

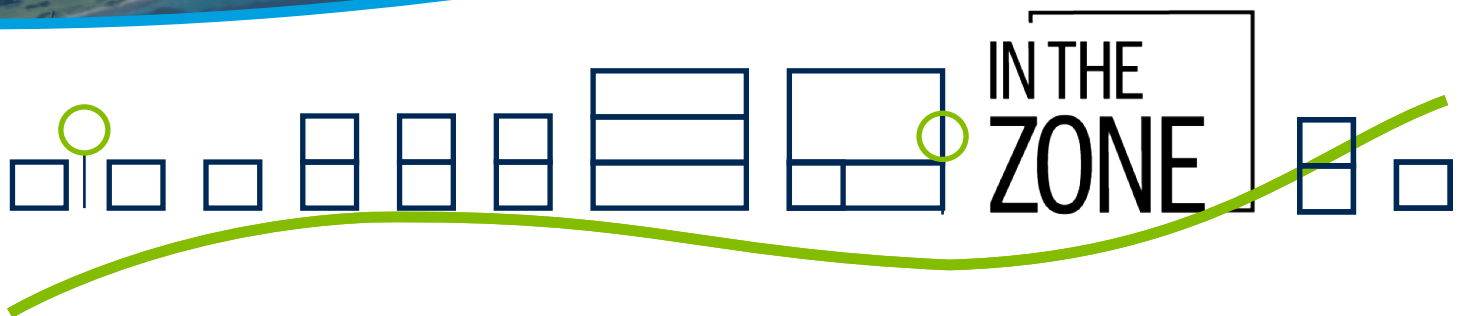
Prepared By:



Parking Provisions Report

Town of Whitby Comprehensive Zoning By-law Study

December 2020



Prepared For:



Table of Contents



1	Introduction.....	2
2	Parking Provisions in the Existing Zoning By-Laws.....	3
2.1	Comparison of Existing Provisions	3
2.2	Comments on Existing Provisions	3
3	Review of Best Practices of Other Municipalities	4
3.1	Low Density Residential.....	4
3.2	Medium & High Density Residential	7
3.3	Downtown	11
3.4	Non-Residential.....	17
4	Official Plan	21
5	Minor Variance Analysis	23
6	Further Considerations	24
7	Next Steps.....	26
	Appendix A.....	27

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 parking provisions in the Town of Whitby's Zoning by-laws, focusing on particular issues identified through discussions with the Town.

The undertaking includes a review of the parking provisions within the existing Zoning By-Law #1784 ("1784"), Zoning By-Law #2585 ("2585") and the Oak Ridges Moraine Zoning By-Law #5581-05 ("5581-05"). The purpose of the review is to understand how the parking provisions in each zoning by-law are laid out and what are the similarities and differences. The undertaking also includes a review of other municipalities' zoning by-laws to gain insight into best practices for the parking provisions, with this review focused on specific issues raised by the Town. The information summarized in this report is intended to assist in determining the structure and content of parking related requirements in Whitby's new Comprehensive Zoning By-law.

Section 2 of this report broadly outlines the structure of the parking provisions in the three Whitby zoning by-laws.

Section 3 of this report reviews provisions that have been highlighted by the Town as being in need of review.

Section 4 discusses relevant Official Plan policies.

Section 5 highlights some lessons learned from the review of past minor variances.

Section 6 summarizes some considerations from the analysis.

Section 7 addresses next steps in the Study.

2 Parking Provisions in the Existing Zoning By-Laws

Both Zoning By-law 1784 and Zoning By-law 2585 have recently updated parking sections, stemming from a study the Town undertook from 2008 to 2014. The study informed new recommended standards to ensure a level of consistency throughout the municipality. The parking provisions in Zoning By-law 5581-05 were not updated as part of the same process and are not as comprehensive as the other two Zoning By-laws.

2.1 Comparison of Existing Provisions

From the review of the parking provisions, it is confirmed that the only difference between Zoning By-law 1784 and Zoning By-law 2585, with regards to parking provisions, is that Zoning By-law 1784 additionally addresses parking provisions in agricultural areas. As mentioned, Zoning By-law 5581-05 has a significantly scoped set of parking provisions.

The organization of the parking provisions also differs across the by-laws, with Zoning By-law 1784 and Zoning By-law 2585 each having an independent Parking and Loading Requirement section, whereas Zoning By-law 5581-05 has the parking provisions mixed in with the General Provision section of the zoning by-law.

2.2 Comments on Existing Provisions

Upon review of the existing Whitby Zoning By-laws, we noted some provisions that could benefit from an update to improve clarity. In general, opportunities to clarify wording, correct conflicting or duplicative provisions and address additional uses and provisions were noted. For example, a few provisions were noted as being confusing and could benefit from a modification in language, such as Section 2.1 which includes a double negative and could be better worded to be more straightforward. There is also some repetition or conflicts that would be best to clarify or omit. A table specifically noting the comments or concerns with existing provisions in Zoning By-laws 1784 and 2585 can be found in **Appendix A**.

3 Review of Best Practices of Other Municipalities

Given the recent extensive study undertaken by the Town on parking matters, this section speaks to specific provisions that have been highlighted by the Town as being in need of review, with reference to how these issues are addressed in example zoning by-laws.

In terms of by-law layout, generally, the example zoning by-laws reviewed are structured similarly with a mix of both provisions and tables. Most of the example zoning by-laws have outlined accessible parking, bicycle parking and drive-thru parking in table format. All of the zoning by-laws show parking requirements by use in table format.

3.1 Low Density Residential

3.1.1 Private Driveway for Ground Oriented Dwelling Units

Staff raised the concern that residents park not only on their driveway, but on walkways or landscaped areas next to these, despite requirements that parking occur only on a driveway. It was also noted by staff that regulating driveway width and front yard landscaped open space in one provision is complicated.

