

PARKING

Chapter 183

PARKING

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[HISTORY: Adopted by the Municipal Council of the Corporation of the City of Etobicoke as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

- Parking in fire routes — See Ch. 134.
- Parking lots — See Ch. 185.
- Parking meters — See Ch. 187.
- Parking in parks — See Ch. 190.
- No-parking zones — See Ch. 240.
- Unattended vehicles — See Ch. 248.
- Parking or storage of used vehicles — See Ch. 250.

§ 183-1

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§ 183-17

ARTICLE I¹
(Reserved)

§§ 183-1 through 183-6. (Reserved)

ARTICLE II²
(Reserved)

§§ 183-7 through 183-16. (Reserved)

ARTICLE III
Public Road Allowances
[Adopted 1978-05-08 as By-Law No. 1978-107]

§ 183-17. Application for permit for front yard parking areas.

Where it is determined that any front yard parking area constructed in accordance with the provisions of Borough of Etobicoke By-Law Nos. 4227, 4228, 4229 and 4230 ³ encroaches upon borough road allowance, the owner of the said front yard parking area shall be eligible to apply to the borough for a permit to allow the encroachment upon borough road allowance.

¹ Editor's Note: Former Art. I, Private or Borough Property, adopted by the Municipal Council of the Corporation of the City of Etobicoke 1980-09-02 by By-Law No. 1980-233, as amended, was repealed by the Council of the City of Toronto 2001-06-28 by By-Law No. 510-2001. Current provisions are located in Ch. 915, Parking on Private or Municipal Property, of the Code of the City of Toronto.

² Editor's Note: Former Art. II, Permits for the Handicapped, adopted by the Municipal Council of the Corporation of the City of Etobicoke 1992-09-08 by By-Law No. 1992-162, as amended 1994-04-05 by By-Law No. 1994-43, was repealed by the Council of the City of Toronto 2001-06-28 by By-Law No. 510-2001. Current provisions are located in Ch. 915, Parking on Private or Municipal Property, of the Code of the City of Toronto.

³ Editor's Note: These by-laws are amendments to the Zoning By-Laws. See the Zoning Code.

§ 183-18. (Reserved)⁴**§ 183-19. Applicant responsible for costs; withdrawal of permit.**

- A. If, in the opinion of the Commissioner of Works, it is necessary to do any curb cutting, reinstatement of curbs, installation of culverts, sidewalk reconstruction or utility relocation to permit access to the front yard parking area over the borough road allowance, the applicant for the permit shall be responsible for all costs in connection therewith and shall place a deposit with the Works Department to cover the estimated cost of such work that may be involved.⁵
- B. The holder of a permit shall be authorized to use that portion of the borough road allowance to which the permit relates as part of the front yard parking area provided by Borough of Etobicoke By-Law Nos. 4227, 4228, 4229 and 4230, provided that the permit may be withdrawn by the borough on one week's notice to the holder, in the event that traffic or highway conditions require such action by the Director of Traffic and Transportation or the Commissioner of Works.

§ 183-20. Sufficient space required. [Amended 1982-09-20 by By-Law No. 1982-200]

No such permit shall be issued:

- A. If there will be insufficient space for parking of a car without interfering with any existing or future borough public sidewalks.

⁴ Editor's Note: Former § 183-18, Issuance of permit; fee, was superseded 2005-05-19 by By-Law No. 451-2005. Current provisions are located in § 441-20, Parking fees, of the Code of the City of Toronto.

⁵ Editor's Note: See also Ch. 231, Streets and Sidewalks, for provisions concerning sidewalk repairs and construction of culverts.

- B. If it requires the removal of a tree and/or shrubs growing on the public right of way and considered by the Commissioner of Parks and Recreation to be desirable to maintain.

§ 183-21. Spaces established without permit.

In the event that an individual proceeds to establish a parking place without a permit, he shall be liable for any costs that may be incurred either to make the parking space conform with the Works Department's specifications or, if it cannot conform, the cost of reinstating the road allowance to eliminate the parking area.

§ 183-22. Penalties for offences. [Amended 1981-11-30 by By-Law No. 1981-348]

Any person who contravenes any of the provisions of this article shall be liable, upon conviction thereof, to a fine not exceeding \$2,000 for each offence, exclusive of costs.

ARTICLE IV

**Off-Street Parking for the Handicapped⁶
[Adopted 1990-12-10 as By-Law No. 1990-255⁷]**

§ 183-23. Definitions.

