sanctions are a formal exercise of Council authority and must be imposed and communicated strictly in accordance with the procedures and requirements of Code of Conduct Bylaw 2022-01, including by duly passed Council resolution; and,

**WHEREAS** Council acknowledges that letters dated March 12, 2025 and April 4, 2025, and sent by registered mail to Councillor Yee purported to apply or implement Code of Conduct sanctions but did not comply with the procedures and requirements of Code of Conduct Bylaw 2022-01, and that any purported sanctions communicated in these letters were invalid and of no force or effect;

### **NOW THEREFORE BE IT RESOLVED THAT:**

- The Mayor, on behalf of Council, provide Councillor Yee with a written apology acknowledging that the March 12, 2025 and April 4, 2025 letters purported to apply or implement sanctions were invalid and did not comply with the procedures and requirements of Code of Conduct Bylaw 2022-01, and expressing regret for the consequences of those communications.
- Council directs the Chief Administrative Officer to issue a written clarification to employees and all parties who were advised of the original restrictions to confirm that any sanctions communicated by correspondence dated March 12, 2025 or April 4, 2025, without a duly passed Council resolution and without compliance with Code of Conduct Bylaw 2022-01, were invalid, and are not to be relied upon as Council-imposed sanctions.

**Member of Council: Councillor Neil Yee**

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### **For CAO Use:**

Staff Report Required: No

Regular Meeting

Chief Administrative Officer: K. Ballance

Staff Person: N/A

Meeting Date: January 20, 2026

Date: January 15, 2026

# REQUEST FOR ADDITION TO AGENDA

Town of Faro

**Date:** 13-Jan, 2026

**Subject:** Proposed Motion Concerning Mayor and Council Visits to Private Residences

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## **Recommendation / Proposed Motion:**

**WHEREAS** Council received correspondence, dated April 13, 2025, from Councillor Yee reporting uninvited and unwelcome visits to his private residence by Mayor and members of Council, purportedly in connection with municipal business, which Councillor Yee described as inappropriate and as an attempt to intimidate, and advising that the matter was reported to the RCMP; and,

**WHEREAS** Council and workplace-related matters should be addressed through professional, documented, and appropriate channels, and that uninvited and unwelcome visits to any person's private residence (including a Councillor, employee, contractor or any member of the public) are inappropriate and may reasonably be perceived as an attempt to intimidate or harass; and,

**WHEREAS** Council further affirms that the above noted level of professionalism applies in all situations related to municipal operations;

## **NOW THEREFORE BE IT RESOLVED THAT:**

- Council affirms that uninvited and unwelcome visits to any person's private residence are inappropriate and may reasonably be perceived as an attempt to intimidate or harass, and are not an acceptable means of municipal communication or engagement; and,
- the Mayor, on behalf of Council, provide Councillor Yee with a written apology acknowledging the inappropriateness of making uninvited and unwelcome visits to his private residence and confirming that such conduct will not recur; and,
- Council refrain from uninvited and unwelcome visits to any person's private residence, and instead use official channels (email, meetings scheduled through Administration, and telephone, or text if urgent); and,
- Council direct Administration develop and bring for Council's consideration, a written protocol respecting appropriate channels for municipal communications and engagement (including Council-staff and Council-Council interactions), to

ensure municipal matters are handled professionally, consistently, and in a manner that avoids intimidation or perceived intimidation.

**Member of Council: Councillor Neil Yee**

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**For CAO Use:**

Staff Report Required: No

Staff Person: N/A

Regular Meeting

Meeting Date: January 20, 2026

Chief Administrative Officer: K. Ballance

Date: January 15, 2026



## **Town of Faro**

### **Faro Residential Conversion Grant Policy**

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#### **1.0 PURPOSE**

The Town of Faro recognizes the need to convert properties that are currently underutilized or vacant or non-residential to residential through the creation of dwellings units. As noted in 2024 Official Community Plan redevelopment of abandoned homes in Faro could assist meeting the needs of projected future population growth in the Town. This policy supports the Town's objective to increasing housing supply, revitalizing the remaining Faro Real Estate properties and supporting mixed-use development, like that of housing units on industrial and commercial properties.

