



Shaping Your City

City of Pickering Zoning By-law Review

Discussion Paper #3: Residential Areas

Final | February 2021

Revision History

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1 Introduction

This Discussion Paper provides an assessment of the zoning within the City's designated Urban Residential Areas. The City of Pickering Official Plan (the Official Plan) designates certain lands for residential purposes, and sets out various policies to guide land use and development within these areas. In accordance with the *Planning Act*, this Paper focuses on reviewing the zoning in these residential areas to assess conformity with the Official Plan, and address a range of other specific issues related to the urban residential lands in the City.

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

2 Review of Residential Area Policy and Zoning

The primary focus of this Discussion Paper is to assess the relationship of the zoning to the City's policies for its designated Urban Residential Areas. This section provides a description of the relevant policy and zoning by-laws that are evaluated in subsequent sections of this Discussion Paper.

2.1 Official Plan

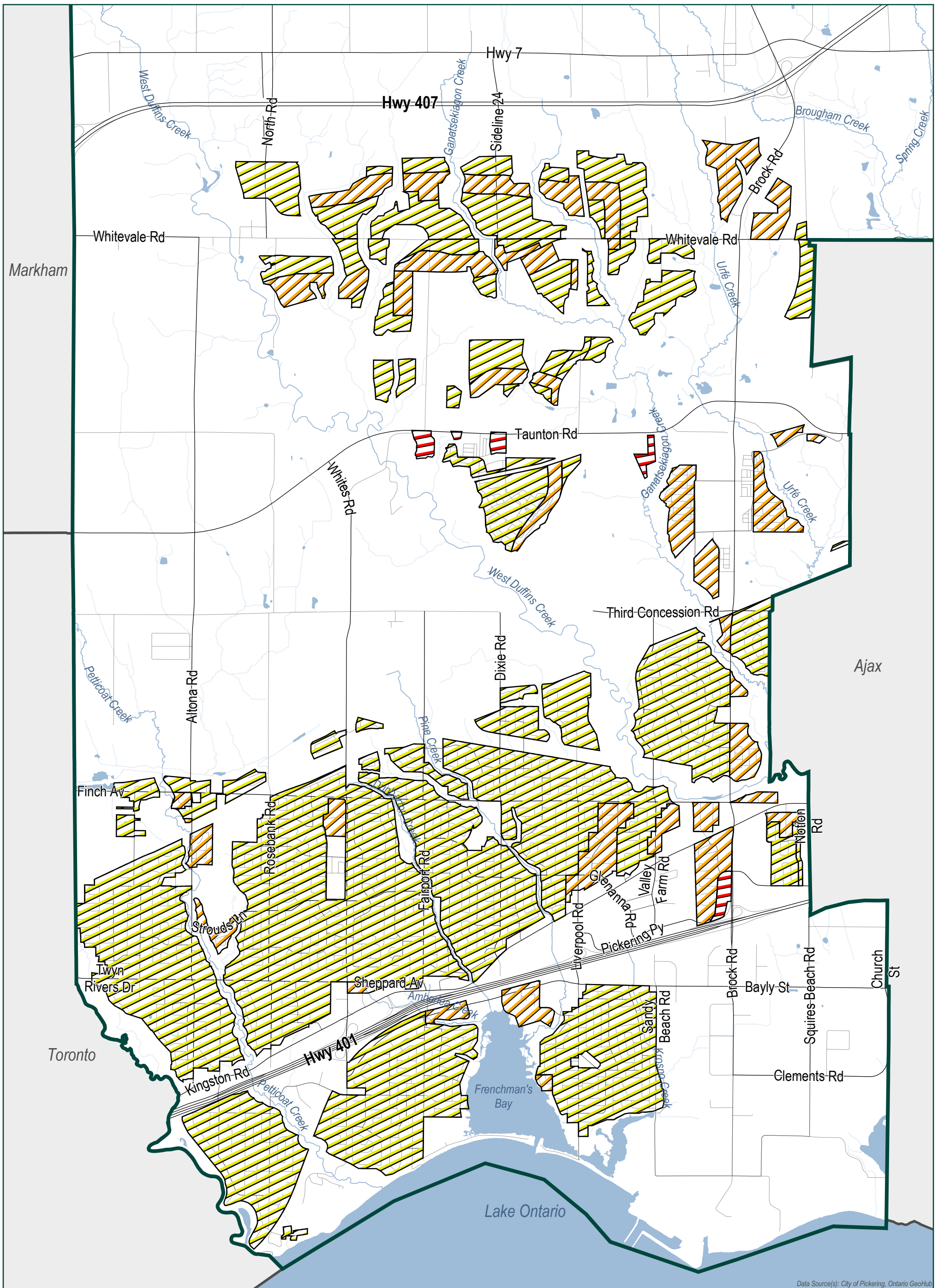
The City of Pickering Official Plan (the Official Plan) sets out policies and guidance for development and land use within the City's various Urban Residential Areas. This section identifies the relevant policies for the purposes of assessing zoning conformity in these areas.

2.1.1 Land Use Policies

Schedule I of the Official Plan identifies the areas designated as Urban Residential Areas. The Urban Residential Areas designation is further broken down into three subcategories: Low Density Areas, Medium Density Areas and High Density Areas (**Figure 2.1**). Chapter 3 of the Official Plan establishes the land use policies, and states these areas are intended to be used primarily for housing and related uses, such as home-based businesses and group homes. Other complementary uses may be permitted, such as schools, parks, limited office and retail servicing the area, compatible employment and special purpose commercial uses servicing the area, community gardens, farmer's markets and various community, cultural and recreational uses (Table 8 of the Official Plan). As such, it is expected that the zoning of the Urban Residential Areas will be primarily for housing, with a few instances of site-specific zoning to address all of the other uses. The three Urban Residential Areas subcategories are differentiated by permitted densities:

1. Low density areas are permitted up to and including 30 dwellings per net hectare.
2. Medium density areas are permitted above 30 and up to 80 dwellings per net hectare.
3. High density areas are permitted over 80 and up to 140 dwellings per net hectare.




It is recognized that there may be instances of site-specific exceptions to the above noted density ranges. Additionally, different density ranges which are slightly higher than the ranges above apply to the land use designations in the Seaton Urban Area, as outlined in Section 11.2 of the Official Plan.



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

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

- Legend**
- Official Plan Designated Urban Residential Area
 -  Low Density
 -  Medium Density
 -  High Density



2.1.3 General Housing Policies

The Zoning By-law should implement the general housing policies of the Official Plan by establishing standards, definitions and permissions for development review. The Official Plan provides general guidance and objectives regarding the mix of housing. These policies may have implications on the Zoning By-law Review. Chapter 6 of the Official Plan includes a broad range of general housing policies. The Official Plan supports the creation of a diverse range of housing types and options to meet the City's housing needs. These policies have been reviewed to determine the potential for them to be implemented in the new Zoning By-law. Following is a summary of the most relevant policies with commentary regarding implications for this Review process:

- Section 6.3(d) provides a targeted mix of housing types across the City;
- Section 6.4 requires that a minimum of 25 percent of new residential construction (City-wide) will consist of housing forms affordable to low- and moderate-income households;
- Section 6.4(d) intends that group homes be zoned to operate in all residential areas; and
- Section 6.4(e) intends to zone accessory dwelling units, garden suites and rooming houses in appropriate locations.

Further, Chapter 11 of the Official Plan includes housing-related policies that are specific to the Seaton Urban Area.

It is noted that Section 5.3(i) permits home-based businesses in all residential areas and this is intended to be implemented in the zoning. The zoning will need to be reviewed to ensure home-based businesses are permitted in all residential areas, along with appropriate development standards such as maximum area permitted for a home-based business. Home-based businesses are discussed in more detail in Section 4 of this Discussion Paper.

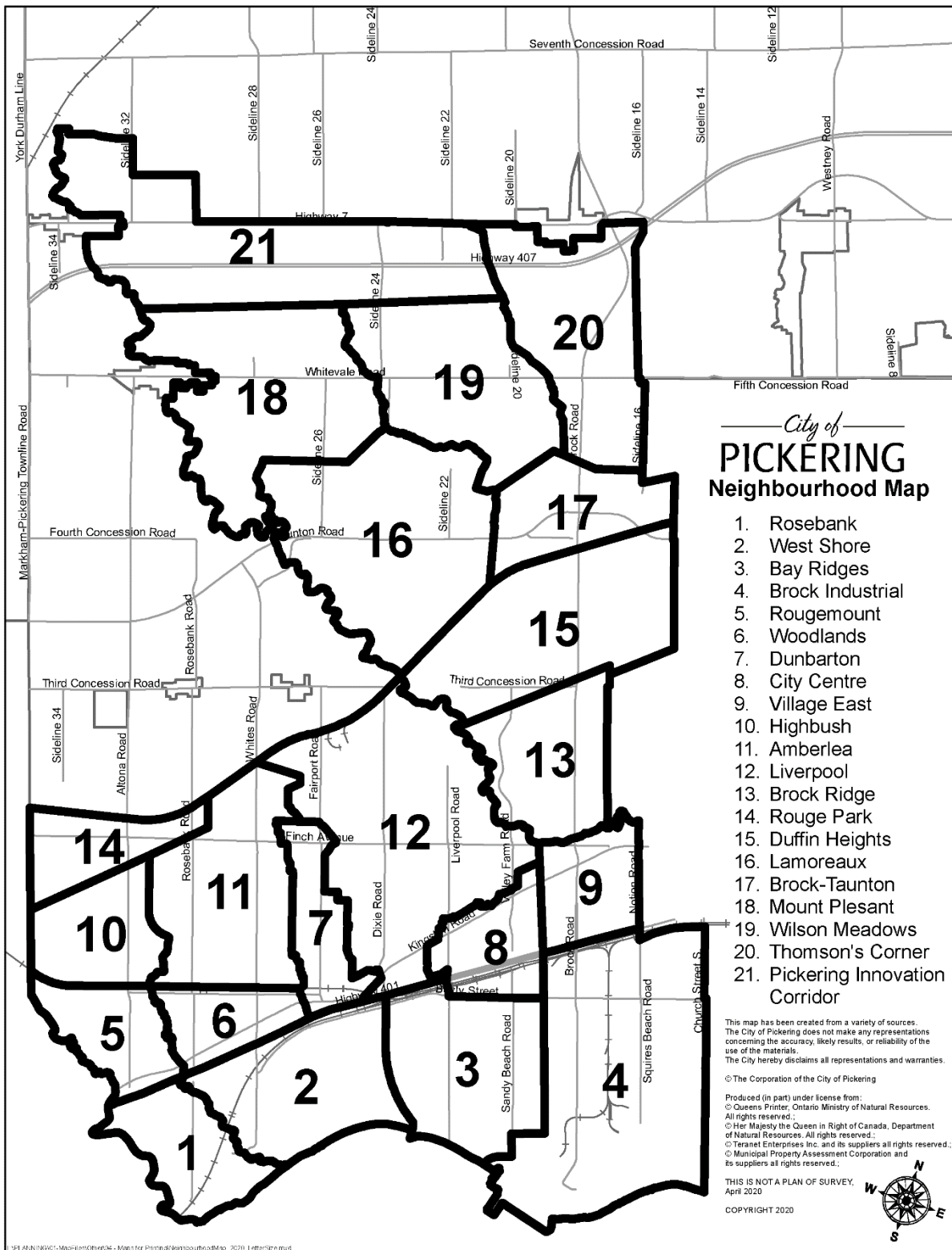
The City will be initiating a Housing Strategy Study with the key objective to provide a framework so that the City can ensure that there is a supply of suitable, adequate and affordable housing for all ages and abilities. The new Zoning By-law will consider the recommendations of the Study.

2.1.4 Neighbourhood Policies and Guidelines

Chapter 12 of the Official Plan includes detailed policies for the City's various neighbourhoods. South Pickering Urban Area, defined as consisting of the lands in the City south of the CPR Rail Line, is divided into 15 neighbourhoods. The Seaton Urban Area is divided into 6 neighbourhoods, bringing the total number of neighbourhoods in the City to 21. Each neighbourhood is subject to various policies within Chapter 12. The policy framework also enables the preparation of development guidelines for any neighbourhood or portion of a neighbourhood. These guidelines are specifically noted

by the Official Plan as being potentially implemented through zoning. The delineation of neighbourhoods in Pickering is shown in **Figure 2.2**.

Figure 2.2: Delineation of the Neighbourhoods



The neighbourhood policies included in Chapter 12 provide a description of each neighbourhood, including its location, history, composition of uses, population and growth information and other specific contextual considerations. The neighbourhood policies address maps of the neighbourhoods, with varying information shown on each map, including the limits of the neighbourhood; proposed road/pedestrian connections; and community facility locations, such as schools, parks, places of worship and community centres. The map also identifies the areas subject to Development Guidelines.

Each neighbourhood is unique and includes specific policies, some of which could be implemented directly or indirectly through the Zoning By-law Review. There is a very wide range of policies, with varying levels of detail amongst the various neighbourhoods. This includes site-specific policies, for example: to guide urban reserve of a specific area; policies related to permitted uses; design objectives and criteria; policies to consider land use compatibility and context; required studies; and density targets. In some cases, the policies are likely intended to be implemented through re-zoning applications or otherwise through development review (e.g., site plans). It is anticipated that there is a strong degree of conformity between the zoning and the neighbourhood policies for the Seaton Urban Area, as well as the Pickering City Centre area, since comprehensive Zoning By-laws have been recently completed for these areas. It is challenging, in the context of this Discussion Paper, to fully assess these numerous policies, many of which are site-specific in nature.

As previously mentioned, neighbourhoods or specific areas within a neighbourhood, may be subject to Development Guidelines. These guidelines are Council-adopted Compendium documents to the Official Plan that provide guidance for redevelopment in specific areas, such as direction of appropriate building style and massing, required road networks and the protection of environmental features. Not all neighbourhoods have Development Guidelines. The Development Guidelines do not always address the entirety of the Neighbourhood, and often focus on specific areas or even specific sites. These Development Guidelines similarly vary in terms of detail and length. However, there is often a high degree of relevance to zoning, such as specific lot and building requirements for defined areas.

The City has also completed various other general development guidelines which are not included in the Compendium. This includes the Draft Kingston Road Corridor and Specialty Retailing Node Urban Design Guidelines (or “Kingston Road Guidelines”), Seaton Sustainable Place-Making Guidelines, the Pickering City Centre Urban Design Guidelines, and the Sustainable Development Guidelines. Guidelines for Seaton and City Centre have been implemented via area specific comprehensive Zoning By-laws. The Official Plan requires a sustainable development report, or checklist, be submitted with an application for an Official Plan Amendment, a Zoning By-law Amendment, a Draft Plan of Subdivision, and Draft Plan of Condominium approval, describing the sustainable measures being implemented in the development (i.e. energy efficiency, water efficiency, building materials, indoor air quality, landscaping, stormwater management and construction waste). The City is currently updating the Sustainable

Development Guidelines and will be engaging with the building community. The updated Guidelines will be presented to Council for consideration of adoption in late 2020.

