

New Opportunities for Toronto's Street Food Vendors



Licensing and Standards Committee
Tuesday, March 18, 2014

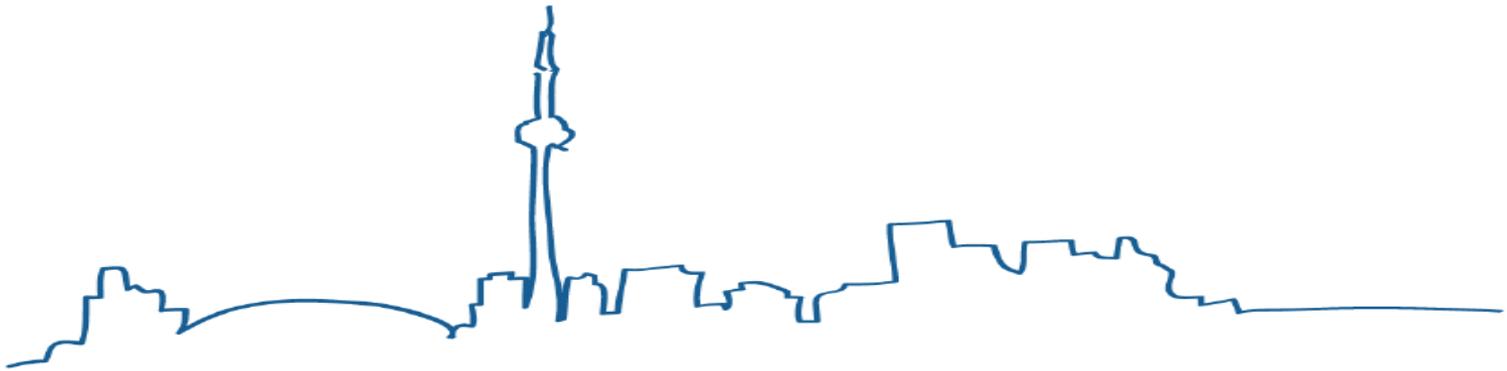
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Director, Policy & Strategic Support

Municipal Licensing & Standards

Agenda

1. Street food in Toronto
2. Street food vending review process
3. New opportunities for Toronto's street food vendors
4. Summary



History of Street Food Vending

- Historically, hot dog/sausage carts on the sidewalk and ice cream trucks on the road were the extent of street food in Toronto.
- Limited primarily to the former City of Toronto, East York and North York.
- Due to a concentration in the downtown wards, a moratorium was instituted in 2002, and was to remain until the bylaws governing street food were harmonized city-wide.
- In 2009, an effort was made to develop a healthy street food program known as A La Cart, which was discontinued in 2011.
- Council directed the creation of a Street Food Working Group to address the issue of harmonizing the by-laws, and to enable vendors.
- Number and popularity of food trucks has increased in recent years.

Current State of Legislation

- Eight different by-laws currently govern street food vending in the city, with differing regulations:
 - TMC Chapter 545, Licensing
 - By-laws of the former East York, North York, City of Toronto and Municipality of Metropolitan Toronto
- By-laws in the former Cities of Scarborough, Etobicoke and York did not permit vending.
- Moratorium is in place in wards 20, 27 and 28.

Current State of Street Food

Street food vending of all types requires a business licence:

- Current licensed vendors:
 - Food carts = 229
 - Food trucks = 77
 - Ice cream trucks = 131
 - Coffee/catering trucks = 118 (no change)

To operate on the sidewalk/right-of-way a permit is required:

- Total permitted locations for stationary food carts:
 - 110 in Toronto/East York
 - 26 in North York
- There are 27 “designated curb-lane” vending permits:
 - Food trucks - 14 downtown
 - Ice cream trucks -13 downtown

To operate on private property, a City permit is not required.

Street Food Vending Review

Our Approach and Principles

- Collaboration
 - Engaged the industry and other interested stakeholders
 - Leveraged the expertise of SFWG members
- Consultations
 - Public
 - Industry
 - Other jurisdictions

Principles

- Balance competing interests
- Develop flexible and efficient models
- Advance a vibrant street food culture

Committee Direction

In May 2011, staff were directed to:

- Form a working group with the objectives of:
 - Permitting vendors to offer a wider menu;
 - Addressing issues associated with harmonizing the by-laws;
 - Assessing how food carts can be made more mobile friendly.

Subsequent directions to staff have included:

- Consider amendments to TMC Ch. 545 to permit food cart, truck and refreshment vendors to park and operate on licensed premises such as parking lots.
- Consider impacts and recommendations of zoning amendments to allow commercial parking lots to permit food trucks and vending stalls where they front onto public streets in commercial zones.

