

ADMINISTRATIVE REPORT

TO: Planning Committee
FROM: Administration
DATE: January 9, 2023
RE: Second Public Hearing Report – Proposed Official Community Plan: Whitehorse 2040

ISSUE

Second Public Hearing report for the proposed Official Community Plan: Whitehorse 2040.

REFERENCES

- [Whitehorse 2040 – Proposed Official Community Plan \(November 2022\)](#)
- [Proposed Official Community Plan Adopting Bylaw 2022-40](#)
- [2010 Official Community Plan](#)
- [Municipal Act](#)
- [Residential Landlord and Tenant Act](#)
- [Downtown Escarpment Land Use Policy](#)
- [1981-2010 Climate Normals & Averages \(Government of Canada, Environment and Natural Resources\)](#)
- [2021 Accommodating Future Residential Demand in Whitehorse](#)
- [2021 Yukon Bureau of Statistics Population and Dwellings](#)
- [2022 Whitehorse North Trail Plan Map](#)
- 2011 EDI McIntyre Creek Wildlife Corridor Assessment
- McLean Lake Quarry Assessment, June 2015, Inukshuk Planning
- 2017 Southern Urban Containment Boundary Pre-Feasibility Study Final Report
- Stevens Lake Commercial Aggregate Quarry Decision Document (YESAB file number 2020-0124) and supporting documents
- Stevens Quarry Development Decision Document (YESAB file number 2012-0124) and supporting documents
- 2020 Groundwell Planning Review of Municipal Quarrying Policy and Practices
- 2020 Groundwell Planning Commercial and Industrial Land Study

HISTORY

The Official Community Plan (OCP) guides decision-making for the City by setting the long-term vision, guiding principles, and supporting policies for City growth and services. The OCP is adopted by Council through a bylaw process, following robust public engagement. Prior to Third Reading of the OCP bylaw, the Minister of Community Services is sent the proposed OCP for approval.

Bylaw 2022-40, the Official Community Plan Adopting Bylaw received its First Reading on August 8, 2022. In conformance with the requirements of Section 281(1) of the *Municipal Act*, a Public Hearing was held on September 12, 2022. Following the Public Hearing, changes to the proposed OCP were made and Council directed a second Public Hearing to

be held. Notifications for the second Public Hearing were sent out in accordance with the *Municipal Act*. Notifications included:

- Newspaper advertisements posted in the Whitehorse Star and the Yukon News on November 11, 2022, November 18, 2022, and November 25, 2022; and
- Email notifications were sent to the Government of Yukon (YG) Land Management Branch, Kwanlin Dün First Nation (KDFN), Ta'an Kwäch'än Council (TKC), community associations, and the OCP email distribution list.

A Public Hearing was held on November 28, 2022. Forty-six (46) written submissions were received and 12 people spoke at the Public Hearing.

ALTERNATIVES

1. Amend the proposed Whitehorse 2040 OCP as recommended and proceed under the bylaw process; or
2. Refer the proposed Whitehorse 2040 OCP back to Administration.

ANALYSIS

The analysis of issues below considers all input received as part of the Public Hearing process. Matters raised have been sorted into four groups:

1. Support;
2. Change recommended;
3. No change recommended;
4. Recommended minor text improvements; and

A general comment was received that the OCP was difficult to read and understand. It was requested that the OCP use plain language and define terms so that it is clear what the City is proposing. The recommended changes in this Administrative Report aim to improve legibility and policy clarity.

It is noted that any reference in this report to the 2040 OCP, or a policy, section, goal, or map within the 2040 OCP, references a proposed OCP, policy, section, goal, or map, until such a time that Council adopts the OCP.

1. Support

The following support was received for the 2040 OCP:

- Support for the removal of the Natural Resource Extraction designation for the Stevens area;
- Support for the Chasàn Chuà / McIntyre Creek Park and the removal of policies about the potential future transportation corridor through the area;
- Support for the City's goal of maintaining an adequate supply of commercial and industrial land to support economic opportunities;
- Support for the Whitehorse North Transportation Study;
- Support for sports and recreation opportunities provided by the City;
- Support for the City's commitment to working with First Nations; and
- Support for the City's commitment to climate action.

For some of the topics listed above, the City also heard concerns and requests for policy changes. These comments are further described and analyzed in the text that follows.

2. Change recommended

Administration is recommending changes to six topic areas, following the Public Hearing. The administrative recommendation is provided in a grey box, following the analysis of each issue.

Issue 1: Section 4 – Equity and Inclusion goals

Public input suggested that Section 4 – Equity and Inclusion should provide clearer direction.

Analysis

Administration has reviewed this Section and recommends reducing the number of goals so that clearer OCP direction can be provided.

Administrative Recommendation

- Delete goals 4.(e) and 4.(i) as they are captured under goal 4.(a).
- Delete goal 4.(c) as it is captured through goals 4.(a), 4.(d), and 4.(j).

Issue 2: Environmentally sensitive areas

TKC staff comments requested that the City commit to completing ongoing monitoring of environmentally sensitive areas and to consider alternative site locations prior to allowing development in environmentally sensitive areas.

Analysis

Policy 7.1.4 already requires implementation of mitigation measures when developing in environmentally sensitive areas. The City does not have the capacity to monitor environmentally sensitive areas. As with other bylaws, infractions are managed on a complaint basis. Additional clarity could however be provided to the OCP policies confirming that limited development would be permitted in environmentally sensitive areas.

Administrative Recommendation

- Update policy 7.1.3 to add a new sentence at the beginning of the policy:
 - **Limited development will be allowed in environmentally sensitive areas.** *Exceptions may be considered for uses that are shown as needing to cross an environmentally sensitive area or be in an environmentally sensitive area because they cannot occur elsewhere. These exceptions will be based on the findings of professionally prepared studies or reports.*

Issue 3: Accessible transportation network

TKC staff comments requested that the City update the transportation and mobility goals in Section 11 to include accessibility.

