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**From:** Catherine Rose, MCIP, RPP  
Chief Planner

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**Subject:** Zoning By-law Amendment Application A 10/18  
City Initiated: Rotary Frenchman's Bay West Park

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**1. Purpose of this Report**

The purpose of this report is to provide preliminary information on a proposed Zoning By-law Amendment, initiated by the City, for all lands within Rotary Frenchman's Bay West Park. This report contains general information on the applicable Official Plan and other related policies, and identifies matters raised to date.

This report is intended to assist members of the public and other interested stakeholders to understand the proposal. The Planning & Development Committee will hear public delegations on the proposed amendment, ask questions of clarification and identify any planning issues. This report is for information and no decision is to be made at this time. Staff will bring forward a recommendation report for consideration by the Planning & Development Committee upon completion of a comprehensive evaluation of the proposed amendment.

**2. Background**

On June 25, 2018, Council passed a motion (see Council Resolution #468/18, Attachment #1) requesting City staff to initiate the necessary steps to amend Zoning By-law 2511 to change the zoning of all lands within Rotary Frenchman's Bay West (RFBW) Park from "R4" – Detached Dwelling Fourth Density and "G" - Greenbelt to an appropriate zone category that recognizes these lands as Open Space/Environmental Park.

**3. Lands affected by the proposed Amendment**

The subject lands are located south of Sunrise Avenue, east of West Shore Boulevard, within the RFBW Park (see Location Map, Attachment #2).

All of the lands within the RFBW Park have been acquired by the Toronto and Region Conservation Authority (TRCA), except for 5 properties: 907 Beachpoint Promenade, 909 Beachpoint Promenade, 911 Beachpoint Promenade, 621 West Shore Boulevard and 913 Sunrise Avenue. The location of these privately-owned properties are shown on Attachment #2. These properties are currently used for residential purposes, and contain detached dwellings and accessory buildings/structures.

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#### **4. Rotary Frenchman's Bay West Park Master Plan**

In the late 1990's, a Task Force was formed for the Frenchman's Bay area to examine how the Pickering Waterfront could be enhanced in an environmentally sustainable manner. To guide the enhancement of Frenchman's Bay, an Implementation Plan was developed to assist in reaching the goal of an environmentally sustainable waterfront.

The Plan recognized the importance of the TRCA's continuing program to acquire lands within the Frenchman's Bay area. In 2001, the City entered into a management agreement with the TRCA for the Park lands.

As Pickering's population continues to increase, there is an increased demand for access to the waterfront. The City recognized that barrier-free access to the waterfront must be provided, while preserving and protecting the valuable ecosystem components of the area. To guide the use of the waterfront, the City created a Master Plan for the RFBW Park. The Master Plan was adopted by Council in 2012 (see Rotary Frenchman's Bay West Park Master Plan Drawing, Attachment #3).

The City has completed construction of Phase 1 of the Master Plan in 2018. Phase 1 included the removal of approximately 160 hazardous and invasive trees; widening and upgrading of Beachpoint Promenade; construction of the off-road waterfront trail and secondary pathways; relocation of utilities and ditches; construction of a parking area; and building a new picnic and educational kiosk/interpretive area. The details of subsequent phases will be determined as the future design of the park progresses.

#### **5. Proposed City Initiated Zoning By-law Amendment**

The majority of the subject lands, including the five residential properties, are currently zoned as "R4" – Residential Zone, permitting detached dwellings, except for the northeastern quadrant of the RFBW Park is zoned as "G" – Greenbelt Zone, permitting parks and recreational uses.

The City Initiated Zoning By-law Amendment proposes to rezone all of the lands within the RFBW Park to an "OS" – Open Space Zone category (see Draft Zoning By-law Amendment, Attachment #4). Proposed permitted uses include: Public Park, Private Club, Community Garden, Conservation Use, and Waterfront Activity. These uses are consistent with the Rotary Frenchman's Bay West Park Master Plan.