Street Food Working Group

Chaired by Municipal Licensing and Standards, and includes:

- Street Food Vendors Association
- Ontario Food Truck Association
- Ontario Restaurant Hotel and Motel Association
- Toronto Association of Business Improvement Areas
- Toronto Public Health
- Transportation Services
- Economic Development and Culture
- Parks, Forestry and Recreation

Summary - Issues and Considerations

1. Designated area (footprint) food carts may occupy on the sidewalk
2. Proximity requirements (distance between vendors and brick/mortar)
3. Role of Business Improvement Areas in the permit issuance process
4. Moratorium on designated vending locations in wards 20, 27 and 28
5. Vending on private property
6. Vending on City-run property
7. Mobile vending permits
8. Neighbourhood impacts

Stakeholder Engagement

- Six public meetings across the City attended by over 100 people.
- Two public meetings to present concepts/options for discussion, attended by over 150 people.
- Additional meetings with Street Food Vendors Association, Ontario Restaurant Hotel and Motel Association, Toronto Association of Business Improvement Areas, Toronto Food Policy Council and individual vendors.
- Staff received dozens of emails, phone calls and written submissions.
- Food Truck Pilot Program – online survey – 2200 respondents.
- **Street Food Working Group has met monthly since April 2013**

Other Municipalities



Hamilton



THE CITY OF
CALGARY



City of Chicago



BOSTON



CITY OF NEW ORLEANS



City of Seattle



Other Municipalities

- Vending opportunities vary across jurisdictions.
- Mix of vending on private and public property.
- Right-of-way vending opportunities contain restrictions in all municipalities.
- Designated location permits for food trucks:
 - Boston, Ottawa, Seattle, San Francisco, New Orleans, Vancouver.
- Mobile permits for food trucks:
 - Calgary, Hamilton, Chicago, New York City.
- Some jurisdictions regulate menu choice:
 - Vancouver, Ottawa.
- Some jurisdictions limit the number of permits:
 - Boston, Vancouver, Ottawa.

Stationary Food Carts



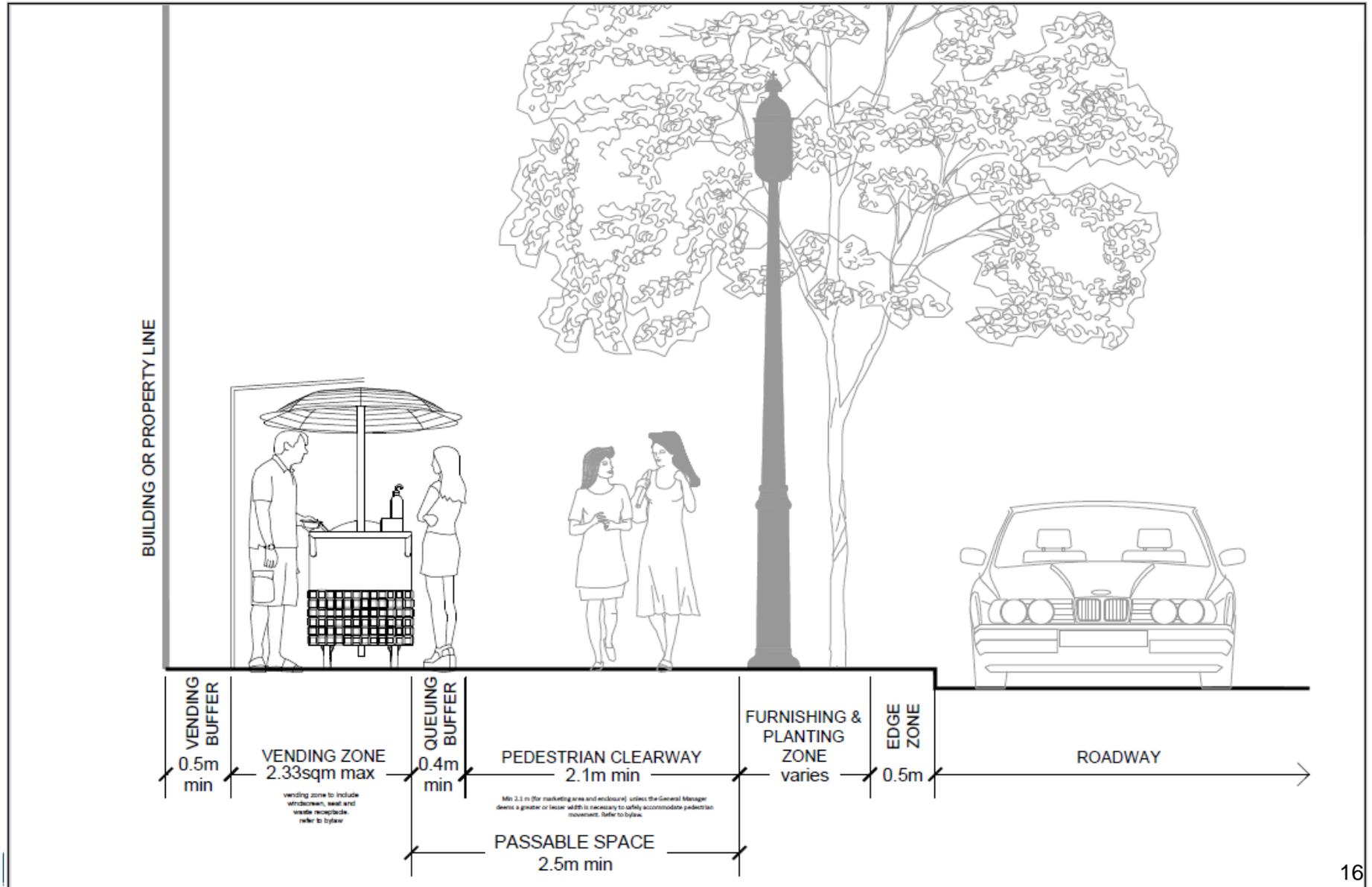
Current Restrictions on Stationary Food Carts on the Sidewalk

