

Zoning for West Dawson-Sunnydale

Following is a brief outline of the proposed zoning regulation. It is based on the Local Area Plan policies, survey results, current regulation, and regulations from other development areas in Yukon and outside of the territory. (Dec. 13, 2017) Further revisions (highlighted in yellow) were made based on the input received during the public consultation.

PROPOSED REGULATION (Revised)

Area-wide changes:

- Secondary Suite removed as houses in the area is likely to be not big enough to accommodate it.
- Maximum height reduced to match the fire fighting capacity of Dawson Fire Dept. 7.3 m=24’.
- Discretionary Use removed from most zones.

	Residential
Purpose	Provide for low density residential use in an off-grid lifestyle.
Principal Use	Single Detached Dwelling (max. 1)
Accessory Use	Bed and Breakfast (max. 2 units) Guest Cabin (max. 1 unit) Home Occupation Minor Agriculture Playground Single Detached Dwelling on a lot 2.0 ha or larger
Building Height	7.3 m
Minimum Lot Size	1.0 ha

- At 1.0 ha minimum, subdivision potential of existing lots are: “upper” West Dawson: 16 lots; Hakonson: 2 lots; and McDonald: 4 lots. Median lot size is 1.3 ha.
- Min. lot size reduced from 2.0 ha to 1.0 ha.
- Smaller min. lot size would require more detailed and strict regulations re: number of units, range of services, etc.
- Smaller than 1.0 ha would not be in line with LAP policy “to maintain the existing character.”
- 1 dwelling/1.0 ha max. density – consistent throughout the zoning area.
- Guest Cabin: for a temporary overnight accommodation.
- No dog mushing will be allowed once the regulation comes in.

	Residential/Agriculture Mixed Use
Purpose	Provide for low density residential and agriculture uses in an off-grid lifestyle.
Principal Use	Single Detached Dwelling (max. 1)
Accessory Use	Bed and Breakfast (max. 2 units) Guest Cabin (max. 1 unit) Home Occupation Minor Agriculture Playground Single Detached Dwelling on a lot 2.0 ha or larger
Discretionary Use	Agriculture Kennel and Dog Mushing
Building Height	7.3 m
Minimum Lot Size	2.0 ha

- New designation that distinguishes the Sunnydale from West Dawson. Reflects area’s history of agriculture and acknowledges a new rural residential subdivision.
- Full Agriculture use (i.e. commercial livestock) is allowed as a discretionary use, requiring public notice. All other typical small scale farming is permitted under Minor Agriculture.
- Kennel and Dog Mushing is allowed to reflect the neighbourhood character.
- Same number of units for both B&B and Guest Cabin in West Dawson because the existing lots are similar in size.
- Larger lots would have the ability to build two dwellings.

Agriculture	
Purpose	Provide for agricultural land and compatible accessory uses in an off-grid environment.
Principal Use	Agriculture
Accessory Use	Agricultural Tourism Bed and Breakfast (max. 2 units) Guest Cabin (max. 2 units) Home Occupation Kennel and Dog Mushing Single Detached Dwelling (max. 2 units)
Discretionary Use	Golf Course
Building Height	7.3 m
Minimum Lot Size	3.0 ha

- Single Detached Dwelling and all other accessory uses are only allowed when there is principal agriculture use (to be determined by Agriculture Branch, EMR when necessary).
- At maximum, 2 Single Detached Dwellings and 2 Guest Cabins may be allowed.
- Dog mushing allowed regardless of the lot size, with some regulations to manage the compatibility with the surrounding uses.

Institutional/Community Use	
Purpose	Provide for community facilities for recreation, utilities and public service.
Principal Use	Community Use Recreation Facility
Accessory Use	-
Building Height	7.3 m
Minimum Lot Size	3.0 ha

Commercial	
Purpose	Provide for commercial uses along the Top-of-the-World Highway that serves travelling public.
Principal Use	Campground/RV Park Community Use Eating and Drinking Establishment Hotel Retail Store Tourist Attraction and Information Facility
Accessory Use	Single Detached Dwelling (Max. 1 unit as a staff housing/caretaker’s residence.)
Building Height	7.3 m
Minimum Lot Size	-

Industrial	
Purpose	Provide for industrial activities.
Principal Use	Gravel Extraction
Accessory Use	Outdoor Storage
Setback	15.0 m
Building Height	7.3 m
Minimum Lot Size	-

- Two existing gravel/quarry pits designated as Industrial (see map).

