

Oakville Town Council  
1225 Trafalgar Road  
Oakville, ON L6H 0H3

April 29, 2025

**RE: Agenda Item 10.1 - Potential Protest By-law near Vulnerable Social Infrastructure**

Dear Mayor Burton and Members of Oakville's Town Council,

For the past year and a half, Jewish communities have been subjected to escalating protests targeting places of worship, schools, and other institutions. Community events held in or near Jewish institutions are met with protests and demonstrations in which participants chant hateful slogans, call for genocide and death of Jews, and prevent participants from entering community institutions or their own homes. These protests have created a climate of fear and insecurity within the Jewish community. Notably, other communities have also seen their institutions targeted in recent months.

All communities have the right to enjoy their institutions and feel safe and secure. For this reason, the Centre for Israel and Jewish Affairs (CIJA) submitted a letter to Council (attached) urging the adoption of a by-law similar to the one adopted by the City of Vaughan (By-Law 143-2024), prohibiting protests within 100 metres of religious houses of worship and schools. CIJA was encouraged that at its December 14 meeting, Council, in a unanimous vote, directed staff to engage in a consultation and investigate a draft by-law to address certain forms of protest within a reasonable distance of vulnerable community infrastructure.

Unfortunately, the [draft by-law ultimately published on the Town website](#) fell short in several elements. CIJA provided a comprehensive submission to Town staff (attached) outlining the various elements that in our opinion needed strengthening. Regretfully, the final draft by-law that is coming to Council remains weak. It is CIJA's position that amendments are needed to ensure the by-law is effective. Without amendments, CIJA cannot support the by-law as written.

Per CIJA's submission submitted in March 2025 (attached), it is CIJA's position that Oakville's by-law should be similar to the City of Vaughan's By-Law 143-2024, which would prohibit "nuisance demonstrations" (protests) within 100 metres of houses of worship and religious schools. CIJA urged that the by-law should:

- Be strong by including consequences for non-compliance and specific enforcement powers and be actively enforced.

- Prevent any potential irregularities or issues arising from overt or subjective bias by including a clear definition of a “nuisance demonstration.”
- Provide clear direction and establish an objective "test" to determine when the threshold of a “nuisance demonstration” has been reached
- Include a clause that allows enforcement flexibility to increase the protest perimeter as needed, based on the size and scale of the demonstration.

We are disappointed that our recommendations have not been considered and reflected into the proposed draft by-law. In our view, the draft, as it stands, fails to adequately address protests targeting vulnerable institutions and the individuals who depend on them, due to the following shortcomings.

### **Definition of Specified Protest**

The definition of specified protest within the draft by-law is insufficient in that it lacks precision, leaving a wide discretion for subjective thought or action to law enforcement and by-law enforcement. The Town of Oakville should strengthen this portion of the by-law by providing a clearer definition of what a protest is. Per CIJA’s suggestion in its March 2025 submission, the by-law should define specified protest in a similar fashion to Vaughan’s by-law, such as: *“nuisance demonstration” is any protest that involves expression of objection or disapproval towards an idea or action related to race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation by any means, including graphic, verbal, or written means.*

### **20-metre provision**

It is CIJA’s position that 20 metres is an insufficient perimeter. Other municipalities that have implemented safe access legislation or by-laws have set 100 metres as the perimeter to ensure community institutions remain safe and that those who use them are not intimidated. If the draft by-law is passed in its current form, Oakville would deviate from the norm in this regard, as set by other jurisdictions like Calgary and Vaughan, which have established a 100-metre perimeter. Within the staff report, it is noted that 100 metres would extend into residential areas and other private property. While accurate, it is also true of other jurisdictions where safe access zone by-laws are established. To ensure consistency and better protect individuals and institutions, the by-law should establish a uniform 100-metre safe access zone for all protests.

### **Omission of City Manager’s ability to close streets and other Town property**



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The City of Vaughan's municipal by-law grants the Deputy City Manager, Community Services, or their designate, the authority to order the closure of any highway—including roadways, boulevards, sidewalks, trails, or pathways—or any public place, such as

facilities, parks, or parking lots. The by-law also permits the redirection of vehicular or pedestrian traffic, including the placement of barricades, when deemed necessary to protect the health, safety, and well-being of individuals.