Analysis

Increasing accessibility for all is a 2022-2024 Strategic Priority. Additional clarity could be provided in the Section 11 goals confirming that an accessible transportation network is desired.

Administrative Recommendation

- Update goal 11.(a) as follows:
 - *The City's transportation network is **accessible**, safe, equitable, and sustainable.*

Issue 4: Building heights in the Downtown

Public input called for updates to policies related to Downtown building heights. Table 1 compares the building height limits in the 2010 OCP and the 2040 OCP for different areas within the Downtown.

Table 1. Comparison of maximum building height limitations

	2010 OCP	2040 OCP
Downtown Core	25 m	25 m however up to 30 m will be considered
Main Street	20 m	20 m east of 4 th Avenue and 30 m west of 4 th Avenue
Old Town	No specific height	10 m
Riverfront	No specific height	No specific height

It is noted that the OCP specifies some building height maximums. The building height allowances could be reduced in certain zones through the Zoning Bylaw when it is rewritten. For example, Council may choose to reduce building heights next to playgrounds to reduce or eliminate shadow impacts on these public spaces.

Specific comments are included in the analysis below as well as a response from Administration.

Analysis

Comment

Various Downtown building heights were suggested, including:

- 10 m (three storeys) in all of the Downtown;
- 15 m (four storeys) maximum in all of the Downtown;
- Seven storeys (~25 m) maximum in all of the Downtown;
- Maximum of four storeys (~15 m) north of Main Street and three storeys (~10 m) south of Main Street; and
- Maximum of three storeys (~10 m) west of 4th Avenue and four storeys (~15 m) east of 4th Avenue.

Response

The suggested building heights would reduce the development yield within the Downtown and may compromise the City's ability to meet its redevelopment targets in the Urban Core. The 2040 OCP building height allowances generally support the OCP vision, principles and goals. They support climate action by allowing for the location of more residents and services close to each other, reducing commuting times and by extension the community's greenhouse gas outputs. Further, they assist the City to provide cost-effective services to its residents by limiting the need to create new infrastructure and services outside of the Downtown.

Comment

- Concerns that increased building heights will negatively impact (i.e. block) views from the surrounding landscape;
- Consider a view corridor policy that preserves views of certain landmarks and mountains from select points;
- The wording in policies dealing with building heights along the riverfront is too vague (i.e. policies 15.9.13 and 15.12.4). Comments suggest a 15 metre or four storey building height limit as the land values and development costs do not make small scale or ten metre tall developments viable; and
- Concerns that taller buildings will cast shadows on the riverfront trail.

Response

The Chu Niikwän / Yukon River clay cliff and the Downtown escarpments are understood to be the main landscapes where views could be protected. The T'si Ma (Golden Horn Mountain) is also visible from the Downtown and increasing building heights is not expected to impact views of this mountain.

There are various policies supporting additional planning and / or protection of the lands facing the Chu Niikwän / Yukon River (the River) clay cliff. Policy 5.8 states that planning efforts along the riverfront will be coordinated to recognize the River's special importance. The lands along the River are designated as Mixed-Use – Riverfront. Policy 15.12.4 speaks to the importance of protecting views along the River. Policy 15.12.6 also prohibits the development of buildings between the riverfront walkway and the River. The proposed designation approach is similar to the 2010 OCP approach where the Zoning Bylaw is to provide further details on requirements related to building heights, setbacks, and massing for lands within the Mixed-Use Riverfront designation.

Most of the land along the Downtown escarpment is located within the Geo-Hazard Area defined in the Downtown Escarpment Land Use Policy which includes restrictions to development.

Comment

- Concerns that taller buildings may have greater shadow impacts; and
- Consider a shadow and natural light policy that ensures Downtown residents have sufficient natural light.

Response

Administration completed a sun-shadow analysis on Main Street to better understand the shadow impacts that different building heights would have on the streetscape. Taller buildings create longer shadows by blocking incoming light from the sun on sunny days in the fall and winter months. This is due to the low location of the sun in the sky. As such, the main impact of shadows is from the side of buildings fronting towards the north, along east to west streets, such as Main Street.

Administration's sun-shadow analysis concluded that there was a negligible difference on the shadows between building heights of 18 m and 30 m. It also concluded that the existing buildings on Main Street already cast shadows on the south side of the street and that at least one building casts shadows on both sides of the street during the fall or the winter.

Federal climate data shows that for the months of October, February and March there is bright sunshine on most days. However, for the months of November, December, and January, approximately half of the days on average do not have any measurable amount of sunshine in Whitehorse due to prevalent overcast conditions. There is an average of 40 hours of sunshine in November, 27 hours in December, and 44 hours in January.

While taller buildings will impact natural light in the Downtown, those buildings also allow for intensification of land use, consistent with many goals in the OCP. With respect to Main Street, the OCP provides a number of policies that provide direction to the development of the City's most important pedestrian-oriented retail and eating and drinking establishment corridor. Policies 15.9.10 and 15.9.12 specify that development along Main Street will complement the existing development pattern and that the character of the street will be retained through building size, height, and setback limitations.

Increased shadows may impact pedestrian comfort. Additionally, it may impact the character of Main Street. Since Main Street is a unique street in Whitehorse, Administration recommends that Council amend the OCP at second reading to add a new policy to address massing and building height provisions through the Zoning Bylaw. This will address how taller developments along Main Street will have height impacts mitigated and support the pedestrian-oriented environment.

Comment

- Policies 8.26 through to 8.31 as well as policy 8.34 conflict with policies in Section 15.12 Mixed-Use – Riverfront.

