



The Corporation of the District of North Cowichan

Cash-in-Lieu of Parking Bylaw [BL3700]

Bylaw 2838

[Consolidated and printed by authority of the Corporate Officer under section 139 of the Community Charter. Current to May 15, 2020. Last amended July 18, 2018. Amendments: 3470, 3548, 3700.]

WHEREAS Section 964 of the Municipal Act provides that where a municipality owns and operates a parking facility within a distance, specified by by-law, 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 by-law, in lieu of providing required off-street parking spaces;

AND WHEREAS The Corporation of the District of North Cowichan deems it desirable to permit the payment of money in lieu of providing required off-street parking spaces;

AND WHEREAS The Corporation of the District of North Cowichan owns and operates parking facilities on that part of Lot 1, Plan 47795, lying west of Croft Street as said Croft Street is shown on Plan 47795 and on Lots 1, 2, and 3, all of Section 17, Range 5, Plan 13190;

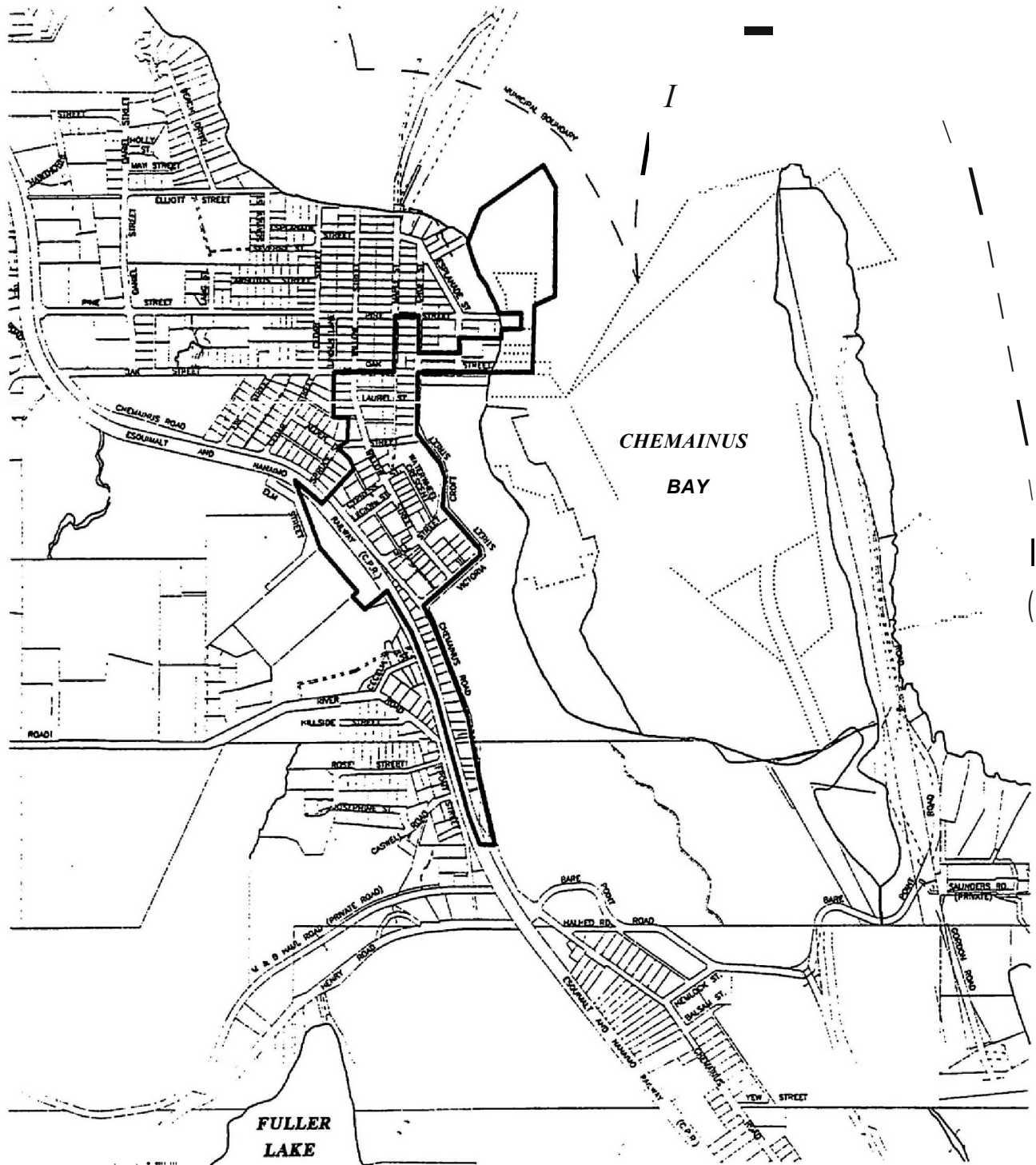
THEREFORE the Council of The Corporation of the District of North Cowichan, in open meeting assembled, enacts as follows:

1. [Repealed; BL3700]
2. Any owner or occupier of lands, buildings, or structures located within a distance from the municipally owned and operated off-street parking facilities (that part of Lot 1, Plan 47795, lying west of Croft Street as said Croft Street is shown on Plan 47795, and on Lots 1, 2, and 3, all of Section 17, Range 5, Plan 13190) within the area outlined in bold shown on Schedule "A", attached to and forming part of this by-law, may pay the municipality a sum of money as prescribed in the Fees Bylaw, in lieu of providing all or a portion of the required off-street parking spaces. [BL3470]
3. Payment under section 2 shall be by cash or certified cheque and shall be made to the Director of Financial Services 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. [BL3548]

4. Notwithstanding the foregoing, payment does not apply with respect to a building or structure existing at the time this by-law was enacted as long as the building or structure continues to be put to a use that does not require more off-street parking spaces than were required for the use existing at the time this by-law 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 and existing off-street parking spaces.

Read a first, second and third time on September 13, 1995.
Adopted on September 27, 1995.

Schedule "A"
to Bylaw No. 2838



Schedule "B"
to Bylaw No. 2838

[Repealed; BL 3470]