

Proposed Pilot for Non-Motorized Mobile Food Vendors in University-Rosedale

Date: 11 February, 2025

To: Economic and Community Development Committee

From: Executive Director, Municipal Licensing and Standards

Wards: 11 – University-Rosedale

SUMMARY

City of Toronto Municipal Code Chapter 740, Street Vending, regulates the sale of refreshments, including food, drink and ice cream, from motorized vehicles and non-motorized vehicles on City highways. A review of Chapter 740 is planned to occur throughout 2025, with the findings and recommendations expected to be presented to Council by the end of 2025.

The purpose of this report is to respond to [2024.MM24.5](#) More Great Eats, which directs Municipal Licensing & Standards (“MLS”) to report back with recommendations for a pilot to permit non-motorized vehicles to obtain a mobile vending permit and operate from mobile vending zones in University-Rosedale (Ward 11).

This report was developed with input from Transportation Services.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

1. City Council amend Toronto Municipal Code Chapter 740, Street Vending, as follows:
 - a. Amend the definition of ‘Mobile Food Vending Permit’ in Section 740-1 to include the words that are underlined: “A permit which grants the permit holder the right to vend refreshments and food products from a motorized refreshment vehicle, or a non-motorized refreshment vehicle which meets the requirements of section 740-12C, on a road in a Mobile Vending Zone in accordance with Article III.”
 - b. Amend subsection 740-12A to include the words that are underlined: “A person may apply for a Mobile Food Vending Permit which will grant to the permit holder the right to vend refreshments and food products from only the motorized refreshment vehicle, or non-motorized refreshment vehicle meeting

the requirements in subsection C, identified in the permit in Mobile Vending Zones.”

- c. Amend Section 740-12 to include a new subsection C, as follows:

“A Mobile Food Vending Permit may only be granted for a non-motorized refreshment vehicle that is:

- (1) a trailer;
- (2) no more than 10 metres in length;
- (3) no more than 3 metres in width; and
- (4) displaying a valid number plate issued by the Province for the trailer.”

- d. Amend subsection 740-17A(13) to include the words that are underline:

“Unless otherwise permitted under subsection C, fail to clearly display their Mobile Food Vending Permit inside the windshield of the vehicle and, where a Mobile Vending Zone is located in a pay and display location, fail to clearly display their Mobile Food Vending Permit inside the windshield of the vehicle and, where issued, next to the pay and display receipt.”

- e. Amend Section 740-17 to include a new subsection C, as follows:

“In addition to the conditions of operation in this section, all Mobile Food Vending Permit holders who operate a non-motorized refreshment vehicle shall also:

- (1) Vend only in Mobile Vending Zones in Ward 11;
- (2) Vend only during the pilot period of April 1 to December 31, 2025, inclusive;
- (3) Despite subsection A(13), display their Mobile Food Vending Permit inside a window of the non-motorized refreshment vehicle; and
- (4) Where the non-motorized refreshment vehicle is attached to another vehicle, ensure the attached vehicle is compliant with all requirements for parking in that location, including, without limitation, being compliant with all by-law requirements and paying any fee required for parking;

- f. Amend subsection 740-18B to include the words that are underlined: “A drawing or photograph, including dimensions of the motorized refreshment vehicle or non-motorized refreshment vehicle; and”

- g. Amend subsection 740-26.A(1) to include the words that are underlined: “The permit holder shall display the permit in a manner so that it is clearly visible on the refreshment vehicle, the portable display unit or the work station. In the case of a Mobile Food Vending permit, when vending in a pay and display parking location, the permit holder shall display the Mobile Food Vending permit inside the windshield of the vehicle or other location permitted for a

non-motorized refreshment vehicle and, where issued, next to the pay and display receipt.”

- h. Amend subsection 740-35.1.A. to include the words that are underlined:
"Where a person occupies and vends from a motorized refreshment vehicle or non-motorized refreshment vehicle on or near a highway, including a road, sidewalk or boulevard, in contravention of this chapter, the Executive Director, or persons acting upon his or her instructions, may cause it to be moved or taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage, if any, are a lien upon the vehicle which may be enforced in the manner provided by the Repair and Storage Liens Act."
2. City Council direct that the by-law amendment above come into effect immediately on the date a by-law is adopted.
3. City Council direct the Executive Director, Municipal Licensing and Standards to report back to the Economic and Community Development Committee, as part of the review of Chapter 740, Street Vending, on findings related to this pilot.

FINANCIAL IMPACT

There are no financial impacts arising from the recommendations in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

EQUITY IMPACT

The City of Toronto recognizes the role street vending can play in supporting small businesses, providing more food options, and adding to the vibrancy of the city. By offering opportunities for diverse types of vending, the City can help lower barriers to entry for aspiring food and beverage entrepreneurs and provide a platform for cultural expression.

Street vending guidelines are designed to ensure that streets and sidewalks remain accessible for people with disabilities and safe for pedestrians, cyclists, and other road users. This approach aims to balance the benefits of street vending with the need for accessible and safe public spaces.

DECISION HISTORY

On December 17 and 18, 2024, City Council adopted 2024.MM24.5 – More Great Eats which directs the Executive Director, Municipal Licensing and Standards, in consultation with Transportation Services, Toronto Public Health, other appropriate Divisions, and the Ward 11 Councillor, to report back to the February 26, 2025, Economic and Community Development Committee meeting with proposed by-law amendments to establish a time-limited pilot project in Ward 11 to allow a non-motorized which bears a

Highway Traffic Act trailer licence to receive a mobile food vending permit that allows them to park and sell their refreshments from appropriate parking spots where a mobile food vendor with such a permit may do so. <https://secure.toronto.ca/council/agenda-item.do?item=2024.MM24.5>

COMMENTS

This report responds to [2024.MM24.5](#) More Great Eats, adopted by City Council at its meeting on December 17 and 18, 2024.

