



Energy, Mines and Resources
 Box 2703, Whitehorse, Yukon Y1A 2C6
 Land Planning Branch (K-320 LP)
 Phone 456-3827 Fax 393-6340

APPLICATION FOR LAND USE CHANGE LOCAL AREA PLAN OR DEVELOPMENT AREA REGULATION

PLAN AMENDMENT, ZONING AMENDMENT OR MINISTERIAL REZONING REVIEW PROCESS

Introduction

Changes to the development or use of land in a development area or an area subject to a local area plan may require amendments to the local area plan or development area regulation or a rezoning by Ministerial Order.

You must complete and submit the attached application form:

- If your property is outside any municipal boundary, and;
- If your property is within an area with an established local area plan or a regulated “Development Area”, under the administration of Yukon government, and;
- If you wish to use the property in a manner which is otherwise not permitted under the local area plan or the development area regulation.

It is recommended that you discuss your preliminary proposal with the Land Planning Branch prior to submitting a formal application. Land Planning Branch can also provide you with information sheets that further explain local area planning, rezoning, and other land-related government programs.

Request for Amendment to Local Area Plan

A local area plan is a comprehensive document that guides and directs future growth and development in an unincorporated community.

If a property owner wishes to develop their land in a manner that is different than what is outlined in a local area plan, they may apply for a plan amendment. For instance, a plan amendment would be required if your property is designated Residential and you wish to change the primary use to Commercial.

Request for Amendment to Development Area Regulation

The broad policies and land use designations specified in a local area plan are implemented through more detailed development area (zoning) regulations. Zoning regulations outline how specific parcels of land may be used and promotes compatible land use by regulating lot size, building setbacks, building heights and other site-specific factors. An amendment to a development area regulation is generally required if you are proposing an activity on your property that is currently not permitted under the established zoning regulations.

Yukon government, EMR Land Planning Branch administers development area regulations in a number of unincorporated communities and rural areas. Within an established city, town or village boundary, each municipality administers its own Zoning Bylaws. If your property is within an established municipality, you should contact that community to initiate the rezoning process. There are also rural & wilderness areas of Yukon that currently have no zoning controls.

Request for Ministerial Rezoning Order

Ministerial Rezoning Regulation (O.I.C. 2013/198) allows the Minister of Energy, Mines and Resources to make decisions on certain types of land use changes governed by development area regulations rather than Cabinet. An application for a ministerial rezoning may be considered if its main purpose meets the following criteria:

- applies to an existing surveyed parcel, a new land use disposition or a lot enlargement;
- involves redesignation of a zoned property from one existing zone to another;
- involves adding special provisions or waiving a requirement of an existing zone as it applies to a specific property;
- does not involve the creation of a new zone within a development area;
- does not enable the subdivision of a property that would not otherwise be able to subdivide; and
- would not move the boundary of a development area.

PROCESS, FEES & ACCESS TO INFORMATION

PROCESS, FEES & ACCESS TO INFORMATION	<p>PLAN AMENDMENT, ZONING AMENDMENT OR MINISTERIAL REZONING REVIEW PROCESS (con't)</p> <p>Application & Review Process Please ensure that the information you provide in the attached application is thorough, complete and accurate. Please include extra sheets, additional information if necessary.</p> <p>There are currently no fees associated with the Yukon government plan & zoning amendment application review process.</p> <p>Your completed application will be distributed to various government, First Nation and community agencies, for consultation and comment. Neighbouring property owners and the general public will also be notified of the proposed land use change. In some cases, a public meeting may also be held, where you will have the opportunity to personally explain your development plans. Applications are evaluated with respect to existing/proposed use, existing planning & development regulations, potential and socio-economic and environmental impacts and suitability of the land for the proposed activity.</p> <p>Following the review and consultation process, the Land Planning Branch will fully evaluate the matter and prepare a report to the Minister of Energy, Mines and Resources (Ministerial Rezoning only) or to the Yukon government who may make a decision to approve your application, approve a revised amendment or deny your application. The branch makes every effort to process applications as quickly as possible. A recommendation will normally be made on your application within 3 or 4 months for a Ministerial Rezoning from the date it is submitted. Depending on the nature of the request and the extent of the review, the final decision on a zoning amendment or a plan amendment request may take 12 months or more.</p>
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CONFIRMATION & RECEIPT	RECEIPT OF COMPLETED APPLICATION FORM (TO BE COMPLETED BY DEPARTMENT)	
	APPLICABLE DEVELOPMENT AREA REGULATION	
	EXISTING ZONING	PROPOSED ZONE <small>(Change to other existing zone or create new zone?)</small>
	APPLICATION INFORMATION COMPLETE	<input type="checkbox"/> YES
	ALL OTHER REQUIRED INFORMATION PROVIDED	<input type="checkbox"/> YES
	IS A PUBLIC HEARING EXPECTED? <small>(If a public hearing is to be held, you will be expected to attend to present and explain your rezoning and development proposal.)</small>	<input type="checkbox"/> YES Date (if known) _____ <input type="checkbox"/> NO <input type="checkbox"/> To Be Determined (will advise)
	COMPLETED APPLICATION ACCEPTED	<input type="checkbox"/> YES
	Received By:	Date Rec'd:
	Comments:	

