

Chapter 925

PERMIT PARKING

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[HISTORY: Adopted by the Council of the City of Toronto 2006-09-27 by By-law No. 1067-2006.¹ Amendments noted where applicable.]

GENERAL REFERENCES

Polling and notification — See Ch. 190.
Fees and charges — See Ch. 441.
Parking for persons with disabilities — See Ch. 903.
Parking machines — See Ch. 910.

Parking on private or municipal property — See Ch. 915.
Parking on residential front yards and boulevards —
See Ch. 918.
Traffic and parking — See Ch. 950.

§ 925-1. Definitions.

A. A term not defined in this section, but defined in the *Highway Traffic Act*,² shall have the same meaning as the term has in the *Highway Traffic Act*.

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

APPLICANT — A person who applies for an on-street parking permit to park a motor vehicle on a street licenced under the permit parking program.

EXCLUDED AREA — [Amended 2009-10-01 by By-law No. 911-2009]

(1) The area bounded by Steeles Avenue on the north, Highway 401 on the south, Victoria Park Avenue on the east, the Humber River on the west, and the area bounded on the north by Highway 401, on the east by Victoria Park Avenue,

¹ Editor's Note: This by-law comes into force 14 days after the date of approval by the Regional Senior Justice of the set fines required for the offences created by this chapter; set fine approval was received 2006-12-12. This by-law also repealed the following by-laws or portions of by-laws: Sections B, B1, B2 and C of Chapter 400-9, and Section 38 of Chapter 400 of the former City of Toronto Municipal Code; Sections 35 to 68 inclusive of Chapter 183, of the former City of Etobicoke Municipal Code; Chapters 985 and 987 of the former City of York Municipal Code; By-law No. 3491-80, as amended, of the former City of York; and By-laws Nos. 20-96 and 41-97, as amended, of the former Borough of East York. This by-law also repealed former Ch. 925, adopted 1998-10-02 by By-law No. 717-1998, regarding the former City of York. Schedule A, Permit Parking, and Schedule B, Permit Parking Areas, which were adopted as part of this chapter, are available from the Office of the City Clerk.

² Editor's Note: See R.S.O. 1990, c. H.8.

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- on the south by the CPR line to Sunrise Avenue or Northline Road, and on the west by the CNR line from Highway 401 to Don Mills Road and from Don Mills Road to the CPR line;
- (2) The area bounded by Steeles Avenue East on the north, Lake Ontario on the south, Victoria Park Avenue on the west, and Pickering Town Line to the Rouge River and the Rouge River to Lake Ontario on the east, save and except the following streets/areas:
- (a) The area bounded by Victoria Park Avenue on the west, Danforth Avenue on the north, Warden Avenue on the east, and the Canadian National Railway (Kingston Subdivision) on the south;
 - (b) The area bounded by Victoria Park Avenue on the west, Gerrard Street East on the north, Blantyre Avenue on the east, and Kingston Road on the south;
 - (c) The area bounded by Victoria Park Avenue on the west, Kingston Road on the north, Fallingbrook Road on the east, and Queen Street East on the south;
 - (d) Haig Avenue from Kingston Road to the south end of Haig Avenue;
 - (e) Warden Avenue from Kingston Road to the south end of Warden Avenue; and
 - (f) Queensbury Avenue from Kingston Road to a point 300 metres north of Kingston Road.
- (3) The boundary streets mentioned in Subsections (2)(a), (b) and (c), but not:
- (a) Fallingbrook Road south of Kingston Road; or
 - (b) The east side of Victoria Park Avenue between Kingston Road and Bracken Avenue and both sides of Victoria Park Avenue south of Bracken Avenue.

GENERAL MANAGER — The General Manager of Transportation Services for the City of Toronto and his or her designate or successor.

LOCAL STREET — Any street designated as such by the City's Road Classification System, as amended from time to time.

