

**THE CORPORATION OF THE TOWN OF WHITCHURCH-STOUFFVILLE**

**BY-LAW NUMBER 2024-079-ZO**

BEING A BY-LAW to amend By-Law 2010-001-ZO of the Town of Whitchurch-Stouffville (Comprehensive Zoning By-Law), as amended for the lands located at 5731 Bethesda Road

**WHEREAS** Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13 as amended (the "*Planning Act*"), permits the councils 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 except for such purposes as may be set out in the by-law; and

**WHEREAS** Section 34(10) of the *Planning Act* permits the councils of local municipalities to amend Zoning By-laws; and

**WHEREAS** Council for the Town desires to amend Comprehensive Zoning By-law 2010-001-ZO in respect of the lands known as 5731 Bethesda Road.

**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. By amending Schedule 57 to delete the AG – Agricultural and FH- Flood Hazard thereon and amending Schedule 57 to show thereon the lands RN3(11) - New Residential Three, RN4(21) – New Residential Four, RN4(22) – New Residential Four, RN4(23) – New Residential Four, CL(3) – Local Commercial, I - Institutional, OS – Open Space, and FH- Flood Hazard as shown on Schedule 1 to this By-law; and
- ii. By amending Section 2.8.5 Site Specific Holding Zone Provisions by adding a new Section 2.8.5.43 as set out in Schedule 2 to this By-law.
- iii. By amending Section 5A.3.3 Exceptions to the RN3 Zone by adding a new Section 5A.3.3.11 as shown on Schedule 2 to this By-law; and
- iv. By amending Section 5A.3.4 Exceptions to the RN4 Zone by adding new Section 5A.3.4.21 as shown on Schedule 2 to this By-law; and
- v. By amending Section 5A.3.4 Exceptions to the RN4 Zone by adding a new Section 5A.3.4 .22 as shown on Schedule 2 to this By-law; and
- vi. By amending Section 5A.3.4 Exceptions to the RN4 Zone by adding a new Section 5A.3.4.23 as shown on Schedule 2 to this By-law; and
- vii. By amending Section 6.4.2 Exceptions to the CL Zone by adding a new Section 6.4.2.3 as set out in Schedule 2 to this By-law;

2. AND THAT this By-law shall come into force in accordance with Section 34 of the *Planning Act*.

READ a first and second time this 19<sup>th</sup> day of June, 2024.

READ a third time and passed this 19<sup>th</sup> day of June, 2024.

