



**City of Duncan**

**Off-Street Parking and Loading Bylaw No. 1556, 1988**

**(With Amendments to July 12, 2004)**

**Consolidated for Convenience Only**

This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws of this subject

**THE CORPORATION OF THE CITY OF DUNCAN  
BYLAW NO.1556**

**A BYLAW 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 LANDS  
WITHIN THE CITY OF DUNCAN**

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

**AND WHEREAS** the Council 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 Council of the City of Duncan, in open meeting assembled enacts as follows:

**PART ONE**

**TITLE**

- 1.1 This bylaw may be cited for all purposes as “City of Duncan Off-Street Parking and Loading Bylaw No. 1556, 1988”.
- 1.2 The Off-Street parking and loading standards established in “City of Duncan Zoning Bylaw No. 1207, 1979” are hereby repealed.

**PART TWO**

**ADMINISTRATION**

- 2.1 The Administrator, being an Officer; the Building Inspector and Public Works Superintendent and such other persons as may be named by resolution of Council, all being employees of the City of Duncan, are designated to act in the place of the Administrator for the purpose of this bylaw 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 bylaw 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 of 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, Public Works Superintendent or other person named by Council under Section 2.1 to administer this bylaw 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 meters used or intended for supporting or sheltering any use or occupancy;

**“Church”** means an assembly building used for public worship;

**“Community shopping center”** means a group of retail stores, offices and service establishments having a gross floor area equal to or greater than 1400 square meters but less than 9,000 square meters.;

**“Convenience store”** means a retail sales outlet contained under one roof, having a floor area not exceeding 200 square meters 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;

**“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;

**“Neighborhood shopping center”** means a group of retail stores, offices and service establishments having gross floor area of less than 1400 square meters;

**“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 center”** means a group of retail stores, offices and service establishments having a gross floor area equal to or greater than 9,000 square meters;

**“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;

## **PART 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 II 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 meters 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.
- (b) Notwithstanding the preceding requirement, parking spaces in the C-1 (General Commercial) Zone and C-2 (Office Commercial) Zone may be provided on a different lot from the one they are to serve provided that such provision is not more than 153 meters distance from the lot served, measured along the line of public access; provided also, if the lot on which the parking spaces are situated forms part of a separate Land Registry parcel, that there is registered against its title an easement pertaining to the lot housing the building providing for such parking requirements, and there is registered a covenant in favor of the City in terms of the Land Title Act that the easement will not be cancelled while this bylaw applies to the dominant property.

**Amended  
#1971**

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 meters wide, 9.0 meters long and have a clear height of not less than 4.0 meters.
- (c) Off-street parking spaces must not be closer than 1 meter from any street.
- (d) Off-street parking spaces must have a vehicle stop within each parking space not less than 1 meter from the front end of the parking space except where a front end of a parking space abuts a rear end of another parking space.

4.6 Small Vehicle Spaces

- (a) Notwithstanding the provisions of Section 4.5 with respect to a parking area containing more than 10 parking spaces on one parcel, up to 20 percent of the total required number of parking spaces may be reduced to 4.6 meters in length provide that each parking space is clearly 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 meters 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.
- (c) Parking spaces shall be provided in an area which permits unobstructed access to an egress from each parking space at all times.

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 meters in width and a minimum depth of 5.8 meters;
  - (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 designed for sole use by disabled persons.

4.10 Notwithstanding the off-street parking and loading provisions of this bylaw those land identified in Schedule “A” which is attached to and forms part of this bylaw are exempt from the requirements to provide off-street parking and loading spaces, except that this in no way prevents the City of Duncan from enacting a bylaw pursuant to Section 964 to require a payment towards the establishment and operation of one or more City owned and operated parking facility as an alternative to an owner providing off-street parking.

**TABLE I**

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#1804

<b>COLUMN I</b>	<b>COLUMN II</b>	<b>COLUMN III</b>
<b><u>Class of Building</u></b>	<b><u>Required Parking Spaces</u></b>	<b><u>Required Loading spaces</u></b>
Assembly use	1 space per 3 seats	1 space for passenger loading for every 100 square meters of gross floor area or a fraction thereof
Bank/Credit Union (or similar financial institution)	1 parking space per 20 square meters gross floor area	1 space
Barbershop/Beauty parlor/Health exercise centre	1 space per 12.0 square meters or a minimum of 4 spaces	0 spaces
Bed & Breakfast Accommodation	1 space per room of guest accommodation	0 spaces
Car Wash (automatic)	Nil parking spaces, but requires approach storage space equal to four spaces per bay	0 spaces
College/University	1 space per employee plus 1 space per 5 students	1 space for each 3,000 square meters of gross floor area or a fraction thereof
Dry cleaning	2 parking spaces plus 1 parking space per 46 square meters	The same as for “Warehouse Use”
Dwelling Units (where a building contains two or less dwelling units)	2 spaces per dwelling unit plus 1 space for each boarder or lodger	0 spaces

Dwelling Units (where a building contains three or more dwelling units) and including subsidized dwelling units	1.2 spaces per dwelling unit	0 spaces
Funeral Home	1 space per 4 seats	1 space
Home Occupation	1 space per non-resident employee plus required dwelling unit parking	
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
Laboratories, medical, dental, veterinary clinics and offices used for medical or dental services	1 parking space for every 30 square meters of gross floor area	1 space
Laundromat	1 parking space per 3 washing machines	1 space
Manufacturing	1 space for every 100 square meters of gross floor area	The same as for "Warehouse Use"
Motel/Hotel	1.1 spaces per sleeping unit	1 bus passenger unloading space plus 1 loading space for each 900 square meters of gross floor area greater than 700 square meters 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 meters of gross floor area	2 spaces

Motor Vehicle Repair Facility	1 space per 2 employees plus 2 spaces per service bay	1 space
Neighborhood Pub	1 space per 3 seats	1 space for every 200 square meters of gross floor area or fraction thereof
Nursery (commercial plant)	1 parking space per 15 square meters gross floor area of retail sales building plus one per 465 square meters of outside display	The same as for "Warehouse Use"
Office	1 space per 35 square meters of gross floor area	1 space
Recreation use (commercial and public)	1 space per 10.0 square meters of gross floor area or 1 space for each 3 seats whichever is greater	1 space for each 3,000 square meters of gross floor area or a fraction thereof
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	1 passenger loading space for every four classrooms or a fraction thereof plus 1 loading space for every 3,000 square meters 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 four classrooms or a fraction thereof plus 1 loading space for every 3,000 square meters of gross floor area or a fraction thereof

Senior Citizens' Residences	0.35 spaces per senior citizens' unit plus 1 space each for manager and other operational units	1 space
Shopping Center (community)	5.5 spaces per 100 square meters gross leaseable area	The same as for "Neighborhood Shopping Center"
Shopping Center (neighborhood)	6.5 spaces per 100 square meters gross leaseable area	1 loading space for every 150 square meters of gross floor area
Shopping Center (regional)	5.1 spaces per 100 square meters gross leaseable area	The same as for "Neighborhood Shopping Center"
Small appliance, domestic tools, retail sales & service	1 space per 40 square meters of gross floor area	1 space
Store (Convenience)	1 space per 30 square meters of gross floor area	1 space
Store (Retail)	1 space per 30 square meters of gross floor area	1 space for buildings less than 700 square meters of gross floor area and 1 additional space for each additional 500 square meters of 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
Warehouse/Wholesale Use	1 space minimum per business use plus 1 space per 185 square meters of gross floor area whichever is greater	1 space for buildings of less than 700 square meters of gross floor area. 1 space for each additional 700 square meters of gross floor area for buildings greater than 700 square meters in area to a maximum of 4 spaces

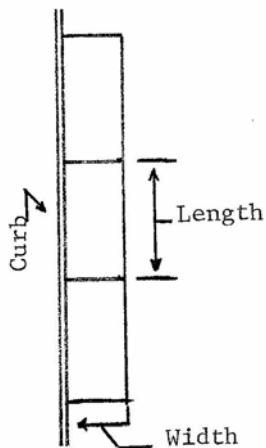
**TABLE II**

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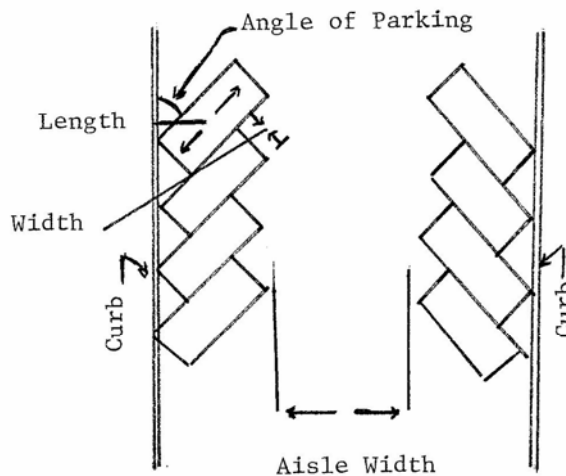
**REQUIRED PARKING SPACE AND AISLE DIMENSIONS**

Where the angle of the parking is	Minimum width of parking space		Minimum length of parking space		Minimum maneuvering aisle width	
	Meters	feet	Meters	feet	Meters	feet
0° Parallel	2.8	(9)	7.0	(23)	3.7	(12)
30°	2.8	(9)	5.8	(19)	3.7	(12)
45°	2.8	(9)	5.8	(19)	4.0	(13)
60°	2.8	(9)	5.8	(19)	5.5	(18)
90°	2.8	(9)	5.8	(19)	7.3	(24)

Parallel Parking



Angle Parking



THIS BYLAW shall take effect upon its adoption by Council.

READ THE FIRST TIME on the 14<sup>th</sup> day of November, 1988.

READ THE SECOND TIME on the 14<sup>th</sup> day of November, 1988.

READ THE THIRD TIME on the 14<sup>th</sup> day of November, 1988.

RECONSIDERED, ADOPTED and FINALLY PASSED on the 12<sup>th</sup> day of  
December, 1988 by the Municipal Council.

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Clerk of the Municipal Council  
of The Corporation of the City  
of Duncan.

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Mayor

This Bylaw has been consolidated for convenience only and includes amendments from:

Bylaw No. 1731, 1993 – Adopted October 25, 1993

Bylaw No. 1803, 1996 – Adopted June 10, 1996

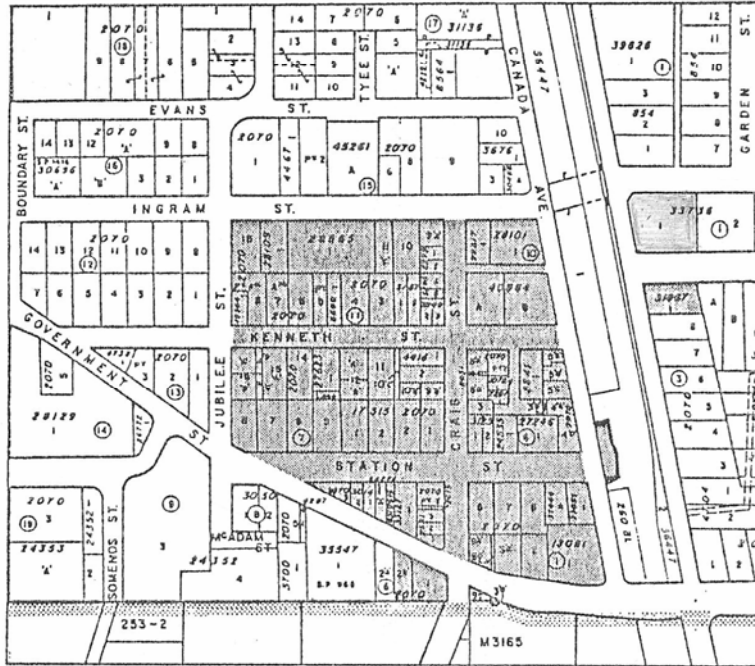
Bylaw No. 1804, 1996 – Adopted June 10, 1996

Bylaw No. 1847, 1998 – Adopted Feb 23, 1998

Bylaw No. 1971, 2004 – Adopted July 12, 2004

Amended  
# 1731

### SCHEDULE 'A'



Area exempt from the requirement to provide off-street parking and loading spaces.