Given the high degree of detail and varying policies and guidelines across the entirety of the City, it is recommended that the development of the new Zoning By-law include the preparation of a checklist to ensure the policies and design guidelines for the neighbourhoods are considered. It is difficult, in the context of this Discussion Paper, to generalize or assess conformity at a higher level given the detail and variety of the policies and guidelines. Confirmation of conformity will require a fulsome review of the existing zoning, including potentially site-specific zoning, against the policies and design guidelines. The checklist will be used to ensure that the new Zoning By-law implements and conforms to the neighbourhood policies, where appropriate and applicable. Where the policy or guideline is not applicable to this process, documentation will be required to indicate that the Zoning By-law Review is not the appropriate process to address the policy or guideline.

2.1.5 Community Design Policies

Chapter 9 of the Official Plan includes general community design policies which have relevance to the development of residential zone categories. This section supports a wide range of both public and private realm design principles including: creating a scale of development that is relevant to pedestrians; encouraging a mix of uses; facilitating comfortable pedestrian environments; placing buildings in a manner that supports efficient movement of transit, pedestrians and vehicles; ensuring development fits within their context with consideration to, for example, the use, building massing or building height; contributing to a high-quality public realm; create landmarks including buildings and other features; and. considering adaptability of buildings and spaces over time. The principles would be implemented through the more detailed neighbourhood policies and Development Guidelines, as well as site plan approval and other tools. However, these broad principles and objectives have some relevance to the Zoning By-law Review and can create a basis for modifying setbacks (building placement), building height and scale, and other regulations where the existing standards are clearly out of line with these general principles.

Chapter 14 of the Official Plan sets out detailed design considerations, building on the broader policies of Chapter 9. There are no explicit directives to the Zoning By-law Review, but there is relevance to the guidelines and the zoning as with Chapter 9. However, some of the matters are more related to site plan issues, such as lighting, public art, façade articulation and similar matters.

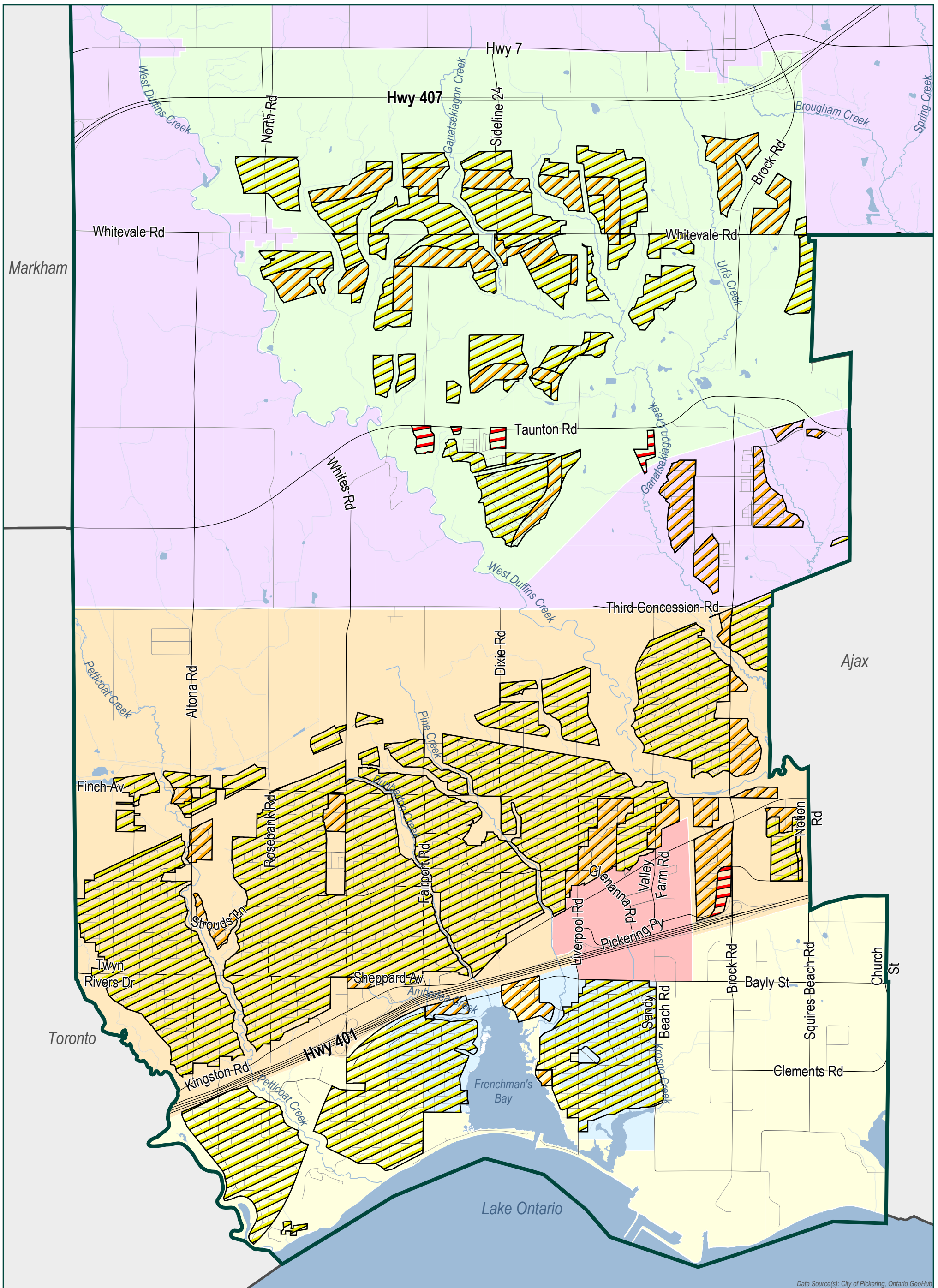
2.1.6 Seaton Urban Area Policies

It is noted that Chapter 11 includes specific policies for the Seaton Urban Area. It is anticipated that there is a very high degree of concordance between the Seaton Urban Area policies and the zoning, since the zoning was recently created to implement these policies.

2.2 Zoning

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

- The City Centre Zoning By-law 7553/17 is not directly relevant to this Discussion Paper, as the area is designated Mixed Use. The City Centre is addressed in more detail in Discussion Paper #5. However, Zoning By-law 7553/17 includes some residential zone categories and general provisions which may represent a basis for the new Zoning By-law.
- The Seaton Zoning By-law 7364/14 includes areas designated Urban Residential Area which are specific to the new urban community. Zoning By-law 7364/14 implements a range of residential zones as well as general provisions regarding residential uses and development.
- The Frenchman's Bay Area Zoning By-law 2511, the Bay Ridges Area Zoning By-law 2520 and Zoning By-law 3036 for the rest of the urban area, all include a significant portion of lands designated Urban Residential Area. These By-laws include a range of residential zone categories and relevant general provisions for residential uses.
- The Rural Area Zoning By-law 3037 is principally rural in nature, but the By-law addresses several relatively small portions of land designated Urban Residential Area located on either side of Brock Road, south of Taunton Road and north of Third Concession Road. The rural area will be discussed in further detail in Discussion Paper #6.



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

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

Legend

Official Plan Designated Urban Residential Area

- Low Density
- Medium Density
- High Density

Parent Zoning By-laws

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



3 Official Plan Conformity Assessment

In accordance with the *Planning Act*, zoning must be reviewed for conformity with the applicable policies of the Official Plan. As a result, zoning may need to be updated to be brought into alignment with the Official Plan. This is a key objective of the Comprehensive Zoning By-law Review. This section assesses the general conformity of the existing zoning with the City's current Official Plan, which originally came into effect in 1997 and has since been updated and amended to implement Provincial and Regional policy.

3.1 Official Plan and Zoning Relationship

As discussed in Section 2 of this paper, the Urban Residential Areas of the City are intended for residential uses, as well as a wide range of complementary uses. The designation is sub-categorized into two density categories; low density areas, medium density areas and high density areas. Given the broad list of permitted uses within the Urban Residential Areas land use designation, it is expected that the existing zoning will consist of a wide range of residential zone categories, open space and environmental protection zone categories, institutional zone categories, and potentially some commercial and employment zone categories.

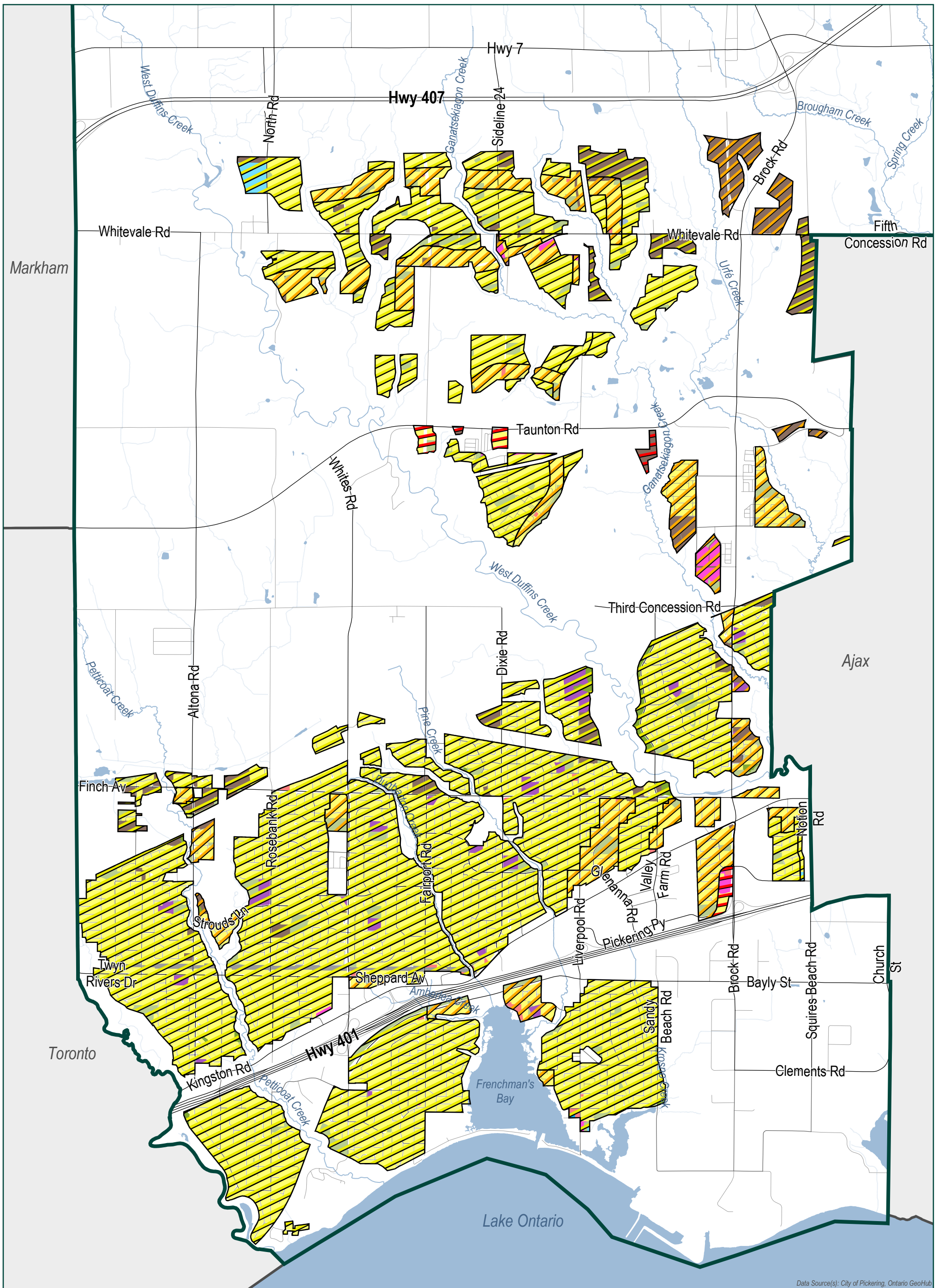
This section assesses the relationship between the Urban Residential Areas land use designation of the Official Plan and the current zoning within these areas. This analysis will identify potential conflicts with respect to the uses permitted by the zoning. **Figure 3.1** shows the existing zoning overlaid by the Official Plan Urban Residential designation, depicting conformity of the current use with the Official Plan. **Table 3.1** provides a breakdown of the composition of zoning within this designation. Note that Table 3.1 was produced utilizing an analysis of Geographic Information Systems (GIS) data and may be subject to minor inaccuracies and rounding.

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

- In total, the High Density Residential Areas designation in the Official Plan consists of about 115 parcels and 16.81 hectares of land area. The majority of the designation is zoned by higher density residential zones including the High Density (HD) zone, Retirement Home (RH) zone and Single Attached (SA) zone. Several parcels of land are currently zoned Rural Agricultural (A) zone (4.73 hectares), and these parcels have the potential to be rezoned to an appropriate High Density Residential zone category or another urban zone that reflects the use (e.g., institutional). The remaining lands are zoned commercial purposes and for a stormwater management facility.
- The Medium Density Residential Areas designation consists of over 3,000 parcels of land totalling just over 400 hectares of land. The most common zone categories are Medium Density (MD) as well as some land zoned Single

Attached (SA) and variations of that zone. A significant amount of land within this designation is zoned Residential (R3) and Rural Agricultural (A).

- The Low Density Residential Areas designation consists of over 1,900 hectares of land, comprising over 23,000 parcels of land. Well over 250 different zone categories apply to lands in this designation, including numerous site-specific exception zones. The majority of the zone categories are low density residential zones, such as the Low Density (LD) zones, Residential (R) zones, and Single Residential (S) zones. There are also a wide range of commercial zones, but this represents only a small amount of land. There is also open space and natural heritage zone categories. A considerable amount of land is zoned Rural Agricultural (A), which is likely underdeveloped lands with an existing detached dwelling. There are a few instances of Industrial zoning (M zones).



