The Corporation of the City of Pickering

Zoning By-law 7553/17

Pickering City Centre Zoning By-law

Approved by the Ontario Municipal Board Decision/Order
PL170549 dated February 22, 2018

Oral decision of the Ontario Municipal Board delivered by Thomas Hodgins on
February 16, 2018. Written Decision issued on February 22, 2018
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How to Read and Use This By-law

This section does not constitute a legal part of this By-law.

This introduction explains how to read and use this Zoning By-law and is solely for the purposes of assisting the reader. Readers unfamiliar with zoning by-laws are encouraged to read this introduction.

All properties within the boundaries of this Zoning By-law have a zone associated with them as shown on the schedules in Section 8. Each zone is subject to requirements and restrictions.

Section 1 of the Zoning By-law sets out the administration matters including the establishment and interpretation of zoning boundaries.

Section 2 sets out a number of general regulations, which apply to development in all zones. These general provisions address such matters as public uses, permitted encroachments, legal non-conforming uses, accessory dwelling units, home-based business, accessory buildings and structures, live work dwellings, patios and temporary sales offices among others.

Section 3 contains parking regulations that apply to development in all zones.

Section 4 sets out the permitted uses and zone regulations for each zone in a table format. A wide range of uses is permitted in each of the zones. It is the intent of this By-law to provide a broad range of uses throughout the City Centre lands.

Section 5 sets out the defined terms within the Zoning By-law.

Section 6 includes exceptions to the Zoning By-law for a number of existing developments within the City Centre lands.

Section 7 establishes a series of Holding provisions which clearly outline the necessary studies, financial commitments and implementation steps that need to be undertaken before development can proceed. In some cases, these apply across the City Centre and in other cases to specific sites.

Section 8 contains the schedules, which form part of the Zoning By-law. The schedules include a graphical illustration of the boundaries of the City Centre Zoning By-law lands, land use categories and zoning provisions. The schedules also illustrate lands with site specific exceptions to the Zoning By-law and lands subject to specific holding provisions.

The recommended process to verify the applicable zone provisions for a specific property within the City Centre lands is to:

a) Verify that the property is located within lands regulated by the City Centre Zoning By-law, as shown on Schedule 1 – City Centre Lands, in Section 8;

b) Locate the property on Schedule 2 – Land Use Categories, in Section 8, to identify the applicable zone category;

c) Review the permitted uses applicable to that zone as listed in Table 3 in Section 4;
d) Review the zone regulations applicable to that zone as listed in Table 4 in Section 4, in association with Zoning By-law Schedules 3 to 6 in Section 8;

e) Review the general provisions and parking regulations for the proposed use in Sections 2 and 3;

f) Review Schedule 7 – Exceptions, in Section 8, to determine if the property is located within an area subject to any applicable site-specific zoning exceptions listed within Section 6;

g) Review Schedule 8 – Holding Provisions, in Section 8, to determine if the property is located within an area subject to required studies or reports prior to development as listed in Section 7; and

h) Contact the City to ensure information is accurate and whether the property is subject to any variances.
1.0 Administration

1.1 Title

This By-law may be cited as the “City Centre Zoning By-law”. Reference to “Zoning By-law” and “this By-law” within this document shall mean the “City Centre Zoning By-law”, unless otherwise specified.

1.2 Application

This By-law applies to the City Centre lands in The Corporation of the City of Pickering as shown on Schedule 1 – City Centre Lands, in Section 8. The zone boundaries and zone regulations are shown on the zoning schedules, in Section 8, which are attached to and form part of this By-law.

1.3 Purpose

The purpose of this By-law is:

a) to regulate the use of land, buildings and structures, and to regulate the construction and alteration of buildings and structures by statutory authority granted by the Planning Act; and

b) to implement the policies within the Pickering Official Plan and the City Centre Urban Design Guidelines pertaining to the City Centre lands.

1.4 Repeal of former By-laws

The provisions of City of Pickering By-law 3036 and By-law 2511 and all amendments thereto, are hereby repealed insofar as they affect the lands covered by this By-law, as shown on Schedule 1 – City Centre Lands, in Section 8.

1.5 Effective Date

This By-law shall come into force the day that it is passed, if no appeals are received. If appeals are received, the appealed portions shall come into force when all such appeals have been withdrawn or finally disposed of and the rest of the By-law shall come into force the day the By-law is passed.

1.6 Conformity and Compliance

a) No person shall use any land, building or structure, or erect or alter any building or structure, after the passage of this By-law, except in conformity and compliance with the provisions of this By-law.

b) Nothing in this By-law exempts compliance with other by-laws, legislation or the requirement to obtain any license, permission, permit, authority or approval required by this By-law, any other by-law or any other legislation.
1.7 **Administration**

The Chief Building Official of the City of Pickering, or his or her designate, administers this By-law.

1.8 **Penalties**

Any person who contravenes this By-law is guilty of offence and liable to fines under the *Planning Act*. This includes a director or officer of a corporation who knowingly contravenes this By-law.

1.9 **Severability**

A court decision that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-law.

1.10 **Transitional Provisions**

Notwithstanding Sections 1.4 and 1.6 of this By-law, a building permit may be issued in accordance with Section 1.10 of this By-law.

For the purposes of determining zoning compliance for matters covered by Section 1.10 of this By-law, the provisions of Zoning By-law 3036 and Zoning By-law 2511, and all amendments thereto, as it read on the effective date of this By-law shall apply.

1.10.1 **Building Permit Applications**

Nothing in this By-law shall prevent the erection of a *building* or *structure* for which an application for a building permit was filed on or prior to the effective date of this By-law provided the building permit application complies with the provisions of the applicable zoning by-law, Zoning By-law 3036 or Zoning By-law 2511, and all amendments thereto, as it read on the effective date of this By-law.

1.10.2 **Recently Approved Planning Applications**

The requirements of this By-law do not apply to a *lot* where a complete Site Plan Application was received by the City of Pickering on or after January 1, 2016, and on or before the effective date of this By-law and a building permit for the applicable project has not yet been issued.
1.11 Establishment of Zones

1.11.1 Zones

All lands covered by this By-law, as described in Section 1.2, are contained within one or more of these zones:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Centre One</td>
<td>CC1</td>
</tr>
<tr>
<td>City Centre Two</td>
<td>CC2</td>
</tr>
<tr>
<td>City Centre Residential One</td>
<td>CCR1</td>
</tr>
<tr>
<td>City Centre Residential Two</td>
<td>CCR2</td>
</tr>
<tr>
<td>City Centre Civic</td>
<td>CCC</td>
</tr>
<tr>
<td>Open Space</td>
<td>OS</td>
</tr>
<tr>
<td>Natural Heritage System</td>
<td>NHS</td>
</tr>
</tbody>
</table>

1.11.2 Location of Zones

Zones are shown on the zoning schedules in Section 8. The lands within each zone are subject to the provisions of that zone, as well as the general regulations of this By-law.

1.12 Interpretation

1.12.1 Zone Boundaries

a) If the zone boundary is shown in Section 8:

i) As following a street, lane, railway right-of-way, electric transmission line right-of-way or watercourse, then the centre line of the street, lane, railway right-of-way, electric transmission line right-of-way, municipal boundary or watercourse is the boundary;

ii) As substantially following lot lines shown on a registered plan of subdivision, then the lot lines are the boundary;

iii) As following a planned street or lane as outlined in the City of Pickering’s Official Plan, the future right-of-way, once determined through a development agreement, is the boundary; or

iv) As not being in accordance with the above provisions, then the zone boundary shall be scaled from the zoning schedules in Section 8.

b) In addition to the above, if the zone boundary separates a lot into portions, each portion of the lot shall be used in accordance with the provisions of this By-law for the applicable zone.

c) Where a lot is being proposed to develop in phases, each portion of the lot, within a phase of development, shall be used in accordance with the provisions of this By-law for the applicable zone.
d) If the zone boundary separates a lot into portions, which includes a Natural Heritage System (NHS) Zone, the zone boundary may be redefined through an Environmental Assessment or equivalent comprehensive evaluation. Where the NHS Zone boundary is reduced or removed the zoning of the land formerly within the NHS Zone shall be interpreted to be in accordance with the immediately abutting zone. Where the NHS Zone boundary is increased the land formerly within the abutting zone shall be interpreted to be in accordance with the NHS Zone.

1.12.2 Definitions

a) Throughout this By-law, any italicized word is defined in Section 5 to provide clarity and ensure that the By-law and its intent are applied consistently.

b) Where a use is defined, it shall not be interpreted to include any other defined use unless it is stated in the definition to the contrary.

1.12.3 Public Acquisition or Conveyance

Despite any other provision of this By-law, where, as a result of an acquisition of land by a public authority, such acquisition results in a contravention of this By-law related to zoning and parking regulations, then the lands so acquired shall be deemed to continue to form part of the lot upon which the building or buildings are located in determining compliance with this By-law.
Section 2.0

2.0 General Regulations

2.1 Prohibited Uses

With respect to any lands to which this By-law applies, all uses are prohibited unless specifically permitted in this By-law.

2.2 Public Uses Permitted in All Zones

a) Despite anything else in this By-law, the City of Pickering or Region of Durham or any of their local boards as defined in the Municipal Act, any communications or transportation system owned or operated by or for the City of Pickering or Region of Durham, and any agency of the Federal or Provincial Government, may, for the purposes of public service, use any land or erect or use any building or structure in any zone.

b) This exemption for Public Uses in any zone shall not apply to:
   i) permit buildings or structures in the Natural Heritage System (NHS) Zone except for linear infrastructure and the uses otherwise permitted in the NHS Zone;
   ii) permit any outdoor storage, or a waste processing or waste transfer station; or
   iii) permit any land or building used by any local School Board, University or College.

