

**THE CORPORATION OF THE TOWN OF WHITCHURCH-STOUFFVILLE
BY-LAW NUMBER 2024-084-ZO**

BEING A BY-LAW to amend By-Law No. 2010-001-ZO of the Town of
Whitchurch Stouffville (Comprehensive Zoning By-law) for the lands
located at 5964 Main Street and 28 Fairview Avenue.

WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, (the “Planning Act”) permits the council of local municipalities to pass zoning by-laws for prohibiting the use of land or the erecting, locating, or using of buildings or structures for, or expect for such purposes as may be set out in the by-law; and

WHEREAS Section 34(10) of the *Planning Act* as amended, permits the councils of local municipalities to amend such zoning by-laws; and

WHEREAS Council for the Town desires to amend the Zoning By-law in respect of the lands known municipally as 5964 Main Street and 28 Fairview Avenue.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WHITCHURCH-STOUFFVILLE ENACTS AS FOLLOWS:

1. That Comprehensive Zoning By-Law No. 2010-001-ZO is hereby amended as follows:
 - i. Amend Section 2.8.5 Site Specific Holding Zone Provisions by adding a new Section 2.8.5.44 as shown on Schedule 2 of this By-law;
 - ii. Amending Section 6.4.5 by adding a new section 6.4.5.15 as shown on Schedule 1 of this By-law;
 - iii. Amending Schedule 47 to rezone the subject lands from (CM2) Western Approach Mixed Commercial to (CM2) (15) Western Approach Mixed Commercial Exception as shown on Schedule 3 of this By-law.
 - iv. That this By-law shall come into force upon the final approval of Official Plan Amendment No. 166 to the Town of Whitchurch-Stouffville Official Plan and in accordance with Section 34 of the Planning Act, R.S.O. 1990, C. p. 13.

READ a first and second time this 26th day of JUNE, 2024

READ a third time and passed this 26th day of JUNE, 2024

Iain Lovatt, MAYOR

Becky Jaimeson, Clerk

Schedule 1

**6.4.5.15 CM2(15) (h-44) 5964 Main Street and 28 Fairview Avenue,
Schedule 47**

1. Permitted Uses

Notwithstanding any other provisions of this by-law the only permitted uses shall be;

- i) Apartment Building
- ii) Combined Live/Work Use
- iii) Connected Live/Work Use
- iv) Personal Service Establishment
- v) Retail Store

2. Regulations

- | | | |
|-------|---|--|
| i) | Maximum Floor Space Index | 4.37 (1) |
| ii) | Maximum number of Residential Units | 210 |
| iii) | Maximum Height | 45 metres (4) |
| iv) | Minimum Front Yard Setback | 2.7 metres |
| v) | Maximum Front Yard Setback
(Main Street) | 3.1 metres |
| vi) | Minimum Yard abutting Residential or
New Residential Zones (north side) | 2.0 metres (2) |
| vii) | Minimum Landscaped Area between
street and parking areas or driveways
(Fairview Avenue) | 0.47 metres |
| viii) | Minimum Landscaped Area between
street and parking areas or driveways
(Ninth Line) | 0.23 metres |
| ix) | Minimum indoor amenity area | 215 square metres |
| x) | Minimum width of a two-way drive aisle | 6.0 metres |
| xi) | Minimum number of loading spaces | 1 loading space (3) |
| xii) | Minimum setback between loading
spaces and Residential zones | 14.0 metres |
| xiii) | Minimum parking spaces per Dwelling
Unit | 1 parking space per
dwelling unit for residents |
| xiv) | Minimum Visitor Parking spaces | 0.13 parking space per
dwelling unit for visitors |
| xv) | Minimum Aisle Width | 6 metres |

- xvi) Minimum width of a standard surface parking space (not applicable for barrier free parking spaces or underground parking spaces) 2.6 metres

