

# CITY OF WHITEHORSE

## BYLAW 2021-26

A bylaw to amend Zoning Bylaw 2012-20

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WHEREAS section 289 of the *Municipal Act* provides that a zoning bylaw may prohibit, regulate and control the use and development of land and buildings in a municipality; and

WHEREAS section 294 of the *Municipal Act* provides for amendment of the Zoning Bylaw; and

WHEREAS it is deemed desirable that the City of Whitehorse Zoning Bylaw be amended to allow for the development of additional live/work caretaker residences in the Marwell area;

NOW THEREFORE the council of the municipality of the City of Whitehorse, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Section 10.4.8 (a) of Zoning Bylaw 2012-20 is hereby amended by adding the following additional paragraphs:

“10.4.8 (a) For Condominium 183 Plan CC183 LTO YT (105 Titanium Way), notwithstanding section 6.3.6, a total of four caretaker residences will be permitted as secondary use. Three of the four caretaker residences shall be subject to the following additional conditions:

1. A caretaker residence will only be permitted if it provides direct, private and internal access to one or more primary use(s) without having to access any common areas shared between other units within the lot;
2. The caretaker residence and the conjoined primary use(s) shall be considered as a single unit and shall not be indicated as separate units/entities in subsequent subdivision or condominium applications;
3. Notwithstanding section 6.3.3, the maximum gross floor area of a caretaker residence connected to primary use(s) shall be 100 square metres and the residential gross floor area may not be greater than that of the principal use; and
4. Caretaker residence, 121 to 297 m<sup>2</sup>, shall not be permitted as a conditional use.”

2. This bylaw shall come into force and effect upon the final passing thereof.

**FIRST READING:**

**PUBLIC NOTICE:**

**PUBLIC HEARING:**

**SECOND READING:**

**THIRD READING and ADOPTION:**

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Mayor

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Assistant City Clerk