

The Corporation of the City of Pickering

By-law No. XXXX/25

Being a By-law to amend Restricted Area (Zoning) By-law 3036, as amended by By-laws 6549/05 and 7176/11, to implement the Official Plan of the City of Pickering, Region of Durham in Part of Lots 17 and 18, Concession 1, in the City of Pickering.

Whereas the Council of The Corporation of the City of Pickering deems it desirable to permit a mixed-use development, including high-density residential uses, on the subject lands, being Part of Lots 17 and 18, Concession 1, in the City of Pickering;

And whereas an amendment to By-law 3036, as amended by By-laws 6549/05 and 7176/11, is therefore deemed necessary;

Now therefore the Council of the Corporation of the City of Pickering hereby enacts as follows:

**1. Schedule I -V**

Schedules I, II, III, IV, and V, attached hereto with notations and references shown thereon is hereby declared to be part of this By-law.

**2. Area Restricted**

The provisions of this By-law shall apply to these lands in Part of Lot 17 and 18, Concession 1, in the City of Pickering, designated "MU-SRN-1", "MU-SRN-1 (H)", and "O2" on Schedule I attached hereto.

**3. General Provisions**

No building, structure, land or part thereof shall hereafter be used, occupied, erected, moved or structurally altered except in conformity with the provisions of this By-law.

Notwithstanding anything to the contrary, servicing and stormwater management infrastructure shall be permitted in any zone.

**4. Definitions**

In this By-law,

- (1) "Amenity Area" means the passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of associated dwelling units, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities. Amenity area includes common outdoor amenity area.
- (2) "Amenity Area, Common Outdoor" means an amenity area which is provided outdoors and available for the shared or communal use of all residents of any associated dwelling units, and includes Privately Owned Publicly Accessible Spaces.

- (3) "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.
- (4) "Assembly Hall, Convention Centre or Conference Hall" means a building or part of a building designed or intended to be used for such purposes as civic meetings, educational meetings, political meetings, conventions, conferences, trade shows, recreational activities or social activities and may include ancillary banquet facilities.
- (5) "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.
- (6) "Bicycle Parking" shall mean an area used for parking or storing a bicycle;
- (7) "Block" means all land fronting on one (1) side of a street between the nearest streets, intersecting, meeting or crossing said street.
- (8) "Building" means a structure occupying an area of at least 10.0 m<sup>2</sup> and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- (9) "Cinema" means a premises where motion pictures are exhibited for public viewing.
- (10) "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.
- (11) "Commercial Use" means any use the primary purpose of which is to sell, lease or rent a product or 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.
- (12) "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.
- (13) "Day Care Centre" means:
  - i) indoor and outdoor premises where more than five (5) 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.
- (14) "Daylight Triangle" means an area free of buildings, structures, fences and hedges more than 0.9 m in height and which area is to be determined by measuring, from the point of intersection of street lines on a corner lot 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.

- (15) “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.
- (16) “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.
- (17) “Dwelling” includes:
- i) “Additional Dwelling Unit” shall mean a self-contained unit in a detached dwelling, semi-detached dwelling, block townhouse dwelling unit, street townhouse dwelling unit, or in a building accessory to a detached dwelling, semi-detached dwelling, block townhouse dwelling unit, and street townhouse dwelling unit on the same lot. The additional dwelling unit shall consist of one or more rooms that are designed, occupied or intended for residential occupancy, by one or more persons as an independent and separate residence in which cooking facilities, sleeping facilities and sanitary facilities are provided for the exclusive use of such person or persons.
  - ii) “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.
  - iii) “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.
  - iv) “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.
  - v) “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.
  - vi) “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.

- vii) “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.
  - viii) “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.
- (18) “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.
- (19) “Floor Area, Net” means the total area of all floors of a building measured from the interior faces of the exterior walls or demising walls, but does not include the following areas:
- i) Motor vehicle parking and bicycle parking below established grade;
  - ii) Motor vehicle parking and bicycle parking at or above established grade;
  - iii) Loading spaces and related corridors used for loading purposes;
  - iv) Rooms for storage, storage lockers, washrooms, electrical, utility, mechanical and ventilation;
  - v) Indoor amenity space required by this By-law;
  - vi) Elevator, garbage and ventilating shafts;
  - vii) Balconies;
  - viii) Mechanical penthouse;
  - ix) Porches, non-walk-in bay windows, attics, basements, enclosed or roofed walkways; and
  - x) Stairwells in the building.
- (20) “Floor Space Index (FSI)” means the total net floor area of all buildings on a lot divided by the total lot area.
- (21) “Food Store” means a premises that sells food and other non-food items, primarily on a self-service basis.
- (22) “Gross Floor Area” shall mean 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 level but excluding any porch, veranda, cellar, mechanical room or penthouse, amenity space, bicycle storage, lockers, stairwells, public washrooms, garbage chutes, elevator shafts, or areas dedicated to parking within the building. For the purpose of this definition, the walls of an inner court shall be deemed to be exterior walls.
- (23) “Height” means the vertical distance between the average 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.
- (24) “Home Occupation” 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.

