

ADMINISTRATIVE REPORT

TO: Planning Committee
FROM: Administration
DATE: October 3, 2022
RE: Public Hearing Report – Puckett’s Gulch/Airport Zoning Amendment

ISSUE

Public Hearing Report on a bylaw to amend the zoning at Puckett’s Gulch/Airport from PE – Environmental Protection to IAx(a) – Airport (modified) to allow for the transfer of land to the Government of Yukon to construct a runway end safety area, and relocate a trail, airside road, fence, and sanitary sewer line.

REFERENCES

- [Canadian Aviation Regulations SOR/96-433](#)
- [Trail Development Policy 2018-02](#)
- [2012 Downtown Escarpment Land Use Policy](#)
- [2020 Trail Plan](#)
- [2040 Proposed Official Community Plan \(August 2022\)](#)
- [Zoning Bylaw 2012-20](#)
- Proposed Zoning Amendment Bylaw 2022-31

HISTORY

The Government of Yukon (YG) has applied on behalf of the City of Whitehorse (City) to rezone a portion of City and YG land in the Puckett’s Gulch area to IAx(a) – Airport (modified) to allow for the construction of a 150 metre runway end safety area (RESA) at Erik Nielson Whitehorse International Airport (Airport).

In addition to adding a 150 metre RESA to Runway 14L, YG is proposing to move the airside road, airport perimeter fence, and a section of the airport perimeter trail as they do not currently comply with Transport Canada Standards. YG is also proposing to relocate a City sanitary sewer line around Runway 14R to tie-in to an existing sanitary sewer line within Puckett’s Gulch which would remove a manhole that is currently a safety concern.

The proposed rezoning involves portions of the following parcels:

1. LOT 1183, QUAD 105/D, PLAN 85401 CLSR YT;
2. LOT 423, GROUP 804, PLAN 52105 CLSR YT; and
3. LOT 18, GROUP 804, PLAN 8406 CLSR YT.

Proposed Bylaw 2022-31 was amended as it was determined that one of the subject parcels, Lot 18, previously thought to be owned by the City, is already owned by YG. A portion of the parcel still requires rezoning but will not be subject to the land transfer process.

As the other two parcels are currently owned by the City, further steps will be required should Council approve the rezoning to allow for the land transfer of a portion of the parcels. If Council approves this amendment, an amendment to the Downtown Escarpment Land Use Policy would be next, followed by the City land disposition, subdivision, including detailed engineering design approval, and land transfer processes.

Bylaw 2022-31 received First Reading on August 8, 2022. Public Hearing notifications were sent out in accordance with the Zoning Bylaw 2012-20, including:

- Notices were published in the Whitehorse Star and Yukon News on August 12 and August 19, 2022;
- The Kwanlin Dün First Nation, Ta’an Kwäch’än Council, and the Government of Yukon’s Land Management Branch, and the Downtown Residents Association were notified by email; and
- A notice sign was placed at the bottom of the Black Street Stairs and property owners within 100 metres were notified by mail.

A Public Hearing was held on September 12, 2022. Multiple written submissions from six different submitters were received, voicing opposition, concerns, suggestions or questions. Four individuals registered for, or 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 and at the public hearing:

- Opportunities to improve the airport perimeter trail;
- Geohazard risks;
- Not enough information was provided;
- Noise; and
- YG’s notification was not received.

Opportunities to improve the airport perimeter trail

Respondents provided several suggestions regarding potential improvements to the airport perimeter trail.

Obtain Airport land from YG and formalize the trail south of the project site

Several respondents requested that the airport perimeter trail south of the project site, between the Airport and the edge of the escarpment, be formalized. Respondents cited several policies in the proposed Official Community Plan (OCP): Whitehorse 2040 and the Transportation Master Plan as justification for the formalization of the trail.

Respondents noted that the trail will become more important as the proposed OCP intends to develop the South Growth Area, adding a projected 16,000 additional residents. Furthermore, the proposed OCP proposes new parks and other amenities for

Downtown and the Transportation Master Plan also attempts to reduce vehicle trips to the Downtown.

Additionally, a respondent suggested that since YG requires City land in order to complete their proposed airport improvements, there is an opportunity for the City to request some Airport land as compensation to ensure a viable trail can be maintained between the Airport and the edge of the escarpment.

