

# Shaping Your City

City of Pickering Zoning By-law Review

## Discussion Paper #5: Mixed Use Areas/Intensification Areas

Final | February 2021

## Revision History

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# 1 Introduction

This Discussion Paper provides an assessment of the zoning within the City's Mixed Use Areas, as designated by the City of Pickering's Official Plan (the Official Plan). The Mixed Use Areas are those lands in the City which are intended to be used for a variety of uses including residential, commercial, office, and community uses. Mixed Use Areas include community focal points and corridors. Many of these areas are the focus of intensification in the City. Intensification refers to development and growth within existing, built-up areas. This Discussion Paper focuses on reviewing the current zoning in these areas to assess conformity with the Official Plan. This Discussion Paper also assesses other specific issues relevant to the Mixed Use Areas.

Discussion Papers #1-2 provide a general overview of the City's existing Zoning By-laws, the Official Plan and other relevant background information. These Discussion Papers should be consulted for additional contextual information which is not repeated in this Discussion Paper.

## 2 Review of Mixed Use Area Policy and Zoning

The main purpose of this Discussion Paper is to assess the relationship of the existing zoning against the City's Official Plan policies for its designated Mixed Use Areas. This section provides a description of the relevant policy pertaining to the designation and identifies the zoning by-laws that currently exist within these areas.

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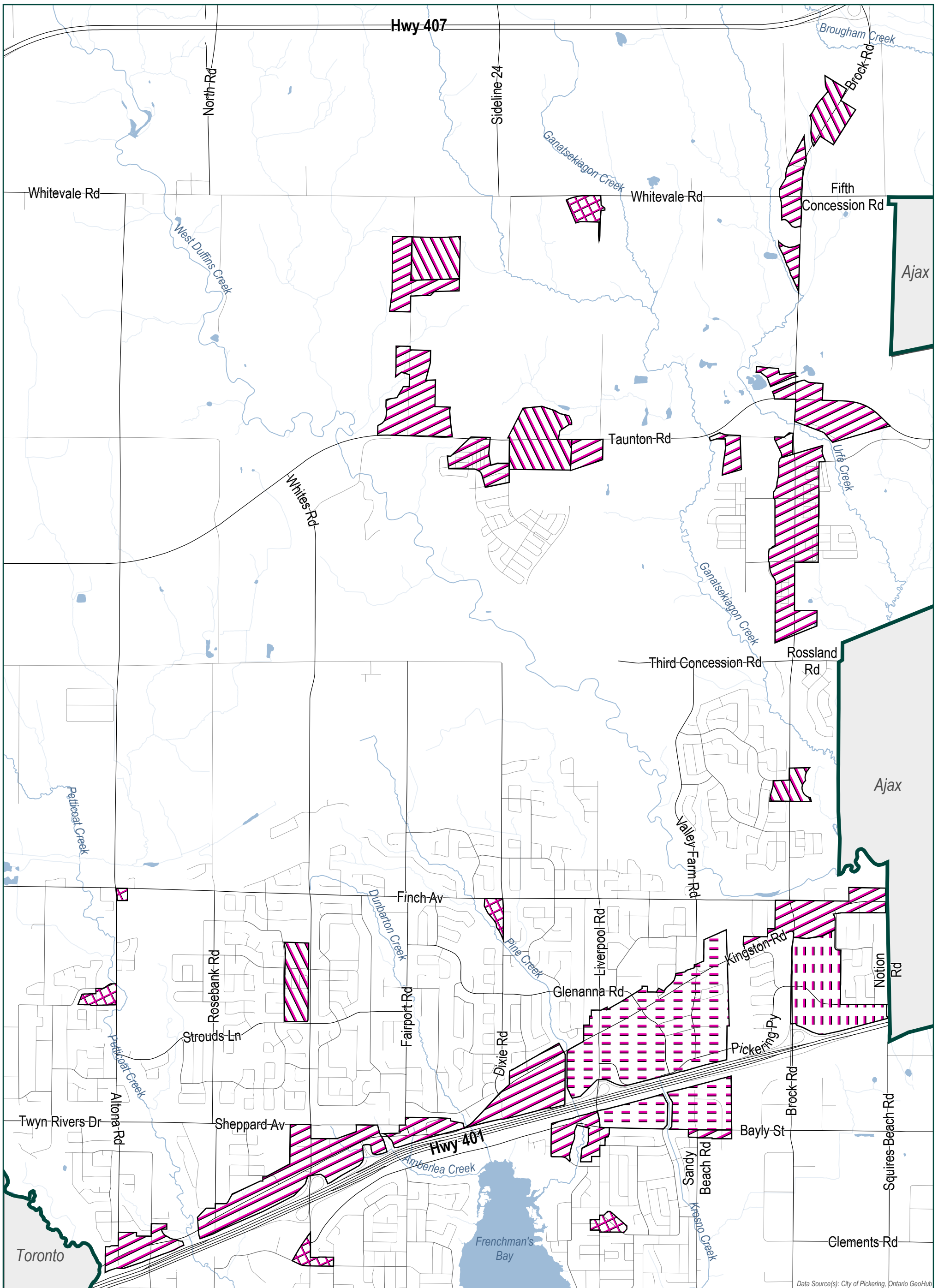
### 2.1 Official Plan

The Official Plan sets out policies and guidance for development and land use within the City's various Mixed Use Areas. This section identifies the relevant policies for the purposes of assessing zoning conformity in these areas.

#### 2.1.1 Land Use Policies

Schedule I of the Official Plan identifies the areas designated as Mixed Use Areas. The Mixed Use Areas designation is broken down into five subcategories: Local Nodes, Community Nodes, Mixed Corridors, Speciality Retailing Node and City Centre.

**Figure 2.1** shows the areas that are designated Mixed Use Areas. The majority of Mixed Use Areas are located along the Kingston Road Corridor and within the City Centre and the Seaton Urban Area.



Data Source(s): City of Pickering, Ontario GeoHub

City of Pickering Zoning By-law Review

Figure 2.1: Mixed Use Areas as Designated in the City of Pickering Official Plan

Legend

Official Plan Designated Mixed Use Area

-  City Centre
-  Community Node
-  Local Node
-  Mixed Corridor
-  Specialty Retail Node



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Discussion Paper #5: Mixed Use Areas/Intensification Areas

Chapter 3 of the Official Plan establishes policies for each land use designation. This Chapter states that Mixed Use Areas are intended to have the widest variety of uses and highest levels of activities in the City. Mixed Use Areas permit a variety of uses including residential, retail, commercial, business, office, service, recreational, community and cultural. Table 5 of the Official Plan outlines the wide variety of uses permitted in each Mixed Use Areas subcategory. As such, it is expected that there will be a variety of zones present in the Mixed Use Areas designation to address all of these uses, although there is an opportunity to create mixed use zoning that integrates these uses without the need for separate zone categories.

In addition to the types of uses permitted in each subcategory, the five subcategories are also differentiated based on the densities and floor areas that are permitted in Table 6 of the Official Plan, as shown in **Table 2.1** below.

**Table 2.1: Mixed Use Areas: Densities and Floor Areas by Subcategory (Table 6 of the Official Plan)**

<b>Mixed Use Areas Subcategory</b>	<b>Maximum and Minimum Net Residential Density (in dwellings per hectare)</b>	<b>Maximum Gross Leasable Floorspace for the Retailing of Goods and Services (in square metres)</b>	<b>Maximum Floorspace Index (total building floorspace divided by total lot area)</b>
<b>Local Nodes</b>	Over 30 and up to and including 80	Up to and including 10,000	Up to and including 2.0 FSI
<b>Community Nodes</b>	Over 80 and up to and including 140	Up to and including 20,000	Up to and including 2.5 FSI
<b>Mixed Corridors</b>	Over 30 and up to and including 140	Determined by site-specific zoning	Up to and including 2.5 FSI
<b>Specialty Retailing Node</b>	Over 80 and up to and including 180	Determined by site-specific zoning	Up to and including 2.5 FSI
<b>City Centre</b>	Over 80	Up to and including 300,000	Over 0.75 and up to and including 5.75

Section 3.6 of the Official Plan provides more detailed policies related to density and urban design in the Mixed Use Areas. Section 3.6(b) of the Official Plan states that Council may zone lands designated Mixed Use Areas for one or more purposes as set out in Table 5, and in so doing will apply appropriate performance standards, restrictions and provisions, including those set out in Table 6. This policy provides the authority and basis through this Zoning By-law Review process to consider a range of options to create and apply zones that implement the policies of the designation. Several policies of Section 3.6 also emphasize the notion that intensification will occur over time in order to achieve the minimum and maximum densities set out in Table 6 of

the Official Plan. Section 3.6(f) also states that Mixed Use Areas shall be “designed and developed consistent with the community design provisions of this Plan (Chapters 9 and 14), and any development guidelines that may be established in a Part 3 Neighbourhood Plan (Chapter 12)”. The policies of these Chapters are discussed in the subsequent sections of this Discussion Paper.

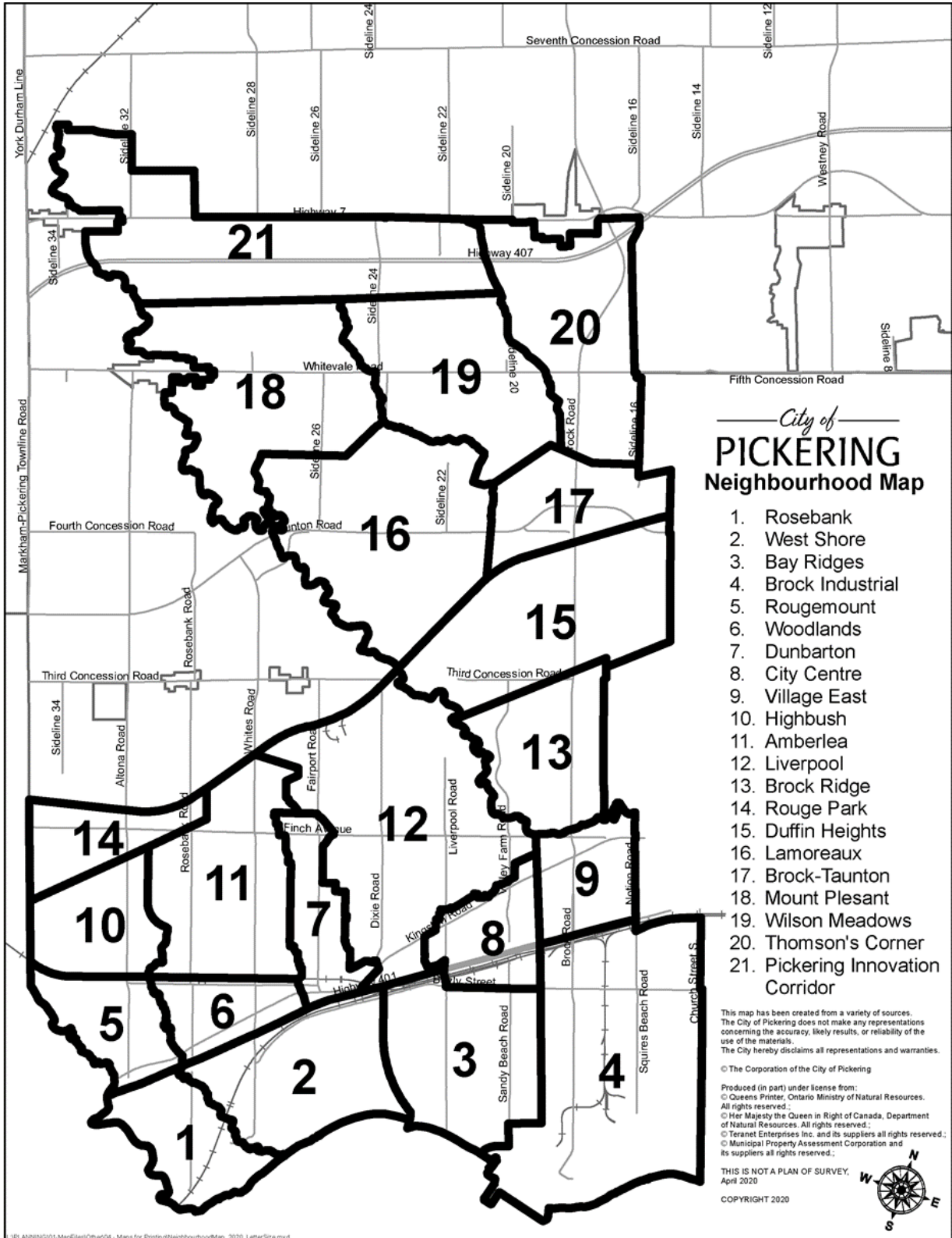
### 2.1.2 Neighbourhood Policies

The Official Plan emphasizes the importance of directing an increasing share of growth in the form of intensification, to contribute to more compact, complete communities and reduce sprawl. Chapters 11 and 12 of the Official Plan include detailed policies for the City’s various Neighbourhoods in South Pickering and in Seaton with designated Mixed Use Areas in which intensification is directed in accordance with the policies. There are Mixed Use Areas located within 18 of the City’s 21 Neighbourhoods. Each of these Neighbourhoods have policies that address development in the Mixed Use Areas. The delineation of Neighbourhoods in Pickering is shown in **Figure 2.2**.

Over the last few years the City has initiated several studies to examine key intensification corridors and areas in the City of Pickering. The studies led to the identification of the City Centre area, and the Kingston Road Intensification Corridor, along with a Speciality Retailing Node. As a result of the Downtown Pickering Intensification Study (2013), the Official Plan was amended (Official Plan Amendment 26) to introduce the City Centre designation; this was followed by the approval of the City Centre Zoning By-law 7553/17. In December 2019, City Council endorsed in principle the Intensification Plan and Draft Urban Design Guidelines for the completed Kingston Road Corridor and Specialty Retailing Node Study and authorized staff to proceed with an Official Plan Amendment and Zoning By-law Amendment to implement the vision and Intensification Plan. The City also completed various development plans and studies for the Seaton Urban Area which led to the adoption of Official Plan Amendment 22 for the community of Seaton; this was followed by the approval of the Seaton Zoning By-law 7364/14. The intensification and mixed use policies included in these areas, as well as other Neighbourhoods, are outlined in the following subsections.



Figure 2.2: Delineation of the Neighbourhoods



## **City Centre**

In the Official Plan, the City Centre is designated Mixed Use Areas: City Centre (the City Centre) and has its own Neighbourhood. As a result of the Downtown Pickering Intensification Study, completed in 2013, the City of Pickering adopted Official Plan Amendment 26 to implement the recommendations in 2015. The Amendment introduced the City Centre designation and directed the broadest diversity of uses, greatest levels of activity, and highest quality of design to the City Centre. Following the Official Plan Amendment 26, the City Centre Zoning By-law 7553/17 was approved by Council in 2017.

The City Centre Neighbourhood policies (Neighbourhood 8) intend that the City Centre designation will have the highest diversity and intensity of uses amongst all the City's Neighbourhoods. The City Centre Neighbourhood includes a range of policies, including site-specific policies, such as: policies related to permitted uses; design objectives and criteria; policies to consider land use compatibility and context; density targets; and parking requirements. The Neighbourhood policies also direct new development in the City Centre to have regard for the City Centre Urban Design Guidelines which envisions the City Centre to be a place of gathering, working, and living.

Given that the City Centre Zoning By-law 7553/17 was approved following Official Plan Amendment 26, the zoning conforms to the Neighbourhood policies for the City Centre. However, there may be an opportunity to refine the zoning for the City Centre through feedback from City staff, consideration for best practices, refinements, recent amendments, and/or minor variances. The relationship between the zoning and the Official Plan policies are addressed in Section 3 of this Discussion Paper.

## **Kingston Road Corridor and Specialty Retailing Node**

The majority of the Kingston Road Corridor is designated Mixed Use Areas: Mixed Corridor (the Mixed Corridor) and the Specialty Retailing Node is designated Mixed Use Areas: Specialty Retailing Nodes (the Specialty Retailing Nodes). Both designations provide for the development of a mix of land use activities and densities. However, the Specialty Retailing Node designation permits special purpose commercial uses, such as large format retailers with limited residential development.

The Kingston Road Corridor, which accommodates the majority of the Mixed Corridor designation, extends from Rouge National Urban Park in the west to Notion Road/City limits in the east, and generally includes only those properties that front onto Kingston Road and excludes lands within the City Centre. The Specialty Retailing Node designation applies to an area east of Brock Road and south of Kingston Road.

The City completed the Kingston Road Corridor and Specialty Retailing Node Study in December 2019. City Council also endorsed, in principle, the Intensification Plan and Draft Urban Design Guidelines for the Study Area and authorized staff to proceed with an Official Plan Amendment to implement the new vision and Intensification Plan.