- (25) "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. A hotel may also include restaurant, public hall and accessory retail store which are accessory to the primary hotel function and oriented to serve the hotel patrons.
- (26) "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.
- (27) "Landscape Strip" means a continuous strip of landscaped open space provided along a lot line or other feature, and consisting of a planting screen or landscaped earth berm. A landscape strip is permitted to be traversed by driveways and walkways. The width of the landscape strip and its minimum height to provide visual screening are indicated in the requirements of this By-law.
- (28) "Landscaped Open Space" means the open unobstructed space at grade suitable for the growth and maintenance of landscaping and includes any surfaced walk, patio, stairs or similar area but does not include any driveway, or ramp, whether surfaced or not, any curb, retaining wall, parking area, interior courtyard, or any easement for the purposes of underground or overhead utilities or services where located within a front yard or exterior side yard.
- (29) "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.
- (30) "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 (1) commercial vehicle while merchandise or materials are being loaded or unloaded from such vehicles.
- (31) Long-Term Care Home: means a facility which provides care and services for persons who are no longer able to live independently or who require on-site nursing care, 24-hour supervision or personal support and licensed under the *Long Term Care Homes Act, 2007*, as amended.
- (32) "Lot" means a parcel of land fronting on a street, whether or not occupied by a building or structure.
- (33) "Lot Area" means the total horizontal area of a lot within the boundaries of a lot.
- (34) "Lot Coverage" means the percentage of the total lot area occupied by all buildings and structures at and above grade including cantilevered floor space, bay windows, balconies, uncovered and covered porches and decks, and below grade steps and ramps. This excludes eaves, belt courses, chimney breasts, sills, or cornice projections to a maximum of 0.6 m.
- (35) "Main Wall" means a primary exterior front, rear, or side wall of a building, not including permitted projections.
- (36) "Museum" means premises used for the exhibition, collection and/or preservation of objects of cultural, historical or scientific interest for public viewing.
- (37) "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.

- (38) "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 or vehicle sales and rental establishment.
- (39) "Office, Medical" means a 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.
- (40) "Outdoor Patio" means an outdoor area, covered or uncovered, where seating accommodation can be provided and/or where meals or refreshments may be served to the public for consumption.
- (41) "Park, Private" shall mean an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes.
- (42) "Park, Public" shall mean an area or 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.
- (43) "Parking Area" means one (1) or more parking spaces, including related aisles, for the parking or storage of vehicles.
- (44) "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. "Personal Service Shop" means a premises used to provide personal grooming services or for the cleaning or care of apparel.
- (45) "Parking Lot" means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to the main use.
- (46) "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 (1) motor vehicle.
- (47) "Parking Space, Bicycle" means an area used exclusively for parking or storing a bicycle.
- (48) "Parking Structure" means a building or portion thereof, below and/or above grade, containing one (1) or more parking spaces.
- (49) "Parking Structure, Bicycle" means a structure, either covered or uncovered, containing one (1) or more bicycle parking spaces.
- (50) "Passive Recreational Use" means outdoor recreational activities such as walking or hiking trails, passive parks, shelters, or natural observation that require minimum facilities or development and that have a minimal impact on the environment.
- (51) "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

- (52) "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.
- (53) "Podium" shall mean the base of a building, structure or part thereof located at or above established grade that projects from the tower portion of the building.
- (54) "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.
- (55) "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.
- (56) "Privately-Owned Publicly Accessible Space" means physical space that is privately-owned but appears and functions as public space. These spaces are secured through an easement in favour of the City, are designed and maintained to the standards established by the City, and remain open and accessible to the public or according to a schedule established by agreement with the City.
- (57) "Residential Use" means the use of land, buildings or structures for human habitation.
- (58) "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.
- (59) "Retail Store" means a premises in which goods and merchandise are offered or kept for retail sale or rental to the public.
- (60) "Retirement Home" means a retirement home as defined in the Retirement Homes Act, as amended, or its successor.
- (61) "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.
- (62) "School, Elementary or School, Secondary" means a place of instruction maintained and operated under the jurisdiction of a public authority, and may also include a day care centre as an accessory use.
- (63) "School, Post-Secondary" means a building or part of a building where educational facilities are provided for the instruction of college or university education, and that is operated under jurisdiction of a public authority and may include accessory residential facilities, including cafeterias, but does not include a commercial school.

- (64) "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.
- (65) "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.
- (66) "Setback" means the shortest horizontal distance between a building or structure and a lot line.
- (67) "Storey" shall mean 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.
- (68) "Storey, First" means the storey with its floor closest above average grade and having its ceiling more than 1.8 m above average grade.
- (69) "Street" means a public highway but does not include a lane or a King's Highway (Highway 401).
- (70) "Street Line" means the dividing line between a lot and a street.
- (71) "Street, Private" means:
- i) A right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
  - ii) A private road condominium, which provides access to individual freehold lots;
  - iii) A roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units; or
  - iv) 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.
- (72) "Structure" means anything that is erected, built or constructed of parts joined together that is fixed to or supported by the soil and/or any other structure, and is not a fence, in-ground swimming pool, or electric vehicle supply equipment.
- (73) "Theatre" means a building or part of a building used for the showing of motion pictures, or for the rehearsal or performance of performing arts, such as music or dance, and live presentations, and may include accessory retail sales and the sale and service of food and beverages.
- (74) "Tower" shall mean the storeys within that portion of a building or structure or part thereof located above the podium.
- (75) "Tower Floor Plate" shall mean 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.
- (76) "Use" when used as a noun, means the purpose for which a lot or building or structure or any combination thereof, is designed, arranged, intended, occupied or maintained and "uses" shall have a corresponding meaning. "Use," when used as a verb, or "to use," shall have corresponding meanings.