The residential use and the existing structures and buildings located on the five privately-owned residential properties will be deemed as legal non-conforming upon Council's adoption of this by-law amendment. The landowners of the five residential properties will have the right to continue to use their properties for residential purposes until such time as the residential use is discontinued. The landowners can repair and renovate the buildings but if the landowners decide to enlarge the existing buildings and/or structures, they will require the submission of a minor variance application and permission of the Committee of Adjustment to do so.

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## **6. Policy Framework**

### **6.1 Durham Region Official Plan**

The RFBW Park is designated as “Waterfront Areas”, and Frenchman’s Bay is designated as “Waterfront Places – Frenchman’s Bay” in the Durham Regional Official Plan.

Lands within the “Waterfront Areas” designation shall generally be developed as people places with the exception of significant natural areas, which will be protected in their natural states. The “Waterfront Places – Frenchman’s Bay” designation requires waterfront areas within the vicinity of Frenchman’s Bay designation to be developed as focal points along the Lake Ontario waterfront having a mix of uses, which may include residential, commercial, marina, recreational, tourist, and cultural and community facilities.

The proposed Zoning By-law Amendment conforms to the policies of the Durham Regional Official Plan.

### **6.2 Pickering Official Plan**

The Pickering Official Plan designates the subject lands as “Open Space System – Natural Areas” and “Open Space System – Marina Areas”. The permitted uses within the “Natural Areas” designation includes, but is not limited to, environmental protection, community gardens, passive recreation, and existing residential dwellings. The “Marina Areas” designation permits all uses within Natural Areas, as well as marinas and related uses.

The subject lands are part of the Natural Heritage System and comprise key hydrological features and significant woodlands. An objective of the City’s Official Plan is to protect and enhance important key natural heritage and key hydrologic features and areas as part of the Natural Heritage System.

The Draft Zoning By-law Amendment conforms to the policies of the Pickering Official Plan.

## **7. Comments Received**

Notice of this public meeting, to be hosted on February 4, 2019, has been placed on the Community Page in the January 9, 2019 and January 18, 2019 editions of the News Advertiser. The notice has been mailed to all land owners within 150 metres of the affected lands and it is posted on the City’s website.

Staff received enquiries from the public regarding the intent of the proposed Zoning By-law Amendment and for clarification on the proposed permitted uses within the Open Space zone category.

### **7.1 Agency and Department Comments**

The Draft Zoning By-law Amendment was circulated to the TRCA, Region of Durham and the City’s Engineering Department. At the time of writing this Report, no comments have been received.

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**8. Next Steps**

Following the public meeting, all comments received either through the public meeting or through written submissions, will be considered by Planning Staff in its review and analysis of the proposed amendment. At such time as input from the public, agencies and departments have been received and assessed, a recommendation report will be brought forward to the Planning & Development Committee for consideration.

**9. Procedural information**

- written comments regarding this proposed amendment should be directed to the City Development Department
  - oral comments may be made at the Public Information Meeting
  - all comments received will be noted and used as input to a Planning Report prepared by the City Development Department for a subsequent meeting of Council or a Committee of Council
  - any member of the public who wishes to reserve the option to appeal Council's decision must provide comments to the City before Council adopts any by-law for this proposal
  - any member of the public who wishes to be notified of Council's decision regarding this proposal must request such in writing to the City Clerk
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**Attachments**

1. Council Resolution #468/18
  2. Location Map
  3. Rotary Frenchman's Bay West Park Master Plan Drawing
  4. Draft Zoning By-law Amendment
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**Prepared By:**

Tanjot Bal  
Planner I



Nilesch Surti, MCIP, RPP  
Manager, Development Review  
& Urban Design

TB:ld

**Approved/Endorsed By:**

Catherine Rose, MCIP, RPP  
Chief Planner

Date of Report: January 17, 2019

Excerpt from the June 25, 2018 Council Meeting Minutes

b) Removal of Remaining R4 Designations – Rotary Frenchman's Bay West Park

Resolution #468/18

Moved by Councillor Brenner  
Seconded by Councillor Ashe

Whereas the Rotary Frenchman's Bay West Park encompasses lands at the southwestern end of Frenchman's Bay, lands northerly to the south side of Sunrise Avenue, the eastern side of West Shore Boulevard, and the northern shore of Lake Ontario;

