

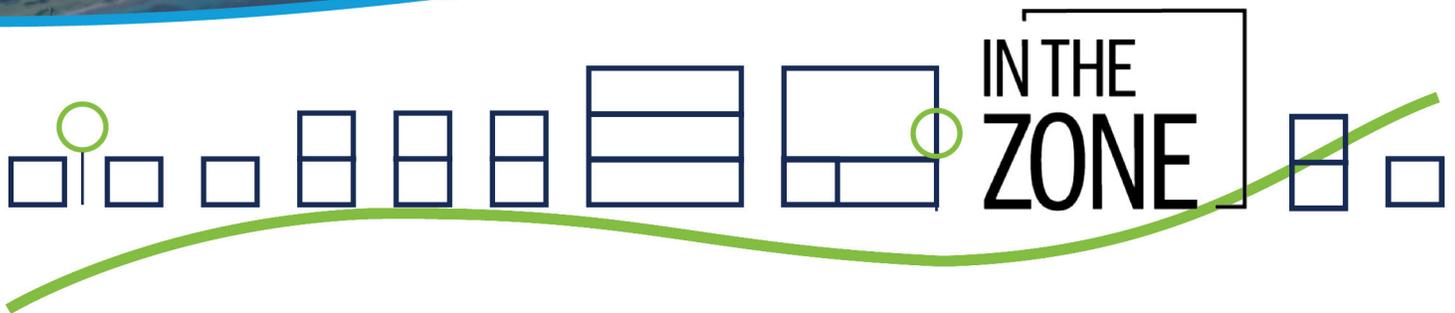
Prepared By:



# Mixed Use Report

Town of Whitby Zoning By-law Review Study

September 2020



Prepared For:





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# 1. Introduction



This report forms part of the Whitby Zoning By-law Review Study, a comprehensive phased undertaking that sets out to update Whitby's existing zoning by-laws into a new single Comprehensive Zoning By-law for the Town. The overall intent of the Zoning By-law Review Study is to create a new zoning by-law that will implement the Official Plan, that is clear, concise and easy to read and that provides necessary land use and built form direction while being flexible in implementation where appropriate.

The objective of this report is to review and evaluate the existing mixed use zones in the Town of Whitby's Zoning By-laws.

The undertaking includes a review of mixed use zones within Zoning By-Law #1784 ("1784") and Zoning By-Law #2585 ("2585"). The Oak Ridges Moraine Zoning By-Law #5581-05 ("5581-05") is a third zoning by-law in the Town but it contains no mixed use zones.

The purpose of the review is to understand how the mixed use zones in each zoning by-law are laid out and if each zoning by-law has components that can be carried forward, if appropriate, into Whitby's new Comprehensive Zoning By-law. The undertaking also included a review of other municipalities' zoning by-laws to gain insight into requirements for mixed use zones that should be addressed in the new Comprehensive Zoning By-law. The information summarized in this report is intended to assist in determining how to structure Whitby's new Comprehensive Zoning By-law.

The scope of this Study includes the entirety of Whitby, with the exception of the Brooklin expansion area.

**Section 2** of this report broadly outlines the structure of the mixed use zones in the two Whitby zoning by-laws.

**Section 3** of this report summarizes a review of Whitby's existing mixed use zones, including permitted uses and the zoning provision standards within each mixed use zone.

**Section 4** outlines some elements that other existing zoning by-laws in Ontario address, to consider for inclusion in Whitby's new Comprehensive Zoning By-law.

**Section 5** highlights any inconsistencies between the designations of the Town's Official Plan and existing zoning permissions and provisions.

**Section 6** includes a review of past minor variances.

**Section 7** summarizes considerations related to intensification and cultural heritage.

**Section 8** summarizes some considerations from the analysis outlined within this report.

**Section 9** addresses next steps for the Study.

## 2. Mixed Use Zones in the Existing Zoning By-Laws



### 2.1 Zoning By-Law 1784

Zoning By-law 1784 contains the Commercial Mixed Use (CMU\*) Zone.

The West Whitby Secondary Plan Area within Zoning By-law 1784 additionally contains the following four mixed use zones:

- Mixed Use One North (MX1N) Zone;
- Mixed Use One South (MX1S) Zone;
- Mixed Use Two (MX2) Zone; and
- Mixed Use Two Special (MX2S) Zone.

In addition, the Village of Brooklin Central Core Area in Section 13 of the zoning by-law contains the Mixed Use Residential (MUR-VB) Zone.

These zones all permit a broad range of residential and non-residential uses. The CMU\* and MUR-VB zones outline provisions for all uses in a list, while the MX1N, MX1S, MX2 and MX2S West Whitby zones include a table which compares the permitted uses across all four zones. While the MX1N zone permits a range of stand-alone uses, the MX1S, MX2 and MX2S zones all generally only permit non-residential uses accompanied by residential uses on the same lot, within each zone area or within the same building.

### 2.2 Zoning By-law 2585

Zoning By-law 2585 contains only one parent mixed use zone which is found within Section 26. The Commercial Residential (CR-DT) Zone is located within the Downtown Secondary Plan Area. This zone permits a broad range of non-residential uses while residential uses are permitted in conjunction with permitted non-residential uses.

There are a number of commercial zones that permit residential uses (e.g. C3-DT), however these zones were discussed and reviewed in the Commercial Report.

### 3. Comparison of Existing Zone Uses and Permissions



Permitted uses for the mixed use zones in Zoning By-law 1784 and 2585 were reviewed.

#### 3.1 Location

The parent mixed use zones typically occupy small isolated areas in Whitby and are generally located west of Garden Street between Taunton Road West to the north and Burns Street to the south. The exception is the MUR-VB Zone, which is located in Downtown Brooklin along Baldwin Street, north of Winchester Road.

Maps showing the location of each of these areas are provided in **Appendix A**.

#### 3.2 Permitted Uses

The permitted uses for the mixed use zones are found in **Table 1** and **Table 2**.

Within Zoning By-law 1784, the CMU\* zone and West Whitby Secondary Plan MX1N zone both permit a range of stand-alone high density residential and stand-alone non-residential uses. In comparison, the West Whitby Secondary Plan MX1S zone permits stand-alone high density residential uses, and only permits non-residential uses integrated with residential uses on the lot and/or in the same building. The MX2 and MX2S Zones have similar permitted uses, however residential and non-residential uses must either be integrated together within each zone area and/or in the same building.

Residential uses permitted within the CMU\* zone include apartment buildings, long term care facilities and retirement homes. These uses are also permitted in the MX1N, MX1S, MX2 and MX2S Zones, along with street, block, back to back and stacked townhouses, as well as live work dwellings.

Permitted uses in the Village of Brooklin MUR-VB zone are more limited, only permitting new uses in existing dwellings including but not limited to bed and breakfasts, retirement homes, and group homes, as well as converted dwellings and existing single detached dwellings used for offices or artist studios/schools. It is our understanding that the limitation on uses was done to encourage adaptive reuse of buildings in the Heritage Conservation District, but it has been problematic for those who want to construct additions and for those who want to re-develop properties in the MUR-VB Zone that have development potential.

Within Zoning By-law 2585, the CR-DT zone permits a range of non-residential uses, as well as apartment dwellings and converted dwellings in conjunction with one or more of the zone's permitted non-residential uses excluding a public parking lot, public park or uses permitted in an Institutional Downtown zone (I1-DT)

**Table 1: Permitted Uses in the Mixed Use Zones (Non-Residential Uses)**

Zoning By-law	1784	1784	1784	1784	1784	1784	2585
	CMU*	MX1N	MX1S	MX2	MX2S	MUR-VB	CR-DT
Zone	Commercial Mixed Use	Mixed Use One North	Mixed Use One South	Mixed Use Two	Mixed Use Two Special	Mixed Use Residential	Commercial Residential
<b>Permitted Use</b>							
<b>Non-Residential</b>							
Animal care establishment	-	✓	Q1	Q2	Q2	-	-
Art gallery	-	✓	Q1	Q2	Q2	-	-
Artist or photographic studio	-	-	-	-	-	Q5	-
Assembly/meeting hall	✓	✓	Q1	Q2	Q2	-	-
Accessory caretakers residence	-	-	-	-	-	-	✓
Accessory uses, buildings and structures	-	-	-	-	-	✓	✓
Bakeshop	✓	-	-	-	-	-	✓
Bed and breakfast establishment in an existing dwelling	-	-	-	-	-	✓	-
Catering service establishment	-	✓	Q1	Q2	Q2	-	-
Church/place of worship	✓	✓	Q1	Q2	Q2	-	-
Clinic	✓	✓	Q1	Q2	Q2	-	✓
Commercial school	✓	✓	Q1	Q2	Q2	-	✓
Community centre	✓	✓	Q1	Q2	Q2	-	-
Day nursery/day care establishment	✓	✓	Q1	Q2	Q2	-	-
Eating establishment	✓	✓	Q1	Q2	Q2	-	✓
Eating establishment, take out	-	✓	Q1	Q2	Q2	-	-
Financial institution	✓	✓	Q1	Q2	Q2	-	✓
Food store	✓	✓	Q1	Q2	Q2	-	-
Funeral Home	-	-	-	-	-	-	✓
Hotel	-	✓	-	-	-	-	-
Institutional Uses	-	-	-	-	-	-	✓
Launderette, coin operated laundry	✓	-	-	-	-	-	-
Library	✓	✓	Q1	Q2	Q2	-	-
Museum	-	✓	Q1	Q2	Q2	-	-
Office	✓	✓	Q1	Q2	Q2	Q5	✓
Offices of a public agency	-	-	-	-	-	-	✓
Personal service establishment	✓	✓	Q1	Q2	Q2	-	✓
Place of entertainment	✓	✓	Q1	Q2	Q2	-	✓
Private club	-	-	-	-	-	-	✓
Private school	-	✓	Q1	Q2	Q2	-	-
Public service/use	✓	-	-	-	-	✓	✓
Public park	-	-	-	-	-	✓	✓
Recreational club or facility	✓	✓	Q1	Q2	Q2	-	-
Retail store/shop	✓	✓	Q1	Q2	Q2	-	✓
Service shop	✓	✓	Q1	Q2	Q2	-	✓
School for the purposes of art, music or dance instruction	-	-	-	-	-	Q5	-
Studio	-	✓	Q1	Q2	Q2	-	✓
Supermarket	-	✓	Q1	-	Q2/Q3	-	-
Taxi establishment	-	-	-	-	-	-	✓
Veterinary clinic	✓	✓	Q1	-	-	-	-
Wellness centre	-	✓	Q1	Q2	Q2	-	-

Q1: Use must be integrated with residential uses on the same lot and may be integrated in the same building.

Q2: Residential and non-residential uses must be integrated within each area zoned MX2 or MX2S and may be integrated in the same building.

Q3: Permitted at the north east corner of Taunton Road West and Des Newman Boulevard.

Q4: In conjunction with non-residential use

Q5: Within a single detached converted dwelling

**Table 2: Permitted Uses in the Mixed Use Zones (Residential Uses)**

Zoning By-law	1784	1784	1784	1784	1784	1784	2585
	CMU*	MX1N	MX1S	MX2	MX2S	MUR-VB	CR-DT
Zone	Commercial Mixed Use	Mixed Use One North	Mixed Use One South	Mixed Use Two	Mixed Use Two Special	Mixed Use Residential	Commercial Residential
<b>Permitted Use</b>							
<b>Residential</b>							
Apartment dwelling house/building	✓	✓	✓	Q2	Q2	-	Q4
Block townhouse dwelling	-	✓	✓	Q2	Q2	-	-
Back to back townhouse dwelling	-	✓	✓	Q2	Q2	-	-
Boarding or lodging house within a converted/existing dwelling	-	-	-	-	-	✓	✓
Crisis residence	-	-	-	-	-	In an existing dwelling	-
Converted dwelling	-	-	-	-	-	✓	Q4
Existing single detached dwelling converted to permit one of the following: offices, artist or photographic studios, school for purposes of art, music or dance instruction	-	-	-	-	-	✓	-
Group home in an existing dwelling	-	-	-	-	-	✓	-
Live work dwelling	-	✓	✓	✓	✓	-	-
Long term care facility/home	✓	✓	✓	Q2	Q2	-	-
Retirement home	✓	✓	✓	Q2	Q2	In an existing dwelling	-
Stacked townhouse dwelling	-	✓	✓	Q2	Q2	-	-
Street townhouse dwelling	-	✓	✓	Q2	Q2	-	-

**Q1:** Use must be integrated with residential uses on the same lot and may be integrated in the same building.

**Q2:** Residential and non-residential uses must be integrated within each area zoned MX2 or MX2S and may be integrated in the same building.

**Q3:** Permitted at the north east corner of Taunton Road West and Des Newman Boulevard.

**Q4:** In conjunction with non-residential use

### 3.3 Zone Provisions

Zone provisions for the mixed use zones are found in **Table 3**.

Between the two zoning by-laws, the CMU\*, MUR-VB and CR-DT zones contain a list of zone provisions that apply to all permitted uses. In comparison, the West Whitby Secondary Plan's four mixed use zones (MX1N, MX1S, MX2, MX2S) contain a table of zone provisions categorized by each permitted residential use, as well as provisions for a non-residential building as shown in Table 3. Additional provisions for the four West Whitby zones are also outlined in a list below the table in the zoning by-law.

Direct comparison of the zone provisions is somewhat challenging due to the different housing types and uses permitted in the mixed use zones, particularly for the CMU\*, MUR-VB and CR-DT zones which have one set of provisions but different range of permitted uses. For example, the CMU\* and CR-DT zones permit higher density uses but the MUR-VB zone only permits low density uses.

#### Lot Area

The four West Whitby mixed use zones (MX1N, MX1S, MX2 and MX2S) only set out lot area requirements for some permitted residential uses, and the CR-DT zone only requires a minimum lot area provision on a per unit basis for apartment buildings. In comparison, for all permitted uses in the zone, the MUR-VB zone requires a minimum lot area of 525 m<sup>2</sup> and the CMU\* zone requires 0.5 hectares.

#### Lot Frontage

Minimum lot frontage also has a broad range from 5.5 metres per unit for townhouses in the West Whitby mixed use zones, up to 45 metres in the CMU\* zone, with no specific requirements for apartment buildings, retirement homes, long term care homes or non-residential buildings in the West Whitby mixed use zones, nor for any permitted uses in the Zoning By-law 2585 CR-DT zone.

#### Lot Depth

The CMU\* zone requires the largest minimum lot depth of all the zones (90 metres), while 35 metres is required in the Zoning By-law 1784 MUR-VB zone for all permitted uses. The CR-DT zone does not outline a requirement, and only back to back townhouse dwellings in the West Whitby mixed use zones require a minimum lot depth of 13.5 metres.

