

ADMINISTRATIVE REPORT

TO: Planning Committee
FROM: Administration
DATE: April 3, 2023
RE: Public Hearing Report – Zoning Amendment – 123-125 Keno Way

ISSUE

Public Hearing Report on a bylaw to amend the zoning of 123 and 125 Keno Way, from CNC2-Comprehensive Neighbourhood Commercial 2 and CNC2x(c)-Comprehensive Neighbourhood Commercial 2 (modified) to CNC2x(d)-Comprehensive Neighbourhood Commercial 2 (modified), to enable the construction of a mixed-use development.

REFERENCE

- Zoning Bylaw 2012-20
- Location Map (Attachment 1)
- Proposed Zoning Bylaw Amendment 2023-06 (Attachment 2)

HISTORY

The owner of 123 and 125 Keno Way has applied to amend the zoning of the subject lots to allow for the development of a mixed-use building that would cross the shared property line. The proposed development would include an eating and drinking establishment on the ground floor adjacent to a pocket park and child care centres on the ground floor and second floor.

Bylaw 2023-06 received First Reading on February 13, 2023. 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 February 24 and March 3, 2023;
- Email notifications were sent to the Government of Yukon Land Management Branch, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council;
- Mail notifications were sent to property owners within 100 m of the subject site; and
- A notice sign was placed on the subject site.

A Public Hearing for this amendment was held on March 13, 2023. Nobody registered for, or spoke to, the amendment at the Public Hearing.

ALTERNATIVES

1. Proceed with the second and third readings under the bylaw process; or
2. Do not proceed with the second and third readings.

ANALYSIS

No issues with this zoning amendment application were raised as part of the Public Hearing process and Administration had no concerns about the change in the proposed zoning.

Next Steps

The applicant intends to consolidate the subject lots following the rezoning due to communal elements within the proposed building design. A consolidation of the lots would require the abandonment of one of the two existing service lines and associated road work. These technicalities are not considered to relate to the proposed zoning amendment and can be addressed by the applicant at the Subdivision and Development Permit stages. If the applicant does not proceed with consolidation, the lots can still be developed into a mixed-use development, as long as there are no communal elements within the building.

ADMINISTRATIVE RECOMMENDATION

THAT Council direct that Bylaw 2023-06, a bylaw to amend the zoning of 123 and 125 Keno Way, to enable the construction of a mixed-use development, be brought forward for second and third reading under the bylaw process.