

Authority: City Council Item CC30.5, adopted as amended  
by City of Toronto Council on May 21 and 22, 2025  
City Council voted in favour of this by-law on May 22,  
2025

Written approval of this by-law was given by Mayoral  
Decision 8-2025 dated May 22, 2025

## **CITY OF TORONTO**

### **BY-LAW 488-2025**

#### **To amend City of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use of, to provide access to Social Infrastructure.**

Whereas under section 8 of the City of Toronto Act, 2006, the City may pass by-laws in respect of the economic, social and environmental well-being of the City, the health, safety and well-being of persons and protection of persons and property; and

Whereas the City has the authority under section 39 of the City of Toronto Act, 2006 to pass by-laws removing or restricting the common law right of passage by the public over a highway and the common law right of access to the highway; and

Whereas Council recognizes the fundamental right of freedom of expression for people to protest and demonstrate peacefully and further recognizes that such expression is an important element of democratic society; and

Whereas Council recognizes the public benefits of social infrastructure within communities and that no person should be impeded from access to social infrastructure and its programs and services;

The Council of the City of Toronto enacts:

1. The City of Toronto Municipal Code Chapter 743, Streets and Sidewalks is amended by adding Schedule A to this by-law as Article XII, Access to Social Infrastructure.
2. This by-law shall come into force on July 2, 2025.

Enacted and passed on May 22, 2025.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

## **SCHEDULE A**

### **ARTICLE XII Access to Social Infrastructure**

#### **§ 743-53. Purpose.**

City Council affirms that the City's streets and sidewalks are for all and that no person should be impeded from access to Social Infrastructure and its programs and services.

#### **§ 743-54. Definitions.**

- A. As used in this Article, except as otherwise indicated, the following terms have the meanings indicated:

**ACCESS AREA** – An area established by the General Manager under § 743-56A and covers any City Property that is within 50.0 metres from the boundaries of the property on which the Social Infrastructure is located.

**ATTEST** – A statement to confirm that something is true, genuine, or authentic.

**CHILDCARE CENTRE** – Has the same meaning as in the Child Care and Early Years Act, 2014, S.O. 2014, c. 11, Sched. 1.

**CITY PROPERTY** – Any property owned, leased or under the control of the City including a street.

**ENFORCEMENT OFFICER** – Any person who is designated as a provincial offences officer pursuant to the Provincial Offences Act, R.S.O. 1990, c. P.33.

**GENERAL MANAGER** – The General Manager of Transportation Services for the City of Toronto and his or her designate or successor.

**LABOUR DISPUTE** – A dispute or difference concerning terms, tenure or conditions of employment or concerning the association or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

**OPERATOR** – A person who owns or controls the entity operating out of or managing the Social Infrastructure.

**OPERATING HOURS** – The hours posted by the Owner for when the Social Infrastructure is open or used for public access.

OWNER - The registered owner of the property where the Social Infrastructure is located and includes an Operator.

PLACE OF WORSHIP – Has the same meaning as in City of Toronto Zoning By-law 569-2013.

PROPERTY - Property within the meaning of:

- (1) the Land Titles Act if that Act applies to the land where the Social Infrastructure is located; or
- (2) the Registry Act if that Act applies to the land where the Social Infrastructure is located.

SCHOOL – A school as defined in the Education Act, R.S.O. 1990, c. E.2 and its regulations.

SQUARE – Means a square as set out in section 1 of former City of Toronto Municipal Code Chapter 237, Nathan Phillips Square, and/or as set out in section 1 and/or subsection 22A of City of Toronto Municipal Code Chapter 636, Public Squares.

SOCIAL INFRASTRUCTURE – A Childcare Centre, a Place of Worship, or a School.

B. For greater clarity, the following Articles in this Chapter do not apply to this Article, and the provisions of this Article apply and prevail in the event of any conflict or inconsistency between this and any other provision in this Chapter:

- (1) Article I – Terminology
- (2) Article VIII – Municipal Remedial Action
- (3) Article IX – Appeals
- (4) Article X – Fees
- (5) Article XI – Administration and Enforcement

**§ 743-55. Prohibitions in Access Area for Social Infrastructure.**

A. While in an Access Area, no person shall:

- (1) perform or attempt to perform an act of discouragement concerning a person's attendance at, use of, or attempts to attend or use Social Infrastructure;
- (2) persistently request that a person refrain from accessing Social Infrastructure;
- (3) obstruct, hinder or interfere or attempt to obstruct, hinder or interfere with another person's access of or attempt to access Social Infrastructure; or

- (4) express an objection or disapproval towards any person based on race, ancestry, place of origin, colour, ethnic origin, citizenship, religion/creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, disability or the receipt of public assistance by any means, including graphic, verbal, or written means.
- B. Where an Access Area has been established, § 743-55A applies during:
  - (1) the time periods which commence one hour before the Operating Hours of the Social Infrastructure adjacent to the Access Area and end one hour after the Operating Hours of the Social Infrastructure adjacent to the Access Area; and
  - (2) the times when the Social Infrastructure adjacent to the Access Area is being used by the Owner for the primary purposes of its operation as a Childcare Centre, Place of Worship or School, including where the Childcare Centre, Place of Worship or School is co-located with other uses.
- C. Subsection 743-55A does not apply to:
  - (1) actions or messaging by or with the consent of the Owner at the Social Infrastructure adjacent to the Access Area; or
  - (2) a Square.
- D. For greater certainty, § 743-55A applies only to those activities as set out in § 743-55A and does not prohibit peaceful gatherings, protests or demonstrations, including any activities that occur as part of a labour union strike, information pickets and/or activities related to a Labour Dispute, as defined in section 54, including secondary or primary picketing.

