

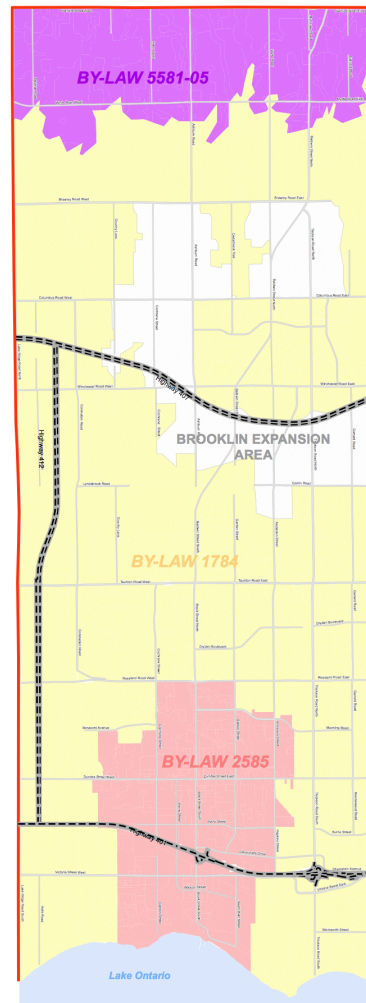
Whitby Comprehensive By-Law Review Study

Stakeholder Meeting #1

April 2021



Study Overview



Review of Whitby's Three Existing Zoning By-laws



Zoning By-law #1784



Zoning By-law #2585



Zoning By-law #5581-05

Study Overview

PHASE 1

Background Investigation



JAN/2020 TO NOV/2020

4 CORE PROJECT TEAM MEETINGS
1 TAC MEETING

2 STAKEHOLDER MEETINGS

OPEN HOUSE #1



PHASE 2

Analysis & Strategic Directions



DEC/2020 TO NOV/2021

4 CORE PROJECT TEAM MEETINGS
1 TAC MEETING

2 STAKEHOLDER MEETINGS

OPEN HOUSE #2



PHASE 3

Prepare First Draft of Comprehensive Zoning By-law



NOV/2021 TO FEB/2023

17 CORE PROJECT TEAM MEETINGS
1 TAC MEETING

2 STAKEHOLDER MEETINGS

OPEN HOUSE #3



PHASE 4

Prepare Final Comprehensive Zoning By-law



MAR/2023 TO DEC/2023

1 CORE PROJECT TEAM MEETINGS
OPEN HOUSE #4
1 STATUTORY PUBLIC MEETING

COUNCIL ADOPTION



Study Overview

Phase 1 Background Reports



Administration Report



Employment Report



General Provisions Report



Other Zones Report



Structure Report



Parking Report



Residential Report



Definitions Report



Commercial Report



Site Specific Exceptions Report



Mixed Use Report



Issues Identification Report

Study Overview



Best Practice Review Municipalities

Key Components of Each Report

- Review of Whitby's existing zoning by-laws
- Best practice review of other municipal zoning by-laws
- Review of relevant Official Plan direction and conformity
- Minor variance analysis
- Further considerations and next steps

Administration Report

- Some consistencies and inconsistencies across administration sections of Whitby's existing ZBs
- Some basic admin provisions and interpretation provisions **recommended:**
 - Such as title, location or defined area, violations, zone classifications and boundaries, symbols, etc.
- Some existing provisions **not needed:**
 - Such as classifying a use as residential or non-residential; and
 - Those provisions already addressed by other legislation/by-laws.
- Opportunity to introduce **new provisions:**
 - Such as transition provisions;
 - The use of illustrations;
 - Technical changes not requiring an amendment; and
 - The use of "shall" or "must".