Permitted locations of parking spaces are regulated by some of the other by-laws. A few by-laws simply restrict parking to a driveway or garage.

In Innisfil, a minimum of 40% of the front yard of a lot shall be used for landscaping purposes and the open space provided shall not be used for parking spaces/driveway purposes. St. Catharine's specifies that parking spaces cannot occur on landscaped open space of landscape buffers.

In these cases, it comes down to enforcement. There is nothing in the by-law that creates a condition that would physically prevent a car from parking off of the driveway.

Interestingly, Vaughan permits parking outside a driveway by allowing an area comprised of hard landscaping and abutting a private driveway to be used for the parking of a motor vehicle and/or a pedestrian walkway.

In order to simplify things, driveway width and front yard landscaped open space could be regulated in two separate provisions. Currently, the minimum required front yard landscaped open space is 40% in most low density residential zones outside of West Whitby. Phase 2 will consider whether or not the current 40% front yard landscaped open space is still appropriate.

Currently, the maximum permitted driveway widths for ground oriented dwelling units are related to the width of the garage door. Staff have noted that this is an issue in some older areas of the Town where there is no garage on the property.

Two municipalities address driveway width when no garage is present. East Gwillimbury and Grimsby state that where there is no garage, a maximum width of 6 metres is permitted. East Gwillimbury also states that driveways with no garage should be located no closer than 0.3 metres from the interior side lot line.

3.1.2 Minimum Parking Space Dimensions

Whitby requires the same minimum parking space dimensions everywhere, including for parking spaces in low density residential driveways (i.e. 2.75 metre width per space which means for an accessory apartment a house would have to have a 5.5 metre wide driveway). Whitby staff would like to explore permitting flexibility to these types of low density residential parking spaces from a sustainability lens to potentially reduce asphalt.

Milton provides a different standard for parking space size dimensions in residential driveways. While overall the perpendicular parking space size is a minimum of 5.8 metres in length and 2.75 metres in width, this is reduced to 5.5 metres in length and 2.75 metre in width in residential driveways.

Newmarket has a reduced parking space size of 2.6 metres by 5 metres when less than 5 spaces are needed for residential purposes, compared to 2.7 metres by 5.5 metres otherwise.

3.1.3 Minimum Private Garage Dimensions

In Whitby, the existing minimum internal width of a garage is 3 metres for a single car garage and 5.5 metres for a two car garage, with a minimum length of 6.2 metres.

In addition to regulating the garage dimensions, Whitby requires all required parking spaces within a garage to be a minimum of 5.4 metres in length, 2.6 metres in width and 2.1 metres in height.

Ajax requires a minimum of 6.5 metres in length and 3.1 metres in width and Grimsby requires a private garage that is a minimum of 6 metres long and 2.9 metres wide. Oakville requires parking spaces in a garage to be a minimum of 5.7 metres by 3 metres and 5.7 metres by 2.8 metres, or 5.6 metres combined, for two side by side spaces.

Milton has a table for minimum garage sizes, as shown in **Figure 1**.

Garage Type	Minimum Required Internal Dimensions for Both <i>Attached</i> and <i>Detached Garages and Carports</i>
Single Car Garage	The minimum size of a <i>parking space</i> shall be 2.9m wide by 6.0m long by 2.1m high of which 2.9m wide by 5.3m long by 2.1m high shall be unobstructed area with the exception of one <i>stair</i> ;
Double Car Garage or Larger with a Single Car Door	The minimum size of a <i>parking space</i> shall be 2.9m wide by 6.0m long by 2.1m high of which 2.9m wide by 5.3m long by 2.1 m high shall be unobstructed area with the exception of one <i>stair</i> ;
Double Car Garage or Larger with Double Car Door	The minimum size of a <i>parking space</i> shall be 5.5m wide by 6.0m long by 2.1m high of which 2.9m wide by 5.3m long by 2.1m high shall be unobstructed <i>area</i> with the exception of one <i>stair</i> .

Figure 1: Private Garage Dimensions in the Town of Milton

Source: Milton Zoning By-law 016-2014

While reducing the internal space in a garage may have the benefit of contributing to efficient use of land, tighter spaces may can be more difficult for those with mobility issues to navigate, particularly to get in and out of a large car. In Whitby, internal garage dimensions were also intended to ensure that there would be space to store items like garbage bins, blue bins, green bins and bicycles. Thus a balance must be struck between efficient use of space and functionality.

3.1.4 Accessory Apartments

Currently, the Town of Whitby requires one parking space for an accessory apartment in addition to the parking requirements for the main dwelling. This is consistent with the Ontario Regulations on Additional Residential Units (299/19) which states that “each additional residential unit shall have one parking space that is provided and maintained for the sole use of the occupant of the additional residential unit”, and which clarifies that this space may be a tandem parking space. The latter permission for tandem parking aligns with Whitby’s existing provisions for ground oriented dwelling units; however the General Provisions for accessory apartments do not allow for tandem parking.

Accessory apartment parking is referenced in all of the example zoning by-laws. Like Whitby, all of the municipalities reviewed require one additional parking space for accessory apartments.

3.1.5 Commercial Vehicle Parking in Residential Zones

Whitby staff want to consider the appropriateness of provisions related to commercial vehicle parking in Residential Zones owing to the trend that more people work from home and their business trucks and trailers may be bigger these days. Whitby’s Zoning By-law states that commercial vehicles shall not exceed a maximum length of 7 metres or a maximum height of 2.6 metres.

This provision is addressed in six out of the eleven example zoning by-laws (East Gwillimbury, Grimsby, Oakville, Vaughan, Welland, Ajax). Oakville, Welland and Vaughan allow maximum vehicle lengths of 6 metres and maximum heights of 2.3 metres. East Gwillimbury permits a maximum length of 6.6 metres and maximum height of 3 metres. Grimsby limits parking of vehicles in excess of 3,600 kilograms or greater in length than 6.5 metres. Storage or parking of a vehicle greater than 7 metres in length is not permitted on a residential lot in Ajax.

