

Authority: Infrastructure and Environment Committee
Item IE28.1, as adopted by Council on April 22, 23 and 24,
2026

CITY OF TORONTO

Bill 351

BY-LAW -2026

To amend City of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use of to amend provisions related to the Road Disruption Activity Reporting System (RoDARS).

The Council of the City of Toronto enacts:

1. City of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use of, is amended as follows:
 - (a) That §743-1(A) is amended by adding the following definition in alphabetical order:

BUSINESS DAY – means any day of the week, other than Saturday, Sunday, a statutory holiday, or any other holiday or day of observance on which the City’s municipal offices are closed.

- (b) That **Article III.1 RoDARS** be deleted and replaced with the following:

ARTICLE III.1 RoDARS

§743-30.1. Road Disruption Activity Reporting System (RoDARS).

A. Application for Approval

- (1) RoDARS Approval is required for the following:
 - (a) work which requires an application being made pursuant to §743-4B or a permit under §743-4;
 - (b) work subject to the requirements of §743-5;
 - (c) an application subject to the requirements of §743-6;
 - (d) a street event under §743-7;
 - (e) a temporary street occupation under §743-18; and
 - (f) street work under **Article III.**

- (2) An application for RoDARS Approval shall:
 - (a) be made on the form prescribed by the City, with all mandatory fields completed, within the timelines prescribed by the City;
 - (b) include all information and documentation required by the City (e.g., a traffic management plan); and
 - (c) include the application fee, as required by Chapter 441, Fees and Charges, subject to §743-30.1D(1) and (2).
- (3) **Complete Applications.** An application that does not include the information required by the City, or does not include the applicable fees, shall be deemed incomplete and shall not be processed until such time as all required information and applicable fees have been provided.
- (4) **Expedited Applications.** Despite §743-30.1(2)(a), the City may, in its sole and absolute discretion, accept and consider complete applications submitted after the prescribed timelines, provided the applicant pays the expedited application fee, as provided for in Chapter 441, Fees and Charges. Acceptance of a complete application and payment of the expedited application fee under this subsection does not guarantee that the application will be reviewed prior to the proposed commencement date, nor does it guarantee that RoDARS Approval will be granted. The expedited application fee is non-refundable.

B. Application Review

- (1) Upon receipt of an application, the General Manager shall review the application for completeness and compliance with this **Article III.1** and any applicable City by-laws, standards, policies, requirements and guidelines.
- (2) Following review under §743-30.1(B)(1), the General Manager may, in their sole and absolute discretion:
 - (a) approve a RoDARS Approval application;

- (b) approve a RoDARS Approval with conditions, including but not limited to conditions related to time and location or extent of street closures; or
 - (c) refuse a RoDARS Approval application in accordance with §743-30.1(C).
- (3) In exercising their discretion under §743-30.1(B)(2), the General Manager may consider, without limitation:
- (a) anticipated impacts to traffic operations, transit, cycling and pedestrian movement, and emergency vehicle access;
 - (b) coordination with other planned or active street work, street events, or temporary street occupations;
 - (c) the applicant's past compliance with RoDARS Approvals, City by-laws and permit conditions; and
 - (d) public safety and operational considerations.
- (4) Nothing in this §743-30.1(B) limits the General Manager's authority to request additional information in support of an application.

C. Refusals

- (1) The General Manager may, in their sole and absolute discretion, refuse any application for RoDARS Approval that:
- (a) does not include the information required by the General Manager, or the application fee, as required under Chapter 441, Fees and Charges;
 - (b) is submitted outside of the prescribed timelines, despite payment of the expedited application fee;
 - (c) contains false, inaccurate or misleading information;
 - (d) is submitted by an applicant who has failed to comply with the terms or conditions of a prior RoDARS Approval, including without limitation, failure to pay fees or costs associated with a prior RoDARS Approval; or
 - (e) in the opinion of the General Manager would negatively impact traffic operations, cause unreasonable congestion, or otherwise compromise public safety.

- (2) §743-48(E) does not apply to the refusal of a RoDARS Approval.