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

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Figure 3.1: Overlay of Existing Zoning on the Urban Residential Areas

Legend

Official Plan Designated Urban Residential Area

- Low Density
- Medium Density
- High Density

Generalized Zone Category

- | | | | |
|--------------|---------------|------------------|------------|
| Agricultural | Employment | Natural Heritage | Utility |
| Cemetery | Institutional | Open Space | Waterfront |
| Commercial | Mixed Use | Residential | Other |



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Table 3.1: Composition of Zoning in the Urban Residential Areas

Zone	Area (hectares)	Percent (%) of total area in the land use designation	Zone	Area (hectares)	Percent (%) of total area in the land use designation
Urban Residential Areas - High Density Residential Areas					
Total area: 16.81 hectares					
A	4.73	28.11%	MC2-1	0.10	0.58%
A50LC	2.14	12.71%	RH/(SC)	0.30	1.76%
C10-R	0.24	1.44%	RH/MU	1.90	11.30%
CA(A)	0.40	2.39%	SA	0.16	0.97%
HD	5.42	32.21%	SWM	1.13	6.75%
MC1-2	0.30	1.78%			
Urban Residential Areas - Medium Density Areas					
Total area: 407.75 hectares					
(H)MU-26	0.01	<0.01%	MU-MD-2	8.72	2.14%
(H)O3B	1.76	0.43%	NP	14.45	3.54%
(H)RH/MU-3	0.74	0.18%	O1	3.16	0.78%
(H)RH-MU-7	1.21	0.30%	O2	0.72	0.18%
(H)S-SD-1	0.30	0.07%	O2/GC	0.87	0.21%
A	69.50	17.04%	OS	5.39	1.32%
A36	0.34	0.08%	OS-HL	8.03	1.97%
C1	0.19	0.05%	OS-HL-1	0.15	0.04%
C19	0.10	0.03%	OS-HL-2	0.12	0.03%
CC Res 1	<0.01	<0.01%	OS-SWM	0.15	0.04%
CEM-1	0.02	0.01%	PU	0.06	0.02%
CI-ES	0.01	<0.01%	R(RH-NH)	3.11	0.76%
CI-ES/DN	1.46	0.36%	R3	28.85	7.08%
CN	1.27	0.31%	R4	0.63	0.15%
CN-PP	0.54	0.13%	RH	0.45	0.11%
CU	0.10	0.02%	RH(SC)	0.76	0.19%
CU/LD1	0.65	0.16%	RL2	1.90	0.47%

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Zone	Area (hectares)	Percent (%) of total area in the land use designation	Zone	Area (hectares)	Percent (%) of total area in the land use designation
CU/MD-DS	4.79	1.17%	RM1-3/DN(3)	2.87	0.70%
CU/MD-M	4.14	1.02%	RM1-4	1.67	0.41%
CU/MD-M-1	0.73	0.18%	RM1-5	1.06	0.26%
DN	0.18	0.04%	RM2	8.91	2.19%
G	1.46	0.36%	RM2-1	0.95	0.23%
I(C)(DN)-R(S)	1.49	0.37%	RMM	1.73	0.42%
LCA-1	<0.01	<0.01%	RMM-1	1.39	0.34%
LCA-3	0.01	<0.01%	RMM-1(A)	0.48	0.12%
LD1	8.61	2.11%	RMM-2	1.35	0.33%
LD1-3	0.09	0.02%	RMM4	1.47	0.36%
LD1-6	0.03	0.01%	RM-MU	0.61	0.15%
LD1-T	0.66	0.16%	S	1.69	0.41%
LD2	0.48	0.12%	S1	0.10	0.03%
LD2-M	0.91	0.22%	S2	0.08	0.02%
LD2-M-1	0.12	0.03%	S2-DN	0.02	<0.01%
LN-1	0.88	0.22%	S4	<0.01	<0.01%
M12	2.13	0.52%	S4-11	1.96	0.48%
M15	0.70	0.17%	S4-8	0.19	0.05%
M16	16.52	4.05%	S4-SD	1.79	0.44%
MC1	0.68	0.17%	S5	0.56	0.14%
MCC	2.07	0.51%	S-5	0.02	0.01%
MD-DS	28.37	6.96%	SA	7.23	1.77%
MD-DS-1	0.14	0.04%	SA-1	1.83	0.45%
MD-H1	1.09	0.27%	SA-11	0.64	0.16%
MD-H16	0.15	0.04%	SA-14	1.21	0.30%
MD-H5	1.18	0.29%	SA-15	0.30	0.07%
MD-H7	0.87	0.21%	SA-23	0.11	0.03%
MD-H8	0.50	0.12%	SA-8	1.39	0.34%
MD-HD-1	1.58	0.39%	SD	8.96	2.20%
MD-M	80.32	19.70%	SD-7	2.67	0.65%
MD-M-1	2.91	0.71%	SD-A	<0.01	<0.01%

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Zone	Area (hectares)	Percent (%) of total area in the land use designation	Zone	Area (hectares)	Percent (%) of total area in the land use designation
MDM-2	1.09	0.27%	SEATON	<0.01	<0.01%
MD-M-3	0.18	0.04%	S-SD-1	1.30	0.32%
MU-15	0.08	0.02%	S-SD-SA	0.35	0.09%
MU-20	<0.01	<0.01%	S-SD-SA-3	24.90	6.11%
MU-3	0.07	0.02%	SWM	6.93	1.70%
MU-4	0.06	0.01%	UR	0.06	0.02%
Urban Residential Areas - Low Density Areas Total area: 1,910.33 hectares					
(H)O3B	0.97	0.05%	R4-15	0.18	0.01%
(H)R4-22	0.07	<0.01%	R4-18	0.10	0.01%
(H)S1-16	0.03	<0.01%	R4-19	0.26	0.01%
(H)S3-7	0.34	0.02%	R4-2	0.48	0.03%
(H)S5-2	0.05	<0.01%	R4-20	0.51	0.03%
(H)SC-36	<0.01	<0.01%	R4-22	3.99	0.21%
A	116.97	6.12%	R4-3	1.59	0.08%
A36	0.39	0.02%	R4-4	0.98	0.05%
C.N.R.	18.28	0.96%	R4-6	2.87	0.15%
C1	0.58	0.03%	R4-7	0.20	0.01%
C17-R	0.11	0.01%	R4-8	0.35	0.02%
C-18	0.37	0.02%	R4-9	1.81	0.09%
C-20	0.50	0.03%	R4-HL	0.26	0.01%
C2-2	0.20	0.01%	R4S	0.21	0.01%
C2-DB	0.07	<0.01%	R5-5	0.18	0.01%
C4	0.44	0.02%	R-7	0.24	0.01%
C6	0.36	0.02%	RC	0.16	0.01%
CN	0.11	0.01%	RM1	84.24	4.41%
CN-1	0.90	0.05%	RM1-1	0.02	<0.01%
CN-PP	0.11	0.01%	RM2	0.43	0.02%
CP	1.80	0.09%	RMM-5	0.30	0.02%
CU	0.14	0.01%	S	22.34	1.17%

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Zone	Area (hectares)	Percent (%) of total area in the land use designation	Zone	Area (hectares)	Percent (%) of total area in the land use designation
CU/LD1	19.91	1.04%	S1	131.68	6.89%
CU/LD2	2.59	0.14%	S-1	0.81	0.04%
CU/LD2-M	1.92	0.10%	S1-10	0.06	<0.01%
CU/LD2-T	1.30	0.07%	S1-12	0.56	0.03%
CU/MD-DS	2.08	0.11%	S1-13	2.08	0.11%
CU/MD-M	0.94	0.05%	S1-14	3.35	0.18%
CU/MD-M-1	0.74	0.04%	S1-15	1.91	0.10%
CU/SWM	0.13	0.01%	S1-16	0.20	0.01%
ER-1	0.80	0.04%	S1-19	0.27	0.01%
ES	12.97	0.68%	S12	1.52	0.08%
ES-DN	1.93	0.10%	S1-3	2.07	0.11%
ES-DN-NP-S5	4.44	0.23%	S1-5	1.54	0.08%
ES-S1	1.95	0.10%	S1-6	0.16	0.01%
G	14.33	0.75%	S1-7	0.42	0.02%
I(C)-DN	2.06	0.11%	S1-8	0.18	0.01%
I(C)-DN(2)	0.61	0.03%	S1-E	4.34	0.23%
I(C)-DN(I)	0.47	0.02%	S1-ES	1.95	0.10%
I(C)-ES	3.35	0.18%	S2	144.29	7.55%
I(R)	8.61	0.45%	S2-1	0.52	0.03%
LCA-2	<0.01	<0.01%	S2-10	1.95	0.10%
LD1	195.78	10.25%	S2-11	0.11	0.01%
LD1-1	1.21	0.06%	S2-13	1.68	0.09%
LD1-2	0.09	<0.01%	S2-14	0.87	0.05%
LD1-3	0.17	0.01%	S2-15	1.54	0.08%
LD1-4	0.19	0.01%	S2-16	1.19	0.06%
LD1-5	0.36	0.02%	S2-17	0.39	0.02%
LD1-6	0.12	0.01%	S2-2	0.37	0.02%
LD1-T	23.27	1.22%	S2-3	0.11	0.01%
LD2	18.58	0.97%	S2-4	0.56	0.03%
LD2-1	0.36	0.02%	S2-8	0.90	0.05%
LD2-M	23.53	1.23%	S2-9	0.06	<0.01%

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Zone	Area (hectares)	Percent (%) of total area in the land use designation	Zone	Area (hectares)	Percent (%) of total area in the land use designation
LD2-M-1	0.81	0.04%	S2-DB	0.78	0.04%
LD2-M-2	0.22	0.01%	S2-DN	0.29	0.02%
LD2-M-3	0.15	0.01%	S2-E	0.84	0.04%
LN-1	0.03	<0.01%	S3	77.94	4.08%
M1	0.21	0.01%	S3/SD/NP	1.35	0.07%
M1-4	0.30	0.02%	S3-1	0.43	0.02%
M15	4.49	0.24%	S3-10	1.54	0.08%
M16	<0.01	<0.01%	S3-11	0.36	0.02%
M3	0.19	0.01%	S3-12	0.20	0.01%
MC1	0.16	0.01%	S3-13	1.60	0.08%
MC1-2	0.08	<0.01%	S3-14	0.08	<0.01%
MC1-2-3	0.04	<0.01%	S3-17	0.80	0.04%
MC-15	0.01	<0.01%	S3-2	0.97	0.05%
MC2	0.01	<0.01%	S3-3	1.19	0.06%
MCC	0.15	0.01%	S3-4	0.13	0.01%
MD-DS	3.92	0.21%	S3-5	0.17	0.01%
MD-DS-1	<0.01	<0.01%	S3-7	9.76	0.51%
MD-H12	1.20	0.06%	S3-8	1.06	0.06%
MD-H13	0.30	0.02%	S3-9	0.19	0.01%
MD-H14	0.47	0.02%	S4	66.66	3.49%
MD-H15	0.26	0.01%	S4-1	0.99	0.05%
MD-H16	0.27	0.01%	S4-10	0.22	0.01%
MD-H17	0.42	0.02%	S4-12	1.29	0.07%
MD-H18	0.61	0.03%	S4-13	0.32	0.02%
MD-H4	0.11	0.01%	S4-14	0.88	0.05%
MD-M	8.45	0.44%	S4-17	0.09	<0.01%
MD-M-1	<0.01	<0.01%	S4-2	0.96	0.05%
MD-Q	0.65	0.03%	S4-3	3.03	0.16%
MD-S-SD	0.66	0.03%	S4-4	1.54	0.08%
MU-(IN)	0.17	0.01%	S4-5	1.01	0.05%
MU-10	0.73	0.04%	S4-7	1.31	0.07%

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Zone	Area (hectares)	Percent (%) of total area in the land use designation	Zone	Area (hectares)	Percent (%) of total area in the land use designation
MU-13	0.11	0.01%	S4-9	3.13	0.16%
MU-14	0.34	0.02%	S4-A	0.28	0.01%
NHS	0.23	0.01%	S4-CA-3	0.32	0.02%
NP	35.18	1.84%	S5	6.67	0.35%
O1	6.92	0.36%	S5-1	0.96	0.05%
O2	7.41	0.39%	S5-2	1.46	0.08%
O2-2	0.26	0.01%	S5-7	0.42	0.02%
O3A	<0.01	<0.01%	S6	0.10	0.01%
O3B	0.17	0.01%	SA	9.08	0.48%
OC	0.27	0.01%	SA-1	0.23	0.01%
OS	16.29	0.85%	SA-12	0.58	0.03%
OS-HL	9.20	0.48%	SA-2	0.51	0.03%
OS-HL-(MU)	<0.01	<0.01%	SA-21	0.75	0.04%
OS-HL-1	1.15	0.06%	SA-3	0.15	0.01%
OS-HL-2	0.08	<0.01%	SA-4	0.15	0.01%
OS-HL-3	0.34	0.02%	SA-5	0.26	0.01%
OS-HL-4	0.12	0.01%	SA-6	0.24	0.01%
OS-HL-6	0.02	<0.01%	SA-A	0.69	0.04%
OS-HL-SWM	1.99	0.10%	SA-AB	0.59	0.03%
OS-P	0.32	0.02%	SC-26	0.21	0.01%
OS-R	1.94	0.10%	SC-5	0.26	0.01%
PU	<0.01	<0.01%	SD	42.92	2.25%
Q	8.40	0.44%	SD-2	0.18	0.01%
R(NH)	1.39	0.07%	SD-3	0.54	0.03%
R(RH)	0.69	0.04%	SD-4	2.12	0.11%
R1	1.91	0.10%	SD-7	0.41	0.02%
R1-1	3.55	0.19%	SD-8	0.89	0.05%
R1-2	0.83	0.04%	SD-A	8.87	0.46%
R1-3	0.29	0.02%	SD-A-1	0.58	0.03%
R1-4	1.05	0.06%	SD-AB	0.66	0.03%
R1-5	2.02	0.11%	SD-B	4.80	0.25%

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Zone	Area (hectares)	Percent (%) of total area in the land use designation	Zone	Area (hectares)	Percent (%) of total area in the land use designation
R3	258.10	13.51%	SD-SA	5.77	0.30%
R3-2	4.78	0.25%	SD-SA-3	<0.01	<0.01%
R3-3	2.15	0.11%	SEATON	<0.01	<0.01%
R3-4	3.38	0.18%	SEATONCU/OS	0.09	<0.01%
R3-5	0.72	0.04%	S-SA	0.13	0.01%
R3-5-ES	1.22	0.06%	S-SD	29.70	1.55%
R3-6	0.66	0.03%	S-SD-2	2.08	0.11%
R3-7	2.32	0.12%	S-SD-3	2.81	0.15%
R3-8	0.18	0.01%	S-SD-4	0.93	0.05%
R3-9	0.11	0.01%	S-SD-A-1	0.17	0.01%
R3-DN	0.20	0.01%	S-SD-A-2	0.37	0.02%
R4	235.83	12.34%	S-SD-SA	14.71	0.77%
R4(DN)	1.71	0.09%	S-SD-SA-1	4.64	0.24%
R4-1	1.44	0.08%	S-SD-SA-2	3.74	0.20%
R4-10	1.08	0.06%	SWM	15.12	0.79%
R4-11	0.09	<0.01%	SWM/S3	0.26	0.01%
R4-12	0.21	0.01%	TH	1.37	0.07%
R4-13	1.68	0.09%	UT	0.38	0.02%
R4-14	0.66	0.03%			

3.2 Conformity of Permitted Uses

The most important activity for ensuring that the zoning is in conformity with the Official Plan is to assess whether the existing Zoning By-laws are currently permitting uses that are not permitted by the Official Plan.

As noted previously in **Table 3.1**, there are instances of commercial, open space, industrial and other zoned uses in the Urban Residential Area designation. Since the Official Plan's Urban Residential Areas designation is very broad in terms of permitted uses, it is difficult to draw specific conclusions regarding conformity issues. In particular, the Official Plan includes limited permissions for commercial and employment uses. Where zoning for these uses exist, it may be appropriate, but the zoning will need to be reviewed against any applicable policies in the neighbourhood policies and guidelines, which would set out more detail regarding the types of uses contemplated. As such, the

completion of the Official Plan Conformity Matrix previously recommended in this Report is the best tool to provide assurance that the zoning is in line with the uses permitted by the Official Plan.

The only significant and obvious conformity issue that may be drawn from the preceding analysis in **Table 3.1** is the application of the Rural Agricultural (A) zone, which permits agricultural uses, as this use is not permitted explicitly in the Urban Residential Area designation. However, the Rural Agricultural (A) zoning does permit a detached dwelling on an existing residential lot of record. Since these lands are within the Urban Area, it is recommended that these lands be rezoned to an appropriate urban residential zone category where there are existing surrounding and/or adjacent urban uses. Leaving the zoning as Rural Agricultural (A) does not represent a significant risk, as all of the lands that are designated for residential uses are likely held by land developers or other investors and the realization of the Official Plan's intent is not likely to be precluded by Rural Agricultural (A) zoning. There is also an option to rezone existing agricultural lands slated for development to "Urban Reserve" or some similar zone that reflects the City's intent more clearly. In such a zone, existing uses would be permitted. These properties will be reviewed individually to determine if they can be zoned Urban Reserve or otherwise zoned to an appropriate density category.