Milton does not speak specifically to commercial vehicles but does not permit parking of vehicles greater than 7 metres by 2.6 metres in any zone, except employment zones.

Newmarket does not regulate size of commercial vehicles in residential zones, but rather requires that they be parked in an enclosed building.

3.2 Medium & High Density Residential

3.2.1 Apartment Parking Rate

The current parking rate for apartments in the Town of Whitby is 1.25 spaces per unit for residents and 0.25 per unit for visitors. Based on information provided by the Town, it is understood that a number of developers have recently applied to reduce the resident's rate to approximately 1 space per unit plus 0.15 per unit for visitors.

Example zoning by-laws were reviewed to understand how Whitby's apartment parking rates compare to other municipalities in Ontario. In the zoning by-laws reviewed, rates generally range from 1 to 1.75 space per unit (including visitor parking).

Out of the 11 example municipalities, only Grimsby had the exact same apartment parking rates as Whitby, at 1.25 per unit plus 0.25 per unit for visitors. Barrie also requires 1.5 spaces per unit, without any additional visitor parking requirements. Oakville requires 1.5 parking space per dwelling including 0.25 for visitor spaces, except for those units less than 75.0 square metres of net floor area where 1.0 parking space is required with no additional visitor parking.

Ajax (outside of the Downtown), Milton and Newmarket have a higher rate than Whitby, and require 1.5 parking spaces per dwelling unit plus 0.25 for visitor spaces per dwelling unit. Innisfil requires 1.75 spaces plus 0.25 spaces per unit.

East Gwillimbury has a lower rate than Whitby, requiring 1 space per dwelling unit plus 0.25 visitor parking spaces. This rate is similar to St. Catharines which requires 1.25 spaces per unit, without any additional parking for visitors. Welland requires 1 space per dwelling unit except where a dwelling unit is 50.0 square metres in gross floor area or less, in which case parking is provided at a rate of 0.3 spaces per unit.

The draft Vaughan Zoning By-law includes different provisions and rates for different zones. These rates range from 0.6 to 1 space per unit, depending on the zone, with an

additional 0.2 visitor parking spaces per unit, except in the Vaughan Metropolitan Centre Zones, where the visitor parking rate is 0.15 spaces per unit.

3.2.2 Stacked Townhouse Rate

The current Whitby Zoning By-laws only address stacked townhouse dwelling rates within West Whitby in Zoning By-law 1784, requiring a minimum of 1.25 spaces per dwelling unit plus 0.25 spaces dedicated for visitor parking. Owing to the increased prevalence, this unit type will likely be permitted elsewhere in the new Comprehensive by-law, thus this rate is reviewed in this report.

Ajax requires a greater parking rate for stacked townhouses than Whitby, at 1.5 spaces per unit for residents plus 0.25 visitor spaces per dwelling unit. In addition, Innisfil requires 2 spaces per unit and 0.25 visitor spaces per dwelling unit. Newmarket requires 1.5 or 2 spaces, plus 0.25 visitor, depending on if it is on a private or public road.

Barrie, Oakville and Grimsby effectively require the same rate as Whitby, at 1.5 spaces per unit for residents with either no additional visitor requirement, or including 0.25 of visitor parking, in the case of Oakville.

The draft Vaughan Zoning By-law includes different provisions and rates for different zones. These rates range from 0.6 to 1 space per unit, depending on the zone, with an additional 0.2 visitor parking spaces per unit, except in the Vaughan Metropolitan Centre Zones, where the visitor parking rate is 0.15 spaces per unit.

East Gwillimbury requires 1 space per unit plus 0.25 spaces per unit for visitor parking.

Welland requires 1 space per dwelling unit except where a dwelling unit is 50.0 square metres in gross floor area or less, in which case parking is provided at a rate of 0.3 spaces per unit.

3.2.3 Accessible Parking Rate

In terms of accessible parking rates, the Whitby by-laws require the following:

Total Number of Parking Spaces Provided in all Parking Areas on the Lot	Minimum Number of Accessible Parking Spaces Required
12 or less	1
13 to 100	4% of the total number of parking spaces in the parking area
101 to 200	1, plus 3% of the total number of parking spaces in the parking area
201 to 1000	2, plus 2% of the total number of parking spaces in the parking area
1,001 or greater	11, plus 1% of the total number of parking spaces in the parking area

Figure 2: Accessible Parking Provisions in the Town of Whitby

Source: Whitby Zoning By-laws 1784 and 2585

For residential developments in Whitby, the accessible parking spaces are only required for visitor parking spaces based on the number of provided visitor parking spaces. Accessible parking spaces are not required for residents.

Accessible parking spaces are addressed in all 11 of the example zoning by-laws through ratios or through a mix of percentage and ratios.

Some municipalities generally have the same provisions as Whitby (East Gwillimbury, Milton, Oakville, St. Catharines, Vaughan) which can be seen in **Figure 2**. However, most of these zoning by-laws apply the rates based on both the visitor parking and the overall residential parking. The exception is Oakville. Similar to Whitby, Oakville, applies the accessible rates only to visitor parking.

Newmarket’s by-law contains the same requirements where there is less than 12 parking spaces or more than 1,000, but different provisions for number of parking spaces provided in between. Where between 12 and 1,000 parking spaces are provided, generally an increase of one accessible parking space is required for every 100 parking spaces in Newmarket.

Innisfil requires 1 accessible parking space for 1 to 25 spaces, 2 accessible parking for 26-50 parking spaces, 3 accessible for 51 to 100 parking spaces and 3% of the total number of required parking spaces for anything over 100 parking spaces.

