

Committee of the Whole (2) Report

DATE: Tuesday, April 8, 2025

WARD(S): ALL

TITLE: REFRESHMENT VEHICLES IN PUBLIC SPACES

FROM:

Gus Michaels, Deputy City Manager, Community Services

ACTION: DECISION

Purpose

This report provides an update to Council on the review of regulatory options to facilitate broadened business and employment opportunities for refreshment vehicle owners and drivers and recommends allowing such vehicles to operate in certain City parks by way of a permitting system.

Report Highlights

- In response to a Member's Resolution from Council, staff have undertaken a comprehensive review of the current licensing regime for refreshment vehicles drivers and owners in Vaughan.
- To support the review, staff facilitated a major public engagement campaign and robust stakeholder consultation.
- Staff are recommending allowing licensed refreshment vehicles to operate in designated public spaces near City parks, under specific requirements, and that the Business Licensing, Parks and Fees and Charges by-laws be amended to facilitate this new program.

Recommendations

1. That Council authorize the by-law amendments proposed in this report, in a form satisfactory to Legal Services.

Background

The review of refreshment vehicles regulations in the City was initiated through a Member's Resolution on January 24, 2023.

Council directed the Deputy City Manager, Community Services, to undertake a comprehensive review of how regulatory structures could be used to facilitate business and employment opportunities for refreshment vehicle drivers. The direction arose from concerns that current licensing fees may be creating barriers to employment for refreshment vehicle owners and drivers, and resulted in the direction to review policies regulating refreshment vehicle businesses.

The City's Business Licensing By-law currently provides a licensing regime for refreshment vehicles with separate licences for owners and drivers.

There are 41 active refreshment vehicle owner licences, and 18 licensed refreshment vehicle drivers in the City. The current regulations only permit refreshment vehicles to remain stationary on a City roadway for a maximum of 15 minutes, and not closer than 15 metres from any intersection. Unless authorized by special event permit from the City, no refreshment vehicles may operate in or within 100 meters of a public park, on any driveway or private roadway, or within 200 meters from any school grounds.

Most major Ontario municipalities charge a licensing fee to both drivers and owners; a number of municipalities allow for operation in public spaces.

The initial review conducted in late 2023 confirmed not only that other municipalities charge a licensing fee for both owners and drivers, but that the refreshment vehicle driver fees in Vaughan are lower than the average fee charged by other municipalities. In addition, it was also confirmed that no larger comparator municipalities had waived their licensing fees for this type of business since the pandemic. However, unlike Vaughan, many of these same Ontario municipalities (including Toronto, Barrie, Ottawa, London, Kingston, St. Catherines and Kawartha Lakes) allow refreshment vehicles to operate in public places, including parks, through a variety of programs.

Previous Reports/Authority

- [*Business Licensing By-law 122-2022*](#)
(approved by City of Vaughan Council on June 28, 2022)
- [*Member's Resolution, Item No. 16 of Report No. 1*](#) of January 24, 2023, the Committee of the Whole: *Creating Employment Opportunities for The Refreshment Vehicle Industry*

- [Item 19, Report No. 28, Committee of the Whole: Regulatory Support for Refreshment Vehicles](#)

Analysis and Options

In the fall of 2023, staff conducted a public engagement campaign which resulted in significant public and industry support for permitting refreshment vehicles in City parks.

The public survey was advertised through the City's social media channels, via mobile signs posted in strategic locations across the City and was also shared directly with refreshment vehicle owners and drivers holding a current City licence. The survey was one of the most popular for the City that year and resulted in almost 1,200 responses. Some of the key findings from this survey include:

- All Wards were equally represented, with 98% of respondents being Vaughan residents; seven percent (7%) of the respondents being business owners in Vaughan, including restaurant owners and representatives of refreshment vehicle businesses;
- Most respondents liked the idea of refreshment vehicles operating on City property: 90% would like to see them in public parks, 89% near subway or Go Train stations, and 88% wished to see them near libraries and community centres;
- The majority of respondents were open to refreshment vehicles operating during various times of the day (89% - evening, 87% - afternoon, 55% - morning, 44% - late evening, after 10p.m. and 34% - early morning, before 9a.m.);
- Most of the respondents did not have any specific distance preferences (from restaurants or any public buildings);
- Some concerns that were mentioned by respondents included: waste management, traffic congestion or overcrowding, noise and odour, food quality and standards, access to restrooms and regulation and enforcement.

As a result of the positive survey results and cross-jurisdictional scan of other municipalities, staff have explored various options to permit licensed refreshment vehicles to operate in designated parking spaces within City parks.

In developing the recommendations, staff identified and engaged with various internal and external stakeholders, including:

- City Parks, Forestry and Horticultural Operations Department;
- City Park Infrastructure, Planning and Development Department;
- City Recreation Services Department;

- City Facility Management Department;
- City of Vaughan Fire and Rescue Services (VFRS);
- City Legal Services Department; and
- York Region Public School Board and York Region Catholic School Board (as some of the proposed locations are close to public schools).

