

DISCRETIONARY USE PERMIT APPLICATION & REVIEW PROCESS

Introduction

If your property is within an area with an established regulated “Development Area” under the administration of Yukon government, and you wish to commence a use which is listed as a discretionary use in Schedule A of the development area regulation which apply to the subject property, then you require a discretionary use permit.

Discretionary uses are those uses listed that may be permitted with the approval of the development officer after public consultation. Discretionary uses may be generally appropriate for a particular area, but may or may not be compatible with specific site conditions or neighbouring uses. The development officer may issue the discretionary use application as proposed, with conditions, or deny it.

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, zoning, development permits, and other land-related government programs.

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.

You must pay a non-refundable application processing fee of \$25.00.

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 discretionary use. Applications are reviewed with respect to compatibility of existing uses, applicable development regulations, socio-economic and environmental impacts, and suitability of the land for the proposed use.

Following the review and consultation process, the development officer will make the decision to issue or not to issue a development permit for a discretionary use within the timeline specified in the applicable development area regulation. The decision of a development officer will be in writing and will set out the reasons for the decision.

A development officer may, upon issuing a development permit for a discretionary use, attach terms or conditions to the permit to ensure the proposed use: (a) conforms with acts and regulations of Yukon and Canada; (b) has minimal adverse effects on the use of adjacent lots; and (c) is consistent with the list of discretionary uses for the zone in which the lot is located.

If your application was denied and you believe the application was not properly considered, or you do not agree with the conditions issued by the development officer, you may appeal to the Zoning Appeal Board under the *Zoning Appeal Board Regulations*.

Public Meeting May Be Required

Depending on the nature, magnitude or local interest in your discretionary use application, a public meeting may be held. While this meeting will be arranged and facilitated by Land Planning Branch, it may be in your best interest to attend and present your proposal and personally explain your development plans.

RECEIPT OF COMPLETED APPLICATION FORM (to be completed by department)	
Applicable Development Area Regulation	
Existing Zoning	Proposed Discretionary Use
Application Information Complete Yes No	All Other Required Information Provided Yes No
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>	Yes Date (if known) _____ No To be determined (will advise)
For Livestock or Abbatoir Contact: Environmental Programs Branch, Department of Environment Agriculture Branch, Department of Energy, Mines and Resrouces	
Completed application accepted Yes No	Application fee paid (\$25.00) Yes Receipt # _____ No
Received By	Date Received YYYY/MM/DD
Comments	

PLEASE RETAIN THIS FOR FUTURE INFORMATION & REFERENCE



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

APPLICATION FOR DISCRETIONARY USE

Application / File No.	Quad / Location	Date Received
Community or Jurisdiction		
Department Use Only		

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

Name of Applicable Local Area Plan	Existing Plan Designation
Name of Applicable Development Area Regulation	Existing Zoning
Proposed Discretionary Use	
Existing Use(s) of Adjacent Lands	
Residential	Country Residential Commercial Industrial Institutional Utility Other: _____
Proposed Use(s) of Application Lands	
Residential	Country Residential Commercial Industrial Institutional Utility Other: _____
Project Description (provide a site plan and additional information. Attach a separate sheet if required.)	

ADDITIONAL INFORMATION (the following information <u>may be</u> submitted, depending on nature of request)	
<p>ADDITIONAL DOCUMENTATION OR SUPPORT</p> <p>Please include any additional material related to your application. Examples include: detail on existing land uses; location, size, number of proposed structures; business hours and expected number of clients; parking; and any other information required to assess the proposed discretionary use.</p>	Attached N/A
<p>SITE PLAN</p> <p>Please include a site plan, drawn at a legible scale, showing lot dimensions, existing and proposed structures, setback distances relative to property lines, driveways and parking areas.</p>	Attached N/A
<p>APPLICATIONS ON PUBLIC LANDS</p> <p>If your application is proposed to occur on public lands, prior written authorization from Yukon government Land Management branch, or the land management authority having jurisdiction, will be required in order for the discretionary use application to be received.</p>	Attached N/A
<p>APPLICATIONS INVOLVING LIVESTOCK</p> <p>If your application proposes the keeping and raising of livestock for personal or commercial purposes, detailed information related to the number of each species, existing and proposed, and associated information (i.e., pasture size and location, fencing, etc.) is required. Applicants are also advised to review associated Animal Health fact sheets prior to submitting their formal application, available at: www.env.gov.yk.ca/publications-maps/brochures.php</p>	Attached N/A
<p>OTHER INFORMATION, ASSESSMENTS OR APPROVALS MAY BE REQUIRED</p> <p>If your application is approved you may require other permits to complete the development (e.g., building permit, highway access permit, sewage disposal system permit). 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>	Attached N/A

PLEASE READ THE FOLLOWING:
<p><i>Access to Information & Protection of Privacy Act</i></p> <p>This information is being collected under the authority of the <i>Area Development Act</i> to be used for the purpose of reviewing the application for a discretionary use development permit. 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).</p>

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