



City of Whitehorse

2121 - 2nd Avenue, Whitehorse, Yukon Y1A 1C2 Bus: (867) 667-6401 Fax: (867) 668-8398

Dear Prospective Owner:

The City of Whitehorse is pleased to provide information to prospective landowners for Residential lots being released for sale in the Whistle Bend neighbourhood. The lots in this sale are zoned **RCS3-Comprehensive Residential Single Family 3**. This zoning provides for single detached housing on urban lots with a broad range of residential related uses.

In addition to location sketches, the package includes the following relevant regulations from Zoning Bylaw 2012-20:

- RCS3, which includes the purpose statement, a list of principal, secondary, and conditional uses, as well as development and other regulations;
- Comprehensive Development Zones;
- Garden Suites;
- Home-based Businesses (Major and Minor); and
- Living Suites.

Additional information and development regulations can be found on our website, www.whitehorse.ca/development.

Please ensure that all development, building and plumbing permits are issued prior to any site development or construction. Questions directly related to the permitting and inspection process can be directed to the Building Inspection office at 668-8340. For additional information contact development@whitehorse.ca or a Development Officer at 668-8346.

Sincerely,

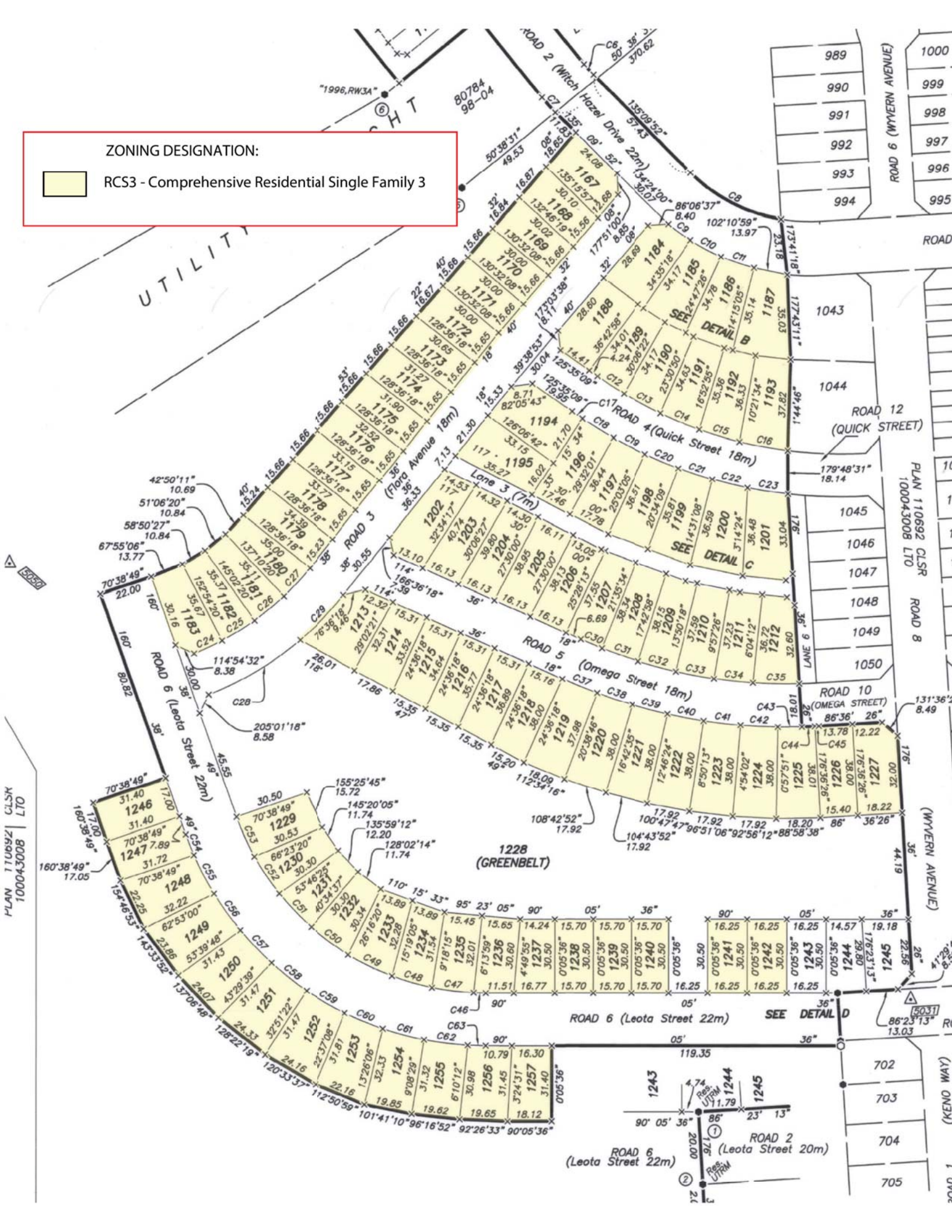
CITY OF WHITEHORSE

Cathy Dyson
Land Development Supervisor, Land and Building Services

ZONING DESIGNATION:



