

## CORPORATE REPORT

NO: R084 COUNCIL DATE: **MAY 12, 2014** 

#### **REGULAR COUNCIL**

TO: Mayor & Council DATE: May 5, 2014

FROM: General Manager, Parks, Recreation and Culture FILE: 0310-01

General Manager, Planning and Development

General Manager, Engineering

SUBJECT: Implementation of a Mobile Food Vending Program in Surrey

#### RECOMMENDATION

The Parks, Recreation and Culture Department, Planning and Development Department and the Engineering Department recommend that Council:

- 1. receive this report as information;
- 2. approve the implementation of a Mobile Food Vending Program in Surrey; and
- 3. authorize staff to proceed with all necessary actions in relation to implementing the program as generally described in this report.

#### INTENT

The intent of this report is to provide Council with an overview of the process followed to develop a mobile food vending program, and to provide recommendations for the implementation the Program.

#### **BACKGROUND**

Mobile food vending (food trucks, trailers and carts) is growing rapidly in popularity across North America and locally. Since 2010, the City of Vancouver has allowed an increasing number of vendors to operate in numerous pre-approved areas located primarily in the downtown district of the City. In 2010, 17 vendors were issued permits and Vancouver now has over 100 approved vendors. Recently, Vancouver was named third best street food city in North America by *Travel and Escape Magazine*.

In the summer of 2013, the City of Coquitlam launched a food truck program with 10 approved sites. Numerous other cities in the region are also receiving requests for mobile food vending from vendors, event organizers, and the growing "foodies" demographic. In recent years, the City of Surrey has received numerous requests from current and potential vendors to be permitted to operate on the streets of Surrey.

Legal Services submitted Corporate Report R149;2013 *Development of a Mobile Hot Food Cart Program for Surrey* to Council on July 22<sup>nd</sup> 2013 that provided analysis of mobile food vending programs in a number of North American cities (attached as Appendix I). This report also sought

Council approval in principle for the development of a Surrey food cart program and the creation of a working group to develop detailed recommendations in relation to the implementation of such a program.

In the summer of 2013, a working group was formed, comprised of representatives from the Legal Services Division; By-law Enforcement & Licensing Division; Planning and Development Department; Parks, Recreation and Culture Department; and the Engineering Department. The working group met on several occasions over the last six months to undertake research and consultation for the project. Parks, Recreation & Culture Department staff facilitated the working group and will oversee the implementation of the 2014 pilot project as described in this report.

Public consultation was conducted in the Fall of 2013; this consultation included the general public, mobile food vendors and local restaurateurs. The program concept was generally well supported and staff noted the limited number of concerns from local restaurateurs and businesses that would need to be addressed through permitting conditions. A representative from Blackwood Partners, that manage Central City mall, opposed the location of any mobile food vendors within close proximity to the mall's food court. This concern was based on the potential for financial impact to food vendors that are leasing space within Central City mall. As outlined later in this report, there are no new locations proposed in close proximity to Central City mall

### **Pilot Program**

Staff found that for mobile food vending in cities across North America, there is no "one size fits all" template for successful programs and it is always best to begin with a pilot program. Pilot programs are flexible, encourage innovation, and can help uncover and address issues unique to particular communities. They are usually implemented on a small scale, so they do not create a sudden, large burden on an already existing network, and they provide insight that can inform the decision making process before regulations are made into law. Their flexibility and emphasis on experimentation make them an especially useful tool for new industries such as mobile food vending. Pilot mobile food vending programs are being used in many cities.

In order to "activate" the City Centre area, staff piloted a project named "PARKit", in the North Surrey Recreation Centre parking lot for a 10-day period in April 2012. The PARKit project involved the conversion of parking lot space into a "pop-up" park. The park design, titled "Take-Out", utilized take-out boxes as planters and table posts that supported eat-in counters, creating an engaging social space. A review of the City's experience was documented in Corporate Report R114;2012, attached as Appendix II to this report. PARKit was re-activated on July 9<sup>th</sup>, 2013 and City staff received further positive feedback from the public regarding the success of this project.

In 2014, PARKit will be expanded to accommodate up to three mobile vendors situated at the site at any given time and will accommodate vendors on a regular basis throughout the year. In expanding the mobile food vending opportunities outside of the PARKit event, staff recommends that we continue to follow a pilot project approach before making any significant changes. Presently, PARKit operates under the auspices of the Parks, Recreation and Cultural Facilities Bylaw 13480. Staffs intend to continually evaluate the program based on regular input from key stakeholders such as vendors, restaurateurs, and the general public.

#### **DISCUSSION**

### 2014 Mobile Food Vending Sites

While the staff working group considered the merit of vending locations based on potential for "place making initiatives", heavy consideration was also given to the appeal of sites to potential vendors, and hence the success of the 2014 pilot project. In addition, some areas examined did not have specific on-street locations that comply with the *Highway, Traffic & Parking Regulation By-law*, No.13007. An example of this was the Surrey Memorial Hospital "precinct" that lacked available on-street parking locations or parking lot locations in which to accommodate food vendors without negatively impacting traffic flows and parking capacity.

Based on research and consultation, the following mobile food vending sites are proposed for the 2014 pilot project:

- 1. North Surrey Recreation Centre Parking lot (including expanded PARKit site)
- 2. Bear Creek Park/Surrey Arts Centre parking lot
- 3. Newton Athletic Park (during summer tournaments)
- 4. Newton Community Centre/Arena parking lot
- 5. Cloverdale Recreation Centre (during special events)
- 6. New City Hall Plaza.

All of these sites are on City land and do not require any changes to City zoning by-laws for a 2014 trial.

### **Street Food Vending**

Staff selected the City Centre precinct area (west of King George Boulevard between 104 Avenue and Old Yale Road) for a review and pilot of on-street locations for mobile food vending in 2014. A multi-department approach was taken in reviewing and rating all potential on-street locations for vending and a limited number of potential sites were selected. The review balanced the desirability of high foot-traffic areas with potential impacts on building access, parking and traffic flow. Through this review, it was determined that there were no suitable on-street vending locations, at this time, within this area. There is very little on-street parking with much of it utilized for buses or having other restrictions/limitations. As the City Centre area redevelops, new opportunities should arise in this area. Consequently, on-street vending will not be included in the 2014 pilot project.

#### **Vendor Selection Process**

Cities that have implemented mobile food vending programs have utilized a number of selection criteria for short-listing vendors:

- Random lottery
- Panel Review
- Accommodation of all applicants.