2.3 Utilities Permitted in All Zones

a) Despite anything else in this By-law, a utility company providing services in the form of communication/telecommunication, gas, hydro and cable television and other similar utility company, may use any land or erect or use any building or structure in any zone for the purpose of a utility service.

b) This exemption for utilities in any zone shall not apply to:
   i) permit buildings or structures in the Natural Heritage System (NHS) Zone except for structures directly related to the utility and uses otherwise permitted in the NHS Zone;
   ii) permit any outdoor storage or contractor’s yard; or
   iii) permit any land or building to be used for administrative offices, retail purposes, or vehicular or equipment maintenance.

2.4 Permitted Encroachments

No part of any required yard or setback shall be obstructed except as follows:

a) Projections such as awnings, canopies, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required setback, provided that no such feature projects into the required setback more than 0.6 metres or half the distance of the minimum required setback, whichever is less.
2.0 City Centre Zoning By-law – April 3, 2017

b) Any stairs to a porch or uncovered platform and any unenclosed ramp for wheelchair access may encroach into any required setback provided it is no closer than 0.3 metres from a lot line.

c) A balcony, porch or uncovered platform may encroach into any required setback to a maximum of 2.0 metres or half the distance of the minimum required setback, whichever is less.

d) A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required setback to a maximum of 0.6 metres or half the distance of the minimum required setback, whichever is less.

2.5 Legal Non-Conforming Uses

a) A legal non-conforming use is a use of land and/or building that legally existed on the date this By-law came into effect under the Planning Act. To be legal, the use must have been permitted on the lands in the zoning by-law that was in effect before this By-law came into effect or if it was established before the first By-law for the City of Pickering or the By-law for the original Township was passed.

b) This By-law shall not prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day of passing of this By-law, and provided that such land, building or structure continues to be used for that purpose.

2.6 Legal Non-Complying Buildings or Structures

a) A legal non-complying building or structure is a building or structure that was legally erected in a location it was in when this By-law came into effect under the Planning Act. To be legal, the location of the building or structure must have been authorized on the lands in the zoning by-law that was in effect before this By-law came into effect, or if it was erected before the first by-law for the City of Pickering or the by-law for the original Township was passed.

b) A non-complying building or structure which existed legally prior to the passing of this By-law may be enlarged, repaired, renovated or reconstructed provided that the enlargement, repair, renovation or reconstruction:

i) does not further increase the extent of a non-compliance; and

ii) complies with all other applicable provisions of this By-law.

2.7 Accessory Dwelling Unit

Despite any provision in this By-law to the contrary, in any zone that permits a detached dwelling, semi-detached dwelling or a street townhouse dwelling, an accessory dwelling unit is permitted within the detached dwelling, semi-detached dwelling or street townhouse dwelling provided:

a) a total of three (3) parking spaces are provided on the property where the accessory dwelling unit is located

b) the maximum floor area of an accessory dwelling unit shall be 100 square metres

c) a home-based business is prohibited in either dwelling unit or a dwelling containing an accessory dwelling unit
2.8 Home-Based Business

a) A home-based business is permitted within a dwelling unit provided the home-based business is used by the resident of the dwelling unit and the resident is either a sole proprietor, partner, shareholder, or officer of the company operating the home-based business, or an employee who uses their dwelling unit as their principal place of business.

b) The following specific uses are prohibited in a home-based business:

i) adult entertainment establishment;
ii) animal boarding establishment;
iii) assembly, convention centre or conference hall;
iv) commercial fitness/recreational centre;
v) contractor’s yard;
vi) dating/escort service;
vii) funeral home;
viii) nightclub;
ix) place of amusement;
x) public bath/whirlpool;
xii) restaurant;
xii) retail store;
xiii) taxi service;
xiv) vehicle dealership;
xv) vehicle repair facilities;
xvi) veterinary clinic;
xvii) warehousing; and
xviii) wholesaling.

c) In addition, any use which constitutes a nuisance, or any use which is offensive or obnoxious in any way, including but not limiting the generality of the foregoing, any use which creates an adverse effect through the generation of traffic, parking, noise, vibration, dust, fumes, gas, odour, waste, hazardous waste, emissions, smoke, glare, radiation, electrical interference, or any use involving the use or storage of hazardous, toxic, or contaminant substances which constitutes a threat to public health and safety, or any combination thereof, is prohibited in a home-based business.

d) The maximum combined floor area that all home-based businesses within a dwelling unit may occupy is 25 percent of the finished floor area of that dwelling unit to a maximum of 50 square metres.

e) No use or activity relating to a home-based business is permitted in a private garage or accessory building or structure, however, limited storage relating to a home-based business is permitted to the extent that it does not prevent the parking of the number of vehicles the private garage or accessory building or structure was designed to accommodate.
f) No outdoor storage or visible display relating to a home-based business is permitted.

g) Customer or client parking is not required to be provided on the lot.

h) External changes or alterations required for or relating to a home-based business which would change the overall residential character of the dwelling unit are not permitted.

i) Despite the uses prohibited in a home-based business as specified in Section 2.8 b), the selling of products assembled or developed on the premises is a permitted use in a home-based business, and the sale and distribution of catalogue items is a permitted use in a home-based business provided that no catalogue items are stored on the premises.

2.9 Accessory Buildings and Structures

a) Accessory buildings and structures are permitted on a lot where a main building housing a principal permitted use, already exists or is under construction.

b) Except as may be provided herein, accessory buildings and structures are only permitted to be erected in the rear yard and interior side yard.

c) Accessory buildings and structures must be setback a minimum of 1.0 metre from all lot lines, except that the setback from the interior side or rear lot line may be reduced to 0.6 metres if there are no doors or windows on the wall of the accessory building or structure facing the interior side or rear lot line.

d) No accessory building shall exceed a maximum building height of 3.5 metres.

e) The total lot coverage of all accessory buildings shall not exceed 5 percent of the lot area.

f) Human habitation is not permitted in an accessory building or structure.

2.10 Live Work Dwelling

a) The following specific uses are permitted in a live work dwelling:

   i) art gallery/studio;
   ii) dry-cleaning distribution centre;
   iii) dwelling unit;
   iv) medical office
   v) office;
   vi) personal service shop;
   vii) restaurant; and
   viii) retail store.

b) For any permitted use listed in 2.10 a) above, the minimum floor area within a dwelling unit is 50 square metres.
2.11 **Patiios**

a) *Patiios* are not permitted in any *yard* abutting a City Centre Residential One (CCR1) zone and City Centre Residential Two (CCR2) zone.

b) *Patiios* are not permitted on a *balcony* on any *lot* abutting a residential use.

c) *Patiios* shall not be considered as *floor area* and *gross leasable floor area* when calculating *floor area* and *gross leasable floor area* for the use it serves.

d) *Patiios* shall not exceed 50 percent of the *gross leasable floor area* of an associated *restaurant*.

2.12 ** Temporary Sales Office**

*Temporary Sales Offices* for the sale of *lots* or units are subject to the following:

a) A *temporary sales office* shall not be permitted until an applicable plan of subdivision or condominium has received draft plan approval or the property is in a zone that permits the proposed development.

b) A *temporary sales office* shall only be permitted for such period that work within a relevant plan of subdivision or condominium remains in progress, having not been finished or discontinued for 60 days.

c) A *temporary sales office* shall comply with the minimum *setback* provisions of the applicable zone.

d) *Parking spaces* for a *temporary sales office* are to be located to the side and rear of the *temporary sales office*.

e) Notwithstanding Section 4.2 b) of this By-law, minimum building *height* does not apply to a *temporary sales office*.

2.13 **Yards Abutting Daylight Triangles**

Where a *lot* abuts a *daylight triangle*, the *setback* provisions shall be measured as if the *daylight triangle* did not exist, provided all *buildings* are *setback* 0.6 metres from the *daylight triangle* with the exception of window sills, belt courses, cornices, eaves, and eave troughs which may project to within 0.3 metres of the *daylight triangle*.

2.14 **Satellite Dish Antenna**

*Satellite dish antennae* are permitted in any Zone provided that:

a) the satellite dish does not exceed a maximum diameter of 1.3 metres; and

b) the satellite dish is not attached to the front façade of the *main building* or any *accessory building* or *structure* in the *front yard*. 
2.15 **Air Conditioners**

Air conditioners are permitted on a *lot* provided they are located in the *rear yard* or *interior side yard* or on a *balcony* or roof. In addition, such units shall not be located any closer than 0.6 metres to an interior *lot line* and shall not be located on any easements in favour of the City.

2.16 **Human Habitation Not Within Main Buildings**

No truck, bus, coach, street car body, railway car, *mobile home*, trailer or other vehicle shall be used for human habitation whether or not the same is mounted on wheels or other forms of mounting or foundations.

2.17 **Waste Management**

a) Waste shall be stored within a fully enclosed *building*, *structure* or partially in-ground *structure* and shall not be located:
   i) between the *main wall* of a *building* and any *street line*; and
   ii) within any *landscaped area* required by this By-law.

b) Notwithstanding Section 2.18 a) above, waste storage temporarily provided for any construction, demolition or site alteration works is permitted anywhere on a *lot*.

2.18 **Highway 401 Corridor Setback**

Notwithstanding any other provision of this By-law, no *building*, *structure*, *parking space*, *loading space*, *aisle* or stormwater management facility shall be located above or below *grade*, within 14.0 metres of any *lot line* abutting the boundary of the Highway 401 Corridor.

2.19 **Natural Heritage System Zone Setback**

Notwithstanding any other provision of this By-law, any *building*, *structure*, *parking space*, *loading space*, or *aisle* located above *established grade* shall be set back a minimum of 4.0 metres from a Natural Heritage System Zone boundary.

2.20 **Rooftop Mechanical Equipment and Mechanical Penthouses**

a) Rooftop mechanical equipment, including any appurtenances thereto, that exceed a maximum *height* of 2.0 metres shall be fully enclosed within a mechanical penthouse.

b) Rooftop mechanical equipment shall be set back a minimum of 5.0 metres from all edges of a roof.

c) Notwithstanding Section 2.21 b) above, no setback is required if rooftop mechanical equipment is fully enclosed within a mechanical penthouse or screened by an architectural feature.