- (77) "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.
- (78) "Yard" means any open, uncovered, unoccupied space appurtenant to a building.
- (79) "Yard, Exterior Side" means a side yard adjacent to a street.
- (80) "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.
- (81) "Yard, Interior Side" means a side yard not adjacent to a street.
- (82) "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.
- (83) "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.
- (84) "Zone" means a designated area of land use shown on Schedule 1 and established and designated by this Bylaw for the purposes of a specific use or group of uses that are erected and maintained in accordance with the provisions of this By-law.
- (85) "Zone Boundary" means the approximate spatial extent of a zone, as shown on Schedule 1 to this By-law.

## **5. Permitted Uses and Zone Regulations ("MU-SRN-1")**

### **(1) Permitted Uses ("MU-SRN-1")**

No person shall within the lands zoned "MU-SRN" on Schedule I to this By-law, use any lot or erect, alter, or use any building or structure for any purpose except the following:

#### Residential Uses:

- (i) Additional Dwelling Unit<sup>(1)</sup>;
- (ii) Apartment Dwelling;
- (iii) Back-to-Back Townhouse Dwelling<sup>(2)</sup>;
- (iv) Block Townhouse Dwelling<sup>(2)</sup>;
- (v) Live Work Dwelling;
- (vi) Stacked Dwelling<sup>(2)</sup>; and
- (vii) Street Townhouse Dwelling<sup>(2)</sup>.

#### Non-Residential Uses

- (i) Art Gallery/Studio
- (ii) Assembly Hall
- (iii) Cinema
- (iv) Commercial Fitness/Recreation Centre
- (v) Community Centre

- (vi) Community Garden
- (vii) Convention Centre or Conference Hall
- (viii) Day Care Centre
- (ix) District Energy Facility
- (x) Dry Cleaning Distribution Centre
- (xi) Financial Institution
- (xii) Food Store
- (xiii) Home-Based Business
- (xiv) Hotel
- (xv) Kiosk
- (xvi) Library
- (xvii) Long-Term Care Facility
- (xviii) Museum
- (xix) Nightclub
- (xx) Office
- (xxi) Office, Medical
- (xxii) Park
- (xxiii) Parking Structure
- (xxiv) Personal Service Shop
- (xxv) Place of Amusement
- (xxvi) Place of Worship
- (xxvii) Private Club
- (xxviii) Private Home Daycare
- (xxix) Restaurant
- (xxx) Retail Store
- (xxxi) Retirement Home
- (xxxii) School, Commercial
- (xxxiii) School, Elementary, Secondary
- (xxxiv) School, Post-Secondary
- (xxxv) School, Private
- (xxxvi) Service and Repair Shop
- (xxxvii) Theatre
- (xxxviii) Veterinary Clinic

Notes:

1. Use shall be permitted within a street townhouse dwelling unit, and block townhouse dwelling unit.
2. Use prohibited in areas that directly front onto a public road.

**(2) Zone Regulations ("MU-SRN-1 Zone")**

**Table 1 – MU-SRN-1 Zone Regulations.**

1. Floor Space Index (FSI)	i) Maximums as shown on Schedule III
2. Building Setbacks	ii) Minimum: 1.0 metre
3. Setback from Public Park	iii) Buildings with a height greater than 3 storeys shall be setback a minimum of 17.0 metres from a Public Park
4. Setback for Below Grade Parking Structures	iv) Minimum: 0 metres
5. Building Height	v) Maximums as specified on Schedule IV to this by-law.
6. Podium Height	vi) Maximum of 7 storeys
7. Main Wall Stepback for Buildings Greater Than 37.5 metres	vii) 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 Brock Road or Pickering Parkway.
8. Floor Plate for Towers	viii) Maximum tower floor plate for a residential building: 850 square metres ix) Balconies shall be excluded from the calculation of tower floor plate
9. Building Separation	x) 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 xi) Minimum: 25.0 metres for any portion of a building greater than 37.5 metres in height
10. Amenity Space Requirements for Apartment Dwellings	xii) Minimum: 4.0 square metres of amenity area is required per apartment dwelling unit, including at least 1 contiguous Common Outdoor Amenity Area with at least 40.0m <sup>2</sup>
11. Landscaped Open Space	xiii) Minimum 10% land area
12. Exception for Phase 5 and 7	xiv) Phases 5 and 7, as conceptually depicted on Schedule V of this By-law are not subject to maximum podium height requirements (Section (2).6) or maximum floor plate requirements (Section (2).9).

**(3) Privately-Owned Publicly Accessible Spaces (POPS)**

Privately-Owned Publicly Accessible Spaces will be provided on each phase of development in accordance with the minimum areas as shown on Schedule VI. In accordance with By-law No. 8142/24, these POPS depicted on Schedule VI will be applied as a 50 percent credit towards the parkland requirements. The design of each POPS will generally have regard for the Council-adopted POPS guidelines and will be subject to review at the detailed design stage of each phase.