Response

Policies 8.26 through to 8.31 and 8.34 provide high-level policy direction for the Downtown area, whereas Section 15.12 provides more specific direction for the lands along the riverfront in the Downtown. Along both the riverfront and within the rest of the Downtown, the OCP promotes a broad range of uses and densities. Taller buildings are promoted in selected areas. Along the riverfront, however, the buildings are expected to be small scale per policy 15.12.4. Taller buildings may however be considered to

promote the concentration of culture and tourism uses along the riverfront. Building heights will be confirmed through the upcoming Zoning Bylaw update.

Comment

- Concerns that taller buildings may have greater traffic impacts and generate parking issues.

Response

Taller buildings may have impacts to traffic and parking. Additional analysis is required to better understand the potential traffic and parking impacts of taller buildings in the Downtown as well as on major corridor routes. On a project by project basis Traffic Impact Analyses are required for large developments which will help address impacts to existing infrastructure and identify required upgrades. Further examination on parking standards will be done as part of the Zoning Bylaw rewrite.

Comment

- Concerns that taller buildings may have greater permafrost impacts.

Response

There is no known permafrost in the Downtown.

Comment

- Building taller is not necessary as there is a lot of land to build elsewhere.

Response

Although Whitehorse has a lot of available land, the 2010 OCP and the 2040 OCP prioritize compact development to ensure services are used efficiently, transportation impacts are minimized, greenhouse gas outputs are limited, and wilderness spaces are preserved for as long as possible. The OCP has several policies that support intensification.

Comment

- Consider the impact taller buildings will have on birds.

Response

Impacts to birds can be mitigated through building design elements. This may be further reviewed through the Zoning Bylaw rewrite.

Comment

- Consider referencing storeys instead of metres when discussing building heights.

Response

Administration recommends adding a reference to number of storeys in addition to the building height metric.

Additional change recommended by Administration

Policy 15.9.7 references building heights of up to 25 metres and 30 metres. Administration recommends that Council update the language of this policy to increase clarity, whereas the maximum building allowance in the Downtown (excluding the portion of Main Street east of Fourth Avenue) is 30 metres. Also Section 15.9.14 is redundant because it is the same height limitation already applied to Main Street on the west side of 4th Avenue on Main Street in policy 15.9.8.

Administrative Recommendation

- Update Section 15.9 - Mixed-Use - Downtown Core to add clarification that 20 m is equivalent to 5-6 storeys, 25 m is equivalent to 7-8 storeys, and 30 m is equivalent to 8-10 storeys.
- Update policy 15.9.7 as follows:
 - '15.9.7 To promote the concentration of commercial and higher-density residential uses within the Downtown, the maximum building height allowed in the Mixed-Use – Downtown Core designation will be 25 metres.'
- Add a new policy and renumber Section 15 accordingly:
 - '*15.9.8 Notwithstanding Policy 15.9.7, buildings up to 30 metres in height may be considered within this designation subject to additional massing and building height provisions developed through the Zoning Bylaw.*'
- Update policy 15.9.13 as follows:
 - '**Notwithstanding Policy 15.9.7**, Buildings fronting on Main Street, east of Fourth Avenue, will be no more than 20 metres in height, with heights decreasing toward the riverfront. More information about development along the riverfront is provided in Section 15.13 Mixed-Use – Riverfront.'
- Delete policy 15.9.14

Issue 5: Stevens area

The Stevens area has been identified in the City's OCP as a future resource extraction area since 1994 and was planned to be the City's main new gravel resource. Public input is included in the analysis as well as a response from Administration.

It is noted that the City received an online petition against the development of a quarry at Stevens area. This petition garnered approximately 9,000 signatures. Administration cannot independently verify the signatories. However, it is understood that many signatures do not come from Whitehorse residents.

Analysis

Comment

- Support for the removal of the Natural Resources designation for the Stevens area due to the dust, noise, air pollution, loss of property value, and loss of agriculture that a quarry may cause.

Response

The proposal to exclude the Natural Resources designation from the Stevens area received significant support. Many of those who spoke in support of this proposal at the Public Hearing identified as residents living in proximity to the potential quarry, either within the municipal boundary or in the Takhini Valley, north of the river with the same name.

YG applied to the Yukon Environmental and Socio-economic Assessment Board (YESAB) in 2012 and another proponent applied in 2020 to enable a quarry at the Stevens area. Both applications received a favorable recommendation along with mitigation measures, however, the projects were not approved by the Government of Yukon. In both cases, YESAB determined that significant negative effects to air and acoustic quality were unlikely. YESAB also determined that there is ample undeveloped land in the surrounding area that can be used for recreational opportunities and adverse impacts to the sedimentation or erosion of the Takhini River could not be identified. Since the impacts of a quarry in the Stevens area are expected to be largely mitigated, impacts on property values on property values are not expected.

Comment

- Gravel extraction is incompatible with trails and greenspace uses in the area.

Response

Many trails within the city coexist with other adjacent land uses, including trails close the quarries in the McLean Lake area. Administration is not aware of any aggregate resource within city limits that is not located in proximity to greenspace and / or trails. It is noted that aggregate resources include a 300 metre buffer requirement from residential designations, which would inherently include greenspace and therefore protect trail uses.

Comment

- A representative from the Board of the Yukon Contractor's Association (YCA) who was joined and supported by both the Whitehorse and Yukon Chamber of Commerce stated support for including the Natural Resources designation for Stevens Quarry. They stated that another significant source of gravel needs to be identified as most of the current quarries are coming to the end of their life expectancies; and
- A member of the public stated that Council has a responsibility to the residents of the City to make decisions for the benefit of all residents. This includes ensuring that an adequate supply of aggregate resources is available.

Response

Gravel is a fundamental element of city development. Gravel is required for all road infrastructure and land development projects. As a growing city, Whitehorse must balance the need to accommodate new growth with respecting existing land uses to avoid negative socio-economic impacts.

