

## Committee of the Whole (2) Report

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**DATE:** Tuesday, June 17, 2025

**WARD(S):** ALL

**TITLE:** NUISANCE BY-LAW AMENDMENTS

**FROM:**

Gus Michaels, Deputy City Manager, Community Services

**ACTION:** DECISION

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### **Purpose**

This report addresses growing concerns related to panhandling in the City of Vaughan, particularly instances that put public safety at risk and where individuals misrepresent their circumstances to solicit funds. The report recommends amendments to the City's Nuisance By-law to enhance public safety and security.

### **Report Highlights**

- Incidents of panhandling on Vaughan roadways have been noticeably increasing in the last few years. This activity poses significant public safety concerns, both to motorists and those soliciting.
- An additional concern has been raised that, in certain instances, individuals engaging in panhandling have misrepresented their financial circumstances to influence the willingness of Vaughan residents to offer support.
- In response to these concerns, in May 2025 City Council unanimously passed a resolution requesting staff bring forward a report identifying actions which can be taken to address the foregoing concerns.
- This report proposes amendments to the City's Nuisance By-law to prohibit loitering on roadways and within sight triangles and to address deceptive solicitation, which will address the concerns identified by City Council and enhance the City's ability to enforce the By-law.

## **Recommendations**

1. THAT Council authorize amendments to Nuisance By-law 124-2024, as amended, substantially in accordance with the recommendations outlined in this report, in a form satisfactory to the Office of the City Solicitor.

## **Background**

### **Some loitering and solicitation activities are creating safety and other concerns across the City.**

Panhandling, or the solicitation of money on the street, particularly at intersections with high-traffic, has raised concerns among residents and businesses regarding:

- Public Safety: Aggressive solicitation and loitering near roadways pose risks to pedestrians and motorists.
- Deceptive Practices: Some individuals falsely claim hardship to solicit donations, undermining legitimate charitable efforts.
- Enforcement Challenges: The current Nuisance By-law requires individuals loitering to be advised to leave before penalties can be issued, making enforcement more onerous and less timely.

As most panhandling takes place at major intersections, this nuisance largely takes place on regional roadways. Staff are therefore proposing to explicitly include regional roadways in its definition of highway.

On May 13, 2025, Mayor Steven Del Duca put forward a resolution requesting that staff report back on action that can be taken to address these concerns.

## **Previous Reports/Authority**

City of Vaughan [Nuisance By-law 124-2024](#), as amended.  
[May 13, 2025 Member's Resolution](#).

## **Analysis and Options**

### **Municipal approaches to loitering, including panhandling, have varied.**

Many municipalities across the country are experiencing issues with loitering activities on public roadways, including panhandling. The resulting approaches have varied and are significantly dependent on the provincial legislative framework that empowers and limits them. Staff considered these varied approaches in their deliberations on the matter.

#### Calgary, Alberta

Relying on that Province's *Safe Streets Act*, which prohibits solicitation near roadways, ATMs, and transit stops, Calgary introduced regulations that focused on safety risks, rather than criminalizing poverty.

#### Maple Ridge, British Columbia

Relying on similar provincial legislation, Maple Ridge introduced a by-law that prohibits panhandling within 10 meters of certain locations, such as banks, ATMS, bus stops, liquor stores, cannabis outlets, daycares, and in a manner that blocks pedestrian walkways. It also bans panhandling after sunset and prohibits insistent requests.

#### Mississauga, Ontario

The City of Mississauga prohibits loitering near intersections and highways through section 38(6) of its Traffic By-law 555-2000, which states that "No person shall walk, stand or engage in any other activities on a roadway together with one or more other persons in such a manner as to impede pedestrians or vehicles."

#### North Bay, Ontario

The City of North Bay, in conjunction with the OPP, have recently introduced a public awareness campaign aimed at discouraging individuals from giving directly to panhandlers and encouraging donations to registered charities instead.