Welland requires 1 accessible parking space for 10-50 spaces, 2 accessible parking for 50 to 100 spaces and 2 spaces plus for every additional 100 required spaces, 1 additional space shall be provided.

Ajax requires 1 accessible parking space where 2 to 19 spaces are provided, 2 accessible parking spaces where 20 to 200 spaces are provided and 5 accessible parking spaces where 201 to 400 spaces are provided. In addition, for each additional 400 spaces, a minimum of 2 spaces to a maximum of 40 additional spaces are required.

Grimsby only requires 1 accessible parking space for every 20 spaces.

Ajax, Oakville and Newmarket require accessible parking based on the amount of parking spaces provided, not necessarily the amount required, whereas for the other municipalities, it is based on the required rate.

3.2.4 Bicycle Parking Rate

The Town of Whitby typically requires both short term and long term bicycle parking for high density residential developments through the Site Plan approval process; however, it is not currently addressed in its zoning by-laws. Bicycle parking is addressed in the Whitby Green Standard, but in a manner not typically seen in by-laws, such as requiring bicycle parking for “2.5% of peak visitors”. Short term bicycle parking typically refers to bicycle parking that is offered to visitors of the building and is usually located outdoors while long term bicycle parking refers to parking spaces that are offered to tenants of the building and is typically provided in doors.

Bicycle parking is addressed in many of the example zoning by-laws reviewed.

Newmarket, Oakville and Vaughan include provisions for both short-term and long-term spaces.

The apartment bicycle parking provisions covered across eight relevant zoning by-laws are outlined in **Table 1**.

Table 1: Summary of bicycle parking rates for apartments

Example Municipality	Minimum Number of Bicycle Parking Spaces for Apartments
East Gwillimbury	1 space/3 dwelling units or 2 spaces for the first 6 units plus 2 spaces for each additional 6 units or fraction thereof
Grimsby	0.3 spaces/unit for residents and visitors
Milton	0.2 spaces/unit
Newmarket	Long Term: 0.5 spaces/unit Short Term: 0.1 spaces/unit
Oakville	1 space/unit, including 0.25 of the bicycle parking spaces required per dwelling designated as visitors bicycle parking spaces.
St. Catharines	6 spaces plus 1 for every additional 10 dwelling units above 20, (only applies to apartment dwellings with 10 or more dwelling units.)
Vaughan	Long Term: 0.6 spaces/unit Short Term: greater of 0.1 spaces/unit or 3 spaces
Welland	0.25 spaces/unit

3.3 Downtown

The Draft Downtown Parking Master Plan is focused on Town parking spaces and parking lots but it does make some recommendations related to Zoning. The purpose of the Study is to develop a parking strategy that provides a long term vision for parking within Downtown Whitby and Downtown Brooklin. Some of these recommendations include:

- Developing a shared parking policy in the Downtown;
- Reducing residential and restaurant parking rates in the Downtown; and
- Changing residential parking requirements in the Downtown to be based on bedroom type.

The following explores how some other municipalities address these topics in their zoning by-laws.

3.3.1 Shared Parking

Shared parking is only addressed in four municipal zoning by-laws that we reviewed: East Gwillimbury, Grimsby, Newmarket and Vaughan.

In the East Gwillimbury Zoning By-law, 20% of parking may be reduced where there are two or more dwelling units and one or more non-residential uses in the same building. Parking for non-residential uses within 500 metres of the East Gwillimbury GO Station can also be reduced by 25%.

In the Grimsby (Mixed Use Zones), Newmarket and Vaughan Zoning By-laws, a table is provided which determines the shared parking requirements by multiplying each use by the percent of the peak period in each time period as shown in **Figures 3 to 5** respectively. The amount of parking is calculated in each time period for the total uses in the building. Both Newmarket and Vaughan include different provisions for weekday and weekend periods.

Land Use	Parking Occupancy Rate		
	AM	PM	Eve
<i>Apartment building</i>	80%	80%	100%
<i>Apartment building – visitor parking</i>	0%	35%	100%
<i>Restaurant</i>	20%	60%	100%
<i>Personal service shop</i>	40%	100%	70%
<i>Retail store</i>	40%	100%	90%
<i>Offices</i>	100%	95%	15%

Figure 3: Grimsby Shared Parking Rates

Source: Grimsby Zoning By-law 14-45

Type of Use	Percentage of Peak Period (Weekday)		
	Morning	Afternoon	Evening
Industrial or office	100%	100%	10%
Recreational	25%	80%	100%
Hotel	80%	80%	100%
Assembly	10%	25%	100%
Percentage of Peak Period (Weekend)			
	Morning	Afternoon	Evening
Industrial or office	10%	10%	10%
Recreational	90%	100%	100%
Hotel	80%	80%	100%
Assembly	90%	90%	100%

Figure 4: Newmarket Shared Parking Rates

Source: Newmarket Zoning By-law 2010-40

Weekdays

Use	Morning	Afternoon	Evening
<u>Residential visitor parking</u>	100%	80%	100%
<u>Community facility</u>	100%	75%	100%
<u>Office</u>	100%	95%	10%
<u>Personal service</u>	75%	85%	85%
<u>Public hall</u>	70%	70%	100%
<u>Place of entertainment</u>	70%	40%	80%
<u>Research and development</u>	100%	90%	15%
<u>Restaurant including any outdoor patio</u>	30%	90%	100%
<u>Retail and major retail</u>	75%	80%	75%

Weekends

Use	Morning	Afternoon	Evening
<u>Residential visitor parking</u>	100%	100%	100%
<u>Community facility</u>	100%	100%	100%
<u>Office</u>	20%	20%	5%
<u>Personal service</u>	90%	100%	50%
<u>Public hall</u>	70%	70%	100%
<u>Place of entertainment</u>	40%	60%	85%
<u>Research and development</u>	20%	20%	5%
<u>Restaurant including an outdoor patio</u>	30%	80%	100%
<u>Retail and major retail</u>	90%	100%	50%

Figure 5: Vaughan Shared Parking Rates

Source: Vaughan Zoning By-law 2020

3.3.2 Reducing Residential and Restaurant Parking Rates

Currently, the parking rates for both residential uses and restaurants in the Town are the same for the downtowns as other areas of the Town. The rates for residential dwellings (apartment, block townhouse, single detached dwelling, etc.) range from 1-2 spaces per unit and the rate for restaurants is 1 space per 19 square metres of gross floor area. Take-out restaurants are required to provide 1 space per 11 square metres of gross floor area.

