



Shaping Your City

City of Pickering Zoning By-law Review

Discussion Paper #6: Agricultural, Rural, Hamlet, Open Space and Environmental Areas

Final | February 2021

Revision History

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1 Introduction

This Discussion Paper provides an assessment of the existing zoning requirements within the City's various agricultural, rural, hamlet, open space and environmental areas. In particular, this Discussion Paper focuses on how the zoning in these areas relates to the policies of the City of Pickering's Official Plan (the Official Plan) for these areas. These areas are defined by the Official Plan as encompassing the Open Space System, a wide range of Rural Settlements, and other agricultural and rural land use designations. Each of these designations is subject to various policies regarding permitted uses and other matters that must be compared to the current zoning requirements. These areas collectively encompass a very large portion of the City's land area. The zoning in these areas must be reviewed to assess its conformity with the Official Plan. Ensuring conformity between the zoning and the Official Plan is a key objective of the Zoning By-law Review process and is necessary to meet the requirements of the *Planning Act*.

It is noted that Discussion Papers #1-2 provide a general overview of the City's existing Zoning By-laws, the Official Plan and other background information. These Discussion Papers should be consulted for additional context as it has not been carried forward in this Discussion Paper.

2 Review of Policy and Zoning

The main purpose of this Discussion Paper is to evaluate how the zoning relates to the City's Official Plan policies for the agricultural, rural, hamlet, open space and environmental areas. This section describes the relevant policy and the zoning by-laws that are evaluated in subsequent sections of this Discussion Paper.

2.1 Policies

The Official Plan establishes the policies for land use and development across the City, including its extensive Open Space System, a range of different Rural Settlements, and various agricultural designations. These areas, as designated in the Official Plan (Schedule I), are the focus of this Discussion Paper. Additionally, various key Provincial planning documents are also reviewed, as they also provide guidance on these areas of the City.

2.1.1 Land Use Policies

The Official Plan designates all lands in the City into specific categories of land use designations, and each designation is subject to various policies guiding land use and development. Schedule I of the Official Plan identifies the areas that are relevant to this Discussion Paper. Namely, this includes:

1. The Open Space System is a category of land use designations, consisting of the following sub-designations:
 - a. Seaton Natural Heritage System;
 - b. Natural Areas;
 - c. Marina Areas;
 - d. Active Recreational Areas;
 - e. Oak Ridges Moraine Natural Linkage Areas; and
 - f. Oak Ridges Moraine Natural Core Areas.
2. The Rural Settlements consist of:
 - a. Rural Clusters;
 - b. Rural Hamlets;
 - c. Oak Ridges Moraine Rural Hamlets; and
 - d. Country Residential.
3. The Prime Agricultural Areas consist of the Prime Agricultural Areas, Oak Ridges Moraine Prime Agricultural Areas and Oak Ridges Moraine Countryside Areas. These are distinct designations in the Official Plan since Prime Agricultural Areas

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within the Oak Ridges Moraine are subject to different policies in accordance with the Oak Ridges Moraine Conservation Plan.

4. The Hamlet Heritage Open Space is a designation within the Seaton Urban Area. The designation is intended to provide a buffer between the urban development within Seaton and the hamlets of Whitevale and Green River.

Schedule I of the Official Plan also shows as overlays the Greenbelt Plan boundary, Oak Ridges Moraine Conservation Plan Boundary, the Proposed Airport Site, and the extent of Federal Lands, which are all applicable to this Discussion Paper. Since this Discussion Paper assesses a large number of land use designations and overlays, the intent of the designations, permitted uses and policies are summarized in Table 2.1.

Table 2.1 - Summary of Relevant Land Use Designations and Policies

Land Use Designation or Feature	Summary of Permitted Uses	Summary of Key Sections / Policies
Open Space System:		
Seaton Natural Heritage System	<ul style="list-style-type: none"> • Specified passive recreational uses • Community gardens • Conservation and similar uses • Lawfully existing dwellings • Stormwater management facilities, minor grading and other infrastructure subject to criteria 	<p>The policies of Sections 11.50 through 11.59 apply to the Seaton Natural Heritage System. This includes general objectives; requirements for any community gardens; criteria for infrastructure and road crossings; policies for restoration; evaluation of development adjacent to the features; policies for stewardship; policies to guide where rear lots interface with the System; and policies to identify trailheads.</p>

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Land Use Designation or Feature	Summary of Permitted Uses	Summary of Key Sections / Policies
Natural Areas	<ul style="list-style-type: none"> • Conservation and similar uses • Existing lawful agricultural uses, agricultural related uses, and on-farm diversified uses • Existing residential dwellings and new dwellings on a vacant lot • Community gardens • Infrastructure, subject to criteria and requirements • Stormwater management facilities and related works, subject to criteria • Small-scale landscape industries (requires a zoning by-law amendment) • Commercial kennels per the Durham Regional Official Plan 	<p>Chapter 10 addresses resource management, including a wide range of policies regarding the natural heritage system, specific features, stewardship and other strategies.</p> <p>Section 10.13 addresses areas of groundwater protection including areas of groundwater recharge and areas of high aquifer vulnerability. This includes policies regarding permitted uses which are relevant to zoning. The City is currently working on updating these policies which will affect permissible uses in the zoning.</p> <p>Section 10.22 addresses hazardous lands and sites where development is restricted, as well as policies regarding human-made hazards.</p>
Marina Areas	<ul style="list-style-type: none"> • Uses permitted in natural areas and Active Recreational Areas as noted in this Table • Marinas, yacht clubs, ancillary uses and related uses such as restaurants and limited residential/retail • Aquaculture and related uses 	<p>The key applicable policies for the Marina Areas are found in the Neighbourhood policies in Chapter 12. In particular, the policies of Neighborhood 3: Bay Ridges includes additional policy guidance. A range of Development Guidelines, included in the Compendium to the Official Plan, establish additional detailed guidance.</p>
Active Recreational Areas	<ul style="list-style-type: none"> • Uses permitted in Natural Areas • Active recreational, community and cultural uses, and other related uses subject to conditions 	<p>Only a couple of site-specific references are made to this designation (the Green River Rural Settlement policies under Chapter 13 and the Duffin Heights Neighbourhood policies under Chapter 12).</p>

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Land Use Designation or Feature	Summary of Permitted Uses	Summary of Key Sections / Policies
Oak Ridges Moraine Natural Core Areas	<ul style="list-style-type: none"> • Conservation uses • Low intensity recreational uses • Agricultural uses • Infrastructure subject to criteria • Existing residential dwellings and residential dwellings on a vacant lot with the applicable zoning on November 15, 2001 • Home-based businesses, home industries and bed and breakfasts • For lands designated as Oak Ridges Moraine Natural Core Areas, with a Prime Agricultural overlay, a full range of agricultural uses as indicated in Table 11 are permitted for the Prime Agricultural designation. 	<p>Section 3.5 includes policies regarding the overall intent of the designation and criteria for studies/development applications.</p> <p>The general policies of the Plan that refer to the Oak Ridges Moraine Conservation Plan are applicable, such as lot creation policies under Chapter 16.</p>
Oak Ridges Moraine Natural Linkage Areas	<ul style="list-style-type: none"> • The uses permitted in the Oak Ridges Moraine Natural Core Areas plus mineral aggregate operations and wayside pits. • The note to Table 3 as described above in this table regarding the Oak Ridges Moraine Natural Core Areas is also applicable. 	<p>Section 3.5 includes policies regarding the overall intent of the designation and criteria for studies/development applications.</p> <p>The general policies of the Plan that refer to the Oak Ridges Moraine Conservation Plan are applicable, such as lot creation and aggregate use policies under Chapter 16.</p>

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Land Use Designation or Feature	Summary of Permitted Uses	Summary of Key Sections / Policies
Rural Settlements:		
Rural Clusters	<ul style="list-style-type: none"> • Residential uses and limited infill of residential uses in the cluster boundary • Table 16 of the Official Plan addresses specific permitted uses, which are limited to residential uses, home-based businesses, and community gardens. 	<p>Rural clusters are groupings of dwellings usually on rural roads with minor opportunity for infill (the prefacing text to the Rural Settlement policies under Chapter 2 and Chapter 3). No new rural clusters are permitted. There are three such Clusters as noted in the prefacing text before Section 3.10.</p>
Country Residential	<ul style="list-style-type: none"> • Large lot residential subdivisions with maximum number of lots • Residential uses, home-based businesses, community gardens 	<p>Country Residential refers to rural residential subdivisions usually on internal roads with limited number of approved lots. No new such subdivisions will be permitted. There are 5 Country Residential Subdivisions, listed in the prefacing text before Section 3.10 of the Official Plan.</p> <p>The Rural Settlement policies are applicable to each approved Country Residential area, as outlined in Chapter 13. Some of these subdivisions are not yet built-out but received prior approval (e.g., Forest Creek Estates). The policies provide requirements on various matters including the number of permitted lots, certain site-specific policies and other guidance.</p>

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Land Use Designation or Feature	Summary of Permitted Uses	Summary of Key Sections / Policies
Rural Hamlets	<ul style="list-style-type: none"> • Variety of residential, employment, community and other uses • Limited growth and development is permitted in the hamlet boundary • Table 16 of the Official Plan outlines permitted uses for specific hamlet designations, such as hamlet residential, hamlet commercial, hamlet employment and open space system - natural areas. • Hamlet Residential areas are limited to residential uses, home-based businesses, community uses and limited retail and employment uses. • Hamlet Commercial areas may include retail, office, business, personal service and employment uses, residential uses, home-based businesses and community, cultural and recreational uses. • Hamlet Employment may include a range of manufacturing and warehousing uses, offices including limited retailing, automotive uses and existing residential uses and home-based businesses. 	<p>Rural Hamlets are historic settlements and more diversified than Country Residential and Rural Clusters. There are 8 such Hamlets as listed in the prefacing text before Section 3.10. The Settlement policies under Chapter 13 provide varying detail and policy guidance for each Hamlet, including permitted uses.</p>

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Land Use Designation or Feature	Summary of Permitted Uses	Summary of Key Sections / Policies
Oak Ridges Moraine Rural Hamlets	<ul style="list-style-type: none"> • Variety of residential, employment, community and other uses • Limited growth and development is permitted in the hamlet boundary 	<p>Per the prefacing text before Section 3.10, the Oak Ridges Moraine Rural Hamlets are subject to similar policies as other Rural Hamlets. There are few other references to Oak Ridges Moraine Rural Hamlets, such as the need to maintain their rural character per policy 3.11 (e) (iii). The Oak Ridges Moraine Rural Hamlets are also similarly subject to the applicable Rural Settlement policies under Chapter 13.</p>
Other Designations / Features:		
Oak Ridges Moraine Countryside Areas	<ul style="list-style-type: none"> • Primary agricultural uses including farm-related dwellings as well as dwellings on vacant lots that were zoned as of November 15, 2001 • Complementary uses such as home-based businesses, farm-related businesses and agriculture related uses • Other specified uses such as conservation, infrastructure, home industries, bed and breakfasts, low intensity recreational uses and mineral aggregate operations and wayside pits • Uses permitted in Prime Agricultural Areas (below) are also permitted where Oak Ridges Moraine Countryside Areas are located in Prime Agricultural Areas 	<p>Section 3.11 (e) is intended to ensure implementation of the applicable Oak Ridges Moraine policies. Additionally, Section 3.11 (f) permits a second dwelling for farm help, subject to criteria. Various policies under Chapters 15-16 also reference Oak Ridges Moraine Conservation Areas, such as criteria for non-agricultural uses and lot creation. Section 16.40 states that on lands with this designation, City Council shall require any new livestock facilities, any expansions to livestock facilities, and all development adjacent to livestock facilities to comply with the provincial Minimum Distance Separation Formula.</p>

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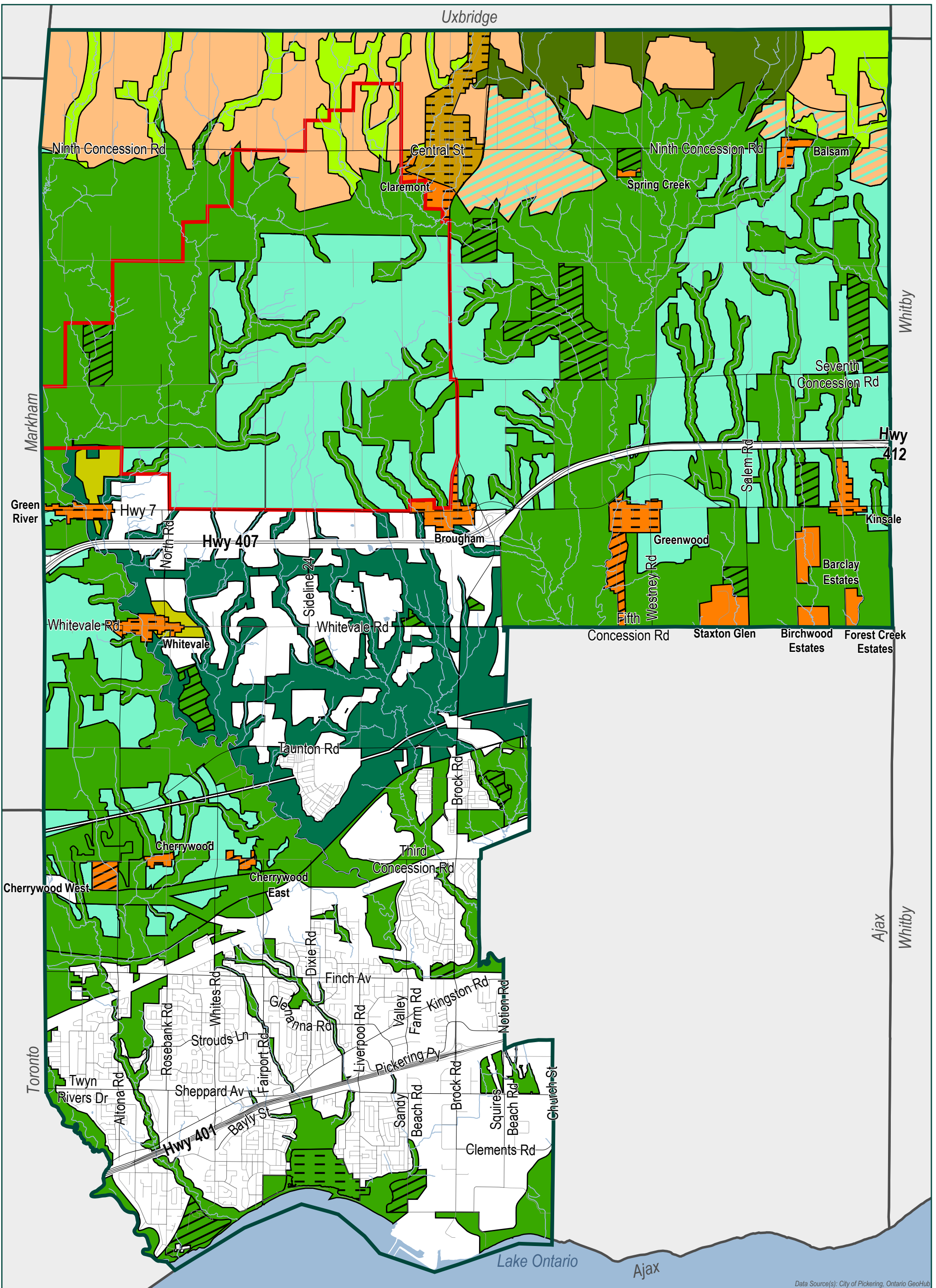
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Land Use Designation or Feature	Summary of Permitted Uses	Summary of Key Sections / Policies
Prime Agricultural Areas	<ul style="list-style-type: none"> • Agricultural uses including farm related residential dwellings, and new residential dwellings on vacant lots (subject to restrictions regarding the existing zoning) • Agricultural-related uses devoted to the farm operation and to serving the farm operation in the area, such as grain drying, produce storage, and processing and packing operations for agricultural products; cottage wineries; farmers’ markets or farm gate sales; horse shows; auctions of farm produce, livestock and equipment • On-farm diversified uses which are secondary to the principal agricultural use, such as home-based businesses/occupations; home Industries; agri-tourism uses such as bed and breakfast establishments, farm vacation homes, and farm tours, provided such uses are directly related and exclusively devoted to the existing farm operation • Limited non-agricultural uses such as lawful existing uses, mineral extraction, infrastructure 	<p>Section 3.11 provides policies for Prime Agricultural Areas. Agricultural lands in these areas are intended for long-term protection and must be zoned for agriculture uses in accordance with any applicable Provincial Plan, and in so doing will apply appropriate performance standards, restrictions and provisions including, where applicable, compliance with the Minimum Distance Separation Formulae.</p> <p>Additionally, the Central Pickering Development Plan is applicable for any Prime Agricultural lands in the Duffins Rouge Agricultural Preserve Area. Section 16 provides criteria for zoning certain uses. It also includes a policy which requires any new livestock facilities, any expansions to livestock facilities, and all development adjacent to livestock facilities to comply with the provincial Minimum Distance Separation Formula.</p>
Hamlet Heritage Open Space	<ul style="list-style-type: none"> • Range of social, community and recreational uses subject to criteria • Renewable energy systems • Community gardens 	<p>Section 3.13 and the prefacing text describes the Hamlet Heritage Open Space as a designation located in the Seaton Urban Area which provides a buffer between urban uses in Seaton and the hamlets of Whitevale and Green River.</p>