RCS3 - Comprehensive Residential Single Family 3



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- 9.8 RCS3 Comprehensive Residential Single Family 3**
- 9.8.1 Purpose
To provide a zone for single detached housing on urban lots with a broad range of residential related uses.
- 9.8.2 Principal Uses
- a) community gardens and greenhouses
 - b) housing: single detached, duplex, residential care homes
 - c) parks
- 9.8.3 Secondary Uses
- a) accessory building/structures
 - b) bed and breakfast lodging (two rooms)
 - c) family day homes
 - d) garden suites
 - e) home based businesses, minor
 - f) living suites
- 9.8.4 Conditional Uses
- a) child care centres
 - b) home based businesses, major
 - c) housing: supportive
- 9.8.5 Development Regulations
- a) the minimum lot width is 15.0 m.
 - b) the minimum lot area for single detached housing is 400 m²
 - c) the minimum aggregate lot area for duplex housing is 675 m².
 - d) the maximum site coverage is 35%.
 - e) the maximum height is 10.0 m.
 - f) the minimum front yard setback is 4.0 m and the maximum front yard setback is 8.0 m. (*Bylaw 2019-07 passed March 25, 2019*)
 - g) the minimum side yard setback is 1.5 m except in the case of a side-by-side duplex on separate adjacent lots, where one side yard setback may be reduced to zero. (*Bylaw 2019-07 passed March 25, 2019*)
 - h) the minimum corner lot setback is 4.0 m from each street, 8.0 m maximum from one street, and 1.5 m from all other sides. (*Bylaw 2019-07 passed March 25, 2019*)
 - i) the minimum rear yard setback for a principal dwelling is 3.0 m.

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9.8.6

Other Regulations

- a) Development in this zone is subject to the general and access regulations set out in section 6.4.
- b) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of section 5 (accessory development, site design, yards, etc.); the specific use regulations of section 6 (bed and breakfast lodging, home based businesses, etc.); the parking regulations of section 7; and the sign regulations of section 8.

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6.3.5 Within industrial zones, caretaker residences are only permitted where the nature of the business requires 24-hour on-site supervision and a resident caretaker is in the public interest. A caretaker residence shall not interfere with the industrial nature of the area. An applicant must demonstrate that the location, type of use, and nature of business activity warrant supervision from a public safety or service perspective.

6.3.6 Where caretaker residences are permitted, only one caretaker residence will be permitted per lot. Lots held under condominium ownership are not permitted multiple caretaker residences.

6.4 Comprehensive Development Zones

Access

- 6.4.1
- a) Where a residential development abuts a lane, there shall be no vehicular access from the front of the lot and no parking or vehicle storage in the front yard. In the case of multiple housing developments that are accessed by an internal road network, access may be permitted from the front or side of the lot. (*Bylaw 2021-14 passed April 13, 2021*)
 - b) Where there is no lane access, front yard garages are permitted, provided that no portion of the garage protrudes past the front face of the building's first storey and any portion of the building above the garage more than 50% of the garage's interior depth. (*Bylaw 2015-13 passed May 25, 2015*)
 - c) For single storey construction, the garage may protrude an additional 2.0 m beyond 50% of the interior depth (subject to section 6.4.5 b). (*Bylaw 2015-13 passed May 25, 2015*)
 - d) For multiple housing, the lot shall be accessed by internal roads and parking will be located at the side or rear of the lot and screened from view by fencing, buildings, or vegetation. (*Bylaw 2015-13 passed May 25, 2015*)
 - e) For multiple family lots under 1700 m², where the front lot line is narrower than the rear lot line, parking may be located elsewhere on the lot, with provision for screening. (*Bylaw 2015-13 passed May 25, 2015*)

Building Facades

- 6.4.2 Materials and Colour
- a) All buildings shall use a minimum of two types of building materials or two colours of the same material in the façade treatment, at a minimum ratio of 80:20. This ratio does not include doors, windows, or garage doors, but should include window and door trim and decorative gable ends.
 - b) Acceptable façade materials are brick, stone, stucco, wood, composite wood, composite cement, vinyl and metal panel.