The City of Vancouver initially conducted a lottery in their pilot phase. Vancouver now selects those with the highest combined score from a taste test by judges and an application review. In recently introducing their program, the City of Coquitlam conducted a panel review of their applications.

Staff recommends a "panel committee" selection process for the City of Surrey's pilot project. The panel, which will consist of representatives of key departments, will be tasked with choosing the best applicants based on established criteria. A number of criteria will be used to select the successful vendors including number of years of experience, qualifications, menu diversity and/or innovation, healthy food options, and a waste management plan. This process will ensure diverse types of food offerings, healthy menu considerations and vendors able to meet operational requirements.

#### Allocation of Sites

The three most popular site allocation systems were found to be:

- 1. rotating;
- 2. permanent placement; and
- 3. a lottery system.

Calgary uses a rotating system. Shorter time limits translate to less time for vendors to sell in one spot. This favors competing stakeholders like restaurants, since less time means less competition with certain mobile food vendor(s) that may be offering similar types of foods. For the public, rotating food trucks over a period of time offers more variety with food options at the particular location.

Vancouver and Coquitlam have permanent arrangements with their vendors. Coquitlam ranked ordered applications and then gave each vendor a choice of permanent location based on rank (1<sup>st</sup> ranked gets 1<sup>st</sup> choice of location). Vendors receive a permit for the entire year. It is up to them when they want to operate. In the terms of the contract, there is an annual option to renew, based on mutual agreement between the City and vendor. The City may re-allocate the site to another vendor after a certain defined period of time. In Vancouver, the downtown program is modeled on stationary annual permits where a sidewalk cart, trailer, or on street food truck have a set location within the downtown core. The location is designated by the City to accommodate a specific vending unit and once awarded that vendor is only permitted to operate on that site. No other vendors may operate at that specific location. The vendors make their own schedules within the permitted timeslots.

Staff recommend a mixture of "rotating" and "event specific" permits for mobile food vendors participating in Surrey's 2014 pilot project.

#### **Litter Control**

Staff will appropriately gauge the litter impacts at the pilot sites. A waste management plan will be asked for as part of the submitted application from each applicant and waste management conditions will be outlined in the contract with each of the vendors.

### **Economic Development**

Some Cities are employing a targeted strategy to attract food trucks into various areas, outside of the downtown core, which are underserved by brick-and-mortar restaurants. Staff in Surrey's Economic Development Office have discussed this issue further with the Food Cart Program Coordinator in Cincinnati, Ohio where such a strategy has been employed. Cincinnati indicated that this strategy has achieved varying levels of success thus far. In some cases vendors do not show up if they feel that the City selected sites are not favourable. Others choose to set up on private properties in the industrial areas around lunch time. They will target sites that have major employers surrounding the area. Cincinnati recommends that this strategy only be explored once our program is more established.

Staff also connected with the City of Vancouver in regards to targeted food vendor deployment. Currently, the City of Vancouver issues "roaming permits" for the rest of the City outside of the downtown core. The vendors in this program are free to roam the City and pick whichever locations they are interested in, granted they follow the permit conditions for that program. *Railtown* is a neighbourhood outside of the downtown core where mobile food vendors operate through the use of roaming permits.

Surrey staff will explore these opportunities in a future phase of the program.

#### Enforcement

Staff in the By-Law Enforcement and Licensing Section found that the City of Vancouver has "Street Use Inspectors" that conduct enforcement relative to the mobile food vending program. The inspectors conduct regular checks and follow-up on complaints.

### **Conditions to Operate**

Staff is currently developing a contract which will contain all the conditions that a vendor must abide by in their operations. Wording will include reference to litter control, recycling plan, hours of operation, noise control, use of signage for advertising, damage to City infrastructure, enforcement, insurance, etc. Food vendors found to be in violation of permit conditions will receive warnings or termination of their permit if they continue to be non-compliant. The competition for limited vending locations will likely ensure that vendors are motivated to abide by permit conditions.

### **Proposed Timelines**

- Application posted online May 15th<sup>th</sup>
- Media advisory of application process May 15th
- 1<sup>st</sup> Vendor info session May 19th
- 2<sup>nd</sup> Vendor info session May 26<sup>th</sup>
- Application deadline May 30<sup>th</sup>
- Vendor selection/review of applications completed June 6
- Inform vendors June 9
- Program commences June 16<sup>th</sup>

#### **SUSTAINABILITY CONSIDERATIONS**

The implementation of the program will assist in achieving the objectives of the City's Sustainability Charter; more particularly the following Charter scope action items:

- SC 4: Cultural Awareness in the Community;
- EC 6: Sustainable Practices through Business Licensing Operational Requirements; and
- EN 13: Enhancing the Public Realm.

#### **CONCLUSION**

Based on the above discussion, Staff recommends that Council:

- approve in principle the implementation of a Mobile Food Vendor Program in Surrey; and
- authorize staff to proceed with all necessary actions in relation to the implementation of such a program as generally described in this report.

Laurie Cavan Jean Lamontagne Gerry McKinnon

General Manager, General Manager, Acting General Manager,

Parks, Recreation and Culture Planning & Development Engineering

Appendix I: CR R149;2013 Development of a Mobile Hot Food Cart Program for Surrey Appendix II: CR R114; 2012 Update on the Community Building Strategy Component of the Surrey City Centre Plan

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# CORPORATE REPORT

NO:

R149

COUNCIL DATE: July 22, 2013

#### REGULAR COUNCIL

TO:

**Mayor & Council** 

DATE: July 15, 2013

FROM:

**City Solicitor** 

FILE: 2210-01/12#6

General Manager, Parks, Recreation & Culture

General Manager, Engineering

SUBJECT:

Development of a Mobile Hot Food Cart Program for Surrey

#### RECOMMENDATION

The Legal Services Division recommends that Council:

- 1. Receive this report as information;
- Approve in principle the development of a Surrey food cart program substantially as described in this report;
- Authorize staff to proceed with all necessary actions in relation to the detailing of 3. such a program as generally described in this report; and
- Instruct staff to provide a further report to Council complete with detailed 4. recommendations in relation to the implementation of the Surrey food cart program.

### INTENT

The purpose of this report is to provide an update on the results of consultations with other municipalities regarding their experiences operating a food cart program and to provide an overview of options with respect to establishing a hot food vending program in Surrey.

#### **BACKGROUND**

Street food is growing in popularity across North America. Many cities are embracing the trend and amending their regulations to allow food carts to become culinary attractions on city streets.