#### **§ 743-56. Establishing Access Area.**

- A. The General Manager shall establish an Access Area for Social Infrastructure if the City receives a request from an Owner of Social Infrastructure in a form prescribed by the General Manager in which the Owner attests that they reasonably believe an activity listed in § 743-55A may occur on any City Property located within 50.0 metres from the boundaries of the property on which their Social Infrastructure is located.
- B. The City shall provide notice to the public that an Access Area has been established for Social Infrastructure by:
  - (1) posting a notice on the City's website which includes:
    - (a) The address of the related Social Infrastructure;
    - (b) A description of the area covered by the Access Area; and

- (c) The one year term of the Access Area; and
  - (2) posting or requiring the Owner to post signage in a form satisfactory to the General Manager in locations determined by the General Manager with such locations potentially including on the property on which the Social Infrastructure is located or on or around the Access Area.
- C. Term of Access Area; Renewal.
  - (1) An Access Area shall be in effect for a term of one year beginning on and including the date the notice in § 743-56B(1) is posted on the City's website.
  - (2) An Access Area may be renewed for additional one year terms if the General Manager receives request(s) for renewal that meets the requirements in § 743-56A prior to the commencement of any additional term.
- D. Notice to Owner, Owner posting signage where required.
  - (1) Where the General Manager establishes an Access Area in accordance with § 743-56A, the General Manager shall notify the Owner who submitted the request.
  - (2) Where required by the General Manager in accordance with § 743-56B(2), the Owner shall post signage in a form satisfactory to the General Manager in locations determined by the General Manager during the term of the Access Area.

**§ 743-57. Offences.**

- A. Every person who contravenes any provision of this Article is guilty of an offence and on conviction is liable to a fine under the Provincial Offences Act.
- B. In addition to offences referred to in § 743-57A, every person is guilty of an offence under this Article who:
  - (1) Hinders or obstructs or attempts to hinder or obstruct any person exercising a power or performing a duty under this Article;
  - (2) Neglects or refuses to produce or provide any information or thing to any person acting pursuant to an order made under section 378 of the City of Toronto Act, 2006; and
  - (3) Knowingly makes, participates in, assents to or acquiesces in the provision of false information in a statement, affidavit, application or other document prepared, submitted or filed under this Article.

- C. When a corporation contravenes any provision of this Article, every director or officer who concurs in such contravention is guilty of an offence and on conviction is liable to a fine under the Provincial Offences Act.
- D. When a corporation fails to comply with an order or other direction made under this Article, every director or officer who concurs in such non-contravention is guilty of an offence and on conviction is liable to a fine under the Provincial Offences Act.
- E. Each offence is designated as a continuing offence.

**§ 743-58 Notice; Orders to comply.**

- A. An Enforcement Officer who finds a contravention of this Article shall notify the person involved in the contravening acts, which may include:
  - (1) Information regarding the boundaries of an Access Area;
  - (2) Notification that the contravening acts are not permitted in an Access Area;
  - (3) A request for the person to immediately cease the contravening acts or leave the Access Area;
  - (4) Information regarding the consequences of failing to comply with the request, including potential enforcement under this Article.
- B. Notice under § 743-58A will be provided in a manner that is reasonable under the circumstances, including but not limited to verbal communication, posted written notices, and loudspeakers.
- C. For clarity, notice under § 743-58A may not be provided where an Enforcement Officer determines there is an immediate threat to the health, safety, well-being or security of the public.
- D. An Enforcement Officer, supported by a police officer as needed, who finds a contravention of this Article may make one or more orders requiring discontinuance of the contravening activity or to do work to correct the contravention under section 384 or 385 of the City of Toronto Act, 2006.
- E. An order may be served:
  - (1) personally on the person to whom it is directed;
  - (2) by registered mail to the last known address of that person, in which case it shall be deemed to have been given on the third day after it is mailed; or
  - (3) by email, at any email address determined by the General Manager to be related to the person, in which case it shall be deemed to have been given on the day it is emailed.

- F. If the City is unable to effect service under this Article or the delay necessary to give an order would result in circumstances that endanger the health, safety well-being or security of any person or similarly serious consequences, a placard stating the terms of the order and placed in a conspicuous place on or near the property of the recipient of the order and/or the property on which the Social Infrastructure is located shall be deemed to be sufficient notice to the person to whom the order is directed.
- G. An Enforcement Officer may request assistance from a police officer to respond to alleged contraventions of this Article.