

Village of Carmacks Council

Respectfully acknowledges that we are meeting on the traditional territory of the Little Salmon Carmacks First Nation.

Agenda 25-06

Regular Meeting of the Council of the Village of Carmacks, Yukon

To be held in the **Council Chambers** of the Carmacks Municipal Building at **7:00 PM**
on **Tuesday, March 18th, 2025**

Zoom Information: Meeting ID: **881 8508 4340** Passcode: **643780**

Agenda

1. **Call to Order**
2. **Adoption of Agenda** *Motion to Approve.*
3. **Adoption of Minutes**
 - 3.1 Regular Meeting of March 4th, 2025, *Motion to Approve.*
4. **Delegation**
5. **Correspondence**
 - 5.1 Appointments, President of Yukon Housing Corporation, Deputy Minister of Economic Development, Deputy Minister of Community Services
6. **Reports**
 - 6.1 Council Activity Reports
 - 6.2 Mayor's Report
 - 6.3 CAO Report
 - 6.4 Carmacks Volunteer Fire Department Report
 - 6.5 Association of Yukon Communities (AYC)
7. **Bylaws**
 - 7.1 306-24 VOC Animal Control Bylaw (Third Reading)
 - 7.2 316-25 Rates of Taxation 2025 (First & Second Reading)
 - 7.3 317-25 Bylaw to Repeal Old Bylaws (Second Reading)
8. **New and Unfinished Business**
 - 8.1 O&M Budget 2025 *Motion to Approve.*
 - 8.2 Capital Budget 2025 *Motion to Approve.*
9. **Question Period**
10. **In-Camera Session** *(Motion to go in and out of session with recorded times)*
11. **Adjournment**



MINUTES FROM THE REGULAR MEETING OF THE COUNCIL FOR THE VILLAGE OF CARMACKS ON MARCH 4th, 2025, IN THE MUNICIPAL COUNCIL CHAMBERS

PRESENT: Deputy Mayor: D. Mitchell

Councillors: C. Bellmore, T. Wheeler, D. Hansen

Staff: CAO C. Pelletier, P. Singh

Regrets: Mayor J. Lachance

1. CALL TO ORDER: Deputy Mayor: D. Mitchell called the meeting to order at 7:00 PM.

2. AGENDA: Council reviewed the agenda.

25-05-01 M/S Councillors D. Hansen / T. Wheeler motioned that the agenda be accepted as amended adding Corporal David MacNeil from RCMP under Section 4 – Delegations.

CARRIED

3. MINUTES:

3.1 From the regular council meeting on February 18th, 2025

25-05-02 M/S Councillors T. Wheeler / C. Bellmore motioned that the minutes be accepted as presented.

CARRIED

4. DELEGATION

4.1 RCMP Monthly Report – February 2025

Presented by: Corporal David MacNeil

- Calls for Service: 28 calls, which is less than last year's 37 calls in February.
- Traffic Enforcement: 97 patrols, 112 hours on the road, Constable Gregory Beauchamp has been hitting the highways and has conducted speed enforcement operations with the Detachment's handheld speed lidar gun.
- Community Engagement: Regular school visits, archery sessions, and planned educational presentations on both consent and cyber bullying to various age groups at the school delivered by RCMP.
- Theft Investigation: Active warrant for Rec Center theft suspect; RCMP seeking public assistance.



- RCMP responded to a single-vehicle collision on the North Klondike Highway. A passenger fled into the woods and was rescued with police dog assistance. No charges were laid.
- Staffing Update: RCMP will be receiving a third officer from Whitehorse as relief for the next two months to support operations and ensure continued 24/7 coverage despite limited personnel.

5. CORRESPONDENCE

- 5.1 Appointment, Interim Deputy Minister of Energy, Mines and Resources
- 5.2 Comprehensive Municipal Grant (CMG)

25-05-03 M/S Councillors T. Wheeler / D. Hansen motioned that both correspondences are acknowledged by council and filed.

CARRIED

6. REPORTS

6.1 Councillor Activity Reports

Councillor D. Hansen provided an update regarding her availability for not to attend the breakfast at recreation center as AYC meeting is scheduled for same time on upcoming Saturday.

Councillor Tara Wheeler provided an update that she will be attending AYC meeting upcoming Saturday and will not be attending breakfast at recreation center. Councillor Wheeler also expressed appreciation for the excellent services provided at the Recycling and Landfill facility.

Councillor C. Bellmore provided an update on recent activities:
Meeting with Premier on zoom: Attended a virtual zoom meeting with Premier Ranj Pillai, discussing infrastructure priorities and key concerns related to the federal government and tariffs by USA.
Councillor Bellmore inquired whether a one-on-one meeting with the Premier could be arranged exclusively for the Mayor as he was asking.
She also appreciates the grading work on River Drive carried out by our Public Works team using the grader.



6.2 Deputy Mayor D. Mitchell provided an update on recent activities:

Community Event: Councillor Mitchell highlighted the recent event featuring the whale, stating that it was fantastic. The children thoroughly enjoyed it, and some great pictures were captured.

Recreation Centre: He expressed appreciation for the work being done at the Recreation Centre, describing it as a fantastic facility for the community. He acknowledged the efforts of the staff, including Chanel (Recreation Director), Tristan from LSCFN and Jens (PWGM), for their contributions in maintaining and improving the space.

Ice Maintenance: Councillor Mitchell noted that there was an issue with water on the ice, but the staff responded quickly to clean it up and ensure everything ran smoothly. He commended their efficiency in managing the situation.

Bylaw Officer Feedback: He reported receiving positive feedback from a resident regarding the presence of a bylaw officer. The residents observed an improvement in dog-related issues and expressed appreciation for the progress being made.

6.3 Finance Report

Finance Officer A. Wylimczyk provided the Finance Report for February 2025. The report included the Income Statement and Payable Cheque Log, which were attached for Council's review.

25-05-04 M/S Councillors C. Bellmore / D. Hansen acknowledges receipt of the Accounts Payable Report Cheques from 31170-31199 provided for informational purposes. CARRIED

6.4 PWGM Report

Public Works General Manager J. Wylimczyk provided the monthly report for February 2025, which was reviewed by Council. The council found everything to be in order. Councillor D. Hansen mentioned that some electrician work has been done in New fire hall and was appreciative as her lights were not working for quite some time.

6.5 Bylaw Monthly Report

Bylaw Enforcement Constable L. Ferraz provided the monthly report for February 2025, which was reviewed by the Council.

6.6 Monthly Recreation Report

Recreation Director, C. Johnnie provided the monthly Recreation Department report for February 2025, which was reviewed by the Council.

6.7 CAO Report

CAO Chantal Pelletier provided the following updates:



Winterlude Event (March 5-9, 2025): The Village will host Upper Canada College, whose students will assist with recreation events.

Special Council Meeting: March 11, 2025, at 6:00 PM to discuss Casino Mine.

Joint Council Meeting with LCFN: March 13, 2025, at the New Fire Hall at 6:00 PM. Dinner will be provided.

Regular Council Meeting: March 18, 2025, at 7:00 PM.

Chief and Mayor Forum: Attended in Whitehorse on February 19, with discussions on animal protection, community safety, and municipal boundary expansion.

Capital Projects: Pool renovations on track for May completion. Other projects, including the landfill and old Fire Hall renovations, are progressing as planned.

Utility and Infrastructure: Approval granted for new power poles and replacement of non-functional streetlights. Work to commence in the spring.

Councilor C. Bellmore requested the large YG calendars. Prince will request for them again. She also inquired about staffing for the pool. CAO is posting for the main position soon.

6.8 AYC

The next **AYC Board Meeting** is scheduled for **Saturday March 8, 2025**.

7. BYLAWS

7.1 317-25 Bylaw to Repeal Old Bylaws

25-05-05 M/S Councillors D. Hansen / C. Bellmore motioned to give first reading to 317-25 Bylaw to Repeal Old Bylaws. CARRIED

Discussion: Concerns raised regarding protecting heritage sites, archaeological interests, and land access rights following the repeal of the Airport Area Development Bylaw. CAO to review zoning bylaws to ensure protections remain in place. The development incentive program will be repealed, and a new incentive program will be made in order to meet the requirements for the HAF program and future policies regarding future development.

8. NEW & UNFINISHED BUSINESS

8.1 Discussion on securing additional recreational funding through Yukon Government grants. CAO to inquire with Community Affairs on Section 14 of the Recreation Act.

8.2 Review of potential infrastructure improvements, including a heat exchange system for the arena.



9. QUESTION PERIOD

No Question.

10. IN-CAMERA

Motion to move into Closed Meeting in accordance with the Yukon Municipal Act, Section 213 (3) (a) if in the case of a council, the council decides during the meeting to meet as a council committee to discuss a matter.

25-05-06 M/S Councillor C. Bellmore / T. Wheeler motioned to go in-camera at 8:08PM.

An in-camera discussion by Council regarding a legal matter.

25-05-07 M/S Councillor T. Wheeler / D. Hansen motioned to go out of in-camera at 8:33 PM.

11. ADJOURNMENT

25-05-08 M/S Councillor T. Wheeler motioned to adjourn the meeting at 8:34 PM.

Deputy Mayor D. Mitchell adjourned the meeting at 8:34 PM.

Deputy Mayor D. Mitchell

CAO Chantal Pelletier



March 13, 2025

From: Premier Ranj Pillai

Re: Appointments, President of Yukon Housing Corporation, Deputy Minister of Economic Development, Deputy Minister of Community Services

Good day Mayors,

I would like to take this opportunity to inform you of senior leadership appointments within the Yukon government public service.

Samantha Paterson will move from her role as deputy minister of the Department of Economic Development to be the president of the Yukon Housing Corporation.

Justin Ferbey will move from his position as president of the Yukon Housing Corporation to be the deputy minister of the Department of Economic Development. He will also retain his role as deputy minister of the Executive Council Office.

Damien Burns, who has been acting deputy minister of the Department of Community Services, has now been permanently appointed to this role.

Samantha Paterson has been the deputy minister of the Department of Economic Development since July 2024. Samantha's 32-year career with the Yukon government has been marked by leadership in various senior and executive roles, with expertise in policy development, strategic planning, communications and intergovernmental relations. A born-and-raised Yukoner, Samantha holds a master's degree in professional communication and an Executive Certificate in Intergovernmental Negotiation.

Justin Ferbey is the former senior leader of a self-governing First Nation, CEO of a First Nation development corporation and served as a fiscal advisor in the federal treaty negotiation office. He has held president and deputy minister roles in the Yukon government since 2015. He has been the president of the Yukon Housing Corporation since January 2023 and deputy minister for the Executive Council Office since May 2023. Ferbey holds a Bachelor of Arts and Science, specializing in neuroscience, a master of business and has obtained certifications in dispute resolution and negotiations, and commerce.

Damien Burns began his public service as a fire crewmember in Ross River and has since held various positions over the past 20 years. He has been the acting deputy minister of the Department of Community Services since September 2024. He has previously held the roles of assistant deputy minister of Community Development, assistant deputy minister of Protective Services, director of Community Affairs and director of Wildland Fire Management. He holds degrees in Forest Resource Management and a Master of Business Administration in Community Economic Development. Outside of work, Damien enjoys spending time with his wife, Betty and their three daughters.

These senior leadership appointments are effective immediately.

All three individuals are exceptional leaders, and I am confident they will thrive in their new and continuing roles.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Pillai". The signature is fluid and cursive, with a large initial "R" and a distinct "Pillai" following.

Premier Ranj Pillai
Government of Yukon

CARMACKS VOLUNTEER FIRE DEPARTMENT MONTHLY REPORT

FEBRUARY 2025

February 5: PRACTICE: CVFD went over gear, equipment and safety checks.

The following members were in attendance:

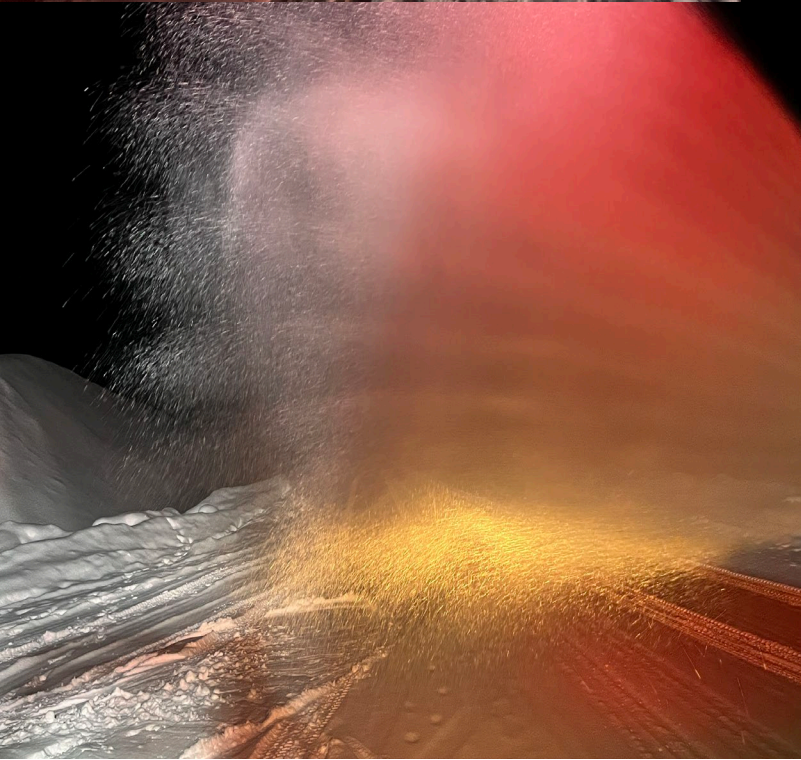
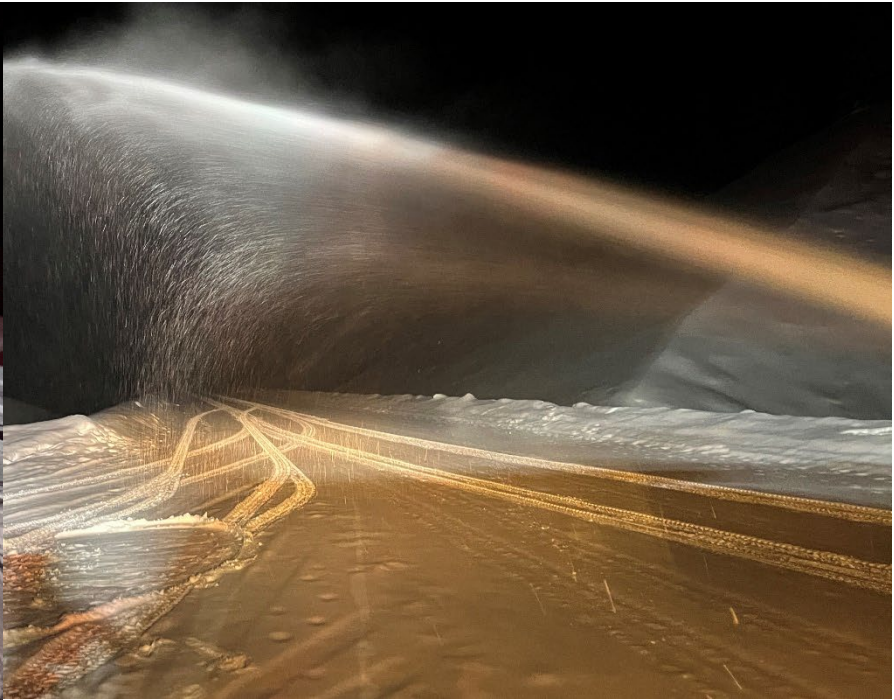
- Trent BLACKJACK
- Hunter BLACKJACK
- Blake VANDECAMP
- Dennis MITCHELL
- Kaya LEBLANC
- Jens WYLIMCZYK
- Keith SHELDON

February 26: PRACTICE: CVFD conducted a mini blitz of pump operations, fire hose & stream, SCBA's, PPE, radio communications and traffic control

The following members were in attendance:

- Keith SHELDON
- Trent BLACKJACK
- Hunter BLACKJACK
- Blake VANDECAMP
- Dennis MITCHELL
- Kaya LEBLANC
- Jens WYLIMCZYK
- Ellie BATTOUR

February 20: CALLOUT: Carmacks Volunteer Fire Department received a call out from dispatch to a CO alarm at 19 king salmon drive. CVFD cleared the house, woodstove and advise of LSCFN maintenance change CO alarm/old expired alarm. No fire or damage, house was stabilized.