MOTORCYCLE — A self-propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, and includes a motor-scooter, but does not include a motor-assisted bicycle.
[Added 2007-05-25 by By-law No. 530-2007]

OFFICIAL SIGN — Any sign or roadway, curb or sidewalk marking or other device placed or erected on a highway under this chapter.

OWNER — Includes a person who owns a motor vehicle or has leased or rented a motor vehicle under written contract and who is resident abutting a road listed in Schedule A³ or in an area licensed for permit parking under this chapter.

PERMIT — A parking permit applied for or issued under this chapter.

PERMIT PARKING AREA — An area designated by Council under this chapter which includes more than one highway or part of a highway and is set out in Schedule B⁴ to this chapter.

ROAD — A roadway as defined in the *Highway Traffic Act*.⁵

SEVERE SLOPE — An upward or downward slope that is greater than 15 degrees.

SUFFICIENT OFF-STREET PARKING — Any street where the abutting residential properties provide off-street parking that complies with existing zoning by-law requirements.

TEMPORARY PERMIT — A permit issued under § 925-5M.

VISITOR — A person not resident on a street or in an area licensed for permit parking but who is an owner or the principle driver of a vehicle not under their ownership and who requires a temporary permit while visiting a resident of a street or area licensed for permit parking.

§ 925-2. Interpretation.

- A. This chapter applies only to highways under the jurisdiction of the City.
- B. The schedules referred to in this chapter form part of this chapter, and each entry in a column of a schedule shall be read in conjunction with the entry or entries across from it.⁶

§ 925-3. Issuance of permits.

- A. The General Manager is appointed as the officer of the City to issue permits on behalf of the City for permit parking under this chapter, and any renewal of a permit may be issued by the General Manager in accordance with this chapter.

³ Editor's Note: Copies of Schedule A are available from the Office of the City Clerk.

⁴ Editor's Note: Copies of Schedule B are available from the Office of the General Manager of Transportation Services.

⁵ Editor's Note: See R.S.O. 1990, c. H.8.

⁶ Editor's Note: The schedules that are part of this chapter are available from the Office of the City Clerk.

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- B. The General Manager is authorized to place or erect and to maintain official signs as are required in this chapter.

§ 925-4. Applicability.

- A. The on-street permit parking program shall only apply to:
- (1) Roads, local streets, collector and minor arterial roads, or parts of them, that are predominantly residential in character where sufficient off-street parking are not available and where the introduction of permit parking will not adversely affect roadway capacity, snow removal operations, or public safety;
 - (2) Other roads with permit parking as at the enactment of this chapter; and
 - (3) Other roads determined by the General Manager from time to time.
- B. Where permit parking is not currently available and where a petition requesting permit parking signed by the residents of a minimum of 25% of the total number of residential premises having a residential address on the street or the flank of the street is submitted to the General Manager, a poll shall be conducted in accordance with Chapter 190, Polling and Notification, to determine if the residents wish to have permit parking on their road or area, as the case may be. In the event of a positive polling result, the General Manager shall report such result to the appropriate community council, which community council under delegated authority, shall be authorized to pass any necessary by-laws to implement permit parking on the road or area. In the event of a negative result, permit parking shall not be extended to the road or area, and no further permit parking poll shall be conducted for a period of two years. **[Amended 2007-03-06 by By-law No. 176-2007]**
- C. Despite § 925-4A and B, this chapter does not apply to the excluded area.
- D. Classes of vehicles.
- (1) Permits may be issued under this chapter only for vehicles in the following class:
 - (a) Passenger motor vehicles;
 - (b) Motorcycles and scooters;
 - (c) Vans, panel trucks, pick-up trucks or taxi-cabs where the vehicles are the primary means of family transportation for the permit holder, but no permit shall be issued in respect of a vehicle that is more than 5.2 metres in length or which has a registered gross weight of more than 3,000 kilograms; and