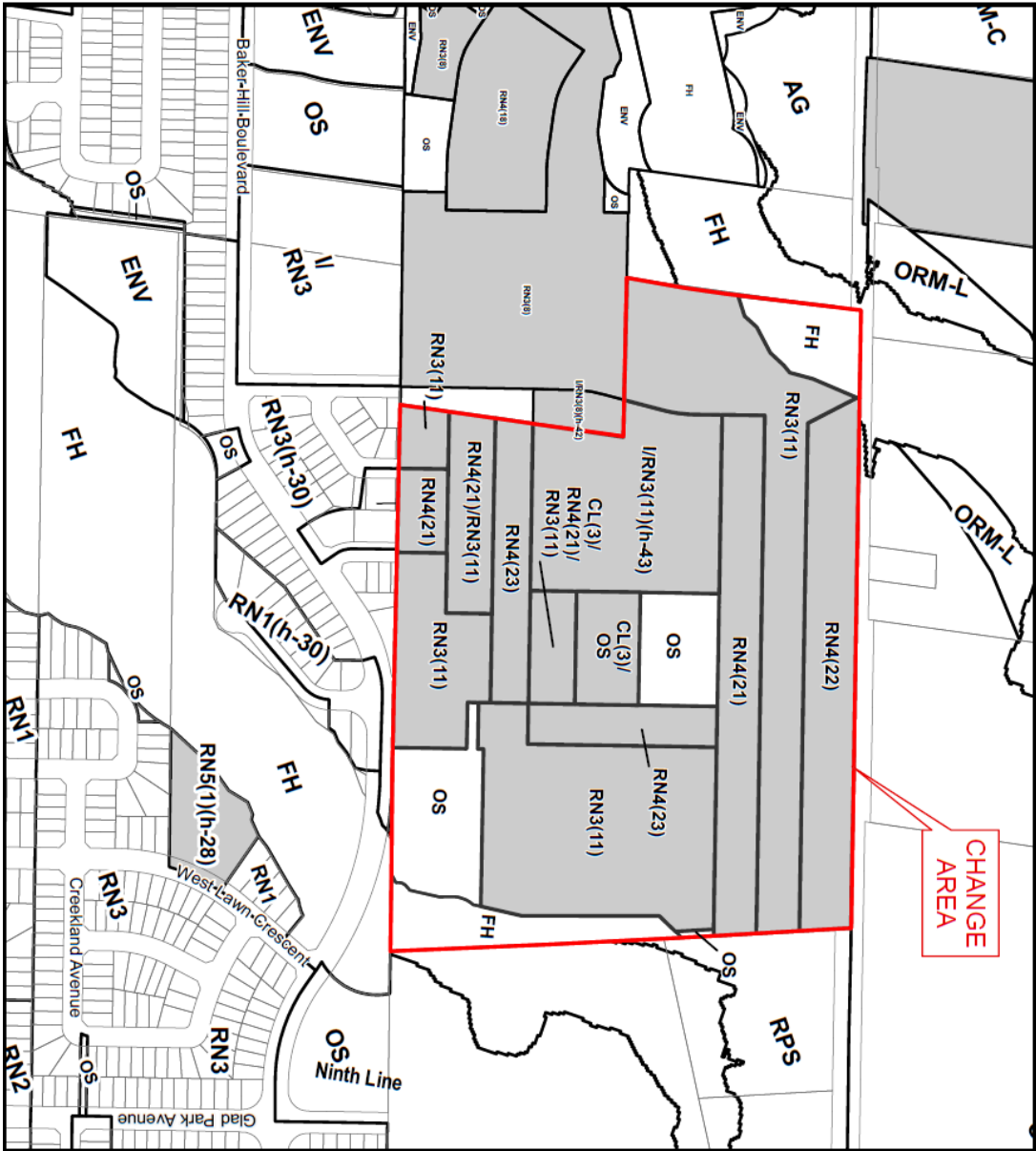
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Iain Lovatt, Mayor

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Becky Jaimeson, Clerk

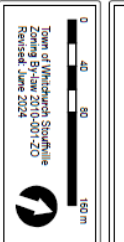
SCHEDULE 1 TO BY-LAW 2024-079-ZO



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ZONE DESCRIPTION

- Section 4**
- AG - Agriculture
  - FH - Flood Hazard
  - OS - Open Space
  - RN1 - New Residential 1
  - RN2 - New Residential 2
  - RN3 - New Residential 3
  - RN4 - New Residential 4
  - RN5 - New Residential 5
  - RN6 - New Residential 6
  - RN7 - New Residential 7
  - RN8 - New Residential 8
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  - RN97 - New Residential 97
  - RN98 - New Residential 98
  - RN99 - New Residential 99
  - RN100 - New Residential 100



SCHEDULE 47

Town of Whitehorse Southville  
Zoning By-law 2016-001-ZO  
Revised June 2024

**SCHEDULE 2 TO BY-LAW 2024-079-ZO**

**2.8.5.43 RN3(11)(h-43) 5731 Bethesda Road, Draft Plan of Subdivision  
19T(W)22.002**

Conditions for Removing (H-43)

That Block 182 shall only develop with residential uses if it is confirmed, to the Town's satisfaction, that the Block is not required for a school.