Section 3.0

3.0 Parking Regulations

3.1 Parking Space Requirements

Every building or structure erected, enlarged or used in accordance with the provisions of this By-law shall be provided with the minimum number of required parking spaces specified in Table 1.

Table 1 – Minimum Parking Requirements

<table>
<thead>
<tr>
<th>Residential Uses</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Dwelling Unit</td>
<td>1.0 space per dwelling unit</td>
</tr>
<tr>
<td>Apartment Dwelling</td>
<td>0.8 spaces per dwelling unit and an additional 0.15 of a space per dwelling unit for visitors</td>
</tr>
<tr>
<td>Back-to-Back Townhouse Dwelling</td>
<td>1.75 spaces per dwelling unit and an additional 0.15 of a space per dwelling unit for visitors</td>
</tr>
<tr>
<td>Block Townhouse Dwelling</td>
<td>1.75 spaces per dwelling unit and an additional 0.15 of a space per dwelling unit for visitors</td>
</tr>
<tr>
<td>Live Work Dwelling</td>
<td>1.5 spaces per dwelling unit plus 3 spaces per 100 square metres gross leasable floor area (GLFA) of commercial use</td>
</tr>
<tr>
<td>Stacked Dwelling</td>
<td>1.25 spaces per dwelling unit and an additional 0.15 of a space per dwelling unit for visitors</td>
</tr>
<tr>
<td>Street Townhouse Dwelling</td>
<td>2.0 spaces per dwelling unit</td>
</tr>
<tr>
<td>Detached Dwelling</td>
<td>2.0 spaces per dwelling unit</td>
</tr>
<tr>
<td>Semi-Detached Dwelling</td>
<td>2.0 spaces per dwelling unit</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Non-Residential Uses</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Art Gallery/Studio</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Assembly, Convention Centre or Conference Hall</td>
<td>10.0 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Cinema</td>
<td>1.0 space per 6 seats of permanent seating</td>
</tr>
<tr>
<td>Commercial Fitness/Recreational Centre</td>
<td>4.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Community Centre</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Day Care Centre</td>
<td>1.0 space per employee plus 3.0 spaces and an additional 1.0 space per classroom</td>
</tr>
<tr>
<td>Dry-Cleaning Distribution Centre</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Financial Institution</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Food Store</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Home-Based Business</td>
<td>Not required</td>
</tr>
<tr>
<td>Hotel</td>
<td>0.85 space per guest room and an additional 10.0 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Library</td>
<td>2.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Long-Term Care Facility</td>
<td>0.33 of a space per bed</td>
</tr>
<tr>
<td>Museum</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
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</table>
Non-Residential Uses (continued)

<table>
<thead>
<tr>
<th>Use</th>
<th>Required Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nightclub</td>
<td>10.0 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Office</td>
<td>2.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Office, Medical</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Park</td>
<td>Not required</td>
</tr>
<tr>
<td>Personal Service Shop</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Place of Amusement</td>
<td>4.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Place of Worship</td>
<td>10.0 per 100 square metres GLFA for any assembly area</td>
</tr>
<tr>
<td>Private Club</td>
<td>4.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Private Home Daycare</td>
<td>Not required</td>
</tr>
<tr>
<td>Restaurant</td>
<td>5.0 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Retail Store</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Retirement Home</td>
<td>0.2 of a space per unit plus 0.05 of a space per unit for visitors</td>
</tr>
<tr>
<td>School, Commercial</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>School, Elementary</td>
<td>1.3 spaces per classroom</td>
</tr>
<tr>
<td>School, Post-Secondary</td>
<td>1.0 space per 100 square metres GLFA</td>
</tr>
<tr>
<td>School, Private</td>
<td>1.3 spaces per classroom</td>
</tr>
<tr>
<td>Service and Repair Shop (non-vehicle)</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
<tr>
<td>Theatre</td>
<td>1.0 space per 6 seats of permanent seating</td>
</tr>
<tr>
<td>Veterinary Clinic</td>
<td>3.5 spaces per 100 square metres GLFA</td>
</tr>
</tbody>
</table>

3.2 Rounding Provisions

Where parking spaces are calculated by gross leasable floor area, or similar calculation, and the required parking is a fraction, the number of parking spaces shall be rounded up to the nearest whole number.

3.3 Accessible Parking Requirements

To be provided on-site in accordance with the requirements of the Traffic and Parking By-law 6604/05 as amended, or any successor thereto.

3.4 Parking for Multiple Uses on One Lot

A shared parking formula may be used for the calculation of required parking for multiple uses on a lot.

Shared parking is to be calculated in compliance with Table 2 – Shared Parking Formula.

All required parking spaces must be accessible to all uses participating in the shared parking arrangement and may not be reserved for specific users.

The initial step in determining required parking for multiple uses on a lot is to calculate the parking requirement for each use in the development as if these uses were free-standing buildings. The parking requirement for each use is then multiplied by the percent of the peak period for each time period (i.e. noon), contained in Table 2 – Shared Parking Formula. Each column is totaled for weekday and weekend. The highest figure obtained from all time periods shall become the required parking for the development.
### Table 2 – Shared Parking Formula

<table>
<thead>
<tr>
<th>Type of Use</th>
<th>Percentage of Peak Period (Weekday)</th>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Morning</td>
<td>Noon</td>
<td>Afternoon</td>
<td>Evening</td>
<td></td>
</tr>
<tr>
<td>Financial Institution/Office/Office, Medical</td>
<td>100</td>
<td>90</td>
<td>95</td>
<td>10</td>
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<td>Food Store/Personal Service Shop/Retail Store</td>
<td>65</td>
<td>90</td>
<td>90</td>
<td>90</td>
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<tr>
<td>Restaurant</td>
<td>20</td>
<td>100</td>
<td>30</td>
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<td>Cinema/Theatre</td>
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<td>40</td>
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<td>Hotel</td>
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<td>70</td>
<td>100</td>
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<tr>
<td>Residential – Visitor</td>
<td>20</td>
<td>20</td>
<td>60</td>
<td>100</td>
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<table>
<thead>
<tr>
<th>Type of Use</th>
<th>Percentage of Peak Period (Saturday)</th>
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<th></th>
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<th></th>
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</thead>
<tbody>
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<td></td>
<td>Morning</td>
<td>Noon</td>
<td>Afternoon</td>
<td>Evening</td>
<td></td>
</tr>
<tr>
<td>Financial Institution/Office/Office, Medical</td>
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<td>10</td>
<td>10</td>
<td>0</td>
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<tr>
<td>Food Store/Personal Service Shop/Retail Store</td>
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<td>100</td>
<td>100</td>
<td>70</td>
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<td>Restaurant</td>
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<td>50</td>
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<tr>
<td>Cinema/Theatre</td>
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<td>80</td>
<td>100</td>
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<td>70</td>
<td>100</td>
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<tr>
<td>Residential – Visitor</td>
<td>20</td>
<td>20</td>
<td>60</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

### 3.5 Parking Off-Site

Required parking spaces for any non-residential use may be located on another lot within the lands/covered by this By-law, where a legal easement or an agreement exists.

### 3.6 Size of Parking Spaces and Aisles

a) Parking spaces shall be a minimum of 2.6 metres in width and 5.3 metres in length, exclusive of any land used for access, maneuvering or similar purpose.

b) Aisles within a parking lot shall be a minimum pavement width of 3.8 metres in width for one-way traffic and a minimum of 6.5 metres in width for two-way traffic.

### 3.7 Surface Parking Spaces

The following surface parking provisions are required for on-site parking and access to drive aisles:

a) all surface parking shall be located in the rear or interior side yards of buildings;

b) a minimum 3.0 metre wide landscaped area shall be required and permanently maintained between any street line, daylight triangle or existing residential development and the parking spaces or aisles.
Section 3.0

3.8 Parking Structures
   a) Parking structures located adjacent to any street line shall comply with the provisions for the main building in accordance with this By-law.
   b) Parking structures constructed completely below established grade are permitted to encroach below public and private right-of-ways and public parkland.
   c) Stairs and air vents associated with a parking structure are not permitted in a front yard or exterior side yard.
   d) Air vents constructed in association with an underground parking structure are permitted to project to a maximum of 1.2 metres above established grade no closer than 4.0 metres to a street line.
   e) The parking of motor vehicles is prohibited in the first storey of an above grade parking structure for the first 9.0 metres of the depth of the parking structure measured in from the lot line along a street line with required active at grade frontages, as shown on Schedule 6 to this by-law.
   f) Above ground parking structures that front onto a street line shall have a minimum ground floor height of 4.5 metres.

3.9 Bicycle Parking Space Requirements
   a) Bicycle parking spaces must be located on the same lot as the use or building for which it is required.
   b) A maximum of 50 percent of the required bicycle parking spaces may be vertical spaces; the rest of the required spaces must be horizontal spaces.
   c) Where the number of bicycle parking spaces exceeds 50 spaces, a minimum of 25 percent of the total required must be located within:
      i) a building or structure;
      ii) a secure area such as a supervised parking lot or enclosure; or
      iii) bicycle lockers.
   d) Where four or more bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.
   e) Dimensions:
      i) if located in a horizontal position (on the ground): a minimum length of 1.8 metres and a minimum width of 0.6 metres;
      ii) if located in a vertical position (on the wall): a minimum length of 1.5 metres and a minimum width of 0.5 metres.
Section 3.0

f) Minimum Number of Bicycle Parking Spaces:
   i) for Apartment Dwelling: 0.5 bicycle parking spaces per dwelling unit;
   ii) for Stacked Dwelling: 1.0 bicycle parking space per dwelling unit;
   iii) for Long-Term Care Facility and Retirement Home: a minimum of 5 bicycle parking spaces
   iv) for non-residential uses: the greater of 2 or 1.0 bicycle parking space for each 1,000 square metres of gross leasable floor area or portion thereof.

