

Property Information/Details

Location Description	Lot 7 Block 908 Plan 4727
City of Yellowknife Community Plan No. 5007, as amended	Section 4.10 Engle Industrial Business District
City of Yellowknife Zoning By-law No. 5045, as amended	Chapter 3 Roles and Responsibilities Chapter 4 Development Permit Process Section 5.1 Development Appeal Process Section 7.1 Site Planning Considerations Section 7.3 Grade Section 7.4 Vehicular Access and On-Site Traffic Section 7.5 General Landscaping Regulations Section 7.8 Parking Section 7.13 Specific Use Regulations Applicable to All Zones Section 12.4 IG – Industrial General
Civic Address:	109 Merlin Road
Access:	Merlin Road
Municipal Services:	Trucked water and sewage services

**Recommendation:**

The Development Officer recommends approval of Development Permit application PLDEV-2025-0134 to permit a new Outdoor Storage Facility and two Accessory Buildings, with the following conditions:

1. No storage of any goods, vehicles or storage containers is permitted on any portion of land with the property lines that is subject to an easement or is a part of the required setbacks.
2. No accessory buildings can be constructed or placed on any portion of the site covered easement.
3. The applicant must submit a copy of the Real Property Report, which shows the entire site including the location of any accessory buildings and the extent to which the fill used to grade the site extends off the property and into the adjacent parcel for the site by April 30, 2027 to the Development Officer for review against approved stamped plans.
4. The applicant is required to enter into a Development Agreement with the City with respect to landscaping, buffering to the natural area, street signage and other requirements. The agreement must be signed and security deposit must be paid in full within 60 Days of the effective date of the Development Permit.
5. The development shall comply with the approved stamped drawings for PLDEV-2025-0134 and all By-laws and policies in effect for the City of Yellowknife, specifically Fire Code regulations for outdoor storage.

**Proposal:**

The applicant is requesting approval of a new Outdoor Storage Facility and two Accessory Buildings in the IG – Industrial General Zone and the Engle Industrial Business District.

**Background:**

GENERAL STATEMENT

On October 29, 2025, an application for a Development Permit was received from Colin Cleaveland and Territorial Source and Supply LTD., the applicant, for an accessory building to supply power to the site. The application was deemed incomplete and the required information requested from the applicant. The applicant provided a site plan which showed a proposal for an Outdoor Storage Facility on the site. The application was then updated to propose an Outdoor Storage Facility as no use was previously approved for the site, with the proposed accessory buildings included in the application. Notice of Application was issued on January 15, 2026 and upon posting the Notice at the site, the Development Officer observed the site operating as an Outdoor Storage Facility without an effective Development Permit in contravention of City's Zoning Bylaw No. 5045, Section 4.1.4., as amended. A Notice of Contravention was issued and sent to the applicant on January 16, 2026 and application fees were doubled and review of the application proceeded.

SUPPORTING STUDIES AND REPORTS

- Engle Business District Phase 2 Area Development Plan By-law No. 4931, as amended, Prepared by City of Yellowknife, April 24, 2017, DM# 513316
- Engle Business District Phase 2 Development Grading Plan, Prepared by Stantec for the City of Yellowknife, December 10, 2017

**Assessment of the Application:**

JUSTIFICATION

A development permit is required under section 4 of the Zoning By-law No. 5045, authorized under Section 15 of the *Community Planning and Development Act*.

LEGISLATION

*Community Planning and Development Act, S.N.W.T. 2011, c.22*

As per section 3(1) of the Act, the purpose of a community plan is to provide a policy framework to guide the physical development of a municipality, having regard to sustainability, the environment, and the economic, social and cultural development of the community.

Section 12 states that the purposes of a Zoning By-law is to regulate and control the use and development of land and buildings in a municipality in a manner that conforms to a community plan, and if applicable, to prohibit the use or development of land or buildings in particular areas of a municipality.

