

Township of Wellesley

By-law No. 37/2026

A By-law for establishing the Parking of Motor Vehicles on Municipal Property or Private Property

Where Section 11(3)(8) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, authorizes municipalities to regulate parking on highways as well as parking, except on highways;

And Whereas Section 100 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, states that a local municipality may, in respect of land not owned or occupied by the municipality that is used as a parking lot, regulate or prohibit the parking or leaving of motor vehicles on that land without the consent of the owner of the land or regulate or prohibit traffic on that land if a sign is erected at each entrance to the land clearly indicating the regulation or prohibition;

And Whereas Section 100.1 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, states that a local municipality may, in respect of land not owned or occupied by the municipality, regulate or prohibit the parking or leaving of motor vehicles without the consent of the owner of the land;

And Whereas Section 170(15) of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended and Section 101(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, authorizes the removal and storage of any motor vehicle left in contravention of a municipal by-law;

Now Therefore the Council of the Corporation of the Township of Wellesley enacts as follows:

1. Definitions

The definitions contained within the Highway Traffic Act, R.S.O. 1990, c. H.8 shall apply in the interpretation of this By-law except where they are inconsistent, in which case the definition under this By-law shall apply. For purposes of this By-law:

“Authorized sign” means any sign that has been erected on private property or the Township’s property under the authority of this By-law for the purpose of regulating parking;

“Boulevard” means that part of a highway from the edge of the roadway to the nearest lateral property line, but does not include a shoulder, sidewalk or multi-use trail;

“Council” means the Council of the Township of Wellesley;

“Highway Traffic Act” means the Highway Traffic Act, R.S.O. 1990, c. H.8 as amended;

“Leave” means park, stand or stop;

“Local municipality” means The Township of Wellesley;

“Motor Vehicle” includes an automobile, a motorcycle, a motor assisted bicycle unless otherwise indicated in this Act, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a streetcar or other motor vehicle running only upon rails, a power-assisted bicycle, a motorized snow vehicle, a traction engine, a farm tractor, a self-propelled implement of husbandry or a road-building machine;

"Municipal Law Enforcement Officer" means a police officer or municipal law enforcement officer of the Township appointed by Council pursuant to the Community

Safety and Policing Act, 2019, as amended and any other public officer engaged in the enforcing of the Township's By-laws;

"Municipal Property" means any land, building, structure, parking lot, facility, park, open space, road allowance, boulevard, or other property owned, leased, occupied, operated, managed, or controlled by the Township.

"Occupant" means any person in lawful possession or control of a property, including a tenant, lessee, resident, property manager, business operator, or any person authorized by the owner to act on the owner's behalf.

"Owner" means the registered owner of the property in the case of private property and the Township in the case of a boulevard;

"Park" shall mean the standing of a vehicle, whether the vehicle is occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers;

"Parking Lot" means an area or structure or a portion of an area of structure intended for the parking of motor vehicles off the street or highway which may include a private lot or a municipal lot which name appears in Schedule "B" of this By-law;

"Police Cadet" means a cadet of the Waterloo Regional Police Service;

"Police Officer" means a chief of police or any other police officer of the Waterloo Regional Police Service;

"Private property" means land not owned or occupied by the Township;

"Private Enforcement Officer" means that Council may, by by-law, appoint Private Enforcement Officers to enforce provisions of this by-law, except Impounding, at certain locations throughout the Township and may also remove said appointments, at any time, also by resolution or by-law;

"Region" means the Regional Municipality of Waterloo;

"Township" means the Township of Wellesley;

"Unauthorized area" means

- (a) a front yard or side yard except where parking in such area is permitted under the Township's Zoning By-Law 28/2006, as amended; and
- (b) a Boulevard except where parking, standing or stopping is permitted by the Township.

2. General prohibitions

- (a) No person shall park or Leave a Motor Vehicle on Private Property without the consent of the owner of the property.
- (b) No person shall park or Leave a Motor Vehicle on Private Property that is being used as a parking lot without the consent of the owner of the property.
- (c) No person shall park or Leave a Motor Vehicle on Municipal Property without the consent of the Township.
- (d) No person shall park or Leave a Motor Vehicle on Private Property in an unauthorized area.

3. Parking without consent

If signs are erected on Private Property specifying conditions on which a Motor Vehicle may be parked or Left on Private Property or regulating or prohibiting the parking or Leaving of a Motor Vehicle on Private Property, a Motor Vehicle parked or

Left on Private Property contrary to the conditions or prohibition shall be deemed to have been parked or Left without consent of the owner.

No proceeding shall be commenced upon private property except upon complaint of the owner or occupant, unless the property has been approved for private parking enforcement.

4. Permitted exemptions

Despite Section 2(c) of this By-law, a person may park or leave a Motor Vehicle on Municipal Property where:

- (a) the vehicle is parked in accordance with the terms and conditions of a valid permit issued by the Township;
- (b) the vehicle is being used in connection with Township business and is authorized by the Township;
- (c) Notwithstanding any other provision of this By-law, a vehicle may be parked in a designated parking area at a municipal facility while the driver or occupant of the vehicle is attending or participating in an event, program, activity, or function at that municipal facility, provided that the vehicle is parked in accordance with all applicable signage, parking restrictions, and directions authorized by the Township.
- (d) the vehicle is owned, operated, or under contract to the Township while engaged in municipal operations;
- (e) the vehicle is an emergency vehicle, police vehicle, fire vehicle, ambulance, or other vehicle responding to an emergency;
- (f) the vehicle is otherwise authorized in writing by the Township.