#### **2.0 POLICY STATEMENT**

The Residential Conversion Grant aims to increase the availability of dwelling units by developing underutilized or vacant or non-residential properties for residential use, bringing non-conforming properties into compliance with zoning regulations cleaning up and rehabilitating underutilized and vacant properties and supporting affordable and diverse housing solutions through efficient use of existing buildings and infrastructure. The goal of this policy is to provide opportunities for underutilized or vacant or non-residential properties to be redeveloped by residents to increase housing stock and encourage investment within the Town.

#### **3.0 DEFINITIONS**

**Residential Conversion Grant:** Financial assistance provided by the Town of Faro to support property owners to create dwelling units on underutilized or vacant or non-residential properties.

**Dwelling Unit:** as defined by the Town of Faro Zoning Bylaw, and fully serviced with water, sewer and electricity.

**Lottery:** A randomized selection process used to allocate grant funds among eligible applicants who have met the necessary application criteria.

**Non-confirming:** failing to conform or comply with the relevant planning or zoning documents.

**Non-residential:** properties used or zoned as other than Residential.

**Town:** means the Town of Faro.

**Underutilized:** means developable land that would otherwise qualify as substantially developed, which contains land, building and/or structures which are not being used to their full potential. Potential in this case means converting or rehabilitating to residential use through the creation of a dwelling unit(s).

**Commented [KB1]:** Language here could be more concise? Are we meaning "serviced" but not being actively used?

**Vacant:** means a property, building or structure where it is clear that no one is using the property as intended, maintenance may still be occurring and there may be no clear signs of neglect. This also includes abandoned properties, buildings and structures.

**Commented [KB2]:** Not sure abandoned is what we mean here. Derelict? Maybe we need to separate vacant land from vacant building

#### 4.0 DEVELOPMENT GRANTS

4.0.1 Eligible projects are those that create dwelling unit(s) on underutilized or vacant or non-residential properties (e.g. replacement of abandoned single family home with dwelling unit(s), upper-story office space into dwelling unit(s) or upper-story industrial storage space into caretaker residence, but not limited to upper-story).

4.0.2 Eligible property owners may receive a grant of up to \$30,000 per dwelling unit, up to a maximum of \$60,000.

**Commented [KB3]:** Per property owner? Per property? Per duplex/triplex/4-plex? Remember our property lines - that split some of these into separate properties?

#### 5.0 ELIGIBILITY CRITERIA

5.0.1 The property must be located within the municipal boundary of the Town of Faro.

5.0.2 Applicants must own the property on which the housing development is to be constructed.

5.0.3 The property must have been underutilized or vacant at least 12 months prior to this policy coming into effect.

**Commented [KB4]:** How will we determine that?

5.0.4 The property and proposed development(s) must comply with the Town's Official Community Plan, Zoning Bylaw and the National Building Code.

5.0.5 Property taxes and all fees (water/sewer/garbage) for the property must be paid and the property must be in good standing.

#### 6.0 GUIDELINES AND PROCEDURES

6.0.1 **Application Process:** To receive a Conversion Grant as laid out in this policy, property owners must fill out the application form, provide an approved development permit for the intended use of the funding, provide estimated costs for the project and attach all necessary documentation.

6.0.2 **Review and Lottery:** Applications will be reviewed and approved for entry into the Conversion Grant lottery which will be completed by a third party. If there are more applications than funding available, a lottery draw will take place. If there is more funding available than applications received, all applications will be approved. The Town will attempt to notify all applicants of the outcome of their application within 2 business days of the lottery closing. Successful applicants will have 10 business days to notify the Town of their intention to accept the grant. If the funds are turned down or that time has elapsed without communication from the applicant, the Town will then offer the grant to subsequent applicant(s) on the waitlist.

6.0.3 **Disbursement of Funds:** Conversion Grant funds will be disbursed in two installments: 75% of the grant once half of the construction has been completed, and the remaining 25% once construction has been completed all required final inspection reports confirm compliance with governing codes and legislation. All Conversion Grant cheques will be made payable to the applicant.

