

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.]

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.

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 Section 2 of this by-law provided as follows: (1) Except as provided in subsection (2), the following by-laws are repealed: former Borough of East York By-law 127-79, as amended; former City of Etobicoke Municipal Code Chapter 183, §§ 183-1 to 183-15, as amended; former City of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.

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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]**

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.

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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PENALTY NOTICE - As defined in Chapter 610, Penalties, Administration of. **[Added 2017-07-07 by By-law 807-2017⁴]**

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;
- 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.

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

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.

- 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

⁴ Editor's Note: By-law 807-2017 came into effect August 28, 2017.

⁵ Editor's Note: By-law 807-2017 came into effect August 28, 2017.

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to those conditions or prohibitions shall be deemed to have been parked or left without the consent of the property owner or occupant.

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 807-2017⁶]

§ 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;

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

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- (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 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 807-2017⁷]**
- 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 804-2015⁸]**
- 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 804-2015⁹]**

§ 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;

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

⁸ Editor's Note: By-law 804-2015 came into force September 1, 2015.

⁹ Editor's Note: By-law 804-2015 came into force September 1, 2015.

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- 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 1006-2012¹⁰**]
- 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.

ARTICLE IV
Offences and Penalties

§ 915-7. Offences and administrative penalties.

[**Amended 2011-12-01 by By-law 1404-2011; 2012-07-13 by By-law 1012-2012¹¹; 2017-03-29 by By-law 314-2017¹²; 2017-07-07 by By-law 807-2017¹³**]

- 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 or § 915-2B, 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 or 915-2B, is liable to a fine as provided for in the *Provincial Offences Act*.

§ 915-8. (Reserved)¹⁴

¹⁰ Editor's Note: By-law 1154-2010, as amended by By-law 1006-2012, came into effect July 12, 2012.

¹¹ 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.

¹² Editor's Note: By-law 314-2017 removed the fixed fine system for all parking ticket offences and came into effect April 10, 2017.

¹³ Editor's Note: By-law 807-2017 came into effect August 28, 2017.

¹⁴ Editor's Note: Former § 915-8, Voluntary payment, as amended, was repealed October 28, 2004 by By-law 911-2004.