On June 25, 2012, Council in Committee received a delegation that requested Council implement a street food cart program in Surrey modelled after the program which has been established in the City of Vancouver. Other inquiries to a similar effect continue to be received by staff on an on-going basis.

### Food Cart Programs in Other Cities

Staff conducted a review of street food vending programs operating in other North American cities such as Portland, San Francisco and Vancouver, among others. The results of the survey are attached to this report as Appendix "A". The results demonstrate how regulations influence the ultimate form taken by each street food vending program.

Not all municipalities share the same goal(s) for their food cart program. Some municipalities have sought to increase the availability of healthy food options on city streets, while others have prioritized improving the vibrancy of specified areas or diversifying culinary opportunities throughout the city's geographic footprint. Program goals are a key factor in the rationale for a program's design and are an important consideration in developing a food cart program for any city.

The design of street food vending programs typically follows one of two broad approaches; being:

- food cart pods; or
- stand-alone food carts.

Each is reviewed in the following sections of this report.

### **Food Cart Pods**

A "pod" is a group of vendors that locate in a common area of the city in close proximity to one another. In Portland food cart pods occur primarily on vacant, privately-owned land. They serve as interim uses, benefiting the surrounding public and private spaces. The City of Portland is the foremost North American city promoting food cart pods by limiting the regulations related to food carts and pod formation. Portland's pod-style street food program has proven successful, landing the City as "the best street food city in North America". The City of Calgary has taken a similar relaxed approach to food cart pods. Calgary's new regulations impose few restrictions.

In other cities, such as Vancouver and San Francisco, pod formation occurred organically. The City of Vancouver's pilot program initially found that food vendors "wanted their own piece of the city". This desire changed following the success of five food vendors that grouped around Vancouver's Art Gallery two years ago. Vancouver now permits and even encourages pod formations in areas of the city not currently served by food carts.

The City of San Francisco found similar results to that of Vancouver. In San Francisco, street food vendors select their own site based on location criteria and are permitted to group together provided there is adequate space. This flexibility resulted in pod-like formations, with multiple vendors locating together. San Francisco has considered altering

its legislation to permit formal food pods; however, mobile food vendors and brick and mortar establishments have not yet been able to reach an agreement regarding amendments to the relevant regulations.

#### **Stand-Alone Food Carts**

An alternative approach to pod formations is a stand-alone food cart program. This focuses primarily on the siting of individual food carts. North American cities have taken three primary approaches to stand-alone food cart programs. These include:

- 1. designating areas of the city where food carts may not locate;
- 2. developing a list of sites from which an applicant may select a location; and
- 3. siting criteria that food cart applicants use to select a location.

The allocation of sites, as well as the selection of vendors, occurs either through lottery, on a first-come-first-serve basis or on application scoring. Where applicants are 'scored' against each other in a competition for licences, the selection criteria utilized by other municipalities has included:

- the applicant's business plan;
- the applicant's experience;
- the food cart unit design;
- menu diversity;
- readiness;
- food quality; and
- nutritional content.

Siting criteria for food carts commonly includes restricting food cart operation to a specified distance from brick and mortar establishments, other food carts, parks, schools, and intersections. Food carts are also generally prohibited from vending in residential areas. Where operators are granted latitude in selecting where they will operate, locations are required to provide sufficient sidewalk space and a legal parking spot.

Each of the three stand-alone food cart approaches comes with its own advantages and drawbacks. The City of Calgary's stakeholder consultation revealed that initially there was a desire to be able to go to a different location each day, due to the unpredictable nature of the business. More recent feedback, however, indicates that parking is a challenge and that vendors would prefer designated spots or the creation of pods. Other cities also cited issues regarding the assigned spot approach. Several vendors that participated in Toronto's program faced location issues, including limited pedestrian traffic. Vendors with challenging locations were relocated with positive results. Additionally, Toronto encountered issues with vendor participation, as some vendors dropped out of the program because they did not receive their preferred location.

### **Differing Regulatory Approaches**

Findings indicate that minimizing "red tape" can be important for a vibrant and successful street food vending program. The City of Toronto's experience with its failed "A la carte"

program, terminated after two years of the pilot project's three year term, provides a cautionary example for other municipalities. Toronto's program was stringently regulated; in addition to restricting the range of permitted menu items (and requiring vendors to seek authorization before expanding their menus outside of prescribed categories), it mandated that all vendors purchase \$30,000 prefabricated carts with "A la carte" branding, making it difficult for those of limited financial means to participate. These regulatory requirements contributed to vendors suffering significant losses and resulted, ultimately, in the failure of Toronto's program.

By contrast, Portland and Calgary offer compelling examples of programs that have achieved success through limited use of regulations. Portland's regulatory approach is often referred to as "laissez faire" based on the fact that, in the words of a City of Portland staff member, "... we didn't design it. It created itself, just through an interpretation of the laws, but we don't have the laws that were created in other cities." Calgary, on the other hand, developed its own "laissez-faire" approach deliberately, through a program titled, "Cut red tape". Calgary's approach to streamlining processes and saving time and money has been deemed successful by its program's organizers. The City of Calgary is now in the process of transitioning the pilot initiative into a business licence framework and by-law.

### City of Surrey's Food Cart Experience-to-Date

The City first operated a program known as "PARKit!" for a 10-day period in April 2012 and a review of the City's experience-to-date was documented in Corporate Report R114:2012, which was considered by Council during its Regular meeting on May 28, 2012. Surrey received the following feedback from the public regarding the initial PARKit! experience:

"I just ate at the pop up cart at Surrey Central today - loved it! Please bring more, on a regular basis!"

"I love this program - Everyone in the tower was talking about the trucks and there were emails going around work - there should be a food truck there all summer - really!!!"

"How fantastic to have the food cart option available in Surrey. I hope parkit will continue, and come back to the SFU Surrey area in the near future."

PARKit! was reactivated on July 9<sup>th</sup>, 2013 with a ribbon cutting ceremony and speech by Councillor Linda Hepner. The park design, titled "Take-Out", utilized take-out boxes as planters and table posts that support eat-in counters, creating an engaging social space. PARKit! will remain open to the public with daily, rotating food carts until August 31, 2013.

