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VIA EMAIL: cblakely@newmarket.ca
TOWN FILE: D14NP1910

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Town of Newmarket
395 Mulock Drive
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Dear Ms. Blakely,

Re: ST. PHILOPATEER: LU CHURCH (1095 Stellar Dr. Newmarket, ON)
Application for a Zoning Bylaw Amendment to permit a Place of Worship and ancillary uses
PARKING ANALYSIS: Shared Parking Analysis & Update

We represent St. Philopateer and St. Demiana Coptic Orthodox Church with respect to land use matters related to their property located at 1095 Stellar Drive in Newmarket, ON (hereinafter referred to as the “Subject Lands” or “Property”). We have been asked to undertake a subsequent review of the Town’s ZBL 2010-40 to confirm the Parking Requirement in support of an application to amend the Town of Newmarket Zoning Bylaw (ZBA). The purpose of the ZBA is to permit the repurposing of the property from Mixed Employment Zone (EM) to Service Commercial (CS) to permit the proposed “Place of Worship” (including common “Ancillary” uses as noted) and “Day Nursery”. It is acknowledged that the current site configuration of the Subject Lands will eventually be reorganized to accommodate the reconstruction of the existing building for the proposed uses identified herein. A Conceptual Site Plan has identified the potential of up to 83 total parking spaces with modifications to the property; there are currently 79 existing spaces. The modifications shall be subject to Site Plan Approval as a separate process. Our Client is seeking to confirm the Zoning Permissions before pursuing SPA for the eventual redevelopment of the site. This letter is a follow-up to the meeting we had on March 29th, 2022 regarding the project wherein the status of the application was discussed. It is our understanding that the main issue to the ZBA application proceeding is the clarification of the parking required because of the proposed use.

SUMMARY OF CONCLUSIONS:

The proposed development contemplates there will be two principal uses for the subject lands to be located within the existing building which is proposed to be renovated. The “Place of Worship” use includes several “Ancillary” uses which are common to the church functions; these include a Chapel and Multi-Purpose Area. The “Day Nursery” use is intended to be a stand-alone use. Together these uses generate the predominant need for parking. Several methods have been used to provide an estimate for the amount of parking required for the proposal. While it is acknowledged that the uses, including the uses ancillary to the Place of Worship, generate a need for parking, it is proposed that the most effective calculation method to determine the parking requirements should consider the “Time-of-Use” (TOU) associated with the uses. The reason for this is that the uses do not all operate at the same time. If the parking requirement is based on all uses operating concurrently there is a risk of there being an over supply of parking. The concurrent use calculation estimates the total parking requirement to be 96 spaces, whereas a TOU calculation estimates a total parking demand of 55 spaces. The difference in foregoing calculations is 41 spaces.

PARKING RECOMMENDATION: 76 Spaces (Including accessible spaces):

It is reasonable to expect that the actual parking requirement will be within this range (55 to 96 spaces); therefore, it is recommended that the parking requirement for this project be established to be 76 spaces (the midpoint of the difference rounded). The Subject Lands currently accommodate 79 parking spaces. Therefore, it is respectfully submitted that there is sufficient parking available to meet the expected demand for parking on site.

In practice, should there be occasions where worship capacity results in the need for 100 parking spaces during special events there are arrangements with the adjacent properties to accommodate this volume. This situation, however, is not expected to represent the normal condition. Therefore, the parking requirement recommended herein is expected to be sufficient for normal operations accommodating the requirements for all the uses and activities on the Subject Lands.

Parking Requirement Analysis Methods:

In reviewing the Project file there have been several submissions relating to the calculation of parking requirements for the Subject Lands. The original Planning Justification Report (PJR) dated June 2019 indicated that 78 parking spaces were proposed based on a Conceptual Site Plan. The report noted that the “Place of Worship use is proposed to include the following spaces: Chapel; Sunday School Classrooms; Priest/staff rooms, Sanctuary; Cafeteria/Kitchen; and a Gymnasium/Play area.” It is also noted that the “Daycare use will include the playrooms on the third floor which will be separated by age as well as a multi-use space. Functionally, the Place of Worship and Daycare uses will not be operating concurrently and therefore, present no conflict in use.”: This remains the intent of the application. To determine an appropriate parking requirement for the project four (4) methods have been used. These are presented in the discussion that follows to assist in this analysis.

