

File #: 2010 OCP Review

## **PUBLIC HEARING REPORT**

<b>TO:</b> Planning Committee
<b>FROM:</b> Administration
<b>DATE:</b> August 2, 2010
<b>RE:</b> Report on Public Hearing – Official Community Plan

### **ISSUE**

Report on the Public Hearing regarding the proposed new 2010 Official Community Plan.

### **REFERENCE**

- *Municipal Act (2002)*
- Bylaw 2010-01
- Official Community Plan (2002)
- Strategic Sustainability Plan (2008)
- Zoning Bylaw 2006-01
- Parks & Recreation Trail Plan (2007)

### **HISTORY**

An Official Community Plan (OCP) review process was started by Administration in September 2008, with public consultation starting in January 2009. A first draft of the 2010 OCP was released for public input in February 2010. Changes to the draft OCP were made based upon that public input, and a second draft was completed on May 17, 2010.

Bylaw 2010-01 received 1<sup>st</sup> Reading on May 25<sup>th</sup>, 2010. Copies of the notice of public hearing were distributed to the Minister of Community Services and the Yukon Municipal Board on May 26<sup>th</sup>. Notices were published in the City Pages May 28<sup>th</sup> and June 2<sup>nd</sup>. A public hearing was held on June 28<sup>th</sup>, at which 30 people spoke. 45 written submissions were received. A copy of all submissions was distributed to Council for review.

Issues raised have been sorted into four groups:

1. Significant change recommended
2. Minor change recommended
3. No change recommended
4. Support

Additionally, a list of potential housekeeping amendments and edits is included.

A review and discussion of potential changes took place between Council, Senior Management, and Planning & Development Services on July 20<sup>th</sup>, 2010.

## **ALTERNATIVES**

Option 1: Proceed with adoption of the 2010 OCP under the bylaw process.

Option 2: Do not proceed with 2010 OCP adoption.

## **ANALYSIS**

### **Issues with significant change recommended**

Council needs to analyze and consider all pieces of input that were brought up through the public hearing process. The OCP Review process has also been very comprehensive, comprising 22 public meetings as well as numerous other methods of public input. The analysis of issues below considers all input received as part of the OCP review process.

### **Issue 1: Development at Porter Creek “D” and Infill Locations**

Urban residential development in these locations was the most commented on issue at the Public Hearing. 7 respondents expressed opposition to development in the Porter Creek “D” area. Opposition to infill was noted as follows:

- Between Boswell and Firth (11 respondents);
- All Riverdale locations (7 respondents);
- Crestview site (2 respondents<sup>1</sup>);
- Guild Hall site (1 respondent<sup>2</sup>);
- South of Northland Mobile Home Park (1 respondent);
- Grey Mountain school site (1 respondent);
- All sites (1 respondent);

Additionally, 7 respondents<sup>3</sup> called for ‘Priority Planning’ to be done in the McIntyre Creek area (including Porter Creek “D”, lands near Yukon College, and privately held land in the area); and 4 respondents<sup>4</sup> called for it for all proposed infill locations.

Four respondents expressed support for infill site development, especially in Riverdale. One respondent noted support for Porter Creek “D” development and called for the Residential – Urban designation to be expanded.

The OCP review process is intended to take a comprehensive approach to the determination of land use designations for all areas within City limits. The 2010 OCP designations map also shows two categories of land which require additional planning – Future Planning and KDFN Type 1 & 2 Lands. These areas are not anticipated to be required for development within the 20 year timeframe of this OCP. All other designations that permit development are potentially required, if the high growth

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<sup>1</sup> Includes Crestview Community Association

<sup>2</sup> Porter Creek Community Association

<sup>3</sup> Includes Porter Creek Community Association, Friends of McIntyre Creek, Yukon Conservation Society, Hillcrest Community Association Trails and Greenspaces Committee

<sup>4</sup> Includes Yukon Conservation Society

scenario occurs. A “Priority Planning” designation, which would delay the determination of land uses for certain areas, is not needed. Council needs to decide upon land use designations during the review process, and cannot omit certain areas, as decisions are made on a City-wide basis.

Development within Porter Creek “D” and infill areas is consistent with sustainability principles that would maximize development within the Urban Containment Boundary (UCB), while leaving significant greenspace areas on the periphery of the UCB intact. The exact boundaries of development need to be determined through more detailed planning processes, so enlargement or reduction of the general map polygons is not needed at this time.

A new policy could be added that calls for work on detailed designs to be prioritized so that these issues with strong public interest are dealt with sooner. Limited staff time and City resources will likely dictate that only two to three areas can be examined in detail immediately. The largest areas, with both most pressing interest and best potential for lot yield, appear to be the Porter Creek “D” area, the infill site between Boswell Crescent and Firth Road, and the site on 14<sup>th</sup> Avenue East adjacent to the Guild Hall.

Priority planning was also called for elsewhere - see issue 2 for discussion of “Sleeping Giant”, and issue 21 for discussion of greenspace connections along the Alaska Highway.

#### Administrative Recommendation

Insert new policy into section 10.7, “Urban Residential Development Areas”, page 58:

*“It is recognized that providing clarity on infill development is a priority. The City shall examine the feasibility of development at priority sites as soon as time and resources permit. Without limiting the number of sites, the priority sites are the Porter Creek “D” area, the infill site located on Alesk Road near Boswell Crescent and Firth Road, and the infill site on 14<sup>th</sup> Avenue East.*

#### **Issue 2: Designation of Sleeping Giant hill**

One respondent called for this area, designated Natural Resource in Draft Two, to be re-designated to greenspace. In addition, 4 respondents<sup>5</sup> called for ‘Priority Planning’ to be done here.