### **DISCUSSION**

The advantages and disadvantages of the two program designs (outlined above) do not indicate a clearly superior option. The optimum program design for the City will depend on the goals of the program and the regulatory framework in which the program will operate. It is staff's view based on the success of the PARKit! program in 2012 and the success that other cities have achieved with street food cart programs, that Surrey should proceed with

an expanded program of food carts within a regulatory framework that guarantees compliance with existing public health and safety standards while also preserving sufficient flexibility for vendors to innovate and differentiate their product offerings. Research has shown that this approach frequently contributes to a successful and vibrant street food scene.

One goal for Surrey's food cart program should be to contribute to the invigoration of the Surrey City Centre area.

It is proposed that the Surrey food cart program borrow aspects from both the "pod" and "single location" approaches referenced above. A guiding principle for the Surrey food cart program will be "co-location" (referring in this circumstance to having multiple vendors operate at the same place). Accordingly, subject to Council's approval, staff intends to identify a small number of locations that would each be able to host multiple food carts.

The proposal to limit food carts to a small number of locations each pre-approved by the City is supported by the following considerations:

- it will facilitate easier enforcement of the City's regulations related to food carts by ensuring the City is aware of where and when vendors are operating;
- by maintaining the framework already established by PARKit!, where vendors
  do not operate in isolation, the transition for vendors to the expanded program
  should be easier; and
- the City will be able to observe and monitor how the program is actually functioning on the ground and then make any necessary adjustments to the program in response to issues as they arise.

Once the City is satisfied that the program is operating smoothly, consideration could be given to allowing more flexibility in the operation of food carts in the City.

### **Implementation Steps**

It is proposed that a working group (the "Working Group") will be established to oversee the development of the program with particular focus paid to each of the following areas:

- Public Consultation;
- Locations & Site Design;
- 3. Program Logistics; and
- 4. By-law Amendments.

The Working Group would be composed of staff members from the By-laws & Licensing Section; the Engineering Operations Division; the Engineering Traffic Operations Section; the Area Planning Division; the Parks, Recreation and Culture Department; and the Legal Services Division.

The following sections describe the work that will be undertaken in relation to each of the above-noted elements.

### 1. Public Consultation

The Working Group will engage in consultation with organizations including, but not limited to: local Business Improvement Associations, the B.C. Restaurant and Food Services Association ("BCFRA") and the Fraser Health Authority. These discussions would seek to address concerns regarding the impact of food carts on existing businesses as well as to identify requirements that should apply in relation to food cart inspections and food standards. The general public would be invited to contribute views as part of this process. Consultation would also seek to gather opinions on the most appropriate process for selecting vendors, the allocation of licences for each location and possible requirements associated with each licence.

One objective of the consultation process would be to identify sources of potential opposition to the food cart program and seek to identify measures that would serve to mitigate or ameliorate such opposition.

### 2. Location & Site Design

Staff has already identified a number of locations as being suitable for food cart operation. A site near the Central City/SFU development, for example, represents an ideal site for the establishment of a small number of food carts while a site adjacent to the North Surrey Rec Centre has already demonstrated its viability for food carts through the PARKit! program.

Informed by the results of its consultation process, the Working Group will be tasked with preparing detailed plans for a number of City-approved sites where food carts would be permitted to apply for a licence.

### 3. Program Logistics

Staff anticipates that licences will affect two different aspects of the food cart program. The first aspect relates to determining <u>which individuals</u> are permitted to operate a food cart, while the second aspect is concerned with determining <u>the locations where food cart</u> <u>operators will be permitted to carry on business</u>. In each case, it is contemplated that enforcement of licence conditions would be carried out by By-law Enforcement staff.

Informed by the results gathered through the consultation process (referenced above), the Working Group will consider the following issues:

- 1. How will licences to operate food carts be issued?
- 2. What conditions will be attached to the licence?
- 3. How are locations to be allocated?

Some discussion on these questions is provided below:

### 1. How will licences to operate food carts be issued?

A number of different methods exist for awarding licences to prospective food cart operators. These methods include:

- having a panel select vendors on the basis of specified criteria;
- awarding licences via random lottery; or
- granting licences to all who apply (with no upper limit on the number of licences issued).

At this preliminary stage, the intention is to establish a list of criteria and then rank prospective food cart operators on that scale. The applicants who scored the highest would be the first to receive a licence. The Working Group will prepare a list of criteria and identify a selection panel that would be responsible for evaluating each application for a food cart licence.

### 2. What conditions will be attached to a licence?

A (non-exhaustive) list of factors to be considered by the Working Group includes:

- licencing requirements;
- garbage collection and disposal;
- encroachment into sidewalks/obstruction;
- sightline requirements;
- use of signage for advertising; and
- addressing damage to City infrastructure.

Garbage disposal, in particular, has been identified by other municipalities as an issue that can easily become problematic in the absence of requirements to address it. Portland, for example, reports that a majority of food cart sites do not have trash cans located nearby and that "there is no incentive to put out a trash can if [vendors are] not required to do so". Accordingly, the Working Group will consider how to allocate responsibility for monitoring and maintaining site cleanliness as well as enforcement in the event that littering becomes problematic.

The Working Group will also develop, as part of the licensing framework, sanctions to be imposed in the event that conditions are not respected.

### 3. How are Locations to be Allocated?

The Working Group will recommend how pre-approved food cart sites will be allocated to successful applicants, whether on a rotating or permanent basis (or via some other means).

### 4. By-law Amendments

The Working Group will review and establish for the recommended food cart program what amendments to City by-laws are necessary; including for example the City's Business Licence By-law (#13680).

#### SUSTAINABILITY CONSIDERATIONS

The recommended food cart program will assist in achieving the objectives of the City's Sustainability Charter; more particularly the following Charter scope action items:

- SC 4: Cultural Awareness in the Community;
- EC 6: Sustainable Practices through Business Licensing Operational Requirements; and
- EN 13: Enhancing the Public Realm.

### **CONCLUSION**

Based on the above discussion, the Legal Services Division recommends that Council:

- Approve in principle the development of a Surrey food cart program substantially as described in this report;
- Authorize staff to proceed with all necessary actions in relation to the detailing of such a program as generally described in this report; and
- Instruct staff to provide a further report to Council complete with detailed recommendations in relation to the implementation of the Surrey food cart program.