In Ajax, for Apartment Dwellings, Double Duplexes, Maisonettes, Block Townhouse Dwellings and Back-to-Back Townhouse Dwellings on a private road, a minimum of 1.25 spaces per unit plus 0.25 per visitor is required in the Downtown Central Area and Mixed Use Areas as opposed to 1.5 spaces plus 0.25 for visitor per unit in all other zones. For restaurant uses, a minimum of 6 spaces per 100 square metres is required (and a maximum of 7 spaces per 100 square metres is permitted) as opposed to 1 space per 10 square metres in all other zones.

In Barrie, in the Urban Growth Centre, which covers the Downtown, a reduced parking rate of 1 space per dwelling unit applies.

In Grimsby, in the Downtown, new commercial uses are only required to meet 80% of the parking requirements that apply elsewhere in the Town, and expansion of existing commercial uses or change from one existing commercial use to another is exempt from a corresponding parking increase as long as the existing parking is not reduced.

In Innisfil, commercial uses have a rate of 1 parking space per 37 square metres of leasable area in the MU1 Zone and 1 parking space per 40 square metres of leasable area in the MU2 Zone, which apply along what is effectively Alcona's Downtown. These Zones also have a lower parking rate for apartment units (1.5 +0.25 spaces per unit vs. 1.75 + 0.25 units in other zones), as discussed previously.

In Milton, there are provisions in the zoning by-law for cash-in-lieu of parking in the Central Business District area for commercial uses.

In Newmarket, there are reduced rates in the Urban Centre. These parking rates are summarised in **Table 2**.

Table 2: Summary of Newmarket parking rates for apartments and restaurants in Urban Centres in Newmarket

Urban Center Parking Rate ¹			Elsewhere
	Minimum	Maximum	
Apartment Building One Bedroom Unit	0.80 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit	1.00 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit	1.5 parking spaces per dwelling unit plus 0.25 visitor spaces per dwelling unit.
Apartment Building - Two Bedroom Unit	1.00 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit	1.20 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit	
Apartment Building - Three or more Bedroom Unit	1.20 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit	1.40 parking spaces per dwelling unit plus 0.15 visitor spaces per dwelling unit	
Restaurants	Minimum: 1.0 parking space per 50m ² of gross floor area, excluding any porch, veranda and/or patio dedicated as seasonal serving areas.	Maximum: 4.0 parking spaces per 50m ² of gross floor area, excluding any porch, veranda and/or patio dedicated as seasonal serving areas.	1 parking space per 9 m ² of gross floor area dedicated to public use, excluding any porch, veranda and/or patio dedicated as seasonal servicing areas.

1: These may be reduced by an additional 30% within 500 metres of a GO train station or GO bus terminal property or reduced further subject to provision of car-share spaces.

In Oakville, rates for apartment buildings in the Mixed Use zones which apply in the Downtown and other Growth Areas are reduced from 1.5 (including 0.25 spaces per unit for visitor parking) to 1.25 spaces per unit (including 0.20 spaces per unit for visitor parking spaces). Restaurant rates are similarly reduced from 1 parking space per 10 square metres to a range of: no requirement to 1 space per 40 square metres, depending on the area (Downtown Oakville vs. Kerr Village vs. Bronte Village etc.).

Welland requires no parking for permitted uses and for dwelling units in buildings containing not more than three dwelling units. Where there are four or more dwelling units in a building, the rate is one parking space for each dwelling unit above three units except where a dwelling unit is 50.0 square metres in gross floor area or less, then the parking requirement is 0.3 spaces for each unit.

In Vaughan, parking rates for restaurants range from 2 to 8 parking spaces per 100 square metres, depending on the zone, with the Vaughan Metropolitan Centre Zoning having the lowest rate, of 2 spaces per 100 square metres.

3.3.3 Residential Parking by Bedroom Type

Only Newmarket has measured downtown residential parking by bedroom type, as discussed in the previous section.

3.4 Non-Residential

3.4.1 Office Rate Parking

Whitby's office rate parking is currently measured at 1 per 30 square metres however, staff would like to consider lowering this rate if appropriate. Office parking rates are addressed in all eleven of the example municipal zoning by-laws. Similar to Whitby, four municipalities (Barrie, East Gwillimbury, Milton, Welland) require 1 space per 30 square metres of gross floor area and three municipalities (Ajax, Grimsby, St. Catharines) require 1 space per 28 square metres. In Ajax's downtown, this number changes to a minimum of 2 and maximum of 3 spaces per 100 square metres. Newmarket requires 1 parking space per 27 square metres and Oakville requires 1 space per 35 square metres.

Innisfil requires 1 parking space per 28 square metres of gross floor area on the first floor and 1 space per 37 square metres of gross floor area above the first floor.

In Vaughan, office parking space requirements range from 1.4 to 3 parking spaces per 100 square metres, depending on the zone. In the Vaughan Metropolitan Centre Zones, however, there is no minimum requirement.

3.4.2 Shopping Centre Rate Parking

Whitby's shopping centre parking is currently measured at 1 space per 23 square metres of gross leasable area except where the gross leasable floor area is more than 37,160 square metres up to 55,740 square metres in which case, 1 space per 22 square metres is required and where the gross leasable floor area is more than 55,740 square metres, 1 space per 21 square metres is required.

