

Attachment 1: Proposed Amendments to Toronto Municipal Code Chapter 608, Parks

Row #	Chapter 608 Section	Current Text	Updated Text (Changes denoted in bold)	Type of Change	Explanation
1.	608-1. Definitions	None.	DRONE – A Remotely Piloted Aircraft System as defined in the Canadian Aviation Regulations, being a set of configurable elements consisting of a remotely piloted aircraft, its control station, the command and control links and any other system elements required during flight operation.	Address evolving conditions/ circumstances/ technologies/ activities affecting use/protection of parks	The proposed amendment to § 608-19 (row 16 of this table) includes the term “drone” to address new technology being used in parks; this amendment adds a definition for “drone” from the Canadian Aircraft Regulations.
2.	608-1. Definitions	GENERAL MANAGER - The General Manager of Parks, Forestry and Recreation or his or her successor or designate.	GENERAL MANAGER – The General Manager of Parks, Forestry and Recreation or their his or her successor or designate.	Reflect City by-laws & policies	Reflect current organizational structure. Update pronouns to reflect the City of Toronto Accommodation Policy and its associated Guidelines for Accommodating Gender Identity and Gender Expression.
3.	608-1. Definitions	None.	GLIDER – A Glider as defined in the Canadian Aviation Regulations, being a non-power-driven heavier-than-air aircraft that derives its lift in flight from aerodynamic reactions on surfaces that remain fixed during flight.	Address evolving conditions/ circumstances/ technologies/ activities affecting use/protection of parks	The proposed amendment to § 608-20 (row 17 of this table) includes the term “glider”; this amendment adds a definition for “glider” from the Canadian Aircraft Regulations.

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4.	608-1. Definitions	None.	HARASSMENT – As defined in the Ontario Human Rights Code, meaning engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.	Reflect City by-laws & policies	The proposed amendment to § 608-3 (row 11 of this table) includes “harassment” as a prohibited behaviour; this amendment adds a definition for “harassment” from the Ontario Human Rights Code.
5.	608-1. Definitions	PARK - Land and land covered by water and all portions of it owned by or made available by lease, agreement, or otherwise to the City, that is or may be established, dedicated, set apart or made available for use as public open space or golf course, and that has been or may be placed under the jurisdiction of the General Manager, including any and all buildings, structures, facilities, erections, and improvements located in or on the land, save and except where the land is governed by other by-laws of the City.	PARK - Land and land covered by water and all portions of it owned by or made available by lease, agreement, or otherwise to the City, that is or may be established, dedicated, set apart or made available for use as public open space or golf course, and that has been or may be placed under the jurisdiction of the General Manager, including any and all buildings, structures, facilities, parking lots , erections, and improvements located in or on the land, save and except where the land is governed by other by-laws of the City.	Reflect City by-laws & policies	Reflect that parking lots on parkland are included within the scope of the by-law.
6.	608-1. Definitions	PROHIBITED AREAS: A. Natural or environmentally sensitive areas (including designated ravines, wooded or savannah areas, sites of natural or scientific interest, areas which have undergone significant habitat restoration, wetlands or their buffer zones).	PROHIBITED AREAS: A. Natural or environmentally sensitive areas (including designated ravines, wooded or savannah areas, sites of natural or scientific interest, areas which have undergone significant habitat restoration, wetlands or their buffer zones).	Reflect City by-laws & policies	Align terminology with other sections of Chapter 608 (i.e., § 608-8 and 608-8.1). Some parks have the word “playground” as part of the park name. This change clarifies