The Official Plan Amendment will be implemented by a City-initiated Zoning By-law Amendment or alternatively through this Zoning By-law Review process.

Several Neighbourhoods in the Official Plan are located along the Corridor, each having specific neighbourhood policies. Detailed Review Areas identified in the neighbourhood policies are referred to for specific design guidance. Some of these Neighbourhoods also have Development Guidelines which are included within a Compendium document to the City of Pickering Official Plan. In addition, the Kingston Road Corridor Guidelines apply to the entire length of Kingston Road. The neighbourhood policies along with the development guidelines have informed the Kingston Road Corridor and Specialty Retailing Node Study. The following is a summary of the zoning-related policies and guidelines for each Neighbourhood within the Study Area that have Mixed Use Areas:

- **Neighbourhood 5: Rougemount** – Lands along Kingston Road between the Rouge River and Petticoat Creek are designated Mixed Corridor. The Neighbourhood policies identify this area as “Detailed Review Areas” and refers to the Kingston Road Corridor Development Guidelines, adopted by Council in 1997, for further applicable guidelines. These guidelines intend Rougemount to have a mix of land uses, much like a “main street” of an old village and comprising low-rise buildings. The Neighbourhood policies also provide a reduced maximum permissible residential density on lands designated Mixed Use Areas that abut lands developed as low density development. The above noted Development Guidelines will be superseded by new guidelines complementing the Official Plan Amendment and Zoning By-law Amendment to implement the Kingston Road Corridor and Speciality Retailing Node Study.
- **Neighbourhood 6: Woodlands** – Lands along Kingston Road and Whites Road, extending to Sheppard Avenue are designated Mixed Corridor and identified as “Detailed Review Areas” in the Neighbourhood policies. The policies also provide a reduced maximum permissible residential density on lands designated Mixed Use Areas that abut lands developed as low density development. It also prohibits new gas bars, automotive service stations or car wash uses for lands designated Mixed Corridor. The “Northeast Quadrant Development Guidelines”, revised by Council in 2003, and “Kingston Road Corridor Development Guidelines” adopted by Council in 1997, apply to this Neighbourhood. The Northeast Quadrant Development Guidelines provides policies related to urban design of residential and commercial buildings. The above noted Development Guidelines will be superseded by new guidelines.
- **Neighbourhood 7: Dunbarton** – Lands along Kingston Road are designated Mixed Corridor and identified as “Detailed Review Areas” in the Neighbourhood policies. The “Kingston Road Corridor Development Guidelines” are referred to for applicable policies regarding the Mixed Use Area and provide urban design guidelines. The Neighbourhood policies also provide a site-specific increase in permitted residential densities on one parcel of land designated Mixed Use Areas. The above noted Development Guidelines will be superseded by new guidelines.

- **Neighbourhood 9: Village East** – Lands along Kingston Road are designated Mixed Corridor and lands containing and surrounding the Smart Centres Shopping Centre and the Shops of Pickering Ridge Centre are designated Speciality Retailing Node. These lands are identified as “Detailed Review Areas” in the Neighbourhood policies. The “Speciality Retailing Node Development Guidelines”, revised by Council in 2002, and “Kingston Road Corridor Development Guidelines” apply to this Neighbourhood. The Speciality Retailing Node Development Guidelines identifies a zoning strategy for each permitted use in the Official Plan and intends for the area to provide large format speciality retailing that services the regional market and provides retail uses that are complementary to the Downtown Core. The above noted Development Guidelines will be superseded by new guidelines.
- **Neighbourhood 12: Liverpool** – Lands located on the north and south side of Kingston Road are designated Mixed Corridor and identified as “Detailed Review Areas” in the Neighbourhood policies. The “Walnut Lane Area Development Guidelines”, adopted by Council in 1994, “Town Centre West Development Guidelines”, adopted by Council in 1995, and “Kingston Road Corridor Development Guidelines” apply to part of this Neighbourhood. The Walnut Lane Area is intended to take on a “new suburban model” development pattern with varied housing types and a mixed-use centre. The Town Centre West area is intended for development that complements the existing Town Centre, establishing mixed uses similar to the Town Centre. The above noted Development Guidelines will be superseded by new guidelines.

Given the City’s completion of the Kingston Road Corridor and Speciality Retailing Node Study, including the Intensification Plan and draft Urban Design Guidelines, the policies and guidelines for the various Neighbourhoods as described above will be updated. It is anticipated that upon completion of the Official Plan Amendment, there will also be zoning recommendations that will be implemented through a City-initiated Zoning By-law Amendment. Alternatively, the zoning recommendations can be developed through this Zoning By-law Review process based on the directions and findings of the Study and Official Plan Amendment.

#### **Seaton Urban Area**

Over the years, a number of different concepts for the Seaton lands have been proposed. In 2006, the Central Pickering Development Plan was completed by the Province to establish a framework for land use and development in Seaton. The Plan establishes a vision for a sustainable community and sets out broad goals, objectives and policies for this area. Discussion Paper #1 included a review of this Plan and how it will impact the Zoning By-law Review.

The Official Plan implements the Central Pickering Development Plan for the Seaton Urban Area through additional detailed policies found in Chapter 11 and land use schedules. Chapter 11 establishes the intent of the Seaton Urban Area to be a walkable, pedestrian oriented community built at a relatively compact density. Built

forms in the Seaton Urban Area are anticipated to be modest in scale, and densities should be significant enough to support an active community and street life. The Seaton Urban Area contains Mixed Use Areas: Community Nodes (the Community Nodes) and Mixed Corridors designations. In addition to the Official Plan's Mixed Use Area policies in Chapter 3, Chapter 11 establishes further policies related to these designations in the Seaton Urban Area.

Chapter 11 also references the Neighbourhood policies in Chapter 12 to be considered. These policies allow for the potential for more intensive land use activities and higher densities to develop over time along Mixed Corridors and identify Gateway Sites which will be reserved for future higher density intensification.

There are six Neighbourhoods delineated in the Official Plan that are located within the Seaton Urban Area. Out of the six Neighbourhoods, the following have designated Mixed Use Areas:

- **Neighbourhood 16: Lamoreaux** – Lands along Taunton Road are designated Community Nodes and Mixed Corridors, and lands along Sideline 26 are designated Mixed Corridors. The neighbourhood is planned to have a broad range of uses and land use densities, including commercial, and a variety of residential built-forms with densities ranging from low density to mixed use and high density. The Community Node on Taunton Road is planned to be the heart of the neighbourhood with a mix of residential uses, and commercial uses serving day-to-day needs. The neighbourhood establishes two additional subcategories to the Mixed Corridor subcategory, each with additional use and density policies: Mixed Corridors Type 1 and Mixed Corridors Type 2. It also establishes Gateway Sites within the Mixed Corridor Type 2 subcategory which are subject to additional use and density policies.
- **Neighbourhood 17: Brock–Taunton** – Lands are designated Mixed Corridor at Taunton Road and Brock Road. These lands are planned to be the heart of the neighbourhood and designed as a compact, dense area comprised of gateway residential sites on three of the four corners of the intersection, with at-grade commercial uses. The Neighbourhood establishes and applies one of the two additional subcategories (Mixed Corridors Type 2) to several areas within the Neighbourhood.
- **Neighbourhood 18: Mount Pleasant** – Lands are designated Community Node and Mixed Corridors along Sideline 26/Whites Road and the proposed Whitevale By-pass. The neighbourhood is planned to have a broad range of land uses and densities, including commercial and mixed use, and a variety of residential and mixed use forms. The Community Node on Sideline 26/Whites Road is planned to be the heart of the Neighbourhood with a mix of commercial and residential uses. The Neighbourhood applies Mixed Corridors Type 1 and Mixed Corridors Type 2 subcategory designations. It also establishes Gateway Sites within the Mixed Corridor Type 2 subcategory which are subject to additional use and density policies.

- **Neighbourhood 19: Wilson Meadows** – Lands are designated Mixed Use Areas: Local Nodes (the Local Nodes) on the Whitevale By-pass at Sideline 22. The Local Node is planned to be the heart of the neighbourhood with a mix of commercial and residential uses. It should be noted that although these lands are designated Local Node on Schedule I and Schedule XI of the Official Plan, they are described as a Community Node in the Neighbourhood policies. Chapters 11 and 12 of the Official Plan do not give further direction regarding the Local Node designation within the Seaton Urban Area.
- **Neighbourhood 20: Thompson’s Corners** – Lands are designated Mixed Corridor and Community Node along Brock Road. The Community Node on Brock Road is planned to be the heart of the neighbourhood comprised of a mix of commercial and residential uses. This central area shall serve the day-to-day commercial needs of nearby residents, connect the residential areas on the east and west sides of Brock Road and shall provide a transition from the prestige employment designation to the north. The Neighbourhood establishes and applies one of the two additional subcategories (Mixed Corridors Type 2) and establishes Gateway Sites.

The City has also developed the Seaton Sustainable Place-Making Guidelines which sets out more detailed expectations about development, built form and land use. It is expected that the guidelines for Seaton have been largely implemented via the recent Seaton Zoning By-law 7364/14 for the area. It should be noted that, unlike other Mixed Use Areas of the City, the Seaton Mixed Use Areas are greenfield, meaning that they have been historically used for mainly agricultural and rural purposes and have not been developed for urban uses. It is anticipated that there is a high degree of conformity between the Seaton Urban Area policies and the zoning, except for areas that have not undergone a rezoning process and are still zoned for agricultural uses.

### Other Neighbourhoods

The following is a description of the other Neighbourhoods in South Pickering with Mixed Use Area designations that are not located within any recent intensification studies and are subject to the City’s older Zoning By-laws (i.e., excluding the City Centre and Seaton Zoning By-laws).

- **Neighbourhood 2: West Shore** – Lands on the North Side of Granite Court and Oklahoma Drive at Whites Road are designated Local Node. The Neighbourhood policies identify this area as “Detailed Review Areas” and does not provide further policies that speak to the vision of the Local Node. These lands have not undergone redevelopment and part are vacant. Currently there has been no detailed review, therefore there are no Development Guidelines.
- **Neighbourhood 3: Bay Ridges** – Lands around Liverpool Road, Old Orchard Road and Krosno Boulevard are designated Local Node and lands on the south side of Bayly Street between St. Martins Drive and Pine Creek are designated Mixed Corridors. The Neighbourhood policies identify these areas as “Detailed Review Areas”. No Development Guidelines have been prepared for the lands

designated Local Node. The lands appear to be a stable commercial development.

The “Bay Ridges Plaza Redevelopment Development Guidelines” have been prepared for the lands designated Mixed Corridors. The Development Guidelines envision the area to include high density mixed use buildings as well as medium density residential uses and the neighbourhood policies provide a site-specific density requirement. In accordance with these guidelines and vision, these lands have been redeveloped.

It should be noted that the Neighbourhood policies also establish a Marina Mixed Use Area, and this is shown as a Marina Area on Schedule I of the Official Plan. Within the “Liverpool Road Waterfront Node Development Guidelines”, this mixed use area is intended to have a mix of marina-supportive uses and facilities; restaurants; limited retail; community, cultural and recreational uses; and, residential uses, subject to criteria.

- **Neighbourhood 10: Highbush** – Lands southwest of the Pine Grove Avenue and Altona Road intersection are designated Local Node and identified in the Neighbourhood policies as “Detailed Review Area”. This area is mostly built out. The Neighbourhood policies anticipate that future shopping facilities will be located at Pine Grove Avenue and Altona Road and refers to the “Highbush Local Node Development Guidelines”, adopted by Council in 1993. The Neighbourhood policies provide site-specific permitted residential densities in the Local Node that abut lands developed as low density development. These lands have been built out for residential and retail uses; therefore, the Development Guidelines are obsolete and may be repealed by Council.
- **Neighbourhood 11: Amberlea** – Lands west of Whites Road and north of Strouds Lane are designated Community Node and identified in the Neighbourhood policies as “Detailed Review Area”. No Development Guidelines have been prepared for these lands. These lands are currently developed as a neighbourhood shopping centre with surface parking and some free standing/pad buildings. The Neighbourhood policies envision the Community Node to be developed as a fully integrated mixed use area including a combination of retail facilities, personal and business services, multiple unit residential development, offices, community, cultural and recreational uses.
- **Neighbourhood 13: Brock Ridge** – Lands generally east of Brock Road and at the southwest corner of Dellbrook Avenue and Brock Road are designated Community Node and identified in the Neighbourhood policies as “Detailed Review Area”. These lands which are currently developed as a shopping centre with surface parking are also subject to the “Duffins Precinct Development Guidelines”, adopted by Council in 1997. There is opportunity for these lands to be intensified with mixed-use development, consisting of commercial or office uses at the ground floor levels of residential buildings.

- **Neighbourhood 14: Rouge Park** – Lands at the southeast corner of Altona Road and Finch Avenue are designated Local Nodes and identified in the Neighbourhood policies as “Detailed Review Area”. These lands are also subject to the “Rouge Park Neighbourhood Development Guidelines”, revised in 2003. The Development Guidelines encourage the redevelopment of the southeast corner to accommodate a range of uses, in particular, retail, commercial and office space on the ground floor levels of residential buildings. The City is currently processing a development application for residential townhouse units on these lands.
- **Neighbourhood 15: Duffin Heights** – Lands located on both sides of Brock Road are designated Mixed Corridor and identified in the Neighbourhood policies as “Detailed Review Area”. Like Seaton, these Mixed Corridor lands are “greenfield” lands added to the Urban Area in the 1990’s. These lands are also subject to the “Duffin Heights Neighbourhood Development Guidelines”, adopted by Council in 2009. The Development Guidelines encourage a broad mix of uses and outlines urban design and density policies along the Brock Road Corridor. The City is processing a number of development applications for these lands, including residential and medical/office.

It is anticipated that, within these Neighbourhoods, the zoning largely reflects existing uses. In many cases, this may be suitable and aligned with the policy. However, where the policy is directing intensification or change to occur, or newer or more contemporary built form standards, the zoning may be outdated.

### Summary of the Neighbourhoods

Overall, the Official Plan contains direction for a very wide number of Neighbourhoods. Some of these areas, like the City Centre and the Kingston Road Corridor, are intended as the focus of significant intensification. The Seaton Urban Area, by contrast, is a greenfield area. It is expected that the zoning will be well aligned with the City Centre Neighbourhood since it was prepared recently to implement the recent policy framework. This should also be the case for the Seaton Urban Area, except for the areas that are still zoned for agricultural purposes. The zoning will need to be updated for lands as part of the Kingston Road Corridor and Speciality Retailing Study through the completion of the associated Official Plan Amendment and accompanying City-initiated Zoning By-law Amendment or through this Comprehensive Zoning By-law Review. For all other Mixed Use Areas, the zoning is likely to reflect existing uses and updates may be needed depending on the neighbourhood policies.



### 2.1.3 Community Design Policies

Discussion Paper #3 reviews and summarizes Chapter 9 of the Official Plan, which includes general community design policies, and Chapter 14, which includes detailed design considerations. These chapters have relevance to the development of mixed use zone categories. These design objectives encourage developments that provide an integrated mix of uses and that are designed to fit their contexts, for example, by considering existing, adjacent buildings. The design policies would principally be implemented through the more detailed Neighbourhood policies and Development Guidelines, as well as site plan approval and other tools. However, these broad principles and objectives have some relevance to the Zoning By-law Review and can create a basis for modifying setbacks (building placement), building height and scale, and other provisions where the existing standards are clearly in conflict with these general principles.

### 2.1.4 Other Policies

The Official Plan also provides general guidance and objectives regarding Mixed Use Areas throughout other sections of the Plan given the nature of the designation incorporating other uses found in other designations. These policies may have implications on the Zoning By-law Review.

Section 2.11(c) of the Official Plan states that in the South Pickering Urban Area, urban employment is targeted primarily in Mixed Use Areas and Employment Areas designated on the Land Use Schedule of the Official Plan. As part of the Zoning By-law Review, areas zoned mixed-use within the South Pickering Urban Area should permit employment uses to support the Official Plan's employment target for the area.

The Official Plan provides for high levels of local transit service to the City Centre and other Mixed Use Areas. Section 4.13 of the Official Plan states that City Council shall recognize the opportunity to reduce parking supply in areas well-served by public transit. These policies may have implications on the Zoning By-law Review, regarding the parking standards in mixed use zones in order to achieve the City's vision of these areas being compact and transit-supportive.