**Table 3: Mixed Use Zone Provisions**

Zoning By-law	1784	1784									1784	2585
	CMU*	MX1N/MX1S/MX2/MX2S									MUR-VB	CR-DT
Zone	All Permitted Uses	Street townhouse dwelling unit with a front access garage	Street townhouse dwelling unit with a detached rear garage	Street townhouse dwelling unit with an integral rear garage	Block townhouse	Stacked townhouse dwelling	Back to back townhouse dwelling	Live work dwelling	Apartment building/ Retirement home/ Long term care home	Non-residential building	All Permitted Uses	All Permitted Uses
<b>Min. Lot Area</b>	0.5 ha	160 m <sup>2</sup> /unit	165 m <sup>2</sup> /unit	108 m <sup>2</sup> /unit	-	-	75 m <sup>2</sup> /unit	135 m <sup>2</sup>	-	-	525 m <sup>2</sup>	Apartment Building: 59 m <sup>2</sup> /unit
<b>Min. Lot Frontage</b>	45 m	6 m/unit except 5.5 m/unit on a private street	5.5 m/unit	5.5 m/unit	30 m	30 m	5.5 m/unit	5.5 m/unit	-	-	15 m	-
<b>Min. Lot Depth</b>	90 m	-	-	-	-	-	13.5 m	-	-	-	35 m	-
<b>Max. Lot Coverage</b>	25%	-	-	-	-	-	-	-	-	-	35%	100%
<b>Min. Front Yard</b>	4.5 m or 1/2 of the building height, whichever is the greater.	3 m	3 m	3 m	3 m	3 m	3 m	0.0 m	0.0 m	0.0 m	Where a lot fronts on Baldwin Street, Cassels Roads and Winchester Road: established front building line or 4.5 m, whichever is the greater. All other locations: 6.0 m.	For first two storeys of building height: 0.0m m. For third, fourth and fifth storey of building height: 4.0 m. For sixth storey of building height: 8.0 m.
<b>Max. Front Yard</b>	25 m	-	-	-	-	-	-	3 m	3 m	3 m	Where a lot fronts on Baldwin Street, Cassels Roads and Winchester Road: established front building line or 7.5 m, whichever is the greater. All other locations: 0.0 m.	4.0 m
<b>Min. Rear Yard</b>	7.5 m	7.5 m	2.5 m. to a garage, or unenclosed parking space	2.5 m. to a garage, or unenclosed parking space	7.5 m	7.5 m	-	2.5 m. to a garage, or unenclosed parking space	7.5 m	0.0 m, except when abutting a Low Density or Medium Density Zone: 7.5 m.	7.5 m	0.0 m
<b>Min. Interior Side Yard</b>	For a permitted non-residential use adjacent to a commercial zone: 0 m. For a residential use adjacent to a residential zone: 7.5 m.	1.2 m	1.2 m	1.2 m	1.2 m	1.2 m	1.2 m	1.2 m	0.0 m	0.0 m, except when abutting a Low Density or Medium Density Zone: 7.5 m.	With a garage or carport: 1.2 m. Without an interior garage or carport: 1.2 m on one side and 3.1 m on the other side.	0.0 m
<b>Min. Exterior Side Yard</b>	4.5 m or 1/2 of the building height, whichever is the greater.	3 m	3 m	3 m	3 m	3 m	3 m	3 m	0.0 m/Max. 3 m	0.0 m/Max. 3 m	4.5 m	For first two storeys of building height: 0.0m m. For third, fourth and fifth storey of building height: 4.0 m. For sixth storey of building height: 8.0 m. Where a street intersects with Dundas Street or Brock Street: equal to the front yard for 60% of the lot depth measured from Dundas or Brock Street.
<b>Landscaped Open Space</b>	10%	Front Yard: 25%	Front Yard: 50%	Front Yard: 50%	30%	30%	-	-	25%	-	30%	10%
<b>Min. Height</b>	2 storeys or 7 m	3 storeys	3 storeys	3 storeys	3 storeys	3 storeys	3 storeys	3 storeys	3 storeys	2 storeys	7.0 m	2 storeys
<b>Max. Height</b>	8 storeys	4 storeys	4 storeys	4 storeys	4 storeys	4 storeys	4 storeys	4 storeys	8 storeys, but greater in Gateway and less in MX2 Zone	8 storeys, but greater in Gateway and less in MX2 Zone	8.5m	6 storeys
<b>Max. Floor Space Index</b>	-	-	-	-	-	-	-	-	-	-	0.5	4.0
<b>Minimum Gross Floor Area</b>	-	-	-	-	-	-	-	Min gross floor area for all non-residential uses on the first storey: 60 m <sup>2</sup> excluding washrooms, mechanical or electrical room or storage room.	-	MX1N/MXS: Maximum gross leaseable area for retail store and personal service establishment uses: 15,000 m <sup>2</sup> . MX2: Maximum gross leaseable area: 1,500 m <sup>2</sup> . MX2S: Maximum gross leaseable area: 3,500 m <sup>2</sup> except at the intersection of Taunton Road West and Des Newman Boulevard: 7,560 m <sup>2</sup> .	Boarding or lodging house and retirement home: 15 m <sup>2</sup> per bed	Non-residential uses: 1.0 m <sup>2</sup> . Residential uses: 2.0 m <sup>2</sup> .
<b>Additioanl Provisions</b>	Separation distance between buildings, max. number of apartment dwelling units, max. number of guest suites.	-	Min. outdoor private amenity space, minimum separation distance between detached rear garage and dwelling unit.	Min. outdoor private amenity space	Min. width of dwelling, min separation distance between dwellings on the same lot, min. distance from walls to internal roadways	Min. separation distance between dwellings, min. distance from a roadway, min. distance from internal garage to dwelling.	Min. outdoor private amenity space, min. distnace from wall to roadway, min distance from internal garage to dwelling.	Min. outdoor private amenity space.	Podum requirements, 45 degree angular plane requirements, separation distances.	MX1N/MXS: Minimum residential density of 45 units per net hectare. MX2/MX2S: 60 units per net hectare abutting Dundas Street or Taunton Road West and 45 units per net hectare and maximim of 70 abutting Coronation Road or Des Newman Boulevard.	-	Max. exterior side yard and private amenity space.

## **Lot Coverage**

Only the CMU\*, MUR-VB and CR-DT zones (which include one set of provisions for all uses) outline maximum permitted lot coverage. This ranges from 25% in the CMU\* zone to 100% in the CR-DT zone.

## **Front Yard**

Generally, minimum front yard setbacks range from 0 to 4.5 metres.

Where regulated, the maximum front yard requirement is largest in the CMU\* zone allowing up to 35 metres, compared to other zones ranging from 3 to 4 metres.

## **Rear Yard**

7.5 metres is the most common rear yard setback among the zones, except for the rear lane requirement of 2.5 metres to a garage or unenclosed parking space for townhouse dwellings and live work dwellings in the West Whitby mixed use zones. The minimum required rear yard setback is 0 metres for non-residential buildings in the West Whitby mixed use zones and the CR-DT zone. There is also a 7.5 metre rear yard setback requirement for non-residential buildings abutting an LD or MD zone in West Whitby mixed use zones.

## **Interior Side Yard**

Generally, minimum interior side yard setbacks range from 0 to 1.2 metres, and exterior side yard requirements range from 0 to 4.5 metres. There is also a 7.5 metre interior side yard setback requirement for non-residential buildings abutting an LD or MD zone in West Whitby mixed use zones.

## **Landscaped Open Space**

Requirements for minimum landscaped open space range from 10% for all uses in the CMU\* and CR-DT zones, up to 30% for all uses in the MUR-VB zone. Within the West Whitby mixed use zones, street townhouses with a front access garage require a minimum of 25% front yard landscape open space. Street townhouses with a detached or integral rear garage in these zones require 50% minimum front yard landscape open space.

## **Height**

Minimum height requirements are consistently 2 or 3 storeys. Maximum height requirements range from 8.5 metres for all uses in the MUR-VB zones, to 4 storeys for townhouse dwellings in the West Whitby mixed use zones, to 6 storeys for all uses in the CR-DT zone, to 8 storeys for all uses in the CMU\* zone. Up to 8 storeys is also permitted for apartments, retirement homes, long term care homes and non-residential uses in the West Whitby mixed use zones. For apartments, retirement homes, long term care homes and non-residential uses in the MX1N and MX1S West Whitby zones,

the maximum building height is increased to 12 storeys in Gateway Areas at the intersection of Rossland Road West and Des Newman Boulevard. Up to 12 storeys is also permitted within the MX2S zone areas situated along Taunton Road West, west of Coronation Road and west of Cochrane Street. Additionally, the maximum number of storeys in the MX2 zone is reduced to 4 storeys at the corner of Coronation Road and Twin Streams Road, and at the corners of Des Newman Boulevard and Bonacord Avenue.

### **Floor Space Index**

The MUR-VB and CR-DT zones are the only ones that outline a maximum floor space index provision which is 0.5 in the MUR-VB zone and 0.4 in the CR-DT zone.

### **Gross Floor Area**

Minimum gross floor area provisions are outlined for non-residential uses (gross leasable area) in the West Whitby mixed use zones, for boarding or lodging houses and retirement homes (per bed) in the MUR-VB zone and for both residential and non-residential uses in the CR-DT zone.

### **Additional Provisions**

Most of the mixed use zones contain additional provisions such as: separation distances required between buildings; number of dwelling units on a lot; maximum number of guest suites; minimum required outdoor amenity space; minimum width of dwelling; minimum setbacks to buildings from roadways; podium and 45 degree transition requirements; and density requirements.

## 4. Best Practices of Other Municipalities



The purpose of this section is to identify uses or elements that other existing zoning by-laws in Ontario address, for consideration for inclusion in Whitby's Comprehensive Zoning By-law. The zoning by-laws reviewed in this Study were chosen based on the following factors:

- Locale - to review zoning by-laws within southern Ontario;
- Approval date - to review more recent zoning by-laws, such as in the case of East Gwillimbury and Vaughan, neither of which are in effect yet;
- Clarity - to consider zoning by-laws that had been noted in other planning work as being clear, concise and well organized, such as Milton and Ajax; and
- Uniqueness - to review zoning by-laws that brought a unique or interesting element, such as the use of colour in the zoning by-law in St. Catharines or illustrations in Oakville.

The Town of Newmarket was the only municipality from this review that did not have any mixed use zones.

The following subsections identify uses and provisions from other municipal zoning by-laws that could be considered for implementation in the new Comprehensive Zoning By-law.

### 4.1 Zone Structure

From the municipalities reviewed, some have grouped their mixed use zones within either the residential or commercial sections of their zoning by-laws. Others, such as East Gwillimbury, Oakville, St. Catharines and Vaughan all have separate mixed use zone sections within their zoning by-laws. The number of different mixed use zones between municipalities ranges between one in Welland, Milton and Grimsby to nine in Vaughan.

Many zones are structured around the premise of downtown, central and core areas in municipalities, as well as for mixed use corridors. For example, Ajax has four different Village Core Mixed Use zones and one Uptown Mixed Use Zone. Oakville has two Mainstreet mixed use zones, one Central Business District zone, one Urban Centre zone and one Urban Core zone as seen in **Figure 1**. Welland's only mixed use zone is their Downtown Mixed Use Centre Zone, and Barrie has two zones: Mixed Use Node and Mixed Use Corridor.

**8.1 List of Applicable Zones**

Central Business District	CBD
Main Street 1	MU1
Main Street 2	MU2
Urban Centre	MU3
Urban Core	MU4

**8.2 Permitted Uses**

Uses permitted in the Mixed Use Zones are denoted by the symbol “✓” in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 8.2, below.

Table 8.2: Permitted Uses in the Mixed Use Zones (2017-025)						Table 8.2: Permitted Uses in the Mixed Use Zones (2017-025)					
	CBD	MU1	MU2	MU3	MU4		CBD	MU1	MU2	MU3	MU4
Accessory dwelling (5)	✓					Museum	✓	✓	✓	✓	✓
Apartment dwelling	✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)	Outside display and sales area (7)	✓	✓	✓	✓	✓
Art gallery (7)	✓	✓	✓	✓	✓	Park, public	✓	✓	✓	✓	✓
Bed and breakfast establishment (5)	✓					Pet care establishment (7)	✓	✓	✓	✓	✓
Business office (6)(7)	✓	✓	✓	✓	✓	Place of entertainment (7)	✓	✓	✓	✓	✓
Commercial parking area	✓	✓	✓	✓	✓	Place of worship	✓	✓	✓	✓	✓
Commercial school (7)	✓	✓	✓	✓	✓	Post-secondary school	✓	✓	✓	✓	✓
Community centre	✓	✓	✓	✓	✓	Private home day care (5)	✓	✓	✓	✓	✓
Conservation use	✓	✓	✓	✓	✓	Public hall (7)	✓			✓	✓
Day care	✓ (5)	✓	✓	✓	✓	Rental establishment (7)	✓	✓	✓	✓	✓
Detached dwelling (2)	✓	✓	✓			Restaurant (7)	✓	✓	✓	✓	✓
Dormitory (4)	✓	✓	✓	✓	✓	Retail store (7)	✓	✓	✓	✓	✓
Dry cleaning/laundry establishment (PL140317) (7)	✓	✓	✓	✓	✓	Retirement home	✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)
Dry cleaning/laundry establishment (PL140317)	✓	✓	✓	✓	✓	School, private	✓	✓	✓	✓	✓
Emergency service facility	✓	✓	✓	✓	✓	School, public	✓	✓	✓	✓	✓
Emergency shelter (PL140317)	✓ (8)	✓ (8)	✓ (8)	✓ (8)	✓ (8)	Semi-detached dwelling (2)	✓	✓	✓		
Financial institution (7)	✓	✓	✓	✓	✓	Service commercial establishment (7)	✓	✓	✓	✓	✓
Food bank (7)	✓	✓	✓	✓	✓	Short-term accommodation (9)	✓	✓	✓	✓	✓
Food production (7)	✓	✓	✓	✓	✓	Sports facility (7)	✓	✓	✓	✓	✓
Funeral home	✓					Stormwater management facility	✓	✓	✓	✓	✓
Home Occupation (5)	✓	✓	✓	✓	✓	Taxi dispatch (7)	✓	✓	✓	✓	✓
Hotel (7)	✓	✓	✓	✓	✓	Townhouse dwelling (2)	✓	✓	✓	✓	✓
Library	✓	✓	✓	✓	✓	Veterinary clinic (7)	✓	✓	✓	✓	✓
Live-work dwelling (2017-025) (2)	✓	✓	✓	✓	✓						
Long term care facility	✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)						
Medical office (6)(7)	✓	✓	✓	✓	✓						
Motor vehicle rental facility				✓	✓						

**Figure 1: Oakville Mixed Use Zone Permitted Uses**

Some municipalities have structured their mixed use zones by density (low-density/low-rise mixed use to high-density/high rise mixed use), including Vaughan, Grimsby and St. Catharines. The City of Vaughan also has additional zones as seen in **Figure 2** below.

Table 8-1: Applicable Mixed-Use Zones

Zone Name	Symbol
Low-Rise Mixed-Use Zone	LMU
Mid-Rise Mixed-Use Zone	MMU
High-Rise Mixed-Use Zone	HMU
General Mixed-Use Zone	GMU
Community Commercial Mixed-Use Zone	CMU
Employment Commercial Mixed-Use Zone	EMU
Main Street Mixed-Use – Kleinburg Zone	KMS
Main Street Mixed-Use – Woodbridge Zone	WMS
Main Street Mixed-Use – Maple Zone	MMS

**Figure 2: Vaughan Mixed Use Zones Table**

Both East Gwillimbury and Innisfil have multiple mixed use zones, labeled Mixed Use 1, 2, 3 etc. and these zones are structured to pertain to specific areas/neighbourhoods and Official Plan designations of each municipality.

## 4.2 Permitted Uses

A range of residential and non-residential uses (commercial, institutional, accessory uses, etc.) are permitted within each mixed use zone. Depending on the zone, all of the municipalities except for Grimsby permit stand-alone non-residential uses within their mixed use zones. This is likely the case as Grimsby only has one Mixed Use High Density Residential zone and therefore directs all mixed use buildings within the Town to this zone. The City of Vaughan only permits stand-alone institutional and community uses, while commercial and retail uses must be integrated within a mixed use development.

All municipalities reviewed, except for Grimsby and Vaughan, also permit a varied range of stand-alone residential uses. Depending on the municipality and zone, these uses range from single detached dwellings, to townhouses and apartment buildings. However, most zones only permit lower density residential uses such as single and semi-detached dwellings to be stand-alone buildings. Stand-alone multiple dwellings including lodging houses, retirement homes and long term care facilities are also permitted in many zoning by-laws.

For higher density residential uses such as apartments, almost all of the mixed use zones reviewed require non-residential uses (i.e. retail and commercial uses) to be integrated within the same site, or within the same building at grade. The only zoning by-law not requiring a mix of uses within an apartment building or development site was East Gwillimbury. However, the Town lists “dwelling unit within a non-residential building” as a permitted use in addition to residential and non-residential uses. The Town of Oakville only requires non-residential uses integrated within apartment buildings for sites along Lakeshore Road.

## 4.3 Zone Provisions

Zoning by-laws from Welland, Vaughan, Barrie (**Figure 3**), East Gwillimbury and Milton provide a list of provisions for all permitted uses (outlining the same provisions for both residential and non-residential uses except where specified otherwise), while the Ajax (**Figure 4 and 5**), St. Catharines, Oakville and Innisfil zoning by-laws outline separate provisions for different types of permitted residential uses, as well as a general set of provisions for non-residential uses.

5.4.3 Mixed Use Standards

5.4.3.1 The uses permitted in the Mixed Use Zone are subject to the development standards referenced in Table 5.4.2.

		Zones	
		Mixed use Node (MU1)	Mixed Use Corridor (MU2)
Lot Area (min.)			
Lot Frontage (min.)			
Front yard Setback <sup>(1)</sup>	Min.	1m for 75% of frontage	1m for 75% of frontage
	Max.	5m for 25% of frontage	5m for 25% of frontage
Side Yard Setback	Min.		
	Min. Abutting Street or Laneway		3.0m
	Max.		
Rear Yard Setback (min.)	Abutting Street or Laneway <sup>(2)</sup>	1.5m	1.5m
	Abutting Residential, OS, or EP Zone <sup>(3)</sup>	7m setback	7m setback
Front Façade Step-back (min.)		45 degree angular plane at height above 80% equivalent right-of-way using 3m minimum step-backs	45 degree angular plane at height above 80% equivalent right-of-way using 3m minimum step-backs
Side Façade Step-back (min.)		If adjacent to an OS zone, 5.5m at height above 80% equivalent of right-of-way	If adjacent to an OS zone, 5.5m at height above 80% equivalent of right-of-way

Figure 3: Barrie zone provisions (for both residential and non-residential uses)

6.3.2 Zone Standards

The following table establishes the zone standards applicable to non-residential uses in the Commercial and Mixed Use Zones. (As amended by By-law 38-2008)

	NC Neighbourhood Commercial	LC Local Commercial	VC1 Village Core Mixed Use One	VC2 Village Core Mixed Use Two	VC3 Village Core Mixed Use Three	VC4 Village Core Mixed Use Four	GC General Commercial	UC Uptown Mixed Use	AC Automobile Commercial
Minimum Lot Frontage		90.0 m	(6)	(5) (6)	(6)	(6)	90.0 m	45.0 m	45.0 m
Minimum Lot Depth		60.0 m	-	-	-	-	60.0 m		45.0 m
Minimum Setback From Front Lot Line	3.0 m	3.0 m	(7)	(8)	(7)	(7)	3.0 m	3.0 m	9.0 m
Maximum Setback From Front Lot Line			(7)	(9)	(7)	(7)			
Minimum Setback From Exterior Side Lot Line	3.0 m	3.0 m	(10)	(8)	(10)	(10)	3.0 m	3.0 m	7.5 m
Maximum Setback from Exterior Side Lot Line	-	-	(10)	(9)	(10)	(10)	-	-	
Minimum Setback From Interior Side Lot Line	7.5 m	7.5 m	-	(11)	-	1.2 m	7.5 m	7.5 m	7.5 m
Minimum Setback From Rear Lot Line	9.0 m	9.0 m	-	(11)	7.5 m	7.5 m	9.0 m	9.0 m	9.0 m
Minimum Built Lot Frontage (Front Streetwall)			-	75% (12)	-	-			

Figure 4: Ajax Mixed Use zone provisions for non-residential uses

### 6.3.4 Zone Standards For Residential Uses In The Commercial Mixed Use Zones (As amended by By-Law 86-2005, 38-2008, 114-2013)

The following table establishes the residential uses permitted in the Local Commercial, Village Core Mixed Use, and Commercial Mixed Use Zones.