#### Toronto, Ontario

The City of Toronto has considered a panhandling bylaw but has so far chosen to rely on the Province's *Safe Streets Act*. However, the Act has come under considerable scrutiny and in April 2024, the Ontario Superior Court struck down significant sections of the Act as unconstitutional, including provisions that ban asking people for money while intoxicated or while they are waiting to use an ATM. The Court did uphold bans on aggressive solicitation involving threats of physical harm and on soliciting from drivers on roadways.

#### **Staff are recommending to prohibit certain activities and to strengthen language to facilitate enforcement efforts.**

Taking into account the legislative limitations, as a result of the Ontario Superior Court's ruling, staff are recommending the following amendments to Nuisance By-law 124-2024, as amended, to promote public safety and enhance enforcement efforts:

**Table 1 - Recommendations**

No	Current State	Recommendations	Impact
1	Currently the Nuisance By-law requires that individuals loitering in contravention of the By-law be warned before a penalty can be issued.	To amend the Nuisance By-law to allow Enforcement Officers to issue penalties where individuals are loitering in the roadway and loitering in the sight triangle without the need to have to warn the contraveners first.	This change is expected to facilitate enforcement, as immediate penalties will act as a deterrent
2	The Nuisance By-law does not have provisions that speak to the specific safety concerns of loitering in the roadway or in the sight triangle.	To add provisions to the Nuisance By-law that would prohibit loitering in a roadway and within a sight triangle.	This addition is intended to improve both motorist and pedestrian safety at intersections, where the confluence of both vehicular and pedestrian traffic create already challenging safety situations.
3	Currently, the definition of nuisance in the Nuisance By-law does not include deceptive solicitation practices.	To expand the definition of nuisance in the Nuisance By-law to include engaging in conduct intended to deceive, including making a reasonable person believe a set of facts or circumstances that are not true.	The expansion of the definition of nuisance, which would include making false claims of hardship while panhandling, would allow Officers to more effectively deal with specific concerns of deception practices.
4	Currently some of the definitions are not clear enough to both facilitate compliance by the public and enforcement by the City.	To amend the definitions of "Loitering", "Sight Triangle", "Roadway", and "Highway".	These amendments are expected to provide greater clarity as to where Enforcement Officers can apply the prohibitions and other provisions of the By-law.

In addition, in conjunction with the Communications, Marketing and Engagement Department, staff will roll out an awareness and education campaign to discourage panhandling and similar activities on the City's roadways by encouraging residents to make donations to alternative charitable causes instead.

## **Financial Impact**

There are no immediate anticipated costs arising out of the recommendations of this report. Staff intend to track efforts specifically tied to the enforcement of this report's recommendations and will report back to Council if any substantial financial impact is determined and any budgetary requests are deemed appropriate.

## **Operational Impact**

There are no significant operational implications anticipated as a result of the approval of this report's recommendations.

## **Broader Regional Impacts/Considerations**

Staff have begun discussions with York Region related to the prosecution of the City's Nuisance By-law, including the proposed amendments.

## **Conclusion**

The City of Vaughan continues to demonstrate its leadership and steadfast commitment to public safety and the quality of life in the City, leveraging and creating modernized and innovative regulatory laws to deter unwanted and unsafe behaviours and activities, while balancing the rights of citizens and visitors alike.

To address the concerns of loitering, including panhandling, staff are recommending a number of amendments to the City's Nuisance By-law. These amendments include expanding the definition of nuisance to include loitering in a roadway, loitering within a sight triangle, and employing deceptive or misleading practices for the purpose of solicitation. Finally, staff will also undertake a public education campaign to discourage panhandling and promote charitable giving alternatives. Although no significant budgetary impacts are anticipated at this time, staff will monitor the enforcement efforts and report back to Council if additional resources are needed to optimize enforcement effectiveness.

**For more information**, please contact: Susan Kelly, Director, By-law & Compliance, Licensing & Permit Services, ext. 8952.

## **Attachments**

N/A

## **Prepared by**

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