## 7.0 **IMPLEMENTATION OF POLICY**

7.0.1 Residential Conversion Grant applications must be accompanied by an approved development permit for the proposed development, along with other supporting information as requested in the application.

7.0.2 Applications for the Residential Conversion Grant will be accepted for projects that were started after the Housing Accelerator Fund application date of January 01, 2025. The project start date will be determined by the issuance of the development permit to undertake the project.

**Commented [KB5]:** Should backdated applications be considered?

7.0.3 Any developments for which funding is provided must be completed by December 1<sup>st</sup>, 2027 which is the end date of the CMHC Housing Accelerator Fund. Developments only partially completed prior to the deadline may be eligible for prorated funding.

7.0.4 Applications must comply with the Towns' Official Community Plan, Zoning Bylaw, policies and other bylaws.

**Commented [KB6]:** Repeat of 5.0.4

7.0.5 To receive the first disbursement of funds, the applicant must provide a cost breakdown, pictures, and list of work completed to show that half of the work has been completed.

7.0.6 To receive the last disbursement of funds, the application must provide a final cost breakdown, pictures and a list of the work completed. Final inspections reports will be required, along with the final occupancy approval.

7.0.7 For further clarity, the information provided by applicants in Sections 7.05 and 7.0.6 will be used by the Town to determine if the development has reached the half complete or fully complete milestones. Applicants are encouraged to meet with the Town to understand what these development milestones will be for their specific project

**Commented [KB7]:** Update if 7.0.4 is removed.

7.0.8 If a development or building permit is revoked, cancelled, voided or amended to be outside of the eligibility criteria, the Conversion Grant will be considered invalid. A new application may be resubmitted in such cases.

7.0.9 All applicants will sign a declaration that the unit(s) they are constructing with the Residential Conversion Grant are not intended to be used for short-term rentals.

**Commented [KB8]:** Is this a HAF requirement? If not, do we care whether an investment is made into a building for short- or long-term use?

7.0.10 The Conversion Grant will cover up to 100% of actual, eligible costs, to the maximum amount of the grant provided for the specific project.

7.0.11 The Residential Conversion Grant cannot be used for the renovation of an existing unit, nor for landscaping or other improvements not directly related to the creation of a new unit(s).

**Commented [KB9]:** What about for development of services (water/sewer/electricity) etc?

7.0.12 Labour costs for work completed by the homeowner are not eligible for reimbursement.

7.0.13 Receiving a Residential Conversion Grant under this policy does not preclude an applicant from applying for and receiving other grants, subsidies or loans provided by the Town or other organizations.

## 8.0 LOTTERY PROCESS

8.0.1 Once an application is deemed complete and is accepted by the Town of Faro, as described in section 9.0.4, the Applicant will be entered into a lottery to receive project funding.

**Commented [KB10]:** Wrong section - maybe section 5?

8.0.2 The funding allocated for this project is \$180,000. If the amount requested through approved applications does not exceed \$180,000 by the time of the lottery, the Town of Faro reserves the right to disburse funding to approved applicants without a lottery process.

## 9.0 PROGRAM MONITOR AND REVIEW

9.0.1 This policy will be monitored and evaluated regularly by the Town administration. Adjustments to the Grant amounts, eligibility criteria and program goals may be made based on feedback from stakeholders, funding availability and community needs.

## 9.0 PROGRAM MONITOR AND REVIEW

~~9.1 This policy will be monitored and evaluated regularly by the Town administration. Adjustments to the Grant amounts, eligibility criteria and program goals may be made based on feedback from stakeholders, funding availability and community needs.~~

~~9.29.1~~

## **10.0 GENERAL INFORMATION**

10.1 Applications can be obtained by the Town of Faro by email at [housing@faroyukon.ca](mailto:housing@faroyukon.ca), in person at the Town Office located at 200 Campbell Street, Faro, or on the Town website at [www.faro.ca](http://www.faro.ca).

