

“Protest Bubbles”

The Urgent Threat They Pose to Your Union

Actions to Take Now

Overview

At its May 21, 2025 meeting, a by-law establishing “protest bubbles” will be proposed to Toronto City Council. This comes after Council direction to staff in a December 18th 2024 meeting instructed them to create a by-law.

These protest bubbles could place up to 100m zones around public and private buildings and infrastructure where protests, rallies, and pickets could be barred. This by-law could **restrict unions’ ability to hold rallies, demonstrations, and pickets. Some councillors have said restricting unions should be a key feature of by-laws of this type.** Public consultations are currently underway, but civil society groups have noted **the consultation process is deeply flawed.**

Labour activists in Toronto should take action now to protect our right to protest and picket by **bringing this information to their union, and speaking out against the by-law today.** We must point out the dangerous nature of this by-law, oppose it in any form, and scrap the flawed consultation process.

Urgent Actions to Take

To protect the charter rights of all workers, labour activists can take three actions today:

1. **Bring this report to your union.**

Bring this report to your union and sound the alarm about the threat to our collective bargaining rights. Ask for time for discussion at your next general membership meeting and talk to committees about the by-law. **Have your union to make a statement in opposition to the by-law and have them reach out directly to the Mayor and Council.**

2. **Sign the petition.**

Labour Council and Progress Toronto have partnered on a petition to the Mayor and Toronto Councillors. Fill out the petition at the link at the QR code here, and take the attached flyer to your workplace and meetings - have members sign on!



3. **Organize for future action.**

This by-law threatens more than just unions: tenants groups, environmental organizations, and other activists are getting organized. Keep your eye on future calls to action from the Labour Council, and in the meantime, **get your members ready to mobilize for action!**

Key Information and Background on Proceeding Pages

Key Information

Could this by-law affect our union?

Yes. This by-law would create bubbles around many spaces in the city. 100m bubbles would restrict protests virtually everywhere for everyone. It could restrict the activity of all unions.

Some Councillors have been explicit: these by-laws should restrict unions.

Could this restrict picket-lines, protests, and rallies?

Yes. The City Solicitor said that a by-law of this type could impact the rights of unions to hold rallies and pickets in Toronto, especially if that picket denied, or attempted to deny, entry to a space (i.e. strikes).

What would be the penalty for holding pickets and rallies?

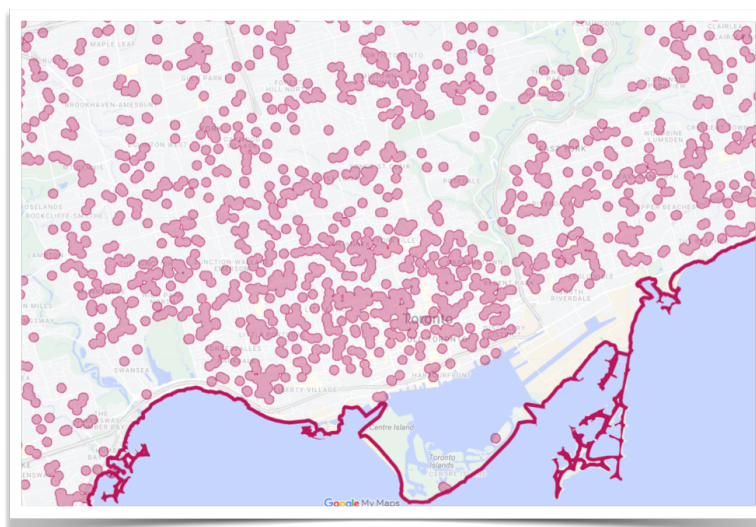
Penalties for violation in other municipalities include **finest of up to \$100,000 per violation.**

Where could this by-law restrict protests?

This by-law could restrict protests by up-to 100m away from a variety of sites in the city. These restrictions could cover direct protests of the site, and protests of another target within the “bubble.”

Sites where the City is investigating restricting protests include:

- **Child care centres**
- **City Hall/Civic Centres**
- **Cultural Centres**
- **Faith-based schools**
- **Museums and arts centres**
- **Non-faith based schools**
- **Places of worship**
- **Post-secondary schools**
- **Public libraries**
- **Recreation facilities (e.g. pools, community centres)**



Potential Protest Restricted Zones in Red

Background

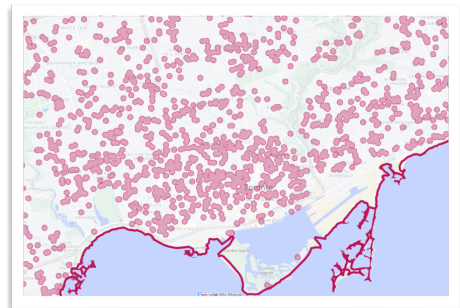
COUNCIL SEEKS TO RESTRICT CHARTER-PROTECTED RIGHTS

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. The report, presented at the City Council meeting on December 17 and 18, 2024, included several recommendations from staff, including the creation of a by-law to restrict protests at some sites.

