

From: Kyle Bentley
Director, City Development & CBO

Subject: Comprehensive Zoning By-law Review
Phase 2, First Draft of the Zoning By-law and Community Engagement
- File: D-1100-101

Recommendation:

1. That Report PLN 36-22 of the Director, City Development & CBO, providing a discussion on the first draft of the City of Pickering Comprehensive Zoning By-law and community engagement, be received for information.
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Executive Summary: The first draft of the new City wide Zoning By-law, along with a sample interactive zoning map, are available for review and comment through Let's Talk Pickering. The text and mapping can be reviewed and comments submitted online.

Public consultation is currently underway and will continue to the end of 2022. An electronic open house, and in person drop-in sessions, will be scheduled throughout the fall. Comments received will inform the second draft of the By-law, to be released in early 2023 for statutory consultation.

Staff is recommending that Council receive for information Report PLN 36-22 providing an update on the status of the first draft of the City of Pickering Comprehensive Zoning By-law and community engagement.

Financial Implications: There are no financial implications applicable to this report.

1. Background

In response to Report PLN 18-19 to the Planning & Development Committee (on June 17, 2019), that outlined the need to update and consolidate the City's existing 6 parent Zoning By-laws 2511, 2520, 3036, 3037, 7364/14 and 7553/17, a multi-phase Comprehensive Zoning By-law Review (CZBR) was initiated. Phase 1 of the CZBR continued throughout 2020 and 2021, during which staff, along with the consultant, prepared a public consultation strategy, completed 8 discussion papers, and hosted an electronic open house.

The discussion papers prepared in Phase 1 provided an overview of the relevant provisions in each of the existing parent zoning by-laws, along with an analysis of how the existing zoning relates to planning policies and legislation at the local, regional and

provincial levels. Also discussed were recent best practices in Ontario municipalities that have undertaken a comprehensive zoning by-law review. Ultimately, the discussion papers provided guiding principles, and recommended a zoning category structure for the preparation of the draft Comprehensive Zoning By-law (Draft Zoning By-law) in Phase 2.

In Report PLN 03-22 to the Planning & Development Committee on January 10, 2022 (see Attachment #1), staff provided information on the Draft Zoning By-law, specifically about its structure; transition provisions; harmonization of definitions, general provisions; zoning categories; updating of parking provisions; site specific zoning amendments; zoning of the Kingston Mixed Corridor and Brock Mixed Node Intensification Areas; and the use of new interactive mapping.

2. Public Release of the First Zoning Draft By-law and Public Engagement

2.1 Let's Talk Pickering

In July 2022, the first Draft Zoning By-law, and a sample interactive mapping tool, were released for public review and comment through Let's Talk Pickering on the City's website. This first Draft Zoning By-law will be available for review and comment until the end of November 2022. The text of the Draft Zoning By-law can be reviewed and comments submitted through Let's Talk Pickering. The zoning mapping tool can be viewed and comments on the mapping be submitted by clicking on a property and completing the comment text area. Comments on the text and mapping will inform the second draft of the Draft Zoning By-law, which will be presented at a Statutory Public Meeting in early 2023.

Let's Talk Pickering is one central place for Draft Zoning By-law information. Currently, the site contains information and links to the project time line, the discussion papers, reports to Council, open house and informational videos, the text of the Draft Zoning By-law, the sample mapping tool, staff answers to submitted questions, community consultation program, and next steps. In the future, revised versions of the Draft Zoning By-law, and the mapping tool for the entire City, will be posted.

In the coming weeks, there will be nine informational sheets released, summarizing a topic addressed in the Draft Zoning By-law. These sheets will contain explanatory graphics and outline key issues, and discuss how the existing Parent Zoning By-laws, and the Draft Zoning By-law, address the topic and related issues. The topics will include:

1. What is the Draft Zoning By-law?
2. How does the Draft Zoning By-law work?
3. Agricultural/Rural Areas: How does the Draft Zoning By-law protect and support agricultural and rural areas?
4. Employment Areas: How does the Draft Zoning By-law provide for a range of job opportunities and ensure land use compatibility?

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5. Environmentally Sensitive Areas: How does the Draft Zoning By-law help conserve the environment?
 6. Green Zoning: How can the Draft Zoning By-law help assist in supporting a more sustainable future?
 7. Residential Neighbourhoods: How does the Draft Zoning By-law regulate development and character in our residential neighbourhoods?
 8. Commercial and Mixed Use Intensification Areas: How does the Draft Zoning By-law address growth and intensification?
 9. Parking and Loading: How does the Draft Zoning By-law enable balanced transportation options?

