

To: Her Worship Mayor McKortoff and Members of Council

From: Christopher Garrish, Planner

Date: December 9, 2025

Subject: Mobile Vendors (Food Truck) Policy

Tracker No: AI-711

RECOMMENDATION:

THAT Council Policy No. PLA-016 (Street Food Vendor Selection and Approval Policy) be replaced with Council Policy No. PLA-016 (Mobile Vendor Selection and Approval Policy).

CAO Comments:

Approved for Council consideration.

Executive Summary:

The purpose of this report is to provide options for Council in relation to a proposed update of the “Street Food Vendor Selection and Approval Policy” (PLA-016 - 2021).

Background:

At its meeting of April 13, 2021, Council adopted the current version of its “Street Food Vendor Selection and Approval Policy”, in response to:

- a large number of inquiries regarding food truck vendor licences (e.g. resulting from Covid-19 restrictions on outdoor and indoor capacity at restaurants);
- implementation of a downtown plaza and desire for more mobile vendors at this location; and
- to streamline the application process and ensure the Policy was aligned with the Town’s Business Licence Bylaw.

Zoning Bylaw:

More recently, Council, at its meeting of September 24, 2024, adopted Zoning Bylaw No. 1395, 2024, which defined a “mobile vendor” as meaning “a vehicle intended to be moved from location to location, for the purpose of offering for sale food or retail products”.

The Zoning Bylaw further permitted “mobile vendors” to be located on parcels of land that have been zoned Town Centre, Commercial, Tourist Commercial, Industrial, Parks and Recreation

and Agriculture. (NOTE: this excludes a “mobile vendor” from being sited in the Low Density Residential, Medium Density Residential and Administrative and Institutional zones).

Business Licence Bylaw:

At its meeting of October 14, 2025, Council adopted Draft Business Licence Bylaw No. 1400, which simplified many of the regulations currently applied to “mobile vendor” on the basis that these generally relate to the use of public lands and can be better accommodated in any lease agreement negotiated by the Town with mobile vendor operators.

This includes deletion of the map schedule entitled “Potential Parks That Could Accommodate Stationary Street Vendors” (see Attachment No. 1 to this report) as this information is seen to better be addressed through Council’s Policy No. PLA-016.

Public Engagement:

In March of 2025, a survey was conducted to gather feedback on the potential introduction of “mobile vendors” (food trucks) within the community. The survey link was distributed through the following mechanisms:

- Mailed letters to existing business license holders;
- The Town of Osoyoos website; and,
- eNews.

The survey received 341 responses, predominantly from residents (314) with the remainder being submitted by “tourists” (25). The following information is provided as a summary of the results of the survey – a detailed account of survey responses is provided at Attachment No. 2.

Results indicate strong overall support for mobile vendors, with a majority endorsing specific high-traffic public locations as appropriate sites; 316 responses indicating support for “mobile vendors” (~93%) versus 24 expressing opposition (~7%).

The following are some selected comments that reflect the range of feedback received:

- 1. Year round business is important in Osoyoos. Please do anything to support businesses.*
- 2. Promenade and 85th street plaza are best spots.*
- 3. We need food trucks to present a more festive tourist resort environment.*
- 4. The town of Osoyoos is far too strict on food truck vendors... glad that you might now recognize they are a part of the future.*

Respondents were asked to identify where in Town they supported the siting of mobile vendors. Of the four choices were provided (i.e., 85th Street Plaza, Pioneer Walkway (parking lot by the bridge), Gyro Beach (behind the bandshell), the Promenade (at Gyro Beach), respondents indicated support as follows:

1. 85th Street Plaza – 241 respondents
2. Pioneer Walkway (parking lot by the bridge) – 239 respondents
3. Gyro Beach (behind the Bandshell) – 236 respondents

4. Promenade (at Gyro Beach) – 204 respondents

Respondents were also asked to provide other suggested locations. Some specific locations were provided including:

- Other Town parks (e.g., Cottonwood Park, Kinsman Park, Legion Beach, Lions Park);
- Near Town Hall;
- Parking Lot at 9129 Main Street*;
- Outside of bars, breweries and wineries*.

*NOTE: These locations are privately owned and are outside of the scope of the current review.

In similar fashion, respondents were also asked if there were locations that they did not support the placement of mobile vendors, and if so, to identify where and for what reasons they were opposed.

A majority of respondents indicated that there were no locations they did not support the placement of mobile vendors (~76%). Of the ~23% of respondents who identified unsupportable locations, a number of responses referred to placement near brick and mortar eating establishments or areas which would negatively impact traffic (e.g., Main Street, residential areas).

When some opposition was expressed in the survey results towards “mobile vendors”, these were typically general statements.

Analysis:

Administration considers it “best practice” to review and update formal Council Policies anytime a major regulatory bylaw review, like a zoning bylaw or business licence bylaw has been completed.

Updating applicable Policies ensures that references to bylaw regulations are current, that staff are not attempting to decipher potentially conflicting policy directions and that Council direction is being applied in consistent and transparent manner.

