

## **Update to Parking Bylaws Associated with Accessible Parking Permit Exemptions**

**Date:** November 13, 2024

**To:** Infrastructure and Environment Committee

**From:** General Manager, Transportation Services

**Wards:** All

### **SUMMARY**

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This report responds to a request from City Council to examine the feasibility of updating the bylaws associated with the use of an Accessible Parking Permit to allow the enforcement of larger vehicles specifically classified as commercial or recreational using an accessible parking permit while parked on city streets. Currently, such vehicles are exempt from certain parking regulations by the City.

Under City of Toronto bylaws, any person with a valid Accessible Parking Permit, issued by the MTO, is exempt from certain parking regulations identified in various City of Toronto Municipal Code Chapters, which exemptions are outlined further in the report. Those include Chapter 903, Parking for Persons with Disabilities, Chapter 910, Parking Machines, Parking Meters and Mobile Only Zones, Chapter 925, Permit Parking, and Chapter 950, Traffic and Parking. Currently, the City of Toronto is the only municipality that provides the most parking regulation exemptions in the Greater Toronto Area to Accessible Parking Permit holders.

This report is seeking Council approval to not exempt large vehicles weighing more than 3,000 kilograms or vehicles that are longer than 5.2 metres in length (a parking spot is generally 5.5 metres in length). This restriction would align with the current permit parking program which places similar weight and vehicle length restrictions. To enforce these new provisions, amendments to the aforementioned Municipal Code Chapters are being recommended, including the introduction of new offences and penalty amounts for non-compliance with the new restrictions when using an Accessible Parking Permit (APP). This will ensure vehicles displaying an APP is strictly for the purpose of transporting individuals with mobility challenges and not for the long-term storage of larger commercial and recreational vehicles on City streets.

## RECOMMENDATIONS

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The General Manager, Transportation Services, recommends that:

1. City Council amend Section 903-4 of City of Toronto Municipal Code Chapter 903, Parking for Persons with Disabilities, to insert the word "and" after Subsection B and to insert a new Subsection C as follows:

"C. in the vehicle displaying the permit in accordance with subsection 903-4A or 903-4B is a passenger vehicle or commercial vehicle that does not exceed 3,000 kilograms."

2. City Council delete Subsection (1) from Section 903-5 B of City of Toronto Municipal Code Chapter 903, Parking for Persons with Disabilities, and insert a new Subsection (1) as follows:

"(1) The exemptions set out in § 903-5A do not apply so as to permit any person to park or stand a vehicle with a permit displayed on any highway for a period exceeding 24 hours, except in a designated parking space on a highway licensed for overnight permit parking, a parking machine parking space or mobile only zone parking space, pursuant to the provisions of any by-law or municipal code of the City or a former municipality. For further clarity, in the event a person parks or stands a vehicle with a permit displayed on any highway for a period exceeding 24 hours, except as set out in the previous sentence, that person shall be liable to prosecution as if they had violated the restrictions or time limits in relation to parking or standing a vehicle as set out in the applicable by-law or municipal code section."

3. City Council amend Section 910-9 of City of Toronto Municipal Code Chapter 910, Parking Machines, Parking Meters and Mobile Only Zones, by inserting a new Subsection F as follows:

"F. Despite any other provision of the Municipal Code or any other City of Toronto By-law, a vehicle displaying an accessible permit and weighing more than 3,000 kilograms will not be exempt from the requirement to pay or deposit a fee and to use or activate the parking meter."

4. City Council delete Subsection B from Section 950-405 of City of Toronto Municipal Code Chapter 950, Traffic and Parking, and insert a new Subsection B as follows:

"B. No parking a bus certain times.

Where official signs prohibiting parking are displayed, no person shall park a bus on any highway at the side and between the limits set out in Schedule XIII in § 950-1312 during the prohibited times and/or days set out in Schedule XIII."

5. City Council delete Subsection P from Section 925-5 of City of Toronto Municipal Code Chapter 925, Permit Parking, and insert a new Subsection P as follows:

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“P. A person with an accessible parking permit issued by the Ministry of Transportation shall be exempted from this chapter provided the accessible permit is displayed on a vehicle which is under 3,000 kilograms in weight and not longer than 5.2 meters in length.”

6. City Council amend of City of Toronto Municipal Code Chapter 925, Permit Parking, Section 925-5 N by inserting a new Subsection (6) as follows:

“(6) A valid permit will be considered invalid if hooked or attached to a trailer or storage container or bin.”