- (d) Vans, panel trucks or pick-up trucks which are not the only means of family transportation for the permit holder where the vehicle is used solely for personal purposes by the permit holder, if the following conditions are satisfied:
 - [1] Only one vehicle shall be entitled to a permit;
 - [2] The commercial motor vehicle permit must be stamped with the words “Primarily Personal/Recreational Use” by the Ministry of Transportation at the time of application for on-street parking; and
 - [3] The vehicle shall not be more than 5.2 metres in length or have a registered gross weight of more than 3,000 kilograms.
 - (2) Despite § 925-4D(1), on-street parking permits will not be issued for campers, camper-trailers, recreational vehicles, motor homes, trailers, boats or other recreational vehicles mounted on trailers.
 - (3) In order to be eligible for a permit, a vehicle must bear an up-to-date licence plate validation sticker.
- E. Number of permits.
- (1) The number of on-street parking permits issued for any highway or part of highway set out in Schedule A to this chapter shall be limited to the number of motor vehicle parking spaces available as determined by the General Manager on the side of the street where permit parking is permitted, or in the case of alternate side parking, to the number of motor vehicle parking spaces available on the side of the street with the lesser number of parking spaces.
 - (2) Despite § 925-4E(1), City staff may issue up to 10 percent more on-street parking permits than the number of available on-street parking spaces as set out in § 925-4E(1), for streets and areas authorized by permit parking upon the written request and concurrence of the Ward Councillor.
 - (3) For the purposes of calculating the number of permit parking spaces, the General Manager shall use the average figure of 5.5 metres in length.

§ 925-5. Parking permits.

- A. Applicants may submit an application to the General Manager for a permit, in accordance with this section.
- B. (1) Applications for a permit shall contain the following information:
 - (a) Name, address and telephone number of the applicant; and

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- (b) A copy of the valid motor vehicle registration and the applicant's valid driver's licence; and
 - (2) The General Manager may require the applicant to provide proof of residency.
- C. Designated permit parking streets and areas.
 - (1) Schedule A to this chapter designates the roads on which permit parking is available; and
 - (a) The portion of the road for which permit parking is available;
 - (b) Whether permit parking is permitted on the side of the road where the properties are even numbered or odd numbered;
 - (c) The portion of the year when permit parking is available on the road and for which side of the road; and
 - (d) The time of each day when permit parking is available on the road.
 - (2) Schedule B to this chapter lists the permit parking areas. Maps that are listed in Schedule B shall be on file with the General Manager. All residents of roads in a permit parking area shall be entitled to apply for permits for the roads in the area. Despite being shown to be in a permit parking area under Schedule B, permit parking shall only be available on only those roads named in Schedule A, and subject to the portion of the roads, side, dates, and times set out in that Schedule.
 - (3) Despite being designated in Schedule A, parking prohibitions and regulations set out in other by-laws continue to apply, except where they directly conflict with the parking permitted under this chapter.
- D. Issuance of permits.
 - (1) Permits shall be issued in accordance with this section.
 - (2) There shall be two permit parking terms each year. The first shall run from December 1 until May 31 of each year, and the second shall run from June 1 to November 30 of each year. Permits shall be valid from their date of issue to the end of the permit parking term for which they were issued.
 - (3) Subject to § 925-5I, permits may be renewed for further permit parking terms provided the fees are paid, and the applicant complies with the terms of the permit, and this chapter.
 - (4) The General Manager may, at one time, renew a permit for up to an additional four permit parking terms.
- E. Priority system.

