Agenda – Executive Policy Committee – February 17, 2026

REPORTS

Item No. 7 Safe Access to Vulnerable Infrastructure By-law

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

1. That Council approve the Safe Access to Vulnerable Infrastructure By-law, a draft of which is attached as Appendix B of this report.

2. That the Safe Access to Vulnerable Infrastructure By-law be part of Phase 1 implementation of the By-Law Enforcement Strategy, and that this be considered as part of any future consolidated model for by-law enforcement.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 9, 2025, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and approved the following:

1. That an extension of time of up to 60 days be granted for the Winnipeg Public Service to conduct a cross jurisdictional scan across Canada to identify the maximum fines and penalties for violations of similar legislation and report back with a Vulnerable Social Infrastructure By-law.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

On September 16, 2025, the Executive Policy Committee passed the following motion:

WHEREAS the City of Winnipeg is committed to welcoming, respectful, safe communities and individuals living together inclusively in a vibrant secure City;

WHEREAS The Labour Relations Act, C.C.S.M. c. L10, and The Human Rights Code, C.C.S.M. c. H175, both provincial statutes of Manitoba, already restrict protests near Vulnerable Social Infrastructure and prohibit demonstrations that promote violence, hatred, discrimination, or terrorism

AND WHEREAS the Council of the City of Winnipeg recognizes and respects the rights of its residents, including the right to be free from discrimination, as well as the right to entertain political and religious beliefs of one's choosing;

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

AND WHEREAS certain spaces of the City of Winnipeg should to be prioritized as safe, secure, and respectful spaces given the potentially vulnerable populations they serve, such as hospitals, healthcare facilities, long term care homes, congregate living facilities, places of worship, public and private educational institutions, community centres, cultural centres, and cemeteries;

AND WHEREAS a Vulnerable Social Infrastructure By-law will improve the tools available to respond to situations taking place near those prioritized spaces;

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

THEREFORE BE IT RESOLVED:

AND WHEREAS it is important to strike a balance between the safety of people accessing Vulnerable Social Infrastructure while also preserving peoples' rights as protected by the Canadian Charter of Rights and Freedoms and other legislation;

1. That the Public Service be directed to conduct a cross jurisdictional scan across Canada to identify the maximum fines and penalties for violations of similar legislation and report back in 90 days with a Vulnerable Social Infrastructure By-law which:

    A. Balances the rights to gather and express one's beliefs against the rights of all citizens to safe and welcoming public spaces;

    B. Defines Vulnerable Social Infrastructure to include hospitals, healthcare facilities, long-term care homes, congregate living facilities, places of worship, all public and private educational institutions, community centres, cultural centres, and cemeteries;

    C. Defines nuisance demonstrations as 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;

    D. Specifies that nuisance demonstrations include, but are not limited to: harassing or intimidating another person(s), obstructing the passage of pedestrians or motor vehicles thereby rendering passage impassable or difficult, using amplifiers or microphones, or the use of offensive and/or hateful statements;

    E. Defines Harassment as engaging in conduct that knowingly, and without lawful authority, causes another person reasonably, in all the circumstances, to fear for their safety, and Intimidation as using threats, violence, or other unlawful means to cause fear, compel behavior, or deter another person from exercising their lawful rights;

    F. Strengthens the City's permitting practices to restrict or deny gatherings that may impact Vulnerable Social Infrastructure;

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

G. Prohibits protests or nuisance demonstrations within one hundred (100) meters of the property lines of any Vulnerable Social Infrastructure, without the consent of the landowner;

H. Imposes sanctions for violations of the By-law.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

ADMINISTRATIVE REPORT

Title: Safe Access to Vulnerable Infrastructure By-law

Critical Path: Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Hildebrand	J. Dunford	T. Graham	J. Dunford

EXECUTIVE SUMMARY

This report recommends that Council approve the Safe Access to Vulnerable Infrastructure By-law. This by-law will protect and provide safe access to designated community facilities and spaces while respecting people's right to gather and express themselves peacefully.

This report is in response to a request from the Executive Policy Committee. It is based on a review of similar by-laws adopted in Vaughan, Brampton, Toronto, Oakville and Calgary.

The proposed by-law would set limits on how close disruptive protests can be to certain buildings. It also stops people from threatening anyone who is trying to use these places.

The by-law sets different levels of fines for breaking the rules, following The Provincial Offences Act. By-law officers and the Winnipeg Police Service will enforce it using current resources.

Together, these measures aim to protect public safety and keep safe access to services. Winnipeg's public spaces and facilities will remain welcoming and inclusive for all residents.

