



Town of Whitby By-law # 8044-24

Zoning By-law Amendment

Being a By-law to amend By-law #1784, as amended, being the Zoning By-law of the Town of Whitby.

Whereas, the Council of The Corporation of the Town of Whitby deems it advisable to amend By-law #1784.

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. Definitions

- 1.1 Schedule 'B' to By-law #1784 is hereby amended by changing the zoning from A to R4B*-16 and OS of the lands marked R4B*-16 and OS shown as the Subject Land on Schedule "A-1" attached to and forming part of this By-law.
- 1.2 Subsection 5M (iii) – Residential R4B* Zone – Exceptions to By-law #1784, as amended, is hereby further amended by adding thereto the following Exception:

(p) R4B*-16: Exception 16
Part of Lot 21, Concession 3 Plan of Subdivision SW-2021-07

1. Defined Area

The lands located south of Winchester Road West and east of Ashburn Road and zoned R4B*-16 shall be subject to the provisions as hereinafter contained. Matters not specifically dealt with in this By-law shall be governed by the relevant provisions of By-law # 1784.

2. Definitions

For the purpose of the interpretation of the various uses permitted and the zone provisions set forth in this By-law amendment, the provisions and definitions of Section 2 and subsection 14.1(a) of By-law # 1784 shall apply. Where there is a conflict between the definitions of Section 2 and subsection 14.1(a), the definitions of subsection 14.1(a) shall apply.

3. General Provisions

The General Provisions of Section 6 of By-law 1784 shall not apply to any lands zoned R4B*-16 by this By-law amendment.

In lieu thereof, the General Provisions of subsection 14.2 shall apply to this By-law amendment.

4. Yard Setbacks to Ministry of Transportation (MTO) Corridors

Minimum	4.5m
Maximum	8.0m

Provided however that the yard setbacks required by the MTO shall apply along any public street that is subject to MTO corridor control.

5. Uses Permitted

No person shall within any R4B*-16 Zone use any lot or erect, alter or use any building or structure except for one or more of the following uses:

- back to back townhouse dwelling
- street townhouse dwelling

6. Zoning Provisions

No person shall within any R4B*-16 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) Lot and Building Requirements by Building Type

- (i) The following Table and additional provisions establish the zone standards that apply to the R4B*-16 Zone.

R4B*-16 Zone Standards

Building Type	Min. Lot Area (m²)	Min. Lot Frontage	Min. Front Yard	Min. Interior Side Yard	Min. Exterior Side Yard	Min. Rear Yard	Min. Outdoor Private Amenity Space	Min. Front Yard Landscaped Open Space	Min. Building Height	Max. Building Height
Street townhouse dwelling unit with a front access garage	160 m ² / unit	6 m / unit ⁽³⁾	3 m ⁽¹⁾	1.2 m ⁽⁵⁾	3 m	7.5 m ⁽⁷⁾	NR	20%	2 storeys	4 storeys
Street townhouse dwelling unit with a detached rear garage	110 m ² / unit	4.5 m / unit ⁽³⁾	3 m	1.2 m ⁽⁵⁾	3 m ⁽¹⁾	2.5 m to a garage, carport or unenclosed parking space ⁽²⁾	25 m ² / unit	50%	2 storeys	4 storeys
Street townhouse dwelling unit with an integral rear garage	110 m ² / unit	4.5 m / unit ⁽³⁾	3 m	1.2 m ⁽⁴⁾⁽⁵⁾	3 m ⁽¹⁾	2.5 m to a garage, carport or unenclosed parking space ⁽²⁾	15 m ² / unit ⁽⁶⁾	50%	2 storeys	4 storeys

Building Type	Min. Lot Area (m ²)	Min. Lot Frontage	Min. Front Yard	Min. Interior Side Yard	Min. Exterior Side Yard	Min. Rear Yard	Min. Outdoor Private Amenity Space	Min. Front Yard Landscaped Open Space	Min. Building Height	Max. Building Height
Back to back townhouse dwelling unit	85 m ² / unit	5.5 m / unit ⁽³⁾	3 m ⁽¹⁾	1.5 m ⁽⁵⁾	3 m ⁽¹⁾	NR	7.5 m ² / unit	NR	2 storeys	4 storeys

Notes: NR = No Requirement

- ⁽¹⁾ Except that for the wall of the private garage containing the opening for a vehicle, the minimum yard shall be 5.8 metres.
- ⁽²⁾ Except that the minimum distance where access is provided to both sides of a lane shall be 1.75 metres.
- ⁽³⁾ Except that for a corner lot, the minimum lot frontage shall be 9 metres.
- ⁽⁴⁾ If no common wall exists between the rear garages of attached units, the minimum interior side yard for the garage portion of the building and any space above shall be 0.6 metres.
- ⁽⁵⁾ Where no common wall exists.
- ⁽⁶⁾ Except that the minimum private amenity space shall be 10 square metres for lots with frontages of less than 6 metres.
- ⁽⁷⁾ Except that the minimum rear yard for Lot 6 on Block 26 shall be 2.0m measured perpendicular from the angled rear lot line to the nearest point of the main building on the lot.

(b) Additional Provisions

- (i) The following provisions apply to back to back townhouse dwelling units
 - (a) The minimum lot depth of a back to back townhouse dwelling unit shall be 13.0 metres.
- (ii) The following provisions apply to the lots with street townhouse dwellings with an integral rear garage that front onto Winchester Road West and the north-south section of Cottesmore Drive:
 - (a) The minimum rear yard setback to the street line shall be 3.5 m provided that for the lots that front onto Winchester Road West if the front yard setback is reduced below 10.0 m, the rear yard setback will be increased by the same dimension of the front yard reduction.
 - (b) Decks are permitted to project from the second storey rear exterior wall of a dwelling unit with a rear-accessed garage a maximum distance of 3.65 m.
 - (c) The minimum rear yard setback to the street line from a deck projecting from a rear exterior wall shall be 1.75 m.
 - (d) The minimum rear yard setback to the street line of any support column or post that supports a deck shall be 1.75 m.
 - (e) The maximum diameter of any support column or post shall be 15.4 cm or as required by the Ontario Building Code.
 - (f) In the area between any foundation wall related to the main building and any support column or post that supports a deck no structure, wall, fence, hedge, shrub or other vegetative planting or landscape feature that has a height greater than 1.0 m above finished grade level shall be permitted in order to avoid any sight line obstructions.

(c) Parking Requirements

Notwithstanding any provisions of Section 4A to the contrary, the following provisions shall apply:

- (i) The minimum number of parking spaces required for a back to back townhouse dwelling shall be 2 spaces per dwelling unit provided the dwelling unit has a private garage accessed by a driveway from a public street or lane.
- (ii) The minimum number of parking spaces required for a street townhouse dwelling shall be 2 spaces per dwelling unit provided that dwelling unit has a private garage accessed by a driveway from a public street or lane.

By-law read and passed this 29th day of January, 2024.

Elizabeth Roy, Mayor

Christopher Harris, Town Clerk

Schedule A-1

To By-law # 8044-24

This is Schedule A-1 to By-law # 8044-24 passed by the
Council of the Town of Whitby this 29th day of January, 2024.