Permitted Use	Lot Frontage		Lot Depth	Front Yard		Rear Yard	Interior Side Yard		Exterior Side Yard		Height
	Min.	Max.		Min.	Max.		Min.	Max.	Min.	Max.	
Apartment Dwelling	(1)	(1)	(1)	(1)	(1)	(1)	(*1)	(*1)	(1)	(1)	~
Detached Dwelling	15 m	-	33.5 m	(4)	(4)	7.5 m	1.2 m	-	-	-	11.0 m
Multiple Attached	5.48 m	8.0 m	25.0 m	3.0 m	6.0 m	7.5 m	(*2)	2.0 m	3.0 m	6.0 m	11.3 m
Apartment Building (less than 6 storeys)	20.0 m	~	~	3.0 m	6.0 m	10.0 m	5.5 m	8.0 m	3.0 m	6.0 m	~
Apartment Building (six storeys and over)	30.0 m	~	~	3.0 m	8.0 m	(3)	5.5 m	12.0 m	3.0 m	6.0 m	68.0 m
Lodging House	15.0 m		33.5 m	(4)	(4)	7.5 m	1.2 m				11.0 m

**Figure 5: Ajax Mixed Use zone provisions for permitted residential uses**

#### 4.3.1. Building Height

Almost all of the mixed use zones between the different zoning by-laws have a minimum building height provision, which ranges from 7.5 metres within Innisfil's mixed use zones to 24 metres within Vaughan's mixed use zones. Barrie, East Gwillimbury, Oakville and Milton all outline a minimum ground floor height provision of between 4 and 4.5 metres. All of the mixed use zones also outline maximum building heights, which range depending on zones from 30 metres in Innisfil to 88 metres in Vaughan.

#### 4.3.2. Landscape Buffers

A few of the mixed use zones require a minimum landscape strip/buffer. Within the Innisfil Zoning By-law, landscape strips are required for front and exterior side yards (with minimum widths of up to 4 metres between zones), rear yards (minimum widths ranging from 1.5 to 3 metres) and interior side yards (ranging from 0 to 1.5 metres). Vaughan's mixed use zones require a landscape strip of 3.5 to 5 metres abutting a street line and 3 metres abutting a residential zone. St. Catharines and Milton also require landscape buffers for lots abutting residential zones (minimum 3 metres in St. Catharines and 4.5 metres in Milton). Milton additionally requires a 7.5 metre landscape buffer for lots abutting a provincial highway.

#### 4.3.3. Amenity Space

Depending on the mixed use zone, the Town of Innisfil's Zoning By-law requires between 4 to 6 square metres of amenity space per residential unit. Amenity space includes indoor and outdoor amenity space in a location adjoining or directly accessible to the residential use. For residential uses other than apartment buildings (including single detached dwellings to townhouse dwellings), St. Catharines requires 10% of the

lot to be developed as amenity space. In that by-law, amenity space means an area for outdoor recreation or leisure.

#### **4.3.4. Maximum Density**

Density wasn't commonly regulated in the mixed use zones reviewed. Within the Town of Innisfil's mixed use zones, a maximum density of 20 units per net residential hectare is permitted for single detached dwellings, and a maximum of 52 units per net residential hectare is permitted for townhouses. For mixed use buildings within St. Catharine's mixed use zones, maximum permitted densities range from 100 to 192 residential units per hectare. Within the Town of Ajax Zoning By-law, the Downtown Central Area Mixed Use Zone is the only mixed use zone which regulates minimum and maximum density for residential uses.

#### **4.3.5. Tower Requirements**

The City of Vaughan outlines tower requirements for buildings within the mixed use zones including regulations addressing podium height, required step-backs, tower floor plate sizes and tower separation distance requirements.

#### **4.3.6. Façade Step-backs**

For both of the mixed use zones within the City of Barrie, the zoning by-law outlines minimum front, rear and side façade step-backs. The purpose of a façade step-back is to setback the main wall of a building above a certain height. The following is required for front and rear façade step-backs: 45 degree angular plane at a height above 80% of the width of the right-of-way using 3m minimum step-backs. Thus, at a height, which is 80% of the width of the adjacent road, the building must be set back a series of 3 metre setbacks on each floor equal to a 45% angular plane. Minimum side façade step-backs, if adjacent to an Open Space zone, require a series of 5.5 metre stepbacks at a height above 80% of the adjacent right-of-way width.

#### **4.3.7. Main wall**

Oakville's zoning by-law also regulates main wall setbacks in their mixed use zones, requiring that a certain portion of the front or main wall be located between the minimum and maximum front yard setbacks. In contrast, Grimsby regulates openings in some of their mixed use zones, requiring that 40% of the main wall contains openings (e.g. windows or doors).

### **4.4 Best Practice Review Analysis**

Based on this best practice review, many of the Town's mixed use zones, apart from West Whitby, are 20 to 30 years old and do not address contemporary built form regulations such as tower requirements, amenity space, façade step-backs and main wall openings. Therefore, the Town's mixed use zones will undergo significant review in

Phase 2 in order to determine which types of new provisions are appropriate to regulate in the context of the Town.

## 5. Comparison of Official Plan Designations and Zones



This section of the report provides an examination of the different Whitby Official Plan and Secondary Plan mixed use designations. **Appendix B** compares the zoning that applies in each Mixed use designation. From this comparison, a number of takeaways have been summarized.

It is noted that Whitby zoning by-laws contain a number of site specific exceptions, only some of which are mapped. The analysis in this section focuses on the parent zone provisions. Some areas may contain site specific exceptions that may align differently to the Official Plan designation. Minor variances also did not form part of the review.

An Official Plan typically has a broader focus than a zoning by-law and may permit a broader range of uses than a zoning by-law. Similarly, a zoning by-law typically sets out more detailed restrictions for lot and yard requirements than the Official Plan.

**Appendix D** and this section highlight differences between the designation of an area and the zone that applies in it, in some instances a difference in permitted uses, in others a difference in standard. Just because an item is flagged in this section, does not mean it is in error, or needs to be fixed. It is simply noted for information purposes to be considered further.

### 5.1 Parent Official Plan

The parent Official Plan designates Mixed Use sites in several locations outside of the Secondary Plans, as shown on **Figure 6** with blue circles, including:

- At Garrard Road and Taunton Road East;
- Along Brock Street, north and south of the Downtown;
- Along Dundas Street West, west of Cochrane Street; and
- Along Dundas Street, generally between the rail line and Garrard Road.

The CMU\* zone that applies in these areas, in Zoning By-law 1784, generally aligns with the Official Plan designation, though there are many other non-mixed use zones in this designation that may require update.

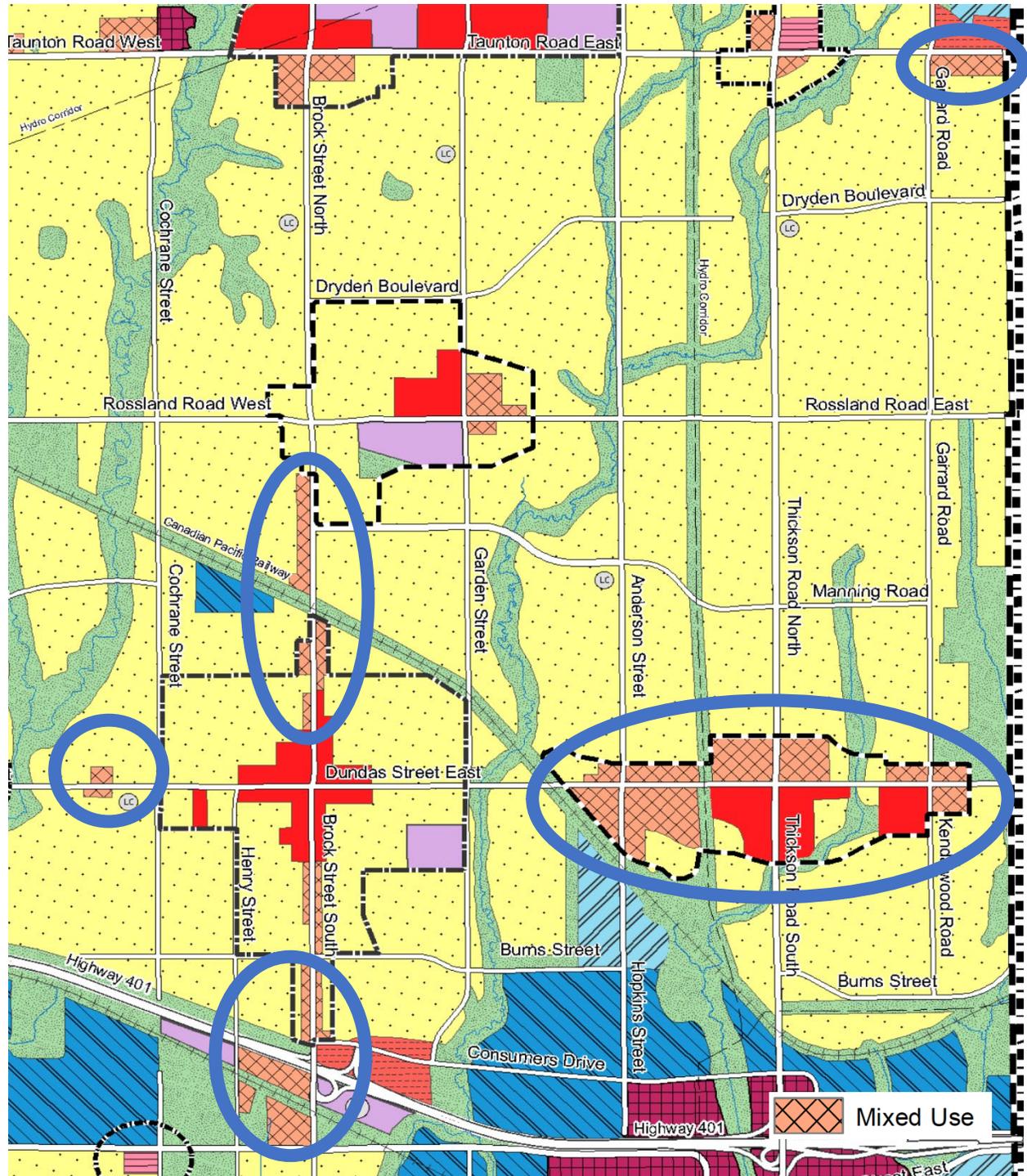


Figure 6: Mixed Use designations in Whitby outside of Secondary Plans

## 5.2 Port Whitby Community Secondary Plan

The Port Whitby Community Secondary Plan has 3 different Mixed Use designations, all within the boundaries of Zoning By-law 2585.

- The first designation, Mixed Use Residential One, is located South of Victoria Street East, to the west and east of Brock Street South. No mixed use zones exist in this designation, simply the R4 zone and C1 zone. The R4 zone permits a variety of residential uses, including lower density units e.g. singles, contrary to the policy for multiple unit dwellings and the C1 zone doesn't permit residential uses, as called for in Policy 11.1.9.4.
- The second designation, Mixed Use Residential Two, is located is east of Henry Street, south of the rail corridor and two small pockets east of Charles Street. A number of zones apply in these areas, including the R4, R4C, I and D(NR) and the CR zone. The latter of which is only addressed through a site specific. Both the R4 and R4C zones permit certain lower density uses than called for in the designation and don't require a minimum 3 storeys as required in the Secondary Plan.
- The third, High Density Residential Mixed Use, is quite widespread in the Secondary plan area. Again, no mixed use zones are located in these areas, only the R4, R5A, C2, D(NR) zones which permit lower density uses than desired by the designation. The C2 zone also doesn't specify a restriction on drive through facilities.

## 5.3 Downtown Whitby Secondary Plan

The Downtown Whitby Secondary Plan only contains one Mixed use designation, which occurs on Brock Street and Colborne Street around the Downtown Commercial designation. The CR-DT Zone applies in this location under Zoning By-law 2585 and permits apartments and converted dwellings in conjunction with non-residential uses in alignment with the Mixed Use Designation. In addition, a number of other zones apply, including the R5, R4-DT, R2-DT, R6-DT and C3-DT zones, some of which permit lower density uses than planned for in the designation and standalone commercial uses.

## 5.4 Rossland/Garden Urban Central Area Secondary Plan

The Rossland/Garden Urban Central Secondary Area contains one Mixed Use Area, located north and south of Rossland Road, east of Garden Street. It is zoned RMU, which is not a parent zone in Zoning By-law 1784, but rather only expressed in site specific exceptions. For the other zones that apply, the R5A and R2 Zones do not align with the designations in terms of permitted uses and no information could be located on the CRO zone as it is a site-specific exception.

## 5.5 Brooklin Community Secondary Plan

The Brooklin Secondary Plan contains three Mixed Use designations and is covered by Zoning By-law 1784.

- The first designation is Mixed Use 1 – Community Central Area at Baldwin St North, south of Columbus Road East. No mixed use zones apply in this location, only the GB-3, C2-S, D(NR), M1-BP and M1 zones. A major portion of the site contains an existing industrial use which the zoning reflects.
- The second designation is Mixed Use 2 – HCD which applies to Downtown Brooklin, and is zoned MUR-VB, as well as C1-VB, R1-VB and R2-VB. The MUR-VB zone doesn't permit the variety of commercial uses desired by the Official Plan designation.
- The third designation is Mixed Use 3, which is located at Thickson Road North and Carnwith Drive and 6 pockets along Winchester Road. The Zoning in these areas includes the C2- S-BP, R1-VB, GB, R5A, R2-VB, MU zones. Given the detailed policies and range of zones, an update to the zoning is required to ensure the specific policies are implemented, particularly with regards to permitted uses and height.

## 5.6 Brock Taunton Major Central Area Secondary Plan

The Brock Taunton Major Central Area Secondary Plan contains three Mixed Use designations. It is also covered by Zoning By-law 1784.

- The first designation is the Mixed Use Area 1, located west of Brock Street and south of Taunton Road. The CMU\* zone applies in this location. The CMU\* Zone does not explicitly permit residential uses and non-residential uses within the same building, nor require them on the same lot, as the designation does. Also, the CMU\* zone permits a minimum height of 2 storeys and a maximum height of 8 storeys for all uses, while the designation requires a minimum height of 6 storeys and a maximum height of 18 storeys for new residential and mixed use buildings.
- The second designation, Mixed Use Area 2, is located east of Brock Street and south of Taunton Road. This site is also zoned CMU\* with the same above noted issues.
- The third designation, oddly named Mixed Use Area 4, is located east of Brock Street, north of Broadleaf Avenue and is also zoned CMU\* with the same above noted issues.

## 5.7 Thickson/Taunton Community Central Area Secondary Plan

The Thickson /Taunton Community Central Areas Secondary Plan contains two Mixed Use designations.

- The first designation, Mixed Use Area 1, is located at the south east corner of Taunton Road and Thickson Road. The area is zoned CMU\* in Zoning By-law 1784. This zone does not explicitly permit residential uses and non-residential uses within the same building, nor require them on the same lot, as the designation does, and the zone does not outline gross leasable floor space. The R4B Zone also applies in this designation, but in permitting only residential uses doesn't align with the designation's intent of mixed use.
- The second designation, Mixed Use Area 2, is located at the north west corner of Taunton Road and Thickson Road. It is also zoned as CMU\* and has the same above noted issues.

## 5.8 West Whitby Secondary Plan

The West Whitby Zoning By-law has three Mixed Use designations, the Mixed Use One, Mixed Use Two, and Special Mixed Use Two, each at strategic locations within the West Whitby Secondary Plan area. When the West Whitby Zoning By-law was recently prepared, specific zones, MX1S, MX2, MX2S were developed for these designations. Thus, these designations and zones align well.

## 6. Minor Variance Analysis



An efficient way to identify if any updates should be made to current zoning provisions is through a review of past minor variances. If numerous minor variances have been sought and approved for the same matter, this may be an indication of a provision that is either overly strict or antiquated. The Town of Whitby produced a Minor Variance Review in May 2019.

The review analyzed minor variance applications for the three existing Whitby zoning by-laws between 2010 and 2018, representing a total of 634 applications and 1,088 variances. Overall, 95% of the applications were approved by the Committee of Adjustment, with 1% being denied. The other 4% were withdrawn by the applicant. Approximately 77% of the Town's minor variance applications pertained to Zoning By-law 1784, with 21% being for 2585 and 2% for 5581-05. This is not unexpected given the respective geographic coverage of the zoning by-laws.

There has only been a total of 3 variances within the Town relating to mixed-use zones each unique to a different provision. Thus, this analysis did not reveal any specific issues.

## 7. Special Areas



### 7.1 Intensification

The primary focus of this report is a comparison and analysis of the mixed use zones, as well as how these zones relate to the mixed use designations in the Official Plan. This analysis, while useful, is very focused to a specific zone or designation and doesn't allow for the comprehensive review of the Official Plan's intent for a broader area. As such, this section reviews and discusses broader areas intended for intensification under the Whitby Official Plan. While these areas may not all be strictly intended for mixed use, mixed use development could form a large part of these areas. As such, this report is the most logical place to examine these areas.

Both Intensification Areas and Intensification Corridors are addressed under Section 4.2.1 of the Whitby Official Plan. Intensification Areas and Corridors are "the locations where the majority of expected intensification in the Municipality is planned to occur during the planning period..." (Policy 4.2.1).

Intensification Areas include, the following, as shown in **Figure 7**:

- Downtown Brooklin;
- Brock/Taunton;
- Rossland/Garden;
- Downtown Whitby;
- Dundas East; and
- Port Whitby.

