

ADMINISTRATIVE REPORT

TO: City Planning Committee
FROM: Administration
DATE: May 4, 2026
RE: Public Hearing Report – Zoning Bylaw 2025-37

ISSUE

Report on the 2nd Public Hearing for the proposed new Zoning Bylaw.

REFERENCES

- [Zoning Bylaw 2012-20](#)
- [Whitehorse 2040 Official Community Plan](#)
- [Municipal Act SY 2024, c. 6](#)
- [2026 Housing Needs Assessment](#)
- [Short-term rentals in the Canadian housing market \(Arbenser et al., 2024\)](#)
- [Maintenance Bylaw 2017-09](#)
- [2011 McIntyre Creek Wildlife Corridor Assessment \(Environmental Dynamics Inc.\)](#)
- [2024 Transportation Master Plan](#)
- [2026-2029 Capital Expenditure Program](#)
- [Animal Control Bylaw 2001-01](#)
- Proposed Full Zoning Bylaw 2025-37 (with proposed amendments)
- Attachment 1: Proposed Adopting Bylaw 2025-37
- Attachment 2: List of Changes Proposed by Administration

HISTORY

In accordance with the *Municipal Act*, a zoning bylaw must be adopted or amended for the lands affected by an Official Community Plan (OCP) within two years of the adoption or amendment of the OCP. The City was granted a one-year extension and subsequently applied for a 2-month extension from the Minister of Community Services that would require that the new zoning bylaw be adopted by May 26, 2026.

Major topics considered throughout the project include housing, parking, short-term rentals (STRs), reconciliation, city design, local food and urban agriculture, map changes, and simplification of the bylaw.

The schedule to date has been:

Introduction to Planning Committee:	October 6, 2025
1 st Reading:	October 27, 2025
1 st Public Hearing:	December 8, 2025
Public Hearing Report to Committee:	January 5, 2026
Special Council Meeting (motions passed):	February 12, 2026
Supplemental Report	March 16, 2026
2 nd Public Hearing	April 13, 2026

The proposed date for 2nd and 3rd readings is May 11, 2026.

Public hearing notifications for the 2nd public hearing were sent out in accordance with the Zoning Bylaw 2012-20, including:

- Newspaper advertisements were posted in the Yukon News on March 27, 2026 and April 3, 2026;
- Posters were displayed around the city;
- Advertisements were published on social media; and
- Email notifications were sent to Kwanlin Dün First Nation, Ta’an Kwäch’än Council, the Government of Yukon Land Management Branch, and all community associations.

Thirty-five (35) unique submissions were received, with three (3) voicing support, 18 voicing opposition, and 14 voicing concerns.

ALTERNATIVES

1. Amend the proposed Zoning Bylaw as recommended and proceed under the bylaw process; or
2. Refer the proposed Zoning Bylaw back to Administration.

ANALYSIS

The following matters were raised in the public input submissions:

1. Short-term rentals;
2. Whistle Bend South;
3. Housing;
4. Parking requirements;
5. Building heights; and
6. Other topics.

1. Short-term rentals (STRs)

Seventeen (17) public input submissions related to short-term rentals were received, with the majority of the submissions in opposition or having concerns with the proposed regulations.

There was some confusion amongst the public as to the difference between an STR and a bed and breakfast. For clarity, an STR is the rental of an entire dwelling unit for short stays, typically less than 30 days, whereas a bed and breakfast is the rental of a room or multiple rooms for short stays within a unit that the operator also resides in and who is present during the stay.

The input received for each topic is organized by categories. It is noted that the input listed reflects only the opinions of the submitters.

Support

- Support for the STR motion carried on February 12, 2026.
- Support for requiring an STR operator to obtain a business license.
- Support for inspections of STRs and gathering data on STRs.

Concerns

- Concerns that residential zoning should be for housing and not for rental businesses.
- Concerns that it is difficult to retain newcomers as they cannot find affordable housing. They often move between STRs which is far more expensive than a long-term rental as described in the 2026 Housing Needs Assessment (HNA).
- Concerns that STR operators make much more profit from operating a unit as an STR rather than a long-term rental. The proposed STR regulations will allow the continued commercialization of housing and displacement of residents when the city is in a housing crisis.
- Concerns that the HNA states that 19 per cent of households in the city are spending more than 30 per cent on housing and that the City is issuing far too few permits to meet the growing housing needs. Adoption of stricter STR regulations is one of the most effective ways to help with the affordable housing issues.
- Concerns that without strong STR regulations, housing costs will continue to rise.
- Concerns that there is a negative community impact of having an STR in a residential zone without an operator living on the property. There can be disruptive and sometimes unsafe situations with no oversight or intervention, lack of appropriate waste management, disruptions to parking and the quiet enjoyment of the neighbouring residences, and the uncertainty of fewer actual neighbours who are part of the community.
- Concerns that Housing Accelerator Funds, intended to support the development of more housing, will support housing used as STRs rather than long-term rentals or owner-occupied housing for those most in need.
- Concerns that the proposed STR regulations prioritize those who are fortunate enough to own more than one property at the expense of those struggling to find and afford housing at all.
- Concerns that some STR operators would be hurt by stricter STR regulations, and they may choose to sell their property. Housing ownership and STRs are an investment and investments do not always go up.
- Concerns that STRs will not be used as a secondary income supplement for a homeowner renting out a suite but rather, they will be operated as a commercial business without any requirement to live there.
- Concerns that requiring both a business license and a development permit for an STR is excessive. Requiring property owners to obtain another development permit for an existing building for which no changes to the building are proposed in order to operate an STR serves no purpose.
- Concerns that it will be difficult to adopt stricter STR regulations in the future if the STR regulations end up being too permissive.