Removing the opportunity for future quarrying in the Stevens area may have significant impacts to the economy, the ability to pursue projects, and may increase project costs. However, there are some information gaps related to gravel extraction in the city, including:

- Unknown quantity of granular material remaining at McLean Lake, the city's main active gravel resource extraction area as well as in other smaller extraction sites. A 2015 report showed that the area may have approximately 4.3 million cubic metres of aggregate material and an additional 2.6 million cubic metres of unproven reserves;
- Lack of information regarding alternative new granular resource extraction options within the city and the approximate lifespan and quantity of granular material available at these potential future quarries;
- Number of different aggregate sources required during the life of the OCP to accommodate the City's diverse needs; and
- The quantity of granular material required for major projects anticipated in the future. In 2015, it was estimated that 250,000 cubic metres of aggregate resources would be required per year by 2025.

Comment

- The YCA and a representative from KDFN's development corporation, Chu Niikwän LP (CNLP), stated that mitigation measures can be implemented to address the concerns of nearby residents.

Response

Policy 15.13.2 lists several conditions required for new quarries in order to mitigate impacts to nearby residences. Additionally, development requirements will be applied to mitigate nuisance factors as per policy 15.13.3. A quarry would also be subject to a new YESAB review. YESAB has the authority to make recommendations for additional terms and conditions.

Natural Resource areas in the city are required to maintain a 300 m buffer from residential uses as per policy 15.13.4 as a way to mitigate the impact of quarries on adjacent residential uses. In 2020, the City commissioned a cross-jurisdictional review of municipal quarrying policy and practices which found that this buffer is generally in the range of buffers applied by municipalities in other parts of Canada. Notably, Ontario and Alberta planning documents seem to focus on protecting aggregate resources for extraction uses from existing or future development, rather than vice versa. This perspective emphasizes the critical role of gravel in development projects. The OCP's 300 m buffer also exceeds Yukon's requirements, which is a minimum of 100 metre buffer from residentially zoned land.

The distance from the Stevens area to residential areas exceeds the 300 m buffer required in the OCP. The Stevens area identified in Figure 1 is approximately:

- 1.5 km from the MacPherson neighbourhood; and
- 2.2 km from the Hidden Valley neighbourhood.

In addition, the Stevens area is 0.5 km from the Takhini River.



Figure 1. Stevens area

Comment

- The CNLP representative also stated that the only known alternative area to McLean Lake quarries with sufficient supplies of gravel is 2 km from the Carcross cut-off. This location is twice the distance from large development projects, such as Whistle Bend, as Stevens Quarry would be. With many projects slated for the coming years, the longer distance between gravel sources and areas of development needlessly increases carbon emissions, cost of gravel, and the overall cost of projects.

Response

Gravel resources will be required in the north of the city for several years in order to support the development of Whistle Bend as well as other projects such as the Holly Street and Hemlock Street residential projects, and the Alaska Highway expansion project. There remains a minimum of seven construction seasons before infrastructure is anticipated to be completed in Whistle Bend. The Stevens area is closer in proximity to projects in the north of the city than current supplies in the south. Supplying granular resources from the Stevens area would likely reduce infrastructure costs. It is noted that gravel resources may become available close to Whistle Bend through the development of a new residential area at Whistle Bend Way and Mountain View Drive. This area would require significant planning prior to proceeding, including considerations to limit impacts on the adjacent community as the site is located in an urban setting.

Comment

- The CNLP representative stated that KDFN has a parcel adjacent to Stevens Quarry intended for gravel extraction in the future.

Response

All KDFN settlement land parcels within the OCP are designated as First Nation Development Land. Policy 15.3.2 states that a master plan will be required for developments on lots greater than 1.5 hectares to confirm the land use. The City has not received a master plan from KDFN for a proposed quarry adjacent to the Stevens area and as such, plans and timing for the gravel extraction has not been confirmed.

Administrative Recommendation

Administration recommends adding a new Idea for Action which would call for additional work to be completed to gain a better understanding of the information gaps noted above. Administration also recommends a middle ground, where a portion of the Stevens area would be designated as Natural Resource Extraction and the remaining portion would remain as Future Planning. Administration's proposal is shown in the Appendix. The proposed area generally coincides with the area shown in the most recent YESAB application, completed in 2020. This area would notably be approximately 1.5 km from the Takhini River. In 2020, it was estimated that natural resource extraction would last for up to ten years.

Update Map 5 as follows:

- *Designate a portion of land in the Stevens area as Natural Resource Extraction in order to provide granular resources as shown in the Appendix.*

Add a new Idea for Action 76:

- *Initiate a study to determine the approximate lifespan and amount of granular resources remaining at current quarries within the city as well as identify potential future sources of granular resources.*

Issue 6: Notification area for OCP amendments

Public input called for updates to Policy 16.6 to expand the notification area for OCP amendments in rural areas.

Analysis

Policy 16.6 includes a requirement to notify properties within 100 m of a proposed OCP designation change prior to a Public Hearing. The OCP could be updated to be consistent with Zoning Bylaw Amendment notification requirements. It is noted that notification letters are only mailed to properties within the municipal boundary.

Administrative Recommendation

Update policy 16.6 as follows:

- *All amendments to the OCP will be circulated to adjacent properties ~~within 100 metres from the lands subject to the amendment~~ **located within the municipal boundary and within the following distance from the subject property or area:**
 - i. For areas within the Urban Containment Boundary, 100 m; and**
 - ii. For areas outside the Urban Containment Boundary, 1 km.***

Issue 7: Commitments to collaborate with TKC, KDFN and community groups in various policy areas

TKC staff requested that the City add a commitment to collaborate with TKC and KDFN, as well as with community groups to implement various policy initiatives.

