

Authority: Works Committee Report No. 13, Clause No.5, adopted as amended, by City of
Toronto Council on July 4, 5 and 6, 2000
Enacted by Council: July 6, 2000

CITY OF TORONTO

BY-LAW No. 455-2000

To delegate to the Commissioner of Works and Emergency Services of the City of Toronto the authority to temporarily close highways during construction, repair or improvement or for a social, recreational, community, athletic, or cinematographic purpose.

WHEREAS paragraph 43 of Section 207 of the *Municipal Act* provides that by-laws may be passed by the councils of all municipalities for closing temporarily any highway or portion of a highway under the jurisdiction of the municipality for any period during the construction, repairing or improvement of such highway or portion thereof or of any works under, over, along, across or upon such highway or portion thereof and for authorizing a committee of council or a municipal officer or employee, subject to such conditions as council may impose, to exercise any of the powers of council under paragraph 43 of Section 207 of the *Municipal Act*; and

WHEREAS paragraph 44 of Section 207 of the *Municipal Act* provides that by-laws may be passed by the councils of all municipalities for closing to vehicular traffic on a temporary basis for such period as shall be specified in the by-law, any highway under the jurisdiction of the council for such social, recreational, community, athletic or cinematographic purpose, or combination of such purposes, as may be specified in the by-law and for authorizing a committee of council or a municipal officer or employee, subject to such conditions as council may impose, to exercise any of the powers of council under paragraph 44 of Section 207 of the *Municipal Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Despite any other by-law, the Commissioner of Works and Emergency Services of the City of Toronto may temporarily close any highway or portion of a highway for any period during the construction, repairing or improvement of the highway or portion of it or of any works under, over, along, across, or upon the highway or portion of highway where such construction, repair or improvement is initiated by the City of Toronto or is initiated by a utility company with statutory rights or a Municipal Access Agreement with the City of Toronto allowing occupancy of the highway.

2. Despite any other by-law, the Commissioner of Works and Emergency Services of the City of Toronto may temporarily close any highway or part of a highway for a period up to and including 30 days during the construction, repairing or improvement of the highway or portion of it or of any works under, over, along, across, or upon the highway or portion of highway where such construction, repair or improvement is privately initiated other than by a utility company with statutory rights or a Municipal Access Agreement with the City of Toronto allowing occupancy of the highway.

3. Despite any other by-law, the Commissioner of Works and Emergency Services of the City of Toronto may temporarily close to vehicular traffic any highway or portion of a highway for a period of not more than 4 consecutive days for social, recreational, community, athletic, or cinematographic purpose, or combination of such purposes.

4. The Commissioner of Works and Emergency Services' authority as set out in Section 2 and 3 of this By-law shall not extend to the F.G. Gardiner Expressway, the Don Valley Parkway, the W.R. Allen Road, Black Creek Drive, or Highway 27, closures of which require Council approval.

5. Notwithstanding Sections 1 to 3, inclusive, of this By-law, the Commissioner of Works and Emergency Services shall, prior to approving any temporary street closure under Sections 1 to 3 hereof, notify the Ward Councillor(s) in whose Ward the road closure is pending of the pending closure. If requested by the affected Ward's Councillor, the Commissioner of Works and Emergency Services shall not approve the temporary street closure but shall report the matter to the appropriate Community Council or Standing Committee for recommendation to Council for final decision.

ENACTED AND PASSED this 6th day of July, A.D. 2000.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)