Opposition

- Opposition to the primary residence requirement and the limit on the number of STRs per operator.
- Opposition to allowing STRs beyond the property where the operator lives.

- Opposition to allowing four STRs per operator when the city is in a housing crisis and basic infrastructure (roads, energy, sewer systems) are struggling to keep up.

Suggestions

- Suggestion that the primary residence requirement be reintroduced.
- Suggestion that it be required that any property owner wishing to convert their unit to an STR obtain unanimous consent from all other owners on the property. Without this clarification, condominium corporations are exposed to risk, and it may force costly amendments to their bylaws to maintain proper safeguards against STRs.
- Suggestion that STRs are a residential use.
- Suggestion that STRs in commercial zones should be regulated further. Downtown is mostly zoned as mixed-use which means there would be no limit on the number of STRs someone could operate. STRs do not provide amenities such as restaurants that build community.
- Suggestion that STRs be added to the list of exemptions in section 2.2 when the STR is operated in a residence that already obtained a development permit.
- Suggestion that service standards for processing development permit applications for existing STR operators be communicated to the public.
- Suggestion that the implementation of STR regulations be delayed for a period of time after the bylaw is adopted in order to give time for STR providers to obtain the necessary business licences and permits.
- Suggestion to consider grandfathering STRs.

Analysis

Public input reflected a range of views related to STRs. Many submissions connected STRs to housing supply and affordability issues in the city, expressing concern that the proposed regulations are too permissive given the current housing situation. Others expressed support for allowing STRs to operate with fewer restrictions.

The HNA estimates that as of 2024, there were 359 STRs operating in the city, including both entire home and private room rentals. The average daily rate of \$213 suggests renting through STRs is unaffordable on a long-term basis. The HNA also estimates that an additional 3,015 homes will be needed between 2026 and 2031 and that 84 per cent of new homes will need to be one- or two-bedroom units. The HNA illustrates the housing supply and affordability challenges faced by the city.

An analysis completed in 2024 on STRs in the Canadian housing market found that between 2017 and 2023, the number of potential long-term dwellings operating as STRs in the Yukon increased from 57 units in 2017 to 165 units in 2023. The ratio of potential long-term units operating as STRs in the Yukon represents approximately 0.9 per cent of the total housing units. The analysis showed that the number of STR units capable of serving as long-term housing is generally small in most Canadian markets.

Areas designated as Residential – Urban in the Official Community Plan are to be primarily residential in nature with limited non-residential uses that support the creation of Complete Communities per OCP policy 15.17.2. While Complete Communities policies contemplate commercial uses that serve the residents in the neighbourhood

and meet their basic needs, the use of residentially zoned lots solely for STR operations does not clearly align with this intent. STRs can operate more freely in commercial zones due to their commercial nature.

STRs are not a permitted use under the current Zoning Bylaw and therefore they cannot be considered a legal non-conforming use (sometimes informally referred to as a “grandfathered” use). A development permit will be required for STRs to ensure the operation is compliant with the STR regulations. Administration will utilize communication tools and strategies to help explain the new regulations and the compliance requirements once the new zoning bylaw is adopted.

The Maintenance Bylaw establishes the minimum standards relating to property cleanliness, noise, and maintenance in the city. If a property operating an STR is in contravention of the minimum standards described in the Maintenance Bylaw, a Designated Officer can proceed with enforcement actions.

Administrative Recommendation

No substantial changes to the STR regulations are recommended. While additional input was received through the second public hearing, it largely reflected issues and concerns already raised and considered by Council through earlier stages of the bylaw process.

The following clerical changes related to STR regulations are recommended:

- Include the Other – Agriculture (OAG) zone along with residential zones for the purpose of apply operator limits; and
- Provide clarification on how the limit on the STRs per operator in residential zones and the OAG zone is applied (one per operator in total across all lots where the operator does not reside on the lot, and up to three per operator where the operator resides on that lot).

These proposed changes are further described in text change #8 in Attachment 2: List of Changes Proposed by Administration.

Further, Administration recommends delaying coming into force of the new short-term rental regulations to October 1, 2026. This would provide time for Administration to update the Business License Bylaw, relay information to the public, and ensure smooth implementation of the new regulations. Once the STR regulations come into force, Administration will provide an amnesty period before taking enforcement action for non-compliance so STR operators have time to obtain the necessary business licence and development permits or to wrap up the operation voluntarily if they cannot comply with the STR regulations. The delayed coming into force date is shown in Attachment 1: Proposed Adopting Bylaw 2025-37.

2. Whistle Bend South

There were seven (7) public input submissions related to the Whistle Bend South area:

Concern

- Concerns that while the Future Planning OCP land use designation is often described as for future consideration, it removes the strongest existing protection

for this area, signals long-term development intent, and makes future rezonings easier and more likely.