Analysis

The OCP includes a commitment to strive to increase and strengthen partnerships with TKC, KDFN, and community groups (policies 16.9 and 16.10). In addition, policy 4.9 commits the City to work with TKC and KDFN to renew the 2018 *Declaration of Commitment*. With respect to land management, Idea for Action 72 suggests that the City investigate opportunities for joint land planning with both First Nations. This may include developing procedures for collaborating on joint planning initiatives.

Since the OCP already commits the City to collaborating with TKC, KDFN, and user groups, Administration does not recommend revisiting the OCP to add collaboration requirements in individual policies. However, Administration recommends clarifying under Section 1.1.5 – Plan Framework that the City may leverage partnerships to implement the OCP.

Administrative Recommendation

Update the first sentence of the second paragraph of policy 1.1.5 as follows:

- *It is the intent of the City that OCP goals will be advanced through **partnerships**, additional plans and strategies (...).*

3. No change recommended

Administration recommends no changes to the OCP for the following matters raised in the Public Hearing submissions. Administration's response is provided in italic, following the public input comment:

1. Comment called for Figure 1 to show the population increase from immigrants and people from other provinces or territories. *Figure 1 was provided by the Yukon Bureau of Statistics. The purpose of Figure 1 is to simply illustrate the increase in population over the years in Whitehorse and the rest of the Yukon, not where new residents originated from;*

2. Public input suggested that the City should stop encouraging population growth and that the public should be polled as to whether they support it or not. Additionally, it was noted that the Whitehorse power grid cannot support this growth. *The Yukon Bureau of Statistics provides population forecasts and the City plans ahead for the anticipated growth. The City does not control growth, but rather, the City's role is to determine where and how to accommodate it. The City did however ask residents where they would like growth to occur in the city, which is summarized in the 2021 Accommodating Future Residential Demand in Whitehorse report;*
3. Public input called for updates to Section 4 – Equity and Inclusion to allow permanent residents to vote after they have lived in the territory for a minimum of four years. *Section 48 of the Municipal Act specifies who is entitled to vote in an election and therefore the OCP cannot include such a policy;*
4. Request to align greenhouse gas emission reduction targets to international, federal, and territorial targets. *Policy 6.2 commits the City to developing and maintaining a strategy that addresses climate change. This may include aligning greenhouse gas emission targets with other governments;*
5. Request for updates to local food production policies and ideas for actions:
 - Request that the OCP provide opportunities to incorporate the use of green space for food production and rooftop gardens for bees in new development. *Policy 6.6 says that the City will encourage local food production and Idea for Action 28 addresses honey beekeeping. This issue may be further reviewed through the Zoning Bylaw update;*
 - Request to move ideas for action related to the food system into the Agriculture designation Section. *The OCP already includes a policy regarding food systems (policy 6.6). Administration recommends under Minor Text Improvements later in this report, to move policy 6.6 to Section 7 Environmental Stewardship;*
6. Comment to consider an electric or hydrogen fuelled transit system. *While the OCP is not an operational plan, it provides, through policy 6.7, broad support to advancing the transition of the community to sustainable, low-carbon means of transportation through investments in shared and active modes of transportation;*
7. Comments raised concerns with urban sprawl and noted that the OCP policy on compact development (policy 8.1) contradicts the City's goal to limit urban sprawl (goal 8.(a)). *The OCP includes policy direction to encourage development within existing neighbourhoods as well as the planning of the South Growth Area, as the City's next large scale greenfield neighbourhood. While the proposed OCP provides many opportunities to grow from within, planning of the South Growth Area is needed to ensure that residential supply does not fall behind demand. As part of the Master Planning process, additional discussions are expected to occur with the landowners (YG, KDFN and TKC) to establish timelines for the construction of this neighbourhood;*
8. Opposition to goal 8.(b) which aims to focus higher density residential and commercial developments in the Urban Core and in Urban Centres, as well as opposition to densification. Comments suggested doing a survey to understand the

public's view on the matter. *Extensive public engagement was conducted throughout the development of the OCP and densification was supported. Densification allows for compact development which contributes to combating climate change by promoting efficient use of services, limiting transportation impacts, and preserving wilderness spaces. It also supports the transition towards complete communities, as described in policies 8.4 through to 8.7;*

9. Concerns over a lack of affordable housing and a request for rent caps. *This is a YG responsibility through the Residential Landlord and Tenant Act. Policy 9.4 does however suggest that opportunities for affordable housing should be integrated into all neighbourhoods;*
10. Comments were received that short-term rentals are needed in the rental housing market and that any study under policy 9.7 should include local industry experts as they have data and statistics. *The City is committed to looking further into the impacts of short-term rentals and the specific details of the study will be determined in the future;*
11. Suggestion to consider age friendly communities initiatives and principles in the OCP. *This is already considered in the OCP, notably in policies 9.9, 9.10, and 12.17;*
12. Comments that the old housing stock should be replaced as it is energy inefficient and that every house should have solar panels. *Policy 9.11 supports the redevelopment of aging housing stock. Goal 6.(b) and policy 6.13 encourage greenhouse gas emission reduction efforts;*
13. Request to remove “residential” from goal 10.(d), which aims to maintain an adequate supply of residential, commercial, and industrial land to support local growth and diverse economic opportunities. *An adequate supply of residential land is needed to avoid negative socio-economic impacts;*
14. Comment asked clarification on the future plans of the Ear Lake quarries. *There is one active quarry under lease and is designated for industrial use, whereas the former lease area that is adjacent is designated as Future Planning and Industrial/Commercial;*
15. Suggestion that the City provide more commercial and industrial land and additional support for new and existing businesses. *A Commercial and Industrial Land Study was completed in 2020 and estimated that over the next 20 years, Whitehorse will need approximately 32 ha of Industrial/Commercial land and 87 ha of Industrial land. The OCP designations for these land uses exceed the recommendations from the study. It is noted that the release of land is assisted by support from the OCP, but ultimately the decision to release land for commercial and industrial use is up to landowners and not something the OCP can control. However, policy 10.15 states the City will work cooperatively with YG to advance the development of commercial and industrial land. A Minor Text Improvement is recommended later in the report to add a commitment to collaborate with TKC and KDFN as well, as per existing practices;*
16. Opposition to attracting visitors and encouraging tourism. *Tourism is one of the largest industries in the Yukon and is vital to the economy;*