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- (1) Upon the acceptance of an application, the General Manager shall assign each application meeting the requirements of § 925-4, a priority 1, priority 2 or priority 3 designation.
- (2) Priority 1 shall be assigned to applications from owners, tenants and occupants of premises abutting a road set out in Schedule A, or in a permit parking area provided that:
 - (a) The owner, tenant or occupant, as the case may be, actually resides at the premises abutting such a road; and
 - (b) There is, in the opinion of the General Manager, either no parking space on the premises or no reasonable access to the parking space, or where, even though there are one or more parking spaces on the premises, a parking space is not available for the use of the owner, tenant or occupant.
- (3) A person is entitled to only one priority 1 designated application or permit.
- (4) Priority 2 shall be assigned to applications from owners, tenants and occupants of premises abutting a road set out in Schedule A, or in a permit parking area provided that:
 - (a) The owner, tenant or occupant, as the case may be, actually resides at the premises abutting such a road; and
 - (b) There is, in the opinion of the General Manager, either no parking space on the premises or no reasonable access to the parking space, or where even though there are one or more parking spaces on the premises, a parking space is not available for the use of the owner, tenant or occupant; and
 - (c) The owner, tenant or occupant has been issued a priority 1 permit or is on the priority 1 waitlist.
- (5) Priority 3 shall be assigned to applications from owners, tenants and occupants of premises abutting a road set out in Schedule A, or in a permit parking area provided that:
 - (a) The owner, tenant or occupant, as the case may be, actually resides at the premises abutting such a road; and
 - (b) There is, in the opinion of the General Manager, a parking space or spaces on the premises available to the owner, tenant or occupant, as the case may be.
- (6) The General Manager shall not accept any priority 3 designated applications where the road designated in Schedule A or the permit parking area has a

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current wait list or has had a wait list established in respect of it, under § 925-5H any time during the two permit parking terms immediately prior to the date of the application.

F. Refusal/appeal.

Where a person is refused a permit because the General Manager has determined that the applicant has an off-road parking space, or where the applicant has been assigned a priority 3 application, the applicant may apply in writing to the General Manager for a review of the decision. The applicant shall support their request for a review with evidence showing that they have no option other than to park on-road, or that they meet the criteria for a higher priority. If the review does not result in a different decision by the General Manager, the applicant shall be entitled to make an appeal to the Council.

G. Allocation of permits.

The General Manager shall allocate the available permit spaces for each road designated in Schedule A which is not in a permit parking area, or in respect of a permit parking area as follows:

- (1) Priority 1 applications shall be issued permits based on the date of original approval of the application. The priority 1 applications with the earliest approval dates shall be granted permits first, followed by those with later approval dates, in chronological order from earliest to most recent. The General Manager shall only be required to issue up to the number of permits as determined under § 925-4E.
- (2) If there are any permits available after the priority 1 permits are issued, priority 2 permits may be issued. The priority 2 applications with the earliest approval dates shall be granted permits first, followed by those with later approval dates, in chronological order from earliest to most recent. The General Manager shall only be required to issue up to the number of permits as determined under § 925-4E.
- (3) If there are any permits available after the priority 2 permits are issued, priority 3 permits may be issued. The priority 3 applications with the earliest approval dates shall be granted permits first, followed by those with later approval dates, in chronological order from earliest to most recent. The General Manager shall only be required to issue up to the number of permits as determined under § 925-4E.

H. Wait lists.

- (1) Where there are insufficient permit parking spaces on a road designated in Schedule A which is not in a permit parking area, or in a permit parking area, to accommodate all of the otherwise valid applications, the General Manager

shall establish a wait list in respect of each such road or permit parking area. Each wait list shall set out the valid applications in each of priorities 1, 2 and 3 and shall rank them in order based on the date of the application, from the earliest to the most recent.

- (2) Where a permit parking space becomes available during a permit parking term, the General Manager shall notify the applicant at the top of the priority 1 wait list for the road or permit parking area, as the case may be, of the availability of the space. The applicant shall have 21 days to claim the space, pay the appropriate fee and have a permit issued. If the notified applicant fails to claim the space or pay the fee, the General Manager shall notify the next highest ranked person on the wait list, and shall continue to do so until a permit is issued in respect of the available space.
- (3) If no priority 1 applicant claims the space, the General Manager shall offer it to the highest ranking applicant on the priority 2 list. The applicant shall have 21 days to claim the space, pay the appropriate fee and have a permit issued. If the notified applicant fails to claim the space or pay the fee, the General Manager shall notify the next highest ranked person on the wait list, and shall continue to do so until a permit is issued in respect of the available space.
- (4) If no priority 2 applicant claims the space, the General Manager shall offer it to the highest ranking applicant on the priority 3 list. The applicant shall have 21 days to claim the space, pay the appropriate fee and have a permit issued. If the notified applicant fails to claim the space or pay the fee, the General Manager shall notify the next highest ranked person on the wait list, and shall continue to do so until a permit is issued in respect of the available space or until there are no more applicants on a wait list.
- (5) Any applicant who is offered a space and either declines, fails to claim the space in the time required, or fails to pay the fee shall have their name deleted from the wait list.