## Original signed by

Craig MacFarlane City Solicitor Original signed by

Laurie Cavan General Manager, Parks, Recreation & Culture

Vincent Lalonde, P.Eng. General Manager, Engineering

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Appendix "A" Summary of North American Municipal Street Food Vending Programs

## Appendix "A" – Summary of North American Municipal Street Food Vending Programs

City	Program Description	Program Rationale	Criteria for Location	Truck Location Approach	Number of Locations Pilot / Current	Vendor Selection Approach	Criteria for Vendors	Other
Boston	Vending on the Public Way — Opportunity to vend on prime locations Vending on Private Property — Exclusive claim to a site Vending on Special Properties — Rose Kennedy Greenway, etc.		Fiushable toilets and access to hand washing facilities for the use of the mobile food truck employees within five hundred (500) feet of each location where the mobile food truck will be in operation for more than one (1) hour in any single day No operator of a mobile food truck shall park, stand, or move a vehicle and conduct business within areas of the city where the permit holder has not been authorized to operate	The City of Boston has preapproved locations that are shared among many Food Trucks Vendors are welcome to apply for sites not listed in the pre-approved locations selected by the City Live lottery held bi-annually for prime sites Site licence application is reviewed by Mobile Food Truck Committee Vendor provides proposed service route and hours of operation with a detailed schedule of times and locations where the mobile food truck will be stationary and serving food		The application must receive the approval of each of the Departments, based on duly published criteria established by the Committee, prior to its final approval and the issuance of a permit by the Commissioner		
Calgary	Stand-alone trucks Temporary pods on privately owned land Not required to work from one approved location, but must observe location guidelines No more than 2 full service food vehicles may carry on business on any street along a single block face as measured from corner to corner	Food vehicles operating on the street increase street vitality and foster a lively street food scene in Calgary Rules limiting on-street locations are introduced to address the interaction between public realm activity taking place on the street and private land use This rule limits the number of Full Service Food Vehicles operating on one block face as a means of addressing sidewalk congestion and managing the interface between the public and the private realm  "Initially there was desire to go to a different location each day and that part of the nature of the business is to be unpredictable providing	There is a list of prohibited streets where full service food vehicles are not able to operate  Full service food vehicles must adhere to the parking restrictions in place and generally locate with consideration of the following:  Must not locate on the street within 100 m of a park (excluding downtown)  Must not locate on the street within 100 m of a school  Must have written permission to operate within 25 m of a food service establishment when open and operating.  Operation is prohibited on primarily residential streets or directly in front of a residential building.  No more than 2 full service food vehicles may	Full service food vehicles have the flexibility to locate on private property, at festivals and on the street (excluding prohibited areas)	During the pilot phase, participation was capped at 43 full service food vehicles     Administration is not proposing to limit the number of full service food vehicle licences issued	At this time there is no limit to the number of vendors the City will licence	Each unit must have a valid permit and licence	Full service food vehicles are expected to pay for parking as designated by the posted parking control device for the total duration of the occupancy of a parking space

City	Program Description	Program Rationale	Criteria for Location	Truck Location Approach	Number of Locations Pilot / Current	Vendor Selection Approach	Criteria for Vendors	Other
		unique opportunities in new areas each day found either by walk by traffic or via social media"  "Vendors now finding parking is a challenge and would like designated spots/creation of pods"	carry on business on any street along a single block face as measured from corner to corner.  This is a permissive restriction in that the distance does not apply when permission of the food service establishment is obtained or when it is not open.  Vendors are not to stay at one on-street location and vend for a period of greater than 4 hours.					
Houston	Conventional unrestricted mobile food units may operate at one location or multiple locations			Submit to the department a list of locations where the mobile food unit will be in operation.     The operator shall also give written notice at least two business days prior to beginning operations at or relocating operations to any location not currently included on the list of active locations submitted to the department				Trucks that do not operate at any location for more than an hour per day do not need restroom or property letters  Trucks that do not dead for the dead restroom or property letters
Los Angeles	Food trucks are permitted to park at metered spots     Based on first come, first served in terms of vendor set up	Restricts parking for oversized trucks to increase visibility for drivers in the area	Regulation was passed that requires mobile eateries to move location every hour. The regulation was driven by brick-and-mortar restaurants in East L.A. who complained that taco trucks were negatively impacting their businesses  Remaining in the same place for more than an hour is now a criminal misdemeanor enforceable by \$1000 or six months in jail  Food trucks park curbside where vehicle parking is permitted  Ordinance overturned in 2009					
New York	Carts on permitted streets     Trucks curbside where     parking is permitted     Carts, trucks, trallers on		<ul> <li>Food vending is permitted throughout the city except on streets specifically designated as "restricted", where vending</li> </ul>	Vending permitted throughout the City with the exception of restricted areas		There are no restrictions on the number of licences issued, but food cart permits have been capped	Food vendor licence (operator) and mobile food cart permit (equipment) are	The moratorium on food cart permits has led to widespread

City	Program Description	Program Rationale	Criteria for Location	Truck Location Approach	Number of Locations Pilot / Current	Vendor Selection Approach	Criteria for Vendors	Other
	private property		is partially or completely prohibited  Cart permits are not tied to a specific location			at 3,000 for several years	required	abuse of the non-transferable permits
Ottawa	Stand-alone truck / cart			Only one space will be allocated to a successful applicant Applications are to review the locations and identify the 'top 5' preferred vending locations on the application Offers of a space will be made based on the availability of space and the score the application receives from the selection panel	25 (12 for carts, 13 for trucks), made up of former spots now vacant and newly created one     Ottawa is granting 20 new permits for food carts and trucks	Vendors selected by an impartial Street Food Selection Panel made up of volunteer representatives from the Ontario Restaurant, Hotel & Motel Association (ORHMA), the Ottawa Branch of the Canadian Cullnary Federation, Savour Ottawa, Just Food and Ottawa Public Health	Street food vending selection criteria  Business plan Applicant's qualification & experience Unit design & commissary details Menu diversity & innovation Overall readiness/participat ion A total score of at least 70 points is required to pass the evaluation process Applicants will be offered one of 20 designated spaces being allocated for 2013 based on highest score and the availability of spaces	
Portiand	Portland's approach has encouraged the recent growth of carts on privately owned commercial land, rather than on sidewalks Portland permits: Street carts on public right of way (sidewalk or curbside) Carts, trucks, trailers on private property	Food carts have positive impacts on street vitality and neighborhood life in lower density residential neighborhoods as well as in the high density downtown area When a cluster of carts is located on a private site, the heightened intensity of use can negatively impact the surrounding community, primarily from the lack of trash cans It is in the City's best interest that food carts act as interim uses of vacant lands and not preclude development; however, this diminishes the stability of cart sites Many existing public and	Food trucks are only permitted in commercial zones Sidewalk vending carts are subject to a number of site requirements and restrictions, including: Vending carts are only allowed in commercial zones No food vendor application can be accepted for a permit operating area where a restaurant, fruit stand or coffee shop with direct access to the sidewalk is within 100 feet on the same block face, except with the written consent of the proprietor of the restaurant, fruit stand, or	PDOT strictly specifies how many push carts can locate on each block, the appropriate distance between carts, and minimum setbacks from the road and surrounding buildings	Approximately 480 food carts currently	Portland does not currently restrict the number of food carts in the region		An estimated 85% of the City's 500 carts, trucks and trailers are located on private land Brett Burmeister of Food Carts Portland explains that "The one thing that's different with Portland is that we didn't design it. It created itself, just through an interpretation of the laws, but we don't have the laws that were created in other

