



Energy, Mines and Resources

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

APPLICATION FOR SUBDIVISION APPROVAL OF AGRICULTURAL LAND

Summary of Application Review & Approval Process and Application Form

April 1, 2009

THE AGRICULTURAL LAND SUBDIVISION APPLICATION, REVIEW AND APPROVAL PROCESS

Introduction

- If you are proposing to subdivide or change the surveyed boundary of your property, you must first get approval to do so from the appropriate authority. In Yukon, this includes either:
 1. Yukon Government, Subdivision Approving Officer (for Subdivision Approval anywhere in Yukon, other than in Whitehorse or Dawson City) or;
 2. City of Whitehorse (for Subdivision Approval within City of Whitehorse) or;
 3. City of Dawson (for Subdivision Approval within Dawson City)
- **This application form deals only with agricultural subdivision approvals that fall under the jurisdiction of the Yukon Government.** (If your property is within either City of Whitehorse or Dawson City, you must contact that respective agency)
- If you are considering subdivision, you should first discuss the preliminary proposal and eligibility criteria with Land Planning Section (see address below). They can explain the subdivision approval process. They can also review your preliminary proposal and help determine if it is eligible to apply to subdivide your agricultural land. There are a number of factors and criteria that may determine if subdivision of your land is possible (ownership length, principal residence, physical site characteristics, access, utilities, land planning and zoning etc.)
- If you decide to proceed with making a formal *Subdivision Application*, please read all information and ensure that the attached application form is complete, and is submitted with all sketches, fees and other required information.

Agricultural Land Subdivision Eligibility Criteria and Subdivision Requirements

Homesite

- **Applicant has owned the agricultural parcel for at least ten years.**
- **The applicant's primary residence is located on this parcel.**
- Minimum lot size determined by the development area in which the parcel is located.
- Both parcels must remain zoned agricultural.
- The resulting configuration of both parcels must not impede access to the parcels or impair their agricultural use.
- The subdivision must conform to all applicable enactments and may be denied if it does not comply with any applicable enactment.
- Neither of the two parcels may be further subdivided.

Public Benefit Parcel

- Agricultural lands may be subdivided for the public benefit subject to the agreement of the land owner, the public benefit lands are transferred to the Commissioner of the Yukon, and the subdivision conforms to all applicable enactments.

Subdivision Application Process & Fees

- Please make sure you carefully read and fully complete the attached application form. Also ensure that you submit all other required information & documentation.
- You must pay a non-refundable application processing fee of \$100.00 + \$5.00 gst.
- Your Subdivision Application will first be reviewed by Land Planning Section to ensure that it is complete and that it complies with applicable legislation and bylaws.
- Your application is then sent to a number of government & community agencies for technical review and may include a public notice.
- After the review is completed, your application is then forwarded to the *Subdivision Approving Officer*, who will approve, approve with conditions or deny the application. You will receive a formal notice of this decision.
- It may take up to 90 days from the time your application is accepted until a decision is made, (although straightforward or uncomplicated subdivision requests are typically processed in a shorter period)

PROCESS, FEES & ACCESS TO INFORMATION

- If your application is approved, you then would hire a lands surveyor of your choice and would have up to one year to have the legal survey completed & registered. Upon final approval of the survey, you are required to pay a \$100.00 (+gst) approval fee, for each additional lot that has been created, to a maximum of \$1000.00. For instance, if you begin with a single lot and it is divided into three new lots, you would be required to pay an approval fee of \$200.00 + gst (for the 2 additional lots created).
- In some cases there may be specific conditions attached to an approval. For instance, a *Development Agreement* may be required where there is a need for the applicant to construct road access, utilities or services to the newly created lots.
- If your application is denied or if you do not agree with any conditions that have been imposed on an approval, there are provisions for you to appeal the decision.
- If you have any questions about the Subdivision process, please contact Land Planning.

Access to Information & Protection of Privacy Act

The information contained in a subdivision application will be provided to various government & community agencies for technical review. It may also be made available, upon request, to other interested parties or individuals.

OTHER AGENCIES & DEPARTMENTS (Office Use Only)

The following is a list of agencies or responsible authorities that deal with related permitting & authorizations. Based on information provided in your application, it is suggested that you contact the indicated agencies as further approvals may be required:

<input type="checkbox"/>	Yukon Government, Land Planning Branch Energy Mines and Resources 320-300 Main Street Whitehorse, Yukon Y1A 2B5 (867) 456-3827 fax 393-6340	<ul style="list-style-type: none"> • Information on existing Planning and Zoning • Subdivision Approval (outside Whitehorse or Dawson)
<input type="checkbox"/>	Yukon Government, Agricultural Branch Energy Mines and Resources 315-300 Main Street Whitehorse, Yukon Y1A 2B5 (867)456-3827 fax 393-6340	<ul style="list-style-type: none"> • Information on agricultural viability • Information on agricultural policies
<input type="checkbox"/>	City of Whitehorse, Planning Services Municipal Services Bldg., 4210 – 4 th Avenue (mail) c/o 2121 – 2 nd Avenue, Whitehorse, Yukon Y1A 1C2 (867) 668-8335 fax 668-8395	<ul style="list-style-type: none"> • Information on OCP & zoning in Whitehorse • Development and Subdivision Approval within City of Whitehorse
<input type="checkbox"/>	City of Dawson Box 308, Dawson City, Yukon, Y0B 1G0 (867) 993-7400 fax 993-7434	<ul style="list-style-type: none"> • Information on planning & zoning in Dawson City • Sub Approval in Dawson City
<input type="checkbox"/>	Yukon Government, Community Services, Building Safety Main Administration Bldg., 2071 Second Avenue Box 2703, Whitehorse, Yukon Y1A 2C6 (867) 667-5741 fax 393-6249	<ul style="list-style-type: none"> • Building & Plumbing Permits, (outside Whitehorse or Dawson) • Electrical, Gas, Boiler Permits (all Yukon) • Development Permits (Outside Municipalities)
<input type="checkbox"/>	Yukon Government, Environmental Health Services #2 Hospital Road, Whitehorse, Yukon Y1A 3H8 (867) 667-8391 fax 667-8322	<ul style="list-style-type: none"> • Septic / in-ground sewage installations • Permit for restaurant / food service.
<input type="checkbox"/>	Yukon Government, Highways and Public Works Transportation Maintenance 9029 Quartz Road, Building 275 Box 2703, Whitehorse, Yukon Y1A 2C6 (867) 667-5159 fax 667-3608	<ul style="list-style-type: none"> • Access permits (access onto Yukon Highways) • Work within R-O-W permits
<input type="checkbox"/>	Yukon Government, Highways and Public Works Transportation Engineering 461 Range Road c/o Box 2703, Whitehorse, Yukon Y1A 2C6 (867) 633-7905 fax 393-6447	<ul style="list-style-type: none"> • Road & Access design criteria •
<input type="checkbox"/>	The Yukon Electrical Company Limited 205 Tungsten Rd. PO Box 4190 Whitehorse Yukon Y1A 3T4 (867) 633-7068 fax 668-6692	<ul style="list-style-type: none"> • Hydro installations • Location of underground & overhead lines.
<input type="checkbox"/>	Other:	

RECEIPT OF COMPLETED APPLICATION FORM (TO BE COMPLETED BY DEPARTMENT)		INITIALS
APPLICATION INFORMATION COMPLETE	<input type="checkbox"/> YES	
3 copies of SKETCH PLAN COMPLETE	<input type="checkbox"/> YES	
OTHER INFORMATION: (property taxes paid, certificate of title, incorporation documents)	<input type="checkbox"/> YES	
APPLICATION FEE PAID (\$100.00 +\$5.00 gst = <u>\$105.00</u>)	<input type="checkbox"/> YES	Receipt #
COMPLETED APPLICATION ACCEPTED	<input type="checkbox"/> YES	
Received By:	Date Rec'd:	
<p>Unless a time extension is otherwise agreed to by both the applicant and Subdivision Approving Officer, a decision to <u>Approve</u>, <u>Conditionally Approve</u> or <u>Deny</u> this application will be made on or before:</p> <p>Date: _____ (within 90 days)</p>		
<p>SUBDIVISION APPROVAL FEE:</p> <p>If this application is approved, you will be required to pay a <i>Subdivision Approval Fee</i> of \$ _____ (+\$ _____ gst), based on _____ additional lots being created.</p>		

CONFIRMATION & RECEIPT

PLEASE RETAIN THIS FOR FUTURE INFORMATION & REFERENCE

Notes:



Energy, Mines and Resources

Box 2703, Whitehorse, Yukon Y1A 2C6
 Land Planning Branch, (K-320LP)
 Phone 667-8877 Fax 393-6340

APPLICATION FOR Subdivision Approval of Agricultural Land

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

GENERAL INFORMATION	NAME OF REGISTERED OWNER OF LANDS		BUSINESS PHONE / FAX	HOME PHONE
	ADDRESS	CITY/TOWN	TERR / PROV	POSTAL CODE
	NAME OF REGISTERED CO-OWNER 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 / PROJECT			
	LEGAL DESCRIPTION OF LANDS INCLUDED IN 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				