Date: February 5, 2026  
DM# 815951

Section 16 states that the Zoning By-law must identify Council or a Development Officer, or both as the authority responsible for making decision on applications for Development Permits.

Community Plan By-law No. 5007, as amended

This 2020 Community Plan (“the Plan”) is a comprehensive outline of the goals and objectives for the City with directive policies to accomplish the objectives. All applicable policies of the Community Plan are to be considered and applied at the time of development.

Zoning By-law No. 5045, as amended

The general purpose of a Zoning By-law is to guide the physical development of a municipality by offering regulations to the use and development of land and buildings within the municipal boundary of the City.

The Development Officer processes the application per section 3.1.1 (Development officer's roles and responsibilities) and applicable sections of Chapter 4 (Development Permit Process) of the By-law.

#### PLANNING ANALYSIS

City of Yellowknife Community Plan By-law No. 5007, as amended.

The Plan identifies the Engle Industrial Business District land use designation as intended to accommodate a variety of general industrial and business industrial uses while encouraging the relocation or new development of heavy industrial uses to the area.

<b>4.10 Engle Industrial Business District Objectives and Policies</b>	
<b>Planning and Development Objectives:</b>	<b>Policies:</b>
1. To direct all future heavy industrial uses to the Engle Industrial Business District.	1-c. The City will protect existing and identified industrial areas from inappropriate development, which adversely affects or hampers the growth of industrial industry.
5. To allow for an area where interior landscaping design is less restrictive, but buffering and visual barriers are key.	5-a. Each property shall be landscaped in accordance with the zoning bylaw.
6. To ensure the efficient provision of emergency services such as fire, ambulance, police and hazardous spill response to the Engle Business District.	6-c. All new developments will have a visible street address for location identification by emergency response teams.
7. To ensure safe and orderly development of the Engle Industrial Business District.	7-b. Natural areas are encouraged to be developed and maintained to a high standard to function as a buffer to environmentally sensitive areas.

As the proposed development will be the first use approved on this site, the applicant must ensure that the property is correctly identifiable for the purposes of emergency services rendering aid as currently there is no visible street address marker. Additionally, the site has approved grading under Development Permit PL-2021-0198 but some of the materials used extending beyond the legal boundaries of the site, into the directly abutting Natural Protection Zone. To ensure the policy objectives of the Plan are followed, the applicant will be required to add a visible address marker facing Merlin Road and provide a RPR upon completion of the Development, showing that there is no negative impacts of Development to the abutting natural area.

City of Yellowknife Engle Business District Phase 2 Area Development Plan By-law No. 4931, as amended

The Engle Business District Phase 2 Area Development Plan establishes a development framework for the Engle Industrial Business District. The proposed use of Outdoor Storage Facility aligns with the intended development outlined by the Area Development Plan.

### **Zoning**

City of Yellowknife Zoning By-law No. 5045, as amended

The proposed Outdoor Storage Facility development has been determined to meet all applicable requirements of the By-law.

Land Use (Section 12.4):

Outdoor Storage Facility and Accessory Buildings are permitted uses in the IG Zone. The proposed use meets the purpose of the IG Zone by maintaining the industrial nature of the zone. The site is adjacent to a vacant lot and municipal parcel that is designated as the NP – Natural Protection Zone. As the land is designated for industrial development of greater intensity, the use is considered compatible with the adjacent land uses. While there is potential for damage or infringement on the natural area, mitigation measures such as vegetative buffers or Fence along the side and rear property lines will be required to reduce the potential for negative impact to the environment.

The proposed development meets all required minimum setbacks for the IG Zone, but development must also consider the easements that apply to portions of the site. The easement is for electrical activities and the Developer must consult with the owner of the easement when undertaking development of the site and comply with the easement agreement and ensure that no accessory buildings are located on and no storage occurs within a required minimum setback or on land subject to an easement.

