

Authority: Policy and Finance Committee Report No. 6, Clause No. 7,
as adopted by City of Toronto Council on April 16, 17 and 18, 2002
Enacted by Council: February 7, 2003

CITY OF TORONTO

BY-LAW No. 125-2003

To amend Municipal Code Chapter, 636, Public Squares, to extend the Nathan Phillips Square non-discrimination guidelines to other squares.

WHEREAS the by-laws governing the City's public squares, as noted below, have not yet been harmonized in Chapter 636, Public Squares, of The City of Toronto Municipal Code:

- (a) Albert Campbell Square by former City of Scarborough By-law No. 24415, "being a by-law to regulate vending in and the conduct of persons using the Albert Campbell Square", as amended;
- (b) Mel Lastman Square by former City of North York By-law No. 30809, "A By-law to regulate the conduct of persons using Mel Lastman Square", as amended;
- (c) Metro Square by former Metropolitan Toronto By-law No. 129-92, "A Uniform By-law for the Use, Regulation, Protection and Government of Parks", as amended;
- (d) Nathan Phillips Square by former City of Toronto Municipal Code Chapter 237, Nathan Phillips Square;
- (e) Yonge-Dundas Square by City of Toronto Municipal Code, Chapter 636, Public Squares; and

WHEREAS Council has adopted the following recommendation of the Task Force on Community Access and Equity as set out in Policy and Finance Committee Report No. 11, Clause No. 1, as amended and adopted by City of Toronto Council at its meeting held on December 14, 15 and 16, 1999, and as referred to in Policy and Finance Committee Report No. 6, Clause No. 7, as adopted by City of Toronto Council at its meeting held on April 16, 17 and 18, 2002;

"(36) City extend guidelines regarding anti-discrimination which govern the use of Nathan Phillips Square to all "civic squares" and that the City amend the Municipal Code accordingly"

WHEREAS Chapter 25, Nathan Phillips Square, of the former City of Toronto Municipal Code contains the following provision respecting anti-discrimination:

§ 237-8. Compliance with Human Rights Code.

Persons or organizations seeking to hold events on Nathan Phillips Square shall sign a declaration stating that:

- A. In the services that are being provided to the public or by the person or organization seeking to hold the event, the person or organization complies in all respects with the Ontario Human Rights Code.
- B. Any event to be held on the Square shall be open to all persons interested in attending the event.

WHEREAS, with the exception of Yonge-Dundas Square, the public squares noted above are attached to City-owned buildings where programming is geared toward community events, i.e., they are programmed as “civic squares”; and

WHEREAS Yonge-Dundas Square is under the management of a Board of Management and (as described in Policy and Finance Committee Report No. 16, Clause No. 27, as amended and adopted by City Council at its meeting held on December 4, 5 and 6, 2001) is intended to be used largely for commercial events for which a fee will be charged and, in some cases, there will be “gated events” where there will be limited access to the square and for this reason § 636-18 of Chapter 636 of The City of Toronto Municipal Code, does not include a provision similar to § 237-8B, as noted above;

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

- 1. Chapter 636, Public Squares, of The City of Toronto Municipal Code is amended by adding the following Article:

ARTICLE IV
Specific Standards for Squares

§ 636-22. Definitions; compliance with Human Rights Code.

- A. In this section the following terms shall have the meaning indicated:

SQUARE:

- (1) “Albert Campbell Square” as defined in former City of Scarborough By-law No. 24415, “being a by-law to regulate vending in and the conduct of persons using the Albert Campbell Square”.
- (2) “Mel Lastman Square” as defined in former City of North York By-law No. By-law No. 30809, “A By-law to regulate the conduct of persons using Mel Lastman Square”.
- (3) “Metro Square” as regulated under former Metropolitan Toronto By-law No. 129-92, “A Uniform By-law for the Use, Regulation, Protection and Government of Parks.”, as authorized by The Management Committee Report No. 14, Clause 12, as adopted by the Council of The Municipality of Metropolitan Toronto at its meeting held on March 31, April 1, 2, 8, 13 and 14, 1993.

- B. Persons or organizations seeking to hold events on a square shall sign a declaration stating that:
- (1) In the services that are being provided to the public or by the person or organization seeking to hold the event, the person or organization complies in all respects with the Ontario Human Rights Code.
 - (2) Any event to be held on the square shall be open to all persons interested in attending the event.
- C. If there is conflict between this section and a by-law referred to in the definition of “square” in Subsection A, this section prevails to the extent of the conflict.

ENACTED AND PASSED this 7th day of February, A.D. 2003.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)