PLEASE RETAIN THIS FOR FUTURE INFORMATION & REFERENCE



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Application / File No.	Quad / Location
Date Rec'd	
Community or Jurisdiction	
Department Use Only	

GENERAL INFORMATION	TYPE OF APPLICATION: <input type="checkbox"/> LOCAL AREA PLAN AMENDMENT <input type="checkbox"/> ZONING AMENDMENT <input type="checkbox"/> MINISTERIAL REZONING			
	NAME OF APPLICANT		BUSINESS PHONE / FAX	HOME PHONE
	ADDRESS	CITY/TOWN	TERR / PROV	POSTAL CODE
	NAME OF REGISTERED OWNER(S) OF LANDS		BUSINESS PHONE / FAX	HOME PHONE
	ADDRESS	CITY/TOWN	TERR / PROV	POSTAL CODE
	NAME OF PERSON OR AGENT AUTHORIZED TO ACT ON OWNER(S) BEHALF		BUSINESS PHONE / FAX	HOME PHONE
	ADDRESS	CITY/TOWN	TERR / PROV	POSTAL CODE
	GENERAL LOCATION OF APPLICATION LAND (NAME OF COMMUNITY)			
	LEGAL DESCRIPTION OF LAND THAT IS SUBJECT TO THIS APPLICATION			
	LOT NUMBER(S)	BLOCK/GROUP/QUAD	SUBDIVISION / AREA	CLSR PLAN # LTO PLAN #
CIVIC ADDRESS OF LANDS INCLUDED IN THIS APPLICATION (if applicable)				
STREET ADDRESS NO.	STREET / AVENUE NAME	CITY / TOWN / COMMUNITY		

APPLICATION / PROJECT INFORMATION	NAME OF APPLICABLE LOCAL AREA PLAN	
	EXISTING PLAN DESIGNATION	PROPOSED PLAN DESIGNATION
	NAME OF APPLICABLE DEVELOPMENT AREA REGULATION	
	EXISTING ZONING	PROPOSED ZONING OR LAND USE CHANGE
	EXISTING USE(S) OF ADJACENT LANDS	
	<input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COUNTRY RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> INSTITUTIONAL <input type="checkbox"/> UTILITY OTHER: _____	
	PROPOSED USE(S) OF THE APPLICATION LANDS <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COUNTRY RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> INSTITUTIONAL <input type="checkbox"/> UTILITY OTHER: _____	
EXPLAIN FULLY WHY YOU WISH TO REZONE OR REDESIGNATE THIS LAND, FOR WHAT PURPOSE THE LAND WILL BE USED & THE EXPECTED DEVELOPMENT TIME FRAME (provide a site plan and additional information. Attach a separate sheet if required.)		

PRIVACY	ADDITIONAL INFORMATION (the following information <u>may be submitted</u>, depending on nature of request)
	ADDITIONAL DOCUMENTATION OR SUPPORT Please feel free to include any additional material or correspondence related to your zoning request.
	PUBLIC HEARING MAY BE REQUIRED Depending on the nature, magnitude or local interest in your rezoning request, a public meeting may be held. While this meeting will be arranged and facilitated by Land Planning Section, it may be in your best interest to attend and present your proposal & personally explain your development plans.

PRIVACY	Please Read the Following:
	Access to Information & Protection of Privacy Act This information is being collected under the authority of the <i>Area Development Act</i> to be used for the purpose of reviewing the request to rezone or redesignate the land. This information is about the conduct of public business and it cannot and will not be kept confidential. Except as noted below, it will be shared with other government departments and will be treated as information that third parties have the right to under the <i>Access to Information and Protection of Privacy Act</i> . Your phone number and address and business plan information will be treated as confidential, but might still be disclosed as permitted or required by the <i>Access to Information and Protection of Privacy Act</i> . (There are cases where even confidential information can be disclosed).

SIGNATURE	APPLICANT / OWNER CONSENT
	I / <u>we</u> certify that I <u>am</u> / <u>we are</u> the registered owner(s) of the land described in this application.
	I / <u>we</u> certify that all of the submitted information is true and correct to the best of my knowledge and belief.
	I / <u>we</u> understand that any misrepresentation of submitted data may invalidate any approval of this application.
	X _____ X _____
	Date (YYYY-MM-DD): _____ Date (YYYY-MM-DD): _____