Whereas these lands were previously designated as a special study area where TRCA was encouraged to continue its acquisition program to acquire any lands within the designated area that may become available;

Whereas with the exception of three properties located on the south side of Beachpoint Promenade, all lands within the park have been acquired;

Whereas Zoning By-law 2511 was approved in the early 1960's and zones portions of the Frenchman's Bay West Park land as "G" - Greenbelt and "R4" - Detached Dwelling Fourth Density;

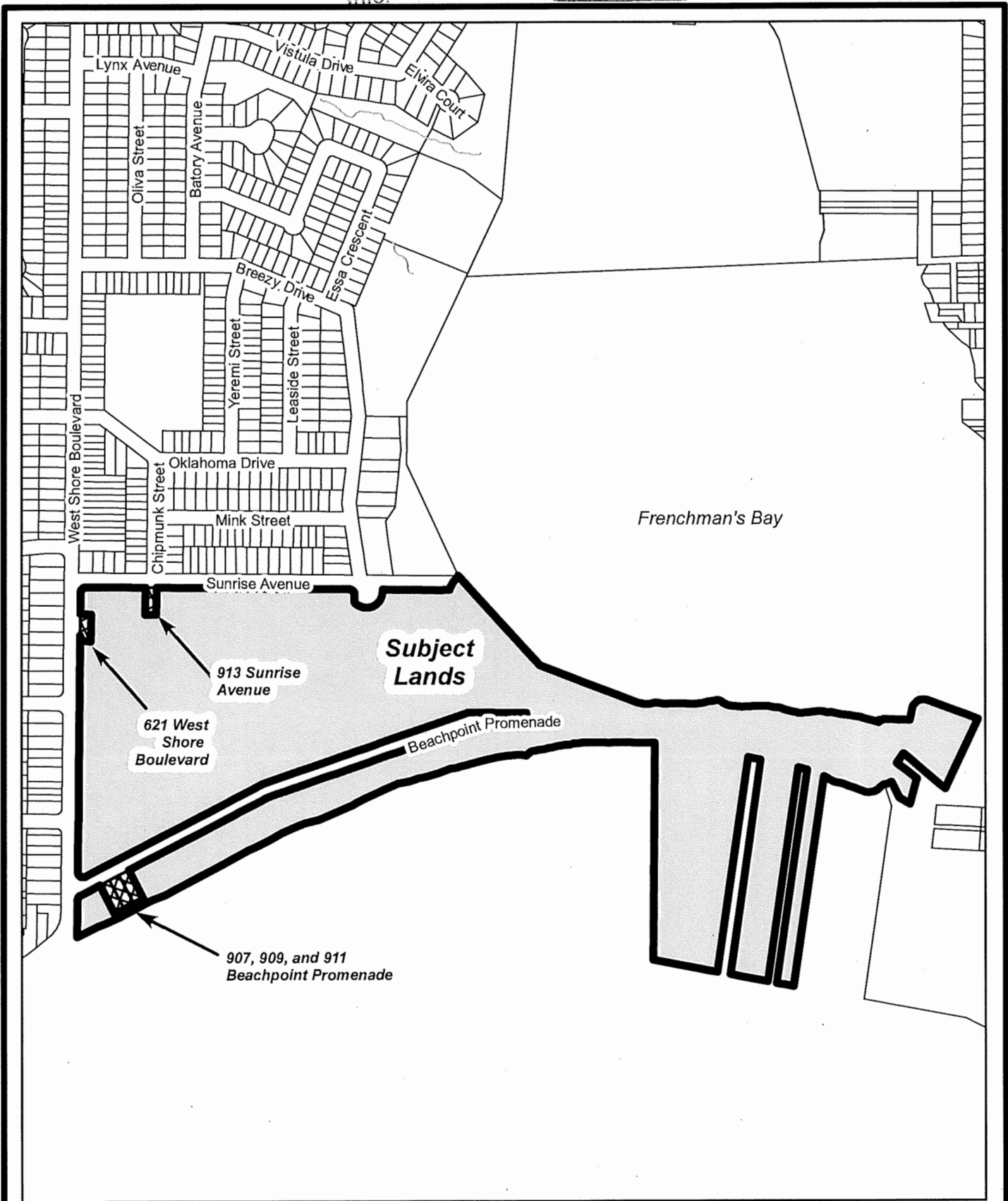
Whereas In 2012, the City of Pickering adopted Rotary Frenchman's Bay West Master Plan;

