

ADMINISTRATIVE REPORT

TO:	Planning Committee
FROM:	Administration
DATE:	March 6, 2023
RE:	Public Input Report – Conditional Use Application – Yukon Breeze Sailing Society

ISSUE

Application for Conditional Use approval to allow for expansion of an existing Outdoor Participant Recreation Services use at km 1.5 Chadburn Lake Road.

REFERENCE

- [2010 Official Community Plan \(OCP\)](#)
- Proposed 2040 Official Community Plan (January, 2023)
- [2017 Chadburn Lake Park Management Plan](#)
- [Zoning Bylaw 2012-20](#)
- Location sketch, site plan (Appendix A)

HISTORY

An application has been received to expand an existing use at km 1.5 Chadburn Lake Road. Yukon Breeze Sailing Society wishes to install two additional shipping containers and a fenced courtyard area within their existing Yukon Government (YG) licence area, to accommodate growth in their programming. Section 4.10.4 of the Zoning Bylaw states that intensification of an existing conditional use must be approved by Council.

YG Land Client Services, Kwanlin Dūn First Nation and Ta'an Kwäch'än Council were notified by mail and email. A notice of the proposed development was placed in the local newspapers on January 27, 2023.

A Public Input Session was held on February 13, 2023. 45 written submissions were received and one person appeared in person at the Public Input Session. 41 submissions were in support of the proposed expansion, and five submissions were opposed.

ALTERNATIVES

1. Approve the Conditional Use Application with conditions; or
2. Do not approve the Conditional Use Application.

ANALYSIS

Support noted in the submissions included themes of a demonstrated need for the use, that the design and character of the proposed improvements are appropriate and would not detract from others' ability to use the site, and that the impacts on other users are minimal and are offset by the benefits to the community.

Submissions opposed to the proposed development included themes of impacts on aesthetic values and other uses of the area, providing for exclusive use of public land, and risk of an ever-increasing intensity of the use if the application were to be approved.

Demonstrated need for the use

The applicant and many of the submissions noted that the increase in storage space and fenced area are required to provide more secure storage of boats and equipment to help accommodate a growing demand for the service. The applicant noted that the alternatives are to store items out in the open, making them more prone to vandalism and theft, or to remove them from the site daily, posing an operational burden on the organization.

Design and Character

The OCP and Chadburn Lake Management Plan both require that development in this area is designed to complement the surrounding natural setting. Submissions opposed to the development noted that shipping containers and fencing are not complementary to the natural setting, and emphasized that the area should be kept in a natural condition and protected from development. Submissions in support of the development noted that the broader setting is not pristine and there are various other developments around the lake including float plane docks and the Yukon Energy hydro plant.

The east side of Schwatka Lake forms part of the entry point into Chadburn Lake Park and users generally expect to see less development while experiencing the area on that side of the lake. While concerns remain that shipping containers are not complementary to the natural setting, the applicant has presented a site plan that attempts to minimize the visual impact by consolidating the footprint of the development area, and using a minimal amount of fencing to create a secure courtyard area. The applicant has also proposed to paint the new shipping containers dark green to match the two existing containers at the site, and is willing to take measures to minimize the visual impact of the fence. Administration suggests that the fence be either wood with a natural finish, or chain link with wood posts and rails, and without privacy slats.

Impacts on other users

Submissions opposed to the development expressed concern that the area is already disturbed by the current use of the site, and will be more so if additional shipping containers and fencing are allowed to be placed. Concern was also expressed that the development would further detract from the public's ability to freely use and enjoy the area, and that allowing this development to proceed could lead to a cycle of ever-increasing demand requiring further intensification and a more ingrained permanence at the site.

Submissions in support of the development noted that the proposed expansion still results in a modest footprint on the site, that an expanded facility would provide the opportunity for more people to use and enjoy the area, and that the overall benefits to the community outweigh any potential impacts. Submissions were received from organizations representing other recreational users of the area, as well as individual trail users, stating that they did not feel that the proposed development would impact their use and enjoyment of the area. Supporters also noted that some of the facilities, like the dock and picnic tables, are available for the public to use.

While there are visual impacts to the proposed development that detract from the public's ability to enjoy the natural setting, the applicant and many input submissions have demonstrated that there are also favourable impacts from providing services and amenities that enable more people to use and enjoy the area.

Increasing intensity of use

Some submissions expressed concern that allowing the proposed development to proceed could result in subsequent requests to further increase the intensity of use at a later date, or further entrench the Society's presence at the site.

Approval of this conditional use application would not compel Council to approve subsequent applications to further intensify the use of the site at a later date. The permit would be in effect for as long as the Society holds a valid Licence of Occupation issued by Yukon Government.

Council has the option to place an expiry on the conditional use approval if it deems appropriate. This would require the Society to either remove the proposed improvements prior to expiry, or apply for another conditional use approval to extend the timeline.

Summary

City plans and policies are generally supportive of recreational uses of the area. Administration is satisfied that on balance, the application mitigates the concerns that were raised in the public input submissions, and that the benefits to the community are sufficient to justify allowing the development to proceed.

ADMINISTRATIVE RECOMMENDATION

THAT Council approve the application for Conditional Use approval to allow expansion of an existing Outdoor Participant Recreation Services use at km 1.5 Chadburn Lake Road, subject to conditions that the proposed shipping containers be painted dark green to match the existing containers, and that the fence material be either wood with a natural finish, or chain link with wood posts and rails, and without privacy slats.



SCALE:
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DATE:
Feb 6, 2023

FILE NO:
PB-05-2022

Conditional Use\2022

DWN BY:
DWM

REV NO:
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CITY OF WHITEHORSE - LAND & BUILDING SERVICES

LOCATION SKETCH WITH IMAGE

Sketch for Development Permit Application
Government of Yukon Licence of Occupation
Disposition Number 2018-2760
Municipal Address: Chadburn Lake Road km 1.5