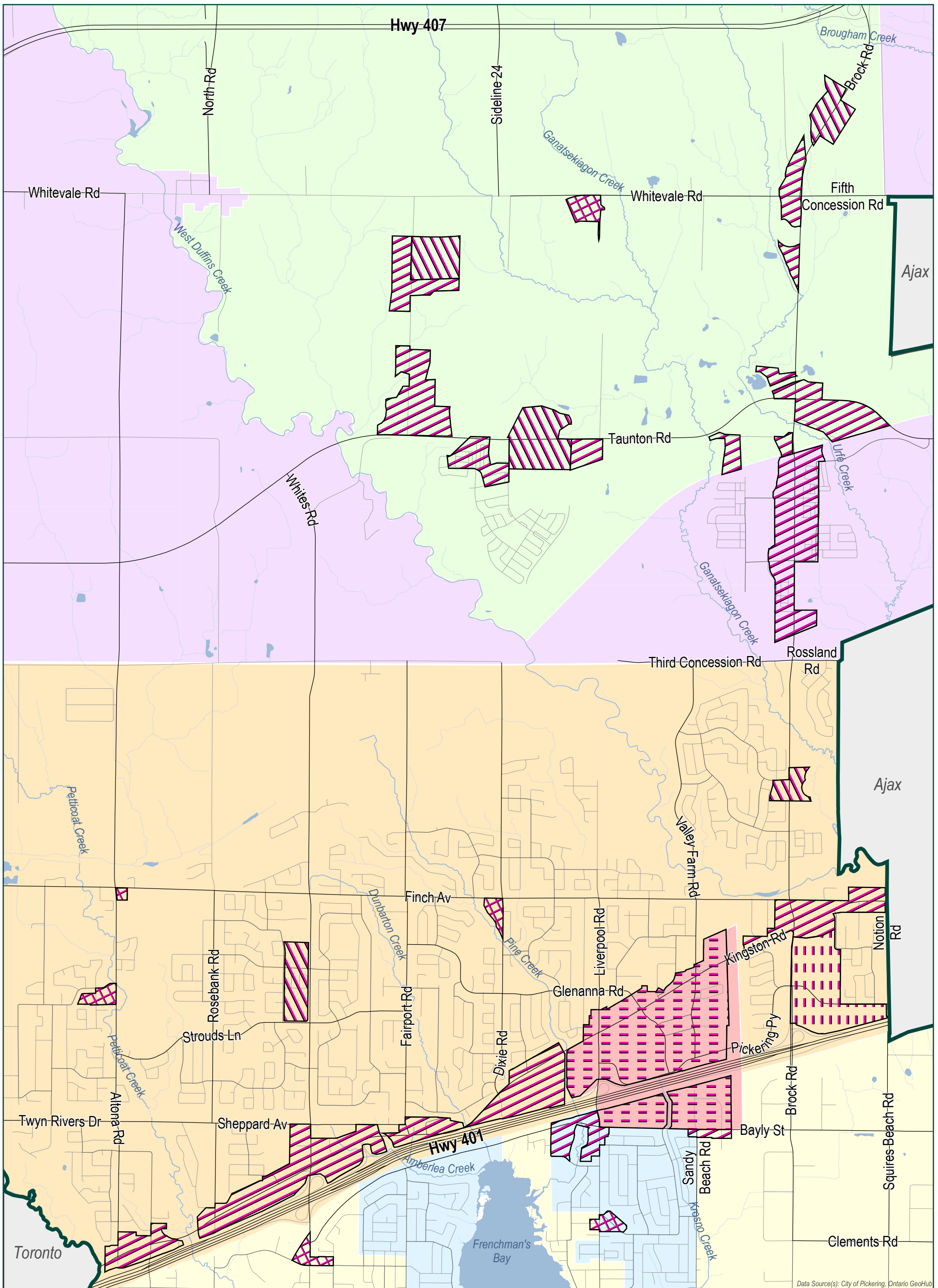
Discussion Paper #3 reviews Section 6 of the Official Plan, which includes the General Housing Policies. However, it is important to note this Section is also applicable to Mixed Use Areas as it encourages the South Pickering Urban Area to accommodate its residential intensification targets in Mixed Use Areas. As part of the Zoning By-law Review, areas zoned mixed-use within the South Pickering Urban Area may contemplate or set standards for residential uses, in a variety of appropriate forms and types, to support the Official Plan's residential target for the area.

The Official Plan encourages community services to be located in Mixed Use Areas, including major indoor community, cultural, athletic and recreational uses and facilities in or close to the City Centre, and other community uses to be located in other Mixed Use Areas. The zoning will need to be reviewed to ensure community uses are permitted within appropriate zones in these areas.

## 2.2 Zoning

All six of the existing parent Zoning By-laws have a degree of relevance to this Discussion Paper, which focuses on an assessment of the zoning within the City's designated Mixed Use Areas. Note that Discussion Paper #2 contains an overall description of each of the City's six parent Zoning By-laws, along with information about current zone categories and general provisions. The relationship between the Mixed Use Areas and the existing parent Zoning B-laws is shown in **Figure 2.3** and described as follows.

- The City Centre Zoning By-law 7553/17 and Seaton Zoning By-law 7364/14 both include lands that are designated Mixed Use Areas within the Official Plan and include mixed use zones that permit residential and commercial uses.
- The Rural Area Zoning By-law 3037 is principally rural in nature, but the parent text in Zoning By-law 3037 includes a mixed use Village Zone which permits residential, commercial, service and institutional, and industrial uses. The areas in Zoning By-law 3037 that are designated Mixed Use Areas within the Official Plan are not zoned Village in the By-law. Discussion Paper #6 discusses the Rural Settlements of the City in further detail. The By-law contains many mixed use exceptions and commercial zone categories which permit a wide range of uses and are applied in the Mixed Use Areas designations. It is anticipated that this zoning is suitable and aligned with policy where it has been applied recently. However, where the zoning pre-dates the Official Plan, or where the Official Plan is directing change, the zoning may be outdated.
- The Frenchman's Bay Area Zoning By-law 2511, the Bay Ridges Area Zoning By-law 2520 and Zoning By-law 3036 for the rest of the urban area, all contain areas that are designated Mixed Use Areas within the Official Plan but do not have any mixed use zone categories identified within the parent text of the Zoning By-laws. However, it should be noted that mixed use, residential or commercial zone categories have been created via site-specific exceptions and have not updated the parent text to reflect these amendments and new standards. It is also important to note that Mixed Use Areas are not necessary implemented by mixed use zone categories but can be implemented by other zone categories which exist in these Zoning By-laws, such as residential zones or commercial zones. These zones permit uses permitted in the Mixed Use Areas designations and therefore may also be suitable and aligned with the policy.



Data Source(s): City of Pickering, Ontario GeoHub

City of Pickering Zoning By-law Review







Figure 2.3: Relationship between the Mixed Use Areas and the Six Parent Zoning By-laws

Legend

Official Plan Designated Mixed Use Area

-  City Centre
-  Community Node
-  Local Node
-  Mixed Corridor
-  Specialty Retail Node

Parent Zoning By-laws

-  Zoning By-law 2511
-  Zoning By-law 2520
-  Zoning By-law 3036
-  Zoning By-law 3037
-  Zoning By-law 7364
-  Zoning By-law 7553



## 3 Official Plan Conformity Assessment

In accordance with the *Planning Act*, the zoning must be reviewed for conformity with the Official Plan. A key objective of the Comprehensive Zoning By-law Review is to ensure the zoning is aligned with the Official Plan. This section assesses the general conformity of the existing zoning with the City's current Official Plan by comparing the uses permitted in the zoning with the uses permitted by the Official Plan.

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### 3.1 Official Plan and Zoning Relationship

As discussed in Section 2, the Mixed Use Areas of the City are intended for a variety of uses. The designation consists of five subcategories, addressing three different density categories. Given the broad nature of this land use designation, it is expected that the existing zoning will consist of a wide range of mixed use zone categories, residential zone categories, commercial zone categories, and employment zone categories. This expectation is supported by Section 3.6(b) of the Official Plan which allows for land designated Mixed Use Areas to be zoned for one or more permitted purposes.

This section assesses the relationship between the Mixed Use Areas land use designation of the Official Plan and the current zoning within these areas. This analysis is intended to help identify potential conflicts with respect to the uses permitted by the zoning. **Figure 3.1** shows the existing zoning overlaid by the Official Plan Mixed Use Areas designation, depicting conformity of the current use with the Official Plan.

**Table 3.1** provides the composition of zoning within this designation. Note that **Table 3.1** was produced utilizing an analysis of Geographic Information Systems (GIS) data and may be subject to minor inaccuracies and/or rounding.

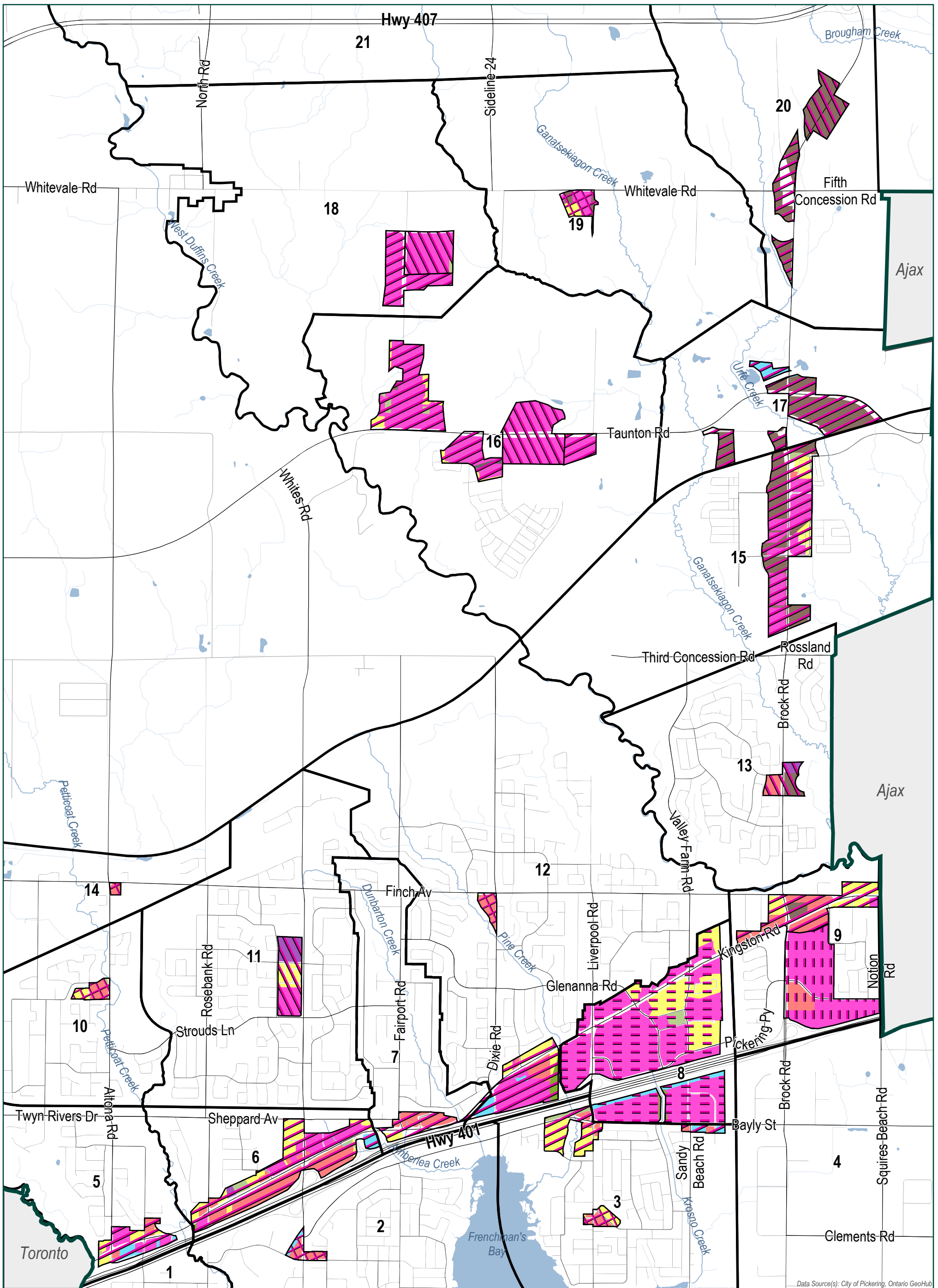
The following is a summary of the analysis included in **Table 3.1**:

- The Local Node designation in the Official Plan consists of about 94 parcels and just over 18 hectares of land area. The majority of the designation is addressed by commercial parent and exception zone categories, such as the Local Commercial (C1) zone and the Local Central Area (LCA) zone. The designation also comprises various mixed-use zone categories, such as the Community Node (CN) zone. There is also a range of residential zone categories, and instances of open space, rural agricultural and greenbelt zoning.
- The Community Node designation consists of about 134 parcels of land and 66 hectares of land area. The majority of the zoning consists of an exception Highway/Special Commercial and Car Wash (CN-1) zone, the Rural Agricultural (A) zone, and the Community Node (CN). There are numerous residential exception zone categories. There are also several other zone categories that permit both residential and commercial uses including the Mixed Corridor Type 2 (MC2) zone and the Mixed Corridor Type 3 (MC3) zone.

- The Mixed Corridor designation consists of over 1,400 parcels of land and just over 250 hectares of land area. There are 147 different zone categories that apply to lands in this designation, including numerous exception zones. The majority of the zoning consists of mixed use zone categories, such as the Mixed Corridor (MC) zone and the Mixed Use (MU) zone, and commercial exception zones, such as the Local Central Area (LCA) zone. There is also a wide range of residential and commercial zone categories that apply to a small amount of land, and each instance, the zoning only applies to a few properties. There are also instances of open space zoning which is likely appropriate to address environmentally sensitive lands or park uses. A considerable amount of land is zoned Rural Agricultural (A), which is largely the undeveloped lands in Seaton. There are some instances of Industrial (M) zoning.
- The Speciality Retailing Node designation consists of about 9 parcels of land totalling just over 35 hectares. The entire designation comprises site-specific zone exceptions, including the Mixed Use Speciality Retail Node (MU-SRN) zone which comprises the majority of the area. One of the Mixed Use Speciality Retail Node (MU-SRN) zones is subject to a (H) Holding provision. There is also a Special Purpose Commercial (SPC) zone within the designation.
- The City Centre designation consists of about 340 parcels of land and 115 hectares of land area. The majority of the designation is zoned City Centre 1 (CC1) zone and City Centre 2 (CC2) zone both of which permit residential and commercial uses. There are also instances of open space and natural heritage zoning. There is also a small area of land zoned Light Industrial (M1).

Overall, it is challenging to identify specific conformity issues solely based on this analysis, since the policies of the Official Plan include area-specific details in the Neighbourhood policies, and since the existing zoning consists of a very wide range of different zones including exception zones. The broader land use designations provide a general list of permitted uses which are built upon by the policies for each Neighbourhood. The detail about permitted uses and lot and building requirements are found in the Neighbourhood policies and associated Guidelines.

As noted in Discussion Paper #3, it is intended that a detailed policy conformity checklist be prepared in order to evaluate the details of these policies against the zoning. Confirming the extent to which the zoning is in line with the policy is likely to involve a site-by-site review of the zoning, including any exception zones, against the detailed policies of the designation and the applicable Neighbourhood. Therefore, the recommendation to complete a policy conformity checklist is also relevant to ensuring zoning conforms with the policies for the Mixed Use Areas.



