

Toronto Street Food Pilot

Date:	December 19, 2007
To:	Executive Committee
From:	Sue Corke, Deputy City Manager
Wards:	All
Reference Number:	

SUMMARY

At its November 26, 2007 meeting, the Executive Committee directed staff to report back to the January 8, 2007 meeting of the Executive Committee on a number of matters respecting the proposed 2008 launch of a Toronto Street Food Project, including finance/partnership options, technical requirements for food carts, establishment of a licensing class, program highlights, options for governance, stakeholder consultation and registration of an Official Mark.

The purpose of this report is to respond to the directions to staff at the November 26th meeting of Executive Committee. In particular, the report provides an overview of the benefits and challenges in establishing a new Toronto Street Food Program. Given the scale and complexity of issues that need to be resolved in order to launch a new program, full program implementation is not recommended for 2008.

Instead, staff are proposing that work commence on a Toronto Street Food Pilot with a small number of food carts for the Summer of 2008. The launch of the pilot will be conditional upon street food cart funding, procurement and production, vendor and location selection, stakeholder consultation and development of interim regulations to implement the pilot. Staff will report back in the Spring of 2008, as necessary, with detailed recommendations for implementation of the pilot. Evaluation of the pilot experience will then inform full program roll-out in Spring/Summer 2009.

RECOMMENDATIONS

The Deputy City Manager recommends:

- 1) Staff initiate a small scale Toronto Street Food Pilot at selected City locations in the Summer of 2008, to introduce the sale of safe, healthy, nutritious and ethnically diverse foods and evaluate the commercial viability of the proposed program, conditional upon the following:
 - (a) Staff prepare and release a Request for Expressions of Interest (REOI), including the principles as set out in the body of this report and Appendix B to this report and such other terms which are satisfactory to staff, to solicit comments as to the relevant functional, capacity, pricing, funding and design considerations which should be taken into account by the City in any procurement process for the design and manufacture of up to 15 street carts for deployment in Summer 2008, and including provisions to allow, at the City's discretion, for:
 - (i) an option to select and negotiate with up to three proponents for the production/supply of carts for the purposes of the pilot; and
 - (ii) an option at the end of the pilot to discontinue the project, and select a preferred proponent for the negotiation of an agreement or issue a further Request for Proposals (RFP) document.
 - (b) Staff report to Council, as necessary, on the results of the REOI and the options and potential for procurement of the carts for the Summer of 2008.
 - (c) The current freeze on the sale of street food other than hot dogs and sausages remain in place until such time as City Council has considered and made appropriate amendments to the by-laws as required to implement the appropriate types of foods to be sold from food vending carts in the City;
 - (d) Notwithstanding (c) above, staff be directed to develop an interim regulatory framework for Council approval to implement a Toronto Street Food Pilot, including the exemption of vendors selected to participate in the pilot from the current City freeze on the sale of street food other than hot dogs and sausages.
 - (e) Staff be directed to explore the use of partnership opportunities to provide funding for the Toronto Street Food Pilot, and bring forward recommendations for approval in Spring 2008;
 - (f) Staff be authorized to design interim selection criteria for locations in City parks and public squares and an application process for selecting vendors to participate in the Toronto Street Food Pilot;
 - (g) Staff be authorized to take the necessary actions to secure the rights to the name "Toronto a la Cart" and make application to obtain an Official Mark to secure the name "Toronto a la

Cart" and any future logo or other intellectual property for the purposes of branding or protecting a potential Toronto Street Food Pilot and Program; and

- (h) Staff be authorized to engage in public consultation, as described in this report, with affected stakeholders, including the general public, vending industry and Business Improvement Areas, respecting a potential Toronto Street Food Pilot and report on the results of such consultation.
- 2) The City lead for this initiative remain in Economic Development, Culture and Tourism for the short term, recognizing that the policy and program development is an interdivisional initiative involving Municipal Licensing and Standards, Toronto Public Health, Legal, the City Manager's Office, Parks, Forestry and Recreation, the Partnership Office, Finance and others as required.
- 3) Staff be directed to report back in Spring 2008 on the results of the activities outlined in Recommendation (1) and make appropriate recommendations at that time on the feasibility of the Toronto Street Food Pilot and implementation for the Summer of 2008.
- 4) Staff monitor and evaluate the results of the Toronto Street Food Pilot to inform the development of an expanded regulatory framework, governance options, and business and funding models of a future Toronto Street Food Program.