- Vendors may only apply for Sidewalk Vending Permits in North York, East York and parts of downtown.
- Vendors may not apply for permits in wards 20, 27 and 28 (moratorium).
- Vendors may not apply for vending permits in Etobicoke, York or Scarborough, because legislation of the former municipalities did not allow it.
- Vendors may occupy a maximum of 2.32 square metres of the sidewalk.
- Vendors must leave 3.66 metres of 'passable space' on the sidewalk, and must locate 3.66 metres from the curb.

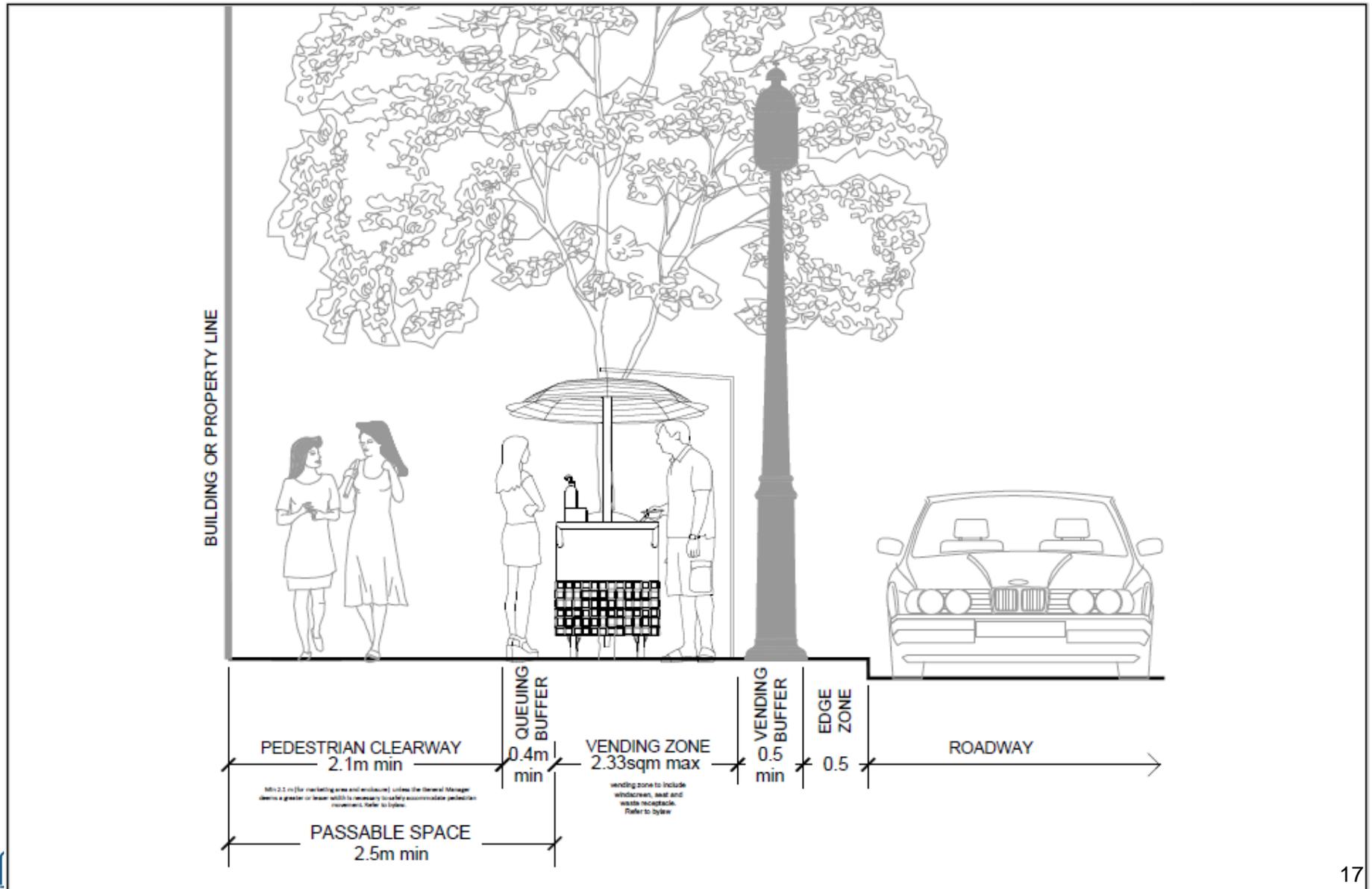
New Opportunities for Stationary Food Carts on the Sidewalk

1. Enable designated spaces on sidewalks city-wide (except in wards 20, 27 and 28).
2. Allow an additional 50% footprint, where available, to promote expanded menus.
3. Lower passable space requirements from 3.66m to 2.5m.
4. Allow curbside vending.
5. Eliminate BIA veto and replace with collaborative consultation and appeal process.
6. Eliminate requirement to have a business licence before applying for a permit.