Now Therefore be it resolved that City staff initiate the necessary steps to amend Zoning By-law 2511 as follows:

1. To change the zoning of all lands currently zoned "R4" - Detached Dwelling Fourth Density to an appropriate zone category that recognizes these lands as Open Space/Environmental Park.
2. To change zoning on lands currently zoned "G" - Greenbelt to an appropriate zone category that recognizes these lands as Open Space/Environmental Park.

And that those properties remain in private ownership be granted non-conforming status.

Carried Unanimously  
On a Recorded Vote



City of  
**PICKERING**  
City Development  
Department

**Location Map**

**File:** A 10/18

**Applicant:** City Initiated - Rotary Frenchman's Bay West Park

**Property Description:** Part Lots 24 to 26, Range 3, Broken Lot Frontage

**Date:** Jan. 15, 2019

**SCALE:** 1:7,500

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THIS IS NOT A PLAN OF SURVEY.





- LEGEND**
- 1 UPGRADED BEACHFRONT PROMENADE
  - 2 LAY-BY PARKING
  - 3 NEW WATERFRONT TRAIL CONNECTION
  - 4 PEDESTRIAN TRAIL CROSSING POINTS
  - 5 NATURAL INTERPRETIVE PLAY AREA
  - 6 NATURALIZED PICNIC AREA
  - 7 TRAFFIC TURN-AROUND WITH DROP-OFF AND GATHERING SPACE
  - 8 UPGRADED EXISTING PARKING FACILITIES
  - 9 INTERPRETIVE EDUCATIONAL AREA
  - 10 ENHANCED BEACHFRONT ACCESS
  - 11 ENHANCED PEDESTRIAN TRAIL NETWORK
  - 12 POTENTIAL FUTURE WASHROOM FACILITY
  - 13 ENHANCED SINGLE-LANE ROADWAY WITH PEDESTRIAN TRAIL CONNECTION
  - 14 ENHANCED SMALL WATERCRAFT LAUNCH AREA
  - 15 SHORT TERM CAR AND / OR TRAILER PARKING AREA
  - 16 POTENTIAL CANOE CLUB / PARK FACILITIES BUILDING
  - 17 ACCESSIBLE BEACH ACCESS POINTS
  - 18 ENHANCED PEDESTRIAN TRAIL
  - 19 PROPOSED EMERGENCY AND MAINTENANCE VEHICLE TURN-AROUND
  - 20 ENHANCED WATERFRONT INTERPRETIVE NODE
  - 21 ACCESSIBLE FISHING NODE
  - 22 TERRESTRIAL RESTORATION OPPORTUNITIES
  - 23 INVASIVE SPECIES MANAGEMENT AREA
  - 24 DUNE ENHANCEMENT AREA
  - 25 NEW DUNE
  - 26 AREAS RESTORED TO OFFSET CONSTRUCTION DISTURBANCE
  - 27 AQUATIC ENVIRONMENT ENHANCEMENT AREAS
  - 28 EXISTING TREE
  - 29 EXISTING TRAIL
  - 30 FUTURE TRAIL CONNECTION
  - 31 EXISTING POLLINATOR BOX

City of  
**PICKERING**  
City Development  
Department

**Rotary Frenchman's Bay West Park Master Plan Drawing**  
**File No:** A 10/18  
**Applicant:** City Initiated  
**Property Description:** Part Lots 24 to 26, Range 3, Broken Lot Frontage

FULL SCALE COPIES OF THIS PLAN ARE AVAILABLE FOR VIEWING AT THE CITY OF PICKERING  
CITY DEVELOPMENT DEPARTMENT.