Data Source(s): City of Pickering, Ontario GeoHub

**City of Pickering Zoning By-law Review**

**Figure 3.1: Overlay of Existing Zoning on the Mixed Use Areas**

**Legend**

- |                                                       |                         |                    |           |
|-------------------------------------------------------|-------------------------|--------------------|-----------|
| <p>▭ Neighbourhoods</p>                               |                         |                    |           |
| <p><b>Official Plan Designated Mixed Use Area</b></p> |                         |                    |           |
| ▨ City Centre                                         | ▨ Mixed Corridor        |                    |           |
| ▨ Community Node                                      | ▨ Specialty Retail Node |                    |           |
| ▨ Local Node                                          |                         |                    |           |
| <p><b>Generalized Zone Category</b></p>               |                         |                    |           |
| ▨ Agricultural                                        | ▨ Employment            | ▨ Natural Heritage | ▨ Utility |
| ▨ Cemetery                                            | ▨ Institutional         | ▨ Open Space       | ▨ Other   |
| ▨ Commercial                                          | ▨ Mixed Use             | ▨ Residential      |           |



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Discussion Paper #5: Mixed Use Areas/Intensification Areas

**Table 3.1: Composition of Zoning in the Mixed Use Areas**

Zone	Area (ha)	% of total area in the land use designation	Zone	Area (ha)	% of total area in the land use designation
<b>Mixed Use Areas - Local Node Total area: 18.07 hectares</b>					
A	1.66	9.21%	LN	0.10	0.57%
C1	0.71	3.93%	LCA-6	2.17	12.02%
CN	2.52	13.95%	OS-A	0.03	0.17%
CN-PP	0.08	0.43%	C2	0.33	1.82%
G	0.06	0.31%	C8	0.14	0.77%
LCA-2	2.43	13.47%	CA(G)	0.34	1.87%
M1	0.63	3.48%	LCA-10	0.76	4.18%
MD-M	1.33	7.35%	(H)LCA-11	1.19	6.59%
R4	0.04	0.20%	C1-1	0.69	3.81%
RM1-1	1.21	6.68%	C2/GS3	0.35	1.96%
RM2	1.31	7.22%			
<b>Mixed Use Areas - Community Node Total area: 66.00 hectares</b>					
A	15.20	23.02%	ES	4.22	6.39%
CCA-2	5.07	7.67%	LCA-2	2.07	3.13%
CI-ES/DN	1.07	1.63%	MC2	3.95	5.98%
CN	7.96	12.06%	OS	0.30	0.45%
CN-1	20.45	30.99%	SD-SA-3	2.64	4.00%
CN-PP	2.94	4.45%	MC3	0.15	0.23%
<b>Mixed Use Areas - Mixed Corridor Total area: 254.31 hectares</b>					
(H)MU-26	0.76	0.30%	CO/RM1(C15)	1.55	0.61%
(H)SC-36	0.25	0.10%	LCA-5	1.38	0.54%
A	56.84	22.35%	M1-8(SC-14)	0.20	0.08%
C.N.R.	0.06	0.02%	M1-8(SC-15)	0.32	0.12%
C1	0.44	0.17%	M1-8(SC-16)	0.54	0.21%

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Zone	Area (ha)	% of total area in the land use designation	Zone	Area (ha)	% of total area in the land use designation
C19	0.96	0.38%	M1-8(SC-29)	0.11	0.04%
CEM-1	0.02	0.01%	MU-12	0.84	0.33%
CN	3.39	1.33%	MU-9	0.49	0.19%
CN-1	0.47	0.19%	RH2-1	0.22	0.09%
CO-DS	0.05	0.02%	RM3	0.63	0.25%
CU/LD2	0.54	0.21%	SC-32	0.33	0.13%
G	2.35	0.92%	(H)OS-HL/SPC	0.32	0.13%
HD	1.06	0.42%	(H)SA-10	0.30	0.12%
LCA-1	3.44	1.35%	C13	2.83	1.11%
LCA-3	0.62	0.24%	C14/GS1	0.23	0.09%
LD1	0.64	0.25%	CA(C)	0.30	0.12%
LD1-T	0.23	0.09%	CA3-1	0.57	0.22%
LD2	0.24	0.09%	LCA-7	0.51	0.20%
LD2-1	0.01	<0.01%	M1-8(I(C)-DN	1.46	0.57%
LD2-M	1.37	0.54%	MU-1	0.31	0.12%
M1	0.70	0.27%	MU-18	0.85	0.34%
MC1	12.76	5.02%	MU-2	0.31	0.12%
MC1-1-3	0.65	0.26%	MU-31	0.69	0.27%
MC1-2	3.63	1.43%	MU-5	0.33	0.13%
MC1-2-3	0.64	0.25%	SA-10	0.19	0.07%
MC-15	0.05	0.02%	SC-11	2.68	1.06%
MC2	19.61	7.71%	SC-2	3.99	1.57%
MC2-1	1.88	0.74%	SC-22(GS3)	0.35	0.14%
MD-H1	0.73	0.29%	SC-28	1.01	0.40%
MD-H4	0.62	0.24%	SC-6	1.15	0.45%
MD-H5	1.77	0.70%	SPC-3	2.96	1.17%
MU-10	1.47	0.58%	SC-12	0.87	0.34%
MU-15	0.92	0.36%	SC-35	1.68	0.66%
MU-20	1.20	0.47%	C3(S)	1.80	0.71%
MU-3	0.71	0.28%	CO	0.38	0.15%
MU-4	1.26	0.50%	M1-SC30	1.89	0.74%
NP	1.78	0.70%	MU-21	6.64	2.61%



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Discussion Paper #5: Mixed Use Areas/Intensification Areas

Zone	Area (ha)	% of total area in the land use designation	Zone	Area (ha)	% of total area in the land use designation
O1	1.28	0.50%	MU-22	4.50	1.77%
O2	0.06	0.03%	MU-27	0.19	0.08%
OS	0.95	0.37%	MU-6	0.44	0.17%
OS-HL	0.14	0.06%	R3-1	0.21	0.08%
OS-HL-1	0.10	0.04%	R3-CO	0.22	0.09%
Q	2.80	1.10%	SPC-11	1.30	0.51%
R3	20.04	7.88%	MD-H6	0.98	0.38%
R4	2.95	1.16%	RH-MU-2	1.72	0.68%
RH	0.11	0.04%	RM1/S	0.05	0.02%
RH(SC)	0.13	0.05%	SA-LW	0.27	0.11%
RM1	0.18	0.07%	CA-1	0.32	0.13%
RM2	1.63	0.64%	CA-4	0.27	0.10%
RMM-5	0.38	0.15%	CA(D)	0.52	0.21%
SA-3	1.05	0.41%	LCA-4	0.94	0.37%
SA-8	0.38	0.15%	LCA-4A	0.25	0.10%
SC-26	1.36	0.54%	MU-7	0.17	0.07%
S-SD-SA	0.07	0.03%	O2-1	0.01	<0.01%
S-SD-SA-3	1.72	0.68%	RH-MU-5	1.70	0.67%
UT	0.48	0.19%	(H)MU-23	0.95	0.37%
CA3	2.59	1.02%	(H)MU-24	0.84	0.33%
C2-1	0.40	0.16%	CA	0.34	0.13%
M1S	0.45	0.18%	MU-28	1.32	0.52%
MC	0.45	0.18%	MU-29	2.93	1.15%
M1-8	0.83	0.33%	MU-30	0.59	0.23%
MU-17	0.68	0.27%	MU-MD	0.58	0.23%
RH-MU-6	0.81	0.32%	MU-MD-1	3.97	1.56%
MU-32	3.16	1.24%	MU-MD-3	2.65	1.04%
I(C)	0.65	0.25%	MU-MD-4	0.70	0.28%
C3	1.66	0.65%	SA-13	0.92	0.36%
MC3	4.36	1.71%	MC1-1	1.60	0.63%
C2	0.26	0.10%	MC2-1-3	0.53	0.21%
(H)MU-11	0.25	0.10%	MC3-1	0.67	0.26%

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Zone	Area (ha)	% of total area in the land use designation	Zone	Area (ha)	% of total area in the land use designation
CO/(H)RM1	0.26	0.10%	CU/MC1	0.23	0.09%
CO/(II)RM1	0.32	0.13%	MC1-4	1.35	0.53%
CO/RM1	0.21	0.08%	MC2-2	0.35	0.14%
MD-H3	1.22	0.48%			
<b>Mixed Use Areas - Specialty Retailing Node</b> <b>Total area: 36.84 hectares</b>					
(H)MU-SRN-1	0.64	1.73%	MU-SRN	19.52	52.99%
MU-SRN-1	12.48	33.87%	SPC-2/CA(E)	4.20	11.40%
<b>Mixed Use Areas - City Centre</b> <b>Total area: 115.01 hectares</b>					
CC 1	54.01	46.96%	NHS	0.55	0.48%
CC Res 1	11.10	9.65%	CC 2	28.67	24.93%
M1	3.08	2.67%	CC Civic	8.30	7.22%
CC OS	1.40	1.22%	CC Res 2	7.90	6.87%

## 3.2 Conformity of Permitted Uses and Other Policy Requirements

As discussed in Section 2, the Official Plan permits a wide range of uses and densities within the Mixed Use Area designations, in addition to more specific policies which are detailed in the Neighbourhoods Plans. There are some general uses permitted in all the Mixed Use Area designations including “Residential” and “Retailing of goods and services”. The Official Plan notes that restrictions and limitations on the permitted uses will be detailed in zoning by-laws. The permitted uses for each of the Mixed Use Areas are shown in **Table 3.2**. For reference, densities and floor areas permitted in the Mixed Use Area designations are also shown (as previously shown in **Table 2.1** of this Discussion Paper).

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**Table 3.2 Permitted Uses, Densities and Floor Areas in the Mixed Use Areas**

<b>Mixed Use Areas Subcategory</b>	<b>Permitted Uses</b>	<b>Minimum and Maximum Net Residential Density (in dwellings per hectare)</b>	<b>Maximum Gross Leasable Floorspace for the Retailing of Goods and Services (in square metres)</b>	<b>Maximum Floorspace Index (total building floorspace divided by total lot area)</b>
<b>Local Node</b>	<ul style="list-style-type: none"> <li>• Residential uses;</li> <li>• Retailing of goods and services generally serving the area;</li> <li>• Offices and restaurants;</li> <li>• Community, cultural, recreational uses;</li> <li>• Community gardens;</li> <li>• Farmers' markets.</li> </ul>	Over 30 and up to and including 80	Up to and including 10,000	Up to and including 2.0 FSI
<b>Community Node</b>	<ul style="list-style-type: none"> <li>• Community gardens;</li> <li>• Farmers' markets;</li> <li>• All uses permissible in Local Nodes, at a larger scale and intensity, and serving a broader area.</li> </ul>	Over 80 and up to and including 140	Up to and including 20,000	Up to and including 2.5 FSI
<b>Mixed Corridors</b>	<ul style="list-style-type: none"> <li>• Community gardens;</li> <li>• Farmers' markets;</li> <li>• All uses permissible in Local Nodes and Community Nodes, at a scale and intensity equivalent to Community Nodes;</li> <li>• Special purpose commercial uses.</li> </ul>	Over 30 and up to and including 140	Determined by site-specific zoning	Up to and including 2.5 FSI

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Mixed Use Areas Subcategory	Permitted Uses	Minimum and Maximum Net Residential Density (in dwellings per hectare)	Maximum Gross Leasable Floorspace for the Retailing of Goods and Services (in square metres)	Maximum Floorspace Index (total building floorspace divided by total lot area)
<b>Specialty Retailing</b>	<ul style="list-style-type: none"> <li>• Hotels;</li> <li>• Special Purpose Commercial uses such as: large format retailers (including large format food stores and large format discount stores); retail warehouses; membership clubs; theme and/or specialty retailers; automotive uses; and, ancillary retailing of other goods and services including restaurants;</li> <li>• Limited offices;</li> <li>• Community, cultural and recreational uses;</li> <li>• Community gardens;</li> <li>• Farmers' markets;</li> <li>• Limited residential development at higher densities as an integral part of an overall development scheme.</li> </ul>	Over 80 and up to and including 180	Determined by site-specific zoning	Up to and including 2.5 FSI
<b>City Centre</b>	<ul style="list-style-type: none"> <li>• High density residential;</li> <li>• Retailing of goods and services;</li> <li>• Offices and restaurants;</li> <li>• Hotels;</li> <li>• Convention Centres;</li> <li>• Community, cultural and recreational uses</li> <li>• Community gardens;</li> <li>• Farmers' markets.</li> </ul>	Over 80	Up to and including 300,000	Over 0.75 and up to and including 5.75

In addition to the Mixed Use Areas policies of Chapter 3, and the uses, densities and floor areas identified in Table 5 and Table 6 of the Official Plan, Chapter 11 and Chapter 12 of the Official Plan provide additional direction related to permitted uses and other policy requirements for Mixed Use Areas. In some cases, they include permissions for additional uses or allow additional residential densities within the designations.

The following sections provide commentary with regards to whether the existing zoning within each of the Mixed Use Areas designations is in conformity with the Official Plan, including consideration for the Neighbourhood policies. The sections include an assessment of whether the uses and other policy requirements permitted by the Official Plan relate to the existing Zoning By-laws. This section is organized by Neighbourhood and provides a starting point for reviewing the zones and aligning the permitted uses with the Official Plan. As previously noted, a conformity checklist will be required to confirm the zoning for individual sites and areas where there is detailed existing policy or guidelines.

### City Centre

This section discusses whether the existing zoning within the City Centre designation is in conformity with the Official Plan based on an assessment of permitted uses. In addition to the permitted uses in **Table 3.2**, the Neighbourhood policies for the City Centre prohibits the following uses:

- new vehicle sales and service uses including but not limited to motor vehicle service centres, motor vehicle gas bars and motor vehicle washing establishments;
- the outdoor storage of goods and equipment with the exception of seasonal outdoor display of goods and merchandise;
- new stand alone large format retail stores; and
- new low density employment uses such as self storage and warehousing.

Zoning By-law 7553/17 applies entirely to the City Centre designation and permits uses that align with the Official Plan. The zone categories within the City Centre designation permit a range of medium and high density uses that are in line with the minimum net residential density target for the neighbourhood. The zone categories permit a variety of commercial uses that align with the permitted uses set out in the Official Plan. The only potential conformity issue within this designation is the application of the Storage and Light Manufacturing (M1) zone on several properties within the City Centre Designation. Two of the three properties are located on eastern limit of the Zoning By-law boundary, on the north and south side of Pickering Parkway. One property is a utility corridor and the other contains a car wash. The third property is located on the south side of Highway 401, east of Alliance Road, and is a utility corridor. Leaving the zoning as the Storage and Light Manufacturing (M1) zone does not present a significant risk as these properties are comprised of small land area and already have existing uses. However, there is an option to rezone the existing Storage and Light Manufacturing (M1) zone to a zone that reflects the City's intent more clearly, in such a zone, existing uses could be permitted if appropriate.

In summary, there is a strong degree of conformity between the City Centre designation and existing zoning since the Zoning By-law has been recently completed for this area.

## **Kingston Road Corridor and Specialty Retailing Node**

This section will provide commentary with regards to whether the existing zoning along the Kingston Road Corridor and within the Speciality Retailing Node is in conformity with the Mixed Use Areas designations that exist in this area. As discussed in Section 2, there are four Neighbourhoods along the Kingston Road Corridor that are designated Mixed Corridor and one Neighbourhood where the Speciality Retailing Node designation exists. All of these Neighbourhoods are subject to Zoning By-law 3036, which does not have mixed use zones within the parent text of the Zoning By-law. However, it should be noted that the Zoning By-law does have mixed use zones incorporated through amendments/exceptions and that the parent text does not incorporate these new zone categories. The Zoning By-law also has other parent zone categories such as residential zones or commercial zones which permit some of the uses contemplated in the Mixed Use Areas designations.

As discussed in Section 2, the City has completed the Kingston Road Corridor and Speciality Retailing Node Study and it is anticipated that upon completion of the Official Plan Amendment, there will be recommendations that will be implemented through a City-initiated Zoning By-law Amendment, or that implementing zoning will be developed through this Comprehensive Zoning By-law Review. It is noted that there are recommendations regarding the implementing Zoning By-law for the Study Area in the Intensification Plan. Section 5.1 of the Intensification Plan recommends that an area-specific Zoning By-law be created for the Study Area. This Zoning By-law should place particular emphasis on performance-based standards that articulate a built form and public realm that will create pedestrian-focused, human-scaled development at a density and with a mix of uses that support higher order transit. The Zoning By-law should also include provisions for implementation and release of Holding Symbols on certain lands where development is considered premature, subject to the provision of required transportation, municipal servicing and/or community infrastructure.

The majority of the zone categories within the Kingston Road Corridor and within the Speciality Retailing Node are exception zones. It is difficult, in the context and scope of this Discussion Paper, to assess conformity in a detailed level, given the detail and variety of the exception zones. As such, confirmation of conformity will require a fulsome review of the existing zoning, including the exceptions, against the Official Plan's policies and alignment with the more recent Kingston Road Corridor and Specialty Retailing Node Study, which will result in updated Official Plan policies. As noted previously, several site-specific symbols have been created for Zoning By-law 3036, including: Special Commercial (SC), Mixed Use (MU), Local Central Area (LCA), Business or Professional Office Multi Residential (CO/RM1) and Mixed Use Speciality Retail Node (MU-SRN). These site-specific symbols appear to consider mixed uses and may align with permitted uses of the Official Plan depending on the time in which the exception was brought into effect.

The Mixed Corridor designation permits residential uses and provides minimum and maximum residential densities that encourage intensification, while the Neighbourhood policies provide more detailed direction. The Neighbourhoods along the Kingston Road

Corridor provide additional residential density requirements. One Neighbourhood (Woodlands) also provides prohibited uses including new gas bars, automobile service stations, car washes, or automotive and vehicle sales. Confirming current conformity will require a review of the exceptions.

