

Policy Framework – City Response to Demonstrations

Date: December 10, 2024

To: City Council

From: City Manager

Wards: All

SUMMARY

At its meeting on February 6 and 7, 2024, City Council directed the City Manager to develop a policy framework for the management and monitoring of rallies and protests, ensuring alignment with the City's Human Rights and Anti-Harassment Policy, and report back to City Council by December 2024. As directed by City Council, this report presents the *Policy Framework – City Response to Demonstrations* (Framework), included as Attachment 1.

Demonstrations occurring anywhere in the city are events where the Toronto Police Service (TPS) serves as the primary responder and enforcement agency to preserve the peace, maintain public safety and uphold the right to demonstrate lawfully. While the City of Toronto (City) is not the primary responder for demonstrations, the City collaborates with the TPS and coordinates specific activities in response as appropriate and based on the circumstances of the situation.

The Framework applies to City divisions and informs the City's coordination when demonstrations occur on or potentially impact publicly accessible City property. The City Manager's Office led the development of the Framework, in consultation with Legal Services and the following City divisions: Corporate Real Estate Management; Economic Development and Culture; Municipal Licensing and Standards; Parks, Forestry and Recreation; People and Equity; Social Development, Finance and Administration; Strategic Public and Employee Communications; Toronto Emergency Management; and Transportation Services.

The Framework aims to:

- Clarify the City's role, jurisdiction and municipal tools available to respond to demonstrations, including the role of applicable City divisions
- Establish common terminology and guiding principles to ensure clarity and consistency in the coordination of activities across City divisions
- Provide an overarching foundation of how the City coordinates its activities to determine an appropriate response based on the circumstances of the situation

- Balance the City's legal obligation to uphold Charter-protected rights and freedoms, alongside the City's commitment to promoting respectful conduct, inclusion, an environment free from hate and a safe Toronto for all

Additionally, the Framework can serve as a model for the City's agencies and corporations, in accordance with their mandate, delegated authority and board-approved bylaws and policies. This report recommends City Council request City agencies and corporations to refer to the Framework as a model and align applicable policies and procedures to be consistent with the City's approach where appropriate.

In addition to the Framework, other related City initiatives are underway that will support the City's coordination in response to demonstrations. For example, although the City does not issue permits for demonstrations on publicly accessible City property, a review of the City's permitting policies and procedures was identified as an opportunity to improve coordination and consistency of permitting practices in response to demonstrations. The City Manager's Office will work with the City's permitting divisions to advance the review of applicable permitting policies and procedures.

Attachment 2 of this report provides an update on key actions and priorities from the *Keeping Toronto Safe from Hate Action Plan*, such as the City's work to support hostile vehicle mitigation and review of the emergence of municipal bylaws in other jurisdictions.

Funding has been identified to establish a grant program in 2025 to support community organizations with hostile vehicle mitigation interventions. Pending Council approval, the City Manager's Office will work with the Office of the Deputy City Manager, Infrastructure Services and consult with applicable City divisions to develop and administer the grant program for 2025. This report recommends City Council authorize the City Manager, in consultation with the Deputy City Manager, Infrastructure Services, to establish a one-time grant program of up to \$2.5 million in 2025 to support community organizations with hostile vehicle mitigation interventions through the 2025 Operating Budget submission.

City staff are also reviewing the emergence of municipal bylaws established to address impacts of demonstrations on the public and on access to publicly accessible spaces in other jurisdictions, such as the [Safe and Inclusive Access Bylaw](#) adopted by the City of Calgary and the [Protecting Vulnerable Social Infrastructure Bylaw](#) adopted by the City of Vaughan.

A similar bylaw approach for the City of Toronto could be considered that addresses issues raised on impacts of demonstrations on the public, including but not limited to concerns regarding community safety and access to social infrastructure and publicly accessible spaces in the community (e.g. hospitals, schools, libraries, places of worship). This report recommends City Council direct the City Manager, in consultation with the City Solicitor, applicable City divisions, the Toronto Police Service and other applicable stakeholders, to report to the Executive Committee in Q1 2025 with a proposed bylaw that supports the City's commitment to keeping Toronto safe from hate and respects Charter jurisprudence that addresses impacts of demonstrations on the public and on access to publicly accessible spaces.

RECOMMENDATIONS

The City Manager recommends that:

1. City Council adopt the *Policy Framework – City Response to Demonstrations* (Attachment 1 of this report) and direct the City Manager to update the Framework as necessary to ensure the Framework remains current and responsive to the City's needs and priorities.
2. City Council request City agencies and corporations to refer to the *Policy Framework – City Response to Demonstrations* (Attachment 1 of this report) as a model and align applicable policies and procedures to be consistent with the City's approach where appropriate.
3. City Council direct the City Manager, in consultation with the City Solicitor, applicable City divisions, the Toronto Police Service and other applicable stakeholders, to report to the Executive Committee in Q1 2025 with a proposed bylaw that supports the City's commitment to keeping Toronto safe from hate and respects Charter jurisprudence that addresses impacts of demonstrations on the public and on access to publicly accessible spaces.
4. City Council authorize the City Manager, in consultation with the Deputy City Manager, Infrastructure Services, to establish a one-time grant program of up to \$2.5 million in 2025 to support community organizations with hostile vehicle mitigation interventions through the 2025 Operating Budget submission.
5. City Council forward this item for information to the Toronto Police Service Board.