Shopping centre rates are addressed in a number of other zoning by-laws. All of these are measured by gross leasable floor area and generally range between approximately 1 space per 18 square metres and 1 space per 5 square metres.

The shopping centre parking rate provisions covered across relevant zoning by-laws are outlined in **Table 3**.

Table 3: Shopping Centre Parking Rates

Example Municipality	Shopping Centre Parking Rate by gross leasable floor area	
Ajax	Downtown Central Area Zone:	Min. 3.75 space/100m ² (Max. 4.25 spaces/100m ²)
	All Other Zones	Min. 1 space/19m ²
Barrie	1 space/18.6m ²	
Grimsby	1 space/20m ²	
Newmarket	1 space/21m ²	
St. Catharines	Shopping Centre less than or equal to 4,645m ² glfa	1 space/20m ²
	Shopping Centre greater than 4,645m ² but less than 30,000m ² glfa	Min: 1 space/37m ²
	Shopping Centre, equal to or greater than 30,000 m ² glfa	Min: 1 space/27m ²
Vaughan	All Zones excluding VMC	Minimum ranges from 2 to 4.5 spaces per 100 m ² depending on the zone.
	VMC	Either 0.7 or 0.9 spaces per 100 m ² depending on Shopping Centre size.
Welland	1 space/30m ²	

In addition to the above, in East Gwillimbury, under “shared parking” there are also more detailed parking requirements for planned shopping centre developments: 1 parking space per 25 square metres of total gross leasable floor area to a maximum of 1 parking space per 20 square metres. Where restaurants occupy more than 20% of the gross leasable floor area then a rate of 1 space per 15.0 square metres of gross leasable floor area is applied to that portion above 20%.

3.4.3 Electric Vehicle Parking

Whitby’s Policy and Sustainability staff have expressed a desire for electric vehicle parking requirements, which is not currently addressed in Whitby’s zoning by-laws. As of September 2020, Whitby has adopted a new Green Standard for Growth. These standards are not mandatory, as they exceed what is required under the Ontario Building Code and the Provincial Planning Act. The standards focus, in part, on energy efficiency and include criteria for electric vehicle parking. The standards say that for non-residential buildings and residential buildings four storeys or more, at least 20% of parking spaces should be equipped with electric vehicle charging stations.

None of the other zoning by-laws reviewed included provisions for electric vehicles.

3.4.4 Drive-thru Stacking Lanes

Whitby’s zoning by-laws do not currently address stacking lanes.

The drive-thru stacking rate provisions covered across eight relevant zoning by-laws are outlined in **Table 4**. The table also specifies ingress parking space and egress parking space requirements where relevant.

Table 4: Stacking Lane Rates

Example Municipality	Use Associated with Stacking Lane			
	Restaurant	Bank	Automatic Motor Vehicle Wash	Other
Ajax	15 + 1 egress	4 + 1 egress	15 + 5 egress	5 + 1 egress
East Gwillimbury	7 + 3 egress	4 + 1 egress	5 + 1 egress	
Innisfil	10	4	4	4
Milton	10 + 2 egress	3 + 1 egress	10 + 2 egress	3 + 1 egress
Newmarket	12 + 2 egress	5 + 1 egress	10 + 3 egress	2 + 1 egress
Oakville	10 + 2 egress	4	8 + 2 egress	varies from 4-10 depending on use
St. Catharines	10	3	3	3
Welland	8	2	Manual: 3 + 1 egress Automatic: 5 + 2 egress	2
Vaughan	8	4	8	2 (retail use)

3.4.5 Airbnb and Short Term Rental Parking

Whitby doesn’t currently include parking provisions for short term rentals but would like to consider the possibility of addressing it.

Out of the eleven example municipalities, East Gwillimbury is the only municipality that addresses parking requirements for short term rentals. The rate is measured at a minimum of 1 parking space per bedroom. The by-law also states that, “(1) The required parking spaces can be included as part of the parking space requirements in Table 5A and can be tandem parking spaces. This requirement is not applicable for short term rental accommodations within apartment buildings or dwelling units in non-residential buildings.”

Vaughan defines the use and lists it in its parking chart but indicates “no requirement” indicating no parking spaces are required specifically for this use.

4 Official Plan



A number of Official Plan policies provide guidance related to the parking section of the zoning by-law. Flagged themes and/or policies to be considered as the Study progresses include:

- Surface parking is discouraged in Intensification Areas and Intensification Corridors (4.2.3) and High Density Residential or mixed-use development and redevelopment (4.4.3.12.3) and the use of underground and structured parking garages is encouraged wherever possible (6.2.3.14.1);
- Surface parking is to be avoided between a building and the street along arterial roads (4.2.3);
- “The Municipality may consider reduced parking requirements after detailed study, where justified in terms of need, to the satisfaction of the Municipality for the following: a) assisted, senior, and special needs dwelling units; b) integrated mixed-use developments; and c) High Density Residential uses ... in Intensification Areas or Intensification Corridors or in proximity to the Major Transit Station” (4.4.3.12.2);
- Minimize access points through shared access, particularly in industrial and commercial areas (6.2.3.13.5);
- “Surface parking for non-residential and higher density residential development and redevelopment, where permitted, shall generally be located in the rear or interior side yards wherever feasible and practical. In the Downtown Brooklin and Downtown Whitby Major Central Areas, and in proximity to community uses, on-street parking is encouraged in appropriate locations to augment the supply of off-street parking” (6.2.3.14.1);
- Screen and buffer any surface parking and loading areas through “building location, landscaping, tree planting, and fencing treatments” (6.2.3.14.2);
- Place visitor and accessible parking adjacent to main entrances (6.2.3.14.5);
- Bicycle parking facilities shall be provided in non-residential, mixed-use, and multi-unit residential development and redevelopment sites (6.2.3.14.6);
- Separation distances between private driveway accesses to arterial roads as outlined by policy 8.1.3.3.6;
- In the Downtown Whitby Secondary Plan,
 - “parking shall only be permitted underground, to the rear of the building or otherwise restricted from view from the streets which abut the property”; (11.3.4.3)and

