
Alaska Highway West Local Area Plan

PUBLIC MEETINGS SUMMARY

Project Start-Up Information Session

June 14 & 15, 2017

Mendenhall Fire Hall & Da Ku Cultural Centre

Attendees: Roy Neilson & Reina Thurmer, YG Land Planning branch
Graham Boyd, CAFN Heritage, Lands and Resources
Wade Istchenko, MLA Kluane
19 community members from the Mendenhall area
13 community members from the Haines Junction area

ITEMS:

1. Welcome and Introduction

2. Presentation – Land Planning branch

- The Yukon government (YG) and Champagne and Aishihik First Nations (CAFN) are beginning the process of a cooperative local area plan for an area along the Alaska Highway from Ibex Valley towards Haines Junction, and south along the Haines Road to Quill Creek. The proposed planning boundary covers approximately 500 square kilometers and includes private land, Yukon land and Settlement Lands.
- Local area plans (LAPs) are policy documents that guide development and land use in areas outside of municipalities. They are developed through an extensive public consultation process and under the guidance of a steering committee. The process should take approximately two years to complete.
- One goal of the planning process is to promote acceptable forms of development along the Alaska Highway corridor in planned manner as an alternative to meeting the demand for land through individual land applications. The plan has also been initiated at the request of the Department of Environment who have expressed a need for comprehensive policy direction to provide for effective and efficient review of land applications in the area.
- A Memorandum of Understanding to initiate the planning process has been agreed to by YG and CAFN. The purpose of the public meeting is to provide information about the local area planning process, and seek community feedback.

For more information, see:

- Appendix A – Local Area Plan Info Sheet
- Appendix B – Alaska Highway West LAP Powerpoint Presentation

3. Questions

How was the planning boundary determined?

The proposed planning boundary is a 5 km buffer along the highway corridors (2.5 km from the road centreline).

The planning boundary also includes two Department of Environment notations (Dezadeash River Valley Habitat Protection Notation Wildlife Reserve & Takhini River Valley Elk Notation Wildlife Reserve), as well as agricultural and forestry reservations which intersect with the boundary.

The planning boundary does not include the Village of Haines Junction or the Mendenhall subdivision. Interested parties from both communities will have opportunity to provide input throughout the process.

How does the boundary size compare to other local area plans?

The proposed boundary is large compared to most existing local area plans. However, the size is consistent with recent trends where local area planning is being undertaken in rural areas with dispersed settlement patterns which are outside the Whitehorse periphery, such as the Fox Lake LAP (525 km²) and Marsh Lake LAP (375 km²).

Who will be on the steering committee?

For Yukon government, steering committee members will be appointed by the Minister of Energy, Mines and Resources following a public request for Expressions of Interest. Appointees are typically property owners or area residents who are familiar with land use issues in the area, are willing to make time to participate in the process, and are committed to representing broader community interests.

In most cases, a steering committee is comprised of 6 members (3 appointees from each government). Planning staff from YG and CAFN participate on the committee in a technical advisory role.

Who approves the local area plan?

The steering committee will submit a final recommended local area plan to the Minister of Energy, Mines and Resources and CAFN Chief and Council for review and approval. The two governments will endeavor to reach consensus on a joint plan for the entire planning area, however both YG and CAFN will ultimately approve, reject or modify the recommended plan as it applies to lands under their respective jurisdictions.

Is Kwanlin Dün First Nation involved?

A portion of the proposed planning boundary is within the Traditional Territory of the Kwanlin Dün First Nation. KDFN has formally declined a seat on the steering committee but will be kept apprised of activities and be able to provide comment throughout the process.

Will this restrict development for existing land owners?

The purpose of the LAP process is not to restrict development, but to promote orderly development and minimize land use conflicts. In general, a local area plan will accommodate existing land uses, except in rare cases where a land use conflict has been identified by the community which cannot reasonably be mitigated (e.g., heavy industrial development next to residential uses).

After zoning regulations are enacted to implement the local area plan, all future development must be carried out in accordance with the zoning. Any existing development which does not specifically conform to the regulations will be “grandfathered”, and subject to the non-conforming use provisions of the regulation.

Will land applications continue to be received while the plan is underway?

In accordance with Land Management branch policy, land applications will not be received while local area planning is underway, except in the Canyon Creek area on the south side of the Alaska Highway around km1546. Applications for lot enlargements will also be received and considered on a case-by-case basis throughout the planning area.