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Land Use Designation or Feature	Summary of Permitted Uses	Summary of Key Sections / Policies
Proposed Airport Site	<ul style="list-style-type: none"> • Conservation uses • Agricultural uses including a detached dwelling • Existing lawful uses 	<p>The proposed Airport Site is shown as an overlay on Schedule I. Policies related to this Site are included in Sections 2.16 through 2.18 and Section 3.14 of the Official Plan. General background information regarding this site is included in Discussion Paper #1. Only agriculture and open space uses that do not preclude an Airport are permitted. This includes agriculture-related uses and on-farm diversified uses that are complementary to a farm operation.</p> <p>There are no specific policies tied to the Federal Lands. However, there are Federal guidelines regulating lands around the proposed airport lands.</p>
Federal Lands	<ul style="list-style-type: none"> • No specified permitted uses or policies 	<p>Federal Lands are delineated on Schedule I, encompassing the entirety of the Proposed Airport Site overlay as well as some adjacent lands.</p>
Rural Study Area	<ul style="list-style-type: none"> • Uses permitted in the applicable land use designation (outside settlement area) • Uses permitted in the Rural Settlement policies 	<p>One Rural Study Area is shown on lands abutting the hamlet of Greenwood. In the prefacing text before Section 3.15, the Rural Study Areas are identified to consider the potential for minor hamlet expansion or to confirm appropriateness of land use designations. Where the Study Area is outside the boundary, permitted uses are in accordance with the land use designation shown.</p>



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

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Legend

Official Plan Designated Open Space

- Active Recreational Area
- Hamlet Heritage Open Space
- Marina Area
- Natural Area
- ORM Natural Core Area
- ORM Natural Linkage Area
- Seaton Natural Heritage System

Official Plan Designated Rural Settlements

- Country Residential
- Rural Cluster
- Rural Hamlet
- ORM Rural Hamlet

Other Official Plan Designations

- ORM Countryside Area
- Prime Agricultural Area
- ORM Prime Agricultural Area
- Proposed Airport Site



Figure 2.1: Rural, Agricultural, Hamlet, Open Space and Environmental Areas as Designated in the City of Pickering Official Plan

2.1.2 Rural Settlement Area Policies

The policies of Chapter 13 of the Official Plan provide additional detail and guidance regarding the various Rural Settlements as shown in Figure 2.2. The types of policies and requirements vary in accordance with the applicable Rural Settlement policies, but relate to permitted uses, number of lots, character, environmental protection, and other topics. As previously recommended in Discussion Papers #3 - 5, a policy conformity checklist should be completed in conjunction with preparing the new draft Zoning By-law, to ensure that the various detailed policies of the Rural Settlements are implemented in zoning. This should also address any applicable Development Guidelines which are included in the compendium to the Official Plan and provide additional guidance for development.

2.1.3 Provincial Policies

In Ontario, the Province establishes a range of policies including policy statements and Provincial Plans issued under the *Planning Act* and other legislation. All planning decisions made by City Council must be consistent with the Provincial Policy Statement and conform to Provincial Plans. While the City's Official Plan, discussed in Section 2.1.1, is the principal vehicle for implementing Provincial policies, some Provincial policies have recently been updated and these changes require consideration in this process. The new Zoning By-law will need to be consistent with the Provincial Policy Statement (PPS), 2020 as well as conform to the applicable Provincial Plans, including the Oak Ridges Moraine Conservation Plan, 2017 and the Greenbelt Plan, 2017, and the Growth Plan for the Greater Golden Horseshoe, 2020. While this is generally discussed in Discussion Paper #1, following is a summary of some of the relevant policy changes that are applicable to the areas addressed by this Discussion Paper:

- Under the 2017 Growth Plan, the Province introduced a Natural Heritage System (Section 4.2.2) which has since been mapped. This includes detailed criteria for new development and site alteration, which do not apply to agriculture and related uses. The policies also do not apply until the mapping is implemented in the Region of Durham's Official Plan. Similarly, the Province introduced and mapped an Agricultural System (Section 4.2.6). This includes updated Prime Agricultural mapping. Outside the Greenbelt, the mapping does not apply until it is implemented in the Region of Durham's Official Plan. Additionally, the mapping may be refined through the upper tier Official Plan Review.
- The 2017 Oak Ridges Moraine Conservation Plan was updated by the Province principally to bring into better alignment with other Provincial plans, in terms of definitions and terminology. The extent of the land use designations was unchanged. For the purpose of the Zoning By-law Review, the most relevant change is permission of agriculture-related uses and on-farm diversified uses in prime agricultural areas of the natural core and natural linkage areas. This appears to be consistent with the Official Plan.
- The 2017 Greenbelt Plan was similarly updated to improve consistency between the various Provincial Plans. This includes some updated terminology, including on-farm diversified uses, and definitions for permitted uses, as well as various new policies

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and modified wording with respect to permitted uses. The new Greenbelt Plan also introduces Urban River Valleys and associated policies which affect publicly owned lands. Zoning and permitted uses for these lands should be considered.

Overall, some of the changes introduced by the Province have some relevance to this Discussion Paper, particularly permitted uses and terminology regarding agricultural uses. This will need to be implemented through the Zoning By-law Review.

2.1.4 Guidelines for Permitted Uses in Prime Agricultural Areas

The Province has also released a guidance document, the Guidelines on Permitted Uses in Prime Agricultural Areas (2016), to provide guidance to municipal planners and landowners on the assessment of permitted uses within the prime agricultural area. Pickering has extensive prime agricultural lands which are designated within the Official Plan. The Province's document helps to characterize the types of agriculture-related uses and on-farm diversified uses that may be contemplated and some suggested criteria. Since this Discussion Paper assesses these permitted uses in Section 4.6, this Provincial document will provide useful information to inform the permitted uses, definitions and standards in the new Zoning By-law.

2.1.5 Minimum Distance Separation (MDS) Formulae

The Minimum Distance Separation (MDS) Formulae is a planning tool created by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) that determines a recommended separation distance between agricultural uses and other land uses (e.g. residential). The intent of the MDS Document is to prevent land use conflicts and minimize nuisance complaints from odour. The MDS Document provides guidance for implementing the MDS Formulae as required in the Provincial Policy Statement, 2020 and other applicable Provincial plans. The Provincial Policy Statement requires new land uses, including the creation of lots, and new or expanding livestock facilities, on rural lands or in prime agricultural areas to comply with the MDS Formulae. References to MDS Formulae can be included in municipal planning documents, such as official plans and zoning by-laws.

It should be noted that changes to the MDS Formulae were made in 2017. The changes were minor and technical in nature, affecting when and how the MDS Formulae is applied, and from where it is measured. The following is a summary of some changes made to the MDS Formulae that should be considered as part of the Zoning By-law Review:

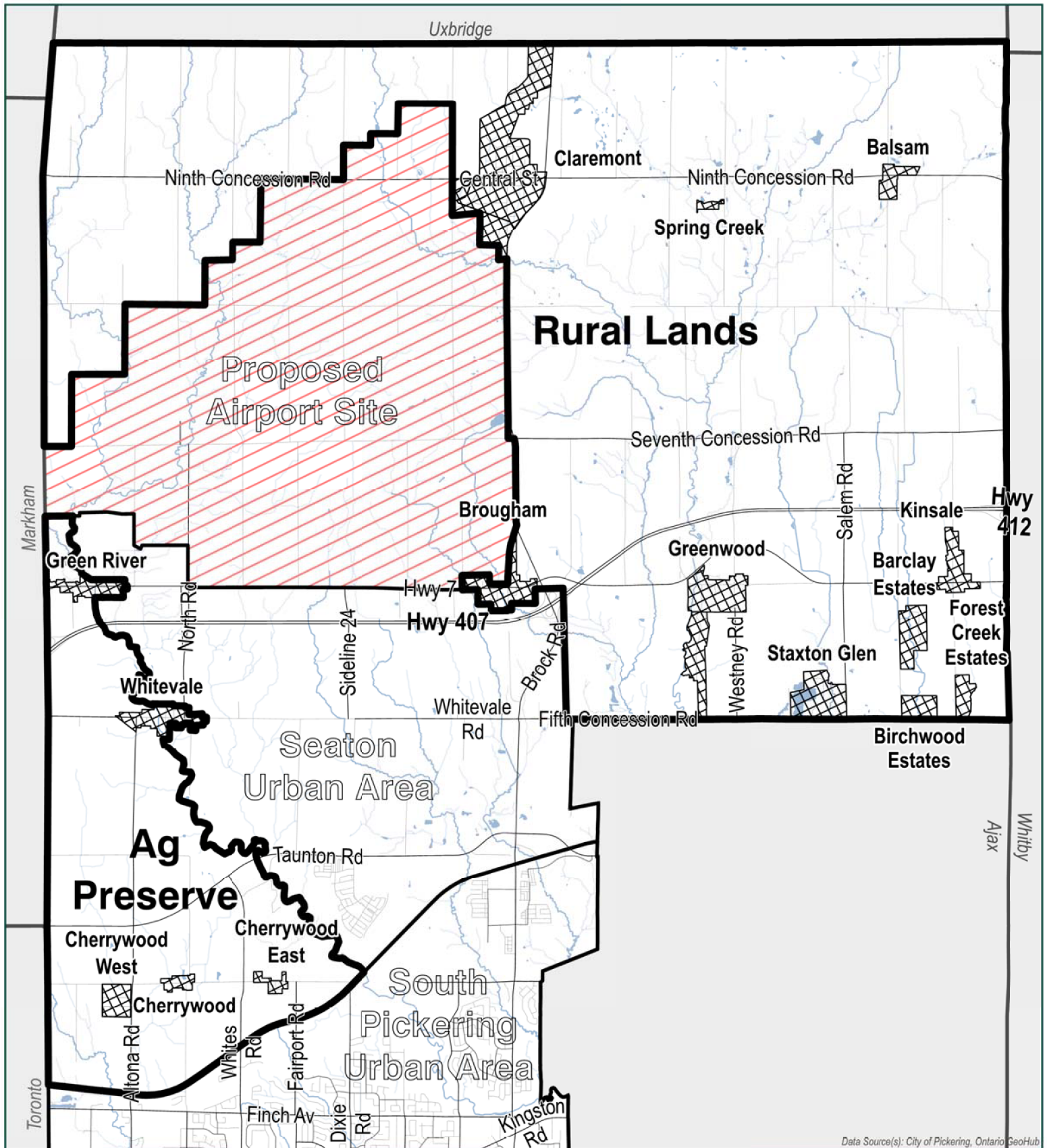
- Clarifying that MDS setbacks for agriculture-related uses and on-farm diversified uses are applied at the discretion of a municipality. If a municipality wishes to apply MDS setbacks for agriculture-related uses and on-farm diversified uses, it should provide clear direction through its local planning documents (e.g. comprehensive zoning by-laws).
- Providing clarification regarding when municipalities can reduce MDS setbacks (e.g. minor variance applications) for reasons other than an environmental concern (e.g. public health and safety issues).

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- Expanding the exemption from MDS setbacks for building reconstruction due to catastrophes to include reconstruction for other reasons.
- Clarifying that MDS I is not applied when an existing building is being renovated or expanded.

The City of Pickering's Official Plan includes policies in Section 3.11, which states that City Council shall zone lands designated Prime Agricultural Areas to permit primarily agricultural uses and in so doing will apply additional appropriate performance standards, restrictions and provisions including, where applicable, compliance with the MDS Formulae. Section 16.40 includes a policy for lands designated Prime Agricultural Areas, Open Space System and Oak Ridges Moraine Countryside Areas, which requires any new livestock facilities, any expansions to livestock facilities, and all development adjacent to livestock facilities to comply with the provincial MDS Formulae as amended from time to time. Out of the City's six existing Zoning By-laws, only the Rural Area Zoning By-law 3037 addresses MDS Formulae, stating that all farm and non-farm development for livestock facilities shall comply with it.