17. Request for a policy to create safe active transportation routes along major transportation corridors, namely the Alaska Highway, to connect the north and south ends of the city to the Downtown. *The OCP provides the policy framework for active transportation, including safety, through policies 11.9 and 11.14 through to 11.21. The policies may be further explored through subsequent planning exercises such as the 2023 Transportation Master Plan;*
18. Comments were received around providing increased parking in the Downtown and in residential areas. *Policies 11.28, 15.11.2, 15.18.3, and 15.18.5 address parking. On-site parking requirements will be further reviewed in the Zoning Bylaw update, following the adoption of the OCP;*
19. Request for a tunnel connecting the Airport to Main Street. *A tunnel connecting the Airport to Main Street would go through the Moderate Geo-Hazard Area defined in the Downtown Escarpment Land Use Policy. This proposal is not viable, both from an environmental and an economical perspective;*
20. Opposition to policy 11.16 regarding the Whitehorse North Transportation Corridor upgrades. *Since the initial planning of the Whistle Bend neighbourhood in 2009, it was understood that upgrades to the north transportation corridor would be required in order to accommodate the growth in the area. The 2023 Transportation Master Plan will provide more details on the scope of any proposed changes to the City's transportation network;*
21. Public input requested that the OCP create more greenspace and parks for residents of Forestview, Hidden Valley, and MacPherson. *The Whitehorse North Trail Plan Map was approved in 2022 which provides a blue print for greenspace trails for northern Whitehorse neighbourhoods;*
22. Request that the City clarify how it will create a safe community through effective fire smarting and disaster preparedness. *Policies 12.2 to 12.5 provides policy direction regarding emergency management planning and wildfire risk reduction. This includes delivering a "four pillars of safety" approach to disaster and crisis management;*
23. Requests that the City consider:
 - Providing recycling facilities;
 - Providing waste collection in rural areas as rural residents must drive their waste to the City's waste management facility which causes increased transportation emission; and
 - Adding a goal in Section 12 – Municipal Services and Assets to promote producers of waste to take it back south with them on empty trucks.

These comments will be considered in the update to the Solid Waste Action Plan update underway.
24. Request for a pedestrian bridge to the hospital and a second vehicle bridge over the River. *Idea for Action 60 and policy 15.4.8 address these requests. The 2023-2026 Capital Budget includes a project which will explore options for a new River crossing;*
25. Suggestion to provide better policies for glazing (windows) on the ground floor of buildings in the Downtown so they are more inviting and vibrant. *Policies 15.9.1,*

15.9.3, and 15.9.9 speak to enhancing the overall streetscape and experience for pedestrians. Glazing requirements will be further considered through in the Zoning Bylaw review;

26. Suggestion that the City work towards the development of a designated entertainment district where local establishments with live music, bars, and night activities are better suited. *Policy 15.9.8 encourages major tourism facilities, including eating and drinking establishments and art and culture facilities, to locate in the Mixed-Use - Downtown Core, and near Main Street and the riverfront. There are many OCP policies that aim to make Main Street a pedestrian-oriented corridor that can support these types of activities;*
27. Suggestion to standardize the minimum lot size for country residential in policy 15.16.4 i. to 0.5 ha for both new and existing lots. *The policy states that new residential development may occur on a lot that is a minimum of 0.5 ha in area so long as the applicant is able to appropriately demonstrate that the site and aquifer area has the capacity to accommodate long-term on-site servicing. The policy does not differentiate between new and existing lots;*
28. Opposition to the Porter Creek D replacement growth area (i.e. policy 15.18.9). Input raised the following concerns:
 - Housing development in that area would not yield a large number of lots. *The number of housing units the area could accommodate would be confirmed through master planning;*
 - Development along Whistle Bend Way and Mountain View Drive would increase traffic congestion issues. *The subject site is located along the Whitehorse North Transportation Corridor. As per policy 11.16, the City will prioritize the planning and implementation of upgrades along this corridor. The planning for any proposed changes will be further explored through the 2023 Transportation Master Plan as well as separate corridor and secondary bridge feasibility studies; and*
 - Development in that area would hinder the movement of wildlife through the Chasàn Chuà / McIntyre Creek Park. *Comments noted that there is already a lot of development around the creek which is negatively impacting wildlife. In 2011, a McIntyre Creek Wildlife Corridor Assessment was completed to assess whether a potential housing development and transportation linkage in the McIntyre Creek area would impact wildlife. The assessment concluded that, provided mitigation measures are in place, wildlife would not be negatively impacted;*
29. Suggestion to add a policy to develop an emergency snow clearing crew. *Per policy 12.22, the City will maintain a Snow and Ice Control Policy to guide snow and ice control efforts;*
30. Request to provide municipal water and sewer service to the Lobird area in order to support affordable housing. *The Southern Urban Containment Boundary (UCB) Pre-Feasibility Study recommended that Lobird sewage collection should be considered*

for incorporation into a future Southern UCB system. This issue will be further reviewed through upcoming South Growth Area feasibility studies;

31. Request to remove the term ‘Stevens Quarry’ from the OCP as it is not a quarry. *The term is not used in the OCP;*
32. Comments regarding engineering and business courses offerings and type of professionals needed in Whitehorse. *This is not a City responsibility and therefore the OCP does not provide any direction on this topic area. However, various policies and Ideas for Action note that the City will collaborate and support Yukon University, where appropriate;*
33. Comment to prioritize nuclear energy. *The City does not control power production; and*
34. Request to limit aircraft hours to allow eight hours of sleep. *The management and operation of public airports in the Yukon is not the City’s jurisdiction.*

4. Recommended minor text improvements

The following table contains recommended minor text improvements. Bolded text shows the proposed additions to the OCP.

