

COWICHAN VALLEY REGIONAL DISTRICT

BY-LAW NO. 1001

A by-law to regulate and require the provision of off-street motor vehicle parking and loading spaces pursuant to Section 964 of the Municipal Act, applicable to all Electoral Areas of the Regional District

WHEREAS Section 964 of the Municipal Act, R.S.B.C. 1979, empowers the Regional Board to adopt a bylaw which requires the provisions of off-street parking and loading spaces;

AND WHEREAS the Regional Board has voted on and received the required majority vote of those present and eligible to vote at the meeting at which the vote is taken;

NOW THEREFORE the Board of the Cowichan Valley Regional District in open meeting assembled enacts as follows:

PART ONE

TITLE

1.1 This bylaw may be cited for all purposes as "Cowichan Valley Regional District Off-street Parking Bylaw No. 1001 , 1986".

PART TWO

ADMINISTRATION

2.1 The Administrator, being an Officer; the Manager (Land Use Services Department); Planner; By-law Enforcement Officer; Chief Building Inspector; Senior Building Inspector and Building Inspector, all being employees of the Regional District, are designated to act in the place of the Administrator for the purpose of this by-law and are authorized

- (a) between 0800 hours and 1700 hours of any day, or
- (b) at such other time of the day as may be agreed to with the owner or occupier of the land to be inspected

to enter upon any property subject to the regulations of this by-law to ascertain whether such regulations are being obeyed, provided that:

- (a) consent to inspect the property has been obtained from the owner or occupier of the land, or
- (b) where such consent has been refused, notice of the intent to inspect has been given to the owner not less than 24 hours prior to the time of inspection.

2.2 Every person who:

- (a) violates any of the provisions of this bylaw;
- (b) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this bylaw;
- (c) neglects or omits to do anything required under this bylaw;
- (d) carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this bylaw;
- (e) fails to comply with an order, direction or notice given under this bylaw; or

- (f) prevents or obstructs or attempts to prevent or obstruct the authorized entry of the Administrator, Manager (Land Use Services), Planner, Chief Building Inspector, Senior Building Inspector or Building Inspector on property under Section 2.1

shall be deemed to be guilty upon summary conviction of an offence under this bylaw.

- 2.3 Each day's continuance of an offence under Section 2.2 constitutes a new and distinct offence.
- 2.4 Every person who commits an offence under this bylaw is liable on summary conviction to a fine not exceeding \$2,000 and the costs of prosecution.

PART THREE

DEFINITIONS

- 3.1 In this bylaw, unless the context otherwise requires:

"assembly" means the gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational or religious purposes;

"accessible" means that a disabled person is, without assistance, able to approach, enter, pass to and from and make use of an area and its facilities, or either of them;

"accessory" means ancillary or subordinate to a principal use;

"bed and breakfast accommodation" means the accessory use of a self-contained dwelling unit for the overnight accommodation of transient paying guests in which only breakfast is served;

"building" means any structure with a gross floor area exceeding 8 square metres used or intended for supporting or sheltering any use or occupancy;

"church" means an assembly building used for public worship;

"community shopping centre" means a group of retail stores, offices and service establishments having a gross floor area equal to or greater than 1400 square metres but less than 9,000 square metres;

"convenience store" means a retail sales outlet contained under one roof, having a floor area not exceeding 200 square metres and providing for the sale of items regularly used by households, including books, magazines or household accessories, and food and beverage take out service;

"disabled person" means a person who has a loss, or a reduction of functional ability and activity and includes a person in a wheelchair and a person with a sensory disability;

"dwelling" means a self-contained set of habitable rooms with a separate entrance intended for year round occupancy with complete living facilities for one or more persons including permanent provisions for living, sleeping, cooking and sanitation;

"facility" means something that is built, installed, or provided to serve a particular purpose;

"family" means:

- (a) two or more persons related by blood, marriage, adoption or foster parenthood sharing one dwelling; or
- (b) not more than five unrelated persons sharing one dwelling;

"gross floor area" means the total floor area of all buildings on a parcel measured to the outer limits of the building including all areas giving access thereto such as corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies and mezzanines, enclosed porches or verandas and excluding auxiliary parking, unenclosed swimming pools, balconies or sundecks, elevators or ventilating machinery;

