

October 7, 2010

Fact Sheet on Parking in Driveways and the New Zoning Bylaw

The new Zoning Bylaw does not apply to any existing homes and their driveway parking situation. In other words, it cannot be applied retroactively. Those homes are governed by the previous zoning bylaws that were in place prior to the enactment of the new Harmonized Zoning Bylaw.

The existing bylaws and the new zoning bylaw state, with some exceptions, the ‘required parking space’ cannot be in the front yard, which is the area between the front of the house and the street. Typically with new development the parking space is provided in the form of an attached garage. Being part of the house, the garage is, by definition, not in the front yard since it required to be set back from street.

It is common practice to park in the driveway. ‘Driveways’ by definition do not allow parking on them. Zoning bylaws must recognize the permission to park in the driveway. The new Zoning Bylaw recognizes this practice by allowing a parking space to be located in the driveway.

Single detached, semi-detached and ‘street’ townhouses require one parking space although more can be provided.

The new Zoning Bylaw applies on a go-forward basis. All existing situations are not affected. There will be no fines levied against existing situations.

Garage/Driveway	New Zoning Bylaw Provisions
Single car garage with single car-wide driveway	One car can park in the garage, and one car may be parked in front of garage. Additional parking spaces are prohibited on the remainder of the driveway.
Single car garage with a driveway widened to twice the original width (max. 6 metres).	One car can park in the garage, and two cars may be parked side by side on the driveway. Additional parking spaces are prohibited on the remainder of the driveway.
Double car garage	Two cars may be parked in the garage, and two cars can be parked side by side in front of the garage. Additional parking spaces are prohibited on the remainder of the driveway.

FAQs

Q: When did this bylaw come into effect?

A: This bylaw came into effect on August 27, 2010 as part of the new Harmonized Zoning Bylaw.

Q: What is the purpose of such a provision?

A: The purpose of this provision is to allow parking in the driveway in front of the house. This provision is intended to recognize the common practice of parking in the driveway in front of the garage.

Q: Will I be charged for parking in my driveway?

A: This driveway parking provision of the new zoning bylaw will not affect existing homeowners. Enforcement of this provision will be applied to new situations (homes built under the new zoning bylaw) and on a complaint basis only.

Q: Did this driveway parking provision go to Council?

A: This matter was included in a report dated October 21, 2009 to the Planning and Growth Management Committee for its meeting held on November 4, 2009. The matter is discussed on pages 19 and 20. Link to the report:
<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-24425.pdf>

Q: What about people parking three cars in my driveway now?

A: If it was lawful (under the previous zoning bylaws) you are permitted to continue to park in your driveway before. The new zoning provisions will not affect existing parking situations.

Q: What about overnight visitors and guests during the day?

A: The zoning bylaw concerns itself with regular or repeated activity. The irregular occurrence of overnight guests or visitors parking vehicles in your driveway is not unlawful under the new Zoning Bylaw.