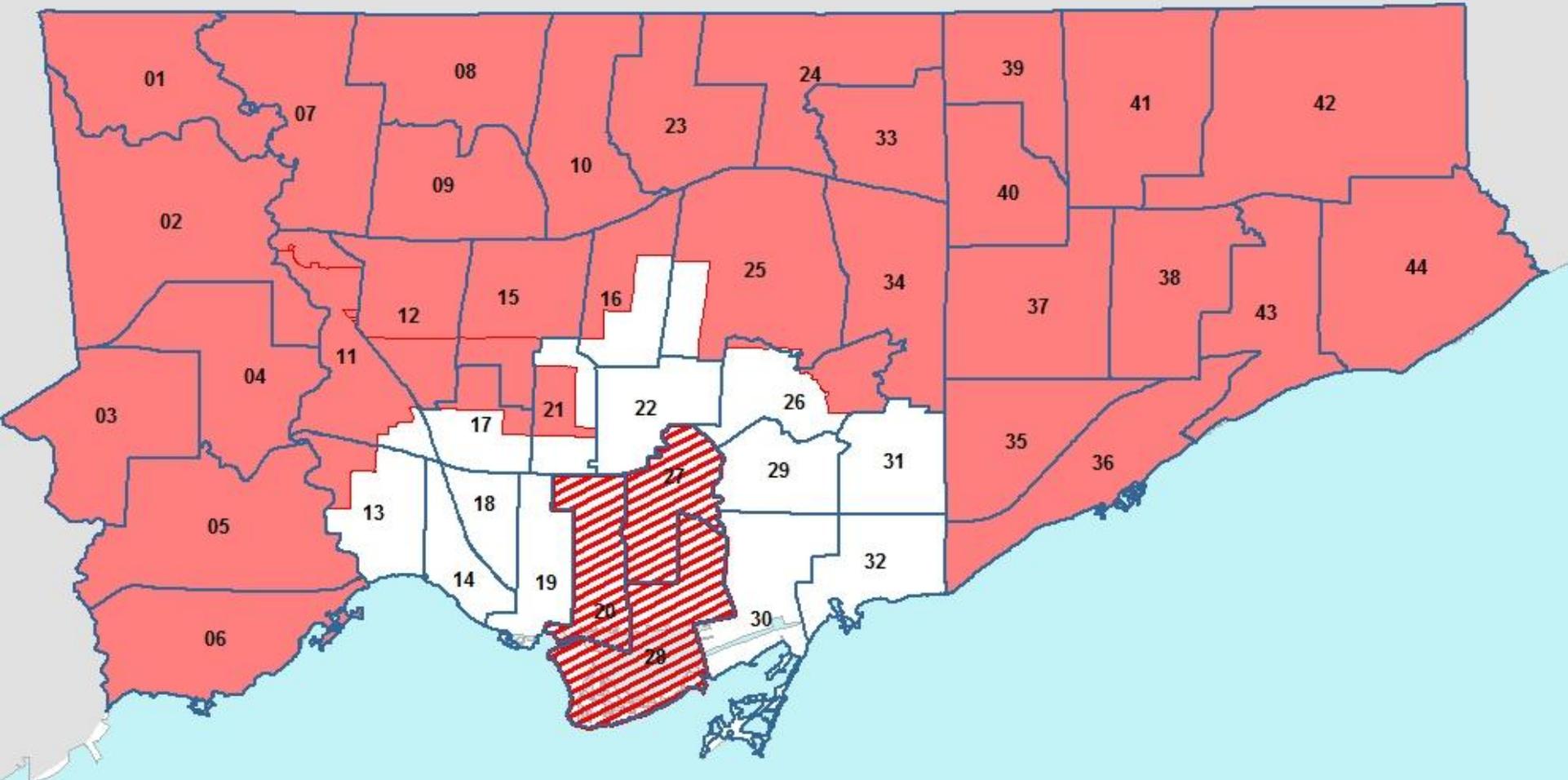
Sidewalk Vending



Sidewalk Vending at the Curb



Current Restrictions on Stationary Food Carts on the Sidewalk



-  Areas where stationary food carts cannot operate on the sidewalk
-  Moratorium area



Maintaining the Moratorium for Sidewalk Vending

- Moratorium was implemented in 2002, in response to a concentration of vendors in the downtown core.
- Currently, 64% of vendors are operating in the moratorium area.
- With the introduction of mobile vending and to balance the use of the City's right of way, staff recommend maintaining the moratorium on the sidewalk.
- The moratorium will be reviewed on an ongoing basis.

Fees for Stationary Food Carts

- Business Licence:
 - \$383.00 issuance
 - \$257.50 renewal
- Sidewalk Vending Permit - for the use of the City's right of way:
 - Major Arterial Road: \$4,575.11
 - Minor Arterial Road: \$2,488.52
- Harmonizing existing fees between City of Toronto and North York and applying based on the road classifications.
- This results in an increase to some and a decrease to others. Those impacted by the increase will be phased in over three years.