**(4) Permitted Encroachments**

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

- (i) Projections such as awnings, canopies, windowsills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, piers, 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 1.0 metres or half the distance of the minimum required setback, whichever is less.
- (ii) Notwithstanding the provisions of Section (2) of this by-law, canopies along Brock Road and Pickering Parkway may project 1.0 metres into the required setback; and piers may project 1.0 metres into the required setback.
- (iii) Any stairs, including to a porch or any associated landing, uncovered platform, covered 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.
- (iv) A balcony, porch, uncovered platform or covered platform may encroach into any required setback or required stepback to a maximum of 3.0 metres.
- (v) 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.
- (vi) Stairs and air vents associated with a parking structure are permitted in a required minimum front or exterior side yard, so long as a minimum setback to property line of 0.5m is achieved.
- (vii) Exterior entrances including above grade or below grade entrances to any dwelling unit shall be permitted to encroach into any required yard provided it is setback a minimum of 0.9 m from all lot lines.

#### **(5) Height Exceptions**

- (i) The height requirements of this By-law shall not apply to:
  - 1. A belfry;
  - 2. A chimney;
  - 3. A flagpole;
  - 4. A clock tower;
  - 5. Ornamental architectural features such as, but not limited to a dome or skylight;
  - 6. A cupola;
  - 7. A water storage tank;
  - 8. Rooftop mechanical equipment and rooftop mechanical penthouses, which shall be subject to Section (7) of this by-law;
  - 9. A wireless or transmitting antenna;
  - 10. A windmill, silo or other accessory buildings and structures that are accessory to a permitted agriculture use, provided that the accessory building or structure is not used for human habitation.
- (ii) A parapet wall incorporated as part of a green roof may exceed the maximum building height as required by the applicable zone by 1.5 m.
- (iii) Rooftop solar panels and associated required structural equipment may exceed the maximum building height as required by the applicable zone by 1.5 m.

**(6) Rooftop Mechanical Equipment and Mechanical Penthouses**

- (i) Rooftop mechanical equipment, including any appurtenances thereto, that exceed a maximum height of 2.0 m shall be fully enclosed within a mechanical penthouse.
- (ii) Rooftop mechanical equipment shall be set back a minimum of 5.0 m from all edges of a roof.
- (iii) Notwithstanding Section (7)(ii), no setback is required if rooftop mechanical equipment is fully enclosed within a mechanical penthouse or screened by an architectural feature.

**(7) Highway 401 Corridor Setback**

- (i) 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 m of any lot line abutting the boundary of the Highway 401 Corridor.

**(8) Temporary Construction Uses Permitted**

- (i) Nothing in this By-law shall prevent the use of land or the use or erection of a building or structure for:
  - 1. A scaffold or other temporary building or structure incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned; or
  - 2. A sign having an area of not more than 4.7 m<sup>2</sup> incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned.

**(9) Temporary Sales Office**

- (i) A temporary sales office for the sale of lots or units shall be permitted in all zones, subject to the following additional provisions:
  - 1. A temporary sales office shall not be permitted until an applicable plan of subdivision or condominium for the proposed development has received draft plan approval or the property is in a zone that permits the proposed development or a temporary sales office agreement is in force.
  - 2. 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.
  - 3. A temporary sales office shall only be permitted if it complies with requirements of the zone in which the lot is located.

**(10) Yards Abutting Daylight Triangles**

- (i) 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, eave troughs and architectural elements, such as the architectural projections from the podium and canopies, which may project to within 0.3 metres of the daylight triangle.

**(11) Vehicular Parking Regulations**

(i) Parking Requirements

1. Parking shall be provided at a minimum rate of 0.8 parking spaces per dwelling unit.
2. Visitor Parking shall be provided at a minimum rate of 0.15 parking spaces per dwelling unit.
3. Parking shall be provided at a minimum rate of 2.5 parking spaces per 100 square metres of Gross Leasable Floor Area for Office uses.
4. Parking shall be provided at a minimum rate of 4.5 parking spaces per 100 square metres of GLFA for a Commercial Fitness Centre, 5.0 parking spaces per 100 square metres of GLFA for a Restaurant over 465 square metres of GLFA, and a minimum of 3.5 parking spaces per 100 square metres for all other non-residential uses.
5. 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 down to the nearest whole number.

(ii) Accessible Parking Requirements

1. 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.

(iii) Parking Off-Site

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

(iv) Parking Structures

1. Above grade parking structures located adjacent to any street line shall comply with the provisions for the main building.
2. 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.

3. 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 1.0 metres to a street line.
- (v) Parking for Multiple Uses on One Lot
1. A shared parking formula may be used for the calculation of required parking for multiple uses on a lot.
  2. Shared parking is to be calculated in compliance with Table 2 – Shared Parking Formula.
  3. All required parking spaces must be accessible to all uses participating in the shared parking arrangement and may not be reserved for specific users.
  4. 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 1 – 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.**

Type of Use	Percentage of Peak Period (Weekday)			
	Morning	Noon	Afternoon	Evening
<i>Financial Institution/Office/Office, Medical</i>	100	90	95	10
<i>Food Store/Personal Service Shop/Retail Store</i>	65	90	90	90
<i>Restaurant</i>	20	100	30	100
<i>Residential - Visitor</i>	20	20	60	100

Type of Use	Percentage of Peak Period (Saturday)			
	Morning	Noon	Afternoon	Evening
<i>Financial Institution/Office/Office, Medical</i>	10	10	10	0
<i>Food Store/Personal Service Shop/Retail Store</i>	80	100	100	70
<i>Restaurant</i>	20	100	50	100
<i>Residential - Visitor</i>	20	20	60	100

**(12) Size of Parking Spaces, Aisles, and Stacking Lanes**

- (i) Parking Space: parking spaces shall be a minimum of 2.6 m in width and 5.3 m in length, exclusive of any land used for access, manoeuvring, driveways or similar purposes.

