

## ADMINISTRATIVE REPORT

**TO:** Planning Committee  
**FROM:** Administration  
**DATE:** March 15, 2021  
**RE:** Public Hearing Report – Zoning Bylaw Amendment – 410 Cook Street

### ISSUE

Public hearing report on application to amend the zoning of Lot 5, Block 113, Plan 18415 LTO YT (410 Cook Street, Downtown) to reduce parking and loading requirements for micro-unit housing development.

### REFERENCES

- Official Community Plan (2010)
- Sustainability Plan 2015-2050
- Census 2016
- Maintenance Bylaw 2017-09
- Council Strategic Priorities 2020
- Safe at Home: A community-based Action Plan to end and Prevent Homelessness in Whitehorse Yukon (2017)
- Zoning Bylaw 2012-12
- Downtown Parking Management Plan (2019)
- Traffic Bylaw 2013-34
- Snow and Ice Control Policy (2015)
- Housing Action Plan for Yukon 2015-2025)

### HISTORY

The City has received an application to amend the zoning of 410 Cook Street. The applicant intends to construct a mixed use development with 16 micro-unit dwellings and two leasable commercial spaces. The proposed development has received a grant from Yukon Housing Corporation’s Housing Initiative Fund that will ensure minimum 10 units will be affordable rental housing for the next 20 years. The Zoning Bylaw requires the applicant to provide visitor parking spaces, a loading stall, as well as residential and commercial parking. Per the applicant, providing parking according to the zoning bylaw would make the proposed micro-unit development unviable. The applicant is asking Council to waive requirements for guest parking and loading space, and reduce the parking requirement for the residential use. No changes to commercial parking requirements are requested.

This application was reviewed by the Development Review Committee and no substantial issues were raised. Bylaw 2021-11 received first reading on January 25, 2021. Notices were published in the newspapers on January 25 and February 5, 2021. A total of 44 letters were sent to property owners within 100m. The Government of Yukon’s Lands Department, Kwanlin Dün First Nation, Ta’an Kwäch’än Council and the Downtown Residents Association were also notified by mail of the proposed amendment.

A Public Hearing was held on February 22, 2021. Due to the COVID-19 pandemic, Council chambers were closed to the public. Input was accepted through email and posted to the City website. Fourteen written submissions and one verbal submission

were received, with eight expressing opposition, four expressing support, one expressing concerns and two general queries.

The issues raised have been grouped into the following categories:

- Reducing building footprint and number of units
- Inadequate parking for future residents
- On-street parking impact
- Road safety
- Snow control
- Other concerns
- Support for development

### **ALTERNATIVES**

1. Proceed with second and third reading under the bylaw process.
2. Do not proceed with second and third reading.

### **ANALYSIS**

#### **Reducing building foot print and number of units**

Some submissions suggested reducing the building footprint to accommodate the additional parking or reducing the number of units to have adequate parking for all residents. Per the applicant's submission, the majority of the units in the proposed development will be below-market affordable rental housing. Reducing the number of units or the building footprint may reduce the viability of the project.

Council's strategic priorities support partnerships with the private sector and territorial government with respect to attainable housing. The Safe at Home plan further suggests incentivizing 'micro home' developments through zoning, and the Yukon Housing Action Plan recommends municipalities to overcome policy barriers to development of rental units and mixed housing. The proposed amendment is in line with these documents.

#### **Inadequate parking for future residents**

Some submissions expressed concern that future residents are unlikely to have lower car ownership irrespective of income, and parking being proposed is inadequate for their needs.

Per Census 2016 data on 'Journey to Work' for the Whitehorse agglomeration area, individuals earning below the average employment income constituted 83% of all bus users and 64% of all people biking/walking to work. These individuals were four times as likely to take the bus, twice as likely to use sustainable modes of transportation (walking, biking and bus) and 15% less likely to drive a car than individuals earning above the average employment income. While the City doesn't have explicit information available on car-ownership in Whitehorse at this time, these are good indicators of lower car ownership among individuals with below-average incomes.

Reducing parking can offer an opportunity to residents who may not own a vehicle, both as a choice, or due to financial constraints, to live more centrally and closer to amenities. A USA-wide study suggested that availability of parking was a significantly

less important criterion among renters of micro-unit apartments as compared to renters of conventional apartments.

### On-Street Parking Impact

Some submissions expressed concern that reduction in residential and visitor parking may adversely impact the scarce on-street parking available downtown by over-spilling onto the street. Some submissions were also concerned with on-street parking impacts once more lots are developed in the future.

On-street parking is an issue for several blocks within downtown, but the Downtown Parking Management Plan shows that peak hour parking utilization on this block of Cook Street was relatively low (21%). Thus, on-street parking is expected to accommodate visitor parking (2 spaces) without overburdening the availability of parking spaces for other users. As more lots get redeveloped, the City has options to manage on-street parking through mitigating measures as guided by current and future policies and plans. One option may include placing time controlled parking in these blocks, and extending the residential parking permit program to the residents per the Traffic Bylaw. While many municipalities have reduced or eliminated parking minimums from their downtowns, it has been paired with effective on-street parking measures. Since we cannot implement on-street parking measures at this time, only a limited parking reduction has been recommended.

One submission expressed concern that the parking spaces may be inadequate to accommodate the residents, visitors and commercial employees at the same time. The proposed amendment only requests reduction in residential parking and no changes are being proposed for commercial parking requirements. Reasons for residential parking reduction have been presented in previous sections.