What about other resources values in the planning area?

Local area plans are primarily intended to focus on rural settlement issues rather than regional level issues such as resource management. The local area plan must be consistent with other land and resources plans which have been approved in the planning area, and take into consideration land and resource management plans which are under development.

A local area plan may include high-level policy statements which identify community values around key resource management issues. Such policies are considered during review of individual resource development projects.

Will the the local area plan be guided by existing legislation?

Yes. The local area plan is an advisory document which has no legislative authority apart from its relationship to the *Subdivision Act*. As such, the plan cannot amend or supersede existing legislation which applies to lands within the planning boundary, such as the *Forest Resources Act* and the *Quartz & Placer Mining Acts*.

Why is Mendenhall not included?

In 2011, consultations were held in the Mendenhall community regarding proposed amendments to the existing zoning regulation. Community feedback received at the time suggested the majority of property owners were not in favour of changes to the existing regulation.

Will more information become available online?

Updates on the Alaska Highway West local area planning process will be posted on the Land Planning branch website (emr.gov.yk.ca/landplanning).

Mapping data is available on the EMR Lands Viewer (mapservices.gov.yk.ca/lands). The planning boundary can be viewed under the 'Development Hold Areas' layer.

4. Comments and Discussion

- The plan should seek to provide economic development opportunities to the region by identifying and providing suitable lands for residential, commercial and industrial development purposes.
- The plan should seek to streamline the YESAA review process through development of land use polices which provide certainty for new land applications.
- The plan should not restrict development on existing lots, and carefully consider the impacts of new zoning regulations on existing property owners. Property owners need to be made aware that their lots will be subject to zoning changes.
- Some concern raised over the size of the proposed boundary and the inclusion of large areas of undeveloped Crown lands. Suggestion that the planning boundary should be limited to developed areas only.
- Some concern raised about impact of new development on hunting, recreational trail use, and traditional land use in the region.
- Some concern raised over the length of the planning process. Suggestion that Terms of Reference should be specific to key planning issues/objectives and include prescribed timelines.
- Noted the planning process needs to seek input from Alsek Renewable Resources Council, St. Elias Chamber of Commerce, and area residents in Haines Junction and Mendenhall.
- Noted that many Mendenhall residents consider lands surrounding the subdivision area to be part of Mendenhall.
- Suggestion that steering committee appointees could include qualified persons who may not live within in the planning area.
- Request for Mendenhall property owners to be included in mail-out notifications.

5. Next Steps

- Meeting summary to be posted on EMR Land Planning branch website.
- Deadline to submit project start-up survey is July 14, 2017.

DISCLAIMER:

This summary is intended to capture the general content and spirit of the discussion, and should not be construed as a verbatim transcript of the meeting. Further, this summary constitutes the author's understanding of the meeting and may not be exactly complete or accurate.

Notes prepared by: Roy Neilson

Date: June 22, 2017

APPENDIX A

Local Area Plan Info Sheet

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Local Area Plan

LAND PLANNING
BRANCH

General info:

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

Map viewer:

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

August 2014

This info sheet explains the purpose and process for developing a local area plan.

What is a local area plan?

Local area planning is a type of land use planning that is done in unincorporated communities for private land and Yukon land. It can also include First Nation Settlement Land if it is done jointly with First Nations. Local area plans include policies and maps that designate different areas for different uses. They are usually developed with the help of a steering committee that includes residents from the area being planned.

In comparison to regional land use plans, local area plans cover smaller areas, are more detailed and are intended to focus on rural settlement issues rather than regional level issues such as resource management.

What is the difference between a local area plan (LAP) and an official community plan (OCP)?

An official community plan is a planning document that municipalities must prepare to guide land use and development within their boundaries, as required by the *Municipal Act*.

A local area plan is a similar document that is prepared for areas outside of municipalities. There is no legislative requirement to do so. Unlike official community plans, local area plans are advisory documents that have no legislative authority apart from their relationship to the *Subdivision Act* regarding the minimum lot size etc. The policies arising from these plans can only be

enforced through area development (zoning) regulations made pursuant to the *Area Development Act*.

What are the benefits of local area planning?

Planning helps to define a community's vision for the future and how it can move forward in that direction. A local area plan provides guidelines and policies to minimize land use conflicts, and to make sure that future development and growth occurs in an orderly manner. It provides local residents with the opportunity to influence the decisions about the use of land in their community while ensuring that broader public interests are taken into consideration, such as those identified through government and First Nation policies and legislation.