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- c) Material transitions on building façades are required as follows:
 - (1) Trims must be installed;
 - (2) Trim colour must be different than that of siding;
 - (3) Trims around windows, doors and other wall penetrations must be a minimum width of 140mm (5.5");
 - (4) Fascia trims must be a minimum of 184 mm (7.25") in width; (*Bylaw 2013-20 passed July 8, 2013*);
 - (5) Horizontal trims are encouraged between floors and to highlight specific building features and forms.
- d) Buildings must use a siding colour significantly different in colour hue and/or colour value from those on the two adjacent lots facing the same street. Proposed building colour must be included in the application for development permit and will be approved by the Development Officer.
- e) Where additional design features, building articulations, glazing, and/or other façade improvements have been proposed, the regulations in section 6.4.2 may be relaxed at the discretion of the Development Officer. (*Bylaw 2016-07 passed March 29, 2016*)

General

- 6.4.3 A development permit is required for the removal of any on-site vegetation or site contouring. A site plan identifying both the proposed building footprint and the area to be cleared shall accompany the development permit application.

Porches

- 6.4.4
 - a) A porch, patio, deck, or covered entry shall occupy no less than 25% of the building front. The building front is defined as the portion of the building fronting onto a public street. Corner lots shall have a porch, patio, deck, or covered entry that occupies either 25% of one building front or 15% of each building front. (*Bylaw 2018-18 passed May 7, 2018*)
 - b) For a single storey house with a protruding garage that is incorporating the design criteria noted in section 6.4.1 c), a porch must extend across the full frontage of the building, excluding the garage face. (*Bylaw 2015-13 passed May 25, 2015*)
 - c) Porches, patios, decks, or covered entries required by this section are to extend a minimum 2.0 m from the adjacent front building facade. Refer also to General Development Regulations, section 5.6.6, Projections in to Yards. (*Bylaw 2015-13 passed May 25, 2015*)

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6.7 Garden Suites

- 6.7.1 Garden suites, when permitted, shall:
- a) be separate from the principal dwelling;
 - b) have a maximum gross floor area of 100 m², including basement floor area, except that in the RC1 zone the maximum gross floor area is 150 m²;
 - c) have a maximum height of 7.0 m in urban residential areas and 8.0 m in country residential and agriculture areas. (*Bylaw 2021-14 passed April 13, 2021*)
 - d) be located in the rear yard, except in RC1 and RC2 zones where they may also be located in the front and side yards;
 - e) provide private or shared amenity areas equal to 10% of the net rentable area of the garden suite;
 - f) be limited to one suite per lot;
 - g) have a minimum setback of 3.0 m from the principal building; and
 - h) be limited to 60 m² gross floor area when located on the second storey of an accessory building in urban residential areas.
- 6.7.2 Where the principal use is a single detached dwelling, the minimum allowable lot size for a garden suite is 555 m². The minimum lot area may be reduced if there is lane access. (*Bylaw 2016-07 passed March 29, 2016*)
- 6.7.3 Where the principal use is a side-by-side duplex on separate, adjacent lots, the minimum allowable lot size for a garden suite is 555 m². (*Bylaw 2018-12 passed April 9, 2018*)
- 6.7.4 Garden suites shall be designed, sited, constructed, finished, and sided in a manner that is visually compatible, in the opinion of the Development Officer, with the residential character of the principal residence. Mobile homes will only be permitted as garden suites in the RC1 and RC2 zones.
- 6.7.5 Garden suites are subject to the development regulations applicable to principal uses in each zone (i.e. buildings are not to be regulated as an accessory building/structure). However, in no case shall the side yard setback for a garden suite be 0 m. (*Bylaw 2016-07 passed March 29, 2016*)
- 6.7.6 Notwithstanding section 6.7.5, in urban residential zones a Development Officer may relax one side yard setback to 0.6 m for garden suites under 4.5 m in height, provided that:
- a) building entryways and doorways are prohibited on the side of the building facing the reduced side yard setback;
 - b) windows are placed so as to minimize overlook onto adjacent properties; and
 - c) the development complies with any other additional provisions a Development Officer deems necessary to preserve the privacy of adjacent properties.

