

ADMINISTRATIVE REPORT

TO: Planning Committee
FROM: Administration
DATE: February 19, 2024
RE: Public Hearing Report – Zoning Amendment – 1302 Centennial Street

ISSUE

Public Hearing Report on a bylaw to amend the zoning at 1302 Centennial Street from RS – Residential Single Detached to RMx(g) – Residential Multiple Housing to allow for the development of up to 10 dwelling units.

REFERENCES

- [Zoning Bylaw 2012-20](#)
- [2040 Official Community Plan](#)
- Location Map (Attachment 1)
- Proposed Zoning Amendment Bylaw 2023-33 (Attachment 2)

HISTORY

The owner of 1302 Centennial has applied to rezone their property from RS – Residential Single Detached to RMx(g) – Residential Multiple Housing (modified). The subject lot does not currently permit the development of a housing type that would allow 10 dwelling units. The special modifications are to allow the reduction of the minimum recommended vegetative buffer of 3 m along the side yards, reduce the maximum building height from 15 m to 13 m and reduce the maximum density to 10 dwelling units on the subject site.

Bylaw 2023-33 received First Reading on December 11, 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 December 15 and December 22, 2023;
- Email notifications were sent to Kwanlin Dün First Nation, Ta'an Kwäch'än Council, and the Government of Yukon Land Management Branch;
- 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 item was held on January 15, 2024. One member of the public spoke at the Public Hearing in opposition to the proposed zoning amendment and expressed concerns. No written submissions were received before the deadline.

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

The following matters were raised at the Public Hearing.

- Neighbourhood character;
- Building height;
- Vegetative buffer;
- Rezoning unnecessary;
- Spot zoning; and
- Administration's role in rezoning review.

Neighbourhood Character

Concern was expressed that the proposed rezoning will result in development that does not fit with the existing character of the neighbourhood. This concern is based on similar rezonings north of the site, which have resulted in developments that are perceived by a neighbourhood resident to not fit with the look and feel of the surrounding neighbourhood.

The subject site is designated as Mixed Use – Neighbourhoods in the Official Community Plan (OCP). The intent of Mixed Use – Neighbourhoods designation is to assist in the creation of more Complete Communities by accommodating a mixture of multi-unit housing and commercial development at a scale that contributes to the vitality of neighbourhoods. Uses suitable for inclusion in the Mixed-Use Neighbourhood designation includes multi-unit residential. The proposed rezoning to RMx(g) conforms to this designation and would contribute to the development of a more Complete Community in Porter Creek by providing additional multi-unit housing.

To support neighbourhoods transitioning towards becoming more Complete Communities, neighbourhood character will change in some areas with the introduction of new building types required to accommodate higher densities. The OCP has directed that higher densities within neighbourhoods occur near Urban Centres, and along major roads and transit routes. The subject site is within walking distance of Porter Creek's Urban Centre, is less than 200 m from the Alaska Highway, and is situated along transit routes. Further, with similar rezoning and redevelopments 30 m north of the subject site, neighbourhood character has already begun a transition towards a higher density neighbourhood.

Building Height

Concern was expressed about the maximum allowable building height, particularly in relation to adjacent RS zoned properties. The maximum allowable height in the RM zone is 15 m and the maximum allowable height in the RS zone is 10 m. A special modification to reduce the maximum height allowable to 13 m was added to mitigate the impact of intensification on the surrounding RS zoned lots. There is also a 7.5 m rear yard setback (as opposed to the 3 m rear yard setback for RS zones) to compensate for the difference maximum allowable height between the RM and RS zones.

Vegetative Buffer

Concern was expressed that a similar rezoning resulted in a development without a vegetative buffer. A vegetative buffer will be required on the rear of the subject site. However, a special modification was added to eliminate the requirement for a vegetative

buffer along the side yards. This modification was added due to the infeasibility of the proposed development with the buffer imposed. As discussed above, the OCP has provided direction for increased density in this area to support the development of a Complete Community. As a result, this special modification is required to enable higher densities associated with Complete Communities.

Rezoning Unnecessary

Concern was raised that rezoning is not necessary to develop up to 10 dwelling units on the site and the same number of units could be achieved through a subdivision of the lot. The RS zone allows for triplex housing on a minimum lot size of 1208 m² and the subject site lot area is 1857 m². Subdivision of the lot and building two triplexes on each division would not be possible without rezoning to reduce the minimum lot size for triplexes in the RS zone. Subdivision would result in fewer permissible dwelling units and create considerable site design, servicing, and drainage complications.

Spot Zoning in an Established Neighbourhood

Concern was raised about spot zoning in an established neighbourhood and the necessity of zoning if the City will allow these types of rezoning applications to move forward. Spot zoning can allow for a gradual transition of a neighbourhood, on a parcel-by-parcel basis. Consideration for a broad rezoning of a larger area to conform to OCP land use designations and policy is best done through a Zoning Bylaw Review.

Administration's Role in the Rezoning Review Process

A question was raised about Administration's role in the rezoning process. Administration's role in the review process is to analyze the proposals relationship to and compliance with the OCP and other approved municipal plans and Council policies, investigate and analyze potential positive and negative impacts of development under the proposed zone, and consider any documented concerns and opinions of area residents and land owners regarding the application. In this case, Administration has recommended special modifications to mitigate the impacts of development in the proposed zone, while recognizing that the proposed rezoning aligns with the direction given in the OCP for land use in this area.

ADMINISTRATIVE RECOMMENDATION

THAT Council direct that Bylaw 2023-33, a bylaw to amend the zoning of 1302 Centennial Street from RS –Residential Single Detached to RMx(g) – Residential Multiple Housing (modified) to allow for the development of up to 10 dwelling units, be brought forward for Second and Third Reading under the bylaw process.