FINANCIAL IMPACT

There are no financial implications resulting directly from adoption of the recommendations of this report. The Spring 2008 staff report will identify the financial implications, if any, associated with the implementation of a potential Toronto Street Food Pilot in the Summer of 2008.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact statement.

DECISION HISTORY

On April 16, 2007 the Toronto Board of Health requested that the Ontario Minister of Health and Long Term Care amend Regulation 562 to allow for a greater variety of street food choices, subject to compliance with a new set of food safety regulations.

On July 7, 2007 the Minister announced amendments to the Regulation, to take effect August 1, 2007. In addition to foods specifically approved by the Medical Officer of Health, the new regulations would have automatically allowed the sale of pre-cooked pizza, samosas, burritos, beef patties and hamburgers without the opportunity for municipalities to consider how such changes should be implemented in order to protect the health and safety of the public and ensure that any expanded vending program contributes to the economic, social and environmental well-being of the City (see Attachment A).

On July 13, 2007, Councillor Filion, on behalf of the City of Toronto, hosted the Toronto Street Treats Main Course Event at Nathan Phillips Square. Chefs from some of Toronto's best restaurants

prepared and served samples of what Toronto street food could be. The event was successful and received extensive media coverage, further demonstrating the desire for more interesting food on Toronto streets.

At its meeting of July 16, 17, 18 and 19, 2007, Council approved a recommendation that, notwithstanding the change in provincial regulations, only foods licensed as of that date would be permitted for sale from vending carts “until such time as City Council has considered and made appropriate amendments to the by-laws as required to implement the appropriate types of foods to be sold from food vending carts within the City” (see <http://www.toronto.ca/legdocs/mmis/2007/cc/bgrd/m98.pdf>).

At its November 26, 2007 meeting, the Executive Committee, responding to a memorandum from Councillor Fillion (see <http://www.toronto.ca/legdocs/mmis/2007/ex/comm/communicationfile-4554.pdf>), directed staff to report back to the January 8, 2007 meeting of the Executive Committee on a number of matters to support a 2008 launch of a Toronto Street Food Project, including finance/partnership options, technical requirements for food carts, establishment of a licensing class, program highlights, options for governance, stakeholder consultation and registration of an Official Mark. A request for repayable debt to kick-start the pilot was conditionally approved at Budget Committee on November 21, 2007 and subsequently deferred at Executive Committee on November 26th.

The purpose of this report is to address the directions to staff at the November 26, 2007 meeting of the Executive Committee. Given the scale and complexity of issues that need to be resolved in order to launch a Toronto Street Food Program, the introduction of a fully developed program is not recommended for 2008. In particular, staff will require time to identify, evaluate and consult on possible options for a regulatory framework, program governance and a sustainable business and funding model.

In the interim, staff are proposing that the required initial work commence in order to develop a detailed set of recommendations for consideration by Council respecting the proposed establishment of a Toronto Street Food Pilot in the Summer of 2008. The results of this pilot would then help to identify and inform options for potential implementation of a full-scale Toronto Street Food Program in the Spring/Summer of 2009.

COMMENTS

The City’s current role in the vending of food on city streets is one of regulating the location and size of privately owned and operated vending carts through licensing, permitting and enforcement of health and safety standards. This role has served the public well by helping to ensure that vending carts do not obstruct the public sidewalk, and that food is properly handled and safe to eat.

However, the current process does not achieve a number of broader public policy objectives that could be achieved if the City were to exercise more control over the design of carts, what food can be sold, where they can operate, and who can obtain a licence.