3.3 Assessment of Other Policy Requirements

The Official Plan contains a Land Use Designation schedule which classifies all lands into a designation. The Urban Residential Areas designations provide policies on permitted uses and density. The Official Plan further organizes all lands within the Urban Area into neighbourhoods and contains more detailed neighbourhood policies that guide and control development. However, these neighbourhood policies contain limited policy or guidance in regards to built form and design.

The City utilizes the more detailed neighbourhood policies, with supporting Development Guidelines, to establish more detailed guidance regarding built form and design requirements. The neighbourhood policies establish the framework for setting out appropriate locations and expectations regarding all uses within the Urban Residential Areas designation.

As noted in Section 2 of this paper, it is recommended that the neighbourhood policies and guidelines be assessed by completion of a policy/guideline conformity matrix due to their detailed nature and varied relevance to this Zoning By-law Review process. The neighbourhood policies and guidelines will incorporate policies and guidance regarding a wide range of land use designations as they exist within the neighbourhood area. With respect to Residential Areas, the neighbourhood guidelines often contain a high degree of detail with respect to built form aspects, such as including specific lot frontage, height, lot area or other expectations for specific sub-areas within the neighbourhood. It is most appropriate to review this detail via a conformity checklist when the new Zoning By-law is prepared. It is expected that many of these guidelines will be related to

individual sites and site-specific zones, so it is difficult to meaningfully assess how these guidelines are being implemented in the context of this Discussion Paper.

Chapter 3 of the Official Plan contains policies regarding density targets within each of the three sub-categories of the Urban Residential Area land use designation. However, the zones do not typically contain explicit density requirements that correspond with Table 8 of the Official Plan. This is expected, because the zoning by-law's role is to establish lot-specific requirements, whereas the Official Plan provides broader guidance that may be implemented through a development application. As such, it is not anticipated that the zoning needs to be updated to directly reflect the density requirements of the Official Plan. While there is an option to add density requirements to the zones to support the Official Plan, this would require density on a lot-by-lot basis whereas the City's intent is likely to meet the density requirements within a broader area.

The following is noted:

- The Low Density Area is intended to consist of up to and including 30 units per net hectare. Generally speaking, the existing residential zoning is consistent with this policy. The existing residential zoning, as outlined in **Table 3.1**, consists primarily of residential zoning for single detached residential uses.
- The Medium Density Area is intended to consist of over 30 and up to and including 80 units per net hectare. Overall, the majority of residential zoning in this designation consists of medium density residential zones which permit a broader range of unit types, including semis and townhouse dwellings. It is noted that a significant amount of the designation consists of Residential (R3) zoning, which only permits single detached dwellings on large lots. As noted, the density target can be achieved across a broader area and does not preclude some existing development that is currently less than 30 units per net hectare. However, the City may wish to consider zoning these lands to conform with the Medium Density Areas designation.
- The High Density Area is intended to consist of over 80 and up to and including 140 units per net hectare. The existing residential zoning is generally in line with this target as the majority of the residential zoning is for apartment dwellings.

3.4 Conclusions

In summary, Section 3 of this paper includes an assessment of how the existing zoning relates to the Urban Residential Area designation. Overall, there are numerous different zones that make up this designation currently. Since the designation is quite broad in terms of the uses that are contemplated, this assessment has not resulted in the identification of specific conformity issues. It is recommended that the more detailed neighbourhood policies and associated guidelines be implemented via a conformity checklist which will be used to produce the Draft Zoning By-law. Additionally, it is

recommended that consideration be made to change any Rural Agricultural (A) zoning in this designation to an “Urban reserve” or similar type of zone, or to change the zoning to a suitable urban zone category where there are existing urban uses.

4 Key Issues

The previous section assessed the relationship of the existing zoning within the Urban Residential Areas land use designation. This section focuses on a general evaluation of the City's existing residential zones and the associated general provisions, as follows:

- Opportunities to consolidate the existing residential zones, including a proposed new residential zone structure;
- Consideration for how minor variances and site-specific exceptions may inform the development of residential zones and associated provisions;
- An assessment of residential general provisions, comparing them to the by-laws and identifying particular gaps and issues based on examples in other municipalities; and
- An assessment of opportunities to address specific housing-related issues, based on Provincial policy direction related to accessory dwelling units, group homes, etc.

4.1 Consolidation of Residential Zones

Discussion Paper #2 noted there is some redundancy amongst residential zone categories in the six existing parent Zoning By-laws. There is an opportunity to merge zones and reduce the number of categories when the new comprehensive Zoning By-law is prepared. This section considers a framework for consolidating the zones, which will represent a basis for the new Zoning By-law's residential zone structure.

Although the Urban Residential Area land use designation permits a range of uses which would be implemented by a wide range of zone categories, the consolidation of zone categories other than residential will be addressed in the relevant Discussion Paper (e.g., Discussion Paper #4 focuses on designated Employment areas and therefore assesses consolidation of employment zones).

4.1.1 Overall Residential Zone Structure

There is inconsistency in the approach being used with respect to zone symbols found in the parent by-laws, given that the City is currently administering six parent Zoning By-laws. A more consistent approach should be considered and can be implemented through the preparation of a new City-wide Zoning By-law. The older, existing Zoning By-laws more consistently utilize R1, R2, etc., to signify residential zoning with the "R" in combination with an indication of the density level as denoted by the following numeral. The Seaton Zoning By-law 7364/14 utilizes a range of symbols to refer to density, and in some cases, utilizes zone suffixes (e.g., -H) which could be mistaken for a more conventional zone suffix, such as a holding symbol in the case of an "H". It is noted that the City Centre zones all utilize "CC" in the zone symbol, which continues to be

appropriate because these zones are tied to a Mixed Use designation and not a residential land use designation. Also, the City Centre zones will not be applied outside of the City Centre, thus the area-specific zone symbols are appropriate.

Generally speaking, it is likely that the existing Seaton and City Centre zone categories will need to be retained as they represent an outcome of significant studies and will be required moving forward, particularly where development applications are underway. However, this section still needs to consider how these zones fit within the nomenclature and structure of the new Zoning By-law. There may also be other zones in the other older existing Zoning By-laws that must be carried forward to maintain existing provisions for some established neighbourhoods. However, where there is significant redundancy between the older by-laws and the newer by-law residential zones (i.e., similar permitted uses and lot frontages), consideration should be made to merge them and to adopt the newer by-law's standards if there are minor differences.

With respect to the organization and structure of zones, it is recommended that the zones be organized by density and permitted use. This is conventional amongst Ontario municipal zoning by-laws and this structural approach is generally aligned with the current approach in each by-law and is aligned with the overarching Official Plan principle of maintaining neighbourhood character. Currently, there are many zones that only permit single detached dwellings. These zones would be logically organized based on their lot frontage, from the lowest density (highest minimum lot frontage) to the highest density (lowest minimum lot frontage). As a secondary consideration, lot size and lot coverage can be used to organize the zones. Other zones, permitting a mix of unit types, or dedicated to semi-detached, townhouse and multiple dwelling uses, would be organized into other zone categories.

Under this approach, there are essentially two options with respect to the naming and consolidating the Seaton zones into the overall new comprehensive Zoning By-law. Either the Seaton zones can be named with some unique identifier to indicate they are "Seaton" zones, or the zones can be integrated into the overarching hierarchy of zones as a subzone, e.g., R1A as a variation of the R1 zone. Further consultation with the City is required to determine which approach is preferred as it is mainly an administrative decision. If there is any potential for the Seaton zones to be used outside of Seaton (e.g., to provide a basis for an infill development where the City wishes to apply the Seaton standards as a basis), then the Seaton zones should be integrated within the overall hierarchy and indicated as being area-specific.

To streamline and introduce consistency to the zone symbology, the following principles are recommended:

- Consider the use of R1, R2, etc. as the parent zones to introduce consistency and clarity. As noted, the Seaton zones can be introduced as variations of these zones or they can be identified with unique identifiers.
- Avoid the use of hyphenated components to the zone symbol to avoid confusion with other suffixes and exception zones, as may be added.

- It may be appropriate to retain the City Centre zones which are differentiated by CC, since they relate to a Mixed Use area. This is subject to further review in Discussion Paper #5 for the Mixed Use Areas.

Another option, compared to the approach described above, is to organize the zones into neighbourhoods first, and then to create the sub-zones by density/unit type. This would likely involve incorporating a symbol to represent the related neighbourhood (e.g., “S” for Seaton), likely the use of “R” to signify that it is a residential zone, and a number or letter to identify the density or permitted unit types (e.g., “S-R-1” or “SR-1” for Seaton Residential First Density). This approach comes with the benefit of being able to clearly tie the zoning to specific neighbourhoods. In this framework, existing exception zones which relate to existing residential neighbourhoods can potentially be integrated into this new framework as sub-zones to the parent neighbourhood residential zone. However, it is also possible that there are neighbourhoods in the City that do not require unique zones, and various zones could be shared amongst various neighbourhoods which were similarly designed and constructed. As such, taking the approach of organizing zones by neighbourhood is likely to require a set of base residential zones that can be applied across various neighbourhoods.

It is recommended that the two approaches described in this section (organizing by density/unit type versus organizing the zones by neighbourhood as the priority consideration) be considered for further review and consultation.

4.1.2 Gaps in Zone Categories

There are no major, obvious gaps in the City’s existing Residential zones. There is a wide range of different zones to establish provisions for a broad range of unit types, including single detached dwellings, semi-detached dwellings, a wide range of townhouse types as well as apartment buildings.

However, it is noted that certain unit types are only contemplated in the zones of certain by-laws. For example, only the City’s newer Zoning By-laws appear to contain parent zones and standards for back-to-back and stacked townhouse typologies. While the Seaton and City Centre areas are the likely focus of development and growth in the City, there may be minor infill opportunities outside of these areas where these typologies could be appropriate. Additionally, input will come from the ongoing Infill and Replacement Housing Study in Established Neighbourhoods (“Infill and Replacement Housing Study”), although that Study only focuses on specific parts of specific neighbourhoods within the City.

Further consultation with the City is required to consider the need for the new Zoning By-law to create more contemporary development standards for infill residential uses. As it stands, the parent by-law, excluding Seaton and City Centre Zoning By-laws, provide limited standards for higher density and infill residential uses, such as townhouses and apartment uses. The standards, while generally reflective of existing neighbourhood character, generally do not reflect more contemporary development practice and urban design objectives, rather focus on a greater degree of land use

separation. The City may not find it desirable to apply one of these existing zones as a basis for a future infill application. The application is likely to require an exception zone. While the Seaton and City Centre Zoning By-laws contemplate these uses and include more contemporary development standards, they are area-specific by-laws and it may not be the City's intent to apply a Seaton zone to an area outside of the Seaton urban area. Further, the standards may not achieve an appropriate balance of pedestrian-oriented design while appropriately reflecting neighbourhood character (i.e., the setbacks or other requirements may be too small for the neighbourhood). In other words, the Seaton and City Centre zones may not "fit" into other areas of the City.

It is also understood that a range of other parent and site-specific zones have been created over time, as evident in the Geographic Information Systems (GIS) data and other information provided to WSP by the City. These zones are discussed in Section 4.1.4 and do not appear to have been consolidated into the applicable parent zoning by-law text at this time. These specialized zones may also represent a suitable basis for addressing infill uses and development outside of Seaton and Pickering City Centre.

There are four options to address this gap:

1. The City can continue to utilize the existing residential zones (RM1, RM2) to apply to any proposed infill development application for townhouses, apartments or other uses. However, it is likely that most applications will require a site-specific zone or amendment, given the RM1 and RM2 zone standards are outdated and not likely reflective of current development practice and planning principles. As discussed in Section 4.1.4, it is understood that there appears to be a range of other zone categories beyond the parent zones established in the parent zoning by-law texts which could alternatively be used.
2. The RM1 and RM2 zones can be updated to reflect more current development practice and Official Plan principles so that the zones can be used moving forward and applied through re-zoning applications for infill development. Consideration will need to be made regarding the implications of modifying the standards on any existing uses that are zoned RM1 and RM2 (i.e., it will create legal non-compliance).
3. The City can consider utilizing the Seaton zones and recent site specific amendments to Zoning By-laws 3036 and 3037 as the basis for future infill zones. Again, each infill development is likely to require a site-specific zone if the Seaton zone does not appropriately fit into the character of the surrounding community which is likely to be the case.
4. A new set of zones can be created with the specific intent of applying them to future infill development. This avoids creating legal non-compliance for any existing uses zoned RM1 and RM2, since the zoning can be retained. It also allows the City to establish clear expectations about future infill development. However, as every neighbourhood is unique, even establishing new standard zones may require site-specific exception zones to be created to address individual contexts.

It is anticipated that the basis for new zone provisions to address infill development will be from recent site specific by-laws. The zones may also be informed by desirable development standards in the various Seaton zones and neighbourhood-specific considerations such as setbacks to ensure compatibility. It is recommended that the Zoning By-law introduce a clear zoning framework for future infill development. It is intended that these zones be applied to rezoning applications for infill development. While site specific exception zones or minor variances may be unavoidable to address unique contexts, there is an opportunity in the Zoning By-law to establish clear standards which will be expected to be adhered to.

4.1.3 Consolidation of Parent Zones

Table 4.1 summarizes the opportunity to consolidate the residential zones as established in the existing parent Zoning By-laws. Note that Section 4.1.4 discusses other residential zones which are not included in the current consolidation of the existing parent Zoning By-laws. **Table 4.1** proposes a conservative approach to zone consolidation. The opportunities to consolidate zones are scoped to the zones that are very similar (and often identical) in terms of permitted uses, lot frontage and yard requirements.

It appears there is no reasonable opportunity at this time to merge or consolidate the Seaton residential zones and the City Centre Residential Zones. These zones include detailed and specific requirements which would not consolidate well with other zones or be used outside these areas.

Further discussion with the City and consultation with the community will inform the degree to which additional zone consolidation could occur. Consolidating and reducing the number of zones represents a positive benefit from an administrative perspective. However, fewer zones results in less detail for regulating the City's neighbourhoods. As an example, there may be an opportunity to merge the proposed new R1 (30 metre frontage lots) and R2 (21 metre frontage lots) zones. The implication of making this change will be that the new lot requirements will be the more permissive of the two zones (to avoid creating legal non-compliance). This could create new as-of-right potential for lot severances where it did not exist previously. While the Official Plan generally promotes infill development, it also promotes the retention of neighbourhood character which could be affected by this change.

Based on the work conducted to develop **Table 4.1**, several matters that have emerged:

- It is noted that the proposed zone structure in **Table 4.1** is preliminary. Zoning that emerge from the City's ongoing Infill and Replacement Housing Study, for example, may affect this assessment.
- The approach to merging zones may vary depending on the preferred approach for organizing zones, as discussed in Section 4.1.1. However, since **Table 4.1** focuses on simply assessing whether existing zones can be merged due to their similarities, the assessment in **Table 4.1** is relevant to both structural options presented in Section 4.1.1.