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		B. Playgrounds, splash pads or wading pools. C. Horticultural display areas or ornamental gardens. D. Skateboard bowls, tennis courts and other sports pads. E. Sports fields and stadiums. F. Artificial or natural ice rinks or toboggan hills. G. Animal display areas. H. Campgrounds. [Amended 2009-10-27 by By-law 1093-2009] I. Areas posted to prohibit dogs from entering.	B. Playgrounds safety surface or playground equipment , splash pads or wading pools. C. Horticultural display areas or ornamental gardens. D. Skateboard bowls, tennis courts and other sports pads. E. Sports fields and stadiums. F. Artificial or natural ice rinks or toboggan hills. G. Animal display areas. H. Campgrounds. [Amended 2009-10-27 by By-law 1093-2009] I. Areas posted to prohibit dogs from entering.		that the prohibition does not apply to the whole park, but only to the playground area(s) of the park, as defined by the playground equipment and safety surface material (ground material, e.g., wood chips) used in the playground area.
7.	608-1. Definitions	None.	REMOTE-CONTROLLED VEHICLE: Any navigable aircraft, ground-based, or water-based vehicle, irrespective of its weight, that is operated by a person that is not on board, including drones, boats, cars, or similar devices, but excluding balloons, rockets, or kites.	Address evolving conditions/ circumstances/ technologies/ activities affecting use/protection of parks	The proposed amendment to § 608-19 (row 16 of this table) replaces outdated terms with “remote-controlled vehicle” to be reflective of modern technology; this amendment adds a definition for “remote-controlled vehicle”.
8.	608-1. Definitions	SMOKE OR SMOKING - Includes the carrying of a lighted cigar or cigarette, pipe or any other lighted smoking material.	SMOKE OR SMOKING - Includes the carrying of a lighted cigar or cigarette, pipe or any other lighted material. The use or holding of a lighted cigar, cigarette, pipe, hookah, or any other lighted device or material, such as tobacco or cannabis, and includes any of the following:	Reflect federal/provincial legislation	Update definition to align with the Smoke-Free Ontario Act, 2017.

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			Inhaling smoke from a lighted cigar, cigarette, pipe, hookah or any other lighted device or material. Exhaling smoke from a lighted cigar, cigarette, pipe, hookah or any other lighted device or material. Holding a lit cigar, cigarette, pipe, hookah or any other lighted device or material.		
9.	608-1. Definitions	None.	VAPE OR VAPING – The use or holding of a vaporizer or inhalant-type device, whether called an electronic cigarette or any other name, whether or not the vapour contains nicotine or cannabis, and includes. any of the following: Inhaling vapour from a vaporizer or inhalant-type device. Exhaling vapour from a vaporizer or inhalant-type device. Holding an activated vaporizer or inhalant-type device	Reflect federal/provincial legislation	The proposed amendment to § 608-8.1 (row 14 of this table) adds the term “vape” to align with the Smoke-Free Ontario Act, 2017; this amendment adds a definition for “vape” that aligns with the Smoke-Free Ontario Act.
10.	608-1. Definitions	VEHICLE - Includes a motor vehicle as defined under the Highway Traffic Act, and any bicycle, scooter, carriage, wagon, sleigh or other vehicle or	VEHICLE - Includes a motor A Vehicle as defined under the Highway Traffic Act, being a motor vehicle, trailer, traction engine, farm tractor, road-building	Reflect federal/provincial legislation	Harmonize definition of vehicle with the Ontario Highway Traffic Act. This also ensures that