With the July 7, 2007 announcement of the change to provincial regulations governing street food, and the accompanying Council decision of July 12, 2007, the city is now in a position where it must make decisions about the type, location and rules governing the sale of street food in Toronto.

A. The Benefits of a New Toronto Street Food Program

The new Provincial regulations around the sale of street foods provide the City with the opportunity to realize a number of direct benefits from the sale of a wider range of food items on Toronto streets. These include:

- 1) Introducing street food which reflects the breadth and depth of Toronto's cultural diversity.

Prior to the recent regulatory changes announced by the Province, only pre-cooked hot dogs and sausages were permitted to be sold on Toronto streets. The July 13, 2007 Toronto Street Treats Main Course event in Nathan Phillips Square showcased a broad range of food options that could be part of a Toronto Street Food Program. Overall, thirteen vendors took part offering a range of menu items including spring rolls, dosas, grilled tofu, summer salad rolls, Ontario green asparagus, sweet potato bundles, and chicken souvlaki on a pita. An estimated 3,000 persons attended and purchased food from the participating vendors over a two hour period.

- 2) Strengthening Toronto's image building efforts by branding the City as a place where residents and visitors can enjoy a vast array of authentic cuisine from all corners of the world.

Toronto has long built a reputation as a safe and exciting City that welcomes residents and visitors from around the world. This reputation is reflected in the diversity of our neighbourhoods, our commercial areas/markets, and our dining establishments which include 2,289 restaurants serving North American food, 772 ethnic restaurants (i.e., serving non-North American food), 442 pubs/bars/nightclubs, 1,612 take-out/fast food/donut shops, 36 caterers and 218 street vendors with permits. (*Sources: CSCA Statistics Canada, Toronto BIA Office, City of Toronto, Ryerson Centre for Commercial Studies*).

A Toronto Street Food Program, under the "Toronto a la Cart" brand and delivered through well-designed carts with a common look and feel, would further enhance this image in a very visible, recognizable and public way.

- 3) Promoting local cuisine and contributing to the recognition of Toronto as a desirable destination within the growing culinary tourism industry.

Culinary tourism is growing around the world, as more and more people plan their holidays around the celebration of food and drink. (*Source: McGuinty Government Whets Appetite for Tourism -- New Culinary Tourism Strategy Aims To Attract More Visitors, CTC e-news May 9, 2006*). In 2001, PricewaterhouseCoopers, on behalf of the Canadian Tourism Commission (CTC), conducted a survey of the American market finding that 44 percent of respondents indicated local cuisine was "always" or "often important" in selecting a destination for a trip — a higher percentage than any of the other 21 activities suggested.

According to the Ontario Government's "Culinary Tourism in Ontario: Strategy and Action Plan 2005 -2015", culinary tourism includes any tourism experience in which one learns about, appreciates, and/or consumes food and drink that reflects the local, regional, or national cuisine, heritage, culture, tradition, or culinary techniques. Of particular importance is experiencing food out of the 'everyday situation'.

Extending the local culinary experience to the street is a natural evolution from local restaurants, markets and food stores. Historically, there has not been the opportunity in Toronto to allow for culinary expression from street food vending carts or vehicles. A new Toronto Street Food Program would further enhance Toronto's image as a desirable culinary tourism destination where seemingly endless opportunities exist to experience the city's local and cultural cuisine.

- 4) Providing healthier fast food choices for Toronto residents and visitors.

A Toronto Street Food Program, regulated by Toronto Public Health, could help increase access to a wider range of safe, healthy, fast and affordable meal options across the city.

B. Other Public Policy Objectives

It is essential that any new vending program be carefully controlled in order to prevent the recurrence of previous enforcement problems that have plagued the vending industry and ensure the health and safety of the public is protected.

In addition to the benefits identified above, a City regulated and administered Toronto Street Food Program could help to achieve a number of additional public policy objectives. For example, City control over the design and location of Toronto Street Food Program carts would help to uphold Beautiful City objectives by enhancing the appearance of the public realm and ensuring pedestrian safety is not negatively impacted. A uniform cart design would immediately identify legal vendors, thereby facilitating enforcement and consumer confidence in the new program.

