



## **Staff Report for Committee of the Whole Meeting**

**Date of Meeting:** June 7, 2023

**Report Number:** SRCS.23.16

**Department:** Community Services  
**Division:** Community Standards

**Subject:** **SRCS.23.16 Amendments to the Refreshment Vehicle Licensing By-law**

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### **Purpose:**

To amend the Refreshment Vehicle Licensing By-law No. 194-05 (Municipal Code Chapter 875) and incorporate offences into the City's Administrative Monetary Penalty System.

### **Recommendation(s):**

- a) That Staff Report SRCS.23.16, regarding amendments to the Refreshment Vehicle Licensing By-law, be received.
- b) That By-law No. 59-23 (Attachment 1 to staff report SRCS.23.16) be enacted to amend the Refreshment Vehicle Licensing By-law No. 195-05 (Municipal Code Chapter 875).
- c) That By-law No. 69-23 (Attachment 2 to SRCS.23.16) be enacted to amend Schedule 'A' of the Administrative Penalties By-law No. 69-16, as amended, to include designated Refreshment Vehicle Licensing By-law offences.

### **Contact Person:**

Dolly Anand, Manager Policy and Licensing, Extension 6572

### **Report Approval:**

**Submitted by:** Tracey Steele, Commissioner of Community Services

**Approved by:** Darlene Joslin, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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### **Background:**

Richmond Hill's Refreshment Vehicle Licensing By-law No. 194-05, as amended (the "By-law") establishes the requirement for refreshment cart and vehicle operators and drivers to obtain annual licenses. It also identifies operational requirements for refreshment carts and vehicles including locational and duration limitations.

In 2021, the By-law was amended to facilitate operation of contemporary food trucks within the same framework that catering vehicles had been permitted to operate in Richmond Hill since 1971. At the same time, the By-law was amended to provide clarity and relief from existing regulations that were unnecessary or inefficient given the current popularity of food trucks.

Recently, it has come to the attention of staff that further adjustments to the Refreshment Vehicle Licensing By-law are recommended to correct an administrative error and provide a more permissive framework for the operation of food trucks within City parks specifically.

### **Proposed By-law amendments will allow refreshment vehicles in City parks in accordance with park and recreation permits**

When the By-law was amended in 2021, one of the purposes of the amendments was to allow refreshment vehicles to participate in City-Led events and operate as part of City-endorsed activities. Unfortunately, the by-law amendment that was enacted (By-law No. 89-21) correctly captured permissions around "City-Led events" (for example Rib Fest or Canada Day events), but did not incorporate allowance for food trucks associated with City "activities" (for example, allowing sales of refreshments from vehicles or carts on a regular or daily basis). Additionally, the 2021 amendments specifically provided allowances for City-Led events, but recently both external groups and Councillors are increasingly expressing interest in having food trucks at their events taking place on City property.

Amending By-law No. 59-23, attached to this staff report as Attachment 1, will resolve both of the issues outlined above. It will permit refreshment vehicles to operate in City parks for any purpose (including City-Led, Council-led and Community-Led events and city activities) provided they operate in accordance with applicable park and recreation facility permits and obtain a refreshment vehicle license. Additionally, enactment of amending By-law 59-23 will clarify that refreshment vehicles operating at City-Led events or as City-endorsed activities will not be required to obtain an annual license, and will be issued licenses with timeframes matching the associated park and recreation facility permits.

### **Proposed amendments to the Refreshment Vehicle Licensing By-law and the Administrative Penalties By-law will implement administrative penalties for Refreshment Vehicles**

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Consistent with the February 11, 2019 (SRCS.19.01) Council direction to continue expansion of the City's Administrative Monetary Penalty System ("AMPS"), it is recommended that offences established in the Refreshment Vehicle Licensing By-law be incorporated into AMPS. Attachment 1 includes the necessary amendments to the Refreshment Vehicle Licensing By-law and the recommended amendment to Schedule 'A' of the Administrative Penalties By-law No. 69-16 are set out in Attachment 2.

### **The Refreshment Vehicle By-law will be further reviewed as part of the comprehensive review of the City's Business Licensing Program in 2025**

As set out in staff report SRCS.23.13, it is anticipated that work to modernize the City's business licensing program and comprehensively review and update all business licensing by-laws (including the Refreshment Vehicle Licensing By-law) will be initiated in 2025.

### **Financial/Staffing/Other Implications:**

There is currently interest in vendor operation of ice cream trucks at parks in addition to at Lake Wilcox Park (where there has been a vendor in place pursuant to a City agreement for several years). Permitting trucks at additional parks is expected to generate approximately \$5,000 to \$10,000 in revenue annually in the short-term. Additionally, more opportunities for food trucks to operate in the City could result in additional revenue from more refreshment vehicle licenses being issued.

### **Relationship to Council's Strategic Priorities 2020-2022:**

By-law amendments recommended by this report are consistent with the Council Priority of Fiscal Responsibility as they allow for revenue-generating opportunities and improve enforcement efficiency through AMPS. Allowing food trucks more permissively in parks also helps to create community participation in events that will foster a Strong Sense of Belonging.

### **Climate Change Considerations:**

There are no climate change considerations associated with this staff report.

### **Conclusion:**

Richmond Hill's Refreshment Vehicle Licensing By-law No. 194-05 was amended in 2021 to provide a reasonable framework for the operation of contemporary food trucks within the City. Recently, it has come to the attention of staff that further adjustments to the By-law are recommended to correct an administrative error and provide a more permissive framework for the operation of food trucks within City parks. Amending By-law No. 59-23, attached to SRCS.23.16 as Appendix 1, will allow food trucks in City parks in association with City activities and all types of events, and will clarify expectations around license timeframes. Additionally, proposed amendments to the Refreshment Vehicle Licensing By-law and the Administrative Penalties By-law (Attachment 2) will implement administrative penalties for Refreshment Vehicles

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### **Attachments:**

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Attachment 1 – By-law No. 59-23 to amend the Refreshment Vehicle Licensing By-law No. 194-05 (Municipal Code Chapter 875)
- Attachment 2 – By-law No. 69-23 to amend the Administrative Penalties By-law No. 69-16

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### Report Approval Details

Document Title:	SRCS.23.16 - Amendments to the Refreshment Vehicle Licensing By-law.docx
Attachments:	- By-law No 69-23 AMPS RV.docx - By-law No 59-23 Refreshment Vehicle Amendment.docx
Final Approval Date:	May 30, 2023

This report and all of its attachments were approved and signed as outlined below:

**Dolly Anand - May 30, 2023 - 10:59 AM**

**Tracey Steele - May 30, 2023 - 11:27 AM**

**Darlene Joslin - May 30, 2023 - 4:56 PM**