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		conveyance of every description, whatever the mode of power, but excludes a baby carriage or cart, child's wagon, child's stroller, child's sleigh, wheelchair or similar device (powered or otherwise) used by an individual due to a disability, or other similar conveyance.	machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, and any bicycle, scooter, carriage, wagon, sleigh or other vehicle or conveyance of every description, whatever the mode of power, but excludes a baby carriage or cart, child's wagon, child's stroller, child's sleigh, wheelchair or similar device (powered or otherwise) used by an individual due to a disability, or other similar conveyance.		"trailers" are included as vehicles.
11.	608-3. Conduct	A. While in a park, no person shall: (1) Indulge in riotous, boisterous, violent, threatening, or illegal conduct or use profane or abusive language; (1.1) Reserved. (2) Cast, throw or in any way propel any object in a manner that may or does endanger or cause injury or damage to a person or property; (3) Create a nuisance by loitering, spying, accosting, frightening, annoying or otherwise disturbing other persons; (4) Create a nuisance or in any way interfere with the use and enjoyment of the park by other persons; (5) Engage in any form of sexual behaviour; or (6) Be nude.	A. While in a park, no person shall: (1) Indulge-Engage in any form of harassment or riotous, boisterous , violent, threatening, or illegal conduct; or use profane or abusive language; (1.1) Reserved. (2) Cast, throw or in any way propel any object in a manner that may or does endanger or cause injury or damage to a person or property; (3) Create a nuisance by loitering, spying, accosting, frightening, annoying or otherwise disturbing other persons; (4) Create a nuisance or in any way interfere with the use and enjoyment of the park by other persons; (5) Engage in any form of sexual behaviour; or (6) Be nude.	Section A (1): Reflect City by-laws & policies Sections A (5) and A (6): Reflect federal/provincial legislation Section D: Address evolving conditions/ circumstances/ technologies/ activities affecting use/protection of parks	Section A (1): Add harassment as a prohibited behaviour of the City's Human Rights and Anti-Harassment/ Discrimination Policy; Remove outdated/ unnecessary provisions on behaviours already addressed by prohibitions on harmful behaviour in this section. Sections A (5) and A (6): Remove redundant provisions on behaviours (public nudity and indecent acts) that are already illegal under the

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		B. For the purposes of Subsection A(6), a person is nude who is clad as to offend against public decency or order. C. No person shall plant, tie, bury, insert or in any manner place an object that may endanger or cause injury to person or property while in a park. D. No person shall remove, disturb, relocate, damage or destroy protective fencing, lifesaving equipment, barriers and warning signage put in place for protection of the public.	B. For the purposes of Subsection A(6), a person is nude who is clad as to offend against public decency or order. C. No person shall plant, tie, bury, insert or in any manner place an object that may endanger or cause injury to person or property while in a park. D. No person shall remove, disturb, relocate, damage or destroy protective fencing, lifesaving equipment, barriers and warning signage put in place for protection of the public.		Canadian Criminal Code. § 608-3 A (1) already provides that illegal conduct is prohibited in parks. Section D: Reflect that the prohibition on removing signage applies to all signage, not only “warning” signage.
12.	608-7. Encroachment	Unless authorized by permit, no person shall encroach upon or take possession of a park by any means whatsoever, including the construction, installation or maintenance of a fence or structure, the dumping or storage of materials or plantings, or planting, cultivating, grooming or landscaping.	Unless authorized by permit, no person shall encroach upon or take possession of a park by any means whatsoever, including the construction, installation or maintenance of a fence or structure;; the dumping or storage of materials, soil or plantings;; or planting, cultivating, grooming or landscaping.	Address evolving conditions/ circumstances/ technologies/ activities affecting use/protection of parks	Prevent dumping of soil in City parks.
13.	608-7.1. Discharge.	608-7.1. Discharge. No person shall cause or permit the discharge of water or waste water from sewage, any roof drainage system, hot tub, swimming pool or pond into or onto a park.	608-7.1. Water and wastewater discharge Unless authorized by permit, no person shall cause or permit the discharge, flow or runoff of water or wastewater from private property into or onto a park, from any source including but not limited to a hose or similar device, sewage, a roof drainage	Address evolving conditions/ circumstances/ technologies/ activities affecting use/protection of parks	Prevent water and wastewater discharge into parks.

