



RURAL RESIDENTIAL

Land Application Policy

Energy, Mines and Resources
Land Management Branch
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UNTIL FURTHER NOTICE, LAND MANAGEMENT BRANCH IS NOT ACCEPTING APPLICATIONS FOR RURAL RESIDENTIAL LAND ON ANY PLACER CLAIMS (INCLUDING THOSE REFERENCED UNDER THE HIGHLIGHTED SECTIONS BELOW). FOR GREATER CLARITY, THIS APPLIES TO RESIDENCES CONSTRUCTED IN, PRIOR TO AND AFTER 1999.

OBJECTIVE

To facilitate provision of fee simple land for rural residential purposes in outlying areas, where the site will be the *principal residence*. Land for recreation purposes will not be provided under this policy.

PURPOSE

This policy provides direction regarding the review of rural residential applications outside of municipal boundaries. The purpose of the policy is to:

- Allow people to acquire Yukon (public) land where existing road access facilitates rational rural residential development;
- Ensure public interests are protected with respect to the management and disposition of Yukon (public) land;
- Meet development standards as defined in the *Subdivision Act and Regulations*, planning schemes (see Definitions), other regulatory authorities, and resource management plans and policies.

BACKGROUND

Yukon government has a responsibility to facilitate orderly development in outlying areas. The policy specifies criteria under which individuals may apply for land for rural residential purposes.

Direction regarding development around communities is provided through local area plans, area development regulations and pre-planning processes in keeping with integrated resource management objectives. Applications

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for rural residential purposes are not accepted within the boundaries of municipalities, within the Whitehorse Periphery Area where either a local area plan or area development regulations (zoning) are in place or within certain areas undergoing active planning.

Rural residential land applications that include home occupations or minor agricultural pursuits can be accepted and *will be* considered in accordance with local area plans, area development regulations and this policy. In areas without local area planning, such as around outlying communities, applications *will be* reviewed in accordance with this policy.

This policy limits application near waters with high recreational value. These waters are identified in *Appendix B: Waters with High Recreation Value*. Development occurring near these waters should occur in planned Development Nodes.

Tenures issued and supported through other resource legislation remain under that tenure system and are not considered under this policy.

DEFINITIONS

Area Development Regulations: Are area-specific zoning criteria that guide land use activities on private and Yukon (public) land. They are known as zoning regulations. A proposed use in a land application must conform to the land use and development criteria specified in the zoning regulations. If no zoning regulations exist, the parcel will be “classified” (e.g. rural residential, commercial, etc.) upon sale for the intended use the land was applied for (e.g. rural residential, commercial, etc.).

Bed and Breakfast: An accessory use of a residence or guest cabin to provide temporary overnight accommodation and meals for tourists and visitors.

Compatible: Describes a building, structure, activity or use that visually blends with the neighbourhood, conforms to the intent of the policy, is in keeping with the surrounding environment, and minimizes nuisance between land users.

Cumulative Effects: Changes of an environmental, social, or economic nature caused by the combination of past, existing, proposed, and reasonably foreseeable future development.

Detailed Rationale: Description of why the land applied for is required, including why that amount of land is needed. This must be accompanied by a scaled map of the site plan demonstrating how the land will be used. Under the Rural Residential Land Application Policy, applications must be for the construction of the applicant's principal residence. Impact on access will be taken into consideration (e.g. people, wildlife, services etc. ability to access shoreline).

Development Areas:

Under the *Area Development Act*, regulations are made for the orderly development of a specified area. Regulations are currently in place for the following areas:

Bear Creek	Golden Horn	Klondike Valley	Mount Lorne
Carcross	Grizzly Valley	Mayo Road	Pine Lake
Dempster Highway	Hotsprings Road	Little Teslin Lake	Ross River
Deep Creek	Ibex Valley	M'Clintock Place	West Dawson
Destruction Bay	Jackfish Bay	Mendenhall	Whitehorse Periphery

Development Node: A grouping of two or more land dispositions in relatively close proximity.

Government of Yukon Reserve: Identifies land to be set aside or retained from public disposition for a specific purpose (current or future).