The Green Space Network Plan assigned Environmentally Sensitive and Recreation designations to areas that are near this potential quarry, but this area was not included. Nearby McLean Lake and Creek are furthermore shown as Park, with the exact boundaries yet to be determined.

Sustainability principles in the OCP support the expansion of existing industrial/quarry areas as preferable to the development of entirely new areas. A number of existing quarries are located along McLean Lake Road, although the OCP identifies most of these as eventually being developed for Industrial uses. A suggestion was made that areas on the north side of McLean Lake Road could be used instead of Sleeping Giant. Gravel resource studies generally show that any land in this location that is currently not leased for use as a quarry has low potential for significant gravel reserves.

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<sup>5</sup> Includes Yukon Conservation Society

The Natural Resource designation on Sleeping Giant hill has been reduced in size for the draft 2010 OCP. In 2002 it was approximately 32 hectares and as close as 80 metres from McLean Lake. In 2010 it is approximately 18 hectares, and as close as 100 metres from the lake. This would restrict quarrying to only the northern portion of the hill. The area was reduced in order to better reflect the potential quarry resources and to respect the vision of a park area that shields the lake from a quarry. Views towards the south, east and west sides of this hill should remain intact even with quarrying activity. In order to help ensure that this occurs, the Natural Resource designation on Map 2: Area Land Use Designations, could be further reduced in size, to approximately 14 hectares, and no closer than 200 metres from the Lake. This reduction would follow the natural slope of the area, and still retain the best gravel areas as Natural Resource.

When zoning is implemented, a phased approach could be considered. Yukon Government quarry leases are typically renewed on a 10 year cycle. Council could re-zone only a portion of the area to permit quarrying, with the remainder of the Natural Resource-designated area likely re-zoned to Future Development. Doing so would allow a future Council to consider the impact of gravel excavation to that date prior to a potential re-zoning of additional areas. The potential operator of this quarry has indicated that an area of approximately 7 hectares in size, located no closer than 280 metres from McLean Lake would be a logical area for re-zoning for a first phase of extraction, as it contains approximately 30 years worth of gravel resources. An OCP policy that calls for a phased approach in the Stevens area could be modified to recommend a phased approach here as well.

#### Administrative Recommendations

1. Revise Map 2: Area Land Use Designations, to show a decrease in the size of the Natural Resource designation in this, and an increase in the size of the green space designations.
2. Revise policy 8.3.6, section 8.6 “Natural Resource Land Use Designation”, page 51, to read as follows:

*"Future quarrying within the Sleeping Giant area and along the north-south ridge in the Stevens area shall be phased-in based on demand for gravel resources."*

#### **Issue 3: Protection of drinking water quality**

Three respondents<sup>6</sup> expressed concerns about potential well head contamination in Riverdale if infill development occurred there.

The current OCP policy commits to following best practice methodologies for future well development, which implies that these are not needed for protection of current well development. This was not the intent, and the policy could be modified.

A YESAB decision for the licence of occupation for a well in the Riverdale area, given in October 2008, called for the City do a "Well Head Protection Plan". The OCP policy could be modified to commit the City to doing this plan. Additionally, if the wording was expanded to describe it as a “management plan”, this would enlarge the scope of the

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<sup>6</sup> Includes Riverdale Community Association

study to ensure a comprehensive examination of water quality in relation to drinking water wells.

#### Administrative Recommendation

Revise policy 3.3.2, section 3.3, “Municipal Water and Sewer System”, page 37, to read as follows:

*“Best practice methodologies will be followed in order to protect current and future water well supply, quality and quantity. This shall include the development of a well head protection management plan.”*

#### **Issue 4: Protection of greenbelts within Public Service-designated areas**

Three respondents<sup>7</sup> noted concerns with the expansion of the Public Service designation in areas adjacent to Yukon College and the Erik Nielsen International Airport. Numerous publicly-accessible trails are located in these areas, including trails around the south end of the airport fence, and trails connecting the Takhini neighbourhood with the Porter Creek neighbourhood.

The area adjacent to Yukon College has some sites with development potential but also other areas that have high constraints to development. Nonetheless, Yukon College has expressed interest in a Public Service designation for these areas, as they use natural spaces as part of their teaching and research. A new OCP policy could be added in order to give assurance that public access through these areas will continue.

The airport perimeter trail is a well-used community resource. Although lands to the south of the airport have potential for development, it is not anticipated that this development would need to extend right up to the boundary of the airport fence. An area along the airport fence could be shown as greenspace in the OCP, in order to ensure that a trail connection here is retained for active transportation.

#### Administrative Recommendations

1. Insert new policy into section 9.1, “Public Service Land Use Designation”, page 53:  
*“Public Service designated areas may also provide for active transportation linkages through greenbelts. Consideration shall be given to retaining public access through these greenbelts as part of future development of these areas.”*
2. Revise Map 1 – Green Space Network Plan and Map 2 – Area Land Use Designations to show an area along the south side of the airport fence as greenspace.

#### **Issue 5: Active transportation routes**

Two respondents<sup>8</sup> requested that a City-wide map showing current and future active transportation routes be created as part of the OCP.

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<sup>7</sup> Includes Yukon Conservation Society, Hillcrest Community Association Trails and Greenspaces Committee

<sup>8</sup> Yukon Conservation Society, Hillcrest Community Association Trails and Greenspaces Committee

Section 12.1 – Active Transportation contains numerous policies that promote active transportation initiatives. Current and proposed downtown active transportation routes are shown on Map 3: Downtown Area Land Use Designations, and two policies specifically reference improvements to be made on these routes. There is no corresponding map that shows the entire City. This map would be useful, could build upon work already done in the City Trail Plan, and could be created in conjunction with public input.

