

TORONTO MUNICIPAL CODE
CHAPTER 915, PARKING ON PRIVATE OR MUNICIPAL PROPERTY

Chapter 915

PARKING ON PRIVATE OR MUNICIPAL PROPERTY

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**[History: Adopted by the Council of the City of Toronto June 28, 2001 by By-law 510-2001.¹
Amendments noted where applicable.]**

¹ Editor's Note: This by-law was passed under the authority of section 210, paragraph 131, of the Municipal Act, R.S.O. 1990, c. M.45. This by-law came into force January 1, 2002. Section 2 of this by-law provided as follows: (1) Except as provided in subsection (2), the following by-laws are repealed: former Borough of East York By-law 127-79, as amended; former City of Etobicoke Municipal Code

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General References

Parking Authority - See Ch. 179.
Idling of vehicles and boats - See Ch. 517.
Fire routes - See Ch. 880.
Parking machines and meters - See Ch. 910.
Permit parking - See Ch. 925.
Temporary closing of highways - See Ch. 937.
Traffic and parking - See Ch. 950.
Condominium Act - See S.O. 1998, c. 19.
Highway Traffic Act - See R.S.O. 1990, c. H.8.
Provincial Offences Act - See R.S.O. 1990, c. P.33.
Repair and Storage Liens Act - See R.S.O. 1990, c. R.25.

ARTICLE I
Definitions

§ 915-1. Definitions.

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

ADMINISTRATIVE PENALTY - As defined in Chapter 610, Penalties, Administration of.
[Added 2017-07-07 by By-law 807-2017²]

CHIEF - The Chief of the Toronto Police Service.

DESIGNATED EVENT:

- A. The receipt by the Toronto Police Service of the request for service requesting that a vehicle be removed, if the removal of the vehicle is authorized by a police officer, police cadet or municipal law enforcement officer employed by the Toronto Police Service; or
- B. The service of a penalty notice in accordance with the provisions of Chapter 610, Penalties, Administration of, if the removal of the vehicle is authorized by a municipal law enforcement officer not employed by the Toronto Police Service. **[Amended 2017-07-07 by By-law 807-2017³]**

ELECTRIC VEHICLE - A vehicle that has an electric motor that can be powered by drawing current from rechargeable storage batteries or other portable electrical energy storage devices, includes a plug-in hybrid vehicle, and for the purposes of recharging its batteries. **[Added 2024-04-18 by By-law 403-2024]**

ELECTRIC VEHICLE PARKING SPACE - that portion of which is identified for parking use by an Electric Vehicle. **[Added 2024-04-18 by By-law 403-2024]**

GROSS VEHICLE WEIGHT RATING (GVWR) - The maximum total vehicle rated capacity, as rated by the manufacturer specification stamp on the vehicle, which includes the weight of the

Chapter 183, §§ 183-1 to 183-15, as amended; former City of North York By-law 27900, as amended; former City of Scarborough By-law 20910, as amended; former City of Toronto Municipal Code Chapter 400, § 400-34, as amended; and former City of York Municipal Code Chapter 989, Articles 1 and 2, as amended. (2) Despite subsection (1), where a person is alleged to have contravened a by-law listed in that subsection prior to the date this by-law comes into force, the by-law listed in subsection (1) shall continue in full force and effect for the purposes of any enforcement proceedings brought against such person until the proceedings have been concluded.

² Editor's Note: By-law 807-2017 came into effect August 28, 2017.

³ Editor's Note: By-law 807-2017 came into effect August 28, 2017.

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vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo. **[Added 2023-10-12 by By-law 970-2023⁴]**

LICENSED COMMERCIAL PARKING LOT - A parking lot for which a public garage licence has been issued under Chapter 545, Licensing, of the Municipal Code where motor vehicles are temporarily parked or stored for hire or gain. **[Amended 2003-04-16 by By-law 197-2003]**

MUNICIPAL PROPERTY - Property owned or occupied by the City or any local board thereof.

OCCUPANT:

- A. The tenant of the property or part thereof whose consent shall extend only to the control of the land held by such tenant and any parking spaces allotted to such tenant under the lease or tenancy agreement;
- B. The spouse or same-sex partner of the tenant;
- C. A person or a municipality, or a local board thereof, having an interest in the property under an easement or right-of-way granted to or expropriated by the person, municipality or local board whose consent shall extend only to the part of the property that is subject to the easement or right-of-way;
- D. A person authorized in writing by an occupant as defined in Subsection A, B or C of this definition to act on the occupant's behalf for requesting the enforcement of this chapter.