Structure Report Structural Options

Approach 1: Traditional By-law

- Breaks down zones by housing type, and commercial and industrial zones by use
- Can result in duplication of information across similar zones

Structure Report

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- Creates transparency but may lead to many zones and/or duplication because of SPs

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- Not widespread in Ontario or comprehensively used across entire municipalities (only within targeted areas)

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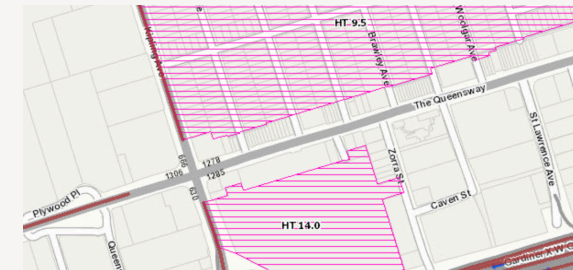
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Approach 5: Overlay Zones

- Layering of zoning regulations in specific areas
- Can be used to regulate specific issues in addition to base zoning (such as height)



Toronto ZB Height Overlay Zones

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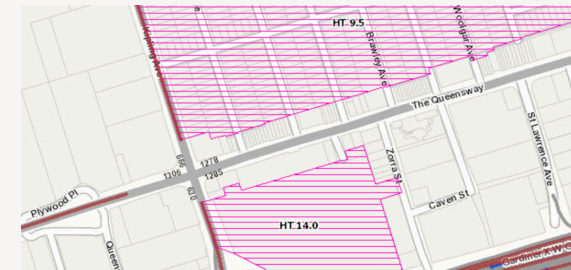
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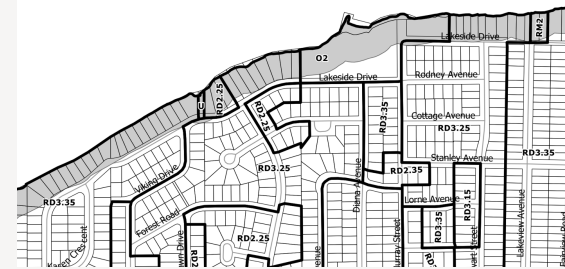
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Toronto ZB Height Overlay Zones

Approach 6: Standard Sub-categories

- Sub-categories used to identify different provisions that apply to different areas of a similar zone (such as lot coverage)
- Reduces number of zones if only one standard is changing



Grimsby ZB Lot Coverage Sub-Category

Structure Report

Layout and Organization

- **User Guide Section:** Whether to include?

Structure Report

Layout and Organization

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- **Definitions Section:** At the beginning or the end?

Structure Report

Layout and Organization

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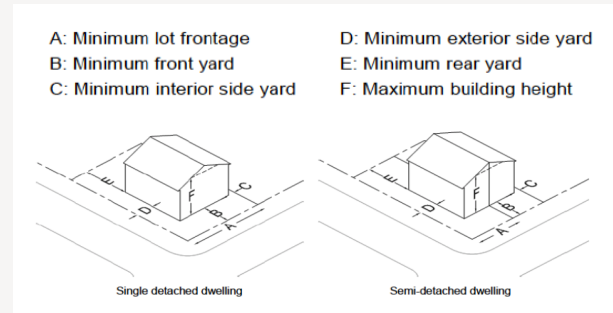
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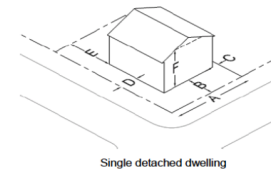
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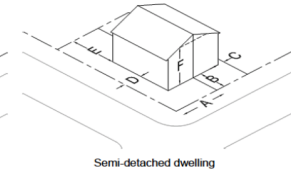
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- **Organization of Exceptions:** With zones or all together in one section?

A: Minimum lot frontage
B: Minimum front yard
C: Minimum interior side yard

D: Minimum exterior side yard
E: Minimum rear yard
F: Maximum building height



Single detached dwelling

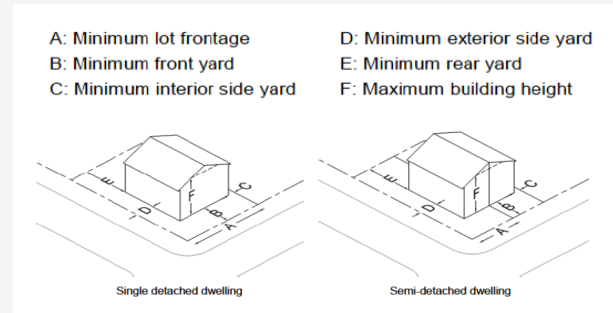


Semi-detached dwelling

Structure Report

Layout and Organization

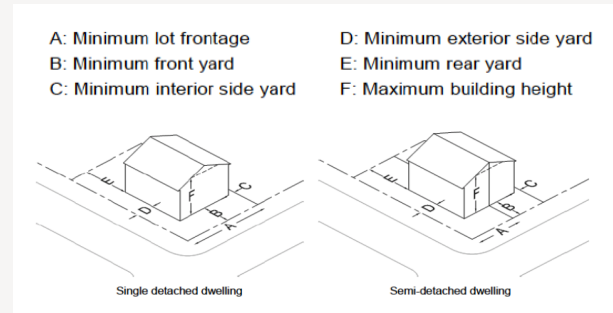
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Structure Report