The primary concerns from internal and external partners pertained to waste management, general operational and fire safety requirements, and the potential impacts on City-led events in the same locations as refreshment vehicles. After collaborative discussions, staff are recommending the following regulatory amendments:

No	Current state	Recommendation	Intended impact
1	Currently, the City Business Licensing By-law does not allow refreshment vehicles to operate on City property, except with authorization and as part of a Special Event. Also, it prohibits operating closer than 100 metres from a public park and 200 metres from any schoolgrounds.	To amend Business Licensing By-law by creating a new Permit to Operate Refreshment Vehicle on City Property. This permit will provide exception for licensed refreshment vehicles from existing location and distance requirements and will allow them to operate in designated parking spots near City parks (see list of locations in Attachment 1: red squares indicate 3 parking spaces designated for refreshment vehicles in each parking lot, yellow arrows show the direction of operation) on a seasonal basis from May 1 to October 31, seven days a week from the park's opening to the park's closing hours (9a.m. to 9p.m.). Such permits shall not be transferable and will be issued only to refreshment vehicles with a valid Refreshment Vehicle Owner Licence issued by the City. Refreshment Vehicles with such Permits would not be allowed to operate in their designated location during City-led events, except with a valid Special Event Licence.	This amendment will create more business opportunities for refreshment vehicle businesses in the City. Also, it will provide more convenient food choices for citizens, as indicated by the public engagement survey.
2	The City Business Licensing By-law does not specify regulations for refreshment vehicles operating on City property.	To amend the Business Licensing By-law by setting standards for refreshment vehicles while operating on City property, including: prohibiting any outdoor cooking equipment, amplified sound, installation of any structures or appurtenances, additional waste and wastewater management requirements and indemnification provisions.	This amendment will set up standards and regulations for refreshment vehicles operating on City property, will provide safety for the public, and will hold them accountable for any potential damages to City property.

No	Current state	Recommendation	Intended impact
3	The Business Licensing By-law currently has limited requirements with respect to safety and nuisance control. Based on a review of regulations in other municipalities, staff believe there is an opportunity to enhance fire, and more general, safety requirements.	To amend the Business Licensing By-law to set additional requirements for refreshment vehicle licensees, including: criminal background checks level 2 for drivers (and owners if operating the vehicle), additional fire safety requirements for the vehicles, compliance with all relevant City by-laws and provincial regulations, prohibition from selling alcohol, tobacco or cannabis products.	This amendment will provide more safety for the public and will mitigate potential nuisances.
4	The Business Licensing By-law does not define or differentiate types of criminal background checks.	To amend the Business Licensing By-law to add definitions of criminal record checks level 1, 2 and 3 and to replace all existing references to criminal record checks in the by-law.	This amendment will provide more clarity for the public, differentiate types of criminal background checks required from the licensees, and give more consistency throughout the by-law.
5	The Parks By-law does not allow the selling of any food, drinks or refreshments in public parks, unless authorized by a Special Event Permit.	To amend the Parks By-law to allow licensed refreshment vehicles to sell food, drinks and refreshments in the parks if authorized by the City.	This amendment will ensure the proposed program does not violate any existing City regulations.
6	The Fees and Charges By-law needs a permit fee for refreshment vehicles operating on City property.	To amend the Fees and Charges By-law to add a new \$600 permit fee for refreshment vehicle owners that wish to operate on City property.	This amendment will support the introduction of this program and create the relevant fee for this type of permits.
7	The Fees and Charges By-law currently has licensing fees for different type of refreshment vehicle drivers and owners.	To amend the Fees and Charges By-law to lower licensing fees for all those refreshment vehicle drivers and owners that require criminal background checks by \$50.	This amendment will provide financial relief and cover some of the cost of criminal background checks that are now required from these licensees.

Staff considered the pros and cons of all City park locations and are recommending designating specific parking spots within public parking lots at 10 City parks, two per each Ward.

As a result of stakeholder input, staff are proposing the following park locations:

- Ward 1:
 - Mackenzie Glen District Park
 - Maple Community District Park

- Ward 2:
 - Father Ermanno Bulfon Park
 - Sonoma Heights Community Park

- Ward 3:
 - Chancellor District Park
 - Chatfield District Park

- Ward 4:
 - North Thornhill District Park
 - Sugarbush Heritage Park

- Ward 5:
 - Concord Regional Park
 - Dufferin District Park

The abovementioned locations were chosen after lengthy consultation with all involved departments, including Parks, Forestry and Horticultural Operations Department, Park Infrastructure, Planning and Development Department and Facility Management Department. As these parking lots are often shared between City parks and community centres, the Recreation Services Department was also consulted and has approved all proposed locations.