7. City Council amend Schedule A of City of Toronto Municipal Code Chapter 610, Penalties and Administration of, generally as set out in Attachment 1 to the report (November 13, 2024) from the General Manager, Transportation Services.

8. City Council authorize that the amendments in Recommendations 1 to 7, inclusive, be implemented effective February 10, 2025.

9. City Council authorize the City Solicitor to introduce the necessary bills to give effect to City Council's decision and City Council authorize the City Solicitor to make any necessary clarifications, refinements, minor modifications, technical amendments, or by-law amendments as may be identified by the City Solicitor or General Manager, Transportation Services, in order to give effect to Recommendations 1 to 8 inclusive.

## **FINANCIAL IMPACT**

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There is no financial impact to Transportation Service resulting from the adoption of the recommendations in this report.

The intent of the recommendations is to ensure that those with larger commercial or recreational vehicles do not take away essential parking spaces from those with genuine need. With the introduction of new amendments to the exemptions associated with the use of Accessible Parking Permits, the City may experience an increase of parking violation revenue due to non-compliance with the new rules for oversized commercial or recreational vehicles displaying an accessible parking permit when illegally parked.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

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## **EQUITY IMPACT**

Accessible parking permits are vital in promoting mobility and independence among individuals with disabilities. Misusing these permits is not only illegal but also unethical

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and will result in significant penalties. It is imperative that permit holders fully grasp the purpose, legal obligations, and social impact of these permits. The amendments being introduced to the current parking exemptions for those individuals displaying an accessible parking permit in their vehicle will ensure they are reserved solely for those in genuine need.

## **DECISION HISTORY**

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City Council, at its meeting of March 20 and 21, 2024, adopted MM16.23 titled, 'Strengthening Compliance and Closing Loopholes in Parking Permit and Enforcement Systems', directing staff to report on the feasibility of updating Accessible Parking bylaws and policies to improve enforcement of larger vehicles specifically classified as commercial or recreational on city streets, which are currently exempt from certain parking regulations if a valid accessible parking permit is displayed.  
<https://secure.toronto.ca/council/agenda-item.do?item=2024.MM16.23>

## **COMMENTS**

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The Province of Ontario is responsible for administering Accessible Parking Permits, which are issued under a strict criterion, intended solely for the use of individuals who meet the prescribed definition of disabled<sup>1</sup> and certified by a healthcare practitioner. These permits must be prominently displayed in the vehicle used by the permit holder and are only valid when the permit holder is either the driver or a passenger of the vehicle. The province has issued roughly 800,000 accessible parking permits in Ontario and of those 131,000 have been issued to Toronto residents.

Accessible parking permits allow individuals with disabilities to park in designated spaces, ensuring closer access to facilities and services. These permits are legally recognized across Canada and are crucial in supporting the mobility and independence of persons with disabilities. It is important that these permits are used responsibly, as misuse can result in preventing those with genuine need from accessing essential parking spaces.

### **Current Parking Regulation Exemptions Applicable to Accessible Parking Permit Holders**

Currently, in the City of Toronto, an Accessible Permit (APP) holder or driver operating a vehicle for the purpose of transporting an accessible permit holder, who displays a valid accessible parking permit is entitled to the following on-street parking exemptions:

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<sup>1</sup> Getting an accessible parking permit: <https://www.ontario.ca/page/get-accessible-parking-permit>

- Signed prohibited parking areas (this includes time restricted areas only between the hours of 10 a.m. to 3 p.m.). No exemptions exist during the rush hour periods (i.e., between 6 a.m. to 10 a.m. and 3 p.m. to 7 p.m.).
- Signed on-street permit parking areas. Vehicles displaying a valid accessible parking permit are permitted to park without a designated on-street parking permit.
- Signed parking limits such as one-hour and two-hour maximums. APP holders are allowed to exceed the signed maximum parking limit.
- Unsigned maximum three-hour parking limit in effect on all city streets.
- APP holders may park at on-street parking meters, pay and display machines, or mobile only zones without having to pay the required fee during the hours of legal operation.

In all the above situations where parking is permitted, it is permitted for a period not to exceed a maximum of 24 hours.

The City of Toronto is the only municipality that provides the most parking regulation exemptions in the Greater Toronto Area to Accessible Parking Permit holders. The only exceptions would be the City of Hamilton (who exempt APP holders from paying for on-street parking for a maximum of three hours and parking time limits of up to 12 hours) and Niagara Falls (who exempt APP holders from paying for on-street parking for no more than 2 hours).

