

CITY OF WHITEHORSE

BYLAW 2023-06

A bylaw to amend Zoning Bylaw 2012-20

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 Whitehorse Zoning Bylaw be amended to allow for the development of a mixed-use development at Lots 529 and 530, Whistle Bend Subdivision, municipally known as 123 and 125 Keno Way;

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

1. Section 10.10.7 of Zoning Bylaw 2012-20 is hereby amended by adding a new subsection 10.10.7 d) as follows:
 - “d) Lots 529 and 530, located at 123 and 125 Keno Way in the Whistle Bend Subdivision, are designated CNC2(d) with the special modifications being:
 - (1) Only eating and drinking establishments, retail services (general or convenience), and personal service establishments are permitted on the first storey within 20 metres of the western side boundary adjoining Lot 532 and within 30 metres of the western side boundary adjoining Lot 531;
 - (2) Outdoor seating will be established in association with any eating and drinking establishment; and

Notwithstanding section 6.6.4 of this bylaw, the following provision applies:

 - (3) Child care centres shall be permitted in multiple housing when they are located in part on the ground floor and have direct access to enclosed, outdoor play space”
2. The zoning maps attached to and forming part of Zoning Bylaw 2012-20 are hereby amended by changing the zoning of 123 and 125 Keno Way from CNC2 – Comprehensive Neighbourhood Commercial 2 and CNC2x(c) – Comprehensive Neighbourhood Commercial 2 (modified) to CNC2x(d) – Comprehensive Neighbourhood Commercial 2 (modified), as indicated on Attachment 1 and forming part of this bylaw.
3. 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:

Laura Cabott, Mayor

Wendy Donnithorne, City Clerk