



City of  
**Prince Albert**

**RPT 23-241**

**TITLE:** Request for Change in Mobile Food Vendor Policy

**DATE:** June 8, 2023

**TO:** Executive Committee

**PUBLIC:** X

**INCAMERA:**

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**RECOMMENDATION:**

That this report providing information on Section 7.02 a) i. of the Mobile Food Vendor Policy be received and filed as information.

**TOPIC & PURPOSE:**

The purpose of this report is to examine Section 7.02 a) i. of the Mobile Food Vendor Policy, allowing mobile food vendors to operate more freely within Prince Albert.

**BACKGROUND:**

In 2019 administration prepared a Mobile Food Vendor Policy for Council's consideration intended to manage how Mobile Food Vendor's (MFV's) operate within the City of Prince Albert. It was originally passed with the general criteria that MFV's shall not be located directly in front of an existing permanent restaurant property line without written permission of the restaurant owner.

Council resolution 0190 was approved as follows:

*"That the Mobile Food Vendor Policy, as attached to RPT 19-174, be approved."*

After 2019 it was reviewed in Council again in August of 2020. At this meeting is when the 100 meter boundary was put in place as per Council resolution 0353:

*"That the Mobile Food Vendor Policy 58.2 be amended by removing Section 7.02 a) i. and Section 702 d) i. and ii. and replacing it with the following:*

- a) *General Location Criteria*

*i. Mobile Food Vendors shall not be located within 100 metres of a permanent restaurant property line*

*With the following exceptions being pre-approved locations included in section 7.02 b), c) and d); When written permission is provided by the owner or manager of restaurants within the applicable buffer area; or*

*When the mobile food vendor is operating as a part of an approved event or festival.*

*d) Mobile Food Trailer or Truck*

*At on-street metered parking along River Street East between Central Avenue and 1st Avenue East;*

*At on-street metered parking along 10th Street East between Central Avenue and 1st Avenue East.“*

Recently, Mobile Food Truck “Buzfood” owner and operator Denneil Carpenter provided Executive Committee with a letter (attached), requesting a change to the Mobile Food Vendor Policy to reduce the separation distance requirement between mobile food vendors and restaurants. They hope to lease a space at the corner of 28th Street West and 2nd Avenue West; however, there are currently a number of local restaurants within 100m of the site, which inhibits them from utilizing this location.

At the Executive Committee meeting, dated April 3, 2023, resolution number 0081 was approved as follows:

*“That CORR 23-22 be received and referred to the Planning & Development Department for review and report for consideration at an upcoming Executive Committee meeting.”*

**PROPOSED APPROACH AND RATIONALE:**

MFV’s are currently allowed to operate at the following locations in Prince Albert. Please refer to the map for locations they can operate without consultation.

- I. At on-street metered parking along River Street East between Central Avenue and 1<sup>st</sup> Avenue East
- II. At on-street metered parking along 10<sup>th</sup> Street East between Central Avenue and 1<sup>st</sup> Avenue East
- III. Directly abutting Kinsmen Park north of 26<sup>th</sup> Street East and West during

park operating hours

- IV. On City owner vacant lots, with the approval of the Director of Planning and Development Services or their designate and the Mobile Food Vendor may be required to enter into a License Agreement, or similar, with the City Prince Albert;
- V. At Prince Albert (Glass Field) Airport, with the approval of the Director of Community Services or their designate; and
- VI. At any City facility or park, with the approval of the Director of Community Services or their designate; and
- VII. On private property with written permission of the property owner and approval of the Director of Planning and Development Services of their designate.”

Following the April 3<sup>rd</sup> Council meeting, Administration engaged with Food Truck operators, while also following up with some local restaurants in the area:

### **Food Truck Owners**

Administration attempted to contact 13 previously licensed Food Truck owners/operators but only 9 were available for comment. A summary of the comments are provided below:

- Prince Albert is not food truck friendly
- Policy is too restrictive
- The food industry is a competitive market where both restaurants and food trucks MFV's should be able to operate more freely throughout the City of Prince Albert
- Very much in favor of reducing the separation distance.