Grouping of Applications: If more than one application (of any type) exists in an area and they have not yet received decisions, or if there are particular sensitivities in an area, applications may be grouped together in order to consider social, economic and environmental information and to ensure that consistent information is considered in each application.

Home Occupation: Any occupation, trade, profession, or craft carried out as a use incidental and subordinate to and compatible with the residential use, and carried out by a resident of the property.

Local Advisory Areas:

Under the Municipal Act, local advisory areas may be established. Hamlets, previously established, are considered as local advisory areas under the act. Area development regulations may be developed for local advisory areas. They include the following:

Hamlet of Ibex Valley	South Klondike Local Advisory Area
Hamlet of Mount Lorne	Tagish Local Advisory Area
Marsh Lake Local Advisory Area	

Note: Where there is a difference between definitions in this policy and definitions within an applicable Act or regulation, the definition in the Act or regulation prevails.

Minor Agricultural Pursuits: May include small-scale commercial or non-commercial agricultural operations which can be carried out on a small tract and are secondary to and compatible with the residential use. Typical uses include, but are not limited to nurseries, greenhouses, market gardens, beekeeping and keeping livestock for personal use.

Municipalities:

There are eight municipalities incorporated under the Municipal Act in the Yukon:

Village of Carmacks	Village of Mayo
City of Dawson	Village of Teslin
Town of Faro	Town of Watson Lake
Village of Haines Junction	City of Whitehorse

Non-compliant with policy: An application that is determined not to meet the policy criteria during the Policy Compliance Review stage (prior to review by the Land Review Committee). The application is deemed ineligible and Land Management Branch is unable to proceed further with it.

Planning Scheme: A regional plan; sub-regional plan; district plan; community plan; local area plan; or land use policies and regulations made under the *Area Development Act*, the *Highways Act*, the *Lands Act* or the *Territorial Lands (Yukon) Act*. Also includes Special Management Area plans created to fulfill obligations under First Nation Final Agreements;

Habitat Protection Areas under the *Wildlife Act*, and Parks under the *Parks and Land Certainty Act*.

Pre-planning Process: A process coordinated by the Land Management Branch, Yukon Government to assess an area for its suitability for development, which may involve input from the departments of Environment, Highways and Public Works, and Community Services, and any other department with responsibilities or interests in the area. It may consider social, economic, and environmental information in areas experiencing heightened interest, such as multiple applications received; where multiple sensitivities are identified through a land application review; where planning is occurring or anticipated; or where consultation with other governments, such as First Nations, is advisable. A pre-planning process may result in Land Management Branch closing off an area to applications, or deferring or denying applications pending more comprehensive review.

Proposed Planning Scheme: A local area plan or a regulation under the *Area Development Act* that has undergone a final consultation and that has been submitted to EMR for consideration and has been formally acknowledged to be a Proposed Planning Scheme by the Department of Energy, Mines and Resources.

Residential: For the purpose of this policy, residential means serving as a principal residence. Residential does not mean recreational. A residential designation within a local area plan or area development regulation (zoning) may allow for bed and breakfast, home occupation or minor agricultural pursuits. Other commercial uses are not normally permitted under a residential designation.

Settlement Pattern: The spatial distribution and arrangement of human habitations or surveyed parcels that has developed over time for the area.

Yukon (public) Land: Includes both “Territorial Lands” as defined in the *Territorial Lands (Yukon) Act* and “Yukon lands” as defined in the *Lands Act*.

ABBREVIATIONS

IRM - Integrated Resource Management

OHW - Ordinary High Water Mark

YESAA - Yukon Environmental and Socio-economic Act

PRINCIPLES

1. Land sales must comply with existing and proposed planning schemes (see Definitions).
2. Land sales are only authorized in an amount reasonably necessary to satisfy the purpose for which the land is needed. Applicants must provide a Detailed Rationale with their application. Land parcels will normally be 2 to 3.99 hectares (4.94 to 9.8 acres) unless otherwise required by the minimum lot size of the existing zoning regulations and be consistent with the existing settlement pattern, should one exist.
3. Land applications in rural areas may be directed to Development Nodes to provide for the rational delivery of services and to minimize the impact on other resource users and the environment.
4. Land required to facilitate public recreation and multiple use of land and natural resources will normally be retained for public use rather than alienated for private use.
5. During the application review process, the Land Management Branch will, whenever possible, consider the principles of Integrated Resource Management (IRM) in finalizing a decision. Core IRM principles include fostering understanding, cooperation and communication with other departments, governments and agencies involved in resource management, consideration of all values and consultation before finalizing a decision.