METHOD 1: Application of Current ZBL Standard

An application to amend the Town of Newmarket Zoning Bylaw to permit the proposed uses was submitted to the Town of June 4th, 2019 following a previous Pre Application Consultation Meeting held on February 2nd, 2018. Since the original application, and in response to comments received from the Town, refinements to the proposal were undertaken. A second submission with an updated PJR with supporting documentation was made on August 18th 2021 in response to Town comments on the original application. A revised Parking Justification Study undertaken by WSP Consulting was included with the submission. The WSP study determined the total parking requirement for the foregoing uses to be 79 spaces based upon ZBL specifications. It is recognized that the WSP Study did not include parking for the Chapel (17 spaces) for which the rationale is included in the study and is also reflected herein in the Time of Use discussion later in this review. Their calculated requirement through the application of the Town’s standards for the uses (activities) is 17 spaces less than the Town’s calculation of 96 spaces (see Table 1) which is attributed to the omission of the Chapel parking requirements.

TABLE 1. TOWN OF NEWMARKET ZBL 2010-40 PARKING CALCULATION

TYPE OR NATURE OF USE	MINIMUM PARKING REQ'MT	REQUIRED	CALCULATION DETAIL	
Place of Worship (POW)	1 parking space per 9 m ² of the aggregate gross floor area of the nave, public hall, banquet hall or other community/multi-use hall used as a place of assembly.	72	Church (Sanctury)	273.54 m ² 31
			Chapel	154.63 m ² 17
			Multi-Purpose	211.68 m ² 24
			Total Requirement per ZBL:	
Day Nursery (DN)	2 parking spaces per classroom plus 1 space for every 4 children licensed capacity.	24	Class @ 2/class x 4 classes	8
			Child @ 0.25/child x 61 children	16
			Total Requirement per ZBL:	
TOTAL SITE PARKING REQUIRED:¹		96	POW (72) + DN (24) = 96	

¹ This calculation conforms to information provided by the Town of Newmarket in the Application Review issued 2021.11.01

METHOD 2: WSP Alternate Calculation

The WSP Study included an alternate method for calculating parking demand based on occupancy loads. In their analysis they examined other similar Places of Worship to determine a ratio of people per vehicle and applied it against the occupancy load for the Sanctuary which is the highest traffic generating use on the Subject Lands. They concluded that a parking demand of 100 vehicles would be generated during the Sunday worship services. Based on the ability to accommodate 83 parking spaces as depicted on the Conceptual Site Plan they concluded that an additional 17 spaces would have to be accommodated off-site, or 21 more spaces than currently exist. Their solution was to identify off-site parking opportunities on surrounding properties. As a result, arrangements have been made to accommodate up to 163 more parking spaces on adjacent properties.

TABLE 2. SHARED PARKING OPPORTUNITIES (Agreements In Place)

PROPERTY	ADDRESS	SPACES AVAILABLE	
St. Elizabeth Seton Parish	1795 Leslie Street, Newmarket, ON	30	COMBINED 163
685109 Ontario Ltd.	1111 Stellar Drive, Newmarket, ON	73	
Re/Max Realtron Turnkey Realty	1140 Stellar Drive, Newmarket, ON	60	
Subject lands (Existing)	1095 Stellar Dr. Newmarket, ON	79	
		TOTAL Existing and Shared Parking: 248	

The foregoing analysis is based on the identification of on-site parking to be 79 spaces, whereas the WSP analysis considered the potential on-site parking availability to be 83 spaces based on the Conceptual Site Plan. It is clear that if this method were to be employed there would be more than sufficient parking opportunities to accommodate the parking requirements attributed to the proposed uses.