4.1. Eligibility

A permit may be issued to:

- (a) Township employees, firefighters, volunteers, contractors, and elected officials requiring parking in the performance of their duties;
- (b) participants, organizers, vendors, or volunteers associated with a Township-approved event;
- (c) users of Township facilities requiring overnight or extended parking for a specific purpose;
- (d) residents or property owners affected by temporary circumstances including driveway construction, emergency repairs, moving activities, or similar situations; or
- (e) any other person where the Township determines that special circumstances warrant the issuance of a permit.

4.2. Conditions of permit

Every permit issued under this By-law:

- (a) shall be valid only for the vehicle, location, dates, and times specified on the permit;
- (b) shall be displayed in a manner approved by the Township, where required;
- (c) is non-transferable;
- (d) may be subject to fees established by Council;
- (e) does not reserve or guarantee a parking space unless expressly stated on the permit; and
- (f) may be suspended, revoked, or cancelled at any time where the Township determines that the permit was issued based on incorrect information, the permit conditions have been breached, or such action is necessary for public safety or operational reasons.

4.3. Administration

The Municipal Clerk, Director of Development Services, By-law Enforcement Officer, or their designate may administer, approve, refuse, revoke, or impose conditions on permits issued under this By-law.

5. Sign requirements

Where parking or leaving of motor vehicles on Private Property is regulated or prohibited under this By-law, the Owner or Occupant shall ensure that an authorized sign is erected and maintained at each vehicular entrance to the property.

Every authorized sign shall:

- (a) be clearly visible to a driver entering the property;
- (b) be maintained in a legible condition and be free from damage, obstruction, fading, vegetation, or any other condition that may impair visibility or readability;
- (c) clearly identify any parking regulations, restrictions, conditions, or prohibitions applicable to the property;
- (d) clearly indicate that vehicles parked or left in contravention of this By-law may be ticketed and/or removed at the owner's expense;
- (e) Where a property has more than one vehicular entrance, a sign shall be erected and maintained at each vehicular entrance.
- (f) The Township may require the Owner or Occupant to install, replace, relocate, or modify any sign where the Township determines that the sign does not comply with this By-law or does not provide adequate notice of the parking regulations applicable to the property.

6. Impounding

A Police Officer, Police Cadet or Municipal Law Enforcement Officer, upon discovery of any vehicle parked or Left on Private Property in contravention of this by-law, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for the removal, care and storage of the vehicle, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act, R. S. O. 1990, Chapter R. 25.

7. Enforcement

This by-law may be enforced by Municipal Law Enforcement Officers or the Waterloo Regional Police Service.

Section 6 of this by-law may only be enforced by Municipal Law Enforcement Officers employed by the Township or the Waterloo Regional Police Services.

Council may, by resolution or by-law, appoint Private Enforcement Officers to enforce the provisions of this by-law, except Section 6, at certain locations throughout the Township and may also remove said appointments, at any time also by resolution or by-law.

8. Offences and penalties

- ✂ ☐ Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a penalty as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended.
- ✂ ☐ Where a vehicle is parked, standing or stopped in contraventions of this By-law, the registered owner of the vehicle shall be deemed to have committed the offence unless, at the time of the offence, the vehicle was in the possession of another person without the owner's consent.

9. **Severability**

Should any part, section or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or in part thereof, other than the part that was declared to be invalid.

10. **Repeal**

By-law 48/2019 is hereby repealed, and all by-laws amending the same.

11. **Title**

This by-law shall be referred to as the “Private Parking By-law”.

12. **Coming into force**

This by-law shall come into force and effect on the date of passage.

Read a first and second time this 22nd day of September, 2026.

Mayor Joe Nowak

Municipal Clerk, Amy Harron

Read a third and final time and passed on this 22nd day of September, 2026.

Mayor Joe Nowak

Municipal Clerk, Amy Harron

Schedule “A”

To By-law 37/2026

Set Fines

By-law xx/2026 of The Corporation of The Township of Wellesley for parking on private property.

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fines
1	Parked on Private Property	2 (a)	\$35.00
2	Parked on Private Property – Parking Lot	2 (b)	\$35.00
3	Parked on Private Property - Municipal	2 (c)	\$35.00
4	Parked in an Unauthorized Area	2 (d)	\$35.00

Note: The penalty provision for the offences indicated above is indicated in Penalties (a) of By-Law xx/2026, of the Corporation of The Township of Wellesley, a certified copy of which has been filed.

Schedule “B”

To By-law 37/2026

Authorized Parking Lots for Displaying Private Parking Signage

Properties listed in this Schedule may be amended by Council By-law to include further parking lots, as authorized by the Township of Wellesley.

Municipal Parking Lots

Township of Wellesley Administration Building, 4639 Lobsinger Line, St. Clements

Township of Wellesley Council Chambers, 4805 William Hastings Line, Crosshill

Hawesville Community Centre, 3521 Broadway Street, Hawkesville

Linwood Fire Station, 32 Adelaide Street, Linwood

St. Clements Fire Station, 2671 Herrgott Road, St. Clements

Wellesley Fire Station, 1379 Queens Bush Road, Wellesley

Albert Erb Conservation Area, 3684 Nafziger Road, Wellesley

Bill Gies Community Complex, 1401 Queens Bush Road, Wellesley

Wellesley Community Centre, 1000 Maple Leaf Street, Wellesley

Wellesley Arena, 1004 Catherine Street, Wellesley

St. Clements Community Centre, 1 Green Street, St. Clements

St. Clements Soccer Fields, 50 Maple Street, St. Clements

Linwood Recreation Complex, 5279 Ament Line, Linwood

Region of Waterloo Library – Linwood Branch, 5279 Ament Line, Linwood

Region of Waterloo Library – St. Clements Branch, 3605 Lobsinger Line, St. Clements

Region of Waterloo Library – Wellesley Branch, 1137 Henry Street, Wellesley