-
- “private and public parking in both the Commercial and Mixed Use areas shall be provided on a minimum basis of four spaces per 93 square metres of ground floor commercial area and two spaces per 93 square metres of commercial floor space above the ground floor;” (11.3.10.6)
 - In the Rossland/Garden Urban Central Area Secondary Plan “sufficient off-street parking shall be required within the core area in accordance with the following standards:
 - a) a parking index of 5.5 spaces per 93 square metres of floor space for commercial parking needs;
 - b) a parking index of 2.5 spaces per 93 square metres of floor space for corporate office needs;
 - c) where there may be demonstrated efficiencies in parking utilization gained through the mixing of major office and retail commercial uses, Council shall permit a reduced standard that would apply to office uses of 2.5 spaces per 93 square metres of floor space minus 20% of the total retail parking spaces; and
 - d) for High Density Residential uses, a parking index of 1.5 spaces per unit shall be provided of which 0.2 spaces per unit will be clearly identified for visitor use. Council may consider a reduction in this standard without amendment to this Plan should it be satisfactorily demonstrated that a reduced standard is justified” (11.4.10.3.1);
 - In the Thicksen/Taunton Community Central Area Secondary Plan, policy 11.9.4.8 gives consideration to shared parking; and
 - In the West Whitby Secondary Plan, “the majority of the parking spaces in the Mixed Use One designation be included within structured parking garages or underground....”

5 Minor Variance Analysis



One of the ways to identify provisions that need updating is through a review of past minor variances. If numerous minor variances are being sought and approved for the same matter, it 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 minor variance applications were for 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.

The most common variances involving parking provisions were for number of parking spaces. There have been a total of 43 variances relating to parking, none of which are repeated more than 3 times. Thus, this analysis did not reveal any specific issues.

6 Further Considerations

To assist in assessing how the parking provisions may be structured in Phase 2 of this Study, the following provides of a summary of preliminary findings:

- There is an opportunity to improve readability and clarity in the existing parking provisions, as summarised in **Section 2** of this report.
- Other by-laws enforce parking on driveways in a similar manner that Whitby does.
- The minimum parking space dimension size for low density residential parking could be reduced to 2.6 metres in width as opposed to 2.75 metres, where two vehicles are parked side by side on a driveway.
- There is precedent seen in other by-laws for reducing the minimum size of garages, although this must be balanced against other considerations.
- No changes are recommended to the parking rate for accessory apartments.
- No increase to the size of commercial vehicles is recommended, Whitby's standards align with the largest of permissions noted in other municipalities.
- A reduction in apartment parking rates from 1.25 spaces per unit plus 0.25 per unit per unit for visitors can be considered as seen in Oakville and Welland. An alternate option is to reduce the parking rate for apartments in key areas, like the Downtowns and in proximity to the GO Station, or to address parking space requirements by unit size/number of bedrooms.
- A rate for stacked townhouses should apply across all of Whitby.
- Whitby is one of the only municipalities reviewed that calculates accessible parking based on visitor parking only and not overall parking on site. This rate should be broadened to requiring accessible parking spaces as a portion of the residential parking spaces as well, not just the visitor parking.
- A bicycle parking rate could be included in the new Comprehensive Zoning By-law as is standard in other zoning by-laws;
- Shared parking should be considered in the Downtown, in line with the parking rates seen in the example municipalities reviewed.
- There is precedent in other municipalities for reducing the restaurant parking requirement set in downtown areas that may be appropriate for Whitby.
- Staff would like to consider reducing the current office parking rate of 1 per 30 square metres. This approach was not typically found in the example by-laws reviewed, although it may be appropriate for the Downtown.

- The Shopping Centre rate is currently very complicated in Whitby and could be simplified in line with what is seen in other municipalities.
- Whitby has adopted new Green Standards which have addressed electric vehicle parking. Although it is not a requirement, it may be beneficial to implement into the by-law and should be reviewed further. None of the other zoning by-laws reviewed address this requirement;
- Whitby should add drive-thru stacking lane requirements to the new Comprehensive Zoning By-law. Most Zoning by-laws generally require 10-12 restaurant spaces and around 2-5 for all other uses;
- Only one municipality currently requires short term rental parking (East Gwillimbury) at one space per bedroom. Whitby can consider the need for this requirement.
- There are a number of considerations from Official Plan policies to bring forward into the new Comprehensive Zoning By-law, including where parking should be permitted on the site as well as access locations. Specific parking rates contained in Secondary Plans will have to be reviewed; if any of these rates are out-of-date and are no longer appropriate, it may be necessary to amend the Official Plan to be able to introduce contemporary parking rates.

7 Next Steps



The purpose of this report is to identify and consider the existing parking provisions in Whitby and certain key topics that may need updating or to be added into the new Comprehensive Zoning By-law, as informed by other municipalities in Ontario.

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 for the content and organization of the provisions.