Change		Type of Change
1	Table of Contents <ul style="list-style-type: none"> • Update to reflect changes. 	Document Update
2	Update Section and policy cross-references to reflect document updates.	Document Update
3	Update policy 7.9 as follows: <ul style="list-style-type: none"> • “The City will engage with the Government of Yukon, affected First Nations, Ta’an Kwäch’än Council, Kwanlin Dün First Nation, and Yukon University to establish Chasàn Chùà / McIntyre Creek Park.” 	Correction
4	Update policy 8.9 as follows: <ul style="list-style-type: none"> • “The City will collaborate with the Government of Yukon, Ta’an Kwäch’än Council, and Kwanlin Dün First Nation to identify suitable locations for future schools.” 	Alignment with Strategic Priorities
5	Update policy 12.4 as follows: <ul style="list-style-type: none"> • “Opportunities to collaborate with territorial, and federal, and First Nation partners will be maintained to promote and strengthen coordinated disaster and crisis management.” 	Alignment with Strategic Priorities
6	Update Section 15.1 Agriculture as follows: <ul style="list-style-type: none"> • “The Agriculture land use designation is intended to support local food production by accommodating agriculture and associated uses. While Whitehorse does not have the climatic conditions or industries to support a complete reliance on locally produced food, urban agriculture can bring many benefits to the community, including strengthening the local economy; advancing 	Clarity

	<p>education about food systems; encouraging entrepreneurship; enhancing connectivity to the land and culture; and increasing sustainability. By providing space for community gardens or greenhouses, and allowing other non-soil based agriculture such as backyard chickens or apiaries, residents can offset the cost of importing the majority of their food base. (...)."</p>	
7	<p>Policies 15.4.6 and 15.18.11</p> <ul style="list-style-type: none"> • Add a reference to Ta'an Kwäch'än Council lands in both policies to reflect that both TKC and KDFN have important lands in the area. 	Alignment with Strategic Priorities
8	<p>Update policy 15.2.3 as follows:</p> <ul style="list-style-type: none"> • "Commercial – Service areas along the Alaska Highway are generally expected to be of a larger of a scale, whereas scalessmaller-scale retail should locate in neighbourhoods and the Downtown." 	Clarity - Typo
9	<p>Update policy 15.13.1 as follows:</p> <ul style="list-style-type: none"> • "Uses that may be suitable for inclusion in the Natural Resource Extraction areasdesignation include quarry operations gravel extraction which is recognized as fundamental to the local economy as it supplies raw materials for new construction." 	Alignment with Yukon Quarry Regulations
10	<p>Add the following sentence to policy 16.11:</p> <ul style="list-style-type: none"> • "This may be done through intergovernmental engagement, working groups, and shared work plans that foster collaboration and knowledge sharing." 	Clarity
11	<p>Section 2 Community Context</p> <ul style="list-style-type: none"> • Move "Ta'an Kwäch'än Council Settlement Lands" header and associated text from Section 14 to new Section 2.2. • Move "Kwanlin Dün First Nation Community Lands" header to "Type 3 Lands" header and associated text from Section 14 to new Section 2.3. <p>Section 5 Heritage, Arts, and Culture</p> <ul style="list-style-type: none"> • Move policy 15.12.2 to Section 5 as new policy 5.9. <p>Section 7 Environmental Stewardship</p> <ul style="list-style-type: none"> • Move policy 6.6 to Section 7 after the Air Quality, Noise and Light Pollution policies under a new subsection titled Local Food. <p>Section 13 Land Management</p> <ul style="list-style-type: none"> • Move Section 14 - "First Nations Settlement Lands" to policy 14.1 and move "Historical Submissions" to policy 14. following policy 13.6. <p>Section 14</p> <ul style="list-style-type: none"> • Remove Section 14 First Nation Settlement Lands as policies are now captured elsewhere in the document. 	Document Structure Improvements / Alignment with Strategic Priorities

	<ul style="list-style-type: none"> • Create a new Section (Regional Parks) and move policies 7.7 to 7.9 and 16.14 to this new Section. <p>Section 15 Land Use</p> <ul style="list-style-type: none"> • Move Kwanlin Dün McIntyre Subdivision and Crow and Swan Streets policy 14.3 so that it follows policy 15.18.9. 	
12	<p>Map 5: Land Use Designations</p> <ul style="list-style-type: none"> • Change the Commercial - Service designation in Takhini North to Mixed-use – Neighbourhoods (See Appendix). • Remove the South Growth Area hatching from the Industrial/Commercial designation along the Alaska Highway (See Appendix). • Update map 5 to show TKC lands with hatching. Since a designation has been assigned to TKC lands, these lands will not be subject to the First Nations Development Lands policies (Section 15.3). • Mixed-Use – Live/Work designation: Change colour in legend so that it is consistent with map. 	Correction
13	<p>Idea for Action 65</p> <ul style="list-style-type: none"> • Add "Strategy or Program" as the action type. 	Clarity
14	<p>Chu Niikwän</p> <ul style="list-style-type: none"> • Add this term throughout the document, where the term "Yukon River" is used. 	Alignment with Strategic Priorities
15	<p>Elder</p> <ul style="list-style-type: none"> • Add this term throughout the document, where the term "senior" is used. 	Alignment with Strategic Priorities
16	<p>Throughout the document:</p> <ul style="list-style-type: none"> ○ Standardize formats, style, fonts, punctuation, and formal terminology, i.e. reference to proper government names, and add missing words across all sections. 	Corrections and Clarity

Third Public Hearing

Council has held two Public Hearings on the proposed Whitehorse 2040 OCP. Through the Public Hearing processes policy adjustments can be made to address comments heard at the hearing. Council has the authority to direct a third Public Hearing. In Administration's opinion the recommended changes in this report do not merit a third Public Hearing as changes address feedback heard at the hearing and either clarify or mitigate concerns heard, or provide an alternative solution to achieve the proposed Plan's policy direction.