Hinterland/Recreation	
Purpose	Provide for the use of existing recreational trails and protection of wildlife corridors, sensitive areas and heritage values.
Principal Use	Outdoor Recreation Facility Parkland
Accessory Use	-
Minimum Lot Size	-
Special Provision	No new development shall be permitted.

- No development is allowed in this zone. (i.e. no Development Permit will be issued. For minor structure that does not require Building Permit can still be built. Activities under other legislation is exempt.)

Plant Habitat	
Purpose	Provide for protection of sensitive plant habitats.
Principal Use	-
Accessory Use	-
Special Provision	No new development or improvement to existing development shall be permitted.
Minimum Lot Size	-

- No development is allowed in this zone.
- Existing structure may remain as “non conforming use” – only minor maintenance that does not increase the scale of development is allowed.

DEFINITION

Agriculture	The production of agricultural products and the storage of agricultural products.
Agriculture, Minor	Small-scale agricultural operations that can be carried out on a small tract of land. Not including raising of livestock for commercial purposes.
Agricultural Tourism	The business of providing services to tourists in an agricultural setting.
Bed and Breakfast	A home occupation used for providing temporary overnight accommodation and breakfast within a single detached dwelling.
Community Use	Land, buildings or facilities used by a government, government agency or Crown Corporation for uses such as administration, communications, public healthcare services, public education, public parks, public works, recreation, safety, sports and welfare.
Kennel and Dog Mushing	A use providing shelter for more than three (3) dogs for commercial or personal purposes.
Dwelling	A building or portion of a building designed for the use of one or more individuals living as a single household, containing sleeping, cooking, and separate or shared sanitary facilities.
Guest Cabin	A building that provides a temporary overnight accommodation for visitors or the traveling public.
Home Occupation	A small-scale professional, commercial or industrial activities operated on the same property where the business owner lives.
Livestock	Animals that are traditionally used or raised on a farm for human consumption or farm use.
Outdoor Recreation Facility	Small structure or improvement that facilitates outdoor recreation activities.
Public Utility	A building or structure for sewage, water, telecommunications, electricity or transportation system.
Public Utility, Minor	Minor structure that is used for sewage system, water system, telecommunications, electricity, transportation corridor and is unobtrusive to public view.

- Minor Agriculture = no commercial livestock. Market garden, eggs for your family, greenhouse, etc. are all ok.
- Kennel and Dog Mushing definition revised to tie to the number of dogs kept at a property.
- Secondary suite can be built as “an addition” to a main building as long as all the other permits are in place.
- Public Utility – if major, requires permits. If minor (poles, antennas, etc.) and does not require Building Permit, it is accessory use everywhere.

GENERAL REGULATIONS

		Note, LAP Policy
Accessory Building and Structure	No Development Permit is required for minor structure (decks, fences, small sheds, etc.) or minor utilities (power poles, etc.)	Standard.
Discretionary Use	In all zones, a use that are <ol style="list-style-type: none"> a) similar to and compatible with the listed principal or discretionary use of the zone; and b) conforms to the purpose of the zone may be considered a discretionary use.	So that to keep the possibility open for other uses and also to facilitate a process without lengthy rezoning. Ibex Valley RR & AG and Grizzly Valley RMC has a similar wording.
Forest Resource Harvesting	Harvesting of fuel wood and other forest resources is subject to applicable Legislation and the approval of the appropriate management agencies.	Activities are not regulated through zoning regulation.
Non-conforming Use	A use or structure existed at the time of this regulation coming into force may continue subject to: <ol style="list-style-type: none"> a) No enlargement, addition, or structural alteration; b) If a non-conforming use is discontinued for 12 consecutive months, any subsequent use must conform to the regulation; c) If destroyed by damaged (fire etc.) more than 75% of the value of the building, it cannot be rebuilt except in conformity with the regulation. 	“Grandfathered” uses and buildings. Typical provisions from other regulations and municipalities.
Off-street Parking	All uses, including residential and accommodation (B&B unit or guest cabin) must provide sufficient designated parking space on the property as follows and ensure that no vehicle need be parked on the road: <ol style="list-style-type: none"> a) At least one parking space for every dwelling or accommodation unit; b) Parking must be accessible when the dwelling or accommodation is occupied; and c) The Development Officer may waive or relax the requirements when deemed acceptable. 	Existing problem with on street parking in Sunnysdale – reducing visibility, difficulty passing, etc. Existing zoning for Callison-Dawson has a provision 13.(12) “the owner shall provide for sufficient parking space on the lot to ensure that no vehicle need be parked on the road”
Prohibited Use	The following uses are prohibited <ol style="list-style-type: none"> a) any use that has unreasonable adverse effects on the use of adjacent lots; b) any use that creates an increase in any of the following that is unreasonable in comparison to what is created as a result of the lawful use of adjacent lots: traffic, noise, vibration, smoke, dust, odour, toxic or noxious fumes, fire, heat, light, or explosive hazards; c) any use involving unsightly storage of goods, wares, merchandise, or equipment that adversely affects the amenities of the neighborhood; and d) any use that is hazardous to public safety. 	Adopted From Home Occupation provision 13. (8) (f) of Klondike Valley Reg. b) is Mount Lorne and Ibex Valley’s provision – wording to help the enforcement process when necessary.
Public Utility	Minor structure allowed in all zones except in Plant Habitat.	

