



Public Hearing Notes

Bylaw #411-21 2024 Zoning Bylaw

First Reading, June 12, 2024

Purpose of engagement:

The purpose of the June 12, 2024 Zoning Bylaw Public Engagement Session was to get feedback on the latest draft of the 2024 Zoning Bylaw that was presented for First Reading. This draft addresses comments shared at three recent public engagements plus an engagement session with the Committee of the Whole.

Summary of comments shared at the Public Meeting or submitted in writing:

- Change minimum house size to 256 sq. feet within Country Residential and Agriculture Residential
- The new way of measuring house size (from interior walls instead of exterior walls) effectively increases minimum house size and works against affordability
- Allow 100 poultry on Agriculture General and Agriculture Residential
- Change Agriculture Residential Zones to Agriculture General, as is done in the rest of the Yukon.
- Do not permit any subdivision of Agricultural land.
- Encourage appropriate agricultural fencing
- Allowing residences within Industrial areas, particularly near certain industrial operations, may result in conflicts.
- Scrap yards in industrial areas may de-motivate new industrial investments.
- Take steps to avoid further agriculture/industrial/commercial land grabs with limited accountability.
- Proposed rear-yard setbacks that differ for lots with an alley and those without, are unfair as some property owners will be able to benefit from zoning changes to allow a secondary dwelling whereas others will not.
- Draw down subdivision authorities from Yukon government.
- Facilitate a collaborative and solutions-oriented approach to addressing Short-Term Rentals (STRs) that engages all affected parties.
- Ensure there are more public engagement opportunities specifically devoted to STR
- There are differences in opinion on where STR's should be allowed – some feel it should be restricted to Tourist Commercial and Mixed Commercial. Others are supportive of allowing STR's in all zones. Restricting STR's in Area 1 was proposed as was only allowing STR's in primary residences.

Topic: Minimum House Size on Country Residential and Agriculture-Residential

- Great to see so many positive changes in this bylaw. In favour of over 90% of it. Would like to raise a disagreement with one aspect of the bylaw, and this is with the minimum house size on country residential and agriculture limited. There is a lot of concern in the community about affordable housing. House cost is very much tied to housing size. A difference of 400 square feet is equivalent to a building cost of \$160,000. In addition, it is more expensive to develop limited ag and country residential because they need septic systems (about \$50,000 in development costs). The Draft Bylaw, as written, effectively says that owners must spend \$200,000 more to live on country residential. This contributes to ghettoization.

Topic: Measurement of Minimum House Size

- The minimum house size has effectively increased because we are now measuring minimum size on the inside, instead of the outside, as done in the 1996 Zoning Bylaw. Today house walls are 18 inches thick. This works against affordable housing.

Topic: Livestock allowances on Agriculture-Residential

- Agriculture Residential -- increase permitted number of chickens – 25 is not enough. Also need to raise number of livestock. Request setting numbers in a regulation that is easier to amend. 25 is not enough to run an agriculture business. Want to promote agricultural businesses. Want to see bylaw also encourage appropriate agricultural fencing.

Topic: Short Term Rentals

- Question about R1, R2 and RC zones. Provision for short term rentals to only be on principle residence and be in receipt of a business license. Will there be another round of public hearings on this?
 - Language is meant to create a bit of a buffer while Village creates a short-term rental policy.
 - Many communities have a STR policy that is separate from the Zoning Bylaw.
 - This work is expected to take significant effort; this is a stopgap measure.
 - There will be more public hearings on this issue.
- Council clarified that this is a first reading. Council will receive a report prior to second reading and can create more opportunities for public comment if deemed necessary.

Topic: Protecting Agricultural Land

- Haines Junction is the only jurisdiction in the Yukon that has an Agricultural Limited (now referred to Agriculture Residential) zone. The intention of Limited Ag is to support agricultural activities in a smaller context, because the lots are

smaller. However, concerns were expressed that this is zone is effectively a large country residential zone, as opposed to zone designated for agriculture. This impacts what can and cannot be done in these areas. Agriculture Residential has a minimum lot size of 9.9 acres (4 ha) vs. a minimum lot size of 14 acres (6 ha) for Agriculture General. The maximum lot size of Agriculture Residential is 6 hectares (14.8 acres); there is no maximum lot size for Agriculture General. The tax rate for Agriculture Residential is almost double what it is for Agriculture General, while what can be done on these lots is restricted. There would be a lot more agricultural opportunities if the land were zoned Agriculture General.

Topic: Subdivision of land within the Agriculture General zone

- Concerned about subdivisions. Presently, none of the lots within Bearberry can be subdivided—totally support this, as this helps to preserve agriculture land for agricultural use in the long term. Agriculture General has a minimum lot size of 14.8 acres (6 ha). This means that some of the large fields within the community, such as the Tait field could be subdivided. Concerned about the impact of this on the long-term preservation of agricultural land. Council should take over control of subdivisions from YG as it is much better if Village decides what can/can't be subdivided. Would like to see a moratorium on subdivision of land within agricultural zones.
 - CAO Question: If were to increase minimum lot size on Agriculture General zoning such that existing 5 properties could not be subdivided, would this alleviate concerns?
 - This is one way to do this, but not necessarily the right way. Suggest merging agriculture into one zone to simplify. This is the only jurisdiction with to agricultural zones. If we want to promote agricultural activity, need to ensure agricultural land remains agricultural. Need tax incentives – e.g. the tax break that is applied to ag general should be applied to ag limited. Desire is to protect land that has been developed for agriculture.
- There are 5 properties zoned Agriculture General in the community. Council suggests we talk to owners to get a sense of what their plans are for their properties.

STRs and Rental Suites in Agriculture Residential Zones

- In support of more latitude for developing rental income from properties. Having rental suites or additional residences, this is a good step – supportive of this on all properties, including in Agriculture Residential Zones. Drawback is that the more that you build, the more your assessed value for taxes (as is the case for everywhere else).