- (ii) Parking Space, Parallel: parallel parking space shall be a minimum of 2.6 m in width and 6.4 m in length.
- (iii) Parking Space within a Private Garage:
  - 1. A minimum of one parking space in any attached or detached private garage associated with a dwelling unit shall be required to meet the minimum dimensions of 3.1 m in width by 6.5 m in length and shall have a minimum vertical clearance of 2.6 m;
  - 2. All other parking spaces in a private garage shall have a minimum width of 2.6 m and minimum length of 5.3 m.
  - 3. Steps encompassing an area not greater than 1.2 m by 0.6 m is permitted to encroach in any parking space located in a private garage.
- (iv) Aisle: parking lot aisles shall be a minimum of 6.0 m in width for one-way traffic and a minimum of 6.5 m in width for two-way traffic.

### **(13) Bicycle Parking Space Requirements**

- (i) Minimum 0.5 bicycle parking spaces per dwelling unit;
- (ii) Where a minimum of 25 percent of the total required must be located within:
  - 1. a building or structure;
  - 2. a secure area such as a supervised parking lot or enclosure; or
  - 3. bicycle lockers.
- (iii) Dimensions:
  - 1. if located in a horizontal position (on the ground): a minimum length of 1.6 metres and a minimum width of 0.6 metres;
  - 2. if located in a vertical position (on the wall): a minimum length of 1.5 metres and a minimum width of 0.5 metres;
  - 3. if stacked: a minimum length of 1.5 metres and a minimum width of 0.45 metres.

### **(14) Loading Space Requirements**

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

- (i) the minimum dimensions of a loading space are 3.5 metres in width and 11.0 metres in length, with a minimum vertical clearance of 4.2 metres.
- (ii) a loading space shall abut the building for which the loading space is provided.
- (iii) an unenclosed loading space located above established grade shall be set back a minimum of 10.0 metres from a Public Street line.
- (iv) An enclosed loading space located above grade shall comply with the applicable building setbacks from a the street line regulation.
- (v) notwithstanding Sections 15(i),15(ii), and 15(iii) of this by-law, nothing shall prevent the establishment of loading spaces with smaller dimensions, so long as at least one (1) loading space with the specified dimensions is provided on each lot.

### **(15) Permitted Uses and Zone Regulations (“O2”)**

- (i) Development in the O2 Zone shall be in accordance with Section 16 of By-law 3036, as amended. In addition, the list of permitted uses in the O2 Zone also includes the installation and use of a water main, sanitary sewer main, storm sewer main, stormwater management facility, gas main, pipeline, overhead or underground hydro, communications/telecommunications or other utility and/or servicing infrastructure.
- (ii) The O2 Zone, representing the portion of the property to be dedicated to the City of Pickering as Parkland, shall be a minimum 9,480 square metres in area.

**(16) Holding Provision**

Only permitted Uses Prior to Removal of the “H”

- (i) For such time as the “H” symbol is in place, these lands shall only be used for the following:
  - 1. All uses permitted in the MU-SRN-1 zone of By-law No. 7176/11.

Zone Regulations Prior to Removal of the “H”

- (ii) For such time as the “H” symbol is in place, only the following shall be permitted:
  - 1. Existing buildings or structures legally existing on the effective date of this By-law
  - 2. 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
  - 3. New buildings or structures, subject to the provisions of By-law 6549/05, as amended by By-law 7176/11, provided that the maximum combined gross floor area shall not exceed 3,000 square metres.

Conditions for Removal of the “H”

- (iii) The “H” symbol or a portion thereof, 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:
  - 1. Submission of a satisfactory detailed noise study prepared by a qualified person;
  - 2. Submission of a satisfactory detailed transportation impact study prepared by a qualified person;
  - 3. Submission of a satisfactory detailed functional servicing and stormwater management report prepared by a qualified person; and
  - 4. Registration of a Draft Plan of Subdivision.

**6. Repeal of By-law**

Upon this by-law being in force and effect, By-law 6549/05, as amended by By-law 7176/11 is repealed.

**7. By-law 3036**

By-law 3036, as amended as amended by By-law 7176/11, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law as it applies to the lands set out in Schedule I attached hereto. Definitions and subject matters not specifically dealt with in this By-law shall be governed by the relevant provisions of By-law 3036, as amended by By-law 7176/11.