2.2 Public Engagement

Consultation on the first Draft Zoning By-law is currently underway and will be completed by the end of 2022. An electronic open house will be scheduled for October 2022. At this open house, a presentation will provide an orientation on the Draft Zoning By-law, and will highlight major changes to the original existing Zoning By-laws that the Draft Zoning By-law proposes. Following the electronic open house, informal drop-in sessions at a City venue will be scheduled in October. Notice of the electronic open house and drop-in sessions will be circulated to the public, stakeholders, and Council. At the drop-in sessions, City staff and the City's consultant will be available to provide one-on-one orientation to the Draft Zoning By-law. Additionally, staff will meet with any agency requesting an overview of the Draft Zoning By-law.

3. 'Green' Zoning Standards Review

To implement the City's Integrated Sustainable Design Standards Checklist, a review is underway to develop 'green' zoning provisions. The Green Zoning Standards Review will review other municipal zoning by-laws within the GTA to understand best practices for integrating sustainability requirements within municipal zoning provisions. Based on input from staff and stakeholders, zoning provisions will be recommended for incorporation into the second Draft Zoning By-law. Standards having potential for support through zoning provisions include, heat island reduction (green roofs, cool roofs, solar requirements), bird friendly design, common outdoor amenity space, private pedestrian walkways, light pollution reduction, bicycle parking and storage facilities, and electric vehicles (including plug-in hybrid vehicles).

4. Next Steps

Consultation on the first Draft Zoning By-law, comprising an electronic open house and in person drop-in sessions, will take place during the fall of 2022. Comments received from the consultation will inform the preparation of the second Draft Zoning By-law. Site specific amendments, and the full interactive mapping tool will be included in the second Draft Zoning By-law. In early 2023, the second Draft Zoning By-law will be released for statutory consultation.

Attachment:

1. Report to Planning & Development Committee PLN 03-22

Prepared By:

Original Signed By

Deborah Wylie, MCIP, RPP
Manager, Zoning & Administration

Approved/Endorsed By:

Original Signed By

Catherine Rose, MCIP, RPP
Chief Planner

Original Signed By

Kyle Bentley, P. Eng.
Director, City Development & CBO

DW:ld

<p>Recommended for the consideration of Pickering City Council</p>
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<p>Original Signed By</p>

<p>Marisa Carpino, M.A. Chief Administrative Officer</p>
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Report to Planning & Development Committee

Report Number: PLN 03-22

Date: January 10, 2022

From: Kyle Bentley
Director, City Development & CBO

Subject: Comprehensive Zoning By-law Review
Phase 2, Status Update and First Draft of the Zoning By-law
- File: D-1100-101

Recommendation:

1. That Report PLN 03-22 of the Director, City Development & CBO, providing an update on the status of the City of Pickering Comprehensive Zoning By-law Review, be received for information.

Executive Summary: The first draft of the new City wide Zoning By-law, along with a sample interactive zoning map, will be available in the first quarter of 2022 for review and comment on the City's Let's Talk digital platform. This first draft will be the parent part of the By-law containing definitions, general regulations, establishment of zoning categories and their regulations, and parking regulations. Site specific exceptions and a full interactive map will be available through later drafts of the By-law.

To assist in reviewing and commenting on the first draft Zoning By-law, there will be brief explanations of how certain matters are addressed by the By-law and how to determine the zoning of properties. Also through Let's Talk, staff will provide answers to submitted questions, continue targeted community engagement and consultation, and provide updates on the Zoning Review. The draft Zoning By-law text and zoning schedules will be compliant with the *Accessibility for Ontarians with Disabilities Act*.

Staff is recommending that Council receive for information Report PLN 03-22 providing an update on the status of the City of Pickering Comprehensive Zoning By-law Review.

Financial Implications: There are no financial implications applicable to this report.

1. Discussion:

1.1 Guiding principles developed in Phase 1 of the Zoning Review were used to prepare the first draft of the City wide Zoning By-law

In early 2021, staff reported to Council on comments received from the public and stakeholders, and on the details of the findings of the discussion papers prepared as part of Phase 1 of the Comprehensive Zoning By-law Review (the Zoning Review). The purpose of the Zoning Review is to consolidate and update Pickering's existing 6 parent

Zoning By-laws 2511, 2520, 3036, 3037, 7364/14 and 7553/17. The discussion papers provided an overview of the following: the relevant provisions in each of the existing parent Zoning By-laws; an analysis of how the existing zoning relates to planning policies and legislation at the local, regional, and provincial levels; and a discussion of recent best practices in other Ontario municipalities. Each paper concludes with the identification and assessment of key policy gaps and issues, and proposes a general structure of zoning categories and provisions.