Some of these Intensification Areas form part of Major Central Areas and Urban Central areas.

In addition, certain portions of the following roads, outside of these Intensification Areas, are identified as Intensification Corridors: Victoria Street, Brock Street, Dundas Street, Baldwin Street, Winchester Road and Columbus Road. The Intensification Corridors are also shown in **Figure 7**.

The Official Plan also identifies a Major Transit Station Area, at the Whitby GO Station.

**Table 4** breaks down the density, FSI and height requirements for the different areas.

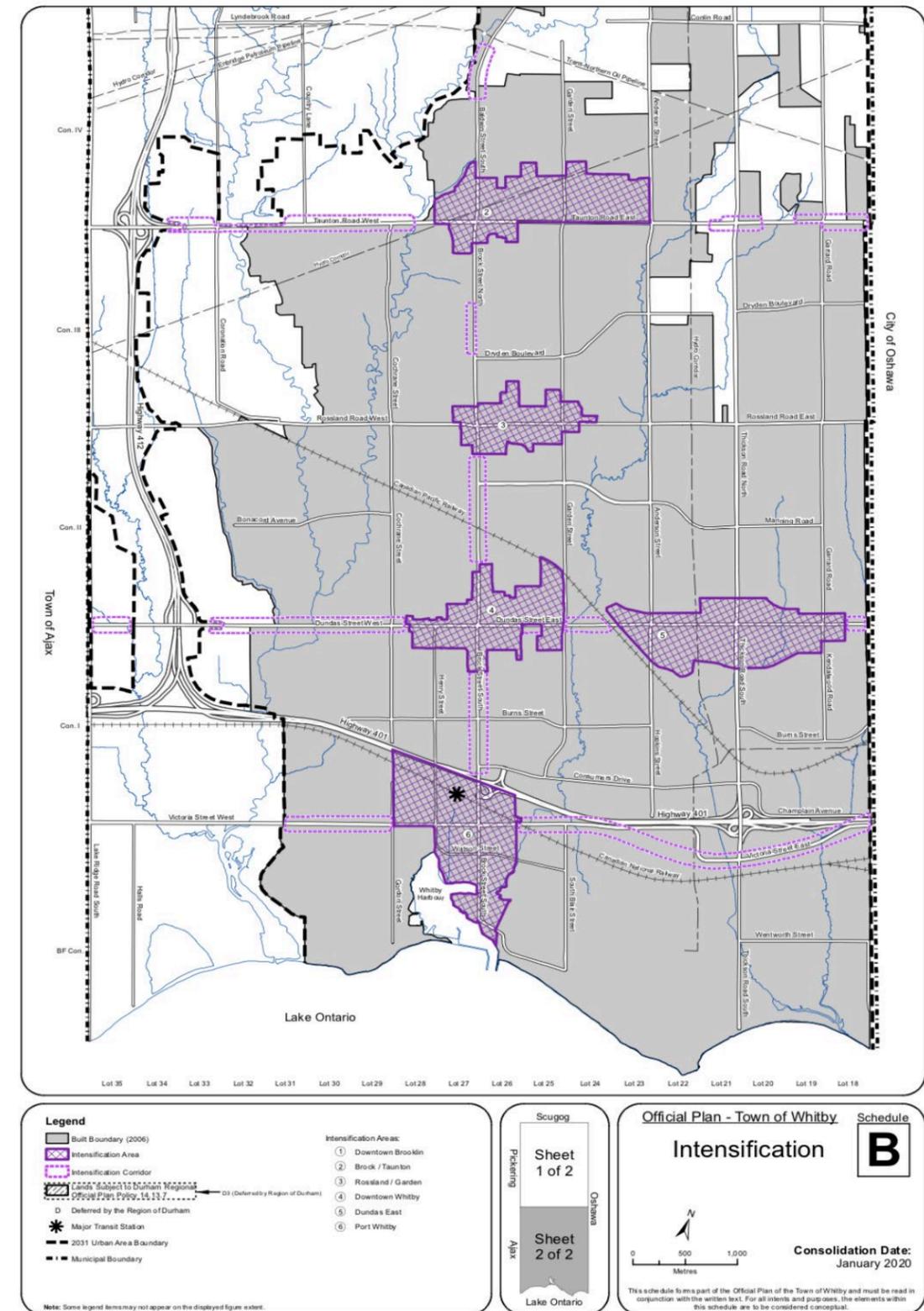
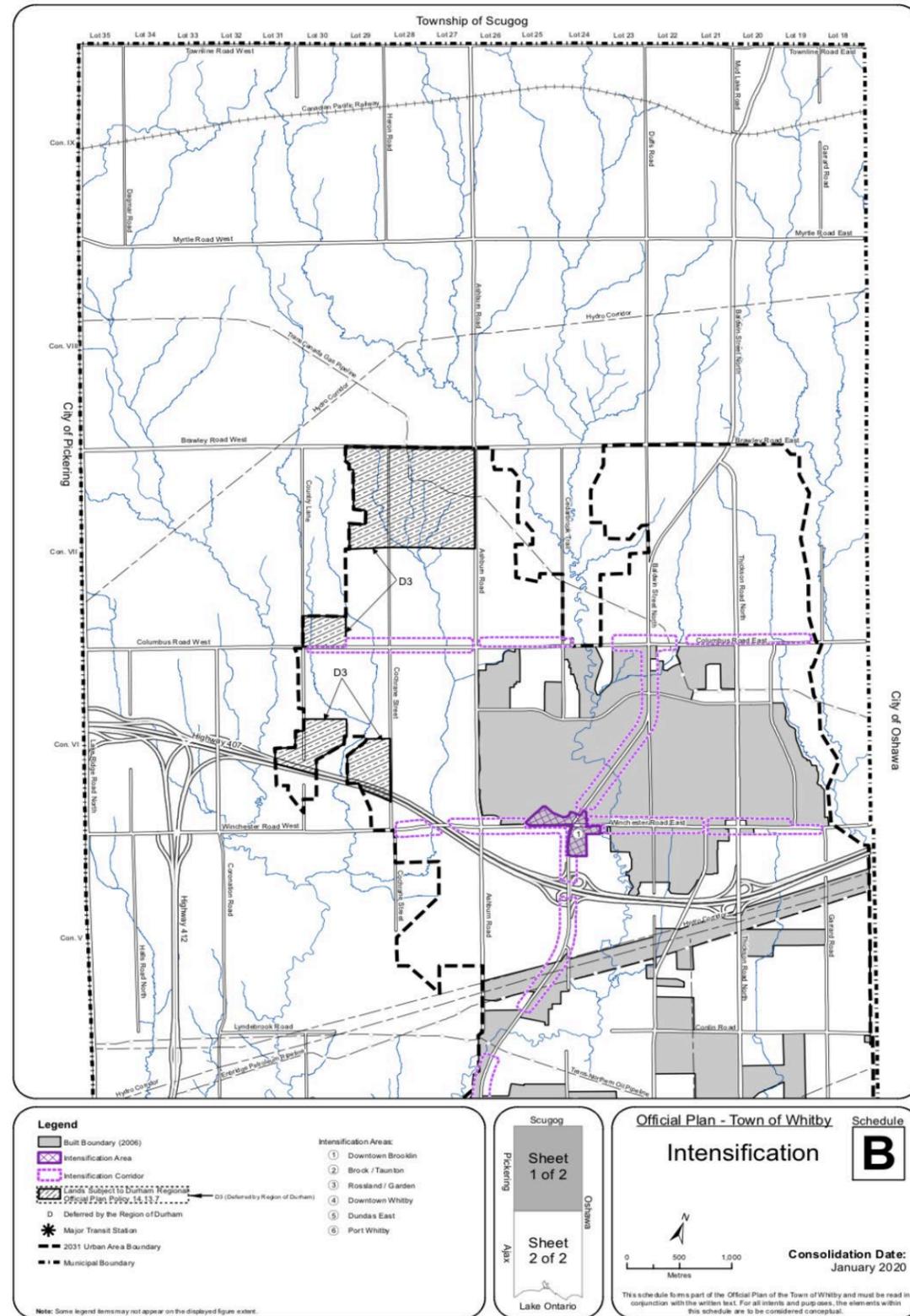


Figure 7: Intensification Areas and Corridors in Whitby

**Table 4. Description of Intensification Areas and Corridors**

Area		Target Density (units per gross hectare)	Target FSI	Height & Other	
Intensification Areas	Major Central Area	Downtown Whitby (Policy 4.3.3.3.3.)	75	2.5	<ul style="list-style-type: none"> <li>• Minimum height: 2 storeys.</li> <li>• Maximum height: per on Schedule "I" to OP.</li> <li>• New drive-through service facilities &amp; new automobile service stations not permitted.</li> </ul>
		Brock / Taunton (Policy 4.3.3.3.4)	7.5	2.5	<ul style="list-style-type: none"> <li>• Minimum height for new residential and mixed-use buildings: 6 storeys.</li> <li>• Maximum height: 18 storeys.</li> <li>• Buildings greater than 8 storeys shall generally be located in proximity to Brock Street or Taunton Road.</li> <li>• Minimum height for new non-residential greater than 500 sq.m.: 2 storeys.</li> </ul>
		Downtown Brooklin (Policy 4.3.3.3.5)	7.5	2.5	<ul style="list-style-type: none"> <li>• Minimum building height: 2 storeys.</li> <li>• Maximum building height: 6 storeys.</li> <li>• Buildings higher than 4 storeys only permitted outside Brooklin Heritage Conservation District.</li> <li>• New buildings developed in the Downtown Brooklin Major Central Area should complement each other in terms of design, massing, and use of building materials.</li> <li>• New buildings should be designed in a manner that defines the Brooklin Community and complements the Brooklin Heritage Conservation District.</li> <li>• New automobile service stations/gas bars are not permitted and new drive through service facilities may be permitted only in the south-west quadrant of the Baldwin/Winchester intersection, interior to the site</li> </ul>
	Urban Central Area	Dundas East (4.3.3.4.3)	30 but 60 along Dundas	2.0 but 2.5 along Dundas	<ul style="list-style-type: none"> <li>• Minimum height for new residential and mixed-use buildings with residential: 3 storeys.</li> <li>• Minimum height for new non-residential buildings greater than 500 sq.m.: 2 storeys.</li> <li>• Maximum height: 18 storeys in proximity to Dundas Street or Thicksen Road and 8 storeys elsewhere.</li> </ul>
		Rossland/Garden (Policy 4.3.3.4.4)	60	2.5	<ul style="list-style-type: none"> <li>• Minimum height for new residential and mixed-use buildings: 2 storeys.</li> <li>• Maximum height: 18 storeys in proximity to Brock Street or Rossland Road.</li> </ul>
		Port Whitby (policy 4.2.8)	60	2, but 2.5 adjacent to Brock and Victoria	n/a
Intensification Corridor		60	2.5	<ul style="list-style-type: none"> <li>• Minimum height for new residential and mixed-use buildings: 2 storeys.</li> <li>• Maximum building height: 8 storeys.</li> <li>• Buildings that have a height of between 4 and 8 storeys are to be located at intersections, wherever possible, to take advantage of the location of transit stops and to establish neighbourhood focal points and landmarks.</li> <li>• Consideration may be given to heights of up to 12 storeys. (Policy 4.2.7.3)</li> </ul>	

Major Transit Station Area					<p>Development adjacent to the Major Transit Station shall provide for:</p> <ul style="list-style-type: none"> <li>• Higher density residential and mixed uses at an appropriate scale to support transit and reduce vehicle dependence;</li> <li>• Buildings oriented towards the street to reduce walking distances to transit facilities;</li> <li>• Facilities which support non-auto modes including: drop off facilities, bus bays, bus loops, bus shelters, walkways, trails and other active transportation facilities; and</li> <li>• Limited surface parking and the potential redevelopment of existing surface parking as transit-supportive development supports a reduction in parking demand.</li> </ul>
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Many of the areas discussed in **Table 4** are found within Secondary Plans, which provide specific policies to guide development, though this is not the case for the Intensification Corridors.

As this Study progresses, further consideration is needed on how much of these intensification areas and corridors should be pre-zoned in alignment with the Official Plan permissions. Pre-zoning areas for the ultimate desired form can increase housing supply and reduce barriers to development.

Conversely, some areas, particularly where more intense development is proposed adjacent to lower-rise development, may warrant site specific examination. This examination occurs through a development review process where a zoning by-law amendment is required, and thus there may be some benefit to limiting the zoning permissions on certain sites so that development can be reviewed through a development application.

As this Study advances, a greater understanding of the zones and their relationship to the Official Plan will be developed, allowing informed decisions on the degree of pre-zoning in intensification areas and corridors. Phase 2 of this study will include a more in-depth examination of this issue.

## 7.2 Cultural Heritage

There are two Cultural Heritage District Plans that apply in Whitby.

### 7.2.1. Brooklin Heritage Conservation District Plan

The Brooklin Heritage Conservation District Plan applies in Downtown Brooklin, generally on both sides of Baldwin Street, north of Winchester Road East. The focus of the plan is “a change management process to conserve the heritage character of Brooklin. Its purpose is to guide all future changes to the area within the District boundary”.

The Plan provides guidelines for Conservation of Heritage Buildings, Additions and Alterations to Heritage Buildings, New Construction, Non-Heritage Buildings, Streetscapes, Landscapes and Archaeological Sites.

Key guidelines in the document include:

- “Preserve Baldwin Street in its primarily low- rise commercial (mixed use) main street role, retaining buildings of historic significance and reinforcing pedestrian use.”
- “To allow compact redevelopment between identified heritage buildings;”

- 
- “Orientation of new buildings should match the dominant orientation of the street on which they are to be sited.”
  - “Front and side yard setbacks for new buildings must follow municipal and Provincial requirements, however, the overall goal of the Guidelines is to regularize front setbacks to match or bridge those of adjacent structures, and to match side yard setbacks of adjacent structures.”
  - “Rear yard setbacks, back yards and placement of structures in rear yards should match the dominant pattern of the neighbourhood.”
  - “Height and massing of new buildings (except for new buildings to be sited next to institutional landmarks such as churches and mills) should conform to municipal and provincial requirements, but should be no greater in height, or different in mass, than the dominant form of buildings on the block in which it is situated. In the case of direct relation of a new commercial building to its immediate neighbours, vertical articulation of roofs, eaves and windows should be related one to the other.”

As this Study progresses, consultation with the appropriate heritage experts at the Town will occur to ensure the new Comprehensive Zoning By-law provisions do not conflict with the intent of the Brooklin Heritage Conservation District Plan.

### **7.2.2. Heritage Conservation District Plan for Werden’s Plan Neighbourhood**

The second heritage conservation district plan in Whitby is the Werden’s Plan Neighbourhood. It is located in Downtown Whitby generally bound by Dundas Street West to the north, Brock Street South to the east, James Street to the south, and Henry Street to the west. The Heritage Conservation District Plan for the Werden’s Plan Neighbourhood “serves as a guide to managing physical change to the neighbourhood over the long term”.

A review of the Downtown Secondary Plan is currently being undertaken, which may result in new Official Plan policies for this Heritage Conservation District that will need to be implemented in the zoning by-law.

Of the Plan’s objectives, the following relate to zoning elements:

- “To maintain the low-density residential appearance prevalent across the neighbourhood.”
- “To maintain the existing mix of single-detached house sizes as additions and new dwellings are accommodated in the neighbourhood.”
- “To keep an ample amount of open space in front yards, side yards, and backyards when new dwellings are constructed. “
- “To limit the height of residential additions and new dwellings out of respect for the prevailing height of houses in the neighbourhood.”
- “To favour gable or hip roofs on new dwellings.”

- “To prefer locating floor space added onto an existing house away from public view.”
- “To acknowledge the prevailing front yard setback in the siting of new dwellings.”
- “To locate accessory buildings in side yards or backyards.”
- “To minimize front yard parking.”
- “To locate a new driveway, the width of a single car, in a property’s side yard.”
- “To discourage lot severance.”
- “To consider the merits of consolidating lots where buildings are neither from the historic period nor are complementary. “

The Plan states that the “Werden’s Plan Neighbourhood Heritage Conservation District will be removed from the Downtown Whitby Intensification Area and exempted from the intensification strategy.” It further recognises the need for both Official Plan policies and zoning provisions to be updated to be consistent with the Plan.

The plan further provides direction related to:

- uses;
- additions;
- size of single-detached dwellings;
- size of accessory buildings;
- lot density (building to lot ratio);
- height, roof shape;
- setbacks;
- locations of accessory buildings;
- parking in the front yard;
- location and width of driveways; and
- lot severance and consolidation of lots.

These elements can be addressed in the new Comprehensive Zoning By-law, as it applies in this area.

Like with the Brooklin Plan, as the Study progresses, consultation with the appropriate heritage experts at the Town will occur to ensure the new Comprehensive Zoning By-law does not conflict with the intent of this District Plan.

### **7.2.3. Other Downtown Whitby Heritage Conservation Districts**

The Downtown Whitby Heritage Conservation District Study, completed in 2013, identified two other potential Heritage Conservation Districts in Downtown Whitby: Perry’s Plan Neighbourhood and Four Corners Commercial Districts. The ongoing update to the Downtown Whitby Secondary Plan will take these into consideration, as will this Study.

## 8. Further Considerations



The following summarizes some of the preliminary findings from this report. These findings will assist in assessing how the mixed use zones may be structured in Phase 2 of this Study.

### 8.1 Comparison of Existing Zone Uses and Permissions

- Consideration will be needed as to what uses require specific zone provisions versus zone provisions for groupings of uses.
- Some zones permit both residential and non-residential uses, while others require the uses to be combined in the same building in order for one or more of the uses to be permitted. Further examination will be needed to consider where the mix of uses is required, in a building, on a lot or simply in a designation.
- An update/consolidation of terminology will be needed to ensure clarity in the zoning by-law, modernizing terms and making sure the use of terms are consistent, for example restaurant vs. eating establishment.