VILLAGE OF CARMACKS

By-law 306-24

ANIMAL CONTROL BY-LAW

A BY-LAW OF THE VILLAGE OF CARMACKS IN THE YUKON TERRITORY TO PROVIDE FOR THE CONTROL OF ANIMALS, TO DESIGNATE THE MUNICIPAL BY-LAW ENFORCEMENT OFFICER WITH AUTHORITY TO LEVY FINES, AND TO ESTABLISH A PET PERMITTING SYSTEM WITH ASSOCIATED COSTS.

WHEREAS section 265 of the Municipal Act (2002) provides that Council may pass bylaws for municipal purposes respecting the control, health, and safety of, and protection from, wild and domestic animals, including insects and birds;

AND WHEREAS section 266 of the Municipal Act provides that Council may in such bylaws regulate, control or prohibit, and provide for a system of licenses, inspections, permits, or approvals;

AND WHEREAS the Council of the Village of Carmacks deems it necessary to update and amend By-law 252-18 to enhance the scope of animal control within the municipality;

NOW THEREFORE the Council of the Village of Carmacks hereby ENACTS AS FOLLOWS:

1. TITLE

1.1 This bylaw may be cited as the "Animal Control By-law 306-24".

2. DEFINITIONS

2.1 In this bylaw:

“ANIMAL” refers to all members of the scientific kingdom Animalia unless otherwise specified in the Bylaw but does not include humans.

"ANIMAL SHELTER" means those premises used by the Village for the purpose of impounding Animals under the terms of this Bylaw and may be operated by a Humane Society to provide shelter and care to animals.

“AT LARGE” means an Animal is not on the property of the animal owner and not on a leash or otherwise under the control of a responsible person.

"ATTACK" means to set upon with force and also means to seek to hurt or defeat.



“CAO” means the Chief Administrative Officer of the Village.

“CAT” means a male or female domesticated cat.

“CONSERVATION OFFICER” means a Yukon Territory District Conservation Officer.

“DANGEROUS ANIMAL” means any Animal that:

- (a) has chased, harassed, bitten, injured, attacked, or killed an Animal or human, without provocation, on public or private Property;
- (b) has been trained to harass, attack, or bite another Animal or human;
- (c) has shown the tendency or disposition to be threatening or aggressive; or
- (d) is kept for the purpose of providing security or protection to persons or Property.

“DESTROY” means to kill an animal by humane means if determined necessary by an Officer.

“DIRECT CONTROL” means:

- (a) to have an Animal on the Owner’s Property securely confined by a fence, pen, building or electronic device; or
- (b) to have an Animal off of the Owner's Property on a Leash held firmly by the Owner and kept within one (1) meter of the Owner when other people are nearby.

“DOG” means a male or female member of the canine family and includes crossbreeds.

“DOG TEAM” means three (3) or more Dogs trained to be harnessed together and used for recreational or commercial purposes or in the maintenance of a subsistence lifestyle.

“DOMESTICATED ANIMAL” means any Animal traditionally raised and housed either as pets or in food production including, but not limited to, bees, cattle, cats, dogs, fish, reptiles, horses, mules, sheep, swine, and poultry, but excluding any wild animal or game.

“DWELLING” means a residence for human habitation as defined by the Zoning Bylaw.

“FEE SCHEDULE” means the schedule of fees and charges as specified in Schedule A forming part of this Bylaw.



“HOUSEHOLD PET” means a Domesticated Animal, other than Livestock or a Working Dog, cohabitating on the Property with its Owner.

“HUMANE CARE” means:

- (a) providing proper care, food, and shelter;
- (b) preventing injury, pain, or suffering where possible, and providing adequate treatment where such injury, pain or suffering occurs;
- (c) preventing Animal sickness whenever possible and providing adequate treatment when sickness occurs;
- (d) protecting an Animal from abuse or undue hardship, deprivation, or neglect, and;
- (e) where an activity identified in subsections (a) and (d) is carried on in accordance with reasonable practices of Animal management, husbandry, or slaughter provided that these practices are carried out in a humane manner.

“HUMANE SOCIETY” means an organized group of citizens that, with the approval of Council, provides care to injured, sick, or impounded Animals at the Animal Shelter.

“IN HEAT” means a female Animal in the receptive period of the sexual cycle; in estrus.

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

“KENNEL” means an establishment for the breeding and/or boarding of Dogs, other than an Animal Shelter.

“KENNEL OPERATOR” means a person who owns or operates a Kennel.

“IMPOUND” means to lodge an Animal at the Animal Shelter in the care of the Village or Humane Society.

“LEASH” means a restrictive device, which may include a spool type Leash, adequate to control the Animal on which it is attached, and which shall be of a length of not more than four (4) meters.

“LICENSE” means the registration of a Cat or Dog by their Owner with the Village upon payment of the applicable License fee, which, in the case of a Dog License, shall be in the form of a unique identification tag to be worn on the collar.



“LIVESTOCK” means a Domesticated Animal that is raised and housed generally for food production or labor, including but not limited to poultry, cattle, fish, horses, mules, sheep, goats, rabbits, and swine.

“MEDICAL HEALTH OFFICER” means the person appointed by the Commissioner in Executive Council to act as a Health Officer, or a person authorized by the Medical Health Officer to act on their behalf.

“MUZZLE” means a fastening or covering for the mouth of an Animal used to prevent eating or biting, and which restrains the normal expression of the Animal.

“NEUTERED” means a Dog or Cat regardless of sex that is incapable of reproducing offspring by spaying or neutering by a Veterinarian or certified by a Veterinarian as too old or physically unable to reproduce.

“NUISANCE” means, by way of example but not of limitation:

(a) an Animal which causes damage to the Property of anyone other than its Owner, including but not limited to getting into or turning over garbage containers, damaging gardens, flowers, and vegetables, or defecating on the Property of others or on any public Property except in accordance with section 4.11 of this Bylaw;

(b) an Animal which is maintained in an unsanitary environment which results in offensive odors or danger to the Animal or to the public health, safety, or welfare; or an Animal not maintained in a condition of good order and cleanliness, thereby increasing the probability of the transmission of disease;

(c) an Animal kept on an Owner’s Property that is maintained in a manner that is offensive, annoying or dangerous to the public health, safety, or welfare of the community because of the number, type, variety, density, or location of animals on the Property;

(d) an Animal which is permitted or allowed to bark, whine, howl, crow, cackle, or otherwise make or cause noise in an excessive or untimely fashion so as to interfere with the reasonable use, peace, and enjoyment of neighboring properties;

(e) an Animal that is maintained without adequate medical treatment and that is diseased or dangerous to the public health; or

(f) an Animal that chases, snaps at, or attacks; pedestrians, joggers, bicycles, or other vehicles, or Animals being walked on a Leash.



“OFFICER” means the CAO, an employee of the Village who is designated by the CAO (Municipal Enforcement By-law Officer) to act in enforcing provisions of this bylaw, a contractor hired by the Village to enforce this bylaw, or a Peace Officer.

“OFF-LEASH AREA” means a designated area of land within the Village identified by a sign posted by the Village, or Public Area, where Dogs may be off-leash provided they are under the supervision and control of their Owner or a responsible person.

“OWNER” means any person, partnership, association, or corporation that owns, harbors, or possesses or has control or custody of an animal and, as such, an Animal may have more than one Owner. Own, owned and owning shall have corresponding meanings. However, for purposes of Section 5, “Owner” shall be deemed to be the person in whose name a dog is licensed.

“PEACE OFFICER” means a Bylaw Enforcement Officer appointed by Council, a Royal Canadian Mounted Police Officer, Environment Yukon Animal Protection Officer, or an Environment Yukon Conservation Officer.

“PROPERTY” means land and improvements uniquely identified on the Municipal Assessment Roll of the Village.

“PROPERTY OWNER” means whoever owns or is occupying a property, including the lessee or licensee of leased or licensed lands.

“PUBLIC AREA” means an area outside of the Village, including road allowances, highways, trails, facilities, and recreation sites, as identified on the map in Schedule B forming part of this bylaw that are considered Off-leash Areas.

“QUARANTINE” means to keep an Animal in a Secure Enclosure for a period of not less than fourteen (14) days or such longer time as ordered by an Officer in consultation with a Veterinarian or Medical Health Officer to determine whether or not the Animal carries an infectious disease.

“RESIDENTIAL AREA” means that portion of the Village so identified on the map in Schedule A forming part of this Bylaw.

“SECURE ENCLOSURE” means an enclosed structure, building, cage, or fenced area of such construction that will not allow an Animal to jump, climb, dig or force its way out, or to allow the entry or access of unauthorized persons.

“SELF-DEFENSE” means the defense of one’s self and/or another human and/or animal from physical harm, through physical force or any other means necessary to prevent injury.



“SPECIAL NEEDS DOG” means any Dog trained by a recognized and accredited institution to provide assistance to persons with hearing or visual impairments, physical disabilities, developmental or intellectual disabilities, or to assist persons with other disabilities in the performance of daily activities.

“SPECIAL PERMIT” means a permit to own more than the prescribed number of Domesticated Animals issued in the form of a letter signed by the CAO on behalf of the Village in accordance with the provisions of this By-law.

“TEMPORARY DOG TEAM AREA” means an area established by council resolution for the temporary housing of a Dog Team in accordance with the terms of this Bylaw.

“VILLAGE” means the Village of Carmacks.

“TRAP” means any device or machine that shuts suddenly, as with a spring, and is used for the capture of live animals.

“VETERINARIAN” means a person who holds a current license to practice veterinary medicine in Yukon. A Veterinarian practicing in the Village must also hold a Village Business License.

“WILD ANIMAL” means an animal belonging to a species not normally domesticated or tame in nature.

“WORKING DAY” means the days Monday through Friday inclusive, except for statutory holidays, and any obligation under this bylaw to be fulfilled on a Working Day shall be done between the hours of 0900 and 1600 (9:00 a.m. to 4:00 p.m.)

“WORKING DOG” means a Dog trained and used by its Owner for hunting or trapping in the maintenance of a subsistence lifestyle or a Dog from a registered Dog Team.

3. GENERAL PROVISIONS

3.1 The provisions of this By-law shall be enforced by an Officer.

3.2 Every Owner of an Animal shall provide Humane Care to that Animal, and every person, including an Owner, shall treat all Animals in a humane manner.

3.3 Every person who keeps an Animal within the municipality shall provide the Animal or cause it to be provided with:

3.3.1 Clean, potable drinking water available at all times, and suitable food of sufficient quantity and quality to allow for normal, healthy growth and the maintenance of normal, healthy body weight;



3.3.2 Food and water receptacles kept sanitary and located so as to avoid contamination by excreta;

3.3.3 The opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control; and

3.3.4 Necessary veterinary medical care when the Animal exhibits signs of pain, illness, or suffering.

3.4 Every person who keeps an Animal which normally resides outside, or which is kept outside unsupervised for extended periods of time, shall ensure the Animal is provided with:

3.4.1 A total area that is at least twice the length of the Animal in all directions; and

3.4.2 A house or shelter to ensure protection from heat, cold, and wet. Such house or shelter must provide sufficient space to allow the Animal the ability to turn around freely and lie in a normal position and be situated in an area providing sufficient shade to protect the Animal from the direct rays of the sun at all times; any pen must be regularly cleaned and sanitized, and all excrement removed, at least once a week.

3.5 No person shall cause an Animal to be hitched, tied, or fastened to a fixed object while unattended by the Owner where a choke collar, choke chain, or pinch collar forms part of the securing apparatus, or where a rope or cord is tied directly around the animal's neck, or where the Animal's mobility is limited to such an extent that the Animal cannot lay down comfortably.

3.6 No person shall cause an Animal to be confined in an enclosed space, including a motor vehicle, without adequate ventilation.

3.7 No person shall transport an Animal outside the passenger compartment of any motor vehicle or trailer unless the Animal is adequately confined or unless it is secured in a body harness or other manner of fastening which is adequate to prevent the Animal from falling off the vehicle or otherwise injuring itself.

3.7.1 In any prosecution or proceeding under this Section of the Bylaw, the registered Owner or operator, as applicable, of the motor vehicle or trailer shall be deemed to be the Owner of the Animal unless he or she proves to the satisfaction of the Justice that at the time of the offense the motor



vehicle was not being used to transport the Animal by him or her and that the motor vehicle was not being used by any other person with his consent, express or implied.

3.8 No person shall cause an Animal to be muzzled unless it is in the Direct Control of the Owner.

3.9 No person shall keep an Animal in an unsanitary condition within the Village. Conditions shall be considered unsanitary where the keeping of the Animal results in an accumulation of fecal matter, an odor, insect infestation, rodent or bear attractants which endanger the health of the Animal or any person, or which disturb or are likely to disturb the enjoyment, comfort, or convenience of any person in or about any neighboring properties, dwelling, office, hospital, or commercial establishment.

3.10 The granting of any license or permit under this Bylaw shall not relieve any person to whom such license or permit is issued, from compliance with any other Bylaw of the Village.

3.11 Despite any other provision of this Bylaw, an Officer may refuse to approve an application to issue a permit or license, or may revoke an existing permit for a minimum of eighteen (18) months, if an applicant or a permit holder has:

3.11.1 Been convicted of cruelty to animals;

3.11.2 Outstanding fines for more than one breach of this Bylaw;

3.11.3 Equipment and/or Animals impounded; or

3.11.4 Multiple infractions of this Bylaw within a year.

3.12 Council may, by resolution, amend the Fee Schedule forming part of this Bylaw in respect of any fine, offense, permit, or license contemplated under this Bylaw from time to time.

4. CONTROL OF ANIMALS

4.1 No Owner of an Animal shall permit such Animal to run At Large and where such Animal is found Running At Large, it shall be deemed to be doing so with the consent of the Owner.

4.2 No Owner of an Animal shall permit such Animal to be upon any private Property within the Village without the Property Owner's consent.



4.3 Other than as allowed in Paragraph 4.2, no Owner of an Animal shall permit such Animal to be within the Village, or upon any Public Area (see Schedule C of the OCP land use map) unless such Animal is on a Leash held at all times by the Owner.

4.4 Pursuant to Paragraphs 4.2 and 4.3, the Animal shall be confined by the Owner holding the Leash within a one (1) meter radius when other persons are in the immediate vicinity of the Animal.

4.5 Council may, by resolution, designate areas as Off-Leash Areas within the Village where Dogs, except Dogs deemed to be a Dangerous Animal or Dogs being investigated as dangerous are permitted to run At Large, and may specify the period of time in which the “Leash optional” designation shall be in effect.

4.6 The Owner of an Off-Leash Animal, while in an Off-Leash Area, shall at all times:

4.6.1 Keep the Animal under control by verbal command;

4.6.2 Carry a Leash not exceeding two (2) meters in length;

4.6.3 Clean up after the Animal; and

4.6.4 Ensure that the Animal does not cause injury or damage to any person, another Animal, or to any Property.

4.7 An Owner may leave a leashed Animal temporarily unattended by tying it to a building or other structure outside a public building or place of business where the Animal shall not interfere with people entering or exiting the building.

