



Town of Whitby

By-law # 8063-24

Zoning By-law Amendment

Being a By-law to amend By-law # 1784, as amended, being the Zoning By-law for 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. General

- 1.1. This By-law amendment shall apply to certain lands within the West Whitby Secondary Plan Area.
- 1.2. That notwithstanding any provisions of By-law # 1784 to the contrary, the provisions of Section 14 West Whitby Secondary Plan Area of By-law # 1784 shall apply to the lands zoned by this By-law amendment.
- 1.3. Schedule "B" to By-law # 1784 is hereby amended by changing the zoning from A and R3 to H-PE-3 and G-10 for the Subject Land shown on Schedule "A-1" attached to and forming part of this By-law.
- 1.4. Subsection 14.7.4 Prestige Employment (PE) Zone Regulations – Exceptions to By-law # 1784, as amended, is hereby further amended by adding thereto the following Exception:

Exception 3: (PE-3) **1650 Halls Road North**

1. Defined Area

The lands located north of Dundas Street West and west of Halls Road North and zoned PE-3 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. Uses Permitted

No person shall within any PE-3 Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- all uses permitted in the PE Zone
- warehouse distribution facility
- warehouse facility
- wholesale distribution centre

3. Zone Provisions

Notwithstanding any provisions of this By-law to the contrary, in any PE-3 Zone, the following provisions shall apply:

(a) Roof Top Appurtenances

The maximum height of any roof top appurtenances such as an elevator penthouse, mechanical room, stair tower, roof top access room and any architectural features shall not exceed 6 metres.

(b) Parking and Loading Requirements

(i) Number of Parking Spaces

The minimum number of parking spaces shall be as follows:

Use or Purpose	Minimum Number of Parking Spaces Required
<ul style="list-style-type: none">• Warehouse Distribution Facility• Warehouse Facility• Wholesale Distribution Centre	1 parking space per 50m ² of gross floor area up to 2,800 m ² plus 1 additional parking space per 250 m ² of gross floor area in excess of 2,800 m ²

(ii) Location of Parking Spaces

- Any parking area and parking spaces are permitted in all yards.
- Any parking area and parking spaces shall be setback a minimum of 6.0 m from the Halls Road North street line.

(c) Outside Storage

Notwithstanding any zone provisions to the contrary, the parking and storing of commercial vehicles, motor vehicles and any trailers shall be permitted in the rear yard and interior side yard provided that such outside storage is not readily visible from any street line.

4. Zone Provisions That Do Not Apply

The following provisions shall not apply to the lands zoned PE-3 by this By-law Amendment:

4A(4.5) Aisle Width Serving a Parking Area of a Non Residential Use

5. Holding Provisions

- (a) No person shall use any lot or erect, alter or use any building or structure in any H-PE-3 Zone except in accordance with the following uses:
 - (i) Uses permitted in the A Zone.
- (b) The “H” holding symbol prefixed to the PE-3 Zone shall only be removed to permit development of the uses permitted in the PE-3 Zone by amendment to this By-law at such time as the following matters are fulfilled to the satisfaction of the Town of Whitby:
 - (i) That alternative vehicular transport truck ingress and egress routes using either private driveway right-of-way and/or public streets have been established or suitable arrangements have been made to create such ingress and egress routes in order to provide transport trucks servicing 1650 Halls Road North an alternative access route other than Halls Road North.

- 1.5. Subsection 10(d) Greenbelt (G) Zone – Exceptions to By-law #1784, as amended, is hereby further amended by adding thereto the following Exception:

Exception 10: (G-10) 1650 Halls Road North

1. Defined Area

The lands located north of Dundas Street West and west of Halls Road North and zoned G-10 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. Uses Permitted

Notwithstanding the uses permitted in the Greenbelt (G) Zone, in any G-10 Zone only the following uses shall be permitted:

- conservation area;
- flood and erosion control structures; and,
- forest, wildlife and fisheries management.

3. Zone Provisions

Notwithstanding any provisions of this By-law to the contrary, in any G-10 Zone the following provisions shall apply:

(a) The zone provisions applicable within any G-10 Zone shall be the same as those set out in the Greenbelt (G) Zone.

(b) Determination of Greenbelt (G) Zone Boundary

The boundaries of the G-10 Zone shall be as determined by the Central Lake Ontario Conservation Authority.

1.6. Section 2 Definitions of By-law #1784, as amended, is hereby further amended by adding the following definition in alphabetical order:

“Wholesale Distribution Centre” means a building or part of a building where finished products are stored or kept for sale to retail establishments but shall not include a retail store other than a sales outlet.

By-law read and passed this 18th day of March, 2024.

Elizabeth Roy, Mayor

Christopher Harris, Town Clerk

Schedule A-1

To By-law # 8063-24

This is Schedule A-1 to By-law # 8063-24 passed by the

Council of the Town of Whitby this 18th day of March, 2024.

Clerk

Mayor

