

Authority: Toronto and East York Community Council Item 34.43,
as adopted by City of Toronto Council on June 8 and 9, 2010
Enacted by Council: June 9, 2010

CITY OF TORONTO

BY-LAW No. 621-2010

To amend City of Toronto Municipal Code Chapter 743, Street and Sidewalks, Use of, to regulate street promotion activities on the public streets adjacent to Yonge Dundas Square.

WHEREAS Council has, for the purposes of reducing sidewalk congestion and ensuring public safety on public streets in the vicinity of Yonge Dundas Square, approved certain amendments to regulate the use of the streets, including the stopping or placing of vehicles or objects, for the purposes of promoting goods, services or brands; and

WHEREAS Council also wishes to protect the economic well-being of the Square and ensure that its operation is not hindered by unauthorized activities on adjacent City property;

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

1. Municipal Code Chapter 743, Streets and Sidewalks, Use of, is amended by:

A. Adding the following definitions to § 743-1A in alphabetical order:

INFORMATION FLYER — means printed paper material, but does not include a free sample of an item, or forms in the nature of an application, entry form or ballot which are completed and returned at the time of distribution.

STREET PROMOTIONS — means the use or occupation of a street for the purposes of promoting goods, products, services or brands, including, without limitation, the distribution of free items or free samples, the distribution of free food or beverages, advertising, surveys, events, games, contests or other activities.

B. Adding the following new section to the Chapter:

§ 743-7. Street promotions adjacent to Yonge Dundas Square.

A. This section applies to those streets or portions of streets adjacent to Yonge Dundas Square as follows:

- (1) Yonge Street, East Side, between Dundas Square and Dundas Street East;**
- (2) Dundas Street East, South Side, between Yonge Street and Victoria Street;**
- (3) Victoria Street, West Side, between Dundas Street East and Dundas Square; and**

- (4) Dundas Square, North Side, between Victoria Street and Yonge Street.
- B. No person shall at any time in, over or upon any street or portion of a street listed in Subsection A, engage in any street promotions activity except as permitted under this section.
- C. For the purposes of this section, Subsection B shall not apply to activities consisting only of the distribution of information flyers, provided that the person is otherwise in compliance with applicable City by-laws and the requirements of Subsection D.
- D. No person shall, while undertaking activities permitted under Subsection C on a street or portion of a street listed in Subsection A:
 - (1) stop, park, place, store, stand or leave any object, vehicle or thing on a street;
 - (2) obstruct, harass or intimidate persons on a street; or
 - (3) be located so as to obstruct the entrance to any building, park, square or other property adjacent to a street.
- E. For certainty, this section shall not apply so as to prohibit or restrict activities otherwise authorized by, and undertaken in compliance with, a licence, permit or other permission granted by the City.
- F. Any object, vehicle or thing which is stopped, parked, placed, stored or left on a street or a portion of a street listed in Subsection A in contravention of the provisions of this section may be immediately removed and impounded by the City and the following shall apply:
 - (1) Where an object, vehicle or thing has been removed and impounded, it may be returned to the legal owner upon the payment of the City's costs of removal and storage, plus administration costs, as set out in Subsection F(4) below.
 - (2) Any perishable object or refreshment in the removed cart, vehicle or other object shall become the property of the City upon removal and may be destroyed or given to a charitable institution.
 - (3) If the object, vehicle or thing is not claimed by the owner within 60 days after its removal, it shall become the property of the City and may be destroyed or given to a charitable institution.

- (4) The fees to be paid in the event of removal, storage and release by the City of an object, vehicle or thing under this section shall be as set out in Chapter 441, Fees and Charges, plus any applicable taxes, per item, and must be paid prior to the release of the item.

2. Section 1 of this by-law shall take effect thirty days from the date that this by-law is enacted by City Council.

ENACTED AND PASSED this 9th day of June, A.D. 2010.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)