4.8 Any Animal not controlled in accordance with this Bylaw shall be deemed to be At Large.

4.9 Every Owner of a female Dog or Cat in Heat shall confine such an Animal within a building or Secure Enclosure in such a manner as to prevent the Dog or Cat from coming into contact with a male Dog or Cat, as the case may be. Such confinement shall continue for the whole period the female Dog or Cat is In Heat, except that such Dog or Cat may be released from such confinement for controlled breeding purposes and for the purpose of exercising or defecating on the Owner’s Property.

4.10 No Owner of an Animal shall permit the Animal to become a Nuisance.

4.11 No Owner of an Animal shall permit the Animal to defecate on public or private Property, other than that of the Owner, within the boundaries of the Village. It is not a violation of this paragraph when the Owner of the offending Animal immediately cleans up and properly disposes of the defecation.



4.12 An Owner shall ensure that all Animals are properly secured on their Property by a Secure Enclosure or tethered to a post by a chain having a minimum of a one (1) meter turning radius.

4.13 All Dogs tethered or caged within the Village must be given an opportunity to exercise off of the tether, or out of the cage, for a minimum of one (1) hour in a twenty-four (24) hour period.

4.14 No person shall:

4.14.1 Interfere with, or attempt to obstruct, an Officer or other person who is attempting to seize or who has seized any Animal in accordance with the provisions of this Bylaw;

4.14.2 Unlock or unlatch or otherwise open a vehicle, cage, Animal Shelter, or other similar structure in which Animals seized for impoundment have been placed;

4.14.3 Remove or attempt to remove any Animal from the possession of an Officer or from any person at the time responsible for the operation or maintenance of the Animal Shelter at which the Animal is being held;

4.14.4 Release or remove, or attempt to release or remove, any Animal contained in a Trap installed by an Officer; or

4.14.5 Destroy, damage, or otherwise interfere with any Trap installed by an Officer.

5. DOG AND CAT LICENSING

5.1 Any Dog or Cat over the age of three (3) months must be licensed with the Village, and where the age of such Animal is not known, the Animal shall be deemed to be over three (3) months old.

5.2 Every Owner of a Dog or Cat satisfying Paragraph 5.1 shall, within fourteen (14) days of becoming Owner of the Animal or taking up residence in the Village, apply for and maintain a license from the Village and pay the applicable license fee in accordance with the Fee Schedule except in the following circumstances:

5.2.1 A service Dog employed by the Royal Canadian Mounted Police;

5.2.2 A Dog or Cat owned by, or in the possession of, a non-resident of the Village for a total cumulative time period not exceeding one (1) month in any twelve (12) month period.



5.3 The burden of proof that an Owner is a non-resident and is temporarily in the Village for a period not exceeding that set out in Paragraph 5.2.2 rests with the Owner.

5.4 Every Dog and Cat Owner shall provide the Village with the following information when applying for a license:

5.4.1 Name, street address, and postal address of the Owner;

5.4.2 E-mail address and phone number of the Owner and, if possible, an emergency contact.

5.4.3 Name, description, and current photo of the Animal to be licensed; and

5.4.4 Other information as may be required by the Village, including but not limited to proof the Animal is neutered and/or vaccinated by a Veterinarian.

5.5 An annual Dog License issued under this by-law shall be effective from January 1st or the date of issue until December 31st of the same year for intact dogs and cats.

5.6 Notwithstanding 5.5, for the convenience of Owners and to encourage early renewal, an annual Dog License issued on or after September 1st shall be deemed valid from that date until December 31st of the subsequent year.

5.7 A lifetime Dog or Cat license issued under this by-law shall be valid for the lesser period of the lifetime of the Animal, the transfer or sale of the Animal from one Owner to another, or upon the Owner moving away from Village with the Animal, proof the Animal has been spayed or neutered and vaccinated by a licensed Veterinarian.

5.8 Owners of a Dog or Cat with a lifetime license shall confirm with the Village on an annual basis that the information provided under Paragraph 5.4 is still valid and that they still own the Animal, so the Village can maintain up-to-date records.

5.9 A Dog or Cat License issued under this by-law shall not be transferable from one Animal to another or from one Owner to another, and no refund shall be made on any License fee because of the death or disposal of the dog or upon the Owner moving away from Village before the expiration of the Dog License.

5.10 A Dog License is to be fastened to a collar or harness worn by the Dog at all times.



5.11 The Owner of a Dog that has been licensed under Section 5 shall apply to the Village for a replacement Dog License if the tag is lost and pay a replacement tag fee in accordance with the Fee Schedule.

5.12 No person shall use a Dog License tag on a Dog to which it is not registered.

5.13 An Owner of a Dangerous Animal shall maintain an annual Dangerous Animal license subject to the terms and conditions of this Section.

6. DOG OR CAT PERMITS

6.1 An Owner or Owners shall not:

6.1.1 Within the Village, have more than a maximum of (2) Dogs and two (2) Cats on their Property or have any other type of Domesticated Animal that normally is kept outside of their Dwelling unless otherwise allowed to do so in this Bylaw.

6.2 Owners within the Village may obtain a Cat Permit to have up to five (5) Cats on their Property provided the Owner(s) agrees in writing that the Cats shall be at all times confined within their Dwelling.

6.3 Owners within the Village may obtain a Dog Permit to have up to five (5) Dogs on their property provided, at the time of application:

6.3.1 The applicant provides written consents, in a form prescribed by the CAO, of at least two-thirds (2/3) of all Property Owners whose Residential Area or Country Residential Area Property is located within one hundred and fifty (150) meters of the boundaries of the Owner's Property.

6.3.2 The applicant pays the Dog Permit fee in accordance with the Fee Schedule.

6.3.3 All Dogs subject to the Dog Permit have valid Dog Licenses and shall be listed on the Special Permit.

6.3.4 None of the Dogs is considered a Working Dog.

6.3.5 There is an agreement in writing, in a form prescribed by the CAO, permitting an Officer to enter onto the Property for the purpose of inspection.

6.4 Notwithstanding Paragraph 6.3, the CAO may deny a Dog or Cat Permit if after inspecting the Property it is the CAO's opinion that:

6.4.1 The Property is not of adequate size to accommodate the Animals;



6.4.2 Any development related to accommodating the Animals, such as the construction of a Secure Enclosure, would not conform to the requirements of the Zoning Bylaw; or

6.4.3 Such accommodation of the Animals would undesirably impact the immediately adjacent Properties due to the density of the Dwellings.

6.5 Owners who previously received a Special Permit for Dogs in excess of the limitations specified above, prior to the date of passing this Bylaw, shall be allowed the number of Dogs specified in that Special Permit, including Working Dogs, except that the Owner shall not be allowed to replace a Dog in excess of the limits specified above if the Animal dies or is otherwise no longer in the possession of the Owner.

7. KENNELS

7.1 An Owner having or intending to have on a Property more than the number of Dogs allowed under the provisions of Paragraph 6.1, or intending to breed Dogs for profit, shall be considered a Kennel Operator.

7.2 Any person desiring to be a Kennel Operator shall apply annually for a Kennel permit on an application form approved by the CAO.

7.3 The Kennel Operator shall develop and operate the Kennel subject to any applicable regulations in the Zoning Bylaw or successor legislation.

7.4 No Kennel shall be permitted to be located within the Residential Area.

7.5 A Kennel may be permitted outside the Residential Area provided, at the time of application:

7.5.1 The location for the Kennel is on a Property within a zone that permits a Kennel under the Village's Zoning Bylaw;

7.5.2 The applicant provides written consents, in a form prescribed by the CAO, of at least two-thirds (2/3) of any Property Owners whose Residential Area or Country Residential Area Property is located within three hundred (300) meters of the boundaries of the Property on which the Kennel is to be located; and

7.5.3 There is an agreement in writing, in a form prescribed by the CAO, permitting an Officer to enter onto the Property on which the Kennel is to be located, for the purpose of inspecting the Kennel.



7.6 Any holder of a Kennel permit must also purchase a business license from the Village.

7.7 Where an Officer finds that the Kennel Operator does not comply with any section of this Bylaw, the Officer may direct that the Animals be seized and impounded. All costs associated with the seizure and boarding of the Animals shall be the responsibility of the Kennel Operator.

7.8 A Kennel Operator may keep unlicensed Dogs confined in the Kennel, but any Dog leaving the Property on which the Kennel is located must have a Dog License and wear their Dog License tag.

8. LIVESTOCK AND SPECIAL PERMITS

8.1 Livestock may be kept on a Property outside of the Village, including within the Country Residential Area, subject to the provisions of the Zoning Bylaw or successor legislation.

8.2 No Livestock shall be kept on any Property within the Village.

8.3 Any person desiring to keep Livestock on their property within the Village, that is not otherwise permitted under this Bylaw, must obtain a Special Permit for the specific Property, species, and maximum number of Animals intended.

8.4 Within thirty (30) days of receipt of an application for a Special Permit, the CAO shall:

8.4.1 Ensure that such application, which must include a sketch or plan of the Property and Secure Enclosure in which the Livestock are to be housed, is complete and otherwise meets the requirements of this Bylaw and the Zoning Bylaw;

8.4.2 If such application is not complete, requires further information about the care and maintenance of the Livestock, or contravenes a provision of this Bylaw or the Zoning Bylaw, return the application to the applicant after which the applicant may address such deficiencies and resubmit; and

8.4.3 Thereon, the CAO shall review the revised application within fourteen (14) additional calendar days.

8.4.4 Upon acceptance of the application as complete, the CAO may,

8.4.4.1 If the application is for species or sub-species of Livestock already included in the Special Permit provisions of Schedule D, as



previously approved by Council resolution, the CAO may issue a Special Permit subject to the requirements specified therein;

8.4.4.2 If the application is for species or sub-species of Livestock not already included in the Special Permit provisions of Schedule D, and not previously considered by Council, the CAO will prepare a report for Council with a recommendation to approve or deny the application and the conditions of such approval;

8.4.5 The CAO shall recommend denial of the application for a Special Permit if, in the opinion of the CAO, allowing the Special Permit would, at the time of application or in the future:

8.4.5.1 Violate any General Provisions of this Bylaw;

8.4.5.2 Disturb the peaceful enjoyment of the neighboring Property Owners through the introduction of undesirable noise or odor;

8.4.5.3 Be used solely for the purpose of breeding the Livestock;

8.4.5.4 Result in an undesirable density of Domesticated Animals in the immediate area; or

8.4.5.5 Be otherwise inappropriate for the development and use of the Property.

8.4.6 The date will be set for Council to hear the application at the next scheduled Council meeting allowing for notice of the hearing to be mailed to all Property Owners within one hundred and fifty (150) meters of the applicant's Property at the applicant's expense.

8.5 Upon hearing the application, Council may, by resolution:

8.5.1 Approve the Special Permit and set out the conditions for approval, which shall then be attached to Schedule D of this Bylaw; or

8.5.2 Deny the application.

8.6 The conditions of a Special Permit set out in Schedule D may include, but are not limited to:

8.6.1 Specifying the species or sub-species of Domestic Animal or Livestock to which the Special Permit applies;

8.6.2 The maximum number of Animals allowed under the Special Permit;



8.6.3 The gender of the Animals allowed;

8.6.4 Requiring that the Animals be Neutered;

8.6.5 A time limit, after which the Special Permit expires or must be renewed;

8.6.6 Fees;

8.6.7 Specifications for how and where the Animals are to be kept on the Property, including but not limited to, the minimum or maximum dimensions, setbacks, or type of construction of a Secure Enclosure, having regard for the Zoning Bylaw;

8.6.8 Specify whether or not the Special Permit may be transferrable to another Owner or Property;

8.6.9 Provision for an Officer to inspect the Property; and

8.6.10 Any other requirements to be fulfilled prior to issuance of a Special Permit by the CAO.

8.7 Council may also set the scope of any Special Permit provisions in Schedule D to:

8.7.1 Be applied only to the original applicant, Property, or thing; or

8.7.2 Guide the CAO in approving or denying future similar applications for Special Permit, with further regard for Paragraph 8.4.5., such that Council need not hear such future applications.

8.8 The person desiring to keep Livestock may be required to obtain written consents of neighboring Property Owners in the same manner as Paragraph 6.3.1 of this Bylaw prior to the issuance of a Special Permit by the CAO or Council.

8.9 A Special Permit shall not be transferable to another Owner or Property or thing unless allowed in Schedule D.

8.10 Nothing in Schedule D shall have the effect of amending or overriding any provision of this Bylaw.

8.11 By way of example only, and without limiting Council's ability to act appropriately, the Special Permit provisions to be set out in Schedule D could, for each type of application considered by Council, be set out similarly to the Hen Permit provisions (Section 9) of this Bylaw.



9. HEN PERMITS AND COOPS

9.1 Any person intending to keep hens on their property must apply for a Hen Permit.

9.2 Within fourteen (14) days of receipt of an application for a Hen Permit, the CAO shall:

9.2.1 Ensure that such application, which shall include a sketch or plan of the proposed coop, is complete and meets all requirements of this Bylaw and the Zoning Bylaw;

9.2.2 If such application is not complete, or it contravenes a provision of this Bylaw or the Zoning Bylaw, return the application to the applicant after which the applicant may address such deficiencies and resubmit; and

9.2.3 Review the revised application within fourteen (14) additional calendar days.

9.3 Within the Residential Area:

9.3.1 Roosters are not permitted;

9.3.2 If a chick is discovered to be a Rooster as it matures, it must be disposed of within three (3) days of it beginning to “cock-a-doodle-do” or otherwise disturb the peaceful enjoyment of neighbors;

9.3.3 The maximum number of hens permitted is twelve (12).

9.4 Outside of the Residential Area, and subject to the other provisions of this Bylaw and the Zoning Bylaw, the maximum number of Hens permitted is twenty-five (25) and Roosters may be allowed.

9.5 A Hen Permit holder must:

9.5.1 Provide a Coop which shall be constructed according to the requirements and specifications below;

9.5.2 Keep each Hen in the Coop at all times;

9.5.3 Keep Hens in their indoor Coop between 2300 and 0700 hours (11 PM and 7 AM);



9.5.4 Provide each Hen with food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviors such as scratching, dust-bathing, and roosting, all sufficient to maintain the hen in good health;

9.5.5 Maintain each Coop in good repair and sanitary condition, and free from vermin and obnoxious smells and substances;

9.5.6 Construct and maintain each Coop to prevent any rodent from harboring underneath or within it, or within its walls, and to prevent entrance by any other Animal;

9.5.7 Keep a food container and water container in each Coop;

9.5.8 Keep each Coop securely closed at all times;

9.5.9 Remove leftover feed, trash, and manure in a timely manner;

9.5.10 Store manure within a fully enclosed structure, and store no more than one-third cubic meter (0.33 m³) of manure at a time unless directed to remove and dispose of such manure sooner by an Officer;

9.5.11 Slaughter hens in an efficient and humane manner that does not subject them to avoidable discomfort; and

9.5.12 Not keep a Hen in a cage except when actively transporting the Hen off of the Property.

9.6 A Coop must:

9.6.1 Include both a walled, roofed structure and an outdoor pen;

9.6.2 Be securely enclosed to prevent the escape of hens and the entrance of any other Animal;

9.6.1 Provide a floor of any combination of vegetated or bare earth in the outdoor pen area;

9.6.2 Provide at least 0.37 m² of interior floor area per Hen;

9.6.3 Provide at least 0.92 m² of outdoor pen area per Hen;

9.6.4 Provide at least one nest box and perch of at least 18 cm width per Hen; and

9.6.5 Conform to all other applicable regulations of the Zoning Bylaw.



9.7 An Officer has the power to demand information on Hens within the Village, the power to:

9.7.1 Enter and inspect a Property at any reasonable time, after providing twenty-four (24) hours notice to the Property Owner or earlier with their cooperation;

9.7.2 Inspect a Coop; and

9.7.3 Seize, impound or destroy a Hen, Rooster, or other non-compliant Animal.

10. WILD ANIMALS

10.1 No person shall own a Wild Animal within the Village except for the purpose of exhibition in circuses, zoos, or educational institutions, and in accordance with such regulations as shall be established from time to time by the Village.