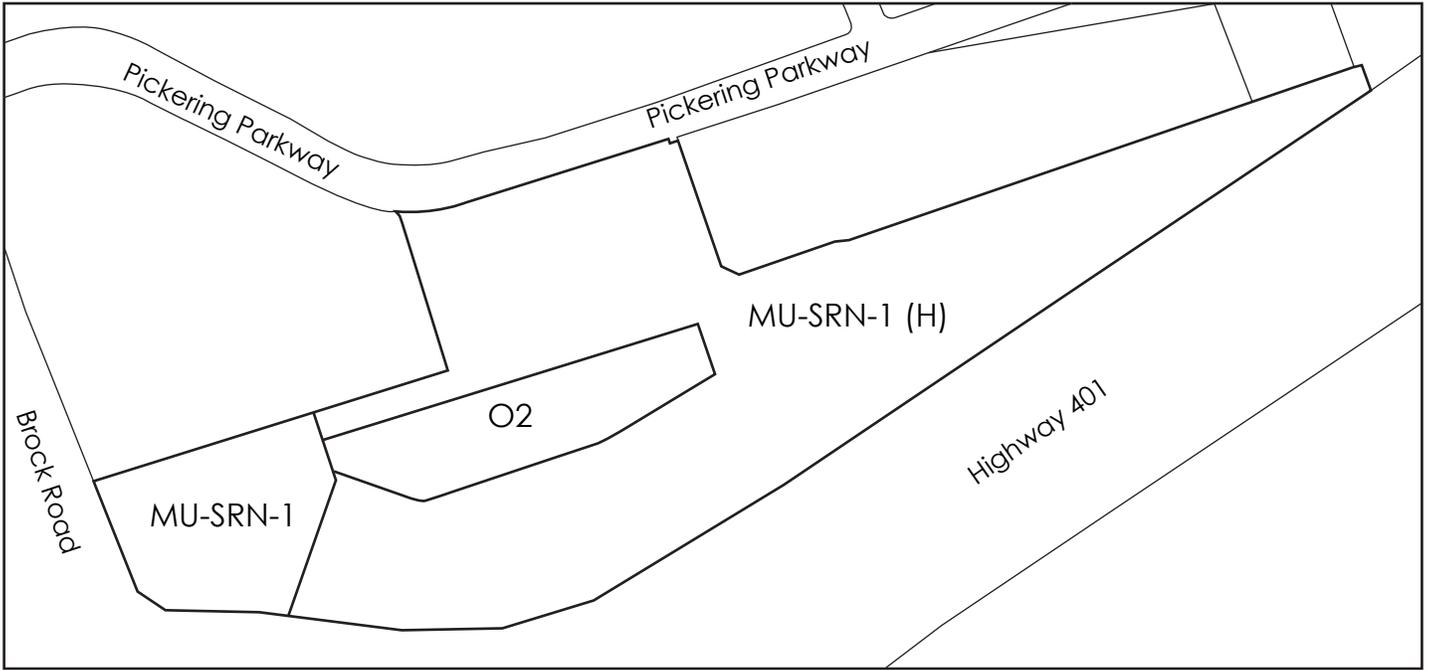
**8. Effective Date**

This By-law shall come into force in accordance with the provisions of the *Planning Act*.

By-law read a first, second, and third time and finally passed this \_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Kevin Ashe, Mayor

