

## ADMINISTRATIVE REPORT

<b>TO:</b>	Planning Committee
<b>FROM:</b>	Administration
<b>DATE:</b>	January 8, 2024
<b>RE:</b>	Zoning Amendment – 2086 Second Avenue

### ISSUE

An application to amend the zoning of 2086 Second Avenue, from CM2 – Mixed Use Commercial 2 to CM2x – Mixed Use Commercial 2 (modified), to allow for the development of a building with a maximum height of 25 m.

### REFERENCE

- [Zoning Bylaw 2012-20](#)
- [Whitehorse 2040 Official Community Plan](#)
- [2018 Downtown Plan](#)
- Location Map (Attachment 1)
- Zoning Bylaw 2012 Appendix C: Downtown Heights (Attachment 2)
- Proposed Zoning Amendment Bylaw 2024-09 (Attachment 3)

### HISTORY

An application was received to rezone 2086 Second Avenue from CM2 – Mixed Use Commercial 2 to CM2x – Mixed Use Commercial 2 (modified) to allow for the development of a mixed use building up to a maximum height of 25 m. The proposed building is six storeys with retail services on the ground floor and offices above. The applicant is seeking a special modification due to the recent adoption of the Official Community Plan (OCP) which allows greater heights in the Downtown.

On May 17, 2023, the rezoning application was reviewed by the Development Review Committee (DRC). DRC recommended that wilderness views are protected and that the proposal must align with the recently adopted OCP. Following DRC, Administration worked with the applicant to ensure DRC concerns were addressed as detailed in the Analysis.

The proposed schedule for the Zoning Bylaw amendment is:

Planning Committee:	January 8, 2024
First Reading:	January 15, 2024
Newspaper Ads:	January 19 and January 26, 2024
Public Hearing:	February 12, 2024
Report to Committee:	March 4, 2024
Second and Third Reading:	March 11, 2024

### ALTERNATIVES

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

## **ANALYSIS**

### **Site Context**

The subject site is located on Second Avenue between Hanson Street and Lambert Street in Downtown. The area to the south and west of the subject site is also zoned CM2 and the area to the north is zoned CC – Core Commercial. To the east is the Whitehorse Visitor Information Centre and the Government of Yukon Jim Smith Building which are zoned PS – Public Services. The buildings in the surrounding area are between one to four storeys with a mixture of office, commercial, institutional, and residential uses.

### **2040 Official Community Plan**

The subject site is designated as Mixed Use – Downtown Core in the OCP. The OCP seeks to increase Downtown building heights. OCP policy 15.8.7 states that the maximum building height in the Mixed Use – Downtown Core designation is 25 m, however buildings up to 30 m may be considered. The OCP policy allows for buildings up to 25 m across the Mixed Use – Downtown Core area. The special modification is to allow for a maximum building height of 25 m on the subject site.

### **Zoning Bylaw**

The purpose of the CM2 zone is to provide for a mix of low intensity commercial and residential uses for the transitional area around the periphery of the downtown commercial core. The CM2 zone allows for many principal uses including offices and retail services.

Appendix C of the Zoning Bylaw provides maximum building heights for Downtown areas. The subject site and the surrounding area has a maximum building height of 20 m. The definition of building height excludes several features which may extend beyond the height limit, such as roof stairway entrances, elevator housing, and ventilation equipment.

### **Impacts: Shadows, Massing, and Wind**

#### **Shadows**

The applicant provided a shadow analysis to better understand the shadow impacts of a 25 m building compared to a 20 m building on the surrounding properties.

To the west of the subject site, at 206 Hanson Street, a 25 m building would cast a shadow for up to an extra 30 minutes in the fall and three hours in late spring/summer. There would be no additional days that a shadow would be cast on 206 Hanson Street.

To the east of the subject site, at the Whitehorse Visitor Information Centre, a 25 m building would cast a shadow for up to an extra 30 minutes in the fall and spring and three hours in winter. A shadow would also be cast on the Information Centre for an additional five days in spring and five days in fall.

To the north of the subject site, at 2090 Second Avenue, a 25 m building would cast a shadow for up to an extra 30 minutes in the fall and two hours in winter. A shadow would also be cast on the building for an additional five days in spring and five days in fall.

#### **Massing**

The CM2 zone requires no front, side, or rear yard setbacks. For portions of buildings greater than 20 m in height and built at zero setback, upper floors are required to be setback at least 2 m from property lines in an attempt to hide the addition height from view at street level. The CM2 zone also allows a building to occupy up to 90% of the lot.

### Wind

Tall buildings can have impacts on wind however the impacts can be reduced in various ways. Winter city design principles in the Zoning Bylaw apply to this development and include reducing wind impacts through landscaping and design.

### **2018 Downtown Plan**

The subject site is located within the study area of the Downtown Plan. Policy 6.3.7 states that Downtown should retain its focus as the primary employment area by directing traditional office development primarily into the Downtown Core Commercial (CC) and Mixed Use Commercial (CM1 and CM2) zones. The proposed amendment is in alignment with this policy as it enables a greater concentration of commercial uses within the CM2 zone, which will further support the Downtown as a primary employment area.

### **ADMINISTRATIVE RECOMMENDATION**

THAT Council direct that Bylaw 2024-09, a bylaw to amend the zoning at 2086 Second Avenue to allow for the development of a building with a maximum height of 25 m, be brought forward for consideration under the bylaw process.