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

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Figure 2.2: Delineation of the Rural Settlements

Legend

-  Ag Preserve / Rural Lands
-  Rural Settlements
-  Proposed Airport Site

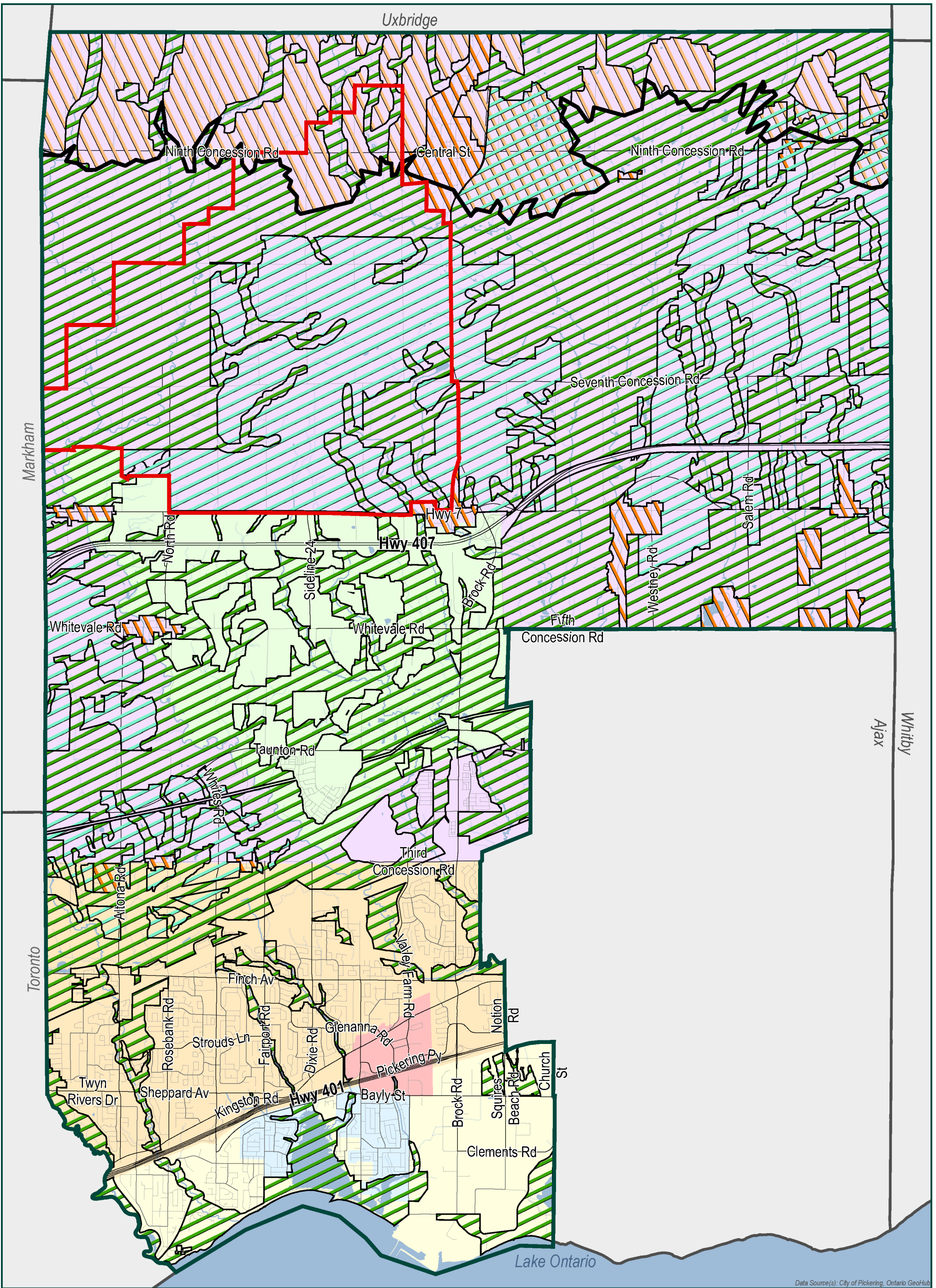


2.2 Zoning

All six of the existing parent Zoning By-laws are relevant to this Discussion Paper, since each By-law addresses either rural or open space lands, or both. The Rural Area Zoning By-law 3037 is most relevant, as it addresses the majority of the City's rural and agricultural lands. 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 agricultural, rural, hamlet, open space and environmental areas of the City and the existing parent Zoning By-laws is shown in **Figure 2.3** and described as follows:

- The City Centre Zoning By-law 7553/17 is not significantly relevant to this Discussion Paper, as the area is designated Mixed Use Areas – City Centre. However, this designation incorporates a small amount of lands designated Open Space System - Natural Area.
- The Seaton Zoning By-law 7364/14 includes the Seaton Natural Heritage System and the Hamlet Heritage Open Space designation.
- The Frenchman's Bay Area Zoning By-law 2511, the Bay Ridges Area Zoning By-law 2520 and Zoning By-law 3036 include various Open Space System sub-designations. Zoning By-law 3036 also includes some Rural Settlements.
- The Rural Area Zoning By-law 3037 is most relevant, encompassing various Rural Settlements, agricultural lands and Open Space System sub-designations.



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

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Figure 2.3: Relationship between the Rural, Agricultural, Hamlet, Open Space and Environmental Areas and the Six Parent Zoning By-laws

Legend

- Official Plan Designated Open Space, Rural Settlement and Other Areas**
- Open Space Areas
 - Rural Settlement Areas
 - Prime Agricultural Areas
 - ORM Countryside Area
 - Proposed Airport Site
 - Oak Ridges Moraine Boundary

- Parent Zoning By-laws**
- Zoning By-law 2511
 - Zoning By-law 2520
 - Zoning By-law 3036
 - Zoning By-law 3037
 - Zoning By-law 7364/14
 - Zoning By-law 7553/17



3 Official Plan Conformity Assessment

In accordance with the *Planning Act*, the existing zoning in the various agricultural, rural, hamlet, open space and environmental areas must be reviewed for conformity with the applicable policies of the Official Plan. As a result, there may be a need to update the zoning to bring it into conformity with the Official Plan. This section assesses the conformity of the existing zoning, some of which dates to the 1960s, with the City's current Official Plan, which originally came into effect in 1997 and has since been updated and amended. The current consolidation is dated October 2018.

3.1 Official Plan and Zoning Relationship

As summarized in Section 2 of this Discussion Paper, the various agricultural, rural, hamlet, open space and environmental areas encompass the majority of the City's land area. These areas are guided by policies, including requirements for permitted uses and criteria for assessing development applications. Some areas are also subject to Provincial Plans, including the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan. The Rural Settlements are also guided by the policies of Section 13, including some more detailed land use designations.

Overall, these areas are subject to fairly prescriptive policies, as there is an overarching intent of the Official Plan to protect the environment, protect the agricultural land base, and conserve the character of the Rural Settlements with limited opportunity for land use change and development to occur. The Official Plan provides for a suitable range of flexibility to encourage economic diversification of the agricultural lands, including permission for agriculture-related uses and on-farm diversified uses. The Official Plan also reflects Provincial requirements, which differ across the City depending on the applicable Provincial Plan.

It is anticipated that these various designations will be implemented by a broad range of zone categories. The broadest range of zoning is expected to be required in the Hamlets, where a range of uses are permitted. This may include a range of residential, commercial, institutional, open space and environmental zones. This is subject to the more specific land use designations as may be provided in the Rural Settlement policies of Chapter 13. The other Rural Settlements are expected to be zoned mainly residential, with some open space or environmental protection zoning. The Open Space System is likely to consist of principally a range of environmental protection and open space/parks zones. Additionally, these areas may include zoning for uses that exist and pre-date the designation of Open Space System, such as residential zoning to recognize existing dwellings. The various agricultural areas are anticipated to be zoned into an agriculture zone category, with some open space and environmental protection zones. There may be limited commercial or industrial zoning related to previously established agriculture-related and non-agricultural uses.

This section assesses the relationship between these diverse land use designations of the Official Plan and the current zoning. This analysis is intended to identify potential conflicts with respect to the uses permitted by the zoning. **Figure 3.1** shows the existing zoning within these areas overlaid on top of the Official Plan land use designations.

Table 3.1 provides a breakdown of the composition of zoning within each designation. The purpose of **Table 3.1** and the following summary is to provide a general characterization of how each land use designation is zoned, which helps to point out potential conflicts between the zoning and the land use 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 rounding. As such, this data should be used as a general description of the existing zoning.

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

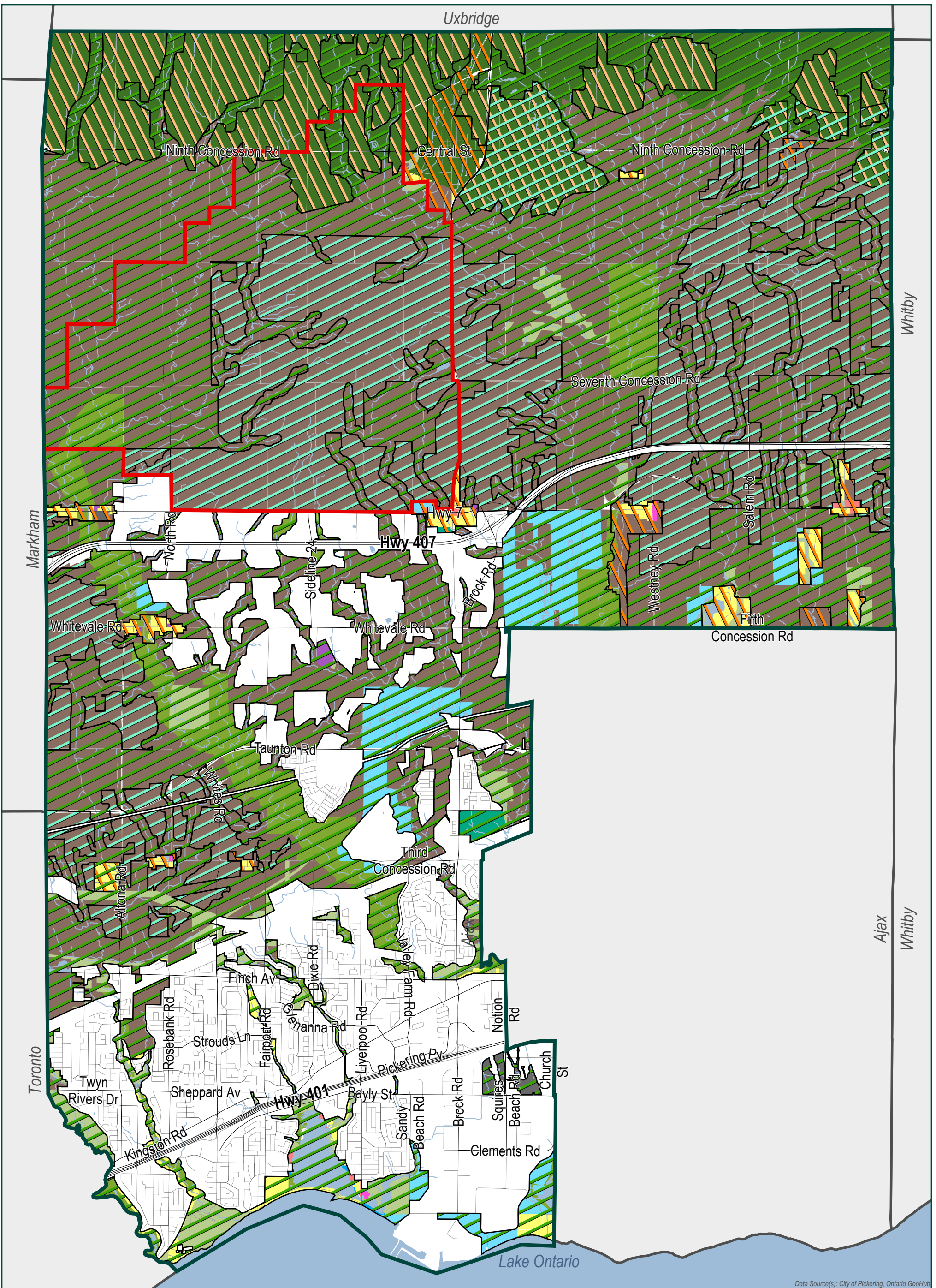
- Zoning in the Seaton Natural Heritage System designation is largely appropriate based on the policies of the designation. The great majority of lands are zoned Rural Agricultural (A), Pit and Quarry (Q) and Greenbelt (G), and some lands are also zoned Natural Heritage System (NHS) and Open Space - Golf Course (O2/GC). There are minor instances of other zones, such as some urban residential zoning, but these may represent slivers of adjacent neighbourhoods captured in the analysis and/or the zoning was previously approved and the designation boundaries may have been refined.
- Zoning in the Active Recreational Area designation is largely appropriate, consisting of Rural Agricultural - Golf Course (A/GC) and Rural Agricultural (A) zoning. However, there are instances of industrial zoning and residential zoning that will need to be reviewed.
- There are many instances of Rural Agricultural (A) zoning in the Open Space System, including the Seaton Natural Heritage System and Natural Areas, amongst others.
- The Natural Areas designation consists of a very broad range of zones. The great majority of zoning is Rural Agricultural (A), Pit and Quarry (Q), Greenbelt (G), and a mix of various open space zones. There are many instances of various other zones such as residential zones that will need to be reviewed. These zones likely relate to existing uses.
- The Oak Ridges Moraine Natural Core Areas and Oak Ridges Moraine Natural Linkage Areas designations are zoned mainly by Oak Ridges Moraine (ORM) zone categories. These zones will need to be reviewed in light of changes made through the 2017 Oak Ridges Moraine Conservation Plan which have not yet been implemented in the zoning.
- The Hamlet Heritage Open Space designation is principally zoned Rural Agricultural (A), Pit and Quarry (Q), and Greenbelt (G) which is generally appropriate.
- The Country Residential designation consists of mainly a range of Estate Residential (ER) zoning, and various open space and agriculture zones. The

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agriculture zoning likely relates to existing uses and the subdivision has not been built.

- The Rural Cluster designation is principally zoned Residential (R3) and Rural Agricultural (A). This zoning is generally appropriate and consistent with the intent of the designation.
- The Rural Hamlets and Oak Ridges Moraine Rural Hamlets are zoned by a variety of zones, mainly Rural Agricultural (A), various Hamlet residential zones (i.e., HMR), the Village (V) zone, the Cluster Residential (CLR) zone, and instances of the Residential (R6) zone. There are instances where the zoning does not fully align with the Rural Hamlet sub-designation; for example, there are instances of the Hamlet Employment sub-designation in the Hamlet of Claremont that are zoned Rural Agricultural (A). In these cases, there is opportunity to modify the zoning to implement the Official Plan or to set a 'hamlet reserve' or similar zone. There are also instances of zones which are site specific in nature, such as Gas Station (GS3), and Church (I(C)) zones. There is opportunity to replace these restrictive zones with zones that enable a wider range of land use permissions. However, an expansion of land use permissions will need to be evaluated for conformity with the Official Plan and to consider the intent and purpose of the existing zoning. Within the Oak Ridges Moraine Rural Hamlets, the zoning is tied to an ORM prefix.
- The Prime Agricultural Area and Oak Ridges Moraine Countryside Areas designations are primarily zoned Rural Agricultural (A). Over 99 percent of Prime Agricultural Areas are zoned Rural Agricultural (A), whereas just under 75 percent of Oak Ridges Moraine Countryside areas are zoned Oak Ridges Moraine - Agricultural (ORM-A) and the balance is primarily zoned Oak Ridges Moraine - Environmental Protection (ORM-EP). There are minor instances of other zones within these designations which may reflect existing uses, such as Hamlet Residential (HMR) zones. In the Oak Ridges Moraine Countryside Areas designation, the zones are tied to an ORM prefix.