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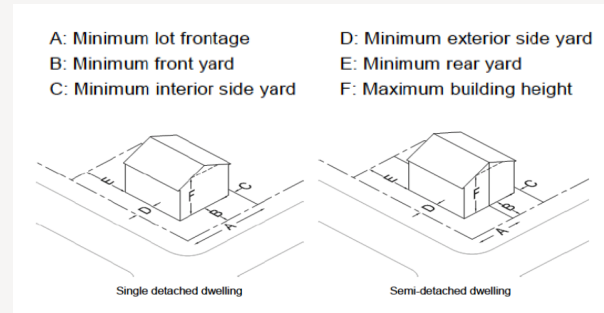
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- **Coloured Zoning Schedules:** Option to colour schedules



Structure Report

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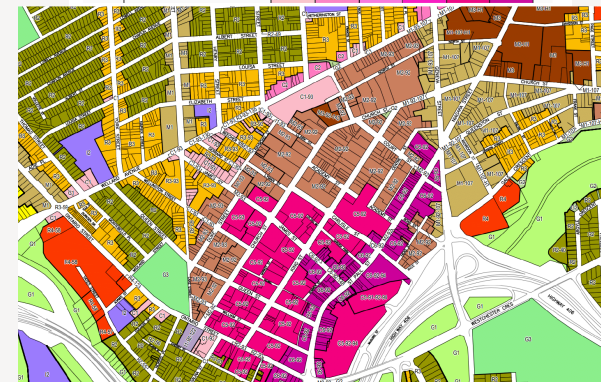
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- **Coloured Zoning Schedules:** Option to colour schedules
- **By-law Numbering:** Opportunities to simplify?



Innisfil ZB Illustrations Example

6.2 Permitted Uses

| USES | Zones | | | | | |
|------------------------------|-------|-------------------|----|-------------------|-------------------|-------------------|
| Animal Care Establishment | C1 | C2 | C3 | C4 | C5 | C6 |
| Apartment Building | | C2 ^(B) | | C4 ^(B) | C5 | C6 ^(B) |
| Car Wash | | C2 | C3 | C4 | | |
| Commercial Parking Structure | | C2 ^(B) | C3 | C4 ^(B) | C5 ^(B) | C6 ^(B) |
| Cultural Facility | C1 | C2 ^(B) | C3 | C4 ^(B) | C5 | C6 |
| Day Care | C1 | C2 | C3 | C4 | C5 | C6 |



St. Catharines Coloured Zoning Schedules

General Provisions Report

Provisions categorized into four main categories:

1. Existing provisions to bring forward

- Examples: Public uses, accessory uses/buildings/structures, frontage on a public street, height exceptions, home based businesses, accessory apartments

2. Provisions to delete

- Examples: Continuation of farming uses, sign regulations, satellite dishes, application of by-law, external design

3. Provisions from other municipal zoning by-laws

- Examples: Uses permitted/prohibited in all zones, temporary uses, drive through facilities, bed and breakfasts

4. Provisions from OP policy

- Examples: Community/rooftop gardens and farmers markets, service stations/gas bars/car washes, screening

General Provisions Report

Phase 2 will consider:

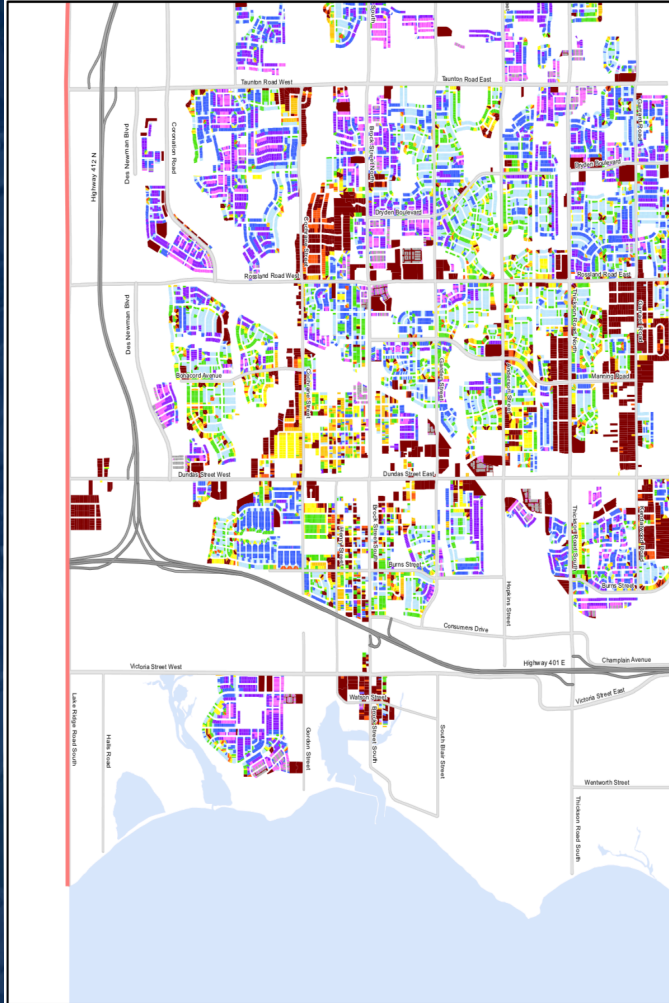
- Where there are multiple examples of wording of the same provision, which is the most appropriate for the ZB
- Whether any **updates or revisions** to the provisions being carried forward are needed
- Which of the provisions identified in other municipal zoning by-laws should be **introduced**
- How this section can best be organized to convey the information clearly

Residential Report

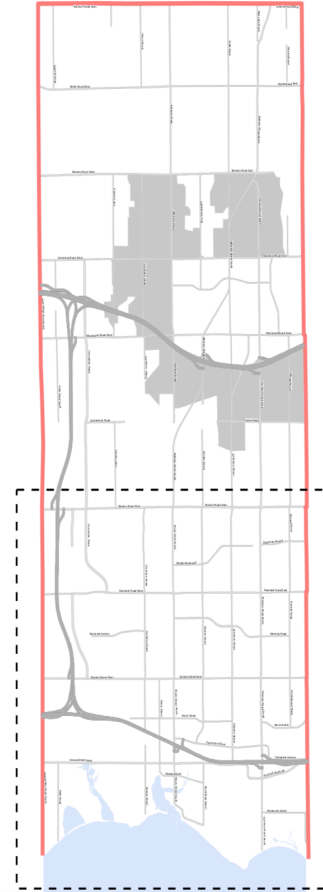
- Over **45 different parent residential zones** with a wide range of dwelling types permitted across the existing Whitby ZBs
- Some similarities and differences between the Whitby ZBs and the other example ZBs that were reviewed
 - Largest difference being the structure and number of residential zones
- Some inconsistencies between OP and zoning permissions
 - Generally related to permitted uses, density and height
 - A few instances where dwelling type permissions in the zoning are less dense than in OP designations and Secondary Plans

Existing Residential Area Lot Analysis

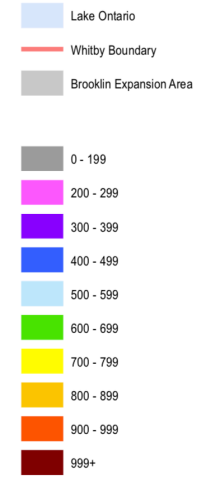
AREA (m2)



