

The Corporation of the City of Pickering

By-law No. XXXX/19

Being a by-law to amend Zoning By-law 2520 for Part of Lot 22, Range 3, Broken Front Concession, City of Pickering

Whereas the Council of The Corporation of the City of Pickering received an application to rezone the subject lands being Part of Lot 22, Range 3, Broken Front Concession, in the City of Pickering to permit a mixed use development consisting of apartment dwellings that contain ground floor commercial uses.

And whereas an amendment to By-law 2520, as amended, is required to permit such uses;

Now therefore the Council of The Corporation of the City of Pickering hereby enacts as follows:

1. Schedules I and II

Schedules I and II attached hereto with notations and references shown thereon are hereby declared to be part of this By-law.

2. Area Restricted

The provisions of this By-law shall apply to those lands in Part of Lot 22, Range 3, Broken Front Concession, in the City of Pickering, shown as CN-XX, OS and NHS on Schedule I attached hereto.

3. General Provisions

No building, structure, land or part thereof shall hereafter be used, occupied, erected, moved or structurally altered except in conformity with the provisions of this By-law.

4. Definitions

In this By-law,

- (1) “**Amenity Area**” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.

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- (2) “**Animal Care Establishment**” means a building, structure or part thereof, where dogs and cats and other domesticated animals, excluding livestock, are groomed and/or kept for a fee on a daily basis.
- (3) “**Art Gallery**” means a premises where paintings, sculptures, or other works of art are exhibited or sold.
- (4) “**Bake Shop**” means an establishment where baked goods are made and sold to the public.
- (5) “**Balcony**” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- (6) “**Building, Apartment**” means a building containing more than four dwelling units where the units are connected by an interior corridor.
- (7) “**Café**” means a restaurant with a maximum gross leasable floor area of 100 square metres and which serves non-alcoholic beverages, snacks and light meals and does not include a drive-through facility
- (8) “**Commercial Fitness/Recreational Centre**” means a commercial establishment in which indoor fitness and recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools, exercise classes and other similar indoor recreational facilities are provided and operated for gain or profit, but does not an arena, stadium or place of amusement or entertainment as defined herein.
- (9) “**Convenience Store**” means a retail store with a maximum leasable floor area of 300 square metres where articles for sale are restricted to a limited range of goods, primarily food, toiletries, housewares, stationary and other similar daily household necessities, but does not include a supermarket.
- (10) “**Day Care Centre**” means:
- a) indoor and outdoor premises where more than 5 children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act; or,
 - b) indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.
- (11) “**Dry Cleaning Establishment**” means premises in which the business of laundry or dry cleaning is housed and where the cleaning, drying, ironing, and finishing of such goods is conducted.

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- (12) **“Financial Institution”** means a building, or part thereof, where money is deposited, withdrawn, kept, lent or exchanged.
- (13) **“Floorspace index (FSI)”** means the total gross floor area of all buildings on a lot divided by the total area of the lot.
- (14) **“Front Wall”** means the closest point, measured at grade level, of the wall of a building facing or most nearly facing the street from which the building has its primary entrance door.
- (15) **“Home Improvement Centre”** means a building or part of a building wherein building materials, hardware or accessories, including lumber, are displayed or offered for sale.
- (16) **“Medical Office”** means premises designed and used for the diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries which are limited to a maximum of 50 square metres in gross leasable floor area, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.
- (17) **“Office”** means a building or part thereof, where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration but shall not include a medical office.
- (18) **“Patio”** means an outdoor amenity area where seating accommodation can be provided and/or where meals or refreshments are served to the public for consumption.
- (19) **“Personal Service Establishment”** means a building, structure, or part thereof, where services are provided and administered to individual and personal needs and where retail sale of goods accessory to the service provided is permitted and include, but is not limited to, hair care, aesthetics, health and beauty treatment, dressmaking, tailoring, shoe shining and repair, laundromat and laundry depot.
- (20) **“Restaurant”** means a building or part of a building where the principal business is the preparation of food for retail sale to the public for immediate consumption on or off the premises, or both on and off the premises but shall not include a night club.
- (21) **“Retail Store”** means premises in which goods and merchandise are offered or kept for retail sale or rental to the public. This definition shall not include any establishment otherwise defined in this By-law