Furthermore, City regulations can limit potentially adverse effects from an expanded street food program by invoking measures minimizing impacts on existing restaurants and Business Improvement Areas, and facilitating enforcement to reduce illegal vending.

Establishing guidelines that encourage the use of local produce and other local food items in the preparation of foods to be sold as part of a new street food program supports both the City's climate change strategy and Ontario's agricultural sector.

Finally, a new street food program presents several social enterprise opportunities, including: serving as an incubator for entrepreneurs with limited capital seeking to enter the food retail business (who, if successful, could move into the restaurant or food processing industry); assisting non-profit organizations to make healthy, affordable food more readily accessible in high need areas, and; providing opportunities for training/mentoring of youth-at-risk with successful chefs and restaurateurs.

Notwithstanding the many public policy benefits that a City regulated and administered Street Food Program would offer, the change in provincial street food regulations also presents the City with some challenges. Among these are:

- 1) ensuring that food safety regulations are strictly adhered to as vendors move to foods for which preparation, transportation and/or storage carries a higher potential health and safety risk;
- 2) establishing strong vendor licensing and selection criteria, including the creation of a new license or permit class(es);
- 3) ensuring that adequate and effective enforcement is maintained;
- 4) overseeing the design and production of a supply of newly designed street carts for vendor use;
- 5) identifying and communicating inspection requirements and enforcement mechanisms;
- 6) mitigating adverse impacts on existing restaurants;
- 7) protecting the safety of the pedestrian environment; and
- 8) discouraging the potential proliferation of more unhealthy fast food options.

C. Toronto Street Food Pilot: An Interim Approach

Given the broad policy objectives and challenges noted above, which differentiate the treatment of new street foods from existing street food vendors, it is believed that the development of a full regulatory framework, governance options, and a funding/business model cannot be achieved for a Summer 2008 roll-out. Furthermore, in the absence of a dedicated funding source at this time, an extended procurement process involving a Request for Expression of Interest to identify industry capacity and interest must be undertaken, together with a search for partnerships in the community.

Therefore, staff are recommending implementing a small scale Toronto Street Food Pilot for the Summer of 2008 conditional upon street food cart funding, procurement and production, vendor and location selection, stakeholder consultation and development of interim regulations to implement the pilot. In order to meet the challenges, it is proposed that the City invite interest in a small, controlled pilot project of up to fifteen food carts for 2008. The City would control several components of the program, including designing and building the carts, managing the brand, identifying sites and selecting vendors, and administering health and safety regulations and licenses. The City will seek and assess interest in possible funding models, including the potential of a City loan guarantee.

A Toronto Street Food Pilot would allow staff to evaluate program design and branding, food and vendor selection, the diversity of vendor interest, health and safety standards, industry capacity to invest in customized carts, impacts on existing street food vendors, business volumes, location factors and the demand for culinary tourism. City control will also offer increased confidence among potential partners with respect to program standards and regulation.

As the proposed Toronto Street Food Pilot model will differ substantially from existing street vendor commercial activity (see comparison in table below), staff will report back to Council, as necessary, on detailed recommendations for launching the pilot in the Spring of 2008.

	Current Licensed Street Vendors	Proposed Toronto Street Food Pilot
Cart Ownership	Vendor owned	City controlled carts operated by independent vendors
Cart Location	Selected by vendor for City approval on first come, first served basis	Pre-selected location(s) selected by City
Cart Design	Independently designed and manufactured carts	Uniform, City controlled design under Toronto a la Cart brand
Foods Available	Restricted to hot dogs and sausages only	Selection of foods approved by the Medical Officer of Health
Permit Term	No fixed time period	Limited permit term
Permit Fee Structure	Uniform, flat rate permit/licensing fees	Variable permit/licensing fees depending on location

An overview of the key selection processes, licensing and permitting considerations, stakeholder consultation strategy and official mark registration related to the Toronto Street Food Pilot follows.