10.2 At the discretion of the CAO, and in consultation with the authority having jurisdiction, a person may, for a period not to exceed six (6) months, be given permission to assist the authority in the care and maintenance of an injured or recovering Wild Animal or bird.

11. DANGEROUS ANIMALS

11.1 No Owner of a Dog shall permit their Dog to bite any other Dog that is on a Leash, and where a Dog has bitten a leashed Animal it shall be deemed to have done so with the consent of its Owner.

11.2 No Owner of a Dog shall permit such Dog to bite, without provocation, any other Dog that is off Leash, and where a Dog has, without provocation, bitten another unleashed Dog it shall be deemed to have done so with the consent of its Owner.

11.3 No Owner of an Animal shall permit such Animal to bite any person without provocation, and where such Animal has, without provocation, bitten any person it shall be deemed to have been done with the consent of the Owner.

11.4 No owner of any Animal shall permit such Animal to bite, attack, harass, or kill any other tethered Animal or any Animal or poultry which is on its respective private Property, and where such Animal has bitten, attacked, harassed or killed any Animal or poultry it shall be deemed to have been done with the consent of the Owner.



11.5 Upon conviction of an offense contrary to Paragraphs 11.1 to 11.4 of this Bylaw, the Animal set out in the complaint shall be deemed a Dangerous Animal by the CAO, and said conviction shall serve as the notice required pursuant to this Bylaw.

11.6 No person shall own a Dangerous Animal unless such Animal is:

11.6.1 Confined within a Secure Enclosure

11.6.2 Securely muzzled and leashed when outside that Secure Enclosure and under the direct control of the Owner or a responsible person over the age of eighteen (18); and

11.6.3 Licensed with the municipality as a Dangerous Animal.

11.7 A Secure Enclosure used to house a Dangerous Animal shall not be within one (1) meter of the Property line or within three (3) meters of a neighboring Dwelling.

11.8 A sign shall be displayed at each entrance to the Property and building in which a Dangerous Animal is kept, warning in writing, as well as with a symbol, that there is a Dangerous Animal on the Property. This sign shall be visible and legible from the nearest road or thoroughfare.

11.9 The CAO shall have the discretion to modify the conditions for owning and maintaining a Dangerous Animal, and any modified conditions shall be set out in writing and include written reasons for the modified conditions, a copy of which shall be provided to the Owner.

11.10 An Officer shall have the authority to make whatever inquiry is deemed necessary to ensure compliance with the Dangerous Animal provisions of this Bylaw.

11.11 The Village may not offer for adoption any Animal that has been designated a Dangerous Animal under this Bylaw.

11.12 Where the Owner of a Dangerous Animal has been previously charged with an offense under this Bylaw and commits a subsequent offense, the Dangerous Animal may immediately be ordered impounded by an Officer.

11.13 Where a Dangerous Animal dies or is sold or otherwise disposed of, the Owner shall notify the Village of the disposal, including the name and address of the new Owner if applicable.

11.14 Where an Animal is impounded, pursuant to a Justice's order, the Owner shall bear all costs related to the impoundment.



11.15 Where a Justice is satisfied that, in the public interest, a Dangerous Animal should be destroyed, or otherwise disposed of, the Justice shall order the destruction or other disposition at the expense of the Owner.

12. RABIES AND INFECTIOUS DISEASE CONTROL

12.1 No Owner shall keep any Household Pet over six (6) months of age without having such animal vaccinated for rabies unless an Officer confirms vaccinating the Animal is not necessary in consultation with a Veterinarian or the Medical Health Officer.

12.2 Any Animal that bites another Animal or a human, and any Animal that is suspected by an Officer of being exposed to an infectious disease shall be seized by an Officer and impounded or an Officer may order the Animal be Quarantined at a place and under conditions to be determined by an Officer.

12.3 Every Animal bitten by an Animal suspected of being rabid may, at the discretion of an Officer, be impounded or Quarantined in accordance with this Bylaw.

12.4 Any Animal Quarantined pursuant to this Bylaw shall not be released from quarantine by an Officer except upon:

12.4.1 The Owner providing a vaccination certificate for the Animal, issued by a Veterinarian not more than one (1) year prior to Quarantine, and any other assurances to the satisfaction of the Officer; or

12.4.2 With the written approval of a Veterinarian or the Medical Health Officer, and the Animal being vaccinated at the Owner's expense.

12.4.3 For the purposes of satisfying the above requirements, an Owner may be given permission by an Officer to transport an Animal to Whitehorse for vaccination and examination by a Veterinarian.

12.5 The cost of Quarantining and/or treating an Animal under this Bylaw, including impoundment and other fees as set out in this Bylaw or any successor legislation, and transport costs if the Animal must be sent to Whitehorse, shall be borne by the Owner of the Animal.

12.6 Where any Animal has been Quarantined, pursuant to this Bylaw, and has not been retrieved by the Owner within four (4) Working Days of the completion of the quarantine period, the Animal is deemed to have been abandoned by the Owner



and the Village may put the Animal up for adoption or otherwise dispose of the Animal.

12.7 Where an Animal suspected of being rabid dies while under Quarantine, the Village shall immediately notify the Medical Health Officer of any known human contacts and shall dispose of the Animal by incineration or, upon request of the Medical Health Officer, sending the carcass of the Animal to a laboratory for pathological examination.

12.8 Except as provided elsewhere in this Bylaw, no person shall kill or cause to be killed, nor remove any of the following Animals from the Village, without written permission from an Officer or the Medical Health Officer:

12.8.1 Any rabid Animal;

12.8.2 Any Animal suspected of having or of having been exposed to rabies;
or

12.8.3 Any Animal which has bitten a human.

12.9 Upon demand of an Officer, the carcass of any dead Animal, which has been exposed to rabies, shall be surrendered to an Officer or to the Medical Health Officer.

13. IMPOUNDMENT AND DISPOSAL OF ANIMALS

13.1 The Village hereby establishes and authorizes the maintenance and operation of an Animal Shelter for the purpose of impounding animals.

13.2 An Animal may be seized and impounded by an Officer at the Animal Shelter, or into any other place or care at the discretion of the Officer:

13.2.1 If found At Large;

13.2.2 By entering in or on Private Property with the permission of the Property Owner, or by warrant, if the Animal is, or has been, a Nuisance or is in distress;

13.2.3 By entering in or on Private Property, other than a Dwelling, or a vehicle, without the permission of the Property Owner or warrant, if the Animal is in distress or poses an imminent danger to public safety when:

13.2.3.1 Time is of the essence; and,

13.2.3.2 The Property Owner cannot be reasonably located; or,



13.2.3.3 A warrant cannot be reasonably obtained from a Justice, provided that a Justice has not previously refused to issue the warrant, and the Officer is, or is accompanied by, a member of the Royal Canadian Mounted Police.

13.2.4 By entering in or on Private Property by warrant issued pursuant to paragraph 18.2.

13.3 A citizen may seize an Animal found running At Large or, with the consent of the Property Owner if the Animal is on private Property, any Animal which is damaging or has damaged public or private Property or is attacking, or has attacked, a person and shall forthwith turn the Animal over to an Officer or other Village employee. Any citizen seizing such an Animal must provide Humane Care to the Animal until such time as it can be turned over to an Officer.

13.4 A citizen may catch or live Trap and hold any Animal that is found running At Large on their Property, using a Trap provided by an Officer, provided that:

13.4.1 The citizen demonstrates proficiency in using a live Trap and in the care and handling of an Animal caught in a live Trap; and

13.4.2 A Trap is not left unattended and is checked on an hourly basis; and

13.4.3 Trapped animals are turned over to an Officer forthwith.

13.5 An Officer may require the Owner to have the Animal Neutered, Vaccinated, or examined by a Veterinarian as a condition of its release.

13.6 An Officer shall make all reasonable efforts to identify an impounded Animal, notify the Owner and inform the Owner of the conditions under which the Animal may be released.

13.7 Except where an Animal has been Quarantined or ordered destroyed pursuant to this Bylaw, the Owner of an impounded Animal may recover such Animal within four (4) Working Days of its impoundment, or until such time as the Village has disposed of the Animal pursuant to this Bylaw, subject to the payment of all expenses incurred in securing, caring for, and feeding the Animal and other fees as prescribed in the Fee Schedule.

13.8 Any Animal that is required to be licensed shall not be released from impoundment until the Owner has obtained a current license.



13.9 Impoundment fees will be levied on a graduated scale with a fee for the first impoundment, the second impoundment, and the third and subsequent impoundments as set out in the Fee Schedule.

13.10 For the purposes of the impoundment provisions of this Bylaw:

13.10.1 Where more than one Animal owned by an Owner is impounded at the same time or at different times, each impoundment of an individual Animal shall be considered to be separate and consecutive; and

13.10.2 There shall be deemed to be a previous impoundment of the Animal if the Animal has been impounded in the previous twelve (12) months.

13.10.3 The Village will charge a daily care fee after the first 24-hour period of impoundment to recover the ongoing cost of caring for the Animal.

13.11 Impounded Animals, not recovered by an Owner, will first be rehomed by trying to find them a new home with a caring responsible person or delivering them to the animal shelter in Whitehorse.

13.12 Where a reasonable attempt to find an adoptive Owner is unsuccessful the Animal shall be destroyed in a humane fashion.

13.13 Officers have the right to seize any Dangerous animals, or any Animal the Officer believes may be suffering from an infectious disease, or may seize any Animal from any person whom the Officer finds contravening this Bylaw.

13.14 Upon demand being made by an Officer, an Owner who fails to surrender an Animal that is the subject of an Impoundment order commits an offense.

13.15 Where an Owner has refused to surrender an Animal, the Officer will lay the matter before a Justice, pursuant to Paragraph 18.2.

13.16 Where a Justice is satisfied that the public interest does not require Impoundment of the Animal, the Justice shall order the Animal released into the care of its Owner upon such conditions as are reasonably necessary to ensure the protection of the persons and Property of others.

13.17 Where an Animal has been released from Impoundment pursuant to this Bylaw, and the Owner breaches any condition imposed as a condition of the release the Owner will be deemed to have committed an offense.

14. CRUELTY TO ANIMALS



14.1 With the exception of the destruction of a Domesticated Animal pursuant to this Bylaw by an Officer or Veterinarian, no person shall kill a Domesticated Animal unless it has been raised for food.

14.2 A person who causes unnecessary suffering, damage, or injury to an Animal, whether intentionally or by willfully neglecting, is guilty of an offense under this Bylaw and Sections 445 or 446 of the Criminal Code of Canada.

14.3 No person shall place poison in such a position that it may easily be consumed by Animals.

15. INTERESTS OF PUBLIC SAFETY

15.1 Notwithstanding any other provision of this Bylaw, where an Officer considers an Animal to be an imminent threat to public safety, the Officer may, with the consent of the Owner, if the Animal is on the Owner's Property, or without the consent of the Owner, if the Animal is running At Large, forthwith destroy any Animal in contravention of this Bylaw.

15.2 An Officer may enter upon any Property, other than a Dwelling, for the purpose of securing or seizing any Animal to prevent the continuation of an offense or to determine ownership.

16. OFFENSE AND PENALTIES

16.1 Any person who contravenes a provision of this Bylaw is guilty of an offense.

16.2 Any person who commits an offense under this Bylaw is, in addition to any other punishment or imprisonment imposed by the Court, liable on summary conviction to:

16.2.1 A voluntary fine under Section 20 of the Summary Convictions Act, issued in respect of an offense in an amount up to the penalty specified in the Fee Schedule attached hereto and forming part of this Bylaw; or

16.2.2 A fine not exceeding ten thousand dollars (\$10,000.00) where proceedings are commenced pursuant to the summary convictions provisions of the Criminal Code of Canada; or

16.2.3 A fine not exceeding five hundred dollars (\$500.00) where proceedings are commenced pursuant to Paragraph 9(1) of the Summary Convictions Act.

16.3 Notwithstanding Paragraph 16.2, a person who commits a first offense under this Bylaw may be issued a verbal or written warning at the discretion of the Officer.



16.4 An Officer may serve a written order pursuant to Section 348 of the Municipal Act and a person who does not comply with the order in the time limit specified is guilty of an offense.

16.5 Where a person is convicted of an offense, under this Bylaw, the Justice may, in addition to any other measure imposed on the offender, order that the offender pay restitution pursuant to Section 738 of the Criminal Code of Canada.

16.6 Should any person owning or occupying Property refuse or neglect to pay any penalties that have been levied pursuant to this Bylaw, an Officer may inform such a person in default that, if these charges are unpaid on the thirty-first (31) day of December in the same year, the charges will be added to, and form part of, the taxes payable in respect of that Property as taxes in arrears.

17. GENERAL INTERPRETATION

17.1 The invalidity of any section or provision of this Bylaw shall not affect the validity of any other part of this Bylaw which can be given effect without such invalid part or parts.

17.2 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 Village, the stricter of the provisions or regulations shall prevail.

18. ENFORCEMENT, SEARCH, AND SEIZURE

18.1 The provisions of this Bylaw shall be enforced by any Officer unless otherwise stated herein.

18.2 Pursuant to the provisions of the Criminal Code of Canada, for any violations of this Bylaw, a Justice may, upon evidence under oath that there are reasonable and probable grounds to believe that an Animal is being kept in violation of this bylaw, in the interest of public safety, or necessary for the humane treatment of the Animal to do so,

18.2.1 At any time issue a warrant authorizing an Officer, who is named in the warrant, to apply the search and seizure provisions of the Criminal Code of Canada;

18.2.2 Set out in an order



18.2.2.1 Any condition and time limits that the Owner shall meet before the Animal is released from Impoundment without further application to the Court; and

18.2.2.2 That if the Owner fails to meet the conditions or time limits set out in the order, and the period for appeal has lapsed without an appeal being filed, the Village may dispose of an Animal in Impoundment by whatever manner the Village sees fit, including destruction of the Animal.

18.3 No person shall make a frivolous or vexatious complaint to an Officer regarding an Animal.

18.4 An Officer may refuse to investigate or enforce a complaint if:

18.4.1 The Officer is satisfied that the complaint is frivolous or vexatious; or

18.4.2 There is insufficient evidence to warrant further action.

19. APPEAL

19.1 Any person who has applied for, but failed to be granted, a license or permit or who has had a privilege denied, or revoked, under the provisions of this Bylaw may appeal the denial or revocation in writing to Council within thirty (30) days after the decision was rendered, and Council may approve or reinstate the license or permit in an exceptional circumstance.

19.2 Council may appoint an adjudicator, who is not an Officer or employee of the Village, to independently review the merits of the appeal and, with regard for the Bylaws of the Village, shall provide a recommendation to Council within thirty (30) days of the appeal first being heard.

19.3 In setting out their decision on the appeal, Council may impose upon the person who made the appeal any reasonable conditions, time limits, or fees that Council deems appropriate to make such allowance under the Bylaw, including the recovery of any related costs of the Village that are either incurred or anticipated.

19.4 A decision of Council under Paragraph 19.3 shall not invalidate, weaken, or amend any section or provision of this Bylaw, or any Bylaw of the Village, except to provide such allowance as explicitly stated in the decision for the exceptional circumstance of the appeal.



19.5 The right of appeal shall be barred and extinguished if not received in writing by Council within the period set out in Paragraph 19.1.

20. PET PERMITTING SYSTEM

20.1 Any owner of a domesticated pet within the Village of Carmacks is required to obtain a pet permit/license as per fee schedule.

