

Attachment 4 – Summary of Consultations

As directed by City Council, Municipal Licensing and Standards has undertaken a review of the City's street vending by-laws to assess the potential for expanded vending opportunities and to address issues associated with harmonizing the regulatory framework across the City.

In late October and early November 2013, ML&S held six public meetings to discuss the street food experience in Toronto and the key considerations for a harmonized by-law, as developed by the Working Group.

Public meetings were held on:

- Monday October 21, 2013 – 2:00pm to 4:00pm – Etobicoke Civic Centre
- Tuesday October 22, 2013 – 10:00am to 12:00pm – City Hall
- Tuesday October 22, 2013 – 6:00pm to 8:00pm – City Hall
- Monday October 28, 2013 – 10:00am to 12:00pm – Scarborough Civic Centre
- Monday November 4, 2013 – 2:00pm to 4:00pm – North York Civic Centre
- Tuesday November 5, 2013 – 10:00am to 12:00pm – East York Civic Centre

Two further public consultations were held in January 2014, where staff proposed options to expand vending opportunities and invited industry stakeholders and members of the public to comment on these potential changes. Meetings were held on:

- Tuesday January 14, 2014 – 6:00pm to 8:00pm – City Hall
- Monday January 20, 2014 – 6:00pm to 8:00pm – City Hall

In total, approximately 255 people attended the consultation sessions, including all types of vendors, restaurant owners, members of BIAs and members of the public.

In addition to the public consultation sessions across the City, staff held meetings with numerous individual vendors as well as groups including the Toronto Street Food Vendors Association, the Ontario Restaurant Hotel and Motel Association, the Toronto Association of Business Improvement Areas and the Toronto Food Policy Council.

Throughout the review, staff received dozens of emails, phone calls, and written submissions from members of the public, restaurant owners, business improvement areas and vendors.

The following is a summary of the input staff received, all of which was considered in analyzing options for increasing vending opportunities and in the development of a city-wide by-law.

Feedback by Topic

Permit Issuance Process

Staff heard concerns from vendors about the requirement to hold a business licence, before being able to apply for a permit. These vendors felt that, with the requirement to purchase a food cart or truck, in order to obtain a licence, they risk spending a lot of money without knowing if they will be able to obtain a permit to operate their business on the right of way.

Vendors also expressed concern about the requirement for vending applications to be accompanied by the written consent of a local Business Improvement Area (BIA). Several vendors and some members of the public expressed concerns about one business group being permitted a say over whether other businesses can operate. BIAs, on the other hand, felt that, as boards of the City and considering the financial investments of their members in improving many neighbourhoods in the City, they should have an opportunity to object to, or veto, vending applications in their areas.

Proximity to Restaurants

Brick and mortar business representatives expressed concerns that the current distance requirements, at 25 metres, are insufficient to protect established restaurants from unfair competition from street food vendors; staff heard that these should be increased to between 100 and 250 metres, particularly for food trucks. Vendors expressed concerns that these requirements are already too stringent and that they are unnecessary because street food vendors do not directly compete with restaurants.

Proximity to Schools

Staff heard from ice cream truck vendors that the regulations requiring them to operate a minimum of 30 metres from the entrance to a school should be revised to 10 metres, or removed altogether. Vendors commented that the current regulations pose unfair restrictions on their business and that, if the distances were shorter, children would actually be safer, because they would not be required to travel as far from the school grounds to visit the ice cream truck.

The Moratorium/Limiting the Number of Permits Issued

Staff heard from all types of vendors that the moratorium is unfair to current and prospective vendors and that it should be lifted to improve opportunities for vending on the right of way. Several downtown brick and mortar business representatives and BIAs have expressed opposition to the moratorium being lifted, due to concerns about the density downtown, and the impacts vendors can have on neighbouring businesses. All stakeholders agreed that, if the moratorium is to be lifted, the new permits issued should be phased in and/or issued in a limited number, to mitigate the potential impacts a sudden influx of new permits could have on the neighbourhoods where they will locate.

The Footprint/Passable Space

Staff heard from vendors that the current footprint is too restrictive to be able to accommodate a windscreen and the necessary equipment to sell an expanded menu, and that the passable space requirement makes it too challenging to find locations for new vendors to operate. Transportation Services has expressed concerns about the impacts of a wider footprint on other competing uses of the right of way, but there was some discussion that allowing vendors to operate in the furnishing zone, which they are not currently permitted to do, would actually ease the congestion on the sidewalk, by having all obstructions located in one area.

Mobile Vending for Food Trucks

Staff heard from food truck vendors who want to be able to vend from different locations across the City at different times during the day. They argued that this type of mobile vending is their

business model and that many cities have implemented regulations to permit it. Brick and mortar business representatives expressed concerns about the ability of vendors to come into the neighbourhood temporarily to vend, likely at peak hours, and then move on. BIAs expressed concerns that, while they work hard to invest in the neighbourhood, mobile vendors would not have any particular attachment to the area and would make little investment in it.

Mobile Vending for Ice Cream Truck Vendors

Ice cream truck vendors expressed concerns about the current requirements for those operating in a mobile capacity in Toronto and East York, which allow them to vend at one spot on a street for 10 minutes, and on the street for 30 minutes at a time. Vendors suggested that it is often the case that upon rolling into a neighbourhood, they are required to wait five minutes or more just for customers who hear the truck's music, to come out from a house or apartment building. In order to serve these customers, vendors are often unable to move from one spot on the street after just 10 minutes.

Operating at City-Run Property

Staff heard from several vendors that they would like increased opportunities to vend on city-run properties such as public squares and parks. Those already operating in these spaces commented that the current processes should remain available as they provide good opportunities for vendors.

Operating on Private Property

Staff heard from food cart and truck vendors who felt that they should be able to enter freely into agreements with owners to vend on private property. Brick and mortar business representatives expressed concerns that, on private property, vendors would not be required to abide by the requirements of the harmonized by-law and felt that the same regulations, namely proximity requirements and permissions from the local BIA, should apply to vending on both public and private property.