Opposition

- Opposition to rezoning the area from PE-Environmental Protection to Other-Future Planning (OFP) due to wildlife concerns, access to nature, perceived negative impacts on Chasàn Chùà Territorial Park, and the potential noise, dust, and traffic congestion that may result from the development of this area.
- Opposition to allowing a gravel pit so close to a residential neighbourhood.

Suggestion

- Suggestion that while the OCP has identified the subject area for future planning, the OCP also outlines specific goals for environmental stewardship which would be more attainable through protection of this area.

Analysis

The Whistle Bend South area is designated as Residential – Urban in the OCP. OCP policy 15.17.9 identifies this area, along with the Holly Street area, as a replacement growth opportunity for Porter Creek D to be examined for future residential development. The proposed OFP zone aligns with the OCP.

The proposed new Zoning Bylaw would also rezone approximately 33 hectares of the Porter Creek D area from FP – Future Planning to Parks – Greenbelt Recreation (PGR). After accounting for the proposed OFP zoning of approximately 15 hectares at Whistle Bend South and 6 hectares at Holly Street, this would result in a net gain of approximately 12 hectares of PGR-zoned land in the area.

Planning is required to determine the appropriate zoning, taking into consideration OCP policies, and site feasibility work and public commentary through a master planning process. It is noted that the Whistle Bend South area is outside of the 175 m buffer zone from Chasàn Chùà/McIntyre Creek, which is recommended to support wildlife corridors. Additionally, a preliminary review of the area's development options has determined that the City trail within the Whistle Bend South area is unlikely to be impacted by a future residential development. Land would remain undeveloped under the OFP zone until such a time that the master planning is complete.

Administrative Recommendation

No changes are recommended to the proposed zoning of the Whistle Bend South area. While additional input was received through the second public hearing, it largely reflected issues and concerns already raised and considered by Council through earlier stages of the bylaw process. Further, the concerns relate to future site development. Multiple Council processes are required prior to any development in the area.

3. Housing

On February 12, 2026, a motion was carried that added a list of criteria a Development Officer must consider in order to grant an affordable housing allowance. During the 1st Public Hearing, no input was received in opposition to the proposed affordable housing allowances.

On February 12, 2026, another motion was carried that removed mobile homes as a permitted use in the proposed RCD zone and changed mobile homes from a principal use to a conditional use in the RSD zone. Similarly, during the 1st Public Hearing, no concerns were raised with the principal use of mobile homes.

There were seven (7) public input submissions related to housing:

Support

- Support for the motion carried on February 12, 2026 regarding affordable housing allowances.

Concerns

- Concerns with the motion carried on February 12, 2026 that further restricts the development of mobile homes. Mobile homes are cheap and can be developed fast. The development of mobile homes should be enabled in more zones to combat the rising cost of housing.

Suggestions

- Suggestion that there should be a regulatory pathway for the development of tiny homes.
- Suggestion to reexamine the definition of affordability to better reflect the needs of Yukoners.
- Suggestion that the automatic allowances for developments that meet the definition of affordable housing be restored.
- Suggestion to add that adequate housing is a right in the bylaw's purpose clause.
- Suggestion to commit to annual reporting on affordable housing and STRs.
- Suggestion to add "standards that support an attractive streetscape and encourage a sense of community" to the purpose statement for the Residential – Standard Development (RSD) zone.

Analysis

OCP policy 9.1 states that the City will encourage the construction of a variety of housing types across the city that reflect the housing continuum. OCP policies 9.4 and 9.5 support opportunities for affordable residential development and states that affordable housing opportunities should be integrated into all neighbourhoods. The HNA also highlights the need for more affordable housing in the city.

Enabling mobile homes as a principal use in more zones, specifically the RCD and RSD zones, and restoring the automatic affordable housing allowances when a development meets the definition of "affordable housing development" could result in more affordable housing which is suggested in the OCP. It is noted that tiny homes are captured under the definition of "housing (single detached)" and are permitted in the zones where that housing type is allowed, however it is challenging for tiny home developments to meet building code requirements.

Administration acknowledges that the definition of "affordable housing", meaning housing for which shelter cost does not exceed 30 per cent of income for households earning 80 per cent of median income in the city, represents a baseline affordability threshold and does not reflect the level of affordability required by many households.

The 80 per cent target is intended as the minimum level of affordability required to qualify for an allowance; however, the definition also enables projects that provide deeper levels of affordability to qualify for the affordable housing allowance.

The Zoning Bylaw has a broad purpose statement with wording that is consistent with the *Municipal Act*, its enabling legislation. A statement declaring access to housing as a human right is stated in Section 9 of the OCP. The purpose statement of the RSD zone does not include the same purpose statement as the RCD zone because the RCD zone includes comprehensive design standards, such as requirements for an attractive building façade and front entry requirements.

Once STR regulations are adopted, Administration will communicate the requirements to the public and develop systems and forms for applications. Reporting on the number of STRs, as well as the number of affordable housing units, is possible in the future however the City does not have that data at this time.

Administrative Recommendation

Given that no input was received at the 1st Public Hearing in support of changes that resulted from these two motions, Administration recommends the following in order to increase affordable housing options in the city:

- That the only criteria for granting an affordable housing allowance be that the project meets the definition of “affordable housing development”, as originally proposed; and
- That ‘housing (mobile home)’ be added as a principal use in the proposed RCD zone and changed from a conditional use to a principal use in the proposed RSD zone, as originally proposed, and that any special modifications applicable to mobile homes be revised so that they are not more restrictive than the standard regulations of the applicable zone.

