# **DA** TORONTO

### **REPORT FOR ACTION**

## Zoning Regulations for Parking of Commercial Vehicles in Residential Areas - Preliminary Report

Date: April 16, 2025 To: Planning and Housing Committee From: Chief Planner and Executive Director, City Planning Ward: All

#### SUMMARY

Commercial vehicles are a familiar sight on Toronto's streets and highways. They include the buses that transport residents all over the city, the delivery trucks that deliver goods, and the construction vehicles that haul the necessary materials to build housing.

Since its adoption by City Council in 2013, Zoning By-law 569-2013 has prohibited commercial vehicles from parking outside of a building in the Residential and Residential Apartment Zone categories. The current regulations were carried over from the former municipal zoning by-laws during the harmonization of the city-wide Zoning By-law. In 2022 and 2024, staff were requested by City Council (MM43.12 and PH12.8, respectively) to review the zoning regulations restricting outdoor parking for commercial vehicles in residential areas. City Council requested staff give appropriate consideration to:

- the needs for vehicle operators to have convenient parking for commercial vehicles available near their residence; and
- the impacts of COVID-19 on working arrangements.

This report provides an overview of the policy and legislative context affecting commercial vehicles; summarizes the policies and regulations that apply in the City of Toronto and other Canadian jurisdictions; identifies issues and opportunities; and sets out a proposed workplan to identify opportunities to sensitively amend the regulations to better address and balance the transportation needs of workers, neighbours, and businesses.

Should Planning and Housing Committee endorse the contents of this report and workplan, staff will undertake further analysis, stakeholder consultation, and will report back by Q1 2026 with final recommendations, including potential changes to the Zoning By-law.

#### RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. The Planning and Housing Committee endorse the contents of this report and the proposed work plan as the basis for public consultation, and request staff report back with final recommendations by the first quarter of 2026.

#### **FINANCIAL IMPACT**

City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

#### **DECISION HISTORY**

On May 11 and 12, 2022, City Council adopted MM43.12 - Parking commercial plated 24 hour service vehicles on driveways in residential zone, which requested the Chief Planner and Executive Director, City Planning, in consultation with the Executive Director, Municipal Licensing and Standards, to review zoning regulations that restrict outdoor parking of commercial vehicles on private property in residential areas, with consideration for the need for vehicle operators to have convenient parking for commercial vehicles available near their residence. The decision document can be found here: <a href="https://secure.toronto.ca/council/agenda-item.do?item=2022.MM43.12">https://secure.toronto.ca/council/agenda-item.do?item=2022.MM43.12</a>.

On May 23 and 24, 2024, City Council adopted PH12.8 - Request a Review of Zoning Regulations to Restrict Outdoor Parking of Commercially Licensed Vehicles on Private Property in Residential Areas and report back to Planning and Housing Committee by the first quarter of 2025 and an additional directive to consider the impacts of COVID-19 on working arrangements as part of the review. The decision document can be found here: https://secure.toronto.ca/council/agenda-item.do?item=2024.PH12.8.

#### BACKGROUND

Commercial vehicle registration, safety, and maintenance requirements are regulated by Canada's provincial and territorial governments. In Ontario, commercial vehicles are identified as a class of vehicle with a registered gross weight (this includes the vehicle and everything it is hauling) or actual weight of more than 4,500 kilograms, and includes buses, tow trucks, dump trucks, construction vehicles, delivery trucks, landscape vehicles, flatbed trucks, and cargo vans. The Ministry of Transportation has 127,629 registered commercial vehicles in Toronto. Data from Municipal Licensing and Standards (MLS) in Attachment 1 indicates that, between 2019 and 2024, 1,400 enforcement actions involving commercial vehicles have been logged. The majority of enforcement interactions occurred in the suburban districts, with Scarborough (39.1 percent) and Etobicoke York (36.1 percent) accounting for over three-quarters of all interactions. The figures also reveal the public's interest and concern in ensuring prohibited vehicles parked in residential areas are reported for enforcement action. Eighty-six (86) percent of all enforcement actions originated from members of the public.

