



Shaping Your City

City of Pickering Zoning By-law Review

Discussion Paper #4: Employment Areas

Final | February 2021

Revision History

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1 Introduction

This Discussion Paper provides an assessment of zoning within the City's Employment Areas, as designated by the City of Pickering Official Plan (the Official Plan). The Employment Areas are those lands in the City where a significant portion of job growth is planned to be accommodated, and where other non-employment uses are restricted. 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 Employment 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 Employment Area Policy and Zoning

The main purpose of this Discussion Paper is to evaluate the relationship of the existing zoning against the City's policies for its designated Employment Areas. This section provides a description of the relevant policy pertaining to the Employment Areas and identifies the zoning by-laws that currently regulate land use and development within these Employment Areas.

2.1 Official Plan

The Official Plan establishes policies and guidance for land use and development across the City, including policies for the City's various Employment Areas. This section identifies the relevant policies for the purposes of this Discussion Paper.

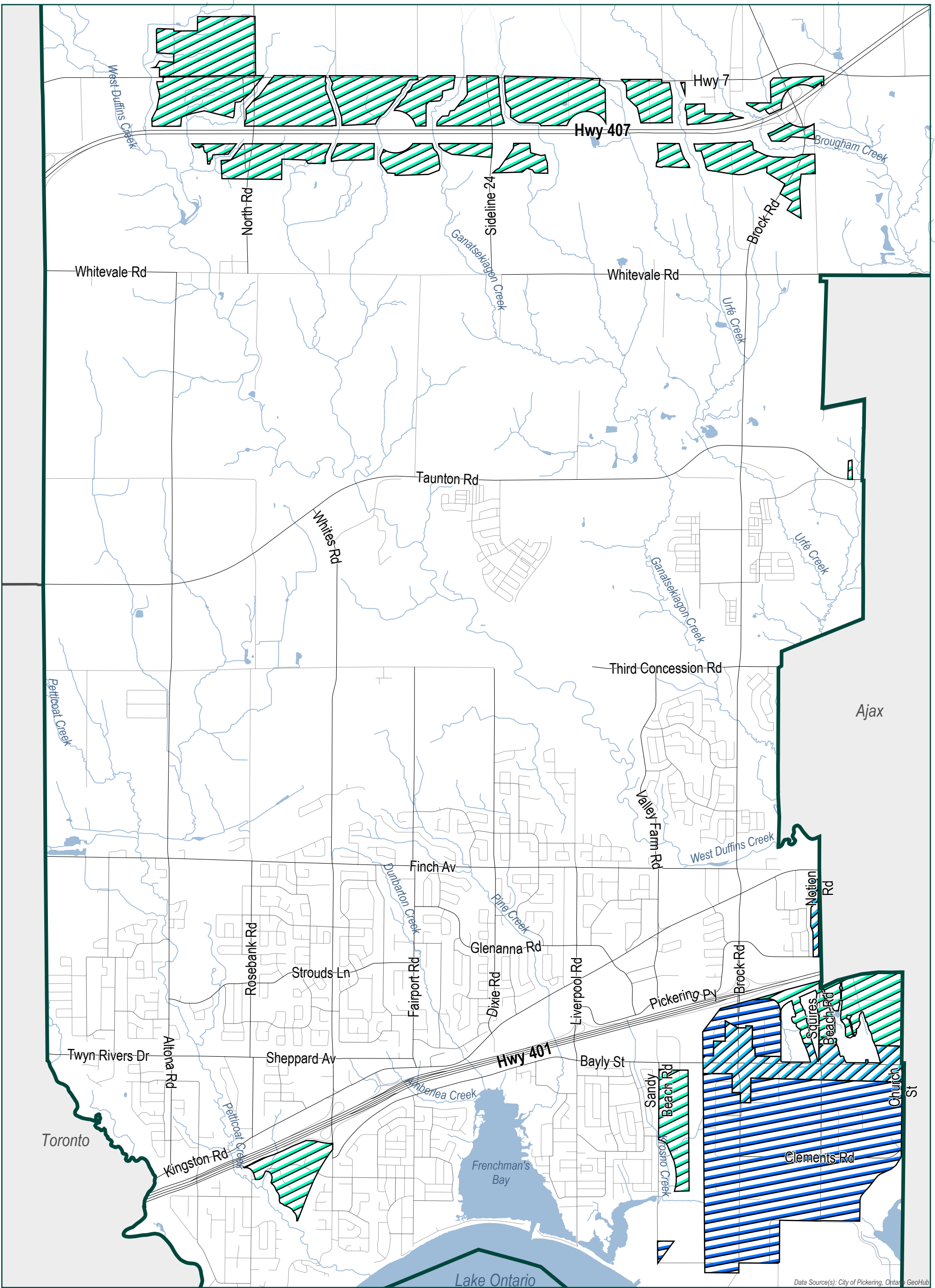
2.1.1 Land Use Policies

Schedule I of the Official Plan identifies the areas that are designated as Employment Areas. The Employment Areas designation is further broken down into three subcategories: General Employment, Prestige Employment, and Mixed Employment. **Figure 2.1** shows the areas that are designated as Employment Areas. A large area in the south east corner of the City is designated General Employment, with smaller adjacent areas designated Prestige Employment and Mixed Employment. A strip of Mixed Employment is also located on the west side of Notion Road, north of Highway 401. A smaller Prestige Employment area is located on the east side of Petticoat Creek, south of Highway 401. The remaining Employment Areas are Prestige Employment areas located along Highway 407 within the Seaton Urban Area.

Chapter 3 of the Official Plan establishes policies for each land use designation. It states that most land use designations in Pickering contemplate employment opportunities, including home-based occupations, retail, personal services and professional offices amongst a wide range of land uses.

This Discussion Paper focuses on the Employment Areas designation. Home occupations and other employment opportunities in the Residential Areas are discussed in the Residential Discussion Paper #3 while retail uses and other uses in the Mixed Use Areas are addressed in Discussion Paper #5. Discussion Paper #6 addresses the rural and agricultural areas of the City and any associated employment uses.

Section 3.8 of the Official Plan states that Employment Areas are intended for concentrations of manufacturing, assembly and warehousing uses, and related employment opportunities. Employment Areas are classified according to their mix of uses, their operational characteristics, their design, and their performance requirements.



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

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

- Legend**
- Official Plan Designated Employment Area**
 - General Employment
 - Mixed Employment
 - Prestige Employment



The three subcategories of Employment Areas are General, Prestige and Mixed Employment. The uses permitted within each subcategory are fairly broad and include traditional heavy and light industrial uses, office uses, limited restaurant and retail uses and community, cultural and recreational uses as appropriate (Table 7 of the Official Plan). The General Employment designation is intended to accommodate the broadest range of employment uses including potentially heavier uses, whereas Prestige Employment designation is intended to be more focused on offices and lighter industrial uses. The Mixed Employment designation is similar to the Prestige Employment designation except that it also permits limited retailing of goods and services serving the area.

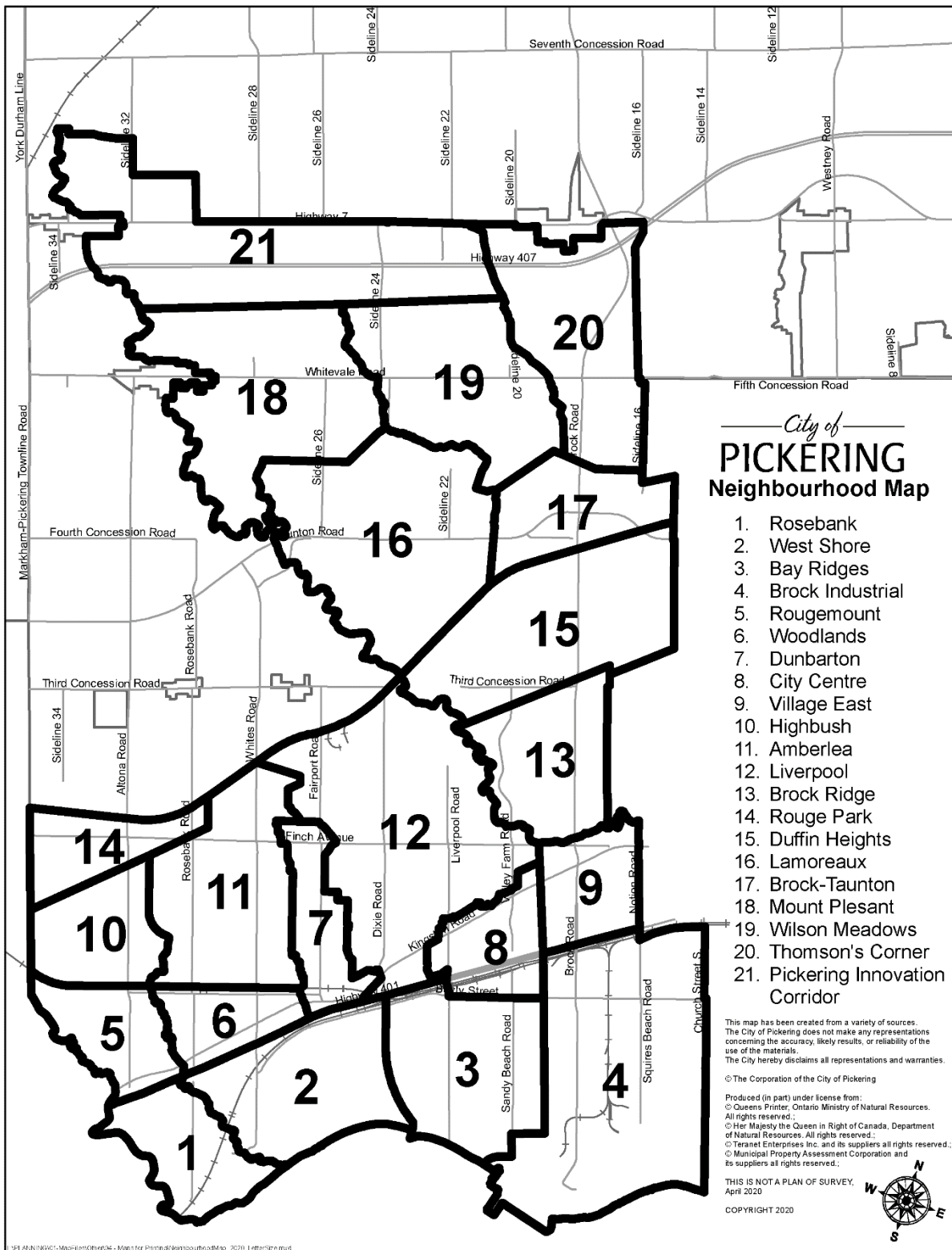
Chapter 3 of the Official Plan does not provide detailed policies related to density, design or the public realm in the Employment Areas. Section 3.8(b) of the Official Plan states that Council, “may zone lands designated Employment Areas for one or more purposes as set out in Table 7, and in so doing will apply appropriate performance standards, restrictions and provisions.” Zoning of the Employment Areas should therefore consist primarily of employment zones with permission for related uses, but may also include a diverse range of other zones to address complementary uses within the requirements of the Official Plan, such as limited commercial uses serving the Employment Areas. There may also be a need to include area-specific provisions to implement the direction of the neighbourhood policies. This will be discussed in greater detail in Section 3 of this Discussion Paper. Section 3.8(c) of the Official Plan also intends for the Mixed Employment areas to have the highest performance standards and aesthetics, followed by Prestige Employment areas, and followed by General Employment areas.