The absence of a similar provision in Oakville's draft by-law is a significant omission. While the staff report notes that the Town's Temporary Road Closure By-law (2007-135) already delegates authority to staff to temporarily close a highway (for up to six months), CIJA maintains that this power should be explicitly included in the new by-law to support its enforcement.

To conclude, the draft by-law should be strengthened by addressing the items noted above. Without these insufficiencies addressed, the by-law would be ineffective in addressing protests targeting vulnerable institutions and the citizens who depend on them.

Thank you,

Michelle Stock  
Vice President, Ontario  
Centre for Israel and Jewish Affairs

## **APPENDIX**

1. Letter to Oakville Town Council – December 16, 2024
2. CIJA Submission – March 12, 2025
3. CIJA Submission to Town Staff Regarding Draft By-law – April 11, 2025

December 16, 2024

Oakville Town Council  
1225 Trafalgar Road  
Oakville, ON L6H 0H3

**RE: Agenda Item 8.6 – Roles and Responsibilities in Managing Protests**

Dear Mayor Burton and Members of Oakville's Town Council,

I am writing on behalf of the Centre for Israel and Jewish Affairs (CIJA), to urge Council to adopt a by-law similar to the one adopted by the City of Vaughan, prohibiting protests within 100 metres of religious houses of worship and schools. This measure is essential to ensure the safety, dignity, and well-being of students, worshippers, and the broader community.

For more than a year, Jewish communities across Canada have been deeply distressed by protests targeting places of worship and community institutions that serve children, seniors, and other vulnerable individuals. These demonstrations – filled with hateful chants, signs, and antisemitic rhetoric – such as "From the River to the Sea," "Go Back to Europe," and "Intifada Revolution" – have targeted synagogues, schools, and community centres. These threats and protests have instilled fear, making it difficult for community members to feel safe while attending places of worship, schools, and communal spaces.

The rights to freedoms of expression and assembly are fundamental to Canadian society. However, these rights are not absolute and are subject to reasonable limits prescribed by law. Section 1 of the *Charter* allows for balancing of *Charter* rights, and we would respectfully submit that there must be reasonable balance between the rights of the protestors and those of the general community.

The proposed 100-metre by-law would strike an appropriate balance, allowing protestors to continue to express their views while creating a clear boundary around schools and houses of worship, to ensure these environments remain safe and free from disturbance and intimidation.



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Further, there is precedence for safeguarding such institutions from disruptive protests as evidenced by bylaws implemented by various municipalities including Brampton and Vaughan.<sup>1</sup>

We urge you to take action to create a safer and more peaceful environment for all residents by bringing forward a by-law explicitly prohibiting protests within 100 metres of houses of worship and schools. Every Canadian has the right to feel secure in their community.

Thank you for your consideration.

Sincerely,

Josh Landau

Director, Government Relations, Ontario

[jlandau@cija.ca](mailto:jlandau@cija.ca)

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<sup>1</sup> <https://www.vaughan.ca/residential/by-laws-and-enforcement/protecting-vulnerable-social-infrastructure-by-law>  
<https://www.brampton.ca/EN/City-Hall/Bylaws/All%20Bylaws/Protecting%20Places%20of%20Worship%20from%20Public%20Nuisance%20Demonstrations%20By-law%20173-2024.pdf>

March 12, 2025

**RE: Oakville By-law – Protests Near Vulnerable Social Infrastructure**

To Whom it May Concern,

I am writing on behalf of the Centre for Israel and Jewish Affairs (CIJA), the advocacy agent of Jewish Federations of Canada-UIA, representing Jewish Federations across Canada. CIJA represents the diverse perspectives and concerns of more than 160,000 Jewish Canadians affiliated with their local Jewish Federation.