These changes are further described in text changes #2-4 and 9-17, and map changes #M2 and M3 in Attachment 2.

4. Parking requirements

There were five (5) public input submissions related to parking requirements:

Support

- Support for the proposed parking requirement increase in the Urban Core to 1 space per unit.

Concerns

- Concerns with the proposed increased parking requirements in the Downtown from what was initially proposed as it is the one location where people can live and not be dependent on vehicles.
- Concerns with the parking requirement of 0.75 spaces per unit in Urban Centres as it will force people to park on the street which causes street congestion and hinders snow removal.
- Concerns with no parking requirement for suites or visitor parking.

Opposition

- Opposition to the reduced parking requirements for affordable housing in Section 2.14 as people living in affordable housing also require parking.
- Opposition to the parking requirement of 1 space per 2 units in the Residential-Old Town (ROL) zone. The parking requirement for the ROL zone should be increased to 1 space per unit or at the least 0.75 spaces per unit in alignment with the parking requirements in the Urban Core or Urban Centres.

Suggestions

- Suggestion to return to no parking requirements for residential uses in the Downtown, as initially proposed.

Analysis

OCP Policy 8.35 states that in order to facilitate the intensification of uses Downtown, the City will consider the reduction of parking requirements for developments near active transportation and transit routes. Policies 8.20 and 8.21 further state that Urban Centres are most suitable for higher density residential uses outside of the Downtown and Urban Core as these areas are serviced by public transit and active transportation networks. Reduced parking requirements in the Downtown and Urban Centres would make more land available for other uses.

In the proposed ROL zone, which will replace the RD-Residential Downtown zone, the parking calculation is one space per two dwelling units. Under the current Zoning Bylaw 2012-20, the parking requirement for the RD zone is one space per two dwelling units however one small difference is that this calculation only applies to multiple housing (three or more dwelling units). Therefore, the parking calculation for the proposed ROL zone is largely the same as the current calculation, except that for two dwelling units, only one parking space would be required as opposed to two.

Both the OCP and the Transportation Master Plan encourage a shift towards active and shared transportation modes. OCP policy 11.2 outlines a hierarchy of transportation modes listing personal vehicles at the bottom. Reducing the need for personal vehicle use is supported by the OCP.

Through the approval of the 2026-2029 Capital Budget, the City will update the Downtown Parking Management Plan. Parking availability in the Downtown will be studied, and the plan may recommend revisions to the downtown parking requirements in the Zoning Bylaw.

Administrative Recommendation

No changes recommended to the parking requirements. While additional input was received through the second public hearing, it largely reflected issues and concerns already raised and considered by Council through earlier stages of the bylaw process.

5. Building heights

There were four (4) public input submissions related to building heights:

Support

- Support for the building height increases on the west side of 6th Avenue.
- Support for the motion carried on February 12, 2026 related to building heights.

Concern

- Concerns with the building height reductions as the city needs more housing so we must build up. The Downtown is the most sensible place to densify and ensure a vibrant downtown core is maintained for decades to come.

Suggestions

- Suggestion that the building height reductions be reconsidered. Taller buildings in these specific, transit-adjacent zones are one of the most practical tools available for adding supply at the scale the HNA says is needed.
- Suggestion to restore the building heights, as originally proposed, in the Residential – Multi-Unit High Density (RMH), Commercial – Neighbourhood Node (CNN), and Commercial – Neighbourhood High Street (CNH) zones to support higher density near transit routes and in Urban Centres.

Analysis

OCP policy 8.21 states that Urban Centres and the areas immediately surrounding them are most suitable for higher density residential uses, outside of the Downtown and the Urban Core. It is noted that the proposed building heights were not reduced in the Downtown. The proposed RMH zone is found for the most part along major roads and transit routes outside of the Downtown. The proposed CNN zone is found mostly within or near the Urban Centres and the proposed CNH zone can be found along Keno Way in the Whistle Bend Urban Centre. The OCP supports increases in building heights in the RMH, CNN, and CNH zones.

Furthermore, the HNA projects that under a preferred projection, 9,720 dwelling units are needed by 2041, which is significantly higher than the current average of 389 dwelling units constructed per year. It is estimated that the majority of housing units needed will be one- or two-bedroom units. The RMH, CNN, and CNH zones are likely to provide the housing unit sizes required due to the housing types they allow as principal uses. With the motion carried on February 12, 2026 that reduced the proposed maximum building heights in these zones, it will be more challenging to fulfill the current and projected housing needs in the city.

Administrative Recommendation

No changes to building height regulations are recommended. While additional input was received through the second public hearing, it largely reflected issues and concerns already raised and considered by Council through earlier stages of the bylaw process.

6. Other topics

Public input submissions were received related to the following other topics: lighting, bees/apiaries, and the development regulations in the CNH zone.

Lighting

One submission was supportive of the motion carried on February 12, 2026 related to outdoor lighting however there is concern that the lighting regulations will not be enforced.

Bees/Apiaries

One submission raised concerns that beehives are currently only permitted in country residential areas and that beehives should be allowed in urban residential areas.