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

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Legend

- Official Plan Designated Open Space, Rural Settlement and Other Areas**
- Open Space Areas
 - Rural Settlement Areas
 - Prime Agricultural Areas
 - ORM Countryside Area
 - Proposed Airport Site

- Generalized Zone Category**
- | | | | |
|--------------|--------------------|-------------|-------|
| Agricultural | Institutional | Open Space | Other |
| Cemetery | Mixed Use | Residential | |
| Commercial | Natural Heritage | Utility | |
| Employment | Oak Ridges Moraine | Waterfront | |



Figure 3.1: Overlay of Existing Zoning on the Rural, Agricultural, Hamlet, Open Space and Environmental Areas

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Table 3.1: Composition of Zoning in the Agricultural, Rural, Hamlet, Open Space and Environmental Areas

Zone	Area (hectares)	Percent (%) total area in the land use designation	Zone	Area (hectares)	Percent (%) total area in the land use designation
1) Open Space System:					
a) Seaton Natural Heritage System Total Area: 1,428.32 hectares			b) Active Recreational Areas Total Area: 547.17 hectares		
A	998.16	69.88%	A	100.39	18.35%
CU	0.01	<0.01%	CP	9.05	1.65%
ES	0.12	0.01%	CU	9.90	1.81%
G	210.72	14.75%	CU/SWM	0.85	0.16%
HD	0.04	<0.01%	G	5.43	0.99%
LD1	0.26	0.02%	M1	3.37	0.62%
LD2	0.04	<0.01%	MD-DS	0.02	<0.01%
LD2-M	0.02	<0.01%	MD-M	0.62	0.11%
MC2	0.39	0.03%	O1	8.32	1.52%
MD-DS	0.12	0.01%	O2	45.84	8.38%
MD-M	0.26	0.02%	O2/GC	41.00	7.49%
NHS	16.80	1.18%	OS-HL	9.71	1.77%
O2/GC	13.78	0.97%	R(RH)	<0.01	<0.01%
OS	<0.01	<0.01%	R3	3.28	0.60%
Q	179.86	12.59%	R4	5.05	0.92%
SWM	3.61	0.25%	R4-10	<0.01	<0.01%
PEN	0.20	0.01%	M2	9.62	1.76%
PE-HL	0.01	<0.01%	A/GC	252.78	46.20%
PEG	0.46	0.03%	OS-HL-EP	0.01	<0.01%
A/GC	1.06	0.07%	ER-2	0.68	0.12%
A(TGPF)	2.38	0.17%	A(TGPF)	2.76	0.50%
HMR1	0.01	<0.01%	OS/HL	38.48	7.03%
c) Natural Areas Total Area: 8,185.90 hectares					
(H)O3B	14.20	0.17%	S4-3	0.13	<0.01%

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Zone	Area (hectares)	Percent (%) total area in the land use designation	Zone	Area (hectares)	Percent (%) total area in the land use designation
(H)RH-MU-7	<0.01	<0.01%	S4-9	0.03	<0.01%
A	6251.11	76.36%	S5	0.04	<0.01%
C.N.R.	3.11	0.04%	S5-2	0.34	<0.01%
C2-DB	0.04	<0.01%	S5-7	0.08	<0.01%
CEM-1	32.28	0.39%	SA	<0.01	<0.01%
CI-ES/DN	0.70	0.01%	SA-12	0.01	<0.01%
CP	15.88	0.19%	SA-21	<0.01	<0.01%
CU	0.03	<0.01%	SA-8	0.64	0.01%
G	683.34	8.35%	SC-26	0.01	<0.01%
I(C)(DN)-R(S	0.10	<0.01%	SD	0.01	<0.01%
LCA-2	0.14	<0.01%	SD-4	0.02	<0.01%
M1	24.81	0.30%	SD-7	0.08	<0.01%
M3	3.24	0.04%	SD-8	<0.01	<0.01%
MD-H16	0.13	<0.01%	S-SD-2	0.03	<0.01%
MD-H5	0.45	0.01%	S-SD-3	0.01	<0.01%
MU-20	0.08	<0.01%	S-SD-SA-3	0.10	<0.01%
MU-MD-2	0.05	<0.01%	SWM/S3	0.03	<0.01%
NHS	1.08	0.01%	UR	34.97	0.43%
NP	5.13	0.06%	M2	32.03	0.39%
O1	33.00	0.40%	M2S	16.18	0.20%
O2	171.42	2.09%	M4	0.11	<0.01%
O2/GC	31.87	0.39%	M-IC(DN)	0.04	<0.01%
O3B	3.00	0.04%	HMR2	0.02	<0.01%
OS-HL	83.78	1.02%	M1-1	0.63	0.01%
OS-HL-(MU)	0.93	0.01%	M1-1(S)	0.22	<0.01%
OS-HL-1	30.30	0.37%	RH-MU-6	0.07	<0.01%
OS-HL-2	2.52	0.03%	OS-C	1.43	0.02%
OS-HL-3	0.20	<0.01%	CC 2	0.03	<0.01%
OS-HL-4	0.60	0.01%	A/GC	149.24	1.82%
OS-HL-6	1.72	0.02%	OS-HL-EP	0.25	<0.01%
OS-HL-SWM	0.20	<0.01%	(H)OS-P	0.91	0.01%
OS-P	5.68	0.07%	ER-2	0.68	0.01%

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Zone	Area (hectares)	Percent (%) total area in the land use designation	Zone	Area (hectares)	Percent (%) total area in the land use designation
PU	0.08	<0.01%	OS-HL-EP(ND)	28.75	0.35%
Q	317.38	3.88%	(H)A	5.65	0.07%
R(RH)	<0.01	<0.01%	HMR3	0.19	<0.01%
R1	0.36	<0.01%	H(A)	0.67	0.01%
R3	62.56	0.76%	V	<0.01	<0.01%
R3-2	<0.01	<0.01%	CLR7	0.17	<0.01%
R3-5-ES	<0.01	<0.01%	ORM-EP	<0.01	<0.01%
R3-9	<0.01	<0.01%	R6	<0.01	<0.01%
R4	63.85	0.78%	LCA-5	<0.01	<0.01%
R4-10	<0.01	<0.01%	M1-8(SC-29)	0.01	<0.01%
R4-9	0.10	<0.01%	RH2-1	0.31	<0.01%
RC	0.01	<0.01%	MD-H6	0.01	<0.01%
RM2	2.34	0.03%	RH-MU-2	0.07	<0.01%
S	0.30	<0.01%	O2-1	0.62	0.01%
S1	0.04	<0.01%	MU-29	0.12	<0.01%
S1-14	0.07	<0.01%	HMR1	<0.01	<0.01%
S2	0.73	0.01%	A(T-GDR)	0.86	0.01%
S2-13	0.29	<0.01%	SC-9	0.19	<0.01%
S2-4	0.13	<0.01%	EP(ND)	2.44	0.03%
S3	0.49	0.01%	OS/HL	55.89	0.68%
S3-10	<0.01	<0.01%	OS-1	0.04	<0.01%
S3-7	0.32	<0.01%	RM2-2	0.26	<0.01%
S4	<0.01	<0.01%	(H)O3B-2	0.55	0.01%
S4-11	0.01	<0.01%	OS-HL-5	0.55	0.01%
d) ORM Natural Core Areas Total Area: 413.58 hectares			e) Hamlet Heritage Open Space Total Area: 77.33 hectares		
ORM-EP	397.17	96.03%	A	67.32	87.05%
ORM-EP-1	16.41	3.97%	G	7.09	9.17%
			LD1	0.07	0.09%
			Q	2.85	3.69%
			HMR1	<0.01	<0.01%

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Zone	Area (hectares)	Percent (%) total area in the land use designation	Zone	Area (hectares)	Percent (%) total area in the land use designation
f) Oak Ridges Moraine Natural Linkage Areas Total Area: 547.31 hectares					
A	<0.01	<0.01%			
ORM-A	103.76	18.96%			
ORM-EP	438.91	80.19%			
ORM-R5	0.04	0.01%			
ORM-A-2	0.66	0.12%			
ORM-I-3	<0.01	<0.01%			
ORM-I-1	1.49	0.27%			
ORM-GC	2.45	0.45%			
2. Rural Settlements					
a) Country Residential Total Area: 114.62 hectares			b) Rural Cluster Total Area: 79.17 hectares		
A	19.79	17.27%	A	32.96	41.63%
OS-HL	3.32	2.90%	G	5.96	7.52%
OS-P	10.13	8.84%	O2	0.46	0.58%
Q	0.10	0.08%	R3	39.52	49.92%
A/GC	0.01	0.01%	(H)A	0.28	0.35%
ER	30.70	26.78%			
ER-3	5.48	4.78%			
OS-HL-EP	12.21	10.65%			
(H)OS-P	1.96	1.71%			
ER-2	26.53	23.14%			
(H)ER	0.64	0.56%			
OS-HL-EP(ND)	3.76	3.28%			
c) Rural Hamlet Total Area: 217.68 hectares			d) Oak Ridges Moraine Rural Hamlets Total Area: 146.56 hectares		
A	73.17	33.61%	A	0.13	0.09%

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Zone	Area (hectares)	Percent (%) total area in the land use designation	Zone	Area (hectares)	Percent (%) total area in the land use designation
CU	2.90	1.33%	OS-HL	0.15	0.10%
G	15.76	7.24%	ORM-A	19.17	13.08%
LD1	<0.01	<0.01%	ORM-EP	37.54	25.62%
OS	0.01	<0.01%	R6-3	<0.01	<0.01%
OS-HL	5.88	2.70%	ORM-A1	1.02	0.69%
CEM-2/HMR2	1.93	0.89%	ORM-C2	2.73	1.86%
HMR2	27.34	12.56%	ORM-C2-1	0.10	0.07%
OS-HL-EP(ND)	1.62	0.75%	ORM-C2-2	0.04	0.03%
(H)A	1.03	0.47%	ORM-C2-S	0.10	0.07%
HMR2(HMC4)	0.30	0.14%	ORM-I	3.11	2.12%
I(PRA)	0.82	0.38%	ORM-M1	1.48	1.01%
(H)HM-C9	0.41	0.19%	ORM-R	2.28	1.56%
HMR	6.58	3.02%	ORM-R4	0.72	0.49%
HMR3	18.38	8.44%	ORM-R5	30.93	21.11%
HMR8	0.10	0.05%	ORM-R5-1	0.16	0.11%
I(C)	0.27	0.13%	ORM-R6	29.50	20.13%
CEM-2	0.56	0.26%	ORM-R6-1	0.99	0.68%
GS3	1.21	0.55%	ORM-R6-3	3.46	2.36%
HMC	0.35	0.16%	ORM-R6-4	4.48	3.05%
HMC1	1.84	0.84%	ORM-R6-5	8.22	5.61%
HMC2	0.46	0.21%	ORM-R6-6	0.26	0.17%
HMI	5.83	2.68%			
H(A)	5.17	2.37%			
H(V)	1.80	0.83%			
V	8.96	4.11%			
C3	2.59	1.19%			
CL-CA	1.19	0.55%			
CLR5	2.19	1.01%			
CLR6	3.68	1.69%			
CLR7	2.06	0.95%			
CLR8	2.54	1.17%			
CLR8-DD	0.65	0.30%			

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Zone	Area (hectares)	Percent (%) total area in the land use designation	Zone	Area (hectares)	Percent (%) total area in the land use designation
ORM-A	0.01	<0.01%			
ORM-EP	0.01	<0.01%			
R6	0.97	0.44%			
R6-2	0.50	0.23%			
R6-3	2.31	1.06%			
HMR1	11.28	5.18%			
I(C)/CU	0.58	0.27%			
HMA	4.29	1.97%			
HMR1(HMC5)	0.18	0.08%			
3. Prime Agricultural Areas and Oak Ridges Moraine Countryside Areas					
a) Prime Agricultural Areas Total Area: 4,110.93 hectares			b) ORM Countryside Area Total Area: 1,930.78 hectares		
A	4078.56	99.21%	A	5.82	0.30%
G	4.80	0.12%	ORM-A	1438.82	74.52%
O2	1.14	0.03%	ORM-EP	454.46	23.54%
HMR2	0.07	<0.01%	ORM-R5	1.21	0.06%
A/GC	0.07	<0.01%	ORM-R6-1	0.37	0.02%
(H)A	4.66	0.11%	ORM-A-2	10.25	0.53%
HMR	0.02	<0.01%	ORM-I-3	0.17	0.01%
HMR3	<0.01	<0.01%	ORM-I-1	0.83	0.04%
H(A)	8.67	0.21%	ORM-GC	11.27	0.58%
V	1.23	0.03%	(H)ORM-I-2	0.68	0.03%
ORM-A	0.01	<0.01%	ORM-A-3	5.29	0.27%
HMR1	0.01	<0.01%	ORM-I-2	1.62	0.08%
A(T-GDR)	8.25	0.20%			
A(THB)	1.99	0.05%			
EP(ND)	1.45	0.04%			

3.2 Conformity of Permitted Uses

Overall, based on the analysis in Section 3.1, there is very good alignment between the Official Plan's land use designations and the existing zone categories. The zone categories are generally consistent with the intent of the land use designation, based on the policies of the associated land use designation, and there are therefore very few obvious major conformity issues with respect to permitted uses based on the zones that are applied. The permitted uses for each of the designations were outlined previously in Section 2.2 of this Discussion Paper.

Based on Section 3.1, there are a number of potential conformity issues with respect to land use permissions emerging from the analysis, as follows:

- There is a substantial amount of land zoned Rural Agricultural (A) in the Open Space System. The function of the Open Space System is mainly to contribute to a long-term natural heritage system through the protection of key features and enhancement of linkages, so an environmental protection or similar zone would be more in line with the intent of the policies. However, the Official Plan generally permits existing agricultural uses in these areas, so instances of Rural Agricultural (A) zoning are likely appropriate. Buildings and structures may also be subject to meeting criteria in the Official Plan, such as avoiding key natural heritage and key hydrologic features, depending on the applicable policies. The relationship between the zoning and the natural heritage system and the options to resolve discrepancies are discussed further in Section 4.2.
- There are also instances of other uses and zoning in the Open Space System, including instances of residential zoning. This may be appropriate since the designation permits existing dwellings and new dwellings on vacant lots provided they meet the policies of the Official Plan. A detailed review of where this occurs should be conducted to confirm that these instances of non-agricultural/open space zoning is appropriate and meets the intent of the policies.
- Overall, the lands included in the Oak Ridges Moraine Conservation Plan Area are subject to "ORM" zone categories. A detailed review of the mapping should be conducted to confirm alignment of the zoning with the designations. Additionally, there may be modifications to permitted uses and terminology to align with recent policy updates.
- The current zoning may not appropriately address some of the permitted use policies in rural areas. For example, the Official Plan contemplates agriculture-related uses and on-farm diversified uses in the Oak Ridges Moraine Natural Core and Oak Ridges Moraine Natural Linkage Areas, but only if these areas are located in Prime Agricultural Areas. Based on the review conducted in Section 3.1, there does not appear to be a mechanism in the zoning to implement these different land use permissions across the various geographies.
- There are also instances of Rural Agricultural (A) zoning in the Hamlets. This generally does not conflict with the intent of the Official Plan. However, there is

opportunity to modify the zoning to a Hamlet Residential zone or a zone category to permit future infill or to set a “hamlet reserve” zoning to require a rezoning to assess a change in land use or development application. Any zoning changes will need to align with the Official Plan’s restrictive policies regarding development and lot creation in Hamlets.

- There are various approaches to zoning in the Rural Settlements, including varied application of Residential zone categories, Hamlet Residential zone categories and other categories. There is opportunity to simplify the structure and align it more clearly with the Official Plan’s structure and designations, including the more detailed land use designations provided in the Rural Settlement policies of Chapter 13. Additionally, many of the non-residential uses in the Hamlets are subject to site-specific zones and there may be opportunity to consider establishing a more consistent set of Hamlet Institutional, Hamlet Commercial or other zones, and using more consistent symbology. This is discussed further in Section 4 of this Discussion Paper.
- It is noted that there is an ORM prefix in rural hamlets within the Oak Ridges Moraine. This will need to be reviewed in terms of its purpose and effect, as the policies for Oak Ridges Moraine Rural Hamlets are similar to the policies for other Rural Hamlets in the City. There may not be a need to differentiate the zoning from ORM Hamlets versus other Hamlets unless there are specific restrictions or applicable policies.
- The Rural Settlement policies under Chapter 13 of the Official Plan will need to be reviewed for conformity, via the completion of a policy conformity checklist as previously recommended.