POLICY PARAMETERS

A. Form of Tenure

1. Tenure is provided under a five (5) year agreement for sale.
2. The following conditions apply:
 - Terms and conditions of the agreement for sale are met.
Note: The Land Management Branch reserves the right to require a building commitment as a condition of sale.
 - Development is to meet the requirements of existing planning schemes or area development regulations.
 - Development is to meet the requirements of the *Building Standards Act and Regulations*.
 - Note: This does not apply to residences constructed on placer mining claims prior to 1999.
 - Title is provided when all terms and conditions of the agreement for sale have been met, the survey is registered (by Land Management Branch), and the full purchase price paid.

B. Cost of Land

- Land will be sold at market value.
- All development costs are the responsibility of the applicant.

C. Area of Tenure

- In areas without an existing or proposed planning scheme, land parcels will normally be 2 to 3.99 hectares (4.94 to 9.8 acres). A maximum parcel size of 3.99 hectares does not enable subdivision into 2 hectare parcels, which acknowledges the minimum 2-hectare lot size within the *Subdivision Regulations*.
- In areas with a planning scheme, the minimum lot size in the planning scheme will guide the lot size.

D. Site Criteria

1. Applications may be considered if:

- The land is suitable for the intended purpose. Applicants should reference the evaluation criteria outlined in the *Subdivision Regulations, Section 8*. (See: Appendix C of this policy).
- They comply with existing or proposed planning schemes.
 - a) Local area plans (where they exist) are the primary screen for the review of applications.
 - b) Applications will not be considered in areas designated in a local area plan or zoning regulation for Future Development.
- They are accessible by land directly off a highway maintained on a year-round basis (within 1 kilometre). Highways receiving year round maintenance are listed in Schedule 1 Maintained Highways, *Highways Regulations* (See Appendix A) or
 - Are accessible by land directly off a secondary road intersecting with a maintained highway (within 1 kilometre of the intersection) where development may be appropriate or already exists.
- They are located on a pre-1999 placer mining claim where the existing residence pre-dates the 1999 *Placer Mining Land Use Regulations*.
 - Such residences must be located within 1km of a year round or seasonally maintained highway listed in Schedule 1 Maintained Highways, *Highways Regulations* (See Appendix A).
- They are located in areas identified for rural residential purposes if there has been a pre-planning process (see *definitions*).
- They are not located in areas identified in Section 7 below.

2. Applications located directly off the Alaska and Klondike Highways are considered on a case-by-case basis but are normally directed to existing Development Nodes.

3. Applications requiring a new highway access road will be subject to the applicable permit approval (issued by the Department of Highways & Public Works). These applications will also be considered according to the provisions of the *Yukon Environmental and Socio-Economic Act (YESAA)* and regulations to determine whether an environmental assessment will be required.
4. Land management factors, such as the ability to extend the road to service additional rural residential lots, and to facilitate nodal development, will be considered in the review of applications.
5. The interests of adjacent land owners will be considered in the review of any application that restricts the enlargement capability of adjacent lots.
6. Road, lake or river frontage shall not generally be more than 25% of the overall parcel boundary.