City	Program Description	Program Rationale	Criteria for Location	Truck Location Approach	Number of Locations Pilot / Current	Vendor Selection Approach	Criteria for Vendors	Other
		private spaces benefit from the presence of food carts, especially to promote interim Infill in commercial nodes outside the central business district  Food trucks offer interim uses on vacant lots, on underutilized sites, and brownfields	coffee shop  One person may not have permits for adjacent permit operating areas  The immediate operating area cannot exceed twenty-four square feet of the sidewalk  The site shall not be within (10) ten feet of the intersection of the sidewalk with any other sidewalk					cities.*
San Francisco	City determines locations trucks are permitted Vendors can share a location, provided either the space allows for the same day & time; or for vendors that agree to alternate days and times	Applicants having difficult time finding suitable locations to park their mobile food vendors that meets parking and traffic sign restrictions and does not upset the brick and mortar establishments Applicant may be issued a permit for the facility to operate at multiple locations or for the location itself that can permit multiple facilities  "Multiple trucks at one location is the closest offering that we have to a POD like scenario. The applicants are required to choose their own site locations based upon commercial areas within San Francisco"  "The City was not introduced to the POD idea until after the legislation had been created. Now it is difficult to get all parties (mobile food vendors and brick and mortars) to agree on any amendments to the legislation"	All Mobile Food Facilities must maintain a minimum clearance of:  — 8' from Street Artist — 5' from Curb Return — 6' Path of Travel — 6' from Street Furniture — 7' from Fire Hydrant — 8' from Bus Zones — 12' from Blue Zone — Fifty (50) foot minimum distance between a mobile food facility and an existing restaurant in the absence of consent from that restaurant  Not permitted in P (public) district  Vendor shall not be located in any residential ("R") district other than a residential-commercial combined  Cannot operate within 1 city block of any school	The specific location(s) of the activity, Including a detailed description of where the applicant intends to place his or her truck Applications on a first come first serve basis Certain locations that may accommodate more than one (1) truck will also be accepted and filled on a first come first serve based upon complete applications		Accepts complete     applications on a first     come first serve basis		
Toronto	A la cart – single carts	A la cart program based on branding     Program failed	An interdivisional staff group evaluated parks and civic square locations based on the	Vendors were asked to indicate their preferred locations	The thirteen Pilot food vending cart locations	The vendor selection process was initiated by a media release and posting	The following criteria was used in selecting food vendors:	<ul> <li>Plan for program monitoring and evaluation</li> </ul>

City	Program Description	Program Rationale	Criteria for Location	Truck Location Approach	Number of Locations Pilot / Current	Vendor Selection Approach	Criteria for Vendors	Other
		Council decided to discontinue the Toronto A La Cart Street Food Pilot Project immediately, before what would have been the third season of the pilot project Working group was developed to come up with a new program Too many regulations made the food cart business unviable for many vendors	criteria of pedestrian volume, proximity to existing vendors, access to the street system, and availability of hard surfaces for cart placement  Successful locations are in areas which possess a combination of some of the following qualities: significant pedestrian traffic; little or no competition from other nearby street vendors or fast food outlets; customers have access to nearby outdoor seating; are close to events which attract large numbers of people, especially around meal times; are either so busy during the lunch hour that sufficient sales can be made to financially sustain the vendor or have sufficient ongoing pedestrian traffic; and ample space on the publicly owned sidewalk  Sufficient sidewalk space to allow for the enlargement of the permitted space ranging from 3.90 to 4.45 square metres while maintaining compliance with existing bylaw provisions and without compromising the pedestrian clearway	Vendors were offered locations based on their overall score in the competition.  Selected vendors were invited to choose locations from the list of approved locations based on application scores, i.e. the vendor with the highest score chose first  Four of the approved vendors decided not to proceed because they were unable to vend from their preferred location		of the Request for Information and Application  A two stage selection process followed, with the first stage involving screening by City staff using the criteria below as well as a business plan review. The second stage involved an expert panel that judged the proposed food Items from the standpoint of the food industry and culinary excellence	- ethnic diversity of food items; - quality of food and sultability for street vending; - nutritional content; - use of local produce/food products (where appropriate); - financial capacity; - by-law/regulation compliance history; and, - experience and qualifications - business plans, - sales projections, and sampling of proposed menu items by a panel of independent food experts	Different fees for different locations The A La Cart locations are capable of generating average daily sales in line with the industry benchmark of \$300 - \$400 per day
Vancouver	Stand alone and pod style New opportunities for off- street food vending on zoned land approved on a trial basis for 2013 New vendors will be given the opportunity to form a "pod" with other new food carts (provided the location is suitable for multiple vendors)	Pods - issues include waste management, perceived fairness to neighbouring businesses, and building code issues     "The stand-alone food truck was never something established. It just so happened that during the first few years the vendors wanted their own piece of the City. This all changed when 5 vendors grouped at the art gallery 2 years back which was and is a huge success"	Engineering staff identify locations that conform to existing regulations     Cannot be located within 60 metres of an existing business with the same type of food, food concept, or theme     City staff evaluates each location to make sure that a food vendor is an appropriate fit, whether it be a sidewalk cart or an on street truck     If the cart is a sidewalk unit, the vending unit footprint must be determined to make sure there is adequate space	Selection for vending locations was conducted through a lottery system  Successful applicants that receive a permit submit their desired locations. The City does not dictate location but does have restrictions that the proposal must meet. Usually ask for about 5 proposals from each winning applicant	<ul> <li>Pilot program had 17 licences</li> <li>There are 114 trucks in 2013</li> </ul>	Pilot Selected by lottery 2011 Taste test by judges	Pilot program applications reviewed by nutritionist     With the 2011 program, the applicant with the highest combined scores from the application and taste test process were awarded new street food cart vendor permits and locations	Curbside locations ranged from \$1,500 per annum to as much as \$2,400 per month, per meter Lessons learned from pilot project Successful program expansion depends on partnerships between many

