



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF THE CAO

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

Author's Name: Bill Tetler	Report Date: November 28, 2022
Author's Phone: 519-736-0012 ext. 2251	Date to Council: December 5, 2022
Author's E-mail: billtetler@amherstburg.ca	Resolution #: N/A

To: Mayor and Members of Town Council

Subject: Exemption to Business Licensing – The Core

1. RECOMMENDATION:

It is recommended that:

1. The report from the Manager of Licensing and Enforcement dated November 28, 2022 regarding an Exemption from Business Licensing By-law 2009-044 **BE RECEIVED**; and,
2. A one-time exemption from the Business Licensing By-law 2009-044, Schedule A-58 (Trade Shows) for the Amherstburg Night Market **BE GRANTED** for the Amherstburg Night Market on December 10, 2022 behind 61 Richmond Street.

2. BACKGROUND:

The Town of Amherstburg currently has a Business Licensing By-law that licenses 56 different categories including Trade Shows. A Trade Show is defined as “Any business which co-ordinates a show or similar exhibition of five or more vendors or businesses exhibiting, offering for sale, selling or otherwise displaying for delivery at a later date, goods, wares, merchandise, items, or services of a similar nature and where the vendors or businesses will be organized at a specific location for a period not to exceed fourteen consecutive days.”

“The Core” is a membership idea born by Mr. Richard Peddie and Mr. Dan Gemus to encourage participation of businesses within the downtown core of Amherstburg in activities which will attract residents and visitors to the downtown area and to enjoy “local” products. The inaugural event is the Amherstburg Night Market to be held on Saturday December 10, 2022 from 12PM – 8PM in the parking lot behind 61 Richmond

Street. This Night Market event requires the entity putting on the “Trade Show” to procure a business licence under By-law 2009-044.

3. DISCUSSION:

The Licensing & Enforcement Division spoke with Mr. Peddie and Mr. Gemus on Friday about the upcoming Amherstburg Night Market on Saturday, December 10, 2022. The Zoning for the property behind 61 Richmond Street where the Amherstburg Night Market will take place does not allow a Trade Show licence to be issued under By-law 2009-044. Therefore, a business licence application would be rejected if it was submitted until a Zoning By-law Amendment was completed in consultation with the Town’s Planning Division.

However, Administration is currently undertaking a complete review of the Licensing By-law, including the categories of businesses that require licences. While not pre-determining the outcome of that work, it may be that the category of “trade show” is one that will not be licenced in the future. We anticipate that this work will be done by the end of April, 2023 and we also understand that there are no further events akin to the Night Market being planned before May, 2023. Therefore, given that this is a one time trial event, Administration recommends waiving the need for a business licence in this unique circumstance

4. RISK ANALYSIS:

The Town of Amherstburg will be listed on a Certificate of Insurance provided to the Town in advance of the event covering a small portion of Town owned property abutting the event property.

5. FINANCIAL MATTERS:

There are no financial implications associated with the recommendations of this report.

6. CONSULTATIONS:

Richard Peddie, Amherstburg Night Market
Dan Gemus, Amherstburg Night Market
Valerie Critchley, Chief Administrative Officer
Kevin Fox, Municipal Clerk

7. **CONCLUSION:**

Administration supports a one-time exemption to the Business Licensing By-law 2009-044 for an experimental trial for an Amherstburg Night Market. If the entity would like to continue these types of events in the future, an application for a Zoning By-law Amendment would be required to be submitted to the Town's Planning Division. The Zoning By-law Amendment if approved would allow for the entity to procure a business licence for a "Trade Show" on the property behind 61 Richmond St.



Bill Tetler
Manager, Licensing & Enforcement

Report Approval Details

Document Title:	Exemption to Business Licensing By-law 2009-044.docx
Attachments:	N/A
Final Approval Date:	Nov 30, 2022

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



Tracy Prince



Valerie Critchley



Kevin Fox