How does a local area plan relate to area development (zoning) regulations, subdivision approvals and development permits?

The broad policies and land use designations specified in a local area plan are implemented through area development (zoning) regulations that provide more details on what can or cannot occur in each zone. Proposed developments must conform to the zoning and are permitted through development and building permits. The plan and zoning regulations also set out minimum lot sizes for each zone. The minimum lot size might determine whether or not a property may be subdivided. The *Subdivision Act* requires any subdivision proposal to conform to a local area plan and/or area development (zoning) regulation before approval can be granted.

ADMINISTRATIVE JURISDICTIONS

GOVERNMENT OF YUKON

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. Develops planned subdivisions outside the City of Whitehorse.

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 infrastructure projects throughout the Yukon.

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 local area planning process?

Creating the plan involves a number of stages:

1. preparing a background analysis;
2. developing a vision for the community;
3. presenting plan options;
4. developing a preferred plan; and
5. recommending the plan for approval to the Minister and, if the plan is prepared jointly with a First Nation, Chief and Council(s).

Where possible, Yukon government will partner with First Nations whose traditional territory includes the planning area. The boundary of the local area plan will be established and a steering committee will be appointed by the Minister and, where applicable, the respective Chief and Council(s).

What does a steering committee do?

The steering committee is usually made up of residents of the local area with equal representation from the nominees of Yukon government and affected First Nations. The committee works with planning staff from each government to develop terms of reference for the planning contract, and to select a planning consultant who will facilitate the development of the plan. The planning process involves consultation with all members of the community and other stakeholders.

What is the content of a local area plan?

A local area plan should contain the following basic elements:

- background information on the characteristics of the area;
- analysis of the community's anticipated needs;
- land capability analysis;
- the community's vision and/or goals and objectives for the area;
- land management policies to direct land use;
- maps which designate general areas for certain land uses;

- details surrounding plan implementation requirements; and
- time frame for review/update of the plan.

Who approves and amends a local area plan?

Local area plans are approved and amended by Yukon government for non-settlement land and by the First Nations for Settlement Land where applicable.

Local area plans are not static documents, and they should be reviewed every 5 to 10 years to ensure they reflect changing conditions and values in a community. Local area plans may be amended from time to time to reflect changing land use demands and/or economic conditions. Plan amendments are subject to public consultation.

How can I get involved in local area planning?

You can get involved in a local area planning process by attending public meetings, completing surveys, and by providing input and suggestions to the steering committee. You may put your name forward for consideration to be on a steering committee.

Which communities have local area plans?

Hamlet of Mt. Lorne (1995)
Deep Creek (2001)
Hamlet of Ibex Valley (2001)
Hot Springs Road (2002)
Golden Horn (2004)
West Dawson & Sunnydale (2013)
Carcross (2014)

The communities of Marsh Lake, Fox Lake and Tagish are expected to complete local area plans in the near future.

For further information on local area planning, please contact Land Planning branch at:

Phone: (867) 667-3530
Toll free: 1-800-661-0408 ext 3530
Fax: (867) 393-6340
Email: land.planning@gov.yk.ca

CONTACTS

GOVERNMENT OF YUKON

www.gov.yk.ca

Toll free: 1-800-661-0408 + extension

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 City of 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>

APPENDIX B

Alaska Highway West LAP Powerpoint Presentation

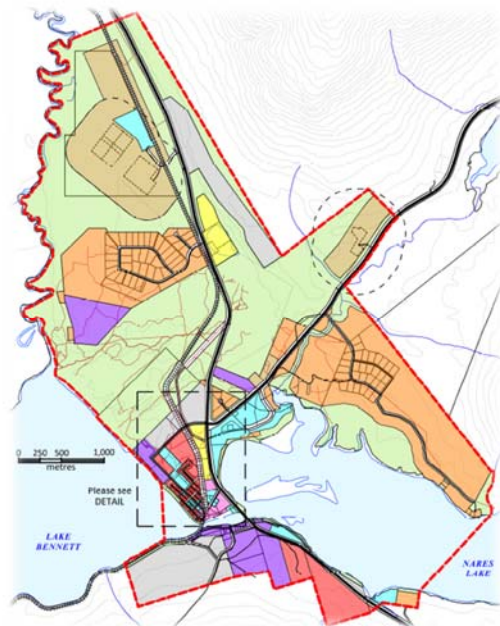
Alaska Highway West Local Area Plan

Public Information Session
Da Kų Cultural Centre
June 15, 2017



What is a **Local Area Plan**?