As used in this article, the following terms shall have the meanings indicated:

DESIGNATED PARKING SPACE — A parking space marked by a sign indicating such space to be used solely for the parking of vehicles used to pick up or transport

⁶ Editor's Note: For additional provisions on parking for persons with disabilities, see Ch. 903, Parking for Persons with Disabilities, of the Code of the City of Toronto, adopted 2007-04-24 by By-Law No. 443-2007.

⁷ Editor's Note: This by-law also repealed former Art. IV, Off-Street Parking for the Handicapped, adopted 1982-02-22 as By-Law No. 1982-42, as amended.

physically handicapped persons who have been issued a permit pursuant to Article II of Chapter 183.

PERMIT — A permit shall mean a disabled person parking permit issued by the Province of Ontario pursuant to the Highway Traffic Act for the purpose of conferring on street parking privileges for the disabled and shall include currently valid permits, member plates and other markers and devices bearing the international symbol of access for the disabled and issued by other jurisdictions authorized by law so to do.

SIGN — A sign of the size and design pursuant to the Highway Traffic Act (O. Reg. 166/90, s.11a).

UNAUTHORIZED MOTOR VEHICLE — A vehicle without a properly displayed identifying marker issued in connection with a permit.

§ 183-24. Use of permit restricted.

No person shall display or use a permit except in accordance with regulations made pursuant to the Highway Traffic Act and the provisions of this article.

§ 183-25. Display of permit.

A disabled parking permit shall be displayed on the sun visor or on the dashboard of a vehicle so that the international symbol of access for the disabled, the permit number and the expiry date of the permit are clearly visible from the outside of the vehicle [(O. Reg. 166/90, s.7)].

§ 183-26. Property owner to provide spaces.

Every owner and operator of a parking lot or of a parking facility in the City of Etobicoke having a minimum of 10 parking spaces to which the public has access, whether on

payment of a fee or otherwise, shall provide designated parking spaces therein in accordance with the following table:

Number of Automobile Parking Spaces	Number of Designated Parking Spaces
0 – 9	Nil
10 – 100	1 minimum
For each additional 100 or part thereof	1 minimum

§ 183-27. Exemptions.

- A. Notwithstanding anything to the contrary contained herein, the provisions of this article shall not apply to a parking lot or parking facility associated with premises primarily used for any of the following purposes:
- (1) Manufacturing.
 - (2) Industrial.
 - (3) Residential.
- B. Nothing in this section excludes parking lots or parking facilities associated with old-age homes, nursing homes, retirement homes, convalescent homes, hospitals or premises used for a like purpose, from the provisions of this article.

§ 183-28. Size and location of parking spaces.

Each designated parking space shall have a minimum perpendicular width of not less than 3.66 metres and shall be striped accordingly and shall be located as close as practical to the principal entrance or entrances of the building appurtenant to the parking lot or parking facility.

§ 183-29. Fees.

No fee shall be charged for the use of a designated parking space in excess of that fee charged to other members of the general public in respect of non-designated parking spaces.

§ 183-30. Reporting of violations. [Amended 1991-04-02 by By-Law No. 1991-59]

Every owner or operator of a parking lot or parking facility to which this article applies and every agent, servant or employee of such owner or operation shall, immediately upon the same coming to his attention, report to a member of the Metropolitan Toronto Police Force or Provincial Offences Officer or Municipal Law Enforcement Officer authorized to enforce this article that a motor vehicle has been parked or left contrary to the provisions of this article.

§ 183-31. Penalties for parking offences.

- A. Any person who contravenes any of the provisions of this article is guilty of an offence and, on conviction, is liable to a fine of not less than \$300 and not more than \$2,000, exclusive of costs for each offence.⁸ **[Amended 2007-03-07 by By-Law No. 270-2007]**

§ 183-32. (Reserved)**§ 183-33. Severability.**

Each section of this article is an independent section, and the holding of any section or part thereof to be void or ineffective or ultra vires for any cause shall not be deemed to effect the validity of any other sections or parts thereof.

⁸ Editor's Note: Former Subsection B regarding voluntary payment of parking offences, as amended, which immediately followed this subsection, was repealed by the Council of the City of Toronto 2004-10-28 by By-Law No. 906-2004.

§ 183-34

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§ 183-34

§ 183-34. (Reserved)⁹

⁹ **Editor's Note: Former Art. V, Parking Permits, adopted by the Municipal Council of the Corporation of the City of Etobicoke 1989-12-11 as By-Law No. 1989-261, as amended, and former Art. VI, Special Parking Permits, adopted by the Municipal Council of the Corporation of the City of Etobicoke, which immediately followed, were repealed by the Council of the City of Toronto 2006-09-27 by By-Law No. 1067-2006. Current provisions are located in Ch. 925, Permit Parking, of the Code of the City of Toronto.**

