

**CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

**PARKING BYLAW 1992**

**BYLAW NO. 2011**

**MAY, 2003**

***Consolidated for convenience. In case of discrepancy the original Bylaw or Amending Bylaws must be consulted.***

“PARKING BYLAW NO. 1992, NO. 2011”  
originally adopted by Council on April 5, 1993

The following list of amendments are included in this “Consolidated Bylaw”:

**Parking Bylaw, 1992, No. 2011**

**Bylaw No.**

Parking Bylaw Amendment Bylaw (No. 1), 1996	2251
Parking Bylaw Amendment Bylaw (No. 2), 1997	2305
Parking Bylaw Amendment Bylaw (No. 3), 1999	2356
Parking Bylaw Amendment Bylaw (No. 4), 1999	2392
Parking Bylaw Amendment Bylaw (No. 5), 2001	2460

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**CORPORATION OF THE TOWNSHIP OF ESQUIMALT**

**BYLAW NO. 2011**

A Bylaw to require the provision of off-street parking and loading within the Corporation of the Township of Esquimalt.

WHEREAS Council may pursuant to Section 964 of the "Municipal Act" require owners or occupiers of any land, building or structure to provide off-street parking and loading for the use, building or structure, including spaces for use by disabled persons;

NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF ESQUIMALT, in open meeting assembled, enacts as follows:

1. **Citation**

This Bylaw may be cited for all purposes as the "PARKING BYLAW, 1992, NO. 2011".

## **PART 1 - INTERPRETATION**

### **2. DEFINITIONS**

- (1) Words and phrases defined in the Zoning Bylaw shall have the same meaning in this Bylaw.
- (2) Words and phrases used in this Bylaw that are not included in this section or in the Zoning Bylaw shall have the meanings which are commonly assigned to them in the context in which they are used in the Bylaw.
- (3) Unless otherwise specified, the following definitions apply:

"Loading Area" means an area of a Parcel or Structure used for Loading Spaces and related access purposes.

"Loading Space" means space used only for the delivery of goods to and from motor vehicles.

"Parcel" means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

"Parking Area" means an area of a Parcel or Structure used for parking motor vehicles and related access purposes.

"Parking Space" means a space marked out in a Parking Area and used only for the parking of motor vehicles.

"Principal Building" means a Structure accommodating the Principal Use of a Parcel.

"Structure" means anything that is erected or constructed that is attached to, supported by or sunk into land or water, excluding landscaping, surfacing improvements, fences and retaining walls under 1.0 m in height.

"Use" means the purpose for which any land, building or Structure is designed, arranged or intended, occupied or maintained.

"Zoning Bylaw" means Zoning Bylaw, 1992, No. 2050" and includes any bylaw which amends or replaces that bylaw.

2. **PART 2 - APPLICATION, COMPLIANCE, AND SEVERABILITY**

3. **APPLICATION**

This Bylaw applies to all land, buildings and structures within the Township, subject to Section 964 of the *Municipal Act* and to the provisions of provincial and federal statutes.

4. **COMPLIANCE**

- (1) The owners and occupiers of land, buildings and Structures shall provide Parking Spaces and Loading Spaces for each use, building or Structure in accordance with this Bylaw.
- (2) No building or Structure shall be constructed, reconstructed, moved or extended until Parking Spaces and Loading Spaces are provided in accordance with this Bylaw.
- (3) The use of any land, building or Structure may not be altered to any other use requiring a greater number of Parking Spaces or Loading Spaces than were required for the use in existence when this Bylaw came into force, until the spaces required by this Bylaw are provided.

5. **SEVERABILITY**

Any section or lesser portion of this Bylaw which is held to be invalid by a Court may be severed from the balance of this Bylaw without affecting validity of the remaining portions of this Bylaw.

## **PART 3 - ADMINISTRATION AND ENFORCEMENT**

### **6. ADMINISTRATION**

- (1) The Director of Planning and Engineering Services and other persons appointed by Council from time to time are authorized to administer this Bylaw.
- (2) Persons appointed under Section 6(1) may enter any property subject to this Bylaw at all reasonable times for the purpose of ascertaining whether this Bylaw is being observed.

### **7. OBSTRUCTION**

No person shall prevent or obstruct any official appointed under Section 6(1) from carrying out their powers or duties under this Bylaw.

### **8. OFFENCE AND PENALTY**

- (1) Every person who violates any of the requirements of this Bylaw commits an offence punishable upon summary conviction and is liable to a penalty of not less than \$50.00, nor more than \$2,000.00.
- (2) Each day that a violation of this Bylaw is caused to continue constitutes a separate offence.

## **PART 4 - GENERAL REGULATIONS**

### **9. PROVISION AND MAINTENANCE OF OFF-STREET PARKING AND LOADING AREAS**

- (1) Required Parking Spaces, Loading Spaces and manoeuvring aisles shall be provided and maintained on the same Parcel as the use, building or Structure for which they are required.
- (2) All required Parking Spaces and Loading Spaces shall be completed prior to commencement of a use and prior to the issuance of an occupancy permit.
- (3) Parking, loading and storage of vehicles is not permitted within any required landscaped area.
- (4) Parking Spaces in Residential zones shall be located no closer to the Front Lot Line than the front face of the Principal Building.
- (5) Any area of a Parcel used for parking or loading shall be constructed so as to permit unobstructed access to and egress from 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 Tables 2 and 3.
- (6) Notwithstanding Section 9(1), up to 40% of the off-street parking as required by this bylaw, may be located on adjacent parcels provided that:
  - a) the spaces are built and are accessible at specified times in accordance with the standards of this bylaw;
  - b) the spaces are within 200 metres of the parcel for which they are required; and
  - c) the continued use of parking spaces is ensured through the registration of a covenant, easement or land use contract in favour of the benefiting party and which cannot be extinguished without the approval of the Municipality.
- (7) Section 9 (4) shall not apply to Single or Two Family Dwellings built prior to September 16, 1957.

### **10. DESIGN OF PARKING AREAS**

- (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.
- (2) Each Parking Space and manoeuvring aisle in all Parking Areas shall be surfaced with asphalt, concrete, paving blocks, or other durable dust-free material.

- (3) Parking Areas shall be graded to prevent surface drainage being directed to adjacent lands, and shall be drained to a municipal storm drainage system.
- (4) The boundaries between each Parking Space shall be clearly delineated by means of painted lines on the parking surface or by means of vehicle stops.

11. **VISITOR PARKING**

- (1) On land located in Multiple Residential Zones, 1 of every 4 required Parking Spaces shall be designated and clearly marked as "Visitor Parking" and shall be available for use by non-occupants of the Parcel at all times.
- (2) In a mixed residential/commercial development, required Parking Spaces may be assigned to commercial use but shall not comprise more than 15% of the space required for the commercial use component.

12. **DISABLED PERSONS' PARKING SPACES**

- (1) In any Development requiring 25 or more Parking Spaces, Disabled Persons' Parking Spaces shall be provided in a ratio of 1 for every 50 required Parking Spaces, plus 1 space for any remainder in excess of the required number of spaces divided by 50.
- (2) Seniors' housing complexes shall provide Disabled Persons' Parking Spaces in a ratio of 1 for every 6 required Parking Spaces.
- (3) Each Disabled Persons' Parking Space shall be a minimum of 3.7 m in width and shall occupy the portion of the Parking Area nearest to the building entrance that accommodates wheelchair access.
- (4) Drop curbs to accommodate wheelchair access shall be provided on any curb between a Disabled Persons' Parking Space and the building entrance.
- (5) Each Disabled Persons' Parking Space shall have a firm, slip-resistant and level surface.
- (6) Each Disabled Persons' Parking Space shall be marked by signage or pavement markings to indicate usage only by vehicles displaying an approved disabled permit obtained from the Resource Centre for Independent Living (RCIL)

**PART 5 - PARKING REQUIREMENTS**

13. **NUMBER OF OFF-STREET PARKING SPACES**

- (1) The minimum number of Parking Spaces required for each use, building or Structure shall be calculated in accordance with Table 1.

**TABLE 1**

<b><u>Use, Building or Structure</u></b>	<b><u>Required Parking Spaces</u></b>
<b>(a) <u>RESIDENTIAL</u></b>	
(i) Single Family	1 space per dwelling unit
(ii) Single Family Bed and Breakfast	3 spaces per dwelling unit
(iii) Two Family	1 space per dwelling unit
(iv) Low, medium and High density Townhouse and low density Apartment (RM-1, RM-2, RM-3)	2 spaces per dwelling unit
(v) Medium and High density apartment (RM-4 and RM-5) and apartments within commercial zones	1.30 spaces per dwelling unit  0.50 spaces per dwelling unit
(vi) Senior Citizens apartments	
<b>(b) <u>COMMERCIAL</u></b>	
(i) Convenience Store	1 space per 35 sq. m. of gross floor area with a minimum of 4 spaces
(ii) Restaurant	1 space per 5 seats with a minimum of 1 space per 14 sq. m. of gross floor area
(iii) Entertainment (theatres, halls, arcades)	1 space per 5 seats with a minimum of 1 space per 14 sq. m. of gross floor area
(iv) Retail Sales of goods and services	1 space per 25 sq. m. of gross floor area
(v) Mixed Commercial/Residential	Commercial requirement per use plus residential requirement
(vi) Business and Professional Offices	1 space per 30 sq. m. of gross floor area
(vii) Financial Institutions	1 space per 25 sq. m. of gross floor area
(viii) Hotels	1 space per guest room
(ix) Motels	1 space per rental unit

(x) Service Station, including automobile repair, servicing and body shops and car wash	3 spaces per service bay
<b>Table 1</b> continued...	
(xi) Museum	1 space per 10 sq. m. gross floor area
(xii) Licensed liquor establishments	1 space per 5 seats with a minimum of 1 space per 14 sq. m. of gross floor area
(xiii) Other Commercial	1 space per 25 sq. m. gross floor area
<b>(c) INDUSTRIAL</b>	
(i) Warehouse - storage	1 space per 250 sq. m. gross floor area
(ii) Warehouse - wholesale outlet	1 space per 25 sq. m. gross floor area
(iii) Manufacturing - light	1 space per 100 sq. m. gross floor area
(iv) Manufacturing - heavy	1 space per 50 sq. m. site area
(v) Repair Shops (other than automobile repair, servicing and body shops)	1 space per 100 sq. m. gross floor area
(vi) Electrical Substations and Gas Pressure Reduction Facilities	1 space
(vii) Other Industrial	1 space per 25 sq. m. gross floor area
<b>(d) PUBLIC INSTITUTIONAL</b>	
(i) Schools - Elementary and Junior Secondary	1.5 spaces per classroom
(ii) Schools - Senior Secondary	3.5 spaces per classroom
(iii) Churches	1 space per 10 seats
(iv) Golf Course - 18 hole	150 spaces plus 1 space per tee for driving range
<b>(e) MARINE COMMERCIAL</b>	
(i) Boat Rental	1 space per rental unit
(ii) Passenger Charter Service	3 spaces per charter boat
(iii) Pleasure and Commercial Boat Moorage	1 space per 4 berths
(iv) Liveaboards and Floating Homes	1 space per dwelling unit

- (2) If a use, building or Structure is not listed in Table 1, the number of spaces required shall be calculated on the basis of the most similar use that is listed.
- (3) Unless otherwise provided in Table 1, if a development contains more than one use or involves collective parking for more than one building or use, the total number of spaces required shall be the sum of the various classes of uses calculated separately and any space required for one use shall not be included in the calculations for any other use.
- (4) Where the calculation of the total required spaces results in a fractional number, rounding off to the larger whole number shall apply.
- (5) Where all of the following criteria are met in a commercial or industrial building, the off-street parking requirement of Section 13(1) may be reduced by a maximum of two [2] spaces:
  - 2 or more secure bicycle parking spaces are provided on-site
  - shower and change rooms are provided within the building
  - 6 visitor bicycle parking spaces are provided on-site
  - the building is located within 200 metres of a regional bus route.

14. **DIMENSIONS OF OFF-STREET PARKING SPACES**

- (1) Parking Spaces provided in conjunction with any single family or two family land use shall be a minimum of 2.6 m wide by 5.5 m deep provided that up to 50% of the total required Parking Spaces may be designed for small cars by reducing the depth of stall to 4.5 m.
- (2) Parking Areas provided in conjunction with any multiple family residential land use shall conform to Table 2 provided that:
  - (a) up to 50% of the total required Parking Spaces may be designed for small cars by reducing the depth of stall for 90 degree parking from 5.5 m to 4.5 m;
  - (b) small car spaces are clearly designated for that use.
- (3) An off-street parking area provided for any non-residential land use shall conform to Table 3 provided that:
  - (a) up to 50% of the total required off-street Parking Spaces may be designed for small cars, by reducing the depth of stall for 90 degree parking from 5.5 m to 4.5 m, and the width of stall to 2.4 m.
  - (b) small car spaces are clearly designated for that use.
- (4) Notwithstanding the provisions of Tables 2 or 3 or Section 12, where any Parking Space abuts any portion of a fence or Structure, the minimum stall width shall be increased by 0.3 m for that Parking Space.

**TABLE 2**

Parking Angle In Degrees	Minimum Width of Stall	Minimum Depth Perpendicular to Manoeuvring Aisle	Minimum Width of Stall Parallel to Manoeuvring Aisle	Minimum Width of Manoeuvring Aisle
0	2.4m	2.4m	6.7m	3.7m one way
30	2.4m	4.8m	4.9m	3.7m one way
45	2.4m	5.6m	3.4m	3.7m one way
60	2.4m	6.0m	2.8m	6.4m two way
90	2.4m	5.5m	2.4m	7.9m two way*
90	2.6m	5.5m	2.6m	7.6m two way*
90	2.75m	5.5m	2.75m	7.3m two way*

\* The minimum width for a manoeuvring aisle accessing only one bank of parking shall be 6.75m.

**TABLE 3**

Parking Angle In Degrees	Minimum Width of Stall	Minimum Depth Perpendicular to Manoeuvring Aisle	Minimum Width of Stall Parallel to Manoeuvring Aisle	Minimum Width of Manoeuvring Aisle
0	2.6m	2.6m	7.0m	3.7m one way
30	2.6m	5.0m	5.2m	3.7m one way
45	2.6m	5.7m	3.7m	3.7m one way
60	2.6m	6.0m	3.0m	6.1m two way
90	2.6m	5.5m	2.6m	7.6m two way*

\* The minimum width for a manoeuvring aisle accessing only one bank of parking shall be 6.75m.

**PART 6 - LOADING REQUIREMENTS**

**14. NUMBER OF OFF-STREET LOADING SPACES**

The minimum number of Loading Spaces required for each use, building or Structure shall be calculated in accordance with Table 4.

**15. LOCATION, SITING, AND DESIGN OF LOADING AREAS**

All required off-street Loading Areas shall:

- (1) provide Loading Spaces having dimensions of not less than 3m in width, 7.5m in length, and a minimum 4.25m of clearance between the surface of the Loading Space and any Structure above;
- (2) have unobstructed vehicular access and egress from a street;
- (3) be graded and drained in accordance with accepted engineering standards to ensure that no drainage is directed to adjacent lands; and
- (4) be clearly designated as Loading Areas.

**TABLE 4**

On land located in Commercial Zones under the Zoning Bylaw, Loading Spaces shall be provided as follows:	
<u>TOTAL FLOOR AREA</u>	<u>SPACES REQUIRED</u>
0-700 sq.m.	0
700 - 1400 sq.m.	1
For each additional 1400 sq.m or portion thereof	1
On land located in Industrial Zones under the Zoning Bylaw, Loading Spaces shall be provided as follows:	
<u>TOTAL FLOOR AREA</u>	<u>SPACES REQUIRED</u>
0-700 sq.m.	1
700 - 1400 sq.m.	2
2800 - 4200 sq.m.	3
For each additional 2300 sq.m. or portion thereof	1

Read a first time by the Municipal Council on 17th August, 1992.

Read a second time by the Municipal Council on 17th August, 1992.

Read a third time by the Municipal Council on 7th December, 1992.

Third reading reconsidered and amended by the Municipal Council on 29th March, 1993.

RECONSIDERED and FINALLY ADOPTED by the Municipal Council on 5th April, 1993.

C.J.E. CLEMENT  
MAYOR

R. SERIGHT  
MUNICIPAL CLERK