#### POLICY AND REGULATORY FRAMEWORK

#### Federal and Provincial Legislation and Regulations

The legislative and regulatory framework governing commercial vehicle registration, safety, and maintenance requirements in Ontario builds on inter-jurisdictional cooperation spanning almost 40 years. The framework seeks to establish consistent standards for commercial vehicles across all thirteen provinces and territories. The federal government's National Safety Code (NSC) establishes requirements for the safe operation and performance of commercial vehicles through standardized written and road tests, limits on hours of service, safety ratings for motor carriers, and minimum standards for servicing loads, maintenance, inspections, and safety rating. The NCS's standards are implemented and refined through provincial legislation, regulation, and programming.

Under the Ontario Highway Traffic Act and its regulations, commercial vehicles include:

- trucks with a registered gross weight (includes the vehicle and everything it is carrying) or actual weight of more than 4,500 kilograms;
- buses with a seating capacity of ten or more passengers;
- concrete pumps and mobile cranes; and
- all tow trucks.

Provincial regulations exempt certain vehicles from requiring certification under the Ministry of Transportation's commercial vehicle operator's registration (CVOR) program. Pickup trucks, even when used as a personal vehicle, are generally considered commercial vehicles by virtue of their weight typically exceeding 4,500 kilograms. Like other vehicles, pickup trucks exceeding 4,500 kilograms are issued black license plates and require certification with the Ministry unless the vehicle is intended for personal use. The *Highway Traffic Act* allows the Ministry of Transportation to exempt pickup trucks intended for personal use from requiring a CVOR. Other exempt vehicles include:

- trucks or buses plated in a different province or territory;
- trucks (other than a tow truck) with registered gross weight or gross weight of 4,500 kilograms or less, whether towing a trailer or not;
- trucks or buses leased for the personal use of an individual for 30 days or less;
- ambulances, fire trucks, hearses, casket wagons;

- unladen trucks or buses operating under the authority of a dealer, service, manufacturer permit and plates or in-transit permits;
- buses used for personal purposes without compensation; and
- motor homes used for personal purposes.

Key visual identifiers of a registered commercial vehicle in Ontario include a black license plate and certification sticker affixed to the windshield.

Other vehicles that may be used for commercial purposes but do not exceed an actual or registered gross weight of 4,500 kilograms, such as cars, minivans, and certain cargo vans are not required to register with the Ministry of Transportation.

Although the Federal and Provincial governments govern licensing of commercial vehicles, the City has the authority to regulate various aspects related to the parking and storing commercial vehicles through the zoning by-law.

#### **Official Plan**

The Official Plan assigns land use designations across the city, describing where different land uses can locate. Each designation establishes the general uses, along with policies outlining key priorities for each designation. A key objective of the Official Plan centres on respecting and reinforcing the existing physical character of *Neighbourhoods* and *Apartment Neighbourhoods*. Changes are required to be sensitive, gradual, and "fit" the existing physical character.

Maintaining and operating certain heavier commercial vehicles may produce air quality, noise, vibration, odour, and dust impacts. Ensuring minimal adverse impacts on adjacent or nearby residences as they relate to noise, parking, delivery, and loading is a primary consideration of this study. Certain vehicles, merely by virtue of their size, might constitute a visual nuisance and compromise public realm and streetscaping policies located elsewhere in the Official Plan.

#### **Zoning By-laws**

#### City-wide Zoning By-law 569-2013

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013. The Zoning By-law harmonized 43 former municipal by-laws from the pre-amalgamated city into a single comprehensive zoning by-law that regulates all land uses, buildings, and structures. As some lands are not covered by the city-wide Zoning By-law, the zoning by-laws from former municipalities remain in effect on some lands in the city.