20.2 Owners must register their pets within 30 days of acquisition or within 30 days of moving to the Village.

20.3 The pet permit is non-transferable between owners or pets and must be renewed as per section 5.5, 5.6 and 5.7 of this by-law.

20.4 Failure to obtain a pet permit will result in penalties as outlined in Appendix "A".

20.5 Failure to comply with Officer's order will result in penalties as outlined in Appendix "A".

20.6 Fines must be paid within 30 days of issuance. Failure to pay fines may result in additional penalties and enforcement actions, including but not limited to the addition of fines to municipal taxes in arrears.

21. REPEAL

21.1 By-law 252-18 is hereby repealed.

22. ENACTMENT

22.1 This bylaw shall come into full force and effect upon passing thereof.

READ A FIRST TIME THIS AUGUST 20th, 2024

READ A SECOND TIME THIS September 17th, 2024

READ A THIRD TIME AND FINALLY PASSED THIS _____, 2025.

Mayor Justin Lachance

CAO Chantal Pelletier



FEE SCHEDULE

Permit	Fine Amount
Yearly Animal Permit (per pet)	\$10.00
Lifetime Animal Permit- Spayed or Neutered (per pet)	\$25.00

APPENDIX “A” – Fines & Penalties

Fines and penalties for contraventions of this bylaw are as follows:

Section Number	Offense	Fine Amount
4.1/13.9	Animal running at large – first offense	\$25.00
4.1/13.9	Animal running at large – Second Offense	\$50.00
4.1/13.9	Animal running at large – Third Offense	\$100.00
11.6	Dangerous animal not confined	\$500.00
12.2	Failure to comply with quarantine order	\$250.00
13.10.3	Daily care fee after first 24-hours	\$25/day
13.14	Refusal to surrender an animal	\$500.00
14.2	Cruelty to animals	\$1,000.00
20.1	Failure to obtain a pet permit	\$50.00
20.4	Failure to renew pet permit	\$25.00
20.5	Failure to comply with Officer's order	\$200.00



LEGEND

- FIRST NATION LANDS
- FN LANDS EXCEPTED FROM MUNICIPALITY
- FN LANDS SUBJECT TO OCP
- EASEMENT
- VILLAGE OF CARMACKS BOUNDARY

LAND USE DESIGNATIONS

- AIRPORT
- COMMERCIAL
- COMMUNITY USE
- COUNTRY RESIDENTIAL
- FUTURE DEVELOPMENT
- HINTERLAND
- INDUSTRIAL
- PARKLAND
- URBAN RESIDENTIAL
- VILLAGE HUB



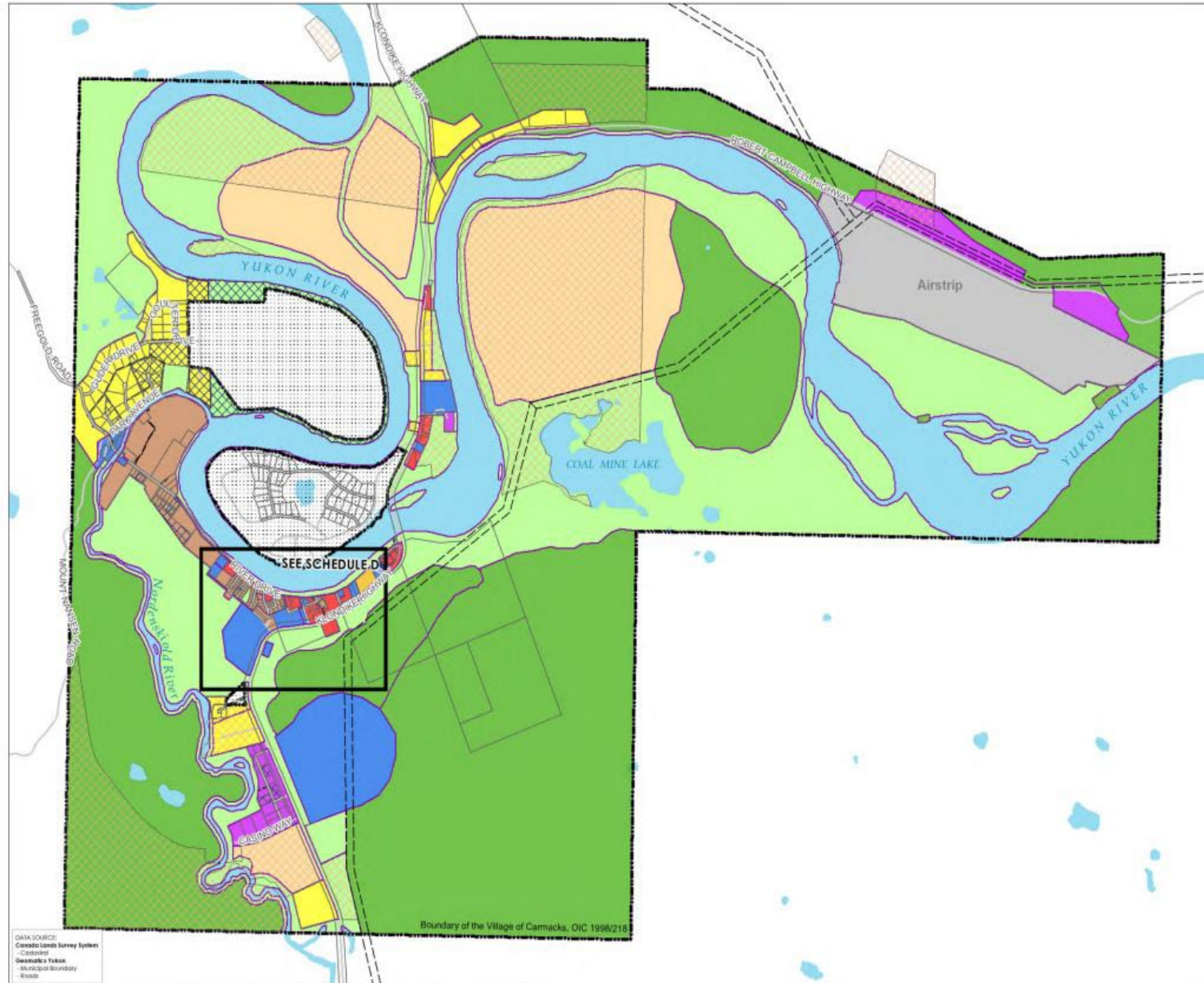
Scale: 1:30,000



MAY 2021

Village of Carmacks - Schedule C
Official Community Plan Bylaw No. 272-21

Schedule C Land Use Map



DATA SOURCE:
 Canadian Lands Survey System
 © Geomatics Yukon
 Municipal Boundary
 Roads

Project: 188-138-001-010 Drafting Design Analysis\01\Project\010\Current\010\010 Land Use Map.mxd Last updated by Jashin on December 16 12 at 4:29 PM



Village of Carmacks

By-law 316-25

A BY-LAW OF THE VILLAGE OF CARMACKS IN THE YUKON TERRITORY TO AUTHORIZE THE RATES OF TAXATION IMPOSED FOR THE YEAR 2025.

WHEREAS Section 55(2) of the Assessment and Taxation Act, being Chapter 13 of the Revised Statutes of the Yukon 2002 and amendments thereto, requires that each taxing authority other than the Commissioner in Executive Council shall, by by-law made on or before April 15 in each year, levy taxes in accordance with this Act upon all taxable real property that is within its jurisdiction; and

WHEREAS the rates hereinafter set out are deemed necessary to provide the revenue amounts required for the estimated expenditures of the Village;

WHEREAS section 55(3) of the Assessment and Taxation Act provides for the establishment of different classes of real property, and varied tax rates according to the class of real property to be taxed;

NOW THEREFORE, by virtue of the authority conferred upon it by Section 246 of the Municipal Act, being Chapter 154 of the Revised Statutes of the Yukon 2002 and amendments thereto, the Council of the Village of Carmacks enacts as follows:

1.0 Citation of Bylaw

1.1 This bylaw may be cited as the "**2025 Property Tax Bylaw**"

2 Purpose and Application

2.1 The intent of this bylaw is to establish the taxing regime for all properties within the administrative boundaries of the Village of Carmacks.

3 Definitions

3.1 In this Bylaw, the following terms or phrases shall be interpreted as follows:

"Residential" means all classes of real property used primarily for residential use, other than Country Residential, and are designated on the assessment roll as RS1, RS2, RCM, RMH, OSP, or RSM.

"Non-residential/Commercial/Industrial/Government" means all classes of real property used primarily for commercial, industrial and public purposes and are designated on the assessment roll as CMC, CMH, CML, CMS, INS, MHI, MSI, PRC, or QRY.

"Country Residential" means all classes of real property designated on the assessment roll as REC or RSC.

"Unimproved/Speculative/Vacant" means all real property under any of the above designations on which there are no improvements assessed or development permitting timelines have elapsed without completion.

"Assessment Roll" means the current Village of Carmacks Assessment Roll.

"Total Assessment" means the combined total of the assessed value of land and improvements for real property as listed on the tax roll.

4 General Operation of the Bylaw

- 4.1 There shall be levied upon all taxable Residential (primarily Urban Residential) real property in the Village of Carmacks, a general tax for 2025 at the rate of 1.5 percent of the total assessment.
- 4.2 There shall be levied upon all taxable Non-residential/Commercial/Industrial/Government real property within the Village of Carmacks a general tax for 2025 at the rate of 1.87 percent of the total assessment.
- 4.3 There shall be levied upon all taxable Country Residential real property in the Village of Carmacks a general tax for 2025 at the rate of 1.45 percent of the total assessment.
- 4.4 There shall be levied upon all taxable Unimproved/Speculative/Vacant real property within the Village of Carmacks a general tax for 2025 at the rate of 2.00 percent of the total assessment.
- 4.5 As provided for under Section 60(2) of the Act, a minimum tax shall be applied when the percent rate applicable under Sections 3, 4, or 5 results in an amount less than the minimum tax of:
 - four hundred dollars (\$400) for all taxable Residential and Non-Residential/Commercial real properties; or,
 - three hundred and fifty dollars (\$350) for all other taxable Unimproved/Speculative/Vacant real properties.
- 4.6 If any section, sub-section, sentence, clause, or phrase of this Bylaw is for any reason held invalid, the validity of the remaining sections of the Bylaw shall not be affected by the decision.

This by-law shall come into force and effect upon the final passing thereof.

By-law 300-24 is hereby repealed.

Read a first time this ____ day of _____, 2025

Read a second time this ____ day of _____, 2025

Read a third time and passed this ____ day of _____, 2025

Justin Lachance, Mayor

Chantal Pelletier, CAO



**Village of Carmacks
Bylaw 317-25**

A Bylaw to Repeal Old Bylaws by Council of the Village of Carmacks.

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

AND WHEREAS the Municipal Council of the Village of Carmacks in the Yukon territory, in open meeting assembled, hereby ENACTS AS FOLLOWS:

PART 1.00 SHORT TITLE

1.01 This By-law may be cited as the "**Bylaw to Repeal Old Bylaws**"

PART 2.00 PURPOSE OF APPLICATION

2.01 That the following Bylaws are here by repealed:

10-95	Campground Lease
11-95	Campground Regulations
92-99	Airport Area Development
134-04	Scholarship Fund By-Law
233-16	Development Incentive

PART 3.00 Effective Date

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

READ A FIRST TIME the ___ day of March, 2025.

READ A SECOND TIME the ___ day of March, 2025.

READ A THIRD TIME the ___ day of March, 2025.

Justin Lachance, Mayor

Chantal Pelletier, CAO

The Village of Carmacks
By-Law #10-95

A by-law of the Village of Carmacks to authorize the lease of the campground located within the Village of Carmacks.

WHEREAS the Municipal Act, Chapter 119 RSY 1986, pursuant to Section 270 (a) provides that Council may by bylaw acquire, by lease, any real property within the municipality for pleasure, recreation or community uses of the public.

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

SHORT TITLE

1. This bylaw shall be cited as the **CAMPGROUND LEASE BYLAW**.

INTERPRETATION

2. In this bylaw, unless the context otherwise requires,
(1) "Council" means the duly elected Council of the Village of Carmacks
(2) "Real Property" means a lot, improved or unimproved, as identified on the Assessment Roll of the Village of Carmacks.

LEASE

3. Authorize the Council on behalf of the municipality to lease the real property as described and under the terms presented in the lease hereto attached as Schedule "A".

ENACTMENT

4. The provisions of this by-law shall come into full force and effect upon the final passing thereof.

READ a first time this 13TH day of JULY, 1995.

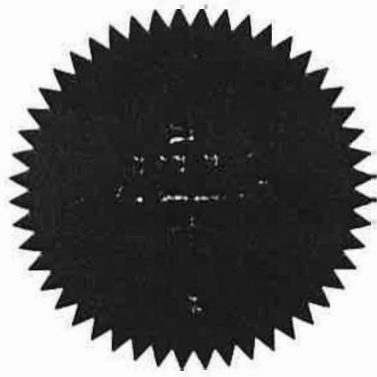
READ a second time this 13TH day of JULY, 1995.

APPROVED by the Executive Council Member this 1ST day of August, 1995

READ a third time and finally passed this 02ND day of August, 1995.


MAYOR


CLERK



GOVERNMENT OF YUKON
LEASE

BETWEEN:

THE EXECUTIVE COUNCIL MEMBER
OF THE YUKON TERRITORY AS REPRESENTED BY
GERRY J. GEREIN

hereinafter called the "Lessor"

AND:

Little Salmon Carmacks First Nation (as represented by Chief and Council in trust)
and the Village of Carmacks, as tenants in common

hereinafter called the "Lessee"

WITNESSETH that in consideration of the rents, covenants, and agreements herein reserved and contained on the part of the Lessee to be paid, observed and performed and subject to the Territorial Lands Act and the Regulations made thereunder and the Yukon Lands Act and the regulations made thereunder, the Lessor demises and leases unto the lessee all that certain parcel(s) or tract(s) of the land situate, lying and being composed of all that parcel of land

comprising 2.6 hectares more or less, within Lot 10, Group 10, Plan 6944 CLSR;
Parcel A, Lot 10, Group 10, Plan 24013 LTO; and Parcel A, Lot 11, Group 10, Plan
24013 LTO; as shown on the attached sketch forming part of this lease document
hereinafter called "the Land"

SUBJECT to the following reservations:

- A) all mines and of all minerals whether solid, liquid or gaseous which may be found to exist within, upon or under the land together with the full powers to work the same and for that purpose to enter upon, use and occupy the land or so much thereof and to such an extent as may be necessary for the effectual working and extracting of the said minerals;
- B) the rights of the recorded holders of mineral claims and any other claims or permits effecting the land;
- C) all timber that may be on the land;
- D) the right to enter upon, work and remove any rock outcrop required for public purposes;
- E) such right or rights of way and of entry as may be required under regulations in force in connection with the construction maintenance and use of works for the conveyance of water for use in mining operations; and
- F) the right to enter upon the land for the purpose of installing and maintaining any public utility or road.

TO HAVE AND TO HOLD for and during the term of One (1), Year, commencing on the 15th day of June, A.D., 1995., with the option to renew for a further one 1 year term,, upon agreement by all parties.

YIELDING AND PAYING THEREFORE: in advance an annual rental of One Hundred (\$100.00) DOLLARS, in respect of every subsequent year such rent as the Lessor may in his absolute discretion determine in accordance with any Ordinance or Regulation of the Yukon Territory in force at the time of such determination.