(i) Selection Process

To implement a Toronto Street Food Pilot for the Summer of 2008 a number of selection processes will need to be undertaken to identify appropriate sites, secure vendors and assess industry capacity to produce carts. A description of the proposed approach for each process is provided below.

a) Site Selection

For the purposes of the pilot, staff are recommending that vendor locations be limited to City parks and public squares (and not on public thoroughfares). This will likely require few additional licensing conditions outside of revised health and safety requirements associated with the sale of new food items. Accordingly, staff will develop selection criteria for identifying possible locations to be included in a Toronto Street Food Pilot taking into consideration pedestrian volume, impact on existing businesses, and the availability of space to accommodate carts. Staff will report back in the Spring of 2008 on recommended pilot locations.

b) Vendor Selection

With approval of this report, staff will prepare and issue a call for interested vendors to participate in a Toronto Street Food Pilot for Summer of 2008, subject to all conditions being met. Vendor selection will include the following general criteria:

- 1) ethnic diversity of food items;
- 2) quality of food and suitability for street vending;
- 3) nutritional content;
- 4) use of local produce/food products (where appropriate);
- 5) financial wherewithal;
- 6) by-law/regulation compliance history; and
- 7) reputation, experience and qualifications.

In addition, all applicants must have a plan for food preparation, hot and cold storage of food items, and transportation, approved by Toronto Public Health, prior to being eligible for consideration. Vendors must also demonstrate that they are certified food handlers.

Vendors will be evaluated by a selection panel consisting of City staff and food industry representatives. A scoring system will be developed including the above criteria and applied in the assessment of vendor responses. The highest scoring vendors will be given the opportunity to participate in the pilot, provided that the selection shall ensure an overall diversity of food items between the selected vendors.

c) **Cart Design/Production**

In order to meet the Public Health requirements, if more hazardous food products are to be sold on Toronto streets, it will be necessary for vendors of new Toronto street food to have carts which are very different from those that currently exist for the selling of hotdogs and sausages. The sale of more hazardous food products may require vendors to operate from carts with facilities such as refrigeration, ovens, hot and cold running water, and/or other cooking equipment specific to proposed menu items. At the same time, the design of the carts will need to be complementary to those approved for Toronto street furniture.

Staff are recommending that a Request for Expression of Interest (REOI) be initiated to provide the City with key information on industry capacity with respect to street food cart design, manufacturing timelines and modification capabilities, estimated pricing and potential funding/financing models. Fees and the duration of the pilot are variables in the business model that respondents will be invited to comment on as part of the REOI. The REOI shall be limited solely to the issues respecting the food carts and shall be independent from the vendor selection process discussed in part (i)(b) above. Attachment B outlines some of the technical considerations for the REOI.

(ii) **Licensing/Permitting**

In establishing a long term Toronto Street Food Program, the City would need to establish clear policies for the issuance, renewal and revocation of new Toronto street food vendor licenses. The new licensing provisions must allow the City to tightly control food safety and assure high quality products are sold that are attractive to both residents and visitors. They should also allow the City to deal effectively with issues such as litter, waste management, and visual impact on the street environment.

Of note, existing street vending by-laws across the City remain unique to each former municipality. As such, the regulatory programs remain un-harmonized. The harmonization of the vending by-laws is projected to take place during this term of Council.

Given the complexity of developing a new licensing class for the Toronto Street Food Program and staff time required, a new licensing class will not be ready for a Summer 2008 launch of a Toronto Street Food Pilot. Rather, as discussed above, staff are recommending that vendor locations be limited to City parks and public squares for the purposes of the pilot (and not on public

thoroughfares). This will help to streamline licensing conditions for the pilot, which will focus primarily on health and safety requirements associated with the sale of new food items.