Appendix A



Summary of Comments on Whitby Zoning By-law 1784 and 2585 Parking Sections

Section			Comments																			
<p>1.2 Parking Spaces Required</p>	<p>e) Use of a Similar Nature</p> <p>Where a use permitted by this By-law is not listed in Table 4A(1) and Table 4A(2), the parking requirement for that use shall be based on the requirement for a use of a similar nature.</p>		<p>Subsection e) seems to conflict with the 1 space/23 m² rate for uses not listed in Table 4A(1).</p>																			
	<p>Refer to table 4A in Zoning By-law 1784 and table 6A in Zoning By-law 2585.</p>	<ul style="list-style-type: none"> • Home based business parking should be addressed in this table. • Can consider adding modern uses including paintball, escape rooms, axe throwing, laser tag etc. potentially as a catchall indoor recreation rate 																				
<p>1.3 Parking Space Dimensions</p>	<p>a) The minimum dimensions of all required off-street parking spaces provided in a parking area or on a driveway except those in a private garage, shall be provided in accordance with Table 4A(3) below.</p> <p>Table 4A(3) Parking Space Dimensions</p> <table border="1" data-bbox="354 1136 1003 1335"> <thead> <tr> <th>Type of Parking Space:</th> <th>Minimum Length</th> <th>Minimum Width</th> <th>Minimum Height</th> </tr> </thead> <tbody> <tr> <td>Angled</td> <td>5.8 m</td> <td>2.75 m</td> <td>2.1 m</td> </tr> <tr> <td>Parallel</td> <td>6.7 m</td> <td>2.75 m</td> <td>2.1 m</td> </tr> <tr> <td>Perpendicular</td> <td>5.8 m</td> <td>2.75 m</td> <td>2.1 m</td> </tr> <tr> <td>Tandem</td> <td>11.0 m</td> <td>2.75 m</td> <td>2.1 m</td> </tr> </tbody> </table> <p>b) Where required off street parking spaces are provided in a parking structure, whether above or below grade, the minimum parking space dimensions shall be 5.8 m in length, 2.75 m in width and 2.1 m in unobstructed height.</p>	Type of Parking Space:	Minimum Length	Minimum Width	Minimum Height	Angled	5.8 m	2.75 m	2.1 m	Parallel	6.7 m	2.75 m	2.1 m	Perpendicular	5.8 m	2.75 m	2.1 m	Tandem	11.0 m	2.75 m	2.1 m	<p>The purpose of subsection b) is unclear since the provisions match that in a). Further consideration is warranted as to whether parking areas vs. parking structures should have the same parking space sizes.</p>
Type of Parking Space:	Minimum Length	Minimum Width	Minimum Height																			
Angled	5.8 m	2.75 m	2.1 m																			
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<p>1.4 Change of Use</p>	<p>a) The parking and loading space requirements of this Section of the By-law shall not apply to any use in existence at the date of passing of this section of the By-law so long as the gross floor area, as it existed at such date, is not increased nor the building is used for a purpose that requires more parking spaces and/or loading spaces.</p>	<p>Should refer to legal use in section a), instead of just any use.</p>																				

	<p>c) Where a use is changed which requires less than the number of parking spaces and loading spaces which existed at the date of passing of this Section of the By-law, the number of parking spaces and loading spaces required shall be in accordance with the number of parking spaces and loading spaces required by this Section of the Bylaw.</p>	<p>Consider need for subsection c).</p>
<p>1.6 Surface Treatment</p>	<p>All parking areas which includes driveways, aisles, parking spaces and loading areas shall be established and maintained with a stable surface treated so as to provide a durable and dustless surface such as asphalt, concrete, paving stones or similar hardscaped surface that is capable of permitting access under all climatic conditions. The use of other materials sufficient to provide stability, prevent erosion and which provide for the infiltration of water into the ground is also permitted.</p> <p>Where 4 or more parking spaces are required on a lot, all parking spaces shall be clearly marked to identify the size and location of the parking spaces.</p>	<p>This section should be broken up into two separate subsections.</p>
<p>1.7 Driveway Setback to an Intersection</p>	<p>The minimum distance between an intersection of street lines and the nearest driveway shall be 9.0 m except in Residential Zones, in which case the minimum distance between an intersection of street lines and the nearest driveway shall be 6.0 m.</p>	<p>Simpler language for this provision should be considered.</p>
<p>2.1 Ratios for Minimum Number of Spaces</p>	<p>c) Notwithstanding provision (b) above, the total number of accessible parking spaces required for all Residential Uses that require visitor parking spaces shall be based on the total number of visitor parking spaces provided. The minimum number of accessible parking spaces required shall not be assigned for non-visitor use.</p>	<p>Removing the double negative in c) could improve readability.</p>
<p>3.3 Provisions for Circular Driveways</p>	<p>d) The second driveway connects the public street to the other driveway that provides direct access from the public street to a private garage, carport</p>	<p>The intent of d) is not clear, and should be clarified.</p>

	or parking space in the interior side yard or rear yard.	
3.4 Parking Provisions for Ground Oriented Dwelling Units	e) Where a garage door opening used for motor vehicle access faces an interior side lot line, there shall be no parking between the outside wall of a garage and a front lot line or an exterior side lot line.	This provision is difficult to understand and should be reworded to provide additional clarity.
5.5 Additions to Buildings and/or Change of Use	As per the provisions of subsection 6A 1.4	This can be deleted. Referenced section already applies.
6.1 Parking of Commercial Vehicles in Residential Zones	e) A commercial vehicle parked in the open in the front yard or exterior side yard shall only be parked on a driveway. f) A commercial vehicle may be parked on a stable surface in the open in any yard provided it shall be setback a minimum of 1.0 m from any side lot line or rear lot line.	Subsections e) and f) seem to conflict. In f) instead of “any yard”, provision should say “interior side yard or rear yard”.
6.2 Parking of Recreational Vehicles and Trailers in Residential Zones	a) A recreational vehicle or trailer parked or stored on a lot shall be owned by the occupant of such lot.	This provision doesn’t consider if the recreational vehicle is rented.
	o) A trailer owned by the occupant of a dwelling on a lot where such trailer is used by the occupant on a daily basis for employment and to earn a living may be parked in the front yard or exterior side yard provided such trailer does not exceed a maximum length of 4.0 m exclusive of any trailer hitch or tongue and a maximum height of 2.6 m.	Subsection o) seems problematic and likely to cause complaints.