"home occupation" means an occupation or craft and the sale of the goods made on the same parcel where such activities are carried on as an accessory use in a dwelling or accessory building to the dwelling;

"kennel" means the use of a parcel, building, or structure for the boarding or breeding of dogs and cats;

"motel/hotel" means a building which contains sleeping units and may contain auxiliary assembly, commerce, entertainment, indoor recreation or restaurant uses and premises licensed to serve alcoholic beverages;

"neighbourhood shopping centre" means a group of retail stores, offices and service establishments having a gross floor area of less than 1400 square metres;

"parcel" means any lot, block or other area in which land is held or into which it is subdivided including water lease lots, but does not include a highway;

"regional shopping centre" means a group of retail stores, offices and service establishments having a gross floor area equal to or greater than 9,000 square metres;

"retail" means the sale of goods to the general public;

"recreation use" means a public or commercial facility intended to provide recreational or entertainment opportunities for the public and shall include, but not be limited to such uses as ice arenas, indoor sporting facilities and commercial bingo halls;

PARK FOUR

BASIC PROVISIONS

4.1 Required Parking and Loading Spaces

- (a) Except as otherwise specified in this bylaw, space for the off-street parking and loading of motor vehicles shall be provided and maintained in accordance with the regulations of this section.
- (b) The number of required off-street parking and loading spaces for motor vehicles is calculated according to Table I of this bylaw in which Column I classifies the types of buildings and Columns II and III set out the number of required off-street parking and loading spaces that are to be provided for each class of building in Column I.

4.2 Classification of Use

- (a) With respect to a class of building permitted under this bylaw which is not specifically referred to in Column I of Table I, the number of off-street parking and loading spaces is calculated on the basis of the requirements for the most similar class of building that is listed in Table I.

4.3 Calculation of Number of Spaces

- (a) Where the calculation of the required off-street parking or loading space results in a fraction, one parking space shall be provided with respect to the fraction.

- (b) Where seating accommodation is the basis for a unit of measurement under this section and consists of benches, pews, booths or similar seating accommodation, each 0.64 square metres of seating area shall be deemed to be one seat.

4.4 Location of Parking and Loading Areas

- (a) Off-street parking and loading spaces shall be located on the same parcel as the building they serve or on a contiguous parcel.

4.5 Dimensions of Parking and Loading Spaces

- (a) The minimum required dimensions for parking spaces and aisle space under this bylaw is set out in Table II.
- (b) Each off-street loading space shall be not less than 3.0 metres wide, 9.0 metres long and have a clear height of not less than 4.0 metres.

4.6 Small Vehicle Spaces

- (a) Notwithstanding the provisions of Section 4.5 with respect to a parking area containing more than 100 parking spaces on one parcel, up to 20 percent of the total required number of parking spaces may be reduced to 4.6 metres in length provided that each parking space is identified by the words "small auto only" on the pavement or wall facing it.

4.7 Access to Parking and Loading Spaces

- (a) Street access or egress shall be not less than 15 metres from the nearest point of intersection of two highways.
- (b) Except in the case of a single family or duplex residential building, no parking space shall gain direct access to a highway.

4.8 Surfacing of Parking Areas

- (a) Where more than three parking spaces are required by this bylaw, the parking area shall be surfaced with asphalt, concrete or other suitable dust free material, and each space shall be clearly marked.

4.9 Parking for Disabled Persons

- (a) For any use required to be accessible to disabled persons by the B.C. Building Code, a minimum of one disabled person parking space shall be provided.
- (b) Where 50 or more parking spaces are required by this bylaw, the greater of one parking space or a minimum of 1% of all spaces shall be accessible to disabled persons.
- (c) All disabled person parking spaces shall be:
 - i) a minimum of 3.7 metres in width and a minimum depth of 5.8 metres;
 - ii) surfaced with concrete or asphalt to provide ease of access for wheelchairs;
 - iii) located in the most accessible and convenient location available within the parking area;
 - iv) marked or otherwise designated for sole use by disabled persons.