Accordingly, a Toronto Street Food Pilot would be subject to the following licensing and permit requirements:

- 1) An owner's vending licence must be provided for each cart stipulating the menu items the vendor is licensed to sell.
- 2) Each cart must meet the requirements of the propane storage, handling and utilization code adopted in the regulations to the Energy Act, as well as Public Health requirements based on menu items.
- 3) An assistant's licence is required for each person who will be operating the carts. The process includes confirmation that the applicant has a valid food handler's permit.
- 4) Inspection of each cart by Public Health and Municipal Licensing and Standards.
- 5) Approval of all foods to be sold from the cart by the Medical Officer of Health.

Of note, no location permit is required if the cart is to be located on private property. Locations in a public square or a City park would be dealt with either by licence agreement or individual permit.

(iii) Stakeholder Consultation

Already to date considerable consultation has taken place on the potential for a new Toronto Street Food Program. Most notable was the widely successful Toronto Street Treats Main Course Event at Nathan Phillips Square on July 13, 2007 which generated overwhelmingly positive results in terms of vendor participation, public response and media coverage.

Between August and December 2007, the Chair of the Board of Health and City staff met with a number of key stakeholders to discuss a new Toronto Street Food Program, including Tourism Toronto, the Ontario Restaurant Association and TABIA (Toronto Association of Business Improvement Areas).

Stakeholder consultation will continue to be an integral part of the development of the regulations and guidelines for a new Toronto Street Food Program. In advance of the launch of a Toronto Street Food Pilot in the Summer of 2008, a series of five focus group sessions are proposed, in addition to an online survey, to assist in identifying the attitudes, motivations and opinions of key stakeholder groups including:

- 1) Toronto Association of Business Improvement Areas
- 2) Current street food vendors
- 3) Independent restaurateurs
- 4) Ontario Motel, Hotel and Restaurant Association
- 5) Toronto City Councillors
- 6) Street Food Consumers

Twelve representatives from each of the first five stakeholder groups will be invited to attend a two-hour evening session. An independent moderator will orchestrate the discussion using an interview guide comprised of a program overview along with five or six discussion questions.

For the first 30 minutes of each focus group session, City staff members will present an overview of the program concept and they will answer participant questions. Staff will not attend the balance of the session. The goal of the focus group sessions is to collect valuable insights into how the stakeholders feel about the program concept and its potential for success.

The focus group sessions will be held at City Hall given its central location and accessibility via public transit.

Participants from the first four stakeholder groups will be randomly selected from established mailing lists. Toronto City Councillors will be asked to volunteer their participation. Street food consumers will be invited by newspaper advertisement(s) and news release to participate in an online survey.

Staff will report to Council on the results of the consultation as part of a Spring 2008 Toronto Street Food Pilot report.

(iv) Official Mark Registration

In August 2007, Councillor Filion and City staff met with Tourism Toronto to discuss the branding opportunities presented by a new Toronto Street Food Program that positions Toronto as an ethnically diverse city with fabulous cuisine from around the world. Tourism Toronto is very supportive of the Street Food Program and, with pro bono assistance from their advertising agency, have suggested "Toronto a la Cart" as a program name. The advertising agency is currently working on a visual identifier for the program to be donated to the City for its use. This report seeks Council authorization for staff to obtain an official mark to secure the use of the name "Toronto a la Cart" for a future Toronto Street Food Pilot and Program.

CONCLUSION

Provincial regulations expanding the list of items eligible for sale on Toronto streets have been in place since August 1, 2007. The City is now in a position where it needs to make decisions with respect to introducing new food on Toronto streets. This report outlines the many public policy opportunities that a new Toronto Street Food Program would help to advance, as well as, discussing some of the challenges that have been presented as a result of the amendments to the provincial regulations.

Staff are recommending that Council authorize a Toronto Street Food Pilot in the Summer of 2008 conditional upon street food cart funding, procurement and production, vendor and location selection, stakeholder consultation and development of interim regulations to implement the pilot. Staff will report to Council in the Spring of 2008, as necessary, with detailed recommendations for implementation of the pilot.