RECOMMENDATIONS

1. That Council approve the Safe Access to Vulnerable Infrastructure By-law, a draft of which is attached as Appendix B of this report;

2. That the Safe Access to Vulnerable Infrastructure By-law be part of Phase 1 implementation of the By-Law Enforcement Strategy, and that this be considered as part of any future consolidated model for by-law enforcement; and

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

By-laws require Council approval, and on September 16, 2025, the Executive Policy Committee directed the Public Service to:

1. Conduct a cross jurisdictional scan across Canada to identify the maximum fines and penalties for violations of similar legislation and report back in 90 days with a Vulnerable Social Infrastructure By-law which:

    A. Balances the rights to gather and express one's beliefs against the rights of all citizens to safe and welcoming public spaces;
    B. Defines Vulnerable Social Infrastructure to include hospitals, healthcare facilities, long-term care homes, congregate living facilities, places of worship, all public and private educational institutions, community centres, cultural centres, and cemeteries;
    C. Defines nuisance demonstrations as 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;
    D. Specifies that nuisance demonstrations include, but are not limited to: harassing or intimidating another person(s), obstructing the passage of pedestrians or motor vehicles thereby rendering passage impassable or difficult, using amplifiers or microphones, or the use of offensive and/or hateful statements;
    E. Defines Harassment as engaging in conduct that knowingly, and without lawful authority, causes another person reasonably, in all the circumstances, to fear for their safety, and Intimidation as using threats, violence, or other unlawful means to cause fear, compel behavior, or deter another person from exercising their lawful rights;
    F. Strengthens the City's permitting practices to restrict or deny gatherings that may impact Vulnerable Social Infrastructure;
    G. Prohibits protests or nuisance demonstrations within one hundred (100) meters of the property lines of any Vulnerable Social Infrastructure, without the consent of the landowner;
    H. Imposes sanctions for violations for the By-law.

IMPLICATIONS OF THE RECOMMENDATIONS

Adoption of the Safe Access to Vulnerable Infrastructure By-law will limit the proximity within which nuisance demonstrations may occur from certain types of vulnerable infrastructure. It will also prohibit individuals from engaging in the intimidation of any person accessing or attempting to access designated facilities.

Penalties will be established pursuant to *The Provincial Offences Act* for violating the by-law. This includes fines of $500 for a first offense, $1,000 for a second offence, and $5,000 for a third and subsequent offence.

Enforcement of the by-law will be the responsibility of any designated employee or by-law officer appointed with special constable status to enforce or administer the by-law, and members of the Winnipeg Police Service. Enforcement of this by-law will be undertaken within existing resources. Any additional funding to support enforcement will be considered as part of any future consolidated model for by-law enforcement.

In July 2025, Council adopted a By-law Enforcement Strategy. Adopting Recommendation 2 means the Safe Access to Vulnerable Infrastructure By-law, if also adopted, will be in scope of the By-Law Enforcement Strategy, increasing the number of by-laws in scope of the strategy from 32 to 33.

HISTORY/DISCUSSION

JURISDICTIONAL SCAN & DISCUSSION

A scan of Canadian municipalities who have adopted similar by-laws is attached as Appendix A. This scan includes by-laws adopted by the municipalities of Vaughn, Brampton, Calgary, Toronto, and Oakville.

In February 2025, *The Safe Access to Abortion Services Act* was proclaimed in Manitoba to protect access to abortion services. It creates safe zones around clinics and places that provide these services, protecting both people accessing and providing abortions. It also allows access zones to be established for residences of certain protected service providers.

If viewed collectively, by-laws adopted by municipalities show an inclination toward protest regulation at a civic level, but no single by-law should be viewed as a universal model or approach. Each municipality has tailored its approach to reflect its own unique political and administrative pressures, legal risk tolerance, and recent protest history and experiences.

Shared policy intent and rationale

Municipalities reviewed appear to have adopted by-laws in response to highly visible, contentious protests that municipal Councils believed were creating fear, intimidation, or barriers to access at sensitive locations. Despite differences in wording and language, the common policy objective of these by-laws is to:

- Protect public safety;
- Protect public access to services and facilities;
- Reduce harassment or intimidation; and
- Balance freedom of expression with the rights of people to safely attend and access facilities or services.

Scope of protected locations

Municipalities took different approaches in how broadly they define protected spaces.

Vaughan has the broadest scope, covering vulnerable social infrastructure, including places of worship, schools, childcare centres, hospitals, and congregate care facilities.

Toronto takes a more moderate approach, allowing protections for places of worship, schools, and childcare centres, but only where an operator applies to have an access zone established.