3.3 Assessment of Other Policy Requirements

In addition to the land use designations and associated policies, the Official Plan contains policy and direction regarding related general matters, as follows:

- The City’s Rural System is generally described in Chapter 2, which includes various goals and objectives. Overall, it is the intent of the Official Plan to encourage a vibrant rural economy with appropriate range of uses. Rural areas will accommodate limited development that is energy efficient, enhances a range of rural housing choices and is environmentally appropriate (Section 2.19).
- Section 3.10 (a) intends for Rural Settlements to have significant concentrations of rural housing. Section 3.10 (c) further identifies that lands of this designation should be zoned in accordance with the provisions specified in a respective Part 3 Rural Settlement Plan (Chapter 13).
- Lands designated Prime Agricultural Areas are intended to be zoned to permit primary agricultural uses but may also be zoned for certain agriculture-related uses, on-farm diversified agricultural uses and limited non-agricultural uses (Section 3.11 (b)(c)). The zoning for these uses should apply appropriate

performance standards, restrictions and provisions, s including, where applicable, compliance with the MDS Formulae. Section 3.11 also permits and prohibits certain uses on lands designated Oak Ridges Moraine Countryside Areas.

- The City encourages rural employment through food production, farm businesses such as bed and breakfasts, market gardens and other uses, small scale service operations including nurseries and garden centres and other uses (Section 2.22). Section 5.3 (f) further supports this objective. Additionally, home-based businesses, home industries and small-scale agri-tourism uses are to be zoned and permitted in Prime Agricultural Areas. Home-based businesses are permitted in all Rural Settlements.
- Section 6.4 contemplates zoning to permit group homes in all residential areas; accessory apartments, garden suites and rooming houses in appropriate areas; and encourages the provision of housing for people with special needs (Section 6.4).
- As noted previously, some of the permitted uses and requirements of the land use designations are criteria-based. Section 16 is also relevant particularly with respect to development application requirements. Section 16.7, for example, requires a site suitability study in conjunction with an application for non-agricultural uses in the Rural Area and Section 16.9 exempts agricultural uses from preparing environmental reports otherwise required in accordance with Section 16.8. Aggregate resource uses are subject to Section 16.34. Livestock facilities and adjacent development are subject to Section 16.40, which requires compliance to the MDS Formulae. The criteria-based nature of some of these policies indicates that some uses will only be appropriately permitted through a rezoning application, but the Zoning By-law will play a role in establishing suitable zone categories and requirements which can be applied through a re-zoning if the proposal is approved.

3.4 Conclusions

In summary, Section 3 of this Discussion Paper evaluates the alignment between the existing zoning and the policies of the Official Plan. Overall, there is a good degree of alignment between the existing zone categories and the land use designations. The mix of zones is generally consistent with the intent of the Official Plan's designations. However, there is a need to ensure implementation and consistency with the Official Plan's permitted uses and requirements. Additionally, a policy conformity checklist will be used to ensure that the detailed policies for the Rural Settlements and any Development Guidelines are implemented. There is also opportunity to better align the zoning with the Official Plan in terms of the names of zones compared to the Official Plan.

4 Key Issues

The previous section assessed some specific key issues related to zoning the agricultural, rural, hamlet, open space and environmental areas. This section addresses the following specific issues and topics that are relevant to these areas:

- Section 4.1 reviews opportunities to consolidate zones and provides recommendations for the new zone structure;
- Section 4.2 assesses zoning options to implement the City's Natural Heritage System;
- Section 4.3 evaluates the zoning in the Rouge National Urban Park;
- Section 4.4 reviews the Minster's Zoning Orders and the Federal Airport lands;
- Section 4.5 reviews and assesses the requirements for outdoor storage and parking;
- Section 4.6 considers the implementation of a framework for agriculture-related and on-farm diversified uses; and
- Section 4.7 includes a review of minor variances and site-specific amendments.

4.1 Zone Structure

4.1.1 Overall Approach and Principles to Zone Structure

The purpose of this section is to establish a framework for the new zone structure in the City's various agricultural, rural, hamlet, open space and environmental areas. The following is an assessment of the proposed approach to establishing zones that will best consolidate the existing zones and enable alignment with the Official Plan designations:

- There is a need for an agricultural zone that is principally aligned with the Prime Agricultural Area in the Official Plan. This zone would be based on the existing Rural Agricultural (A) zone and would encompass permission for a wide range of agricultural uses including some agriculture-related and on-farm diversified uses, as discussed later in this Section. Sub-zones can be created to respond to different policy contexts and the need to set out different permitted uses (e.g., AORM to refer to Oak Ridges Moraine Conservation Plan Area). Alternatively, exceptions can be created to establish standards for certain circumstances or for site-specific contexts. The zone should consider regulations that support agricultural practices, such as having exemptions to the height regulations for agricultural buildings. The zone or the general provisions of the new Zoning By-law should also consider provisions related to the MDS Formulae, such as identification of uses that do not require an MDS setback based on their current zone or use.

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- There is also a need to create zones to address existing non-agricultural uses and potentially for some existing agriculture-related uses. Some agriculture-related uses may be permitted via the Rural Agricultural (A) zones, but there may be others that are criteria-based and will require a separate zone category rather than permitting as-of-right within any instance of the Rural Agricultural (A) zone, which will be very broadly applied. Generally, any required zones to address non-agricultural uses and agriculture-related uses would not be applied as-of-right but would be applied through re-zoning application processes. Currently, the existing zoning includes only a few such zones. For example, the Pit and Quarry (Q) zone is relevant and should be carried forward. The existing Zoning By-laws also create other similar zones, such as the Oak Ridges Moraine Recreational (ORM-R) zone, and there may be instances of industrial or commercial zoning used to reflect existing non-agricultural uses. It would be desirable to avoid utilizing zones that are also used in the Mixed Use Areas or other urban land use designations of the City. As such, a Rural zone, and potentially Rural Commercial or Rural Industrial zone, may be required to replace existing instances of commercial or industrial zoning and to be applied only through rezoning processes otherwise.
- At least one Environmental Protection or similar conservation-oriented zone will be required. Environmental Protection zones should be established to integrate zones that are principally concerned with environmental protection and are the most restrictive zones in terms of development. This would integrate existing related zones, such as Natural Heritage System (NHS) zone, the Greenbelt (G) zone, the Open Space - Conservation (OS-C) zone, and others. There may be a need to establish sub-zones which incorporate different permissions such as the ability to expand existing buildings. At this time, the base zone is recommended to be Environmental Protection (EP) which is conventional amongst Ontario zoning by-laws. This nomenclature is not specifically aligned with the Official Plan, but is broad enough to encompass any areas where development is not permitted. Note that zoning for the Natural Heritage System is addressed further in Section 4.1.
- A series of Open Space (OS) zones is recommended to encompass elements of the Open Space System and other uses across the City. This could include sub-zones with different purposes, to consolidate the existing zones. This could include, for example: a golf course or major recreational zone; a broad zone for permitting parks and similar open space uses; and, a cemetery zone. As such, the zones may take the form of OS1, OS2, etc. or can take the form of OSG (Open Space - Golf Course). It is not anticipated that special Open Space zone categories will need to be created to address different neighbourhood policies, as any existing Rural Settlement or Neighbourhood policies related to open space uses would likely be site-specific. The need for variation to respond to site-specific policies can be implemented through exception zones (e.g., OS-1).
 - As an option, the Environmental Protection (EP) zones could form a sub-zone under an overarching Open Space (OS) zone. This would help

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to create a linkage to the Official Plan with respect to the Natural Areas and other environmentally sensitive lands forming a component of the “Open Space” designation. However, a simpler “Environmental Protection (EP)” zoning is more conventional.

- The Oak Ridges Moraine Conservation Plan Area will require specific zoning to respond to the detailed requirements and permitted uses of the Oak Ridges Moraine Conservation Plan. This should be based on the existing zones, with updates made as required, to implement changes from the Oak Ridges Moraine Conservation Plan (2017). The approach used in the current zoning is desirable. Variations on the zones above can be established by incorporating “ORM” into the zone symbol, such as AORM or EPORM as variations on the Agriculture and Environmental Protection zone (or ORMA and ORMEP). As recommended in Discussion Paper #3, for consistency with other recommendations, the zone symbols should not encompass dashes (e.g., EP-ORM) unless the “-ORM” is intended to relate to an overlay zone. The base zone symbols should be short (1-4 characters) and should use letters and numbers only.
- The Rural Clusters will be implemented by a range of residential, open space and potentially some agricultural zoning. The residential areas in the Rural Clusters appear to be consistently zoned Residential (R3), consisting of lands with both 15- and 18-metre lot frontages. Consideration may be made to establish a zone category that differs from this existing approach and better references/aligns with the Official Plan. The Residential (R3) zoning could be replaced by a Rural Cluster Residential (RCR or similar symbol), or a Rural Residential (RR) zone with suitable standards. There is also a need to review the lot and building standards for relationship with the Official Plan and its objective to conserve the character of these areas.
- By contrast, the Country Residential designation’s residential uses are zoned Estate Residential (ER). This is generally appropriate in terms of alignment with the intent of the Official Plan; however, the zone symbol can be updated to be better aligned with the Official Plan. This may include a variation on a Rural Residential (RR) zone category or modifying the zoning to be a Country Residential (CR) zone. As above, the standards will need to be reviewed for conformity with the Official Plan and its objectives.
- The Hamlets should be zoned by a range of “Hamlet” zone categories to clearly align the zoning with the Official Plan. This would incorporate any existing Hamlet zones, the Village (V) zone, and would replace any “R” zones. A series of non-residential Hamlet zones, such as Hamlet Commercial, Hamlet Institutional, etc., would replace the various related existing zones. This may require site-specific zones to be created to carry forward specific use permissions or prohibitions. There could also be opportunity to create variations on the zones that are related to specific individual Hamlets. Further review is required to determine where there is a need for ORM-specific Rural Hamlet zones, or if the Hamlet zones discussed below will be applicable.

4.1.2 Consolidation of Zones

There are several opportunities to consolidate existing zones amongst the existing parent Zoning By-laws. This is summarized in Table 4.1. The new Zoning By-law will involve integrating the six existing parent Zoning By-laws, so opportunities to merge zones must be considered to ensure the Zoning By-law will be easier to use and navigate.

Existing Zoning By-laws 3036 and 3037 are the only By-laws that incorporate an agricultural zone - the Rural Agricultural (A) zone. These zones are very similar, but there are some differences in terms of some permitted uses and lot and building requirements. In any case, the zoning will need to be merged into one agricultural zone that aligns with the Official Plan’s permitted uses and other requirements for Prime Agricultural Areas. There is also some overlap in terms of greenbelt/conservation and open space zones as shown in Table 4.1. Zoning By-law 3037 is the only Zoning By-law that incorporates “ORM” and Village/Hamlet zones into the parent Zoning By-law, so these zones are not addressed in Table 4.1.

It is further recognized that there are numerous other zone categories, added by amendment to the By-law and not integrated into the parent text of each Zoning By-law. For example, the existing parent Zoning By-laws utilize the Public Open Space (O1) and Public and Private Open Space (O2) zones whereas there are a range of Open Space (OS) zone categories created and applied through amendments. These will be reviewed as a component of reviewing the site-specific zoning. It is intended that any such zones will need to be incorporated into the overarching zone structure, presented in Section 4.1.3. In some cases, where one of these zones is being utilized for multiple sites, there may be value in retaining the zone as its own parent zone. In other cases, exceptions may need to be retained and carried forward as a site-specific exception zone, using a consistent format of -X, where ‘X’ is a number, to denote the exception zone.

Table 4.1 - Consolidation of Existing Parent Zone Categories

Existing zone (Applicable By-laws)	Summary of permitted uses / intent of zone	Analysis
A - Rural Agricultural Zone (3036 and 3037)	3036 - agricultural and related uses 3037 - agricultural and related uses	The zones are similar and can be merged.
Q - Pit and Quarry Zone (3036 and 3037)	3037 - provides for pits and quarries 3036 - provides for pits and quarries	The zones are nearly identical and can be merged.

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Existing zone (Applicable By-laws)	Summary of permitted uses / intent of zone	Analysis
O1 - Public Open Space Zone (3036, 2511 and 2520)	3036 - permits various outdoor recreational uses 2511 - permits various outdoor recreational uses 2520 - permits various outdoor recreational uses	These zones are similar and can be merged into a new overall open space zone. The Public and Private Open Space (O2) zones, shown below, may also be incorporated.
O2 - Public and Private Open Space Zone (3037, 3036, 2511 and 2520)	3037 - range of outdoor recreational uses, community centres, private clubs, and refreshment booths 3036 - range of outdoor recreational uses, community centres, private clubs, and refreshment booths 2511 - range of outdoor recreational uses, community centres, private clubs, and refreshment pavilion 2520 - range of outdoor recreational uses, community centres, private clubs, and refreshment booths	These zones are similar and can be merged into a new overall open space zone, encompassing both Public Open Space (O1) and Public and Private Open Space (O2) zones.

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Existing zone (Applicable By-laws)	Summary of permitted uses / intent of zone	Analysis
O3 - Waterfront Zones (O3A, O3B) (2551 and 2520)	<p>2511 - permits marina, yacht club, various outdoor recreational uses</p> <p>2520 - permits marina, yacht club, various outdoor recreational uses</p> <p>Note: The O3A versus O3B includes different permitted uses (e.g., Yacht club in O3A versus Marina in O3B)</p>	<p>Consideration can be made to create one waterfront zone, as a sub-zone to an overall Open Space zone (e.g., OS3 or OSW). The need for specific variations on the zone can be addressed as site-specific exceptions where needed.</p>
M3 - Public Service Zone (2511) / Municipal Zone (2520)	<p>2511 - yard, station, parkway, etc. operated by a public agency</p> <p>2520 - Water filtration plants and sewage disposal plants operated by the municipality</p>	<p>These zones should generally be replaced by a new utility or institutional zone.</p>
G - Greenbelt-Conservation Zone (sometimes referred to simply as Greenbelt zone) (3037, 3036, 2511 and 2520)	<p>3037 - wide range of recreational uses, plus forestry, conservation, agriculture</p> <p>3036 - Various open space/park uses; forestry, agriculture uses, including buildings and structures</p> <p>2511 - buildings or structures designed for use in connection with parks and recreation</p> <p>2520 - buildings or structures designed for use in connection with parks and recreation</p>	<p>These zones are similar and can be merged. Some zones are more permissive than others, but all zones include permission for parks and recreation uses and are not strictly geared towards conservation uses. The zones appear to be less restrictive than a typical environmental protection zone. As such, this zoning may be suitably replaced by an Open Space (OS) zone where there are park facilities. Where the lands are occupied by environmental features, an environmental protection zone may be more appropriate. This will require a more detailed mapping review to assess suitable zone categories.</p>

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Existing zone (Applicable By-laws)	Summary of permitted uses / intent of zone	Analysis
GC - Golf Course (7364/14)	7364/14 - play fields, playground, SWM, golf courses	This zone can be merged into a variant on the new Open Space (OS) zone which focuses on golf courses.
DCP - District/Community Park (7364/14)	7364/14 - arena, community centre, library, etc., and existing detached dwellings	A new zone category may be considered for parks in Pickering based on the City's Parks and Recreation Master Plan or Open Space zones or exception zones may be created.
CE - Cemetery (7364/14)	7364/14 - cemeteries	This zone is unique in terms of permitted uses. It may be desirable to consider a variant on the Open Space (OS) zone, e.g., OSC, to replace this zone and to be applied to other cemeteries in the City.
CU - Community Use (7364/14)	7364/14 - schools, places of worship, libraries, community centres, day care centres, emergency services	The zone is a fairly straight forward institutional zone which can be merged with other institutional zones.
HHOS - Hamlet Heritage Open Space (7364/14)	7364/14 - community gardens, outdoor skating, illuminated and non-illuminated play fields, place of worship, other social uses, existing detached dwellings	This zone is unique in terms of permitted uses, encompassing a range of institutional and open space uses. A sub-zone to the Open Space (OS) zone may be required.