PENALTY NOTICE - As defined in Chapter 610, Penalties, Administration of. **[Added 2017-07-07 by By-law 807-2017⁵]**

PRIVATE PROPERTY - Property other than municipal property.

PROPERTY - Municipal property or private property as the case may be.

PROPERTY OWNER:

- A. The registered owner of the property;
- B. The registered owner of a condominium unit, whose consent shall extend only to the control of the owner's unit and any parking spaces allotted to the owner by the condominium corporation or reserved for the owner's exclusive use in the declaration or description of the property;
- C. The spouse or same-sex partner of a person described in Subsection A or B of this definition;
- D. Where the property is included in a description registered under the *Condominium Act, 1998*, the board of directors of the condominium corporation;

⁴ Editor's Note: By-law 970-2023 came into force January 1, 2024.

⁵ Editor's Note: By-law 970-2023 came into force January 1, 2024.

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- E. A person authorized in writing by a property owner as defined in Subsection A, B, C or D of this definition to act on the owner's behalf for requesting the enforcement of this chapter.

PUBLIC GARAGE – A building or place that receives or stores towed motor vehicles. **[Added 2023-10-12 by By-law 970-2023⁶]**

VEHICLE OWNER - As defined in Chapter 610, Penalties, Administration of. **[Added 2017-07-07 by By-law 807-2017⁷]**

WAITING PERIOD - The length of elapsed time between the designated event and the attaching of the towing vehicle to the vehicle to be moved.

ARTICLE II
Parking Prohibitions

§ 915-2. Parking prohibitions.

[Amended 2024-04-18 by By-law 403-2024]

- A. No person shall park or leave a motor vehicle on municipal property without the consent of the City or the local board of the City, as the case may be.
- B. No person shall park or leave a motor vehicle on private property without the consent of the property owner or occupant.
- C. Where the property owner or occupant has posted signs stating the conditions on which a motor vehicle may be parked or left on the property or prohibiting the parking or leaving of a motor vehicle on the property, any motor vehicle parked or left on the property contrary to those conditions or prohibitions shall be deemed to have been parked or left without the consent of the property owner or occupant.
- D. Where the property owner or occupant has posted signs identifying an electric vehicle parking space, no person shall park or leave a motor vehicle in an electric vehicle parking space on municipal property unless the motor vehicle is an Electric Vehicle and the Electric Vehicle is actively connected to the electric vehicle charging station.
- E. Where the property owner or occupant has posted signs identifying an electric vehicle parking space, no person shall park or leave a motor vehicle in a parking space on private property unless the motor vehicle is an Electric Vehicle and the Electric Vehicle is actively connected to the electric vehicle charging station.

⁶ Editor's Note: By-law 807-2017 came into effect August 28, 2017.

⁷ Editor's Note: By-law 807-2017 came into effect August 28, 2017.

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ARTICLE III
Removal of Vehicles

§ 915-3. Authority to remove vehicles.

A police officer, police cadet or municipal law enforcement officer upon discovery of a vehicle parked or left on private property or municipal property contrary to § 915-2 may cause it to be moved or taken to and placed or stored in a suitable place, and all the costs and charges for the removal, care and storage are a lien upon the vehicle which may be enforced in the manner provided by the *Repair and Storage Liens Act*.

§ 915-4. Removal of vehicles by police.

A police officer, police cadet or municipal law enforcement officer employed by the Toronto Police Service shall not cause the removal of a vehicle from private property or municipal property unless:

- A. A waiting period of 30 minutes has expired;
- B. A Toronto Police Service tow card is issued in respect of the vehicle at the time of the removal; and
- C. If the vehicle bears a number plate issued under the *Highway Traffic Act*, as amended, a penalty notice is issued and served in accordance with the provisions of Chapter 610, Penalties, Administration of. [Amended 2017-07-07 by By-law 807-2017⁸]

§ 915-5. Removal of vehicles by municipal law enforcement officers not employed by the Toronto Police Service.

A municipal law enforcement officer not employed by the Toronto Police Service shall not cause the removal of a vehicle from private property or municipal property unless:

- A. The municipal property or private property that the vehicle is parked or left on has been inspected and approved by the Chief with satisfactory information furnished to satisfy the Chief that:
 - (1) The boundaries of the property are clearly defined;
 - (2) Signs with dimensions, contents and in sufficient locations as approved by the Chief are posted on the property;
 - (3) There are no signs on the property that refer to the tagging and towing of vehicles except signs that have been approved by the Chief;
 - (4) All signs posted on the property that refer to the towing of vehicles will be removed if the Chief's approval of the property is cancelled;
 - (5) If the property is a residential property with visitor parking for which a permit is required, signs satisfactory to the Chief have been posted on the property advising

⁸ Editor's Note: By-law 807-2017 came into effect August 28, 2017.