(*Section 6.7.6 added by Bylaw 2015-01 passed March 23, 2015*)

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- 6.7.7 Notwithstanding section 6.7.5, the minimum rear yard setback for garden suites with lane access is 0.6 m. The rear yard setback for garden suites without lane access may also be reduced to 0.6 m, at the discretion of the Development Officer, if the rear lot line is adjacent to a public right-of-way or undeveloped or publicly owned land such as greenbelt, parks, schools, etc. (*Bylaw 2016-07 passed March 29, 2016*)
- 6.7.8 Garden suites shall not be permitted where a living suite is established unless otherwise specified in this bylaw.
- 6.7.9 Garden suites shall have unobstructed pedestrian access to a street frontage to the satisfaction of a Development Officer. (*Bylaw 2014-17 passed May 26, 2014*)
- 6.7.10 Garden suites shall only be permitted where the principal use is single detached housing or a side-by-side duplex on separate, adjacent lots. This regulation does not apply to the RD–Residential Downtown zone. (*Bylaw 2018-12 passed April 9, 2018*)
- 6.7.11 Garden suites must be maintained on the same parcel as the principal structure. (*Bylaw 2013-20 passed July 8, 2013*)

6.8 Home-based Businesses

- 6.8.1 All home-based businesses shall comply with the following:
- a) no variation from the residential character and appearance of land or buildings shall be permitted;
 - b) no exterior storage or operation of the home-based business shall be permitted unless otherwise specified in this bylaw; (*Bylaw 2019-07 passed March 25, 2019*)
 - c) no offensive noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance shall be produced by the home-based business. At all times, the privacy and enjoyment of adjacent dwellings shall be preserved, and the home-based business shall not adversely affect the amenities of the neighbourhood; and
 - d) the home-based business shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the neighbourhood within which it is located.

(*Bylaw 2015-01 passed March 23, 2015*)

- 6.8.2 Businesses that are likely to adversely affect the amenity of the neighbourhood, or that make use of municipal services in excess of what is characteristic of a residential use, shall not be permitted as home-based businesses. Such businesses include, but are not limited to: commercial entertainment or recreation; motor vehicle sales, service and repair, rental, or painting; dispatch services for auto oriented services; fleet services; laundry services; welding and metal works; salvaging and recycling; businesses using large power tools and machinery, and/or requiring venting, blowers, or exhaust ports; brewing or distilling. (*Bylaw 2015-01 passed March 23, 2015*)
- 6.8.3 Not more than one commercial vehicle shall be used in conjunction with the home-based business unless otherwise specified in this bylaw. Such vehicle shall have a gross vehicle weight rating of no more than 7,257 kg and shall be parked or maintained on the site of a home-based business. (*Bylaw 2019-07 passed March 25, 2019*)

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6.8.4 The maximum number of home-based businesses in one dwelling unit is two. The maximum number of major home-based businesses in one dwelling unit is one. Provisions in this bylaw do not accumulate when there is more than one home-based business per dwelling unit. *(Bylaw 2015-01 passed March 23, 2015)*

6.8.5 The operator of a home-based business may attach one non-illuminated fascia sign advertising the business to the principal building, to a maximum size of 0.37 m² (4 ft²). In the case of a country residential zone, the sign may be placed at the entrance to the driveway. *(Bylaw 2015-01 passed March 23, 2015)*

6.9 Home-based Businesses, Major

6.9.1 In addition to the general provisions for home-based businesses in section 6.8, all major home-based businesses shall comply with the following:

- a) a major home-based business shall be conducted only within a principal building, attached garage or one detached accessory building. If the major home-based business is being operated in an attached garage or detached accessory building, the net floor area of the home-based business use within the garage or building shall be no larger than 50 m²;
- b) a major home-based business is not permitted in a multiple housing unit;
- c) a major home-based business shall not normally generate more than two clients to the site at any given time;
- d) no more than one person other than residents of the dwelling shall be engaged on-site in the major home-based business;
- e) the home-based business shall not occupy a required residential parking space as required under section 7 of this bylaw. One additional parking space shall be dedicated for the major home-based business;
- f) no retail sales shall be permitted in a major home-based business, except for sales incidental to the main activity of a major home-based business;
- g) a major home-based business shall not involve the sale or display of any goods on the site other than those goods constituting the finished principal product of the home-based business;
- h) notwithstanding section 6.8.3, the vehicle associated with a major home-based business in a Country Residential zone may exceed the gross vehicle weight rating of 7,257 kg.
- i) notwithstanding section 6.8.1 b), minimal exterior storage is permitted for major home-based businesses in Country Residential zones, provided the materials being stored are screened from view, meet all setback requirements, and are limited to the interior side or rear yard. *(Bylaw 2019-07 passed March 25, 2019)*

(Bylaw 2015-01 passed March 23, 2015) (Bylaw 2016-07 passed March 29, 2016)