TABLE I

COLUMN I	COLUMN II	COLUMN III
<u>Class of Building</u>	<u>Required Parking Spaces</u>	<u>Required Loading Spaces</u>
Assembly use	1 space per 3 seats	1 space for passenger loading for every 100 square metres of gross floor area or a fraction thereof
Automotive and Equipment wrecking and storage/ Recycling	1 space per 100 square metres of covered storage plus 1 space per employee	1 space
Bank/Credit Union (or similar financial institution)	1 parking space per 20 square square metres gross floor area	1 space
Barbershop/Beauty Parlour/Health Exercise Centre	1 space per 12.0 square metres or a minimum of 4 spaces	0 spaces
Bed & Breakfast Accommodation	1 space per room of guest accommodation	0 spaces
Bowling Alley	3 spaces for each alley	1 space
Car Wash (automatic)	Nil parking spaces, but requires approach storage space equal to four spaces per bay	0 spaces
Church/Chapel (excluding any auditorium or hall)	1 space per 4 seats	0 spaces
College/University	1 space per employee plus 1 space per 5 students	1 space for each 3,000 square metres of gross floor area or a fraction thereof
Dwelling Units (where a building contains two or less dwelling units)	2 spaces per dwelling unit	0 spaces
Dwelling Units (where a building contains three or more dwelling units)	1.5 spaces per dwelling unit	0 spaces
Funeral Home	1 space per 4 seats	1 space
Golf Course	150 spaces	0 spaces
Golf Driving Range	1 space per tee plus 1 space per 2 employees	0 spaces
Home Occupation	1 space per non-resident employee	
Hospital (private or for other health care uses)	1 space per 3 beds	1 space for passenger unloading for every 40 beds or a fraction thereof
Hospital (public)	1 space per 2 employees and one space for every 5 beds	1 space for passenger unloading for every 40 beds or a fraction thereof

<u>Class of Building</u>	<u>Required Parking Spaces</u>	<u>Required Loading Spaces</u>
Kennels/Animal Hospitals	4 parking spaces	
Laundromat	1 parking space per 3 washing machines	0 spaces
Laundry Plant, Drycleaning, etc.	2 parking spaces plus 1 parking space per 46 square metres	The same as for "Warehouse Use"
Manufacturing	1 space for every 100 square metres of gross floor area	The same as for "Warehouse Use"
Marina	1 parking space per 2 boat stalls plus 1 space per 2 employees	1 space per 40 boat stalls to a maximum of 4 spaces
Motel/hotel	1.1 spaces per sleeping unit	1 bus passenger unloading space plus 1 loading space for each 900 square metres of gross floor area greater than 700 square metres area to maximum of 4 spaces
Motor Vehicle Fuel Sales	1 space per 2 employees on duty plus two spaces approach storage per pump station	0 spaces
Motor Vehicle, marine machinery and equipment sales and rental	1 space per 2 employees plus 1 space per 70 square metres of gross floor area	2 spaces
Motor Vehicle Repair Facility	1 space per 2 employees plus 2 spaces per service bay	2 spaces
Neighbourhood Pub	1 space per 3 seats	1 space for every 200 square metres of gross floor area or fraction thereof
Nursery (commercial plant)	1 parking space per 15 square metres gross floor area of retail sales building plus one per 465 square metres of outside display	The same as for "Warehouse Use"
Office (multi-tenant)	1 space per 30 square metres of gross floor area	1 space for every 2700 square metres of gross floor area
Office (single-tenant)	1 space per 35 square metres of gross floor area	1 space
Post Office	4 spaces or 1 space per 2 employees (whichever is greater)	1 space
Recreation use (commercial and public)	1 space per 10.0 square metres of gross floor area or 1 space for each 3 seats whichever is greater	1 space for each 3,000 square metres of gross floor area or a fraction thereof