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visitors of the means by which to obtain a permit and the Chief is satisfied that a permit may readily be obtained within a thirty-minute waiting period;

- (6) Only private roadways designated as fire routes by municipal by-law are signed as fire routes;
 - (7) Any reference to a municipal by-law in a sign posted on the property is a reference to a by-law currently in force;
 - (8) The Toronto Police Service has current information on file as to the licensed tow operator contracted to provide services to the property and the public garage where vehicles removed from the property will be stored;
 - (9) The owner of any vehicle removed from the property will have twenty-four-hour access to information as to where the removed vehicle is stored; and
 - (10) The owner of any vehicle removed from the property will be entitled to a Toronto Police Service review of actions taken to remove the vehicle from the property;
- B. A penalty notice is issued and served in accordance with the provisions of Chapter 610, Penalties, Administration of; **[Amended 2017-07-07 by By-law 807-2017⁹]**
- C. A waiting period of 30 minutes has expired; and
- D. A Toronto Police Service tow card is issued in respect of the vehicle at the time of the removal. **[Amended 2015-07-09 by By-law 804-2015¹⁰]**
- E. Subsections B and C shall not apply in the case of a vehicle that does not bear a licence plate if the municipal law enforcement officer has obtained prior authorization to tow that vehicle from the Toronto Police Services Parking Enforcement Unit. **[Added 2015-07-09 by By-law 804-2015¹¹]**

§ 915-5.1. Towing of vehicles by tow truck operators.

[Added 2023-10-12 by By-law 970-2023¹²]

No tow truck operator shall tow any vehicle from private property, connect the vehicle to a tow truck, or perform any services in relation to such vehicle without the consent of the vehicle owner, unless:

- A. A penalty notice has been issued and served in accordance with Chapter 610, Penalties, Administration of, except where the vehicle does not bear a number plate issued under the Highway Traffic Act, as amended;

⁹ Editor's Note: By-law 807-2017 came into effect August 28, 2017.

¹⁰ Editor's Note: By-law 804-2015 came into force September 1, 2015.

¹¹ Editor's Note: By-law 804-2015 came into force September 1, 2015.

¹² Editor's Note: By-law 970-2023 came into force January 1, 2024.

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- B. A Toronto Police Services tow card has been issued by the municipal law enforcement officer who issued the penalty notice, or by a police officer, police cadet, or a municipal law enforcement officer employed by the Toronto Police Service;
- C. All pre-conditions to the removal of vehicles contained in any applicable by-law enacted pursuant to subsections 77, 78, and 80 of the City of Toronto Act, 2006, as amended, have been complied with, including, but not limited to, any waiting periods prescribed by such by-laws; and
- D. Signs are posted at the property from which the vehicle is to be removed in accordance with any applicable by-law enacted pursuant to subsections 77, 78, and 80 of the City of Toronto Act, 2006, as amended.

§ 915-6. Waiting period exceptions.

The waiting period required by §§ 915-4A and 915-5C does not apply in respect of:

- A. A vehicle parked on a private roadway designated by municipal by-law as a fire route and marked by one or more signs posted under the supervision of the City of Toronto Works and Emergency Services Department;
- B. A vehicle parked in a parking space designated as accessible parking for persons with disabilities in contravention of a municipal by-law; **[Amended 2010-08-27 by By-law 1154-2010; 2012-07-13 by By-law 1006-2012¹³]**
- C. A vehicle parked in a loading space;
- D. A vehicle parked in a driveway;
- E. A vehicle parked on a lot or area, other than a licensed commercial parking lot, containing three or fewer parking spaces, and for this purpose parking spaces that are accessed by a common driveway are deemed to be on the same lot or area;
- F. A vehicle parked in a parking space reserved for a resident of a residential building if the resident who has an exclusive right to use the parking space has signed a complaint in relation to the parked vehicle being removed;
- G. A vehicle parked in a parking space reserved for employee parking, provided that signs are posted to that effect.

§ 915-6.1. Maximum towing and storage fees for vehicles less than 6,000 kilograms.

[Added 2023-10-12 by By-law 970-2023¹⁴]

Where a tow truck operator is hired to perform services related to the towing and storage of vehicles with a GVWR of 6,000 kilograms or less, parked or left standing on private property without the consent of the property owner or occupant, no tow truck operator shall:

¹³ Editor's Note: By-law 1154-2010, as amended by By-law 1006-2012, came into effect July 12, 2012.