THE PARTIES COVENANT AND AGREE AS FOLLOWS:

- 1) That the Lessee will at all times conform to all applicable Federal, Territorial and Local Acts, Ordinances, Regulations or Bylaws.
- 2) That all taxes, local improvement rates and assessments and all public utility charges respecting the said lands from and after the date of this lease will be paid in full by the Lessee.
- 3) That the Lessee shall use the land solely for the operation of a campground/Day Use Area.
- 4) That the Lessee shall have vacant possession of the land, upon execution of this lease.
- 5) That the Lessor assumes no liability expressed or implied to provide access to the land.
- 6) That the Lessor is not responsible for the establishment on the ground of the boundaries of the land.
- 7) That the boundaries of the land are subject to such adjustment and alteration as may be shown to be necessary by survey.
- 8) That this Lease shall not be assigned in whole or in part to any other person or corporation.
- 9) That the Lessee will execute any documents necessary to allow right of entry in and under or upon the land or so much thereof as is reasonable for the purpose of constructing, maintaining and operating sewer, water, telephone, electric power, street lighting and fire and police protection installations, on request by the Lessor.
- 10) That the Lessee shall hold the Lessor free of all liabilities concerning the land during the currency of this lease.
- 11) Unless a waiver is given in writing by the Lessor, the Lessor will not be deemed to have waived any breach by the Lessee of any of the Covenants or agreements herein contained, and a waiver relates only to the specific breach of which it refers.
- 12) Where any portion of the rental herein reserved is unpaid for more than thirty (30) days after it becomes due, whether formally demanded or not, or where the Lessee fails to perform or observe any of the covenants or agreements herein contained, the Lessor may by notice in writing terminate this Lease, and on the seventh (7) day following the mailing of the notice, this Lease may be terminated.
- 13) On the termination of this Lease the Lessee will deliver up possession of the land in a condition satisfactory to the Lessor.
- 14) Termination of this Lease will not prejudice the Lessor's right to unpaid rental or any other right with respect to a breach of any covenant or agreement herein contained.
- 15) That time shall in all respects hereof be of the essence.

- 16) No implied covenant or implied liability on the part of the Lessor is created by the use of the words "demises and leases" herein.
- 17) This Lease enures to the benefit of and is binding upon the Lessor, his/her successors, and the Lessee, his/her heirs, executors and administrators.
- 18) That all written notices respecting the land or the terms and covenants of this Lease shall be deemed to have been delivered when mailed to:

Little Salmon Carmacks First Nation
 Box 135
 Carmacks, Yukon Y0B 1C0

and

Village of Carmacks
 Box 113
 Carmacks, Yukon Y0B 1C0

- 19) The lease is issued without prejudice to the Land Claim Negotiation and/or Lands Set Aside processes of the Carmacks Little Salmon First Nation.
- 20) The lessor may during the term of the lease issue Notification to the lessee, subject to the completion of a Management Plan which has met with the approval of all parties.
- 21) This Lease and joint management agreement between the Village of Carmacks and the Little Salmon First Nation does not preclude the Village of Carmacks from completing plans for, and development of a visitor reception center in the restored Telegraph Office, complete within parking, washroom facilities and an associated day use area. This development is restricted to the west end of the campground property.

The Lessee may give notice in writing of a change of the above address by delivering it to:

Land Disposition Section
 Department of Community
 and Transportation Services
 Government of Yukon
 P.O. Box 2703
 Whitehorse, Yukon Y1A 2C6

SIGNED by the Lessee at the Village of Carmacks in the Yukon Territory this 26th day of JULY, 1995, A.D.

[Signature]
 Witness

[Signature]
 Chief, Little Salmon Carmacks First Nation

[Signature]
 Witness

[Signature]
 Mayor, Village of Carmacks

SIGNED on behalf of the Executive Council Member of the Yukon Territory at the City of Whitehorse this 24 day of August, 1995, A.D.

[Signature]
 Witness

[Signature]
 GERRY J. GEREIN

AFFIDAVIT OF EXECUTION

CANADA)
YUKON)
TERRITORY)
TO WIT:)

I KENDELL TRACEY, C.A.O. of the VILLAGE OF CARMAKES in the Yukon Territory make oath and say:

1. That I was personally present and did see the within Instrument duly executed by SARL FIELDS AND ERIC FAIRCLOUGH one of the parties hereto.
2. That I know the said SARL FIELDS AND ERIC FAIRCLOUGH and am satisfied that he/she/they is/are each of the full age of nineteen (19) years.
3. That the said Instrument was duly executed at the VILLAGE OF CARMAKES ~~City of Whitehorse~~ in the Yukon Territory.
4. That I am a subscribing witness to the said Instrument.

SWORN before me at the Village of Carmales in the Yukon)
Territory this 17th day)
of August, A.D., 1995.)

[Signature]

[Signature]
Notary Public in and for the Yukon

AFFIDAVIT OF EXECUTION

CANADA)
YUKON)
TERRITORY)
TO WIT:)

I ROSS BURNETT of the City of Whitehorse in the Yukon Territory make oath and say:

1. That I was personally present and did see the within Instrument duly executed by GERRY J. GEREIN, one of the parties hereto.
2. That I know the said GERRY J. GEREIN and am satisfied that he is of the full age of nineteen (19) years.
3. That the said Instrument was duly executed at the City of Whitehorse in the Yukon Territory.
4. That I am a subscribing witness to the said Instrument.

SWORN before me at the City of)
Whitehorse in the Yukon Territory)
this 24 day of August)
1995, A.D.)

[Signature]

[Signature]
Notary Public in and for the Yukon

YUKON RIVER

KLONDIKE HIGHWAY (YT HIGHWAY No. 2)

2.6ha.±

SECTION 10 G10

PARCEL A LOT 10

PARCEL A LOT 11 G10



Property of the Yukon Territory

SCALE 1:2000

DATE 1998



136 44' 00"

68.31

103.39

103.33

13.23

59.69

97.73

170.5

215 44' 05"



SECTION 10 G10

PARCEL A LOT 10

PARCEL A LOT 11 G10

Property of the Yukon Territory

SCALE 1:2000

DATE 1998

136 44' 00"

68.31

103.39

103.33

13.23

59.69

97.73

170.5

215 44' 05"



**The Village of Carmacks
By-Law #11-95**

A by-law of the Village of Carmacks to authorize the operation and maintenance of the campground located within the Village of Carmacks.

WHEREAS the Municipal Act, Chapter 119 RSY 1986, pursuant to Section 270 provides that Council may by bylaw make rules and regulations governing the management, maintenance, improvement, operation, control and use of any real property mentioned in Section 270, and close to free use by the public the whole or any portion of any real property mentioned in Section 270, at such times and for such periods as may be deemed advisable, and fix and charge fees for admission to or for the use of any of the facilities so closed.

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

SHORT TITLE

1. This bylaw shall be cited as the **CAMPGROUND REGULATIONS BYLAW**.

INTERPRETATION

2. In this bylaw:

"accommodation unit" means any tent, tent-trailer, camper, camper-truck, camping trailer, mobile home, motor home, or other form of movable, temporary accommodation, and includes any automobile when used for camping purposes;

"campground" means an area that is established, developed or maintained by the Village of Carmacks as a place for camping by the public;

"camping site" means an area within a campground that has been developed or maintained by the Village of Carmacks as a place where accommodation units may be parked or placed;

"campground fee" means the daily amount payable by campground users to the Village of Carmacks;

"campground permit" means the form or label issued under this bylaw authorizing the use of facilities in a campground;

"firearm" includes any device that propels a projectile by means of explosion, compressed gas, springs or strings, and without limiting the generality of the foregoing, includes a rifle, shotgun, handgun, spring gun, longbow or crossbow;

"officer" means an officer appointed by the municipality or a member of the Royal Canadian Mounted Police;

"vehicle" means a device in, upon or by which a person or thing may be transported or drawn upon a highway.

3. These regulations apply to the Carmacks public campground.

4. No campground facilities located in the campground shall be used for any purpose other than camping, picnicking or any use necessarily ancillary to the purposes of camping or picnicking.
5.
 - (1) Subject to subsections (4) and (8), every person who uses campground facilities shall obtain a campground permit.
 - (2) Where a person does not obtain a campground permit before commencing to use campground facilities, he shall do so upon request of an officer, campground permit sales agent, or a member of the maintenance staff.
 - (3) The fee for a campground permit shall be \$8.00 per day.
 - (4) A campground permit authorizes the use of campground facilities for the period described in and according to the terms of the permit.
 - (5) A campground permit does not authorize the use of campground facilities for more than one accommodation unit at one time.
 - (6) A campground permit is not required for use of the campground auxiliary facilities such as the boat ramp and the boat trailer parking area as the access to the auxiliary facilities forms an integral part of the road network within the campground.
 - (7) A group of persons wishing to occupy or use campground facilities as a group shall apply in writing to the Village of Carmacks, who may issue a special occasion campground permit to authorize the group occupation or use.
 - (8) An application under subsection (7) shall state the number of persons to be present, the date and time of use, and the person or persons who will assume responsibility for the conduct of the group.
 - (9) Every person to whom a campground permit has been issued shall produce it when requested to do so by an officer, campground permit sales agent or a member of the maintenance staff.
 - (10) Where a person is unable to produce his campground permit when requested to do so, he may then be required to pay the appropriate campground fee and obtain another campground permit.
6.
 - (1) Campground permits supplied by the Chief Administrative Officer may be issued, and campground fees may be collected by
 - (a) a campground permit sales agent authorized by the Chief Administrative Officer,
 - (b) an officer, or
 - (c) a member of the maintenance staff.
 - (2) Every officer, campground permit sales agent and member of the maintenance staff shall account to the Chief Administrative Officer for the campground permits issued and campground fees collected by him.
 - (3) Campground permit sales agents may be paid a commission established by agreement with the Village of Carmacks.

- (4) An officer, campground permit sales agent or member of the maintenance staff who has been supplied by the Chief Administrative Officer with campground permits shall, upon application and payment of the campground fee issue a campground permit to the applicant unless the applicant is, by virtue of Section 12, prohibited from using the campground facilities.
7.
 - (1) An officer may, for reasons respecting public health, public safety, fire, environmental damage, or any other reason he considers to be in the public interest, close the campground by posting an appropriate notice in a conspicuous place in the campground.
 - (2) No person shall use facilities in the campground that has been closed under subsection (1).
 8.
 - (1) No person shall use or occupy any kitchen shelter, service building or other similar public facility in the campground for sleeping accommodation.
 - (2) No person shall erect or affix any tarpaulin, blanket, structure of wood, wood products, metal, plastic or other material to the walls or superstructures of a public building in the campground.
 - (3) No person shall cut, remove, or damage any tree, or remove the bark or rind from any live tree, in the campground.
 - (4) No person shall remove sand, stone, gravel or like material from the campground.
 - (5) No person shall dump, deposit, discard, drop, throw, leave or abandon or cause or permit the dumping, depositing, discarding, dropping, throwing, leaving or abandoning of, any material or human waste on or within waters or lands in or adjoining campgrounds except in containers, receptacles, pits, locations or areas designed, provided or intended for that purpose.
 - (6) No person shall remove or damage any campground facilities.
 - (7) No person shall set, light or maintain a fire in the campground except in a fireplace, stove or other facility provided for that purpose.
 - (8) No person shall leave a fire unattended or allow a fire to spread in the campground.
 - (9) No person shall leave a vehicle or accommodation unit unattended in the campground for more than 72 hours, unless
 - (a) he is authorized in writing by an officer to do so, or
 - (b) the vehicle is left in an area designated for vehicle parking.
 - (10) No person shall discharge a firearm within the campground.
 - (11) No person shall cause a public nuisance in the campground.

- (12) For the purposes of the subsection (11), "public nuisance" includes any act, whether committed within or outside the campground, whereby any person
 - (a) obstructs, interrupts or interferes with any other person in the lawful use or occupation of the campground, or facilities in the campground,
 - (b) obstructs, interrupts, or interferes with the operation of the campground or facilities in the campground,
 - (c) fights, screams, shouts, swears or uses insulting or obscene language,
 - (d) in any way makes loud noises disturbing users of the campground,
 - (e) damages or attempts to damage facilities, equipment or other property in the campground.
 - (13) No person shall operate or park a vehicle or accommodation unit in any area in the campground other than in areas designated for such use.
 - (14) No person shall carry on any business, calling, trade or occupation in the campground except with the written consent of an officer.
 - (15) No person shall remove or damage any signboard, sign or notice posted or placed in the campground by an officer.
 - (16) No person shall consume alcohol in the campground other than in a permitted camping site and such consumption of alcohol shall only be permitted as long as the provisions of section 8 (12) above are not violated.
9. An officer may order any person to extinguish a fire in the campground where in his opinion it is necessary to do so for the preservation, control or management of the campground.
10. (1) All fallen timber in the campground, and all logs or other wood in the campground cut or split so as to be suitable for use as firewood, is the property of the Village of Carmacks and the Little Salmon Carmacks First Nation and is provided by the Village of Carmacks and the Little Salmon Carmacks First Nation exclusively for use within the campground by persons using facilities in the campground; no person has any authority to remove such timber, logs or wood from a campground or to possess or use it outside the campground.
- (2) No person shall take away from the campground any wood or timber.
- (3) No person shall load in excess of 15 pieces of wood or timber on a vehicle for use within a campsite.
11. (1) No person having custody or control of any animal shall permit the animal to roam at large in the campground.
- (2) Every person having custody of any animal in the campground shall exercise such control over that animal as may be necessary to ensure that the animal does not

- (a) annoy or injure any person, animal, or
 - (b) damage any property
 - (c) molest any wildlife.
- (3) An officer may, in the interests of public health, convenience and safety, order a person having custody of an animal to remove the animal from the campground or restrain it.
12. No person shall use facilities in the campground for a total of more than 14 days in any thirty day period.
13. (1) A person entering, seeking to enter or being within the campground shall give to an officer such information regarding his name, address, conduct, proposed activities within the campground, and any other matter pertaining to use of the campground facilities as the officer may request.
- (2) A person who enters the campground shall comply with the instruction, prohibitions and directions prescribed by lawfully posted signs.
- (3) An officer who has reasonable and probable grounds to believe and does believe that any person is violating any provisions of these regulations may order that person to cease the violation and comply with the provisions of this bylaw immediately or within such times as the officer orders.
- (4) Where a violation of this bylaw by a person continues for more than one day, the person shall be deemed to commit a separate offence for each day the violation continues after the person has been served with a ticket under the Summary Convictions Act containing a statement to the effect that a continuation of the violation may constitute a separate offence for each day the violation continues.
14. No person shall interfere with or knowingly furnish false information to an officer who is discharging his duties or exercising his authority under this bylaw.

PENALTIES

15. Any person who violates, or fails to comply with, any or the provisions of this bylaw is guilty of an offence and liable on summary conviction
- (1) for a first offence to a fine not less than \$50.00;
 - (2) for a second offence to a fine not less than \$100.00;
 - (3) for a third offence to a fine not less than \$200.00.

ENACTMENT

16. The provisions of this by-law shall come into full force and effect upon the final passing thereof.

READ a first time this 13TH day of JULY, 1995.

READ a second time this 13TH day of JULY, 1995.

APPROVED by the Executive Council Member this 1ST day of AUGUST, 1995

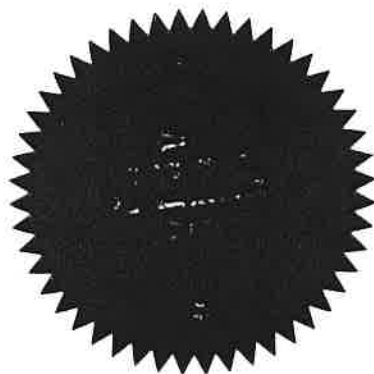
READ a third time and finally passed this 02ND day of August, 1995.



