

November 15, 2011

Re: Use of St. James Park by Occupy Toronto and others

The purpose of this letter is to advise all those who are occupying St. James Park that the time has come to remove your tents, structures, equipment and personal belongings from the park.

The City recognizes the rights of Canadians to gather and protest. However, the City has determined that it cannot allow the current use of St. James Park to continue. In particular, the City can no longer permit the appropriation of St. James Park by a relatively small group of people to the exclusion of all others wishing to use the park and to the detriment of those in the vicinity of the park. In addition, the current use of the park by Occupy Toronto and others occupying St. James Park is causing damage to the park and interfering with necessary winter maintenance of the park.

There are many activities currently being carried out at St. James Park which are contrary to the City of Toronto's by-laws, policies and practices with respect to the use of City parks and other public spaces. Attached to this letter is a notice under the *Trespass to Property Act* which sets out the activities of particular concern to the City and prohibits such activities from being undertaken in St. James Park. Pursuant to the notice, the City directs that all persons who are occupying St. James Park immediately remove all tents, structures, equipment, and other debris from the park and immediately discontinue use of the park between the hours of 12:01 a.m. and 5:30 a.m..

Please be advised that if all tents and other structures, equipment and debris are not removed immediately, the City will take the necessary steps to itself remove the tents and other structures. In so doing, the City relies on its rights under the *Trespass to Property Act* and the *City of Toronto Act, 2006*. The City is willing to offer its assistance to ensure the safe and orderly removal of tents and other structures if requested.

The City respectfully asks Occupy Toronto and others occupying St. James Park for their co-operation in this matter.

Yours truly,

original signed by

Joseph P. Pennachetti
City Manager