### 8.2 Comparison of Official Plan Designations and Zones

A number of differences exist between the Official Plan policy directions and the zoning, including:

- a number of non-mixed use zones located in mixed use designated areas;
- the policy requirement for a mix of uses in a building, lot or area does not always translate into the zoning;
- The range of permitted uses in the zoning do not always capture the intended mix in the designations; and
- The building height requirements do not always align.

### 8.3 Special Areas

- There are some special areas, such as the Intensification Areas, Intensification Corridors or the Major Transit Station Area, for which further consideration is needed to determine to what extent the new Comprehensive Zoning By-law should pre-zone the areas.
- There is an opportunity to zone the heritage conservation districts in a manner that supports preservation of these special locations.

## 9. Next Steps



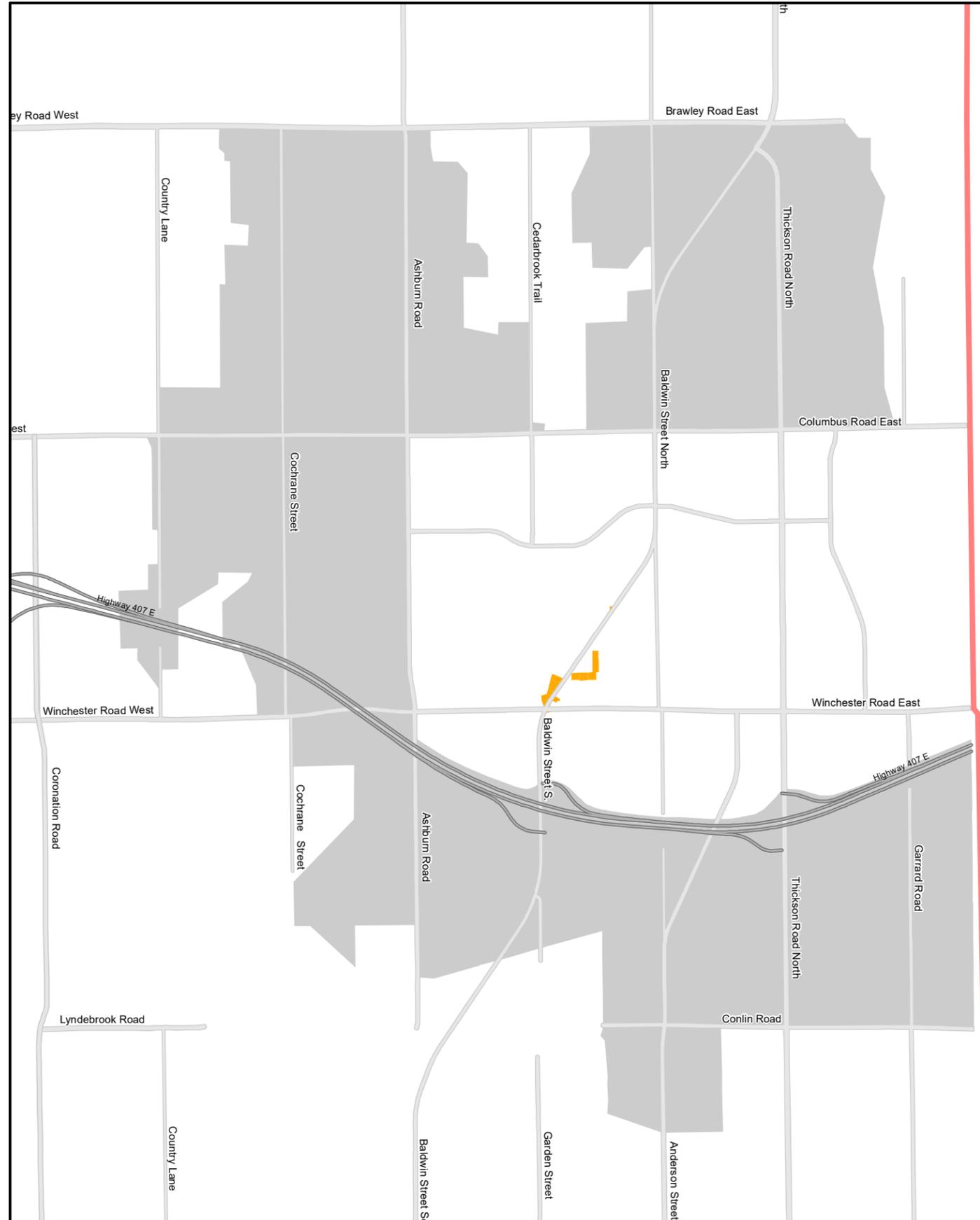
The purpose of this report was to identify and consider matters related to the structure and elements of the existing mixed use zones in two of Whitby's zoning by-laws and how these zones can be consolidated/updated/improved upon in the new Whitby Comprehensive Zoning By-law.

In Phase 2 of the Study, the information prepared within this report and in the other Phase 1 reports of this Study will be used to provide recommended courses of action in terms of the content and organization of zones.

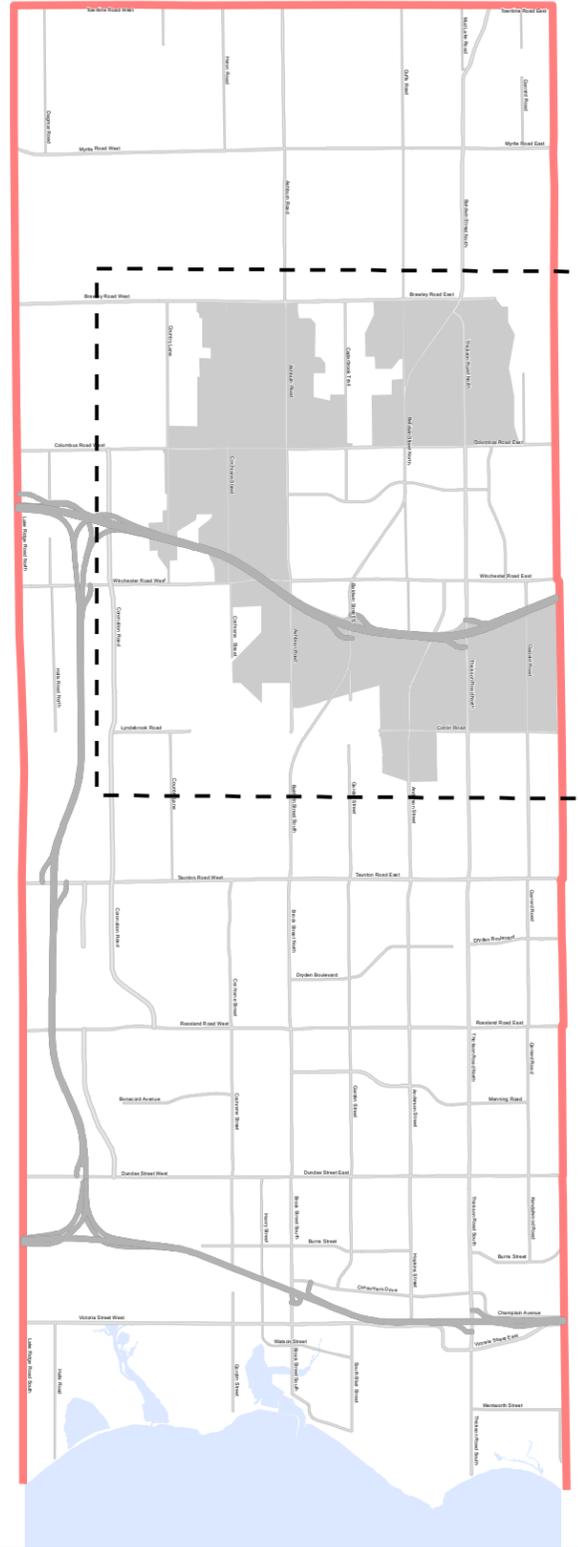
# Appendix A: Map of Mixed use Zones



# MIXED USE ZONES



## Key Map

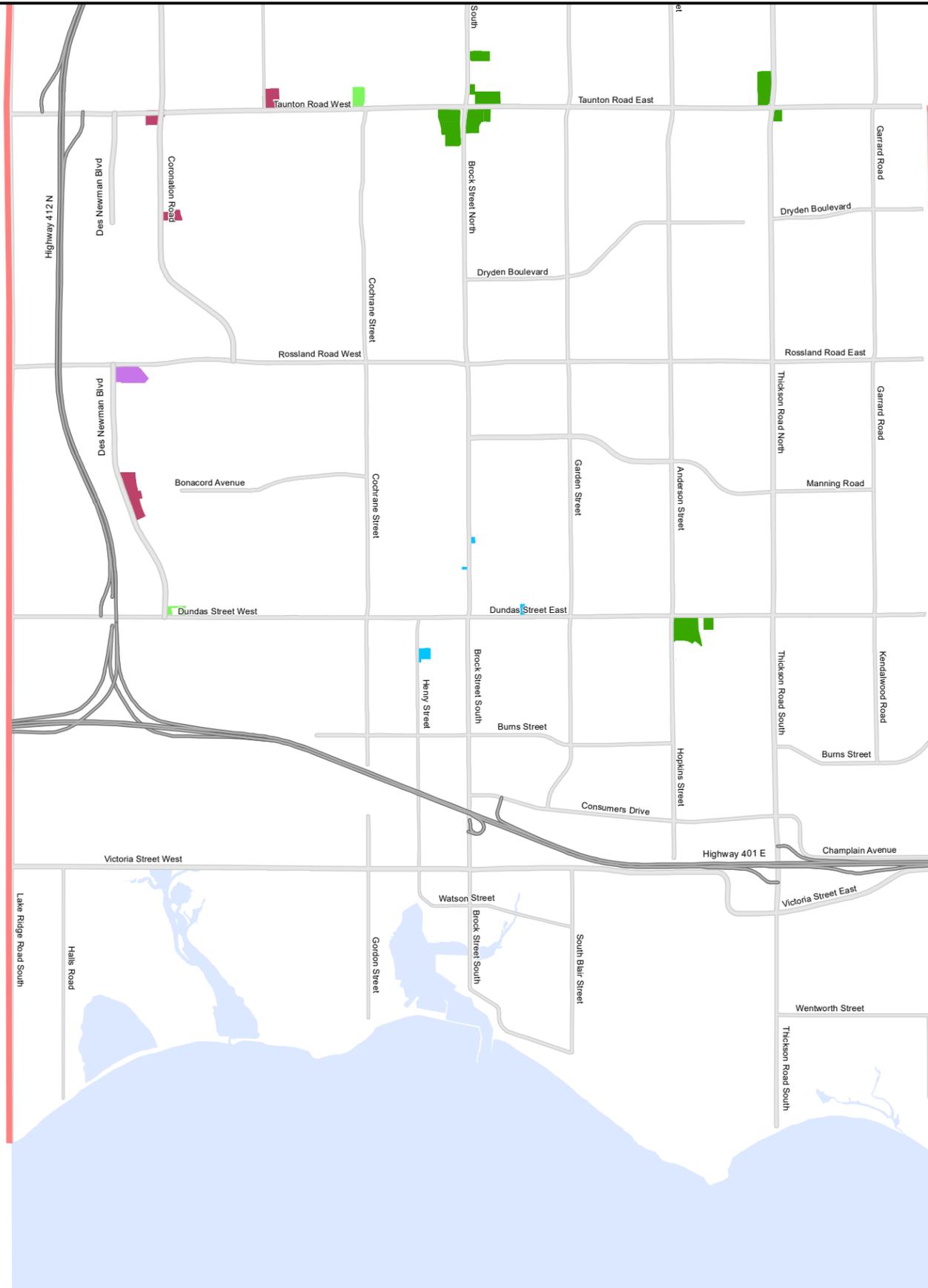


## Legend

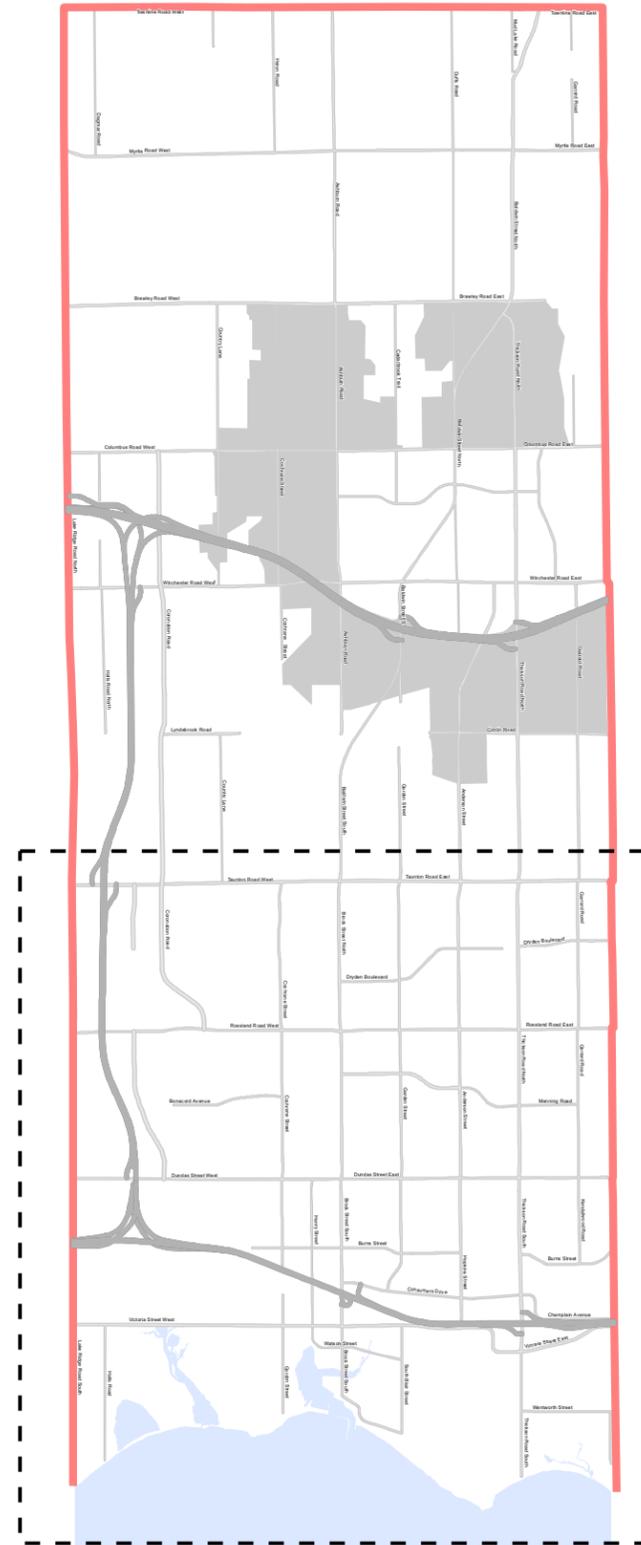


- Lake Ontario
- Whitby Boundary
- Brooklin Expansion Area
- ZB 2585 Commercial Residential**
- CR-DT
- ZB 1784 Mixed Use**
- CMU\*
- H-MX1S
- MX2
- H-MX2S
- MUR-VB

# MIXED USE ZONES



## Key Map



## Legend



- Lake Ontario
- Whitby Boundary
- Brooklin Expansion Area
- ZB 2585 Commercial Residential**
- CR-DT
- ZB 1784 Mixed Use**
- CMU\*
- H-MX1S
- MX2
- H-MX2S
- MUR-VB

# Appendix B: Comparison of Official Plan Designations and Mixed Use Zone Provisions



<b>OP Designation</b>	<b>Mixed Use – Town of Whitby (Schedule A)</b>
<b>Location</b>	<ul style="list-style-type: none"> <li>• At Garrard and Taunton Road East;</li> <li>• On Brock Street, north and south of the Downtown;</li> <li>• Along Dundas Street West, west of Cochrane Street; and</li> <li>• Along Dundas Street East, generally between the rail line and Garrard Road.</li> </ul>
<b>Permitted Uses and Key provisions:</b>	<p>4.6.3.1</p> <ul style="list-style-type: none"> <li>• Lands designated as Mixed Use shall permit integrated mixed-use development and redevelopment which include residential, office, retail, restaurant, personal service, and community and/or institutional uses. Lands designated as Mixed Use shall contain two or more of the foregoing permitted use categories. Development and redevelopment with a residential component is encouraged, particularly within Central Areas. Notwithstanding the foregoing, live-work units alone are not considered to meet the intent of this section.</li> </ul> <p>4.6.3.2</p> <ul style="list-style-type: none"> <li>• For lands designated as Mixed Use, the Zoning By-law shall include provisions to enable the <i>development</i> and <i>redevelopment</i> of residential units as apartment units above non-residential uses within the same building, or of residential and non-residential uses in distinct and separate buildings on the same site, in accordance with the provisions of Section 6.2.4.2.</li> </ul> <p>4.6.3.3</p> <ul style="list-style-type: none"> <li>• New department stores, <i>major retail uses</i>, and supermarkets that would detract from the Major Commercial Designation shall not be permitted in areas designated as Mixed Use.</li> </ul> <p>4.6.3.5</p> <ul style="list-style-type: none"> <li>• The scale of any <i>development</i> or <i>redevelopment</i> in areas designated as Mixed Use in terms of permitted building height, lot coverage, floor space, density, and setbacks shall be included in the implementing Zoning By-law.</li> </ul> <p>4.6.3.9</p> <ul style="list-style-type: none"> <li>• Notwithstanding the provisions of Section 4.6.3.1, where a property designated as Mixed Use contains an existing single detached dwelling, the existing dwelling may be converted to a single permitted non-residential use provided that such conversion is compatible with surrounding uses and subject to a site specific amendment to the Zoning By-law. Expansions of existing buildings for non-residential uses are not permitted.</li> </ul>