I. Renewal terms and revocation.

- (1) At the end of each permit parking term the General Manager shall determine if there is a wait list in respect of a road designated in Schedule A which is not in a permit parking area, or in respect of a permit parking area.
- (2) If there is a wait list in respect of priority 1 applications and priority 3 or priority 2 permits have been issued, the General Manager shall determine how many spaces that are currently assigned to priority 3 and priority 2 applications are needed to accommodate those on the priority 1 wait list. The General Manager shall notify a sufficient number of priority 3 and priority 2 permit holders, in the order set out below, that their permits will be cancelled

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and their fees will be refunded, and the General Manager shall make those spaces available to those on the priority 1 wait list.

- (3) Under § 925-5I(2), the General Manager shall, in order to accommodate those on the priority 1 wait list, first notify those priority 3 permit holders whose permits were issued most recently, and continue to so notify priority 3 permit holders continuing with the next most recently issued permits until sufficient spaces for those on the priority 1 wait list have been made available.
- (4) If there are insufficient priority 3 permit holders to accommodate all of those applicants on the priority 1 wait list, the General Manager shall notify, under § 925-5I(2), those priority 2 permit holders whose permits were issued most recently, and continue to so notify priority 2 permit holders continuing with the next most recently issued permits.
- (5) If, after having cancelled all priority 3 and 2 permits there remain applicants on the priority 1 wait list, then the wait list shall be maintained for the next permit parking term.
- (6) If at the end of a permit parking term there is no priority 1 wait list, but there is a wait list in respect of priority 2 applications and priority 3 permits have been issued, the General Manager shall determine how many spaces that are currently assigned to priority 3 applications are needed to accommodate those on the priority 2 wait list. The General Manager shall notify a sufficient number of priority 3 permit holders, in the order set out below, that their permits will be cancelled and shall make those spaces available to those on the priority 2 wait list.
- (7) Under § 925-5I(6), the General Manager shall, in order to accommodate those on the priority 2 wait list, first notify those priority 3 permit holders whose permits were issued most recently, and continue to so notify priority 3 permit holders continuing with the next most recently issued permits until sufficient spaces for those on the priority 2 wait list have been made available.
- (8) If, after having refused the renewal of all priority 3 permits there remain applicants on the priority 2 wait list, then the wait list shall be maintained for the next permit parking term.

J. Revocations/cancellation.

- (1) The General Manager may revoke or suspend the issuance of permits when he deems it necessary to do so to ensure public safety.
- (2) The General Manager may revoke or cancel any permit when he or she deems it necessary to do so to ensure public safety, when a permit was obtained through the submission of false, misleading or fraudulent information, or

when the vehicle in respect of which the permit was issued has an expired validation sticker.

K. Fees.

- (1) The applicant, upon the issuance of a permit, shall pay the fee as set out in Chapter 441, Fees and Charges, in respect of the priority of the permit issued.
- (2) The fee for a re-issuance of a lost or damaged permit, or for a re-issuance for a change of vehicle, licence plate, or address shall be set out in Chapter 441, Fees and Charges.
- (3) Despite § 925-5K(1) there shall be no fee payable in respect of permits issued for motorcycles or scooters.

L. Refunds.

- (1) In the event a valid permit is returned to the City by a permit holder, the General Manager may cancel the permit and may issue a refund to the permit holder for any unused full months remaining in the current permit parking term.
- (2) The General Manager shall not be required to refund the fee for a permit revoked or cancelled under § 925-5J(2).