- Each existing Zoning By-law includes different types of provisions. Some of the older by-laws do not contain maximum building height requirements for their residential zones. When zones are merged, a decision will be required as to whether a new standard should be introduced if it did not exist previously. It is desirable to introduce general consistency amongst all zones, and set a clear maximum building height requirement based on an assessment of existing neighbourhood character. The lack of a building height requirement or other basic standard creates a risk of incompatible development occurring.
- There are several zones that contemplate a wide range of unit types, including the existing RM1 and RM2 zones and various zones in the Seaton and Pickering City Centre Zoning By-laws. There is opportunity to simplify the zone structure to utilize the replacement zone for the RM1 zone more simply for semi-detached and to utilize the RM2 zone’s replacement zone for towns and/or apartments. Where the existing RM1 and RM2 zones are used for single detached uses, another applicable zone could be applied in its place, particularly in the context of a stable neighbourhood area. Further review of the mapping and the application of these zones is required to confirm how the zoning for RM1 and RM2 have changed. It is further acknowledged that the RM1 zone includes provisions that limit the number of unit types in a plan of subdivision and this approach should be reviewed as this matter may be best addressed through plan of subdivision review and it may not be necessary to incorporate these types of provisions into a parent zone category.

Table 4.1: Potential Consolidation of Residential Parent Zones

Existing Zones to be Merged (By-law Number)	Zone Summary	Discussion
R2 (2511)	R2 (2511): detached dwellings; 30 metre frontage lots, 9 metre front yard, 7.5 metre rear yard, 20 percent lot coverage, no height maximum	This is the only zone providing for 30 metre frontage lots and should be retained.

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Discussion Paper #3: Residential Areas

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

Zone Summary

Discussion

<p>R1 (2511) R1 (3036) R5 (3037)</p>	<p>R1 (2511): detached dwellings; 21 metre frontage lots, 9 metre front yard, 7.5 metre rear yard, 33 percent lot coverage, no height requirement</p> <p>R1 (3036): detached dwellings; 21 metre frontage lots, 9 metre front yard, 7.5 metre rear, 33 percent max lot coverage, maximum height of 18 metres</p> <p>R5 (3037): detached dwellings and converted dwellings; on 22 metre frontage lots, 9 metre front yard, 9 metre rear yard, maximum height of 18 metres</p>	<p>The zones are very similar and can be merged. However, there are some minor differences with respect to the R5 zone in By-law 3037 (noted as the Village Residential zone) so this may not be merged if these provisions are necessary to be retained. Further assessment and review of mapping is required to determine whether a sub-zone is required to maintain these unique aspects.</p>
<p>R3 (2511) R3 (3036)</p>	<p>R3 (2511): detached dwellings; 18 metre frontage lots, 7.5 metre front and rear yard, 33 percent lot coverage, maximum height of 9 metres</p> <p>R3 (3036): detached dwellings; 18 metre frontage lots, 7.5 metre front/rear yards, maximum lot coverage of 33 percent, maximum height of 18 metres</p>	<p>The zones are very similar and can be merged.</p>
<p>R4 (2511) R4 (2520) R4 (3036)</p>	<p>R4 (2511): detached dwellings; 50 feet (15 metre) frontage lots, 7.6 metre front/rear yards, maximum 33 percent coverage, maximum 9 metre height</p> <p>R4 (2520): detached dwellings; 15 metre frontage lots, 7.5 metre yards, maximum lot coverage of 33 percent, maximum height of 10.5 metres</p> <p>R4 (3036): detached dwellings; 15 metre frontage lots, 7.5 metre front/rear yards, maximum 33 percent coverage, no height maximum</p>	<p>The zones are similar and can be merged.</p>
<p>RM1 (2511) RM1 (2520)</p>	<p>RM1 (2511): detached/semi/duplex; minimum 21 metre frontage lots, maximum 33 percent coverage, no height maximum</p> <p>RM2 (2520): detached/semi/duplex; minimum 21 metre frontage lots, 7.5 metre front/rear yards, maximum 33 percent coverage, no height maximum</p>	<p>The zones are very similar and can be merged.</p>

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Discussion Paper #3: Residential Areas

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

Zone Summary

Discussion

RM2 (2511) RM2 (2520)	<p>RM2 (2511): detached, semis, multiple, apartments; minimum 27.5 - 30 metre frontage lots, 7.5 metre front/year yards, no height maximum</p> <p>RM2 (2520): detached, semis, multiple, apartments; minimum 27 - 30 metre frontage lots, no height maximum</p>	The zones are very similar and can be merged.
CCR1 (7553)	Accessory dwelling, townhouse, block townhouse, street townhouse; detailed form-based lot/building requirements	The zone has a unique set of permitted uses, lot and building requirements and should be retained. Consolidation of the City Centre zones is discussed further in the Discussion Paper for the Mixed Use areas (Discussion Paper #5).
CCR2 (7553)	Accessory dwelling, townhouse, block townhouse, street townhouse, live-work, apartments; detailed form-based lot/building requirements	The zone has a unique set of permitted uses, lot and building requirements and should be retained. Consolidation of the City Centre zones is discussed further in the Discussion Paper for the Mixed Use areas (Discussion Paper #5).
LD1 (7364)	Singles, semis; 7-9 metre frontage lots, 3 metre front yard, maximum height of 11 metres	The zone is unique and should be retained.
LD1-T (7364)	Street townhouses, duplexes; 6 metre frontage lots (12 metres for duplex), 3-4.5 metre front yard, maximum height of 11 metres	The zone is unique and should be retained.
LD1-HL (7364)	Detached dwellings; the existing lot area, frontage, yards shall apply, no height maximum	This zone recognizes the existing lot/building conditions as the requirements. This is a unique requirement. Rather than creating a specific zone, there is an opportunity to create an exception zone or an appropriate alternative zone that accomplishes this objective.
LD2 (7364)	Detached, semi-detached dwellings; 6.7 - 11 metre frontage lots, 3 metre front yards, maximum height of 11 metres	The zone is unique and should be retained.

Existing Zones to be Merged (By-law Number)

Zone Summary

Discussion

LD2-M (7364)	Street towns, duplexes, multiple attached, block townhouse, back-to-back townhouse, frontage varies based on unit type, 3 metre front yards, maximum height varies based on unit type	The zone is unique and should be retained.
MD-DS (7364)	Singles, semis, 6-8 metre frontage lots, 3 metre min front yards, maximum height of 12.5 metres	The zone is unique and should be retained.
MD-M (7364)	Street towns, duplexes, multiple attached, block townhouse, back-to-back townhouse, apartments; frontage varies, 2-3 metre front yards, maximum height varies based on unit type	The zone is unique and should be retained.
HD (7364)	Street towns, attached, apartments (towns must be on the same lot as an apartment building), ground floor commercial uses; maximum height varies based on unit type	This is a unique zone with particular requirements that should be maintained.

4.1.4 Other Parent Zone Categories

Table 4.1 consists of the zone categories established within the current consolidation of the existing parent Zoning By-laws. However, WSP’s review of the City’s zoning GIS data, as well as supplementary information provided by the City, indicates there are numerous other zones, some of which could be considered parent zones. For example, the data suggests the utilization of a series of “S” zones, including S, S1, S2, etc. to refer to other single residential zones. There are a series of SD zones for semi-detached residential uses. The By-laws also utilize a series of S-SD zones which are also used for a range of uses, and a series of other RM variation zones. There are also instances of specialized zones which utilize the zone code to indicate the permission of special uses. For example, there is an instance of the R3(DN) zone, which appears to apply to a single property, and is used to permit a day nursery in addition to a single detached dwelling.

It is likely that there is considerable opportunity to consolidate and simplify these specialized zones and to establish clearer guidelines or rules around the creation of zones. Many of the zones applied to only a single property should instead be replaced by a site-specific exception zone rather than creating a whole new symbol. The use of one-off zone symbols creates a much more complex zone structure that can be difficult to interpret. For example, a user could be inclined to review the by-law to find provisions

associated with a “DN” suffix in the case of the R3(DN) zone, when the (DN) is only intended to be descriptive of the uses permitted in the zone.

All zones should be reviewed and consolidated to fit within the series of “R” zones to follow the symbology principles previously established. If the zones are applied in Seaton, then they will need to fit within the proposed series of Seaton zones discussed previously.

4.1.5 Preliminary New Zone Structure

Based on the preceding discussions and principles, **Table 4.2** proposes a preliminary zone structure which attempts to harmonize all of the existing zones into a logical approach that organizes the zones by density and permitted use and adopts a consistent approach to the labelling. This approach follows the first option presented in Section 4.1.1 and thus is considered preliminary and subject to confirmation through consultation.

Each residential zone is based on a density, and sub-zones are established to set out variants of that zone. Opportunity exists to create specific zone labels for the Seaton-specific zones. However, these would be kept consistent with the overarching structure by labelling them “S” following the initial parent zone, such as R1-S.

The CCR zones for the City Centre would be retained and will be organized into the City Centre Zones, rather than becoming Residential Zones, so these are not shown in **Table 4.2**. These zones relate to the City Centre designation of the Official Plan and are discussed in Discussion Paper #5.

As per **Table 4.2**, the intent will be to eliminate site-specific zone symbols, such as the R3(DN) zone example provided in the previous section. Rather, this zone would be replaced by an appropriate parent zone as per Table 4.2, and any specific permitted uses would be addressed via a site-specific exception zone.

The approach outlined in **Table 4.2** is preliminary and may be subject to change through further assessment of site-specific zones and consultation including review by City staff. In particular, as noted, the preferred zone structure may consist of an approach where the zones are firstly organized by neighbourhood and secondly by density. Under this approach, the parent zone would take the form of, for example, SR or RS to identify a residential zone in Seaton, and a number would be used in the zone symbol to identify sub-zone(s), based on density. For example, SR1 could refer to the lowest density residential zone in Seaton.

Table 4.2 - Preliminary Proposed Residential Zone Structure

Potential Residential Parent Zone	Sub-Zones	Description
R1 - Single Detached Residential	R1A, R1B, etc. R1S, R1S2, etc. for Seaton zones	<p>Any residential zone that only permits single detached dwellings would be integrated into R1 or a variation of the R1 zone.</p> <p>The sub-zones would be organized by density, typically defined by the lot frontage, with the parent R1 zone permitting minimum say 30 metre frontage lots, the R1A zone permitting say 24 or 21 metre frontage lots, the R1B zone permitting 18 metre frontage lots, and so on, as required.</p> <p>Sub zones may also be created specifically for Seaton in the format R1S, R1S1, etc. This would retain the overarching nomenclature but still reference that the zones are Seaton-specific.</p>
R2 - Semi Detached Residential	R2A, R2B, etc. R2S, R2S1, etc. for Seaton zones	<p>The R2 zone and its sub-zones would integrate any zones that permit only semi-detached dwellings or zones that permit both single detached and semi-detached dwellings. Similarly, Seaton zones could be denoted by an S symbol after the R2 symbol with variations using a further number (R2S1, R2S2) as required.</p>
R3 - Townhouse Residential	R3A, R3B, etc. R3S, R3S1, etc. for Seaton zones	<p>The R3 zone and its sub-zones would integrate any zones permitting townhouse dwellings, or any zones that permit any combination of townhouse dwellings with single detached dwellings and/or semi-detached dwellings. Zoning for Seaton would follow the approach described above.</p>
R4 - Multiple Residential	R4A, R3B, etc. R4S, R4S1, etc. for Seaton zones	<p>The R4 Zone would permit multiple dwellings in its parent zone. Variations of the zone could be created to address instances where multiple dwellings are permitted in conjunction with any combination of other dwelling types. Zoning for Seaton would also follow the approach described above.</p>
R5 and above (as needed)	R5A, R5B, etc. R5S, R5S1, etc. for Seaton zones	<p>The R5 zone and others (R6, R7, etc. as required) can be used to create additional multiple residential dwelling zones with greater heights and densities, as required and varying permitted uses. This approach allows for flexibility to add increasingly higher density zones if needed in the future. Sub-zones can be implemented to address varying standards and requirements including Seaton zones.</p>

4.2 Minor Variances and Site-Specific Exceptions

Discussion Paper #2 included a general assessment of minor variances which were organized by zone and by type of variance.

With respect to minor variances, as noted in Discussion Paper #2, some of the residential zones were subject to a large number of variances, so there may be a need to make some revisions to the zones. This does not necessarily mean that the zones are not working well and need to be changed. Rather, each of the variances may be related to site-specific, individual contexts. However, a large number of variances suggests that some improvements are likely warranted.

Table 4.3 below summarizes the variances to the residential zones. Note that this is an extract of the information included in Discussion Paper #2. The table highlights the zones that include more than 10 minor variances in the past 5 years in red for specific focus. However, it is noted that even a zone with a small number of variances may warrant further assessment if the zone is not frequently used or applied.

The residential parent zones with more than 10 minor variances in the past 5 years are discussed as follows:

- Zoning By-law 2511
 - The R3 zone has been subject to 33 minor variances for a range of different purposes. In particular, lot frontage and side yard setbacks have been varied more than 5 times.
 - The R4 zone has been subject to 152 minor variances for a very wide range of purposes. More than 10 variances for covered platforms, building height, lot coverage, lot frontage, porches and side yard setbacks have been approved and many other types of variances have occurred more than 5 times.
- Zoning By-law 2520
 - While the R4 zone has been subject to 33 minor variances, only rear yard and lot coverage requirements have received more than 2 variances.
 - The RM1 zone has received 49 minor variances. In particular, rear yard and building height requirements have been varied more than 5 times.
- Zoning By-law 3036
 - The R3 zone has been varied 91 times and the R3/G combined zone has also been varied 12 times. More than 10 minor variances have been approved for garages (e.g., location/height), building height, lot frontage and side yard setbacks have been approved.
 - The R4 zone has been varied 70 times. Variances for lot coverage and side yard setbacks have occurred more than 10 times each.

- The RMM zone has been varied 13 times. This has included at last 5 variances for rear yard and side yard setbacks as the most commonly varied standards.
- The S1 zone has been varied 15 times. Only the rear yard has been varied more than 2 times.
- The S2 zone has been varied 27 times. Requirements for deck, building height and rear yard have been each varied more than 5 times.
- The S3 zone has been varied 28 times. Accessory use, building height and rear yard requirements have been varied more than 5 times each.
- The S4 zone has been varied 11 times. Deck, building height and rear yard requirements were varied 3 times each.
- The S-SD zone has been varied 32 times. Covered platform, deck, building height and rear yard requirements have received at least 5 minor variances.
- Zoning By-law 3037
 - The ORM-R5 zone has been varied 26 times. Accessory use is the only type of minor variance approved with at least 5 occurrences.

The preceding characterization is useful because it begins to focus on specific aspects of the zones which may not be working well and which require review when the Zoning By-law is prepared. Where a zone has been modified very few times, it is difficult to justify the need to update the standard only on the basis of the variances. However, as noted, even a single variance can represent a potential zone update, particularly if the zone is not often applied or used.

It is noted that side yard and rear yard setback variances are some of the most common type of variances. However, these variances are often sought to obtain relief because the lot is unreasonably constrained compared to other lots (e.g., a pie shaped lot or an unusually shallow lot). Thus, a modification to the parent zone standard may not be appropriate and a minor variance is desirable to address unique circumstances. Similarly, variances to building height, lot frontage and lot coverage may not necessarily represent an appropriate basis to modify the zone, because these aspects have a significantly bearing on neighbourhood character and a modification could be impactful to this objective.

