

ML LAP Land Designation Descriptions (as per 2016 draft LAP)

8.5 Residential

The purpose of the Residential designation is to acknowledge the existing residential patterns and to identify new areas for potential residential development. The Residential designation includes both lands that are currently used as residential and new areas on YG and KDFN lands that can accommodate the anticipated growth of 25% over the next 20 years. In addition, a number of Long Term Residential areas have been identified on KDFN land to account for the interests of future generations.

1. The primary purpose of residential land is to provide areas for permanent single-family dwellings and/or recreational properties that may be seasonally occupied.
2. Maintaining access to existing recreational trails is a priority. Existing trails will be identified and accommodated within any future residential development to the extent possible.
3. Any residential development near the Judas Creek ski trails will be done in such a way that access to trails is not blocked.
4. Industrial uses which may carry out a portion of their operations outdoors or require outdoor storage are not permitted within the residential area.
5. The location of any proposed new residential development is to be considered relative to the location of existing hunting and trapping areas in accordance with s. 13 (1) of the *Wildlife Act*.
6. Residential designation boundaries may be modified during detailed design following further environmental and geotechnical assessment.
7. For residential development south of the Judas Creek subdivision within the KDFN R-9A in preferred Carcross Caribou herd winter habitat shown on Map 4, conservation and protection of significant identified caribou habitat values must be accommodated through future planning and project assessment processes.
8. The *M'Clintock Place Development Area Regulation* (O.I.C 1996/145) should be reviewed and amended to reflect current land use issues. This would include the need to better distinguish the types of uses permitted on recreational properties from those used for commercial purposes (e.g. tourism accommodations).
9. Home-based businesses are supported within the Residential designation, provided that:
 - a. the rural character of the neighbourhood is maintained;
 - b. the business activity is secondary and subordinate to the residential function in size and scale of operation;
 - c. the business activity does not create undue nuisances, such as excessive traffic, noise, light, noxious odours, or unsightly signage; and
 - d. the size and scale of an operation conforms with the Guiding Principles set out in the Plan.
10. Bed-and-breakfast operations are permitted on land designated Residential, provided that:

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- a. the rural character of the area is maintained;
 - b. parking is contained on-site; and
 - c. nuisances such as noise and traffic, and septic system capacity, are considered when setting the number of rooms.
11. Land designated as Residential is divided into four categories: Residential 1, Residential 2, Lakefront Residential, and Marina Residential.

Residential 1 (R1)

The purpose of R1 is to establish a zone for residences located on the east side of the Alaska Highway.

- a. The recommended minimum lot area is 1.0 hectare.
- b. The primary use of the property is residential. One primary residence is permitted.
- c. One secondary residence (that is smaller in terms of building area, height, and occupant capacity relative to the primary residence) is permitted.

Residential 2 (R2)

The purpose of R2 is to establish a zone for large residential lots that are compatible, in terms of density and intensity of use, with adjacent or surrounding agriculture uses, in particular on M'Clintock Valley Road.

- a. The recommended minimum lot area is 3.0 ha.
- b. The primary use of the property is residential. One primary residence is permitted.
- c. One secondary residence (in terms of building area, height, and occupant capacity relative to the primary residence) is permitted.
- d. Minor agricultural pursuits are permitted, including small-scale commercial or personal agricultural operations that can be carried out on a small tract and are compatible with residential use. Typical uses include, but are not limited to, nurseries, greenhouses, market gardens, beekeeping, and keeping livestock for personal use.

Lakefront Residential

The purpose of the Lakefront Residential designation is to establish a zone for existing and new lakefront residential and recreational (cottages) development. This designation accounts for most of the lots on the west side of the Alaska Highway. Special consideration was given to the risk of flood and erosion, as well as public access to Marsh Lake.

- a. The recommended minimum lot area is 0.5 hectare.
- b. The primary use of the property is residential. One primary residence is permitted.

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- c. The following requirements for flood damage mitigation apply to residential and accessory structures. Land within 30.48 m of the ordinary high water mark is crown land:
 - i. Construct liveable space or space for storage of goods damageable by flooding above the 100-year flood elevation levels.
 - ii. Undertake adequate flood damage protection and/or flood-proofing measures. This could include building on fill, provided such fill does not interfere with flood flows of the watercourse or affect neighbouring properties, and is adequately protected against floodwater erosion, using structural means to raise the building, such as foundation walls, columns, etc., or a combination of fill and structural means.
- d. Plans for flood damage protection and flood-proofing measures should be provided during the development permit process.
- e. Existing properties within an identified flood risk area are encouraged to consider flood damage mitigation measures when renovating or altering property.
- f. Public access to the shoreline must be maintained at all times. Private use of the public area between the shoreline and residential properties for docks or any other structure that inhibits through access is not allowed.
- g. Closure of a public access to Marsh Lake for any purpose must be carefully considered in the context of alternative accesses that are close to surrounding properties. If none exist, the access will remain open.
- h. Lake front property owners are encouraged to maintain as much vegetation as possible to help mitigate the erosion of the lakeshore. Land within 30.48 m of the ordinary high water mark is crown land and any timber harvesting in this area can only be done in accordance with the *Forest Resources Act* and related policies.

Marina Residential

The purpose of the Marina Residential designation is to encourage the long-term success of the marina as a facility.

The marina is considered an asset to the community and people want it to remain as a community fixture. This designation allows a variety of uses and higher density development that may provide an incentive to re-develop the property and marina.

- a. A mixed-use commercial/residential land use is allowed. These uses could include high-density multi-family residential, hotel, condo-hotel, and a range of commercial uses that are consistent with that of a marina.
- b. This site is recommended to be regulated as a Comprehensive Development Zone (CD), which provides for the development or

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redevelopment of a larger site, allowing a variety of land uses and development approaches as part of a comprehensive development plan.

Careful consideration of water and sewer services will be a major component of any project proposing higher density development and may be the determining factor in the allowable density.