For more than a year, Jewish communities across Canada have been deeply distressed by protests targeting places of worship, schools, and community institutions that serve children, seniors, and other vulnerable individuals. These demonstrations – filled with hateful chants, signs, and antisemitic rhetoric – such as “From the River to the Sea,” “Go Back to Europe,” and “Intifada Revolution” – have targeted synagogues, schools, and community centres. These threats and protests have instilled fear, causing community members to feel unsafe while in or near these spaces.

CIJA was pleased that Council, at its meeting on December 16, 2024, directed staff to engage in a consultation and investigate a draft by-law for Oakville to address certain forms of protests within a reasonable distance of vulnerable community infrastructure. CIJA urges City of Oakville staff to compose a by-law similar to the one adopted by the City of Vaughan, By-Law 143-2024, which would prohibit “nuisance demonstrations” (protests) within 100 metres of religious houses of worship and schools, to ensure the safety, dignity, and well-being of students, worshippers, and the broader community.

It is crucial that the by-law be prescriptively strong, include punitive measures for non-compliance and strong enforcement powers, and, most importantly, that it be actively enforced. When too much discretion is given to enforcement officers, we have seen that response to by-law violations becomes inconsistent.

For the by-law to meet its objective in implementation and protect vulnerable communities from hateful and intimidating protests, CIJA recommends that the by-law:

- 1) Set a clear definition of a “nuisance demonstration” to ensure there are no irregularities or room for issues brought on by overt or other subjective bias. CIJA proposes the following definition of nuisance demonstration be reflected within the by-law:

*“Nuisance demonstration” is any protest that involves expression of objection or disapproval toward an idea or action related to race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation by any means, including graphic, verbal, or written means.*

- 2) Include explicit direction and prescribe a clear and objective “test” for when the threshold of “nuisance demonstration” is reached. There must also be a clear commitment within the by-law to ensure law enforcement and by-law officers have the necessary resources to staff and respond appropriately to protests that fall under the jurisdiction of the by-law.

CIJA posits the following examples for the threshold test for a “nuisance demonstration:”

- Harassing or intimidating another person or persons.
  - Using offensive language or gestures; including but not limited to calling for death or eradication of an individual or group.
  - Creating discomfort, disturbance or confusion for members of the public, pedestrians, the occupants of a dwelling, or to passing motorists.
  - Obstructing the passage of pedestrians, thereby rendering passage impassable or difficult.
  - Playing music or any other noise that disturbs or is likely to disturb the occupants of a dwelling.
  - Ringing bells, sounding horns, blowing whistles, using amplifiers and microphones, shouting, screaming, or swearing.
  - Condoning, denying or downplaying the Holocaust, thereby willfully promoting antisemitism.
  - Displaying symbols of terror entities (such as Hamas or Hizbullah), including but not limited to flags and pictures.
- 3) The by-law should provide a clause that allows for greater enforcement flexibility to push the perimeter of the protest further away depending on size and scale of protest. For example, to ensure greater safety, a larger



protest (100+ people) could be positioned more than 100-metres from the protected space.

Opponents to such a by-law will claim that implementing a safe-access by-law is not constitutional. That argument is categorically false: while the rights to freedoms of expression and assembly are fundamental to Canadian society, these rights are not absolute and are subject to reasonable limits prescribed by law. Section 1 of the *Charter* allows for the balancing of benefits v. negative impact of reasonable limitations of these rights. There must be a reasonable balance between the protestors' right to civil disruption and the well-being of the rest of society. Instituting such a by-law will ensure Charter rights are protected. Further, there is precedence for safeguarding such institutions from disruptive protests as evidenced by by-laws implemented by other municipalities, including Brampton and Vaughan.

Thank you for your consideration of these recommendations, and please do not hesitate to contact me if you have any questions for clarification.

Sincerely,



Michelle Stock  
Vice President, Ontario

April 11, 2025

To Whom it May Concern,

In December 2024, the Centre for Israel and Jewish Affairs (CIJA), the advocacy agent of Jewish Federations of Canada-UIA, representing Jewish Federations across Canada, was pleased to see Oakville Council direct staff to engage in a consultation and investigate a draft by-law to address certain forms of protests within a reasonable distance of vulnerable community infrastructure.

