

ADMINISTRATIVE REPORT

TO: Planning Committee
FROM: Administration
DATE: May 2, 2022
RE: Zoning Amendment – 151 Black Street

ISSUE

An application to amend the zoning at 151 Black Street from CMW – Mixed Use Waterfront to CMW(x) – Mixed Use Waterfront with special modifications.

REFERENCES

- Official Community Plan (2010)
- OCP Emerging Directions (2021)
- 2018 Downtown Plan (2018)
- Zoning Bylaw 2012-20
- Location Map (Appendix A)
- Proposed Bylaw 2022-17 (Appendix B)

HISTORY

The owner of 151 Black Street has applied to rezone their property to allow the ground floor of their development to be used as offices and to allow for a single use on the site. The current CMW(x) one permits a maximum of 50% of the ground floor to be occupied by office space and requires that all developments provide for at least two uses.

The owners of the subject property have expressed intent to construct a two-story office building, with associated parking and landscaping. The office would accommodate up to ten staff and provide space for meetings and training opportunities for teachers to use outside of school hours. On March 23, 2022, the Development Review Committee reviewed the owner's proposal and Administration continued discussion with the applicant to develop the proposed zoning amendment.

This proposal is to amend the zoning for the property to add a special modification to the existing CMW zone to allow office as the one use on this property, to reduce the glazing (windows) requirement on the ground floor from 50% to 40%, and to eliminate the maximum windowsill height requirement. All other CMW zoning provisions would apply.

The proposed schedule for the Zoning Bylaw amendment is:

Planning Committee:	May 2, 2022
First Reading:	May 9, 2022
Newspaper Ads:	May 13 and May 20, 2022
Public Hearing:	June 13, 2022
Report to Committee:	July 4, 2022
Second and Third Reading:	July 11, 2022

ALTERNATIVES

1. Proceed with the amendment under the bylaw process.
2. Do not proceed with the amendment.

ANALYSIS

Site Context

The subject lot is on the corner of Black Street and Second Avenue and is located on the opposite side of a CMW zone on Black Street (Appendix A). Lots to the south along Second Avenue and to the west on the other side of Second Avenue are zoned CM2 and the property to the east is zoned PU – Public Utilities.

Official Community Plan

The subject lot is designated Mixed Use - Riverfront in the OCP which allows for a variety of commercial, residential, and recreational opportunities and identified for a potential future mixed-use commercial/residential development on Map 4. The proposed CMW(x) special modification aligns with the intent of the designation and the OCP. Additionally, the OCP Emerging Directions report contains a policy idea to direct major office development to the Downtown to retain its focus as the primary employment area. The proposal is consistent with this idea.

Downtown Plan

The subject lot is located within the study area of the Downtown Plan. The Downtown Plan suggests that traditional office developments be directed to other areas in the Downtown. This does not mean there is a prohibition of offices in this area; offices are allowed with some restrictions.

Zoning Bylaw

The purpose of the CMW zone is to provide a mix of low intensity commercial, cultural and residential uses adjacent to the riverfront. The zone includes design guidelines which are being proposed to be modified for this property.

The proposed special modification to the CMW zone would allow for just one use instead of two and allow for office space to fully occupy the ground floor, reduce the horizontal distance of glazing on the ground floor facing a public road way or pedestrian mall from 50% to 40%, and eliminate the maximum height for windowsills as these requirements may be unsuitable for an office building. The proposed zoning amendment would reduce some design requirements, however, most design guidelines would be retained.

The subject lot is located on the edge of the CMW zone and the CM2 zone. The CM2 zone is located directly to the south of the subject site. The CM2 zone provides for a mix of commercial and residential uses and would allow for a building to have only office use. Adding a special modification would therefore fit with the surrounding uses and zones. Other CMW zoning provisions, including design guidelines, would still apply to the site.

ADMINISTRATIVE RECOMMENDATION

THAT Council direct that Bylaw 2022-17, a bylaw to amend the zoning of 151 Black Street to allow for an office use to fully occupy the ground floor, a development providing a single use, and a reduction of glazing requirements as required under current design guidelines, be brought forward for consideration under the bylaw process.