METHOD 3: Shared Parking Analysis (ZBL 2010-40)

A review of the Town’s Shared Parking Provisions (ZBL 2010-40, S.5.3.5] was undertaken to determine the parking requirements for the project if this section were to be applied. The provisions apply to “Mixed Use” developments. While technically the proposal could be considered to be “Mixed Use”, the uses are limited to the “Place of Worship” with Ancillary Uses common to a Church and the Day Nursery. Furthermore, the calculation considers that parking is required for all uses as though they operated concurrently albeit with modified requirements based on various time periods for weekdays and weekends.

Town of Newmarket Comprehensive Zoning By-law 2010-40 – Section 5.3.5 Shared Parking: (Excerpts in *italics*)

- i) *A shared parking formula may be used for the calculation of required parking for a mixed-use development. A mixed-use development means any combination of uses provided for in the tables of this section. Where a use is not provided for the tables, its requirement at each time period is one hundred percent of its requirements.*
- ii) *Shared parking is to be calculated in compliance with the following table. All required parking spaces must be accessible to all its users participating in the shared parking arrangement and may not be reserved for specific users.*
- iii) *To determine the shared parking requirements for a mixed-use:*
 - o *a) calculate the parking requirement for each use as if these uses were free standing buildings;*
 - o *b) multiply each use by the percent of the peak period for each time period contained in the following table;*
 - o *c) total each peak column for weekday and weekend; and*
 - o *d) the highest figure obtained from all the time periods shall become the required parking for the mixed use.*

Table 4: Section 5.3.5 - Shared Parking Requirement for a Mixed-Use Development (Town of Newmarket Comprehensive Zoning By-law 2010-40, Office Consolidation September 2021)

TABLE 3. SHARED PARKING [Mixed Use Developments]								
USE	DAY	MORNING		AFTERNOON		EVENING		USE TOTAL ¹
MAIN SANCTUARY	WEEKDAY	10%	3	25%	8	100%	31	31
	Required: 31	WEEKEND	90%	28	90%	28	100%	31
MULTI PURPOSE HALL	WEEKDAY	10%	2	25%	6	100%	24	24
	Required: 24	WEEKEND	90%	22	90%	22	100%	24
CHAPEL	WEEKDAY	10%	2	25%	4	100%	17	17
	Required: 17	WEEKEND	90%	15	90%	15	100%	17
DAY NURSERY²	WEEKDAY	100%	24	100%	24	100%	24	24
	Required: 24	WEEKEND	100%	24	100%	24	100%	24
TOTAL REQUIRED 96	WEEKDAY	31		42		96 or 31 ³		96 or 41 ⁴
	WEEKEND	89		89				

NOTES: ¹ The **USE TOTAL** reflects the maximum total parking required to support the indicated use ignoring the time-of-day requirement as it is assumed the total amount of parking must be able to accommodate the greatest requirement.

² Since “Day Nursery” use is not provided for in the original zoning bylaw table, its requirement at each period is 100% of its parking space requirement according to provisions in the ZBL [S. 5.3.5 – Shared Parking, (i)].

- 3 Notwithstanding the calculation, certain uses (activities) related to the “Place of Worship” will not operate concurrent with a worship service in the Main Sanctuary. Thus, the amount of parking required should not exceed the highest parking generator for the period selected. In this case, it is the Main Sanctuary, which requires 31 parking spaces.
- 4 If the actual expected parking demands are considered, on the weekend this falls to 31 representing the parking requirement for the Sanctuary use only. The Multi-Purpose Hall does not generate any additional parking requirement as it would be used by churchgoers prior to or following worship services, and not during. However, it is conceivable that the Chapel and Multi Purpose Hall could be in operation on rare occasions when the Main Sanctuary is not in use. Thus the maximum parking requirement would be 41 spaces [24+17=41].