DATE: Jan 14, 2019

The Corporation of the City of Pickering

By-law No. XXXX/XX

**DRAFT**

Being a By-law to amend Restricted Area (Zoning) By-law 2511,  
as amended, to implement the Official Plan of the City of  
Pickering, Region of Durham, in Rotary Frenchman's Bay West  
Park (A 10/18)

Whereas the Council of The Corporation of the City of Pickering passed resolutions #468/18 requesting the lands within Rotary Frenchman's Bay West Park be rezoned from "R4" Zone and "G" Zone categories to "OS" Zone category within Zoning By-law 2511;

And whereas the Council of The Corporation of the City of Pickering deems it advisable to amend By-law 2511 to regulate the land uses within the Rotary Frenchman's Bay West Park;

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

**1. Schedule I**

Schedule I attached hereto with notations and references shown thereon is hereby declared to be part of this By-law.

**2. Area Restricted**

The provisions of this By-law shall apply to those lands in the Rotary Frenchman's Bay West Park, in the City of Pickering, designated "OS" – Open Space on Schedule I to this By-law.

**3. General Provisions**

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

**4. Definitions**

In this By-law:

- (1) "Park, Public" shall mean an area of land under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes, that may include a playground, sports field, botanical garden, or public swimming pool, and may also include accessory buildings or structures such as a maintenance building, washroom or canteen, and other uses authorized by the City and/or Conservation Authority.
- (2) "Private Club" shall mean a building or part of a building used as a meeting place by an association of persons who are bona fide members paying dues, which owns, hires or leases the building or part thereof, the use of such premises being restricted to members and their guests for social, recreational or athletic purposes.



- DRAFT**
- (3) "Community Garden" shall mean land used for the growing and harvesting of plants, vegetables or fruits and provided the crops are for the sole use, donation or consumption by the individual or individuals growing or working the community garden. It shall not be considered as landscaped area, landscaped strip or landscaping.
  - (4) "Conservation Use" shall mean a use dedicated towards the preservation, protection and/or improvement of components of the natural environment through management and maintenance.
  - (5) "Waterfront Activity" shall mean a building, structure or place with or without docking facilities where non-motorized boats and boat accessories are berthed, stored, serviced, repaired or kept for rental. Accessory uses may include the sale of refreshments.

## 5. Provisions

### (1) Uses Permitted

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

- a) Park, Public
- b) Private Club
- c) Community Garden
- d) Conservation Use
- e) Waterfront Activity

### (2) Zone Requirements

No person shall within the lands zoned "OS" on Schedule "I" attached hereto, use any lot or erect, alter, or use any building or structure for any purposes except in accordance with the following provisions:

- a) Minimum Lot Area: No Requirement
- b) Minimum Lot Frontage: No Requirement
- c) Minimum Front Yard: 3.0 metres
- d) Minimum Side Yard: 1.5 metres
- e) Minimum Flankage Yard: 3.0 metres
- f) Minimum Rear Yard: 7.5 metres
- g) Maximum Lot Coverage: 5 percent
- h) Maximum height of all structures and buildings shall be 9.0 metres

**6. By-law 2511**

By-law 2511, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law as it applies to the area set out in Schedule I to this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 2511, as amended.

**7. Effective Date**

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

By-law passed this day \_\_\_\_ of \_\_\_\_\_, 20XX.

