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Development Permit Process

LAND PLANNING
BRANCH

General info:

www.emr.gov.yk.ca/lands/

Map viewer:

<http://mapservices.gov.yk.ca/lands/>One of a series of info sheets published by the
Department of Energy, Mines and Resources

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This info sheet explains the purpose of and process for obtaining development permits.

When do I need a development permit?

Development permits are generally required before starting any development on your property. They are required within Yukon municipalities and unincorporated communities with development area (zoning) regulations. For example, Whitehorse, Ross River and the Ibex Valley among other areas require this permit. Check with your local authority (see side bar) to find out how this affects you.

What is the difference between a development permit and a building permit?

A development permit is an authorization from the Yukon government or a municipality to develop a property according to a set of standards and regulations. This permitting process is a way to ensure that land is being used and developed according to land use goals established by an official community plan within municipalities, or by a local area plan or area development regulation in unincorporated communities.

Development permits deal with rules such as permitted uses of the land (e.g. residential or commercial uses), building setbacks from property lines, building height and parking requirements.

A building permit is an authorization from the Yukon government to

construct a building according to National Building Code of Canada. This applies to all incorporated and unincorporated communities except in Whitehorse where the municipality issues building permits.

Factors such as foundation strength, wall components, snow loading on roofs are dealt with by building codes. Contact Yukon government's Building Safety Branch (see side bar for details) for further information on building permits.

How do I know if I require a development permit?

Pre-application consultation to discuss the general concept is available and recommended. This will clarify at the outset what the development requirements for your area are and could help avoid any unnecessary approval delays.

If you live in a municipality you should contact the municipal offices and seek advice there. In unincorporated communities, it is recommended you speak with a Development Officer at Land Planning Branch (see side bar) prior to starting a development.

Generally, a development permit is required when a building permit is required, e.g., if you wish to build a house, you must obtain a building permit and so must also obtain a development permit. The house will have to comply with any siting provisions e.g. property setbacks.

But if you wish to clear a portion of land to create a market garden, and no building is proposed, you most likely do not need a development permit as long as that use is permitted by the regulations.

ADMINISTRATIVE JURISDICTIONS

YUKON GOVERNMENT

Manages the majority of Yukon (public) land in the territory.

ENERGY, MINES AND RESOURCES

Land Management Branch

accepts applications to buy, lease and use public land. Administers Yukon government's non-titled land registry.

Agriculture Branch administers Yukon agriculture and grazing programs.

Land Planning Branch manages local area plans, zoning regulations and subdivision requests (outside Whitehorse and Dawson City).

Forest Management Branch administers timber permits and forestry planning.

COMMUNITY SERVICES

Community Infrastructure Branch develops planned subdivisions.

YUKON FIRST NATIONS

Control their own Settlement Lands.

MUNICIPALITIES

Administer lands, community plans and zoning bylaws within their jurisdictions.

Whitehorse and Dawson also control subdivision within their boundaries.

CANADA

Natural Resources Canada provides the survey system for Canada Lands (national parks, territories, offshore land, and Indian reserves).

What is a discretionary use permit?

Some regulations provide for a discretionary use permit, which is a form of development permit that is decided after a public consultation.

The development officer may approve the discretionary use application as proposed, with conditions or deny it. Discretionary use permits generally deal with uses that may have a larger impact on the area than standard uses for that zone.

Some development area regulations allow the development officer to permit minor variances on matters such as building setbacks. Decisions of the Development Officer may be appealed.

What are the application requirements?

Once it is determined that your proposal fits the general requirements of the zoning regulation a more detailed review must be done by the Development Officer.

You must fill out an application form available at Building Safety or Land Planning. The cost to apply is \$25 + GST and is not refundable.

The type of information required includes the legal description of the subject property, names and signatures of all registered property owners, a detailed description of the development, a site plan with distances to property lines and other pertinent information. It may be useful to work with the Development Officer at this stage because projects of differing size and scale have different information requirements.

What happens after I apply?

The completed application will be reviewed by the Development Officer at Building Safety or Land Planning Branch depending on scale and complexity of the project. The primary review looks at whether the application conforms to the primary uses section of the area development (zoning) regulation. Next, it is reviewed for compliance with development standards such as location on the site, type of building etc.

Most applications are decided in several weeks while more complex applications requiring technical expertise of other government agencies may take longer.

Discretionary use permits include a mandatory public consultation process, which can take up to 60 days in addition to the normal review procedure. The development officer will advise of what can be expected.

You will receive a decision in writing. If your application is approved you may require other permits to complete the development e.g., highway access permit and/or septic permit.

If you did not receive the decision you were expecting and believe the application was not properly considered you may appeal to the Zoning Appeal Board as indicated in your decision letter. See Info Sheet 21 Variances – *Area Development Act and Regulations*.

For further information on the development permitting process please contact the Land Planning Branch at:

Phone: (867) 667-3734

Toll Free 1-800-661-0408 ext. 2734

Fax: (867) 393-6340

Email: land.planning@gov.yk.ca

CONTACTS

YUKON GOVERNMENT

www.gov.yk.ca

Toll free: 1-800-661-0408 + extension
(last 4 digits of desired number)

ENERGY, MINES AND RESOURCES

320-300 Main Street, Whitehorse

Land Management Branch

Tel: (867) 667-5215

Fax: (867) 667-3214

land.disposition@gov.yk.ca

- land applications, developed lot sales

land.use@gov.yk.ca

- land use permits

Land Planning Branch

Tel: (867) 667-3530

Fax: (867) 393-6340

land.planning@gov.yk.ca

- subdivision and zoning in rural Yukon

COMMUNITY SERVICES

Building Safety

Tel: (867) 667-5741

Fax: (867) 393-6249

- building and construction permits
outside Whitehorse

JUSTICE - Land Titles

Tel: (867) 667-5612

Fax: (867) 393-6358

YUKON HOUSING CORPORATION

Loans Administration

Tel: (867) 667-8114

Fax: (867) 667-3664

- lot financing, agreements-for-sale

ENVIRONMENTAL HEALTH SERVICES

Tel: (867) 667-8391

Fax: (867) 667-8322

- septic systems

OTHER AGENCIES

CITY OF WHITEHORSE

www.city.whitehorse.yk.ca

Planning Services

Tel: (867) 668-8335

Fax: (867) 668-8395

- development charges, planning, zoning

Building Inspection

Tel: (867) 668-8340

Fax: (867) 668-8395

CITY OF DAWSON

www.cityofdawson.ca

Tel: (867) 993-7400

Fax: (867) 993-7434

- subdivision, planning and zoning

NRCAN-SURVEYOR GENERAL

Tel: (867) 667-3950

Fax: (867) 393-6707

- legal survey maps, plans, approvals

Survey plans available at <http://cls.nrcan.gc.ca/plansearch-rechercheplan-eng.php>