

**City Council****Notice of Motion**

MM1.6	ACTION			Ward: 10, 13
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**Waiver of Encroachment Fees for Shoppers Drug Mart Menstrual Hygiene Pilot Project - by Councillor Kristyn Wong-Tam, seconded by Councillor Joe Cressy**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Toronto and East York Community Council. A two-thirds vote is required to waive referral.*

**Recommendations**

Councillor Kristyn Wong-Tam, seconded by Councillor Joe Cressy, recommends that:

1. City Council approve the temporary installation of free menstrual hygiene product dispensers by Shoppers Drug Mart Inc. within the public right of way fronting or adjacent to each of 465 Yonge Street and 524 Queen Street West, until September 2019, subject to Shoppers Drug Mart Inc. entering into an encroachment agreement with the City of Toronto, generally agreeing to but not limited to the following:

- a. indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages, and expenses that may result from such permission granted;
- b. maintain the product dispensers at their own expense in good repair and a condition satisfactory to the General Manager of Transportation Services and not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement, including any advertising;
- c. remove the boxes upon receiving 90 days written notice to do so from the City of Toronto and upon such other terms and conditions as the General Manager of Transportation Services may deem necessary in the interest of the City.

2. City Council waive any applicable application, agreement and permit fees, including those found as Reference 53, as amended, under Toronto Municipal Code Chapter 441, Fees and Charges, Appendix C, Schedule 2, Transportation Services, and Schedule 15, Legal Services as Reference 11.1, under City of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use Of, for Shoppers Drug Mart Inc. for the free menstrual hygiene product dispenser at each of 465 Yonge Street and 524 Queen Street West until September 2019.

**Summary**

Shoppers Drug Mart has piloted a free menstrual hygiene product dispenser at 351 Queen Street East to great effect. For those who are economically marginalized, access to these products can come at great expense or sacrifice. The Shoppers Drug Mart project is just one way that our communities are finding ways to help provide those in need with dignity.

In order to expand this program and provide wider access to these products, Shoppers Drug Mart would like to expand the pilot to two store locations at 465 Yonge Street and 524 Queen Street West. The dispensers, largely identical to the dimensions and function of newspaper boxes, would need to be located in the public realm in the same space.

Shoppers Drug Mart representatives are prepared to meet with Transportation Services Right of Way staff to survey and identify suitable locations for placement. Such placement will comply with the City's established standards for newspaper box placements, so as not to unduly obstruct the public right of way. As per the City's standard practice, Shoppers Drug Mart will sign a liability agreement provided by Transportation Services. The dispensary boxes will not include any first-party advertising.

This program initiative is a charitable gesture, which produces no direct profit to Shoppers Drug Mart. To operationalize the pilot, they have assumed all expenses to refurbish the boxes, and stock them with supplies. A waiver of standard encroachment fees will ensure that the project remains viable, as it expands into the public realm.

### **Background Information (City Council)**

Member Motion MM1.6