City	Program Description	Program Rationale	Criteria for Location	Truck Location Approach	Number of Locations Pilot / Current	Vendor Selection Approach	Criteria for Vendors	Other
		Building on that success we wanted to push the pod style in other areas of the City. We have found that both options are successful" The really comes down to location, pedestrian traffic, and vendor preference"	for pedestrians and that it does not interfere with other sidewalk permit usage, such as patios Cannot block any emergency/ rescue routes if parked on the street, the spot must be a legal parking location and the parking rates must be paid					City departments and key partners Enhanced screening mechanisms are important to ensure vendor readiness  Improvements can be made to selection process and other program requirements (e.g. nutritional standards)  Quality of the program will be maintained by on-going consideration of ideas and concerns that may arise from various partners.



## CORPORATE REPORT

NO:

R114

COUNCIL DATE: May 28, 2012

REGULAR COUNCIL

TO:

**Mayor & Council** 

DATE: May 28, 2012

FROM:

General Manager, Planning and Development

FILE: 6520-20 (Surrey City

Centre)

SUBJECT:

Update on the Community Building Strategy Component of the

**Surrey City Centre Plan** 

#### RECOMMENDATION

The Planning and Development recommends that Council receive this report as information.

#### INTENT

The purpose of this report is to provide information regarding the status of the Community Building Strategy component of the Surrey City Centre Plan.

#### BACKGROUND

On February 9, 2009, Council considered Corporate Report No. Coo1 and subsequently approved the Surrey Centre Plan Update- Phase II - Stage 1. Council at the same time authorized staff to move forward with the Stage 2 component of the Plan.

On July 25, 2011, Council considered and approved the recommendations of Corporate Report No. R151 entitled "City Centre Plan Stage 2 Status". This report provided an updated Land Use Density Concept, a new Building Heights Concept and an updated neighbourhood park areas concept and introduced the Finer Grain Road Network Plan Concept and Green Lanes related to the City Centre Plan. The report also advised that work was underway on a City Centre Community Building Strategy.

#### **DISCUSSION**

A Community Consultation Process for the Community Building Strategy has been completed and actions will be taken in response to the input that has been received through that consultation process. This is documented in more detail in the following sections of this report.

### **Community Consultation**

The intent of the Community Building Strategy is to foster a sense of belonging and community among the residents and businesses in City Centre. This is a crucial element in creating a true "downtown" that is attractive, safe, vibrant and successful.

The Planning and Development Department undertook a consultation process to build an understanding about what residents and business owners think is necessary in relation to creating a vibrant downtown for Surrey. Survey questionnaires and focus groups were used in the consultation process. Focus groups included residents from the City Centre area as well as employees who work in each of the Gateway Tower and the Central City Tower and students from the Simon Fraser University Surrey Campus. Input was also solicited from the Downtown Surrey Business Improvement Association and from the owners of businesses that are located in the City Centre. Interviews were conducted with some long time residents of the City Centre area.

Those involved in the consultation process identified the following as positive assets of Surrey's City Centre:

- Close proximity to Skytrain;
- · Access to mall and shopping;
- Presence of SFU and office towers;
- Annual Fusion Festival; and
- Iconic Central Library.

In addition, the following were ranked by those involved in the consultation process as the most important elements to add to the City Centre area to create a vibrant downtown:

### 1. Quality Entertainment

Feedback indicated that a key missing element in the City Centre area is entertainment, a "reason to hang out downtown". Although people opined that the Fusion Festival was a key positive feature with regard to entertainment, day-to-day entertainment venues needs to be improved in the area.

Specifically, references were made to the need for quality restaurants, venues for concerts or spectator sports, movie theatres, small-scale street performers and buskers. Appendix I provides a sampling of specific quotes that were documented during the focus group sessions.

### 2. Walkability and Comfort

Most respondents spoke about the need for a better pedestrian experience in City Centre. Residents, employees, and students advised that the walking environment between SFU and the Surrey Central Skytrain Station on City Parkway was reasonable but other key areas needed improvement.

It was stated that King George Boulevard was noisy and busy, being described as a "driving street not a walking street". Respondents indicated that, in general, they drove to and between destinations in City Centre. Reasons for this behaviour included a lack of pedestrian connectivity due to the large block sizes, heavy traffic including truck traffic making streets unpleasant to walk along and uninteresting streetscapes.

### 3. Arts and Culture

Those engaged in the consultation process viewed the new Central Library as a very positive element, providing an iconic feature for the downtown. They desired to see more places that provide a draw to the downtown, at a smaller scale as well. Examples cited include art galleries and museums as well as a desire to see the historical aspects of Surrey incorporated into the new urban landscape.

### 4. Connection to green space/public space

The desire for green space and outdoor public meeting space were also key elements about which respondents remarked. Holland Park is considered to be a significant asset in the area. Respondents were of the view that more small-scale green spaces as well as small plaza spaces with benches should be provided in the area. Residents of the high-rise towers in the City Centre are identified the need for more dog off-leash park areas in close proximity to the high-density areas.

### 5. Safety at Night

Concern about personal safety at night was a common theme raised in the focus group discussions. Residents, employees and students alike held the view that there needed to be more activity in the evening. It was indicated that the activity during the day made the core of the downtown area feel vibrant and safe; however, the lack of activity at night made the same area feel barren and unsafe.

### 6. Clean Up

Respondents indicated that while the area was improving in terms of cleanliness and beautification some areas still required attention.

### Response to Public Feedback

The input received through the consultation process confirmed that the current work, which is underway as part of the City Centre Plan Update, including beautification elements and crime prevention initiatives are well, aligned with community views in relation to creating a vibrant downtown. Projects such as vacant lot beautification, graffiti removal and the banner program along with the City's community beautification grants are aimed at improving neighbourhood spaces, promoting neighbourhood activities and developing a stronger sense of civic pride. Alongside with these beautification efforts, crime prevention initiatives are also being undertaken in the City Centre area involving a team of City staff, RCMP members, community stakeholders and local businesses.

The Community Building exercise indicated that residents, employees and students want to experience better pedestrian comfort, including places with seating. They also want to experience more street entertainment and improved connections to green spaces in the City Centre area. City staff is examining means by which to create more interest and vibrancy in the downtown public realm. Future development in the area will bring public amenities such as seating and small-scale plaza spaces but this transformation will take some time to occur as it will parallel new development in the area.