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Existing zone (Applicable By-laws)	Summary of permitted uses / intent of zone	Analysis
OS - Open Space (7364/14 and 7553/17)	7364/14 - community gardens, non-illuminated play fields, playgrounds, unorganized play areas, existing detached dwellings 7553/17 - Community centres, kiosks and parks	The zones can be merged into a new overall open space zone. If there are specific policy requirements (e.g., Seaton) with explicit directions for permitted uses, a sub-zone may be required.
NHS - Natural Heritage System (7364/14 and 7553/17)	7364/14 - community gardens, playground, trails, existing detached dwellings, forest/fish/wildlife management 7553/17 - community gardens, parks (no buildings/structures)	The zones are similar in intent and can be merged into an overarching environmental protection zone.

4.1.3 Recommended Zone Structure

Based on the overarching principles and approach under Section 4.1.1, and consideration for zone consolidation in Section 4.1.2, **Table 4.2** identifies the proposed recommended zone structure. The recommended zone structure is intended to follow the overall approach and symbology principles identified in Discussion Paper #3, providing for a consistent approach to zone symbols. Additionally, the approach is intended to consolidate existing base zones and exception zones while creating a zone structure that is aligned with the land use designations of the Official Plan.

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Table 4.2 - Recommended Zone Structure

New Base Zone	Existing Zones to be Consolidated / Basis for the New Zone	Implementation and Sub-zones
Environmental Protection - EP	Some Open Space (OS) (e.g., OS-HL), Natural Heritage System (NHS), some Greenbelt (G) zoning where related to hazardous lands or environmental features and not parks	<p>The Environmental Protection (EP) zone is strictly intended for conservation. Some existing Greenbelt (G) zones, potentially some existing Open Space (OS) zones, the Natural Heritage System (NHS) zone, will form the basis for this existing zone.</p> <p>There may be a need for sub-zones to carry forward specific requirements which are not suitable in the base Environmental Protection (EP) zone, such as in the Seaton Natural Heritage System.</p> <p>Implementation of this zone will require a detailed mapping review. It may be suitable for the Environmental Protection (EP) zone to replace some instances of Open Space (OS), Greenbelt (G) or other zoning which relates to feature protection or hazardous lands.</p>
Open Space - OS	Hamlet Heritage Open Space (HHOS), Open Space(OS), Public Open Space (O1), Public and Private Open Space (O2), Waterfront Open Space (O3A and O3B), Cemetery (CE)	<p>The base Open Space (OS) zone would address a wide range of recreational uses and would more typically be applied to publicly owned property.</p> <p>Variations or sub-zones to Open Space (OS) are required to accommodate some existing zones which may still be required due to their detailed requirements or specific nature, such as a zone for golf courses and similar recreational uses (e.g., OSG); a waterfront zone (OSW); a zone to replace the Hamlet Heritage Open Space zone (OSH); a storm water facilities zone (OSS) or alternatively within a Utility zone (U); a District Park zone (OSD); and potentially other zones.</p>

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New Base Zone	Existing Zones to be Consolidated / Basis for the New Zone	Implementation and Sub-zones
Institutional - IN	Community Use (CU), Public Service (M3)	An institutional zone is recommended to address a range of institutional uses that are not principally open space, such as major community centres, schools, places of worship, and some municipal facilities. Some of these facilities may not appropriately be integrated into an Open Space (OS) or other zone.
Utility - U	Public Service (M3)	A utility zone is required to address sites or large corridors used for major transportation facilities/corridors, sewage treatment plants, etc. This zone could be applied throughout the City.
Hamlet - H	Village (V), Hamlet Residential (HMR), Hamlet Commercial (HMC), Cluster Residential (CLR), Residential (R5 and R6)	<p>A series of Hamlet zones are recommended to be applied consistently in the Hamlets.</p> <p>This will include a Hamlet Residential (HR) zone, and other base zones to address other uses as required and permitted in the Official Plan, such as a Hamlet Commercial (HC) zone. It is noted that the existing Village (V) zone includes a range of both residential and commercial uses, so an appropriate mixed-use zone may be required.</p> <p>A Hamlet Agricultural (HA) zone may be required to address instances of agricultural zoning in the Hamlets where agricultural zoning is carried forward. This zone could exclude livestock uses (except legally existing) to ensure compatibility with the Settlement.</p> <p>Variations on the zone may include a range of Hamlet Residential (HR) zones, to address different character and carry forward existing standards. This could be named based on the community, if it is community specific, or take the form of HR1, HR2, etc.</p>

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New Base Zone	Existing Zones to be Consolidated / Basis for the New Zone	Implementation and Sub-zones
Agriculture - A	Rural Agricultural (A)	A Rural Agricultural (A) zone is required to address the Prime Agricultural Areas. Variations on the zone may include an Oak Ridges Moraine subzone, as discussed later in this Table.
Rural Residential - RR	Residential (R3), Estate Residential (ER)	A Rural Residential (RR) zone is recommended to replace residential zoning in the Rural Clusters and Country Residential. This could include variations, such as RR1, RR2, or variations that are responsive to the Official Plan context or the specific community.

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New Base Zone	Existing Zones to be Consolidated / Basis for the New Zone	Implementation and Sub-zones
Rural - R	Instances of existing commercial, industrial zoning in the rural area (outside the Rural Settlements) or other exception zones	<p>One or more rural zones may be required to address any existing instances of commercial, industrial or community uses located outside of the Rural Settlements and where the use does not fit into another category (e.g. golf course, commercial kennel, farm implement dealers, landscape industry, etc.), such as an Open Space (OS) category for a golf course. The zone may also be set up for future application to address agriculture-related uses (as discussed later in this Section). Alternatively, any proposed uses can take the form of an exception to the Rural Agricultural (A) zone. The base Rural (R) zone can include necessary sub zones, such as a specific Rural Commercial (RC) zone if necessary.</p> <p>The use of Rural Agricultural (A) exception zones versus the creation of one or more Rural (R) zones is mainly a matter of administrative preference. However, the use of exception zones allows development and permissions to be set through a rezoning process on a case-by-case basis, whereas the application of a Rural (R) zone may grant a range of permissions as set out in the zone. If it is the City’s intent to be restrictive, particularly if the City’s agricultural policies will be reviewed in the near future, then the use of exception zones may be more desirable to address these uses.</p>
Oak Ridges Moraine - ORM	ORM- Agricultural (ORM-A), ORM – Institutional (ORM-I), ORM- Golf Course (ORM-GC), ORM – Environmental Protection (ORM-EP), etc.	Variations on many of the zones above will be required to respond to the Oak Ridges Moraine Conservation Plan implementation. For example, ORMA will be applied in the Countryside Areas. However, where the zones are identical in terms of permitted use and lot/building requirements, the variation may not always be required (e.g., the application of ORM in the Hamlets).

4.2 Natural Heritage System Implementation

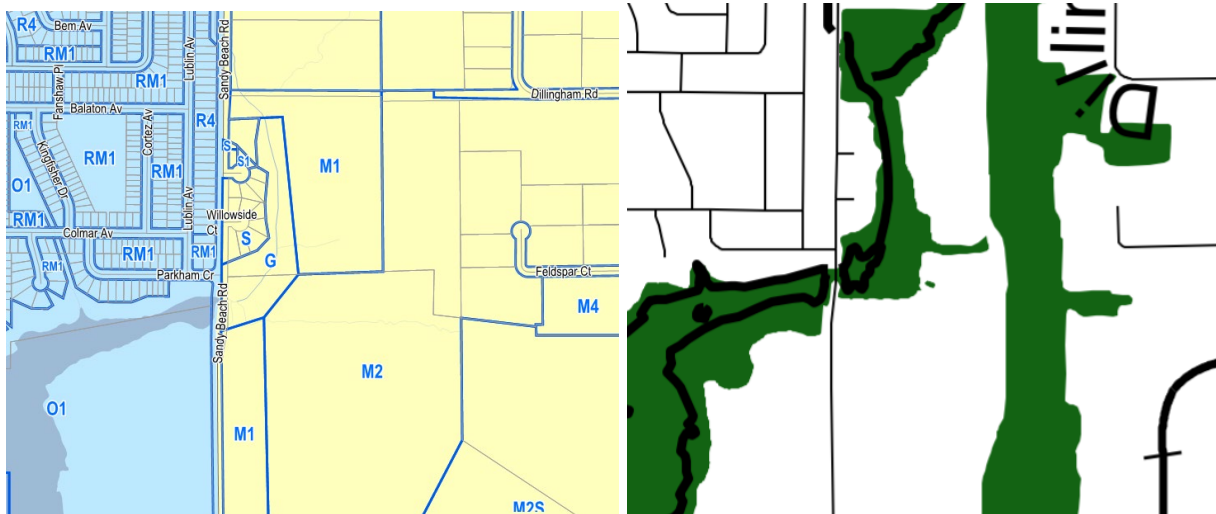
The City's Official Plan envisages a well-connected natural heritage system that links and supports a wide range of natural and hydrologic features, and the Zoning By-law plays a role in implementing this vision. Section 2.4 of the Official Plan intends for the protection, conservation and enhancement of the Natural Heritage System. The Natural Heritage System is shown on Schedule III A of the Official Plan. The Natural Heritage System is generally consistent with the Open Space System designation shown on Schedule I of the Official Plan, encompassing Natural Areas, and the Seaton Natural Heritage System in particular. However, there are some differences. The Hamlet Heritage Open Space designation is not included in the Natural Heritage System, and there are some areas where the delineated Natural Heritage System is smaller than the Natural Areas designation. The composition of the Natural Heritage System is described in the text preceding Section 2.4 of the Official Plan. Further to the Natural Heritage System, Schedules III B and III C illustrate various features, such as significant woodlands, areas of natural and scientific interest, shorelines, significant valley lands, stream corridors, wetlands, fish habitat, streams, and other features.

The policies of Section 10 address resource management including policies for the Natural Heritage System and various other features. It is the overarching objective of the policies to direct development away from natural heritage features and hazardous lands (e.g., floodplains) and to promote the creation of a resilient and connected natural heritage system. Overall, the policies indicate that while the Schedules of the Official Plan approximate the location of these features, they may not be accurate and there may be other features not identified in the mapping due to the timing or work conducted to prepare the mapping. As such, the policies work in conjunction with Section 16 of the Official Plan. Under Section 16.8, an Environmental Report is required by the City as part of a development application within 120 metres of the Natural Heritage System or other specified areas. Such a report may not be required for minor development, including a Committee of Adjustment application, and a land division application, or limited infilling on previously developed sites. Agricultural uses are exempt from preparing an Environmental Report unless located adjacent to Known Waste Disposal Sites. The policies of Section 16.10 address the content for Environmental Reports.

Section 3 of this Discussion Paper assessed the alignment of zoning and the Natural Areas designation of the Official Plan and other elements of the Open Space System. Within the various neighbourhoods of the City, there are few instances where hazard land/environmental protection zoning is well aligned with the Natural Heritage System. In some cases, there are instances of this zoning generally in conjunction with where the Official Plan shows a valley or stream corridor, but the mapping is not in sync. There are instances where a feature is shown in the Official Plan but there is no corresponding zoning. An example is shown in **Figure 4.1**, which compares existing Greenbelt (G) zone (left image) to the Official Plan's Natural Heritage System (right image). In this example, there are discrepancies between the delineation; there are also areas where the Natural Heritage System does not have any related corresponding zoning.

Within the rural areas of the City, there are greater discrepancies between any environmental protection or similar zone and the Natural Heritage System. Generally, throughout the rural areas, the natural features shown are zoned Rural Agricultural (A) (as noted in Section 3.1, over 75 percent of the Natural Area designation is zoned Rural Agricultural (A)). Overall, there is not a good degree of alignment between the zoning and the Official Plan with respect to the Natural Heritage System.

Figure 4.1 - Example of Discrepancies in Zoning and the Natural Heritage System (Greenbelt (G) zone, shown in the left image) versus the Natural Heritage System (shown in the green areas in the right image)



There are several key options available to resolve these significant discrepancies:

1. The zoning can be modified and brought into alignment with the Official Plan, by zoning any identified features or hazardous lands as delineated by the Official Plan into an appropriate protective zone. The protective zone could incorporate permissions (e.g., allowing for continued agricultural uses). This approach could also include zoning based on more recent data than the Official Plan, as may be available from the Conservation Authorities, the City or the Province.
2. The zoning can be maintained as status quo, meaning the zoning for environmental features would be left as it exists now. Taking this approach would mean that the City will need to rely on other tools to implement the policies of the Official Plan. These other tools are discussed below in this section.
3. A hybrid approach to the above options can be taken. Where the data for updating features is known to be accurate (i.e., subject to an Environmental Report or subwatershed study), this may form an acceptable basis to delineate the zoning for the features.
4. The Natural Heritage System can be mapped as an overlay, and a holding symbol can be applied within this overlay which requires the completion of an Environmental Report or similar study to release the hold. Until the hold is

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released, only existing uses are permitted. Buildings, structures and the uses permitted in the zone would be permitted only upon lifting the Holding symbol.

Each approach identified above has risks, pros and cons. Zoning based on the Official Plan's delineation of the Natural Heritage System will likely be inaccurate as the delineation of features and buffers in the Official Plan were not always based on detailed studies, but on information available to the City at the time the Official Plan was prepared. This could include outdated data. The extent of the features, the number of features, and the required buffers to mitigate impacts depending on the nature of the development cannot be accurately zoned until a detailed study is completed. As such, this approach will not effectively implement the Official Plan and may cause unreasonable impacts to property rights in some cases where the features are shown as being much more extensive than they actually are. Optically, a substantial increase to environmentally zoned lands may precipitate landowner opposition if the zoning is not justified.

Further, Option #1 will not be a substitute for required studies or site-specific zoning by-law amendments to implement the findings of required studies. This analysis is also relevant to Option #4, involving the application of a holding symbol over the Natural Heritage System. In some cases, this may be an unreasonable restriction. In other cases, the overlay may not fully capture where such a study is needed as there may be other features that are not shown in the Official Plan.

Leaving the zoning as status quo (Option #2) does not help to advance the intent of the Official Plan. If the zoning was left status quo, the City would rely on existing practice and other tools or triggers to implement the Official Plan's Natural Heritage System. This includes:

- The City will typically require a *Planning Act* application for major development, such as a Site Plan or Plan of Subdivision, as set out in the Official Plan. The City's Site Plan Control By-law specifies circumstances where development is subject to a Site Plan. Where such a planning application is required, the City can require the preparation of an Environmental Report on the basis of the policies of the Official Plan. The findings of the Report can subsequently be implemented through a zoning by-law amendment to implement development limits and required buffers, or other measures such as the dedication of sensitive features to the City or Conservation Authority as part of conditions or approval or the development agreement.
- The applicable Conservation Authority may require a permit to build within their regulation limit, which is intended to encompass hazardous lands and sites and wetlands. Some recent zoning by-laws in Ontario have illustrated the Conservation Authority regulation limit as a convenience feature in the Zoning By-law, as an overlay or an appendix map. However, the Conservation Authority's regulation limit will not correspond to the Natural Heritage System, since the Natural Heritage System may include other features that are not reviewed by the Conservation Authority (e.g., woodlands). In addition, the Natural Heritage System may not correspond with the Conservation Authority's

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regulation limit as there are areas of the City where the floodplain extends beyond the natural features, such as the Special Policy Area in the vicinity of Notion Road and other flood vulnerable areas.