Ice Cream Trucks



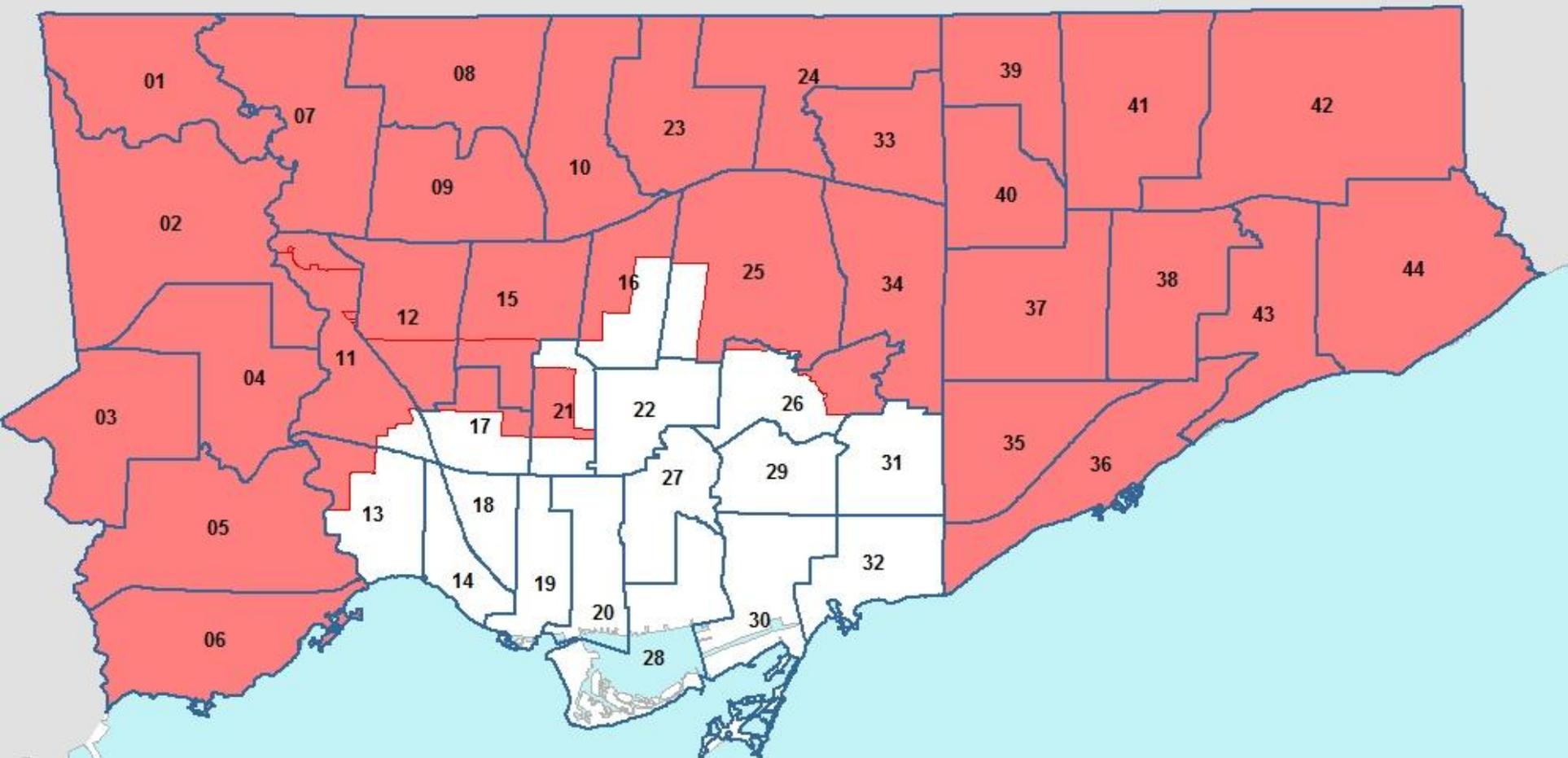
Current Restrictions on Ice Cream Trucks on the Road

- Vendors may operate in a mobile capacity (for 10 minutes in one spot, 30 minutes on any one street) in Toronto and East York.
- Vendors must operate at least 30 metres from a school, park or the ferry dock.
- Vendors may not operate in Etobicoke, York, North York or Scarborough, because legislation of the former municipalities did not allow it.

New Opportunities for Ice Cream Trucks on the Road

1. Eliminate “10 minutes and move” requirement and permit mobile ice cream trucks to operate for up to 30 minutes on local and residential streets.
2. Permit mobile ice cream trucks to obtain a Mobile Food Vending Permit for operation on major/minor arterial roads.
3. Eliminate 30 metres proximity requirement from City parks and ferry docks.

Current Restrictions on Ice Cream Trucks Operating on the Road



 Areas where ice cream trucks cannot operate on the road



Fees for Mobile Ice Cream Trucks

- Business Licence:
 - \$1,090.51 issuance
 - \$730.38 renewal
- Ice Cream truck operators will now require a permit to vend on City streets.
- New Ice Cream Vending Permit – for the use of the City’s right of way:
 - \$525.19

Food Trucks



Current Restrictions on Food Trucks

- Not permitted on the right-of-way.
- Not permitted in commercial parking lots for more than 10 minutes.
- Limited to 27 historically designated spots downtown.
- Limited to private property and special events.