It should be noted the residential parent zone categories of Zoning By-law 3036 that exist within the Mixed Corridors designation only permit single detached dwellings which are generally not in line with the intent of this Corridor. Based on the minimum and maximum residential densities permitted in the Official Plan, single detached dwellings could be prohibited as they would not likely achieve these densities. This zoning is simply permitting existing uses; however, the corridor is intended to evolve to some degree.

Within the Mixed Corridors designation there are also several commercial parent zone categories: Local Commercial (C1), General Commercial (C2), and Highway Commercial (C3). These commercial zone categories generally align with the permitted commercial uses within the Mixed Corridor designations. Within the Mixed Corridors designation there are zones, mostly site-specific exceptions, which permit automotive uses (e.g. Highway Commercial (C3) zone, Commercial Automotive Service Station (CA(C)) zone, etc.). These uses are permitted in the Mixed Corridors designation unless explicitly prohibited, for example in the Woodlands Neighbourhood. As such, confirming current conformity will require a review of the exceptions.

The Speciality Retailing Node designation is currently zoned by site-specific exception zones. As such, it is likely the zoning reflects what exists in this area today, including a range of large format commercial uses. The zoning likely does not align with the more recent recommendations emerging from the Kingston Road Corridor and Speciality Retailing Node Study.

In summary, there is not a high degree of correlation between the existing parent zone categories and the Mixed Corridor and Speciality Retailing Node designations of the Official Plan along the Kingston Road Corridor. Rather, the current zoning largely reflects existing uses and does not provide for intensification or redevelopment to occur as-of-right, which is generally intended by the current policy framework. Further, it is anticipated that the advancement of the Official Plan Amendment for the Study Area will result in specific direction regarding permitted uses and built form, which will inform the zoning in this area.

City Staff will be presenting the approach to zoning the lands within the Kingston Road Corridor and Speciality Retailing Node in detail as the Zoning By-law Review process moves forward.

## **Seaton Urban Area**

This section discusses whether the existing zoning within the Seaton Urban Area is in conformity with the following Mixed Use Area subcategories that exist in the area: Local Node; Community Node; and, Mixed Corridor.

Only one Neighbourhood in the Seaton Urban Area, Wilson Meadows, has a Local Node designation. Generally, the permitted uses in the majority of zones within this Local Node designation align with the permitted uses of the Official Plan, with the exception of the Rural Agricultural (A) zone. Since the Rural Agricultural (A) zoned lands are within the Mixed Use Areas, it is recommended that individual properties be reviewed to determine if they can be pre-zoned to an appropriate mixed use zone category. However, leaving the zoning as Rural Agricultural (A) does not represent a significant risk, as the lands that are designated Mixed Use Areas are likely held by land developers or other investors and the realization of the Official Plan's intent is not likely to be precluded by Rural Agricultural (A) zoning. As noted in Discussion Paper #3, there is also an option to rezone existing agricultural lands slated for development to "Urban Reserve" or some similar zone that reflects the City's intent more clearly. In such a zone, existing uses would be permitted. It is recommended that these approaches be considered for further discussion/consultation.

Three Neighbourhoods have Community Node designations within the Seaton Urban Area. Chapter 11 of the Official Plan prohibits single-detached and semi-detached dwellings, as well as automotive and vehicle sales uses within the Community Node designation. In addition, drive-throughs and service stations are prohibited along the Pedestrian Prominent Streets in the Community Nodes designation. The Community Node (CN) and the Community Node-Pedestrian Predominant Area (CN-PP) zones that exist in the majority of the designation do not permit these prohibited uses and align with the permitted uses of the designation. Within the Community Node designation in the Seaton Urban Area, there are no zones that permit uses that are prohibited by the Official Plan.

The majority of the permitted uses the Seaton Urban Area aligns with the permitted uses in the Official Plan. The zoning permits a mix of uses such as medium and high density residential uses and commercial uses which are permitted in the Official Plan. It should be noted that a large area designated Mixed Corridors within the Seaton Urban Area is zoned Rural Agricultural (A), and is located within the Lamoreaux Neighbourhood. As discussed previously, leaving the zoning as Rural Agricultural (A) does not present a significant risk and it is recommended that these lands either be pre-zoned to an appropriate mixed use zone category or be rezoned "Urban Reserve". Chapter 11 of the Official Plan also prohibits single-detached and semi-detached dwellings uses in the Mixed Corridor designation. These uses are not permitted in most of the zones that exist within the designation; however, there are instances of land within the Lamoreaux Neighbourhood that are zoned Low Density Type 1 (LD1) and Low Density Type 2 (LD2) which permit these uses. In these areas, the properties may have been subject to previously-approved development applications and, as such, they do not represent Official Plan conformity issues.



In summary, there is a high degree of conformity between the Seaton Urban Area policies and the existing zoning due to the recent implementation of the Seaton Zoning By-law 7364/14.

### **Other Neighbourhoods**

As discussed in Section 2, there are various other Neighbourhoods with Mixed Use Area designations that are located outside of the City Centre and Seaton Urban Area and are not subject to the Kingston Road Corridor and Specialty Retailing Node Study. The following is a discussion about whether the zoning that exists within these other Neighbourhoods conforms with the Mixed Use Area policies.

These Neighbourhoods are zoned under the older Zoning By-laws which do not have any mixed use zone categories within their parent text. However, it should be noted that the Zoning By-laws have incorporated a range of mixed use zone categories via site-specific exceptions. The older Zoning By-laws also establish other parent zone categories which allow uses permitted in the Mixed Use Area designations.

The Neighbourhood policies of Chapter 12 generally do not identify additional permitted or prohibited uses in these Neighbourhoods in comparison to others discussed within the Discussion Paper. The Neighbourhood policies do, however, establish additional policies related to permitted residential densities despite Table 6 of the Official Plan. As noted previously, it is intended that a detailed policy conformity checklist be prepared in order to evaluate these detailed policies against the zoning.

The Local Node designation within these other Neighbourhoods are mainly zoned by residential or commercial zone categories. However, there does not appear to be any mixed use zone categories applied in which a range of both residential and commercial uses are permitted. The designation mainly comprises the following residential zones: Multiple Dwellings (RM2) in Zoning By-law 2520 and site-specific Multiple Dwellings (RM1-1) in Zoning By-law 3036. It is noted that the Multiple Dwelling (RM2) zone permits residential uses that support the density policies of Local Nodes, such as detached dwellings; semi-detached and duplex dwellings; multiple attached dwellings; and apartment house dwellings.

The existing commercial zoning that comprises the Local Node designation includes commercial zone categories from Zoning By-laws 2511 and 3036. Both of these Zoning By-laws contain the following three commercial zones: Local Commercial (C1), General Commercial (C2), and Highway Commercial (C3). Both of the Zoning By-laws permit similar uses in each of these zones. These commercial zone categories align with the permitted commercial uses in the Local Node designations.

It should be noted the Local Node designation has some zone categories created through site-specific exceptions, including: the Local Central Area (LCA) zone; the Commercial Automotive Service Station Type G (CA(G)) zone; and the Gasoline Retail Outlet (C2/GS3) zone. Some of these zones are applied to multiple sites. The Local Central Area (LCA) zone appears to consider commercial uses and may align with permitted uses of the Official Plan. The other two zones appear to permit automotive

uses that are permitted in the Local Node designation, unless explicitly prohibited (e.g. Rouge Park Neighbourhood).

The Community Node designation within the other Neighbourhoods are mainly zoned by site-specific exceptions. The Local Central Area (LCA) and Community Central Area (CCA-2) zones that exist may permit commercial uses that align with the Community Node designation. The institutional zone categories that exist are site-specific and permit uses that align with the permitted community uses in the designation.

Similar to the Local Nodes designation in these other Neighbourhoods, the Mixed Corridor designation is composed of residential or commercial zone categories that permit uses permitted in the Mixed Use Areas designations. More than half of the Duffin Heights Neighbourhood has Rural Agricultural (A) zoning, even though agricultural uses are not permitted explicitly in the Mixed Corridor designation. As discussed previously, leaving the zoning as Rural Agricultural (A) does not present a significant risk and it is recommended that individual properties be reviewed to determine if they can either be pre-zoned to an appropriate mixed use zone category or be rezoned “Urban Reserve”.

The commercial zoning that comprises the Mixed Corridor designation includes commercial zone categories from Zoning By-law 2520, which permit the same uses as Zoning By-law 2511. These commercial zone categories generally align with the permitted commercial uses in the Mixed Corridors designations. The Mixed Corridor designation within these other Neighbourhoods mainly comprises the same site-specific symbol (e.g., Mixed Use (MU) zone) as the Neighbourhoods along the Kingston Road Corridor, which considers a mix of permitted uses.

The zoning within the Marina Mixed Use Area identified in the Bay Ridges Neighbourhood, although not designated Mixed Use Area in the Official Plan, conforms with the Neighbourhood policies as it is comprised of residential and waterfront zones which permit a variety of uses.

It should be noted that some of the Neighbourhoods have not undergone redevelopment and/or are comprised of vacant lands (e.g. West Shore, Brock Ridge, etc.). Where policy is directing intensification, or change to occur in these Neighbourhoods it is recommended that individual properties be reviewed to determine if they can either be pre-zoned to an appropriate mixed use zone category or be rezoned “Urban Reserve”.

Overall, within these other Neighbourhoods, there is a high degree of conformity between the parent zone categories and the Mixed Use Areas designation of the Official Plan. The older Zoning By-laws appear to rely on site-specific exceptions to provide mixed use and some commercial zone categories. It is recommended these exceptions be reviewed in detail to confirm conformity. The intent of the Mixed Use Areas designation is also achieved through the use of other zone categories, such as residential and commercial zones, which allow uses permitted in the designation. Given that the zoning in these other Neighbourhoods reflect existing uses and are suitable and align with the Official Plan, there is no need to change the existing zoning. However, where the policy is directing intensification or change to occur, or newer or more

contemporary built form standards, the existing zoning may be outdated and will need to be resolved. Generally, there are likely many opportunities to harmonize and simplify the zoning and to create zone categories that more closely align with the Mixed Use Area designations.

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### 3.3 Conclusions

In summary, Section 3 reviewed the general conformity of the existing zoning with the Mixed Use Areas designation. Given the broad nature of this land use designation, there are numerous different zones that exist within the designation. The following is a summary of conformity issues that have been drawn from Section 3:

- There is a strong degree of conformity between the permitted uses in the Mixed Use Areas designation and existing zoning where a zoning by-law has been recently completed for the area. The City Centre and the Seaton Urban Area are the most well-aligned areas in the City due to the recent implementation of their area-specific parent Zoning By-laws.
- There is not a high degree of correlation between the existing zones and policies along the Kingston Road Corridor and within the Speciality Retailing Node. City Staff will be presenting the approach to zoning the lands within the Kingston Road Corridor and Specialty Retailing Node to implement the new Official Plan policies.
- Within the Neighbourhoods located outside of the City Centre, Seaton Urban Area, and outside of the Kingston Road Corridor and Specialty Retailing Node Study Area, there is also expected to be a moderate to high degree of conformity as the existing Zoning By-laws generally permit residential and commercial uses permitted within the Mixed Use Areas designation. The permitted residential and commercial zones and associated uses vary across the Neighbourhoods in the City. It should be noted that the commercial zones found in Zoning By-laws 2511, 2520, 3036 and 3037, that exist within the Mixed Use Areas designation generally have the same zone structure (i.e., Local Commercial (C1) zone, General Commercial (C2) zone, and Highway Commercial (C3) zone) and permit the same, if not very similar, uses in each zone. A fulsome assessment of conformity in these areas will require review of exception zones as well as completing a conformity checklist to evaluate the zoning against the individual Neighbourhood policies. This creates an opportunity for consolidation, as explored in Section 4.1 of this Discussion Paper.
- A new set of consolidated, mixed use and updated commercial zone categories are required for the areas of the City outside of the City Centre and the Seaton Urban Area. There is no clear relationship between the zone categories and the City's Mixed Use Areas subcategories. These areas are largely governed by exception zones and there should be a clearer structure in place to eliminate the need to create future exception zones and consolidate similar existing

exceptions. This will also help reflect the City's intent for Mixed Use Areas more clearly.

- There are many instances of similar site-specific exceptions applied to properties across the Neighbourhoods. These site-specific symbols appear to consider mixed and commercial uses and may align with permitted uses of the Official Plan depending on the time in which the exception was brought into effect. If the exceptions pre-date the Official Plan, they may not be in conformity. These exceptions should be considered when updating existing zones or creating a new set of zones.
- The completion of a conformity matrix is recommended to ensure the various policies related to built form aspects, such as density targets, building height, lot area or other expectations for each Neighbourhood is reflected in the zoning. This conformity matrix would not be needed within the City Centre or the Seaton Urban Area due to the recent implementation of area-specific Zoning By-laws which are strongly in line with the policies.
- The Rural Agricultural (A) zone is located within some of the Neighbourhoods. Leaving the zoning as Rural Agricultural (A) does not present a significant risk and it is recommended that individual properties be reviewed to determine if they can either be pre-zoned to an appropriate mixed use zone category or be rezoned "Urban Reserve".
- Throughout the Neighbourhoods, the Mixed Use Areas designation prohibits uses such as, new gas bars, automobile service stations, car washes, or automotive and vehicle sales. It is recommended that where zoning permissions for these uses exist, the zoning be thoroughly reviewed against the applicable policies in the Neighbourhood policies and Development Guidelines. As such, the completion of a conformity matrix is required to provide assurance that the zoning is in line with the uses permitted by the Official Plan.

## 4 Key Issues

The previous section assessed the relationship of the existing zoning within the Mixed Use Areas designation. This section provides a framework for organizing the City's existing mixed use and commercial zones to achieve greater conformity with the Official Plan as follows:

- A framework for a proposed new mixed use and commercial zone structure, including opportunities to consolidate existing zones;
- An assessment of conformity of the existing zoning within the City's Mixed Use Areas designation with regards to automotive uses;
- An assessment of zoning approaches for mid and high rise buildings including approaches to transition to lower density development; and,
- Consideration for how minor variances and exceptions may inform the development of mixed use zones and associated provisions.

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### 4.1 Mixed Use and Commercial Zones Structure

This section provides a framework for consolidating the mixed use and commercial zones and aligning the zone structure with the Official Plan's land use designations. This framework will represent a basis for the new Zoning By-law's mixed use and commercial zone structure.

#### 4.1.1 Review of Current Zone Structure

As noted, the Mixed Use Areas of the City, as designated in the Official Plan, are broad in nature, and will need to be implemented by a wide range of different zone categories. This is likely to include "mixed use zones" wherein a range of commercial, residential and community uses are permitted, as well as commercial zones, open space, and other zones. This Discussion Paper focuses on recommending a structure for mixed use and commercial zone categories since the residential zones and other categories are addressed in other Discussion Papers.

The newer City Centre and Seaton Zoning By-laws are the only existing Zoning By-laws with mixed use zone categories that permit a range of residential and commercial uses in the same zone and are incorporated into the parent text of the Zoning By-laws. These zone categories achieve a high degree of conformity with the related Mixed Use Areas designations. The zone categories within these By-laws should not be applied outside of their area due their specific nature. The Official Plan Amendment for the Kingston Road Corridor and Speciality Retailing Node Study will need to be assessed and considered as the Zoning By-law Review process moves forward. The Official Plan Amendment will need to be implemented either through a City-initiated Zoning By-law Amendment or through this Comprehensive Zoning By-law Review.

The older existing Zoning By-laws include a range of commercial zones in their parent Zoning By-laws. These commercial zones are similar, and opportunity to consolidate them is addressed in Section 4.1.3 of this Discussion Paper.

Other mixed use and commercial zone categories that are present within the Mixed Use Areas designation are exception zones, meaning they were incorporated into the Zoning By-law through an amendment process. Some of the exceptions are site-specific while others are applied to multiple sites. These exceptions are frequently applied within the older Zoning By-laws and share common zone symbols (e.g., Mixed Use (MU), Mixed Use Speciality Retail Node (MU-SRN)). Similar to the residential zones addressed in Discussion Paper #3, there are also instances of exception zones which utilize the zone symbol to indicate permitted special uses. For example, there are instances of the Retirement Home – Mixed Use (RH-MU) zone, which appears to apply to several properties, and is used to permit a retirement home in addition to mixed uses. As discussed on Discussion Paper #3, a more streamlined and consistent approach to zone symbology should be considered. The use of one-off zones creates a much more complex zone structure that can be difficult to interpret. It is likely that there is considerable opportunity to consolidate and simplify these exceptions zones and to establish clear guidelines or rules around the creation of zones.