More detailed direction is provided within the neighbourhood policies that include Employment Areas in their boundaries. The neighbourhoods are shown on maps 3A (South Pickering) and 3B (Seaton Urban Area) of the Official Plan, in Chapter 2, and on **Figure 2.2** of this Discussion Paper. The relevant neighbourhood policies are summarized as follows:

- South Pickering
 - Neighbourhood 2, West Shore, includes a Prestige Employment area. The neighbourhood policies do not provide further direction or detail regarding Employment Areas.
 - Neighbourhood 3, Bay Ridges, also includes a Prestige Employment area which is contiguous with the Brock Industrial area and is in the southeast corner of the neighbourhood. The neighbourhood policies do not provide any more detailed guidance.
 - Neighbourhood 4, Brock Industrial, addresses the majority of Employment Areas in South Pickering. The neighbourhood policies identify a “Detailed Review Area”, which aligns with the Mixed Employment designation, which are corridors along Bayly Street and a portion of Brock Road. The policies only speak to road and active transportation connections and do not give additional guidance on permitted uses.

- Neighbourhood 9, Village East, includes a strip of land designated Mixed Employment. The policies of Section 12.11(e) speak to the desire to see these uses transition over time including improved compatibility and design interface, given these employment uses are directly adjacent to residential uses. These uses are intended to function as providing transition between the residential uses to the west and heavier industrial uses to the east in Ajax. Further, under Section 12.11(f), new automotive and vehicle sales and repair uses are not permitted. Additionally, Section 12.11(g) provides design criteria to guide development or redevelopment of properties in this designation. There is an opportunity to support implementation of these policies in the zoning. This area is also shown as an area for which Development Guidelines have been prepared.
- Seaton Urban Area
 - Neighbourhood 20, Thompson's Corners, includes Prestige Employment areas in proximity to the Highway 407 corridor. A minimum density of 2.0 floor space index (FSI) is required for free-standing office buildings within the Prestige Employment designation.
 - The majority of Employment Areas along the Highway 407 Corridor are captured within Neighbourhood 21, the Pickering Innovation Corridor. The Official Plan provides greater direction on employment uses and densities in the Prestige Employment designation by applying two subcategories to the Prestige Employment designation: Prestige Employment General; and Prestige Employment Node.

Figure 2.2: Delineation of the Neighbourhoods



2.1.2 Employment Policies

Chapter 5 of the Official Plan includes policies related to the City's economic development strategy. The Official Plan recognizes the need for a shift from resource-based to knowledge-based employment in Canada and states that new employment uses located in close proximity to other uses (such as residential), should be compatible with the scale and performance characteristics of other uses in the area. The relevant economic development policies related to the Employment Areas and zoning include:

- Section 5.2(a) and (b) generally promote economic diversification as well as global considerations; and,
- Section 5.2(c) intends that economic activities occur over a wide range of locations.

Chapter 11 of the Official Plan includes policies related to employment lands within the Seaton Urban Area. The intent is to direct Prestige Employment uses, such as offices and light manufacturing uses without outdoor storage, to the Highway 407 corridor and locate population-serving uses, such as personal services, retailers, education, health care and government land uses closer to residential areas. The intent is to create an economically and fiscally sustainable community in the long term through a balance of residential and employment growth in the Seaton Urban Area. Specific policies related to land use and zoning are included as an excerpt as follows:

- Section 11.31 It is the objective of Council to:
 - (d) facilitate entrepreneurial employment and home-based employment by providing a range of opportunities for small businesses to grow and expand in appropriate settings within the Seaton Urban Area;
 - (e) ensure that employment areas are easily accessible by vehicle, transit, bicycle and on foot;
 - (f) ensure that large employment uses adjacent to residential uses are adequately screened and/or separated by appropriate buffers to provide a visual barrier;
 - (g) separate employment uses generating substantial truck movements from residential uses, in order to minimize truck traffic through residential neighbourhoods;
- Section 11.32 Despite the permitted uses in Table 7, City Council shall prohibit the following uses within the Prestige Employment designation in the Seaton Urban Area:
 - (a) retail stores including large format retail uses except for convenience commercial, and retail sales as a minor component of an industrial operation;
 - (b) outdoor storage;

- (c) waste processing, waste transfer and recycling facilities;
 - (d) freight transfer and similar trucking facilities;
 - (e) automotive and vehicle sales and repair; and
 - (f) places of worship and elementary and secondary schools.
- Section 11.33 City Council shall within the Prestige Employment designation permit limited personal service uses, convenience commercial, restaurants and financial institutions which are ancillary to and serve the employment area and shall be located according to the following criteria:
 - (a) clustered in nodal locations or on the ground floor of office buildings;
 - (b) on arterial roads at a signalized intersection;
 - (c) adjacent to a transit stop; and
 - (d) for service stations, despite Section 16.39(d), at signalized intersections provided that only one such use is located within 100 metres of an intersection.
 - Section 11.35 City Council shall require Neighbourhood Plans for Neighbourhoods 20 and 21 to identify and protect for higher intensity employment uses in the vicinity of the Highway 407/ETR Transitway stations in the Prestige Employment designation. These nodes including the transit stations shall be considered as long-term intensification areas, and City Council shall encourage increased office development through intensification of commuter parking lots over time and on other sites around the interchanges.

These policies provide specific direction to guide the zoning including permitted uses in the Seaton Urban Area's Prestige Employment areas. It is expected that zoning within these areas will be well aligned with the intent of these designations since the zoning was completed recently.

2.1.3 Design Policies

Chapter 9 of the Official Plan includes general community design policies and Chapter 14 of the Official Plan addresses Detailed Design Policies. These sections are summarized in Discussion Paper #3. These broad principles and objectives emphasize creating more pedestrian-friendly, transit-oriented community design, which may be implemented through updates to the employment zones such as reduced setbacks from the street line where appropriate, as well as landscaping requirements.