Mayor



Clerk



Village of Carmacks

By-law 92-99

BEING A BY-LAW OF THE VILLAGE OF CARMACKS IN THE YUKON TERRITORY TO ESTABLISH A COMMITTEE TO PROVIDE FOR ORDERLY DEVELOPMENT OF THE BOUNDARY EXPANSION APPROVED BY ORDER-IN-COUNCIL

WHEREAS the Council has committed by memorandum of understanding with the Little Salmon Carmacks First Nation that any development applied for or to be considered, in the area attached as appendix "A" will only proceed after review by a committee; and

WHEREAS Section 286 (2) (b) (ii) of the Municipal Act 1999, being Chapter 19 of the Revised Statutes of the Yukon and amendments thereto, requires that Council act by by-law to implement proposals for future development; and

WHEREAS Section 230 of the Municipal Act 1999, being Chapter 119 of the Revised Statutes of the Yukon and amendments thereto, requires that Council act by by-law to enter into an agreement with a First Nation to deliver a municipal style service.

NOW THEREFORE the Council of the Village of Carmacks in an open meeting duly assembled enacts as follows:

Section 1 Short Title

- 1.1 This by-law may be known as the "Airport Area Development Committee By-law"

Section 2 Definitions

- 2.1 a) "Council Member" means any member of council who has been elected or appointed to serve as a councillor, chief or mayor and sworn to office for the Little Salmon Carmacks First Nation of Village of Carmacks.
- b) "Councillor" means a member of council who has been elected or appointed to serve on council and has been sworn to office.
- c) "Mayor" means the chief elected official sworn to office following the most recent municipal election, or appointed by council.
- d) "Chief" means the chief elected official of the Little Salmon Carmacks First Nation sworn to office following the most recent municipal election, or appointed by council.
- e) "Committee member" means any person appointed to the committee by resolution of council for the Little Salmon Carmacks First Nation of Village of Carmacks.
- f) "Development" means any undertaking or intention to improve, use, modify, build or physically alter a lot, parcel or application to develop a lot or parcel including the harvest of timber.

Section 3 Committee Structure

- 3.1 The Airport Area Development Committee shall be established and made up of five members (5), two (2) persons named by resolution of each council with an alternate, and the Mayor.
- 3.2 The Mayor is the committee chair, and shall vote on all issues. Three members shall make up a quorum, one of whom shall represent either council. If the Mayor is not present those present shall agree to a chair after the secretary call the meeting to order. Only committee members shall vote on issues.
- 3.3 The CAO for the Village of Carmacks or a designate, shall be the Secretary.

Section 4 General Provisions

- 4.1 The area of authority for the committee shall be as attached and forming part of this by-law as appendix "A".

Village of Carmacks
By-law 92-99

- 4.2 Any development which is reviewed and approved by the committee is subject to requirements for a public hearing and ministerial approval if an amendment to the Official Community Plan is required, by by-law.
- 4.3 The committee may approve, will identify and agree on how development will occur in the annexed area within the municipality.
- 4.4 The Development Officer shall not have authority within the expansion area to approve developments, until a development application has been considered by the committee.
- 4.5 The committee decisions may APPROVE, APPROVE WITH CONDITIONS or REFUSE a development application.
- 4.6 The committee shall meet within thirty (30) days of an application being made to develop an undertaking. A decision shall be made at the meeting scheduled to discuss the undertaking.

Section 5 Covenants agreed to.

- 5.1 There shall be unrestricted access to site specific land claims interests or holdings within or abutting the Village of Carmacks boundary expansion area.
- 5.2 Registered Trapline interests are recognized and protected.
- 5.3 Heritage sites and archeological sites identified by the Little Salmon Carmacks First Nation shall be protected. No development will proceed until the Committee has approved a development.

Section 6 Appeals

- 6.1 Appeals to a committee decision may be made to the municipal council of the Village of Carmacks by the applicant.
- 6.2 Council may elect to have a public hearing on a development application prior to an appeal being heard.
- 6.3 Any appeals shall be considered at the time and place determined by council.


Section 7 Enactment

- 7.1 By-law 07-93 is hereby amended.
- 7.2 This by-law shall come into force and effect upon the final passing thereof.

Read a first time this 1st day of March, 1999

Read a second time this 15th day of March, 1999

Read a third time and finally passed this 15th day of March, 1999



Mayor Lacasse



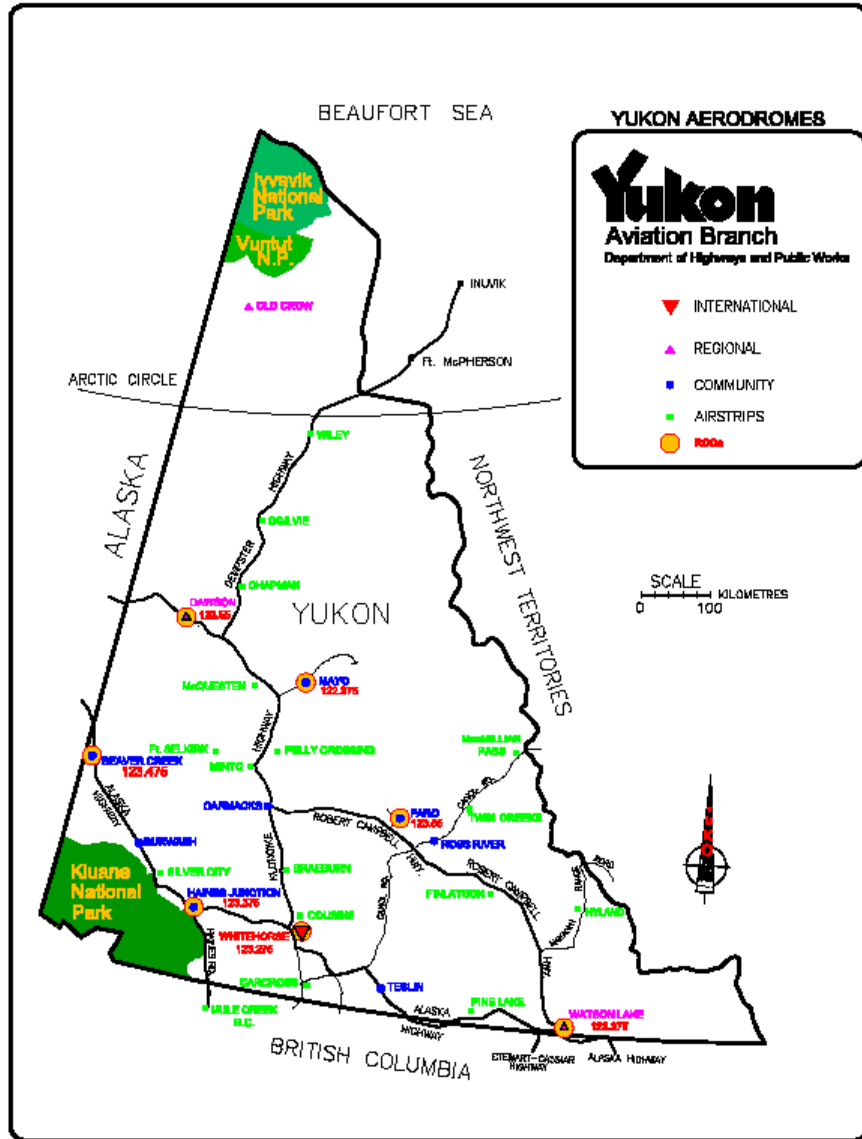
CAG

Yukon Public Aerodromes, Planning and Zoning Schemes

A discussion about how the municipal
planning and zoning schemes work with the
Public Airports Act, Transportation Aviation
Branch, and the 28 aerodromes managed by
the Yukon Government



Presented by : Renee Mayes, Transportation
Aviation Branch (TAB) to Municipalities
March, 2024



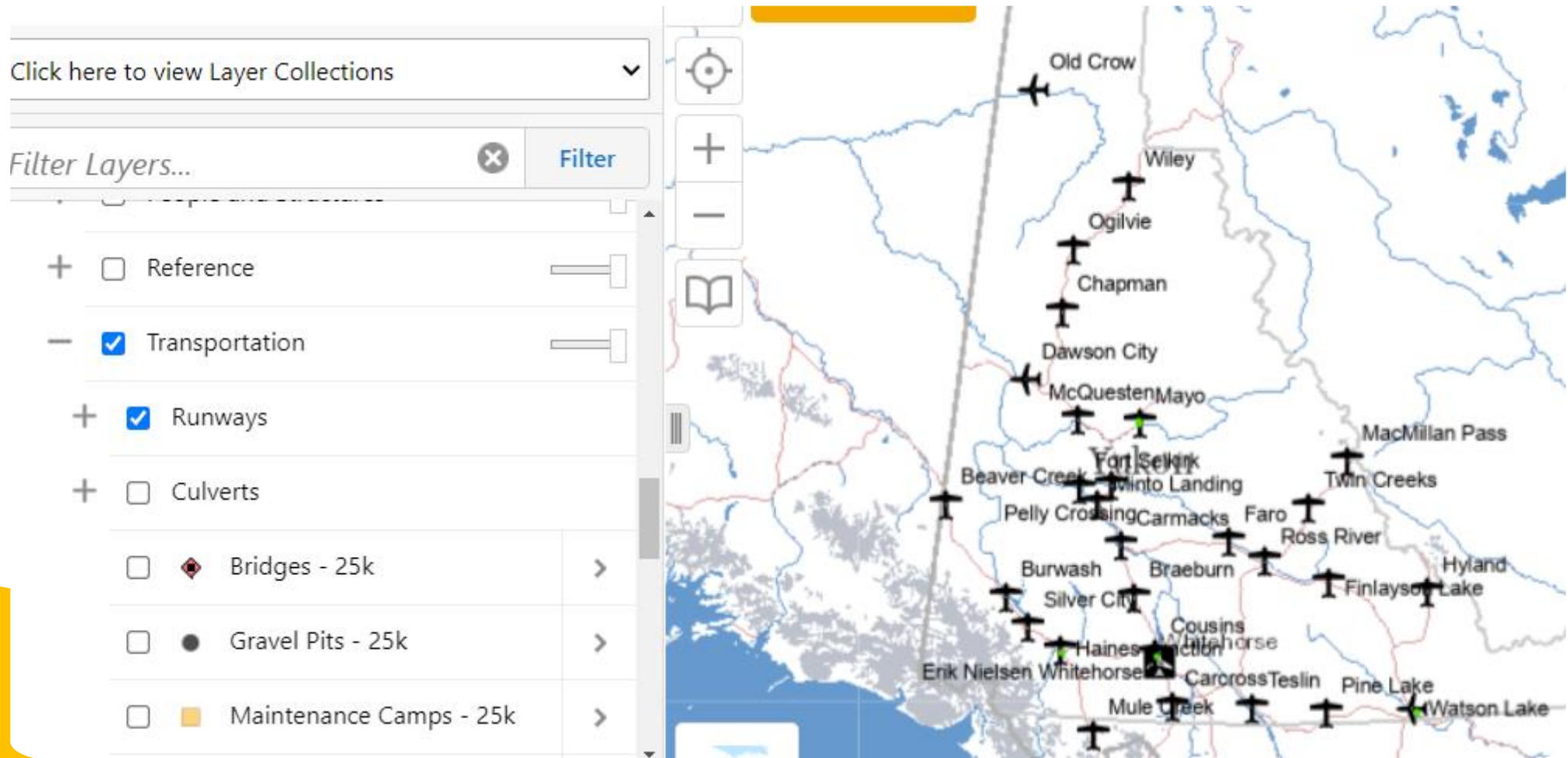
Location of Yukon Public Aerodromes owned and managed by YG

note: all 28 sites are registered aerodromes with Transport Canada, and 5 sites are certified airports.

The *Aeronautics Act* (Canada) applies to operations and activities on and in the vicinity of Yukon aerodromes.

Yukon Airports

- <https://mapservices.gov.yk.ca/GeoYukon/>



Yukon Airport Boundaries

- <https://mapservices.gov.yk.ca/GeoYukon/>

The screenshot displays the GeoYukon web application interface. On the left, a 'Layers' panel is visible with a search bar and a list of layers. The 'Land Tenure' layer is expanded, showing several sub-layers, including 'Aerodrome Administrative Areas - 25k'. A search bar at the top of the map area contains the text 'I want to...'. Below the search bar, a dropdown menu shows 'Aerodrome Administrative Ai' selected, with '3 of 4' items displayed. A search result for 'Aerodrome Administrative Areas - 25k' is shown, including the name 'Carmacks Aerodrome' and links for 'View Additional Details' and 'Add to Results'. The map itself shows the Carmacks area with various colored overlays representing different land tenure types. The 'Aerodrome Administrative Areas' are highlighted in light blue. Other features include 'Rabe's Slough' and 'Carmacks' labeled on the map.

Public Airports Act (PAA)

PART 5, Development and Subdivision

15 Enactments do not apply

(1) Except to the extent provided in the regulations, the following enactments do not apply in respect of a public airport:

- (a) Part 7 of the *Municipal Act*;
- (b) The *Area Development Act* and any regulations made under that Act.

(2) Except to the extent provided in the regulations, a bylaw adopted by a municipality respecting the following matters does not apply in respect of a public airport:

- (a) subdivision of land;
- (b) zoning.



Public Airports Regulation (PAR)



- Under the PAR, management of aerodrome lands is designated to the Director of the Transportation Aviation Branch (TAB)(PAR Part 4, Part 5)
- No other agency can approve plans, enact zoning, or approve subdivisions for a Yukon aerodrome (PAR s.15 (1) and (2))
- Planning and development at Yukon aerodromes can only be approved by the Aviation Branch. (PAA. Part 4, Regulation of Activities at Public Airports)

External Regulatory Requirements

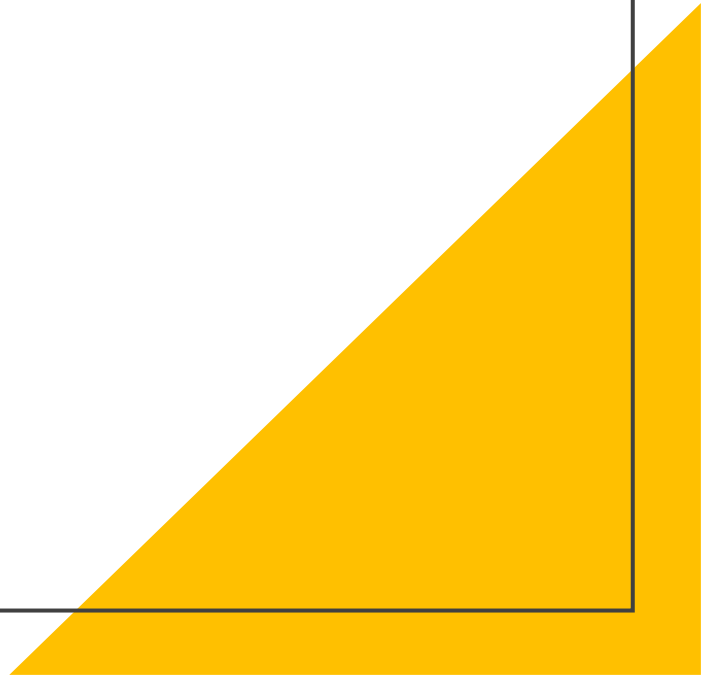


- TAB must ensure that the proponent of any development on Yukon airports complies with requirements under:
 - the *Aeronautics Act* (Canada), including requirements in the *Canadian Aviation Regulations* (Canada) standards published regulations;
 - any applicable standards published pursuant to those regulations.
- Some activities may be incompatible with aerodrome operations, which may require additional interagency discussion.
- TAB must review each proposed development to ensure it conforms to the lease, licence and other regulatory requirements.