D. Fees

- (1) Despite anything contained in this **Article III.1**, no RoDARS application fee, RoDARS expedited fee or RoDARS Traffic Management Recovery Fee for temporary road closure, as in Chapter 441, Fees and Charges, shall apply to:
- (a) the Transportation Services Division, or a third-party contractor performing work on its behalf; and
 - (b) street events under §743-7.
- (2) Despite anything contained in this **Article III.1**, no RoDARS application fee as in Chapter 441, Fees and Charges, shall apply to applicants who are eligible for exemption further to the City's Eligible Affordable and Rent-Controlled Housing Project RoDARS Fee Policy.
- (3) Despite anything contained in this **Article III.1**, or Chapter 441, Fees and Charges, the amount of any RoDARS Traffic Management Recovery Fee for temporary road closure otherwise payable shall be calculated in accordance with the City's Eligible Affordable and Rent-Controlled Housing Project RoDARS Fee Policy for applicants eligible under said policy.
- (4) The following fees are not refundable:
- (a) any fees paid pursuant to this **Article III.1**, where a RoDARS Approval was obtained by means of false, inaccurate or misleading information;
 - (b) application fees and expedited applications fees, where an application for RoDARS Approval is withdrawn by the applicant after the City has commenced its review of the application;
 - (c) site restoration fees.
- (5) RoDARS inspection fees will be invoiced as they are incurred, either prior to or following expiry of the RoDARS Approval.
- (6) A RoDARS Traffic Management Recovery Fee for temporary road closure estimate will be provided at the time of RoDARS

Approval. The final amount will be invoiced to the Approval holder following the expiry of the RoDARS Approval.

- E. **Modifications to Existing RoDARS Approval.** Where a modification to a RoDARS Approval is proposed, including but not limited to a time extension or an alteration to the approved temporary road closure, the applicant shall submit a written request for modification to the General Manager at least five (5) business days prior to the expiry of the existing RoDARS Approval. The written request shall include all information and documentation required by the General Manager. The General Manager may, in their sole and absolute discretion, approve, modify or refuse the requested modification.
- F. **General Conditions**
- (1) For all RoDARS Approvals, the Approval holder shall comply with the following conditions:
 - (a) comply with all requirements of this **Article III.1**;
 - (b) display the prescribed RoDARS Capital Construction Sign at the location, including the QR code provided by the City, such that they are visible and unobstructed;
 - (c) be responsible for ensuring that the QR code is not tampered with, altered, misleading or unauthorized;
 - (d) comply with any approved traffic management plan; and
 - (e) in addition to any other indemnities required under this Chapter 743, Streets and Sidewalks Use of, or prescribed by the General Manager, the Approval Holder shall indemnify and save harmless the City, its elected officials, officers, employees and agents with respect to any action, cost, claim, loss, injury or damage, including third party economic loss claims whatsoever arising from the Approval holder's failure to comply with the conditions contained in this §743-30.1(F)(1)(c). Such indemnity shall be incorporated into RoDARS Approvals by reference to this subsection and no separate indemnity in writing shall be required.
- G. **Close-Out**
- (1) Prior to the expiry of the RoDARS Approval, the Approval holder shall restore the street to a condition satisfactory to the General Manager.

- (2) Within three (3) business days of completion of the work, activity, event or occupation for which a RoDARS Approval was granted, the Approval holder shall provide all mandatory information, including proof of site restoration, on the form prescribed by the City.
- (3) Where the mandatory information is not provided, or the location has not been restored to the satisfaction of the General Manager, the General Manager may:
 - (a) inspect the location, further to §743-30.1(H)(1) of this **Article III.1** and levy any associated fees set out in Chapter 441, Fees and Charges;
 - (b) arrange for the City or its agent to carry out the site restoration, including but not limited to removing any recycling, garbage, litter, debris or construction material, and/or restoring and/or repairing the street. All costs incurred by the City under this subsection are recoverable from the Approval holder as a debt due to the City; and
 - (c) withhold or deny any other or subsequent RoDARS Approval until such compliance has been achieved.
- (4) Costs imposed under this section may not be appealed except as permitted under applicable law.

H. **Inspections**

- (1) The General Manager may enter upon and inspect a location at any reasonable time, or inspect a location remotely through the use of photographic evidence or otherwise, to determine compliance with this **Article III.1** and any Approval issued hereunder. Without limiting the generality of the foregoing, such inspection authority includes circumstances where any work, activity, event or occupation is observed or suspected to be undertaken:
 - (a) without a RoDARS Approval;
 - (b) in non-compliance with this **Article III.1** or a condition of a RoDARS Approval issued hereunder;
 - (c) beyond the expiry of a RoDARS Approval issued under this **Article III.1** without an authorized extension.

- (2) Where an inspection is carried out under this section, the applicable fee may be charged in accordance with Chapter 441, Fees and Charges, and such fee is not refundable.

I. Revocation

- (1) The General Manager may revoke a RoDARS Approval at any time:
- (a) for failure to comply with any provision of this **Article III.1**;
 - (b) for failure to comply with the conditions of any RoDARS Approval issued hereunder;
 - (c) in the interests of pedestrian, vehicular or public safety;
 - (d) where the RoDARS Approval was obtained through the submission of false, inaccurate or misleading information,

and such revocation shall take effect immediately upon notice to the Approval holder, or upon such longer notice period provided in a written notice to the Approval holder.