3.10 Restrictions on the Parking and Storage of Vehicles

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

a) Number of Vehicles:
   A maximum of 4 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

b) Size of Vehicles:
   i) for those vehicles parked on any lot, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.7 metres;
   ii) notwithstanding Section i) above, 1 vehicle parked on a driveway in a side yard or rear yard can be of a size up to a maximum permissible height of 3.5 metres, and a maximum permissible length of 8.0 metres; and
   iii) height is measured from the established grade immediately beside the vehicle up to the vehicle’s highest point, which excludes lights, antennas and other such items ancillary to the vehicle’s body.

c) Location of Vehicles:
   No part of any front yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any road allowance.

d) Inoperative Vehicles:
   The parking or storage of an inoperative vehicle is not permitted on any lot unless it is entirely within a fully enclosed building or structure.

e) Construction Vehicles:
   The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

f) Oversize Vehicles:
   A vehicle that exceeds the maximum permissible vehicle size provisions of Section 3.10 b) is permitted to park temporarily on a lot for the sole purpose of delivering to, servicing or constructing the premises on that lot.
3.11 Loading Standards

Where a loading space is provided, the following regulations apply:

a) the minimum dimensions of a loading space are 3.5 metres in width and 12.0 metres in length, with a minimum vertical clearance of 4.2 metres;

b) a loading space shall abut the building for which the loading space is provided;

c) an unenclosed loading space located above established grade shall be set back a minimum of 10.0 metres from a street line;

d) an enclosed loading space located above established grade shall comply with the requirements of Section 4.2 d) of this By-law.
4.0 Permitted Uses and Zone Regulations

4.1 Permitted Uses

The following Table establishes the uses permitted in the City Centre One (CC1), City Centre Two (CC2), City Centre Residential One (CCR1), City Centre Residential Two (CCR2), City Centre Civic (CCC), Open Space (OS) and Natural Heritage System (NHS) Zones.

Table 3 – Permitted Uses

<table>
<thead>
<tr>
<th>Use</th>
<th>CC1</th>
<th>CC2</th>
<th>CCR1</th>
<th>CCR2</th>
<th>CCC</th>
<th>OS</th>
<th>NHS</th>
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</thead>
<tbody>
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<td>Residential Uses</td>
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<td>Apartment Dwelling</td>
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<td>Live Work Dwelling</td>
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<td>Stacked Dwelling</td>
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<td>Non-Residential Uses</td>
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<td>Art Gallery/Studio</td>
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<td>Long-Term Care Facility</td>
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### Section 4.0

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<th>CCR1</th>
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<th>CCC</th>
<th>OS</th>
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<tbody>
<tr>
<td><strong>Non-Residential Uses</strong> (continued)</td>
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<tr>
<td>Service and Repair Shop</td>
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<td>Veterinary Clinic</td>
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</tr>
</tbody>
</table>

**Notes:**

1. Use shall be limited to the first two storeys of a building.
2. Maximum one located within this zone.
3. Use prohibited in areas designated as **Active At Grade Frontages** on Schedule 6 to this By-law.
4. No buildings and structures shall be permitted.
5. Use shall be permitted within a detached dwelling, semi-detached dwelling and street townhouse dwelling.
### Zone Regulations

The regulations for the City Centre Zones are set out in Table 4, below:

**Table 4 – Zone Regulations**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>a)</td>
<td>Floor Space Index (FSI)</td>
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</tr>
<tr>
<td></td>
<td>i) minimum – as shown on Schedule 3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ii) maximum – 5.75</td>
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<td>b)</td>
<td>Building Height</td>
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<td>i) minimum – as shown on Schedule 4</td>
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<td>ii) maximum – as shown on Schedule 5</td>
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<td>c)</td>
<td>Building Height Adjacent to Grade Related Dwellings</td>
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<td>i) building height shall be limited by a 45-degree angular plane measured 7.5 metres from the property line of adjacent detached, semi-detached and street townhouse dwellings at a height of 10.5 metres above grade</td>
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<td>d)</td>
<td>Building Setback from Street Line</td>
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<td>i) minimum – 1.0 metre</td>
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<td>ii) maximum – 4.0 metres</td>
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<td>iii) notwithstanding (ii) above, for residential buildings located outside the required Active At Grade Frontages, as shown on Schedule 6 to this by-law, the maximum setback from street line shall be 6.0 metres</td>
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<td>iv) the maximum setback may be increased up to an additional 5.0 metres where the entire setback is used for publicly-accessible open space, in the form of a plaza or courtyard, and does not include parking or loading spaces</td>
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<td>e)</td>
<td>Setback for Below Grade Parking Structures</td>
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<td></td>
<td>i) minimum – 0.0 metres</td>
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<td>f)</td>
<td>Podium Requirements for Buildings greater than 37.5 metres</td>
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<td>i) minimum height of a podium – 10.5 metres</td>
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<td>ii) maximum height of a podium – 20.0 metres</td>
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<td>g)</td>
<td>Tower Floor Plates</td>
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<td></td>
<td>i) maximum tower floor plate for a residential building – 850 square metres</td>
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### Section 4.0

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<tr>
<th>h) Building Separation</th>
<th>i) minimum – 11.0 metres, except that the separation may be reduced to 3.0 metres if there are no primary windows or balconies on the wall facing the adjacent flanking building</th>
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<tr>
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<td>ii) minimum – 18.0 metres for any portion of a building greater than 25.5 metres in height, except that the separation may be reduced to 11.0 metres if there are no primary windows or balconies on the wall facing the adjacent flanking building</td>
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<td>iii) minimum – 25.0 metres for any portion of a building greater than 37.5 metres in height</td>
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<td>i) Main Wall Stepback for Buildings equal to or less than 37.5 metres in height</td>
<td>i) minimum main wall stepback - 1.5 metres between 4.5 metres and 15.0 metres in height on any building face abutting a street line</td>
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<tr>
<td>j) Main Wall Stepback for Buildings greater than 37.5 metres</td>
<td>i) minimum main wall stepback - 3.0 metres from the main wall of a point tower and the main wall of a podium on any building face abutting a street line</td>
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<td>ii) minimum main wall stepback - 3.0 metres between the top 6.0 metres and 18.0 metres of a point tower for buildings equal to and greater than 73.5 metres</td>
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<td>k) Balcony Requirements</td>
<td>i) minimum depth – 1.5 metres</td>
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<td>ii) notwithstanding Section 2.4 (c), balconies are not permitted to project beyond the main wall less than 10.5 metres in height above grade along any street line with required Active At Grade Frontages, as shown on Schedule 6 to this By-law</td>
</tr>
<tr>
<td>l) Continuous Length of Buildings along a Street Line</td>
<td>i) minimum – 60 percent of the street frontage of a lot must be occupied by a building</td>
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<tr>
<td>m) Buildings Requiring Active At Grade Frontages</td>
<td>i) minimum – 40 percent of the first storey of a non-residential building along any street line with required Active At Grade Frontages, as shown on Schedule 6 of this by-law, shall be comprised of openings and transparent glazing</td>
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<td></td>
<td>ii) a primary entrance door with direct and unobstructed access open to the public shall be incorporated into the wall of a building facing the street line</td>
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<td>iii) minimum ground floor height – 4.5 metres</td>
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</tbody>
</table>
### Landscaped Area

- **n)** Minimum – 10 percent of the area of a lot

### Amenity Space Requirements for Apartment Dwellings

- **o)**
  - **i)** Minimum – 2.0 square metres of indoor amenity space is required per apartment dwelling unit:
  - **ii)** Minimum – 2.0 square metres of outdoor amenity space is required per apartment dwelling unit (a minimum contiguous area of 40.0 square metres must be provided in a common location)

#### 4.2.1 Calculation of Landscaped Area

The minimum landscaped area requirement is to be calculated as follows:

- **a)** To qualify for any minimum landscaped area requirement of this By-law, an individual area of landscaping provided on a lot shall have a minimum dimension of 3.0 metres by 3.0 metres;

- **b)** Landscaping provided on a roof of a building shall be included in the calculation of required landscaped area on the lot, provided it meets the requirements of Subsection a) above.
5.0 Definitions

“Accessory” means a use, building or structure naturally or normally incidental to, subordinate to or exclusively devoted to a principal use or building or structure and located on the same lot as the principle use, building, or structure.

“Active At Grade Frontage” means the ground floor of a building facing a street line that is permeable, transparent and contains the primary entrance door for uses such as restaurants, food and retail stores and community uses. Emergency access doors, garage doors, services doors and loading doors are not permitted along the street line.

“Adult Entertainment Establishment” means any premises or part thereof used in the pursuance of a business, if:

i) entertainment or services that are designed to appeal to exotic or sexual appetites are offered or provided in the premises or part of the premises, and without limiting the generality of the foregoing, includes services or entertainment in which a principal feature or characteristic is nudity or partial nudity of any person; or

ii) body rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person’s body are performed, offered or solicited in the premises or part of the premises, but does not include premises or part or them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario; or

iii) adult videos are sold, rented, or offered or displayed for sale or rental, where the proportion of adult videos to other videos exceeds 1:10

“Aisle” means an internal vehicle route immediately adjacent to a parking space or loading space which provides vehicular access to and from the parking space or loading space, and is not a driveway.

“Amenity Space” means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.

“Angular Plane” means an imaginary flat surface projecting over a lot, at an inclined angle measured up from the horizontal.

“Animal Boarding Establishment” means a building, structure or part thereof, where dogs and cats and other domesticated animals, excluding livestock, are bred, raised, groomed, trained or kept for a fee on a temporary basis and may include outdoor facilities.
“Arena” means a building or part thereof, in which the principal facilities provide for recreational activities such as curling, skating, hockey, lacrosse, broomball or other similar athletic activities, and which facilities may include dressing rooms, concession booths for the provision of food and refreshments, bleachers, equipment for making artificial ice and other such accessory facilities.

“Art Gallery/Studio” means a premises used for the creation, exhibition, collection and/or preservation of works of art for public viewing and sale and may include educational classes.

“Assembly, Convention Centre or Conference Hall” means a building or part thereof in which permanent or temporary seating is provided for civic, educational, political, religious or social purposes and may include facilities for the consumption of food or drink, but not for any commercial use.

“Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

“Basement” means a portion of a building below the first storey.