#### Administrative Recommendations

1. Insert new policy into section 12.1 “Active Transportation”, page 60:  
*“An Active Transportation map for the entire City shall be created. Trail improvements shall be implemented as funds allow and in conjunction with implementation of the City Trail Plan.”*
2. Add new item to Future Studies, Regulations and Bylaws, page 26:  
*“Active Transportation map: Create a map of current and future Active Transportation trails and routes for the urban area of the City.”*

#### **Issue 6: City commitment to Parks**

Two respondents<sup>9</sup> raised concerns that the OCP does not clearly state what future work shall be done to enhance the five park areas that are shown in it. Respondents wished to see a commitment to better define what Park uses and facilities are desirable.

Increased public usage of the five park areas identified in this OCP may occur as a direct result of this OCP change. Trail usage is seen as the most likely increase in activity, and the OCP policy does commit to prioritized trail plan implementation for park areas.

Past input on park-related planning has shown that good results are often achieved through collective work with local groups such as neighbourhood associations, who are often comprised of frequent users of natural areas. It would likely yield useful results if the City were to work with these groups, in order to better define these five parks. An additional sentence could be added to the OCP policy to call for this.

#### Administrative Recommendation

Revise policy 18.1.1, section 18.1, “Parks”, page 70, to read as follows:

*“Five park areas are identified on Map 6. These areas are known as the Chadburn Lake, McIntyre Creek, Paddy's Pond, McLean Lake, and Wolf Creek parks and their extents include many natural features. These areas contain recreation facilities and trails as well as environmentally sensitive areas. These park areas are intended to be preserved for all future residents of Whitehorse. Prioritization of Trail Plan implementation measures shall be considered for these Park areas. The City will work with stewards, user groups and interested residents to further define these unique areas within the City, subject to City resources.”*

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<sup>9</sup> Yukon Conservation Society, Hillcrest Community Association Trails and Greenspaces Committee

### **Issue 7: Restricting usage of all-terrain vehicles**

Two respondents asked for the OCP to contain policies that place greater restrictions on ATV usage, including usage on City streets and within greenbelts.

The Draft OCP does support the creation of "out and away" trails to divert motorized recreational vehicle usage away from local green spaces and streets. Work is currently ongoing to examine issues surrounding ATVs, including allowable areas and regulations (e.g. the Motor Vehicle Act). A new OCP policy could be added that calls for the City to work with the Yukon Government on this issue.

#### Administrative Recommendation

Insert new policy into section 18.5 "Motorized Recreation", page 73:

*"The City is prepared to work with the Yukon Government to coordinate regulations to control the usage of motorized recreational vehicles."*

### **Issue 8: Concerns about Downtown height limit increases**

Two respondents opposed the height limit increase to 25 metres. One respondent suggested that this was appropriate only in areas west of 4<sup>th</sup> Avenue, while Riverfront areas should have zoning that requires upper storeys to be "stepped back". Four respondents expressed general support for greater housing densities.

Public consultation through the OCP review process has generally shown support for increased downtown densities. Areas where height limit increases would be implemented will be examined as part of the Zoning Bylaw review, which will immediately follow the OCP review. The policy was modified for Draft Two to note that Old Town and the Riverfront area should have lower building heights, as was strongly indicated in public consultation.

The policy gives flexibility for increased heights Downtown, but leaves all decisions to zoning bylaw review process. The policy could be modified to give increased direction for the zoning review, for example, to look at ideas such as "stepping back" of upper storeys.

#### Administrative Recommendation

Revise policy 7.1.2, section 7.1, "Downtown Land Use", page 45, to read as follows:

*"The maximum allowable height for Downtown development is 25 metres, subject to zoning. The Old Town and Riverfront areas are restricted to lower building heights, subject to zoning. Mitigative measures may be required to address impacts on adjacent properties."*

### **Issue 9: Encouraging the creation of affordable/attainable housing**

One respondent called for the City to commit to providing affordable housing ("i.e. modest, up to code, adequate, affordable housing, in particular for single employed adults"). One other respondent expressed support for additional housing in Riverdale, and called for this to be affordable housing, "as well as housing that supports people who cannot live on their own", and "more rental housing".

Affordable housing generally refers to housing that is provided to the public for subsidized rent. Government-owned units are called “public housing”; non-Governmental-organization units are called “social housing”. Attainable housing refers to market-provided housing that is owned by individuals, in a price range that is attainable for a variety of income levels.

All affordable housing in Whitehorse is provided by organizations other than the City of Whitehorse (such as Yukon Housing). The City does not have the resources to provide affordable housing. The City is involved in the provision of housing stock to the market, and can potentially aid in the provision of attainable housing by working to increase land supply. The OCP could be modified to reflect this.

#### Administrative Recommendation

Insert new policy into section 20.2, “Social Housing”, page 78, and rename section to “Equitable Housing”:

*“While the City has no direct control on attainable housing, the City will work with authorities having jurisdiction to increase the amount of land available for future development.”*

#### **Issue 10: Country residential development at Lobird Mobile Home Park**

The owner of this mobile home park requested that undeveloped, privately owned lands adjacent to the current development be re-designated from Residential – Urban to Residential – Country.

Urban residential development in the Lobird area will not be feasible until municipal servicing is extended. The timeframe, as well as the development potential of adjacent lands, is unknown. An urban development pattern in this area would be the most sustainable choice for the City, from a long-term perspective.