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- (22) **“Storey, First”** means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.
- (23) **“Street, Private”** means:
- a) a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
 - b) a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;
 - c) A private street is measured between the front of the curb on each side of the private street.
- (24) **“Supermarket”** means a building, or part thereof, containing a departmentalized food store, but does not include a convenience store.
- (25) **“Tavern/bar/pub”** means an establishment which supplies alcoholic drinks and may provide food and entertainment and contains a walk-up bar or counter where patrons may order, obtain and pay for food and alcoholic drinks.
- (26) **“Veterinarian clinic”** means a building or part of a building providing the services of a veterinarian, and facilities for the medical treatment, examination, surgery, diagnosis, grooming, general health care, and observation of domestic animals and birds.

5. Provisions

(1) Uses Permitted (“CN-XX”)

No person shall within the lands zoned “CN-XX” on Schedule I attached hereto, use any lot or erect, alter or use any building or structure for any purpose except the following:

- (i) Apartment Dwelling.
- (ii) Commercial Uses:
 - a. Animal Care Establishment;
 - b. Art gallery;
 - c. Bake shop;
 - d. Financial Institution;
 - e. Café/restaurant;
 - f. Medical office,
 - g. Commercial fitness/recreation centre;
 - h. Convenience store;
 - i. Day Care Centre;
 - j. Dry-Cleaning Establishment;
 - k. Home improvement centre;
 - l. Tavern/bar/pub;

- m. Office;
- n. Personal service establishment;
- o. Retail store;
- p. Supermarket; and,
- q. Veterinary clinic.

(2) Zone Requirements (“CN-XX”)

No person shall within the lands zoned “CN-XX” on Schedule I attached hereto, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) Building Location and Setbacks:

- (i) No building, part of a building, or structure shall be erected outside of the building envelope illustrated on Schedule II attached hereto.
- (ii) The minimum setback between buildings shall be 20.0 metres.

(b) Residential Amenity Area – minimum 4.0 square metres per dwelling unit

(c) Building Height (maximum) – 23 storeys, 70.5 metres

(d) Minimum Net Density – 140 units per net hectare and 1.5 FSI

(e) Maximum Net Density – 340 units per net hectare and 4.4 FSI

(f) Minimum Balcony Depth – 1.5 metres

(g) Minimum Ground Floor Height where commercial is provided – 4.5 metres

(h) Maximum Building Width – 70 metres

(i) Stepbacks - A minimum pedestrian perception step-back of 1.5 metres shall be required above the 4th storey.

(j) Parking Requirements

- (i) For residential apartment dwellings, 0.8 spaces per dwelling unit and an additional 0.15 spaces per dwelling unit for visitors.

- (ii) For commercial uses in accordance with 5.1.ii, 3 spaces per 100 sq. m. of commercial Gross Leasable Floor Area.
- (iii) For public parking, a total of 200 parking spaces must be provided.
- (iv) Each parking space within a private garage shall have a minimum width of 2.6 metres and a minimum length of 5.3 metres in, exclusive of any land used for access, maneuvering, driveways or similar purpose.

(k) Obstruction of Yards

Despite Section 5(4)(a)(i), architectural projections, including balconies, covered porches, platforms and awnings may project outside the building envelope identified on Schedule II of this By-law, to a maximum projection of 2.5 metres from the main wall of the building.

(l) Special Regulations

- (i) The minimum width for a private street shall be 6.5 metres.

(3) Uses Permitted (“OS”)

No person shall within the lands zoned “OS” on Schedule I attached hereto, use any lot or erect, alter or use any building or structure for any purpose except the following:

- (i) Community gardens;
- (ii) Playgrounds;
- (iii) Picnic area;
- (iv) Unorganized play areas;
- (v) Public trails, boardwalks, rest areas; and,
- (vi) Stormwater management facilities;

(4) Uses Permitted (“NHS”)

No person shall within the lands zoned “NHS” on Schedule I attached hereto, use any lot or erect, alter or use any building or structure for any purpose except the following:

- (i) Forest, fish and wildlife management and associated scientific and educational uses

6. By-law 2520

By-law 2520, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law as it applies to the area set out in Schedule I attached hereto. Definitions and subject matter not specifically dealt with in this By-law shall be governed by the relevant provisions of By-law 2520, as amended.