7. Applications under this policy will not be considered if they:

- Are located within the boundaries of municipalities.
- Are located within an area of the Whitehorse Periphery that has a local area plan or area development regulations, which includes the following:
 - Deep Creek
 - Golden Horn
 - Grizzly Valley Development Area
 - Hamlet of Ibex Valley
 - Hamlet of Mount Lorne
 - Jackfish Bay Development Area
 - Mayo Road Development Area
 - Hotsprings Road
- Are located within an area that is undergoing a local area planning process, (excluding Canyon - south side of the Alaska Highway km1544 to km1547). These include:
 - Alaska Highway West/Dezadeash
 - Fox Lake
 - Marsh Lake
 - Tagish

See Land Planning Branch website for details:

www.emr.gov.yk.ca/landplanning/local-area-plans.html

- Land applications in this excluded area may be subject to:
 - Development terms and conditions, such as road access requirements to the parcel.
 - Parcel realignment and reconfiguration.
- Are located on the Aishihik Lake Road.
- Are located on the Haines Road.
- Are located between Johnson's Crossing and the community of Teslin.
- Propose to access from a highway that is not maintained on a year-round basis *i.e.* highways listed as not receiving year round maintenance in Schedule 1 of the *Highways Regulations* (See Appendix A: Maintained Highways).
- Are located in remote areas not accessible by maintained highways, such as river corridors and remote lakes.
- Are located within 305 metres (approximately 1000 feet) of any lake or river identified in Appendix B: Waters with High Recreational Value.
 - If significant infrastructure/development (e.g. a highway, secondary road, existing Development Node etc.) exists within the area identified above (between the water body and the proposed parcel) the setback from the lake or river identified in Appendix B may be reduced, at the discretion of Land Management Branch.
 - This does not apply to residences constructed on placer mining claims prior to 1999.
- Are located in areas identified as exclusion zones, (i.e. high community or environmental values) through preliminary screening processes.
- Encroach on highway rights-of-way or other public infrastructure corridors.

- Overlap with a Yukon government reserve, except with consent from Land Management Branch (per the Reserves and Notations policy).
 - For information related to Administrative Reserves see the Administrative Reserves and Notations policy:
www.emr.gov.yk.ca/lands/legislation_policies.html
- Are on lands unsuitable for rural residential purposes, e.g. on slopes exceeding 15% or in sub-alpine/alpine areas.

Note: Applicants will be advised if their application is in an area where a previous application of a similar nature was denied. The client will be provided a summarized rationale for the former decision.

E. Resource Management Criteria

1. Parcels will normally be setback a minimum of 60 metres from the ordinary high water mark (OHWM) of lakes and rivers and a minimum of 10 metres from creeks, except for lakes and rivers identified in Appendix B.
 - The setback may be increased where a greater setback is required due to environmental, cultural or scenic values, or to facilitate other land uses or management considerations.
 - The setback may be decreased to as little as 30.48 metres where the additional reserve is not required to address the interests of existing or potential public recreation or other resource users, and is not required for environmental protection purposes.
2. Unique or representative landscape features, environmentally sensitive areas, shorelines, public trails, and archaeological sites are normally retained for public use rather than alienated for private use.
3. Areas that facilitate public access to and use of land or water resources are normally retained for public use rather than alienated for private use.
4. Applications under this policy will comply with existing and proposed planning schemes and resource management plans e.g. forestry or wildlife, where applicable.

5. Applications are reviewed to ensure that the needs of other public and commercial resource users are considered in an equitable manner.
6. Consideration will be given to the need for spatial separation between:
 - Rural residential applicants and public and commercial wilderness recreation users; and
 - Rural residential applicants and other natural resource use activities, in order to avoid land use conflicts.

ELIGIBILITY

- Any individual nineteen (19) years of age or older.
- One application per household.
- Applicant does not already hold an Agreement for Sale with the Government of Yukon.

APPLICATION REQUIREMENTS

Applications must be complete.

All applications must include the following (see application form for further details):

- Completed application form (applicants are required to submit a draft application in order to ensure Boundary coordinates)
- Detailed site sketch, which includes a consistent and defined proportional drawing of the site (i.e. a scaled drawing).
- Boundary coordinates. Application fee (see application form for details).
- Subdivision fee (see application form for details).
- Note: Applicants for primary residences built on placer claims before 1999, are required to provide proof of the building's completion prior to 1999 (E.g. inspection reports, property tax records, dated photos etc.)

APPLICATION REVIEW PROCEDURES

1. Applications for residential purposes will be reviewed as required under the *Yukon Environmental and Socio-economic Assessment Act (YESAA)* and Regulations or under the Yukon government land review process.
 - The Yukon government land application review process is outlined in the document “Guide to the Land Application Process.”