OCP Policy 10.6.4, as contained in the 2002 OCP, did not permit new residential development in urban areas that was not connected to the municipal water and sewer system. The policy was modified for the Draft 2010 OCP to allow the possibility of increased development and subdivision on existing country residential-zoned properties within urban areas, for example, at Versluce Meadows. The intent of this change was to recognize that

1. There are areas within the urban residential service area where the extension of water and sewer servicing is not economically feasible, and
2. more residential units could be provided in these areas, which would contribute to near-term lot supply without impacting public green space.

This policy could potentially be modified again to also allow Council to consider applications for re-zoning to Country Residential zones within urban areas. The developer would need to prove that the proposed development met other OCP policies applicable to urban residential areas during the re-zoning process.

#### Administrative Recommendation

Revise policy 10.6.4, section 10.6, “Residential – Urban Land Use Designation”, page 57, to read as follows:

*"All new lots being developed within a Residential-Urban area should be connected to the municipal water and sewer system. It is recognized that there are existing properties within this designation that do not have direct access to municipal water and sewer infrastructure. New development, including subdivision, may be accommodated through country residential zoning for these properties, provided that alternate servicing is proven to be feasible."*

### **Issue 11: Mineral exploration and extraction in Future Planning designation**

One respondent<sup>10</sup> noted that the OCP policy that supports mineral exploration and extraction in the Future Planning designation seemed to be at odds with the stated intent of this designation.

This OCP policy applied to the Natural Open Space designation in the 2002 OCP. Natural Open Space lands were largely re-designated to either greenspace designations or the Future Planning designation in 2010. The policy was retained for Drafts One and Two but modified to ensure that City bylaws are applicable on mineral exploration and extraction. However, mineral extraction should not be allowed in areas where future planning is required before development occurs. The policy could be modified to remove extraction as an allowable use.

#### Administrative Recommendation

Revise policy 11.1.6, section 11.1, "Future Planning Land Use Designation", page 59, to read as follows:

*Where areas of high mineralization underlie land designated as Future Planning, uses related to mineral exploration may be permitted subject to City bylaws and other regulatory requirements (Environmental Assessment Legislation, Yukon Water Act, etc.).*

### **Issue 12: Expansion of Mixed-Use – Industrial/Commercial designation along Alaska Highway**

One respondent<sup>11</sup> expressed concerns that existing residential uses could be negatively affected by the potential expansion of industrial uses along the Alaska Highway.

The Mixed-Use Industrial/Commercial designation has been widely applied along the Alaska Highway in the 2010 OCP. This designation was created for the Marwell area in the 2002 OCP as a 'transition' designation that would emphasize 'clean' industrial as well as commercial development. The intent of applying it on the Alaska Highway is not to expand industrial uses, but to recognize that some industrial uses, such as trucking and transportation, are appropriate on the Highway in addition to commercial uses. A policy could be modified to clarify the vision for this designation and aid in future edits to the Zoning Bylaw.

#### Administrative Recommendation

Insert new policy into section 6.4 "Land Use Adjacent to Highways", page 43:

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<sup>10</sup> Yukon Conservation Society

<sup>11</sup> Valleyview Community Association

*"Development in Mixed-Use Industrial/Commercial designations along the Alaska Highway shall generally consist of uses that are contained within buildings, are non-offensive in character, and/or of a commercial nature."*

### **Issue 13: Allowance of road and utility crossings through riparian areas**

Three respondents<sup>12</sup> expressed concerns about an OCP policy that allows trails, utilities and roads to cross environmentally sensitive riparian areas.

The current 2002 OCP policy allows for "access", i.e. development such as roads, to encroach within riparian setbacks. The 2010 policy clarifies that any such encroachment must be for the purpose of crossing riparian areas and creeks. There are 16 major year-round creeks within City limits, and 37 road crossings at present – this reflects the City's development pattern that runs north-south, generally parallel to the Yukon River, with creeks that run east-west and feed into the River. Creek crossings are necessary as part of development in Whitehorse, but can be done in a way to mitigate negative impacts.

One respondent suggested examining all possible alternatives to creek crossings as part of the planning and engineering design processes. The wording of the policy could be adjusted, so that it does not refer to development that "must" cross riparian areas, but to development that "is proposed to" cross riparian areas, which would reflect a broader approach to road and utility planning and design.

#### Administrative Recommendation

Revise policy 1.3.3 section 1.3, "Riparian, Wetland and Wildlife Areas", page 33, to read as follows:

*"A 30-metre riparian setback along both sides of all rivers, streams, lakes, and wetlands, year-round or seasonal, shall be protected from development and remain in a natural condition, with the following exceptions, on a site-by-site basis:*

- a. where steep banks contain the riparian area, the setback shall be applied from the top of bank;*
- b. businesses that utilize waterbody access as part of their business;*
- c. non-motorized trails; and*
- d. where trail, utility or road access for development is proposed to cross riparian setbacks.*

*Environmental regulations and applicable bylaws must be followed in all cases. Where encroachment is required, it shall be minimal, and impacts shall be mitigated."*

### **Issues with Minor Changes Recommended**

The following issues have administrative recommendations that call for only minor edits to OCP maps or policy.

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<sup>12</sup> Includes Yukon Conservation Society, Hillcrest Community Association Trails and Greenspaces Committee

### **Issue 14: Protection of Environmentally Sensitive Areas**

One respondent<sup>13</sup> was concerned that policies that apply to the Environmentally Sensitive Designation, as shown on Map 1: Green Space Network Plan, potentially did not apply to lands shown as the Recreation Designation on this map. Lands within the City that qualify as *both* sensitive areas and recreation areas are shown on this map as recreation areas, since the colours used to show these areas overlap. Policy 1.1.1 could be modified to ensure that sensitive areas are protected regardless of whether they are explicitly shown on Map 1 or not.