M. Temporary parking permit.

- (1) Residents, visitors and tradespersons may apply for a temporary permit and this permit shall be issued by the General Manager only for those highways or areas licensed for permit parking under this chapter where on-street permit parking spaces are available after all residents eligible to receive a permit under the priority system established under § 925-5E have had an opportunity to obtain a permit and at least 10 percent of permits remain available.
- (2) The application for the temporary permit shall contain the name and address of the person at whose residence the visitor is visiting or the tradesperson attending, or the owner or tenant or occupant, as the case may be, requiring a temporary permit.
- (3) Temporary permits shall be valid for seven consecutive days including the date of issuance, and the permit shall expire at 12:00 midnight on the seventh day.
- (4) The fee for a temporary permit shall be as set out in Chapter 441, Fees and Charges.
- (5) On-street temporary permit fees are non-refundable.

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- N. Conditions of permit.
- (1) During the time period set out adjacent to the name of the road in the Schedule A to this chapter, no person shall park any vehicle in a location designated for permit parking, unless the person is the holder of a valid permit.
 - (2) Parking is permitted under a permit only on the highways, on the side of the highway and locations within the highway and at the times set out in Schedule A to this chapter.
 - (3) Despite having a permit for the road or permit parking area in question, no person shall park a motor vehicle continuously in any one place for a period exceeding seven consecutive days.
 - (4) Whenever a motor vehicle is parked in accordance with a permit issued under this chapter, the permit shall be clearly displayed in the windshield of the vehicle.
 - (5) Motorcycles. **[Added 2007-05-25 by By-law No. 530-2007]**
 - (a) Despite § 925-5N(4), whenever a motorcycle is parked in accordance with a permit issued under this chapter, the permit shall be affixed to the handle bar of the motorcycle with a cable tie.
 - (b) A motorcycle may be parked in a parking space at an angle, provided that no person shall park a motorcycle at an angle less than 45 degrees or greater than 60 degrees to the curb.
- O. Despite any other provision of the Municipal Code or any other by-law, respecting parking meters/parking machines on highways, where parking meters or parking machines have been erected on a portion of a road listed in Schedule A, the holder of a valid permit shall not be required to deposit payment in the meter or parking machine, subject to the permit being properly displayed.
- P. A person with a disabled parking permit issued by the Ministry of Transportation shall be exempted from this chapter.
- Q. A person with a valid permit properly displayed on a vehicle parked on a permit parking road is subject to all parking prohibitions, including temporary restrictions that may be imposed to facilitate snow removal operations, but shall be exempt from temporal parking duration limits.
- R. Despite any other by-law, where a valid permit is properly displayed on a vehicle on a road, the vehicle shall be permitted to display a 'for sale' sign.

S. Reduction or termination of permit parking.

Before reducing the number of permit parking spaces or times or the termination of permit parking on a road the General Manager shall provide notice in accordance with Chapter 162, Notice, Public.

§ 925-6. Offence.

- A. Every person who contravenes any provision of this chapter is guilty of an offence.⁷
- B. The owner of a vehicle may be charged with and convicted of a parking or other offence under this chapter for which the driver of the vehicle is subject to be charged unless at the time of the offence the vehicle was in the possession of some person other than the owner without the owner's consent. [Added 2007-12-13 by By-law No. 1367-2007]

§ 925-7. Transition.

Permits issued prior to the date of the coming into force of this chapter shall remain valid until their expiry date.

§ 925-8. Conflict.

In the event of a conflict between the provisions of this chapter and any other provisions of the Municipal Code or any by-laws, the provisions of this chapter shall govern.

⁷ Editor's Note: This section was passed under the authority of section 425 of the *Municipal Act, 2001*, S.O. 2001, c. 25, and, under section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, a person convicted of an offence under this section is liable to a fine of not more than \$5,000.