The proposed Zoning Bylaw allows apiculture in zones that permit minor or major agriculture as a use which are the Residential - Country 1 (RC1) and Residential - Country 2 (RC2) zones. If authorization of apiculture is expanded to other areas of the city or a permitting system is warranted in the future, the Animal Control Bylaw is the most appropriate bylaw to implement it.

138 Keno Way

Two submissions requested that “recreation (indoor)” be allowed as a principal use in the proposed CNH zone on the ground floor, specifically at 138 Keno Way.

The proposed Zoning Bylaw section 6.14(6)(g) only permits recreation (indoor) uses above the ground floor in the CNH zone. The current Zoning Bylaw 2012-20 also only permits this use above the ground floor in the CNC2-Comprehensive Neighbourhood Commercial 2 zone. The CNH zone is intended to provide street fronting convenience, retail commercial, and personal service uses to meet the day-to-day needs of residents in the surrounding neighbourhood.

Administrative Recommendation

Administration recommends that the development regulations for the proposed CNH zone be changed to remove ‘recreation (indoor)’ from the uses not allowed on the ground floor. This would apply to all lots in the CNH zone. This proposed change is further described in change #8 in Attachment 2.

Amendments proposed by Administration

In addition to the proposed amendments summarized in this report, Administration proposes the following changes:

- Broaden the definition of “affordable housing development” to include other crown corporations or federal agencies involved in the provision of affordable housing as funding agencies;
- Change 2.5 lux to 2.0 lux in section 4.27(1) due to a clerical error;
- Fix formatting and spacing inconsistencies;
- Correct spelling errors; and
- Ensure correct alphabetical order and numbering of lists.

- Withdraw the proposed mapping change that would have swapped the residential and park zoning between two parcels in Whistle Bend Phases 9 and 10. Instead, apply the standard zone conversion table to each parcel. One of these parcels is being addressed separately through proposed Bylaw 2026-14 (currently in progress).

These proposed changes are further described in text changes #1, 5-7, and 18-23, and map change #M1 in Attachment 2.

ADMINISTRATIVE RECOMMENDATION

THAT Council direct that the proposed Zoning Bylaw 2025-37 be amended in accordance with the administrative recommendations detailed in Attachment 2 of the Administrative Report dated May 4, 2026; and

THAT Council direct that Bylaw 2025-37, a bylaw to adopt Zoning Bylaw 2025-37 and repeal and replace Zoning Bylaw 2012-20, be amended by setting the coming into force date for the definitions and regulations relating to short-term rentals to be October 1, 2026; and

THAT Council direct that Bylaw 2025-37, a bylaw to adopt Zoning Bylaw 2025-37 and repeal and replace Zoning Bylaw 2012-20, be brought forward at second and third reading under the bylaw process.

CITY OF WHITEHORSE

BYLAW 2025-37

PLACEHOLDER

For the purposes of this meeting package only, the document proposed to be adopted by Bylaw 2025-37 can be found at the web link below.

https://www.whitehorse.ca/wp-content/uploads/2026/04/501a-2025-37-Proposed-Zoning-Bylaw_w-proposed-amendments-after-2nd-PH-changes-tracked.pdf

Should you require assistance with accessing any version of the document or clarity on the Bylaw process, please do not hesitate to send an email to Legislative Services at legsvcs@whitehorse.ca.

CITY OF WHITEHORSE

BYLAW 2025-37

A bylaw to provide zoning to regulate the use and development of land and buildings in the City of Whitehorse.

WHEREAS the City of Whitehorse has adopted an Official Community Plan pursuant to Section 278 the *Municipal Act* (SY 2024, c.6); and

WHEREAS section 288 of the *Municipal Act* provides that a council must adopt a zoning bylaw that is consistent with the Official Community Plan; and

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 344 of the *Municipal Act* provides that a council may by bylaw provide that in default of payment, an outstanding amount owing may be charged against the real property in respect of which a service was provided or expenditure was made, and that it may be recovered in the same manner as a tax may be collected or enforced under the *Act*; and that a council may by bylaw provide for charging against real property fines that have not been paid as required by the court;

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

Adoption

1. The document titled “City of Whitehorse Zoning Bylaw 2025-37”, identified by title and forming part of this bylaw, is hereby adopted.

Repeal of Existing Legislation

2. Bylaw 2012-20, including all amendments thereto, is hereby repealed.

Coming Into Force

3. This bylaw shall come into full force and effect upon final passage hereof, except that the definitions of “Short-Term Rental” and “Short-Term Rental Operator” in Section 3.1 (1), the specific use regulations for Short-Term Rentals in Section 5.22, and the listing of Short-Term Rentals as a permitted use in the applicable zone regulations in Part 6 shall come into full force and effect on October 1, 2026.