<b>Zones</b>	1784: CMU*
<b>Notes</b>	CMU* permissions generally align with designation, but lots of areas are not zoned as mixed use.
<b>Other Zones</b>	1784: C2-S, C1, R2A, R2, GB-CW, AS-CW, R4/R5, M1, R3, OS

<b>OP Designation</b>	<b>Mixed Use Residential One – Port Whitby Community Secondary Plan (Schedule F)</b>
<b>Location</b>	South of Victoria Street East, to the west and east of Brock Street South
<b>Map Number</b>	42/43
<b>Permitted Uses and Key provisions:</b>	<p>11.1.9.2</p> <ul style="list-style-type: none"> <li>Lands designated as Mixed Use Residential One permit residential uses in a multiple unit setting and a wide range of small-scale retail, cultural and small-scale service commercial and office uses. Drive-through service facilities are not permitted.</li> </ul> <p>11.1.9.3</p> <ul style="list-style-type: none"> <li>The minimum residential density is greater than 50 dwelling units per net hectare and the maximum residential density shall not exceed 175 dwelling units per hectare. The minimum building height shall be three storeys and a maximum building height shall not exceed six storeys</li> </ul> <p>11.1.9.4</p> <ul style="list-style-type: none"> <li>Mixed-use commercial development shall be required to include integrated residential uses. For the purposes of this policy, floorspace shall be calculated based on requiring a minimum of one square metre of residential floorspace, for each one square metre of ground floor commercial floor space. Offices may be permitted within the upper floors of a mixed-use development, provided that residential uses are separated from non-residential uses.</li> </ul> <p>11.1.9.5</p> <ul style="list-style-type: none"> <li>Development with frontage on Brock Street South must contain ground floor related commercial uses</li> </ul> <p>11.1.9.6</p> <ul style="list-style-type: none"> <li>New construction should frame and enclose the public realm of Brock Street South with mid-rise infill buildings that are stepped back from a four storey street wall.</li> </ul> <p>11.1.9.7</p> <ul style="list-style-type: none"> <li>New infill development along Brock Street South should have adaptable and accessible ground floor spaces suitable for a range of uses such as galleries, professional offices, retail, community space and live/work units that can animate the public realm.</li> </ul> <p>11.1.9.11</p> <ul style="list-style-type: none"> <li>Notwithstanding any provisions of this plan to the contrary, townhouse development may also be permitted to a maximum density of 75 units per hectare, on the properties having frontage on Brock Street South, located in Part of Lot 26, Broken Front Concession, identified as</li> </ul>

	Assessment Roll #18-09-030-012-9300-0000 and Assessment Roll #18-09-030-012-9400-0000, subject to inclusion of appropriate provisions in the Zoning By-law.
<b>Zones</b>	There are no mixed use zones located within this designation. No mixed use zones exist in this designation, simply the R4 zone and C1 zone. The R4 zone permits lower density units e.g. singles contrary to the policy for multiples units dwellings and the C1 zone doesn't permit residential uses, as called for in Policy 11.1.9.4.
<b>Other Zones</b>	2585: R4, R4C, C1

<b>OP Designation</b>	<b>Mixed Use Residential Two – Port Whitby Community Secondary Plan (Schedule F)</b>
<b>Location</b>	East of Henry Street, south of the rail corridor and two small areas east of Charles Street.
<b>Map Number</b>	42/43
<b>Permitted Uses and Key provisions:</b>	<p>11.1.10.2</p> <ul style="list-style-type: none"> <li>Lands designated as Mixed Use Residential Two permit residential uses in a multiple unit and apartment building setting and a wide range of small scale retail, cultural and small-scale service commercial and office uses. Drive-through service facilities are not permitted.</li> </ul> <p>11.1.10.3</p> <ul style="list-style-type: none"> <li>The minimum residential density is greater than 60 dwelling units per net hectare and the maximum residential density shall not exceed 75 dwelling units per hectare. The minimum building height shall be three storeys and a maximum building height shall not exceed six storeys.</li> </ul>
<b>Zones</b>	2585: H-CR-HDA3 –This is an exception mixed use zone (no general CR zone).
<b>Notes</b>	It is noted that both the R4 and R4C zones permit lower density uses than called for in the designation and don't require a minimum 3 storeys as called for.
<b>Other Zones</b>	2585: R4, R4C, I and D(NR)

<b>OP Designation</b>	<b>High Density Residential Mixed Use – Port Whitby Community Secondary Plan (Schedule F)</b>
<b>Location</b>	<ul style="list-style-type: none"> <li>• East of Henry Street, south of the rail corridor,</li> <li>• North of Watson Street east, west of Charles Street</li> <li>• West of Brock Street South at Victoria Street East; and</li> <li>• At Brock Street South east of Whitby Harbour.</li> </ul>
<b>Map Number</b>	42/43
<b>Permitted Uses and Key provisions:</b>	<p>11.1.11.2</p> <ul style="list-style-type: none"> <li>• Lands designated as High Density Residential Mixed Use permit multistorey residential buildings and a wide range of small-scale retail, cultural, small-scale service commercial and office uses. Drive-through service facilities are not permitted.</li> </ul> <p>11.1.11.3</p> <ul style="list-style-type: none"> <li>• The minimum residential density is greater than 75 dwelling units per net hectare and the maximum residential density shall not exceed 300 dwelling units per net hectare. The minimum building height for lands designated High Density Residential Mixed Use, north of Victoria Street shall be six storeys and the maximum building height for all lands shall not exceed eighteen storeys.</li> </ul> <p>11.1.11.4</p> <ul style="list-style-type: none"> <li>• Notwithstanding any provisions of this Plan to the contrary for lands located within Part Lot 27, Broken Front Concession, identified as Assessment Roll #'s 18-09-030-012-03200-0000, 18-09-030-012-03300-0000 and 18-09-030-012-03400-0000, the minimum residential density shall be 115 dwelling units per net hectare and the maximum residential density shall be 370 dwelling units per net hectare with a maximum building height of up to 33 storeys. A marina, ancillary retail, and personal service uses may also be permitted. Retail and personal uses will be harbour-related and serve the recreational and tourist function of the harbour as well as the residents of lands subject to this policy.</li> </ul>
<b>Zones</b>	<ul style="list-style-type: none"> <li>• There are no mixed use zones located within this designation. The R4, R5A, zones permit certain lower density uses than permitted by the designation. The C2 zone also doesn't specify a restriction on drive through facilities.</li> </ul>

**Other Zones**

2585: R4, R5A, C2, D(NR)

<b>OP Designation</b>	<b>Mixed Use– Downtown Whitby Secondary Plan (Schedule H)</b>
<b>Location</b>	Small areas generally located along Brock Street South and Colborne Street East surrounding the Downtown Commercial designation.
<b>Map Number</b>	34/35/38/39
<b>Permitted Uses and Key provisions:</b>	<p>11.3.5.1</p> <ul style="list-style-type: none"> <li>The Mixed Use designation shown in Schedule “H” shall permit High Density Residential uses in accordance with <b>Section 11.3.6</b>. In addition, commercial uses may be permitted if integrated in the same building as the residential use.</li> </ul> <p>11.3.5.2</p> <ul style="list-style-type: none"> <li>The total floor space for commercial uses which may be permitted in a new building shall be calculated on the basis of one square metre of commercial floor space for each two square metres of residential floor space. For the purposes of this policy statement, commercial floor space refers to retail, personal service and corporate or government office uses.</li> </ul> <p>11.3.5.3</p> <ul style="list-style-type: none"> <li>Parking shall only be permitted underground, to the rear of the building or otherwise restricted from view from the streets which abut the property.</li> </ul> <p>11.3.5.4</p> <ul style="list-style-type: none"> <li>As an interim use, where a property designated for Mixed Use contains an existing single detached dwelling, the existing dwelling may be converted to limited commercial use provided that such conversion is within the existing building and is compatible with surrounding uses. Where a building of architectural and/or historic significance is involved, provision shall be made to ensure that the architectural features of the building are maintained.</li> </ul> <p>11.3.5.5</p> <ul style="list-style-type: none"> <li>Public or private parking may be permitted in the Mixed Use areas as a temporary use prior to redevelopment.</li> </ul> <p>11.3.5.7</p> <ul style="list-style-type: none"> <li>Notwithstanding Sections 11.3.5.1 and 11.3.5.3 an office use without a residential use may be permitted on the property located at 300 King Street, provided heritage attributes are maintained, adequate on-site parking is provided, and subject to the inclusion of appropriate provisions in the Zoning By-law.</li> </ul>

	<p>11.3.6.2c)</p> <ul style="list-style-type: none"> <li>The High Density Residential area shall be developed up to a maximum of 200 units per net hectare, and may consist of street townhouse, block townhouse, stacked townhouse and apartment dwelling units, converted dwellings and boarding and lodging houses. For lands within this designation that are determined to be within the regulatory flood plain associated with the Pringle Creek, new development will be directed to areas outside of the flood plain in accordance with Town and Conservation Authority requirements.</li> </ul>
<b>Zones</b>	2585: CR-DT
<b>Notes</b>	<ul style="list-style-type: none"> <li>CR-DT zone permits apartments and converted dwellings in conjunction with non-residential uses in alignment with the Mixed Use Designation.</li> <li>The other zones additionally permit single use residential uses.</li> <li>Other zones permit stand-alone non-residential/commercial uses while the designation only permits commercial uses if integrated in the same building as residential uses.</li> </ul>
<b>Other Zones</b>	2585: R5, R4-DT, R2-DT, R6-DT, C3-DT

<b>OP Designation</b>	<b>Mixed Use– Rossland/Garden Urban Central Area Secondary Plan (Schedule J)</b>
<b>Location</b>	Located north and south of Rossland Road, east of Garden Street
<b>Map Number</b>	31
<b>Permitted Uses and Key provisions:</b>	<p>11.4.5.1</p> <ul style="list-style-type: none"> <li>Taking full advantage of the Rossland/Garden intersection, these areas shall allow for an integrated mixture of land use activities, including high density residential uses up to a maximum of 110 units per net hectare, hotel and entertainment facilities, government, corporate and professional offices, ancillary recreational facilities and retail and personal service uses as detailed in the implementing Zoning By-law. However, commercial uses such as, and similar in kind to, department stores and supermarkets that would economically detract from the Major Commercial Area shall not be permitted.</li> </ul> <p>11.4.5.2</p> <ul style="list-style-type: none"> <li>Integrated, mixed use development with a residential component shall be encouraged within these areas. Substantial consolidation and the integrated development of the existing residential properties shall be encouraged prior to any redevelopment within the Mixed Use Area north of Rossland Road.</li> </ul> <p>11.4.10.5.1 The following building design criteria are provided for all buildings in the core area:</p> <ol style="list-style-type: none"> <li>maximum height for high density residential, commercial and mixed use buildings shall be up to 18 storeys</li> <li>within the core area, reduced building setbacks from adjacent major roads, particularly the north-south collector road, shall be encouraged where possible, in order to provide a more intensive urban built form, a greater sense of enclosure and convenient pedestrian interaction;</li> <li>future building designs within the core area shall be closely related in order to create a sense of continuity.</li> </ol>
<b>Zones</b>	1784: RMU – This is an exception mixed use zone.
<b>Notes</b>	The R5A and R2 Zones do not align with the designations in terms of permitted uses.
<b>Other Zones</b>	1784: R2, R5A and CRO

<b>OP Designation</b>	<b>Mixed Use 1 – Community Central Area (Schedule K)</b>
<b>Location</b>	At Baldwin St North, south of Columbus Road East.
<b>Permitted Uses and Key provisions:</b>	<p>11.5.12.1</p> <ul style="list-style-type: none"> <li>Lands designated as Mixed-Use 1 – Community Central Area on Schedule “K” shall be developed in accordance with Section 4.6, except as modified by the following additional policies.</li> </ul> <p>11.5.12.2</p> <ul style="list-style-type: none"> <li>The intended function of the Mixed-Use 1- Community Central Area designation is to provide a mix of residential and commercial uses in a pedestrian-oriented manner at a density which supports frequent transit service. Each property shall have a mix of two or more land uses set out in Section 4.6.3.1, and each Mixed-Use 1 – Community Central Area designation as a whole shall have a mix of residential and commercial use as determined through Section 11.5.7.4. The designation is also intended to provide for a range of commercial uses provided by the Community Commercial designation to support the weekly shopping needs of the surrounding residential neighbourhoods.</li> </ul> <p>11.5.12.3</p> <ul style="list-style-type: none"> <li>In addition to the uses permitted in Section 4.6.3.1, permitted commercial uses shall be as set out in Section 4.5.3.2.1 of this Plan except that the minimum gross leasable floor space of commercial uses within each Community Central Area shall be 12,000 square metres.</li> </ul> <p>11.5.12.4</p> <ul style="list-style-type: none"> <li>The minimum and maximum permitted residential and mixed-use density shall be as set out in Section 11.5.11.3.</li> </ul> <p>11.5.12.5</p> <ul style="list-style-type: none"> <li>The minimum and maximum permitted residential and mixed-use building height shall be as set out in Section 11.5.11.4</li> </ul> <p>11.5.12.6</p> <ul style="list-style-type: none"> <li>The minimum building height for non-residential buildings shall be 2 storeys. The proportion of the second floor that is occupied by functional space shall be set out in the zoning by-law.</li> </ul> <p>11.5.12.7</p> <ul style="list-style-type: none"> <li>It is recognized that the mixed-use elements may occur in stages as the area develops and intensifies over the long-term. However, the intent is that the designation will be planned to accommodate a range of uses from its initial development and shall not be developed solely</li> </ul>

	for one permitted land use type. The extent of mixed-use development in the initial stages and the phasing of mixed-use development over time will be illustrated in the Comprehensive Block Plan required in Section 11.5.7.4
<b>Zones</b>	No mixed use zones.
<b>Notes</b>	<ul style="list-style-type: none"> <li>• A major portion of the site contains an existing industrial uses which the zoning reflects but which does not reflect the long term intent for the area.</li> </ul>
<b>Other Zones</b>	GB-3, C2-S, D(NR), M1-BP, M1

OP Designation	Mixed Use 2 – HCD (Schedule K)
<b>Location</b>	Within Downtown Brooklin
<b>Permitted Uses and Key provisions:</b>	<p>11.5.13.1</p> <ul style="list-style-type: none"> <li>• Lands designated as Mixed Use 2 – HCD on Schedule “K” and “K1” shall be developed in accordance with Section 4.6, except as modified by the following additional policies</li> </ul> <p>11.5.13.2</p> <ul style="list-style-type: none"> <li>• The intent of the Mixed Use 2 – HCD designation is to accommodate low- rise, mixed-use development within the HCD and to accommodate commercial uses in a mixed-use format that complement the commercial development in the historic downtown and in the adjacent Major Commercial designation.</li> </ul> <p>11.5.13.3</p> <ul style="list-style-type: none"> <li>• In addition to the uses permitted in Section 4.6.3.1, in the Mixed-Use 2 – HCD designation, the range of permitted commercial uses shall complement but not compete with the Heritage Commercial designation as set out in Section 11.5.16.</li> </ul> <p>11.5.13.4</p> <ul style="list-style-type: none"> <li>• The maximum permitted density in the Mixed-Use 2 – HCD designation shall be 85 units per net hectare.</li> </ul> <p>11.5.13.5</p> <ul style="list-style-type: none"> <li>• The minimum height in the Mixed-Use 2 – HCD designation shall be 2 storeys and the maximum height shall be 4 storeys.</li> </ul> <p>11.5.13.17</p> <ul style="list-style-type: none"> <li>• Proposals for development in the Mixed-Use 2 – HCD designation or the conversion of existing detached dwellings to commercial use may require a site-specific Zoning By-law amendment.</li> </ul>
<b>Zones</b>	MUR-VB
<b>Notes</b>	The MUR-VB zone doesn’t permit a full range of commercial uses a permitted by the Official Plan designation. Height could be increased in the MUR-VB zone.
<b>Other Zones</b>	C1-VB, R1-VB, R2-VB

OP Designation	Mixed Use 3 (Schedule K)
<b>Location</b>	<ul style="list-style-type: none"> <li>• At Thickson Road North and Carnwith Drive</li> <li>• 6 pockets along Winchester Road</li> <li>• A small area west of the Downtown and south of Vipond Road</li> </ul>
<b>Permitted Uses and Key provisions:</b>	<p>11.5.14.1</p> <ul style="list-style-type: none"> <li>• Lands designated as Mixed-Use 3 on Schedules “K” and “K1” shall be developed in accordance with Section 4.6, except as modified by the following additional policies.</li> </ul> <p>11.5.14.2</p> <ul style="list-style-type: none"> <li>• The intent of the Mixed-Use 3 designation is to accommodate a mix of two or more land uses on a site, as set out in Section 4.6.3.1, either within the same building or integrated as separate buildings on the lot.</li> </ul> <p>11.5.14.3</p> <ul style="list-style-type: none"> <li>• In addition to the uses permitted in Section 4.6.3.1, in the Mixed-Use 3 designation, the range of permitted commercial uses shall vary depending on the location: <ul style="list-style-type: none"> <li>a) Within the Downtown Brooklin Major Central Area outside of the HCD, the range of permitted commercial uses shall include those permitted in the Major Commercial designation as set out in Section 4.5.3.1;</li> <li>b) Outside of the Downtown Brooklin Major Central Area, the range of permitted commercial uses shall include those permitted in the Local Commercial designation as set out in Section 4.5.3.3</li> </ul> </li> </ul> <p>11.5.14.4</p> <ul style="list-style-type: none"> <li>• The minimum permitted density in the Mixed-Use 3 designation shall be 60 units per net hectare and the maximum density shall be 85 units per net hectare.</li> </ul> <p>11.5.14.5</p> <ul style="list-style-type: none"> <li>• The minimum height in the Mixed-Use 3 designation shall be 2 storeys and the maximum height shall be 4 storeys.</li> </ul>
<b>Zones</b>	MU
<b>Notes</b>	Only one area is zoned MU. Very specific use permissions to be reviewed.
<b>Other Zones</b>	<p>C2-S-BP, R1-VB, R2-VB (in Major Central Area)</p> <p>C2-S-BP, GB, R5A, R2-VB, MU (outside Major Central Area)</p>