2.2 Zoning

All six of the existing Zoning By-laws contain provisions for employment uses within their respective jurisdictions. However, only a few of the Zoning By-laws address the Employment Areas, as noted below. 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 Official Plan designations and the existing Zoning By-laws is shown in **Figure 2.3** and described as follows:

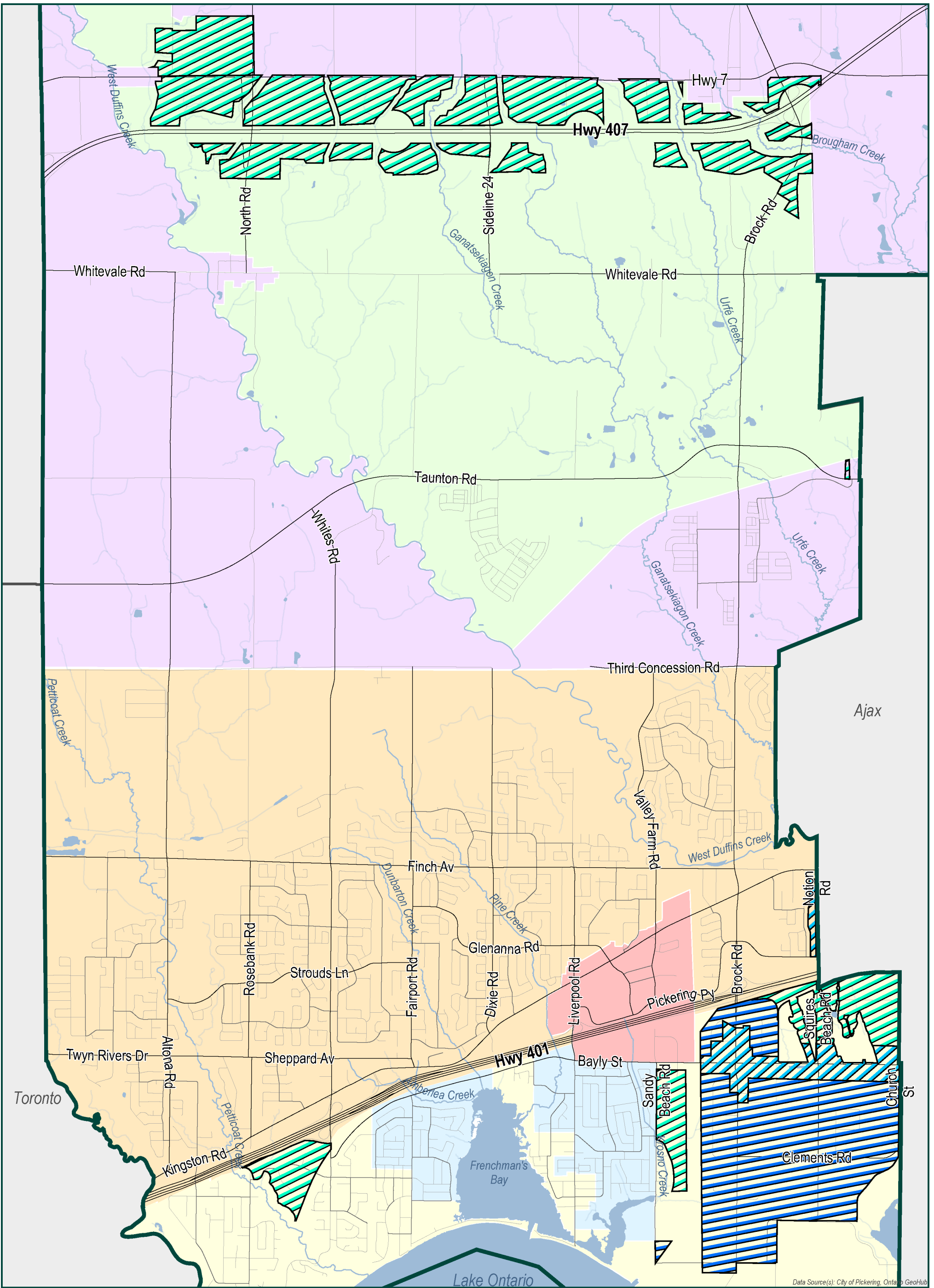
- The Pickering City Centre Zoning By-law 7553/17 encompasses lands that are designated Mixed Use and permits both residential and office uses subject to appropriateness and design considerations. However, there are no Employment Areas addressed by this Zoning By-law. As such, the Pickering City Centre land use designation is addressed in more detail in Discussion Paper #5.
- The Seaton Zoning By-law 7364/14 includes lands designated as Prestige Employment areas, following the Highway 407 Corridor and establishes related employment zones.
- The Frenchman's Bay Area Zoning By-law 2511 includes a large area designated General Employment, as well as areas designated Prestige Employment, making this Zoning By-law directly relevant to this Discussion Paper.
- Zoning By-law 3036 addresses a strip of land zoned Mixed Employment.
- The Rural Area Zoning By-law 3037 is principally rural in nature. This Zoning By-law addresses one small parcel of land with a Prestige Employment designation.

The employment zones utilized in the existing Zoning By-laws are:

- M1 – Storage and Light Manufacturing (Zoning By-laws 2511, 3036 and 3037)
- M2 – Industrial (Zoning By-law 2511)
- M2S – Yard Storage and Heavy Manufacturing (Zoning By-law 2511)
- PEG – Prestige Employment General (Zoning By-law 7364/14)
- PEN – Prestige Employment Node (Zoning By-law 7364/14)

- PE-HL – Prestige Employment Heritage Lot (Zoning By-law 7364/14)
- ES – Employment Service (Zoning By-law 7364/14)

As indicated above, with the exception of the Prestige Employment (PEG and PEN) zones of Seaton Zoning By-law 7364/14, the names of zone categories are not in alignment with the Official Plan's land use designations. Section 3.4 of this Discussion Paper discusses the permitted uses of each zone and how they align with the Official Plan designations.



City of Pickering Zoning By-law Review

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

Legend

- Official Plan Designated Employment Area**
- General Employment
 - Mixed Employment
 - Prestige Employment

- Parent Zoning By-laws**
- Zoning By-law 2511
 - Zoning By-law 2520
 - Zoning By-law 3036
 - Zoning By-law 3037
 - Zoning By-law 7553
 - Zoning By-law 7364



3 Official Plan Conformity Assessment

In accordance with the *Planning Act*, the zoning must be reviewed for conformity with the Official Plan. The zoning may need to be updated to bring it more into alignment with the Official Plan. This section identifies the 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.

3.1 Durham Regional Official Plan

It is valuable to examine the Durham Regional Official Plan, as it provides direction with respect to permitted uses in designated employment areas. As much as possible, the zoning should be aligned with these policies.

Schedule A to the Durham Regional Official Plan illustrates the Regional Structure, including delineating the areas of the Region that are considered Employment Areas. Land use and development within these areas are subject to the policies of Section 8C. Policies related to permitted uses in the Employment Areas are briefly summarized as follows:

- Section 8C.2.1 lists the permitted uses in the Employment Areas, including manufacturing, assembly/processing, research and development, warehousing, offices, business parks, hotels, storage, freight transfer and transportation facilities.
- Section 8C.2.2 prohibits residential uses, nursing and retirement homes, elementary and secondary schools and places of worship in Employment Areas.
- Section 8C.2.3 notes that lands adjacent to certain major employment uses, such as the electric power generating station are to be reserved for industries that benefit from locating close to those facilities.
- Industrial activities that are impactful are to be well-removed/buffered from the Living Areas which are delineated on Schedule A of the Durham Regional Official Plan. Additionally, obnoxious uses are not permitted.
- Sections 8C.2.12 - 8C.2.13 permit limited personal service and retail uses, subject to criteria. Minor ancillary retail in conjunction with industrial uses may also be permitted subject to local requirements.
- Section 8C.2.14 prohibits major retail except where permitted locally as described in the Plan.

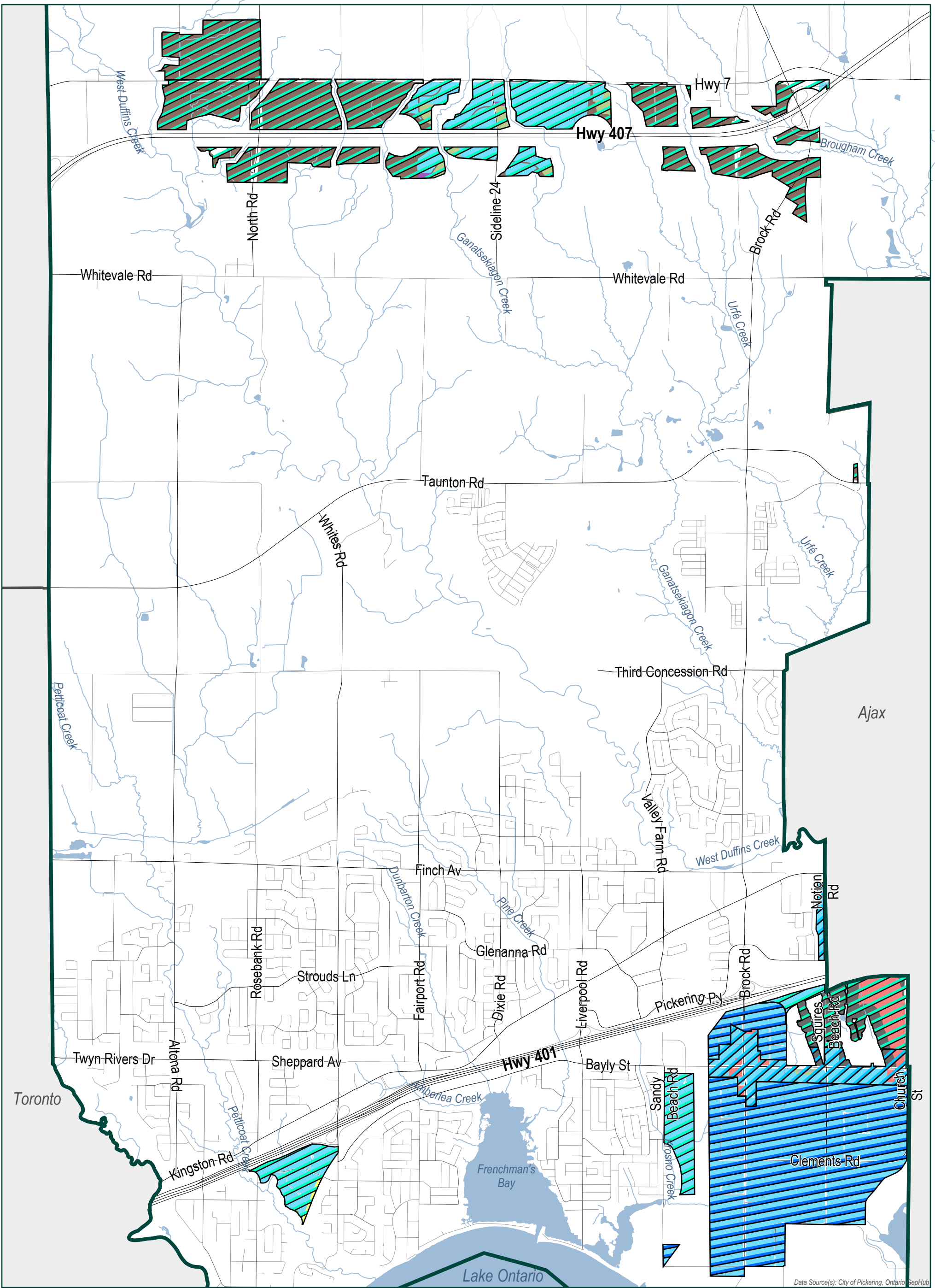
As much as possible, the zoning should be aligned with the Durham Regional Official Plan to support these policy objectives. A potential conflict or area requiring further input is the notion that the City of Pickering Official Plan appears to permit a range of community uses (Table 7 of the Official Plan) which are more explicitly prohibited in the