2. An application review may result in an approval, a conditional approval, a denial, or a deferral pending more information. Applications may be denied during the Policy Compliance Review Stage, if they are determined to be Non-compliant with Policy. Such applications will not be allowed to proceed.

3. If development pressures are experienced in an area, the Yukon government may choose to:
 - conduct a pre-planning process (see definitions);
 - group applications (see definitions) to consider the cumulative effects of multiple applications;
 - learn the outcomes of a planning process already underway; or
 - Initiate a neighbourhood plan or similar plan.

Any of the above actions may result in a decision to not accept applications in an area, which will be communicated by a public means, and to the applicant in writing. For applications that have already been reviewed through the public review process, the above process may also result in the deferral or denial of an application.

All current Land Applications can be viewed on Energy, Mines and Resources website:
www.emr.gov.yk.ca/lands/land_applications.html

AUTHORITIES

Acts / Regulations

Yukon Lands Act / Regulations

Territorial Lands (Yukon) Act / Regulations

Subdivision Act / Regulations

Area Development Act / Regulations

Municipal Act / Regulations

Highways Act / Regulations

Building Standards Act / Regulations

Public Health and Safety Act

Public Health Regulations

Sewage Disposal System Regulation

YESAA / Regulations

Wildlife Act / Regulations

Waters Act / Regulations

Parks and Land Certainty Act

Policy

Land Value Appeal Policy

Guide to the Land Application Process

APPENDIX A: MAINTAINED HIGHWAYS**Highways & Public Works, Maintained Roads Inventory**

This list is derived from the *Yukon Highways Act and Regulations* and can be modified by the Department of Highways and Public Works. Where a discrepancy exists between this list and the *Highways Regulations*, the list in the Regulations prevails.

Highway Number	Name	Kilometres	Location	Year-Round Maintenance
301	Aishihik Lake Road	43.4	Haines Junction	No
1	Alaska Highway	957.15	South of Watson Lake to west of Beaver Creek	Yes
108	Annie Lake Road	27.2	Carcross	Yes
319	Anvil Range Road	22.1	Faro	No
104	Army Beach Road	2.6	Whitehorse	Yes
7	Atlin Road	42.4	Tagish Road to BC Border	Yes
134	Bear Creek Subdivision Road	1.8	Dawson	Yes
607	Beaver Creek Community Roads	2	Beaver Creek	Yes
153	Blind Creek Road	10.2	Drury Creek	Yes
302	Bonanza Creek Road	17.6	Dawson	No
115	Braeburn Lake Subdivision Road	2	Carmacks	Yes
154	Brooks Brook Road	0.7	Teslin	Yes
155	Burma Road	1.92	Whitehorse	Yes
605	Burwash Community Roads	3.8	Burwash	Yes
4	Campbell Highway	168	Faro to Carmacks	Yes
4	Campbell Highway	415	Watson Lake to Faro	Yes
604	Carcross Community Roads	12	Carcross	Yes
110	Carmacks By-Pass Road	0.31	Carmacks	Yes
37	Cassiar Highway	3.4	Watson Lake	Yes
199	Champagne Access Road	16	Haines Junction	Yes
128	Chootla Subdivision Road	2.9	Carcross	Yes
304	Clear Creek Road	40	Stewart Crossing	No
303	Clinton Creek Road	35	Dawson	No
121	Constabulary Beach Subdivision Road	5.4	Whitehorse	Yes
149	Cookies Road	1.07	Whitehorse	Yes
189	Cousins Airstrip Road	0.75	Whitehorse	Yes
111	Cowley Lake Road	2.5	Carcross	Yes
195	Cranberry Point Road	0.5	Whitehorse	Yes
186	Cranberry Road	0.7	Watson Lake	Yes
190	Creek Road	0.78	Whitehorse	Yes
305	Dalton Post Road	5.7	Blanchard	No
157	Deep Creek Road	3.1	Whitehorse	Yes
158	Deep Creek South Road	1.91	Whitehorse	Yes
5	Dempster Highway	465	Klondike Hwy to NWT Border	Yes
606	Destruction Bay Community Roads	2.8	Destruction Bay	Yes
701	Dome Road	4	Dawson	Yes
306	Duncan Creek Road	41	Mayo	No
103	East Point Road	1.32	Whitehorse	Yes
191	Echo Valley Road	0.72	Whitehorse	Yes
307	Ethel Lake Road	27.2	Stewart Crossing	No
106	Fish Lake Road	9.4	Whitehorse	Yes
308	Five Mile Lake Road	1.6	Mayo	No
125	Five Mile Road	1.5	Whitehorse	Yes
127	Five Mile Road	6.2	Carcross	Yes
159	Fossil Point Road	1.52	Whitehorse	Yes
309	Freegold Road	62.9	Carmacks	No
310	Frenchman Lake Road	50	Carmacks	No
161	Gartner Road	0.2	Whitehorse	Yes