<b>OP Designation</b>	<b>Mixed Use Area 1 – Brock/Taunton Major Central Area Secondary Plan (Schedule N)</b>
<b>Location</b>	One area located west of Brock Street and south of Taunton Road.
<b>Map Number</b>	26
<b>Permitted Uses and Key provisions:</b>	<p>11.8.5.1</p> <ul style="list-style-type: none"> <li>Development within the Mixed Use designation shall be required to provide for an integration of medium or high density residential uses and non-residential uses. Recreational, institutional and community uses permitted in accordance with Section 4.4.3.1 a) of this Plan, shall also be permitted in Mixed Use designations, subject to an amendment to the Zoning By-law.</li> </ul> <p>11.8.5.2</p> <ul style="list-style-type: none"> <li>The residential component of a mixed use development may be located either within the same building as permitted non-residential uses or, in separate buildings on the same site with permitted non-residential uses, as part of an integrated development plan. Where the residential and non-residential uses are not proposed within the same building, the development shall demonstrate the means by which integration of residential and non-residential uses shall occur, prior to rezoning. Applications for mixed use development which include single-purpose land uses shall be discouraged within the Mixed Use designation.</li> </ul> <p>11.8.5.4</p> <ul style="list-style-type: none"> <li>The highest intensity of uses within the Mixed Use designations shall be encouraged to locate in the vicinity of the intersection of Brock Street and Taunton Road and there shall be a gradation of densities towards the boundaries of the Mixed Use designations.</li> </ul> <p>11.8.5.5</p> <ul style="list-style-type: none"> <li>The minimum building height for new residential and mixed use buildings shall generally be 6 storeys and the maximum building height shall be 18 storeys. Buildings that have a height greater than 8 storeys shall generally be located in proximity to Brock Street or Taunton Road. New non-residential buildings that are greater than 500 square metres in gross floor area shall have a minimum height of 2 storeys.</li> </ul> <p>11.8.5.6</p> <ul style="list-style-type: none"> <li>Retail commercial development which involves large, freestanding, independent buildings including, but not limited to, department stores, retail warehouse stores, and supermarkets that would detract from the Major Commercial designation shall not be permitted in the Mixed Use designation.</li> </ul>

	<p>11.8.5.7</p> <ul style="list-style-type: none"> <li>• Food stores with a gross leasable floor space of less than 1,200 square metres shall be permitted within a Mixed Use designation. Development of food stores with a gross leasable floor space of greater than 1,200 square metres may be considered in accordance with the following: <ul style="list-style-type: none"> <li>a) Subject to an application for re-zoning;</li> <li>b) A supermarket has been developed within the Major Commercial designation of this Plan;</li> <li>c) The submission of a retail market impact analysis, in accordance with Section 4.5.4.2 of this Plan to justify to the satisfaction of Council that no undue adverse impact will occur on supermarket facilities.</li> </ul> </li> </ul> <p>11.8.5.9</p> <ul style="list-style-type: none"> <li>• In considering parking requirements established in the Zoning By-law, consideration may be given to reduced overall parking standards for mixed use developments where uses share a common building or site and have non-coincident peak parking requirements.</li> </ul> <p>11.8.5.10.1</p> <ul style="list-style-type: none"> <li>a) The gross leasable floor space assignment for retail and personal service uses within Mixed Use Area 1 shall generally be 6,000 square metres. Additional floor space will also be permitted for business and corporate offices which are located within the upper floors of a mixed use development.</li> <li>b) Commercial uses and buildings shall be encouraged to be situated in close proximity to the Brock Street and Taunton Road intersection.</li> <li>c) Development of Mixed Use Area 1 shall be required to include medium and high density residential uses. Approximately fifty percent of the residential units proposed shall be comprised of high density residential uses, in accordance with Section 4.4.3.7 of this Plan. There shall be a transition of densities with the highest densities occurring closest to the Brock Street and Taunton Road intersection.</li> <li>d) In accordance with Section 11.8.14, an Urban Design Plan shall be prepared for Mixed Use Area 1, to illustrate: the integration of uses; building placement; the park location and features; access and internal circulation; pedestrian connections; landscaping; and opportunities for transit integration.</li> </ul>
<b>Zones</b>	1784: CMU*

<p><b>Notes</b></p>	<ul style="list-style-type: none"> <li>• Zone permits medium and high density residential uses (apartment dwelling house, retirement home and long term care facility) as well as non-residential uses, recreational, institutional and community uses in alignment with the designation.</li> <li>• Zone does not explicitly permit residential uses and non-residential uses within the same building, nor require them on the same lot, as the designation does.</li> <li>• Zone permits a minimum height of 2 storeys and a maximum height of 8 storeys for all uses, while the designation allows a minimum height of 6 storeys and a maximum height of 18 storeys for new residential and mixed use buildings.</li> <li>• Zone permits food stores with a gross floor space of less than 1,200 m<sup>2</sup> in alignment with the designation.</li> <li>• Parent zone does not regulate gross leasable floor space.</li> </ul>
<p><b>Other Zones</b></p>	<p>1784: OS</p>

<b>OP Designation</b>	<b>Mixed Use Area 2 – Brock/Taunton Major Central Area Secondary Plan (Schedule N)</b>
<b>Location</b>	One area located east of Brock Street and south of Taunton Road
<b>Map Number</b>	27
<b>Permitted Uses and Key provisions:</b>	<p>11.8.5.1</p> <ul style="list-style-type: none"> <li>Development within the Mixed Use designation shall be required to provide for an integration of medium or high density residential uses and non-residential uses. Recreational, institutional and community uses permitted in accordance with Section 4.4.3.1 a) of this Plan, shall also be permitted in Mixed Use designations, subject to an amendment to the Zoning By-law.</li> </ul> <p>11.8.5.2</p> <ul style="list-style-type: none"> <li>The residential component of a mixed use development may be located either within the same building as permitted non-residential uses or, in separate buildings on the same site with permitted non-residential uses, as part of an integrated development plan. Where the residential and non-residential uses are not proposed within the same building, the development shall demonstrate the means by which integration of residential and non-residential uses shall occur, prior to rezoning. Applications for mixed use development which include single-purpose land uses shall be discouraged within the Mixed Use designation.</li> </ul> <p>11.8.5.4</p> <ul style="list-style-type: none"> <li>The highest intensity of uses within the Mixed Use designations shall be encouraged to locate in the vicinity of the intersection of Brock Street and Taunton Road and there shall be a gradation of densities towards the boundaries of the Mixed Use designations.</li> </ul> <p>11.8.5.5</p> <ul style="list-style-type: none"> <li>The minimum building height for new residential and mixed use buildings shall generally be 6 storeys and the maximum building height shall be 18 storeys. Buildings that have a height greater than 8 storeys shall generally be located in proximity to Brock Street or Taunton Road. New non-residential buildings that are greater than 500 square metres in gross floor area shall have a minimum height of 2 storeys.</li> </ul> <p>11.8.5.6</p> <ul style="list-style-type: none"> <li>Retail commercial development which involves large, freestanding, independent buildings including, but not limited to, department stores, retail warehouse stores, and supermarkets that would detract from the Major Commercial designation shall not be permitted in the Mixed Use designation.</li> </ul>

	<p>11.8.5.7</p> <ul style="list-style-type: none"> <li>• Food stores with a gross leasable floor space of less than 1,200 square metres shall be permitted within a Mixed Use designation. Development of food stores with a gross leasable floor space of greater than 1,200 square metres may be considered in accordance with the following: a) Subject to an application for re-zoning;</li> <li>b) A supermarket has been developed within the Major Commercial designation of this Plan;</li> <li>c) The submission of a retail market impact analysis, in accordance with Section 4.5.4.2 of this Plan to justify to the satisfaction of Council that no undue adverse impact will occur on supermarket facilities.</li> </ul> <p>11.8.5.9</p> <ul style="list-style-type: none"> <li>• In considering parking requirements established in the Zoning By-law, consideration may be given to reduced overall parking standards for mixed use developments where uses share a common building or site and have non-coincident peak parking requirements.</li> </ul> <p>11.8.5.10.2</p> <ol style="list-style-type: none"> <li>a) The gross leasable floor area assignment for retail and personal service uses within Mixed Use Area 2 shall generally be 5,300 square metres. Additional floor space will also be permitted for business and corporate offices which are located within the upper floors of a mixed use development.</li> <li>b) Commercial uses and buildings shall be encouraged to be situated in close proximity to the Brock Street and Taunton Road intersection.</li> <li>c) Development of Mixed Use Area 2 shall be required to include medium and/or high density residential uses, in accordance with Sections 4.4.3.6 and 4.4.3.7 of this Plan.</li> <li>d) In accordance with Section 11.8.14, an Urban Design Plan shall be prepared for Mixed Use Area 2, to illustrate: the integration of uses; building placement; access and internal circulation; pedestrian connections; landscaping; and opportunities for transit connections.</li> </ol>
<b>Zones</b>	1784: CMU*
<b>Notes</b>	<ul style="list-style-type: none"> <li>• Parent zone permits medium and high density residential uses (apartment dwelling house, retirement home and long term care facility) as well as non-residential uses, recreational, institutional and community uses in alignment with the designation.</li> <li>• Zone does not explicitly permit residential uses and non-residential uses within the same building, nor require them on the same lot, as the designation does.</li> </ul>

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|  | <ul style="list-style-type: none"><li>• Zone permits a minimum height of 2 storeys and a maximum height of 8 storeys for all uses, while the designation allows a minimum height of 6 storeys and a maximum height of 18 storeys for new residential and mixed use buildings.</li><li>• Zone permits food stores with a gross floor space of less than 1,200 m<sup>2</sup> in alignment with the designation.</li><li>• Parent zone does not regulate gross leasable floor space.</li></ul> |
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<b>OP Designation</b>	<b>Mixed Use Area 4 – Brock/Taunton Major Central Area Secondary Plan (Schedule N)</b>
<b>Location</b>	One small area located east of Brock Street, north of Broadleaf Avenue
<b>Map Number</b>	27
<b>Permitted Uses and Key provisions:</b>	<p>11.8.5.1</p> <ul style="list-style-type: none"> <li>Development within the Mixed Use designation shall be required to provide for an integration of medium or high density residential uses and non-residential uses. Recreational, institutional and community uses permitted in accordance with Section 4.4.3.1 a) of this Plan, shall also be permitted in Mixed Use designations, subject to an amendment to the Zoning By-law.</li> </ul> <p>11.8.5.2</p> <ul style="list-style-type: none"> <li>The residential component of a mixed use development may be located either within the same building as permitted non-residential uses or, in separate buildings on the same site with permitted non-residential uses, as part of an integrated development plan. Where the residential and non-residential uses are not proposed within the same building, the development shall demonstrate the means by which integration of residential and non-residential uses shall occur, prior to rezoning. Applications for mixed use development which include single-purpose land uses shall be discouraged within the Mixed Use designation.</li> </ul> <p>11.8.5.4</p> <ul style="list-style-type: none"> <li>The highest intensity of uses within the Mixed Use designations shall be encouraged to locate in the vicinity of the intersection of Brock Street and Taunton Road and there shall be a gradation of densities towards the boundaries of the Mixed Use designations.</li> </ul> <p>11.8.5.5</p> <ul style="list-style-type: none"> <li>The minimum building height for new residential and mixed use buildings shall generally be 6 storeys and the maximum building height shall be 18 storeys. Buildings that have a height greater than 8 storeys shall generally be located in proximity to Brock Street or Taunton Road. New non-residential buildings that are greater than 500 square metres in gross floor area shall have a minimum height of 2 storeys.</li> </ul> <p>11.8.5.6</p> <ul style="list-style-type: none"> <li>Retail commercial development which involves large, freestanding, independent buildings including, but not limited to, department stores, retail warehouse stores, and supermarkets that would detract from the Major Commercial designation shall not be permitted in the Mixed Use designation.</li> </ul>

	<p>11.8.5.7</p> <ul style="list-style-type: none"> <li>• Food stores with a gross leasable floor space of less than 1,200 square metres shall be permitted within a Mixed Use designation. Development of food stores with a gross leasable floor space of greater than 1,200 square metres may be considered in accordance with the following: <ul style="list-style-type: none"> <li>a) Subject to an application for re-zoning;</li> <li>b) A supermarket has been developed within the Major Commercial designation of this Plan;</li> <li>c) The submission of a retail market impact analysis, in accordance with Section 4.5.4.2 of this Plan to justify to the satisfaction of Council that no undue adverse impact will occur on supermarket facilities.</li> </ul> </li> </ul> <p>11.8.5.9</p> <ul style="list-style-type: none"> <li>• In considering parking requirements established in the Zoning By-law, consideration may be given to reduced overall parking standards for mixed use developments where uses share a common building or site and have non-coincident peak parking requirements.</li> </ul> <p>11.8.5.10.3</p> <ul style="list-style-type: none"> <li>a) The gross leasable floor area assignment for retail and personal service uses shall generally be 3,400 square metres within Mixed Use Area 4. Additional floor space will also be permitted for business and corporate offices which are located within the upper floors of a mixed use development.</li> <li>b) Commercial uses and buildings shall be encouraged to be situated in close proximity to Baldwin Street.</li> <li>c) In accordance with Section 11.8.14, any site plan application in Mixed Use Area 4, shall illustrate: the integration of uses; building placement; access and internal circulation; pedestrian connections; opportunities for transit connections, landscaping; and proposed buffering to adjacent uses.</li> </ul>
<b>Zones</b>	1784: CMU*
<b>Notes</b>	<ul style="list-style-type: none"> <li>• Zone permits medium and high density residential uses (apartment dwelling house, retirement home and long term care facility) as well as non-residential uses, recreational, institutional and community uses in alignment with the designation. However, a site provision removed apartment, retirement home and long-term care as permitted uses.</li> </ul>

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|  | <ul style="list-style-type: none"><li>• Zone does not explicitly permit residential uses and non-residential uses within the same building, nor require them on the same lot, as the designation does.</li><li>• Zone permits a minimum height of 2 storeys and a maximum height of 8 storeys for all uses, while the designation allows a minimum height of 6 storeys and a maximum height of 18 storeys for new residential and mixed use buildings.</li><li>• Zone permits food stores with a gross floor space of less than 1,200 m<sup>2</sup> in alignment with the designation.</li><li>• Parent zone does not regulate gross leasable floor space.</li></ul> |
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<b>OP Designation</b>	<b>Mixed Use Area 1 – Thickson/Taunton Community Central Area Secondary Plan (Schedule O)</b>
<b>Location</b>	One area located at the south east corner of Taunton Road and Thickson Road.
<b>Map Number</b>	<b>28</b>
<b>Permitted Uses and Key provisions:</b>	<p>11.9.5.1</p> <ul style="list-style-type: none"> <li>Development within the Mixed Use designation shall be required to provide for an integration of medium and high density residential uses and non-residential uses. Recreational, institutional and community uses permitted in accordance with Section 4.4.3.1 a) of this Plan, shall also be permitted in Mixed Use designations, subject to an amendment to the Zoning By-law.</li> </ul> <p>11.9.5.2</p> <ul style="list-style-type: none"> <li>The residential component of a mixed use development may be located either within the same building as permitted non-residential uses or, in separate buildings on the same site with permitted non-residential uses, as part of an integrated development plan. Where the residential and non-residential uses are not proposed within the same building, the development shall demonstrate the means by which integration of residential and non-residential uses shall occur, prior to rezoning. Applications for mixed use development which include single-purpose land use proposals shall be discouraged within the Mixed Use designation.</li> </ul> <p>11.9.5.4</p> <ul style="list-style-type: none"> <li>Retail commercial development which involves large, freestanding, independent buildings including, but not limited to, department stores, retail warehouse stores, and supermarkets that would detract from the Community Commercial designation shall not be permitted in the Mixed Use designation.</li> </ul> <p>11.9.5.6</p> <ul style="list-style-type: none"> <li>The minimum building height shall generally be 2 storeys and the maximum building height shall be 6 storeys. Maximum building heights shall only be permitted where buildings are located in proximity to the arterial roads. Increased building heights along the Taunton Road Intensification Corridor may be considered in accordance with Section 4.2.7.</li> </ul> <p>11.9.5.8.1</p> <ol style="list-style-type: none"> <li>The gross leasable floor space assignment for retail and personal service uses within Mixed Use Area 1 shall generally be 2,000 square metres. Additional floor space will also be permitted for business and corporate offices which are located within the upper floors of a mixed use development.</li> </ol>

