

## ADMINISTRATIVE REPORT

<b>TO:</b> Planning Committee
<b>FROM:</b> Administration
<b>DATE:</b> August 1, 2022
<b>RE:</b> Public Hearing Report – Zoning Amendment - KDFN Parcel C-112B

### ISSUE

Public Hearing Report on a Bylaw to amend the zoning of Kwanlin Dün First Nation (KDFN) Settlement Land Parcel C-112B-2, and portions of KDFN Settlement Land Parcels C-112B-1 and C-112B-3 from FP – Future Planning to RCS2 – Comprehensive Residential Single Family 2 for Phase I and Phase II of a proposed residential development.

### REFERENCES

- [Zoning Bylaw 2012-20](#)
- [2005 KDFN Final Agreement](#)
- [2020 KDFN Community Lands Plan](#)
- [2021-0121 Yukon Environmental and Socio-Economic Assessment Board \(YESAB\) Designated Office Evaluation Report](#)
- [2010 Official Community Plan \(OCP\)](#)
- 1990 Conceptual Development Plan, Hillcrest Expansion – Areas C and D
- Proposed Zoning Amendment Bylaw 2022-26

### HISTORY

KDFN owns four settlement parcels consisting of 12.38 hectares in Copper Ridge, west of Falcon Drive. KDFN has applied to rezone a portion of the lands in order to develop the first two phases of a proposed three phase residential development:

- KDFN Settlement Land Parcel C-112B-2;
- A portion of KDFN Settlement Land Parcel C-112B-1; and
- A portion of KDFN Settlement Land Parcel C-112B-3.

The third phase is anticipated to be rezoned at a later date once the development of the first two phases has begun. The current zoning of the subject parcels is FP – Future Planning which requires rezoning to allow for development. The proponent completed a zoning analysis which concluded that the RCS2 - Comprehensive Residential Single Family 2 zone was the preferred option for both phases based on the desired lot sizes and the greater design standard requirements. Phase I and Phase II will yield approximately 25 and 72 lots respectively, for single detached homes and/or duplexes.

The conceptual development plan for the area, developed in 1990, included the subject parcels in the Copper Ridge neighbourhood. In addition, road infrastructure improvements required for the proposed development have already been implemented.

Bylaw 2022-26 received First Reading on June 27, 2022. Public Hearing notifications were sent out in accordance with the Zoning Bylaw 2012-20, including:

- Newspaper advertisements were posted in the Whitehorse Star on June 30, 2022 and July 8, 2022 and in the Yukon News on June 30, 2022 and July 15, 2022;
- Email notifications were sent to the Government of Yukon (YG) Land Management Branch, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council;
- Mail notifications were sent to approximately 190 property owners within 100 metres of the subject site; and
- Two rezoning notice signs were placed on the subject site.

A Public Hearing was held on July 25, 2022. Two written submissions, one with concerns and one in opposition of the development, were received. No delegates spoke to the item at the public hearing.

### **ALTERNATIVES**

1. Proceed with the second and third readings under the bylaw process; or
2. Do not proceed with the second and third readings.

### **ANALYSIS**

The following matters were raised in the public input submissions:

- Area will no longer be available for current uses;
- Increased volume of traffic on main roads; and
- Proposed development is adjacent to a steep slope.

#### **Area will no longer be available for current uses**

Concerns were raised that the proposed development will impact how the site is currently used, specifically that a snow storage site and recreational opportunities will be lost.

#### **Snow storage site**

There is a snow management storage site to the west of the proposed development on vacant Crown land that is accessed from one of the subject parcels. Maintaining access to the snow storage site is currently secured through a license agreement with KDFN and can be addressed through a development agreement at the subdivision approval process.

#### **Public uses the area recreationally and adjacent property owners purchased properties to back onto the treed area**

The subject parcels were intended for residential development since the Copper Ridge neighbourhood was first planned in 1990. Adjacent property owners would have had access to this information when they purchased their property. KDFN later selected the subject parcels as part of the 2005 KDFN Final Agreement, primarily to generate revenue for their citizens and beneficiaries. The subject parcels are designated as residential in the KDFN Community Lands Plan. Any trails that exist on the subject parcels are informal. Access to the trails west of the development will be maintained with connector walkways and any trails impacted by the development will be rerouted.

### **Increased volume of traffic on main roads**

There were concerns that the proposed development will increase traffic congestion on Falcon Drive and Hamilton Boulevard. A YESAB review was completed for the subject development and it was determined that the traffic impacts are not expected to be significant. In addition, the road infrastructure improvements required for this development were already implemented, as this area was planned to be included in the Copper Ridge neighbourhood since 1990. Therefore any increased traffic has already been anticipated and mitigated through the infrastructure improvements.

### **Proposed development is adjacent to a steep slope**

There was a concern that the development is near a steep slope. The OCP requires that new development be at least 15 metres from the top or toe of any steep slope. Slope setback requirements will be addressed through the detailed engineering design and subdivision approval process.

### **ADMINISTRATIVE RECOMMENDATION**

THAT Council direct that Bylaw 2022-26, a bylaw to amend the zoning of KDFN Settlement Land Parcel C-112B-2, and a portion of KDFN Settlement Land Parcel C-112B-1 and C-112B-3 to allow for a residential development, be brought forward at second and third reading under the bylaw process.