FIRST READING:

PUBLIC NOTICE:

PUBLIC HEARING:

SECOND READING:

THIRD READING and ADOPTION:

Kirk Cameron, Mayor

Corporate Services

ATTACHMENT 2: LIST OF PROPOSED CHANGES

Proposed Zoning Bylaw 2025-37

Text Changes

Change #	Section	Current Text (as at March 23)	Proposed Text	Description of Change
1	1.20(1)(b)(vi)	(vi)proof of approval of the proposed on-site waster system...	vi)proof of approval of the proposed on-site water system...	change waster to water
2	2.14(1)	(1)The Development Officer may grant: (a)an allowance of up to 10% of any measurable standard beyond the requirements of this Bylaw; or (b)a greater allowance in accordance with Table 4: Allowances for Affordable Housing for an affordable housing development.	(1)The Development Officer may grant an allowance of up to 10% of any measurable standard beyond the requirements of this Bylaw.	separate the affordable housing allowances so they are not subject to the same criteria as for a 'regular' allowance.
3	2.14(4)	n/a	(4)Notwithstanding subsection (1), the Development Officer may grant a greater allowance in accordance with Table 4: Allowances for Affordable Housing for an affordable housing development.	separate the affordable housing allowances so they are not subject to the same criteria as for a 'regular' allowance.
4	Table 4: Allowances for Affordable Housing			Move position of Table 4 from immediately following subsection 2.14(1) to immediately following subsection 2.14(4). No change to text within the table itself.
5	3.1(1)	b)Funding agency means a housing agency, the Canada Mortgage and Housing Corporation as established by the Canada Mortgage and Housing Corporation Act, and/or the Federation of Canadian Municipalities.	b)Funding agency means a housing agency, the Canada Mortgage and Housing Corporation as established by the Canada Mortgage and Housing Corporation Act, the Federation of Canadian Municipalities, and/or another crown corporation or federal agency involved in the provision of affordable housing.	broaden the meaning of funding agency within the definition of 'affordable housing development' to include other crown corporations or federal agencies involved in the provision of affordable housing
6	4.27(1)	...Light trespass, measured at the lot line on the vertical or horizontal plane, shall not exceed 2.5 lux in commercial or industrial zones, or 0.5 lux in other zones.	...Light trespass, measured at the lot line on the vertical or horizontal plane, shall not exceed 2.0 lux in commercial or industrial zones, or 0.5 lux in other zones.	Change trespass limit for commercial or industrial zones from 2.5 lux to 2.0 lux.
7	5.19(3)	(3)The lot line of a Retail (Cannabis) operation may not be within 100 metres of a: (a)lot in the PAR zone that includes a play structure, or (b)another retail (cannabis) development.	(3)The lot line of a Retail (Cannabis) operation may not be within 100 m of: (a)a lot in the PAR zone that includes a play structure, or (b)another retail (cannabis) development.	revise position of 'a' for proper sentence structure
8	5.22(3)	(3)In residential zones: (a)An operator may operate one short-term rental on a lot in a residential zone that does not contain the operator's primary residence; (b)An operator may operate up to three short-term rentals on a lot in a residential zone that contains the operator's primary residence; (c)the total number of short-term rentals allowed per operator in a residential zone is four.	(3)In residential zones and the OAG zone: (a)a short-term rental operator may operate one short-term rental in total across all lots in residential zones or the OAG zone where the lot does not contain the operator's primary residence; and (b)a short-term rental operator may operate up to three short-term rentals on a lot that contains the operator's primary residence.	1. Group OAG Other- Agriculture zone with residential zones for the purpose of setting operator limits 2. Refine how limit of one non-primary-residence STR is phrased for better clarity. 3. Remove subsection (c) as it is redundant 4. Use the full defined term 'short-term rental operator' the first time 'operator' is referenced in each subsection

Change #	Section	Current Text (as at March 23)	Proposed Text	Description of Change
9	6.2(7)(a)	(a) Lot 1511, Plan 76967 LTO YT, located at 9 Gibbons Place, is designated RC2x(a) with the special modifications being: i) housing (mobile home) is not a permitted principal use; ii) home-based business (level two) is a secondary use and not a conditional use; iii) a home-based business may operate in an accessory structure up to 180 m ² gross floor area; iv) screening is not required for outside storage associated with a home-based business; v) the maximum number of commercial vehicles and trailers associated with a home-based business does not apply; vi) any fuel storage associated with a home-based business shall not be located within 30 metres of the Porter Creek ordinary high water mark. Fuel storage shall be subject to the requirements of the regulating authorities.	(a) Lot 1511, Plan 76967 LTO YT, located at 9 Gibbons Place, is designated RC2x(a) with the special modifications being: i) home-based business (level two) is a secondary use and not a conditional use; ii) a home-based business may operate in an accessory structure up to 180 m ² gross floor area; iii) screening is not required for outside storage associated with a home-based business; iv) the maximum number of commercial vehicles and trailers associated with a home-based business does not apply; v) any fuel storage associated with a home-based business shall not be located within 30 m of the Porter Creek ordinary high water mark. Fuel storage shall be subject to the requirements of the regulating authorities.	removed subsection 6.2(7)(a)i) and renumbered the remaining subsections.
10	6.2(7)(b)	(b) Lots on a portion of Wickstrom Road, a portion of Alusru Way, and in various portions of Porter Creek, as shown in the Zoning Maps, are designated RC2x(b) with the special modification being: i) housing (mobile home) is not a permitted principal use.	n/a [delete]	remove this special modification
11	6.4(2)			add housing (mobile home) as a principal use
12	6.4.5(a)	minimum lot width for housing (single detached) (duplex – one-lot) (multiplex) is 11.0 m, except 10.0 m where there is rear lane access	minimum lot width for housing (single detached) (duplex – one-lot) (multiplex) (mobile home) is 11.0 m, except 10.0 m where there is rear lane access	add housing (mobile home) to development regulations
13	6.4.5(c)	minimum lot area for housing (single detached) (duplex – one-lot) (multiplex) is 320 m ²	minimum lot area for housing (single detached) (duplex – one-lot) (multiplex) (mobile home) is 320 m ²	add housing (mobile home) to development regulations
14	6.4.6(a)	maximum dwellings per lot for housing (single detached) (duplex – one-lot) (multiplex) is 4 dwelling units, of which up to 2 dwelling units may be suites (living and/or garden)	maximum dwellings per lot for housing (single detached) (duplex – one-lot) (multiplex) (mobile home) is 4 dwelling units, of which up to 2 dwelling units may be suites (living and/or garden)	add housing (mobile home) to maximum dwellings regulation
15	6.4.6(c)	n/a	housing (mobile home) shall: i) not be placed on the site if the unit is more than ten years old; ii) be placed on permanent foundations that are designed and installed in accordance with the City of Whitehorse Building and Plumbing Bylaw; and iii) have continuous skirting that is complementary to the siding of the mobile home.	provide additional standards for mobile homes
16	6.5			add housing (mobile home) as a principal use and remove housing (mobile home) as a conditional use.
17	6.5(7)(g)	A portion of Lot 1608, Plan 2003-0228 LTO YT, as shown in the Zoning Maps, located at 1805 Birch Street, is designated RSDx(g) with the special modification being: (i) housing (mobile home) is a principal use and not a conditional use.	n/a [delete]	remove this special modification
18	6.9(3)(g)			remove blank subsection (g)
19	6.11 and 6.12			fix formatting in design guidelines in CMD and CMR zones (inconsistent indentation)