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			system, parking lot, hot tub, swimming pool or pond. No person shall cause or permit the discharge of water or waste water from sewage, any roof drainage system, hot tub, swimming pool or pond into or onto a park.		
14.	608-8.1. Smoking.	608-8.1. Smoking. A. While in a park no person shall smoke within the boundaries of and a nine-metre radius surrounding the following amenities or areas in a park: (1) A sports field; (2) A playground safety surface or playground equipment; (3) A wading pool basin or splash pad safety zone; (4) A skateboard or BMX park; (5) A ski hill; (6) An outdoor swimming pool or deck; (7) A covered picnic shelter or gazebo; (8) An outdoor theatre space; or (9) A public washroom. B. While in a park no person shall smoke: (1) Within any zoo or farm area; (2) On a swimming beach; or (3) In a service line or waiting area.	608-8.1. Smoking and vaping A. While in a park no person shall smoke or vape within the boundaries of and within a 20 nine-metre radius surrounding the following amenities or areas in a park: (1) A sports field; (2) A playground safety surface or playground equipment; (3) A wading pool basin or splash pad safety zone; (4) A skateboard or BMX park; (5) A ski hill; (6) An outdoor swimming pool or deck; (7) A covered picnic shelter or gazebo; (8) An outdoor theatre space; or (9) A public washroom. B. While in a park no person shall smoke or vape: (1) Within any zoo or farm area; (2) On a swimming beach; or (3) In a service line or waiting area. (4) In a designated off-leash area.	Sections A and C: Reflect federal/provincial legislation Section B (4): Address evolving conditions/ circumstances/ technologies/ activities affecting use/protection of parks	Sections A and C: Harmonize with the Smoke-Free Ontario Act, 2017, including legislated exemption for traditional use of tobacco by Indigenous persons. Note: Updated definition of “smoke” and new definition for “vape” proposed in rows 8 and 9 of this table). Section B (4): Prevent smoking in designated off-leash areas.

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		B. While in a park no person shall smoke: (1) Within any zoo or farm area; (2) On a swimming beach; or (3) In a service line or waiting area.	C. Despite § 608-8.1.A and 608-8.1.B and in accordance with the Smoke-Free Ontario Act, nothing in this Chapter: (1) prohibits an Indigenous person from smoking tobacco or holding lighted tobacco there, if the activity is carried out for traditional Indigenous cultural or spiritual purposes; or (2) prohibits a non-Indigenous person from smoking tobacco or holding lighted tobacco there, if the activity is carried out with an Indigenous person and for traditional Indigenous cultural or spiritual purposes.		
15.	608-16. Use of wash and change rooms.	In a park, no person shall enter any portion of any washroom, bathhouse, change room or recreation facility set apart for the opposite sex.	In a park, no person shall enter gender-segregated washrooms, change rooms or other facilities that do not correspond to their gender identity. any portion of any washroom, bathhouse, change room or recreation facility set apart for the opposite sex	Reflect City by-laws & policies	Update language to align with the City of Toronto Accommodation Policy and its associated Guidelines for Accommodating Gender Identity and Gender Expression and reflect obligations under the Ontario Human Rights Code.
16.	608-19. Model aircraft and rockets	608-19. Model aircraft and rockets While in a park, no person shall operate powered models of aircraft, rockets, watercraft or	608-19. Model aircraft and rockets Drones and remote-controlled vehicles While in a park, no person shall operate a drone, rocket or	Address evolving conditions/ circumstances/ technologies/ activities affecting	Address new technology (drones) being used in parks and replace outdated terms with terms more reflective of current

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		vehicles unless authorized by permit.	remote-controlled vehicle powered models of aircraft, rockets, watercraft or vehicles unless authorized by permit.	use/protection of parks	technology (remote-controlled vehicles). Note: New definitions for “drone” and “remote-controlled vehicle” proposed in rows 1 and 7 of this table.
17.	608-20. Gliders and hot air balloons	608-20. Gliders and hot air balloons Unless authorized by permit, no person shall tether, launch or land a hot air balloon, hang glider, ultra light aircraft or similar conveyance in a park.	608-20. Gliders and hot air balloons Aircraft and gliders Unless authorized by permit, no person shall tether, launch or land any aircraft described in the Canadian Aviation Regulations including a hot air balloon, hang glider, ultra light aircraft or similar conveyance in a park.	Address evolving conditions/ circumstances/ technologies/ activities affecting use/protection of parks	Remove reference to outdated technology (hot air balloon) and updated terms to be reflective of current technology based on the Canadian Aviation Regulations. Note: New definition for “glider” proposed in row 3 of this table.
18.	608-28. Other activities.	No person shall make use of a roadway or parking lot in a park for: A. Washing, cleaning, servicing, maintaining or, except in the event of an emergency, the repair of any vehicle; B. Instructing, teaching or coaching any person in the driving or operation of a motor vehicle, unless authorized by permit; or C. Storing a boat or trailer without a permit.	No person shall make use of any area of a roadway or parking lot in park for: A. Washing, cleaning, servicing, maintaining or, except in the event of an emergency, the repair of any vehicle; B. Instructing, teaching or coaching any person in the driving or operation of a motor vehicle, unless authorized by permit; or C. Storing a boat or trailer without a permit.	Address evolving conditions/ circumstances/ technologies/ activities affecting use/protection of parks	Prohibit these activities anywhere in a park, not only roadways and parking lots.