ADMINISTRATIVE RECOMMENDATION

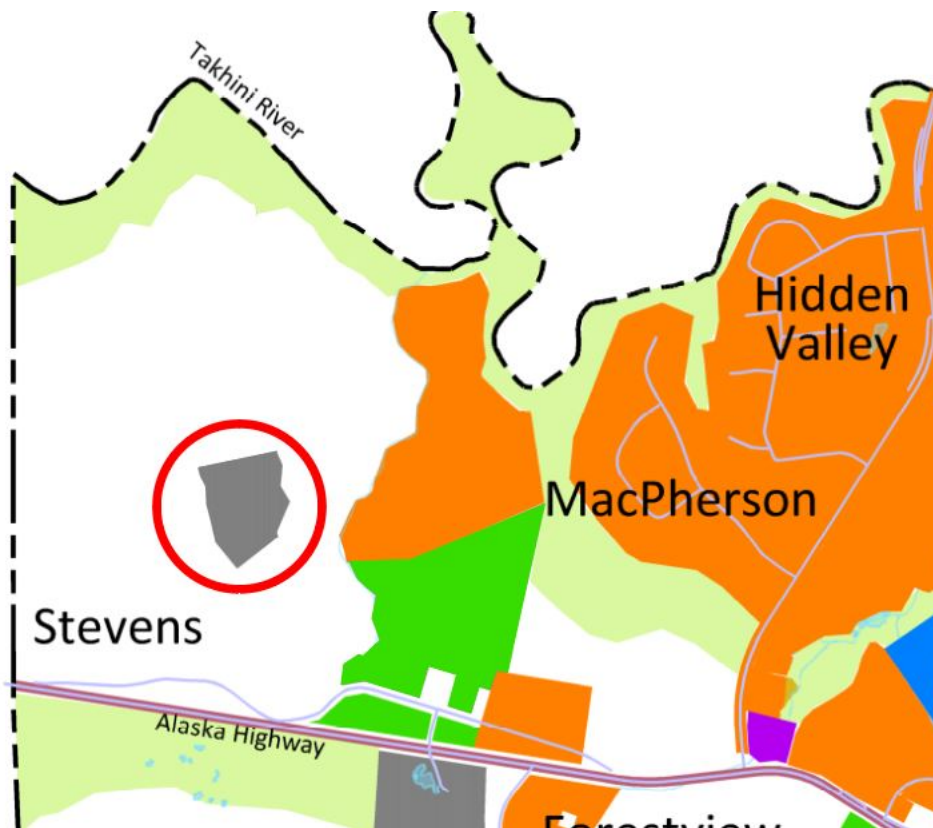
THAT Council directs that the proposed “Whitehorse 2040: Official Community Plan” be amended in accordance with the Administrative Recommendations detailed in the Administrative Report dated January 9, 2023; and

THAT Council directs that Bylaw 2022-40, a Bylaw to adopt the 2022 Official Community Plan, “Whitehorse 2040” be brought forward for Second Reading under the bylaw process.

Appendix: Changes to Maps

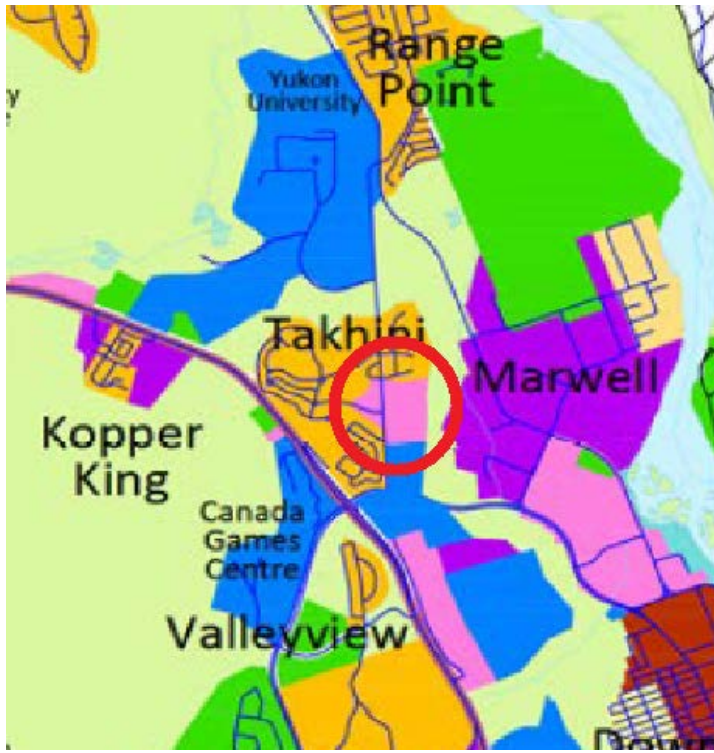
Map 5: Land Use Designations

- *Designate a portion of the land in the Stevens area as Natural Resource Extraction in order to provide granular resources for development projects in the north of the city as shown in the appendix.*



Map 5: Land Use Designations

- *Change the Commercial - Service designation in Takhini North to Mixed-use – Neighbourhoods.*



Map 5: Land Use Designations

- Remove the South Growth Area hatching from the Industrial/Commercial designation along the Alaska Highway.