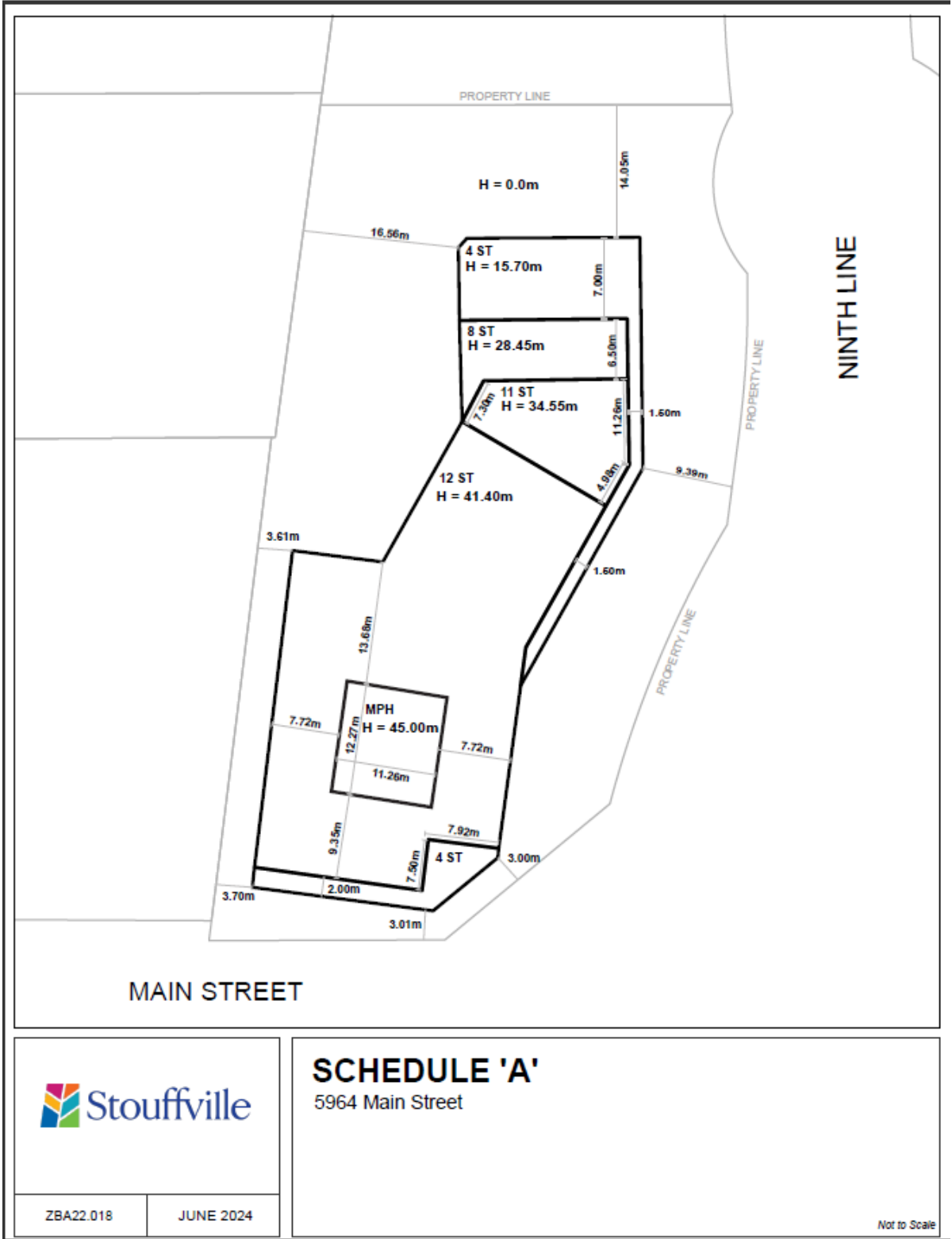
3. Qualifying Notes to Regulations

- (1) Floor Space Index (FSI) regulations apply to the mixed-use developments only. (2011-116-ZO)
- (2) Any required yard abutting a Residential or New Residential Zone must be landscaped.
- (3) Notwithstanding other provisions of this by-law to the contrary, for the CM2(15) zone, loading spaces shall have a minimum dimension of 9.0 metres by 3.6 metres.
- (4) No part of any building or structure on the lands may exceed the height in metres specified by the numbers following the symbols HT or the number of storeys specified by the numbers following the symbol ST on Schedule "A".

4. Special Regulations CM2(15) Zone

- (1) Subsection 6.2.1 (4) of By-law 2010-001-ZO shall not apply. Buildings in CM2 (15) Zone shall be exempt from all angular plane policies.
- (2) Subsection 6.3.1.ii) of By-law 2010-001-ZO shall not apply.
- (3) A minimum of 281 square metres of the total ground floor area shall be dedicated to commercial uses.

Schedule "A"



SCHEDULE 'A'