#### Administrative Recommendation

Revise policy 1.1.1, page 32, to read as follows:

*“Environmentally sensitive areas (primarily shown on Map 1), such as significant wildlife corridors and important water bodies, are found throughout the City and their protection is a priority. Every effort shall be made to preserve these areas through limiting disturbance, promoting compact development, and ensuring connectivity between significant areas. Proposed development or activities that may impact the ecology of these areas shall be examined through comprehensive planning processes. It is also recognized that development may need to cross these corridors. Mitigative measures shall be taken to ensure impact to wildlife is kept to a minimum.”*

One respondent was concerned about potential impacts to nearby properties where development occurs in areas containing bedrock. Other input was previously received in the OCP process stating that safe bedrock blasting could be done even within close proximity to existing development. OCP policies could be modified to reflect a commitment to safe blasting practices.

#### Administrative Recommendation

Revise policy 1.1.2, page 32, to read as follows:

*“Future community development shall be directed away from lands that have unstable slopes, poor soil permeability, high water tables, ground water seepage, flooding susceptibility, bedrock, critical wildlife habitat, or areas with significant flora and fauna. Where bedrock is encountered, preventive measures shall be taken to prevent damage to nearby development.”*

One respondent<sup>14</sup> asked for trail planning policies to be updated to reflect new wetlands protection policies that were integrated in Draft Two of the OCP. This change could be made in order to be consistent.

#### Administrative Recommendation

Revise policy 1.1.4, page 32, to read as follows:

*“Proposed trails shall require detailed planning and be developed in recognition of land use, topographic and soil constraints. Any trail shall be designed to avoid areas of erodible and unstable soils. Where routes have the potential to impact wetlands, appropriate mitigative measures shall be followed.”*

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<sup>13</sup> Yukon Conservation Society

<sup>14</sup> Hillcrest Community Association Trails and Greenspaces Committee

### **Issue 15: Natural Resource Designation Areas**

Two respondents<sup>15</sup> noted that Natural Resource-designated areas in Stevens appear to be closer than 300 metres from Country Residential-designated areas nearby. 2010 OCP policy 8.2.3 recommends an approximate 300 metre buffer. The Natural Resource-designated area could be reduced in size on Map 2: Area Land Use Designations.

#### Administrative Recommendation

Revise Map 2: Area Land Use Designations, to reduce the size of the Natural Resource-designated area.

One respondent<sup>16</sup> was concerned about trail and recreation access on quarry haul roads, since an OCP policy calls for these roads to be gated. The intent of this policy is to ensure that individual quarry access roads are gated, and not to see gates placed on recreation accesses such as the Copper Haul Road or the McLean Lake Road. The policy could be revised to be clearer.

#### Administrative Recommendation

Revise policy 8.3.5, subsection e, page 52, to read as follows:

*“e. the access road shall be gated to discourage off-season use by all-terrain vehicles;”*

### **Issue 16: Areas on Green Space Network Plan that should be green**

One respondent asked that the entire Wolf Creek Research Basin be shown as greenspace on Map 1: Green Space Network Plan. This basin covers a very large area (extending well beyond City limits) and has been used for ongoing scientific research. An area within the basin, approximately 50 hectares in size, located south of the Wolf Creek neighbourhood is shown as Future Planning designation. Eventual development in this area, if it were to occur, would be very far from the city centre and not consistent with OCP policies that call for a compact development pattern. The area could be switched to greenspace.

#### Administrative Recommendation

Revise Map 1: Green Space Network Plan, and Map 2: Area Land Use Designations, to show this area of approximately 50 hectares as greenspace.

One respondent<sup>17</sup> noted that OCP mapping does not show environmentally sensitive areas along the entirety of Little Takhini Creek. This creek is a year-round stream, and would require protection of riparian setbacks along it as per OCP policy. Lands along the creek could be changed to be shown as environmentally sensitive on Map 1: Green Space Network Plan.

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<sup>15</sup> Includes Yukon Conservation Society

<sup>16</sup> Hillcrest Community Association Trails and Greenspaces Committee

<sup>17</sup> Yukon Conservation Society

#### Administrative Recommendation

Revise Map 1: Green Space Network Plan, and Map 2: Area Land Use Designations to show an area along both sides of Little Takhini Creek as greenspace.

#### **Issue 17: Description of “potential” infill sites on Map 5**

One respondent<sup>18</sup> requested that infill sites on Map 5: Urban Residential Growth Plan, be labelled as “potential” sites, to reflect their uncertain development status. OCP infill policies do refer to “potential infill sites”, which reflects the fact that little detailed site analysis has been done, and thus development may prove to be unfeasible. Draft One of the 2010 OCP included the word “potential” in the Map 5 legend. This was mistakenly edited out in Draft Two.

#### Administrative Recommendation

Revise Map 5: Urban Residential Growth Plan, to include the word “potential” in the infill sites legend item.

#### **Issue 18: Inclusion of Neighbourhood Associations**

Two respondents<sup>19</sup> requested that the OCP commit to including neighbourhood associations in future planning work. Section 22, Community Planning, commits the City to inclusive planning processes. This section could be modified to explicitly include neighbourhood associations.

#### Administrative Recommendation

Revise the first sentence of the preamble to section 22.1, page 81, as follows:

*"Starting in 2006, the City developed an inclusive public participation process that brings residents, stakeholders, community associations, and decision makers together to develop ideas, policies and plans."*

See also issue 6, which proposes modifying the policy regarding Parks to call for the City to work with groups such as neighbourhood associations.