“Bay Window” means a window with at least three panels set at different angles to create a projection from the outer wall of a building, and includes a bow window.

“Block” means all land fronting on one side of a street between the nearest streets, intersecting, meeting or crossing said street.

“Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.

“Building, Main” means a building in which is carried on the principal purpose for which the lot is used.

“Building, Mixed Use” means a building containing residential uses and at least one non-residential use permitted by this By-law.

“Car Share Service” means a service that provides motor vehicles solely for the shared use of members of that service, and does not include an automobile rental establishment or automobile dealership.

“Cartage or Transport Depot” means a building or structure and lot where transport vehicles are kept for hire, rented or leased, or stored or parked for remuneration, or from which transport vehicles are dispatched for hire as common carriers and may include a warehouse, but shall not include any other use or activity otherwise defined or classified in this By-law.

“Cemetery” means the lands used or intended to be used for the interment of human remains.
“Cinema” means a premises where motion pictures are exhibited for public viewing.

“Commercial Use” means any permitted use the primary purpose of which is to sell, lease or rent a product of service directly to the public, including but not limited to retail sales, entertainment services and personal or professional services, but shall exclude residential uses, an adult entertainment establishment and dating/escort service.

“Commercial Fitness/Recreational Centre” means a commercial establishment that has been designed for conduct of sport, athletic and leisure activities such as squash courts, swimming pools, exercise classes and other similar indoor recreational facilities are provided and operated for gain or profit, but does not include an adult entertainment establishment, a casino or place of amusement as defined herein.

“Community Centre” means a multi-purpose facility that offers a variety of programs or a recreational, cultural, day care, social, community service, informational or instructional in nature.

“Contractor’s Yard” means a premises of any general contractor or builder where equipment and/or materials are stored or where a contractor performs shop or assembly work.

“Dating/Escort Service” means a service providing companionship for and by individuals for profit or personal gain.

“Day Care Centre” means:

i) indoor and outdoor premises where more than five children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act; or

ii) indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.

“Daylight Triangle” means an area free of buildings, structures, fences and hedges up to 0.9 metres in height and which area is to be determined by measuring, from the point of intersection of street lines on a corner lot, the distance required by this By-law along each such street line and joining such points with a straight line. The triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the daylight triangle.

“Development Agreement” means an executed contract between a developer/property owner and the City of Pickering that is required in order to implement development and may include a subdivision agreement, site plan agreement, or other similar agreements for development.
“District Energy Facility” means a centrally located facility or linked facilities that generates and distributes thermal energy (steam and/or hot and cold water) to end users through an underground pipeline distribution system and generates electricity, including electricity for supply to the grid.

“Driveway” means a private way used to provide vehicular access from a roadway to an off-street parking or loading space or aisle located on the same lot as the principal use. On a lot containing a detached, semi-detached or townhouse dwelling, the driveway may contain one or more parking spaces.

“Dry Cleaning Distribution Centre” means a premises used for the purpose of receiving articles or goods of fabric to be laundered or dry-cleaned elsewhere and does not include a dry cleaning establishment.

“Dry Cleaning Establishment” means a premises in which the business of laundry or dry cleaning is housed and where the cleaning, drying, ironing, and finishing of such goods is conducted.

“Dwelling” includes:

a) “Accessory Dwelling Unit” means a separate dwelling unit subsidiary to and located in the same building as an associated principal dwelling unit; and its creation does not result in the creation of a semi-detached dwelling, duplex dwelling, three-unit dwelling or converted dwelling.

b) “Apartment Dwelling” means a residential use building containing four or more principal dwelling units where the units are connected by a common corridor or vestibule, other than a townhouse dwelling or stacked dwelling.

c) “Back-to-Back Townhouse Dwelling” means a residential use building containing four or more attached principal dwelling units divided vertically where each unit is divided by common walls, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit from the outside accessed through the front yard or exterior side yard.

d) “Block Townhouse Dwelling” means a residential use building containing three or more attached principal dwelling units divided vertically, and where all dwelling units are located on one lot and accessed from a private street, laneway or common condominium aisle.

e) “Detached Dwelling” means a residential use building that contains only one principal dwelling unit.

f) “Dwelling Unit” means a residential unit that:
   i) consists of a self-contained set of rooms located in a building or structure;
   ii) is used or intended for use as a residential premises;
   iii) contains kitchen and bathroom facilities that are intended for the use of the unit only; and
   iv) is not a mobile home or any vehicle.
g) “Live Work Dwelling” means a townhouse dwelling or stacked dwelling, where the ground floor only, or part thereof, may be used for commercial use as permitted by this By-law, except that the basement may be used for storage for the commercial use, and where the commercial and residential components can be accessed by a common internal entrance.

h) “Semi-Detached Dwelling” means a residential use building containing two attached principal dwelling units that are divided vertically, with each unit having frontage on a street, except where located within a planned unit development.

i) “Stacked Dwelling” means a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior.

j) “Street Townhouse Dwelling” means a residential use building containing three or more attached principal dwelling units divided vertically and where all dwelling units are located on a street.

“Existing” means existing as of the date of the enactment of the provision that contains that word.

“Farmers’ Market” means a building, part of a building or open area where a majority of the vendors shall be primary producers of agricultural products grown within the Province of Ontario that are offered for sale directly to the general public, but may also feature other vendors who offer prepared foods and artisan crafts as well as provide entertainment and community information.

“Financial Institution” means a building or portions of a building used for the purposes of administering or providing financial services to the public, other than exclusively through an automated banking machine.

“Floor Area” means the total area of all floors of a building within the outside walls.

“Floor Space Index” means the total gross floor area of all buildings on a lot divided by the total area of the lot on which the building is located, excluding any portion of the building located below grade, such as parking structures.

“Food Store” means a premises that sells food and other non-food items, primarily on a self-service basis.

“Frontage” means that part of a lot that abuts a street measured along the street line.

“Funeral Home” means a building, or part of a building, used for furnishing funeral supplies and services to the public and includes facilities intended for the preparation of bodies for interment or cremation and may include visitation rooms and administrative offices.
“Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.

“Gross Floor Area” means the total area of each floor whether located above, at or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.

“Gross Leasable Floor Area” means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floor areas if any; expressed in square metres and measured from the centre line of joint partitions and from outside wall faces.

“Ground Floor” means the floor of a building at or first above grade.

“Ground Floor Area” means the gross floor area only on the ground floor.

“Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouses.

“Home-Based Business” means the accessory use of a dwelling unit for an occupation or business, where the dwelling unit is the principal residence of the business operator.

“Hotel” means a building, or group of buildings, each containing sleeping accommodation, catering primarily to the traveling public, for rent or hire for temporary lodging. Hotel may also include restaurant, public hall and ancillary retail uses which are incidental and subordinate to the primary hotel function and oriented to serve the hotel patrons.

“Kiosk” means a building or structure with a maximum floor area of 12 square metres that provides complementary uses in a public or private operated open space zone.

“Landscaped Area” means an outdoor area on a lot comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles and areas for loading, parking or storing of vehicles.

“Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.
“Library” means a building or portion of a building containing an organized collection of information resources that are publicly accessible and provided by the City of Pickering.

“Loading Space” means an unobstructed area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles.

“Long-Term Care Facility” means a premises licensed pursuant to Provincial legislation consisting of assisted living units where a broad range of person care, support and health services are provided for the elderly, disabled or chronically ill occupants in a supervised setting, and may include one or more common areas such as a dining, lounge, kitchen, and recreational area.

“Lot” means a parcel of land fronting on a street, whether or not occupied by a building or structure.

“Lot Area” means the total horizontal area of a lot.

“Lot Coverage” means the total horizontal area of the part of the lot area covered by all buildings above ground level.

“Lot, Corner” means a lot situated at the intersection of two or more streets or upon two parts of the same street having an angle of intersection not exceeding 135 degrees.

“Lot Depth” means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, the lot depth shall be measured by a straight line joining the mid-point of the front lot line with the mid-point of the rear lot line. Where there is no rear lot line, the lot depth shall be measured by a straight line joining the mid-point of the front lot line with the apex of the triangle formed by the side lot lines.

“Lot Frontage” means the horizontal distance between the side lot lines of a lot measured at along a line parallel to and 6.0 metres distant from the front lot line.

“Lot Line” means a line delineating any boundary of a lot.

“Lot Line, Exterior Side” means the side lot line, which separated a lot from the street adjacent to it.

“Lot Line, Front” means the lot line, which separates a lot from the street in front of it. Where more than one lot line separates a lot from the street, the front lot line shall be the shorter lot line. Where a lot is a through lot, the lot line abutting the wider street right-of-way shall be the front lot line.

“Lot Line, Interior Side” means a side lot line, which is not adjacent to a street.
“Lot Line, Rear” means the lot line opposite to, and most distant from, the front lot line, but where the side lot lines intersect, as in the case of a triangular lot, the rear lot line shall be represented by the point of intersection.

“Lot Line, Side” means all lot lines, which join both a front lot line and a rear lot line.

“Lot, Through” means a lot bounded on opposite sides by a street.

“Main Wall” means a primary exterior front, rear or side wall of a building, not including permitted projections.

“Mobile Home” means a prefabricated building that is designed to be made mobile and is intended to provide permanent residence but does not include any trailer otherwise defined in this By-law.

“Motor Vehicle” means an automobile, motorcycle, recreational vehicle, trailer, and any other vehicle propelled, towed or driven otherwise than by muscular power.

“Museum” means premises used for the exhibition, collection and/or preservation of objects of cultural, historical or scientific interest for public viewing.

“Nightclub” means a place where food or drink may be served, and where the primary function is the provision of theatrical performances, pre-recorded music, or live musical entertainment, whether such music is provided for listening or dancing by the patrons, or any combination of the above functions, but does not include a restaurant or an adult entertainment establishment.

“Office” means a building or part thereof, where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration but shall not include a medical office.

“Office, Medical” means premises designed and used for the diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.