Change #	Section	Current Text (as at March 23)	Proposed Text	Description of Change
20	6.14(6)(g)	(g)Housing, office, and recreation (indoor) uses are only allowed above the ground floor.	(g)Housing and office uses are only allowed above the ground floor.	remove recreation (indoor) from uses not allowed on the ground floor in the CNH zone
21	throughout			changes to ensure lists of uses in each zone are properly alphabetized
22	throughout			changes to ensure list numbering/lettering is correctly sequential
23	throughout			abbreviate metres to m

Map changes on next page...

Map Changes

M1. Whistle Bend Swap

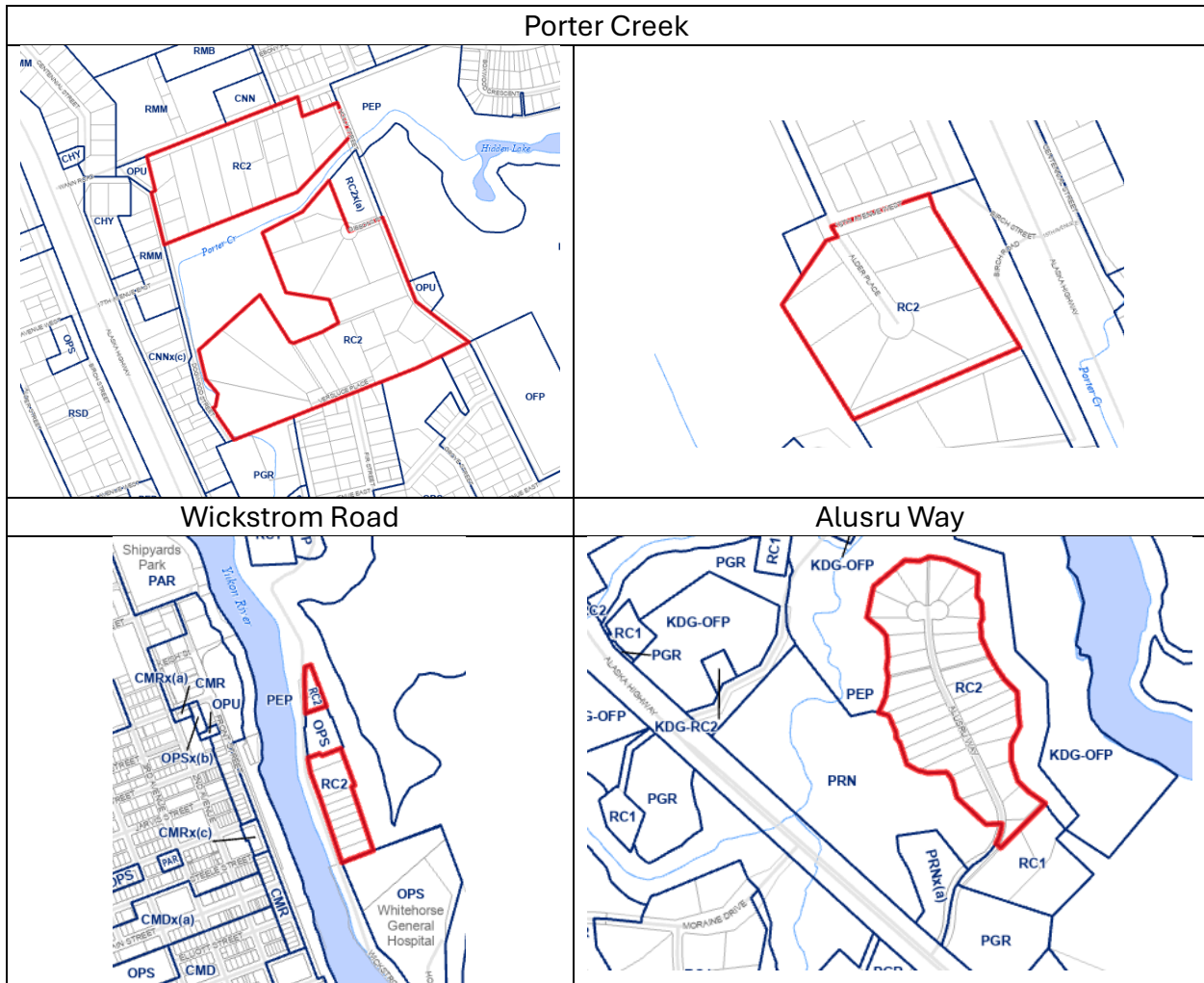


	West area	East area
Current Zoning (2012-20)	PR (Parks and Recreation)	RCM (Comprehensive Residential Multiple Family)
Originally proposed for new Zoning Bylaw 2025-37	RMM (Residential - Multi-Unit Medium Density)	PAR (Parks - Active Recreation)