Permit fees are proposed to be set at cost-recovery to ensure the best support to the industry.

As indicated previously, staff are suggesting setting a \$600 permit fee to operate a refreshment vehicle in a designated parking space. Permits will be valid for one season, from May 1 to October 31. The 2025 season will start from June 1 due to initial logistical considerations such as the need to allocate spaces and implement signage. This timeline will also provide sufficient time for application submission and participant selection. Starting with the 2026 season, the program will start each year from May 1 as planned. In the course of the cross-jurisdictional scan of other Ontario municipalities

with similar programs, staff found that, on average, such permits are closer to \$1,800. However, staff propose that the fee be set to cover signage costs, costs of additional enforcement inspections, and any other peripherally associated costs. The lower fee is intended, as fully as possible, to support refreshment vehicles business by creating affordable business opportunities and facilitate its overall growth in the City, while still being fiscally responsible to taxpayers.

Also, due to the new requirement to provide criminal record checks from the existing licensees, staff recommend a \$50 deduction for both licensing and renewal fees for all types of refreshment vehicle owners and drivers.

The City, through its Economic Development Department, provides a number of potential programs and supports for small businesses that could be of benefit to those wishing to operate refreshment vehicles in Vaughan.

One of the entrepreneurship services that refreshment vehicle businesses might find useful is the Vaughan Business and Entrepreneurship Centre (VBEC), which is a part of the City of Vaughan's Economic Development Department and receives funding from the Province of Ontario's Ministry of Economic Development, Job Creation and Trade to support local programming. One of VBEC's key funding support programs for entrepreneurs in the City is the Vaughan Starter Company Plus program, designed to help businesses start, grow or expand. Through Starter Company Plus, participants have the opportunity to apply for a provincial grant of up to \$5,000 to implement their new business strategies while receiving tailored training and mentorship.

Also, such businesses can attract more customers by using the existing marketing and promotional support available from the Tourism Vaughan team and having their business listed on the visitvaughan.ca website.

Permits will be allotted on a lottery basis and staff will ensure thorough inspections that all other requirements are complied with.

To ensure a fair and equitable application process, designated spots on City property will be awarded on a lottery basis and would be awarded seasonally.

The Facility Management Department will ensure that refreshment vehicle parking spots for valid permit holders are properly signed, so no other vehicles are permitted to be parked in the designated parking spots. Use of these spots would be strictly enforced by Enforcement Services.

To ensure compliance with all requirements and to support public safety, Enforcement Services would also complete additional inspections for refreshment vehicles. Staff are

working with VFRS to develop comprehensive fire safety checklists and further training for enforcement staff.

It should be noted that aside from setting indemnification provisions both in the Business Licensing By-law and as a condition on the permit, and requiring refreshment vehicle licensees to abide by all City by-laws, any potential remediation costs that do arise from any damages or unlawful usage of City property would be recoverable through cost-recovery provisions, which are explicitly prescribed in other City by-laws, such as the Waste By-law, Water Usage By-law, Parks By-law and Dumping By-law.

Financial Impact

There is no net financial impact to the City's budget as a result of the recommendations of this report. Additional costs incurred as a result of both start-up costs and ongoing administration and enforcement are expected to be fully recovered through permit fees. Over the course of the first season of the program, if additional costs are identified staff shall reconsider the permit fees and report back to Council on the matter.

Operational Impact

In preparation of this report, By-law and Compliance, Licensing and Permit Services Department has engaged various City departments, including Parks, Forestry and Horticultural Operations Department, Park Infrastructure, Planning and Development Department, Communications, Marketing and Engagement Department, Recreation Services Department, Economic Development Department, Facility Management Department and Vaughan Fire and Rescue Services. The recommendations provided in this report have been reviewed and approved by Legal Services Department.

Potential impacts to facilities, with respect to signage, litter management, and enforcement have been considered and shall be monitored throughout the first season of the program to identify any unforeseen challenges or further opportunities.

Broader Regional Impacts/Considerations

There are no specific broader impacts or regional considerations beyond those that have been discussed in this report.

Conclusion

As a result of inquiries from the industry, the outcome of the public consultation, and in response to the Member's Resolution, staff are recommending the implementation of a seasonal program for licensed refreshment vehicles to operate in designated locations within specific City parks' parking lots. This program will expand business opportunities

for licensed refreshment vehicles, attract new business owners to the City, and will align with the Council strategic priorities of economic prosperity and job creation. This program will be reviewed annually and locations, fees, and other requirements shall be adjusted in accordance with public interest and health and safety.

For more information, please contact: Susan Kelly, Chief Licensing Officer and Director of By-law and Compliance, Licensing and Permit Services, ext. 8952.

Attachments

1. Designated Locations for Refreshment Vehicles

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