- The City administers a Tree Protection By-law which can be used to support the City's goals for protecting woodlands.

However, there are some circumstances where zoning review and compliance is the only step before the building permit is issued and, thus, there is a limited ability for the City to implement the Natural Heritage System. For example, in a residential neighbourhood, where a dwelling is being reconstructed, a *Planning Act* application may not be required and the development could only be subject to demonstrating zoning compliance before the building permit is issued. Any minor development in a settlement area (e.g., minor expansion of an industrial use) as well as development in conjunction with agricultural uses may also not be subject to a site plan, as set out in the City's Site Plan Control By-law, and would receive a building permit as long as the zoning is complied with.

There is no single, accepted approach to implementing a Natural Heritage System through a Zoning By-law Review amongst Ontario municipalities. Rather, the approach taken by municipalities varies and is based on each unique individual context.

Firstly, it is recommended that the new Zoning By-law incorporate at least one restrictive Environmental Protection (EP) zone in which buildings and structures are generally not permitted except related to conservation. Incorporating sensitive lands into a protective zone category is an effective means of implementing the policies of the Official Plan, since it will ensure that the lands will not be permitted to be developed. Currently, the existing parent Zoning By-laws typically utilize the Greenbelt (G) zone which includes permission for parks and open space uses. This proposed new Environmental Protection (EP) zone would replace any existing protective environmental zone, and any existing open space or similar zone which is related to environmentally sensitive lands or hazardous lands. As noted in Section 4.1, the Environmental Protection (EP) zone can be varied by sub-zones to address different contexts or permissions.

With respect to the overall options presented, Option #3 is generally recommended at this time. Option #3 involves making specific, targeted updates to the zoning where the updates can be justified using accurate and recent data. At a minimum, any recent development application which has resulted in defined limits and updated zoning should be carried forward. Other recent information may be available from the City or agencies. For example, if the Provincially Significant Wetlands are delineated with a high degree of accuracy, this could be a suitable basis to reflect the features in the zoning. For features that are not well understood (e.g., all the woodlands), zoning for their protection may be premature.

There may also be merit in considering the application of a Natural Heritage System Overlay (Option #4) in certain targeted areas, and/or the inclusion of the Regulation Limit of the Conservation Authorities as indicated previously.

Further consultation with the Conservation Authority, City staff and potentially the Province will help inform potential updates to zoning the Natural Heritage System. Additionally, consultation with City staff regarding the current and future role of the new Zoning By-law in implementing the Natural Heritage System, and any observed gaps in the City's implementation of the Natural Heritage System, should be discussed to inform the evaluation of options and the role of the new Zoning By-law.

4.3 Zoning in the Rouge National Urban Park

The purpose of this section is to review zoning in the Rouge National Urban Park. Section 10.9 of the Official Plan provides policies regarding the Park, recognizing the lands as a special place. The Park is the first national urban park in Canada and includes over 1,700 hectares within the City's limits. Within these lands, the City supports Park's Canada's Rouge National Urban Park Management Plan and promotes a vibrant farming community and facilitate transition of the park to the Rouge National Urban Park, among other things. The Plan encourages conveyance of public land to Parks Canada where appropriate, and requires the recommendations of an Environmental Report to be implemented where appropriate.

The affected lands are shown on Map 5 of the Official Plan. This include some lands at the southwesterly portion of the City, generally following the Rouge River. The majority of land is located in the northwesterly portion of the City, including some lands in the Oak Ridges Moraine. As such, the existing lands are diverse, largely consisting of environmentally sensitive lands, valley lands, agricultural lands and existing dwellings.

The Official Plan does not contain specific direction regarding zoning in the Rouge National Urban Park. However, there may be a role for the Zoning By-law to support the intent of the Official Plan, as follows:

- Potential updates to zoning may be made to more accurately reflect hazardous lands and natural heritage features, based on accurate data as may be available from the Province, Parks Canada or Conservation Authority.
- Retaining agricultural zoning or updating agricultural zoning is a key element of continuing to promote the vibrant farming community in the Park. There may be an opportunity to create a specific Agriculture zone or exception zone within the Rouge National Urban Park with unique requirements within the Rouge National Urban Park area to correspond to the vision for the Park. However, the Official Plan does not provide specific guidance in this regard, and thus further consultation with the City and Parks Canada would be beneficial to generate some potential approaches. For example, in consideration of the emphasis on rural and natural heritage, perhaps the Rouge National Urban Park is subject to a lower lot coverage requirement than other areas of the City.

The current zoning appears to be generally appropriate and reflective of existing uses. However, there are gaps in terms of implementation of the Natural Heritage System in zoning. Options to resolve these discrepancies are discussed under Section 4.2 of this Discussion Paper.

For comparison, the City of Toronto's Official Plan and corresponding zoning in the Rouge National Park was reviewed. The Rouge National Park is largely designated "Natural Area" by the City of Toronto Official Plan (Maps 22-23). Specific policies for agricultural uses in the Rouge National Urban Park are not included in the Official Plan. The lands are largely subject to the Open Space - Natural (ON) and Open Space - Recreation (OR) zone categories. These zones are applied across various areas of the City and do not contain any particular attributes that are specifically related to the Rouge National Urban Park.

It is recommended that Parks Canada be consulted to determine the potential for the new Zoning By-law to support land use related objectives for the Rouge National Urban Park.

4.4 Review of Minister Zoning Orders and Federal Airport Lands

A significant portion of the City's Rural System is subject to Minister's Zoning Orders (MZOs) and is federally-owned land, a portion of which includes lands earmarked for a potential future airport. It should be noted that lands owned by the Federal Government are not subject to municipal official plans and municipal zoning by-laws. This context is summarized in Discussion Paper #2. Where a Minister's Zoning Order applies, it takes priority over any existing municipal zoning by-laws in the event of conflict. Where there is no conflict, any municipal zoning applies (Section 47(3) of the *Planning Act*). There are three MZOs applicable in the City:

1. MZO 102/72 prohibits development not compatible with the Airport. The MZO has been subject to numerous exceptions to permit development.
2. MZO 19/74 prohibits uses except agricultural uses including an accessory single dwelling.
3. MZO 153/03 relates to lands in the Greenbelt Plan area and permits existing uses, agricultural uses and dwellings on existing lots.

Generally, the MZO should be integrated into the Zoning By-law through specific text or at least by referencing the MZO. The Zoning By-law should be clear that these lands are subject to an MZO. This could include providing an overlay, suffix or exception zone, which is tied to this language. As an option, the Zoning By-law could simply leave out any areas subject to the MZO, and simply rely on the MZO for regulation. However, this carries the risk that if the Province ever rescinds the MZO, the lands would not be regulated by the City or the Province.

Section 47(3) of the *Planning Act* indicates that the existence of the MZO does not totally preclude the City from having zoning to address other matters. The Act states that in the event of a conflict between the MZO and a by-law passed under Section 34 of the *Planning Act*, the MZO prevails to the extent of the conflict but in all other respects any applicable by-law remains in full force and effect. As long as the zoning does not conflict with the MZO, the City should have the opportunity to set out a framework for second suites, agriculture-related uses and on-farm diversified uses, for

example, as these uses are not addressed in the MZO. This is desirable, because these agricultural uses could continue into the long term depending on the timing and study of the future airport.

It is recommended that the MZOs essentially be referenced as exception zones and/or overlays into the new Zoning By-law, which can incorporate the text of the MZO and/or provide a reference to the MZO. It is also recommended that the Ministry be consulted through this Zoning By-law Review process to help confirm the appropriateness of this approach and obtain any comments with respect to the relationship of the City's zoning and the MZOs.

4.5 Outdoor Storage and Commercial Vehicle Parking

The purpose of this section is to provide analysis and direction with respect to the way commercial/large vehicle parking and outdoor storage uses should be regulated by zoning in the City's agricultural, rural, hamlet and open space areas.

The Official Plan does not provide specific direction on these matters with respect to the rural, agricultural and open space areas of the City. The City, of note, maintains a Property Standards By-law (5942/02) and a Clean and Clear By-law (Clean Yards By-law) (6832/08). In accordance with these By-laws, properties must be kept clear of refuse and debris and this includes inoperable vehicles, automotive or mechanical components, disused furniture, disused material from collection, etc.

The current Zoning By-laws provide varied approaches with respect to the regulation of outdoor storage and parking of commercial vehicles. The following is a summary of the relevant provisions of Zoning By-law 3036 and 3037 which are the key relevant existing Zoning By-laws within the rural areas of the City:

- The definitions of 'Garage Private' in Zoning By-laws 3036 and 3037 prohibit the storage of commercial vehicles in a private garage which is defined to include a carport. The By-laws are also explicit about the prohibition of parking of construction vehicles in a residential zone unless it is within a fully enclosed building or structure. This seems to conflict with the definition of Garage Private.
- Zoning By-law 3036 permits a maximum of four vehicles in residential zones, and one of those can be a trailer. Vehicles are permitted to be a maximum of 2.6 metres in height and 6.7 metres in length. One vehicle is permitted to be up to 3.5 metres in height and 8.0 metres in length provided it is parked in a side or rear yard. The By-law allows oversized vehicles that do not meet these dimensions to be parked temporarily on a residentially zoned lot for servicing, building or construction purposes.
- Zoning By-law 3037 incorporates some commercial vehicle parking requirements directly into the zone provisions for the Village (V) zone and the Village Residential (R5) zone. These provisions allow temporary commercial vehicle parking in conjunction with construction/service/delivery. The By-law allows one trailer, one commercial vehicle and up to 3 privately owned motor vehicles to be

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stored in enclosed buildings and structures. The trailer and private motor vehicles are subject to a maximum length of 18 feet.

- Zoning By-laws 3036 and 3037 do not otherwise restrict commercial/oversize vehicles in any other zone such as the Rural Agricultural (A) zone.
- Zoning By-laws 3036 and 3037 are not explicit about where outdoor storage uses are permitted. In the Storage and Light Manufacturing (M1) zone, outdoor storage is not permitted since the By-law states that the use must be carried out in enclosed structures. The By-laws explicitly states that outdoor storage is prohibited in conjunction with home-based businesses and home industry uses, which are accessory to a dwelling.

Outdoor storage is commonly regulated in zoning by-laws in Ontario's municipalities. Outdoor storage is generally prohibited in residential neighbourhoods and other areas and is only permitted within certain employment zones. Outdoor storage can be impactful in terms of aesthetics and potentially noise and odour. Where open storage is permitted, it is subject to standards such as screening, buffering, etc. The following are some proposed principles to guide the development of the new Zoning By-law:

- Outdoor storage should generally not be permitted in the Rural Settlement Areas. These areas are intended to be principally residential in character, and outdoor storage can be impactful to their overall function and purpose. Where any existing non-residential use operates with outdoor storage, such as an existing commercial or industrial use in a Hamlet, consideration can be made to recognize the use provided this is appropriate in the context of the Rural Settlement policies. This will require performance standards such as identifying where outdoor storage is permitted, setbacks from adjacent sensitive uses, and screening / buffering requirements.
- Within the Rural System of the City, outdoor storage may be permitted in conjunction with any permitted rural industrial/commercial uses, where outdoor storage is related to the principal use. For example, outdoor storage would be permitted as accessory to a permitted pit or quarry use or a contractor's yard where such a use is permitted.
- With respect to agricultural uses, it is not typical for municipalities to regulate outdoor storage in agricultural areas via zoning. A degree of outdoor storage of equipment and materials including harvested produce is expected to occur in conjunction with normal farming practice. A restriction on outdoor storage in agricultural areas may be impactful to the normal operation of a farm. The City can leverage its Property Maintenance or Clean Yards By-law to intervene in the event that owners are storing refuse, derelict vehicles or other prohibited items.
- The new Zoning By-law should be clear and explicit with respect to whether outdoor storage is a permitted use. Outdoor storage can be explicitly indicated as a permitted accessory use in the applicable zones to provide clarity. As an option, the new Zoning By-law may not be explicit about whether open storage is permitted in the Agricultural zone, and can rather rely on the definition of an

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agricultural use to enable outdoor storage indirectly as accessory to normal farming practice.

Commercial or oversized vehicle parking is also frequently regulated in residential areas by municipal zoning by-laws. The intent is to maintain the residential character and ensure that parking areas are provided for use by dwelling occupants and visitors. The following are some proposed principles for regulating commercial and oversized vehicle parking in residential areas, in consideration of general best practice and the City's existing policies and regulations:

- The new Zoning By-law should not restrict the parking of temporary commercial vehicles which are associated with the normal use of the dwelling (e.g., in conjunction with an ongoing construction, delivery, renovation or repair activity). This is explicitly noted in Zoning By-laws 3036 and 3037.
- Where commercial vehicles are stored in a garage or other enclosed building/structure, they do not impact the character of the neighbourhood and should generally be permitted. However, this should be conditional on ensuring that required parking spaces and the ability to store other materials in a private garage (e.g., household waste receptacles) are not compromised.
- The parking of commercial or oversized vehicles and trailers outside of an enclosed building or structure on the lot should be restricted and regulated to minimize their impact. However, a degree of flexibility is required. This may include:
 - The storage of one commercial or recreational vehicle or a trailer may be permitted in a driveway, provided it meets criteria in terms of length, setback from adjacent lot lines and height to ensure it does not have impacts on neighbouring properties.
 - Consideration could be made to allow the storage of a commercial or recreational vehicle that exceeds the dimensions above on a temporary basis, by setting out a maximum number of days per year. This would enable some flexibility for the resident when they temporarily rent or use a commercial or recreational vehicle and it needs to be stored temporarily on the property. However, this approach can also be challenging from an enforcement perspective, and consultation with City staff will be required to confirm whether this is supportable from an administration point of view.
 - On larger rural residential lots, the parking of commercial and recreational vehicles within the side yard or rear yard may be appropriate, but this should be limited in terms of dimensions and the number. This special permission could be provided only within certain zones, or based on a minimum lot area/minimum frontage. Additionally, any such vehicle should be subject to setbacks from adjacent property lines.

Based on the principles above, a modified framework for regulating outdoor storage and commercial/oversized vehicle parking is recommended. The preceding discussion is also relevant to the City's Urban System, as a harmonized approach to regulating these

uses should be applied across the City, using consistent definitions and following the principles outlined above.

4.6 Agriculture-Related and On-Farm Diversified Uses

This section evaluates how the current zoning is providing for agriculture-related and on-farm diversified uses in the City. Section 3.11 of the Official Plan directs that Council may zone lands designated Prime Agricultural Areas for certain agriculture-related uses, on-farm diversified agricultural uses and limited non-agricultural uses. This provides a basis to consider incorporating permissions and regulations for these uses in the new Zoning By-law.

Agriculture-related uses refer to rural uses that generally support nearby farming operations. This can include feed mills, abattoirs, farm implement dealers and similar uses. On-farm diversified uses refer to those accessory uses to a farm operation which help support the economic viability of the farming operation. This can include small scale pick-your-own operations, granaries, agri-tourism, bed and breakfasts, produce sales stand, home-based business or home industry, and similar uses.

