

DISTRICT OF CHETWYND

BYLAW NO. 931, 2010

A Bylaw to require the provisions of off-street parking and loading within the District of Chetwynd

WHEREAS Council may pursuant to the *Local Government Act* require owners or occupiers of any land, building or structure to provide off-street parking and loading zones for the use of the land, building or other structure, including spaces for use by disabled persons;

NOW THEREFORE the Council of the District of Chetwynd, in open meeting assembled, enacts as follows:

1. CITATION

This Bylaw may be cited as “District of Chetwynd Off-street Parking Bylaw No. 931, 2010”.

2. DEFINITIONS

2.1 Words and phrases defined in the District of Chetwynd Zoning Bylaw and amendments or replacements thereto shall have the same meaning in this Bylaw.

2.2 Unless otherwise specified, the following definitions apply:

“**Bylaw Enforcement Officer**” means the person appointed by the Council to enforce this Bylaw;

“**Director of Engineering and Public Works**” means the person appointed as such by the Council for the District of Chetwynd and any person designated to assist in carrying out any duties under this Bylaw;

“**Loading area**” means an area of a parcel or structure used for loading zones and related access purposes;

“**Loading zone**” means space used only for the delivery of goods to and from motor vehicles;

“**Manoeuvring aisle**” means the area designated for access and egress to all parking spaces and loading zones;

“**Municipality**” means the District of Chetwynd;

“Parking Area” means an area of a parcel or structure used for parking motor vehicles and related access purposes;

“Zoning Bylaw” means the current Master Zoning Bylaw of the District of Chetwynd and includes any bylaw which amends or replaces that Bylaw.

3. APPLICATION OF BYLAW

3.1 This Bylaw applies to all land, buildings and structures within the municipality.

4. COMPLIANCE

4.1 The owners and occupiers of land, buildings and structures shall provide parking spaces and loading zones for each use, building or structure in accordance with this Bylaw.

4.2 No building or structure shall be constructed, reconstructed, moved or extended until parking spaces and loading zones are provided in accordance with this Bylaw.

4.3 The use of land, buildings or structures may not be altered to any other use requiring a greater number of parking spaces or loading zones than were required for the use in existence when this Bylaw came into force, until the spaces required by this Bylaw are provided.

5. PROVISIONS AND MAINTENANCE OF OFF-STREET PARKING AND LOADING AREAS

5.1 Required parking spaces, loading zones and manoeuvring aisles shall be provided and maintained on the same parcel as the use, building or structure for which they are required except as otherwise provided in this Bylaw.

5.2 All required parking spaces and loading zones shall be completed prior to commencement of a use and prior to the issuance of an occupancy permit.

5.3 Notwithstanding section 5.1, up to 40% of the off-street parking as required by this Bylaw, may be located on another parcel provided that:

- (a) the spaces are built and are accessible at all times in accordance with the standards of this Bylaw;
- (b) the spaces are within one hundred fifty meters (150m) of the parcel for which they are required; and
- (c) the continued use of parking spaces is ensured through the registration of a restrictive covenant or easement in favour of the benefiting property owner and which cannot be extinguished without the approval of the municipality.

- 5.4** Off-street parking spaces shall not be credited as off-street loading zones or vice versa.