- (2) §743-48(E) does not apply to the revocation of a RoDARS Approval.

J. Offence

- (1) No person shall commence or undertake any work contingent on RoDARS Approval in accordance with §743-30.1(A)(1) unless the person has:
- (a) obtained a RoDARS Approval;
 - (b) complied with the provisions of this **Article III.1**;
 - (c) complied with the conditions of any RoDARS Approval issued hereunder; and
 - (d) paid all applicable fees as required by the City.
- (2) Every person who fails to comply with a condition of RoDARS Approval, or fails to comply with any requirement of this **Article III.1** is guilty of an offence.

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- (3) Every person who fails to comply with an order issued under this **Article III.1** is guilty of an offence.
 - (4) Each director and officer of a corporation who knowingly concurs in the contravention of any provision of this **Article III.1** is guilty of an offence.
 - (5) A person who is convicted of an offence is liable to a fine of not more than \$100,000.00.
 - (6) Each day that a contravention of §743-30.1(J)(1), (2) or (3) continues shall constitute a separate and distinct offence.

K. **Orders**

- (1) If an Officer is satisfied that a contravention of this **Article III.1** has occurred, the Officer may make a Stop Work Order requiring the discontinuance of the activity. That order shall set out:
 - (a) the location of the contravention;
 - (b) particulars of the contravention;
 - (c) the work to be done to remedy the contravention; and
 - (d) the period within which there must be compliance.
 - (2) An Officer may make an Order to Comply requiring a person who contravenes this **Article III.1** to do work or take action to remedy the contravention.
 - (3) An order under this **Article III.1** may be served personally or by posting it at the location. The order is deemed to be received on the day it is posted or received, whichever is earlier.
- (c) Despite the coming into force of section 1b.:
- (i) any valid RoDARS Approval issued by the City under this Chapter 743, Streets and Sidewalks, Use of prior to the date section 1b. comes into force shall continue in force and effect until its expiry, unless otherwise revoked in accordance with the provisions in force at the time RoDARS Approval was issued; and
 - (ii) any complete application for RoDARS Approval submitted to the City prior to the coming into force of section 1b. shall be processed in accordance with the provisions of this Chapter 743, Streets and Sidewalks,

Use of as they read immediately prior to section 1b. coming into force;
and

- (iii) where a person holding a RoDARS Approval issued prior to the coming into force of section 1b. seeks a modification, extension or renewal of that approval, the request shall be processed in accordance with the provisions of section 1b.
 - (d) That §743-51A is deleted and replaced with the following:
 - A. Any person who contravenes any provision of this Chapter 743, Streets and Sidewalks, Use of, or any provision of a permit or agreement made hereunder, or any condition thereof, is guilty of an offence or is liable to an administrative penalty.
 - (e) That section 23 to Appendix A of Chapter 743, Streets and Sidewalks, Use of is deleted and replaced with the following:
 - 23. The applicant shall in writing, prior to any permit being granted by the General Manager, indemnify and save harmless the City, its elected and appointed officials, officers, employees, directors and agents from and against all actions, claims, executions, demands, damages, liabilities, liens, costs, expenses direct or indirect (including reasonable legal fees and disbursements), and losses whatsoever incurred by the City, its elected and appointed officials, officers, employees, directors and agents in connection with the issuing of the permit, the conduct of the applicant's street work, the applicant's temporary street occupation, the existence of the encroachment or the use of applicant's equipment, and/or the applicant's failure to comply with any term or condition of a permit issued or agreement entered into under this Chapter, including claims in respect of property damage or personal injury, including death, and will pay to the City and to each such official, servant or agent on demand any loss, costs, damages and expenses, including legal fees and disbursements, that may be sustained, incurred or paid by the City or by any of its officers, servants and agents in consequence of any such action, claim, lien, execution or demand, including any monies paid or payable by the City or any of its officials, officers, servants or agents in settlement or discharge or on account thereof, provided that on default of such payment all loss, costs, damages and expenses and all such monies so paid or payable may be deducted from any security held by the City on account of the permit.
2. This by-law shall come into force as follows:
- (a) This by-law shall come into force on the date it is enacted, except Subsections §743-30.1(D)(2) and (3), as set out in Subsection 1b. of this by-law.

- (b) Subsections §743-30.1(D)(2) and (3), as set out in Subsection 1b. of this by-law shall come into force sixty (60) days after this by-law is enacted.

Enacted and passed on April , 2026.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)