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SIGNATURE

Sue Corke
Deputy City Manager

ATTACHMENTS

- A ONTARIO REGULATION 338/07 made under the HEALTH PROTECTION AND PROMOTION ACT Made: June 27, 2007 Filed: July 6, 2007 Published on e-Laws: July 6, 2007 Printed in *The Ontario Gazette*: July 21, 2007 Amending Reg. 562 of R.R.O. 1990 (Food Premises)
- B Technical Requirements for Expression of Interest

Attachment A

ONTARIO REGULATION 338/07

made under the

HEALTH PROTECTION AND PROMOTION ACT

Made: June 27, 2007

Filed: July 6, 2007

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Printed in *The Ontario Gazette*: July 21, 2007

Amending Reg. 562 of R.R.O. 1990

(Food Premises)

Note: Regulation 562 has previously been amended. Those amendments are listed in the Table of Regulations – Legislative History Overview which can be found at www.e-Laws.gov.on.ca.

1. (1) Subsection 1 (1) of Regulation 562 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:

“public space” means a space, whether indoors or outdoors, to which the public is ordinarily invited or permitted access, either expressly or by implication, whether or not a fee is charged for entry;

(2) Subsection 1 (1) of the Regulation is amended by adding the following definition:

“street food vending cart” means a food premise,

- (a) that is a cart set up on a temporary basis in a public space, and
- (b) from which food is sold or offered for sale for immediate consumption;

2. Subsection 5 (3) of the Regulation is revoked.

3. The Regulation is amended by adding the following section:

STREET FOOD VENDING CARTS

5.1 (1) The only foods permitted to be sold or offered for sale from a street food vending cart are,

(a) foods including, without being limited to, soda, pre-packaged salads and fruits and baked goods,

(i) that are pre-packaged in another food premise to which this Regulation applies or another premise that is similar to a food premise to which this Regulation applies and that is regulated under the laws of another jurisdiction for purposes similar to this Regulation, and that are transported from that other premise in a ready-to-eat state, and

(ii) that are sold in the street food vending cart in the packaging in which they are delivered;

(b) foods including, without being limited to, wieners or similar sausage products, pizza, samosas, burritos, beef patties and hamburgers,

(i) that are pre-cooked in another food premise to which this Regulation applies or another premise that is similar to a food premise to which this Regulation applies and that is regulated under the laws of another jurisdiction for purposes similar to this Regulation, and

(ii) that are re-heated on the street food vending cart prior to being sold or offered for sale;

(c) non-hazardous foods including, without being limited to, french fried potatoes, fruit juices, non-dairy smoothies, corn on the cob and whole fruit, that are either,

(i) prepared on the street food vending cart in a manner permitted under subsection (2), or

(ii) brought to the street food vending cart in a prepared state after being prepared in another food premise to which this Regulation applies or another premise that is similar to a food premise to which this Regulation applies and that is regulated under the laws of another jurisdiction for purposes similar to this Regulation; and

(d) other foods that are permitted to be sold or offered for sale under subsection (3).

(2) Food preparation for the purposes of clause 1 (c) is limited to preparation, including handling, that is conducted in a safe and sanitary manner that will prevent contamination of the non-hazardous foods, and that complies with all

other applicable requirements of this Regulation respecting the safe preparation of foods.

(3) The operator of a street food vending cart may sell or offer to sell foods from the cart that are not listed in clauses (1) (a), (b) and (c) if,

(a) the medical officer of health has received a request from the operator to sell the items;

(b) the medical officer of health is satisfied that, with appropriate safeguards, the sale of the additional foods poses no greater risk to the health of the patrons of the street food vending cart than the sale of the foods listed in clauses (1) (a), (b) and (c);

(c) the medical officer of health has issued a letter of permission to the operator to permit the sale that sets out any requirements regarding the maintenance of the premise, equipment, food handling, cooking, preparation or storage that are necessary to ensure that the safeguards required under clause (b) are in place; and

(d) the operator complies with the requirements set out in the letter of permission, and posts the letter of permission in a prominent place.

(4) Street food vending carts are exempt from the provisions of sections 68 and 69, but where such a premise provides sanitary facilities for its employees the sanitary facilities shall be in compliance with sections 68 and 69.