#### 4.1.2 Overall Zone Structure

Based on Section 3 of this Discussion Paper, the following overall approach to the zone structure for the Mixed Use Areas is recommended to achieve greater alignment with the Official Plan and reduce redundancy amongst the existing mixed use and commercial zones. This will include a mix of commercial and more traditional mixed use zones which permit both residential and commercial uses and other uses in the same zone category.

The existing mixed use and commercial zones found in both the City Centre and Seaton Zoning By-laws should be retained as they achieve a high degree of conformity with the Mixed Use Areas designation. There is no reasonable opportunity at this time to merge or consolidate these zones as they include detailed and specific requirements which would not consolidate well with other zones and are not applicable other areas in the City. Minor refinements may be considered, as discussed in Section 4.4 of this Discussion Paper.

A new set of mixed use and commercial zones will be established to implement the land use and built form framework of the Kingston Road Corridor and Specialty Retailing Node Study. It is anticipated that the completion of the Official Plan Amendment for the Kingston Road Corridor and Specialty Retailing Node Study will result in specific direction regarding permitted uses and built form, which will inform the zoning in this area.

Outside of these areas, the development of the zone structure will encompass a consolidation exercise involving consolidation of existing commercial zones and some of the commercial and mixed use zones that have been created via site-specific

exceptions. Further, the zones will need to be aligned with the Official Plan, as well as individual policies for the Neighbourhoods. Following this exercise, the policy conformity checklist will need to be applied to ensure that the new zone structure aligns with the policies. In large part, the existing zoning should be mostly appropriate, subject to simplification of zone categories and some modifications to permitted uses to ensure conformity with the Official Plan. There may be instances on specific development sites where the zoning permissions can be expanded to more fulsomely correspond to the Official Plan (i.e., pre-zoning). These situations will need to be reviewed on a case-by-case basis as the policies, and the existing zoning, are so varied.

Some portions of the Mixed Use Areas may also be implemented by Residential zones, where intensification or infill is contemplated in the policies. Discussion Paper #3 addresses consolidation of the Residential zones to create a framework in which a wide range of unit types are contemplated and subject to appropriate standards. In some cases, site-specific exception zones may be required to conform to the Official Plan.

#### 4.1.3 Consolidation of Parent Commercial Zones

**Table 4.1** summarizes the opportunity to merge the commercial zone categories as established in the existing parent Zoning By-laws based on their similarities in permitted uses. As noted previously, there is also an opportunity to update these existing commercial zones, or create new commercial zones, based on the exception zones. Consolidating and reducing the number of commercial and exception zones helps to provide consistent regulation throughout the City for similar uses and represents a positive benefit from an administrative perspective. However, as there are numerous such zones, the opportunity to merge and integrate them will need to be reviewed as part of the recommended detailed review at a later stage of the Zoning By-law Review process. **Table 4.1** focuses on making recommendations for merging the zone categories contained in the parent Zoning By-laws.

**Table 4.1 Proposed Consolidation of Parent Commercial Zones**

Existing Zones to be Merged (By-law Number)	List of Permitted Uses	Discussion
C1 – Local Commercial (2511)	- C1 (2511): Retail stores, a restaurant- Type A, bake shops, service stores, dry cleaning and laundry collecting stations, business offices and parking stations, professional office.	The zones are very similar and can be merged. There are some minor differences with respect to permitted uses in the Local Commercial (C1) zone in By-law 3036.
C1 – Local Commercial (2520)	- C1 (2520): Retail Stores, a restaurant Type-A, bake shops, service stores, dry cleaning and laundry collecting stations, business offices and parking stations, a professional office.	
C1 – Local Commercial (3036)	- C1 (3036): A retail store, a service store, a restaurant Type - A, a business office, including a clinic and similar uses, a club or meeting hall and uses accessory to the foregoing, a professional office.	

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**Existing Zones to be Merged (By-law Number)**

**List of Permitted Uses**

**Discussion**

<p>C2 – General Commercial (2511) C2 – General Commercial (2520) C2 – General Commercial (3036) C2 – General Commercial (3037)</p>	<p>- C2 (2511): All uses permitted in C1; Car washing establishments, automobile service stations, photographers', tailors and dressmakers' shops, taxi cab stands or stations, places of amusement, sample or showrooms, public parking lots, clinics, laundromats, hotels and other similar uses.</p> <p>- C2 (2520): All uses permitted in C1; Car washing establishments, automobile service stations, photographers', tailors and dressmakers' shops, taxi cab stands or stations, places of amusement, sample or showrooms, public parking lots, clinics, laundromats, hotels and other similar uses.</p> <p>- C2 (3036): A retail store, a restaurant - Type A, a bake shop, a service store, a dry cleaning and laundry collecting station, a business office, a parking station, an automobile service station, a photographer's, a tailor's and dressmaker's shop, a taxicab stand or station, a place of amusement, a sample or showroom, a public parking lot, a clinic, a laundromat, a hotel and other similar uses, a professional office.</p> <p>- C2 (3037): A retail store, a restaurant Type - A, a bake shop, a service store, a dry cleaning and laundry collection station, a business office, a professional office, a parking station, an automobile service station, a photographer's, tailor's and dressmaker's shop, a taxi cab stand or station, a place of amusement, a sample or showroom, a public parking lot, a clinic, a hotel, and other similar uses. Uses of a community, social or cultural nature such as a club, a lodge, a museum, a fraternal organization, a religious institution and other community non-profit institutions. All uses permitted are subject to the approval of the Medical Officer of Health and the Township Engineer.</p>	<p>The zones are very similar and can be merged. There are some minor differences with respect to the permitted uses in the General Commercial (C2) zone in By-law 3037.</p>
<p>C3 – Highway Commercial (2511) C3 – Highway Commercial (2520) C3 – Highway Commercial (3036) C3 – Highway Commercial (3037)</p>	<p>- C3 (2511): Automobile service stations, motels, hotels, places of amusement, open air farmer's market, a restaurant - Type A, service stores and parking stations.</p> <p>- C3(2520): Automobile service stations, motels, hotels, places of amusement, open air farmers market, a restaurant - Type A, service stores and parking stations.</p> <p>- C3 (3036): Automobile service stations, motels, hotels, places of amusement, open air farmers market, a restaurant - Type A, service stores and parking stations.</p> <p>- C3 (3037): Automobile service stations, motels, hotels, places of amusement, open air farmers market, a restaurant - Type A, service stores and parking stations.</p>	<p>The zones are very similar and can be merged.</p>



#### 4.1.4 Recommended Zone Structure

Based on the preceding discussions, this section presents a recommended zone structure intended to harmonize the existing mixed use and commercial zones and to create a uniform approach to organizing the zone categories which aligns with the Official Plan's Mixed Use Areas. This structure will help form a basis for applying mixed use zones throughout the City and eliminate some exception zones by replacing them with an appropriate parent zone.

The mixed use zone structure and zone symbology is recommended to be firstly aligned with the Mixed Use Areas designations of the Official Plan to create alignment optically with the overarching policy. As recommended in Discussion Paper #3, the zone symbology should follow a consistent approach; the parent zone should not utilize specialized symbols such as prefixes or suffixes with a dash. Remaining site-specific exception zones would be denoted as a suffix with a dash followed by the exception zone number. The overarching structure of zones would include:

- A series of City Centre (CC) zones would be maintained per the City Centre Zoning By-law 7553/17.
- Local Node (LN), Community Node (CN), and Mixed Corridor (MC) zones should be established to clearly align with the Mixed Use Areas designations that exist in the Neighbourhoods. A Specialty Retailing Node (SN or SRN) zone would be created to align with the related designation and would be developed and updated to align with the Kingston Road Corridor and Specialty Retailing Node Study. It is intended that this new set of zones would also reflect and thus eliminate common mixed use exception zones that exist within these Neighbourhoods, allowing them to be better integrated within the parent zone structure.
- Should area-specific mixed use zones be used in order to capture the unique characteristics of each Neighbourhood, the zone structure should use the parent zones identified above in addition to applying area-specific suffixes or site-specific exceptions to reflect further direction provided in the Neighbourhood policies.

A series of sub-zones based on the zones above could be created to respond to the policies of the Neighbourhoods or other geography. For example, the Seaton Urban Area would be implemented by a series of "S" sub-zones. The Kingston Road Corridor and Specialty Retailing Node Study Area would likely be implemented by a similar range of "K" sub-zone variants, such as MCK (or as required as an outcome of that Study). This will depend on the nature of the Official Plan Amendment proposed in conjunction with that Study as the Mixed Use Area designations could change. This approach also creates opportunity to create various other zones that are specific to other Neighbourhoods, as required. For example, if there is a need to set a sub-zone for the Community Node (CN) zone in the Duffin Heights Neighbourhood, it could be labelled CND or CNDH.

As noted in Section 4.1.2, there is likely a need to maintain a series of commercial zone categories to address stand-alone commercial uses in Mixed Use Areas where residential development should not necessarily be permitted. The consolidated commercial zones, shown in **Table 4.1**, are recommended to form the basis of a new series of commercial zones. Some of these zones could be integrated into the mixed use zone hierarchy above, but it is likely that, for example, some of these commercial zones could be applied within different subcategories of the Mixed Use Areas of the Official Plan. For example, it may be appropriate to maintain a Highway Commercial zone for application within various Corridors and Nodes where the permitted uses are contemplated.

- The Local Commercial (C1) zone should be maintained and updated, if necessary, to ensure conformity with the Official Plan and reflect common exception zones. It is anticipated this zone would only be applied within the Local Node designation as it permits uses generally servicing the local area.
- The General Commercial (C2) zone should be maintained and updated, if necessary, to ensure conformity with the Official Plan and reflect common exception zones. It is anticipated this zone would exist with the Community Node designation as it permits uses a larger range of uses that can serve broader areas.
- The Highway Commercial (C3) zone should be maintained and updated, if necessary, to ensure conformity with the Official Plan and reflect common exception zones. It is anticipated this zone would exist with the Mixed Corridor designation as it permits special purpose commercial uses.

The preceding approach is preliminary in nature and is subject to further consultation. The process of consolidating and integrating the numerous exception zones may also influence a preferred approach to conduct this work efficiently. The focus is on achieving the overarching principles, which are to ensure alignment with the Official Plan; reduce and simplify the number of zone categories; and create a flexible approach that minimizes the need for future exception zones.

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## 4.2 Automotive Uses

This section assesses the general conformity of the existing zoning within the City's Mixed Use Areas designation with regards to automotive uses and presents a framework to address conformity issues. Within the Mixed Use Areas designations, there are instances where policies prohibit automotive uses whereas the existing zoning permits the uses. This presents a conformity issue as uses are permitted within the Speciality Retailing designation and in the Mixed Corridor designation. Within the detailed policies of Chapter 11 and 12 of the Official Plan, further explicit direction is provided regarding where automotive uses are prohibited in Mixed Use Areas. This includes the following areas:

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- Motor vehicle service stations are prohibited in Minor Commercial Clusters of the Seaton Urban Area (Section 11.3(e) of the Official Plan);
- Automotive and vehicle sales are prohibited in Community Nodes within the Seaton Urban Area (Section 11.4(e)(ii) of the Official Plan);
- Drive-throughs and service stations are not permitted along the Pedestrian Prominent Street in Community Nodes in the Seaton Urban Area (Section 11.7(b)(iii) of the Official Plan);
- Gas bars, automobile services stations or car washes are prohibited for lands designated Mixed Corridors in Neighbourhood 6: Woodlands (Section 12.8(e)(ix) of the Official Plan);
- New vehicle sales and service uses including but not limited to motor vehicle service centres, motor vehicle gas bars and motor vehicle washing establishments are prohibited within the City Centre (Section 12.10D(e) of the Official Plan); and,
- Automobile service stations are prohibited within the Local Node in Neighbourhood 14: Rouge Park (Section 12.16(a)(iii) of the Official Plan).

There are no zones within the City Centre that permit automotive uses which aligns with the policies. The automotive uses prohibited in the Minor Commercial Clusters and Community Nodes within the Seaton Urban Area are not permitted in the Minor Commercial Cluster (MCC) zone or Community Node (CN) zone. Within the Community Node designation in the Seaton Urban Area, there are no zones that permit vehicle dealerships which aligns with the policies. There are also no instances of zoning which permit drive-throughs and service stations along Pedestrian Prominent Streets in Community Nodes in the Seaton Urban Area.

Within the Woodlands Neighbourhood there is not a strong degree of conformity between the Official Plan policies and existing zoning with regards to automotive uses. This Neighbourhood's zoning is largely comprised of mixed use and commercial exceptions, including zones that permit automotive uses such as Highway/Special Commercial and Car Wash (CN-1) zone and Commercial Automotive Station Type C (CA(C)) zone. The majority of exceptions apply to only one parcel indicating these zones are related to site-specific, individual contexts. Within Rouge Park, there is a strong degree of conformity between the Official Plan policies and existing zoning as there are no existing zones that permit automobile services stations.

Throughout the other Neighbourhoods, outside of the City Centre and Seaton Urban Area, there are no other instances where there is a lack of conformity with the Official Plan policies with regards to automotive uses. Unless explicitly prohibited (e.g. the City Centre designation), automotive uses are permitted.

Overall, the zoning appears to be more permissive with respect to automotive uses compared to the policies aside from some areas of the City. The following framework is recommended to address the above noted conformity issues:

1. The completion of a conformity matrix is recommended to thoroughly review the zoning including exception zones against the applicable policies in the Neighbourhoods and Development Guidelines.
2. The zoning would need to be modified to remove uses that are prohibited in the Official Plan. This can include changing the zone category to another zone category that better aligns with the Official Plan. A second approach is to modify the existing zone to remove the permitted use, provided this modification does not inadvertently remove land use permissions in other areas where the uses are appropriately permitted. A third option to modify the zoning is to create or modify exception zones to prohibit any uses prohibited by the Official Plan.
3. A new parent zone that permits only automotive uses could be established (e.g., retaining the Highway Commercial (C3) zone). This will help condense the many existing exceptions that permit automotive uses and allow the City to apply permissions for new automotive uses through rezoning applications.

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### 4.3 Zoning Approaches for Mid and High Rise Buildings

The Mixed Use Areas are the City's planned intensification areas, where a significant portion of growth will be directed within the built-up areas of the City. In accordance with Provincial, Regional and local policy, intensification is an important component of the City's growth management strategy. Growing through intensification reduces the impacts of outward growth and creates a more efficient use of existing infrastructure. However, intensification must be balanced with the need to ensure compatibility with existing neighbourhoods.

Municipalities are increasingly utilizing Zoning By-laws to establish detailed requirements for mixed-use development and intensification. Traditionally, older zoning by-laws focused on setting only minimum building setbacks (i.e., minimum required distance from the boundaries of the lot where a building can be located) and a maximum building height requirement. Newer zoning by-laws also introduce maximum setbacks, minimum building heights and a wide range of other standards that help to shape the buildings and uses much more prescriptively. This approach to zoning is referred to as "form-based zoning" and is explained further in Discussion Paper #1.

The purpose of this section is to review various zoning approaches for regulating mid-rise and high-rise development. This considers existing approaches used by the City in the City Centre and in Seaton under its recent Zoning By-laws for these areas, as well as the recommendations from the Kingston Road Corridor and Specialty Retailing Node Study, and drawing from general best practice.

#### 4.3.1 Assessment of the City Centre Form-Based Zoning Requirements

The City has implemented a modern framework for intensification in the City Centre. There are also detailed zoning requirements for mixed use developments in the Seaton Urban Area. While Seaton is not currently an intensification area, since it is greenfield, the zoning standards are form-based and include standards to ensure compatibility with lower-density adjacent residential areas.

Before reviewing the zoning, it is worthwhile to identify the policy which formed the basis for producing the implementing zoning as it may be prescriptive or directive with respect to the types of provisions required in the implementing Zoning By-law. The policies of Section 12.10 of the Official Plan address the City Centre. The following policies that are particularly relevant to the zoning are noted below:

- The policies under Section 12.10A generally promote a pedestrian-oriented design, with street-facing facades, adequate windows/entrances, massing that allows adequate sunlight and comfort, and other policies.
- The policies of Section 12.10D address requirements and expectations for active frontages, which refers to the use of a ground floor of a building that is animated with public and commercial uses like restaurants, and includes interesting façade treatment, glazing for window-shopping and other treatments. Certain streets are required to provide active frontages as noted in the Official Plan.
- Certain uses are prohibited under Section 12.D(e) such as automotive service uses and stand alone large format retail. Drive-throughs are subject to a zoning by-law amendment.
- The policies of Section 12.10E provide requirements for building heights, including providing transition near low density residential areas; special requirements for taller buildings (over 5 storeys); and an overall minimum building height of 3 functional storeys with a few exceptions.
- It is noted that the City Centre Urban Design Guidelines include more detailed requirements that elaborate on the policy framework. In particular, the Guidelines define Low-Rise, Mid-Rise and Tall Buildings with various direction on massing as well as setbacks. The document also defines the concept of Signature Buildings, which are important buildings due to their location or context and should receive innovative design or treatment. The Guidelines provide significant detail with respect to the public realm and right-of-way programming.