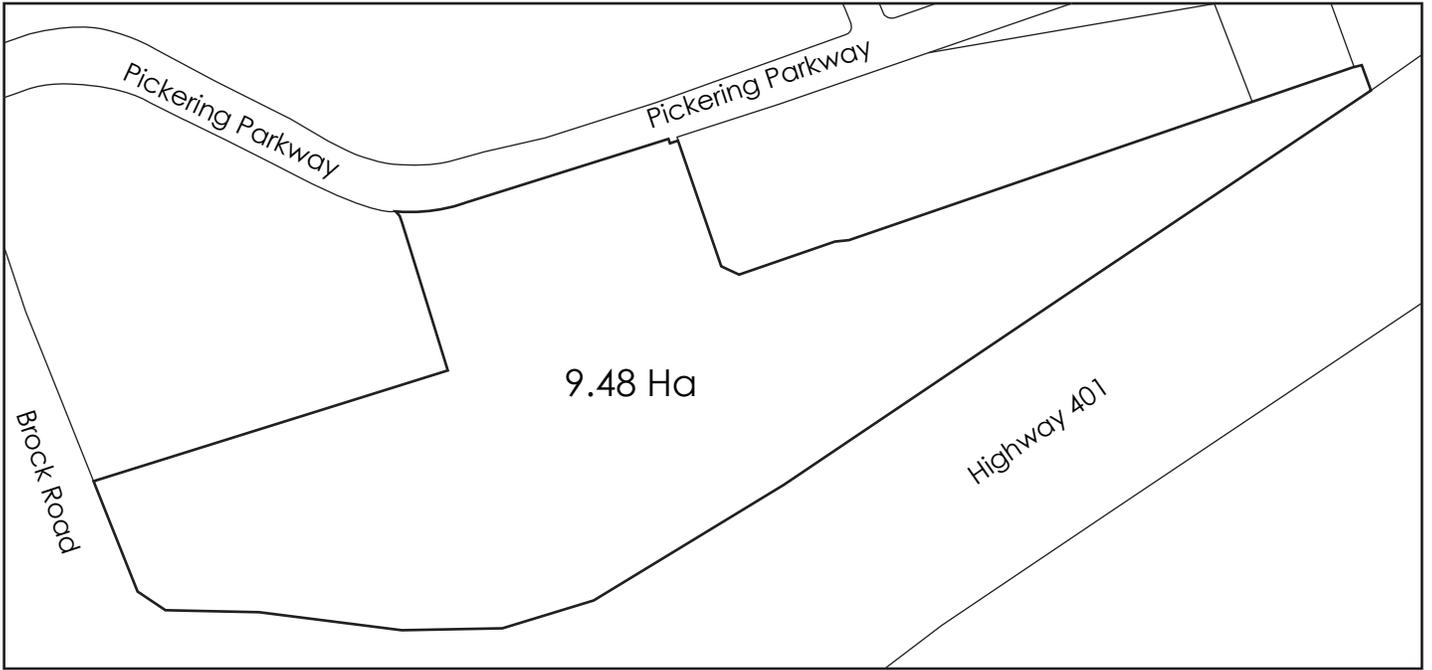
\_\_\_\_\_  
City Clerk



Schedule I to By-law \_\_\_\_\_  
Passed this \_\_\_\_\_  
Day of \_\_\_\_\_

\_\_\_\_\_  
Mayor

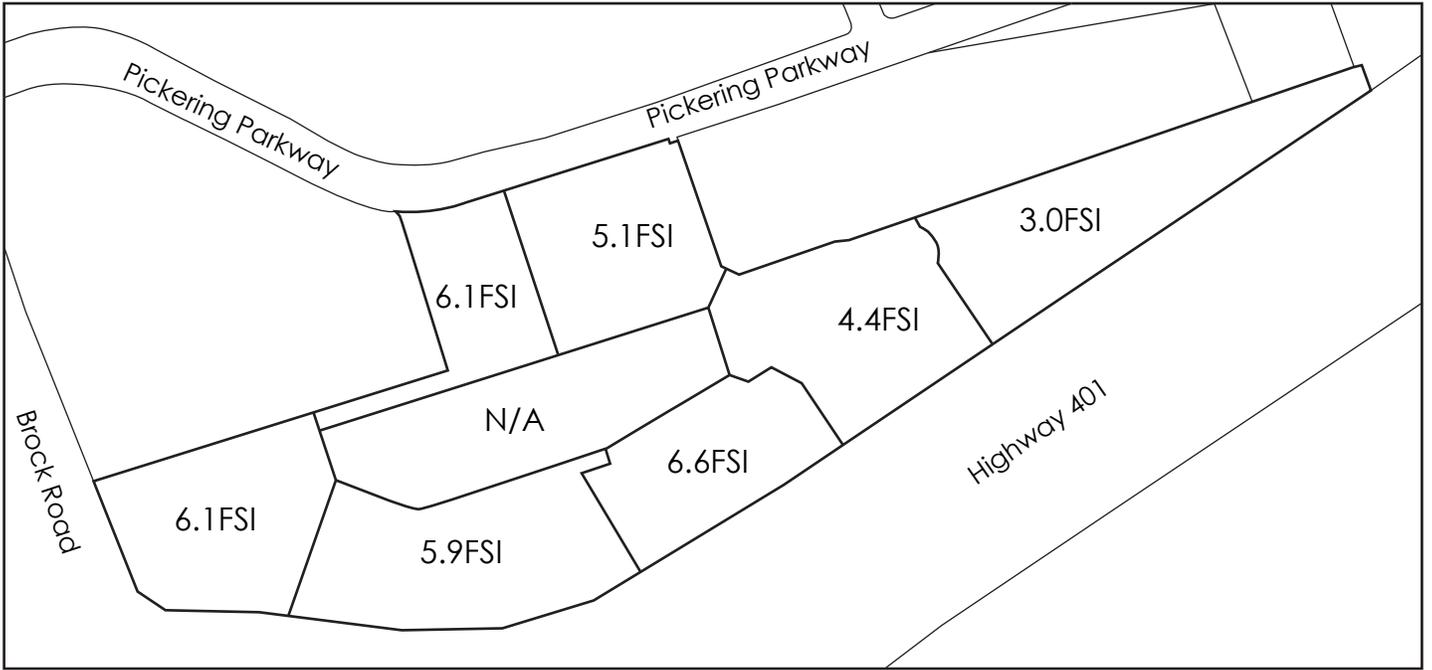
\_\_\_\_\_  
Clerk



Schedule II to By-law \_\_\_\_\_  
Passed this \_\_\_\_\_  
Day of \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