We Considered

Based on our research of other municipalities:

- Limiting the number of licences
- Limiting the number of permits
- City-designated curb lane spaces
- Lottery for vending locations
- Mobile vending only outside downtown
- Food trucks only on private property and special events

New Opportunities for Food Trucks Operating on the Road

- Food trucks may operate city-wide in Mobile Vending Zones.
 - Mobile Vending Zones are:
 1. Pay and display stations on major and minor arterial roads.
 2. Other curb lane areas (non pay and display parking, lay bys) identified by the industry, BIAs, Councillors and communities.

Conditions of Mobile Vending

- Vendors will be permitted to operate in parking spaces, just like a passenger or commercial vehicle that would otherwise be occupying the space.
- Vendors may operate for a maximum of 3 hours, or according to parking rules.
- Vendors will be limited to two per block.
- Vendors must operate at least 50 metres from an open and operating restaurant.



Mobile Vending Zones

1. Mobile Vending Zones at pay and display parking stations:
 - Mobile Vending Zones will first include all pay and display parking spaces on major and minor arterial roads throughout the City.
 - **Currently there are 582 pay and display stations city-wide that are 50 metres from a restaurant.**
 - **Each station has an average of 7 parking spaces**

Designating Restricted Zones

- Where factors exist that may make a mobile vending zone inappropriate, ML&S, in consultation with interested stakeholders, may designate a “Restricted Zone”, where curb lane vending is not permitted.
- Identification of potential restricted zones may come from ML&S, Police, Fire, Transportation, BIAs, communities, Councillors, or other interested parties.
- Factors would be based on considerations such as:
 - Public safety; public nuisance; traffic management; construction and development; streetscape improvement projects; City by-laws, policies and programs; other grounds or factors considered relevant by Municipal Licensing and Standards.
- This provides an efficient mechanism to deal with unique local concerns.
- Appeals related to the designation of (or not) may be made to the local Community Council.

Designating Restricted Zones

- There are 232 pay and display stations (within 50 metres of a restaurant) located within BIAs.
- **IF every area represented by a BIA** had conditions that warranted the restriction of vending, this would leave **a minimum of 350** pay and display stations that could serve as mobile vending zones.
- **Each station has an average 7 parking spaces.**

Designating Mobile Vending Zones

2. Curb lane spaces without pay and display stations and lay bys:

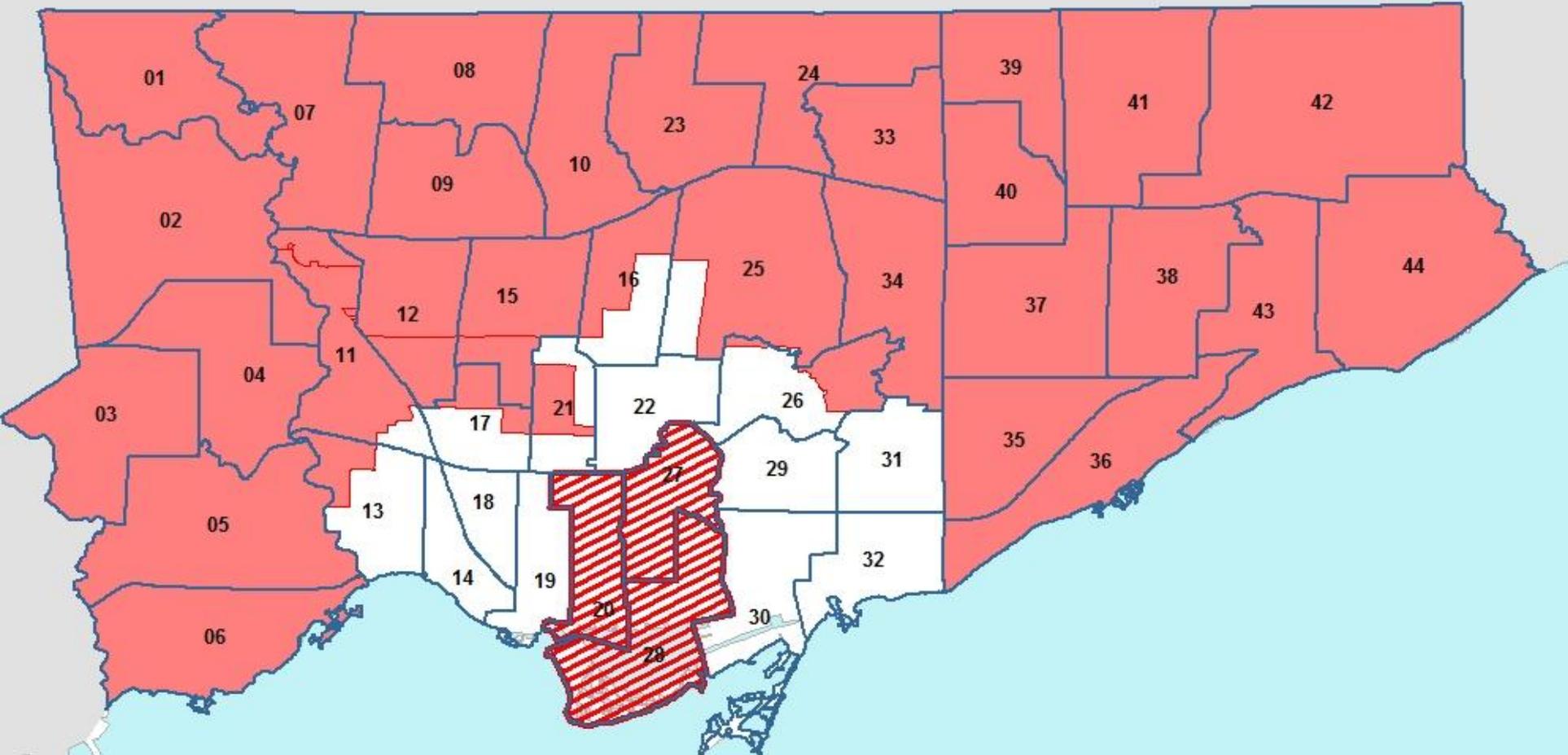
- Many areas of the City may be conducive to vending, but do not have pay and display parking.
- To expand street food opportunities, the City will encourage vendors, BIAs and Councillors to identify potential mobile vending zones.
- Upon receipt of an application, ML&S will notify businesses within 25 metres of the zone, the local BIA and Councillor.
- Objections to the designation of a Mobile Vending Zone in these curb lane locations, may be appealed to Community Council.