Durham Regional Official Plan. Additionally, the Durham Regional Official Plan incorporates specific provisions and limitations regarding retail and service uses which are not necessarily implemented in the City's Official Plan if the Regional policies are newer than the City's policies. For example, the Durham Regional Official Plan clearly permits offices in the various Employment Areas, whereas offices are limited to ancillary uses in the City of Pickering's General Employment designation. Where these conflicts exist, further input and discussion will be required to confirm the direction that should be incorporated into the Zoning By-law Review. While the new Zoning By-law must conform to the City's Official Plan, the Durham Regional Official Plan provides newer policy direction that may ultimately be integrated into the City's Official Plan and thus in some cases will be better to align the Zoning By-law with the Durham Regional Official Plan.

3.2 Official Plan and Zoning Relationship

As discussed in Section 2, the Official Plan permits a range of employment uses, as well as some limited complementary service and commercial uses, within the Employment Areas designation. This section discusses the ways in which the existing Zoning By-laws implement the Employment Areas policies of the Official Plan and provides recommendations for updating the Zoning By-law for conformity with the Official Plan. A wide variety of employment uses are permitted within the Employment Areas designation with some area-specific provisions for each subcategory as set out in the neighbourhood policies.

The analysis provided in this section is intended to help identify potential conflicts with respect to the uses permitted by the Official Plan and the existing Zoning By-laws. **Figure 3.1** indicates the Employment Area designations and shows the existing generalized zoning categories underlying those areas. It is apparent that a number of areas designated for Employment are zoned "Residential", "Commercial", "Open Space" and "Agricultural". Note that the 'generalized zoning categories' represent a simplified description of the intent of various zones for the purposes of the figure, as it would be difficult to show every zone category clearly in one figure due to the detail of the zoning.



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

City of Pickering Zoning By-law Review

Figure 3.1: Overlay of Existing Zoning on the Employment Areas

Legend

- | | | | | | |
|---|---------------------|----------------------------------|--------------|--|------------------|
| Official Plan Designated Employment Area | | Generalized Zone Category | | | |
| | General Employment | | Agricultural | | Employment |
| | Mixed Employment | | Cemetery | | Institutional |
| | Prestige Employment | | Commercial | | Natural Heritage |
| | | | Open Space | | Other |
| | | | Residential | | |



3.3 Assessment of Zoning in the Employment Areas

As discussed in Section 2 of this Discussion Paper, the Official Plan states that Employment Areas within the City have “significant concentrations of manufacturing, assembly and warehousing uses, and related employment opportunities.” For reference, **Table 3.1** below provides the list of permitted uses in each of the Employment Areas subcategories as given in Table 7 of the Official Plan. It is noted that in addition to traditional industrial uses like manufacturing, assembly and warehousing, the Prestige Employment and Mixed Employment subcategories also permit standalone offices, corporate office business parks, hotels and financial institutions.

Additionally, it is also noted that some employment uses in the City, including the Ontario Power Generation facility, is designated “Freeways and Major Utilities” (consisting of the Potential Multi-Use Areas and Controlled Access Areas subcategories) which is also included in Table 3.1.

Table 3.1 Permitted Uses in the Employment Areas Designation and the Freeways and Major Utilities Designation

Designation	Permitted Uses
Employment Areas: General Employment	<ul style="list-style-type: none"> • Manufacturing, assembly, processing of goods, service industries, research and development facilities, warehousing, storage of goods and materials, waste transfer and recycling, waste processing, freight transfer, transportation facilities, automotive and vehicle sales and repair; • Offices as a minor component of an industrial operation or serving the area, limited personal service uses serving the area, restaurants serving the area, retail sales as a minor component of an industrial operation; • Community, cultural and recreational uses, and other uses with similar performance characteristics that are more appropriately located in the Employment Area.
Employment Areas: Prestige Employment	<ul style="list-style-type: none"> • Light manufacturing, assembly and processing of goods, light service industries, research and development facilities, warehousing, equipment and vehicle suppliers, automotive and vehicle sales and repair; • Offices, corporate office business parks, limited personal service uses serving the area, restaurants serving the area, retail sales as a minor component of an industrial operation, hotels, financial institutions serving the area; • Community, cultural and recreational uses, and other uses with similar performance characteristics that are more appropriately located in the Employment Area.
Employment Areas: Mixed Employment	<ul style="list-style-type: none"> • All uses permissible in prestige employment areas; • Limited retailing of goods and services serving the area.

Designation	Permitted Uses
Freeways and Major Utilities: Potential Multi-Use Access	<ul style="list-style-type: none"> • Community gardens; • Farmers' markets; • Utility (including hydro corridors and electricity generation, transmission and distribution) and ancillary uses subject to environmental criteria; • Public or private uses that are compatible and do not affect the operation or use of the utility.
Freeways and Major Utilities: Controlled Access Areas	<ul style="list-style-type: none"> • Community gardens; • Farmers' markets; • Freeways and utility uses, ancillary uses, and similar or related public or private uses.

In addition to the Employment Areas policies of Chapter 3 and the uses listed in Table 7 of the Official Plan, the Official Plan provides additional direction on an area-specific basis in Chapter 11 for the Seaton Urban Area and Chapter 12 for the Neighbourhoods. This was summarized previously in Section 2.1.1 of this Discussion Paper.

Table 3.2 illustrates the composition of existing zoning within each of the land use subcategories. This analysis was conducted using a Geographic Information System database (GIS), a software tool described in Discussion Paper #2. The information included in Table 3.2 is an estimate only and is subject to minor inaccuracies due to the methodology used to calculate the number of parcels and land area within each zone using GIS. The intent of this analysis is to provide only a general impression of the existing zoning.

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Table 3.2 - Composition of Zoning in the Employment Areas

Zone	Area (ha)	% of total area in the land use designation	Zone	Area (ha)	% of total area in the land use designation
Employment Areas - General Employment					
Total Area: 309.10 hectares					
M1	34.03	11%	MC-17	10.83	4%
UR	<0.01	<1%	MC-18	1.47	<1%
(H)M2S	15.05	5%	MC-21	0.81	<1%
M1-12-1	1.77	1%	W-1	4.17	1%
M1-14	2.76	1%	M1-12-2	2.02	1%
M2	57.18	18%	M1-3	0.64	<1%
M2(CR)	1.61	1%	M2-2	0.58	<1%
M2S	162.28	53%	MC-16	0.85	<1%
M2S-1	3.37	1%	MC-3	0.99	<1%
M4	2.12	1%	MC-6	1.70	1%
MC-12	4.86	2%	MC-2	<0.01	<1%
A	273.54	57%	MTD(H2) (H3)	22.51	5%
ES	1.16	<1%	PEN	12.39	3%
G	0.27	<1%	PE-HL	0.55	<1%
M1	33.52	7%	PEG	41.27	9%
NHS	0.93	<1%	PEG-1	19.25	4%
Q	0.58	<1%	CEM-2/HMR2	0.24	<1%
R3	2.43	1%	M1-1	24.83	5%
SWM	10.25	2%	M1-1(S)	2.29	<1%
UR	27.67	6%	M1S	0.43	<1%
M2	0.01	<1%	MC	1.48	<1%
M-IC(DN)	0.74	<1%			
M1	16.84	30%	MC-10	0.98	2%
MC-15	4.97	9%	MC-13-1	1.57	3%
OS-HL	1.02	2%	MC-13-2	2.48	4%
UR	4.51	8%	MC-13-3	0.68	1%
M2	0.05	<1%	MC-14	0.37	1%

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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
M2(CR)	<0.01	<1%	MC-2	0.40	1%
M2S	2.08	4%	MC-22	0.40	1%
MC-17	4.33	8%	MC-4	1.88	3%
MC-21	1.96	3%	MC-7	1.18	2%
CA(F)	0.56	1%	MC-8	0.81	1%
CA(F)-1	0.85	2%	MC-9	0.40	1%
CA2(S)	0.51	1%	MTD(H2)(H3)	1.90	3%
CA3	1.18	2%	SC-36	0.57	1%
CA3-2	0.65	1%	M-IC(DN)	2.28	4%
FH	0.52	1%			

Generally, based on **Table 3.2**, the existing zoning categories are well aligned with the intent of the General Employment designation. The majority of lands are currently zoned Storage and Light Manufacturing (M1), Industrial (M2), and Yard Storage and Heavy Manufacturing (M2S), which address a range of employment uses. One potential concern are the zones that permit any commercial uses, since it is intended that these uses are to be limited in the Employing Areas. However, this will depend on the specific permitted uses, and whether the property was subject to an appropriate rezoning process. Finally, an additional potential conflict is the permission of institutional uses. In accordance with the Durham Regional Official Plan, for example, places of worship are not permitted in the employment areas, and these permissions will need to be reviewed. These instances are recommended for further review in the review of exception zones.

