

# DECISION/DIRECTION NOTE

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**Title:** Parking of Vehicles on Residential Yards

**Date Prepared:** March 31, 2021 Click or tap to enter a date.

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Maggie Burton, Planning & Development

**Ward:** N/A

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## **Decision/Direction Required:**

To amend the Residential Property Standards By-Law to clarify the law around parking vehicles on residential yards.

## **Discussion – Background and Current Status:**

Section 5.2.3(2) of the Residential Property Standards By-Law states:

No person shall park, or cause to be parked, a vehicle on residential property beyond the building line unless such vehicle is parked in an approved driveway or parking space.

Historically, this section has been interpreted by Regulatory Services to mean that you cannot park a vehicle on your front yard. However, the phrasing “beyond the building line” is somewhat ambiguous. The By-Law needs to be clarified so that any potential for confusion is removed. Increased clarity will benefit the public, improve compliance, and ensure consistent enforcement.

The Legal Department has consulted with Regulatory Services and Planning/Development to review this section of the By-Law, discuss the proposed amendment, and ensure no conflict with the new Development Regulations.

Staff agree that the amendment should follow common past practice and clearly prohibit vehicles parking on the front yard. This reflects not only aesthetic concerns, but also landscaping requirements and snow removal/snow storage issues. Vehicles will be permitted to park on side/rear yards; however, this will not apply to commercial vehicles (as prohibited in the Commercial Vehicle Parking By-Law<sup>1</sup>) or inoperative/unused/abandoned vehicles (as prohibited under section 5.2.3(1) of the Residential Property Standards By-Law). Likewise, any

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<sup>1</sup> Section 3(c) permits the parking of one non-construction related commercial vehicle up to 10,000 lbs. on a residential property

paving or asphalt on side/rear yards will still have to go through the usual permit process and receive approval.

The amended section would read:

No person shall park, or cause to be parked, a vehicle on the front yard of a residential property unless such vehicle is parked in an approved driveway or parking space.

The Residential Property Standards By-Law is currently undergoing a complete review and revision. The amendment to this section of the By-Law however is of a pressing nature as Regulatory Services starts to see an increase in this issue in the spring/summer months. Therefore, this section of the By-Law needs to be immediately addressed.

**Key Considerations/Implications:**

1. Budget/Financial Implications: N/A
2. Partners or Other Stakeholders:
  - PERS – Regulatory Services and Planning/Development
  - General Public
3. Alignment with Strategic Directions/Adopted Plans:
  - Sustainable City – Plan for land use and preserve and enhance the natural and built environment where we live – amending the by-law to prohibit the parking of vehicles on front yards reflects landscaping requirements and enhances the natural environment
  - Effective City – Work with our employees to improve organizational performance through effective processes and policies – amending the by-law will remove any potential for confusion and ensure consistent, effective enforcement
4. Legal or Policy Implications:
  - Amending the By-Law will improve clarity around the law
5. Privacy Implications: N/A
6. Engagement and Communications Considerations:
  - The amendment will have to be advertised and published in the Gazette and newspaper in order to legally be in effect
7. Human Resource Implications: N/A
8. Procurement Implications: N/A
9. Information Technology Implications:
  - The amended By-Law will need to be updated on the City's website

10. Other Implications: N/A

**Recommendation:**

That Council amend the Residential Property Standards By-Law to clarify that the parking of vehicles on the front yard of a residential property is prohibited.

**Prepared by:**        **Katie Philpott**

**Approved by:**

**Report Approval Details**

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|----------------------|---|
| Document Title:      | Parking of Vehicles on Residential Front Yards.docx |
| Attachments:         |   |
| Final Approval Date: | Mar 31, 2021  |

This report and all of its attachments were approved and signed as outlined below:

**Cheryl Mullett - Mar 31, 2021 - 3:12 PM**