Chapter 10 of the Zoning By-law applies to all lands, uses, buildings, and structures in the Residential Zone category. Zones regulated under the Residential Zone category permit uses generally associated with the *Neighbourhoods* designation in the Official Plan. This zone category includes the Residential (R) Zone, Residential Detached (RD) Zone, Residential Semi-Detached (RS) Zone, Residential Townhouse (RT) Zone, and the Residential Multiple (RM) Zone.

Chapter 15 of the Zoning By-law applies to all lands, uses, buildings, and structures in the Residential Apartment Zone category. The Residential Apartment Zone category permits uses generally associated with the *Apartment Neighbourhoods* designation of the Official Plan. This Zone category includes the Residential Apartment (RA) Zone and the Residential Apartment Commercial (RAC) Zone.

Chapters 10 and 15 are the only chapters of the Zoning By-law that include regulations for parking of commercial vehicles. Regulations - 10.5.80.10(9) and (10) and 15.5.80.10(3) and (4) - apply city-wide and allow a commercial vehicle to be parked and stored on all properties in the Residential and Residential Apartment Zone categories under two conditions:

1. the vehicle must be owned or operated by an owner or tenant of a dwelling unit on the property; and

2. the vehicle must be parked within a wholly enclosed building.

The regulations do not permit parking outside of a building in the respective zone categories for the following vehicles:

- commercially licensed vehicles;
- construction vehicles;
- dump trucks;
- agricultural vehicles;
- repair or towing vehicles;
- tracked vehicles;
- vehicles with a traction engine;
- vehicles designed to run only on rails; and,
- vehicles equipped with more than six wheels, excluding spare wheels.

#### Former Municipal By-laws

The regulations in the city-wide Zoning By-law are harmonized from former municipal zoning by-laws. The former City of Scarborough's community zoning by-laws regulated various types of vehicles, such as construction vehicles, dump trucks, and repair and towing vehicles, by prohibiting them from parking in all yards. The community by-laws defined commercial vehicles as vehicles in excess of 2,250 kilograms.

The former City of Etobicoke Zoning Code permitted one commercial vehicle not exceeding 1,000 kilograms, owned and operated for personal use, to park in residential areas. Vehicles over 500 kilograms were only permitted to park in a garage or carport, and vehicles weighing at or below 500 kilograms were permitted to park in a driveway. The Etobicoke Zoning Code defined commercial vehicles as being used for commercial purposes - and a "vehicle of five hundred (500) kilograms' capacity."

The former City of North York Zoning By-law established tiered permissions based on the weight of vehicles, as well as different standards for commercial vehicles intended for personal uses. Personal use vehicles weighing less than 4,000 kilograms were permitted to park in a garage, carport, rear yard, and on a driveway in the front or side yard. Parking options for personal use vehicles weighing between 4,000 and 5,000 kilograms were only permitted in an enclosed garage and the rear yard. For personal use vehicles over 5,000 kilograms, outdoor parking was entirely prohibited. Commercial vehicles were permitted to park in an enclosed garage or carport in R and RM zones, only if they did not exceed a maximum gross weight of 4,000 kilograms.

In the former City of Toronto and former East York, a maximum of one commercial vehicle was permitted to be stored by an owner or occupant of the lot. Outdoor parking was not permitted and vehicles were required to be stored within a building or structure.

#### COMMENTS

#### Issues

Staff have been working with City staff from Strategic Initiatives, Policy and Analysis in the City Planning Division, MLS, and Transportation Services to identify potential interpretation and implementation issues related to the commercial vehicle parking regulations under the city-wide Zoning By-law.

#### Lack of Clarity

Discussions with enforcement and policy staff in MLS have highlighted the difficulties by-law officers encounter when interpreting the zoning regulations for commercial vehicles.

The zoning by-law does not define what is considered a commercial vehicle. The by-law includes regulations that refer to both 'commercial vehicles' and 'commercially licensed vehicles,' contributing to a lack of clarity around the application of these regulations. 'Vehicle' is a defined term in the city-wide Zoning By-law, meaning any "wheeled or tracked device, either self-propelled or capable of being pulled by a self-propelled device, for moving persons or objects, or used for construction or agriculture." 'Commercial vehicle', however, is not defined. City staff interpret these regulations to apply to commercial vehicles registered or required to register under the CVOR program; however, other users of the by-law may interpret the regulations to apply differently. Some assume that the by-law prohibits any vehicle used principally for commercial purposes from parking in residential areas, regardless of its size.