#### **Issue 19: Redevelopment incentives**

One respondent<sup>20</sup> was concerned that the OCP policy that allows the City to examine incentives to redevelopment only applied to Downtown areas. This policy, 7.1.5, is contained in the “Downtown Land Use” section, and although its wording does not specifically mention Downtown, the implication is that it applies only to Downtown lands. It could be moved to a different section to clarify that it applies to all areas of the City.

#### Administrative Recommendation

Move policy 7.1.5 to section 5.1, “Land Management”

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<sup>18</sup> Riverdale Community Association

<sup>19</sup> Yukon Conservation Society, Hillcrest Community Association Trails and Greenspaces Committee

<sup>20</sup> Riverdale Community Association

## **Issue 20: Suites in duplexes**

One respondent<sup>21</sup> expressed support for the allowance of suites in separately-titled duplex halves. Policies that would have allowed this were contained in Draft One. The intent of this change was to allow for the potential addition of attainable housing units on already developed land. Negative public feedback was received that raised concerns about parking and density. Council had recommended that these policies be removed for Draft Two. Unfortunately, the edits were not fully made, and two policies remained in Draft Two that still contemplate suites in duplexes. These could be removed at this time.

### Administrative Recommendations

1. Revise policy 10.3.1, page 55, to read as follows:  
*"Secondary suites may be permitted in single-detached dwellings. Zoning shall determine minimum lot size, parking and other regulations."*
2. Revise policy 10.6.2, page 57, to read as follows:  
*"Residential - Urban areas may be used to accommodate all types of residential development. Secondary suites may be considered in single-detached dwellings, as well as in detached accessory buildings, subject to zoning."*

## **Issues with No Changes Recommended**

The following issues have administrative recommendations that call for no edits to OCP maps or policy.

## **Issue 21: Additional green areas on Green Space Network Plan**

- 3 respondents<sup>22</sup> called for a priority planning designation for key wildlife crossing locations along the Alaska Highway, notably at McLean Creek and McIntyre Creek. Privately held parcels in these areas cannot be re-designated to greenspace (or else they would need to be expropriated), and the green space network plan has shown all other publicly-owned land at these locations as Environmentally Sensitive designation.
- 2 respondents<sup>23</sup> called for greenspace between Hillcrest and the Tank Farm. This land is privately-owned.
- 2 respondents<sup>24</sup> called for McLean Lake Park to be enlarged. Areas surrounding this park are designated as Future Planning, so as more detailed study is done in the future, park boundaries can be refined.
- 2 respondents<sup>25</sup> called for additional greenspace between Copper Ridge and the First Nation land selection to the south. This land is privately owned.
- 1 respondent called for additional greenspace between the airport and the Yukon River. This land would need to be in the Downtown area, where density of development is important as part of an overall sustainable development pattern.

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<sup>21</sup> Valleyview Community Association

<sup>22</sup> Includes Yukon Conservation Society

<sup>23</sup> Yukon Conservation Society, Hillcrest Community Association Trails and Greenspaces Committee

<sup>24</sup> Includes Yukon Conservation Society

<sup>25</sup> Includes Yukon Conservation Society

- 1 respondent called for greenspace in the existing snow dump area between Centennial Street and Stan McCowan Place. This site is surrounded by residential uses, so is not a good location for a snow dump. The First Draft proposed a re-designation from Public Service to Residential – Urban. The designation change reflected a change in the vision for this site from snow dump to another use. Residential – Urban would permit either infill residential development or a future greenspace here.
- 1 respondent<sup>26</sup> called for additional greenspace along the east side of the Yukon River, south of the confluence with Croucher Creek. Areas adjacent to this location are designated as Future Planning, so as more detailed study is done in the future, the greenspace area can be refined.
- 1 respondent called for greenspace to connect the Ice Lake park McLean Lake Parks. This area is designated Future Planning, so as more detailed study is done, the greenspace area can be refined.
- 1 respondent<sup>27</sup> called for greenspace instead of the Future Planning designation for an area across Hamilton Boulevard from the Canada Games Centre intersection. This location could potentially be a development site in conjunction with development on KDFN land adjacent. OCP mapping calls for the retention of a large greenspace area adjacent to the north and east sides of this area that would continue to provide natural greenspace for Valleyview residents to use.

#### **Issue 22: Additional active transportation concerns**

- 1 respondent<sup>28</sup> called for the City to commit to building “Millennium Trail-style” linkages from all neighbourhoods to Downtown. Policies are already in place that call for active transportation linkages and universal accessibility.
- 1 respondent asked that Copper Haul Rd be made officially a trail, not a road. This road is used for recreation access, and so vehicle access should not be restricted.
- 1 respondent requested wintertime active recreation improvements, notably cross country ski trails as linkages between areas of the City. Widespread track-setting of trails is beyond current City budgetary allowances.
- 1 respondent called for a de-emphasis on walkability because it is not feasible year-round. Policies that encourage active transportation are in line with sustainability principles.

#### **Issue 23: Setbacks from steep slopes**

- 1 respondent<sup>29</sup> called for the minimum 15 metre setback from steep slopes to be enlarged. OCP policies allow this distance to be enlarged on a site-by-site basis.

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<sup>26</sup> Yukon Conservation Society

<sup>27</sup> Valleyview Community Association

<sup>28</sup> Yukon Conservation Society

<sup>29</sup> Hillcrest Community Association Trails and Greenspaces Committee

#### **Issue 24: Wildlife corridor analysis**

- 1 respondent<sup>30</sup> called for an inter-government wildlife corridor analysis/study. The City has already used comprehensive City-wide information on wildlife areas to create the Green Space Network Plan.