Commented [KB11]: [faro.ca/p/housing-accelerator-fund](http://faro.ca/p/housing-accelerator-fund)

9.0.2 Completed application forms are to be returned to the Town of Faro in person, by email to [housing@faroyukon.ca](mailto:housing@faroyukon.ca) or by regular mail.

9.0.3 Questions about the application can be directed to Graham White, Project Manager, [graham@elevatoryukon.com](mailto:graham@elevatoryukon.com).

9.0.4 An application for is considered complete when the following documents and requirements have been met:

- A completed and signed Residential Conversion Grant application form.
- An approved Development Permit issued by the Town of Faro.
- Other supporting documents and information as requested in the Conversion Grant application.

9.0.5 Upon approval the applicant will be notified and forwarded a copy of the application and approval conditions. ~~A funding agreement will need to be completed by the successful applicant and the Town of Faro prior to final approval of the grant.~~

## **11.0 TERM OF AGREEMENT**

10.0.1 The term of a Conversion Grant agreement cannot exceed December 1<sup>st</sup>, 2027.

10.0.2 Terms of the agreement will be reviewed on a yearly basis. Should no action be taken toward fulfilling the agreement by the applicant (e.g., no development activity), the Town of Faro reserves the right to revoke the agreement with written notice.

**POLICY TITLE:** Faro Residential Conversion Grant Policy

**EFFECTIVE DATE:**

|

RESOLUTION #:

\_\_\_\_\_  
Jack Bowers, Mayor

\_\_\_\_\_  
Kimberly Ballance, CAO

DRAFT



*Friday December 12, 2025*

Town of Faro  
200 Campbell Street  
P.O. Box 580  
Faro, YT Y0B 1K0

**Subject: Proposed Regulation to Repeal Various Obsolete Airport Zoning Regulations**

**Ref: Faro Airport**

I am writing to inform you about the planned repeal of obsolete or spent Airport Zoning Regulations (AZR) at various aerodromes across Canada, including Faro Airport.

AZR's are made pursuant to the *Aeronautics Act* to protect the operations of certified airports and help ensure that land development in the vicinity of an airport is compatible with the safe operation of aircraft and not used in a manner that may cause interferences with signals or communications between aircraft and facilities used to provide aeronautical services.

Transport Canada is proposing to repeal various AZR's related to aerodromes which have surrendered their airport certificates and are thus, no longer eligible to have an AZR.

The proposed regulation would repeal the AZR's pertaining to the following aerodromes in your province/region: Prairie and Northern Region

1. Peace River Airport
2. Fort Liard Airport
3. Fort Resolution Airport
4. Wrigley Airport
5. Kindersley Airport
6. Weyburn Airport
7. Burwash Airport
8. Faro Airport
9. Ross River Airport
10. Teslin Airport

These aerodromes would however continue to be listed in the Canada Flight Supplement (CFS) and must comply with all requirements of Subpart 301 of the *Canadian Aviation Regulations*.

I would appreciate receiving any comments or concerns you may have in this regard **by email directly to [TC.CARReview-ExamenduRAC.TC@tc.gc.ca](mailto:TC.CARReview-ExamenduRAC.TC@tc.gc.ca) within 30 days from the date of this letter**. In the meantime, if you have any questions or require any additional information on this project, please contact Hani Atallah by email at ([hani.atallah@tc.gc.ca](mailto:hani.atallah@tc.gc.ca)).

Sincerely,

A handwritten signature in black ink, appearing to be 'Nadav Goelman', with a long horizontal stroke extending to the right.

Nadav Goelman

Acting Director, Regulatory Affairs, Civil Aviation  
Transport Canada

CC: Trudy Nastiuk, Greg Bast



Department of Environment  
PO Box 2703, Whitehorse, Yukon Y1A 2C6



January 2, 2026

Dear Valued Stakeholder,

**RE: Yukon Extended Producer Responsibility Update**

I am writing to inform you that the Government of Yukon is pausing the expansion of Extended Producer Responsibility (EPR) programs. This means the hazardous and special waste program, the fourth program originally scheduled to begin in January 2026 under the EPR regulation, is on pause. Yukon government is working with partners to secure options for continued hazardous and special waste collection services, ensuring access remains available for Yukoners. We will be issuing a news release on January 5, 2026, to inform the public.