Municipality Engagement - 2021

In addition to the public engagement process, the following municipalities were contacted directly during development of the Regulation:

- Carmacks
- Dawson City
- Mayo
- Faro
- Haines Junction
- Teslin
- Watson Lake
- Whitehorse
- Hamlet of Iqex Valley



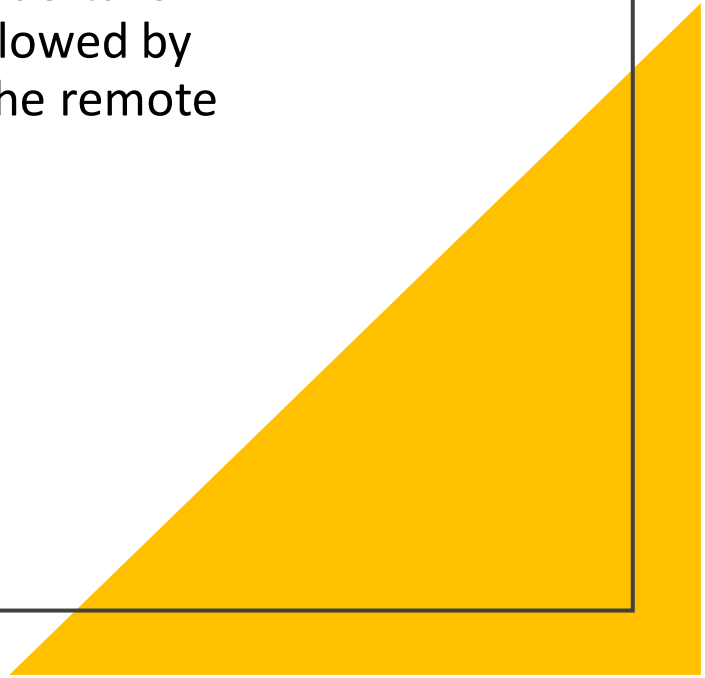
External Regulatory Requirements

- Development review processes for project on or near airports, applies to all surrounding lands – public, private or First Nation.
- Developments near an airport must not pose a risk to aircraft operations, including but not limited to:
 - Reflective surfaces or upward facing lights,
 - Height protrusions into the Obstacle Limitation Surface, or areas where aircraft could be expected to ascend or descend near an airport,
 - Installations that could interfere with radio communications, radar or other instruments used by aviation,
 - Activities that produce smoke or dust that could hinder air visibility,
 - Wildlife or bird attractants, such as a land fill in the runway approach.



Planning at Yukon Aerodromes

1. Designation by Regulation to enact the exceptions – 2021
2. Airport Plan – currently being undertaken for the 5 certified sites, to be followed by the community sites, and then the remote sites.



Content of airport plan



- level of air service that can be accommodated,
- operational support services and commercial opportunities to be provided;
- use and future development of land, buildings and infrastructure.

Note: per the Public Airports Regulation, the FN and Municipality must be notified and given the opportunity to comment on the proposed plan.

Process Going Forward (1)



- Once an airport plan is nearing completion, the municipality will be engaged to provide comments.
- The applicable First Nation(s) will be engaged to provide comments.
- Transport Canada and NAV Canada will be engaged to determine if the plan conforms to their requirements.
- After the airport plan is approved, subdivision of the lands will occur and leases for aviation uses can occur.

Process Going Forward (2)



- YG and Municipal governments:
 - Development in proximity to aerodromes should also be referred to TAB for input because there are off-site operational considerations affecting the airspace, and federal aerodrome zoning regulations* may apply.
- TAB is working with legal assistance to develop the necessary policy and process tools to adequately review projects on airport lands.

**Village of Carmacks
BY-LAW #134-04**

A by-law to establish a reserve fund to establish a scholarship program for graduates of Tantalus School pursuing higher education at a post-secondary institution.

Whereas pursuant to section 244(1) of the Municipal Act, Chapter 154, RSY 2002, the council of the Village of Carmacks may establish by bylaw one or more reserve funds in the name of the municipality, and

Whereas pursuant to section 245 the council may by bylaw provide grants, as council considers expedient, to any person, and

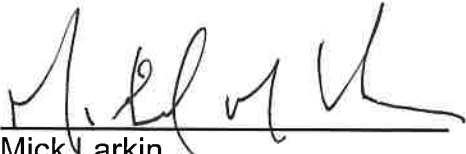
Whereas council wishes to recognize and support the value of higher education for students graduating from Tantalus School,

Now Therefore, the Council of the Village of Carmacks, in open meeting assembled, hereby **ENACTS AS FOLLOWS**:

1. This bylaw may be cited as “the Village of Carmacks Tantalus School Scholarship Reserve Fund Establishment Bylaw” and in short form “the Tantalus Scholarship Reserve Bylaw”.
2. The purpose for which the reserve fund is established is to provide scholarships for students graduating from Tantalus School who have enrolled in a course of education leading to a degree or diploma in a post-secondary educational facility approved by the Yukon Department of Education.
3. The reserve fund is cash funded and will be augmented in the amount of \$1500 annually from the Village of Carmacks Annual Operating Budget until such time as the fund becomes self-sustaining.
4. Interest shall be paid from general revenue to the reserve fund on the minimum reserve fund balance, annually at the average interest rate received on investments of the municipality.
5. Up to three scholarships shall be awarded annually to eligible students based primarily on academic performance and secondarily on civic participation and good citizenship, in amounts of \$750, \$500 and \$250. Payment will be made upon proof of enrollment as noted in section 2. Amounts not disbursed shall remain in the reserve fund.

6. This bylaw shall remain in effect until amended or repealed. Any balance remaining in the fund upon repeal of the bylaw will be donated to Tantalus School within 30 days of the repeal of the bylaw.

Read a first time this 18th Day of August, 2004.



Mick Larkin
Mayor

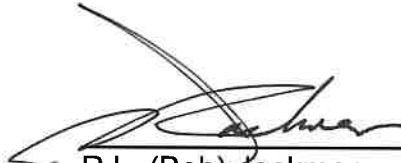


R.L. (Bob) Jackman
Chief Administrative Officer

Read a second time this 22nd Day of September, 2004.



Mick Larkin
Mayor

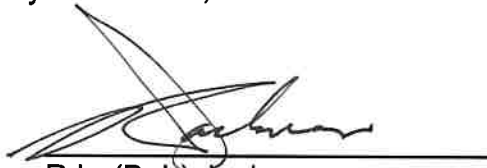


R.L. (Bob) Jackman
Chief Administrative Officer

Read a third and final time this 13th Day of October, 2004.



Mick Larkin
Mayor



R.L. (Bob) Jackman
Chief Administrative Officer

Application – Village of Carmacks Scholarship

Form to be completed and submitted to: The Principal, Tantalus School

Name of Student: _____

Address: _____

I wish to apply for a Village of Carmacks scholarship. The degree or diploma program I will be taking is _____ and I will be attending _____.

Name of educational facility

Signature of student

NOTE:

Scholarships will be awarded to graduating students, based on the recommendation of the principal, Tantalus School or his designates, judged on academic performance, civic participation and good citizenship.

Payments will be made directly to the student by the Village of Carmacks. Recipients are advised to provide the Village Office with proof of enrolment in a post-secondary educational facility at their earliest opportunity so that payment may be made.



**VILLAGE OF CARMACKS
BYLAW #233-16**

A Bylaw to authorize the allocation of Development Incentive grants for the year 2016

WHEREAS Section 245 of the Municipal Act (R.S.Y.2002) provides that council may by bylaw provide grants to any person, institution, association, group, government or body of any kind;

WHEREAS in 2015 council adopted the Development Incentive Policy to encourage strategic development identified by council, and to encourage the development of market rental housing in Carmacks and approves these Development Incentive Agreements by council resolution the year and subsequently authorizes these grants by way of a bylaw each year;

NOW THEREFORE pursuant to the provisions of the Municipal Act of the Yukon Territory, the Council of the Village of Carmacks, in an open meeting duly assembled, hereby ENACTS AS FOLLOWS:

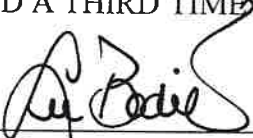
SHORT TITLE

1. Development Incentive Grants are hereby authorized as outlined in the Development Incentive Policy as outlined in Appendix "A" attached hereto and forming part of this bylaw.
2. Council may withhold payment of any grant authorized under section 1 of the bylaw if the recipient fails to adhere to any terms and conditions in the Development Incentive Agreement.
3. This Bylaw shall come into full force and effect upon passing thereof.

READ A FIRST TIME THIS 7TH DAY of June, 2016.

READ A SECOND TIME THIS 7TH DAY of June, 2016.

READ A THIRD TIME AND FINALLY PASSED THIS 21ST DAY of JUNE, 2016.



MAYOR
Lee Bodie



CHIEF ADMINISTRATIVE OFFICER
Cory Bellmore

Schedule "A" to Bylaw #233-16
Application for a Development Incentive Grant

Current Tax Year _____
Applicant(s) name _____
Address _____

Lot # _____ Block# _____ Property Zoning _____
Property use _____
Base Rate (Land Value) for _____ taxes payable _____

Economic Development Incentive (EDI) - Refers to a yearly monetary grant intended as a development incentive. The grant will be in the amount that the developer would have paid in annual municipal taxes as a result of improvements to the property. The base amount is determined at the time of the issuance of a building permit. Improvements can mean new construction or renovations (minimum construction value of \$750,000)

Graduated Economic Development Incentive (GEDI) – Means an economic benefit related to the taxes owing due to improvements on the property that decreases proportionately per year until full taxation is met. A 5 year GEDI reduces by %20 every year. A 10 year GEDI reduces by %10 every year. The base amount is taken from property assessments in the year the development permit is issued.

For a GEDI or EDI, the municipality will provide a grant in the amount of the GEDI or EDI each year until the end of the Incentive term or until the maximum \$ amount has been reached for the eligible criteria. Grants will be refunded to property owners after they have paid their taxes in full. If a property owner is in arrears of their property taxes, they will no longer be eligible for the incentive.

(Signature of applicant)

(Signature of joint-applicant)

Office Use Only

Approved Yes ___ No ___
Date _____

Grant Amount _____
Year of Development _____

Reason (s) for disapproval of application

Village of Carmacks
Development Incentive Policy

Policy: Development Incentives

Purpose: To establish incentives to encourage strategic development identified by Council

Authority: Council Resolution **169-15** dated **October 6th, 2015**

Development Incentive Policy

Background

The Village of Carmacks sees a need for market and rental housing in the community. Due to the geography of the community, the Village of Carmacks has been focusing on undeveloped and underdeveloped lots and increasing density in the core of the community. Increased density in the core of the community on the sewer collection system would help meet Official Community Plan policies regarding Housing along with measures already enacted to relax rules and regulations regarding secondary suites in the Zoning Bylaw.

The Village of Carmacks does not participate directly in the housing market but has the role of encouraging development through options including: land development, fees and charges and taxation.

Currently the fees and charges are very low in comparison to other similar municipalities in Yukon. A model to provide incentives for strategic development would be to use unrealized tax potential from undeveloped and underdeveloped properties.

Economic development incentives by way of taxation will be for the improvement component of those taxes due to the increase in residential dwellings available to the market. It is not extended to the current land value or current improvement value of the property.

Policy Statement

The Village of Carmacks will provide incentives in the form of economic development incentives for projects that provide rental units, supportive housing, mixed use buildings. This policy provides economic development incentives on the improvement component of taxes collected on undeveloped and underdeveloped properties. The development incentive will be based on the taxation rate of the property at the time of issuance of a Development Permit and will be applied from that point forward.

Definitions:

Base Rate: The base amount is determined as the value of the tax levy for improvements on the property paid on July 2nd in the year that the Building Permit for the eligible development is issued. In the case where existing building or structures were demolished prior to issuance of a Building Permit for an eligible development, the base rate will be the land value only.

Development Incentives: Contributions made by the Village of Carmacks for those developments meeting the eligibility criteria provided in this policy.

Economic Development Incentives (EDI): Refers to a yearly monetary grant intended as a development incentive. The grant will be in the amount that the developer would have paid in annual municipal taxes as a result of improvements to the property. The base amount is determined at the time of the issuance of a building permit. Improvements can mean new construction or renovations (minimum construction value of \$750,000).

Graduated Economic Development Incentive (GEDI): Means an economic benefit related to the taxes owing due to improvements on the property that decreases proportionately per year until full taxation is met. A 5 year GEDI reduces by 20% every year. A 10 year GEDI reduces by 10% every year. The base amount is taken from property assessments in the year the development permit is issued.

Secondary Suite: A dwelling that is a secondary use to the principal use of the zone.

Supportive Housing: Means the use of a building for residential dwelling units that is typically owned and operated by a non-profit agency and designed to accommodate tenants who require assistance. Typical uses would include assisted housing for seniors, assisted housing for people with disabilities.

Rental Housing: Refers to any formation of multiple housing development that is retained by a single owner, with units that are available to rent on a monthly or semi-monthly basis.

Mixed Use: Means a building designed as a single unit, containing a mixture of commercial and residential floor.

Eligibility Criteria

1. To acquire a **Minor Development Incentive** the following eligibility criteria must be met:
 - a. Develop a Secondary Suite as permitted by the Village of Carmacks Zoning Bylaw
2. To acquire a **Standard Development Incentive** the following eligibility criteria must be met:
 - a. Develop a multiple dwelling unit (2-4 units), or
 - b. Develop a mixed-use development with a minimum of four residential units.
3. To acquire a **Major Development Incentive** the following eligibility criteria must be met:
 - a. Develop a multiple dwelling unit with a minimum of 5 units; or
 - b. Provide a minimum of four Supportive Housing units

**** any development that receives a development incentive from this policy is eligible only for a portion the Community Investment Grant (Bylaw 04-96) on the % of taxes paid on the increased assessment due to the improvement.**

Procedure:

Application: To receive a Development Incentive as laid out in this policy, a Developer must make an application in writing, detailing the Incentive they would like to receive and why they believe they are eligible.

Screening: Applications must include a preliminary development plan. Applications will not proceed to Council for consideration unless they are in compliance with the Official Community Plan and Zoning Bylaw.

Approval: The terms of the Standard and Major Incentives will be approved through a Development Incentive Agreement. Minor Development Incentives will be approved by the Development Officer, Standard and Major Incentives will be approved by Council.

Administration: For a GEDI or EDI, the municipality will provide a grant in the amount of the GEDI or EDI each year until the end of the Incentive term or until the maximum \$ amount has been reached for the eligible criteria. Grants will be refunded to property owners after they have paid their taxes in full. If a property owner is in arrears of their property taxes, they will no longer be eligible for the incentive.

Expiration of Development Incentive

The Development Incentive Agreement may be revoked and cancelled if construction has not commenced within two year of issuance of a Building Permit for Standard and Major Development Incentives.

The Development Incentive Agreement may be revoked and cancelled if there are outstanding open Building Permits remaining one year after occupancy is given for the development.

Development Incentives

Based on the eligibility criteria listed in this policy, an applicant for new development may apply for a development incentive as follows:

Economic Development Incentive

- Taxes applied to the values of improvements may be reduced in a diminishing pattern annually (graduated or sliding scale) for a specified time frame.
- Taxes applied to the value of the land and subsequent annual changes are not available for reduction or waiver
- The annual value of each Development Incentive will be calculated by subtracting the Base Rate from the annual tax levy paid on July 2nd for the duration of the Development Incentive Agreement.
- The tax value of improvements at the time of issuance of a development permit will serve as the base rate
- Incentives will be considered by council and, if granted, be incorporated in a Development Incentive Agreement
- The Economic Development Incentive will be implemented through a grant to the property owner after they have paid their taxes in full.
- Government agencies, at all levels of government, will not be eligible for the Development Incentives program.

Levels of Development Incentives

Based on the number of eligible criteria a proposal meets, there are 3 levels of Development that can be acquired.

1. Minor Development Incentive
 - 5 year GEDI to a maximum of \$5,000
2. Standard Development Incentive
 - 10 year GEDI to a maximum of \$75,000
3. Major Development Incentive
 - 10 Year EDI a maximum of \$350,000