Staff have reviewed these terms to ensure City staff across multiple divisions better understand the purpose and intent behind these regulations. City Planning staff propose establishing a clear definition of commercial vehicle for residents, businesses, and City staff, as outlined in Attachment 3. A new definition of commercial vehicle should not conflict with provincial legislation. Consideration should also be given to expressly excluding certain light- and medium-duty vehicles, such as cars, minivans, cargo vans, and pickup trucks, owned or operated by an owner or tenant of the property. Staff will also consider whether the zoning by-law should set a maximum number of commercial vehicles permitted to be parked on a property.

#### Permitted Uses

Regulations 10.5.80.10(9) and 10.5.80.10(4) stipulate a commercial vehicle must be associated with "an owner or tenant of a dwelling unit on the lot." A dwelling unit is

defined as a "living accommodation for a person or persons living together as a single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the unit."

Since the adoption of the Zoning By-law, new housing typologies, such as garden and laneway suites, are now permitted in residential zones. In addition, other permitted uses in residential zones such as an ambulance depot, fire hall, library, lawfully existing public schools, and police stations may also need parking areas for commercial vehicles as part of their operations. Staff propose allowing other permitted uses to park commercial vehicles in either an enclosed building, or outside with conditions and provided the vehicle is associated with an owner or tenant on the property.

#### COVID-19 Impacts

As directed by City Council, staff will consider long-term impacts of the COVID-19 pandemic on evolving work arrangements. Recently, City Council received the Toronto Employment Survey 2024 (PH18.15). The 2024 Survey provided insights into changing work arrangements that have emerged as a new normal for many Toronto businesses and workers. Furthermore, there may be instances where employers of mobile workers who use company vehicles allow or require them to store their work vehicle at their residence. In some of these cases, this is intended to help mobile workers in industries responding to important service requests at all hours.

As the vast majority of MLS' enforcement actions stemmed from complaints received by the City from members of the public, the combined factors of more residents working remotely and more businesses permitting their workers to park their work vehicles at their residence suggests continued conflicts between neighbouring residents on this issue.

At this stage of the study, the relationship between evolving work arrangements and higher reported rates of commercial vehicles parking outdoors in residential areas remains unclear. From 2019 to March 2025, MLS data revealed total enforcement actions remained fairly constant, excepting 2020 and 2021 where enforcement actions were lower than in other years. As part of the study, staff will initiate a survey for businesses and the general public related to the use of commercial vehicles, in an effort to better understand the pressures businesses may be facing as a result of changing work arrangements, and to solicit feedback.

#### **Emerging Best Practices**

The City staff undertook a jurisdictional scan of zoning regulations in several other municipalities within proximity to Toronto. This scan includes the municipalities of Mississauga, Vaughan, Brampton, London, and Waterloo. Many municipalities define commercial vehicles in their zoning by-laws (see Attachment 2 for details).

Some definitions of commercial vehicle prescribe a weight or dimensions (Brampton), describe the nature of activities (Etobicoke, Waterloo), or specify the type of assembly (London, Mississauga, Vaughan, Waterloo). In many cases, the definitions include examples of commercial vehicles: food trucks, catering trucks, buses, and cube vans. The City of Waterloo took the additional step in adopting separate definitions for

'Commercial Vehicles' and 'Commercial Vehicle (Light)': the former is intended primarily for commercial purposes; the latter is intended to be "used primarily for commercial purposes by the owner or occupant of the premises."