The existing zoning in the Prestige Employment designation is mostly aligned with the intent of this designation. The majority of lands are zoned Rural Agricultural (A), as well as Storage and Light Manufacturing (M1), and various Prestige Employment zones in the Seaton Urban Area. There are a couple of properties zoned Residential (R3) but these likely relate to existing residential uses. Consideration could be made to rezone these uses to an “Urban Reserve” or a similar zone, however leaving the zoning as Residential (R3) would not represent an increased risk for non-conformity with the Official Plan if there is an existing dwelling and there is no opportunity for a severance to occur. There is also an instance of Heavy Industrial (M2) zoning which is out of line with the intent of the designation; however, this may only be a sliver of land captured in the analysis. There is one instance of an Industrial and Commercial (MC) zone which will need to be reviewed in terms of permitted uses, since commercial uses are intended to be limited in the Prestige Employment areas. Finally, there is one instance of a Pit and Quarry (Q) zone which may just be reflecting an existing use.

It is noted that large portions of the areas designated Prestige Employment within the Seaton Zoning By-law 7364/14 are zoned Rural Agricultural (A). Agriculture is not listed

as a permitted use within the Prestige Employment designation. The agricultural zoning simply reflects existing farming uses, and a zoning by-law amendment would be required to permit development. This was also the case for some of the Residential Areas, as addressed in Discussion Paper #3. Further, Discussion Paper #3 proposed the option of changing the zoning from Rural Agricultural (A) to an “Urban Reserve” or similar zone which will better align with the City’s intent for these lands to redevelop. It is recommended that this option be considered by the City. However, leaving the Rural Agricultural (A) zoning is not preclusive of development occurring in accordance with the Official Plan.

The composition of zoning is well aligned with the intent of the Mixed Employment designation. The most common zone is Storage and Light Manufacturing (M1) and there are many instances of Industrial and Commercial (MC) exception zones, and several instances of Commercial Automotive Station (CA) zones which generally reflect permitted uses. There are instances of the Yard Storage and Heavy Manufacturing (M2S) zone which is inconsistent with the designation, which focuses on lighter industrial uses, given the proximity of the Mixed Employment areas to residential uses. It is recommended that the zoning for these areas be reviewed and updated to conform to the designation.

Each of the areas include instances of some other zones such as stormwater management facilities, urban reserve, open space or other zones which are generally suitable and do not conflict with the intent of the designations.

3.4 Review of Permitted Uses in the Employment Zones

As described in Section 3.2, the majority of zoning in the Employment Areas consists of employment zoning which is generally appropriate. However, whether or not the zoning conforms to the Official Plan depends on the uses that are permitted by this zoning. For example, the General Employment designation only permits offices as accessory to another industrial use. If the existing zones in the General Employment designation permit offices broadly as a principal use, then there is a conformity issue as the zoning is more permissive than the Official Plan. Ensuring alignment of permitted uses between the zoning and the Official Plan is key to bringing the Employment Areas into alignment with the policy. The purpose of this section is to assess the types of uses permitted in the employment zones and to compare the uses to the uses contemplated in the General Employment and Prestige Employment designations. The outcome of this section will be to identify key conflicts that will need to be resolved when the zones are consolidated and updated.

This section does not address the Seaton Urban Area’s Prestige Employment (PEG and PEN) zones, as they are expected to be well-aligned with the Official Plan policies since the zoning was recent and developed in accordance with the Prestige Employment areas and the policies of Chapter 11 of the Official Plan. Further, this section does not address any of the zones in the City Centre since there are no designated Employment

Areas in the City Centre. Additionally, this section does not assess permission of cannabis production uses, as this topic is addressed in detail in Discussion Paper #8.

- The Storage and Light Manufacturing (M1) zone is included in Zoning By-laws 2511, 3036 and 3037. There are many instances of this zone amongst the three subcategories. The zone permits a range of offices, open air markets and public parking lots. Light manufacturing, service/repair, warehousing, garages, dry-cleaning, railway track and loading facilities and a range of other similar industrial uses are permitted. Overall, the list of uses is appropriate and consistent with the three subcategories. However, the notion that offices are broadly permitted is a conformity issue with the General Employment designation where offices are intended to be limited.
- The Industrial (M2) zone is included in Zoning By-law 2511 and is applied mainly in the General Employment designation. There are very small amounts of land zoned Industrial (M2) and located in the Prestige Employment and Mixed Employment designations, but these may represent small slivers of land captured in the analysis as described in Section 3.3 of this Discussion Paper. The zone permits a broader range of industrial uses than the Storage and Light Manufacturing (M1) zone, including outdoor storage, but excluding certain uses such as a junk yard. This is appropriate in the General Employment areas. However, the zone also permits offices broadly, but offices are currently limited in the General Employment areas per the City of Pickering Official Plan. It is recognized, however, that office uses are permitted more broadly by the Durham Regional Official Plan and that this policy gap or conflict may need to be assessed by the City further.
- The Yard Storage and Heavy Manufacturing (M2S) zone is included in Zoning By-law 2511. A large number of properties are zoned Yard Storage and Heavy Manufacturing (M2S) in the General Employment designation and a few properties appear to have this zoning in the Mixed Employment designation. This zone permits retail coal, fuel, oil, wood or lumber yard along with bulk storage of these materials and construction materials. Manufacturing uses are generally permitted except for certain uses such as tanning of hides. Overall, the zone is suitable within the General Employment designation but is not appropriate elsewhere, so instances of this zone outside the General Employment designation will need to be updated. Further it is important that the zone not be construed as permitting a range of large format retail uses but is focused on bulk or wholesaling of certain materials.
- The Industrial and Commercial (MC) zone is also relevant as it is applied amongst the three Employment Areas subcategories. However, as the zone is contained within the site-specific exception zones, it will need to be reviewed in conjunction with the exceptions. Based on the name of the zone, it is likely to permit a range of commercial and light employment uses. However, the Official Plan only contemplates a limited range of restaurant and personal service uses within the General Employment and Prestige Employment designations, while the Mixed Employment designation also permits limited retail. As such, the Industrial and Commercial (MC) zone is likely to be appropriate within the Mixed Employment

designation. However, instances of the Industrial and Commercial (MC) zone within the General Employment and Prestige Employment designations will need to be reviewed to ensure it does not permit retail uses, except for retail uses accessory to an industrial use where goods produced on the premises are offered for sale.

- Similarly, within the Mixed Employment designation, there are instances of Commercial Automotive (CA) zones but the provisions are contained in the exception zones as the zone was added via an amendment.
- There are many instances of exception zones and other specifically labelled zones that are applied in one or perhaps only a few instances (e.g., the Warehouse (W) Zone). All of these zones will be reviewed in more detail as part of the site-specific exception review.
- As noted briefly in Section 3.1 of this Discussion Paper, consideration should be given to the relationship between the Durham Regional Official Plan, the City of Pickering Official Plan and the Zoning By-laws where there are conflicts amongst permissions between these documents. This is discussed further in Section 4.1.

Based on this assessment, it is noted that there is no clear differentiation between the zone structure for the General Employment, Prestige Employment and Mixed Employment designations. The zoning permits a broad range of uses amongst all three designations. The key conformity issues appear to be the permission of office uses broadly in the General Employment designation as well as the permission of commercial uses in the Industrial Commercial (MC) zone amongst the General Employment and Prestige Employment designations, which will need to be reviewed further in conjunction with the exception zones to confirm. Additionally, consideration must be made with respect to the relationship between the City of Pickering Official Plan and the Durham Regional Official Plan where there are different permitted uses intended.

The modification of permitted uses in the zones comes with a risk that instances of legal non-conformity will be created. Legal non-conformity refers to situations where a use was established legally under the regulations (zoning) in place at the time it was established, but the zoning has since been updated and the use is no longer permitted. A legal non-conforming use is always permitted to continue but an expansion of the use would typically require a *Planning Act* application such as a minor variance.

3.5 Assessment of Other Policy Requirements

Other than the detailed policies for the Seaton Urban Area (Chapter 11), the Official Plan does not provide detailed additional policy direction or guidance regarding built form in the Employment Areas. Rather, the Employment Areas designation is intended to set out the range of uses permitted within the three subcategories with further restrictions and additional guidance found in the neighbourhood policies. There is an opportunity to modernize the setbacks and other standards in the employment zones, to support implementing the urban design principles and policies of the neighbourhoods.