“Outdoor Storage” means the occasional or continuous keeping of goods, inventory, materials or machinery or equipment outside, but does not include damaged, impounded or inoperable vehicles.

“Park, Private” means an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes.

“Park, Public” means an area of land under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes and other uses authorized through an agreement with the City.
“Parking Area” means one or more parking spaces, including related aisles, for the parking or storage of vehicles.

“Parking Garage” means a building, or part thereof, used for the parking of vehicles and may include any permitted use in the first storey, but shall not include any area where vehicles for sale or repair are kept or stored. A parking garage includes underground parking and a parking structure.

“Parking Lot” means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to the main use.

“Parking Space” means an unobstructed area of land that is accessible by an aisle, having access to a street or lane that is reserved for the purpose of the temporary parking or storage of one motor vehicle.

“Parking Space, Bicycle” means an area used exclusively for parking or storing a bicycle.

“Parking Structure” means a building or portion thereof, containing one or more parking spaces.

“Patio” means an outdoor area where seating accommodation can be provided and/or where meals or refreshments are served to the public for consumption.

“Personal Service Shop” means a premises used to provide personal grooming services or for the cleaning or care of apparel.

“Place of Amusement” means a premises which are devoted to the offering of facilities for the playing of any game for the amusement of the public such as a billiard or pool rooms, bowling alleys, electronic games, indoor playground, miniature golf courses or roller skating rinks.

“Place of Worship” means a facility the primary use of which is the practice of religion, but which may include accessory uses subordinate and incidental to the primary use such as classrooms for religious instruction, programs for community social benefit, assembly areas, kitchens, offices and a residence for the faith group leader. Other than a day care centre which shall be permitted, a place of worship shall not include a private school or residential or commercial uses.

“Podium” means the base of a building, structure or part thereof located at or above established grade that projects from the tower portion of the building.

“Point Tower” means a compact and slender building form.

“Porch” means a roofed deck or portico structure with direct access to the ground that is attached to the exterior wall of a building.

“Premises” means the whole or part of lands, buildings or structures, or any combination of these.
“Primary Entrance Door” means the principal entrance by which the public enters or exits a building or individual retail/commercial unit or the resident enters or exits a dwelling unit.

“Primary Window” means all windows except bathroom, hallway, closet or kitchen windows.

“Private Club” means a meeting place by members of an association, club, cultural group or community group to conduct the activities of the association, and for social activities, cultural events, performances, or exhibitions.

“Private Home Daycare” means a premises used for the temporary care of five children or less where such care is provided in a dwelling unit, other than the dwelling unit of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.

“Public Bath/Whirlpool” means indoor or outdoor premises where people may bathe, swim or lounge within pools or tanks of water.

“Restaurant” means a building or part of a building where the principal business is the preparation of food and drinks for retail sale to the public for immediate consumption on or off the premises, or both on and off the premises but shall not include a night club.

“Retail Store” means a premises in which goods and merchandise are offered or kept for retail sale or rental to the public.

“Retirement Home” means a building or part of a building providing accommodation primarily for retired persons where each private bedroom or living unit does not include a stove top and oven, does have a separate entrance from a common hall, and where common facilities and services may be provided for the residents including personal services, the preparation and consumption of food, nursing services, common lounges, recreation rooms and ancillary support offices.

“School, Commercial” means a building, or part thereof, where instruction of a skill is provided for profit and may include instruction in a trade, business, art, music, dance, cooking, athletic skill or any other specialized instruction but does not include a commercial fitness/recreational centre or a post-secondary school.

“School, Elementary” or “School, Post-Secondary” means a place of instruction maintained and operated under the jurisdiction of a governmental authority.

“School, Private” means a place of instruction (excepting a commercial school or private career college) offering courses equivalent to those customarily offered in an elementary school or secondary school.

“Self-Storage Facility” means a building consisting of individual self-contained units that are leased or owned for the storage of personal property and/or household goods.
“Service and Repair Shop” means a premises for the servicing, repairing or renting, of articles, goods or materials but shall not include any vehicle, recreational vehicle or boat.

“Setback” means the distance between a building and a lot line. In calculating the setback the horizontal distance from the respective lot line shall be used.

“Shelter” means a building or structure used solely for the purposes of providing temporary shelter and shall not be used for human habitation.

“Shopping Centre” means one or more buildings forming a complex of shops representing merchandisers, with interior interconnecting walkways enabling visitors to walk from unit to unit, along with an associated parking area.

“Storey” means that portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.

“Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.

“Street” means a public highway but does not include a lane or a King’s Highway (Highway 401). Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the Municipal Act.

“Street Line” means the dividing line between a lot and a street.

“Street, Private” means:

a) a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

b) a private road condominium, which provides access to individual freehold lots;

c) a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

d) a private right-of-way over private property, that affords access to lots abutting a private road; but is not maintained by a public body and is not a lane.

“Structure” means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below six feet in height or inground swimming pools.

“Tandem Parking Space” means two or more parking spaces abutting each other end to end with only one having access to an aisle.
“Taxi Service” means the operation of a service providing taxicab motor vehicles with drivers used for hire for the conveyance of goods and passengers.

“Temporary Sales Office” means a building, structure, facility or trailer on the lot used for the purpose of the sale of dwelling units to be erected on the lot.

“Theatre” means a premises used for the rehearsal or performance of the performing arts, such as music, dance or theatre.

“Tower” means the storeys within that portion of a building or structure or part thereof located above the podium.

“Tower Floor Plate” means the average floor area of all storeys within that portion of a building or structure or part thereof located above the podium, measured to the exterior faces of exterior walls of each storey of a building or structure.

“Uncovered Platform” means an attached or freestanding structure not covered by a roof, which is located on the same level as or lower than the first storey of the building associated with the platform.

“Utilities” means an essential public service such as electricity, gas, television or communications/telecommunications that is provided by a regulated company or government agency.

“Vehicle Dealership” means an establishment engaged in the sale, lease and display of motor vehicles.

“Vehicle Repair Facilities” means an establishment engaged in repairing of motor vehicles, service station, repair garage, car washing establishment or gas bar.

“Veterinary Clinic” means a building or part of a building providing the services of a veterinarian, and facilities for the medical treatment, examination, surgery, diagnosis, grooming, general health care, and observation of domestic animals and birds.

“Warehousing” or “Logistics” means the indoor housing or storage of goods, wares, merchandise, food-stuffs, substances, articles, or things before wholesale distribution to a retailer.

“Waste Transfer Station” means a facility within an enclosed building whose primary purpose is the collection and storage of waste or hazardous waste for shipment, and which may include limited sorting or preparation of that waste to facilitate its shipment for final disposal or to a waste processing station, but does not include salvage yards or scrap metal yards.

“Wholesaling” means the distribution of goods, wares, merchandise, food-stuffs, substances, articles, or things, in large quantities, to a business or retailer for eventual or further distribution, processing, assembly, or retail sale.

“Yard” means any open, uncovered, unoccupied space appurtenant to a building.
“Yard, Exterior Side” means a side yard adjacent to a street.

“Yard, Front” means a yard extending across the full width of the lot between the front lot line and the nearest wall of any main building on the lot for which the yard is required.

“Yard, Interior Side” means a side yard not adjacent to a street.

“Yard, Rear” means a yard extending across the full width of the lot between the rear lot line and the nearest wall of any main building or structure on the lot for which the yard is required.

“Yard, Side” means a yard extending from the front yard to the rear yard between the side lot line and the nearest wall of any building or structure on the lot for which the yard is required.
Section 7.0

6.0 Exceptions

Notwithstanding any other provisions of this By-law, the following exceptions shall apply to the lands as shown in Section 8, Schedule 7 – Exceptions. All other provisions of this By-law shall continue to apply to the lands subject to this section.

<table>
<thead>
<tr>
<th>E1</th>
<th>(Part of Lot 23, Concession 1)</th>
<th>Parent Zone: CC1</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Schedule 7</td>
<td>Amending By-law: N/A</td>
</tr>
</tbody>
</table>

6.1.1 Additional Permitted Uses

The following additional use is permitted:

a) Outdoor Storage associated with a Garden Centre Use

6.1.2 Zone Provisions

The following regulations apply:

a) Minimum Building Height 10.5 metres and 2 functional storeys

b) Maximum size of outdoor storage associated with a garden centre use 1,900 square metres

c) Minimum number of required parking spaces for outdoor storage associated with a garden centre use 0 parking spaces

d) Total number of required parking spaces that can be reduced while the outdoor storage associated with a garden centre use is operating 90 parking spaces

d) Maximum duration outdoor storage associated with a garden centre use shall be permitted to operate outdoors Between April 1st and August 1st within a calendar year

6.1.3 Special Site Provisions

The following additional provision applies:

a) Section 4.2 l), related to Continuous Length of Buildings along a Street Line, shall not apply to any building or structure fronting Liverpool Road.

b) Additions or expansions to existing buildings or structures shall be permitted provided that such additions or expansions shall not exceed 10 percent of the gross floor area of all existing buildings and structures as legally existed on the effective date of this By-law.

c) For the purpose of calculating Floor Space Index for new buildings, the area of the lot shall be equivalent to the ground floor area of the new building.
Section 7.0

<table>
<thead>
<tr>
<th>d)</th>
<th>Section 4.2 a), related to Floor Space Index, and Section 4.2 b) and Section 6.1.2 a), related to Building Height, shall not apply to any additions or expansions to existing buildings and structures as legally existed on the effective date of this By-law.</th>
</tr>
</thead>
<tbody>
<tr>
<td>e)</td>
<td>Notwithstanding Section 4.2 m) ii), related to Buildings Requiring Active At Grade Frontages, a primary entrance door with direct and unobstructed access open to the public shall be incorporated into the wall of a building either facing or visible from the Kingston Road street line.</td>
</tr>
</tbody>
</table>

**E2**  
(Part of Lot 23, Concession 1, Part 2, Plan 40R-4643)  
**Parent Zone:** CC1  
**Amending By-law:** N/A

### 6.2.1 Additional Permitted Uses

The following additional use is permitted:

a) Automobile Service Station on a lot where the use legally existed on the effective date of this By-law.