Key Map

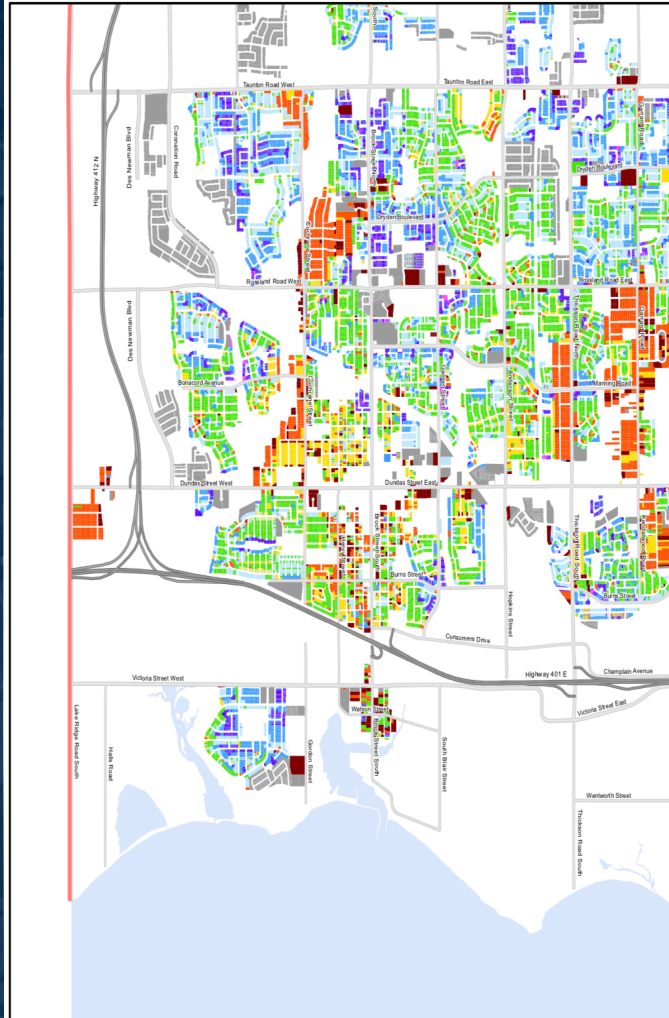


Legend

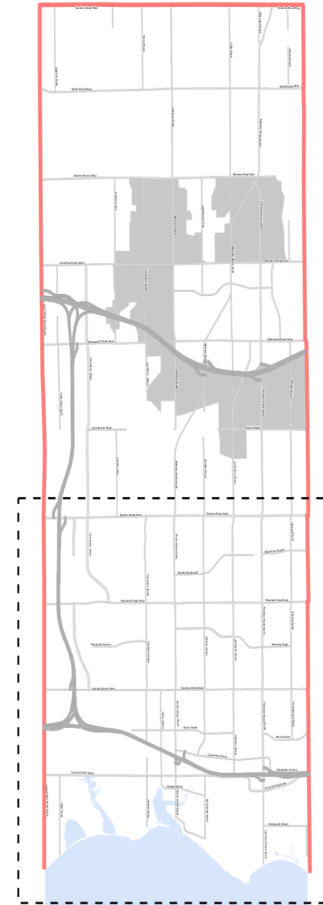


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




FRONTAGE (m)



Key Map



Legend

-  Lake Ontario
-  Whitby Boundary
-  Brooklin Expansion Area
-  Not Available
-  0 - 5.99
-  6.00 - 8.99
-  9.00 - 11.99
-  12.00 - 14.99
-  15.00 - 17.99
-  18.00 - 20.99
-  21.00 - 29.99
-  30+



Residential Report

Phase 2 will consider:

- Consolidating zones and updating terminology to ensure clarity, consistency and flexibility
- Consistent provision formats and measurements across all zones
 - Example: storeys vs. m. or m² vs. hectares
- Removal of un-serviced lot requirements
- Removing outdated dwelling types
- Add new dwelling types

Commercial Report

- Opportunities identified to reduce the number of zones
- Similar permitted uses in the C1 Zones
- The permitted uses for the two C2 Zones differ
- C3 and C3-DT have similar permitted uses
 - C3 Zone only applies in one small location
- C2-S zones from ZB 1784 and 2585 are almost the same
 - Could combine
- C2-S-CN Zones only permits one use and applies to a small area
- CAC zones are similar in permitted uses but vary in the provisions, each only applies in one specific area
 - Opportunity to address in site specifics
- Consider if the automobile-related zones warrant their own zone(s)
- AS zone in ZB 2585 does not apply anywhere



Commercial Report

Phase 2 will consider:

- An update of terminology and modernization of terms and uses
- Some zones apply to multiple OP designations while others apply to only one specific OP designated area
 - Better alignment with OP would clarify intent
- Inconsistencies between the OP and zoning permissions