The section of trail south of the Black Street Stairs between the Airport and the edge of the escarpment is not an official trail and the City’s Parks department advised that they do not intend on formalizing this section of the trail at this time. Various sources of information must be considered when contemplating establishing a new trail which may include, but not limited to, an environmental review, Yukon Environmental and Socio-Economic Assessment Act Decision Document, public and First Nation consultations, and site investigations which is outside of the scope of this zoning amendment.

The area south of the project site, between the Airport and the escarpment, will remain zoned as PE-Environmental Protection and accessible to the public. Applications for trail construction or trail enhancements can also be submitted by eligible applicants to the City’s Parks and Community Development office as per the Trail Development Policy.

Improve the accessibility of the trail

Respondents suggested that more of the airport perimeter trail should be made accessible. Suggestions included using crushed gravel instead of asphalt, that the trail should meet All Ages and Abilities guidelines, and that the development of a lower-grade trail through the Black Street gully would provide a more accessible, all-season alternative to the Black Street Stairs.

Alternative routes for the paved path can be considered in the Transportation Master Plan which is currently under review and being updated. The final details and design of the section of the trail impacted by the proposed project have not yet been determined. It is anticipated that the trail will follow a similar configuration to as it is now, adjacent to the airport perimeter fence. Geotechnical studies will inform the final design at a later stage.

Of note, the City also commits in the proposed OCP to advancing initiatives that improve accessibility throughout the community, including transportation planning. As previously noted, applications for trail enhancements can also be submitted by eligible applicants to the City’s Parks and Community Development office.

Geohazard Risks

Respondents raised concerns that the proposed project could destabilize the escarpment. The impacts of snow clearing, drainage, and the removal of trees on the stability of the escarpment were also raised as concerns.

It is acknowledged that the location of the proposed project and land transfer is within a geohazard area. Due to the sensitive location, additional steps have been added to the land transfer process to ensure that works do not increase the geohazards.

As a condition of the subdivision approval, which will occur prior to a land transfer, a development agreement will be required. Conditions of this development agreement will include that YG will need to submit a detailed engineering design for approval by the

City’s Manager of Engineering Services. The detailed engineering design will need to address the following items:

- Potential impacts to the escarpment area and slope stabilization;
- Potential impacts to the escarpment hazard zones at the bottom of the slope;
- Current slope stability issues in the project area and the expected stability issues after slope modification;
- A storm management plan around the area of interest for existing and modified conditions;
- Design of the proposed sanitary sewer manholes configuration; and
- A geotechnical review addressing any groundwater concerns.

The land will not be transferred until YG can demonstrate that the proposed project will not decrease the stability of the slope. The on-site geotechnical study, once complete, will also determine the type of vegetation that should be replanted in disturbed areas in order to provide the best slope stabilization.

Not enough information was provided

Respondents raised concerns that not enough information was provided regarding the impacts to the trail and geohazards, and that the information and potential mitigations should be provided prior to the transfer of land process, not after.

Following the First Reading, YG committed to holding a Public Information Session which was held on August 31, 2022. YG confirmed that 32 members of the public attended the session. The public had the opportunity to view a video that illustrated what the area, including the trail, would look like after the completion of the proposed project. The public also had the opportunity to clarify information and pose questions to the YG project managers and engineers.

Additionally, as previously noted, YG will need to submit a detailed engineering design for approval by the City’s Manager of Engineering Services, as part of the subdivision approval. This will occur prior to the transfer of land.

Noise

A concern was also raised at the Public Hearing that airplanes will be taking off and landing 150 metres closer to the Puckett’s Gulch and that the noise impacts are unknown. YG clarified that the runway is not being extended by 150 metres, but rather a RESA is being added which is only used in aircraft emergencies. It is not intended to be used for regular airplane take-offs or landings and as such noise will be no closer to the Puckett’s Gulch.

Did not receive YG’s notification

One respondent raised a concern that they did not receive YG’s notification about the project as part of YG’s initial engagement that occurred prior to the rezoning process. The City was not involved in YG’s notification process that they were required to do as per the requirements of Canadian Aviation Regulation 307.03 (CAR 307.03). Any concerns or questions regarding YG’s notification process under CAR 307.03 should be directed towards YG.

ADMINISTRATIVE RECOMMENDATION

THAT Council direct that revised Bylaw 2022-31, a bylaw to amend the zoning in the Puckett’s Gulch area, be brought forward at second and third reading under the bylaw process.