At this time, specific recommendations to modify zones or standards based on minor variances are not identified, because the process of developing the new zones will involve zone consolidation, potential modifications to address other studies (e.g., the City's ongoing Infill and Replacement Housing Study) and possibly other updates. As such, it is recommended that this information be considered during the completion of the Draft Zoning By-law.

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Discussion Paper #3: Residential Areas

Table 4.3: Minor Variances in the Residential Zones in the 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
Frenchman's Bay Zoning By-law 2511																			
MD-S-SD	2		1	1															
R2	3	1						1	1										
R3	33			1	1		3	4		4	4		7				1	7	1
R4	152	6	11	3	6	7	7	5	21	8	17		14			13	6	20	4
R4 -10	2								1									1	
R4-13	1																1		
R4-21 & OS-HL	3	1							1		1								
R4-22	4	1							1		1								1
S	4		1	1						1							1		
S4	4	1								1	1								1
SD	4			1						1	1						1		
S-SD-1	10		2	1		1				2						1	3		
Bay Ridges Zoning By-law 2520																			
R4	21	1	2	1	1	1				1	4					2	4	3	1
RM1	49	4	5	5	1	3		1	1	8	3					5	8	4	1
SD	2																1	1	
Zoning By-law 3036																			
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	

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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
R3-3	2		1														1		
R3-9	2									2									
R4	70	4	3		2		2	1	5		15		8	1			5	21	3
R4 & G	3		1							1						1			
R4-19	4	1								1	1								1
RH/MU-2, SA-LW, SA-8, MD-H6	0																		
RM/MU	6		1			1		1			1			1	1				
RMM	13			1						1							6	5	
S1	15	1	2	2		1		1			2		2				4		
S2	27	1	3	6	1			2	5		1						6		2
S2 & S4	4										4								
S2-13	4		1	1						1							1		
S2-9	0																		
S2-DB	3	1						1	1										
S3	28	6	4	3						6	1						6		2
S3-13	9			3						3							3		
S4	11		1	3						3							3		1
S4-11	0																		
S4-12 & S4-13	0																		
S4-SD	2										1						1		
SA	4	1								1								1	1
SA-15	3					1						2							
SA-2	0																		

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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
SA-8	3	2																	1
SC-17	0																		
SD	7	2						1		1	2						1		
SD-A	4	1	1										1				1		
SD-A & S4	3										3								
S-SD	32	1	6	7				1	7	1	1						8		
S-SD-3	10	1	1	2				1	2					1			2		
S-SD-4	4	1							1										2
S-SD-SA	3										1						1	1	
ORM-R5	26	5				1	3	3	3	2	3					2	2		2
Rural Area Zoning By-law 3037																			
ORM-R6	2									2									
S-SD-SA-3	3												1				1	1	
V	1					1													
Seaton Zoning By-law 7364/14																			
LD1	2			1													1		
LD1 & LD2-M	9																		9
LD2 & LD2-1	2																2		

With respect to site-specific amendments, it is similarly difficult to glean directions or draw conclusions for the purposes of this Discussion Paper. As addressed in Discussion Paper #2, it is recommended that a detailed review of site-specific exception zones be undertaken. A more detailed methodology for reviewing the site-specific exception zones will be completed. During this process, potential updates to the parent

zones may be suggested, or there may be a need to implement new parent zones to implement site-specific zones that are being used and applied in the City.

4.3 General Provisions for Residential Zones

Each of the existing Zoning By-laws includes a series of general provisions to address certain matters broadly across multiple zones. This section compares key general provisions related to the residential zones and includes general commentary in comparison with approaches used in other municipalities.

4.3.1 Residential Accessory Uses and Structures

The provisions for each parent zone typically focuses on standards for the main building on the lot (the dwelling). The existing Zoning By-laws include other provisions to guide accessory buildings and structures such as sheds, decks, and so on. The provisions for accessory uses and structures that are in each of the existing Zoning By-laws are described as follows:

- Zoning By-law 2511, 2520, 3036 and 3037 were all approved by Council around the same time period, and therefore have similar provisions, including general provisions for all zones, which addresses accessory buildings and structures. Provisions include:
 - Generally only permitting accessory structures in the rear yard;
 - An overall minimum setback of 0.6 of a metre from all lot lines, except taller structures setback 1.0 metres;
 - Maximum height of 3.5 metres;
 - Total lot coverage of 5%; and
 - No human habitation is permitted within an accessory structure.
- The Seaton Zoning By-law 7364/14 addresses and organizes these requirements differently, and in a manner that is more consistent with more recent zoning by-laws in Ontario in terms of fulsomeness of content as well as structure.
 - Section 2.15 addresses requirements for accessory buildings and structures. The structures are only permitted in the rear yard, which is consistent with the other by-laws. The minimum lot line setback is higher, at 1.2 metres, and this may be reduced to 0.6 metres if there are no doors or windows. The maximum height requirement is similar. The total lot coverage is 5 percent of the lot coverage but this varies to 15 percent if a detached private garage is provided. Overall, the provisions are very similar to the other by-laws but there are a few differences.
 - Section 2.6 addresses yard encroachments and is much more fulsome than the other by-laws described above.

- The Zoning By-law also contains provisions for specific accessory structures which does not appear to be included in the other By-laws. For example, Section 2.10 addresses air conditioners, Section 2.11 addresses swimming pools and Section 2.12 addresses satellite dishes.
- The City Centre Zoning By-law 7553/17 utilizes the standards used in the Seaton Zoning By-law 7364/14. Section 2.9 includes the standards for accessory buildings and structures. Other uses are addressed in other sections, such as air conditioners under Section 2.15 and satellite dishes under section 2.14.

Overall, the standards used in the Seaton Zoning By-law 7364/14 are much more fulsome than the other existing Zoning By-laws. This includes more detailed requirements for projections and encroachments and more detailed requirements for certain types of structures. Overall these standards can be introduced into the other areas without creating significant issues. However, there are differences, such as the lot line setbacks for structures. The adoption of the standards in the Seaton Zoning By-law 7364/14 across the City may result in legal non-compliance of any existing structures that were built in accordance with the existing zoning. It may be preferable to preserve the existing standards if this is a concern, but this will add complexity to the new Zoning By-law. However, it is noted that the standards used in the Seaton Zoning By-law 7364/14 are more contemporary and fulsome in nature and should be transferrable to all areas, such as the more comprehensive list of yard encroachments which is more up to date.

Staff have indicated that the Seaton Zoning By-law may require some modifications to encroachments before its provisions are transferred to other areas, including but not limited to:

- air conditioning unit provisions;
- the 0.6 metre setback to interior lot lines, which conflicts with the permission for location on balconies where the unit is a semi or town;
- the inclusion of corner rounding provisions; and
- clarity on the daylight triangle measurements.

There may be other moderate improvements that can be considered to the standards across the City, drawing from best practice. This could include expanding or refining the types of yard encroachments or height exemptions that are permitted. However, a major overhaul or revisions to the standards is not necessary and can result in creating legal non-compliance. Legal non-compliance refers to a situation where a building or structure was legally constructed in accordance with the zoning in place at the time the building permit was applied for, but the zoning has since changed and the structure no longer complies with the new zoning. A legal non-complying structure is grandfathered and is permitted to exist, and may also be permitted to expand, subject to the provisions of the Zoning By-law. Overall, the standards used in Seaton are contemporary and reflect best practice. A review of minor variances may also yield some refinements.

It is recommended, therefore, that the existing standards for accessory uses and structures in Seaton Zoning By-law 7364/14 be adopted City-wide, subject to further refinements. Confirmation from the City and public through consultation is required to assess the implications of adopting Seaton's standards where they differ from the existing standards (i.e., the accessory structure lot line setback is different in Seaton).

4.3.2 Amenity Area Requirements

Amenity area requirements refer to requirements for the provision of either outdoor or indoor recreational space aimed for the use of residents within the development. Typically, Ontario zoning by-laws do not require amenity area in conjunction with single, semi and townhouse dwellings, because these uses are typically associated with a private yard. However, amenity area requirements are common for multiple dwelling types, such as stacked townhouses, apartments, and block townhouses proceeding by a plan of condominium.

The Seaton Zoning By-law 7364/14 indicates amenity area requirements within the zone standards themselves. Amenity area is defined as an outdoor area including landscaping, decking, decorative paving, balconies, porches or decks and has access from the interior dwelling unit. An amenity area requirement is noted for certain types of detached and semi-detached dwellings, particularly where accessed by a lane and presumably where the yard could be constrained. The requirements range from about 11.0 square metres per unit for multiple dwelling units to up to 40.0 square metres per unit for singles. Some exception zones include some lower requirements, such as 9.0 square metres per unit. It is noted that amenity area is not required for certain uses, such as apartment buildings and block townhouses. The new Zoning By-law can require minimum amenity area for high density residential development (e.g. apartment buildings, stacked townhouses and residential condominium buildings).

The City Center Zoning By-law 7553/17 uses the term "amenity space" and requires at least 2.0 square metres of indoor amenity space for apartment units and 2.0 square metres of outdoor amenity space for apartment units. The definition differs from the Seaton zoning definition, because it refers to "total passive or active recreational areas" which is more focused than Seaton. A wide range of uses can contribute to the requirement, including balconies, patios, rooftop gardens or other features. However, City Centre includes indoor amenity area requirements whereas Seaton does not.

There is no particular rationale to significantly modify the Seaton or City Centre amenity area requirements as they apply to these areas and these standards were recently adopted. Minor variances can be reviewed to assess if there are any issues with the way these standards are performing. However, the main issue is that the preparation of the new Zoning By-law for the entire City will require the consolidation of these different definitions and terminology. The standards can be retained if they continue to be incorporated into the zone provisions and not included in the general provisions, which is where most other Ontario zoning by-laws address the requirement.

The other existing Zoning By-laws of the City are not subject to amenity area requirements. It would be desirable to introduce the requirements broadly across the City, to ensure the provision of suitable amenity areas in the context of the dwelling type and in the locational context. The City Centre amenity area standards may not be appropriate in other areas of the City as they address a more urban context. Amenity area could be appropriate in other intensification areas (e.g., the Kingston Road Corridor) subject to some modification to reflect that the Corridor is not likely to achieve the same density or intensity of use as the City Centre, and where outdoor amenity space may be more feasible.

In other areas, the City will likely want to focus on regulating only outdoor amenity areas, since indoor amenity spaces will be less prevalent outside the City's major intensification areas like Pickering City Centre. As such, the standards in Seaton Zoning By-law 7364/14 may provide a more appropriate starting point for creating some City-wide amenity area requirements.

It is noted that other Ontario zoning by-laws establish various different approaches to amenity areas. Some municipalities only regulate outdoor amenity area whereas other municipalities allow some indoor amenity space to contribute to the requirement. Further, some municipalities allow private space to contribute to the requirement (e.g., private balconies) whereas other municipalities focus on the regulation of common space. Each municipality defines amenity area differently. The amenity area requirement varies based on what can and what is not allowed to contribute. A few municipalities also include provisions related to the location or minimum dimensions or size of amenity areas. Municipalities often also administer guidelines or a policy to further guide site plan review including preference for what types of facilities should be contemplated in the amenity area.

It is recommended that the amenity area requirements in Seaton and Pickering City Centre be retained and that City-wide standards should be introduced to guide amenity area requirements in conjunction with development. It is suggested that the Seaton standards provide a more suitable basis as a starting point and that the focus be on regulating outdoor amenity area. It is also suggested that the City Centre standards for indoor amenity area be incorporated in the new Zoning By-law for high density development. Consideration can be made to incorporate additional provisions such as minimum contiguous amenity area, ensuring that they are useable spaces and not fragmented into spaces with limited usability.

4.3.3 Garages

The Seaton Zoning By-law 7364/14 includes a significant amount of detail regarding garages, whereas the other existing Zoning By-laws do not. The City Centre Zoning By-law 7553/17 does not address garages in detail because the built form provisions of the zones are already highly detailed and low-rise dwelling types with private garages are not contemplated in the City Centre, so there is no need for a similarly detailed framework in the City Centre, as in Seaton.

The requirements of Seaton Zoning By-law 7364/14 are detailed and address a range of situations, as follows:

- Section 2.16 provides standards for detached garages accessed by driveways from a street.
- Section 2.17 provides requirements for detached garages accessed by a lane.
- Section 2.18 addresses attached private garages accessed by lanes.
- Section 2.19 addresses attached private garages accessed by a driveway.

The requirements address setbacks from lot lines as well as the relationship of the private garage to the main wall. The main intent of these provisions is to minimize the visual impact of the garage on the streetscape. For garages facing the street, the width of the garage cannot exceed the driveway width. Driveway widths are discussed in the next subsection.

In Zoning By-laws 2511, 2520, 3036 and 3037, garages are regulated by only a few relevant provisions in the accessory building requirements. An accessory building is defined as ancillary to the main building. Under this definition, what would differentiate an accessory building from the main building could become blurred from an interpretation perspective. In many other Ontario zoning by-laws, a building or structure is not typically considered accessory if it is attached to the main building. Rather, an attached garage would simply be subject to the main building requirements in the zone. In these By-laws, it is assumed that the attached garage is subject to the accessory building requirements. For example, Section 5.19 (d) in Zoning By-law 2520 states that an accessory building may be erected as part of the main building, provided the yard requirements are met. This would mean an attached garage is subject to the zone requirements. However, it also states that where a garage is built as part of a single detached dwelling (no other type of dwelling is noted), the minimum required side yard is 1.5 metres or 1.8 metres, depending on the zone.

Due to the way this is written, it could be interpreted that an attached garage must also meet the maximum height of the accessory building, which would be 3.5 metres in any residential zone (though this may have been revoked in By-law 2520 via By-law 4934/97). If this provision was applicable, this approach would presumably not allow for a second storey or living space above the garage which may be appropriate in some locations unless the City has made an alternative interpretation decision that the zone's height and setback requirements for the main building would be applicable to the living space above the garage. In any case, it is more conventional in Ontario zoning by-laws to treat the attached garage as part of the main building and not to apply the accessory structure requirements.

City staff have advised WSP of its interpretative practice in consideration of these observations about these older existing Zoning By-laws. The City interprets that an attached garage is subject to the main building requirements, meaning that the applicable main building height requirement is also applied to attached garages, typically allowing for living space above a garage. The accessory building and structure

requirements in the older existing Zoning By-laws are used and applied to stand alone buildings and structures that are not attached to the principal dwelling. Based on this interpretation, then, it is understood that the City currently does not specifically regulate the height of attached accessory structures, such as attached garages and porches, under these By-laws, aside from applying the main building height requirement.

It is common for Zoning By-laws in Ontario to incorporate a framework for addressing even attached accessory structures which build on and complement the provisions that are applicable to the main building. The best practice used by most municipalities is to consider all attached structures a part of the main building. Therefore, at a minimum, the various structures are subject to the various height and setback requirements as the dwelling. However, this is usually complemented by special attached accessory building provisions that address the structures specifically. This often includes permitted encroachments, setbacks for the attached accessory structures, and requirements about permitted locations (e.g., a deck not permitted in the front yard). It is recommended that any gaps with respect to the regulation of attached accessory structures be filled in consideration of best practice used in other municipalities.