Mixed Use Report

- Broad range of permitted uses, including residential
- Many of the zones are 20 – 30 years old and don't address contemporary built form regulations
- Example ZBs addressed matters of minimum building height, amenity space, tower requirements, step-backs and separation distances
- Several differences between OP designations and zoning:
 - OP requirements for a mix of uses in a building/lot/area not always translated into zoning
 - Range of uses in ZB do not always capture intended mix in OP
 - Intensification Areas and Corridors and MTSAs require further consideration to determine the extent of pre-zoning
 - Opportunity to zone Heritage Conservation Districts to support preservation



Mixed Use Report

Phase 2 will consider:

- What uses require specific provisions vs. provisions for groupings of uses
- Where a mix of uses is required, in a building, on a lot or simply within a designation
- Updating/consolidating terminology to modernize terms and ensure clarity
- Consideration for zone provisions within Intensification and Cultural Heritage Areas



Employment Report

- Variability in the permitted uses between employment zones in Whitby's ZBs
 - Two broad categories: General Industrial and Prestige
 - Some zones have limited application
- Strong trend to have a Prestige/Business vs. General Zone and one other in example ZBs reviewed

Employment Report

Phase 2 will consider:

- The consolidation of zones applying to small areas or only permitting limited uses, and consideration of site specific exceptions for these areas
- Appropriate buffers to sensitive areas for all zones
- Updating/consolidating terminology and modernizing terms
- Potential to broaden zoning permissions to bring them into closer alignment with the OP designations
- A reduction in the overall number of zones to align with the OP
 - Possibility with a focus on Prestige/Business vs. General Industrial uses

Other Zones Report

Analysis of the following zones:

- Agricultural/Agricultural Service Zones
 - Cemetery Zones
 - Development Zones
 - Institutional Zones
 - Natural Heritage Zones
 - Open Space Zones
-
- Many zones between Whitby's ZBs are similar and could be easily combined

Other Zones Report

Phase 2 will consider:

- Clearer distinction between:
 - Agricultural lands with the intent to preserve
 - Natural heritage lands with the intent to protect, which permit some passive recreation
 - Lands where recreation is the intent
- Better alignment between zones and OP designations
- Rezoning of agricultural zoned properties in the Urban Area
- Recognize natural heritage in the zoning
- Implementing a “rural residential” type zone for small non-agricultural properties outside the Urban Area

Parking Provisions Report

Further Considerations from Report:

- Parking rates and reductions for different uses and areas of the Town
- Accessible parking calculations
- Introduction of bicycle parking rate
- Shared parking in Downtown area
- Parking on driveways
- Minimum parking space width
- Minimum garage size
- Size for commercial vehicles parking

Definitions Report

Findings:

- Approximately **120** definitions are proposed to be **Carried Forward** (e.g. Accessory Apartment, Place of Worship, Use)
- Approximately **50** definitions are proposed to be **Carried Forward with Edits** (e.g. Driveway, Eating Establishment, Street)
- Approximately **80** definitions will be **Considered Further** (e.g. Clinic, Home Supply Centre, Dwelling)
 - Do we need this?
 - What is best way to define this?
- Approximately **90** definitions will be **Deleted** (e.g. Amusement machine, Boarder, Chapel)



Site Specific Report

Phase 2 will consider:

- Location of Site Specific Exceptions in new ZB
 - Currently within two locations: Listed at the end of each zone category section AND within independent “Exception” sections, ordered by date
- A clear and consistent labeling system for exceptions
- Approach to mapping:
 - On the same maps as the parent zones OR on separate maps
- Removal of definitions
- Reduction due to additional uses permitted as-of-right within parent zones
- Opportunities to make the ZB more flexible to reduce the number of site specific amendments

Phase 1 Recap

Overarching Issues – Whitby's Current ZBs

- Inconsistency in regulations and terminology between the three ZBs
- Instances of outdated provisions and regulations, and terminology, owing, in part, to the age of the ZBs
- An unnecessary large number of zones
- Organizational issues, including that Site Specifics Exceptions are located within different sections of the by-laws and some definitions are located outside of the definitions section
- Select instances of non-conformity with the Official Plan
- Incomplete mapping of Site Specific Exceptions

Questions and Comments

All Phase 1 Reports and the Interested Party Form will be available at:
www.whitby.ca/inthezone