However there were also some comments from MFV's that agreeing with the Policy, understanding of how much it costs to run a brick & mortar restaurant.

Also some MFV's felt unaffected by the policy as they only operate during special events.

Currently for the year of 2023 there are 9 Mobile Food Vendor Licenses in the City of Prince Albert.

### **Restaurants**

Administration contacted the restaurants in the immediate area of 28<sup>th</sup> Street West and 2<sup>nd</sup>

Avenue.

A summary of their comments is listed here:

- Many restaurants are currently struggling and have already had to consider selling and/or closing
- Was aware of when Saskatoon changed their policy and was told there was a dip in business amongst restaurant owners there once their policy was changed
- Policy is currently fair to everyone who operates in the City
- There is more opportunity in mobility and it should be a strength that can be used to be creative. MFV's should use that to their advantage.
- Restaurants pay very high commercial tax's in comparison to MFV's

Overall, restaurant owners feel that the Policy is fair. It provides an opportunity for a new type of business in allowing for MFV's, while also protecting the current restaurants in the area

### **Municipalities**

Administration also reviewed other Municipalities Policies in regards to MFV's and found that 20m from existing restaurant property lines is a consistently applied buffer distances between the operations.

### **CONSULTATIONS:**

Consultations were had with the Food Truck Operators, Restaurant owners in the immediate area of 28<sup>th</sup> Street West and 2<sup>nd</sup> Avenue, and other municipalities in regards to their Mobile Food Vendor Policies.

### **COMMUNICATION AND/OR ANNOUNCEMENT PLAN:**

Administration will contact the existing and licensed mobile food vendor operators and the restaurant owners to update them as required based on Council's decision.

### **POLICY IMPLICATIONS:**

Mobile Food Vendor Policy 58.3 may need to be amended at an upcoming City Council meeting subject to Council's decision in regards.

### **FINANCIAL IMPLICATIONS:**

Currently, the City has a fee of \$150.00 for the calendar year to operate a food truck. If the distance for operations decreases, making it more favorable for food trucks to operate, this could increase the number of applicants as well as operators. Which could be reflected in larger administrative and bylaw officer's workload. This could lead to an increase in annual

fees for the Mobile Food Vendor License if the decision is made to reduce the boundary.

**OTHER CONSIDERATIONS/IMPLICATIONS:**

There are no privacy implications in regard to this report.

**STRATEGIC PLAN:**

This report supports the long-term strategy to maintain existing amenities and infrastructure under the area of focus for Economic Diversity and Stability.

**OFFICIAL COMMUNITY PLAN:**

This report is in line with the OCP because it aims to ensure development and a business friendly environment to help attract diverse and long-term economic growth through partnerships between business, government and the community. That a healthy economy is based on balance and has a proactive, multi-dimensional approach, where all stake holders are considered when making decisions. This report aims to balance the social and physical environment to ensure a healthy business and living environment in Prince Albert.

**OPTIONS TO RECOMMENDATION:**

Executive Committee may choose to reduce the buffer to a more reasonable distance such as 50m (approximately half of a block).

This option is not being recommended at this time, as Executive Committee only requested further information on this item so that a more informed decision could be made in considering the request. However, as a result, if Executive Committee feels that a change is warranted, this option seems reasonable.

**PUBLIC NOTICE:**

Public Notice pursuant to the Public Notice Bylaw No. 24 of 2015 is not required.

**PRESENTATION:**

Verbal Presentation By:

Craig Guidinger, Director of Planning & Development

**ATTACHMENTS:**

1. 58.3-Mobile Food Vendor Policy
2. Map of Mobile Food Vendor Locations of Operation

Written by: Nicholas Thomas, Economic Development Coordinator

Approved by: Director of Planning and Development Services & City Manager