In March 2025, CIJA provided its submission to city staff supporting its position that the Town of Oakville staff should devise a by-law similar to the City of Vaughan's By-Law 143-2024, which would prohibit "nuisance demonstrations" (protests) within 100 metres of houses of worship and religious schools. CIJA urged that the by-law should:

- Be strong by including consequences for non-compliance and specific enforcement powers and be actively enforced.
- Prevent any potential irregularities or issues arising from overt or subjective bias by including a clear definition of a "nuisance demonstration."
- Provide clear direction and establish an objective "test" to determine when the threshold of a "nuisance demonstration" has been reached
- Include a clause that allows enforcement flexibility to increase the protest perimeter as needed, based on the size and scale of the demonstration.

There is precedence for safeguarding vulnerable institutions from disruptive protests as evidenced by Vaughan's by-law, therefore providing a solid basis of language and policy that staff could leverage while drafting the Town of Oakville's own by-law to protect safe access to vulnerable social infrastructure.

Unfortunately, the Oakville draft by-law to protect safe access to vulnerable institutions falls short in several elements.

### **Definition of Specified Protest**

The definition of specified protest within the draft by-law is insufficient in that it lacks precision, leaving a wide discretion for subjective thought or action to law enforcement and by-law enforcement. The Town of Oakville should strengthen this portion of the by-law by providing a clearer definition of what a protest is. Per CIJA's suggestion in its March 2025 submission, the by-law should define specified protest in a similar fashion to Vaughan's by-law, such as: *"nuisance demonstration" is any protest that involves expression of objection or disapproval towards an idea or action related to race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age,*

*ancestry, place of origin, marital status, source of income, family status or sexual orientation by any means, including graphic, verbal, or written means.*

## **20-metre provision**

It is CIJA's position that 20 metres is an insufficient perimeter. Other municipalities who have instituted safe access legislation or by-laws have set 100 metres as the perimeter to ensure community institutions remain safe and those who use them unintimidated by protests. If the draft by-law is passed in its current form, Oakville would be breaking from the norm in this regard, as set by other jurisdictions like Calgary and Vaughan, which have set 100 metres as the perimeter distance.

While the draft by-law prohibits the display or carrying of graphic images within 150 meters of any Vulnerable Social Infrastructure, it allows protests within just 20 metres, with no clear rationale for this significant discrepancy in enforcement. To ensure consistency and better protect the safety of individuals and institutions, the by-law should apply a uniform 100-metre safe access zone for all protests.

## **Definition of "graphic image"**

CIJA observes that the definition of "graphic image" in the draft by-law encompasses, but is not limited to, dismembered human beings and aborted or dismembered fetuses. However, the draft omits mention of other potentially harmful or disturbing images, such as those that promote, deny, or downplay historical atrocities, such as the Holocaust, and images that promote hatred, including antisemitism. Additionally, it fails to address images that display symbols associated with terrorist organizations, such as Hamas or Hezbollah. Given the gravity of these concerns, it would be prudent for the by-law to include these types of images explicitly as unacceptable, ensuring a broader protection against harmful or extremist content.

## **Omission of City Manager's ability to close streets and other Town property**

The City of Vaughan municipal by-law grants the Deputy City Manager, Community Services, or their designate the authority to order the closure of any highway – including roadways, boulevards, sidewalks, trails, or pathways – or any public place, such as facilities, parks, or parking lots. The by-law also allows the redirection of vehicular or pedestrian traffic, including the placement of barricades, when deemed necessary to protect the health, safety, and well-being of individuals. There is a serious omission in the Oakville draft by-law in that this power is not provided. CIJA is of the opinion that such ability must be included in the by-law.



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To conclude, Town of Oakville staff should strengthen the draft by-law by addressing the items noted above. Without these insufficiencies addressed, the by-law would be ineffective in addressing protests targeting vulnerable institutions and the citizens who depend on them.

Thank you,

Michelle Stock  
Vice President, Ontario  
Centre for Israel and Jewish Affairs