PROJECT INFORMATION	EXISTING USE(S) OF THE APPLICATION LANDS	
	<input type="checkbox"/> AGRICULTURAL <input type="checkbox"/> OTHER: _____	
	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"/> AGRICULTURAL <input type="checkbox"/> PUBLIC/ROAD <input type="checkbox"/> OTHER: _____	
GENERAL NATURE OF SUBDIVISION REQUEST		
<input type="checkbox"/> DIVISION OF EXISTING PARCEL, TO CREATE AN AGRICULTURAL HOMESITE PARCEL <input type="checkbox"/> OTHER		
HAVE YOU BEEN THE OWNER OF THE SUBJECT PROPERTY FOR 10 YEARS?	IS THIS PROPERTY YOUR PRINCIPAL RESIDENCE?	
<input type="checkbox"/> NO <input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> YES	
EXPLAIN FULLY WHY YOU WISH TO SUBDIVIDE THIS LAND, FOR WHAT PURPOSE IT WILL BE USED & THE EXPECTED DEVELOPMENT TIME FRAME (attach separate sheet if necessary)		

SERVICES

EXISTING / PROPOSED PROVISION FOR DRINKING WATER:

EXISTING / PROPOSED PROVISION FOR SEWAGE TREATMENT / DISPOSAL:

EXISTING / PROPOSED PROVISION FOR DISPOSAL OF GARBAGE / SOLID WASTE:

EXISTING / PROPOSED PROVISION FOR ELECTRICITY:

EXISTING / PROPOSED PROVISION FOR TELEPHONE, OTHER UTILITIES ETC.:

ARE THERE ANY OVERHEAD OR UNDERGROUND UTILITIES LOCATED WITHIN OR ADJACENT TO THE APPLICATION AREA? NO YES
 IF YES, ARE THE APPLICATION LANDS SUBJECT TO ANY EXISTING EASEMENTS?

IS APPLICATION AREA PRESENTLY SERVED BY AN ESTABLISHED FIRE DEPARTMENT? NO YES
 IF YES, GIVE NAME / LOCATION OF FIRE DEPT:

LOCATION OF & DISTANCE TO NEAREST SCHOOL & SCHOOL BUS ROUTE (where applicable):

EXISTING / PROPOSED PROVISION PARKS, OPEN SPACE OR OTHER RECREATIONAL AMENITIES:

ACCESS

EXISTING / PROPOSED PROVISION FOR VEHICLE ACCESS TO SITE (Will any new access be required, connecting to an existing public road or highway?):

WILL NEW ROAD BE SURVEYED AND CONSTRUCTED AS PART OF THIS SUBDIVISION PROPOSAL? NO YES
 IF YES, FULLY EXPLAIN THE NATURE OF THE ACCESS, AND IF / HOW OTHER USERS OF ACCESS MIGHT BE AFFECTED:

IMPROVEMENTS / STRUCTURES

ARE THERE ANY EXISTING IMPROVMENTS LOCATED ON THE APPLICATION AREA (buildings, fences, septic fields, wells, gardens etc)? NO YES
 IF YES... Is the applicant the sole owner of these improvements? Does the subdivision layout respect the location of any permanent structures?

SITE CHARACTERISTICS

SOILS (sand, gravel, clay, silt, peat etc):

VEGETATION (spruce, pine, poplar, willow, clear etc):

TOPOGRAPHY (flat, steep, rolling, etc):

WATER COURSES & SITE DRAINAGE (rivers, streams, lakes, ponds, drainage ditches within or adjacent to the application area)

ANY KNOWN SIGNIFICANT HISTORICAL OR HERITAGE FEATURES ON OR NEAR THIS SITE:

ANY KNOWN SIGNIFICANT FISH OR WILDLIFE HABITAT ON OR NEAR THIS SITE:

LAND USE PLANNING & ZONING (Community Land Planning, may provide assistance if current zoning information is not known)(call 667-8945)