Detached garages would be subject to the stated accessory structure requirements in the older Zoning By-laws, and would not be subject to the requirements for the main building in the applicable zone category. The older Zoning By-laws limit all accessory buildings to a maximum of 3.5 metres in height, which would be applicable to any detached garage. While this may be suitable in many circumstances, it would preclude the permission of an accessory dwelling unit above a garage as-of-right (refer to the discussion regarding accessory dwelling units in Section 4.1.1). Greater heights may also be appropriate and desirable provided that suitable setbacks are achieved to minimize impacts and in consideration of the neighbourhood character. Furthermore, the detached garage provisions do not contemplate various configurations in the older Zoning By-laws (e.g., a detached garage accessed from the front lot line versus a rear lane). Overall, there is opportunity to modernize the requirements for detached garages and introduce a more comprehensive framework that reflects a wider range of different configurations on a lot.

It is an objective of the Zoning By-law Review process to modernize the City's standards, and there is an opportunity to introduce a modern, clearer framework for regulating garages in the City.

Introducing City-wide requirements for garages where they did not exist previously can be challenging, as each neighbourhood will have different character. While the newer Zoning By-laws including Seaton and potentially other site-specific zones incorporate maximum setbacks and projections relative to the main wall of the dwelling, this may not always be reflective of existing neighbourhood character. The City's ongoing Infill and Replacement Housing Study may yield some zoning recommendations in this regard. Further, the review of the neighbourhood policies and guidelines and the associated conformity checklist as previously recommended in this Discussion Paper may precipitate some community-specific directions.

The following elements may be considered in the preparation of a new City-wide framework for garages:

- The existing Seaton standards should be retained as they are detailed and community-specific, and development is ongoing. Refinements can be considered when the new Zoning By-law is developed, based on recent minor variances or input from City staff regarding the performance of the standards.
- A new framework for a City-wide maximum garage width requirement can be considered, introducing garage widths that are based on the lot frontage. This would need to be coordinated with any provisions for driveways (refer to Section 4.3.4 below). Further, the introduction of these types of requirements on a City-wide basis should be considerate of existing neighbourhood character, which varies. Generally, a rule of thumb from a design perspective is to target that the width of the attached garage not exceed about 50 percent of the lot, requiring at least 11.7 metre lots typically. Triple car garages should be limited to large lots of at least 18.0 metres in width or more if possible to reduce the impact of the garage on the streetscape. Consideration may be made to exclude four car garage doors altogether or establish a very large lot frontage requirement (e.g., at least 30.0 metres) to limit them to estate residential areas. The introduction of these new requirements comes with a risk that legal non-compliance will be created if the new standard is more restrictive than the existing condition. As an option, to avoid creating legal non-compliance, the garage width standard can state that the maximum garage width is the greater of either the existing garage width or the new requirement.
 - In regulating garage width, consideration can also be made to base garage width on minimum parking space width, as found in the Seaton standards. This would help ensure that a two-car garage, for example, will accommodate two cars, rather than relying on driveway space to meeting parking minimums.
- Consideration can be made to establish a new City-wide standard for maximum projection from the main wall of the dwelling to minimize the impact of the garage on the streetscape. Setting a City-wide standard for this, however, is also challenging, because there is likely to be considerable variation in existing conditions. As such, the standard may be written in the form of (for example) “The maximum projection of an attached garage relative to the wall containing the main entrance to the dwelling unit shall be no greater than 2.0 metres, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit, or the existing projection.” Similarly, the standards may also be informed by various neighbourhood Area policies and guidelines.

- For detached garages, the existing standards can be retained but a review of existing detached garages in the City would be beneficial to assess the appropriateness of the current standards, which are fairly broad and permissive. If detached garages are not common in Pickering currently, it may be desirable to adopt the Seaton standards as the basis for new City-wide requirements. Area-specific standards can be introduced to reflect conditions amongst various neighbourhoods and may similarly be informed by the neighbourhood policies and guidelines.

It is recommended that a framework of provisions for attached and detached garages be considered City-wide in the new Zoning By-law, including consideration for maximum width and maximum projections for attached garages. This may be informed by the ongoing Infill and Replacement Housing Study. Further, neighbourhood-specific requirements can be introduced through the review of the Urban Residential neighbourhood policies and Guidelines. The existing Seaton standards should be retained.

It is also recommended that the existing framework for accessory uses be reworked so that accessory buildings/structures are only “accessory” if they are detached from the main building on the lot. Any accessory buildings and structures that are attached to the main building would more simply be subject to the zone setbacks and height requirements, as well as any specific provisions for attached structures (e.g., permitted encroachment of a deck into a rear yard). This could help simplify interpretation.

Finally, comments have been received to express that the regulation of garage width/space requirements should take the need for storage and provision of stairways into account. For example, very tight garages with limited additional space for refuse/recycling storage has been expressed as a concern. These matters will be considered in the preparation of the new Zoning By-law.

4.3.4 Driveways

Zoning By-laws are also commonly used to regulate driveways within residential areas. Following is a summary of the City’s existing driveway requirements as contained in the existing Zoning By-laws:

- The Seaton Zoning By-law 7364/14 includes detailed driveway requirements which are located in Section 2 in conjunction with requirements for garages. For driveways leading from the street (rather than a lane) to a garage, this includes a maximum driveway width that is based on the frontage of a lot. The driveway must also be tapered and narrower at the street line based on the lot frontage. Garages are not permitted to be wider than the driveway, which is regulated by the lot width as noted. For driveways accessed by a lane, the maximum width cannot exceed the width of the garage doors.
- The City Centre Zoning By-law 7553/17 does not contain driveway width requirements, likely since the By-law focuses on apartments and other similar built form.

- Existing Zoning By-laws 2511, 2520, 3036 and 3037 do not include any particular driveway requirements.

Most Ontario municipalities and newer Zoning By-laws include a framework for driveways. This is different and specific to each individual municipality. Additionally, there might be variation in how driveways are addressed within specific areas.

Again, this Review process represents an opportunity to update the City's standards and bring about more contemporary development. This must also be carefully balanced with the objective of maintaining individual neighbourhood character. As in the case of garages, creating a regulatory framework where one did not exist before creates the risk of introducing legal non-complying situations. The following may be considered in the development of a new framework for regulating driveways:

- Provisions for maximum driveway width can be considered. The starting point for this type of provision is to base the maximum driveway width on the garage or the width of the driveway. However, these limitations are likely going to be more restrictive than many existing conditions, where residents have expanded their driveway to some extent beyond the garage width. To help accommodate these instances, the provisions could incorporate a permission to expand a driveway by some amount beyond the width of the garage, but to establish a minimum setback from the side lot line. Driveway expansion should also be limited in front of the habitable portion of the dwelling, though consideration may be made to enable a 1.5 metre portion to be used for the purposes of a walkway.
- Seaton includes some provisions for tapering the driveway, so that the width of the driveway at the street line is narrower and it expands towards the garage face. Driveway tapering is likely very uncommon in the City's existing and older residential neighbourhoods. Rather, the driveway would more typically lead up to the garage in a straight path, and residents may have created bump-outs to expand their parking area over time. As such, this type of provision would be mostly relevant to very large garages, such as three-car garages where a replacement dwelling is proposed. Consideration could be made to limit the driveway to about 6.0 - 7.0 metres at the street line and to require the driveway to be tapered towards the street and reduce its intrusion on the sidewalk within certain areas of the City.
- The new Zoning By-law could also take an "incentive-based approach" to driveway widths, enabling a widening beyond the garage width or other restrictions only where some other conditions are met, such as meeting a certain amount of permeable surface on the lot, or by utilizing permeable paving for all or a portion of the driveway. However, this could alternatively be addressed as part of a rationale for a minor variance application.
- It should also be recognized that a framework for regulating driveways may also take into account the relationship between driveways and stormwater management. In particular, the widening of driveways overtime can result in increased stormwater runoff. The new Zoning By-law can incorporate provisions

that set out a minimum landscaped strip along the edge of a lot, provisions for maximum impermeable surface, or provisions for minimum permeable surface, which may be achieved through a minimum landscaped open space requirement. As the existing older Zoning By-laws do not address these requirements, the decision to integrate permeable surface or related requirements will need to be informed through further consultation.

The incorporation of a new framework of provisions for driveways will introduce new rules in the City and can result in the creation of legal non-compliance. Since no standards currently exist in many areas of the City in the zoning, a new framework is recommended to create a more current approach and support the City's policies for urban design. This may include requirements for maximum driveway width, tapering requirements, or the introduction of a framework for enabling driveway expansions based on certain conditions. However, further consultation and discussion is required to assess the options outlined. It is recommended that the driveway provisions for Seaton be retained, with potential refinements based on minor variances or other information considered.

4.3.5 Home-based Businesses

The Official Plan permits home-based businesses across all Urban Residential Areas of the City and thus a framework must be included in the new Zoning By-law. Other municipalities commonly permit home-based businesses, subject to certain standards, across residential zones. Following is a summary of how the existing Zoning By-laws address home-based businesses:

- The City Centre Zoning By-law 7553/17 permits home-based businesses in the CC1, CC2, CCR1 and CCR2 zones. Section 2.8 sets out standards for the use, including requiring that the home-based business be operated by a resident, maximum area, a prohibition of external changes that would affect the character of the dwelling, as well as some prohibited uses. No additional parking is required.
- The Seaton Zoning By-law 7364/14 contemplates home-based businesses. The provisions of Section 2.14 apply to these uses and are similar to the requirements of the City Centre Zoning By-law 7553/17. Home-based businesses are noted as an explicitly permitted use in certain zones, including MC1, MC2, MCC. The use is not permitted in the MC3, LN, CN and CN-PP zones. Home-based businesses are not permitted within apartment dwelling units, as it was believed permitting home-based businesses within these unit types would cause land use conflicts (e.g., parking).
- In Zoning By-law 3037, "home-based business" is permitted and defined only in the Rural Agricultural (A) zone, likely to reflect terminology used in the Oak Ridges Moraine Conservation Plan. Home-based business are subject to the requirements of Section 5.19 which are similar to the City Centre requirements. The use is permitted explicitly in many of the zones. It is noted that home-based

businesses are prohibited in either dwelling unit where there is an accessory dwelling unit.

- In Zoning By-laws 3036 and 2511, the provisions of Section 6.3 apply to home-based business. Zoning By-law 2520 addresses these provisions under Section 6.2. These provisions appear to be the same as the provisions under 3037. The use is not referenced in any of the zones, but is assumed to be interpreted as being permitted because it is accessory to a residential dwelling and thus is not listed as a permitted use explicitly.

Generally, the existing Zoning By-laws broadly permit home-based businesses and contain some provisions to guide them. For the purposes of clarity and to ensure alignment with the Official Plan, it is desirable to identify the use as permitted. It is noted that the Official Plan uses the term “home occupation” so the Zoning By-law should be updated accordingly rather than using the term “home-based business”.

It is noted that the existing Zoning By-laws do not permit home-based businesses on a lot where there is an accessory dwelling unit. This is not typical amongst other municipalities and is assumed to be provided for the purposes of managing uses on the lot and available parking. However, a home-based business is accessory to the residential use and does not generally result in an increased degree of intensity, impact or change in character, particularly in light of the detailed requirements. It is recommended that this restriction be removed.

The existing provisions are fairly comprehensive with respect to prohibited uses and prohibited activities in conjunction with a home-based business. However, the provisions would benefit from taking a different approach which focuses on what types of uses and businesses are permitted and leaves all others as being prohibited. Rather than listing prohibited uses, the zoning can list permitted uses and all other uses would be interpreted as being prohibited or requiring a minor variance.

Furthermore, a home-based business is typically prohibited in the garage except for limited storage related to the home-based business. It is conceivable that some home-based businesses may utilize a private garage effectively without creating impacts (e.g., personal fitness trainer or similar one-on-one instruction).

Finally, it is unclear how the City’s current zoning provisions and its Home-Based Business Licensing process relates to “work-from-home” situations where an employee is not leading or administering a business from home and is more simply working from a home office without visiting clients or other activities. Some zoning by-laws in Ontario define this specifically with broad permission and specific limitations, and a license from the municipality would not be required. The City of Pickering currently administers a Home-Based Business Licensing process and it is unclear if work-from-home situations would require such a license to operate.

It is recommended that the new City-wide Zoning By-law incorporate permissions and provisions for home-based businesses, utilizing the existing standards (which are similar across the existing parent Zoning By-laws) as the basis. Consideration may be

made to integrating refinements such as considering limited permission of home-based businesses in private garages; treating work-from-home separately to distinguish it from businesses requiring a license; limiting exterior parking for home-based businesses who receive clients; and adopting an approach that lists permitted uses rather than prohibited uses (or addresses both). Additionally, it is recommended that home-based businesses be considered across all of the Seaton zones, where residential uses are permitted.

4.4 Affordable and Special Needs Housing

The Official Plan also includes policies regarding the permission and encouragement of a wide range of housing typologies to meet the City's existing and future housing needs. This section assesses how the zoning implements these policies.

4.4.1 Secondary Suites / Accessory Dwelling Units

Section 16(3) of the *Planning Act* directs that official plans are to authorize the use of two residential units in detached/semis/rowhouses and to authorize the use of a residential unit in a building or structure accessory to a detached, semi-detached or townhouse dwelling. Section 35.1(1) of the *Planning Act* directs that zoning by-laws be amended to implement policies for additional residential units. Additionally, the Minister may make regulations regarding additional residential units. O.Reg. 299/19 applies, and contains some provisions regarding parking facilities, allowing for no parking to be required if set by the municipality. It also states that additional residential units may be occupied by any person regardless of relationship to the owner or occupant of the primary unit.

Currently, the City's Official Plan directs that the Zoning By-law permit accessory apartments where appropriate (Section 6.4). No criteria are established with respect to which areas are appropriate or whether they are to be permitted in conjunction with accessory buildings. It is also noted the Official Plan uses different terminology to refer to accessory dwelling units (the terms accessory apartments and secondary suites also exist).

Accessory dwelling units are addressed in all of the existing Zoning By-laws in a similar way. For example, in the Seaton Zoning By-law 7364/14, accessory dwelling units are permitted within any detached dwelling, semi-detached dwelling or townhouse. Some of the Zoning By-laws do not permit accessory dwelling units in townhouses. While the parent Zoning By-laws may not establish townhouse zones, townhouses could be permitted by way of a site-specific development application and thus the developer would not be permitted to provide accessory dwelling units.

Within each of the existing Zoning By-laws, a total of 3 parking spaces are required, the maximum floor area is 100 square metres, and a home-based business is prohibited. In Seaton, an accessory dwelling unit may also be permitted in a coach house provided there is not another unit within the dwelling. Coach houses, defined to consist of a

private garage on the ground floor and an accessory dwelling unit on the second floor, are subject to Section 2.20, which states that a coach house is permitted on corner lots only and provided the lot and coach house meet certain conditions. Coach house provisions are not addressed in any other existing Zoning By-law in the City.