<u>Class of Building</u>	<u>Required Parking Spaces</u>	<u>Required Loading Spaces</u>
Restaurant (drive-in or drive-through only)	10 spaces	1 space
Restaurant (with accessory drive-in or drive-through service)	1 space per 3 seats plus 3 spaces	1 space
School (Junior and Senior Secondary)	1 space per employee plus 1 space per 10 students	One passenger loading space for every four classrooms or a fraction thereof plus one loading space for every 3,000 square metres of gross floor area or a fraction thereof.
School (Kindergarten and Elementary)	1 space per employee plus 1 space per classroom	1 passenger loading space for every 4 classrooms or a fraction thereof plus one loading space for every 3,000 square metres of gross floor area or a fraction thereof.
Shopping Centre (community)	5.5 spaces per 100 square metres gross leasable area	The same as for "Neighbourhood Shopping Centre"
Shopping Centre (neighbourhood)	6.5 spaces per 100 square metres gross leasable area	1 loading space for every 150 square metres of gross floor area
Shopping Centre (regional)	5.1 spaces per 100 square metres gross leasable area	The same as for "Neighbourhood Shopping Centre"
Store (Convenience)	6.2 spaces per 100 square metres of gross floor area	1 space
Store (Retail)	7.5 spaces per 100 square metres of gross floor area	1 space for buildings less than 700 square metres of gross floor area and 1 additional space for each additional 500 square metres gross floor area
Theatre	1 space per 4 seats	0 spaces
Tire Repair	1 space per 2 employees plus 1 space per service bay	2 spaces
Tourist Lodge/Resort	The same as for "Motel"	The same as for "Motel"
Warehouse/Wholesale Use	1 space minimum per business use plus 1 space per 185 square metres of gross floor area whichever is greater	1 space for buildings of less than 700 square metres of gross floor area. 1 space for each additional 700 square metres of gross floor area for buildings greater than 700 square metres in area to a maximum of 4 spaces

TABLE II

REQUIRED PARKING SPACE AND AISLE DIMENSIONS

(a) Minimum Dimensions for Angle Parking Spaces:

Width - 2.8 metres
Length - 5.8 metres

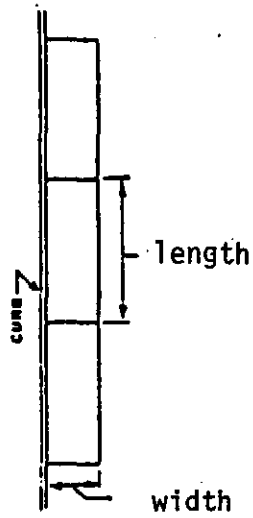
(b) Minimum Dimensions for Parallel Parking Spaces

Width - 2.6 metres
Length - 7.0 metres

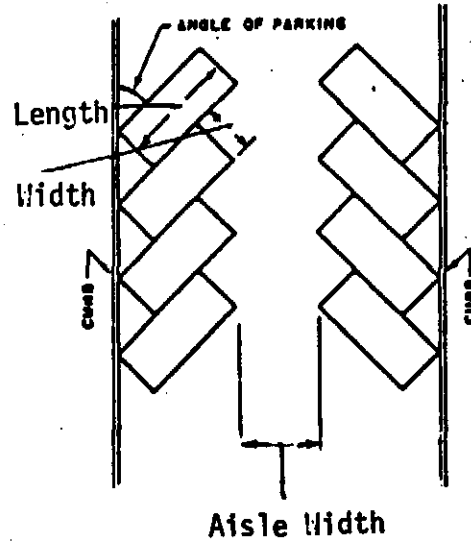
(c) Minimum Width of Parking Aisles:

Where the Angle of Parking is:	The Minimum Width shall be:
0°	3.7 metres
30°	3.4 metres
45°	3.9 metres
60°	5.5 metres
90°	7.3 metres

Parallel Parking



Angle Parking



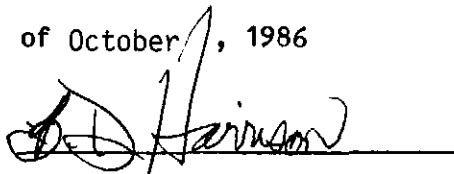
This bylaw shall take effect upon its adoption by the Regional Board.

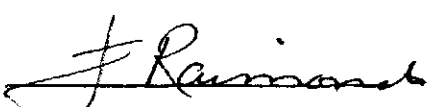
Read a first time this 23rd day of July , 1986

Read a second time this 23rd day of July , 1986

Read a third time this 27th day of August , 1986

Reconsidered, adopted, and finally passed this 8th day
of October, 1986


Chairman


Secretary