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19.	608-34. Dogs	A. While in a park, no person as owner or person having control of a dog shall: (1) Excluding a working dog providing a service to the City, allow the dog to run at large, except in a posted designated off-leash area; (2) Excluding person with a disability accompanied by a service animal, and a working dog providing a service to the City, allow the dog to enter a prohibited area; (3) Install or construct any type of dog control fence or barrier; (4) Use a stun gun or similar electronic or battery-operated device to harm or control the dog; (5) Excluding person with a disability accompanied by a service animal, and a working dog providing a service to the City, allow the dog to enter a swimming beach except between November 1 and March 31; or (6) Allow a dog to enter a designated off-leash area if the dog is required to be equipped with a muzzle or secured by a leash under: (a) A notice issued under Chapter 349, Animals; or (b) The Dog Owners' Liability Act or an order issued under that Act.	A. While in a park, no person as owner or person having control of a dog shall: (1) Excluding a working dog providing a service to the City, allow the dog to run at large, except in a posted designated off-leash area; (2) Excluding person with a disability accompanied by a service animal, and a working dog providing a service to the City, allow the dog to enter a prohibited area; (3) Install or construct any type of dog control fence or barrier; (4) Use a stun gun or similar electronic or battery-operated device to harm or control the dog; (5) Excluding person with a disability accompanied by a service animal, and a working dog providing a service to the City, allow the dog to enter a swimming beach except between November 1 and March 31; or (6) Allow a dog to enter a designated off-leash area if the dog has been determined to be a dangerous dog under Chapter 349, Animals, or the dog is required to be equipped with a muzzle or secured by a leash under: (a) A notice or order issued under Chapter 349, Animals; or (b) The Dog Owners' Liability Act or an order issued under that Act.	Reflect City by-laws & policies	Harmonize with Chapter 349, Animals.

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20.	608-34. Dogs	C. While in a park, every person as owner or person having control of a dog shall: (1) Ensure that it is on a leash or chain not exceeding 2.4 metres in length when not running at large in a posted designated off-leash area;	C. While in a park, every person as owner or person having control of a dog shall: (1) Ensure that it is on a leash or chain not exceeding 2.4 two metres in length when not running at large in a posted designated off-leash area;	Reflect City by-laws & policies	Harmonize with Chapter 349, Animals.
21.	608-46. Sale of merchandise, trade or business	A. Unless authorized by permit, no person shall, while in a park, sell or offer or display for sale: (1) Any food, drink or refreshment; (2) Any goods, wares, merchandise or articles, including promotional material, souvenirs and novelties; or (3) Any art, skill, service or work.	A. Unless authorized by permit, no person shall, while in a park, sell or offer or display for sale: (1) Any food, drink or refreshment; (2) Any goods, wares, merchandise or articles, including promotional material, souvenirs and novelties; or (3) Any art, skill, service, lessons or work.	Address evolving conditions/ circumstances/ technologies/ activities affecting use/protection of parks	Operation of private lessons in City facilities is an issue encountered by staff; this amendment will aid in communication and education that operation of private commercial lessons is not allowed without a permit.
22.	608-47. Filming and videotaping.	While in a park, no person shall take or permit to be taken for remuneration any film, photograph, videotape or television broadcast unless permitted under the City's film by-law and authorized by permit from the Toronto Film and Television Office.	A. While in a park, unless authorized by permit under this Chapter or permitted under Chapter 459, Filming and authorized by permit from the Toronto Film and Television Office, no person shall: (1) Take or permit to be taken for remuneration any film, photograph, videotape or television broadcast unless permitted under the City's film by-law⁵⁶ and authorized by permit from the Toronto Film and Television Office. (2) Take or permit to be taken any film, photograph, videotape or	Reflect City by-laws & policies	Reflect that permits may be authorized by the General Manager under this Chapter. Reflect Parks and Recreation procedures that prohibit film/ photography in washrooms and change rooms. Reflect City of Toronto Security Video Surveillance Policy.

