

FOR: COUNCIL MEETING
MEETING DATE: February 2, 2026
DEPARTMENT: PLANNING & DEVELOPMENT
SUBJECT: **BUSINESS LICENCE AMENDMENT BYLAW 2026 NO. 7318.03**

OVERVIEW

Purpose of Report

To present Council with amendments to the “Business Licence Bylaw 2021 No. 7318” to streamline regulatory and operational requirements for mobile food vending. |

Recommendation

1. That “Business Licence Amendment Bylaw 2026 No. 7318.03” (To introduce amendments to update sections pertaining to mobile food vending regulations and processes and other housekeeping amendments) pass first reading;
2. That “Business Licence Amendment Bylaw 2026 No. 7318.03” pass second reading;
3. That “Business Licence Amendment Bylaw 2026 No. 7318.03” pass third reading.

BACKGROUND

At the Regular Meeting of Council on 2025-DEC-15, Council motioned:

That Staff:

1. *bring forward amendments to “Business Licence Bylaw 2021 No. 7318” that include removing the section containing the food vending operational requirements; streamlining the food vending regulatory requirements section; creating a new section that allows directors to approve new food vending locations; and,*
2. *initiate a review of food vending fees, fines and additional charges, including a park user fee review and bring forward the results for Council’s consideration at a future meeting.* |

DISCUSSION

As directed by Council at its meeting on 2025- DEC- 15, Staff completed a review and update of “Business Licence Bylaw 2021 No. 7318”. Sections relating specifically to food- vending application requirements and operation processes have been revised or removed. Operational requirements previously contained in the bylaw have been transferred to the Mobile Food Vendor Operator’s Guidebook, while regulatory provisions have been updated to improve clarity. Once

the bylaw amendments are adopted, the updated Guidebook will be made available online and distributed to food vendors.

To further streamline the approval process for new mobile- vending locations, a new provision has been added to the bylaw authorizing the appropriate departmental director to approve new food- vending sites.

In addition to the directed amendments, Staff took the opportunity to add some housekeeping updates that would enhance clarity and reduce potential confusion within the bylaw.

Summary of Proposed Bylaw Amendments

The following summarizes the proposed amendments to the Business Licence Bylaw. A tracked changes version of the Bylaw is included as Attachment B for ease of reference.

Definitions

- **Commercial Landlord** – housekeeping amendment clarifying ownership of a commercial building.
- **Food Cart** – revised to clearly distinguish food carts from other vending modes, particularly unenclosed food trailers.
- **Food Trailer (self- contained)** – updated to improve clarity and differentiate between types of food trailers.
- **Food Trailer (unenclosed)** – refined to better distinguish unenclosed trailers from other types of mobile vending units.
- **Food Truck** – updated to more clearly define the self- contained nature of food trucks and distinguish them from food carts and food trailers.
- **Mobile Food Vending** – expanded to include both self- contained and unenclosed food trailers.

Sections

- 3.1.2 Introduces an exemption from requiring a business licence when an event holder has obtained a contract to use a City- owned facility or park.
- 3.3.1 Clarifies when a separate business licence is required for a commercial property.
- 4.1 Clarifies that business licence fees cannot be processed until an application has been received and entered; fees cannot be processed beforehand.
- 5.1 Confirms that payment of business licence fees is required prior to licence issuance.
- 15.1 Updates the list of schedules attached to the bylaw.

Schedule A

- 3. Removes the Assisted Living Residence section in its entirety to better align with the *Community Care and Assisted Living Act*.

9. Formalizes the requirement to obtain a business licence after the third garage sale within a calendar year. This reflects existing departmental practice and improves transparency for the public.

11. Removes mobile food-vending operational requirements from the bylaw and incorporates them into the Mobile Food Vending Operator's Guidebook, reducing the need for future bylaw amendments and improving clarity. Regulatory requirements remain in this section.

Schedule D

Has been removed in its entirety and incorporated into the Mobile Food Vending Operator's Guidebook.

Schedule E

Schedule E (Restricted hours of operation) has been relabeled as Schedule D.

COMMUNICATION AND COMMUNITY ENGAGEMENT

If approved, notification will be posted on the City's website and in the local newspaper advising the public of changes to the bylaw in accordance with the *Community Charter*, Section 59 (2). |

ALIGNMENT WITH CITY PLAN

The report is aligned with the following City goals:

- Community Events, Festivals, Tournaments, & Gatherings
 - C4.8.2 Continue to host, permit, and support festivals, celebrations, sporting events, and other events in public spaces.
- A Prosperous Nanaimo: Thriving and Resilient Economy
 - C5.6.7 Collaborate with partners to promote food and culinary tourism as part of the cultural experience of Nanaimo. |

ALIGNMENT WITH COUNCIL'S STRATEGIC PRIORITIES

The report is aligned with the following Council Strategic Framework priority:

- Implementing City Plan Action Plans and Key City Management Plans
- Governance and Corporate Excellence |

NEXT STEPS

If approved, the next steps would be to return to Council after the necessary public notification posting is complete for final adoption of the bylaw. Once adopted, the amended bylaw and the Mobile Food vending Operator's Guidebook would be made available on the website and as a handout at service counters.
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OPTIONS

1. That “Business Licence Amendment Bylaw 2026 No. 7318.03” (To introduce amendments to update sections pertaining to mobile food vending regulations and processes and other housekeeping amendments) pass first reading;
 2. That “Business Licence Amendment Bylaw 2026 No. 7318.03” pass second reading;
 3. That “Business Licence Amendment Bylaw 2026 No. 7318.03” pass third reading.
 - The advantages of this option: Amendments to Business Licence Bylaw No. 7318 related to house-keeping amendments and mobile food vending requirements will provide better clarity and will streamline processes.
 - The disadvantages of this option: There are no anticipated disadvantages.
 - Financial Implications: There are no financial implications.
2. That Council provide an alternative direction.

KEY MESSAGES

- Housekeeping amendments to the Business Licence Bylaw provide clarity.
- New mobile food- vending definitions create clearer distinctions between different types of vending units.
- Operational practices for mobile food vending have been removed from the bylaw and incorporated into a guidebook, allowing updates to be made more efficiently without requiring Council approval.
- Amendments to the mobile food- vending requirements within the bylaw further clarify regulatory expectations.

ATTACHMENTS

ATTACHMENT 1: B.7318.03

ATTACHMENT 2: B.7318.03 – Red Lined Version |

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