

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XXX-202X

A By-law of the Corporation of the City of Vaughan to amend By-law 143-2024, a By-law to prohibit Nuisance Demonstrations within one hundred metres of Vulnerable Social Infrastructure.

WHEREAS section 8(1) of the *Municipal Act*, 2001 S.O. 2001, c. 25 ("*Municipal Act*") provides that the powers of a municipality under the statute be interpreted broadly so as to confer broad authority on municipalities to enable municipalities to govern their affairs, as they consider appropriate, and enhance their ability to respond to municipal issues;

AND WHEREAS section 11(2)6. of the *Municipal Act* provides for a municipality to pass by-laws respecting the health, safety and well-being of Persons;

AND WHEREAS section 35 of the *Municipal Act* provides that a municipality may 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 section 128(1) of the *Municipal Act* provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS section 128(2) of the *Municipal Act* provides that the opinion of council under section 128(1), if arrived at in good faith, is not subject to review by any court;

AND WHEREAS section 426 of the *Municipal Act* provides that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under a by-law passed under the *Municipal Act*;

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 also recognizes the need to reasonably and responsibly balance such rights against the health, safety and well-being of members of its communities;

AND WHEREAS Council recognizes that behaviours such as intimidation, inciting hatred, violence, intolerance or discrimination may have negative effects on the health, safety and well-being of its citizens;

AND WHEREAS Council deems certain social infrastructure to be especially vulnerable to public Nuisance Demonstrations, and further deems it necessary for such social infrastructure to have protection from such Nuisance Demonstrations in order to protect the well-being of users of the Vulnerable Social Infrastructure;

AND WHEREAS Council, in good faith, and in accordance with section 128 of the *Municipal Act*, has established what constitutes or could become a Nuisance Demonstration, as set out hereunder;

AND WHEREAS nothing in this By-law is intended to prevent peaceful protests or demonstrations, including those that occur as part of a labour union strike

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That By-law 143-2024 be amended to add the following subsections to Section 4(2) as follows:

(c) notwithstanding any other provision of this By-law, no fine or administrative penalty shall be imposed for violations of the By-law that take place within the specified locations at Vaughan City Hall as shown in Schedule A.

d) a person who attends a *Nuisance Demonstration* without engaging in conduct that would cause a reasonable *Person* to be intimidated does not “participate” within the meaning of section 4.0(1), unless they have been directed to vacate an area by an *Enforcement Officer* and fail to do so.

Attachment 1 - Proposed Draft By-Law

Voted in favour by City of Vaughan Council this XXth day of (Month), 2026.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. ____ of Report No. ____ of the Committee _____.
Report adopted by Vaughan City Council on _____.
City Council voted in favour of this by-law on _____.
Approved by Mayoral Decision MDC XXX-202X dated _____.
Effective Date of By-Law: (Mayoral approval date)

DRAFT

SCHEDULE A