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			television broadcast in a washroom or change room. B. No video surveillance system shall be installed in a park except in accordance with the City of Toronto Security Video Surveillance Policy.		
23.	608-49. Permits, licences and documents	A. Permits for activities contemplated in this chapter may be obtained by contacting the Customer Service Section of the City's Parks and Recreation Division. B. Permits issued for activities contemplated in this chapter may be subject to fees established by the General Manager. C. Permits issued for activities contemplated in this chapter may include conditions as to time, location, area, equipment, number of participants, type of activities, release, indemnity and insurance coverage. D. The issuance of a permit under this chapter does not relieve a person from the necessity of acquiring any other licence or permit required for the activity by any governmental or public authority. E. Any person issued a permit or document shall be responsible for ensuring that all of the terms and conditions of the permit or document are complied with.	A. Permits for activities contemplated in this chapter may be applied for obtained by contacting the Customer Service Section of the City's Parks and Recreation Division. B. Permits issued for activities contemplated in this chapter may be subject to fees established by the General Manager. C. Permits issued for activities contemplated in this chapter may include conditions as to time, location, area, equipment, number of participants, type of activities, release, indemnity and insurance coverage. D. The issuance of a permit under this chapter does not relieve a person from the necessity of acquiring any other licence or permit required for the activity by any governmental or public authority. E. Any person issued a permit or document shall be responsible for ensuring that all of the terms and conditions of the permit or document are complied with.	Reflect City by-laws & policies	Reflect current process for permit applications.

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		F. A permit or document shall, if possible, be displayed in a manner that renders it easy to read and if not possible, it shall be produced for inspection at the request of an officer. G. No permit contemplated by this chapter shall be issued if it would result in the contravention of other applicable law.	F. A permit or document shall, if possible, be displayed in a manner that renders it easy to read and if not possible, it shall be produced for inspection at the request of an officer. G. No permit contemplated by this chapter shall be issued if it would result in the contravention of other applicable law.		
24.	608-52. Exclusions and exemptions	A. This chapter does not apply to: (1) An officer or personnel of Emergency Medical Services or Fire Services while engaged in the performance of their duties; (2) Employees or agents of the City while responding to an emergency situation occurring while engaged in works or services undertaken for or on behalf of the City, or as authorized by the General Manager; or (3) A park, property or building that is under the jurisdiction of a board established by Council or by statute, the members of which are appointed by Council.	A. This chapter does not apply to: (1) An officer or personnel of Emergency Medical Services or Fire Services while engaged in the performance of their duties; (2) Employees or agents of the City while responding to an emergency situation occurring while engaged in works or services undertaken for or on behalf of the City, or as authorized by the General Manager; (3) Employees or agents of the City while engaged in works or services undertaken for or on behalf of the City as authorized by the General Manager; or (4) A park, property or building that is under the jurisdiction of a board established by Council or by statute, the members of which are appointed by Council	Reflect City by-laws & policies	Reflect that the by-law does not apply to staff carrying out their duties.
25.	608-55. Removal of vehicles	An officer or the General Manager, upon discovery of a vehicle parked or standing in contravention of § 608-27 of this	An officer or the General Manager, upon discovery of a vehicle parked or standing in contravention of § 608-27 of this chapter, may cause it	Address evolving conditions/ circumstances/ technologies/	Apply this enforcement authority to any vehicle-related violation of the by-law.

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		chapter, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care of and storing the vehicle, if any, are a lien upon the vehicle which may be enforced in the manner provided by the Repair and Storage Liens Act.	to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care of and storing the vehicle, if any, are a lien upon the vehicle which may be enforced in the manner provided by the Repair and Storage Liens Act.	activities affecting use/protection of parks	