- Land use plan for rural communities
- Developed cooperatively between YG and First Nation governments
- For private land, Yukon Land, and First Nation Settlement Land
- Set of policies and maps that designate different areas for variety of uses



What is the Difference?

Regional Land Use Plan (RLUP)

- Large areas focusing on resource management and landscape level issues
- Mandated through Chapter 11 of UFA
- Developed by Yukon Land Use Planning Council & Regional Land Use Planning Commissions

Official Community Plan (OCP)

- Municipal plan dealing with future development, services, utilities, transportation, etc.
- Required under the Municipal Act
- Implemented through bylaws (zoning)

Local Area Plan (LAP)

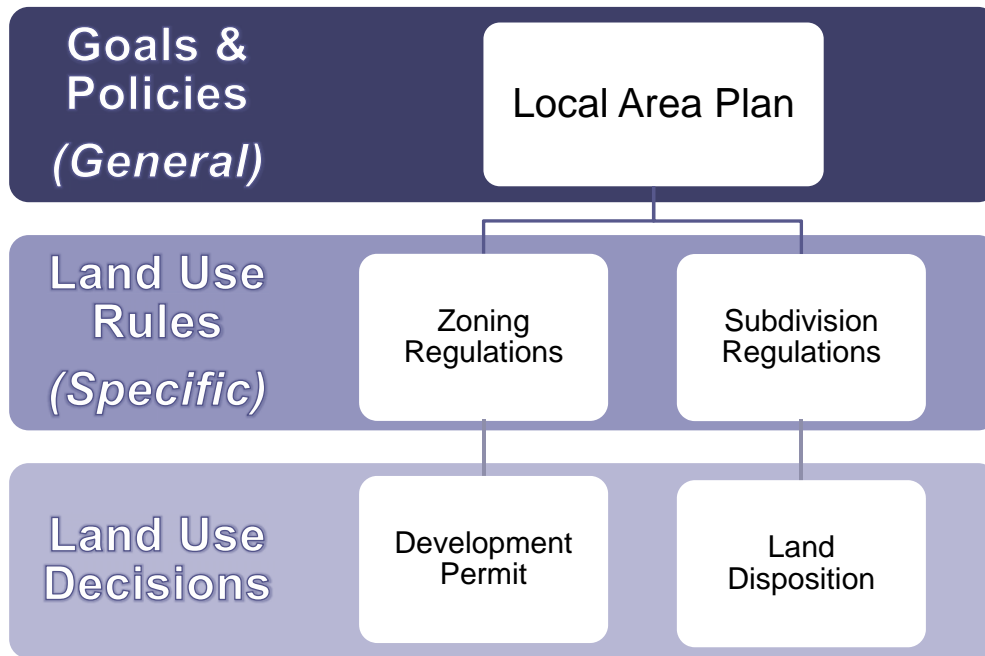
- Land use plan outside municipalities dealing with rural settlement issues
- No legislative requirement (some exceptions)
- Implemented through regulation