	<p>b) Commercial uses and buildings shall be encouraged to locate in close proximity to the Thickson Road and Taunton Road intersection.</p> <p>c) Development shall proceed in accordance with the Urban Design policies of Section 11.9.12.</p> <p>d) Residential development shall be in accordance with the Medium Density Residential policies in Section 4.4.3.5.</p> <p>11.9.12</p> <ul style="list-style-type: none"> <li>• Maximum building heights for individual sites shall be determined through the zoning process. A minimum building height of two (2) storeys will be encouraged for residential, mixed use and, where appropriate, commercial development situated along arterial roads. Building heights shall generally be restricted to a maximum of six (6) storeys for residential, commercial and mixed use buildings. Increased building heights along the Taunton Road Intensification Corridor may be considered in accordance with Section 4.2.7.</li> </ul>
<b>Zones</b>	1784: CMU*
<b>Notes</b>	<ul style="list-style-type: none"> <li>• Zone permits medium and high density residential uses (apartment dwelling house, retirement home and long term care facility) as well as non-residential uses, recreational, institutional and community uses in alignment with the designation.</li> <li>• Zone does not explicitly permit residential uses and non-residential uses within the same building, nor require them on the same lot, as the designation does.</li> <li>• Zone permits a minimum height of 2 storeys in alignment with the designation.</li> <li>• Zone permits a maximum height of 8 storeys, while the designation permits 8 storeys.</li> <li>• Zone does not outline gross leasable floor space.</li> </ul>
<b>Other Zones</b>	1784: R4B

<b>OP Designation</b>	<b>Mixed Use Area 2 – Thickson/Taunton Community Central Area Secondary Plan (Schedule N)</b>
<b>Location</b>	One area located at the north west corner of Taunton Road and Thickson Road
<b>Map Number</b>	28
<b>Permitted Uses and Key provisions:</b>	<p>11.9.5.1</p> <ul style="list-style-type: none"> <li>Development within the Mixed Use designation shall be required to provide for an integration of medium and high density residential uses and non-residential uses. Recreational, institutional and community uses permitted in accordance with Section 4.4.3.1 a) of this Plan, shall also be permitted in Mixed Use designations, subject to an amendment to the Zoning By-law.</li> </ul> <p>11.9.5.2</p> <ul style="list-style-type: none"> <li>The residential component of a mixed use development may be located either within the same building as permitted non-residential uses or, in separate buildings on the same site with permitted non-residential uses, as part of an integrated development plan. Where the residential and non-residential uses are not proposed within the same building, the development shall demonstrate the means by which integration of residential and non-residential uses shall occur, prior to rezoning. Applications for mixed use development which include single-purpose land use proposals shall be discouraged within the Mixed Use designation.</li> </ul> <p>11.9.5.4</p> <ul style="list-style-type: none"> <li>Retail commercial development which involves large, freestanding, independent buildings including, but not limited to, department stores, retail warehouse stores, and supermarkets that would detract from the Community Commercial designation shall not be permitted in the Mixed Use designation.</li> </ul> <p>11.9.5.6</p> <ul style="list-style-type: none"> <li>The minimum building height shall generally be 2 storeys and the maximum building height shall be 6 storeys. Maximum building heights shall only be permitted where buildings are located in proximity to the arterial roads. Increased building heights along the Taunton Road Intensification Corridor may be considered in accordance with Section 4.2.7.</li> </ul> <p>11.9.5.8.2</p> <ol style="list-style-type: none"> <li>Residential development shall not be required in Mixed Use Area 2.</li> <li>The gross leasable floor space assignment for retail and personal service uses within Mixed Use Area 2 shall generally be 3,000 square metres. Additional floor space will also be</li> </ol>

	<p>permitted for business and corporate offices which are located within the upper floors of a mixed use development.</p> <p>c) Development adjacent to the Pringle Creek Environmentally Sensitive Area shall be required to undertake an Environmental Impact Study, in accordance with Section 5.4.2, in order to: examine and assess the type and degree of sensitivity of the environmental conditions; the potential impacts of the proposed development; refine the limits of development; and determine any mitigative measure which may be required.</p> <p>d) Development shall be encouraged to take into consideration the Urban Design policies in Section 11.9.12</p> <p>11.9.12</p> <ul style="list-style-type: none"> <li>• Maximum building heights for individual sites shall be determined through the zoning process. A minimum building height of two (2) storeys will be encouraged for residential, mixed use and, where appropriate, commercial development situated along arterial roads. Building heights shall generally be restricted to a maximum of six (6) storeys for residential, commercial and mixed use buildings. Increased building heights along the Taunton Road Intensification Corridor may be considered in accordance with Section 4.2.7.</li> </ul>
<b>Zones</b>	1784: CMU*
<b>Notes</b>	<ul style="list-style-type: none"> <li>• Zone permits medium and high density residential uses (apartment dwelling house, retirement home and long term care facility) as well as non-residential uses, recreational, institutional and community uses in alignment with the designation.</li> <li>• Zone does not explicitly permit residential uses and non-residential uses within the same building, nor require them on the same lot as residential development is not required by the designation.</li> <li>• Zone permits a minimum height of 2 storeys in alignment with the designation.</li> <li>• Zone permits a maximum height of 8 storeys, while the designation permits 8 storeys.</li> <li>• Zone does not outline gross leasable floor space.</li> </ul>

<b>OP Designation</b>	<b>Mixed Use One – West Whitby Community Secondary Plan (Schedule V)</b>
<b>Location</b>	One area located south of the rail corridor, north and south of Rossland Road, east of Des Newman Blvd.
<b>Map Number</b>	29
<b>Permitted Uses and Key provisions:</b>	<p>11.12.2.1.2.2</p> <ul style="list-style-type: none"> <li>To provide a focus for the development of major retail uses in the Secondary Plan area.</li> </ul> <p>11.12.2.1.2.3</p> <ul style="list-style-type: none"> <li>To provide for a mix of residential and non-residential uses in a pedestrian-oriented manner.</li> </ul> <p>11.12.2.1.2.5</p> <ul style="list-style-type: none"> <li>To provide for a diverse range of retail, service, community, institutional, cultural and recreational uses to serve the Town and the Region.</li> </ul> <p>11.12.2.1.3</p> <ul style="list-style-type: none"> <li>The lands designated Mixed Use One are located within a Community Central Area as described in Section 4.3.3.5 of this Plan</li> </ul> <p>11.12.2.1.4</p> <ul style="list-style-type: none"> <li>The minimum residential density for the Mixed Use One designation is 45 units per net hectare.</li> </ul> <p>11.12.2.1.5</p> <ul style="list-style-type: none"> <li>The uses permitted on lands designated Mixed Use One are listed in Section 4.5.3.2 of this Plan, with the exception that residential uses in freestanding buildings, and supermarkets are also permitted.</li> </ul> <p>11.12.2.1.6</p> <ul style="list-style-type: none"> <li>It is the intent of this Plan that the lands designated Mixed Use One are the focus of major retail uses and higher density residential uses in a mixed-use setting. All major retail uses shall be located on the north side of Rossland Road and the maximum gross leasable floor area permitted for all retail uses combined in the Mixed Use One designation is 15,000 square metres.</li> </ul> <p>11.12.2.1.7</p> <ul style="list-style-type: none"> <li>The establishment of a higher-order supermarket serving a large trade area is a key component of the Rossland/Coronation Community Central Area. Given the intent of this Plan to establish the Mixed Use One area as the focus of activity in the Secondary Plan Study Area,</li> </ul>

	<p>the establishment of a higher-order supermarket serving a large trade area is a key component of the land use plan for the area.</p> <p>11.12.2.1.8</p> <ul style="list-style-type: none"> <li>Lands designated Mixed Use One on the south side of Rossland Road within the Mixed Use One designation shall include residential uses. Commercial development that is of a neighbourhood scale may also be permitted provided it is integrated with residential uses on the south side of Rossland Road.</li> </ul> <p>11.12.2.1.14</p> <ul style="list-style-type: none"> <li>The minimum height of any new residential building shall be 3 storeys and the maximum height shall be 12 storeys. Buildings that are between 8 and 12 storeys shall be directed to the area in the vicinity of the future Rossland Road/Coronation Road intersection, which is identified as a “Gateway Area” on Schedule ‘V’ and will serve as a gateway into the Mixed Use One designation from the west. The minimum height for non-residential buildings shall be two storeys.</li> </ul> <p>11.12.2.1.15</p> <ul style="list-style-type: none"> <li>Buildings should be located on or close to the street line and massed at intersections to establish a strong street edge. In cases where buildings that have a height of 8 storeys or more are proposed adjacent to the street line, the upper storeys of a building should be sited on podiums having a minimum height of 3 storeys and a maximum height of 5 storeys, with such podiums being located at or near the street line. In order to break up the mass of the podium along a street edge, the lengths of podium should be minimized.</li> </ul>
<b>Zones</b>	1784: MX1S
<b>Notes</b>	<ul style="list-style-type: none"> <li>Zone permits a range of residential and non-residential uses in alignment with the designation.</li> <li>Zone permits a minimum residential density of 45 units per net hectare, in alignment with the designation.</li> <li>The maximum gross leasable area for all retail and personal service establishment uses is 15,000 m<sup>2</sup> in alignment with the designation.</li> <li>Zone permits a minimum height of 2 storeys for residential buildings in alignment with the designation.</li> <li>Zone permits a maximum height of 4 storeys for townhouses and 8 storeys for apartment buildings while the designation permits 12 storeys.</li> </ul>

<b>Other Zones</b>	1784: A
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<b>OP Designation</b>	<b>Mixed Use Two – West Whitby Community Secondary Plan (Schedule V)</b>
<b>Location</b>	Located at Twin Streams Road and Coronation Road; two areas located along Taunton Road and at Bonacord Avenue and Des Newman Boulevard.
<b>Map Number</b>	25, 26, 29 and 33
<b>Permitted Uses and Key provisions:</b>	<p>11.12.2.2.1.1</p> <ul style="list-style-type: none"> <li>To provide for medium density residential uses and small-scale retail and personal service uses that are integrated on sites and/or within buildings with residential uses in a manner that is designated to be transit-supportive and pedestrian-oriented.</li> </ul> <p>11.12.2.2.2.1</p> <ul style="list-style-type: none"> <li>To provide opportunities for a mix of land uses at key intersection in the Secondary Plan area.</li> </ul> <p>11.12.2.2.3</p> <ul style="list-style-type: none"> <li>The permitted uses on lands designated Mixed Use Two are listed in Section 4.5.3.3 of this Plan, and subject to the remaining policies of this section.</li> </ul> <p>11.12.2.2.4</p> <ul style="list-style-type: none"> <li>The long term overall density target as established by the Region of Durham Official Plan is 60 residential units per gross hectare and the overall long-term floor space index target is 2.5. Sufficient depth for appropriate block development shall be provided along Regional Corridors and applicants shall demonstrate how more intensive development and increased densities can be accommodated over the long term. Given that these targets are to be measured across the entire Regional Corridor where possible, some areas will have higher densities and other areas will have lower densities. In the case of the Mixed Use Two designation on Dundas Street and Taunton Road, the minimum residential density is 60 units per net hectare, the minimum height is 3 storeys and the maximum height is 8 storeys. The minimum building height for non-residential buildings shall be 2 storeys. Buildings of up to 12 storeys may be considered depending on the land use context.</li> </ul> <p>11.12.2.2.5</p> <ul style="list-style-type: none"> <li>The minimum residential density is 45 units per net hectare up to a maximum of 70 units per net hectare. The minimum building height shall be 2 storeys and the maximum building height shall not exceed 4 storeys</li> </ul> <p>11.12.2.2.6</p> <ul style="list-style-type: none"> <li>Lands designated Mixed Use Two are encouraged to develop with a wide variety of building forms, generally low to mid-rise in height, but with higher buildings depending on location. A</li> </ul>

	<p>smaller scale of commercial use is anticipated with emphasis on good building/street relationships. The following design and built-form criteria shall be applied in Mixed Use Two areas:</p> <ul style="list-style-type: none"> <li>a) buildings should be located on or close to the street line to reinforce a strong street edge;</li> <li>b) front yard parking shall not be encouraged and larger parking areas shall be set back an appropriate distance from the street edge to ensure that the majority of the street edge is occupied by buildings;</li> <li>c) a strong street edge landscape treatment should be provided to contribute to the streetscape; and</li> <li>d) well-delineated pedestrian walkways should be provided between the street and main entrances.</li> </ul> <p>11.12.2.2.8</p> <ul style="list-style-type: none"> <li>• Non-residential uses shall be integrated with residential uses in the Mixed Use Two designation. Single purpose commercial areas shall not be established.</li> </ul>
<b>Zones</b>	1784: MX2
<b>Notes</b>	<ul style="list-style-type: none"> <li>• Zone permits a range of residential and non-residential uses, integrated on the same site or within the same building, in alignment with the designation.</li> <li>• Zone outlines a minimum residential density of 60 units per hectare where it abuts Dundas Street West of Taunton Road, in alignment with the designation.</li> <li>• Zone outlines a minimum residential density of 45 units per hectare and a maximum of 70 units per hectare, where it abuts Coronation Road or Des Newman Boulevard, in alignment with the general requirement of the designation.</li> <li>• Zone generally permits a minimum residential building height of 3 storeys and a maximum of 8 storeys in alignment with the designation for areas abutting Dundas Street and Taunton Road.</li> </ul>

<b>OP Designation</b>	<b>Special Mixed Use Two – West Whitby Community Secondary Plan (Schedule V)</b>
<b>Location</b>	One small area located on Dundas Street at Des Newman Boulevard, one area located near Taunton Road and Coronation Road, and one area located at Taunton Road and Cochrane Street.
<b>Map Number</b>	25, 26, 33 and 37
<b>Permitted Uses and Key provisions:</b>	<p>11.12.2.2.1.1</p> <ul style="list-style-type: none"> <li>To provide for medium density residential uses and small-scale retail and personal service uses that are integrated on sites and/or within buildings with residential uses in a manner that is designated to be transit-supportive and pedestrian-oriented.</li> </ul> <p>11.12.2.2.2.1</p> <ul style="list-style-type: none"> <li>To provide opportunities for a mix of land uses at key intersection in the Secondary Plan area.</li> </ul> <p>11.12.2.2.3</p> <ul style="list-style-type: none"> <li>The permitted uses on lands designated Mixed Use Two are listed in Section 4.5.3.3 of this Plan, and subject to the remaining policies of this section.</li> </ul> <p>11.12.2.2.4</p> <ul style="list-style-type: none"> <li>The long term overall density target as established by the Region of Durham Official Plan is 60 residential units per gross hectare and the overall long-term floor space index target is 2.5. Sufficient depth for appropriate block development shall be provided along Regional Corridors and applicants shall demonstrate how more intensive development and increased densities can be accommodated over the long term. Given that these targets are to be measured across the entire Regional Corridor where possible, some areas will have higher densities and other areas will have lower densities. In the case of the Mixed Use Two designation on Dundas Street and Taunton Road, the minimum residential density is 60 units per net hectare, the minimum height is 3 storeys and the maximum height is 8 storeys. The minimum building height for non-residential buildings shall be 2 storeys. Buildings of up to 12 storeys may be considered depending on the land use context.</li> </ul> <p>11.12.2.2.5</p> <ul style="list-style-type: none"> <li>The minimum residential density is 45 units per net hectare up to a maximum of 70 units per net hectare. The minimum building height shall be 2 storeys and the maximum building height shall not exceed 4 storeys</li> </ul> <p>11.12.2.2.6</p> <ul style="list-style-type: none"> <li>Lands designated Mixed Use Two are encouraged to develop with a wide variety of building forms, generally low to mid-rise in height, but with higher buildings depending on location. A</li> </ul>

	<p>smaller scale of commercial use is anticipated with emphasis on good building/street relationships. The following design and built-form criteria shall be applied in Mixed Use Two areas:</p> <ul style="list-style-type: none"> <li>e) buildings should be located on or close to the street line to reinforce a strong street edge;</li> <li>f) front yard parking shall not be encouraged and larger parking areas shall be set back an appropriate distance from the street edge to ensure that the majority of the street edge is occupied by buildings;</li> <li>g) a strong street edge landscape treatment should be provided to contribute to the streetscape; and</li> <li>h) well-delineated pedestrian walkways should be provided between the street and main entrances.</li> </ul> <p>11.12.2.2.8</p> <ul style="list-style-type: none"> <li>• Non-residential uses shall be integrated with residential uses in the Mixed Use Two designation. Single purpose commercial areas shall not be established. In this regard, the following provisions apply: <ul style="list-style-type: none"> <li>a) The Special Mixed Use Two Policy Areas focused on major intersections on Taunton Road and Dundas Street and identified on Schedule 'V' are considered to be Local Commercial and Convenience Commercial areas as set out in Section 4.5.3.3 of this Plan. Up to 3,500 square metres of gross leasable retail and personal service floor space may be permitted within each of the four areas identified, regardless of the number of properties within each area. As an exception to the Mixed Use Two designation for the lands at the north-east corner of Taunton Road and New Coronation Road, up to 7,560 square metres of gross leasable retail and personal service floor space may be permitted regardless of the number of properties within this designation</li> </ul> </li> </ul>
<b>Zones</b>	1784: MX2S
<b>Notes</b>	<ul style="list-style-type: none"> <li>• Zone permits a range of residential and non-residential uses, integrated on the same site or within the same building, in alignment with the designation.</li> <li>• Zone outlines a minimum residential density of 60 units per hectare where it abuts Dundas Street West of Taunton Road, in alignment with the designation.</li> <li>• Zone outlines a minimum residential density of 45 units per hectare and a maximum of 70 units per hectare, where it abuts Coronation Road or Des Newman Boulevard, in alignment with the general requirement of the designation.</li> </ul>

	<ul style="list-style-type: none"><li>• Zone generally permits a minimum residential building height of 3 storeys and a maximum of 8 storeys in alignment with the designation for areas abutting Dundas Street and Taunton Road.</li></ul>
<b>Other Zones</b>	1784: A, TRN