The zoning for the City Centre aligns with the policies, as has been previously reviewed in this Discussion Paper. However, the zoning is clearly more detailed than the policy, translating broader expectations into more detailed requirements. The zoning requirements are summarized as follows. Note that a more detailed explanation of some of the technical terms and concepts used in the following summary is included in the next section of this Discussion Paper.

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### Discussion Paper #5: Mixed Use Areas/Intensification Areas

- A minimum building height of at least 3 functional storeys (Schedule 4) is required.
- Detailed maximum building height requirements are incorporated into Schedule 5 as well as floor space index (density) requirements on Schedule 3.
- Additionally, building height is limited by an angular plane requirement where development is adjacent to low rise residential uses.
- The zoning facilitates active at grade frontages which are identified on Schedule 6.
- The zoning regulations (Table 4) provide for minimum and maximum building setbacks from the lot lines, typically from 1 - 4 metres, with some exceptions, namely a larger maximum setback for residential buildings and the ability to increase the setback where a publicly-accessible open space is provided such as a plaza.
- The zoning provides podium and tower requirements, with minimum and maximum podium height, and maximum tower floor plate for residential towers. A podium and tower approach is required where a building exceeds 37.5 metres in height. Further, building separation requirements are provided depending on building height and whether there are primary windows or balconies.
- A setback for the main wall, as defined in the By-law, is provided depending on the height of the building. The intent of these provisions is to set upper portions of a building further back from the street than the lower portions to reduce its impact and prominence over the streetscape.
- Balcony requirements include minimum depth and a restriction on where balconies can be located.
- A minimum of 60 percent of the street frontage must be occupied by a building.
- Where buildings are located on an active at grade frontage area, as shown on Schedule 6 to the By-law, a minimum of 40 percent of the first storey is to be comprised of openings and transparent glazing. A minimum ground floor height and primary entrance is also required. It is further noted that certain land uses (residential uses) are not permitted in areas designated as Active At Grade Frontages per Table 3 of the By-law, which identifies permitted uses.
- A minimum requirement that 10 percent of the lot area must be covered by landscaping.
- Minimum amenity space requirements for apartment dwellings are required.

The provisions of the zoning for the City Centre implement the policies in a comprehensive manner and are similar to other municipal approaches to form-based zoning in similar contexts. There are no significant gaps that are noted, and the standards are similar to other similar Ontario zoning by-laws. It is noted that the policies enable some exceptions to the minimum 3 storey building height, allowing for

expansions of existing buildings that do not meet 3 storeys, but there does not appear to be a built-in framework to allow for exceptions to occur as-of-right. However, this might be better addressed through minor variance applications.

One modest consideration for improvement is the current framework for Active At Grade Frontage areas, with respect to clarity and alignment with the Official Plan's objectives. The definition suggests that the Active At Grade Frontage area is intended to encompass the ground floor of a building where it faces a street line. It is unclear if this would extend within the entirety of the depth of the building or if separate buildings located in the rear of the lot would be subject to the standards (i.e., the "depth" of the requirement is unclear). Additional depth provisions for Active At Grade Frontage areas may be added to the Zoning By-law to clarify what portion of ground floor should be Active At Grade as the definition just uses the street line as a reference. The definition should also be clarified with regards to what is meant by "facing a street line". This will help address situations where there are multiple buildings proposed on a site and some are located in the rear of the lot and face the street line.

Further, the definition itself permits only certain uses which conflicts with the uses that are prohibited in the Active At Grade Frontage Area under Note 3 of Table 3. For example, apartments are not prohibited in Table 3, but they are also not referenced as being permitted in the definition of Active At Grade Frontage. Finally, it is noted that there is an opportunity to restrict Active At Grade Frontage uses to uses that will contribute to streetscape animation, like retail and restaurants. Other permitted uses, such as schools and retirement homes, for example, would not contribute to streetscape animation. Overall, there appears to be some opportunity to refine the requirements for At Grade Frontage Areas.

Some zoning by-laws in Ontario also include different "tiers" of active frontage requirements, including convertible frontage requirements. Convertible frontage requirements refer to building frontages that can be used for residential purposes, but a minimum ground floor height and other requirements (e.g., glazing) may be identified to allow the frontage to be converted to a commercial use in the future, should the need emerge. While this is not directly described in the Official Plan there is an opportunity to add this additional detail to the zoning framework as it would be translating the Official Plan's intent into more detail.

Further consideration can also be made to create a minor exemption to the maximum building setback where an outdoor patio accessory to a restaurant is provided to contribute to the activated streetscape that is envisioned. Currently, the provisions have an exemption for plazas or open spaces which is desirable and can be expanded upon.

There also appears to be some minor gaps between the City Centre Zoning By-law 7553/17 requirements and the topics and guidelines included in the City Centre Urban Design Guidelines. However, these matters are best addressed via site plan control where the requirement needs to be considered on a site-by-site basis. For example, the zoning does not address the concept of Signature Buildings. Overall, the zoning is

already very detailed and comparable to other similar form-based zoning by-laws in Ontario.

#### 4.3.2 Assessment of the Seaton Urban Area Form-Based Zoning Requirements

Similarly, the Official Plan includes relevant policies that establish the basis for form-based zoning in the Seaton Urban Area. The policies that are most relevant to form-based zoning as contained in Chapter 11, are summarized as follows:

- The policies speak to orienting buildings to face the street with smaller setbacks (e.g., Section 11.3 (c)).
- Within minor commercial clusters, as may be permitted in the Medium Density Area designation, the Plan intends for buildings to be located close to the streetscape and for automotive uses to be prohibited.
- Community Nodes and Mixed Corridors (Section 11.7) are required to integrate a strong pedestrian focus. This includes pedestrian predominant streets where buildings are close to the streetscapes, automotive uses are not permitted, and residential uses are not on the ground floor. Minimum 2 storey building heights are encouraged for sole commercial buildings. Building heights for mixed use buildings and residential buildings are at least 3 storeys (Section 11.7 (d)).
- It is noted that the policies include a framework allowing for interim development of lower density commercial uses to occur, with the idea that the site could intensify over time (Section 11.8). This includes some standards such as achieving a 75 percent building frontage along Pedestrian Predominant Streets. As such, the existing zoning may not fully implement the long-term vision for Community Nodes but rather reflect the initial phase or stage of development.
- The Seaton Urban Area is further broken down into various Neighbourhoods (16 - 21, as shown on Map 3 of the Official Plan), which contain more detailed requirements. These requirements tend to focus on permitted uses and density requirements and do not typically provide much further direction to inform form-based zoning.
- The Seaton Sustainable Place-Making Guidelines similarly provides further direction that builds on the policy framework. Section 4.2, in particular, provides guidance for commercial and mixed use development. This includes ensuring consistent setbacks and enclosure of buildings; directing parking to the rear of buildings; articulated façades; encouraging minimum ground floor height and animated streetscapes; treatment for corner sites; promoting fenestration/transparency; directing drive-throughs and similar uses to the rear of lots; screening for parking; requirements for live-work units and stand-alone commercial uses; specific requirements for pedestrian predominant streets (e.g., frequent building entrances every 30 metres, minimum block face requirement of 75 percent); and guidelines for mixed-use buildings, gas stations and other guidelines.



The Seaton Zoning By-law 7364/14 establishes a range of mixed use zones, including various Mixed Corridor (MC) zones, a Local Node (LN) zone and a Community Node (CN) zone. There is also a Community Node - Pedestrian Predominant Area (CN-PP) zone which is well aligned with the policy framework and terminology used in the Official Plan. The permitted uses are outlined in Table 12. The majority of these zones permit a wide range of both residential and commercial uses, although the Mixed Corridor Type 1 (MC1) and Minor Commercial Cluster (MCC) zones are somewhat limited. Following is a summary of the form-based zone requirements:

- In some zones, certain types of dwellings are only permitted on the same site as apartments, including live-work units; blocks townhouses; and back-to-back townhouses.
- Drive-throughs are not permitted between buildings and a street line within 15.0 metres of a street. This is directly aligned with some of the guidelines and policies that address drive-throughs.
- The Community Node - Pedestrian Predominant Area (CN-PP) zone restricts certain uses on the ground floor, including offices, clubs, veterinary clinics and other uses. Apartments are permitted on the ground floor.
- It is noted that the Mixed Corridor Type 1 (MC1) zone permits a few non-residential uses (e.g., commercial school) but there does not appear to be any associated lot/building requirements in Table 13 of the Zoning By-law.
- The zone requirements typically incorporate a range of appropriate form-based requirements, such as small minimum front yards (0 metres in some cases) as well as maximum front yards and both minimum and maximum building height requirements in most cases (some uses/zones do not have minimum building height requirements). The zones also include various notations to the tables addressing density requirements, balconies, minimum ground floor height, podium/tower requirements for taller buildings, and building entrance requirements. The standards vary between the zones and address many different situations with an appropriate range of different provisions that appear to be well aligned with the policies and guidelines.

Overall, there appears to be a strong degree of alignment between the Seaton Urban Area mixed use zones and the policies and guidelines. The approach to zoning is very specific to Seaton's policies, principles and guidelines, so no specific modifications or issues are noted.

The types of standards and structure of the provisions are very different from the City Centre Zoning By-law 7553/17 and it is likely that the standards will need to be kept separate, as previously recommended. However, when the existing Zoning By-laws are integrated into one new Zoning By-law, it is recommended that terminology and structure should be harmonized to the extent possible without changing the intent of the requirements.

#### 4.3.3 Inventory of Zoning Approaches for Mixed Use Areas and Mid-Rise and High-Rise Buildings

Based on the review of the City's existing Zoning By-laws in Seaton and in the City Centre, and consideration of other practices in Ontario, following is a description of the approaches used by municipalities in zoning to create a more prescriptive, form-based approach to mixed use, higher density areas and mid-and high-rise buildings and also to address compatibility with adjacent areas. This discussion represents an inventory of potential tools and approaches. This may inform updates to existing provisions in the Seaton and City Centre Zoning By-laws and can also inform the approach that will be used for zoning the other Mixed Use Areas of the City, including the Kingston Road Corridor and Specialty Retailing Node.

Some examples of approaches to address the streetscape include:

- **Minimum building height** is an essential component of a form-based zoning. One-storey buildings are a characteristic attribute of a dispersed, automobile-oriented built form. The minimum building height will typically vary to address the specific vision for the streetscape and the desired aesthetic and degree of enclosure. The City has employed minimum building height requirements in the City Centre and Seaton Urban Areas, in line with the policies where minimum building height is often prescribed. The minimum building height is often tied to the width of the right-of-way and the required building setback, to create a feeling of streetscape enclosure and to consider comfort for pedestrians. Establishing a minimum building height of two or more storeys helps to contribute to a more pedestrian-oriented built form and comfortable environment.
- **Build-to Line** is the concept of requiring that a building be constructed within a defined zone to ensure that a portion of the building frames and addresses the streetscape. While the City's current parent Zoning By-laws do not utilize the term build-to line or build-to zone, they have been utilized in site-specific exceptions. Alternatively, the same effect can be accomplished through the provision of minimum and maximum setback requirements. The difficulty with utilizing maximum setbacks rather than a build-to line approach is that exemptions to the maximum setback needs to be identified for the purposes of providing flexibility and clarity. A build-to line or build-to zone requirement is usually tied to a requirement about what proportion of the building must be located within the build-to line (usually ranging from 50 percent - 90 percent depending on the context).
- **Minimum and maximum density** requirements are often established to set limits and guide the overall intensity of a development. Density is often regulated by a floor space index requirement, which refers to the ratio of floor area to lot area. A floor space index of 1.0, for example, would refer to a development that has as much floor area as there is lot area. This would result in a building that is two storeys and takes up half of the lot area. It could also result in a four-storey building that takes up one-quarter of the lot area. A floor index requirement on its

own does not effectively regulate built form or character, and must be combined with other approaches, such as building height, lot coverage and setback requirements.

- **Activated building frontage** requirements are used to regulate the use and/or appearance of a building's ground floor where it faces a defined street. These requirements are established where there is a desire to ensure that a building contributes to an animated, active and interesting streetscape. This framework will usually involve prohibiting uses that do not contribute to an activated street, such as residential uses, in the ground floor. The applicability of activated building frontage requirements is often illustrated on a map or schedule to the zoning by-law. The framework used to regulate activated building frontage requirements vary considerably across Ontario. A detailed approach is used in City Centre, for example, as described previously. Some zoning by-laws will differentiate between "active" frontage requirements and "convertible" frontage requirements. Convertible frontage requirements are usually tied to a minimum ground floor height and are more flexible, allowing for transition in uses to occur as a neighbourhood is built-out.
- **Minimum ground floor height** is often established in conjunction with commercial uses to ensure that the ground floor will achieve a certain aesthetic and that it will be attractive to commercial tenants. The City utilizes this requirement extensively in the City Centre and Seaton Zoning By-laws where commercial uses are contemplated, as there are prescriptive policies and guidelines calling for minimum ground floor height.
- **Building entrances** are sometimes regulated in zoning to require functional entryways into buildings and storefronts with a defined frequency. This approach supports the concept of creating animated streetscape frontages. However, the suitable location of building entrances is often very site-specific. Overly prescriptive building entrance requirements can precipitate minor variances.
- **Lot coverage** refers to a requirement for setting limits around how much of a lot area can be covered by buildings. Lot coverage is expressed as a percentage. This is usually regulated in terms of maximum lot coverage to set a limit around the intensity of the lot's usage. However, minimum lot coverage requirements, although not often employed, can help to set a minimum expectation about the intensity of development. Like floor space index, this would have to be combined with other approaches to achieve a desired built form, such as minimum building height.

- **Minimum glazing/transparency requirements** can be established to regulate how much of the face of a building is covered by transparent surfaces, to create more interesting streetscapes; to promote window-shopping and streetscape animation; and to promote eyes on the street and create a sense of security. This type of requirement is usually limited to 40-60 percent of the building face in order to create a balance of achieving this design objective without stifling architectural creativity. The City utilizes these requirements in the City Centre but does not appear to include glazing requirements in the Seaton Zoning By-law 7364/14. It is noted that glazing requirements are not clearly defined as a matter that can be regulated by zoning under Section 34 the *Planning Act* (refer to Discussion Paper #1 for more context on the *Planning Act*). The Act focuses mainly on prohibiting the use of land, and the location, type of construction, building height, bulk, location, size, floor area, spacing, character and use of buildings or structures. It may be interpreted that glazing requirements fall under Section 34(4) of the Act which permits municipalities to regulate the character of buildings or structures.
- **Podium and tower configuration** is often required in situations where taller buildings are contemplated. A podium is a base of a building whereas the tower is the taller, more slender portion of the building that sits atop the podium. To mitigate impacts and achieve a desired appearance, the tower is usually required to be smaller in terms of footprint from the podium and located a distance from the edges of the podium. The podium is typically subject to both minimum and maximum building heights and the various setback or build-to line requirements as discussed previously. The tower is typically subject to more restrictive requirements such as tower separation and setbacks (discussed below) and maximum tower footprint or dimensions (discussed below). The City implements podium and tower configuration requirements in zones where taller buildings are contemplated.
- **Step backs** refer to additional setbacks for upper storeys of a building relative to the lower storeys. This creates a “step” for the upper storeys and is mainly an aesthetic element to contribute to a desired streetscape aesthetic and to help define a building’s base. It can also contribute to allowing sunlight or mitigating wind impacts within the street.

Some zoning approaches that focus on ensuring compatibility with adjacent uses and relationship to adjacent areas include:

- **Angular plane** is an approach to limiting building height. An angular plane is an imaginary horizontal plane extending from a lot line over the lot at a defined angle. Above this plane, buildings and structures are not permitted. The angle is usually set at 45 degrees. Angular planes can also be applied from some point above the lot line, to enable greater building heights than what would be permitted if the same angular plane was applied directly from the ground. Angular planes, when applied from a rear lot line or other lot line abutting low-rise uses, can be used to facilitate transition in building height and help minimize

impact. When an angular plane is provided from a front lot line (which is less common) or from the front lot line of a lot across the street, the effect of the angular plane is typically to manage building height to contribute to the vision and appearance of the streetscape. The City utilizes angular planes in the City Centre zones and in the relevant Seaton zones where taller buildings are contemplated for the purposes of providing transition and compatibility.

