



Town of Whitby

By-law # 8193-25

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. General

- 1.1. Subsection 13.8.3 Commercial 1 - Village of Brooklin Zone (C1-VB)
Exception to By-law #1784, as amended, is hereby further amended by deleting Exception 13.8.3.3 and replacing same with the following Exception:

**13.8.3.3 Commercial 1 - Village of Brooklin Zone:
Exception 3 (C1-VB-3)**

91, 95, 99 Baldwin Street North

1. Defined Area

The lands located east of Baldwin Street and south of George Street, zoned C1-VB-3 shall be subject to the provisions as hereinafter contained. Matters not specifically dealt with in this By-law amendment shall be governed by the relevant provisions of By-law #1784.

2. Uses Permitted

No person shall within any C1-VB-3 Zone use any lot or erect, alter or use any building or structure except for one or more of the following uses:

- All uses permitted within the C1-VB Zone
- Apartment building
- Mixed-Use building
- Multiple attached dwelling

Provided however that any apartment building and/or multiple attached dwelling shall only be permitted when developed in conjunction with a mixed-use building.

3. Zone Provisions

No person shall within any C1-VB-3 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) Determination of Lot

Notwithstanding the definition of Lot in Section 2 and any other provisions of By-law #1784 and notwithstanding the obtaining of any severance by way of a consent under the provisions of the Planning Act, R.S.O. 1990, C. P.13 as amended from time to time, or the registration at any time of any Condominium Declaration, a Plan of Subdivision, or conveyance with respect to any portion of the said land, the land zoned C1-VB-3 and G situated beyond the Regional Flood Line by this By-law shall be considered to be one lot.

(b) Zone Boundary Determination

The zone boundary between the C1-VB-3 Zone and the G Zone that is situated beyond the Regional Flood Line and the G Zone below the Regional Flood Line shall be determined based on the identification of the Regional Flood Line by the Central Lake Ontario Conservation Authority and the Town of Whitby.

(c) Front Yard

Minimum	3.0 m
Depth	
Maximum	5.0 m
Depth	

(d) Rear Yard

Minimum depth to the Regional Flood Line	6.0
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(e) Interior Side Yard

- (i) The minimum interior side yard setback for any main building situated within 30 metres of George Street shall be 3.0 metres.
 - (ii) The minimum interior side yard setback for any main building situated further than 30 metres from George Street shall be 5.5 metres.
- (f) Exterior Side Yard
- | | |
|---------------|-------|
| Minimum Width | 2.0 m |
| Maximum Width | 4.0 m |
- (g) Building Height
- | | |
|---------|-----------|
| Minimum | 2 storeys |
| Maximum | 4 storeys |
- (h) Landscaped Open Space
- | | |
|---------|---------------------|
| Minimum | 15% of the lot area |
|---------|---------------------|
- (i) Common/Private Amenity Space
- | | |
|---------|---------------|
| Minimum | 5.0 sq.m/unit |
|---------|---------------|
- j) Setback to Aisles and/or Driveway
- The minimum separation distance from the end wall of a main building to an aisle and/or driveway shall be 1.8 m
- (k) Separation Distance Between Buildings on the Same Lot
- The minimum separation distance between buildings on the same lot shall be 13.0 m.
- (l) Parking
- Residential (Minimum)
- 1.09 spaces per dwelling unit, plus 0.1 spaces per dwelling unit dedicated for visitor parking.
- Non-Residential (Minimum)
- 1 parking space per 80.0 square metres of gross floor area.
- (m) Decks, Porches, Steps, Patios and Balconies

Notwithstanding any provisions of subsection 4(y) Yard Encroachments Permitted, provision (c) Decks, Porches, Steps, Patios and Balconies to the contrary;

- (i) Decks, porches, steps, patios, and balconies situated in the front yard, interior side yard, or exterior side yard are permitted to project from the main wall of a building provided they are set back a minimum distance of 0.5m from a street line and 3.0m from an interior lot line.
- (ii) Decks, porches, steps, patios and balconies situated in the rear yard are permitted to project into the C1-VB-3 Zone and into the G Zone from a dwelling unit a maximum distance of 2.0 metres from the rear main wall of a dwelling unit.

(n) Location of Parking Areas and/or Parking Spaces

Any above grade/surface parking area and/or parking spaces shall be set back a minimum distance of 2.5 m from any street line, 2.0 m from any main building and 1.0 m from any other lot line.

(o) Accessory Structure and/or Activity Building

Notwithstanding the definitions of Accessory Structure and Activity Building in Section 2 Definitions of this By-law to the contrary, an accessory structure and/or activity building may be attached to a main building and may be used to house and store equipment and utility devices related to the principal uses on the lot.

(p) Roof Top Appurtenances

The maximum height of any roof top appurtenances such as an elevator penthouse, mechanical room, stair tower, roof top access room, amenity space and any architectural features shall not exceed 3.5 metres.

(q) Definitions

For the purpose of the interpretation of the various zone provisions set forth above, the following definitions shall apply and where there is a conflict between the definitions set forth hereunder and those set forth in Section 2 of By-law # 1784 the following definitions shall apply:

"Dwelling, Multiple Attached" means a building that contains four or more dwelling units with each dwelling unit accessed by one or more common entrances or corridors and may also contain some dwelling units accessed only directly from the outside.

"Mixed Use Building" means a building containing residential uses and at least one non-residential use.

(r) Zone Provisions That Do Not Apply

The following subsections of Section 4 - General Provisions shall not apply to the lands zoned C1-VB-3 by this By-law:

- 4(g) Sight Triangles
- 4(m) Ten Percent (%) of Every Lot
- 4(w) Satellite Dishes

- 1.2. By-law 8193-25 shall not come into force and effect until Amendment 144 to the Town of Whitby Official Plan has received final approval.

By-law read and passed this 26th day of May, 2025.

Elizabeth Roy, Mayor

Christopher Harris, Town Clerk



Key Map to By-Law # 8193-25