Almost all of the municipalities establish performance standards and more detailed zoning approaches than has been the practice in Toronto. Some specify a maximum weight (Brampton) or maximum dimensions of the vehicle (London, Mississauga, Vaughan); others limit the number of parked vehicles (Mississauga, Markham, London, Vaughan). Markham, London, and Mississauga prohibit parking in front yards. Markham also includes minimum setback requirements. Some zoning by-laws also include standards for non-residential uses in residential areas: school buses in Mississauga for a place of religious assembly, public school or private school are expressly permitted in residential areas. In Brampton, small school buses or bussing vans are only permitted to park in a residential zone outside of the school year "between 9 p.m. Sunday and 4 p.m. Friday from September 1 to June 30 of each year. "These approaches and emerging best practices will be used to inform development of potential options for implementation. Attachment 2 includes a summary of the jurisdictional scan.

#### STUDY APPROACH

Staff recommend exploring potential amendments to the Residential and Residential Apartment Zone categories in the Zoning By-law to address issues associated with parking commercial vehicles outdoors. The zoning amendments should:

- establish a clear definition for commercial vehicles;
- clarifying the types of vehicles that are permitted to park outside of an enclosed building; and
- extend permissions for permitted uses (e.g., garden suites and laneway suites).

A review of these regulations will help staff across multiple divisions implement consistent interpretations of the zoning by-law to through a clear set of regulations and defined terms that achieve greater clarity for residents, businesses and city staff, and provide residents and businesses with greater flexibility to park vehicles outdoors.

As part of the study, staff will consider the suitability of allowing parking for specific types of commercial vehicles in residential and residential apartment zones. Some commercial vehicles such as cargo vans and light duty trucks may be suitable for outdoor parking in residential areas; whereas others, such as agricultural vehicles, tow trucks or dump trucks would remain prohibited unless the vehicle is enclosed within a building.

Public engagement will occur through a survey and public consultation. A survey designed to solicit general opinions will be published on the City's website and promoted through various social media channels for public participation. Public consultation may include targeted stakeholder workshops with community organizations and industry professionals, as well as city-wide public events. Staff anticipate conducting consultation in the second half of 2025.

As part of implementation planning of any zoning changes, MLS staff would develop an enforcement plan that considers education and outreach, updates to the standard operating procedures that guide Bylaw Enforcement Officers, and officer training on the new regulations.

#### CONCLUSION

Further exploration of the issues identified in this report will be undertaken over the course of the study, and staff will work collaboratively with other City divisions to better define and regulate commercial vehicle parking in the Zoning By-law. It is recommended that Planning and Housing Committee endorse the contents of this report as the basis for additional analysis and public consultation.

Staff will report back to Planning and Housing Committee in the first quarter of 2026 with a final report and recommendations.

#### CONTACT

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#### SIGNATURE

Jason Thorne Chief Planner and Executive Director City Planning Division

#### ATTACHMENTS

Attachment 1: MLS service requests related to commercial vehicles, 2019-2024 Attachment 2: Jurisdictional Scan Attachment 3: Key Zoning By-law Concepts for Consultation

Ward	2019	2020	2021	2022	2023	2024	Total
1 - Etobicoke North	26	19	20	11	15	32	123
2 - Etobicoke Centre	19	7	23	14	16	24	103
3 - Etobicoke- Lakeshore	16	10	4	2	6	12	50
4 - Parkdale- High Park	4	3	1	3	1	0	12
5 - York South- Weston	42	26	27	22	19	12	148
6 - York Centre	20	9	11	13	14	12	79
7 - Humber River-Black Creek	12	13	17	21	12	16	91
8 - Eglinton- Lawrence	7	2	4	5	5	8	31
9 - Davenport	4	1	2	4	2	6	19
10 - Spadina- Fort York	0	2	1	0	1	0	4
11 - University- Rosedale	5	0	0	0	1	1	7
12 - Toronto-St. Paul's	4	0	0	0	6	3	13
13 - Toronto Centre	0	0	0	1	0	5	6
14 - Toronto- Danforth	3	3	6	3	4	4	23
15 - Don Valley West	0	2	6	5	10	2	25
16 - Don Valley East	5	0	3	2	5	8	23

