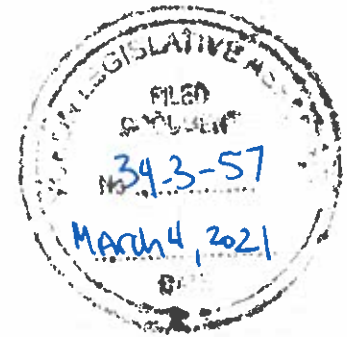




Yukon Legislative Assembly

Box 2703, Whitehorse, Yukon Y1A 2C6



March 3, 2021

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

Dear Minister Pillai,

RE: Negative Financial Impact of the Shallow Bay Zoning Proposal

Your government is currently consulting with residents of the Shallow Bay area on proposed zoning.

I have heard many concerns from constituents, many of which relate to the lack of public consultation leading up to this point. There are also serious concerns about procedural fairness of the process, including the fact that proposals currently out for public consultation have a serious negative impact on some property owners.

In stark contrast to the most recent zoning regulation changes in the Mayo Road area, Hot Springs Road area, and Ibex Valley area, proposed zoning for the Shallow Bay area picks winners and losers – instead of providing new opportunities to some without negatively impacting other land owners.

This approach amounts to effectively offering some rural residential property owners the ability to subdivide – and asking them to vote on which rights to take away from other property owners. It is not in keeping with the standards of fairness and respect for property rights that Yukoners have a right to expect from their government.

The proposed 60-metre no development 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. This is unfair and unacceptable.

The proposed zoning will have negative impacts on a number of property owners, which will limit their ability to use their property and the economic potential of it. It is also clear that the proposals would have an immediate negative impact on the market value of some property.

Parts of your zoning proposal that appear to have a negative financial impact on my constituents include:

- Agriculture uses and development potential are reduced, and restricted. This negatively impacts the potential of our agriculture sector, and will reduce the current value of some people's land. It also seems in direct conflict with your government's promise in the *2020 Yukon Agriculture Policy* that you will protect the "Right to Farm" and the stated goal that you will: "support the development and growth of an agricultural economy and associated infrastructure that is diverse, innovative, and competitive."
- Multiple property owners lose existing rights to develop and/or subdivide. That will have a negative impact on the value of all those lots.
- Dog kennels are not allowed by the new zoning, despite people currently and previously having kennels in the area. This may affect the value of those properties, as it would reduce potential uses, including future economic opportunities.
- Some uses allowed by the current zoning would be reduced to a discretionary use, or eliminated. An example of this which several constituents have raised with me is reducing horse boarding and riding facilities, and equestrian centres to discretionary uses on agriculture land. People who purchase land typically do so based on an understanding of what they can do with the land. Taking it away after the fact, especially through a process as flawed as this one, is not fair to them.

While it is clear that your proposal will have a negative financial impact on some of my constituents, it is not yet clear the full magnitude of it. Has your government done an estimate of the negative financial impact of this proposal on my constituents, including the reduction to the value of some properties? If so, please provide that information.

If that work has not been done, I urge you to have that work done by qualified experts, and provide that information without delay. It is important for your government to clearly disclose the true estimated negative financial impact to those land owners who would lose rights and opportunities under your current proposal.

Sincerely,



Brad Cathers
MLA for Lake Laberge