FINANCIAL IMPACT

Funding of up to \$2.5 million has been identified to establish a one-time grant program in 2025 to support community organizations with hostile vehicle mitigation interventions. Pending Council approval, funds of up to \$2.5 million will be included in the 2025 Operating Budget submission. Staff will evaluate the outcome of the program and re-assess the ongoing funding requirements for consideration in future year budget processes as needed.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

At its meeting on May 22 and 23, 2024, City Council requested the City Manager, in consultation with the City Solicitor, to develop an action plan to recognize that Torontonians are able to practice their faith and access their place of worship free of intimidation and harassment; and are able to freely exercise their protected Charter rights to freedom of assembly, religion and expression and convey the action plan directly to relevant participating bodies including Municipal Licensing and Standards and the Toronto Police Service Board.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.MM18.16>

At its meeting on February 6 and 7, 2024, City Council directed the City Manager to develop a policy framework for the management and monitoring of rallies and protests, ensuring alignment with the City's Human Rights and Anti-Harassment Policy, and report back to City Council by December 2024.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.IE10.7>

COMMENTS

Demonstrations in Toronto

Demonstrations are public gatherings where people assemble around a common purpose as a form of peaceful assembly and expression. The freedoms of expression and peaceful assembly are enshrined under the [Canadian Charter of Rights and Freedoms](#). Unlike other organized events, the City does not issue permits for demonstrations on publicly accessible City property. Examples of demonstrations include but are not limited to protests, rallies and vigils.

Demonstrations occurring anywhere in the city are events where the Toronto Police Service (TPS) serves as the primary responder and enforcement agency to preserve the peace, maintain public safety and uphold the right to demonstrate lawfully. While the City of Toronto (City) is not the primary responder for demonstrations, the City collaborates with the TPS and coordinates specific activities in response as appropriate and based on the circumstances of the situation.

City of Toronto's Response to Demonstrations

The *Policy Framework – City Response to Demonstrations* (Framework), included as Attachment 1 of this report, applies to City divisions and informs the City's coordination when demonstrations occur on or potentially impact publicly accessible City property. Recognizing that each situation is unique, City divisions will assess on a case-by-case basis in determining an appropriate response based on the circumstances of the situation and in a manner consistent with applicable operational practices and procedures.

The Framework aims to:

- Clarify the City's role, jurisdiction and municipal tools available to respond to demonstrations, including the role of applicable City divisions
- Establish common terminology and guiding principles to ensure clarity and consistency in the coordination of activities across City divisions
- Provide an overarching foundation of how the City coordinates its activities to determine an appropriate response based on the circumstances of the situation
- Balance the City's legal obligation to uphold Charter-protected rights and freedoms, alongside the City's commitment to promoting respectful conduct, inclusion, an environment free from hate and a safe Toronto for all

To do this, the Framework provides key information in the following areas:

- City Jurisdiction – clarifying the City's jurisdiction and role based on the locations where demonstrations occur
- Guiding Principles – communicating the principles that inform and guide the City's approach
- Role of the Toronto Police Service (TPS) – outlining the role of the TPS as the primary responder for demonstrations to ensure public safety and preservation of the peace
- Role of Applicable City Divisions – outlining the role of applicable City divisions engaged to assess, support and align efforts with the TPS to coordinate an appropriate response
- City Activities and Measures – identifying key City activities and measures available to coordinate an appropriate response

The development of the Framework was led by the City Manager's Office, in consultation with Legal Services and the following City divisions: Corporate Real Estate Management; Economic Development and Culture; Municipal Licensing and Standards; Parks, Forestry and Recreation; People and Equity; Social Development, Finance and Administration; Strategic Public and Employee Communications; Toronto Emergency Management; and Transportation Services. To ensure the Framework remains current and responsive to the City's needs and priorities, the City Manager's Office will review and update the Framework as required, in consultation with applicable City divisions and partners.

Additionally, the Framework can serve as a model for the City's agencies and corporations, in accordance with their mandate, delegated authority and board-approved bylaws and policies. This report recommends City Council request City agencies and corporations to refer to the Framework as a model and align applicable policies and procedures to be consistent with the City's approach where appropriate.

Related City Initiatives Underway

In addition to the Framework, the following City initiatives are underway that will support the City's coordination in response to demonstrations.