Designating Mobile Vending Zones

- This process allows vendors to proactively identify areas where they wish to vend and does not limit them to pay and display spaces.
- This process also allows the model some flexibility, to grow and expand, especially outside the downtown core.
- Provides a balanced, collaborative approach to developing mobile vending opportunities across the City.



Current Restrictions on Food Trucks Operating on the Road



-  Areas where food trucks cannot operate on the road
-  Moratorium area



Fees for Mobile Food Trucks

- Business Licence:
 - \$1,090.51 issuance
 - \$730.38 renewal
- Refreshment Vehicle Driver Licence:
 - \$362.55 issuance
 - \$257.50 renewal
- New Mobile Food Vending Permit – for use of the City’s right of way:
 - \$5,066.69 / year = \$13.88 / day

Grandfathering Curb Lane Vending Permits

Current:

- There are 27 Curb Lane Vending Permits (14 food trucks; 13 ice cream trucks).
- They occupy City-designated and dedicated locations on the road.

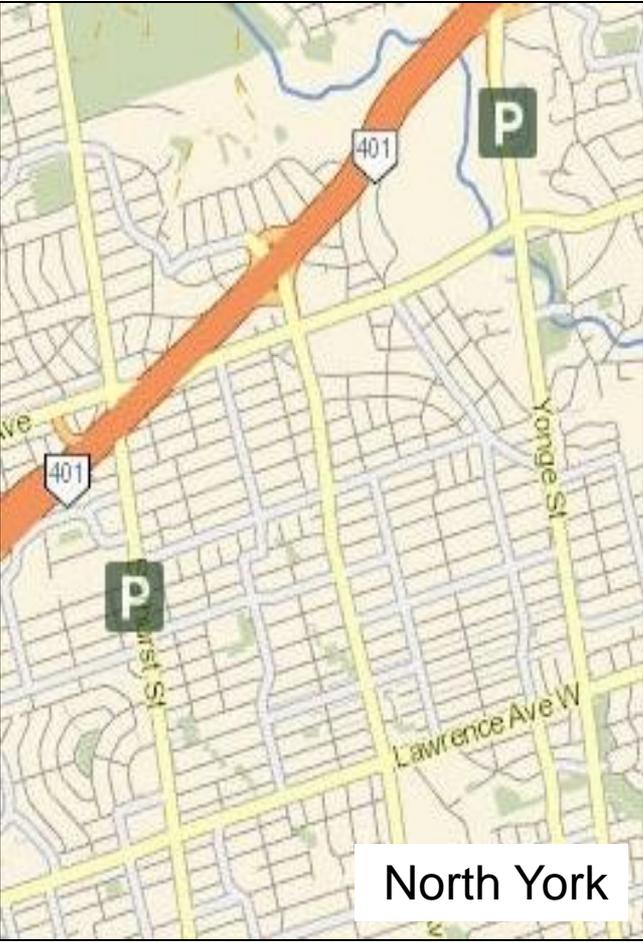
Proposed:

- Transition all food trucks to the new mobile vending model.
- Grandfather existing permit holders until December 31, 2016.