7. Effective Date

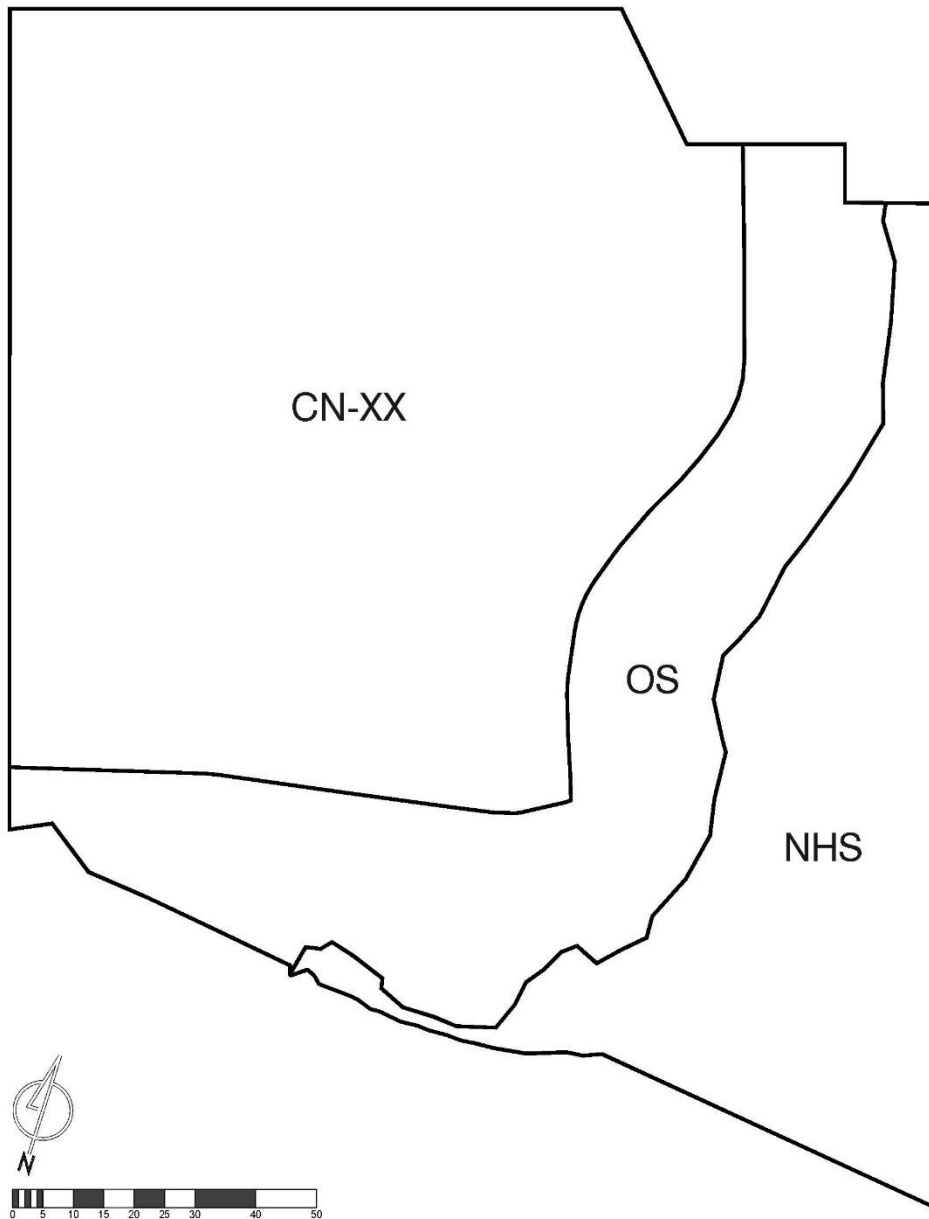
This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law passed this day of , 2019.

David Ryan, Mayor

Debbie Shields, City Clerk

Schedule I



Schedule II