Purposes of Local Area Planning

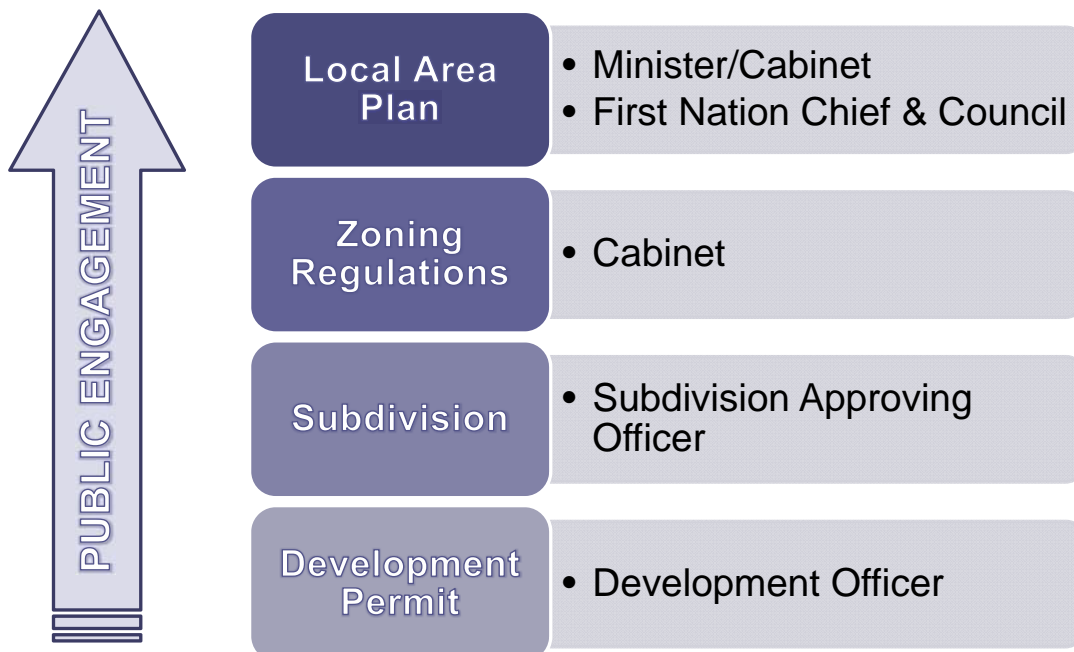
- Define community vision
- Manage growth and promote desirable change
- Promote orderly development and minimize conflicts
- Balance community interests with broader public interests
- Provide certainty and fairness
- Identify servicing and infrastructure needs



Land Use Planning Framework



Level of Public Engagement & Approval Authorities



Planning with First Nations

- **First Nations Self-Government Agreements**
 - Responsible for planning and zoning on Settlement Lands (s. 13.3)
 - Opportunities for joint planning and zoning with other governments (s. 26)
- **Advantages of Cooperative Planning**
 - Promote compatible uses on Settlement and Non-Settlement Land
 - Collaborative development and servicing opportunities
 - Resource and information sharing

Local Area Plans

Existing

Mount Lorne (1995)
Deep Creek (2001)
Hot Springs Road (2002)
Ibex Valley (2001)
Golden Horn (2004)
West Dawson & Sunnydale
(2013)
Carcross (2014)

Under Development

Marsh Lake
Fox Lake
Tagish



How we do it...



LAP Process: **Pre-Planning**

- Determining planning priorities
- Agreement with First Nation(s)
- Introductory public meetings
- Establish Steering Committee
- Terms of Reference
- Consultant selection



LAP Process: Background Info

1. Document Existing Conditions

- Land use, population, infrastructure, services, natural and physical environment, etc.
- Empirical, traditional and local knowledge

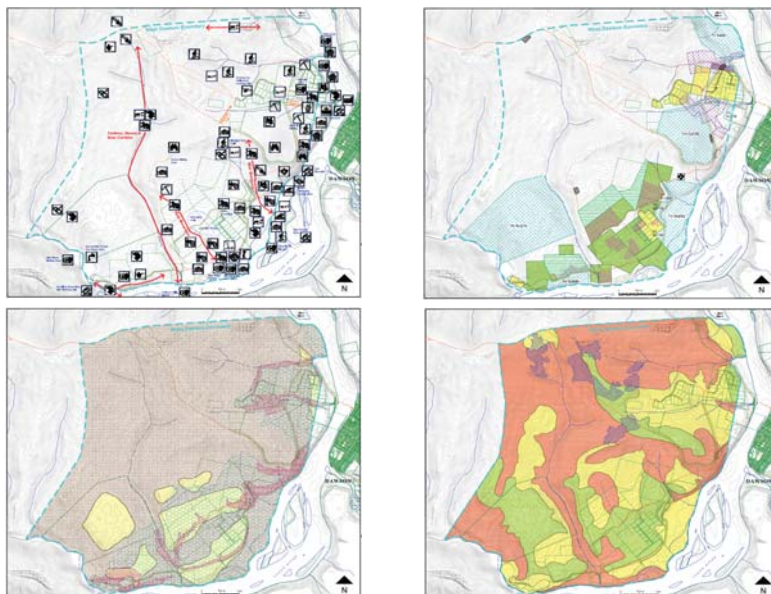
2. Information Analysis

- Population projections
- Development trends and patterns
- Identify issues & opportunities
- Land & resource capability