Setback	Where possible, 10.0 m around a principal building must be maintained free of flammable debris and highly flammable vegetation such as conifer trees and tall or dead grass.	Plan recommends a fire protection strategy to be prepared for the area. (6.4) YG administers FireSmart program on public lands while properly maintained private properties is also important for the fire safety.
Sign	Signs: a) are only permitted to identify the address or business of the lot it is located; b) must not impact the road safety; and c) must respect the neighbourhood's character The Development Officer may waive or relax the requirements when deemed acceptable.	HPW requires permit for off-site business signs within highway ROW. CS provides civic addressing signs. Some properties require off-site signs for direction to the lot.
Waterfront Development Setback	No development is allowed within 30.5 m from the top of the bank of a watercourse or the ordinary high water mark.	Area-wide regulation instead of a zone ...respect a minimum of 30 m setback along either side of all waterways (5.1.1.10)

- Generalized regulation for FireSmart setback, parking and off-site signs to allow for flexibility.

USE SPECIFIC REGULATIONS

USE	PROPOSED	Note
Agriculture and Minor Agriculture	Any lot used for keeping or raising livestock must be at least 3.0 hectares in size. Any pens or corrals must be at least 15 metres from all property lines.	To ensure sufficient size is provided for keeping of livestock. Minor ag = livestock for personal use (consumption. Maybe bartering?) Ibex Valley
Bed and Breakfast	B&B must be <ol style="list-style-type: none"> Operated in accordance with the provisions for the home occupation; The operation is managed by the resident or owner of the dwelling; Lodging occurs within the Single Detached Dwelling; and B&B units must not contain cooking facilities. 	
Guest Cabin	A guest cabin <ol style="list-style-type: none"> Shall be no more than 45 m² in the floor area; Shall not have indoor plumbing; Shall not have cooking facilities; Shall not be used for residential purposes. 	Try to differentiate a guest cabin and a dwelling by amenities. Visitors/staff who stay there for the season – grey area.
Home Occupation:	Home occupations <ol style="list-style-type: none"> must be conducted by a resident of the lot; does not generate traffic volume substantially higher than normal use of the lot; must not display or store goods or equipment outside that is visible from the public roadway or the adjacent lots; must not have storage of derelict automobiles, mining equipment or other heavy equipment or machinery; 	Simplified to allow broader home occupation on particularly agriculture parcels (as per survey response) Concern from the survey is mostly about the noise.
Kennel and Dog Mushing	When reviewing a development permit for Kennel and Dog Mushing, the Development Officer will consider the following to reduce the disturbance in the neighbourhood: <ol style="list-style-type: none"> Buildings and exterior areas to be used for the dogs must avoid locating where visible from the roads or adjoining lots. Visual screening of all buildings and exterior area(s) to be used for the dogs from roads or adjoining lots. An enclosure structure to reduce the noise where appropriate. 	a) and b) to reduce the visual stimulation that may trigger barking c) for additional measures.
Secondary Suite	Must be entirely contained within a Single Detached Dwelling.	Removed as a separate use – not likely to be built in the area.