METHOD 4: Time-Of-Use Parking Calculation Method

The Town’s calculation considered the aggregate parking required for the “Place of Worship” as if all the components were functioning at the same time, which is consistent with the parking requirement calculation in the ZBL. In practice, however, these uses (the “Place of Worship” and related Ancillary Uses / activities, and the “Day Nursery”) do not operate at the same time. This was noted in the original PJR and its update. Accordingly, when the Sanctuary is being used for worship or other Ancillary uses such as the Chapel, and the Multi-purpose Area will not be in use.

Similarly, the “Day Nursery” operates during the week and not on weekends. Its operation would rarely overlap with Church activities, except perhaps for funerals during the weekdays, and then none of the other “Ancillary Uses” associated with the Church would be in operation. Thus, while the proposed uses operate as separate entities, the amount of parking required to support the uses is off set depending on the TOU, meaning the main land use components are not planned to be in operation at the same time, and therefore do not generate any additional parking requirement. At any one time, the total parking required to accommodate staff and visitors to the site is limited to the actual function taking place. Therefore, it is not necessary to compound the parking requirement when the uses are separated as such. The highest parking requirement at any time of day is associated with the principal use(s) occurring during that period. Accordingly, the analysis considers the following premiss¹:

PREMISS: The Principal Uses and the Ancillary Uses do not operate at the same time, thus the parking requirement should be based on the highest potential requirement for the uses / activities that may operate at any time, or their Time-Of-Use (TOU).

Place of Worship & Day Nursery

The PJR and its update also include a discussion related to the “Time-Of-Use” (TOU) for the two primary uses, (eg. the “Place of Worship” and the “Day Nursery”) noting that they will not function at the same time. This is an important consideration for the calculation of the parking requirements for the Subject Lands. These two primary uses generally operate on separate and distinct schedules. The “Place of Worship” use operates on Friday evening and on the weekend, while the “Day Nursery” is intended to operate Monday to Friday between the hours of 8am to 6pm: Therefore, these uses do not overlap. When considering the TOU method it is important to note that the parking required to support the uses should not be compounded. If the “Place of Worship” parking exceeds the “Day Nursery” then there is no parking capacity issue for the “Day Nursery” as they can use the “Place of Worship” parking as it is otherwise not needed.

An analysis of parking requirements based on possible TOU scenarios was undertaken from which three Scenarios were developed.

► **Scenario 1: Weekend Activity (8am to 6pm)**

This Scenario considers the highest weekend requirement which is associated with worship services in the Main Sanctuary. The other uses / activities do not operate during worship services. It is conceivable, however that the Chapel and Multi-Purpose Area might be utilized outside of scheduled worship services on the weekend, which would result in a total parking requirement if these areas used concurrently of 41 spaces.

¹ Additional information has been provided to the Town earlier this year in the form of a Matrix of Hours of Operation, days of the week and parking requirements to accommodate on-site activity.

► **Scenario 2: Weekday Activity (8am to 6pm)**

This Scenario considers activities that might occur during a weekday. It is conceivable that a Funeral service could occur during daytime hours while the Day Nursery is in operation. The calculation accommodates a full Main Sanctuary which is rarely the case for funerals. Nevertheless, the total parking requirement to accommodate the uses is determined to be 55 spaces.

► **Scenario 2: Weekday Activity (8am to 6pm)**

The final Scenario considers activities that might occur on weekday evenings. This is similar to Scenario 1 in that during a Worship service the other activities would not occur. As well, although it is unlikely that a Chapel Service would occur at the same time as the use of the Multi-Purpose Area, for the purpose of this analysis the parking requirement has been combined. Accordingly, the total parking requirement under this Scenario is 41 spaces.