The applicant has also proposed an accessory building for Office Use on the site, in support of the Outdoor Storage Facility. In accordance with Section 12.4.3.b.i the Office shall not exceed 20% of the gross floor area of the Principal Structure. As there is no principal structure required for the Outdoor Storage Facility Use, the area of the site that will be designated for the Principal Use was used for the calculation of the permitted Office size. With a total area of 11,746.85m<sup>2</sup>, the proposed accessory building of 25.18m<sup>2</sup> is well below 20% of the gross area of the Principal Use.

Below are additional zoning analysis of the property.

Site Planning Considerations (Section 7.1):

The proposed development complies with Section 7.1 specifically in regards to remaining accessible by emergency services (Section 7.1.6) and be designed in such a way as to prevent the discharge or drainage of any contaminant or hazard into a Water-Body (Section 7.1.10).

Grading (Section 7.3):

Section 7.3 requires the proposed finished grade to align with the Subdivision's General grading plan. For the subject site, the final grade must align with the Engle Business District Phase 2 Development Grading Plan. A grading permit was previously approved for the site in 2021 (PL-2021-0198) and no further grading of the site is being proposed as a part of this application.

Vehicular Access and On-Site Traffic (Section 7.4):

The proposed development has been determined to comply with Section 7.4 regulations including surface drainage as surface drainage must follow with the approved grading plan in effect for the Engle Industrial Business District Phase 2.

Landscaping (Section 7.5):

The proposed development is determined to comply with the required landscaping regulations for the IG Zone in Table 7-2 through retaining the natural features that already existing within the Front Yard Setback of the site. In addition to this requirement, a landscaping screen of at 2 meters wide must be implemented along the front of the site that is adjacent to the public roadway (Section 7.5.2.a). The existing natural features will satisfy this regulations, but the screen must be continued along the site with the exception of the driveway that is used to access with site by vehicle traffic from Merlin Road.

In addition to the required landscaping for the IG Zone, the applicant will need to create a buffer between their site and the abutting natural area. As a result of fill used to grade the site spilling across the property line in to the natural area, the developer is responsible for removal of the spilled gravel. Upon completion of the development, a clear distinction needs to be created between the proposed Outdoor Storage Facility and the natural area to prevent further encroachment, damage or negative impact to the natural area as shown on the approve stamped plan. The buffer can take the form of a Fence, landscaping or other means to create a clear delineation between the two properties, while following all applicable regulations and agreements for the site.

Parking (Section 7.8):

The proposed development does not meet the minimum requirement for Gross Floor Area for the industrial use to require a minimum amount of off-street parking spaces as per Table 7-3 of the Zoning By-law. Additionally, Outdoor Storage Facility is not listed as a specific use with a minimum parking

requirement in Table 7-3. As result there is no minimum parking required and the applicant can determine the number of parking spaces they provided.

Section 7.8.12 requires a minimum of one off-street loading, which is not proposed by the applicant as a part of this application. However, given the nature of the Outdoor Storage Facility Use, areas of the site where items are not stored can be considered a Loading Space for the storage and movement of goods to and from the site, so long as the applicant considers safety and required space necessary for the loading of any goods on the site.

#### Specific Use Regulations Applicable to All Zones (Section 7.13):

Section 7.13.1 details applicable regulations for Accessory Buildings and Uses. The two accessory buildings proposed as a part of the development of an Outdoor Storage Facility are intended for Office use and an electrical connection for the site, as noted in the stamped plans. In accordance with Section 7.13.1.f), no accessory buildings, in part or entirety can be located on or over an easement. The applicant confirmed that the proposed accessory buildings will not be located on any land that is subject to an easement agreement. This will be verified through the requested submission of a Real Property Report upon completion of the Development for verification against stamped plans and Zoning By-law regulations.