**5A.3.3.11 RN3(11) (h-43) 5731 Bethesda Road, Draft Plan of Subdivision  
19T(W)22.002, Schedule 57**

**1. Regulations**

Notwithstanding any provisions of the By-law to the contrary, the following regulations are applicable to the subject zone:

- i) Maximum Building Height 11.0 metres
- ii) Minimum Rear Yard 6.0 metres
- iii) Minimum Rear Yard for Corner Lots Adjacent to Roundabouts 0.6 metres

**2. Special Regulations**

- (1) Notwithstanding Section 3.24.6.2 i), the required minimum Landscaped Area shall be 20% in the Front and/or Exterior Side Yard, whereby Landscaped Area includes any combination of flowers, grass, shrubs, sod, trees and other horticultural elements.
- (2) Notwithstanding Section 3.22.2, the maximum projection of Window Bays into any required Yard 1.0 metre over a maximum width shall be 4.0 metres.
- (3) Notwithstanding Section 3.22.5, the maximum projection of a Balcony into any Front, Rear and Exterior Side Yards shall be 3.0 metres.
- (4) Notwithstanding Section 3,22.10, stairs may be located a minimum of 1 metre from the Front Lot Line provided the Front Lot Line is not adjacent to a public sidewalk.
- (5) For the purpose of this By-Law, a Window Bay is defined as a multisided window that projects outward from an exterior wall of a building, which may or may not have a foundation and which may or may not include a door and which may or may not have windows at the sides of the projections.
- (6) Notwithstanding Section 5A.2.1.(13), a door in any wall adjacent to the Side Lot Line and a 0.6 metre stair encroachment shall be permitted within an Interior or Exterior Side Yard that is at least 1.2 metres wide.

**5A.3.4.21 RN4(21) 5731 Bethesda Road, Draft Plan of Subdivision  
19T(W)22.002, Schedule 57**

**1. Regulations**

- i) Maximum Building Height 13.0 metres
- ii) Minimum Rear Yard 6.0 metres

Qualifying Note to Regulations

- (1) Notwithstanding Section 3.22.2, the maximum projection of Window Bays into any required Yard 1.0 metre over a maximum width shall be 4.0 metres.
- (2) Notwithstanding Section 3.22.5, the maximum projection of a Balcony into any Rear Yards shall be 3.0 metres.
- (3) For the purpose of this By-Law, a Window Bay is defined as a multisided window that projects outward from an exterior wall of a building, which may or may not have a foundation and which may or may not include a door and which may or may not have windows at the sides of the projections.

- (4) Notwithstanding Section 3.22.10 stairs may be located a minimum of 1 metre from the Front Lot Line provided the Front Lot Line is not adjacent to a public sidewalk.
- (5) Notwithstanding Section 5A.2.1.13, a door in any wall adjacent to the Side Lot Line and a 0.6 metre stair encroachment shall be permitted on end unit Townhouses within an Interior or Exterior Side Yard that is at least 1.2 metres wide.

**5A.3.4.22 RN4(22) 5731 Bethesda Road, Draft Plan of Subdivision 19T(W)22.002, Schedule 57**

**1. Regulations**

- i) For the purposes of this zone, the Front Lot Line is determined to be Bethesda Road.
- ii) Vehicular access will be obtained from a Rear Yard public street.
- iii) Minimum Lot Area 150 metres<sup>2</sup> per dwelling unit
- iv) Minimum Front Yard 2.0 metres
- v) Maximum Building Height 13.0 metres
- vi) Minimum Rear Yard 6.0 metres to garage  
3.0 metres to house
- vii) Maximum Extension of an Elevated Open Deck Situated Above a Parking Pad from the Main Rear Wall of a Street Townhouse Dwelling Unit, but in no case shall any building element extend beyond the property line containing the building. 3.0 metres