CURRENT ZONING OF APPLICATION LANDS

 NO ZONING AGRICULTURAL OTHER _____

NAME OF APPLICABLE ZONING BYLAW OR REGULATION: _____

CURRENT PLANNING DESIGNATION OF APPLICATION LANDS

 NONE AGRICULTURAL OTHER _____

NAME OF APPLICABLE COMMUNITY OR LOCAL AREA PLAN: _____

ADDITIONAL SUBMITTAL INFORMATION	REQUIRED ADDITIONAL INFORMATION (the following information <u>must</u> be submitted with all applications)		
	<p>SKETCH PLAN – Please provide 3 copies of a sketch plan, drawn at a legible scale, showing the scheme of the proposed parcel configuration. Including the following information:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> 1. Title Block (giving description of application lands) <input type="checkbox"/> 2. Arrow indicating North <input type="checkbox"/> 3. Drawing scale <input type="checkbox"/> 4. Existing lot numbers of any adjacent lands <input type="checkbox"/> 5. Configuration / Location of proposed (and adjacent existing) parcels of land <input type="checkbox"/> 6. Dimensions and Bearings for all proposed and existing lot lines <input type="checkbox"/> 7. Roads, trails, pathways located on or near the application area </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> 8. Water bodies, drainage courses located on or near the application area <input type="checkbox"/> 9. Location of existing or proposed improvements on or near the application area <input type="checkbox"/> 10. Existing or proposed utilities (electrical, water, sewer etc.) <input type="checkbox"/> 11. Signature Block for endorsement of Subdivision Approving Officer <input type="checkbox"/> 12. Signature Block for endorsement of Commissioner of Yukon. </td> </tr> </table>	<input type="checkbox"/> 1. Title Block (giving description of application lands) <input type="checkbox"/> 2. Arrow indicating North <input type="checkbox"/> 3. Drawing scale <input type="checkbox"/> 4. Existing lot numbers of any adjacent lands <input type="checkbox"/> 5. Configuration / Location of proposed (and adjacent existing) parcels of land <input type="checkbox"/> 6. Dimensions and Bearings for all proposed and existing lot lines <input type="checkbox"/> 7. Roads, trails, pathways located on or near the application area	<input type="checkbox"/> 8. Water bodies, drainage courses located on or near the application area <input type="checkbox"/> 9. Location of existing or proposed improvements on or near the application area <input type="checkbox"/> 10. Existing or proposed utilities (electrical, water, sewer etc.) <input type="checkbox"/> 11. Signature Block for endorsement of Subdivision Approving Officer <input type="checkbox"/> 12. Signature Block for endorsement of Commissioner of Yukon.
	<input type="checkbox"/> 1. Title Block (giving description of application lands) <input type="checkbox"/> 2. Arrow indicating North <input type="checkbox"/> 3. Drawing scale <input type="checkbox"/> 4. Existing lot numbers of any adjacent lands <input type="checkbox"/> 5. Configuration / Location of proposed (and adjacent existing) parcels of land <input type="checkbox"/> 6. Dimensions and Bearings for all proposed and existing lot lines <input type="checkbox"/> 7. Roads, trails, pathways located on or near the application area	<input type="checkbox"/> 8. Water bodies, drainage courses located on or near the application area <input type="checkbox"/> 9. Location of existing or proposed improvements on or near the application area <input type="checkbox"/> 10. Existing or proposed utilities (electrical, water, sewer etc.) <input type="checkbox"/> 11. Signature Block for endorsement of Subdivision Approving Officer <input type="checkbox"/> 12. Signature Block for endorsement of Commissioner of Yukon.	
	<p><u>OWNERSHIP / TITLE</u></p> <input type="checkbox"/> 1. Copy of Certificate of Title <input type="checkbox"/> 2. Copy of any caveats or encumbrances registered against the Title		
	<p><u>PROOF OF PROPERTY TAXES PAID</u></p> <input type="checkbox"/> 1. Written verification from the appropriate taxing authority that all property taxes have been paid on the core parcel(s) being enlarged		
	ADDITIONAL INFORMATION (the following information <u>must</u> be submitted, depending on nature of request)		
<p><u>OTHER INFORMATION, ASSESSMENTS OR APPROVALS MAY BE REQUIRED</u></p> <p>Depending on the nature, magnitude or location of any given application, an applicant may be required to undertake and provide further studies or assessments. This may include, but is not limited to such things as: environmental impact assessments, fisheries studies, geotechnical investigations, further public consultation etc.</p> <p><u>IF THE APPLICATION IS WITHIN THE BOUNDARIES OF A MUNICIPALITY-</u> Please provide written confirmation from that Municipality that either:</p> <input type="checkbox"/> - the proposed use <u>is</u> in compliance with existing planning and zoning schemes, <u>or</u> <input type="checkbox"/> - the proposed use <u>is not</u> currently in compliance with existing planning or zoning, but will be considered through an established public zoning / planning amendment process.			
DEVELOPMENT REQUIREMENTS (subdivision applications may include conditions requiring certain work to be performed)			
<p><u>DEVELOPMENT AGREEMENTS & SECURITY</u></p> <p>In some cases, public infrastructure included in subdivisions will be transferred and become the responsibility of the government or municipality. This includes such things as roads, streets, parks, public utility lots, water & sewer services etc. To ensure that subdivisions are developed to accepted standards, there may be a requirement for a Development Agreement to be entered into between the parties. This Development Agreement may include the provision for the applicant to post performance security.</p>			

PRIVACY	Please Read the Following:
	<p>Access to Information & Protection of Privacy Act</p> <p>This information is being collected under the authority of the <i>Subdivision Act & Municipal Act</i> to be used for the purpose of reviewing the request to subdivide 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 <i>business plan</i> 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).</p>

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 the subject property is <u>my</u> / <u>our</u> principal residence.
	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: _____	Date: _____