## **Amendments to the Accessible Parking Permits Exemptions**

The City of Toronto has experienced an increase in oversized vehicles - such as motorhomes, school buses, tour buses and trailers - taking advantage of the accessible parking permit exemptions primarily for the long-term storage of these vehicles on City streets. An oversized vehicle is typically at least 2.6 metres high or greater than 6.7 metres in length. A valid parking space in the City of Toronto is 5.5 meters in length, which is exceeded by all the aforementioned vehicle types, but can accommodate a typical mid-size vehicle that has an average length of 4.6 metres.

In 2023, Transportation Services received over 40 service requests from 311 Toronto regarding the inappropriate use of Accessible Parking Permits by vehicles identified as oversized as school buses, camper vans, recreational and construction vehicles. Unfortunately, under the current bylaw regulations, when a valid APP is displayed in these vehicle types they are considered as being legally parked, which was never the original intent of the exemptions being offered to APP holders.

The Toronto Police Service (TPS) do annual enforcement of illegally used accessible parking permits and have a team that monitor and respond to complaints when citizens report misuse of APPs. According to TPS, there were 16,414 Accessible Parking Permit related offences in 2023, which includes vehicles parked in accessible loading and parking spaces without displaying a valid Accessible Parking Permit. In addition, in 2023 535 APPs were confiscated with 533 charges laid for using a permit that was not legally

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issued to the individual or using the permit when the permit holder was not present in the vehicle.

The challenge faced by the Parking Enforcement Unit (PEU) of the Toronto Police Service occurs when large commercial and/or recreational vehicles park in “No Parking”, pay-and-display and residential on-street permit parking spaces. The practice of parking oversized vehicles on City streets minimizes parking supply and, in some instances creates sightline issues, traffic congestion and pedestrian safety concerns, as illustrated by the images included in Attachment 2 to this report.

It is recommended that parking exemptions for accessible parking permit holders be limited exclusively for passenger and commercial vehicles which are no heavier than 3,000 kilograms and no longer than 5.2 meters, and that amendments be introduced to the relevant City of Toronto Municipal Code Chapters accordingly. This will ensure that valuable curbside parking space is no longer used by larger oversized commercial and recreational vehicles and would allow the Parking Enforcement Unit (PEU) of the Toronto Police Service to issue appropriate parking violation notices to those unauthorized vehicles.

To support compliance, the General Manager, Transportation Services is recommending that new penalty amounts be implemented for various offences associated with the misuse of an accessible parking permit by oversized vehicles under Chapter 903, Parking for Persons with Disabilities, Chapter 910, Parking Machines, Parking Meters and Mobile Only Zones, Chapter 925, Permit Parking, and Chapter 950, Traffic and Parking. Given that parking offences are dealt with under the administrative penalty regime at the City of Toronto, Chapter 610, Penalties, Administration of, must also be amended to reflect/designate the new offence provisions and penalty amounts. The additional details on the amendments to Chapter 610 can be found in Attachment 1. Should the recommended penalty amounts in this report be adopted, the penalty amounts would take effect on February 10, 2025. The delay in implementation will allow sufficient time for City staff to inform APP holders of the new regulations associated penalty amounts.

The Toronto Accessibility Advisory Committee has been consulted on these recommendations and expressed no objections.

## **CONTACT**

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## **SIGNATURE**

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Barbara Gray  
General Manager, Transportation Services

## **ATTACHMENTS**

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- Attachment 1: Additions to Municipal Code Chapter 610, Penalties, Administration of -  
Changes to be Effective February 10, 2025
- Attachment 2: Example of oversized vehicles to be removed from Accessible Parking  
Permit exemptions

**Attachment 1: Additions to Municipal Code Chapter 610, Penalties,  
Administration of - Changes to be Effective February 10, 2025**

**Addition to Schedule A, Table 5: Chapter 903, Parking for Persons with  
Disabilities**

Column 1 Designated Part of Chapter	Column 2 Short Form Wording	Column 3 Penalty Amount
§ 903-4C	Display Accessible Permit on vehicle over 3,000 kgs	\$300.00
§ 903-5A	Accessible Permit Park longer than 24-hours	\$75.00



**Attachment 2: Example of oversized vehicles to be removed from Accessible Parking Permit exemptions.**



Example of an oversized vehicle displaying a valid accessible parking permit in a “No Parking” zone 9 metres from a corner, impeding sightlines



Example of an oversized vehicle displaying a valid accessible parking permit taking up several Green P metered parking spaces

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Example of an oversized vehicle displaying a valid accessible parking permit in a residential on-street permit parking location.