

Authority: Item CC23.3, adopted as amended, by City of Toronto Council on July 28 and 29, 2020

CITY OF TORONTO

BY-LAW 666-2020

To retain physical distancing regulations with respect to Parks and Public Squares as contained in City of Toronto Municipal Code Chapter 608, Parks, and Chapter 636, Public Squares for a further temporary basis, and to incorporate social circles.

Whereas under sections 7 and 8 of the City of Toronto Act, 2006, the City has broad authority to provide any service or thing the City considers necessary or desirable for the public and to pass by-laws in respect of the health, safety and well-being of persons and the economic, social and environmental well-being of the City; and

Whereas City Council has enacted Chapter 59, Emergency Management, of the City of Toronto Municipal Code ("Chapter 59") to address matters concerning the City's response to emergency situations including under section 59-6.1., the delegation, subject to specific restrictions and conditions, of Council's statutory authority under the City of Toronto Act, 2006, and any other legislation, to the Mayor exclusively for use in emergencies; and

Whereas, on March 23, 2020 an emergency was declared by the Mayor for purposes of s.4 of the Emergency Management and Civil Protection Act, and Section 59-5.1 of Chapter 59 due to the risk to the health of the residents of the City of Toronto arising from spread of COVID-19 and its presence within the City of Toronto; and

Whereas on April 2, and 3, 2020, the Mayor, as authorized by Chapter 59, enacted two by-laws (City of Toronto By-law 322-2020, and City of Toronto By-law 323-2020) amending City of Toronto Municipal Code, Chapters 608 and 636, to temporarily add a failure to maintain a distance of two metres from other individuals who are not members of their same household, to the list of prohibited conduct in parks and public squares, for the purpose of immediately addressing the spread of COVID-19 and its presence within the City of Toronto; and

Whereas COVID-19, a disease that is readily communicable from person to person, carries a risk of serious complications such as pneumonia or kidney failure, and may result in death, while the presence of COVID-19 still remains a threat to the health, safety and well-being of persons within the City of Toronto; and

Whereas the continuing presence of COVID-19 within the province of Ontario, has resulted in a variety of orders under the Emergency Management and Civil Protection Act, and Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, as well as provincial guidelines, including guidelines concerning the operation and maintenance of social circles to address the presence of COVID-19, and the resultant threat to the health, safety and well-being of persons; and

Whereas Council has decided that, the continuation of the addition of a failure to maintain a distance of two metres from other individuals who are not members of their same household, or within a social circle maintained in accordance with the Provincial guidelines, to the list of

prohibited conduct in these parks and public squares, is an appropriate measure to alleviate the harm caused by COVID-19 and preventing its spread, which should remain in effect on a temporary basis to assist in managing this situation, and to protect the health, safety and well-being of persons, for the upcoming months, regardless of whether the presence of COVID-19 constitutes an emergency for purposes of the Emergency Management and Civil Protection Act, and Chapter 59;

The Council of the City of Toronto enacts:

1. City of Toronto By-law 322-2020 dated April 2, 2020 is amended by deleting section 3 and replacing it with the following:
 3. The above amendments, enacted and passed as City of Toronto By-law 322-2020 under Emergency Order No. 1 issued by Mayor John Tory, dated April 2, 2020, previously extended by City Council as of April 30, 2020, are further extended to 12:01 a.m. on the first day after the first Council meeting after the summer recess (currently scheduled for September 30 and October 1, 2020), and are deemed to be no longer in effect and revoked at that date and time, unless further extended by City Council.
2. City of Toronto By-law 323-2020 dated April 3, 2020 is amended by deleting section 2 and replacing it with the following:
 2. The above amendment, enacted and passed as City of Toronto By-law 323-2020 under Emergency Order No. 2 issued by Mayor John Tory, dated April 2, 2020, previously extended by City Council as of April 30, 2020, is further extended to 12:01 a.m. on the first day after the first Council meeting after the summer recess (currently scheduled for September 30 and October 1, 2020), and is deemed to be no longer in effect and revoked at that date and time, unless further extended by City Council.
3. City of Toronto Municipal Code Chapter 608, Parks, is amended by adding the following new section G to section 608-3 to include members of a social circle within a household for purposes of physical distancing guidelines:
 - G. For purposes of subsections A(1.1), and F, an individual's household is deemed to include members of the individual's social circle, if the social circle is maintained in accordance with Provincial guidance documents.
4. City of Toronto Municipal Code Chapter 636, Public Squares, is amended to include members of a social circle within a household for purposes of physical distancing guidelines:
 - (a) adding the following new subsection C.1 to section 636-11 concerning Yonge-Dundas Square:
 - C.1 For purposes of subsection C, a "member of the same household" is deemed to include members of the person's social circle, if the social circle is maintained in accordance with Provincial guidance documents;

- (b) adding the following new subsection C.2 to section 636-22 concerning physical distancing guidelines with respect to other squares as defined in subsection 636-22.A:

C.2. For purposes of subsection C, a "member of the same household" will be deemed to include members of the person's social circle, if the social circle is maintained in accordance with Provincial guidance documents.

5. The amendments to Municipal Code Chapters 608 and 636 contained in sections 3 and 4 of this by-law are deemed to be no longer effective, and thereby revoked as of 12:01 a.m. on the first day after the first Council meeting after the summer recess (currently scheduled for September 30 and October 1, 2020), unless further extended by City Council.

Enacted and passed on July 29, 2020.

Frances Nunziata
Speaker

Ulli S. Watkiss
City Clerk

(Seal of the City)