Highway Number	Name	Kilometres	Location	Year-Round Maintenance
160	Gentian Road	2.44	Whitehorse	Yes
119	Golden Horn Subdivision Road	7	Whitehorse	Yes
192	Grayling Place	0.81	Whitehorse	Yes
105	Grizzly Valley Road	2	Whitehorse	Yes
3	Haines Road	175	Alaska Border to Haines Junction	Yes
311	Hansen/McQuesten Road	20.8	Mayo	No
185	Henderson Corner Subdivision	2	Dawson	Yes
162	Hett/Hase Road	0.45	Teslin	Yes
163	Horse Creek Road	2.5	Whitehorse	Yes
312	Hunker Creek/ Granville/Sulphur	98.3	Dawson	No
164	Ingo's Road	0.9	Carcross	Yes
113	Jackfish Bay Road	4.6	Whitehorse	Yes
129	Jackson Lake Road	4.7	Whitehorse	Yes
193	Jackson Road	0.8	Whitehorse	Yes
183	Johnson Crossing West	0.6	Teslin	Yes
194	Johnston Road	0.32	Whitehorse	Yes
120	Judas Creek Road	10.2	Whitehorse	Yes
601	Keno City Community Roads	3	Keno	Yes
313	Klukshu Road	1.6	Blanchard	No
131	Kookatsoo Lake Road	0.8	Whitehorse	Yes
314	Kusawa Lake Road	24	Whitehorse	No
136	Lewes Dam Road	1.48	Whitehorse	Yes
166	Lewes Lake Road	1.6	Carcross	Yes
188	Little Choutla Sub.	0.5	Carcross	Yes
152	Little Salmon Subdivision Road	1.5	Drury Creek	Yes
132	Lowey's Lane	0.5	Whitehorse	Yes
138	Marshall Creek Road	1	Haines Junction	Yes
139	Mayo Firebreak Road	0.2	Mayo	Yes
315	Mayo Lake Road	9.6	Mayo	No
133	Mayo Subd. & Mayo Group Home Road	2.9	Mayo	Yes
122	McClintock Place Road	0.94	Whitehorse	Yes
177	McClintock River Valley Road	6.1	Whitehorse	Yes
187	Meadow Road	0.7	Carcross	Yes
140	Mendenhall Road	8.6	Whitehorse	Yes
317	Minto Lake Road	18.4	Mayo	No
15	Mitchell Road	10.8	Faro	Yes
197	Mitchie Road	0.51	Whitehorse	Yes
318	Mount Nansen Road	60	Carmacks	No
10	Nahanni Range Road	134	Tuchitua	Yes
6	North Canol Road	234.7	Ross River to NWT Border	No
142	North Fork East Road	18.1	Dawson	Yes
169	North Fork West Road	3.3	Dawson	Yes
2	North Klondike Highway	524	Alaska Highway to Dawson	Yes
123	North McClintock Road	2.1	Whitehorse	Yes
143	Nygren Subdivision Road	2	Haines Junction	Yes
107	Old Alaska Highway	6.4	Whitehorse	Yes
170	Old Constabulary Subdivision Road	0.8	Whitehorse	Yes
603	Old Crow Community Roads	8	Old Crow	Yes
141	Papineau Road	0.3	Blanchard	Yes
602	Pelly Crossing Community Roads	6.4	Pelly	Yes
702	Pelly Ranch Road	0 to 41.2	Stewart Crossing	Yes
702	Pelly Ranch Road	41.2 to 51.2	Stewart Crossing	No
118	Pilot Mountain Road	3.2	Whitehorse	Yes
144	Pine Lake Road	3.7	Haines Junction	Yes
145	Policeman's Point Road	2	Whitehorse	Yes
320	Quartz Creek Road	20	Dawson	No
179	Rivendell Farm Road	2.3	Whitehorse	Yes
130	River Valley Road	1.6	Whitehorse	Yes

