



## **APPLICATION FOR LAND USE CHANGE**

### **LOCAL AREA PLAN OR DEVELOPMENT AREA REGULATION**

#### **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 development area regulation or local area plan.

To apply for changes to the development or use of land, you must complete and submit the attached application form:

- If your property is outside a municipal boundary, and;
- If your property is within an area with an established local area plan or a development area regulation, under the administration of the 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.

Prior to submitting an application, we recommend that you consult with the Land Planning Branch to discuss your preliminary proposal and the eligibility criteria and requirements that apply to your situation. The Land Planning Branch can provide information sheets that explain local area planning, rezoning and other land management programs.

To proceed with making a formal application, it is important that you read the following instructions and information carefully.

#### **Land Planning Branch**

Department of Energy, Mines and Resources  
Government of Yukon  
Box 2703 (K-320LP)  
Whitehorse, Yukon, Y1A 2C6  
Phone: 867-667-3515  
Email: [landplanning@yukon.ca](mailto:landplanning@yukon.ca)



Depending on the nature of your application, your request may be subject to one or more of the following processes.

### **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.

A property owner wishing to develop their land in a manner that is different from what is outlined in a local area plan, can 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.

### **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. If you are proposing an activity on your property that is currently not permitted under the established zoning regulations, an amendment to a development area regulation is required.

The Government of Yukon's 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 and wilderness areas of Yukon that currently have no development area regulations.

### **Ministerial Rezoning Order**

The *Ministerial Rezoning Regulation* (O.I.C. 2013/198) allows the Minister of the Department of Energy, Mines and Resources, rather than Cabinet, to make decisions on certain types of land use changes governed by development area regulations.

An application for a Ministerial Rezoning Order may be considered if the application's main purpose meets the following criteria:

- applies to an existing surveyed parcel, a new land use disposition or a lot enlargement;
- involves re-designation 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.

Once the review and consultation process is complete, the Land Planning Branch prepares a report with recommendations to the Minister of the Department of Energy, Mines and Resources who will decide whether to approve, approve with revised amendment(s), or deny the application.

You will receive a formal notice of the Minister's decision including the reasons for the decision.

## Application and review process

Complete the attached application form and make sure that the information you provide is thorough and accurate. Submit all required information and documentation with your application.

There are no fees to apply for changes to the development or use of land or to amend a local area plan or development area regulation.

On receipt, the Land Planning Branch will review your application to ensure that it is complete and complies with applicable legislations. The Branch will assess your application with respect to existing/proposed uses, existing planning and development regulations, socio-economic and environmental impacts and suitability of the land for the proposed activity.

As part of the Government of Yukon's review process, your application is distributed to various governments, First Nations and community agencies, for consultation and comment. The Government of Yukon will also notify neighbouring property owners and the public of the proposed change. The Government of Yukon may issue a public notice. (Refer to the *Access to Information and Protection of Privacy Act* disclaimer on the application form.)

Depending on the nature, magnitude or local interest in your application, the Government of Yukon may hold a public meeting. If a public meeting is held, you are expected to present and explain your proposal at the meeting.

You will receive a formal notice from the Government of Yukon on the decision of whether to approve, approve with revised amendment(s), or deny the application and the reasons for the decision.

The Land Planning Branch makes every effort to process applications as quickly as possible. However, depending on the nature of the request and the extent of the review, a final decision may take 12 months or more.

If you have questions about the application and review processes, contact the Land Planning Branch.

Retain a copy of your application package for future reference and for your records.

### OFFICE USE ONLY – Receipt of completed application form

Applicable development area regulation

Existing zoning

Proposed zone (Change to other existing zone or create new zone?)

Application information complete?

Yes  No

All other required information provided?

Yes  No

Is a public meeting expected?

Yes – date (if known): \_\_\_\_\_

No

To be determined (will advise)

Completed application accepted?

Yes  No

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

### Comments



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 Department of Energy, Mines and Resources  
 Box 2703 (K-320LP), Whitehorse, Yukon Y1A 2C6  
 Phone: 867-667-3515 • Email: landplanning@yukon.ca

Department use only

Application/file no.	Quad/location
Date received	<b>Type of application</b> <input type="checkbox"/> Local area plan amendment <input type="checkbox"/> Zoning amendment <input type="checkbox"/> Ministerial rezoning
Community or jurisdiction	

**General information**

Name of applicant	Email	Phone	
Address	City/town	Terr./prov.	Postal code
Name of registered owner(s) of lands	Email	Phone	
Address	City/town	Terr./prov.	Postal code
Name of person or agent authorized to act on owner(s) behalf	Email	Phone	
Address	City/town	Terr./prov.	Postal code

General location of application land/project

Legal description of land that is subject to this application

Lot number(s)	Block/group/quad	Subdivision/area	CLSR plan #	LTO plan #
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Civic address of lands included in this application (if applicable)	City/town/community
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**Project information**

Name of applicable local area plan

Existing plan designation	Proposed plan designation
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Name of applicable development area regulation

Existing zoning	Proposed zoning or land use change
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Existing use(s) of the application lands	<input type="checkbox"/> Residential	<input type="checkbox"/> Rural residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial
	<input type="checkbox"/> Institutional	<input type="checkbox"/> Utility	<input type="checkbox"/> Other: _____	
Existing use(s) of adjacent lands	<input type="checkbox"/> Residential	<input type="checkbox"/> Rural residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial
	<input type="checkbox"/> Institutional	<input type="checkbox"/> Utility	<input type="checkbox"/> Other: _____	

Explain why you wish to rezone or re-designate this land, for what purpose the land will be used and the expected development timeframe. (Provide a site plan and additional information. Attach a separate sheet if necessary.)

### Submittal information

**Additional information – the following information may be submitted, depending on nature of request.**

#### Additional documentation or support

Include any additional material or correspondence related to your zoning and/or local area plan amendment request.

#### Public hearing may be required

Depending on the nature, magnitude or local interest in your application, the Government of Yukon may hold a public meeting. If a public meeting is held, you are expected to present and explain your proposal at the meeting.

### Applicant/owner consent

I/we certify that I am/we are the registered owner(s) of the land described in this application.

I/we certify that all of the submitted information is true and correct to the best of my knowledge and belief.

I/we understand that any misrepresentation of submitted data may invalidate any approval of this application.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_