Review of Permitting Policies and Procedures

Although the City does not issue permits for demonstrations on publicly accessible City property, a review of the City's permitting policies and procedures was identified as an

opportunity to improve coordination and consistency of permitting practices in response to demonstrations. The establishment of the Framework will help advance further work as it provides a foundation to coordinate permitting practices based on a clear and consistent understanding of the City's role, jurisdiction and approach to demonstrations. The City Manager's Office will work with the City's permitting divisions to advance the review of applicable permitting policies and procedures.

Keeping Toronto Safe from Hate Action Plan

As directed by City Council, the City Manager submitted the *Keeping Toronto Safe from Hate Action Plan* (Action Plan) to the Toronto Police Service Board, which was received for information at the [October 8, 2024 board meeting](#). Attachment 2 of this report provides an update on key actions and priorities from the Action Plan. In particular, the City's work to support hostile vehicle mitigation and review of the emergence of municipal bylaws in other jurisdictions are outlined below.

Hostile Vehicle Mitigation

Transportation Services is undertaking work to develop guidelines and a kit of parts for hostile vehicle mitigation (HVM) interventions on City streets, such as street furniture and bollards. This work will establish a formal process through which private property owners may seek approval to install HVM measures on City streets, including guidance on application requirements, service standards, evaluation criteria and staff responsibilities throughout the internal review process. Transportation Services has issued a Request for Proposal for consulting services to support this project. It is anticipated that further work will be advanced in January 2025 following the selection of the successful proponent.

In addition, City staff will establish a one-time grant program in 2025 to support community organizations with hostile vehicle mitigation interventions. Pending Council approval, the City Manager's Office will work with the Office of the Deputy City Manager, Infrastructure Services and consult with applicable City divisions to develop and administer the grant program for 2025. This report recommends City Council authorize the City Manager, in consultation with the Deputy City Manager, Infrastructure Services, to establish a one-time grant program of up to \$2.5 million in 2025 to support community organizations with hostile vehicle mitigation interventions through the 2025 Operating Budget submission.

Emergence of Municipal Bylaws

City staff are reviewing the emergence of municipal bylaws established to address impacts of demonstrations on the public and on access to publicly accessible spaces in other jurisdictions. City staff have conducted a preliminary jurisdictional scan of municipalities in Canada and the United States to identify tools other cities have implemented. Examples include the [Safe and Inclusive Access Bylaw](#) adopted by the City of Calgary and the [Protecting Vulnerable Social Infrastructure Bylaw](#) adopted by the City of Vaughan. Courts have yet to rule on Charter issues related to these new municipal bylaws.

As noted in the [October 8, 2024 remarks](#) to the Toronto Police Service Board from Chief Myron Demkiw, Deputy Chief Lauren Pogue and Deputy Chief Robert Johnson, since October 7, 2023, the TPS has responded to more than 1,500 demonstrations. With respect to data on hate crimes, the TPS [Public Safety Data Portal](#) indicates a total of 368 hate crimes were reported in 2023. As of November 27, 2024, the TPS noted that year-to-date, 439 hate crimes have been reported to the Hate Crime Unit. Hate crimes have been reported in various locations across the city, including educational institutions, government buildings, medical facilities and religious places of worship/cultural centres.

A similar bylaw approach for the City of Toronto could be considered that addresses issues raised on impacts of demonstrations on the public, including but not limited to concerns regarding community safety and access to social infrastructure and publicly accessible spaces in the community (e.g. hospitals, schools, libraries, places of worship).

To allow for the drafting of a proposed bylaw, that both addresses the issues being faced by the City and respects Charter jurisprudence, further City staff review and analysis would be undertaken, including:

- Continued monitoring of the implementation and impacts of related municipal bylaws in comparable jurisdictions
- Reviewing best practices
- Consideration of any new Court rulings
- Consultations with key stakeholders, such as City divisions, agencies, corporations, partners, residents, community groups and the TPS

To advance this work, this report recommends City Council direct the City Manager, in consultation with the City Solicitor, applicable City divisions, the Toronto Police Service and other applicable stakeholders, to report to the Executive Committee in Q1 2025 with a proposed bylaw that supports the City's commitment to keeping Toronto safe from hate and respects Charter jurisprudence that addresses impacts of demonstrations on the public and on access to publicly accessible spaces.

CONTACT

Kate Bassil
Chief of Staff, City Manager's Office
Kate.Bassil@toronto.ca

Vanessa Ferrone
Director (A), Governance and Corporate Strategy, City Manager's Office
Vanessa.Ferrone@toronto.ca

Cory Lynch
Director, Municipal Law, Legal Services
Cory.Lynch@toronto.ca

SIGNATURE

Paul Johnson
City Manager

ATTACHMENTS

Attachment 1: Policy Framework – City Response to Demonstrations

Attachment 2: Keeping Toronto Safe from Hate Action Plan – Update on Key Actions