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Highway Number	Name	Kilometres	Location	Year-Round Maintenance
172	Robinson Subdivision Road	7	Carcross	Yes
135	Rock Creek Subdivision Road	2.4	Dawson	Yes
173	Ross River Access Road	9.6	Ross River	Yes
608	Ross River Community Roads	7.8	Ross River	Yes
184	Scott Road	0.4	Whitehorse	Yes
198	Scout Bay Road	0.28	Whitehorse	Yes
174	Scout Lake Road	2	Whitehorse	Yes
126	Shallow Bay Road	1.6	Whitehorse	Yes
146	Silver City Road	3.2	Haines Junction	Yes
11	Silver Trail	110	Klondike Hwy to Keno City	Yes
321	Simpson Lake Road	1.6	Tuchitua	No
322	Sixty Mile Road	11	Dawson	No
137	Smiths Road	1.3	Whitehorse	Yes
323	Snafu Lake Road	2.4	Carcross	No
324	Snag Road	27.4	Beaver Creek	No
6	South Canol Road	219.1	Johnson's Crossing to Ross River	No
2	South Klondike Highway	133.7	Alaska Border to Alaska Highway (excluding area km80.3 to km98)	Yes
124	South McClintock Road	3.3	Whitehorse	Yes
325	South McQuesten Road	25.6	Mayo	No
102	Stewart Crossing Subdivision Road	2.4	Stewart Crossing	Yes
326	Sunnydale Road	5.3	Dawson	No
156	Tagish Estate Road	5.6	Carcross	Yes
116	Tagish Lake Subdivision Road	4.5	Carcross	Yes
109	Tagish River Road	3.5	Carcross	Yes
8	Tagish Road	54	Alaska Hwy to Klondike Hwy	Yes
14	Takhini Hot Springs Road	9.2	Whitehorse	Yes
147	Takhini River Road	10.7	Whitehorse	Yes
117	Taku Subdivision Road	8.3	Carcross	Yes
328	Tarfu Lake Road	4.1	Carcross	No
148	Ten Mile Road	0.8	Whitehorse	Yes
167	Teslin Airport Subdivision Road	0.9	Teslin	
150	Teslin Lake Subdivision Road	3	Teslin	Yes
168	Three Mile Road	0.9	Whitehorse	Yes
9	Top of the World Highway	105	Dawson to Alaska Border	No
178	Triple Cross Road	0.7	Carcross	Yes
175	Two Horse Creek Road	2.1	Carcross	Yes
329	Upper Bonanza Road	28	Dawson	No
609	Upper Liard Community Roads	4	Upper Liard	Yes
165	Vista Road (Leborge Tower Road)	3	Whitehorse	Yes
182	Watson River Subdivision	2.4	Carcross	Yes
181	West Dawson Subdivision	2.2	Dawson	Yes
112	Windid Lake Road	0.8	Watson Lake	Yes
180	Woodland Road	0.6	Whitehorse	Yes