Ward	2019	2020	2021	2022	2023	2024	Total
17 - Don Valley North	40	33	5	5	13	9	105
18 - Willowdale	11	5	5	7	9	8	45
19 - Beaches- East York	5	2	3	3	5	4	22
20 - Scarborough Southwest	7	6		18	14	21	69
21 - Scarborough Centre	14	7	15	88	30	15	169
22 - Scarborough- Agincourt	31	19	7	19	15	6	97
23 - Scarborough North	13	6	12	11	4	10	56
24 - Scarborough- Guildwood	10	6	16	14	9	17	72
25 - Scarborough- Rouge Park	16	5	15	19	20	9	84
Total	278	156	196	290	236	244	1,400
Note: Numbers have been rounded to the nearest whole number							

Municipality	Definition
London	<i>Vehicle, Commercial</i> means a motor vehicle having permanently attached thereto a truck, or delivery body and includes ambulances, hearses, casket wagons, fire trucks, buses and tractors used for hauling purposes on the highways.
Brampton	Oversized Motor Vehicle shall mean any motor vehicle having an overall height greater than 2.6 metres or overall length greater than 6.7 metres or combination of both. External attachments to the vehicle are included in the measurement of height and length.
Mississauga	<i>Commercial Motor Vehicle</i> means a motor vehicle having attached thereto, a truck or delivery body and may include but is not limited to a catering or canteen truck, bus, cube van, tow truck, tilt and load truck, dump truck, tractor trailer, ambulance, hearse, fire apparatus and tractor, used for hauling purposes.
Waterloo	<i>Commercial Vehicle</i> means a motor vehicle used primarily for commercial purposes with or without an attached delivery body, and includes vehicles such as food trucks, catering or canteen trucks, buses, box / cube vans, tow trucks, tilt and load vehicles, dump trucks, tractor trailers, semi-trailers, and any vehicle which has an exterior fixture or fixtures for the purposes of carrying equipment, materials, or supplies for commercial purposes.
	<i>Commercial Vehicle (Light)</i> means a motor vehicle used primarily for commercial purposes by the owner or occupant of the premises, and is restricted to cars, minivans, contractor vans, and light duty trucks (often referred to as pickup trucks) with a maximum carrying capacity of one (1) ton. Excludes <i>Commercial Vehicles</i> other than contractor vans.
Vaughan	<i>Commercial Motor Vehicle</i> means a motor vehicle having attached to it a truck or delivery body, and may include a food truck, bus, cube van, tow truck, tilt and load trucks or trailers, dump trucks, tractor trailers, semitrailers, or construction equipment that is self-propelled or designed to be towed.

Municipality	Definition
Markham	<i>Commercial Motor Vehicle</i> means a motor vehicle used for commercial or service purposes and includes, but is not limited to, school buses, construction trucks, refreshment vehicles or food trucks, delivery vehicles, or any oversized motor vehicle not otherwise defined in this By-law. For the purposes of this definition, any motor vehicle used for the exclusive purposes of farming activities, is not considered a commercial motor vehicle.

#### Attachment 3: Key Zoning By-law Concepts for Consultation

Based on preliminary review and analysis, staff propose consultation on the following key concepts for amending city-wide Zoning By-law 569-2013 to permit commercial vehicles to park outdoors in residential areas.

- Define "commercial vehicle." The definition should prioritize consistency with provincial legislations and continue to prohibit commercial vehicles considered unsuitable from outdoor parking in residential areas.
- Expand the number of uses able to benefit from the permissions to park a commercial vehicle in a residential area, such as: garden suites, laneway suites, multi-tenant houses, community uses (schools, libraries, places of worship, community centres), and certain permitted non-residential uses.
- Establish a maximum number of commercial vehicles permitted to be parked on a property.
- Clarify the types of commercial vehicles that are permitted to park outside of an enclosed building.

Additional standards for other zoning regulations may be considered through consultation and further analysis.