#### **Issue 25: Additional water and air quality issues**

- 2 respondents called for a winter air quality study for the Riverdale area. Four new air quality policies were added to the 2010 OCP that greatly increase the scope of air quality controls that the City has jurisdiction over. Air pollution monitoring in Whitehorse is typically undertaken by the Yukon Government. Riverdale air pollution was last studied in the 1980s, and anecdotal evidence suggests that conditions have improved since that time. Detailed studies for infill development would include an examination of air quality.
- 1 respondent<sup>31</sup> called for the restoration of the wording of a 2002 policy that called for hydrological and hydrogeological study in the McLean Lake watershed. Water quality policies have been broadened for the 2010 OCP so that protection from pollution is covered for all areas – specific policies are not needed.
- 1 respondent questioned whether the reduction of water consumption was necessary, and so called for change to the water use monitoring policy in order to specifically exclude future use of household water meters,. This policy is found in the ‘energy conservation’ section, not in the water section. The intent of metering, if implemented, would be to reduce energy usage. The policy as written allows the City to examine this possibility.

#### **Issue 26: Additional issues with country residential development**

- 2 respondents called for additional country residential areas. The OCP gives direction to limit new country residential development, with the exception of privately-supplied country residential.
- 1 respondent requested that subdivision of existing country residential properties be disallowed. New subdivision rules are not contemplated in the 2010 OCP.
- 1 respondent<sup>32</sup> opposed the “airpark” concept that is associated with new country residential development in the Cousins area, raising concerns about noise and the environmental impact of small plane usage. Policies in Section 10.5, “Cousins Airpark”, call for these concerns to be addressed.
- 1 respondent opposed the re-designation of former Crown Grants to allow uses that were not contemplated when the land title was granted, such as country residential. The City has a legal obligation to give designations that permit development to privately-titled land.

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<sup>30</sup> Yukon Conservation Society

<sup>31</sup> Yukon Conservation Society

<sup>32</sup> Yukon Conservation Society

### **Issue 27: Additional issues with Industrial Designations**

- 3 respondents<sup>33</sup> requested that Kulan not be re-designated from “Service Industrial” to “Industrial” as it might negatively impact Crestview if heavy industrial uses located there. A policy was added in Draft Two of the OCP that gives direction for a 500 metre buffer between Heavy Industrial and Residential uses. Any heavy industrial proposal would require re-zoning approval from Council.
- 1 respondent suggested changing the designation of the current quarries near McLean Lake from “Industrial” to “Mixed-Use Industrial/Commercial”, in order to preclude heavy industrial uses. This location, being an existing industrial and quarry site, and relatively distant from residential designations, is suitable for industrial uses. The City requires a mix of land uses in order to support a diverse economy. Converting former quarry sites to industrial uses is a better use than encouraging a mixed-commercial business-park type development, for which land is available elsewhere.
- 1 respondent<sup>34</sup> asked for the City to examine the cumulative impacts of industrial development. The general intent of this OCP is a concentration of land uses so that the overall development footprint is reduced. A cumulative impacts policy would potentially cause development to spread out.
- 1 respondent<sup>35</sup> called for additional restrictions on noise at quarries, in particular at Stevens quarry. Specific quarry restrictions at Stevens will be looked at through the detailed planning process and instituted through lease management.

### **Issue 28: Commitment to snow clearing**

- 1 respondent asked for an OCP policy that would commit the City to greater snow clearing capability as more streets are built. This issue is being dealt with through the City’s “Forced Growth” strategy. The Snow and Ice Control policy is already revisited on an annual basis as a budget item.

### **Issue 29: Reconstruction of roads in Old Town**

- 1 respondent asked that when infrastructure renewal is required in Old Town, streets be converted to “shared streets” similar to those built in Takhini North. OCP policy 7.3.2 already supports guidelines for alternative “streetscape treatments” and compatible forms of development in Old Town.

### **Issue 30: Name of Future Planning designation**

- 1 respondent opposed the change of this designation’s name from Future Development to Future Planning. Four respondents<sup>36</sup> supported the change. The name change reflects the unknown status of these lands – future uses may not be development.

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<sup>33</sup> Includes Crestview Community Association

<sup>34</sup> Valleyview Community Association

<sup>35</sup> Yukon Conservation Society

<sup>36</sup> Includes Porter Creek Community Association, Crestview Community Association, Yukon Conservation Society

### **Issue 31: Concerns with the Planning Processes**

- Four respondents<sup>37</sup> expressed issues with the Public Hearing input process, including concerns that materials were not available soon enough, that meetings and subsequent changes are too frequently spaced, and that summer meetings are inappropriate. Notification of the public hearing was done as per Municipal Act requirements. The overall OCP review process involved extensive opportunity for public involvement, at all times of the year.
- Two respondents<sup>38</sup> requested that OCP mapping be more detailed. OCP maps are intended to provide only a broad level of detail regarding land use, i.e. a vision. Detailed maps do not allow for interpretation based on surrounding land uses and impacts. More detailed planning and mapping is done following OCP adoption and is reflected elsewhere (e.g. Zoning Bylaw.)
- One respondent<sup>39</sup> requested that the OCP still contain a policy requiring referenda on greenspace designation changes. The Court of Appeal requires the City to remove the referendum requirement policy. The public has a significant change for input on green space during the OCP review process, including the public hearing.
- One respondent asked that the public be removed from the planning process, in order to expedite it. An inclusive planning process has become a public expectation. The City would not receive the same level of support for OCP initiatives without doing extensive public planning review. The City has furthermore learned that the public is an excellent source of new and innovative ideas.

