

## **ADMINISTRATIVE REPORT**

**TO:** City Planning Committee  
**FROM:** Administration  
**DATE:** May 6, 2024  
**RE:** Public Hearing Report – Official Community Plan Amendment – 200 Lobird Road

### **ISSUE**

Public Hearing Report on a bylaw to amend the Official Community Plan (OCP) land use designation of a portion of 200 Lobird Road from Residential – Urban to Residential – Country to allow for the development of country residential lots.

### **REFERENCES**

- [Zoning Bylaw 2012-20](#)
- [Municipal Act SY 2022, c. 2](#)
- [2020-2030 Local Food and Urban Agriculture Study](#)
- [City Servicing Standards Manual, Part 2, Section 2.10 – Street Lighting](#)
- Location Map (Attachment 1)
- Proposed Bylaw 2024-20 (Attachment 2)

### **HISTORY**

An application was received to amend the OCP land use designation of a portion of 200 Lobird Road from Residential – Urban to Residential – Country, in order to allow for the development of country residential lots (Attachment 1). The development is proposed to be named Highland Estates and includes a total area of 11.78 ha, encompassing 16 half-hectare country residential lots, a road connecting the proposed lots to Lobird Road, and 1.18 ha of public use space.

Bylaw 2024-20 received First Reading on March 11, 2024. Public Hearing notifications were sent out in accordance with the Zoning Bylaw 2012-20, including:

- Newspaper advertisements were posted in the Whitehorse Star and Yukon News on March 15 and March 22, 2024;
- Email notifications were sent to Kwanlin Dün First Nation, Ta'an Kwäch'än Council, and the Government of Yukon (YG) Land Management Branch;
- Mail notifications were sent to property owners within 100 metres of the subject site;
- A notice sign was placed on the subject site; and
- The YG Minister of Community Services was notified through email and provided copies of the proposed bylaw and newspaper ads per section 280 (3) of the *Municipal Act*.

A public hearing for this item was held on April 8, 2024. One written submission was received and three members of the public spoke to the item at the public hearing. The property owner and the consultant for the proposed project also spoke to the amendment at the public hearing.

## **ALTERNATIVES**

1. Proceed with the amendment under the bylaw process; or
2. Proceed to second reading under the bylaw process and defeat.

## **ANALYSIS**

The following matters were raised in the public input submission and at the public hearing:

- Housing affordability;
- Urban sprawl and public transportation;
- Traffic;
- Water servicing;
- Local food production; and
- Other.

### **Housing affordability**

A member of the public expressed concerns that amending the OCP land use designation of the subject site from Residential – Urban to Residential – Country would result in 16 expensive housing units and that there is the potential to produce a higher quantity of less expensive urban housing units that could contribute to addressing the housing crisis in the city.

Another member of the public expressed that the proposed development is not intended to provide affordable housing units and that it will diversify the housing stock. They indicated that there is demand for country residential lots and as people move to the proposed development, it will free up other housing stock.

The consultant working on the proposed project expressed that a maximum of 40 lots could be achieved and that 20 to 30 per cent of the subject site would be unsuitable for urban development due to the grading. They expressed that the developer would work with the City to ensure connectivity to the South Growth Area.

The property owner expressed that they have plans for developing 63 affordable housing units on a different area of the lot, either mobile or modular homes, once municipal services are available. The area where the 63 affordable units are proposed to be developed is already zoned RP-Residential Mobile Home Park but the sewage lagoons that support the Lobird Mobile Home Park are at capacity, so they cannot develop any additional units until adequate services are available.

Administration agrees that a higher quantity of housing units could be produced if the OCP land use designation remained Residential – Urban and that urban housing units would be more affordable than country residential units. The subject site is currently zoned RP and is designated as Residential – Urban in the current OCP, as well as in previous OCPs dating back to 1994. The area was never intended to be country residential.

Administration believes that changing the OCP land use designation for the subject site to Residential – Country is unjustified prior to the completion of feasibility studies for the South Growth Area and a determination that urban residential development is not feasible. Approving this amendment could also set a precedent for other property owners in the South Growth Area to pursue OCP amendments in an ad hoc manner without a broad land use plan for the area. Allowing development to proceed in advance

of a coordinated planning and development process for the South Growth Area would increase the complexity of planning the area, and could result in the development costs being distributed across fewer lots, as the lots in the subject area would not be contributing to the shared development costs for the South Growth Area.

OCP policy 15.15.4 states that the minimum size for lots located in Residential – Country areas is 1.0 ha to ensure adequate lot area for onsite sewage disposal, but could be reduced to 0.5 ha if it can be demonstrated that the site and aquifer area has the capacity to accommodate long-term onsite servicing. The proponent has submitted a high level study which states that 0.5 ha lots are feasible in this area, however this would be subject to further review at the zoning or subdivision stage if this OCP amendment were to be approved. Conditions may vary from lot to lot, which may reduce the lot yield.