### 6.2.2 Definitions

a) “Automobile Service Station” means an establishment where vehicle fuels, lubricants, and automobile-related accessories are offered for retail sale, and which also may include one mechanical car wash and limited convenience retail sales, but shall not include facilities for the repair and maintenance of vehicles, or facilities for the repairing or painting of vehicle bodies.

b) “Mechanical Car Wash” means an establishment where facilities are provided for the washing and cleaning of vehicles using production line methods employing mechanical devices wholly enclosed within a building.

### 6.2.3 Zone Provisions

The following regulations apply only to an automobile service station:

<table>
<thead>
<tr>
<th>a)</th>
<th>Minimum Building Height</th>
<th>As legally existing on the lot on the effective date of this By-law</th>
</tr>
</thead>
<tbody>
<tr>
<td>b)</td>
<td>Minimum number of required parking spaces</td>
<td>10 parking spaces</td>
</tr>
<tr>
<td>c)</td>
<td>Maximum Gross Leasable Floor Area</td>
<td>360 square metres</td>
</tr>
<tr>
<td>d)</td>
<td>Maximum size of outdoor storage and display of convenience items</td>
<td>10 square metres</td>
</tr>
</tbody>
</table>
6.3.1 Additional Permitted Uses
The following additional uses are permitted:

a) Farmers’ Market
b) Outdoor Sales and Display
c) Vehicle Repair Shop on a lot where the use legally existed on the effective date of this By-law

6.3.2 Definitions

a) “Vehicle Repair Shop” means an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels.

b) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade.

6.3.3 Zone Provisions
The following regulations apply:

a) Minimum Building Height 10.5 metres and 2 functional storeys
b) Maximum size of outdoor sales and display area permitted accessory only to a retail store having a gross leasable floor area in excess of 7,400 square metres 650 square metres
c) Minimum number of required parking spaces for Farmer’s Market operating outdoors 0 parking spaces
c) Total number of required parking spaces that can be reduced while the Farmers’ Market use is operating outdoors 90 parking spaces
d) Maximum duration Farmers’ Market shall be permitted to operate outdoors Between April 1st and October 1st within a calendar year
e) An existing vehicle repair shop may only be permitted in conjunction with and as accessory to any retail store having a gross leasable floor area in excess of 7,400 square metres
### 6.3.4 Special Site Provisions

The following additional provision applies:

| a) | Additions or expansions to *existing buildings* or *structures* shall be permitted provided that such additions or expansions shall not exceed 10 percent of the *gross floor area* of all *existing buildings* and *structures* as legally existed on the effective date of this By-law. |
| b) | For the purpose of calculating *Floor Space Index* for new *buildings*, the area of the *lot* shall be equivalent to the *ground floor area* of the new *building*. |
| c) | Section 4.2 a), related to *Floor Space Index*, and Section 4.2 b) and Section 6.3.3 a), related to *Building Height*, shall not apply to any additions or expansions to *existing buildings* and *structures* as legally existed on the effective date of this By-law. |

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#### E4

(Parl of Lots 21 and 22, Concession 1)

| Schedule 7 | Parent Zone: CC1 |
| Amending By-law: N/A |

### 6.4.1 Additional Permitted Uses

The following additional use is permitted:

| a) | Automobile Service Station on a *lot* where the use legally existed on the effective date of this By-law. |

### 6.4.2 Definitions

| a) | *“Automobile Service Station”* means an establishment where vehicle fuels, lubricants, and automobile-related accessories are offered for retail sale, and which also may include one mechanical car wash and limited convenience retail sales, but shall not include facilities for the repair and maintenance of vehicles, or facilities for the repairing or painting of vehicle bodies. |
| b) | *“Mechanical Car Wash”* means an establishment where facilities are provided for the washing and cleaning of vehicles using production line methods employing mechanical devices wholly enclosed within a *building*. |

### 6.4.3 Parking Provisions

The following parking regulations apply:

| a) | Minimum number of required *parking spaces* for Automobile Service Station and Mechanical Car Wash | As legally existing on the *lot* on the effective date of this By-law |
### 6.5.1 Additional Permitted Uses

The following additional uses are permitted:

a) *Detached Dwelling*

b) *Accessory Dwelling Unit* is permitted within an existing detached dwelling in accordance with Section 2.7 of this By-law

### 6.5.2 Zone Provisions

The following regulations apply:

<table>
<thead>
<tr>
<th>Provision Type</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Maximum Lot Coverage</td>
<td>50 percent</td>
</tr>
<tr>
<td>b) Minimum Front Yard Setback</td>
<td>3.0 metres</td>
</tr>
<tr>
<td>c) Minimum Interior Side Yard Setback</td>
<td>1.2 metres and 0.3 metres, on the side where dwellings on adjacent lots are attached, no interior side yard is required</td>
</tr>
<tr>
<td>d) Minimum Exterior Side Yard Setback</td>
<td>2.7 metres</td>
</tr>
<tr>
<td>e) Minimum Rear Yard Setback</td>
<td>6.0 metres</td>
</tr>
<tr>
<td>f) Covered and unenclosed porches, verandahs and flankage entrance features not exceeding 1.5 metres in height above established grade may project no more than:</td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td>1.5 metres into any required front or rear yard</td>
</tr>
<tr>
<td>B.</td>
<td>1.0 metres into any required exterior side yard</td>
</tr>
<tr>
<td>C.</td>
<td>0.6 metres into any required side yard</td>
</tr>
<tr>
<td>h)</td>
<td>A minimum of one private garage shall be provided per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line</td>
</tr>
</tbody>
</table>
### E6

**Schedule 7**

**Parent Zone:** CC2  
**Amending By-law:** N/A

#### 6.6.1 Zone Provisions

The following regulations apply:

<table>
<thead>
<tr>
<th>a)</th>
<th>Minimum Floor Space Index</th>
<th>1.5</th>
</tr>
</thead>
<tbody>
<tr>
<td>b)</td>
<td>Minimum Building Height</td>
<td>12.0 metres</td>
</tr>
<tr>
<td>c)</td>
<td>Minimum Landscaped Area</td>
<td>2.5 metres</td>
</tr>
</tbody>
</table>

#### 6.6.2 Parking Provisions

The following parking regulations apply:

| a) | Minimum Parking Requirement for Stacked Townhouse Dwellings | 1.0 parking space per dwelling unit and an additional 0.2 of a space per dwelling unit for visitors |

### E7

**Schedule 7**

**Parent Zone:** CC2  
**Amending By-law:** N/A

#### 6.7.1 Definitions

| a) | “Build-to-Zone” means an area of land within which all or part of a building or buildings or part of a structure or structures are to be located. |
| b) | “Building Envelope” means the three-dimensional buildable area prescribed for a building by the regulations of this By-law. |

#### 6.7.2 Zone Provisions

The following regulations apply:

| a) | Buildings and structures shall comply with the minimum and maximum building envelope as shown on Figure 6.7.4 (a). |
| b) | A minimum of 70% of the build-to-zone must be occupied prior to the erection of any other buildings or structures on the subject lands. |

#### 6.7.3 Special Site Provisions

The following additional provision applies:

| a) | Section 4.2 d), related to Building Setback from Street Line, and Section 4.2 i), related to Continuous Length of Buildings along a Street Line, shall not apply to the subject lands. |
| b) | Notwithstanding Section 4.2 i), related to Main Wall Stepback for Buildings equal to or less than 37.5 metres in height, a minimum main wall stepback of 1.5 metres is required between 4.5 metres and 15.0 metres in height for that portion of a building located within the build-to-zone as shown on Figure 6.7.4 (a). |
Section 7.0

Notwithstanding Section 2.12, related to Temporary Sales Office, a temporary sales office is permitted on the subject lands for the leasing of units where Site Plan Approval has been granted by the City.

Notwithstanding Section 3.8 d), related to Parking Structures, air vents are permitted to be located within the building envelope as shown on Figure 6.7.4 (a).

**6.7.4 Special Site Figures**

Figure 6.7.4 (a)
Section 7.0

<table>
<thead>
<tr>
<th>Schedule 7</th>
<th>Parent Zone: CC1</th>
<th>Amending By-law: N/A</th>
</tr>
</thead>
</table>

**E8**  
(Part of Lots 23 and 24, Concession 1)  
**Zone Provisions**

The following regulations apply:

<table>
<thead>
<tr>
<th></th>
<th>Minimum <em>Floor Space Index</em></th>
<th>1.4</th>
</tr>
</thead>
</table>

*Notwithstanding Section 4.2 l), related to Continuous Length of Buildings along a Street Line, a minimum of 50 percent of the street frontage of a lot must be occupied by a building.*

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**E9**  
(Part of Lots 21 and 22, Concession 1)  
**Special Site Provisions**

The following additional provision applies:

<table>
<thead>
<tr>
<th></th>
<th>Notwithstanding Section 4.2 a) and Schedule 3, the total land area of the lot as of the effective date of this By-law shall be deemed to be a lot for the purposes of calculating <em>Floor Space Index</em> (FSI), as shown on Figure 6.9.2 (a).</th>
</tr>
</thead>
</table>

---

**Special Site Figures**

Figure 6.9.2 (a)
### Special Site Provisions

The following additional provision applies:

| a) | Notwithstanding Section 4.2 a) and Schedule 3, the total land area of the lot as of the effective date of this By-law shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 6.10.2 (a). |

### Special Site Figures

Figure 6.10.2 (a)
### E11

(Part of Lot 21, Concession 1)

**Parent Zone:** CC2

**Amending By-law:** N/A

### 6.11.1 Special Site Provisions

The following additional provision applies:

a) Notwithstanding Section 4.2 a) and Schedule 3, the total land area of the lot as of the effective date of this By-law shall be deemed to be a lot for the purposes of calculating *Floor Space Index* (FSI), as shown on Figure 6.11.2 (a).