6. DESIGN OF PARKING AREAS

- 6.1** Each parking area shall be designed and constructed in accordance with accepted engineering practices, with ramp grades not exceeding 15% gradient, and parking areas not exceeding 8% gradient.
- 6.2** Where provisions of off-street parking or loading zones are required by this Bylaw, a plan of the proposed site layout and landscape plan shall be included with the development permit application or building permit application, as the case may be. The site plan must be drawn to scale and must clearly illustrate the lot size and configuration; building locations; parking spaces, loading zones, on-site circulation of traffic, access and egress, and all sizes and dimensions thereof; landscaping; fences and any other details relevant to the review of the development proposal.
- 6.3** Parking or loading zones are not permitted within any required landscaped area.
- 6.4** Any area of a parcel used for parking or loading shall be constructed so as to permit unobstructed access and egress of each space at all times and shall be developed to ensure that adequate provision is made for access by vehicles to parking spaces located in parking areas by means of unobstructed manoeuvring aisles as described in this Bylaw.
- 6.5** Parking areas shall be graded to prevent surface drainage being directed to adjacent lands, and shall be drained to a municipal drainage system.
- 6.6** The boundaries between each parking space shall be clearly delineated by means of painted lines on the parking surface or by means of curbs.
- 6.7** Small car parking spaces shall be permitted up to a maximum of 10% of the total number of spaces required, and a minimum size as set out in Schedule “B” to the Bylaw.
- 6.8** Where more than ten (10) parking spaces are provided, the parking spaces must be so designed that vehicles are not required to back out onto a highway. In any case, they shall be subject to the requirements of the Ministry of Transportation for the Province of British Columbia, where applicable.
- 6.9** In Residential Zones where parking is provided on the same parcel as the principle building, no part of the parking area shall be located closer than 1.5 metres to any dwelling.

6.10 In Commercial Zones where parking is provided on the same parcel as the principle building, no part of the parking area shall be located closer than 1.5 metres to any adjacent dwelling.

6.11 Where more than ten (10) parking spaces are required under this Bylaw, the Director of Engineering and Public Works may require directional signs be provided for the purpose of traffic control.

7. REQUIRED OFF-STREET PARKING SPACES

The required number of parking spaces is set out in Schedule “A” to this Bylaw.

8. DIMENSIONS OF OFF-STREET PARKING SPACES

The dimensions of off-street parking spaces are set out in Schedule “B” to this Bylaw.

9. ACCESS TO PARKING SPACE

Adequate provision shall be made for individual entry or exit by vehicles to all Parking Spaces at all times by means of unobstructed maneuvering aisles, having widths not less than:

- (a) 7.3 m. where Parking Spaces are located at 90 degrees to the maneuvering aisle providing access to the space;
- (b) 5.2 m. where Parking Spaces are located at 60 degrees to the maneuvering aisle providing access to the space;
- (c) 3.7 m. where the Parking Spaces are located at 45 degrees or less to the maneuvering aisle providing access to the space.

10. ACCESS AND EGRESS

All points of access and egress to a Parking Area or to a loading area shall be subject to the approval of the Director of Engineering and Public Works.

11. SURFACING AND LIGHTING OF PARKING AND LOADING AREAS

11.1 All off-street parking areas and loading areas shall be surfaced with asphalt, concrete or similar pavement so as to provide a surface that is durable, dust free and provide for proper disposal of water in an approved storm drainage system.

11.2 All parking spaces and loading zones shall be provided with curbs and such curbs shall be constructed of asphalt, concrete or treated timber, installed and secured.

11.3 All parking spaces and loading zones that abut a landscaped area shall be bordered by a curb.

11.4 All parking and loading areas shall be provided with adequate lighting that is so arranged that all direct rays of artificial light are reflected upon the parking and loading areas and not on any adjoining parcel.

12. PAYMENT FOR PARKING

Where parking spaces are required under this Bylaw and parking is provided on site, fees may not be charged for such parking.

13. OFF-SITE PARKING SPACES

13.1 Excluding parking spaces required for Residential Zones, if sufficient parking spaces cannot be provided on the same lot, required parking spaces may be provided on a separate lot controlled by the municipality which is within 150 metres of the building, structure or use that the parking spaces are intended to serve, pursuant to Section 14, or on private property which is within 150 metres of the building structure or use that the parking spaces are intended to serve, pursuant to Section 13.3.

13.2 Off-site parking may be provided on one parking lot for one or more buildings, structure or use provided:

- (a) each building, structure or use must have parking spaces that are contiguous within the parking lot; and
- (b) the total number of parking spaces when used together must be at least the sum of the requirements for the various individual uses, except as permitted under section 13.4 of this Bylaw.

