

November,26,2015

To: London City Council

Cc: Orest Katolyk – City of London By-Law Officer

Re: Food Trucks – By Law Amendment proposal

Thank you, your honor Mayor Brown and our esteemed City Councillors, for taking your time to read and accept this correspondence on an issue which has arisen recently. I also wish to thank Mr. Katolyk for his immediate response to our inquiries and his direction in hopefully resolving this issue.

On Saturday November, 14, 2015, before and during the London Santa Claus Parade, a Food “Trailer” was positioned on Charlotte Ave., parallel with Dundas Street. This “trailer” was operated by McDonalds. (photos attached). For full disclosure, I am a Tim Hortons franchisee in our fine city and presently own and operate 5 locations throughout the city. What caused me most concern on this day/evening was McDonalds was allowed to operate this trailer directly across the street from my location at 1019 Dundas St., E., (Dundas & Egerton).

I was under the impression we would be protected from such an egregious violation under our food truck by-law. The whole restaurant industry as you know voiced our concerns loud and strong at the inception of the food truck process as to our fear of this exact scenario. Strict and stringent conditions were placed on the food truck industry so as to protect directly targeting or being too close to existing restaurant facilities, those who actually pay business taxes etc. That evening we tried to contact or left messages for our City Councillor and also had a really terrible interaction with the parade organizer who profanely rebutted our concerns with nonsense. I have subsequently written the parade committee to no avail. His use of profanity around young children at the parade was embarrassing.

Subsequent to this parade debacle, on Tuesday, November 17th, a radio broadcast brought to our attention, this same trailer was being placed at the Budweiser Center, directly across the street from Covent Market Garden and The FireRoasted Coffee shop at the corner of King and Talbot. They were promoting the giveaway of free coffee and soliciting people to join them. The guise of their appearance was they were supporting an activity they sponsor inside the Budweiser Center. Instead they were targeting foot traffic as they wished to open hours before their event and were broadcasting their location on radio. Once again, totally in disregard to our by law intent.

We contacted Orest Katolyk who immediately took action to investigate. Mr Katolyk researched what was happening and found our by-law has a significant loophole in it. As this trailer in both instances was “giving away” product, there was nothing he could do to stop them now or in the future. He stated our by-law quite specifically states “food for sale”. His suggestion was for me to bring this forward, to City Council and bring these matters to your attention.

I think you would all agree that this must be changed and I am told our timing is perfect because a review of this program is due very shortly.

May I make some suggestions.

- 1) Whether a food vehicle is selling or giving away product, the parameters of the by law should be held in force, ie., distance from existing eateries, permits, licenses, inspections. By giving away product, you will actually drive more people from an existing establishment as it is free and there is no gamble.
- 2) I may also suggest that such “guerilla marketing” needs to have some controls on same. This is a trending marketing strategy where social media hits and impressions are the goal. The use of social media tools such as twitter or you tube, for example, are the new “darlings” of advertising as they cost nothing, but do create buzz. We have to be careful as to not allow free range to these vehicles, who come into town for a day or two, move location to location possibly then move on to the next community. This still effects the established restaurateurs in this community.
- 3) Parade or no Parade, the food truck by law must be enforced.

Thank you councillors Tanya Park and Jesse Helmer for returning our phone calls. I ask you please take this matter under serious deliberation and close the loopholes that exist and are being exploited.

I can be reached at your convenience any time.

Thank You

Chris Sparling
Tim Hortons
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