

**To:** Chief Administrative Officer **Date:** June 19, 2023  
**From:** Brandon Gill, Planning Technician  
**Subject:** Housekeeping Amendments to Zoning Bylaw 5949-2020

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### **Recommendation(s)**

1. That Zoning Bylaw Amending Bylaw 6201-2023-5949(125) be granted first and second readings; and
2. That a Public Hearing be scheduled for a date to be determined.

### **Purpose**

This report introduces housekeeping amendments to Zoning Bylaw 5949-2020, all of which are related to parking and/or motor vehicles. In addition, this report introduces a new subsection of Zoning Bylaw 5949-2020 to regulate Accessible Parking Requirements for disabled persons.

### **Discussion and Analysis**

This report focuses on housekeeping amendments to the Zoning Bylaw specifically related to parking and motor vehicle uses. The amendments staff are recommending are shown below, sorted into the following groupings:

- New Accessible Parking Requirements
- Proposed definition and text changes
- Proposed table additions and changes
- Tandem Parking Amendment

### **Background**

Zoning Bylaw 5949-2020 was adopted in 2020. Over time, staff have reviewed the regulations and have identified items which require amending or updating. These proposed amendments will better reflect associated uses and provide further clarity where needed.

#### Accessible Parking Background

Accessible Parking Space means a designated Off Street Motor Vehicle Parking space that is clearly identified as reserved for use by a person with an accessible parking permit.

The 2012 BC Building Code and older versions included a minimum number of accessible parking stalls. While the Province limited how many items in the BC Building Code (BCBC) could be adjusted, accessible parking spaces could be determined by the local government. In 2018, the Province of British Columbia announced the removal of accessible parking requirements from the BCBC. The intention of this change was to address the regulatory overlap between the BCBC and municipal bylaws and to support harmonizing of the BCBC with the National Code, which does not include requirements for accessible parking spaces. The Province determined that local governments are best suited to regulate accessible parking

spaces according to their communities' needs. Although accessible parking requirements are no longer regulated by the BCBC, guidance to support local governments remains in the notes of the BCBC. Due to this regulatory change, staff recommend incorporating accessible parking requirements in Zoning Bylaw 5949-2020.

## Proposed Definition and Text Changes

### New Accessible Parking Requirements

The proposed amendments to the Zoning Bylaw will include the minimum BC Building Code requirements for width, length, access aisle and signage.

*Minimum required accessible parking spaces:*

# of Parking Spaces Required	# of Accessible Parking Spaces Required
10-50	1
For each additional 50 parking spaces or part thereof, up to and including 300	1 additional
300+	1% of additional parking spaces required

Additional items such as location, dimensions, identification, and materials are also being incorporated into the amendments to ensure the accessible parking spaces are conveniently located and meet parking standards. See Attachment A: Zoning Amending Bylaw for more details.

### Definitions and Text Changes

The table below provides new definitions to be added, and some definitions to be amended.

Current	Proposed Change	Rationale
No definition exists	Trailer means a vehicle with or without motive power designed for carrying property and for being drawn by a Motor Vehicle. Excludes: <ul style="list-style-type: none"> <li>Recreation Vehicle</li> </ul>	This definition is intended to enable regulation of trailers that may not be considered Recreation Vehicles. The regulation of Trailer parking is proposed to be the same as that for Recreation Vehicle.
Recreation Vehicle means a Motor Vehicle designed as a temporary dwelling for travel, recreational, and vacation Use and which is either self propelled or mounted on, or pulled by another Motor Vehicle. Includes, but not limited to: <ul style="list-style-type: none"> <li>travel trailer,</li> <li>camping trailer,</li> <li>truck camper,</li> <li>motor home,</li> <li>fifth wheel trailer,</li> <li>camper van, and</li> <li>boat.</li> </ul>	Recreation Vehicle means a Motor Vehicle or vehicle designed as a temporary dwelling for travel, recreational, and vacation Use and which is either self propelled or mounted on, or pulled by another Motor Vehicle. Includes, but not limited to: <ul style="list-style-type: none"> <li>travel trailer,</li> <li>camping trailer,</li> <li>truck camper,</li> <li>motor home,</li> <li>fifth wheel trailer,</li> <li>camper van,</li> <li>boat; and</li> </ul>	The revised definition excludes the new defined term of Trailer. In addition, the definition of Motor Vehicle would not apply to each of the listed items (Motor Vehicle must be self-propelled as per MVA definition), so the undefined term vehicle has been added to cover all types of vehicles.

Current	Proposed Change	Rationale
	Excludes: <ul style="list-style-type: none"> <li>Trailer</li> </ul>	
Throughout the entire Zoning Bylaw, Gross Vehicle Weight (GVW) is 4,536 kg (10,000 lbs)	Amend all instances of this referenced GVW from 5,500 kg (12,125 lbs)	This revised definition amends the existing GVW from 4,536 kg to 5,500 kg to be consistent with the Traffic Management Bylaw and neighbouring municipalities.
No definition for Accessible Parking Space exists	Accessible Parking Space means a designated Off Street Motor Vehicle Parking space that is clearly identified as reserved for use by a person with an accessible parking permit	This new definition is provided to accompany the proposed accessible parking requirements.

#### Proposed Table Additions and Changes

The wording in Section 109 B.5, B.6 and B.7 stipulate driveway and parking regulations based on the Official Community Plan designations. The proposed amendments are as follows:

1. Amend current regulations which are based on Official Community Plan designations, to be based on the current zone instead. Basing these regulations on the Official Community Plan designation rather than the current zone is inappropriate as this does not reflect the current land use.
2. Change the format from a list to a table for ease of understanding and clarity.

The parking requirements for a Home Occupation require one parking space per every non-resident employee. The proposed amendment is as follows:

3. Amend Section 109 E.3.I. to adjust the minimum required off-street motor vehicle parking for a home occupation. The revised provision specifies that any commercial vehicle associated with a home occupation shall require a dedicated off-street parking space. This will prevent commercial vehicles from parking on the street.

#### Tandem Parking Amendment

Subsequent to the recent amendments to the townhouse development tandem parking requirements, an amendment is required for clarity to the regulations. The current regulations are:

A maximum of 25% of all Dwelling Units in a Townhouse development may have Parking (Tandem) and a maximum of 50% of all Dwelling Units in a Townhouse building may have Parking (Tandem)

or

All Parking (Tandem) Dwelling Units in excess of the maximums identified above, must provide a Driveway apron or on-site resident only Motor Vehicle parking space that meets the minimum required dimensions of a Motor Vehicle parking space as appropriate (compact options do not apply)

The amendment required is to remove the 'or' and to insert language explaining the second condition only applies if the proposal is to exceed the maximum tandem parking stated in the first clause.

**Communication**

Public Hearing Notification will be advertised in the local newspaper.

**Report Prepared by:** Brandon Gill, Planning Technician

**Reviewed by:** Robert Publow, Manager of Planning

**Approved for Inclusion:** Mike Younie, Chief Administrative Officer

**Attachment(s)**

Attachment A: Draft Zoning Amending Bylaw 6201-2023-5949(125) – Housekeeping (Parking)