One submission expressed concern with reduced on-street parking availability after the Cook Street reconstruction. The project is proposing angled parking spaces for this block and as a result, there will be negligible loss from the number of parking spaces that are currently available.

One submission expressed concern that the increased exhaust fumes in the alleyway from the anticipated additional traffic and vehicles idling in the parking spaces will negatively affect neighbouring residents. Higher intensity developments almost always draw in more traffic and require multiple parking spaces. However, the proposed amendment to reduce the parking requirements, subject to the final design, may result in fewer cars idling in the parking lot and attract less traffic in the alleyway than a large development not requiring a zoning amendment.

### Road safety

Some submissions expressed concern with poor visibility at intersections due to increased on-street parking which may cause safety issues for road users. As part of the Cook Street reconstruction, well-defined angled parking spaces will be provided that will discourage haphazard parking, and sidewalks/crosswalks will be constructed to reduce pedestrian-vehicle conflicts.

Some submissions were concerned with increased instances of vehicular plug-in cords across sidewalks for vehicles parked on the street which may be potential trip hazards.

The Traffic Bylaw prohibits obstruction of sidewalks by electrical cords without a Street Occupancy Permit. Any infractions are to be addressed by Bylaw Services on a complaint basis.

One submission expressed concern with traffic conflicts in accessing the alley and Cook Street from 4th Avenue due to the heavy traffic on 4th Avenue, and the proximity to the signalized intersection at Ogilvie Street and 4th Avenue. The turn into Cook Street from 4th Avenue is not unique and is encountered on multiple points across 4th Avenue where the block sizes are smaller. Even though site redevelopment to a higher intensity is expected to draw in more traffic, the proposed changes to the Zoning Bylaw are not expected to further increase the pressure on City road infrastructure as many residents of micro-units may choose to not own a car. Further, by reducing the parking requirements for this site, the proposed amendment may reduce some of the potential traffic into the alley given that a larger development is already permissible under the Zoning Bylaw.

#### Snow control

Some submissions expressed concern that increased on-street parking and traffic in the alley may cause issues with snow clearing/removal, and vice versa. No concerns were raised with snow control during Development Review Committee review. On-street parking is always a challenge for snow control operations, and not unique to Cook Street or this development.

One submission was concerned that snow from the site may be placed in the alley. The Maintenance Bylaw requires that shovelled snow from private properties cannot be placed on public property such as alleys, sidewalks, highways, etc.

#### Other Concerns

A few submissions expressed concern that there would not be adequate space for landscaping in the proposed development. The developer would be required to provide landscaping as specified in the Zoning Bylaw, which includes a minimum number of plantings based on the lot frontage.

One submission expressed concern that parameters for densification are not clearly defined, which may compromise the liveability for downtown residents. While there are no explicit parameters for densification, the Sustainability Plan and Downtown Plan clearly convey that downtown densification should go hand-in-hand with improving road safety, parking management, beautification, infrastructure improvement, etc. Cook Street reconstruction is a good example of an initiative that addresses this concern.

One submission inquired about the reason for not proposing parking reductions for all CM2 zoned lots. Revision of parking minimums for a whole zone is a major exercise and requires detailed study and deliberation. The upcoming Zoning Bylaw rewrite can be a better process to address this.

One submission inquired whether the access to the parking and loading would be from the street or the alley. Per the applicant's tentative designs, the parking would be accessed from the alley, but loading may happen from the street. This will be confirmed through the development permit process.

One submission inquired about the presence of children in the units. The proposed dwellings are small one-bedroom units targeted towards single-persons or couples without children.

One submission expressed concern with the shadowing impact of this development on properties north of the site, reducing exposure to sunlight and increasing heating/electric costs. The Zoning Bylaw currently does not directly address shadowing impacts, but does place restrictions on height of buildings in downtown, which is 20 m for this site. The development is proposed for four storeys, which is approximately 15 m. The proposed amendment will not impact the building massing or potential shadowing impact on adjacent properties already allowed under the Zoning Bylaw.

### Support

Some submissions expressed support for the proposed amendment. The submissions supported the idea of increasing affordable housing supply within the downtown area, and wanted more development that supports providing housing spaces rather than spaces for parking. Parking requirements can be a significant barrier to development of micro-unit and affordable housing.

One submission expressed concern that people who don't want to own cars may be forced to get one due to lack of affordable housing and travel options to work and amenities. Because of its central location, this development offers multiple options for travel, amenity and recreation that can help reduce the pressure of owning a car, and traffic on roads.

### Summary

While many residents have raised concerns (addressed above) with the proposed amendment, there is also some support for the proposed amendment from residents and it is in line with the Council's strategic priorities, Safe at Home plan, Sustainability Plan, Official Community Plan and Housing Action Plan for Yukon. Increased traffic and parking activity naturally accompany all redevelopment and densification projects, but there are also benefits to be considered. Notably, the proposed development will increase the affordable housing supply within the downtown. Through densification, it will help reduce sprawl and traffic, and provide more opportunities for residents to walk/bike to work.

### **ADMINISTRATIVE RECOMMENDATION**

THAT Council direct that Bylaw 2021-11, a bylaw to amend the zoning at 410 Cook Street in Downtown to reduce the minimum parking requirements for micro-unit housing development, be brought forward for second and third reading under the bylaw process.