To activate the City Centre area in its current state of development staff piloted a project named PARKit, which introduced small-scale activities in public space in the City Centre area over a 10-day period at the end of April 2012. The results of this test are detailed in the following section of this report.

#### **PARKit! Event**

The PARKit project involved a temporary conversion of a parking lot in City Centre to a mini urban "pop-up" park. A structure was constructed involving a series of platforms and seating cubes along with a grassy area, landscaping plantings and a wooden deck. Appendix II contains a site layout plan of the PARKit area while Appendix III contains a series of photographs of the area.

The PARKit project was located in a high pedestrian traffic area under the Skytrain guide way near the North Surrey Recreation Centre. The project was designed in attempt to create a pedestrian-friendly space for pedestrians to use by chance, as a place for people to meet and as a place for employees of adjacent buildings to relax or enjoy their lunch.

As part of the project, street food cart vendors sold interesting food including Salvadoran pupusas, Vietnamese food, Asian-grilled skewers, and hotdogs. Food carts are a thriving trend in cities such as Portland, New York, and Vancouver.

Through a PARKit website, the public was invited to comment on the project. Response to the food carts was very positive. Feedback showed that people enjoyed having seating in the area along with the food vendors and there was strong interest in more of this kind of programming. One of the respondents advised, "I just ate at the Guanaco pop up cart at Surrey Central today loved it! Please bring more, on a regular basis!" PARKit was also mentioned on many blog sites with one excerpt being, "Having stumbled upon the sight today, I must say that I am incredibly impressed. The City has chosen an active corner with abundant pedestrian traffic."

The food cart vendors advised that there were a wide range of users in the space and that people were curious and friendly. Even though the site was not secured overnight during the 10-day pilot, the PARKit site did not experience any vandalism.

#### Food Cart Studies

Research supports the success of food carts as an element for creating neighbourhood vibrancy. A study titled, "Food Cartology: Rethinking Urban Spaces as People Spaces," was commissioned by the City of Portland and reviewed the food cart industry in four of Portland's neighbourhoods. The report indicates that the presence of food carts in each of the study areas contributed to increased neighbourhood vitality by fostering social interaction and walkability.

The study also stated that the food carts contributed to increasing the sense of safety on the streets. Food carts become places where people meet while waiting for food, which in turn attracts more people. Vacant lots and parking lots can create gaps in the pedestrian environment, with no 'eyes on the street'. Such circumstances decrease the perception of safety and deter people from walking on the street. Interim uses, such as food carts, fill those 'gaps' and create activity on the street, which in turn establishes a sense of safety.

### Next Steps

Staff will continue to test the PARKit project at various times this summer. In addition, staff will gather feedback from other municipalities to better understand the food cart industry and its role in public space activation as well as impacts on local businesses within the area.

A further report on the outcome of staff's continuing research will be forwarded to Council later this year.

### **CONCLUSION**

This report outlines progress that has been made in the Community Building Strategy component of the Stage 2 element of Surrey City Centre Plan Update process. It also details some early results of the PARKit! event. Staff will provide a further complete report on the Community Building Strategy for the Surrey City Centre Plan later in the year.

Original signed by Jean Lamontagne General Manager, Planning and Development

PH:saw

Attachments:

Appendix I City Centre Focus Groups- Key Themes and Sampling of Quotes

Appendix II PARKit! Site Layout

Appendix III Photos of the PARKit! Event held from April 17-26, 2012

### Focus Groups- Key Themes and Sampling of Quotes

### 1. Quality Entertainment

"Give me a reason to hang out downtown"

"I'd like to see street performers/buskers."

"We need a large venue for concerts, sports, conventions, etc."

"It is important to have small venues for theatre/improv, small musical performances."

"There are no movie theatres here; I have to drive to Guildford or Newton."

"We need better restaurants, mostly fast food here."

"I love the Fusion Fest, but we also need smaller scale festivals."

### 2. Walkability and Comfort

"I get in my car to get to each destination; it's not pleasant to walk"

"A main shopping street would create interesting places to walk along"

"King George Boulevard is noisy and busy, not a good atmosphere, it's a driving street not a walking street"

### 3. Arts and Culture

"We need to create/highlight something that is interesting, a destination, something uniquely Surrey"

"I want to show my out-of-town visitors places here, but not too much nothing really is a draw"

"A vibrant downtown needs art galleries and museums"

"We should incorporate historical aspects at Whalley's Corner"

### 4. Connection to green space/public space

"I can see Holland Park from my office, but I don't go there, it takes too long to get to during my lunch hour"

"We need off-leash parks to walk our dog, even those small "pocket" off- leash areas in some cities"

"I would like to see more places to sit and meet friends, nice plazas and benches"

### 5. Safety at Night

"Create more activity, draw people at night"

"We need better lighting"

"It feels safer during the day, there are lots of people, but it feels desolate and unsafe in the evening"

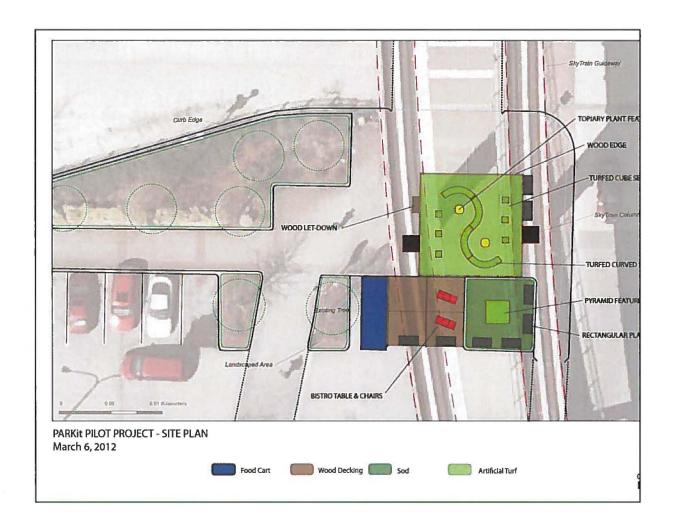
### 6. Clean Up

"The garbage and unsightly properties need to be cleaned up; there are some bad ones on the back side of King George and also the property by the Gateway Skytrain station"

"It's getting better, but it's not there yet"

"Garbage still gets dumped here"

# **PARKit Site Layout**



## Photos Related to the PARKit Event









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