1.2 A draft Zoning By-law for the City is available for review and comment

Through the Let's Talk Pickering platform, the community will be able to view the first draft of the Zoning By-law text and the sample interactive mapping tool, and submit comments. To assist, there will be brief explanations of how certain matters are addressed by the By-law and how to determine the zoning of properties. Also through Let's Talk, staff will provide answers to submitted questions, continue targeted community engagement and consultation, and provide updates on the Zoning Review. The draft Zoning By-law text and zoning schedules will meet the accessibility requirements of the *Accessibility for Ontarians with Disabilities Act*.

When completed, the new City wide draft By-law will implement Official Plan policy, replace and update definitions and provisions, amalgamate site specific provisions, contain explanatory illustrations and notations, and allow more consistent interpretations of zoning provisions. The new City wide Zoning By-law and interactive mapping will be available on the City's website and will be updated as new by-law amendments are adopted by City Council.

1.3 The formats of the more recently written Seaton and City Centre Zoning By-laws were used for the preparation of the first draft of the City wide Zoning By-law

Zoning by-laws typically contain a number of main sections that apply to all zone categories, including administration, general regulation, definitions, and parking regulation. By-laws also include sections for specific zone categories, including residential, mixed use, employment, community use, utility, and natural heritage. Also included in zoning by-laws is a visual representation of the various zoning categories and how they apply to properties within the municipality. These maps are referred to as zoning schedules. The format of the new consolidated Zoning By-law will contain similar sections and mapping.

Currently, there are 6 parent Zoning By-laws that govern the zoning of specific areas of the City. The existing Zoning By-laws include:

- Zoning By-law 2511 – Frenchman's Bay Area;
- Zoning By-law 2520 – Bay Ridges Area;
- Zoning By-law 3037 – Rural Area;
- Zoning By-law 7364/14 – Seaton Urban Area;
- Zoning By-law 7553/17 – City Centre; and
- Zoning By-law 3036 – covers the remaining urban area.

The purpose of the Zoning Review is to consolidate, harmonize, and update the administration, general regulations, definitions, parking regulations and zoning categories and their regulations sections from the six parent By-laws and create one zoning document that covers the entire City.

The residential, commercial, mixed-use, employment, environmental, open space, rural, and institutional zoning categories and regulations from the existing parent By-laws have been consolidated, renamed, and updated in the draft By-law. The City Centre zoning categories have been carried forward into the draft By-law and appear in a separate section. The Seaton Zoning By-law, along with recent Council adopted amendments, has also been carried forward into the draft By-law in its entirety.

The sections of the first draft Zoning By-law are as follows:

- Administration;
- Establishment of Zones and Schedules;
- Definitions;
- General Regulations;
- Parking, Stacking, and Loading Regulations;
- Residential Zone Regulations;
- Commercial and Mixed-Use Zone Regulations;
- Employment Zone Regulations;
- City Centre Zone Regulations;
- Environmental Protection and Open Space Zone Regulations;
- Rural and Oak Ridges Moraine Zone Regulations;
- Institutional and Other (Urban Reserve and Utility Zones) Zone Regulations;
- Seaton Urban Area;
- Exceptions Zone; and
- Zoning Schedules.

1.4 Existing conditions and transition provisions are addressed in the Administration section

New structures and uses will be required to conform to the new City wide Zoning By-law once it is adopted by City Council, subject to the resolution of any appeals of the new By-law. However, as the intent of the new Zoning By-law is to consolidate existing zoning categories and provisions, the Administration section contains provisions allowing any existing use or structure, that is in conformity with the previous in-force parent Zoning By-laws, to continue.

The Administration section also contains transition provisions that allow minor variance, site plan, and building permit applications that were submitted prior to the passing of the new City wide Zoning By-law (and that comply with all zoning by-laws in force at the time of application submission), to continue to be processed. The intent is to recognize previous planning approvals obtained in accordance with the existing Zoning By-laws, and to allow for the issuance of a building permit without further amendment to the new City wide Zoning By-law.

1.5 Definitions and general provisions are harmonized across the City

Definitions, definition names, and zoning provisions have been consolidated and updated to reflect contemporary planning practice, and market and development trends. A few of the updated and new definitions included in the new draft Zoning By-law include active recreational use, agri-tourism, cannabis cultivation, grade or average grade, group home, and seasonal farm help dwelling.

