



Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6



February 25, 2021

Hon. Ranj Pillai
Deputy Premier
Minister of Energy, Mines and Resources
Box 2703
Whitehorse, Yukon Y1A 2C6

Dear Minister Pillai,

RE: Potential impact of a 60-metre Riparian Buffer from the Takhini River

Your government recently began consultation with residents of the Shallow Bay area on proposed zoning. I have heard many concerns from constituents, including from people living outside the zoning area who are disturbed by the potential future implications to their property if government chooses to propose similar restrictions in their area.

The proposed 60-metre Riparian Buffer from both Horse Creek and Shallow Bay would have a very serious negative impact on some of my constituents, including potentially preventing them from being able to continue to get insurance for their homes.

In your government's document explaining the proposed zoning for the Shallow Bay area, it says this about the Riparian Buffer: "The proposed regulation applies a riparian buffer throughout the Shallow Bay planning area. The purpose of the riparian buffer is to avoid development impacts on the Shallow Bay wetland, to protect areas of important wildlife habitat from new development, and to keep the shorelines along Shallow Bay and Horse Creek in a natural state. The no-development buffer is 60 metres from the ordinary high-water mark of Shallow Bay and Horse Creek. Development includes the construction of any buildings or structures, docks, drainage, water or sewer systems, roads or trails."

In the document your department posted responding to questions asked at the January 21st virtual public meeting, it says this about homes, buildings, and other current uses in the proposed buffer area: "Land uses, lots and buildings that exist before area development regulations are completed are called "non-conforming" if they do not comply with the new zoning. These non-conforming uses and buildings are legal and can remain under the new regulation. These developments can be maintained but they cannot be re-built."

For the ease of reference of other people reading this letter, those two documents are online here:
<https://yukon.ca/shallow-bay-area-development-regulations>

The fact that this Riparian Buffer will impact titled property, removing some of the existing legal rights of the owners, is worrisome. It is also concerning residents in other areas whose homes or property are within 60 metres (about 200 feet) of a creek, river, lake, or pond.

While your government is not currently proposing a no-development Riparian Buffer from the Takhini River, I have heard from constituents concerned that if government starts this in one zoning area, it may be proposed in their area next.

Your department prepared a map showing the impact of the proposed 60-metre no-development buffer on titled land in the Shallow Bay area, which is currently online here:
<https://yukon.ca/sites/yukon.ca/files/emr-proposed-buffer-shallow-bay-area.pdf>

For the information of people who own land along the Takhini River who are wanting to understand the potential effects such a proposal could have if it were proposed in their area next, please provide me with a map showing the impact a 60-metre Riparian Buffer from the Takhini River on titled land next to it.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brad Cathers".

Brad Cathers
MLA for Lake Laberge