The recommendation reads:

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 City Council in the first quarter of 2025, informed by public consultations and a constitutional legal expert opinion on the Charter Rights implications from the City Solicitor, with a proposed by-law, with an emphasis on protecting vulnerable institutions such as places of worship, faith-based schools and cultural institutions, that supports the City's commitment to keeping Torontonians safe from hate and protects Charter rights that address impacts of demonstrations that target people based on their identity as prohibited under the Ontario Human Rights Code.

This follows the development and implementation of other by-laws aimed at restricting charter protected activity in municipalities including: Vaughan, Brampton, Richmond Hill, Ottawa, and Calgary, among others. While these by-laws vary in their approach, from restricting all demonstrations to restricting certain types, their purpose is to limit the ability for groups to exercise their right to free assembly and free speech. At least one of these by-laws is now facing a charter-challenge questioning its legality under the Charter of Rights and Freedoms.



Potential Protest Restricted Zones in Red

In the Toronto Council meeting, questions were put to staff on the potential impacts of the by-law, including potential impacts on trade unions. In her response to questions, the City Solicitor (the City of Toronto’s top lawyer) indicated that trade union activity could be restricted by such a by-law, including their activity undertaken during and outside of the collective bargaining process, like rallies, demonstrations, and picket lines.



During the February 7th meeting which initiated the process of this by-law’s development, Councillor James Pasternak explicitly stated the purpose of by-laws of this type should be to restrict union activity. In his remarks, Councillor Pasternak commented on a Ontario Nurses Association bargaining rally on Queen St. stating that he believed they should not be able to hold such a rally in the city. “Why on earth would they be set up in the street?” Pasternak asked. **Throughout his remarks he made it clear: unions should be targeted by these by-laws.**

CITY STAFF: NO NEED FOR BY-LAW

During questions, City staff, including representatives from Municipal Licensing and Standards (By-Law Licensing and Enforcement; MLS), Toronto Police Services (TPS), and the City Solicitor said that they already had the tools they need to prevent illegal gatherings and protests. To quote TPS “...**To be quite honest, it would be disingenuous to suggest a by-law would significantly change the dynamics [at a demonstration] for us.**” Additionally, representatives from MLS said that, due to safety concerns for staff (represented by CUPE Local 79), they would have great difficulty enforcing a by-law during a demonstration — if they would be able to at all.

While some on Council are suggesting that implementing this by-law would change safety dynamics at protests, **City staff made it clear: this by-law would have little impact on safety at the cost of great restrictions of Charter Rights.**

CIVIL SOCIETY GROUPS NOTE CONSULTATION DEEPLY FLAWED

Now, public consultation is underway, but the process employed by City staff uses what many say is a deeply flawed approach. This process: uses a biased framing and methodology, employing leading questions; does not respect the expertise and leadership of civil society organizations, including unions; and, allows submissions from those outside of Toronto, even allowing multiple submissions.

The Urban Alliance on Race Relations (UARR) identifies the following flaws in the consultation process:

- **Biased framing and methodology:** The survey’s vague and subjective questions about “feelings of safety” are deeply problematic. Without clear definitions, this framing enables the dismissal or suppression of well-documented political criticisms under the pretence that they may cause discomfort, opening the door to policy-making based on bias rather than principle.
- **Unequal application of scrutiny:** We cannot ignore the stark contrast that no comparable consultation or bylaw process was initiated in response to the occupation of Toronto streets by the “Freedom Convoy,” despite its well-documented threats to public health and safety...
- **Failure to engage affected communities:** The groups most impacted are racialized communities, political activists, human rights advocates, labour unions, educators, and students, who have been excluded from shaping this process. A meaningful consultation cannot take place without centring their voices.

Furthermore, as mentioned above, a central part of the current consultation process revolves around a survey which has poor implementation design, in addition to the flaws mentioned above by UARR. At present, the survey collects no residency data (e.g. postal codes) to ensure the respondent is a Toronto resident. It also allows the same individual to complete the survey multiple times.

Without a proper consultation process, there is a risk that the form the by-law takes could be distorted by a vocal minority, or that groups who seek to limit union activity may intentionally distort the process to reach an outcome they prefer. Union leaders should vocally oppose this flawed consultation approach and call for it to be scrapped.

RECOMMENDATIONS

To protect the rights of working people in Toronto, it is imperative that unions take urgent action to stop the “Protest Bubble” by-law. While the Mayor and individual Councillors may have a variety of different motivations for passing such a by-law, the outcome will be the same: a significant erosion of the charter rights of all Canadians, and a threat to union bargaining.

In the immediate term, the Labour Council recommends labour activists take 3 actions to protect our charter rights:

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