The three EPR programs currently in operation—for packaging and paper, batteries and automotive products—will continue to operate with no disruption to service. This includes continued curbside collection and public drop-off depots for packaging and paper materials.

While this pause applies specifically to the hazardous and special waste program, the Government of Yukon will be engaging with businesses and producer responsibility organizations across all EPR programs in the coming months to better understand how the current programs are working in a Yukon context.

This engagement will help the government gather feedback on the effectiveness, affordability and sustainability of existing programs. The Government of Yukon thanks businesses and producer responsibility organizations for their continued engagement and cooperation.

We look forward to connecting with you in early 2026 to gather input as we assess how EPR programs can best meet the needs of Yukon residents and businesses.

Sincerely,

Bryna Cable  
Director of Environmental Protection and Assessment Branch

cc: Natalia Baranova, A/Manager of Standards and Approvals

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**RE: Town of Faro questions**

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**From** Lisa Wiklund <Lisa.Wiklund@yec.yk.ca>

**Date** Wed 2025-12-31 10:07 AM

**To** Kimberly Ballance <cao-faro@faroyukon.ca>; Tom Buzzell <Tom.Buzzell@yec.yk.ca>

Hi Kimberly,

Thanks for your patience with this! See our responses below:

1. At this time, Yukon Energy is awaiting the Yukon Supreme Court's decision on Mr. Yee's application. One potential scenario is that the Yukon Supreme Court denies the appeal, and the Yukon Utilities Board (YUB)'s decision back in 2024 to allow Yukon Energy to recover costs of all thermal generation in rates stands. In this case, there would be no refund to customers. Another potential scenario is that the Yukon Supreme Court rules in favour of Mr. Yee's application. Should this happen, Yukon Energy would have the option to appeal the decision to the Supreme Court of Canada. If Yukon Energy chose not to do this, one possibility is that the matter is reassessed by the YUB. This could then result in a new regulatory process, which would be paid for by Yukon ratepayers. This is in addition to the costs of the current Court process, which is also at the expense of Yukon ratepayers. In the event there was an ultimate decision by the YUB to order a refund, Yukon Energy would provide a refund on ratepayers' bills.
2. We are expecting the amended air emissions permit in early 2026.

Happy New Year!

Lisa

---

**From:** Kimberly Ballance <cao-faro@faroyukon.ca>

**Sent:** December 18, 2025 4:30 PM

**To:** Lisa Wiklund <Lisa.Wiklund@yec.yk.ca>; Tom Buzzell <Tom.Buzzell@yec.yk.ca>

**Subject:** Town of Faro questions

**This message has an unknown [SBRs](#) score.** Please exercise caution -YEC IT Team.

Hello Lisa and Tom,

I have a couple questions that I'm hoping you can assist with. Please be advised that I would like to present this email, and your response to Council.

1. Councillor Yee provided a report to Council as noted in our minutes for the December 2, 2025 Regular Meeting (excerpt below):

- In regard to Yukon Energy and Atco:
  - Has been pushing Yukon Energy and Atco to show the true cost of energy on bills and provided some information to CBC about this matter.
  - Attended the Yukon Court of Appeal to present information on Yukon Energy Rate Hearings due to charges being issued for unpermitted equipment. Requested that a refund be issued for the costs associated with that. A decision will be made in the next few weeks.
  - Still following up on the noise mitigation matters in the YESAB decision document.

At the following meeting, Council requested clarification on how costs would *potentially* be recovered if the result was found in his favour. I.e. As a Crown Corporation, would the award be funded by increasing YE fees, through its reserves, or through a Transfer Payment from YG?

Can you advise what options YE would consider to fund an award in this scenario?