**2. Special Regulations**

- (1) Notwithstanding Section 3.22.2, the maximum projection of Window Bays into any required Yard 1.0 metre over a maximum width shall be 4.0 metres.
- (2) Notwithstanding Section 3.22.5, the maximum projection of a Balcony into any Rear Yards shall be 3.0 metres.
- (3) For the purpose of this By-Law, a Window Bay is defined as a multisided window that projects outward from an exterior wall of a building, which may or may not have a foundation and which may or may not include a door and which may or may not have windows at the sides of the projections.
- (4) Notwithstanding Section 3.22.10, stairs may be located a minimum of 1 metre from the Front Lot Line provided the Front Lot Line is not adjacent to a public sidewalk.
- (5) Notwithstanding Section 5A.2.1.13, a door in any wall adjacent to the Side Lot Line and a 0.6 metre stair encroachment shall be permitted on end unit Townhouses within an Interior or Exterior Side Yard that is at least 1.2 metres wide.

**5A.3.4.23 RN4(23) 5731 Bethesda Road, Draft Plan of Subdivision  
19T(W)22.002, Schedule 57**

**1. Regulations**

- i) For the purposes of this zone, the Front Lot Line is determined to be a public road.
- ii) For the purposes of this zone, the following definition shall apply:  
Public Laneway: a publicly owned right of way that is a minimum of 6.5 metres wide, used for vehicular access to the rear of a property.
- iii) Vehicular access will be obtained from a Rear Yard Public Laneway
- iv) Minimum Lot Area 130 metres<sup>2</sup> per dwelling unit
- v) Minimum Front Yard 2.0 metres
- vi) Maximum Building Height 13.0 metres
- vii) Minimum Rear Yard 6.0 metres to garage  
4.5 metres to dwelling (1)
- viii) Maximum Extension of an Elevated Open Deck Situated Above a Parking Pad from the Main Rear Wall of a Public Laneway Dwelling Unit, but in no case shall any building element extend beyond the property line containing the building. 3.0 metres
- ix) Maximum Length of a Public Laneway 210 metres

**2. Qualifying Notes to Regulations**

- (1) Shall only apply to second and third storey above an open Parking Pad or Driveway

**3. Special Regulations**

- (1) Notwithstanding Section 3.22.2, the maximum projection of Window Bays into any required Yard 1.0 metre over a maximum width shall be 4.0 metres.
- (2) Notwithstanding Section 3.22.5, the maximum projection of a Balcony into any Rear Yards shall be 3.0 metres.
- (3) For the purpose of this By-Law, a Window Bay is defined as a multisided window that projects outward from an exterior wall of a building, which may or may not have a foundation and which may or may not include a door and which may or may not have windows at the sides of the projections.
- (4) Notwithstanding Section 3.22.10, stairs may be located a minimum of 1 metre from the Front Lot Line provided the Front Lot Line is not adjacent to a public sidewalk.
- (5) Notwithstanding Section 5A.2.1.13, a door in any wall adjacent to the Side Lot Line and a 0.6 metre stair encroachment shall be permitted on end unit Townhouses within an Interior or Exterior Side Yard that is at least 1.2 metres wide.

**6.4.2.3 CL(3) 5731 Bethesda Road, Draft Plan of Subdivision  
19T(W)22.002, Schedule 57**

**1. Permitted Uses**

Notwithstanding the permitted uses from Table 5.1 the following uses shall be prohibited in the CL(3) Zone:

- i. Financial Institution
- ii. Gas Bar
- iii. Public Garage

**2. Regulations**

- i) Minimum Rear Yard 2.0 metres
- ii) Minimum Yard abutting OS and RN zones 2.0 metres
- iii) Maximum Lot Area associated with a commercial development 0.38 hectares
- iv) The minimum Landscaped Area between the streetline and parking areas or Driveways 3.0 metres
- v) Minimum Parking Spaces for each 100 m<sup>2</sup> of GFA for Shopping Centres 2.0 spaces
- vi) On street lay-by Parking Spaces located immediately adjacent to the Front and Exterior Side Yards shall be considered as contributing to the minimum parking requirement
- vii) One small Loading Space shall be required for the commercial plaza