4 Key Issues

The previous section assessed how the existing zoning aligns with the Employment Areas designation and other policies. This section focuses on specific ways the City's existing employment zones may be updated to achieve greater alignment with the Official Plan as follows:

- Developing updated definitions for permitted and prohibited uses within the Employment Area, including consideration for alignment with the City of Pickering Official Plan and the Durham Regional Official Plan;
- A framework for the new employment zone structure, including opportunities to consolidate and integrate the existing employment zones;
- Potential to reduce parking requirements and location of parking for Employment Areas;
- Consideration for how minor variances and site-specific exceptions may inform the development of employment zones and associated provisions;
- An assessment of key issues related to Employment Areas, including a review of open storage requirements and separation from sensitive land uses; and
- Determining an approach to restricting sensitive uses within a certain distance of the Duffin Creek Water Pollution Control Plant (sewage treatment plant).

4.1 Permitted Uses

There are very clear policies guiding and limiting permitted uses within the City's Employment Areas. It is a key objective of the Province, Region and City to maintain Employment Areas for employment purposes and to restrict non-employment uses. The new Zoning By-law, which will establish legal permissions about land use, is therefore a key tool for implementing these directive policies.

Generally, the new Zoning By-law will require an updated and refreshed set of permitted uses and definitions that better align with the Official Plan. This will include the following elements with respect to the Employment Areas:

- All land uses contemplated in the employment zones should be defined to give certainty and precision around permitted uses. However, the definitions should also achieve a balance of providing clarity and precision while enabling a degree of flexibility and minimizing the need for minor variances and zoning by-law amendments for appropriate uses. An objective of this should be to ensure that the new Zoning By-law is permissive and contemplates all potential employment uses so as not to represent a barrier to economic development. The definitions and list of uses can be informed by recent minor variances, other best practice

and terminology used in the City of Pickering Official Plan and the Durham Regional Official Plan.

- As discussed in Section 3, the permitted uses in the employment zones will need to be reviewed to ensure alignment with applicable policy, including both City of Pickering and the Region of Durham policy. This may include modifications to permitted uses. The zoning cannot be more permissive than the permitted uses stated in these policy documents.
- A framework to permit a limited amount of ancillary retail/service uses, as accessory to an employment use, should be incorporated into the new Zoning By-law, as contemplated by the Region of Durham and City of Pickering Official Plans. Provisions will be required to ensure that the use is related to the principal employment use (e.g., it involves the sale of goods produced on the premises) and that it is limited in terms of area, as well as other potential requirements such as parking.
- Consideration should be made with respect to the Regional and City policies that contemplate a limited amount of retail and service uses intended to serve the surrounding employment uses. Generally speaking, these uses should not be permitted as-of-right in the majority of employment zones. The employment zones should be restrictive and focused on employment uses. Rather, these complementary uses can be contemplated in an appropriate commercial zone or through a specialized employment zone, which can be applied through a rezoning process. This zone can incorporate, for example, a limitation on floor area or other provisions.
- Further coordination with the City and the Region will be required with respect to confirming permitted uses in the Durham Regional Official Plan compared to the City of Pickering's Official Plan. For example, the City's Official Plan restricts office uses in the General Employment areas, whereas the Durham Regional Official Plan permits the use more broadly. Additionally, the Durham Regional Official Plan is generally more restrictive with respect to potential community uses, such as places of worship, which are not permitted in the employment areas. Generally, places of worship and similar uses should not be permitted as-of-right in the employment zones. These conflicts are likely simply due to the fact that the City's Official Plan predates these Regional policies.

Overall, a significant review and update to the uses, definitions of uses and provisions surrounding them is required to ensure that the zoning in the Employment Areas is aligned with current planning policy and that the City is administering a clear but also flexible tool that contemplates a broad range of employment uses in suitable locations.

4.2 Employment Zone Structure

This section considers a framework for consolidating the employment 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 employment zone structure.

4.2.1 Overall Zone Structure

The Employment Areas land use designation is divided between three subcategories with some overlapping use permissions. The Official Plan contains clear direction and policies surrounding the types of uses permitted in each of the subcategories. This represents a very clear basis for structuring the new Zoning By-law. Additional permission or restrictions are provided by the neighbourhood policies. This structure may be reflected in the Zoning By-law by categorizing employment uses into two primary employment zones and applying area-specific suffixes or site-specific exceptions to reflect further direction provided in the neighbourhood policies. It is recommended that the basis for the new structure include a General Employment (GE) zone and a Prestige Employment (PE) zone, to clearly align with the Official Plan. Furthermore, the Seaton Urban Area contains significant direction and detail with respect to its Prestige Employment areas. These policies can be addressed through sub-zone categories as variations on the Prestige Employment (PE) zone. The Seaton Prestige Employment (PEG and PEN) zones should generally be carried forward as they will align well with the Official Plan.

Consideration must also be made to the zoning required to implement the Mixed Employment designation. This Mixed Employment designation is similar to the Prestige Employment designation, except that some retail uses serving the area are contemplated. A considerable amount of land is zoned Industrial and Commercial (MC). As such, it is recommended that a Mixed Employment (ME) zone be created in the new Zoning By-law, utilizing the existing Industrial and Commercial (MC) zoning as the basis, along with necessary updates to reflect the Official Plan's permitted uses. This zone would focus on replacing the existing Industrial and Commercial (MC) zone in the Mixed Employment designation as a first step, enabling a broad range of different uses that reflect existing uses and align with the permissions in the Official Plan. Where Industrial and Commercial (MC) zoning exists in the Prestige Employment or General Employment designations, variations on the new Mixed Employment (ME) zone may be created to ensure that the zoning is aligned with the Official Plan. Alternatively, any existing Industrial and Commercial (MC) zoning in the Prestige Employment designation can be replaced by the new Prestige Employment (PE) zone, with an exception or a variation on that zone to enable a limited range of commercial uses that reflects existing permissions within the limits of what the Official Plan allows.

4.2.2 Consolidation and Updates to the Employment Zones

This Zoning By-law Review process will result in one, new City-wide Zoning By-law. There is a need to both consider how the six existing parent Zoning By-laws will be merged and how they will be updated to align with the Official Plan. To simplify interpretation and implementation of the Zoning By-law it is recommended that similar zones should be consolidated to provide consistent regulation throughout the City for similar uses. There is an opportunity to merge zones and reduce the number of categories when the new Zoning By-law is completed.

There is some redundancy amongst the existing zones, as follows:

- Three of the Zoning By-laws utilize similar Storage and Light Manufacturing (M1) zones which can be merged. The Storage and Light Manufacturing (M1) zones are more similar to the Prestige Employment (PE) zone and should represent an appropriate basis for the provisions of the new zone.
- The Industrial (M2) zone and Yard Storage and Heavy Manufacturing (M2S) zone under Zoning By-law 2511 are more appropriate as a basis for the new General Employment (GE) zone.
- The Prestige Employment (PEG and PEN) zones under the Seaton Zoning By-law 7364/14 are well aligned with the Official Plan. Consideration could be made to create variations on the overarching new Prestige Employment (PE) zone to carry forward these zones.

The discussion above addresses the general basis for the new zones. As discussed previously, the permitted uses will need to be updated to align with the Official Plan. Furthermore, while the Storage and Light Manufacturing (M1) zone is noted as an appropriate basis for the Prestige Employment (PE) zone, the Prestige Employment (PE) zone is only intended to be applied within the Prestige Employment designation. Instances of existing Storage and Light Manufacturing (M1) zoning in the General Employment designation would be replaced by the new General Employment (GE) zone. This would represent an expansion of existing permitted uses to align with the Regional Official Plan and potential future amendments to the City's Official Plan, such as permission of outdoor storage. The expansion of permitted outdoor storage should not represent an issue given the General Employment designation is concentrated within one area of the City and the use is permitted by the Official Plan. The modernization of outdoor storage regulations is addressed in Section 4.5 of this Discussion Paper.

However, the application of the General Employment (GE) zone in place of the existing Storage and Light Manufacturing (M1) zoning will also mean a contraction of some permitted uses, potentially office uses, as discussed previously in Section 3.4 of this Discussion Paper.

Within the Prestige Employment designation, it is proposed that any instances of industrial zones be replaced by the new Prestige Employment (PE) zone, to best align

with the Official Plan and ensure that outdoor storage and heavy industrial uses are no longer permitted.

Amongst the Mixed Employment designation, any instances of existing employment zoning should be replaced by the new Prestige Employment (PE) zone, as this new zone would be consistent with the Mixed Employment designation. Consideration could be made to replace existing employment zoning with the new Mixed Employment (ME) zone, but this would represent an expansion of permitted uses to include commercial uses where the permission did not exist before. It would be desirable to require a rezoning process to add new commercial uses to support the continued employment function in these areas. The intent of the designation appears to be to enable a balanced mix of suitable uses, and a major expansion of commercial permissions could affect this overall intent and lead to a loss in the overall employment function of these lands.

