

# **Hamlet of Mount Lorne**

## **Proposal to Allow Subdivision of Rural Residential Lots**

### **BACKGROUND**

#### **History**

In the late 1970's land in the Whitehorse periphery came under a zoning regulation which set out rules for low density rural residential use of all properties. A minimum lot size was established at 6 hectares. Soon after many residential subdivisions including Robinson, Golden Horn' Pilot Mountain and Mendenhall were built with 6 hectare lots. The large sized lots remained popular for many years with the occasional inquiry about re-subdivision being received in the land planning office.

In the last 10 years, however, interest in the re-subdivision of privately-held land within the Whitehorse periphery has increased, likely as a result of rising land values and the increased demand for rural residential properties.

The first community to undertake a public planning process and allow for re-subdivision of residential lots was the Hotsprings Road area. The approach was straight forward – change the minimum lot size from 6 to 3 hectares and allow people to apply to subdivide.

A second community – the Hamlet of Ibex Valley has recently undertaken a public planning process and developed a model for subdivision that is supported by the community which will allow for limited subdivision resulting in what is intended to be a moderate level of growth over time. This proposal has recently been approved by YG. Golden Horn is also in the process of amending its Local Area Plan to allow subdivision of both residential and agricultural lots.

#### **Effect of subdivision**

From a land planning perspective, the re-subdivision of lots is becoming a practical and desirable way to accommodate growth because the number of rural lots made available to the public and population densities can be increased without further loss of public land. In many areas there are fewer public lands available for development and those lands that remain have high value for public use and environmental values.

The effects of new development either by re-subdividing, by building new subdivisions or through the spot land disposition program, show up as changes in traffic patterns, increase in use of and access to public lands, potential for increased school enrollment, potential to respond to more fire alarms, ambient noise level etc. Some of the effects are measurable and may be mitigated; increased traffic by road upgrades, some effects are not easily determined; number of trail users in an area and the effect on the level of enjoyment by all users. Another concern often raised is the effect on groundwater supplies due to an increased in the number of wells and sewage disposal system.

Other effects that should be considered are the potential implications of increased population density on wildlife and areas that are ecologically sensitive. Increased human activity such as noise, dogs, fences, loss of habitat and increased use of roads may have significant negative impacts on wildlife.

#### **Rate of Growth**

In assessing the above noted effects it is useful to consider rate of growth. It is worth noting that subdivision of a single lot into two lots actually does not increase the net potential population density, because in areas such as Mt. Lorne two dwellings are already permitted on a 6 ha lot. So an owner of a 6 ha lot can decide to either have two dwellings on the lot or

subdivide. In most situations, only one dwelling is permitted on the smaller lot created through subdivision. The reality however is that most lots created through subdivision will be developed whereas many owners of larger lots will not exercise their option to have two dwellings.

In the Hotsprings Area where subdivision of residential properties was allowed by changing both the plan and zoning, during a period of 5 years approximately 20 of 40 eligible properties have been subdivided creating 25 new lots. In addition a subdivision with 20 - 3 hectare lots was built. This translates into a rate of growth of about 45 new residential developments in 5 years or 9 per year. This growth appears to have been absorbed by the school, fire department, road network and general public of the area. In the Ibex Valley, amendments to the Plan and zoning regulations were approved June 2010. 3 applications to subdivide have been received by Land Planning Branch

In the Hamlet of Mount Lorne potential rate of growth would depend on the eventual minimum lot size and other eligibility requirements. There are approximately 141 residential lots in the Mount Lorne Development area of which between 30 and 100 could be eligible for subdivision.

Minimum lot size	Number of lots that would be eligible	Potential number of additional lots if 100% of eligible lots subdivided	Total number of lots
2 hectares	93	220	360
3 hectares	89	103	244
4 hectares	27	31	172

### **Agricultural Lots**

Currently agricultural lots in the Hamlet of Mount Lorne are not eligible for home site subdivision as a result of provisions in both the Plan and the zoning regulations that do not permit subdivision of agriculturally zoned land.. Restricted subdivision of agricultural parcels for a single six hectare home site parcel was recommended in the 2006 Agriculture Policy, and received regulatory approval through the amendment of the Subdivision Act and Agricultural Development Area Regulations in 2007. Since that time there have been approximately 20 home site subdivisions approved mostly in the Whitehorse area.

The Hamlet of Mount Lorne has approximately 20 agriculturally zoned lots of which about 50% could become eligible for home site severances if the Plan and zoning Regulations were amended to permit subdivision.

### **Subdivision Models**

#### **Hotsprings Road**

Subdivision of lots is permitted through the adoption of a 3 hectare minimum lot size. Any lot of at least 6 hectares in size is eligible for subdivision.

#### **Ibex Valley**

The minimum lot size has remained at 6 hectare, but there is a one time limited opportunity to subdivide a lot into a 2.0 hectare parcel and a remainder. Lots that are 4.0 hectares or greater may subdivide. There is a 10% variance to allow subdivision of lots that are slightly less than 4.0 hectares. Lots created through subdivision may not be subdivided again regardless of their size. Lots that have received a lot enlargement after the amendment was approved may not subdivide

#### Golden Horn

Golden Horn is proposing a minimum lot size of 3 hectares with a 10% variance to allow subdivision of lots that are slightly less than 6.0 hectare

#### Agricultural Lots

Agricultural lots are allowed to subdivide out a single 6 hectare home site parcel provided certain eligibility requirements are met. The intent of the 2006 Agricultural Policy was to allow retiring farmers the opportunity to stay on their land by severing a 6 ha parcel of land for themselves thus enabling them to sell off the rest of the farm and keep it in production. As a result, the farmer must have owned the property for a least 10 years and must have had his/her principal residence on the lot they wish to subdivide. Neither parcel created through a home site severance can be further subdivided.

#### **Important Considerations for the Mount Lorne Community and Yukon Government**

- If titled rural residential lots are permitted to subdivide, what size of lots should be allowed?
- Should agricultural lots also be allowed to subdivide off a home site parcel?
- Should there be minimum frontage requirements for panhandle or narrow lots?
- Should demand for land in the Hamlet of Mount Lorne be accommodated solely through private subdivision? Or should there be a combination of private subdivision and planned development as there is no certainty that private subdivision will be able to meet demand.
- What effect will population increase have on wildlife and critical wildlife habitat?