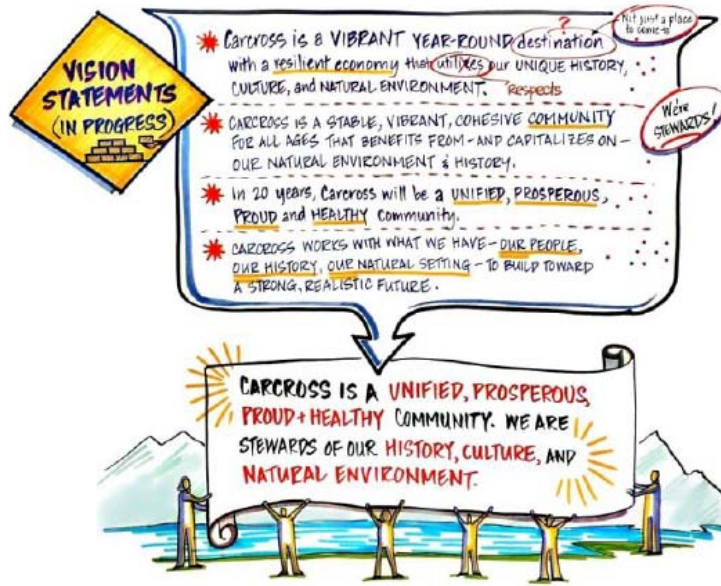
3. Background Report



LAP Process: Background Info



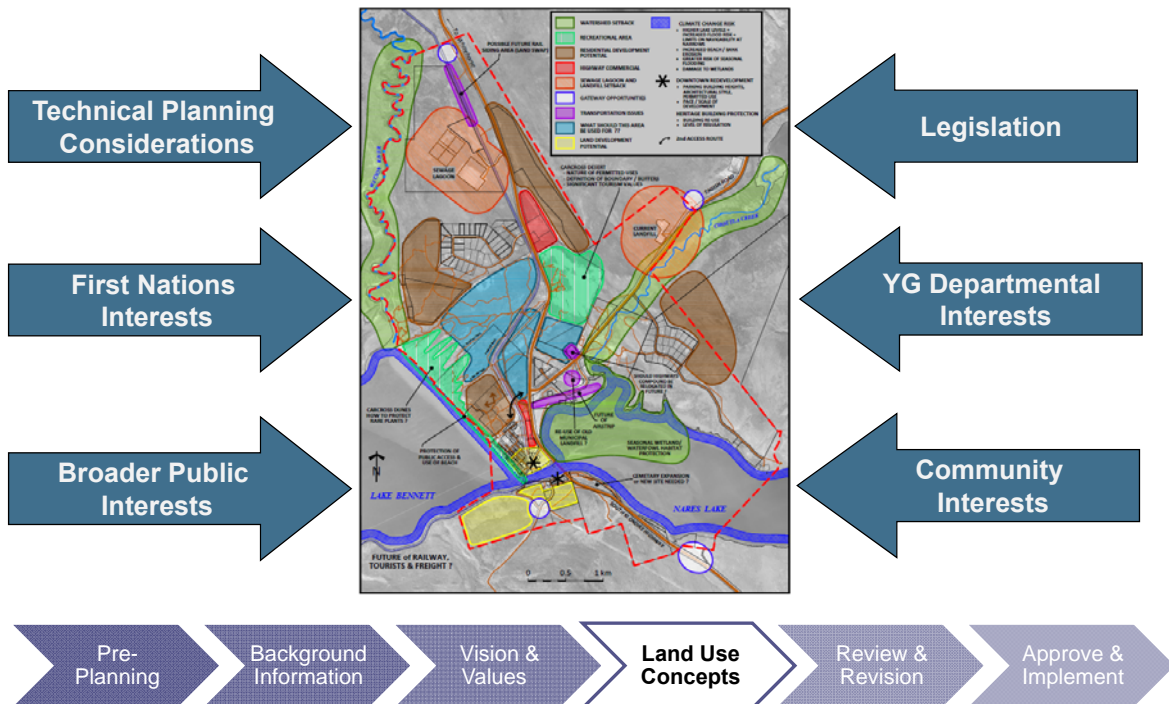
LAP Process: Vision & Values



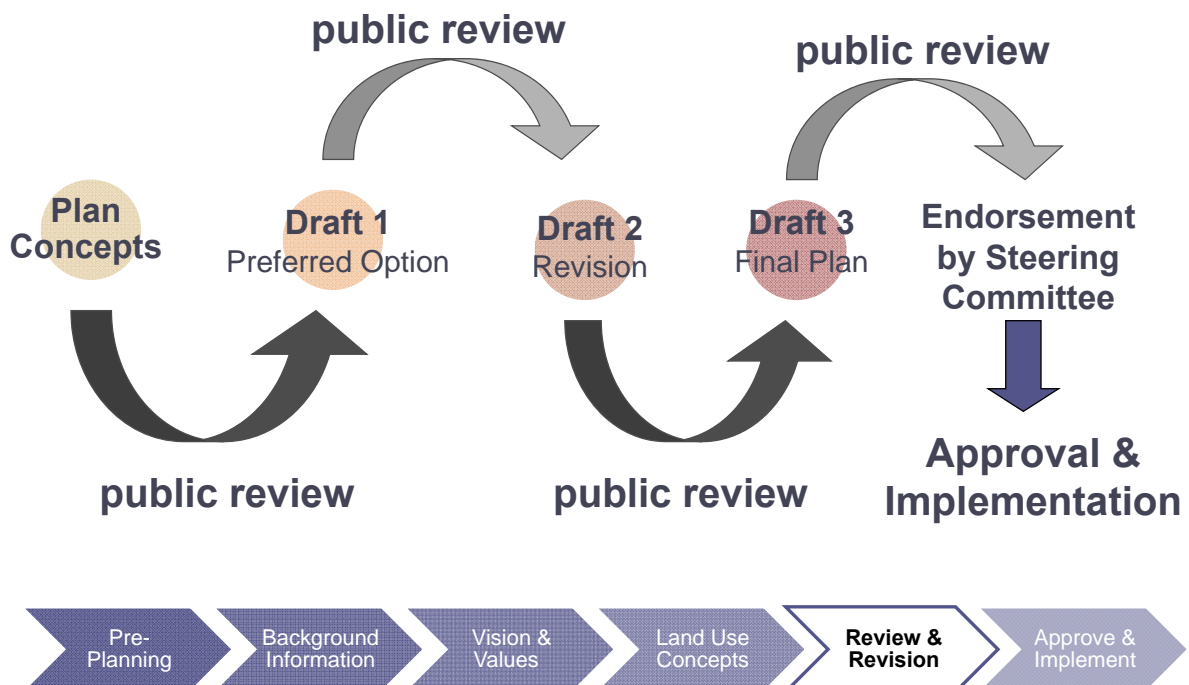
LAP Process: Vision & Values



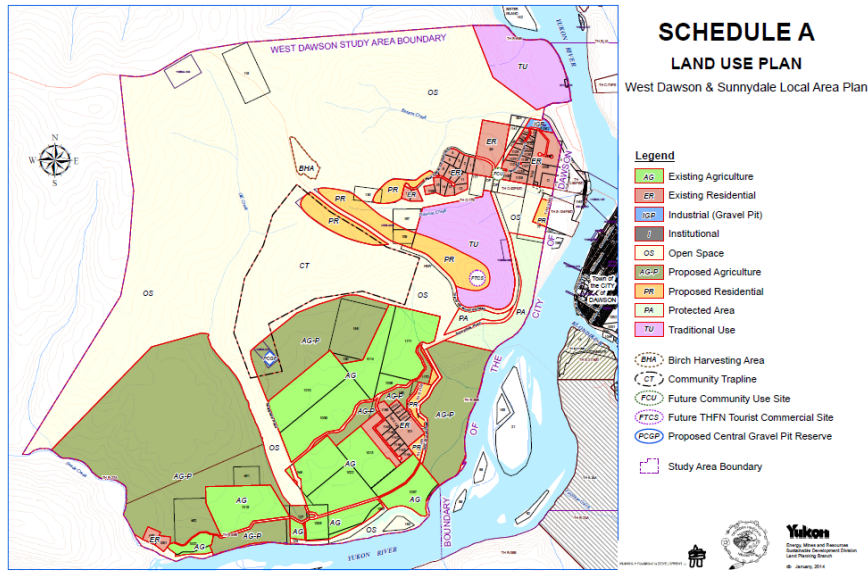
LAP Process: Land Use Concepts



LAP Process: Review & Revision

