



**Development Permit, Development Variance Permit and Temporary
Commercial and Industrial Use Permit Procedure Bylaw No. 7273,
Amendment Bylaw No. 10264**

The Council of the City of Richmond enacts as follows:

1. Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273, as amended, is further amended:

- a) at Section 1.1 [Duties of an Applicant] by adding the following as a new subsection 1.1.7:

“1.1.7 Notwithstanding subsection 1.1.5 above, an **applicant** for a **temporary use permit** for a **mobile food vendor** is not required to provide the undertakings set out in subsection 1.1.5.”;

- b) at Section 1.2 [Sign Posting Requirements] by adding the following as a new subsection 1.2.3:

“1.2.3 Notwithstanding subsection 1.2.1 above, an **applicant** for a **temporary use permit** for a **mobile food vendor** is not required to provide signage as set out in subsections 1.2.1 and 1.2.2.”;

- c) at Section 2.4 [Processing Temporary Use Permit Applications] by adding the following as a new subsection 2.4.3:

“2.4.3 Notwithstanding subsections 2.1.1, 2.4.1 and 2.4.2 above:

- (a) the **General Manager, Community Safety** is responsible for processing and reviewing applications for **temporary use permits** for **mobile food vendors**;

- (b) where a request for a renewal of a **temporary use permit** for a **mobile food vendor** has been made, the **General Manager, Community Safety** must process and review such application generally in the same manner as an application for a new permit under subsection 2.4.3(a).”;

- d) at Part Five: Consideration of Applications by Council by adding the following as a new Section 5.3:

5.3 Delegation of Temporary Use Permits for Mobile Food Vendors

- 5.3.1 Notwithstanding Section 5.2 above, **Council** delegates to the **General Manager, Community Safety** the authority to:

- (a) approve, issue, and renew **temporary use permits** for **mobile food vendors**;
- (b) reject applications for **temporary use permits** for **mobile food vendors**;
- (c) vary, and supplement **temporary use permits** for **mobile food vendors**, and impose conditions and requirements on said permits; and
- (d) cancel **temporary use permits** for **mobile food vendors** if a permit holder fails to comply with a term or condition of the permit.

5.3.2 The **General Manager, Community Safety** must send a notice of their decision in writing to the **applicant**, which notice shall be deemed to have been received by the **applicant** 10 days after the notice is mailed by the **City**.

5.3.3 An **applicant** for a **temporary use permit** for a **mobile food vendor** is entitled to have **Council** reconsider the decision of the **General Manager, Community Safety** in accordance with the following process:

- (a) the **applicant** must apply for the reconsideration by delivering to the **City Clerk**, and providing a copy to the **General Manager, Community Safety**, within 30 days after the decision of the **General Manager, Community Safety** is deemed to be received by the **applicant**, a reconsideration application in writing setting out the following:
 - (i) the date of the decision of the **General Manager, Community Safety** and the nature of the decision;
 - (ii) reasons why the **applicant** wishes the decision to be reconsidered by **Council**;
 - (iii) a request from the **applicant** that the decision be made by **Council**, with brief reasons in support of the request; and
 - (iv) a copy of any materials the **applicant** considers to be relevant to the reconsideration by **Council**.
- (b) the **General Manager, Community Safety** must present to **Council**, a report on the application and decision to be reconsidered, consisting of a recommendation, and any other information the **General Manager, Community Safety** considers to be relevant;
- (c) reconsiderations must occur at a regular meeting of **Council** held at least two weeks after the date on which the reconsideration application

is delivered to the **City Clerk** and notice shall be provided in accordance with Section 3.2 of this Bylaw;

- (d) the **applicant** may delegate to **Council** in accordance with Council Procedure Bylaw No. 7560 at the regular meeting of **Council** at which the **General Manager, Community Safety**'s report is on the agenda;
- (e) upon receipt of the recommendation from the **General Manager, Community Safety** and the delegation from the **applicant**, and **Council**'s reconsideration of the **General Manager, Community Safety**'s decision, **Council** must:
 - (i) confirm the decision of the **General Manager, Community Safety**; or
 - (ii) vary, or set aside the decision of the **General Manager, Community Safety** and substitute the decision of **Council**, and either:
 - (A) issue the **temporary use permit** for a **mobile food vendor**, or approve the renewal of the **temporary use permit**; or
 - (B) reject the application for a **temporary use permit** for a **mobile food vendor**, or the renewal of a **temporary use permit**."
- e) at Section 8.1 [Responsibilities of the City Clerk] by adding the following as a new subsection 8.1.2:

"8.1.2 Where the **General Manager, Community Safety** issues a **temporary use permit** for a **mobile food vendor** the **City Clerk** must ensure that such permit is properly executed and must mail or otherwise deliver such permit to the **applicant**, and cause the appropriate "Notice of Permit" to be filed in the Provincial Land Title Office.";
- f) at Section 10.1 [Establishment of Security – All Permits] by deleting subsection 10.1.2(c) and replacing it with the following:
 - "(b) prior to consideration by **Council** at a **public hearing** on the issuance of a **temporary use permit**; and
 - (c) prior to issuance by the **General Manger, Community Safety** of a **temporary use permit** for a **mobile food vendor**.";
- g) at Section 10.3 [Failure to Provide Security – Temporary Use Permits] by deleting subsection 10.3.1 and replacing it with the following:

“10.3.1 Where, prior to the notification required under the provisions of section 3.2, an applicant for a temporary use permit fails to provide the full amount of the security specified in subsection 10.1.1,

(a) the Director, Development must report to Council that the temporary use permit is deficient and that such application should be deleted from the agenda of that Council meeting; or

(b) the General Manager, Community Safety must refrain from issuing the temporary use permit,

as applicable.”; and

h) at Section 12.1 by adding the following as a new definition in alphabetical order:

“General Manager, Community Safety means the General Manager, Community Safety of the City and his or her respective designates and authorized agents.

Mobile Food Vendor

means a business that sells, offers or attempts to sell, takes orders for, or solicits orders for prepared food and/or beverages, from a vehicle, cart, trailer, or stand and not from a permanent building or structure.”;

2. This Bylaw is cited as “Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273, Amendment Bylaw No. 10264”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

APR 26 2021

APR 26 2021

APR 26 2021



MAYOR

CORPORATE OFFICER