Schedule III to By-law \_\_\_\_\_  
Passed this \_\_\_\_\_  
Day of \_\_\_\_\_

\_\_\_\_\_  
Mayor

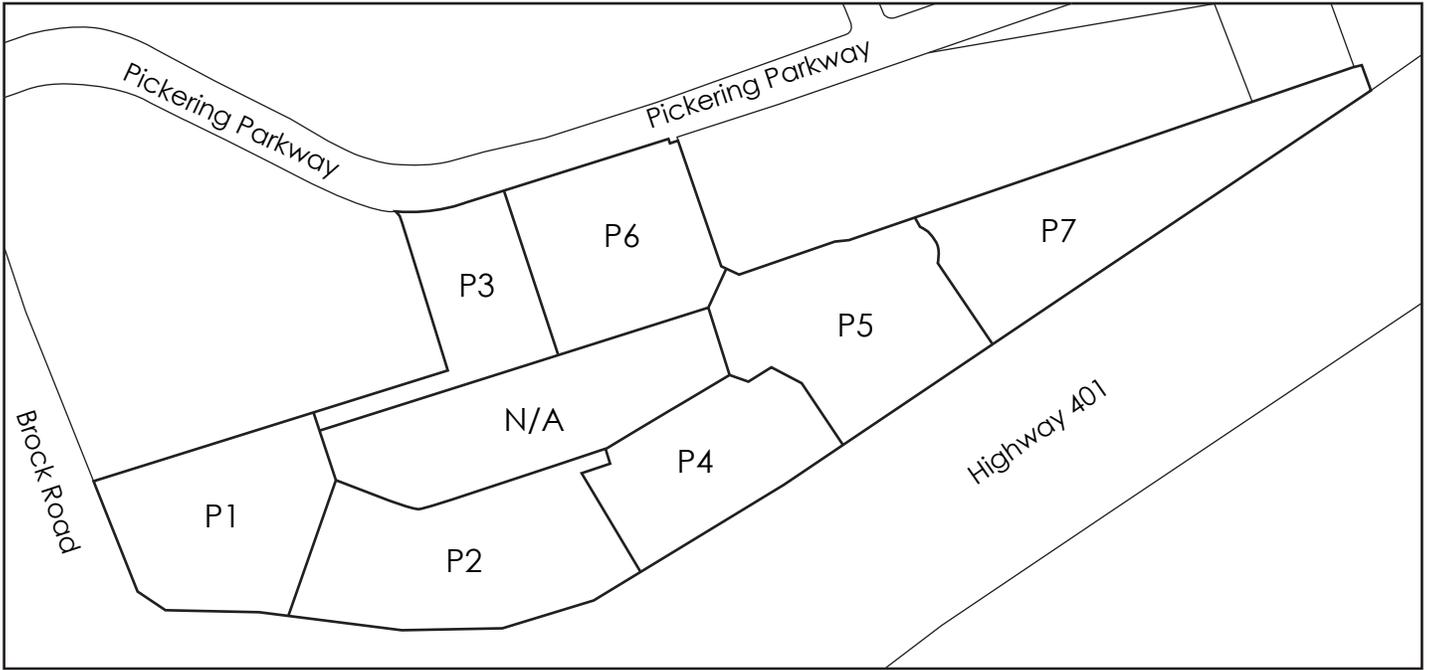
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Clerk



Schedule IV to By-law \_\_\_\_\_  
Passed this \_\_\_\_\_  
Day of \_\_\_\_\_

\_\_\_\_\_  
Mayor

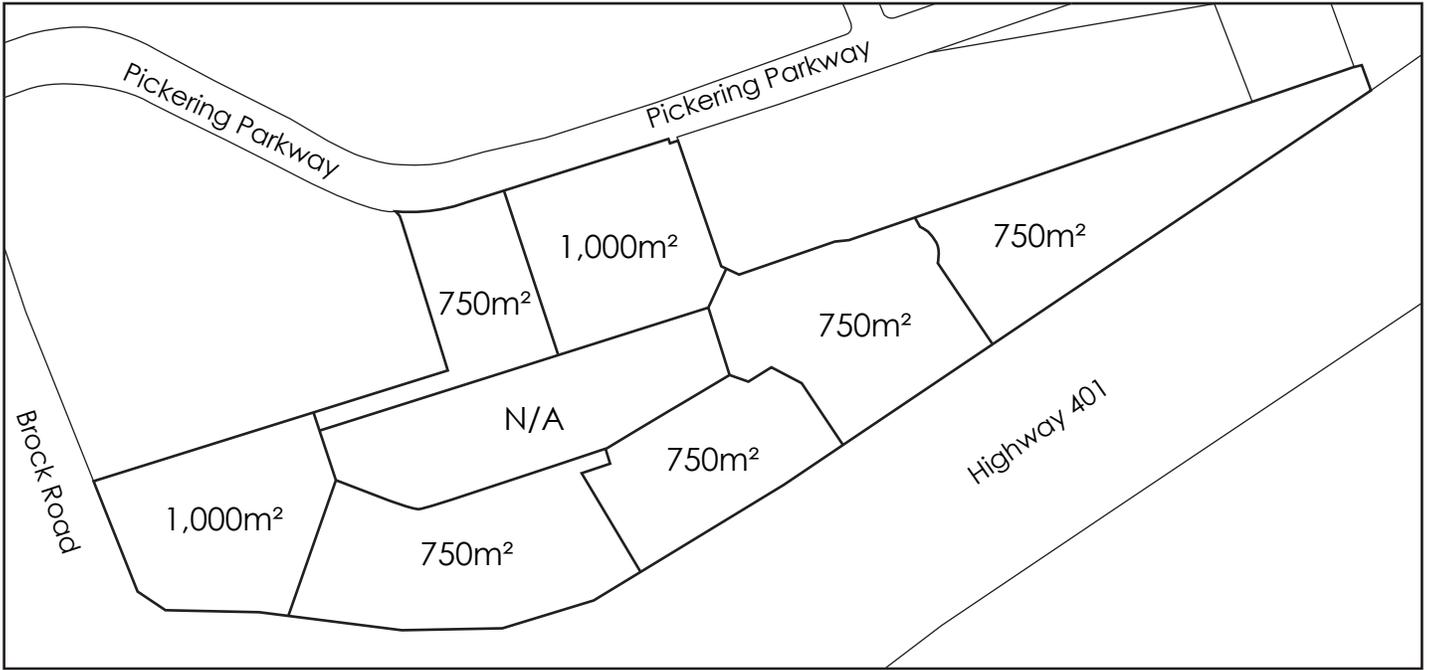
\_\_\_\_\_  
Clerk



Schedule V to By-law \_\_\_\_\_  
Passed this \_\_\_\_\_  
Day of \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



Schedule VI to By-law \_\_\_\_\_  
Passed this \_\_\_\_\_  
Day of \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk