

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

PARKING BYLAW, 1992, NO. 2011

CONSOLIDATED FOR CONVENIENCE
June 30, 2022

**In case of discrepancy, the original Bylaw
or Amending Bylaws must be consulted.**

Consolidates Amendments authorized by:

- Amendment Bylaw (No. 1), 1996, No. 2251
- Amendment Bylaw (No. 2), 1997, No. 2305
- Amendment Bylaw (No. 3), 1999, No. 2356
- Amendment Bylaw (No. 4), 1999, No. 2392
- Amendment Bylaw (No. 5), 2001, No. 2460
- Amendment Bylaw (No. 6), 2018, No. 2909
- Amendment Bylaw, 2021, No. 3013
- Amendment Bylaw, 2021, No. 3014

TABLE OF CONTENTS

<u>PARKING BYLAW</u>		<u>Page</u>
	1. Citation	1
PART 1	INTERPRETATION	
	2. Definitions	2
PART 2	APPLICATION, COMPLIANCE, AND SEVERABILITY	
	3. Application	3
	4. Compliance	3
	5. Severability	3
PART 3	ADMINISTRATION AND ENFORCEMENT	
	6. Administration	4
	7. Obstruction	4
	8. Offence and Penalty	4
PART 4	GENERAL REGULATIONS	
	9. Provision and Maintenance of Off-Street Parking and Loading Areas	5
	10. Design of Parking Areas	5
	11. Visitor Parking	6
	12. Parking Spaces for Persons with Disabilities	6
PART 5	PARKING REQUIREMENTS	
	13. Number of Off-Street Parking Spaces	7
	14. Dimensions of Off-Street Parking Spaces	9
PART 6	LOADING REQUIREMENTS	
	15. Number of Off-Street Loading Spaces	11
	16. Location, Siting, and Design of Loading Areas	11

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 525 of the *Local Government 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; [**Amendment No. 6, 2019, Bylaw 2909**]

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:

“Electric Vehicle Charger” means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch circuit and an electric vehicle. **[Amendment Bylaw 2021, No. 3014]**

“Electric Vehicle Energy Management System” means a system consisting of monitors, communications equipment, controllers, timers and other applicable devices used to control electric vehicle supply equipment loads through the process of connecting, disconnecting, increasing, or reducing electric power to the loads. **[Amendment Bylaw 2021, No. 3014]**

“Energized Electric Vehicle Outlet” means a connected point in an electrical wiring installation at which current is taken and a source of voltage is connected to supply utilization equipment for the specific purpose of charging an electric vehicle. **[Amendment Bylaw 2021, No. 3014]**

“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.

“Persons with Disabilities” 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. **[Amendment No. 6, 2019, Bylaw 2909]**

“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.

PART 2 - APPLICATION, COMPLIANCE, AND SEVERABILITY

3. APPLICATION

This Bylaw applies to all land, buildings and structures within the Township. **[Amendment No. 6, 2019, Bylaw 2909]**

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 Township's Director of Development Services, Director of Engineering and Public Works and Bylaw Enforcement Officers, and their respective designates may administer and enforce this Bylaw, as may other officers, employees and agents appointed by Council from time to time. **[Amendment No. 6, 2019, Bylaw 2909]**
- (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) A person who contravenes, violates or fails to comply with any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable upon conviction of a fine of not more than \$10,000 (Ten Thousand Dollars) and subject to any other penalty or order imposed or remedies available to the Township pursuant to the *Community Charter*, SBC, 2003, c. 26, as amended from time to time, and the *Offence Act*, RSBC, 1996, c. 338, as amended from time to time.
- (2) Where an offence under this Bylaw is of a continuing nature, each day that the offence continues or is permitted to continue shall constitute a separate offence.
- (3) This Bylaw may be enforced pursuant to the Bylaw Notice Enforcement Bylaw, 2014, No. 2839, as amended from time to time, and the Ticket Information Utilization Bylaw, 2005, No. 2619, as amended from time to time.

[Amendment No. 6, 2019, Bylaw 2909]

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.
- (8) Section 9(4) shall not apply to Parking Spaces required for Detached Accessory Dwelling Units, which may be provided in tandem (stacked) with the principal unit's parking space. **[Amendment Bylaw 2021, No. 3013]**

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.
- (5) Electric Vehicle Charging Infrastructure:
 - (a) Each Parking Area shall be designed and constructed to include electric vehicle charging infrastructure in accordance with the provisions of this Bylaw.
 - (b) All Energized Electric Vehicle Outlets shall provide, at a minimum, a Level 2 electric charging level as defined by SAE International's J1772 standard.
 - (c) Energized Electric Vehicle Outlets shall be labelled for their intended use for electric vehicle charging only.
 - (d) Energized Electric Vehicle Outlets shall not be placed within the minimum vehicle Parking Space dimensions or drive aisles as identified in this Bylaw.
 - (e) An Energized Electric Vehicle Outlet shall be assigned to an individual vehicle Parking Space and shall be located no further than 1.0 m from that stall.
 - (f) Where an Electric Vehicle Energy Management System is provided to fulfil the requirements of this Bylaw, the Electric Vehicle Energy Management System must meet the requirements set out in Schedule A to this Bylaw, which schedule forms part of this Bylaw. **[Amendment Bylaw 2021, No. 3014]**

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. **PARKING SPACES FOR PERSONS WITH DISABILITIES**

- (1) In any Development requiring 25 or more Parking Spaces, Parking Spaces for Persons with Disabilities 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. **[Amendment No. 6, 2019, Bylaw 2909]**
- (2) Congregate Care Senior Citizens' Apartments, other seniors' housing complexes and Rest Homes shall provide Parking Spaces for Persons with Disabilities in a ratio

of 1 for every 6 required Parking Spaces. **[Amendment No. 6, 2019, Bylaw 2909]**

- (3) Each parking space for Persons with Disabilities shall:
- a) not be less than 2.4 m wide;
 - b) provide a parallel abutting access aisle not less than 1.5 m wide;
 - c) have a firm, slip-resistant surface;
 - d) be located close to an entrance to the primary building, structure or use of the property;
 - e) provide drop curbs to accommodate wheelchair access between parking spaces for Persons with Disabilities and the entrance to a building;
 - f) be clearly marked as being for the use of Persons with Disabilities; and
 - g) be identified by a sign located not less than 1.5 m above ground level, with the international symbol of accessibility and the words "Permit Required".
- [Amendment No. 6, 2019, Bylaw 2909]**
- (4) If more than one parking space is provided for Persons with Disabilities, a single access aisle can serve two adjacent parking spaces. **[Amendment No. 6, 2019, Bylaw 2909]**
- (5) Deleted **[Amendment No. 6, 2019, Bylaw 2909]**
- (6) Deleted **[Amendment No. 6, 2019, Bylaw 2909]**

PART 5 - PARKING REQUIREMENTS

13. NUMBER OF OFF-STREET PARKING SPACES

[Amendment Bylaw 2021, No. 3014]

- (1) The minimum number of Parking Spaces required for residential use shall be calculated in accordance with Table 1.
- (2) The minimum number of Parking Spaces required for all uses other than residential use shall be calculated in accordance with Table 2.
- (3) The minimum number of Energized Electric Vehicle Outlets required for residential use shall be calculated in accordance with Table 1.
- (4) Section 13(3) does not apply to:
 - (a) Visitor Parking Spaces; or
 - (b) A building prior to the date of adoption of this Bylaw or for which a development application has been submitted prior to the date of adoption of this Bylaw.

TABLE 1 – RESIDENTIAL

[Amendment Bylaw 2021, No. 3014]

Use, Building or Structure	Required Parking Spaces	Minimum Number of Energized Electric Vehicle Outlets
Single Family Dwelling	1 space per dwelling unit	1 per required parking space
Single Family Bed and Breakfast	3 spaces per dwelling unit	1 outlet
Two Family Dwellings	1 space per dwelling unit	1 per required parking space
Townhouse and Low Density Apartment zones	2 spaces per dwelling unit	1 per required parking space
Medium and High Density Apartment zones	1.3 spaces per dwelling unit	1 per required parking space
Senior Citizens Apartment	0.5 spaces per dwelling unit	1 per required parking space
Liveaboards and Floating Homes	1 space per dwelling unit	1 per required parking space

TABLE 2 – COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL
[Amendment Bylaw 2021, No. 3014]

<u>Use, Building or Structure</u>	<u>Required Parking Spaces</u>
COMMERCIAL	
Convenience Store	1 space per 35 sq. m. of gross floor area with a minimum of 4 spaces
Restaurant	1 space per 5 seats with a minimum of 1 space per 14 sq. m. of gross floor area
Entertainment (theatres, halls, arcades)	1 space per 5 seats with a minimum of 1 space per 14 sq. m. of gross floor area
Retail Sales of goods and services	1 space per 25 sq. m. of gross floor area
Mixed Commercial/Residential	Commercial requirement per use plus residential requirement
Business and Professional Offices	1 space per 30 sq. m. of gross floor area
Financial Institutions	1 space per 25 sq. m. of gross floor area
Hotels	1 space per guest room
Motels	1 space per rental unit
Service Station, including automobile repair, servicing and body shops and car wash	3 spaces per service bay
Museum	1 space per 10 sq. m. gross floor area
Licensed liquor establishments	1 space per 5 seats with a minimum of 1 space per 14 sq. m. of gross floor area
Other Commercial	1 space per 25 sq. m. gross floor area
INDUSTRIAL	
Warehouse - storage	1 space per 250 sq. m. gross floor area
Warehouse - wholesale outlet	1 space per 25 sq. m. gross floor area
Manufacturing - light	1 space per 100 sq. m. gross floor area
Manufacturing - heavy	1 space per 50 sq. m. site area
Repair Shops (other than automobile repair, servicing and body shops)	1 space per 100 sq. m. gross floor area
Electrical Substations and Gas Pressure Reduction Facilities	1 space

Regional Sewage Pumping Facility which may include a Sewage Screening Facility	4 spaces
Other Industrial	1 space per 25 sq. m. gross floor area
PUBLIC INSTITUTIONAL	
Schools - Elementary and Junior	1.5 spaces per classroom
Schools - Senior Secondary	3.5 spaces per classroom
Churches	1 space per 10 seats
Golf Course - 18 hole	150 spaces plus 1 space per tee for driving range
MARINE COMMERCIAL	
Boat Rental	1 space per rental unit
Passenger Charter Service	3 spaces per charter boat
Pleasure and Commercial Boat Moorage	1 space per 4 berths

- (5) 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.
- (6) Unless otherwise provided in Table 1 or Table 2, 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.
- (7) Where the calculation of the total required spaces results in a fractional number, rounding off to the larger whole number shall apply.
- (8) Where all of the following criteria are met in a commercial or industrial building, the off-street parking requirement of Section 13(2) 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 3 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 3 or 4 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 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	2.4m	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 4

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

15. 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 5.

16. 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 5

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
Notwithstanding the preceding, the number of Loading Spaces required for Regional Sewage Pumping Facility that may or may not include a Sewage Screening Facility is one (1). [Amendment No. 6, 2019, Bylaw 2909]	

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

SCHEDULE A
[Amendment Bylaw 2021, No. 3014]

Electric Vehicle Charging Infrastructure Performance Standards

A baseline performance standard of at least 12kWh per vehicle over an eight-hour period is required when all vehicles are charging simultaneously. Greater allowable levels of sharing are appropriate beyond 80A, given the greater diversity of electrical loads possible at these higher amperages. Additionally, no more than 1 vehicle should be able to charge on a 20A circuit and no more than 2 on a 30A circuit.

Circuit Breaker Amperage	Maximum number of Electric Vehicle Ready Parking Spaces
20	1
30	2
40	4
50	5
60	6
70	7
80	8
90	10
100	11
125	14
150	17