1.6 The first draft of the new draft Zoning By-law includes updated definitions and provisions addressing matters such as secondary suites, and agricultural related uses

Bill 108, the *More Homes, More Choices Act*, allows secondary suites in detached, semi-detached, and row houses, within primary dwellings and ancillary buildings, or structures such as coach houses and laneway houses. The different names and definitions used in the existing parent By-laws have been harmonized in the draft Zoning By-law to ensure conformity with the *Planning Act*, consistency throughout the draft By-law, and to encourage a greater range of housing options within the City.

Provincial policies and guidelines encouraging expansion to the range of uses permitted in the agricultural areas are reflected in the draft By-law through new and updated definitions and regulations for agricultural uses.

1.7 While existing zoning categories were collapsed into new zoning categories, the intent is to maintain existing zoning permissions

A review of each of the existing parent By-laws found that the By-laws did not use the same zones to categorize uses and development standards, presenting a challenge in consolidating the parent By-laws. A detailed analysis was undertaken of the existing zoning categories for each type of use, the minor variances approved, and the numerous site specific by-law amendments adopted over the years, to identify the similarities and differences between zones within the various land uses. The discussion papers discussed how the zones could be collapsed or eliminated, while maintaining the existing zoning permissions.

The draft By-law contains streamlined zoning categories that conform with the Official Plan, while providing consistency across the City and continuity for residents and the development proponents. An objective of the Zoning Review was to retain the general intent of the existing parent By-laws, while ensuring that current zoning permissions were maintained. In many zone categories, the zoning permissions were expanded. A concordance table identifying how the existing zone categories are collapsed into new zone categories will be available on the Let's Talk Pickering project site.

1.8 Parking provisions have been updated using a consolidation of Seaton and City Centre provisions and best practices

The parking and loading provisions of the draft By-law have been updated to incorporate the modern aspects of the City Centre and Seaton By-laws, and best practices. This effectively introduces a zoning approach that better aligns with City, Regional, and Provincial policy for reducing automobile dependence, and increasing transit use. This approach includes aligning parking requirements across land uses, providing parking requirements where missing, applying consistent visitor parking requirements, expanding minimum dimensions for interior garage space, and implementing shared parking City wide.

1.9 The existing Seaton Zoning By-law 7364/14 is consolidated in the draft By-law as its own chapter

The Seaton Zoning By-law is its own chapter, with its own definitions and general provisions. It remains mostly unchanged, with the exception of reflecting recent amendments adopted by City Council, and the removal of the administration section, which has been harmonized with the administration section for the overall draft By-law.

1.10 The by-law implementing the Kingston Road Corridor and Specialty Retailing Node and Intensification Study will be reflected in a future draft of the By-law

The first draft of the draft By-law does not reflect the Kingston Road Corridor and Specialty Retailing Node and Intensification Study. However, the Council adopted implementing by-law will be reflected in a future draft of the By-law.

1.11 The second draft of the draft By-law will incorporate a review of all existing site-specific zoning by-law amendments

A detailed review of the numerous site specific amendments is ongoing. Any existing site specific amendments, which will be permitted as of right (as a result of the new provisions and zoning categories of the draft By-law), will be deleted. For those site specific amendments that will not be permitted as of right, the site specific provisions will be carried forward into the new By-law.

1.12 Mapping is designed to be interactive, user friendly, and accessible

An important outcome of the Zoning Review will be that both the new By-law text and mapping will be available through the City's website for staff and the public to access. Paper copies of the By-law will also be available. The sample mapping that will be available on the Let's Talk site, along with the first draft of the By-law, will allow the public and stakeholders to try out and comment on interactive mapping. The final By-law will contain mapping that includes an overall index map and coloured zone maps. Overlays will be used to identify other information that may affect what can happen on a property such as Oak Ridges Moraine, Minister's Zoning Orders, and conservation authority regulated areas.

The intention is also to make the new Zoning By-law more visually appealing with the addition of graphics and illustrations, which will be included in the second draft of the draft By-law.

2. Next steps

The first draft of the By-law will be available through Let’s Talk Pickering on the City’s website for the first quarter of 2022. During this time, staff will engage with the public and other stakeholders through open houses and meetings with specific stakeholders. Comments received during this time will inform the preparation of a second draft By-law. The second draft By-law will also be made available on the Let’s Talk Pickering site for further comment and will contain site specific exceptions and full interactive mapping.

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