I know this is an active legal matter, so understand that you may not be able to provide specific information at this time. If so, please advise. I think Council is interested in whether an award would be funded by YE customers or YG taxpayers. Also, whether the YE's decision on this would be subject to the review by the Utilities Board?

2. Do you have any update (or a timeline) on the issuance of the amended Air Emissions Permit and its provisions for noise mitigation?

Regards,  
Kimberly Ballance  
Chief Administrative Officer  
Town of Faro  
Office: 867-994-2728 ext. 4





**Office of the Premier**  
**Box 2703, Whitehorse, Yukon Y1A 2C6**

January 02, 2026

Dear Cabinet Colleagues:

Yukoners have given our government a clear mandate to chart a new way forward for our territory.

Delivering on this mandate requires principled governance and a strong, professional public service focussed on what matters most: Yukoners and their communities. They expect transparency, accountability, and results. Our government will act openly, manage resources responsibly, and equip public servants with the tools and clarity they need to succeed.

While there are many challenging issues that our government will face, it is important that we prioritize and focus on those issues that formed the basis of our collective promise to Yukoners in the last election. They are as follows:

- Ensure reliable power for Yukoners and protect the integrity of our electricity grid
  - Develop a clear plan for energy infrastructure that will meet the needs of Yukoners and our economy
  - Ensure that energy is properly considered in the ongoing development of infrastructure, housing, and other capital projects
  - Consider energy affordability as a primary focus
- Improve timely access to frontline health care services for Yukoners
  - Significantly reduce the number of Yukoners without access to primary care
  - Develop a clear plan for health care infrastructure, including needed upgrades to Whitehorse General Hospital, and ensuring that continuing care infrastructure meets the needs of Yukon's demographics
  - Improve options for treatment, prevention, and enforcement in response to the opioid crisis
- Increase the affordability and availability of housing and land
  - Improve coordination of land development and lot sales across government, and with other levels of government
  - Reduce permitting costs and delays to make home building more affordable and to drive construction

- Create the conditions for a healthy rental market that protects the interests of landlords and tenants, and enhances access to affordable housing across the housing continuum
- Put the needs of students at the centre of our education system
  - Review the Department of Education to ensure that it delivers appropriate supports to both students, educators, and families
  - Create a long-term plan for education infrastructure that includes all Yukon communities and reflects our changing population
  - Ensure that the education system is aligned with the needs of the economy
- Restoring public safety and keeping communities safe
  - Work with the RCMP to ensure they have adequate resources to prevent and address increased criminal activity and organized crime
  - Improve emergency preparedness so that Yukon communities are more resilient to natural disasters and emergencies
  - Protect law-abiding firearms owners and ensure policing resources are focused on priority areas
- Creating the conditions to allow the private sector to grow and lead economic growth, including the completion of the modernization of mineral legislation
  - Cut red tape, streamline assessment and permitting processes, eliminate permitting backlogs, and remove unnecessary regulation
  - Support critical infrastructure projects and adapt government procurement processes to enable business growth and competitiveness
  - Limit the growth of the public service at a level that is fiscally sustainable

These priorities are all interconnected. For example, safe communities help businesses thrive; affordable housing depends on reliable energy infrastructure; world-class health and education require a strong economy to fund them; and sustainable environmental stewardship and wildlife management ensure the long-term prosperity and livability of our territory.

This means we cannot achieve our priorities alone.

Every member of Cabinet will need to work together. We will need to break down silos and ensure that taxpayer dollars are going to the frontline services that support Yukoners. Working in partnership with Yukon First Nations and municipalities will be central to achieving these goals and ensuring communities aren't left behind.

I look to each of you for bold ideas and decisive actions that cut through red tape and deliver certainty, stability, and prosperity for Yukoners. By streamlining our work and removing barriers, we will build a government that achieves the results that matter the most to the people we serve.

Yukon is at a decisive moment. It is our job to bring true change for the territory and deliver on the mandate Yukoners gave us.

I have every confidence that by working together, we will get it done.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Currie Dixon', with a large, stylized initial 'C'.

The Hon. Currie Dixon  
Premier of Yukon