13.3 Off-site parking on private property must be secured by a Restrictive Covenant registered in favour of the District of Chetwynd under the following conditions:

- (a) restricting the use of the parcel in whole or in part, to off-street parking as long as required by this Bylaw;
- (b) the location and number of parking spaces provided off-site;
- (c) terms for the maintenance and, where applicable, the construction of the off-site parking;
- (d) the owner consents to pay the full cost of the preparation and registration of a Restrictive Covenant pursuant to section 219 of the *Land Title Act* on the title to the off-site parking lands;
- (e) the off-site parking shall be developed to the same standards as on-site parking; and
- (f) the approval of the District of Chetwynd.

- 13.4** Shared use of the same parking spaces to meet the requirements of two or more buildings, structures or uses is permitted where the hours of operation do not overlap and where a restrictive covenant is entered into with the approval of the District of Chetwynd.

14. PAYMENT IN LIEU OF PARKING SPACE REQUIREMENTS

- 14.1** At the option of the owner or occupier of a commercial development, where the required number of parking spaces cannot be met on the parcel of the development pursuant to Schedule “A” to this Bylaw, the off-street parking requirements may be met by providing cash in lieu payment to the municipality under the provisions of this Bylaw.
- 14.2** Cash in lieu payments may be paid only where the municipality owns and operates a parking facility within 150 metres from the use, land, building or structure.
- 14.3** The cash in lieu is \$2,000.00 per parking space and is payable to the municipality at the time of development approval or issuance of building permit, whichever is applicable, and in accordance with the *Local Government Act*.
- 14.4** Parking spaces provided under this section shall not be available on a reserved or dedicated basis within a municipal parking facility.

15. VISITOR PARKING

- 15.1** Visitor parking spaces shall be provided for non-occupants of multi-residential developments, excluding duplex, in accordance with this Bylaw.
- 15.2** Visitor parking spaces must be designated and clearly marked “Visitor Parking”.
- 15.3** All visitor parking is to be easily accessible to the access points of the corresponding buildings.
- 15.4** The following provisions of this Bylaw do not apply to Visitor Parking spaces:
(a) small car parking spaces; and
(b) cash in lieu of parking spaces.
- 15.5** The number of visitor parking spaces required for multi-residential developments is provided in Schedule “A” to this Bylaw.

16. PHYSICALLY DISABLED PERSONS’ PARKING SPACES

- 16.1** Every off-street parking area shall be provided with parking for physically disabled persons under this Bylaw.

- 16.2** Physically disabled parking spaces shall be provided in a ratio of one (1) for every twenty five (25) required parking spaces, or portion thereof, except for senior's residential developments under section 16.3 of this Bylaw.
- 16.3** Seniors' residential developments shall be provided with one (1) space for every six (6) required parking spaces.
- 16.4** Each disabled parking space shall be:
- (a) the minimum size under Schedule "B" to this Bylaw;
 - (b) located as close as possible to a main accessible building entrance;
 - (c) accessible to the building entrance by a drop curb to accommodate wheelchair access;
 - (d) be maintained with a firm, slip-resistant and level surface; and
 - (e) clearly identified for its restricted usage by a free-standing sign not less than one (1) metre high, incorporating the universal disability logo and indicating usage only by vehicles displaying an approved disabled parking permit.
- 16.5** Individuals with physical disabilities will be required to obtain and display an approved British Columbia Disability Parking Permit from the Social Planning and Research Council of British Columbia (SPARC).
- 16.6** Holders of valid Disability Parking Permits are entitled to park at any designated "Disabled Parking" space provided the Disability Parking Permit is displayed in the vehicle.
- 16.7** Registered owners of vehicles used to transport physically disabled persons may obtain and display a valid Disability Parking Permit only when actually using the vehicle for that purpose.

17. LOCATION, SITING AND DESIGN OF LOADING ZONES

- 17.1** All required off-street loading areas shall:
- (a) have the minimum dimensions set out in Schedule "B" to this Bylaw;
 - (b) have unobstructed access and egress from a highway;
 - (c) be sited at an elevation or elevations convenient to a service floor level in the building;
 - (d) be located on the same parcel as the use served, but not within the required front yard, nor closer than 15 metres to the nearest point of intersection of any 2 road allowances;
 - (e) be provided with adequate curbs in order to contain all vehicles within the loading zone and protect fences, walls, hedges or landscaped areas and buildings; and
 - (f) be clearly designated "Loading Zones".

- 17.2 The required number of loading zones is set out in Schedule “C” to this Bylaw.
- 17.3 When calculating off-street loading requirements, the gross floor area shall include the floor area of accessory buildings or basements, except where they are used for parking.
- 17.4 In the case of one or more uses of a building or structure, the total required number of off-street loading zones shall be the sum of the requirements for the individual uses.

18. ENFORCEMENT

The Bylaw Enforcement Officer and Director of Engineering and Public Works are authorized to administer this Bylaw.

19. ENTRY ON OR INTO PROPERTY

The Bylaw Enforcement Officer and Director of Engineering and Public Works are authorized to enter on or into any property in the municipality in accordance with section 16 of the *Community Charter*.

20. OBSTRUCTION

It shall be unlawful for any person to prevent or obstruct or seek to prevent or obstruct any official in or from the carrying out of an official duty under this Bylaw.

21. SEVERABILITY

If any portion of this Bylaw is held to be invalid by any Court of competent jurisdiction, the invalid portion shall be severed and shall not affect the validity of the remaining portions of this Bylaw.

22. REPEAL

“District of Chetwynd Off-street Parking Bylaw No. 424, 1987” and amendments thereto are hereby repealed.

Read a first time this	15 th	day of	November,	2010
Read a second time this	15 th	day of	November,	2010
Read a third time this	6 th	day of	December,	2010
Reconsidered and Adopted by Council this	20 th	day of	December,	2010

Mayor

Director of Corporate Administration

**DISTRICT OF CHETWYND
OFF-STREET PARKING
BYLAW NO. 931, 2010**

SCHEDULE “A”

OFF STREET PARKING REQUIREMENTS

GFA - Gross Floor Area

GFLA - Gross Floor Lease Area

USES	PARKING SPACE REQUIREMENTS
Agriculture	
Agriculture General	None required beyond spaces required for residential dwelling
Greenhouse and Plant Nursery	2 per 100m ² GFA retail sales area plus 1 per 100m ² GFA of yard and/or warehouse / greenhouse
Business and Industrial	
Bulk Fuel Depot and/or Cardlock	1 per employee on duty
Contractor Service Custom Indoor Manufacturing Industrial Light Industrial Support Services Utility Other industrial use not listed separately in this table	1 per 100m ² GFA or 3 per tenant/business
Industry Heavy Truck or Rail Terminal Warehouse and Storage Wholesale	0.5 per 100m ² GFA up to 1000m ² , plus 0.2 per additional 100m ² GFA
Recycling Centre/Sorting	2 per 100m ² GFA
Recycling Materials Drop Off Centre	2 per container

Commercial	
Amusement Arcade	5 per 100m ² GFA
Animal Shelter	2 plus 1 per employee
Auctions	1 per 3.5 seating spaces or 3.5 per 10m ² GFA
Broadcasting Studio Building & Garden Centre Equipment Minor Household Service Repair Personal Service Retail, Convenience Retail, Flea Market Retail, General Any Commercial Service not listed separately in this section	2.5 per 100m ² GFA
Business Support Services Offices	3.4 per 100m ² GFA
Fleet Services	1 per vehicle in fleet plus 1 per employee on duty
Funeral Service	1 per 4 seats
Gaming Facility	1 per 2 seating spaces, or 3.1 per 100m ² GFA used by patrons, whichever is greater
Health Service	4 per practitioner
Hotel Motel	1 per hotel room plus 1 per 4 seats in eating & drinking establishments
Liquor Establishment Restaurant	1 per 4 seats
Liquor Retail	4 per 100m ² GFA
Retail Farmers Market	4 per 100m ² GLFA
Service Financial Service Massage/Therapy Service Personal Service Pet Grooming	3.4 per 100m ² GFA
Service Station/Gas Bar	2.5 per 100m ² of GFA for retail sales plus 2 per service bay
Vehicle Rental	2 plus 1 per employee
Vehicle Repairs	2.2 per 100m ² GFA
Vehicle Sales	2 per service bay
Vehicle Wash	1 per wash bay
Veterinary Service	4 per veterinary

Community and Recreational	
Campground/RV Park	1 per camp site plus 1 per 10 sites for visitor parking
Clubs, Lodges and Halls	1 per 5 fixed seating spaces plus 20 per 100m ² of floor area used by patrons
Exhibition and Convention Facility	1 per 5 fixed seating spaces, plus 20 per 100m ² of floor area used by patrons
Library and Exhibit	2.5 per 100m ² GFA
Recreation, indoor	1 per 3.5 seats or 3.1 per 100m ² GFA used by patrons, whichever is greater
Recreation, outdoor	1 per 3.5 seats or 3.1 per 100m ² GFA used by patrons or, 5 per 4000m ² of area used for sports fields whichever is greater
Spectator Entertainment	1 per 3.5 seats

Institutional and Service	
College/University	10 per classroom
Emergency Services	10 per 100m ² of GFA (excludes parking garages)
Government Services	5 per 100m ² GFA
Hospital	4 per 100m ² GFA
Post Office	1 per 2 employees plus 1 for every 150 boxes
Religious Assembly	1 per 5 seats or 10 per 100m ² GFA, whichever is greater
Schools - Elementary	2 per classroom or 1 per 10 students (max capacity) which is greater
Schools - Secondary	5 per classroom or 1 per 5 students (max capacity) whichever is greater

Residential & Residential Related	
Apartments	1 per dwelling plus
Row Housing	1.5 per two bedroom or more dwellings plus
Stacked Row Housing	1 per 8 dwellings for visitor parking
Bed & Breakfast	1 per guest room
Congregate Housing	1 per 6 units
Duplex	2 per dwelling
Manufactured Home not in a Manufactured Home Park	
Multiple dwelling other than duplex	
Single Family	
Home Based Business	1 in addition to that required for the dwelling
Manufactured Home in a Manufactured Home Park	1 per dwelling unit plus 1 per 4 dwellings for visitors
Secondary Suites	1 per suite
Supportive Housing	1 per 3 dwelling units

**DISTRICT OF CHETWYND
OFF-STREET PARKING
BYLAW NO. 931, 2010**

SCHEDULE “B”

OFF-STREET PARKING AND LOADING ZONE DIMENSIONS

Dimensions of off-street parking and loading zones are as follows:

Parking Spaces	Minimum length of 5.8 metres Minimum width of 2.6 metres
Disabled Parking Spaces	Minimum length of 5.8 metres Minimum width of 4.5 metres
Small Car Spaces	Minimum length of 5 metres Minimum width of 2.4 metres
Loading Zones	Minimum length of 9 metres Minimum width of 3 metres

**DISTRICT OF CHETWYND
OFF-STREET PARKING
BYLAW NO. 931, 2010**

SCHEDULE “C”

LOADING ZONE REQUIREMENTS

Type of Development (Land Use)	Required Loading Spaces
Residential and Residential Related Uses	None
Commercial Uses, except those listed below Business and Industrial Uses	1 per 1,900 m ² , minimum 1
Hotel Motel Restaurant Liquor Primary Establishment, Minor Liquor Primary Establishment, Major	1 per 2,800 m ² , minimum 1
Institutional and Basic Service Uses Community, Recreational and Cultural Uses	1 per 2,800 m ² , minimum 1
Elementary School	3 per 100 students, minimum 5 plus minimum 3 bus loading spaces
Commercial Education High School University or College	1.5 per 100 students, minimum 5 plus minimum 3 bus loading spaces