(5) At every street food vending cart,

(a) only single-service articles shall be used;

(b) during all times when the premise is in operation the food preparation, food holding and food service areas of the street food vending cart shall be completely covered by an overhead canopy of corrosion-resistant, non-absorbent and readily cleanable material to prevent the adulteration of foods;

(c) separate holding tanks shall be provided for toilet and sink wastes; and

(d) every waste tank and water supply tank shall be equipped with an easily readable gauge for determining the waste or water level in the tank.

4. This Regulation comes into force on the later of August 1, 2007 and the day it is filed.

Attachment B

Technical Requirements for Expression of Interest

Surfaces of the cart:

- Must be finished with corrosion resistant material that is non-absorbent, smooth, and easily cleanable (e.g plastic laminate, reinforced fibreglass panel, stainless steel, enamelized steel, aluminum, or epoxy paint)
- Must be resistant to denting, buckling, pitting, chipping, and grazing.
- Must be free of breaks, open seams, and free of difficult to clean internal corners and crevices

Components of the cart:

- Refrigerated facilities must be capable of maintaining the food at an internal temperature of 4°C (40°F) or colder.
- Carts must be equipped with appropriate device (grille, oven, steamer etc.) to reheat food product.
- Carts must be equipped with a unit to store/display hot foods and capable of maintaining the food at an internal temperature of 60°C (140°F) or higher.
- Temperature controlled compartments (refrigerator, holding oven) must be equipped with an accurate indicating thermometer.
- Carts must be equipped with a handwash basin operated by a mechanical or gravity-fed system.
- Handwash basin must be sufficient in size to accommodate total submersion of hands into the basin.
- Soap and paper towel dispenser to be provided.
- Carts must be equipped with a two compartment sink operated by a mechanical or gravity-fed system for the cleaning and sanitizing of utensils used in food preparation.
- Two compartment sink must be sufficient size to accommodate the immersion of the utensil.
- The hot and cold fresh water supply tanks must have sufficient capacity. The waste holding tank must be 15% larger in capacity than the fresh water tanks.
- Fresh water supply tanks and wastewater tanks must be of rigid construction (non-collapsible tanks), durable, and easily cleanable.
- Every waste tank and water supply tank must be equipped with an easily readable gauge for determining the waste or water level in the tank.
- The street food cart shall be completely covered by an overhead canopy of corrosion-resistant, non-absorbent and readily cleanable material to prevent adulteration of foods.
- Carts must be equipped with a garbage container with a hinged lid and attached to the cart.
- Condiments only to be dispensed by single service packaging, squeeze or pump style dispenser bottles and/or cleanable containers with hinged lids.

Vending Location

- Size of vending location – existing footprint for vending locations is 25 sq. ft.

Size of Vending Equipment

- All components and the vendor must not occupy more than the allocated 25 sq. ft.
- Height may be restricted depending on location

Portable

- Trailer type (like the existing carts with built in hitch and wheels)
- Compliance with HTA requirements
- Modular components - with a separate trailer for transporting

Canopy/Umbrella

- Enclosure – consultation with TSSA and TFS to determine any safety guidelines

Fuel Source

- Propane – meet TSSA requirements
- Renewable energy sources (solar with power storage batteries)?

Components - Required (*)

- Storage for supplies (*)
- Storage of fuel (propane) (*)
- Sneeze guards (*)
- Garbage (*)
- Recycling (*)
- Menu board(*)
- Official Signage space(*)
- Prep area (*)
- Condiment Service Area (*)
- Water - hot/cold/waste water (*) as per Health requirements
- Sink (*)
- Operator Seating (*)
- Safety of the unit
 - locking casters
 - construction of prototype for evaluation/testing/approval
 - modular design
 - electrical requirements (e.g., outlets, lighting, etc.)
 - certification for trailer
 - any regulatory requirements (if applicable)

Optional components depending on menu items

- Heating
- Lighting
- Sponsorship signage/advertisement space