### **Urban Sprawl and public transportation**

A member of the public expressed that low-density developments perpetuate urban sprawl and have implications on sustainable transit systems. They further noted that low-density development and urban sprawl contradicts principles outlined in the OCP regarding compact and resource-efficient development. Another member of the public noted that there is already a bus stop in Lobird nearby the proposed development.

Administration agrees that the proposed development conflicts with several OCP policies regarding compact development and municipal servicing. The subject site is located within the Urban Containment Boundary (UCB). OCP policy 8.24 states that in order to provide a consistent level of service to future residents, and to maintain or increase efficiencies of existing infrastructure, new development will be primarily located within the UCB and be connected to municipal services.

Furthermore, the subject site is located within the South Growth Area, which is anticipated to be the next large-scale greenfield residential neighbourhood after the completion of Whistle Bend. OCP policy 15.17.11 states the City is committed to moving forward with further planning of the South Growth Area as a new residential neighbourhood. This will include but not be limited to in-depth studies, collaboration with land owners and partner governments, master planning, and public engagement. Numerous background studies are being initiated this year, with the intent to begin the master planning process as early as next year.

OCP policy 8.1 further states that development will be compact to ensure existing public services are used efficiently, transportation impacts are minimized, wilderness spaces are preserved for as long as possible, and neighbourhoods are more walkable.

The development of country residential lots as proposed does not align with municipally-serviced urban residential development intended within the UCB, the vision for the South Growth Area, nor the concept of Complete Communities.

### **Traffic**

A member of the public expressed concerns that the proposed development will result in more traffic in the area. The property owner clarified that the proposed development will be serviced by its own road and that traffic from the proposed development will not travel through the Lobird Mobile Home Park.

The proposed road to service the development begins between Lobird Mobile Home Park and the roundabout. Although the exact location of the proposed road would be

confirmed through detailed engineering in later processes, the applicant does not anticipate that traffic from the proposed development would travel through the existing Lobird Mobile Home Park. However, Administration notes that the feasibility of the proposed access is to be determined, so the access to the subject site should be considered uncertain.

It is noted that if the subject site were to be developed as urban residential, as it is currently designated in the OCP, the traffic impacts would be higher.

### **Water servicing**

The property owner clarified that every proposed lot would be serviced by its own on-site well or cistern. Potential buyers would have the choice of either option. They noted that an exploratory well was drilled which showed that there is water available in the area.

### **Local food production**

A member of the public expressed that they support the proposed country residential lots as it would provide property owners with enough space to grow their own food.

The RP zone, which the subject site is currently zoned, allows for community gardens and greenhouses as a principal use. The RC2 – Country Residential 2 zone, which the applicant intends to rezone the subject site to in future processes, allows for community gardens and greenhouses as a principal use as well as hobby agriculture as a secondary use. Residential gardens are allowed in all residential zones.

The OCP supports opportunities to enable local food production through policy 7.26. The Local Food and Urban Agriculture Study finds that there are trends and interest in small-scale urban agriculture in the city however it is unknown how many, if any, of the future property owners of the proposed development would pursue hobby agriculture or gardening.

### **Other**

A member of the public expressed safety concerns with the lack of street lighting between the roundabout and Lobird Mobile Home Park. They also expressed that the Lobird neighbourhood is isolated and that they would like a commercial area developed there. A member of the public also expressed that they would like a bench installed at the Lobird bus stop.

The City is responsible for ensuring that municipal roads are designed in accordance with the Transportation of Canada Guide for Design of Roadway Lighting. The City is responsible for a portion of the road between the roundabout and Lobird Mobile Home Park and that section of the road does have street lights which are maintained by ATCO. The remaining portion of the road is owned by the Lobird Mobile Home Park and is privately maintained.

The Lobird neighbourhood is included in the South Growth Area. Per OCP policy 8.5, new residential neighbourhoods will be planned as Complete Communities by including a range of residential and commercial uses, daycares, schools, public amenities, and transportation options. Once the South Growth Area is developed, it is anticipated that there will be commercial uses available in the area. However, these commercial uses would be less viable in the context of low density country residential development.

The request for a bench at the Lobird bus stop is noted but it does not relate to the proposed OCP amendment.

## **Summary**

The subject site is part of South Growth Area as identified in the OCP, intended to be the next greenfield development after Whistle Bend. Through the review of this application, Administration has identified several concerns with the proposal. Allowing any development to proceed in the South Growth Area that is not coordinated with the planning of the entire area introduces additional complications to the planning process, especially if large unserved lots were to be developed in an area otherwise intended for compact urban development. Country residential development does not contribute to the Complete Communities vision of the OCP, and fewer residents in this area would make urban services and amenities in the South Growth Area less viable, with fewer residents to make use of these services. Finally, the costs of developing the shared infrastructure for the South Growth Area would be shared among fewer lots if the subject area was not included in the development process, potentially resulting in higher lot prices for new lots in the area.

## **ADMINISTRATIVE RECOMMENDATION**

THAT Council direct that Bylaw 2024-20, a bylaw to amend the Official Community Plan land use designation of a portion of 200 Lobird Road from Residential – Urban to Residential – Country, be brought forward to second reading and defeated.