### **Support**

The following support was received for Draft Two. The number of respondents is given in brackets following each item.

- Infill sites, especially Riverdale infill; 2 specifically supported affordable and/or rental housing (4 respondents)
- General support for greater density in housing development (4)
- Residential/commercial development at golf courses and ski hills (3)
- Designation name change – Future Development to Future Planning (3)
- Expanded greenspace areas, as compared to Draft One (2)<sup>40</sup>
- “Rock the River” kayak initiative (1)
- Wetland protection policies (1)<sup>41</sup>
- Buffers/walkways at infill sites (1)<sup>42</sup>
- Creation of McLean Lake Park (1)
- Green connection between McLean Lake and McIntyre Creek Parks (1)

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<sup>37</sup> Includes Hillcrest Community Association Trails and Greenspaces Committee

<sup>38</sup> Yukon Conservation Society, Hillcrest Community Association Trails and Greenspaces Committee

<sup>39</sup> Yukon Conservation Society

<sup>40</sup> Includes Yukon Conservation Society

<sup>41</sup> Ducks Unlimited Canada

<sup>42</sup> Valleyview Community Association

- Recreation designation for areas to the west of Crestview (1)<sup>43</sup>
- Redevelopment incentives especially that encourage social housing (1)
- 500 metre buffer between heavy industrial and residential development (1)
- Larger green areas adjacent to Croucher Creek (1)<sup>44</sup>
- Moratorium on mineral staking (1)<sup>45</sup>

### Housekeeping Amendments

The following are housekeeping amendments that follow input received from the Hillcrest Community Association Trails and Green Spaces Committee. Input on numbers 7 and 8 was also received from another respondent.

1. Page 6, Introduction, clarify that conservation of land is also part of the intent of the OCP, by modifying the second sentence to read: *“The intent of an OCP is to guide decisions in relation to development and conservation, through policies for residential and commercial development, industrial activity, transportation infrastructure, as well as environmental and recreational considerations.”*
2. Page 58, policy 10.7.7, amend policy to remove and correct old names for development areas, to read *“Potential residential infill and new development areas such as Whistle Bend and Porter Creek “D” shall be designed in a manner to protect significant trail corridors.”*
3. Page 60, policy 11.1.3, amend policy to allow for re-designation of Future Planning areas to the Recreation designation, to read: *“If future studies show that an area with a Future Planning designation has significant environmental or recreation values, the area may be re-designated.”*
4. Page 61, policy 12.1.4, amend policy to clarify that non-vehicular River crossings also exist, to read: *“There is one vehicular river crossing, the Robert Campbell Bridge, which connects Riverdale and the Whitehorse General Hospital, with the rest of Whitehorse.”*
5. Page 61, policy 12.1.6, amend policy to clarify that it only applies to Downtown active transportation routes, to read: *“Active transportation routes shall be integrated throughout the City. Downtown routes are depicted in Map 3. Downtown routes shall include wide pedestrian corridors, and include amenities such as trees, landscaping, and proper lighting.”*
6. Page 67, preamble to policies in section 15.3, clarify Schwatka Lake is the City’s backup water source, by adding additional sentence: *“However, it is important to remember that Schwatka Lake is also the backup drinking water source for the City and water quality should be protected.”*
7. Page 67, policy 15.3.2 – amend to clarify Schwatka Lake is our backup water source, by deleting reference to the water intake here, to read: *“Consideration shall be given to improved operating procedures to ensure that the Schwatka Lake float plane base is maintained in a way to avoid fuel spills.”*

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<sup>43</sup> Crestview Community Association

<sup>44</sup> Yukon Conservation Society

<sup>45</sup> Yukon Conservation Society

8. Page 70, policy 18.1.1, amend policy to correct name of Paddy's Pond/Ice Lake Park, to read: *"Five park areas are identified on Map 6. These areas are known as the Chadburn Lake, McIntyre Creek, Paddy's Pond/Ice Lake, McLean Lake, and Wolf Creek parks and their extents include many natural features."*

The following are housekeeping amendments that administration recommends:

Administrative Recommendation

1. Page 24, Table 7: correct error in policy number by amending the text to read: *"Numerous separate areas for potential "infill" development are shown on Map 5. Policies relating to these locations are found in Section 10.8."*
2. Page 37, policy 3.1.1: amend the policy by restoring the mistakenly deleted word "pollution", to read: *"Sources of ground water pollution shall be controlled and mitigated by authorities having the appropriate jurisdiction, and methods of control may include appropriate regulation and public education."*
3. Page 43, relocate policy 6.4.2 to a more appropriate section, 12.3.
4. Page 45, policy 7.1.5: correct the misuse of the word "economic" by replacing with "encourage", to read: *"Consideration may be given to redevelopment incentives to encourage development on under-utilized properties."*
5. Map 2, change label from "McRae" to "MacRae" for this area, to reflect the historically accurate spelling.
6. Map 4, change label of Shipyards Park building from "park building" to "Frank Slim building" to reflect the recent re-naming of this building.
7. Update land use percentages noted in introduction section based on final Council changes to land use designation sizes as adopted at Second Reading.

**ADMINISTRATIVE RECOMMENDATION**

THAT Council direct that Draft 2 of the 2010 Official Community Plan be amended in accordance with the administrative recommendations detailed in the Administrative Report dated August 2, 2010; and

THAT Council direct that Bylaw 2010-01, a bylaw to adopt the 2010 Official Community Plan and repeal the 2002 Official Community Plan, be brought forward for due consideration under the bylaw process.