4.2.3 Harmonization and Modernization of Permitted Uses

In reviewing the range of permitted uses within employment zones there are minor inconsistencies between terminology and definitions in the existing Zoning By-laws. For example, Zoning By-laws 2511, 3036 and 3037 distinguish between “business office” and “professional office”, whereas the Seaton Zoning By-law 7364/14 uses neither term and instead refers simply to “office”. The latter term, simply ‘office’, is more contemporary and should be adopted as there is not necessarily a need to differentiate between a professional office versus a business office from a regulatory perspective. Similarly, “personal service shop” is used by some of the existing Zoning By-laws whereas “service shop” or “service store” are used by others with similar definitions.

It is recommended that a set of harmonized terms and definitions be prepared to integrate consistent terminology amongst the zones and areas of the City, along with updates to consider modernization of terminology and to reflect terminology and uses in the Official Plan.

4.3 Minor Variances and Site-Specific Exceptions

Discussion Paper #2 included a general assessment of minor variances as well as site-specific exception zones. There have been very few minor variances related to employment zones between 2015 to 2020. Site-specific exceptions appear to have been more common and were often related to the addition of permitted uses that had not been contemplated in the existing parent Zoning By-law.

Table 4.3 summarizes minor variances to employment zones in each of the parent zoning by-laws and indicates the number of variances related to certain subject matter. The most frequent reason for a minor variance has been related to accessory buildings or structures (7), followed by use (6) and parking (4). The remaining variances have primarily been related to site regulations such as height and setbacks. However, there

are a few variances related to parking requirements (discussed further in Section 4.3). Following is a summary of the minor variances in the Employment Areas:

- Storage and Light Manufacturing (M1 and M1-1) zones
 - Permit a motor vehicle sales shop with a floor area cap and as accessory to a motor vehicle shop
 - Add a place of amusement
 - Modified minimum parking requirement, limit front yard parking to 36 percent of total required parking area and permit a sales outlet accessory to a self-storage facility
- Industrial (M2) zone
 - Permit a retail sales outlet accessory to a wholesale use
 - Permit accessory structure in south side yard, reduced setback as well as drive aisle width at minimum of 6.0 metres and to permit front yard parking to be up to 25 percent of the total required parking area
- Yard Storage and Heavy Manufacturing (M2S) zone
 - Permit reduced rear yard
 - Permit accessory buildings in the front yard
 - Permit a modified parking requirement and to permit up to 100 percent of parking to be in the front yard
 - Permit up to 100 percent of total parking to be in the front yard and up to 56 percent of the front yard to be used for parking

A review of site-specific exceptions related to employment uses indicates the most common purpose of the exceptions is to add permitted uses that had not been considered, or may have been considered undesirable in the past (e.g. private recreational uses, restaurants, banquet halls, etc.), or to change the zone category of the property entirely (e.g. from Industrial to Commercial). Each site-specific exception will be reviewed as the zoning mapping is updated and it may be determined that it is desirable to incorporate the permitted uses into the new Zoning By-law provided they are in alignment with the Official Plan and that the use does not require a *Planning Act* application to be assessed on a case-by-case basis.

A review of minor variances and site-specific exceptions is also valuable from the perspective of informing permitted uses. The review can yield an understanding of what kinds of uses are being developed and are not currently contemplated in the existing definitions and can help to ensure the new Zoning By-law is accommodating contemporary development.

Table 4.1: Number of Employment 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	Height	Lot Area	Lot Coverage	Lot Frontage	Parking	Porch	Rear Yard Setback	Side Yard Setback	Use
Frenchman's Bay Zoning By-law 2511																			
M1	7	1			1						1					1	1		2
M1-1	4	1				1									1				1
M2	6	2				1									1				2
M2S	8	3				1									2		1		1

4.4 Parking Considerations

As noted in Section 4.3, the City has processed several minor variances with respect to motor vehicle parking requirements in the City's Employment Areas. In particular, the requirement that a maximum of 20 percent of required parking be located in the front yard has been varied on several occasions and there appear to be instances of requests to reduce the minimum motor vehicle parking requirement. The Official Plan does not give explicit direction and there is discretion to establish requirements in the zoning that best achieve the intent of the policies, including the urban design related objectives of the Official Plan. Overall, the principle of limiting parking in the front yards is a regulatory approach to supporting urban design principles and policies. By directing parking to the rear or side of buildings, there is greater opportunity for a pedestrian-friendly streetscape and a more enclosed or park-like aesthetic. The limitation of parking in the front yard supports this objective, but this objective can also be supported by a reduced minimum front yard setback or introduction of a maximum front yard setback, as well as front yard landscaping requirements. It is also noted that the requirement does not limit parking to a maximum of 20 percent of the front yard area, but rather simply limits the amount of parking that can be provided to 20 percent of the total number of parking spaces. As such, for lots with a smaller front yard and lots of parking, a large number of spaces could be accommodated in the front yard and

affect the intent of the provision, which is to create a more pedestrian-friendly environment.

Given the number of minor variances which were approved to reduce the front yard parking requirement, there appears to be a need to examine this requirement. A reduction or elimination of the standard can be considered, particularly in the General Employment areas. In the Prestige Employment areas, there may be a rationale to include a more restrictive standard compared to the General Employment areas, since there is a greater emphasis on creating a pedestrian-friendly streetscape in the Prestige Employment designation. It is recommended that the requirement be reviewed in consideration of minor variances, best practice in other municipalities. This should include a review of other related standards, such as the setback requirements and minimum landscaping. The standard may not even be required if replaced by other, more effective approaches (e.g., a minimum front yard landscaping requirement).

Discussion Paper #7 assesses parking and related matters in more detail. This will include a benchmarking exercise to assess the minimum parking requirement, which has also been reduced.

4.5 Outdoor Storage

A key zoning issue in the Employment Areas is the regulation of outdoor storage. Outdoor storage refers to the use of land (outside of enclosed spaces) for the purposes of storing materials, goods, equipment, etc., associated with the principal use. Typically, outdoor storage is only permitted in specific areas of a municipality to minimize impacts, including visual and noise impacts. Further, outdoor storage is usually distinct from the outdoor display of goods and materials such as motor vehicles for sale or other goods on display outdoors in conjunction with a commercial use.

The zoning by-law is a key tool that the City can use to regulate where outdoor storage is permitted, and to guide its location and mitigation of impacts (such as setbacks, buffering, fencing, maximum area, etc.).

The City's Official Plan includes policy direction on where outdoor storage is permitted and policies regarding impact mitigation. This is summarized as follows:

- Outdoor storage is explicitly prohibited in certain areas of the City including the City Centre.
- Section 11.32(b) prohibits outside storage in the Prestige Employment designation of the Seaton Urban Area.
- Table 7 lists the permitted uses of the Employment Areas subcategories. However, it does not explicitly reference "outdoor storage."
- Under Section 3.8, the City expects high standards to be implemented in Mixed Employment areas, followed by Prestige Employment areas and then General Employment areas, in that order.

Based on the policies above, it is interpreted that outdoor storage is principally only permitted in the General Employment designation. While this is not stated explicitly, “storage of goods and materials” is permitted in the General Employment designation whereas a similar use is not explicitly noted in the Prestige Employment designation. Additionally, the Official Plan explicitly restricts outdoor storage in the Prestige Employment areas of the Seaton Urban Area.

The existing Zoning By-laws address outdoor storage as follows:

- The City Centre Zoning By-law 7553/17 does not permit outdoor storage unless there is a site-specific exception for a property.
- The Seaton Zoning By-law 7364/14 has similar restrictions, but the Zoning By-law defines “outside storage” which is only referenced in conjunction with the definition of vehicle dealership where outside storage for vehicles for sale is permitted. It also prohibits outdoor storage in conjunction with the Prestige Employment General (PEG) zone and Prestige Employment Node (PEN) zone. “Storage and warehousing as an accessory use” is permitted in conjunction with the Prestige Employment General (PEG) zone so this is interpreted to refer to enclosed storage. An exception zone has been introduced which permits open storage areas subject to setbacks, maximum lot coverage (15 percent) and restrictions on what may be stored.
- Zoning By-law 2511 prohibits outdoor storage in conjunction with a home-based occupation. The Zoning By-law utilizes the term “open storage” frequently but does not define the use. Open storage is permitted in the Industrial (M2) zone, provided it is located in the rear yard and has various setbacks and meets a maximum lot area requirement of 30 percent, along with restrictions on what is permitted to be stored.
- Zoning By-law 2520 only makes a reference to open storage in the Open Space Waterfront (O3A and O3B) zones, including setbacks. The Storage and Light Manufacturing (M1) zone only permits industrial uses where they are enclosed.
- Zoning By-law 3036 only refers to outdoor storage as being prohibited in conjunction with a home-based occupation.
- Zoning By-law 3037 makes no reference to outdoor storage.

It is common for new zoning by-laws in Ontario to address outdoor storage explicitly, including a definition of the use, an indication of which zones the use is permitted, and general provisions for the use. Outdoor storage is only permitted as an accessory use and is typically limited to the rear yard. Setbacks and buffering requirements typically apply as well as a requirement for fencing. The introduction of a regulatory framework for the City will support implementation of the Official Plan’s policies for ensuring that design standards are achieved in various Employment Areas.

Based on the preceding discussion, it is recommended that:

- Outdoor storage be an explicitly defined use in the new Zoning by-law and identified in the zones where it is permitted (i.e., only the General Employment (GE) zone). Outdoor storage is recommended to be permitted in accordance with the Official Plan which will be focused on the new proposed General Employment (GE) zone

and potentially in appropriate other rural areas of the City. Outdoor storage should not be permitted as-of-right in the Prestige Employment areas as this is not the intent of the Official Plan.