It is recommended that a City-wide framework for accessory dwelling units be developed, utilizing the existing standards as a basis and to implement current policy and legislation. Some refinements may be considered, subject to further consultation, as follows:

- Accessory dwelling units should be permitted in detached, semi-detached and townhouse buildings across the City, and not be limited to detached and semi-detached as is the case in some of the existing Zoning By-laws. However, consideration can be made to require the provision of suitable services as this may be a constraint in some circumstances in the City.
- Consideration should be made to integrate permissions for accessory dwellings in detached structures. This could mean adopting coach house standards City-wide, enabling the provision of accessory dwelling units in detached structures as contemplated by the *Planning Act*. This change would benefit from policy direction as the current Official Plan is very broad in terms of accessory dwelling unit policies. Provisions for coach houses, such as minimum setbacks, minimum lot size, and maximum height, may be considered to ensure compatibility.
- The cap of 100 square metres per accessory dwelling unit is not typical amongst other Ontario zoning by-laws and is restrictive. This requirement could be removed or replaced with a cap on floor area based on the floor area of the dwelling (i.e., an accessory dwelling unit not comprise more than 50 percent of the floor area of the principal dwelling).
- The current parking standard of 3 spaces for the two dwellings is fairly typical in Ontario, but may not be a necessary standard. For example, the City of Brampton is currently examining the elimination of a minimum parking standard for accessory dwelling units. In the City of Pickering, the inability of many accessory dwelling developments to meet the third parking space requirement has been demonstrated through minor variance requests for relief from the requirement. Some renters may not require a vehicle. If a parking space is unavailable, then the unit would need to be rented without one. If the renter is parking illegally on the street, the City administers other by-laws to address these issues. The City could maintain a register for existing accessory dwelling units to help keep track of issues. Another approach is to eliminate the parking requirement where a second unit is located in close proximity of transit services. This would likely require the delineation of these applicable areas on a schedule.

4.4.2 Group Homes

Section 6.4 (d) of the City's Official Plan directs that the City's zoning ensure group homes are permitted in all residential areas. The intent of this policy is to reflect that group homes are a residential use, and should be permitted within all applicable residential zones, provided they otherwise meet the intent of the zone in terms of built form and intensity of use.

Currently, none of the existing Zoning By-laws address group homes explicitly. The only reference is noted in Section 1.6 b) of the Seaton Zoning By-law 7364/14 which describes that a certificate of occupancy is required for group homes. However, this provision is administrative in nature.

There are two broad options to addressing group homes in the new Zoning By-law which would be consistent with the Official Plan's intent:

- The Zoning By-laws could be silent on group homes, which is the current approach, and rather simply treat them as the residential uses already defined in the By-law. For example, where a single detached dwelling is permitted, a group home would be permitted in the form of a single detached dwelling, meaning a group home could operate as one housekeeping unit (shared cooking and common areas) on a single lot. This would require an understanding from staff that this is the intended interpretation.
- The Zoning By-laws can define group homes and permit them in any zone where residential uses are permitted. Where this is the case, it may be desirable to introduce various definitions for group homes to relate the intensity of use to the zone. For example, smaller-scale group homes could be permitted in zones permitting single detached dwellings. Some Zoning By-laws, as well as the *Municipal Act*, define group homes as consisting of 3 to 10 persons. Larger scale group homes could be considered more suitable only within zones that permit apartment dwellings or institutional zones as they are of a greater intensity of use.

A combination of the approaches above may also be used. For example, the group home use may be defined and associated with some general provisions (e.g., parking requirements) but the use is not explicitly listed as a permitted use in any zone. Rather, the permission of group homes in desirable zones is either stated in a general provision or is stated in the definition.

It is recommended that the new Zoning By-law implement the Official Plan's permission of group homes based on one of the options above, through further consultation with City staff to confirm a preferred approach. The first approach relies on the City's interpretation of the zoning, whereas the second approach is more explicit.

4.4.3 Short Term Accommodations

Currently, the City of Pickering's Official Plan and Zoning By-law do not address short-term accommodations. Short-term accommodations are uses involving the rental of a

bedroom, suite or the entirety of a dwelling unit for a short period of time for compensation. This matter has received considerable review and discussion recently as AirBnB and similar tools are used to connect owners to renters. Municipalities such as the Town of the Blue Mountains and Niagara-on-the-Lake have been administering provisions and licensing processes for some time, since these municipalities have been addressing tourism for a long time.

It is suggested at this time that the implementation of zoning requirements requires a policy-driven approach, as the appropriate solution for Pickering may involve a range of different tools, such as licensing/registration, Official Plan policies, and zoning. Many other Greater Toronto Area municipalities have conducted similar such studies, including Toronto, Vaughan, Mississauga. A solution can be implemented through this process based on best practice but the topic would benefit from a more fulsome study. The incorporation of zoning requirements without the benefit of integration with other implementation tools may preclude or presuppose other options and could be difficult to change in the future.

It is noted that bed and breakfasts are defined and permitted in the ORM-A in By-law 3037, in relation to the Oak Ridges Moraine Area, since the Oak Ridges Moraine Conservation Plan contemplates this use specifically. The Seaton Zoning By-law 7364/14 defines bed and breakfast but does not indicate where the use is permitted. The other existing Zoning By-laws do reference to bed and breakfasts.

It is recommended that the City advise on the intention to conduct a study regarding short-term accommodations, to assess various implementation tools. In the absence of the study, zoning regulations can be alternatively be considered through this process based on best practice and local context and informed via consultation, but this might otherwise preclude a future study or policies.

4.4.4 Boarding, Rooming and Lodging Homes

Boarding, rooming and lodging homes refer to dwellings with bedrooms that are typically individually rented for the short- or long-term, and where occupants will normally have the use of common cooking and bathroom facilities, rather than individual, dedicated facilities. The Ontario Building Code defines lodging homes as “a building, (a) that has a building height not exceeding three storeys and a building area not exceeding 600 m², (b) in which lodging is provided for more than four persons in return for remuneration or for the provision of services or for both, and (c) in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.” These uses contribute generally to the affordable housing supply by offering rental, shared and more affordable living spaces compared to dedicated spaces.

These uses are residential uses. However, the uses can represent a concern from a land use compatibility or neighbourhood character perspective where the use is proposed at a level of intensity that exceeds that of surrounding residential uses. For example, if there are numerous rooms being rented to adults, there may also be higher

parking needs, increased need for outdoor amity space, or other considerations, compared to other dwelling units in the same neighbourhood.

Section 6.4 e) of the Official Plan intends that rooming houses should be permitted and zoned in appropriate areas of the City. The Plan does not give further guidance on what areas of the City or other locational criteria are applicable. The current Zoning By-laws also do not regulate these uses explicitly. As in the case of group homes (Section 4.4.2), it is likely interpreted that the use is permitted, provided the proposed use meets the definition of a permitted use or unit type (e.g., the proposed must meet the definition of a detached dwelling). The use would be subject to the various setbacks and requirements in the applicable zone.

It is noted that zoning by-laws cannot regulate the relationship of occupants and should not function in a manner that limits housing choices, particularly given that it is a key planning objective of the City's Official Plan, the Durham Region Official Plan and Provincial planning policy to support the creation of affordable housing options. A boarding, lodging or rooming house should generally be permitted in the same areas as other residential uses, provided the use is similar as other uses in terms of built form compatibility, intensity of use, parking needs and other matters.

Municipalities also commonly administer licensing or registry by-laws related to the rental of dwelling units or rooms including boarding, rooming and lodging homes. For example, the City of Waterloo administers an annual licensing process for rental units to help address safety (Ontario Building Code compliance) and other issues. This approach can help complement and build on the overall regulatory framework in the zoning, addressing matters that are not appropriately regulated in zoning.

It is recommended that the new Zoning By-law incorporate a framework for boarding, rooming and lodging houses. The same zoning options and principles that are applicable to group homes (as discussed in Section 4.4.2) are also applicable to lodging, boarding and rooming houses. Generally, the use should be permitted broadly where residential uses are contemplated in the City, but consideration must be made with respect to compatibility and ensuring that the intensity of any use is not impactful to the surrounding neighbourhood.

It is suggested that a definition of the use be integrated into the By-law, with consideration made to incorporate special provisions as needed for the use (e.g., parking requirements). The uses may be either explicitly permitted in the zones or permitted through general provisions where other residential uses are permitted. Under this approach, the boarding, rooming or lodging home would be required to take the dwelling unit format that is permitted in the applicable zone. For example, if only single detached dwellings are permitted, the boarding, rooming or lodging home would only be permitted as a single housekeeping unit (e.g., one set of cooking facilities, depending on how this is defined). Another approach to manage the intensity is to limit the number of bedrooms, although this can be difficult to administer. Other options include limiting the number of residents or the floor area, though this may similarly be difficult to administer.

Alternatively, the uses may be defined and their permission limited only to medium- and higher-density residential zones (e.g., zones permitting townhouses or apartment buildings). However, this would mean that the uses would not be permitted as-of-right in many areas of the City, where they could be appropriately scaled and designed while enabling a broader range of unit types. Further consultation on this topic is required to inform the most suitable approach and to explore appropriate approaches to manage the intensity of the use in different contexts.

5 Conclusions and Recommendations

The Urban Residential Areas of the City encompass a diverse range of different neighbourhoods, from mature neighbourhoods to newly developing communities. The City currently administers a wide range of zones amongst its six parent Zoning By-laws, which reflects this contextual diversity. As the City has grown, the existing Zoning By-laws for the older areas have become outdated and are not as comprehensive in terms of residential zone provisions compared with the newer Zoning By-laws for Pickering City Centre and Seaton.

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

1. It is recommended that a conformity checklist for the neighbourhood policies and guidelines be completed when developing the Draft Zoning By-law. These documents contain some detailed requirements that will have to be assessed individually in comparison with site-specific amendments and requirements which is beyond the scope of this Paper. This is the best means of ensuring conformity with these requirements and to ensure that the permitted uses are in conformity with the Official Plan, since the Urban Residential Areas land use designation contains a very broad list of permitted uses.
2. Consideration will be made to rezone any agricultural lands now designated for urban uses to an Urban Reserve or similar zone. However, the risk of leaving the lands as agriculture is minimal and would not conflict with the Official Plan.
3. It is recommended that some of the existing parent residential zones be merged as noted in this Report. Generally, the City Centre zones and Seaton zones will need to be retained and cannot likely be further merged or consolidated.
4. It is recommended that some key zone provisions be added into the harmonized zones where common standards are missing in the current zones. For example, some of the parent residential zones in the older zoning by-laws do not include a maximum height requirement, which should be introduced to help maintain community character. The introduction of any new standard should be made in consideration of the context where the zone is applied to ensure the standard reflects the community character and enables an appropriate degree of intensification. This may be informed by the City's ongoing Infill and Replacement Housing Study.
5. It is recommended that a new residential zone structure be developed which utilizes density and permitted uses as the basis for organizing and naming the

zones. For example, the R1 zone will address single detached dwellings. Sub-zones can be created to address variations in the form of R1A, R1B, etc. In particular, the Seaton zones can be integrated into this hierarchy in the form of R1S, for example. Exception zones would be denoted as a suffix with a dash followed by the exception zone number.

- a. Zone symbology should follow a more consistent approach. The parent zone codes, should not utilize specialized symbols such as prefixes or suffices with a dash, but should follow the approach above.
- b. Any one-off site-specific zone codes will be rezoned with an appropriate parent zone described above, and consideration will be made to create a site-specific amendment to carry forward any special permissions, if appropriate and if the permissions conform to the Official Plan.

Another option to organizing the new zones is to organize the zones by location first, and secondly by density. Further consultation and analysis of the exception zones will help inform the most suitable approach. Overall, the goal of harmonizing the zones is to achieve an appropriate balance of minimizing the number of zones while maintaining sufficient detail to recognize and reflect the character of Pickering's diverse neighbourhoods. The option that best achieves this balance should be used in the new Zoning By-law.

6. The accessory building and structure requirements will need to be harmonized and City-wide standards should be introduced. The Seaton requirements represent an appropriate basis for this. Further consideration and consultation is required to inform the implications of applying the Seaton standards to other areas of the City, because there are some minor to modest differences and risks of creating legal non-compliance.
7. It is recommended that some minor updates and refinements to accessory building and structure provisions, including detached garages, be considered using best practice, minor variances and other sources.
8. When the new Zoning By-law is developed, it is recommended that frequent variances as noted in the Report be reviewed to assess potential updates to the residential zone provisions.
9. It is recommended that the new City-wide Zoning By-law adopt a framework wherein accessory buildings and structures are only accessory if they are detached from the main building. An attached accessory building or structure would more simply form a component of the main building and be subject to the zone requirements. This can be complemented by additional standards related to individual accessory structures (e.g., permitted encroachments into minimum yards). This approach will harmonize the various approaches used by the by-laws and introduce a more conventional approach that is easier to interpret.
10. It is recommended that City-wide requirements for amenity areas be adopted. The definitions and terms for amenity areas should be harmonized as they differ

between Pickering City Centre and Seaton. No standards exist outside these areas, except perhaps through exception zones or other zones created via amendment. The requirements for Seaton and City Centre can be retained. Seaton should form a general basis for the City-wide standards, but modifications may be required to address locational or other contexts. It is appropriate to continue to include minimum amenity area requirements in the zone provision tables rather than the general provisions. Consideration can be made to elaborate on these requirements as has been done in other Ontario zoning by-laws, such as requiring a minimum contiguous amenity area.

11. A framework for regulating garages and driveways should be introduced City-wide. The detailed requirements in Seaton should be retained, but consideration should be made to introduce relatively simpler and contextually appropriate requirements across other areas of the City, such as maximum projection for garages from the main wall of the dwelling into the front yard setback and maximum width for driveways and garages. Consideration could be made to enabling driveway expansions by setting out standards for minimum pervious surface.
12. It is recommended that the new Zoning By-law incorporate a framework to address detached garages across the City, including addressing a wide range of configurations and potential accessory dwelling units (coach houses).
13. It is recommended that the framework for home-based businesses be carried forward with some refinements, including alignment with the Official Plan (such as the use of the term home-based business), and other refinements to permitted uses as well as consideration to permit the use within a private attached garage, subject to restrictions. It may also be desirable to differentiate work-from-home to distinguish the use from a home-based business, which would appear to require a business license. Further, consideration should be made to permit home-based businesses more broadly amongst the existing zones where residential uses are permitted.
14. A City-wide framework for secondary suites (accessory dwelling units) is required. These uses should be permitted in conjunction with any single detached, semi-detached and townhouse dwelling subject to any servicing constraints. It is recommended that reduced restrictions (parking, maximum floor area) be considered. Further, consultation with the City is required to address the new requirement for the permission of accessory dwellings in detached buildings/structures, which would benefit from policy direction.
15. It is recommended that the Zoning By-law permit group homes broadly across the City where residential uses are contemplated. The options include being silent on group homes (i.e., relying on the interpretation that a group home is the same as another permitted use) or explicitly defining and permitting group homes with different categories based on the intensity of the use. A site plan approval process may also apply depending on the intensity of the use.

16. It is recommended that a best practice review be conducted on zoning provisions for short-term accommodations. Based on the findings of the best practice review, the City will consider conducting a study or review of short-term accommodations to assess a more fulsome framework of implementation tools. However, if this will not be conducted, then zoning regulations can be introduced based on best practice, local context and input.
17. It is recommended that the new Zoning By-law incorporate a framework to address boarding, rooming and lodging homes, generally permitting them across the City in appropriate forms. There is also an opportunity to limit these uses to certain areas of the City, such as the higher density zones, or to establish other provisions to manage the intensity of the uses.