Municipality of Northern Bruce Peninsula
Council Report

Report Number: BD 23-30

Subject: By-law to provide for the Licensing, Regulating and Governing Food Truck Businesses

From: Wendy Elliott, CBO

Date: November 14, 2023

Recommendation:

That Council receives BD Report 23-30, entitled “By-law to provide for the Licensing, Regulating and Governing Food Truck Businesses”,

And, that the report is uploaded to Let’s Talk NBP for public comment until November 27th, 2023;

And, that a subsequent report be brought back to Council with By-law 2023-94 for passage on December 11, 2023.

Background:

Food trucks play a role in promoting sustainability within the food industry while contributing to economic growth. Due to their smaller scale, food trucks have the potential for greater energy efficiency and waste management. Integrating food trucks into a community also presents opportunities for small business owners to establish a brand at a smaller level before expanding into a more substantial enterprise, such as a sit-down restaurant or potentially even franchising food trucks.

In 2022, Cuesta Planning Consultants prepared a report for Council to address various housekeeping amendments such as Food Trucks. Food trucks are referred to by a variety of names such as mobile restaurants, refreshment trailers, chip wagons and motorized food vendors.

In By-law 2002-54, food trucks are referenced as chip wagons which are defined as “a trailer, or vehicle that is designed to be made mobile, from which food is prepared and offered for sale to the public for consumption outside” and are only permitted as an accessory use to the principal use on a commercially zoned property. Portable food outlets and chip wagons are terms that are derived from of the general “Eating establishment” use definition.

The Cuesta Report recommended that the Municipality consider approving a food truck by-law. It was recommended that the by-law include a maximum number of annual food trucks within the municipality, set out the method of allocation of location of food trucks and develop specific application requirements.

Comments:

Within neighboring Municipalities there is a prescribed maximum limit on the number of food trucks. For instance, the Town of South Bruce Peninsula allows a total of 29 food trucks distributed across designated geographical areas. Specifically, within the Sauble Beach area -10, and the Town of Wiarton - 6.

It is to be noted that there are currently 7 food trucks/portable outlets in Tobermory and 1 food trailer in Ferndale.

In accordance with attached Bylaw 2023-94, it is stipulated that Food Trucks should be considered as accessory to a primary building use on a property. Food trucks must comply with the setback provisions outlined in the relevant zone that is applicable to the land and should possess a valid business license.

Considering the forthcoming implementation of the food truck licensing by-law on January 1, 2024, it is recommended that an extension for the application deadline until March 1st, 2024.

Attachments:

1) By-law 2023-94- Being a By-law to Provide for the Licensing, Regulating and Governing Food Truck Businesses for the Municipality of Northern Bruce Peninsula.

Budget Implications:

N/A

Municipal Strategic Commitment:

1. Creating a strong & resilient economy
2. Maintaining a transparent & responsible government
3. Supporting the sustainability of environment and infrastructure
4. Building a safe & vibrant community

Respectfully submitted by:

Wendy Elliott
Chief Building Official

Approved by:

Peggy Van Mierlo-West,
Chief Administrative Officer