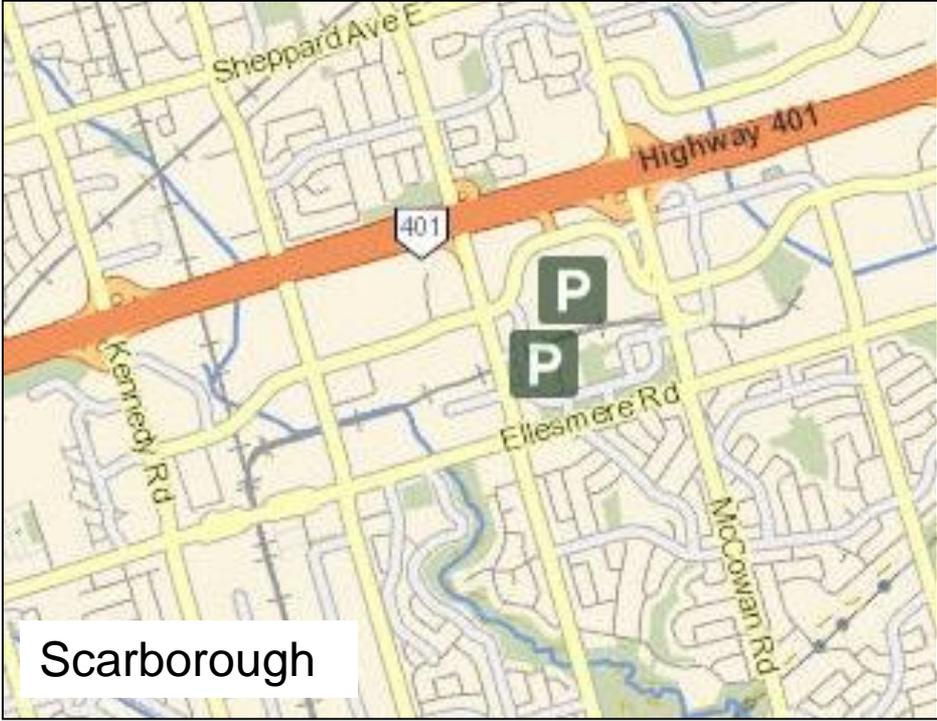
Opportunities for Vendors in Licensed Commercial Parking Lots

- 58 licensed parking lots in CR and CRE zones.
- Eliminate the 10 minute time restriction in parking lots licensed by the City to enable vendors to operate in parking lots subject to the zoning bylaw
- Vendors operating in licensed commercial parking lots will **not be** subject to the vending bylaw regulations including:
 - 50 metres from a restaurant
 - 3 hour time limit
 - 2 truck maximum per block
- * **Toronto Parking Authority planning to explore opportunities for vendors in off-street, surface level Green P lots, over the summer of 2014.**

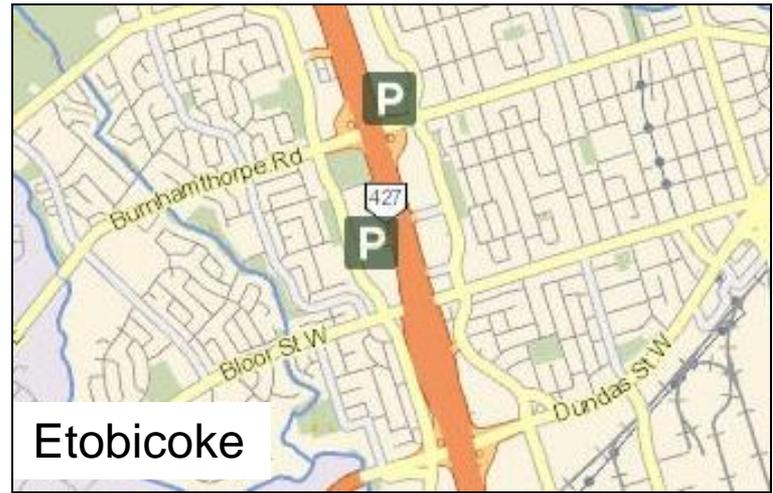
Licensed Parking Lots in CR, CRE Zones



North York



Scarborough



Etobicoke

Licensed Parking Lots in CR, CRE Zones



Downtown

Opportunities for Vendors on City-Run Property and Special Events

- Special events (i.e. Tasty Thursdays) – Economic, Development and Culture
- City parks – Parks, Forestry and Recreation.
- City-run property – Facilities Management.
- Community festivals and special events – Taste of the Danforth, Taste of Lawrence.



Opportunities for Vendors on Private Property

- Vendors may operate on private property, subject to the zoning by-law.



Non-Food and Promotional Vendors

- 119 licensed non-food vendors:
 - Flag vendors
 - Jam vans
 - Jewellery vendors
 - Portrait artists
- 19 permits (downtown).
- Increasing number of promotional vendors, distributing free wares for advertising purposes.
- Staff to report back on the appropriateness of non-food and promotional vendors who use the City's right-of-way.

Summary

1. Expanded menu opportunities for food carts (June 2012).
2. Eliminated Refreshment Vehicle Assistant Licence (October 2013) – producing over \$72,000 savings for the industry.
3. Create a city-wide bylaw that expands vending opportunities across the City on the right-of-way.
4. Enable vending in licensed commercial parking lots.
5. Provide efficient and collaborative processes.

Street Food in Toronto – 2014

Leading

Diversity of Food

Balanced

Opportunities

City-wide

Vibrant Street Food Culture

Collaborative

Flexible

Open

Permissive