Revised proposed zoning:	PAR (Parks - Active Recreation)	RMM (Residential - Multi-Unit Medium Density)

Description of change: Withdraw the originally-proposed swap of the zoning for these two parcels. A separate decision is forthcoming for the zoning of the ‘west area’ shown in the map above, as part of the rezoning for Whistle Bend phases 10 and 11 (proceeding under proposed bylaw 2026-14).

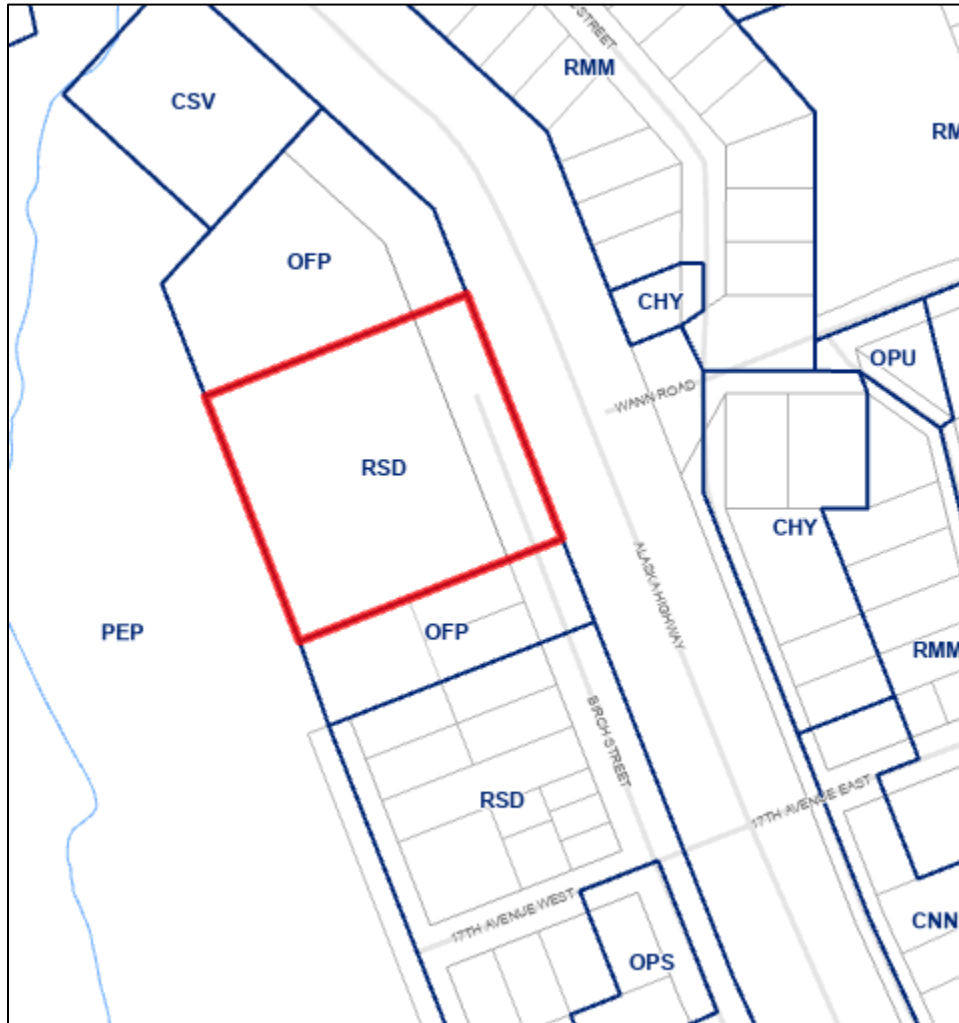
This is a map change only; there is no corresponding text change.

M2. RC2x zones that restricted mobile homes



Description of change: Remove the special modification for these RC2-zoned areas that had a special modification restricting mobile homes, to correspond with text change #10.

M3. RSDx zone that allowed mobile homes



Description of change: Remove the special modification for this RSD zoned area that had a special modification allowing mobile homes as a principal use, to correspond with text change #17.