The Scenarios are represented graphically in Table 4, as follows:

TABLE 4. TIME-OF-USE PARKING CALCULATION		PARKING	SCENARIO 1		SCENARIO 2		SCENARIO 2	
			WEEKEND		WEEKDAY		WEEKDAY EVENING	
TYPE OR NATURE OF USE	COMPONENT	ZBL 2010-40 STANDARD	8am – 6pm		8am – 6pm		6pm +	
			IN USE	PARKING	IN USE	PARKING	IN USE	PARKING
Place of Worship	Main Sanctuary	31	● -	31 -	●	31	● -	31 -
	Chapel	17 72	- ●	- 17	-	-	- ●	- 17
	Multi-Purpose Area	24	- ●	- 24	-	-	- ●	- 24
Day Nursery	Classroom	8 24	-	-	●	8	-	-
	Children	16	-	-	●	16	-	-
TOTAL Requirement:		96	31 or 41		55		31 or 41	

The TOU analysis identifies the greatest anticipated parking requirement to be generated on a weekday should there be a funeral during the day when the Day Nursery is operating to be 55 spaces. As noted previously, there are currently 79 parking spaces on the Subject Lands. Therefore, based on this method of analysis the proposal there is no requirement for additional parking spaces.

CONCLUSION

The determination of an appropriate parking requirement in support of the proposed Zoning Bylaw Amendment to permit the Subject Lands to be used as a Place of Worship and Day Nursery is somewhat complex. The characterises of the proposal loosely reflect a “Mixed-Use” proposal with one important difference: The uses and activities that are expected to occur on site do not reflect the activity profile of developments that are plainly mixed use where activities typically occur concurrently. Given the activity profile for this project there is a reasonable argument to consider the parking requirements differently, based on the nature of the uses to be permitted and the level of activity expected to occur on site based on their Time Of Use. While various proposals have been advanced regarding the parking, and how any deficiencies in supply can be addressed, the application of the Town’s Zoning Standards, and an acknowledgement of the Time-Of-Use influences support a determination that the total parking that needs to be provided should be 55, whereas the application of the ZBL standard indicates that there should be 96 spaces provided. It is reasonable, however, to expect that the actual parking requirement will be within this range. Accordingly, it is recommended that the parking requirement for this project be established to be 76 spaces (the midpoint of the difference rounded). The Subject Lands currently accommodate 79 parking spaces. Therefore, it is respectfully submitted that there is sufficient parking available to meet the expected demand for parking on site.

Finally, it is acknowledged that a Conceptual Site Plan was submitted with the ZBA application. The Plan indicated that a total of 83 spaces could be achieved, although this would require several adjustments to the current zoning specifications (setbacks, landscape areas, etc.). The Plan was submitted to demonstrate the ultimate development intent but does not constitute a formal Site Plan Approval submission. Many of the comments received from the Town reflect Site Plan matters, which respectfully are premature in the context of the application submitted. The ZBA can and should proceed independently so that the use of the property to confirm

the “Place of Worship” and “Day Nursery” uses. With a level of certainty in the approval of the ZBA the Applicant will be able to move forward with the expense associated with the preparation, submission, and processing of a Site Plan Approval application. It is at that time and through the formal SPA process that the matters associated with implementing any physical changes to the property will be addressed. The existing building is intended to be repurposed for the intended uses either within the existing footprint or with minor adjustments thereto. Should there be any modification to Town Zoning standards and specifications related to any proposed site modifications and enhancements they can and will be addressed through the SPA process, and if necessary through variances to the ZBL specifications.

We trust the foregoing information is of assistance in the determination of an appropriate parking standard for this project. Our Client is anxious to have the application proceed to Council with hopefully a positive staff recommendation so they can bring some level of certainty to them regarding the project. I have been advised that the Congregation is most anxious and excited to see their vision move towards its realization. Should you have any comments or questions respecting this submission please do not hesitate to contact me and we can arrange a follow-up meeting if necessary. Thank you for your consideration and assistance with this project.

Sincerely,
LARKIN+

Michael T. Larkin, M/Pl., MCIP, RPP

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cc Adrian CAMMAERT MCIP RPP, Manager, Planning Services
Michael Shafik for St. Philopateer and St. Demiana Coptic Orthodox Church