### 6.11.2 Special Site Figures

Figure 6.11.2 (a)
### E12
(Block 36, Plan 40M-2089)

**Parent Zone:** CC2

**Amending By-law:** N/A

#### 6.12.1 Definitions

| a) | “Retirement Home” – means a building or part of a building providing accommodation primarily for senior’s where each private bedroom or living unit may contain a kitchen or stove top and oven, does have a separate entrance from a common hall, and where common facilities and services are provided for the residents including, but not limited to, personal services, the preparation and consumption of food, nursing services, common lounges, recreation rooms and ancillary support offices |

#### 6.12.2 Zone Provisions

The following regulations apply:

| a) | Notwithstanding Section 4.2 c) i), building height shall be limited by a 45 degree angular plane measured 7.5 metres from the rear lot line of the lots on the north side of Avonmore Square at a height of 10.5 metres above grade |
| b) | Notwithstanding Section 6.12.2 a) above, the height of a building or structure wholly located within the crossed hatched area as shown on Figure 6.12.4 (a) shall be permitted to penetrate a 45 degree angular plane measured from the rear lot line of the lots on the north side of Avonmore Square |
| c) | Notwithstanding Section 4.2 b) ii) and Schedule 5, related to Maximum Building Height, the height of a building or structure wholly located within the crossed hatched area as shown on Figure 6.12.4 (a) shall not exceed a building height of 70 metres |
| d) | Minimum Building Height for stacked dwelling | 10.0 metres |
| e) | Notwithstanding Section 4.2 h), minimum separation between blocks of stacked dwelling | 3.0 metres |
| f) | Section 4.2 j) related to Main Wall Stepback for Buildings greater than 37.5 metres shall not apply to stacked dwelling |
| g) | Podium Requirements for Buildings greater than 37.5 metres | (i) minimum height of a podium – 10.5 metres |
| | | (ii) maximum height of a podium – 26 metres |
| h) | Tower Floor Plates | (i) maximum tower floor plate – 2,000 square metres between the 9th storey and the 14th storey |
| | | (ii) maximum tower floor plate – 900 square metres above the 14th storey |
### 6.12.3 Special Site Provisions

The following additional provision applies:

| a) | Notwithstanding any future severances, partition, or division of the *lot*, the provisions of this By-law will apply to the whole of the *lot* as if no severance, partition, or division had occurred, as shown on Figure 6.12.4 (b) |

### 6.12.4 Special Site Figures

Figure 6.12.4 (a)

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**Figure 6.12.4 (a)**

A map showing the property layout with coordinates and lines indicating boundaries.
Figure 6.12.4 (b)
Section 7.0

7.0 Holding Provisions

Notwithstanding any other provisions of this By-law, where a zone symbol is preceded by an open bracket and the letter “H” and a closed bracket, no person shall use any lot or alter or use any building or structure for any purpose except for existing lawful uses, located on the land or in existing buildings or structures, provided such use continue in the same manner and for the same purpose for which they were used on the day this By-law was passed.

Council may pass a by-law to remove the (H) Holding Symbol, thereby placing the lands in the zone indicated by the zone symbol, when all of the applicable requirements have been met.

<table>
<thead>
<tr>
<th>H1</th>
<th>(Block A and Block B, Plan M-998 and Part of Lot 22, Concession 1 (Parts 1 to 16, inclusive, Plan 40R-7347))</th>
<th>Parent Zone: CC1</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amending By-law: N/A</td>
<td></td>
</tr>
</tbody>
</table>

7.1 Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the City of Pickering:

a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; public and private street right-of-way design; and phasing of the proposed development

<table>
<thead>
<tr>
<th>H2</th>
<th>(Part of Lot 23, Concession 1)</th>
<th>Parent Zone: CC1</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amending By-law: N/A</td>
<td></td>
</tr>
</tbody>
</table>

7.2.1 Only Permitted Uses Prior to Removal of the “H”

For such time as the “H” symbol is in place, these lands shall only be used for the following:

a) All uses permitted in the applicable Zone

7.2.2 Zone Regulations Prior to Removal of the “H”

For such time as the “H” symbol is in place, only the following shall be permitted:

a) existing buildings or structures legally existing on the effective date of this By-law

b) additions or expansions to existing buildings or structures shall be permitted provided that such additions or expansions shall not exceed 10 percent of the gross floor area of all existing buildings and structures as legally existed on the effective date of this By-law

c) new buildings or structures, subject to the provisions of this By-law, provided that the maximum combined gross floor area shall not exceed 3,000 square metres
## 7.2.3 Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td>a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; conservation and enhancement of natural features; public and private street right-of-way design; and phasing of the proposed development</td>
</tr>
<tr>
<td>b)</td>
<td>appropriate road infrastructure is in place or will be provided in conjunction with the development</td>
</tr>
<tr>
<td>c)</td>
<td>an Environmental Assessment or equivalent comprehensive evaluation of alternatives for flood remediation and a road crossing of the Pine Creek valley corridor, as identified on Schedule 2 of the Official Plan, has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority</td>
</tr>
<tr>
<td>d)</td>
<td>an Environmental Impact Study and a detailed engineering design and restoration plan for the rehabilitation of Pine Creek valley corridor has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority</td>
</tr>
<tr>
<td>e)</td>
<td>the execution of an Agreement to ensure that the Pine Creek valley corridor will be conveyed into public ownership upon completion of the works to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority</td>
</tr>
<tr>
<td>f)</td>
<td>appropriate arrangements have been made to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority to implement the recommendations of the Environmental Assessment or equivalent comprehensive evaluation</td>
</tr>
</tbody>
</table>
### 7.3 Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

<table>
<thead>
<tr>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) appropriate public road infrastructure is in place or will be provided in conjunction with the development</td>
</tr>
<tr>
<td>b) an Environmental Assessment or equivalent comprehensive evaluation of alternatives for flood remediation and a road crossing of the Pine Creek valley corridor has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority</td>
</tr>
<tr>
<td>c) an Environmental Impact Study and a detailed engineering design and restoration plan for the rehabilitation of Pine Creek valley corridor has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority</td>
</tr>
<tr>
<td>d) the execution of an Agreement to ensure that the Pine Creek valley corridor will be conveyed into public ownership upon completion of the works to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority</td>
</tr>
<tr>
<td>e) appropriate arrangements have been made to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority to implement the recommendations of the Environmental Assessment or equivalent comprehensive evaluation</td>
</tr>
</tbody>
</table>

---

**H4**  
(Part of Lot 21 and 22, Concession 1)  
Parent Zone: CC1  
Amending By-law: N/A  
H4 removed by Ontario Municipal Decision/Order dated: February 22, 2018 for File No. PL170549
### Section 7.0

**H5** (Part of Lot 21, Concession 1)  
**Parent Zone:** CC2  
**Amending By-law:** N/A

#### 7.5 Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: *street* and *block* pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, *community centres* and other public uses; public and private street right-of-way design; and phasing of the proposed development

b) appropriate road infrastructure is in place or will be provided in conjunction with the development

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**H6** (Part of Lots 21 and 22, Concession 1)  
**Parent Zone:** CC2  
**Amending By-law:** N/A

#### 7.6 Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: *street* and *block* pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, *community centres* and other public uses; conservation and enhancement of natural features; public and private street right-of-way design; and phasing of the proposed development

b) a comprehensive transportation study has been conducted to assess the impact on the transportation system and appropriate road infrastructure is in place to support the development of the lands

c) cost sharing agreements for matters such as community uses, *public parks*, municipal roads and infrastructure, are made between the participating landowners

d) an Environmental Impact Study and a detailed engineering design and restoration plan for the rehabilitation of Krosno Creek valley corridor consistent with the Final Floodplain Rationalization Study for Krosno Creek, prepared by TMIG, dated February 2015 and the Krosno Creek Restoration Plan and Cross Section Drawings, prepared by Schaeffers, dated March 9, 2017 have been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority. In addition, all Toronto and Region Conservation Authority comments 5 – 7, 8 – 22 and 23, dated February 27th, 2017 shall be addressed to the satisfaction of the Toronto and Region Conservation Authority
the execution of an Agreement to ensure that the restored and rehabilitated Krosno Creek valley corridor, to include 6.0 metres from the long-term stable top of bank, will be conveyed into public ownership upon completion of the works, to the satisfaction of the City of Pickering.

### 7.7 Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the City of Pickering:

- **a)** a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; conservation and enhancement of natural features; public and private street right-of-way design; and phasing of the proposed development.

- **b)** a comprehensive transportation study has been conducted to assess the impact on the transportation system and appropriate road infrastructure is in place to support the development of the lands.

- **c)** cost sharing agreements for matters such as community uses, public parks, municipal roads and infrastructure, are made between the participating landowners.
8.0 Schedules
PICKERING CITY CENTRE ZONING BY-LAW
SCHEDULE 1

LEGEND

City Centre
LEGEND - Land Use Categories

- CC1 - City Centre One
- CC2 - City Centre Two
- CCR1 - City Centre Residential One
- CCR2 - City Centre Residential Two
- CCC - City Centre Civic
- OS - Open Space
- NHS - Natural Heritage System

* boundary of Krosno Creek to be further refined
PICKERING CITY CENTRE ZONING BY-LAW
SCHEDULE 3

LEGEND - Minimum FSI

- **0.75**
- **2.0**
LEGEND - Minimum Building Height

- 10.5 metres (3 Functional Floors)
- 19.5 metres
- 55.0 metres
PICKERING CITY CENTRE ZONING BY-LAW
SCHEDULE 5

LEGEND - Maximum Building Height

- Yellow: 17 metres
- Brown: 47 metres
- Red: 77 metres
- Dark Brown: 122 metres
LEGEND - Active At Grade Frontages

Required Active At Grade Frontages
PICKERING CITY CENTRE ZONING BY-LAW
SCHEDULE 7

LEGEND - Exceptions

□ Exception
9.0 Reading and Signatures

By-law passed this 11th day of April, 2017.

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David Ryan, Mayor

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Debbie Shields, City Clerk

Note: Approved by the Ontario Municipal Board Decision/Order PL170549 dated February 22, 2018