City of Toronto Municipal Code Chapter 740, Street Vending regulates the sale of refreshments, including food, drink and ice cream, from motorized vending vehicles and non-motorized vehicles, which includes trailers and carts on City highways. This report brings forward by-law amendments, as directed by City Council, for a pilot project in University-Rosedale (Ward 11) to allow a non-motorized refreshment vehicle which bears a Highway Traffic Act trailer licence to receive a mobile food vending permit that allows them to sell their refreshments in appropriate parking spots where a mobile food vendor with such a permit may do so. The recommendations balance safety and fairness to other operators.

Background

Street vending provides opportunities for Torontonians to open and operate small businesses on Toronto's streets and sidewalks, while also considering safety, competing street and sidewalk use, community needs, and competition with other businesses. Managing and regulating street vending allows for fairness across vendors in Toronto and maintains the safety of Toronto's roads for residents and visitors.

To open a street vending business and operate a motorized refreshment vehicle (e.g. a food truck) or a non-motorized refreshment vehicle (e.g. a trailer or food cart) in Toronto, the operator must obtain a business licence, issued under Toronto Municipal Code Chapter 545, Licensing. Vendors looking to operate their motorized or non-motorized refreshment vehicle on public property are required to obtain a separate vending permit issued under Chapter 740, Street Vending. Note that Chapter 740, Street Vending does not regulate the sale of refreshments on private property.

Under Chapter 740, licensed motorized refreshment vehicles can apply for a Mobile Food Vending permit, which allows them to park and vend in any Mobile Vending Zone: that is, any pay-and-display parking zone on major and minor arterial roads (unless designated as a Restricted Zone). Mobile food vendors also have other conditions of operation that they have to follow, including the following: they may not vend for more than five hours on the same block in a 24 hour period, where there are already two mobile vendors on the block, or within 30 metres of a school, place of worship or eating establishment. Vendors also must have their permits displayed, comply with all other parking, traffic and Highway Traffic Act rules, and cannot hinder pedestrians or other road users with canopies, furniture or other obstructions.

Licensed non-motorized refreshment vehicles, meanwhile, can currently only vend on private property (no permit required) or sidewalks, with a Sidewalk Vending Permit. However, those with a Sidewalk Vending Permit, such as a hot dog cart vendor, can only use smaller vending stalls or carts that do not take up more than 2.32 square metres of space. Sidewalk Vending Permits are not designed for larger non-motorized vehicles such as trailers. There is currently a moratorium on Sidewalk Vending Permits, which will be evaluated as part of a wider review of the Street Vending By-law in 2025.

There are no provisions in Chapter 740 for larger non-motorized vehicles, such as a trailer, to park and sell refreshments in Mobile Vending Zones. In December 2024, City Council adopted a motion directing MLS to report back on recommendations that would allow for a pilot of non-motorized refreshment vehicles to operate in Ward 11 in areas where a motorized vehicle would be allowed to do so.

Non-motorized mobile vending pilot

Currently, non-motorized vehicles are not allowed to park and vend in Mobile Vending Zones, as Mobile Vending Permits were designed to regulate vendors who are mobile - that is, driving around the City and only staying at any one location temporarily. When non-motorized vehicles park in Mobile Vending Zones, staff note potential safety concerns since they may not be readily movable if needed. Motorized refreshment vehicles must comply with several conditions of operation that enhance safety.

Staff propose that the Council authorize a pilot program, that will run from April 1 to December 31, 2025 in Ward 11 only, to make trailers eligible for a Mobile Food Vending permit so that vendors can park and sell their refreshments from trailers in mobile vending zones designated under Chapter 740. All permit holders must follow similar conditions of operation required of motorized refreshment vehicles with a Mobile Food Vending Permit:

- The trailer must have trailer licence plates, in accordance with the Highway Traffic Act.
- The size of the trailer cannot be more than three metres by ten metres.
- The permit holder must follow all conditions of operation described in Chapter 740-17 and 740-26, which includes allowable vending areas, a vending time limit of five hours, pedestrian safety requirements, and compliance with other By-laws, rules and legislations, such as parking, traffic, and the Highway Traffic Act, and vacating the Mobile Vending Zone where directed by a person designated by the Executive Director.

There are other jurisdictions that allow trailers to vend on the street. In Vancouver and Seattle, a trailer parked on a street can vend if a towing vehicle is attached at all times. However, in Ottawa, trailers can be parked on the street and vend without an attached towing vehicle. In Ottawa's case, the By-law only requires that a motor vehicle capable of towing the trailer is "accessible at all times".

A review of Chapter 740, Street Vending is planned to occur throughout 2025, with the findings and recommendations expected to be presented to Council by the end of 2025. The review will include engagement with vendors, residents, restaurants, businesses, relevant associations and organizations, and with City staff across several divisions.

The directive made by City Council to bring forward the pilot for non-motorized refreshment vehicles included prescriptive and short timelines, which meant that staff were unable to complete consultation on these proposed changes. Staff will include, as part of consultations on the broader street vending review, an opportunity for the community and industry members to provide feedback on the pilot. Staff will include that feedback, as well as an evaluation of the pilot based on observations, data, any safety incidents, and service requests in a report by the end of 2025.

CONTACT

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SIGNATURE

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