

# **Staff Report: Policy Options for Commercial Vehicle Parking**

## **November 2, 2020**

### **Planning Services Division**

## **Background**

On September 11, 2018 Council passed resolution CC2018-249 (the Resolution) which directed staff to initiate the process to amend Zoning By-law 2010-100Z to permit one commercial tow truck exceeding a registered gross weight of 4,500 kilograms and height of 2.2 metres per dwelling unit on any residential lot within the Agricultural and Rural Zones (see Reference 1).

The intent of the resolution is to address tow truck response times to emergency situations. Town truck response times to accident scenes or traffic tie-ups can be hampered by on-call or on-duty tow truck drivers having to drive to the shop or parking area from his/her home to pick up the necessary tow truck before proceeding to the scene.

## **Defining the Issue**

The parking of commercial vehicles, including tow trucks are regulated by most municipalities through the Zoning By-law. Generally, by-laws distinguish between large commercial vehicles and those that are smaller. The rationale for those provisions is to maintain the character of residential areas, and safety reasons to ensure vision is not obstructed or distracted.

In Greater Sudbury, the parking or storage of one commercial vehicle per dwelling unit is permitted on residential lots, provided that the vehicle has a registered gross vehicle weight of 4,500 kg or less and a height of 2.2 m or less, and is owned or operated by the owner or occupant of the dwelling unit. The parking of a commercial vehicle used for the primary purpose of transporting more than 12 persons for remuneration is not permitted in Residential (R), Rural Shoreline (RS) and Seasonal Limited Service (SLS). School buses are permitted within the Agricultural (A) and Rural (RU) Zones. The Resolution seeks to permit tow trucks in the A and RU Zones similar to school buses.

There are various types of tow trucks, all of which exceed the weight threshold and the height threshold established in the Zoning By-law. Generally speaking, the trucks that are taken home by on-call tow truck operators are single axel tilt and load trucks that weigh between 8,000kg and 11,000 kg, with heights of approximately 3 metres.

Commercial tow truck operators have contracts with Greater Sudbury Police Service, the City of Greater Sudbury for fleet and the Ontario Provincial Police. Those agreements require certain response times that can be challenging to meet if an on-call operator is required to drive from their residence to the shop or parking area to pick up the necessary

truck before proceeding to the scene, in particular given the geography of the City. Operators indicate that it would not be cost effective to have on-call drivers stationed at the shop.

In some instances, truck operators are able to park their vehicle on a nearby property that is appropriately zoned, these properties may not be sufficiently close to be practical, may not have the ability to plug in the vehicle (which is a requirement for these diesel vehicles) or security of the vehicle and its contents is a concern.

## Planning Provisions

A review of Zoning By-law provisions for the parking of commercial vehicles was undertaken to determine whether CGS's current practice was consistent with other municipalities and/or whether there were any innovative policies that could be evaluated for suitability in the Greater Sudbury context. The Following Table provides a summary of a range of provisions.

Range of Provisions		
Zones	Commercial Vehicles Below Height/Weight Threshold	Commercial Vehicles Above Height/Weight Threshold
<b>Rural Zones</b>		
	Generally no restrictions	A maximum of 2 of either a school bus or a tractor and/or trailer may be parked on a residential lot located outside of a settlement area
		A maximum of 3 commercial vehicles in rural areas
		A maximum of one commercial vehicle may be parked unenclosed provided it is setback a minimum of 20 metres from any lot line and 50 metres from a dwelling on an adjacent lot.
		Clarification that commercial motor vehicle definition does not apply to agricultural vehicles and equipment associated with an agricultural operation.
		Maximum 3, but no person shall park in a required front yard, side yard and

		must be a minimum of 3 metres from all lot lines, unless parked within a building.
<b>Residential Zones</b>		
	Not more than one	Generally prohibited
	Permitted to temporarily attend residential premises for the purpose of delivery and/or service provision to the occupants of the residential premises.	
	A maximum of one may be parked within the front yard and an additional may be parked within a fully enclosed building, side yard or rear yard, provided that: it does not interfere with the visibility of traffic, public safety, with the residential amenities of the neighbourhood or diminish the residential character of the neighbourhood.	
	Must be operated by an occupant of the dwelling unit	
	A maximum of 2 may be parked on-site provided one is parked within a private garage.	
	Except within a fully enclosed building.	

### **Parking in Rural Areas**

Where the parking of commercial vehicles is permitted within rural areas, generally a restriction is placed on the number permitted. Some municipalities also include requirements for maintaining certain setbacks from property lines or from adjacent residential dwellings. It is recommended that a maximum of one tow truck, exceeding a registered gross vehicle weight of 4,500 kilograms and exceeding the height of 2.2 metres is permitted to be parked within the Agricultural (A) and Rural (RU) Zones.

### **Parking in Residential Areas**

The parking of commercial vehicles below the height and weight restrictions is generally limited to one (1). The parking of commercial vehicles about the height and weight restrictions is generally prohibited. Generally speaking, residential properties and driveways are not adequately sized to accommodate larger commercial vehicles. The length of a standard parking space is 6 metres (20 feet), whereas a tow truck's average

length is 9-10 metres (30-35 feet). While there are instances where residential driveways have sufficient length or where the side yard is sufficiently wide to provide access to parking in the rear yard, this does not address concerns with respect to maintaining the residential character of the area or noise, etc. A potential solution that could be worth exploring in urban areas would be parking on municipally owned properties. No changes to the current provisions of the Zoning By-law are recommended at this time.

## **Conclusion/Next Steps**

Tow trucks provide support to essential services within our community. The geography of our City presents challenges with respect to the provision of timely service balanced with the protection of the character of residential neighbourhoods. The proposed amendment would provide additional options for the parking of commercial vehicles in the form of tow trucks within the Rural (RU) and Agricultural (A) Zones and represents a step towards enabling more efficient response times. Additionally, staff could undertake a review of municipal sites where on-call operators could park their vehicles within urban areas. Further, the proposed amendment would be consistent with Council's strategic objective of Business Attraction, Development and Retention. It is recommended that staff be directed to proceed with the preparation of the amending by-law.

## **References**

1. City of Greater Sudbury. Council Resolution CC2018-249.  
<https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=1246&itemid=rec>
2. City of Greater Sudbury Zoning By-law 2010-100Z.  
<https://www.greatersudbury.ca/do-business/zoning/zoning-by-law-2010-100z/#PART%205:%20%20%20PARKING%20AND%20LOADING%20PROVISIONS>