In this instance, Administration considers that regulations around the number of “mobile vendors” permitted per parcel, or within defined areas of Town is more appropriately located within the Zoning Bylaw as an intensity of use restriction and not in a Council Policy.

Similarly, application requirements for a business licence are more appropriately located within the Town’s Business Licence Bylaw and not in a Council Policy.

For these reasons, it is being recommended that zoning regulations and business licence application requirement be removed from Policy No. PLA-016.

Further, Administration considers the “Street Food Vendor Selection and Approval Policy” to be the preferred location for operational details related to the use of Town owned land for the purposes of accommodating “mobile vendors”.

Accordingly, it is being proposed that Policy No. PLA-016 be streamlined to provide direction on

Council's preferred approach to the number and location of "mobile vendors" on Town owned land only. The options considered for potential policy changes are summarized below.

Mobile Vendor Sites

An important component of Policy No. PLA-016 is establishing where in Town mobile vendors may be permitted to locate. Key in the siting process will be for the Town to consider placements that are optimal in terms of:

- Avoiding duplicating food truck offerings with that of a restaurant in close proximity.
- Optimizing food truck unique features and requirements with the best location (e.g. possibly assigning a solar truck to a location without a metered power outlet).

Administration examined a pre-identified siting system and a "quota system".

Pre-Identified Siting System

Under this option, the Town identifies specific spaces or pads on land owned by the Town that mobile vendors can locate on.

Mobile food vendors are generally located in spaces or pads within public parks or public gathering areas, as well as spaces within the road reserve (with the exception of controlled access highways such as Highway 3/97). Based on public survey results, Administration has identified the following locations:

1. 85th Street Plaza
2. Cottonwood Beach
3. Goodman Park
4. Gyro Beach (Bandshell)
5. Gyro Beach (Promenade)
6. Legion Beach, Safari Beach & Splashpark
7. Lions Park
8. Pioneer Walkway
9. West Bench Complex

Under this system, requests to locate a mobile vendor operation on a parcel owned by the Town that has not been identified in the Policy (using the list above) would be rejected.

This system provides for transparency with respect to potential siting options. It is also anticipated that there would be less administrative processing time required during the finalization of an agreement.

"Quota System"

The current Policy No. PLA-016 refers to utilizing a "quota system" to allow for the provision of mobile vendors on Town owned land.

A "quota system" for mobile vendors imposes a maximum density of mobile vendors that can be sited either within a specified distance from one another or within a parcel. This type of system does not set out specific spaces in which a mobile vendor may be sited in Town.

As noted above, the density of mobile vendors permitted per parcel or within defined areas of the Town would more appropriately be located within the Zoning Bylaw and bylaw amendments would be required to implement this system.

A benefit of this system is that it provides for flexibility for mobile vendor operators and the Town, while a drawback is that such a system lacks transparency as siting would be limited by servicing requirements and other constraints (e.g., traffic impediments).

Additionally, a majority of the administrative burden with respect to determining appropriate siting would be faced during the agreement negotiation phase and additional guidelines would likely be required to support staff.

Recommendation: That PLA-016 be updated to include a list of pre-identified sites.

Site Assignment Process

Another important component of Policy No. PLA-016 is establishing how the Town will allocate rights to use spaces on Town-owned land. "First come, first served" and "lottery system" were considered.

"First Come, First Serve System"

A "First Come, First Serve" system would involve the placement consideration based on the order in which complete Licence to Use applications are received by the Town between January 1 and March 1.

Each applicant would select their top three choices of the Town's pre-identified sites. Where more than one vendor selects the same location, the applications with the earliest date on a complete application would be considered first. Note that other considerations, such as avoiding competition with restaurants offering the same menu, will also be weighed prior to allocating a location. Where all three choices of location are not available, the applicant may request alternate siting based on availability.

"Lottery System"

A lottery system would involve the collection of applications up to a specified closing date, and License to Use Agreements would be issued based on a random draw, which would be undertaken within a specified time frame.

This system could result in unfavourable or inappropriate placements of the mobile vendor.

Recommendation: That PLA-016 be updated to include the assignment of spaces on a "First Come, First Served" basis.

Alternative

Conversely, the option to retain the current version of Policy No. PLA-016 is available to Council, but is not recommended due to recent changes related to the zoning and business licence bylaw updates.

Alternatively, the option for Council to support the proposed revisions to Policy No. PLA-016 is also available, subject to revisions to some of the proposed provisions. Administration will take direction from Council on what such changes may be.

Options:

1. THAT Council Policy No. PLA-016 (Street Food Vendor Selection and Approval Policy) be replaced with Council Policy No. PLA-016 (Mobile Vendor Selection and Approval Policy);
OR
2. Status quo.

Attachments:

1. "Potential Parks That Could Accommodate Stationary Street Vendors" (Schedule 'D' – Bylaw No. 1045)
2. Food Truck Survey Results
3. PLA-016 Street Food Vendor Selection and Approval Policy (2021)
4. Draft PLA-016 Mobile Vendor Selection and Approval Policy (2025)