



## **City of Duncan**

### **Payment In Lieu Of Parking Bylaw 1996, No. 1784 (With Amendments to April 10, 2006)**

#### **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. 1784**

**A BYLAW TO PROVIDE FOR THE PAYMENT OF  
MONEY IN LIEU OF PROVIDING OFF-STREET PARKING SPACES.**

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**WHEREAS** Sections 964 of the Municipal Act provides that where a municipality owns and operates a parking facility within a distance, specified by bylaw, from a use, building, or structure, the municipality may permit, at the option of the owner or occupier of the land, building, or structure, the payment to the municipality of an amount of money, specified by bylaw, in lieu of providing required off-street parking spaces;

**AND WHEREAS** The Corporation of the City of Duncan deems it desirable to permit the payment of money in lieu of providing required off-street parking spaces;

**AND WHEREAS** The Corporation of the City of Duncan owns and operates parking facilities on Lot 1, Section 17, Range 6, Plan 36447, Quamichan District, Except Plan 37184, Info File (i.e. parking lots between Canada Avenue, the north City boundary, Duncan Street and the Railway Station);

**NOW THEREFORE** the Council of The Corporation of the City of Duncan, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as the "City of Duncan Payment In Lieu Of Parking Bylaw 1996, No. 1784".
2. Any owner or occupier of lands, buildings or structures zoned commercial or multi-family residential and located within a radius of 1.6 kilometres (1 mile), within the City boundaries, of Lot 1, Section 17, Range 6, Plan 36447, Quamichan District, Except Plan 37184, Info File (i.e. parking lots between Canada Avenue, the north City boundary, Duncan Street and the Railway Station), may pay the City of Duncan a sum of money as set out in Schedule "A", attached to and forming part of this Bylaw, in lieu of providing all or a portion of the required off-street parking spaces (Note: the area encompasses the entire City of Duncan).
3. Payment under section 2 shall be by cash or certified cheque and shall be made to the City Treasurer prior to issuance of a building permit, or issuance of a business licence for a new use of land, and prior to commencement of any new uses of land.

4. Notwithstanding the foregoing, payment does not apply with respect to a building or structure existing at the time this bylaw was enacted.

5. Payments collected under section 3 shall be paid into a reserve fund established under Section 378 of the Municipal Act and used only for providing new off-street parking spaces.

**Amended  
# 2000**

6. The allowed reduction of parking stalls without requiring a Development Variance Permit shall be to a maximum of 25% of the required off-street parking stipulated in the “City of Duncan Off-Street Parking and Loading Bylaw No. 1556, 1988”. Should a proponent wish to exceed this 25% limit, the Development Variance Permit Process, which includes a Public Hearing is required.

READ THE FIRST TIME on the 27th day of May, 1996.

READ THE SECOND TIME on the 27th day of May, 1996.

READ THE THIRD TIME on the 27th day of May, 1996.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council on the 10th day of June, 1996.

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

Mayor.

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

Bylaw No 2000, 2006 – Adopted April 24, 2006

**SCHEDULE "A"**

1. In 1996, the sum shall be four thousand dollars (\$4,000.00) per off-street parking space to be waived.
2. In 1997, the sum shall be six thousand dollars (\$6,000.00) per off-street parking space to be waived.
3. In 1998 and all subsequent years, the sum shall be eight thousand dollars (\$8,000.00) per off-street parking space to be waived.