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6.10 Home-based Businesses, Minor

6.10.1 In addition to the general provisions for home-based businesses in section 6.8, all minor home-based businesses shall comply with the following:

- a) a minor home-based business shall be conducted only within a principal building and may not be operated from an attached garage or accessory building. An accessory building or attached garage may be used only for minimal storage purposes for the business;
- b) a minor home-based business is permitted as a secondary use in a multiple housing unit;
- c) a minor home-based business shall not normally generate more than one client to the site at any given time;
- d) no person other than residents of the dwelling shall be engaged on-site in the minor home-based business;
- e) the home-based business shall not occupy a residential parking space as required under section 7 of this bylaw; and
- f) no retail sales shall be permitted in a minor home-based business.

(Section 6.10 added by Bylaw 2015-01 passed March 23, 2015 with remaining sections renumbered and amended again by Bylaw 2016-07 passed March 29, 2016)

6.11 Hotels and Motels

6.11.1 At least one accessible sleeping unit shall be provided for each 20 units in a hotel or motel development. The design of accessible units shall be done by a design professional, with accessible features included that are appropriate for the targeted end user. The Development Officer has the discretion to accept, recommend or amend the included features. *(Bylaw 2013-20 passed July 8, 2013)*

6.12 Land Treatment Facilities

6.12.1 With every application for a development permit for a Land Treatment Facility, the owner/operator of the proposed facility shall include a copy of the Land Treatment Facility Plan that has been approved by the Environmental Protection and Assessment Branch of the Yukon Territorial Government.

6.13 Living Suites

6.13.1 Living suites must conform to the following regulations:

- a) living suites may not exceed more than 100 m² gross floor area, including basement floor area;
- b) living suites are only permitted in a single detached house unless otherwise specified in this bylaw; and
- c) only one living suite shall be permitted in a single detached house.

6.13.2 Living suites shall not be permitted where a garden suite is established unless otherwise specified in this bylaw.

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- 6.13.3 Living suites are only permitted on lots that
- a) are at least 462 m² in area; or
 - b) have lane access.
- 6.13.4 Living suites shall have unobstructed pedestrian access to a street frontage to the satisfaction of a Development Officer. (*Bylaw 2014-17 passed May 26, 2014*)
- 6.13.5 In determining whether an illegal suite has been created, a Development Officer may consider such improvements that indicate the intent to build, or the presence of, a second dwelling. (*Bylaw 2014-17 passed May 26, 2014*)
- 6.13.6 Living suites must be maintained on the same parcel as the principal structure. (*Bylaw 2013-20 passed July 8, 2013*)

6.14 Multiple Housing Developments

- 6.14.1 Residential uses located above a commercial use in mixed-use development shall have a separate and direct access to grade.
- 6.14.2 In addition to the minimum facilities required for garbage handling, any multi-family or mixed use development on one lot shall include a central facility to provide recycling opportunities. The location of all garbage disposal and recycling facilities shall be shown on the development plan drawings, including required screening.
- 6.14.3 All apartment developments shall provide a secure common storage facility either within the building or as an accessory building or compound accessible to residents. (*Bylaw 2013-20 passed July 8, 2013*)
- 6.14.4 For multiple housing uses in residential zones a minimum of 25% of the lot area shall be developed as amenity space, of which:
- a) 10% of the lot area must be contiguous, functional, fenced space, accessible to all residents, to the satisfaction of the Development Officer.
 - b) For developments other than apartment housing, up to 5% of the lot area may be allocated as private amenity space, provided the area is at grade, and is in addition to the minimum private amenity space requirement for the unit to which the space is allocated.
 - c) The amenity space shall be suitably landscaped and designed to encourage enjoyment and recreational uses of the space, such as play areas, picnic areas, sundecks, roof decks, and natural treed areas.

(*Section 6.14.4 amended by Bylaw 2021-14 passed April 13, 2021*)

- 6.14.5 For multiple housing developments in commercial zones at least 5% of the site shall be developed as contiguous, functional amenity space accessible to all residents, to the satisfaction of the Development Officer. The amenity space shall be designed to encourage enjoyment and recreational uses of the space, such as play areas, picnic areas, sundecks, roof decks, and natural treed areas. (*Bylaw 2015-01 passed March 23, 2015*)
- 6.13.6 For multiple housing in all zones, in addition to the required amenity space, private amenity space for the exclusive use of occupants shall be provided at a rate of 5% of net rentable area per unit. (*Bylaw 2015-01 passed March 23, 2015*)