Table 11 of the Official Plan provides details with respect to permitted uses. Agricultural-related uses are permitted in the Prime Agricultural Areas as long as they are devoted to the farm operation and servicing farm operations in the agricultural area, support agriculture, benefit from being in close proximity to farm operations and provide direct products and/or service to farm operations as a primary activity. This includes grain drying, storage of farm produce, processing and packing operations for agricultural products, cottage wineries; farmer's markets or farm gate sales and similar retail stands to sell products from the related farm; horse shows and riding schools and auctions of farm produce, livestock and equipment.

Table 11 also provides guidance regarding permission of on-farm diversified uses which are also permitted in Prime Agricultural Areas. These are uses that are secondary to the principal agricultural use of the property and are limited in area and such, such as home-based businesses/occupations; home industries; and agri-tourism uses such as bed and breakfast, farm vacation homes, and farm tours as long as they are directly related and exclusively devoted to the farm.

It is noted that agriculture-related uses and on-farm diversified uses are defined and described a bit differently in the Oak Ridges Moraine Countryside Area, in order to align with the policies and terminology used in the Oak Ridges Moraine Conservation Plan. This is further expressed in the prefacing text before Section 3.11. Table 3 of the Official Plan notes that all agricultural uses permitted in the Prime Agricultural Areas are permitted in the Prime Agricultural Areas on the Oak Ridges Moraine Natural Core and Natural Linkage Areas.

The current Zoning By-laws, however, contain a very limited framework with respect to agriculture-related uses and on-farm diversified uses. Some key related provisions from existing Zoning By-laws 3036 and 3037 (which principally address the agricultural areas of the City) are as follows:

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- The Rural Agricultural (A) zone in Zoning By-law 3036 permits a range of “business” uses, including veterinary establishments, a country club, open-air farmer’s market and agricultural implement repair depot. Some of these uses could be considered agriculture-related, except that the country club is a non-agricultural use.
- The Rural Agricultural (A) zone in Zoning By-laws 3036 and 3037 also permit a wide range of recreational and park uses. These are not considered to be agriculture-related uses or on-farm diversified uses.
- The Rural Agricultural (A) zone in Zoning By-laws 3036 and 3037 also permit an accessory dwelling which is defined as being intended to accommodate labour in conjunction with a permitted use. This is contemplated by the Official Plan but generally farm labour accommodation is not considered an agriculture-related use or on-farm diversified use.
- Zoning By-law 3037 also contemplates some “business uses but they are limited to stables, riding academies, animal hospitals and veterinary establishments and the sale of produce by a farmer.
- The Rural Agricultural (A) zone in Zoning By-law 3037 explicitly permits a home-based business use.
- The Zoning By-laws provide a framework for home-based businesses, but the use is not explicitly permitted in the Rural Agricultural (A) zone.
- Note that the City has also integrated a range of Oak Ridges Moraine (ORM) zones into Zoning By-law 3037, which provide other requirements. These zones will similarly need to be reviewed against the 2017 Oak Ridges Moraine Conservation Plan for consistency. In addition to agriculture and dwellings on existing lots, the ORM-Agricultural (ORM-A) zone permits a farm vacation home, home-based business, home industry, resource management use, a temporary detached dwelling accessory to an agriculture use, a bed and breakfast, conservation projects and public infrastructure.

Overall, there is significant inconsistency between the current zoning and the Official Plan with respect to incorporating a zoning framework for agriculture-related uses and on-farm diversified uses. Overall, in Ontario, municipalities vary considerably in terms of how they regulate these uses. Typically, a defined range of appropriate on-farm diversified uses and some agriculture-related uses are permitted within agriculture zoning along with criteria. However, some uses are not permitted as-of-right, as it is often desirable to require a rezoning process to assess whether a proposed use meets the criteria of the Official Plan. These uses should be considered carefully so as not to conflict with the Official Plan and Provincial policy’s intent to maintain the agricultural land base for agriculture purposes.

The following general updates and principles are recommended to inform the preparation of the new Zoning By-law’s framework for agriculture-related and on-farm diversified uses:

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- A limited range of agriculture-related and on-farm diversified uses subject to criteria can be contemplated in the Zoning By-law and permitted as-of-right within the principal Agriculture (A) zone. This can include farm labour accommodations; bed and breakfasts; home-based businesses; home or cottage industries; farm stands; pick-your own operations; limited agri-tourism operations; and facilities associated with value retention or processing of produce produced on the farm. This should be limited largely to uses that are clearly accessory to a farm operation, are limited in scale, and otherwise meet the criteria of the Official Plan. Further review and coordination with the City is required to develop these provisions, as the existing policies of the Official Plan relating to these uses are likely to be modified in conjunction with ongoing policy review processes (e.g., Envision Durham), which will bring the policies into alignment with Provincial policy. Should significant modifications be anticipated, the development of zoning provisions for these uses may be premature at this time.
- Any permitted uses as described above should be accompanied by criteria and standards. Some of the criteria and standards will need to be tied to each individual use (e.g., number of bedrooms associated with a bed and breakfast). The criteria should be informed by both the Official Plan and the Province's Guidelines as discussed in Section 2.3 of this Discussion Paper.
- It is noted that the 2020 Provincial Policy Statement specifically permits ground-mounted solar uses as an on-farm diversified use. Further, ground-mounted solar is only permitted in prime agricultural areas as an on-farm diversified use. The Official Plan is not explicit about these uses, and will need to be updated to reflect this recent Provincial policy change. The preparation of zoning provisions regarding on-farm diversified uses will need to be considered in coordination with ongoing policy review processes, as recommended above.
- Certain agriculture-related and on-farm diversified uses are best left to a rezoning process and not contemplated as-of-right within the Agriculture (A) zone. For example, farm implement dealers, farmer's markets, and other similar uses that serve the broader farming community and are not accessory to a single farm operation should be subject to a rezoning process to enable a fulsome evaluation. Wineries, cideries and similar uses may be appropriate, but they will need to be regulated to ensure they are related to the farm and are small-scale in nature. A large winery encompassing a range of facilities (e.g., restaurant, banquet facilities, etc.) should be evaluated through a rezoning process and not permitted as-of-right in the Agriculture (A) zone.
- The Zoning By-law can incorporate definitions, provisions and permissions for those agriculture-related and on-farm diversified uses that are not permitted as-of-right in the Agriculture (A) zone. For example, farm implement dealers can be permitted in a suitable Rural (R) zone or Hamlet Commercial zone, for example, where appropriate.
- There will be a need to maintain terminology and consistency with the Oak Ridges Moraine Conservation and Greenbelt Plan. As much as possible,

terminology should be harmonized and consistency should be introduced across the City, but this may be limited by the terminology or policies of the Oak Ridges Moraine Conservation Plan.

In summary, a zoning regime for agriculture-related and on-farm diversified uses should be considered recommended to be incorporated into the Zoning By-law. This should include criteria and as-of-right permission for a limited range of these uses in the base Agriculture (A) zone. However, as noted, this may be premature depending on the timing of revisions to the City's existing policies for these uses. As such, coordination with Envision Durham and the City's next Official Plan Review is recommended.

4.7 Minor Variances and Site-Specific Exceptions

It is valuable to review recent applications for minor variances and site-specific exception zones, as the nature of the applications can provide insight into whether the standards are performing well. **Table 4.3** below summarizes the variances to the various rural and agricultural areas of the City including the Rural Settlements. Note that this is an extract of the information included in Discussion Paper #2. The purpose of this review is to identify some potential zones for further review and improvement when the draft new Zoning by-law is prepared.

Following are some key findings based on the information in **Table 4.3**:

- There were very few minor variances sought with respect to open space and natural heritage zones. As such, Table 4.3 focuses only on Zoning By-laws 3036 and 3037, since the other parent Zoning By-laws principally address the City's various neighbourhoods.
- The Residential (R3) zone in Zoning By-law 3036 has been varied numerous times. The Residential (R3) zone is frequently used in the Rural Cluster designation, so these minor variances may have relevance to updating the Residential (R3) zone standards. A wide range of standards have been varied.
- The ORM – Residential (ORM-R5) exception zone has also been varied a number of times, suggesting there may be opportunity to update the standards.
- The Rural Agricultural (A) zone has been varied over 10 times in both Zoning By-laws 3036 and 3037. However, considering how broadly this zone is applied, this is a relatively few number of variances.

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Table 4.3: Summary of Minor Variance Applications (Past 5 Years)

Zone	Total Variances	Accessory	Covered Platform	Deck	Flankage Yard	Front Yard Depth	Front Yard Parking	Front Yard Setback	Garage	Building Height	Lot Area	Lot Coverage	Lot Depth	Lot Frontage	Parking	Porch	Rear Yard Setback	Side Yard Setback	Use
Zoning By-law 3036																			
A	14	1							1	2	1	3						6	
ES	1																		1
G	1																		1
LCA-6 & OS-A	3							1	1					1					
R3	91	6	4	3	1	1	2	13	10			5	18	2	4	21	1		
R3 & G	12							4					4				4		
R3 & S2	6												4				2		
R3-3	2	1														1			
R3-9	2								2										
R4 & G	3	1							1						1				
Rural Area Zoning By-law 3037																			
A	19	5	1	1				2	2		1	1				1		5	
ER	1	1																	
HMC8	6				1				1						1	1	2		
HMC9	1																		1
HMR3	11	3					1	2	2			1	1					1	
ORM-A	3	1						1	1										
ORM-A & ORM-EP	4	2						1							1				
ORM-C2	9	1		1						1	1		2		1			2	

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Zone	Total Variances	Accessory Covered Platform	Deck	Flankage Yard	Front Yard Depth	Front Yard Parking	Front Yard Setback	Garage	Building Height	Lot Area	Lot Coverage	Lot Depth	Lot Frontage	Parking	Porch	Rear Yard Setback	Side Yard Setback	Use
ORM-EP	4	2						2										
ORM-M1	2		1						1									
ORM-R5	26	5			1		3	3	3	2	3				2	2		2
ORM-R6	2									2								
V	1				1													

A large number of site-specific exception zones and new zones have been added throughout the various agricultural, rural, hamlet, open space and environmental areas of the City. As recommended in Discussion Paper #3, a detailed analysis of all exception zones will be conducted to assess whether they conform to the Official Plan and whether they should be carried forward into the new Zoning By-law.

4.8 Envision Durham

Envision Durham is the ongoing Municipal Comprehensive Review of the Durham Regional Official Plan. As part of Envision Durham, the Region has completed six Discussion Papers, including a Discussion Paper regarding the Agriculture and Rural System (March 2019). This Discussion Paper reviews existing policies in the Region’s rural and agricultural areas, reviews alignment with Provincial policy, as well as local context, such as the number and type of agricultural operations in the Region. The Discussion Paper is indicative of the need to review and update the Region’s policies in the rural and agricultural areas, including updated goals and objectives, definitions and policies. This could include, for example, incorporating an updated policy framework for on-farm diversified uses and agriculture-related uses, as discussed in Section 4.6, and many other potential modifications which could affect the zoning.

Overall, it is likely that the outcome of the Envision Durham process will be to refine permitted uses and provide updated policy directions within the City’s agricultural, rural, open space and environmental areas of the City. However, the primary vehicle for implementing the outcomes of Envision Durham is the City of Pickering’s Official Plan. It is recommended that the new Zoning By-law will need to be aligned with Envision Durham to the extent possible, while recognizing that the policies may require

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implementation by the City before they can be incorporated into the new City of Pickering Zoning By-law. Further consultation with the Region on the draft Zoning by-law should be conducted to help assess which anticipated Regional policy changes can be implemented in the zoning in the event that the new Zoning By-law proceeds in advance of the City's Official Plan Review.

5 Conclusions and Recommendations

The agricultural, rural, hamlet, open space and environmental areas collectively represent the majority of the City's land area. The Official Plan provides some prescriptive requirements regarding permitted uses, in response to Provincial policy and the goals of protecting the environment and the agricultural land base. There is a need for the zoning to be reviewed and updated across these areas.

This Discussion Paper incorporates a review of the policy framework and the zoning. The areas reviewed by this Discussion Paper include a wide range of Rural Settlement categories as well as open space and other rural/agricultural areas of the City. In summary, the following are the main recommendations made within this Discussion Paper:

1. It is recommended that a conformity checklist for assessing implementation of the Rural Settlement Area Plans be completed when developing the Draft Zoning By-law. These Plans include some detailed policies and site-specific policies that will need to be reviewed against the current zoning, including any site-specific exception zones.
2. This Discussion Paper includes a recommended framework for the zone structure which is intended to harmonize the existing zones while aligning more with the Official Plan's land use designations and terminology. The use of zone symbols, suffixes/prefixes as described in Discussion Paper #3 are also relevant recommendations to ensure consistency across the City's zones. The recommended zone structure includes a wide range of zones to implement the various policies of the various designations.
3. It is recommended that further consultation with the Province and Conservation Authorities be undertaken to identify opportunities for the Zoning By-law to help implement the Natural Heritage System. This Discussion Paper includes several options in this regard. It is generally recommended that zoning updates for the Natural Heritage System be considered only where accurate and recent data is available. Other options could include creating an overlay for hazardous lands/sites or to illustrate the regulated area for the Conservation Authorities.
4. It is recommended that provisions related to the application of Minimum Distance Separation (MDS) be reviewed and considered in the new Zoning By-law.
5. It is suggested that the zoning of lands located in the Rouge National Urban Park is generally appropriate, but that Parks Canada be consulted to identify potential opportunities for the Zoning By-law to support the objectives for the Park's Management Plan.
6. It is recommended that the Minister's Zoning Orders be referenced or that the provisions be integrated into the new Zoning By-law to provide clarity that the Zoning Orders are applicable.

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7. It is recommended that the new Zoning By-law more explicitly and clearly regulate where open storage is permitted and that provisions be established to guide open storage (e.g., buffering, setbacks, screening, permitted locations on a lot). This Discussion Paper sets out a series of principles to form the basis for these regulations.
8. It is recommended that an updated and harmonized framework for regulating commercial and oversized vehicles be integrated into the new Zoning By-law, based on the principles set out in this Discussion Paper.
9. It is recommended that the new Zoning By-law consider a new set of provisions for agriculture-related and on-farm diversified uses including criteria, and that a range of appropriate on-farm diversified uses be permitted in the Zoning By-law where they are accessory to a farm operation. This would include a series of definitions of these types of uses, associated provisions and permissions in the applicable zones. Some of these uses, particularly those which serve a broader farming community, are best permitted only through a rezoning application or may be permitted in the Rural Settlement Areas or within appropriate urban zones. The Province's Guidelines, best practice and community input will provide the basis for the new framework. It is recognized that the City's policies for agriculture-related uses and on-farm diversified uses may change through Envision Durham and the City's next Official Plan Review. As such, the development of zoning provisions for these uses, if appropriate, will need to be coordinated with these other processes.
10. It is recommended that minor variances and site-specific exceptions be reviewed in detail to inform improvements to the zone standards. This Discussion Paper identifies some potential focus area with respect to minor variances and notes that the site-specific exception zones will be subject to a detailed review in conjunction with the preparation of the new Zoning By-law.
11. It is recommended that the Zoning By-law be prepared in a manner that aligns with Envision Durham to the extent possible, particularly with respect to land use permissions and policy directions regarding the agricultural, rural, hamlet, open space and environmental areas. However, it is recognized that some policy directions emerging from Envision Durham may require City implementation in its Official Plan before provisions can be incorporated into the Zoning By-law.