APPENDIX B: WATERS WITH HIGH RECREATIONAL VALUE

A. Waters with high recreational value include, but are not limited to the following:

1. Conservation Waters*, adapted from the current *Fishing Regulations Summary*.

Aishihik Lake	Drury Lake	Little Wolverine Lake	Sekulmun Lake
Alligator Lake	Dū Ese (Poison) Lake	Long Lake (near	Tagish Lake
Bennett Lake	Ethel Lake	Aishihik)	(including Windy Arm)
Big Salmon Lk	Fire Lake	Marsh Lake	Tay Lake
Big Salmon R (Quiet	Frances Lake	McEvoy Lake	Tchawsahmon Lake
Lake to Big Salmon	Frank Lake	Morley Lake	Tēle (Jim Cook) Lake
Lake including Sandy	Frederick Lake	Morris Lake	Ten Mile Lake
Lake)	Frenchman Lake	North Lakes	Tincup Lake
Blind Lakes	Glenlyon Lake	Nūsgu Xhâdi	Whitefish Lakes
Chain Lakes	Grass Lakes	(Wolverine Lake;	Wolf Lake
Claire Lake	Jo-Jo Lake	off Hwy #4)	
Coghlan Lake	Kluane Lake	Pleasant Lake	
		Quiet Lake	
		Sandy Lake	

2. Special Management Waters*, adapted from the current *Fishing Regulations Summary*.

Atlin Lake	Laidlaw Lake	Snafu Lakes	Teslin Lake
Braeburn Lake	Little Atlin Lake	Swift River and	Teslin River at
Caribou Lake	Little Fox Lake	tributaries	Johnson's Crossing
Chadburn Lake	Louise (Jackson)	Tagish Bridge	Twin Lakes
Dezadeash Lake	Lake	Tagish (Six Mile)	Watson Lake
Duo Lake	Lubbock River	River	Wellesley Lake
East Aishihik River	Mandanna Lake	Tarfu Lake	Yukon River and
Jackson Lake (see	McLean Lakes	Tetl'áman (Tatmain	select tributes: Blind
Louise Lake)	Minto Lake	Lake)	Ck, Klondike R, Lapie
Kathleen River and	Pine Lake	Tatshenshini River	R, McIntyre Ck,
the following related	Rancheria River &	and select tributes:	Morley R, Smart R,
bodies: Crescent	tributaries	Blanchard R, Klukshu	Takhini R, Teslin R,
Lk., Granite Lk,		R. Takhanne R,	Wolf Creek
Granite Ck, Lower		Tatshenshini R,	
Kathleen Lk., Quill		Village Ck,	
Ck., Rainbow Lk.			

3. Waters* recognized as having high recreational value due to their recreational potential, environmental and scenic characteristics, and accessibility. These lakes include, but are not limited to the following:

Emerald Lake	Fish Lake	Lake Laberge
Fox Lake	Kusawa Lake	Little Teslin

B. Rural residential applications may be considered in the vicinity of Burwash Landing on Kluane Lake in order to provide for rural residential potential in the vicinity of that community.

***NOTE:** For greater certainty, waters identified above as “Conservation Waters” or “Special Management Waters” or waters recognized “as having high recreational value” are defined as the main water body only - and not its tributaries or any other component of the “system” as defined in the Fishing Regulations Summary. Additionally, while the Land Management Branch has adapted this criterion from the *Fishing Regulations Summary*, it is implemented for the purposes of this policy through Land Management Branch’s own principles and guidelines as outlined in its policies and procedures.

APPENDIX C: Section 8, Subdivision Regulations, Application Evaluation Criteria

“In making the decision required by paragraph 7(c), the approving officer shall consider comments submitted pursuant to paragraph 7(b) and the suitability of the land having regard to:

- i. its topography;
- ii. its soil characteristics;
- iii. its surface and subsurface drainage;
- iv. any potential hazards such as flooding, erosion, subsidence, landslides, wildland fires, avalanches, or similar risks;
- v. quality of the water and availability and adequate supply;
- vi. availability and adequacy of sewage disposal system and solid waste disposal;
- vii. existing and prospective uses of the land proposed for subdivision and land in the vicinity;
- viii. provision for and number of existing and proposed accesses to a highway;
- ix. layout and lighting of roads and accesses from lots to roads;
- x. design and orientation of the subdivision including the size and shape of each lot;
- xi. anticipated need for school sites, recreational facilities and parks;
- xii. protection of sensitive environmental areas and critical fish and wildlife habitat;
- xiii. protection of significant natural, historical and heritage features;
- xiv. protection against pollution and other environmental and public health risks;
- xv. the completed development checklist; and
- xvi. compliance with applicable planning scheme.”