#### Development Permit Conditions and Development Agreements (Section 4.7)

For the purposes of ensuring compliance with the requirements for Landscaping Buffers, restoration of the adjacent natural area and other applicable regulations, the Development Officer will require the applicant to enter into a Development Agreement with the City to require the applicant to construct or pay for the construction of public amenities including but not limited to Landscaping Buffer, restoration of any disturbance to the natural area and proper address signage. The applicant will be required to provide an acceptable form of security to guarantee the performance of conditions of a Development Agreement.

#### Servicing

The proposed development will be serviced by trucked municipal water and sewage services.

#### City Departments / External Agency Consultation

As directed in section 4.5.1 of Zoning By-law No. 5045, a request for comments was circulated to Department of Public Works & Engineering on January 15, 2026. Comments were reviewed and considered, and are summarized in the table below:

No.	City Department	Comments	Consideration
1.	Public Works & Engineering	PW&E has no concerns with the development at 109 Merlin. Site grading and drainage will not change, No Water/Sewer service required, No change in site access to Merlin Road.	None required.

2.	Lands and Building Services	At this time Building Services has no concerns.	None required.
3.	Fire Services	<p>Fire has no concerns with this application.</p> <p>Comments to the Applicant:            1) Outside storage of combustibles are regulated under the Fire Code            2) Outside storage of tires are regulated under the Fire Code            3) Outside storage of hazardous materials are regulated under the Fire Code            4) Outside storage of compressed gas cylinders are regulated under the Fire Code</p>	None required.

**Public Comments**

Public Comments were collected through the circulate of a Notice of Application letter for the Development Permit to neighboring residents within 30m of the subject site on January 15, 2026, per sections 4.5 of Zoning By-law No. 5045, as amended, Section 6.7 of Community Plan By-law No. 5007, as amended, and section 14 (2) of the *Community Planning and Development Act*. A Notice of Application Sign was placed on site on January 15, 2026, facing Merlin Road, with a QR code to the City of Yellowknife’s Active Applications Webpage where additional information and documents could be viewed.

No comments for consideration were received from the public.

Outlined in Section 5 of the Zoning By-law and sections 61 – 62 of the *Community Planning and Development Act*, the approval of an application for Development Permit is subject to a 14-day appeal period, commencing on the date of approval. Once the Development Permit decision has been issued, a Notice of Decision Sign will be posted at the site, and Notice of Decision Letter circulate to landowners and lessees within 30m of the subject site in accordance with Section 4.11.6 of the Zoning By-law. The City’s Active Application webpage will be updated with the Notice of Decision, Stamped Plans and Planning Report. If not appealed with the 14-day appeal period, the Development Permit will be considered effective starting on the 15<sup>th</sup> day.

A Notice of Decision will be posted at the site, as required by law. The application will be subject to a 14-day appeal period/ commencing on the date of the approval. If not appealed within this 14-day period, the development will be considered effective starting on the 15<sup>th</sup> day.

**Conditions of Approval:**

1. No storage of any goods, vehicles or storage containers is permitted on any portion of land with the property lines that is subject to an easement or is a part of the required setbacks.
2. No accessory buildings can be constructed or placed on any portion of the site covered easement.
3. The applicant must submit a copy of the Real Property Report, which shows the entire site including the location of any accessory buildings and the extent to which the fill used to grade the site extends off the property and into the adjacent parcel for the site by April 30, 2027 to the Development Officer for review against approved stamped plans.
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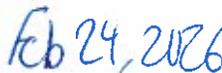
**Conclusion:**

Development Permit application PLDEV-2025-0134 is recommended for approval with the above mentioned conditions as it conforms to Community Plan By-law No. 5007, as amended, and complies with all applicable regulations of Zoning By-law No. 5045, as amended.

Reviewed [and Approved] by:



Eli Smith  
Planner I, Planning and Environment



Date

Concurrence by:



Tatsuyuki Setta, RPP, MCIP, AICP  
Manager, Planning and Environment



Date

Attachments:

Approved Drawings PLDEV-2025-0134, DM# 815952.

Date: February 5, 2026  
DM# 815951