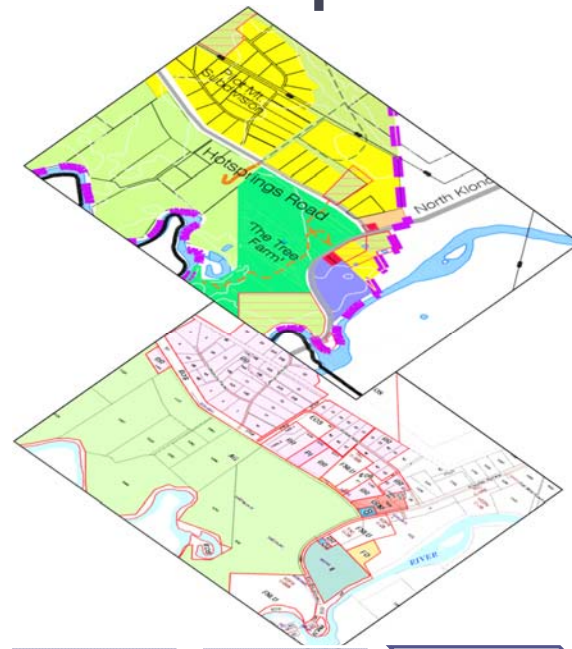


LAP Process: Approve & Implement



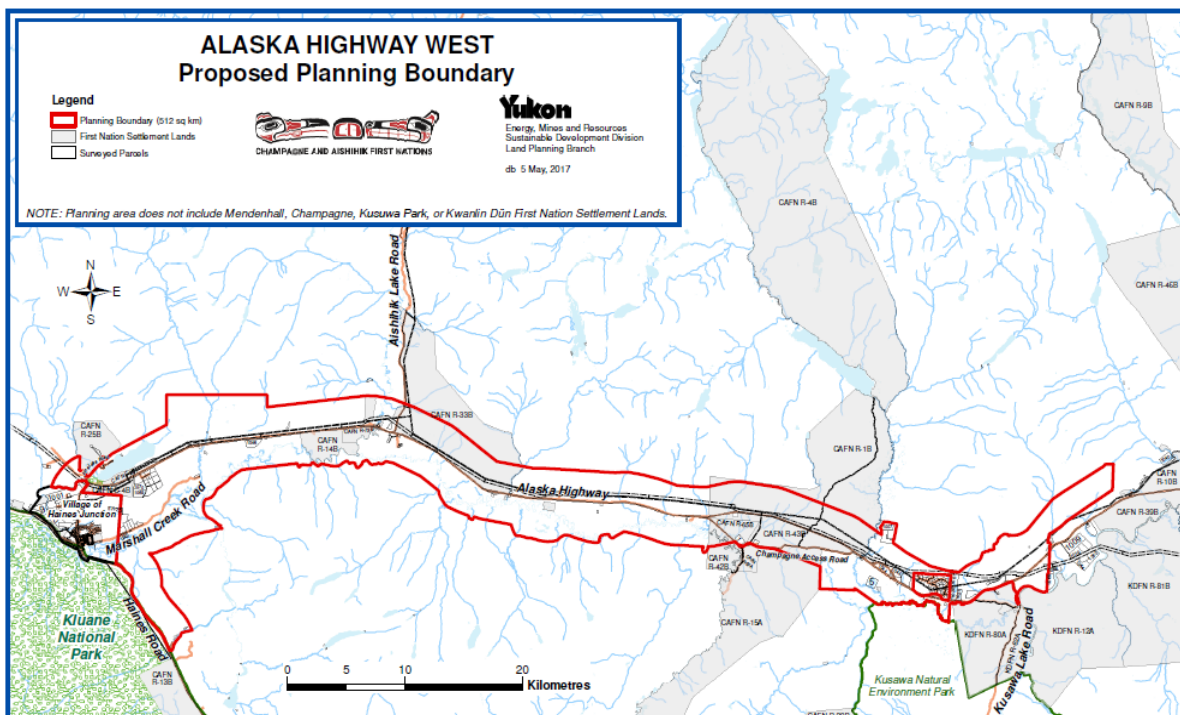
LAP Process: Approve & Implement

- Local Area Plan
- Area Development (Zoning) Regulation



Alaska Highway West: Next Steps

- ✓ Sign MOU between YG and CAFN
- ✓ Planning Boundary
- Collect Survey Feedback
- Establish Steering Committee
- Finalize Terms of Reference
- Request for Proposals / Consultant Selection
- Begin Planning Process!



Questions & Comments



Roy Neilson

Land Use Planner
YG Energy, Mines & Resources
1-800-661-0408 ext 3531
roy.neilson@gov.yk.ca

Graham Boyd

Lands Manager
CAFN Heritage, Lands and Resources
1-867-456-6886
gboyd@cafn.ca