5964 Main Street

ZBA22.018 JUNE 2024

Not to Scale

Schedule 2

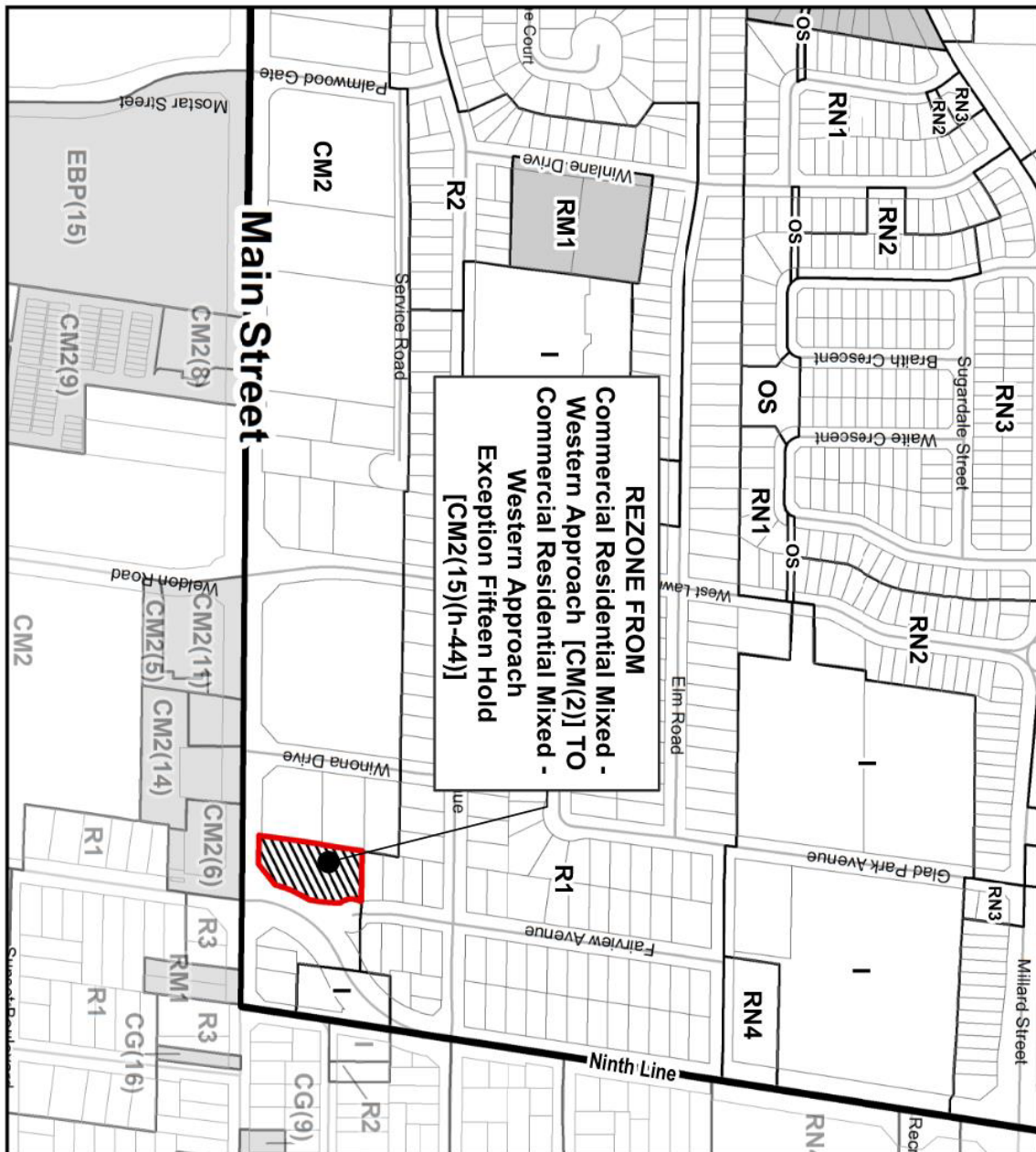
2.8.5.44

**h-44 Zone 6.4.5.15 CM2(15) 5964 Main Street and 28 Fairview Avenue,
Schedule 47 (2024-XX-ZO)**

Conditions for Lifting the Holding Symbol (h-44)

- i. Satisfactory arrangements for Sanitary Sewer and Water Servicing Allocation with the Town of Whitchurch-Stouffville; and
- ii. Appropriate access and traffic mitigation requirements to be provided in accordance with required plans and studies to the satisfaction of the Town of Whitchurch-Stouffville and the Region of York.

Schedule 3



2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	32	33	34	35	36
37	38	39	40	41	42	43
44	45	46	47	48	49	50
51	52	53	54	55	56	57
58	59	60	61	62	63	64

- ZONE DESCRIPTION**
- Section 4**
 - AG - Agricultural
 - ENV - Environmental
 - RH - Flood Hazard
 - GRMC - Oak Ridges Moraine Countryside
 - CRMC - Oak Ridges Moraine Core
 - GRMLC - Oak Ridges Moraine Natural Core
 - Section 5**
 - PR3 - Residential Private Services
 - RV - Residential Village
 - R1 - Residential 1
 - R2 - Residential 2
 - R3 - Residential 3
 - R4 - Residential 4
 - RM - Residential Multiple
 - RM2 - Residential Multiple 2
 - Section 5A**
 - RM1 - New Residential 1
 - RM2 - New Residential 2
 - RM3 - New Residential 3
 - RM4 - New Residential 4
 - RM5 - New Residential 5
 - Section 6**
 - CM1 - Downtown Mixed Commercial
 - CM2 - Western Approach Mixed Commercial
 - CM3 - General Commercial
 - CC - Local Commercial
 - C - Local Commercial
 - CR - Recreational Commercial
 - Section 7**
 - EBPA - Employment Business Park / Gentry
 - EHEG - Employment Heavy / Gentry
 - ELEAG - Employment Light / Gentry
 - ED - Employment District
 - EE - Employment Education
 - Section 8**
 - I - Institutional
 - OS - Open Space
 - D - Development Reserve
 - Section 9**
 - H - Holding Symbol
 - F - Flood Outbreak
 - W - Water Retention
 - WDA - Waste Disposal Area



0 40 80 120 m

Town of Whitchurch-Stouffville
Zoning By-law 2010-001-ZO
Revised: June 2024

SCHEDULE 47