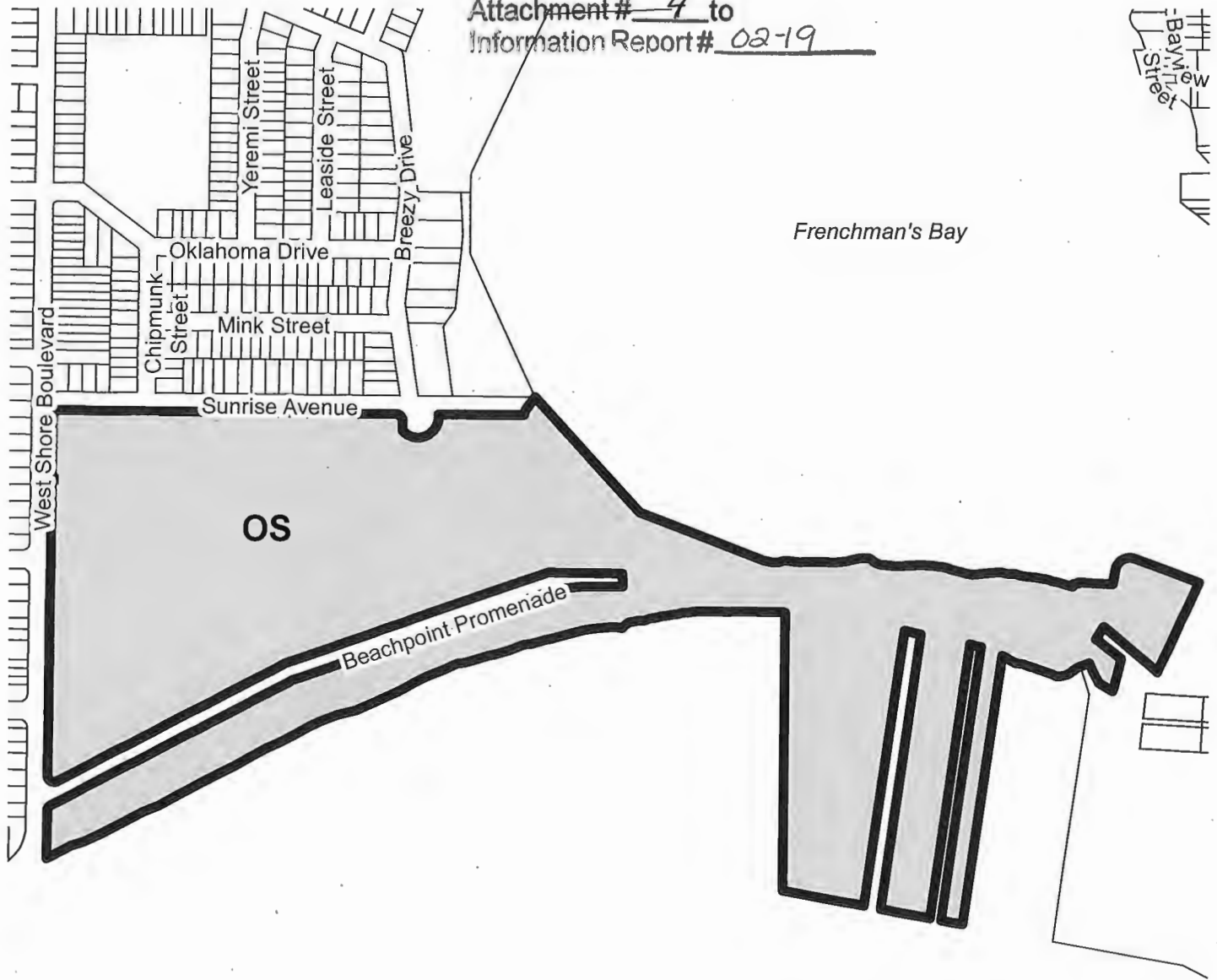
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David Ryan, Mayor**DRAFT**

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Susan Cassel, City Clerk



Schedule I to By-Law XXXX/19  
Passed This XX  
Day of XXX 2019

**DRAFT**

\_\_\_\_\_  
Mayor

**DRAFT**

\_\_\_\_\_  
Clerk