Brampton and Oakville adopted a narrower focus, limiting protection specifically to places of worship.

Calgary is more unique. It does not focus on institutions like places of worship or schools generally. Instead, it focuses on recreation facilities and libraries, and only from a specific type of protest defined primarily by content.

Restricted distance and physical limits of protest activities

There is consistency, but not uniformity, in distance requirements:

- Vaughan: 100 metres from property line
- Brampton: 100 metres from property line
- Calgary: 100 metres from facility entrances and inside facilities
- Toronto: 50 metres from boundaries of property line
- Oakville: 50 metres from boundaries of property line

It should be noted Toronto is unique because access zones must be requested and approved, which can allow for some procedural flexibility but also adds administrative complexity.

Types of protest activity restricted

By-laws differ in how they define prohibited conduct. For example:

- Vaughan and Brampton prohibit “nuisance demonstrations,” typically defined as protests that intimidate, harass, obstruct, or threaten;
- Toronto restricts specific behaviours within access zones such as blocking entry and threatening conduct; and
- Calgary restricts “specified protests,” defined by their content, namely protests that object to or disapprove of protected characteristics such as gender identity or religion.

Penalties and enforcement

Penalties for violating by-laws vary considerably across municipalities:

- Vaughan and Brampton’s by-laws allow for very high maximum fines, up to $100,000, as well as administrative penalties;
- Calgary’s by-law allows fines of up to $10,000 with the possibility of imprisonment;
- Toronto’s by-law does not identify maximum or minimum fines, but allows penalties pursuant to Ontario’s *Provincial Offences Act* which were identified as up to $5,000;
- Oakville’s by-law allows fines between $25,000 and $50,000 as well as administrative penalties.

Across all cities, enforcement is identified as the responsibility of both municipal by-law officers and police services. How municipalities set penalties and approach enforcement is also a reflection of what legal authority and structure are provided to them under provincial legislation.

Labour and union protest exemptions and appeals

Vaughan, Brampton, Toronto, and Oakville all explicitly state that their by-laws are not intended to prohibit peaceful labour strikes, picketing, or union demonstrations, provided they comply with other laws. Calgary contains no explicit labour exemption. All municipalities allow individuals to appeal their fines.

PROVINCIAL LEGISLATION

In Manitoba, *The Safe Access to Abortion Services Act* was proclaimed in force February 1, 2025.

The purpose of this Act is to protect access to abortion services and the safety and security of all people accessing or providing abortion services by creating access zones around clinics and certain facilities providing those services, as well as residences of certain protected service providers.

The Act prohibits protests, demonstrations, or picketing within the parcel of land on which a clinic is located whose primary purpose is to provide abortion services, and the area within 50 metres (or such other prescribed distance not exceeding 150 metres) from the boundaries of the parcel of land on which the clinic is located.

The Act allows other facilities that provide surgical or medical abortion services such as hospitals, pharmacies, doctors' offices and health-care facilities the option of requesting that a buffer zone be established around their sites.

Penalties for a first offence is a fine of not more than $5,000, imprisonment for a term of not more than six months, or both. For a second or subsequent offence, the Act allows fines of not more than $10,000, imprisonment for a term of not more than one year, or both.

FINANCIAL IMPACT

Financial Impact Statement

Date: January 12, 2026

Project Name:
Safe Access to Vulnerable Infrastructure Bylaw

COMMENTS:

No financial implications are expected based on the recommendations of this report.

Randy Bernard

Randy Bernard, CPA
Manager of Finance & Administration (Campus)
Corporate Finance Department

CONSULTATION

This administrative report was prepared in consultation with:

- Legal Services
- Community Services (Licensing & By-Law Enforcement)
- Winnipeg Police Service.

OURWINNIPEG POLICY ALIGNMENT

OurWinnipeg 2045 policies related to the recommendations of this report include the following:

GOOD HEALTH & WELLBEING

4.6 Community Safety: Facilitate a culture of safety and crime prevention across the City and community, by building trusting relationships to enable collaborative action.

4.9 Inclusive Public Places: Provide and promote the amenities, and the design and maintenance standards, necessary to ensure accessible, safe, and sanitary conditions in gathering spaces frequented by the public.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Climate Action Plan (CAP), and it was determined that the CAP is not applicable to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy, and it was determined that it was not applicable to this specific report.

SUBMITTED BY

Department: Chief Administrative Officer
Division: N/A
Prepared by: Jonathan Hildebrand
Date: December 10, 2025

Attachments:

Appendix A – Jurisdictional Scan
Appendix B – Draft Safe Access to Vulnerable Infrastructure By-law