- **Landscaping and buffers** can be used to soften the streetscape or to provide transition. Zoning by-laws in Ontario frequently use minimum landscaping requirements, expressed as a percentage of a lot area. In the context of intensification areas, landscaping requirements are usually low (e.g., 5 - 25 percent depending on the context) as there is also a focus on creating a denser built form. Landscape buffers or strips can be used to establish a buffer comprising landscaping, fencing and vegetation, to help create transition. Landscape buffers are usually used in conjunction with parking areas to help reduce their impact to the streetscape or to adjacent lots.
- **Minimum setbacks** are used to set the minimum distance from the edges of a lot where a building is permitted to be located. With respect to the street, build-to lines are usually used in lieu of specifying minimum setbacks, or very low (or nil) minimum setbacks are established to help bring the building close to the street. With respect to the rear or interior lot line, or any lot line abutting low-rise residential uses, minimum setbacks can be used to help ensure transition and compatibility by creating distance between the building and the adjacent use. The City applies these approaches extensively.
- **Maximum building height** establishes the ultimate height limit for buildings which is essential to support objectives for aesthetics, impact on adjacent areas (e.g., shadow, privacy and sky views), and to help manage density. The City regulates maximum building height utilizing a schedule for City Centre, whereas the Seaton Urban Area establishes the maximum building height requirement in each zone category.
- **Tower separation and setbacks** establish specific requirements for tall building components (towers) to help minimize impact. Tower separation refers to the minimum distance between towers, and is usually about 25 metres for residential towers. Setting tower separation ensures privacy between units in the towers and helps to manage sky view and shadow impacts. The City has implemented these requirements in appropriate zones where tall buildings are contemplated.
- **Building dimensions** are occasionally used to establish a maximum length or depth (width) of a building to guide its massing and size and help manage associated impacts, such as shadowing, sky view, and aesthetics. This is often used in the context of towers in lieu of (or in addition to) floor plate requirements, or in the context of mid-rise buildings, such as a 30-metre maximum length. Many zoning by-laws will limit the number of townhouses that can be contained in a block (e.g., maximum width of 6 - 8 units). The City's existing Zoning By-laws

do not appear to utilize building dimensions aside from limits on townhouses, but rather have a comprehensive range of other standards as well as the site plan control process.

- Another approach to manage transition and compatibility with adjacent low-rise areas is to limit certain uses immediately adjacent to low-rise areas (e.g., townhouses) and to direct apartments and taller buildings to those portions of the lot that are further away from the low-rise areas. This can be achieved through a rezoning process by establishing townhouse zones (for example) immediately adjacent to low-rise areas. However, where development is being pre-zoned to implement broad policies of the Official Plan, there would need to be standards built into the zones such as requiring townhouses to be located within a certain distance of adjacent low-rise uses through general provisions or through the use of overlays. Alternatively, this approach can be implemented through Site Plan Control by working with the applicant to configure the uses and buildings on the lot to achieve the same objective.

Overall, the City utilizes most of the zoning approaches described above to the City Centre and Seaton Areas. There could be an opportunity to refine some of the provisions or further incorporate some of the items above, such as maximum building dimensions, but the existing provisions already comprehensively address a form-based approach to zoning.

#### 4.3.4 Addressing Form-Based Zoning Requirements in the New Zoning By-law

There is clear difference in terms of how the City Centre and Seaton Zoning By-laws structure and organize their form-based zones. When the Zoning By-laws are integrated into one new City-wide Zoning By-law, consideration will need to be made to harmonizing the form-based zones and introducing more consistency in terminology and approach.

Form-based zoning refers to an approach to the way that form-based provisions are structured in a zoning by-law, particularly building height and density requirements. Some zoning by-laws in Ontario utilize more complex text included in the zone symbol to incorporate standards, in addition to the standards in the underlying parent zone. The text within the zone symbol itself can integrate minimum and maximum building heights, densities and other requirements, as shown on the zone map. This approach can be desirable where there are complex requirements which cannot be easily organized into several zone categories. This is often the case in intensification areas, where it is difficult to incorporate a wide range of building height and density requirements, which is often needed.

In the case of City Centre, a separate schedule is used to illustrate building height requirements as well as schedules used to illustrate the applicability of other standards. This approach is not used in Seaton, because the building height requirements were able to be integrated into the zones themselves. It is anticipated that separate schedules or form-based zone symbols will need to be considered for the Kingston

Road Corridor and Speciality Retailing Node if the Corridor is pre-zoned, and perhaps applied in other areas, to address detailed requirements without having to create numerous zones.

## 4.4 Minor Variances and Site-Specific Exceptions

Discussion Paper #2 included a general assessment of minor variances and exceptions, in the past five years. **Table 4.2** below summarizes the variances to the mixed use and commercial zones. Note that this is an extract of the information included in Discussion Paper #2 and there are no variances to mixed use or commercial zones within Frenchman’s Bay Zoning By-law 2511. There have only been four minor variances to commercial parent zones and three minor variances to an exception zone Local Central Area (LCA) zone within the past five years. There is no clear trend in the type of variances to commercial zones being sought, as they vary and there’s no primary reason, indicating that each application has likely been submitted to address a unique need.

The majority of minor variances apply to mixed use zones, including many mixed use exception zones. The most frequent reason for a variance to a mixed use zone, including exception zones, has been related to use (35), garages (9), and building height (7). The remaining variances have been primarily related to site regulations such as parking and setbacks. Some of the mixed use zones in the Seaton Zoning By-law 7364/14 were subject to a large number of variances related to use. This does not necessarily mean that that the zones are not working well and need to be changed. Rather, each of the variances may be related to site-specific, individual contexts. It is not recommended that a modification to the parent zone standard is needed given the recent implementation of the Zoning By-law and its high degree of conformity with the Official Plan.

**Table 4.2: Number of Mixed Use and Commercial Minor Variances by Subject Matter and Zone (2015-2020)**

Zone	Total Variances	Accessory	Covered Platform	Deck	Flankage Yard	Front Yard Depth	Front Yard Parking	Front Yard Setback	Gaming	Garage	Building Height	Lot Area	Lot Coverage	Lot Depth	Lot Frontage	Parking	Porch	Rear Yard Setback	Side Yard Setback	Use
Bay Ridges Zoning By-law 2520																				
C3	3	1				1														1

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### Discussion Paper #5: Mixed Use Areas/Intensification Areas

Zone	Total Variances	Accessory Covered Platform Deck	Flankage Yard	Front Yard Depth	Front Yard Parking	Front Yard Setback	Gaming	Garage	Building Height	Lot Area	Lot Coverage	Lot Depth	Lot Frontage	Parking	Porch	Rear Yard Setback	Side Yard Setback	Use
MU-13	1																	1
<b>Zoning By-law 3036</b>																		
(H)RH/M U-2	3								1						1			1
(H)RH/MU-2, RH/MU-2, SA-LW, MD-H6	2								1									1
C1	1													1				
LCA-6 & OS-A	3							1	1					1				
MU-20	6					1								2		1	1	1
MU-22	1																	1
MU-27	1													1				
MU-SRN	1																	1
RM/MU	6	1	1				1			1				1	1			
<b>Rural Area Zoning By-law 3037</b>																		
MU-24	2					1												1
MU-32	1																	1
MU-MD-1	8	1						6	1									
<b>Seaton Zoning By-law 7364/14</b>																		
MC1 & LD1	13																	13
MC1-2	2		1													1		
MC1-2 & MCC2-1	2		2															
MC1-2-3 & LD1	10																	10
MC2	2					2												
MC2-1	2		1			1												
MC2-1-3	2		1					1										
<b>City Centre Zoning By-law 7553/17</b>																		
CC1	6	3																3



Zone	Total Variances	Accessory Covered Platform Deck	Flankage Yard	Front Yard Depth	Front Yard Parking	Front Yard Setback	Gaming	Garage	Building Height	Lot Area	Lot Coverage	Lot Depth	Lot Frontage	Parking	Porch	Rear Yard Setback	Side Yard Setback	Use
CC2	2								1									1
CC2 & NHS	3								2					1				
CC2-H7	1																	1

At this time, specific recommendations to modify zones or standards based on minor variances are not identified given the lack of trends amongst variances by zones and subject matter. However, it is recommended that this information be considered during the completion of the Draft Zoning By-law as the standards are refined and terminology is harmonized between the Seaton and Pickering City Centre Zoning By-laws.

With respect to site-specific exceptions, it is difficult to provide directions or conclusions for the purposes of this Discussion Paper. There are numerous such zones comprised of different zone symbols (e.g., Local Central Area (LCA) zone, Special Commercial (SC) zone, Mixed Use (MU) zone) and suffixes (e.g., Business or Professional Office – Multi-Residential (CO/RM1) zone, Mixed Use – Medium Density (MU-MD) zone) which present a challenge to identify how they can potentially be integrated or merged. Based on the preceding discussions within this Discussion Paper, it is recommended that a detailed review of the exception zones be undertaken as they may inform the update of parent zones or form a basis for a new set of zones.

## 4.5 Refuse Storage

Zoning by-laws are commonly used by municipalities to regulate areas used for storing refuse and waste in conjunction with other uses, including employment, commercial and residential uses. The benefits of regulating refuse storage are to address compatibility matters, such as potential odour, noise impacts from unloading/loading, and visual impacts. This section reviews the existing zoning standards for refuse storage and considers required potential updates.

Currently, existing Zoning By-laws 2511, 2520, 3036, 3037 and 7364/14 (Seaton) do not contain provisions directly related to these uses. However, any structures or uses associated with waste storage would be subject to review through Site Plan Control. Further, some of the provisions in these By-laws for accessory structures may also be applicable. Section 2.17 of City Centre Zoning By-law 7553/17 includes specific

provisions for waste management. This section requires that waste is to be stored in a fully enclosed building, enclosed structure, or within a partially in-ground structure. There are restrictions on where waste can be stored, including between the main wall of a building and a street line and within any landscaped area that is required by the By-law.

Regulation of refuse storage in a zoning by-law is a common approach used in other municipalities. In particular, regulation of waste storage in conjunction with employment uses, commercial uses and in conjunction with multi-unit residential development is a common practice in Ontario zoning by-laws and would be supportive of the general design and land use compatibility policies of the City of Pickering Official Plan. The approach used by other municipalities typically involves the provisions the City has already incorporated into the City Centre Zoning By-law and in some cases includes other details, such as separation distance from a low-rise residential zone. Additionally, some municipalities will limit refuse storage to enclosed buildings only in certain zones, such as mixed use zones, or in conjunction with uses where there is likely to create an odour issue (e.g., restaurants). However, underground refuse storage containers typically provide a similar benefit as the lower temperature underground can be enough for minimizing odours. This is consistent with the approach used in Zoning By-law 7553/17.

It is recommended that consideration be made to incorporate a City-wide framework for refuse storage, including consideration for best practice and any existing standards or guidelines that the City utilizes through Site Plan Control. Consultation with the City will be required to confirm which matters are best regulated in zoning versus matters that are better addressed through Site Plan Control.

## 5 Conclusions and Recommendations

The Mixed Use Areas of the City are intended to have the widest variety of uses and highest levels of activities. Generally, the existing mixed use and commercial zones align fairly well with the policies for the Mixed Use Areas, but a new zone structure for areas outside of the City Centre and Seaton Urban Area is required to achieve greater alignment with the Official Plan.

This Discussion Paper has included a review of existing policy for the Mixed Use Areas designation, comprised of its five subcategories, and its existing zoning. This Discussion Paper has explored a range of key issues and potential updates, including a framework for creating a new set of mixed use zones and consolidating the commercial zones. In summary, the following are the main recommendations made within this Discussion Paper:

1. It is recommended that a policy conformity checklist be completed for the Neighbourhood policies and Development Guidelines when developing the Draft Zoning By-law. These documents contain some detailed requirements such as, additional permitted uses and building requirements, that will have to be assessed individually in comparison with the existing zoning and exceptions which is beyond the scope of this Discussion Paper. This is the best means of ensuring conformity with these requirements and to ensure that the permitted uses are in conformity with the Official Plan, since the Mixed Use Areas designation contains a wide range of permitted uses. This conformity matrix would not be applied to the City Centre or Seaton Urban Area due to the recent implementation of their area-specific Zoning By-laws.
2. It is recommended that this Discussion Paper be reviewed/updated in the future to incorporate the outcomes of the Official Plan Amendment for the Kingston Road Corridor and Speciality Retailing Node Study Area. It is anticipated upon completion of this amendment there will be recommendations that will be implemented through a City-initiated Zoning By-law Amendment, or that implementing zoning will be developed through this Zoning By-law Review process. City Staff will be presenting the approach to zoning the lands within the Kingston Road Corridor and Specialty Retailing Node in detail as the Zoning By-law Review process moves forward.
3. It is recommended that any agricultural lands that are currently designed Mixed Use Areas be reviewed to determine whether they can be rezoned to an “Urban Reserve” or similar zone. However, the risk of leaving the lands as agriculture is minimal and would not conflict with the Official Plan.
4. It is recommended that the existing mixed use zones found in the City Centre and Seaton Zoning By-laws be retained. The zones in these existing Zoning By-laws likely cannot be further merged or consolidated due to their specific

nature. The City Centre zones will be differentiated by CC and the Seaton zones will be denoted by a “S” symbol following the initial parent zone.

5. It is recommended that a new mixed use zone structure be developed, integrating the City Centre, the Seaton Urban Area and new zones for the Kingston Road Corridor and Specialty Retailing Node. This new mixed use zone structure should be established to align with the Mixed Use Areas subcategories, and can include area-specific sub-zones to relate to the Neighbourhoods. In both cases, there is a need to consolidate and eliminate the wide range of exception zones, which will require detailed review to determine which zones should be carried forward or elevated as new parent zones. A streamlined approach to zone symbology should be utilized. Upon consolidation of common exception zones, remaining exceptions zones can be retained as exceptions and denoted as a suffix with a dash followed by the exception zone number.
6. It is recommended that where policy is directing intensification, or change to occur in the Neighbourhoods located outside of the City Centre, Seaton Urban Area, and the Kingston Road Corridor and Specialty Retailing Node Study Area, that individual properties be reviewed to determine if they can either be pre-zoned to an appropriate mixed use zone category or be rezoned “Urban Reserve”.
7. It is recommended that the existing commercial zones within the older Zoning By-laws be consolidated and updated to reflect the existing commercial typologies and the City’s intent for some areas to evolve. It is recommended that exceptions be reviewed in detail to identify potential updates to the existing commercial zone provisions. This will help reduce the need for future amendments. Additionally, other commercial parent zones may need to be established to reflect common commercial exception zones, such as the Local Central Area (LCA) zone and the Special Commercial (SC) zone. These exceptions will need to be reviewed for conformity with the Official Plan and for integration into the overall zone structure.
8. There are conformity issues regarding automotive uses prohibited in some Neighbourhoods yet permitted in the existing zoning. It is recommended that where zoning for these uses exist, the zoning be thoroughly reviewed against the applicable policies in the Neighbourhoods and Development Guidelines. As such, the completion of a conformity matrix is again recommended to provide assurance that the zoning is in line with the uses permitted by the Official Plan. The zoning can be left as is and modified to remove prohibited uses or the zoning can be modified to permit only existing uses. It is recommended that a new parent zone that permits only automotive uses be established.
9. The City Centre and Seaton Zoning By-laws utilize approaches and tools that are common in other Ontario municipalities to create a more prescriptive, form-based approach to mixed use, higher density areas and mid-and high-rise buildings and

also to address compatibility with lower-density, adjacent areas. It is recommended that some of these tools be integrated into a new zoning framework for the Kingston Road Corridor and Specialty Retailing Node and as part of the zones used to implement the Mixed Use Areas in other Neighbourhoods. This Discussion Paper incorporates some potential ideas about how the City Centre zones in particular can be modified. There appears to be limited opportunity to make changes to the Seaton zones, since they are so highly aligned with the policies.

10. When consolidating all of the existing Zoning By-laws into one new City-wide Zoning By-law, consideration will need to be made to harmonizing the form-based zones and introducing more consistency in terminology and approach. This may include utilizing a form-based approach to the text included in the zone symbols, such as indicating height or density requirements directly into the zone symbols, to permit a greater amount of flexibility and minimize the number of zone categories and exceptions.
11. It is recommended that the variances noted in the Discussion Paper be reviewed to assess potential updates to the mixed use and commercial zone provisions during the completion of the Draft Zoning By-law. The site-specific zones will need to be reviewed and integrated into the new zone structure.
12. It is recommended that a City-wide set of zoning provisions be developed to address refuse/waste storage in employment, mixed-use, commercial areas and in conjunction with multi-unit residential development.