



<b>TO:</b>	<b>CHAIR AND MEMBERS COMMUNITY AND PROTECTIVE SERVICES Meeting on February 25, 2013</b>
<b>FROM:</b>	<b>G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>FOOD TRUCK PROPOSAL</b>

**RECOMMENDATION**

That on the Recommendation of the Managing Director, Development & Compliance Services and the Chief Building Official, Civic Administration **BE DIRECTED** to report back at a public participation meeting of the Community and Protective Services Committee meeting on amendments to the Business Licensing By-law to implement a pilot program of permitting food trucks in the downtown area.

**BACKGROUND**

Civic Administration was approached by Downtown London to discuss the possibility of permitting local downtown restaurants selling food from food trucks parked on City streets in the downtown area. On January 15, 2013, in response to a delegation request from a local restaurant operator, the issue of food trucks was referred to staff for a report back to the CPSC.

The current Business Licensing By-law requirements for refreshment vehicles are outdated as they were originally drafted to deal with catering trucks, hot dog vendors and pedal powered ice cream vendors. The food service industry has evolved and diversified and in many urban centers, consumer demand for a greater variety of food products, specifically in downtown and tourist districts, has created opportunities for the food service vehicle industry. Accordingly, the current by-law regulations need to be reviewed to respond to consumer demand and to ensure that regulations exist to address consumer protection, health and safety and public nuisance issues.

The current Business Licensing By-law regulates a number of classes of refreshment vehicles including stationary and mobile vehicles. Joint inspections are undertaken by the Health Unit, Fire Prevention and Property Standards to ensure that all respective regulations are adhered to and the operator is in full compliance. Additional inspections may involve the Technical Standards and Safety Association (natural gas inspection) and the Ministry of Transportation (vehicle inspection).

Many cities have or are in the process of reviewing their food industry by-laws in acknowledgement of the fact that the food industry is diversifying in terms of product delivery and customer service. A review of municipal regulations (i.e. Hamilton, Calgary, Edmonton, Ottawa, Boston and Chicago) indicates that many municipalities permit food service vehicles to operate on the roadway under specific regulations including separation distances from restaurants and pedestrian and vehicular safety related regulations.

Some municipalities have implemented pilot programs to permit food trucks in high traffic pedestrian zones in the downtown and are evaluating the pilot program in an effort to refine regulations in response to customer service and community issues. Concerns raised by existing restaurants about more flexible regulations to permit food trucks in the downtown areas included: lower start-up costs in comparison to “brick and mortar” restaurants, don’t pay taxes and “out of town” food trucks take profit with them, food related waste and pedestrian safety.




Given the experience of municipalities who have implemented pilot projects, staff could prepare an amendment to the Business Licensing By-law to incorporate regulations which would

--	--

balance the demands for a greater variety of food from mobile vendors and the concerns of the existing restaurants in the downtown. The regulations could include but may not be limited to:

- A defined geographic area in the downtown
- Separation distance from existing restaurant buildings
- Licence fees
- Recognition of Special Events
- Public land – i.e. city owned streets or parks
- Private land – i.e. parking lots
- Pilot project with year end review

While this topic of discussion was initiated by local restaurant operators as an idea to grow their business, the growing food services vehicle industry has initiated several franchises which could be interested in participating in a pilot project if one was approved by Council. Staff could hold an advertised public participation meeting to discuss a by-law amendment in April 2013.

<b>PREPARED BY:</b>	<b>RECOMMENDED BY:</b>
	
<b>O. KATOLYK MANAGER OF LICENCING AND MUNICIPAL LAW ENFORCEMENT SERVICES</b>	<b>G. KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>REVIEWED &amp; CONCURRED BY:</b>	
	
<b>MARK HENDERSON DIRECTOR OF BUSINESS LIAISON</b>	

Y:\Shared\building\Rep&Recs\2013\CPS - Feb 15 2013 Food Truck Proposal.doc

cc: Downtown London  
Old East Village  
Middlesex London Health Unit