¹⁴ Editor's Note: By-law 970-2023 came into force January 1, 2024.

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- A. Charge or request a towing fee other than the applicable Toronto Police Service contract rate.
- B. Charge or request a fee for the release of a vehicle before it is towed other than the applicable Toronto Police Service contract rate; and
- C. Charge, request, or permit any person to charge or request a vehicle storage fee other than the applicable Toronto Police Service contract rate.

ARTICLE IV
Storage of Towed Vehicles

[Added 2023-10-12 by By-law 970-2023¹⁵]

§ 915-7. Conditions precedent to receiving vehicles towed from private property.

No operator of a public garage shall store, park, or receive at their public garage any vehicle towed from private property without the consent of the vehicle owner unless:

- A. The vehicle bears a penalty notice issued in accordance with Chapter 610, Penalties, Administration of, except where the vehicle does not bear a number plate issued under the Highway Traffic Act, as amended;
- B. A Toronto Police Services tow card issued by the municipal law enforcement officer who issued the penalty notice, or by a police officer, police cadet, or municipal law enforcement officer employed by the Toronto Police Service, is provided to operator of the public garage at the time the vehicle is first received at their public garage; and
- C. A sign approved by the Executive Director, bearing letters and numbers not less than 7.5 centimetres in height, and bearing a representation of a penalty notice and a Toronto Police Service tow card, has been posted at the said public garage in a clearly visible location, stating:
 - (1) The name, address, telephone number, and hours of operation of the public garage;
 - (2) A twenty-four-hour phone number for the operator of the public garage by which persons may receive an immediate response to complaints in respect of the public garage;
 - (3) All fees that may be charged or received by the said public garage in relation to stored vehicles; and
 - (4) That the public garage has no lien on the vehicle arising from the towing or storage of the vehicle unless a Toronto Police Service tow card has first been issued in relation to the vehicle.

¹⁵ Editor's Note: By-law 970-2023 came into force January 1, 2024.

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§ 915-8. Garage operator to notify Parking Enforcement Unit upon receipt of vehicle.

Every operator of a public garage that stores, parks, or receives at their public garage a vehicle towed from private property without the consent of the vehicle owner shall, immediately upon receipt of such vehicle, forward the Toronto Police Service tow card issued in relation to the vehicle, or the information it contains, to the Toronto Police Service Parking Enforcement Unit by facsimile or such other method or form of transmission approved by the Parking Enforcement Unit.

§ 915-9. Garage operator to notify Parking Enforcement Unit upon receipt of vehicle.

No operator of a public garage shall demand any payment for services provided in relation to a vehicle that has been towed from private property without the consent of vehicle owner unless:

- A. Section § 915-7 has been complied with;
- B. The Toronto Police Services tow card issued in relation to the vehicle is first provided to the vehicle owner; and
- C. The vehicle owner has been provided with a statement, in a form approved by the Executive Director, containing the information set out in the sign referred to in § 915-7.

ARTICLE V
Offences and Penalties

§ 915-10. Offences and administrative penalties.

[Amended 2011-12-01 by By-law 1404-2011; 2012-07-13 by By-law 1012-2012¹⁶; 2017-03-29 by By-law 314-2017¹⁷; 2017-07-07 by By-law 807-2017¹⁸; 2023-10-12 by By-law 970-2023¹⁹; 2024-04-18 by By-law 403-2024]

- A. Every person who contravenes any provision of this chapter is guilty of an offence or is liable to an administrative penalty.
- B. Unless at the time of the contravention the vehicle was in the possession of another person without the vehicle owner's consent, if a vehicle has been left parked, standing or stopped in contravention of § 915-2A, § 915-2B, § 915-2D or § 915-2E, the vehicle owner shall, upon issuance of a penalty notice, be liable to an administrative penalty.
- C. Every person convicted of an offence under this chapter, other than an administrative penalty under § 915-2A, § 915-2B, § 915-2D or § 915-2E, is liable to a fine as provided for in the *Provincial Offences Act*.

¹⁶ Editor's Note: By-law 1404-2011, as amended by By-law 1012-2012, received set fine approval and came into force January 23, 2014.

¹⁷ Editor's Note: By-law 314-2017 removed the fixed fine system for all parking ticket offences and came into effect April 10, 2017.

¹⁸ Editor's Note: By-law 807-2017 came into effect August 28, 2017.

¹⁹ Editor's Note: By-law 970-2023 came into force January 1, 2024.