- The new Zoning By-law should consistently utilize and define the term outdoor storage which will reflect the Official Plan's terminology.
- That outdoor storage also be distinguished from outside storage or display of finished goods which are for sale. The latter use may be appropriate in various commercial, the new Mixed Employment (ME) zone, or other mixed use zones, subject to standards.
- A set of general provisions should be developed to establish standards for outdoor storage and applied City-wide, including requirements for directing outdoor storage to certain yards (i.e., rear yard), fencing and setback requirements, including greater requirements where the lot borders a residential or open space zone. The standards would be useful as a basis for any Zoning By-law Amendment applications to permit outside storage outside of the new General Employment (GE) zone, as may be proposed. This would avoid the need to integrate the standards into every exception zone.

4.6 Compatibility with Sensitive Uses

The Zoning By-law also provides the opportunity to ensure there is adequate separation and screening between employment uses and any nearby sensitive uses, such as residential uses. The Official Plan includes policies on the proposed introduction of sensitive land uses within a certain distance from industrial uses, and refers to the Provincial guidelines (Ministry of Environment, Conservation and Parks guidelines D-6 Compatibility Between Industrial Facilities). While the Official Plan does not address prohibited sensitive uses in the Employment Areas designation directly, ensuring land use compatibility is an overall objective of the Official Plan and is one of the reasons for applying the Employment Area subcategories. Namely, the heavier employment uses and outdoor storage are directed to the General Employment areas of the City, which do not interface directly with any residential areas. Land use compatibility is therefore in part achieved via the land use permissions set out by the Official Plan.

The existing Zoning By-laws incorporate some approaches for ensuring compatibility between employment zones and neighbouring sensitive uses, as follows:

- The Storage and Light Manufacturing (M1) zone, included in several existing Zoning By-laws, includes larger setbacks when the zone abuts or is across the street from a Residential zone.
- The Industrial (M2) zone, included in Zoning By-law 2511, which permits outside storage, includes larger setbacks where the yard abuts or is across the street from a residential zone.

- The Yard Storage and Heavy Manufacturing (M2S) zone included in Zoning By-law 2511 similarly includes larger setbacks where a front yard or side yard abuts or is opposite to a residential zone.
- The Seaton Zoning By-law 7364/14 requires that any interior side yard or rear yard setback abutting a residential zone must meet a larger setback of 7.5 metres and that 100 percent of this setback must be landscaped.

Overall, the approach taken in the Seaton Zoning By-law 7364/14 is more contemporary compared to the existing Zoning By-laws.

It is acknowledged that the new General Employment (GE) zones recommended in this Discussion Paper will not typically abut residential uses or zones, since the General Employment designation is not immediately adjacent to residential areas. Although there may not be instances of residential zones abutting General Employment (GE) zones, it is still desirable to incorporate residential zone setbacks and buffering requirements in the General Employment (GE) zone, in the event that General Employment areas change or the General Employment (GE) zone is applied through a rezoning process in another area.

Based on these considerations, it is recommended that:

- Setbacks should be required where an employment zone abuts a residential zone or other sensitive zone, typically in the order of 7.5 - 15 metres. Larger setbacks may be contemplated in the General Employment (GE) zone, where a broader range of industrial uses will be permitted. It is acknowledged that this will be a limited circumstance based on the existing Employment Areas in the City, but this will enable the employment zones to accommodate a wide range of circumstances without the need to establish site-specific exception zones with special setbacks from nearby sensitive uses.
- Larger front yard and exterior side yard setbacks may be contemplated where an employment zone is across the street from a residential or other sensitive zone, but there is a need to balance the need to create a built form that addresses the street with the need to ensure compatibility. Unnecessarily large minimum front yard and exterior side yard setbacks should be avoided.
- Landscaping should also be required where an employment zone abuts a sensitive use, such as a residential zone, along any rear or interior side lot line. This should encompass at least 7.5 metres of the setback requirement.
- Consideration should be made to require setbacks and landscaping where an employment zone is adjacent to an open space, institutional or other similar zone category where this is desirable.

4.7 Duffin Creek Water Pollution Control Plant

The Duffin Creek Water Pollution Control Plant is a major wastewater treatment facility, located in the southeasterly portion of the City. The Plant treats wastewater from the majority of residents in York Region and a significant share of residents in Durham Region, including the City of Pickering. The facility is designated Freeways and Major Utilities, and the Controlled Access Areas subcategory, in the City of Pickering Official Plan. The facility is relevant to this Discussion Paper, as there is opportunity in the zoning to establish requirements related to any proposed sensitive development in proximity to this facility, and the majority of surrounding land uses include Employment Areas.

The Official Plan does not contain any specific policies regarding this facility. The facility is located in the Brock Industrial Neighbourhood, though there are no specific policies established related to the use. Given the facility is surrounded by mainly employment uses in Pickering, including the Ontario Power Generation facility, land use compatibility conflicts should be infrequent, as these uses are generally not permitted in the Employment Areas.

It is unclear to what extent the City can address compatibility through the site plan control process, and to what extent the zoning will need to be relied on. Since the zoning will be updated to align with the uses permitted in the Official Plan, there will be limited ability for new, sensitive uses to be established in the future in the employment zones.

At this time, it is recommended that the City and the Region of Durham be consulted to identify whether there is any need to incorporate zoning provisions related to this facility (e.g., a general provision applicable within an overlay buffer area surrounding the facility, a holding symbol requiring completion of an odour impact study, etc.). Where there have been instances of development or proposed uses that have been restricted due to their proximity to the facility, there is an opportunity to integrate any requirements that emerged through site-specific processes. However, if any required setbacks or restrictions have varied on a site-by-site basis then it may be difficult to introduce requirements into the comprehensive Zoning By-law.

5 Conclusions and Recommendations

The Employment Areas of the City permit a range of employment uses, as well as some cultural and community-oriented uses and complementary, limited commercial uses. Generally, the existing employment zoning aligns fairly well with the policies for the Employment Areas, but zone structure and some modifications to permitted uses is required to bring the zoning into conformity with the Official Plan. Additionally, there is an opportunity to modernize and update the permitted uses and regulations associated with Employment Areas, such as outdoor storage requirements.

This Discussion Paper has included a review of existing policy for the Employment Areas designation, comprised of its three subcategories, as well as existing zoning. This Discussion Paper has explored a range of key issues and potential updates, including a framework for consolidating and naming the employment zones, as well as updates to general provisions and permitted uses, based on the Official Plan and other practice in Ontario. In summary, the following are the main recommendations made within this Discussion Paper:

1. It is recommended that the new Zoning by-law establish three new parent employment zones that are based on the Official Plan's subcategories: a General Employment (GE) zone, Prestige Employment (PE) zone, and Mixed Employment (ME) zone. The basis for these zones is as noted in this Discussion Paper, with adjustments to align with the associated Official Plan subcategory.
2. It is recommended that the permitted uses and definitions of uses be reviewed and updated to align with the Official Plan, best practice and against any added uses in the minor variance or site-specific exception zone history. There is a need to ensure precision and avoid permitting non-employment uses while also providing flexibility.
3. It is recommended that some of the existing employment zones be merged and realigned with the new zone structure, as noted in this Discussion Paper. Generally, the Prestige Employment (PEG and PEN) zones used in the Seaton Zoning By-law 7364/14 will need to be retained and can be integrated as variations or sub-zones to the new Prestige Employment (PE) zone.
4. Modifications to permitted uses will be required to align the zoning with the Durham Regional Official Plan, and this may require coordinated amendments to the City of Pickering Official Plan. In particular, office uses are anticipated to be permitted in all employment zones, and outside storage will not be permitted in the Prestige Employment and Mixed Employment areas.
5. There is an opportunity to review how the zoning implements the specific policies of Neighbourhood 9, Village East, and the Mixed Employment area that serves as transition between the residential neighbourhood to the west and industrial uses to the east.

6. It is recommended that the City and the Region of Durham be consulted further to identify whether there is any need to incorporate compatibility related provisions for any sensitive uses proposed in proximity to the Duffin Creek Water Pollution Control Plant.
7. There is an opportunity to review the current parking requirements related to Employment Uses through the parking-related Discussion Paper #7.
8. The existing Industrial and Commercial (MC) zone is recommended to be replaced by the new Mixed Employment (ME) zone. Where this exists in the Prestige Employment and General Employment areas, further review is required to confirm Official Plan conformity and ensure that inappropriate commercial development is not permitted.
9. When the new Zoning By-law is developed, it is recommended that site-specific amendments be reviewed in detail to identify potential updates to the employment zone provisions, particularly with regard to permitted uses and parking requirements. This will help reduce the need for future amendments. Additionally, other base zones that have been applied in only one or a few instances, as well as certain other zones (e.g., a few existing residential zones) in the Employment Areas will need to be reviewed for conformity with the Official Plan.
10. It is recommended that the lot and building requirements for the employment zones be reviewed and updated to integrate and consider the Official Plan's urban design principles.
11. A new framework for outdoor storage should be developed and integrated into the new Zoning By-law, as described in this Discussion Paper.
12. A framework for integrating landscaping and setback requirements based on adjacent sensitive zones should be implemented in the new Zoning By-law, as described in this Discussion Paper.