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To: ["Direct to Mayor and Council - DL"](#)

Date: 2/24/2022 5:10:53 PM

Subject: [Patio Program Update](#)

Attachments: [ENG - Memo to Mayor & Council - Patio Program Update - RTS 14718.pdf](#)

Dear Mayor and Council,

Please see the attached memo from Lon LaClaire and Andrea Law. A short summary of the memo is as follows:

- This memo provides an update on the Patio Program and new Summer patio permit, which opens for applications on March 2nd
- Key features of the new Summer permit include:
 - Streamlined review process (weeks, not months);
 - Allowance to transfer 20% of seats outside and/or add additional seats (up to 12) if business meets eligibility requirements; and
 - Continued allowance for curbside patios, and patios for distilleries and breweries.
- Fees for the Summer and Year-round permits are based on pre-pandemic rates, with a standard annual increase for inflation

If you have any questions, please feel free to contact Lon LaClaire at lon.laclaire@vancouver.ca or Andrea Law at andrea.law@vancouver.ca.

Best,
Paul

Paul Mochrie (he/him)
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The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the x^wməθk^wəyəm (Musqueam), Skwxwú7mesh (Squamish), and səlilwətaʔ (Tsleil-Waututh) Nations.

MEMORANDUM

February 24, 2022

TO: Mayor and Council

CC: Paul Mochrie, City Manager
Armin Amrolia, Deputy City Manager
Karen Levitt, Deputy City Manager
Katrina Leckovic, City Clerk
Lynda Graves, Administration Services Manager, City Manager's Office
Maria Pontikis, Chief Communications Officer, CEC
Anita Zaenker, Chief of Staff, Mayor's Office
Neil Monckton, Chief of Staff, Mayor's Office
Alvin Singh, Communications Director, Mayor's Office
Bob Renning, Deputy Chief, Fire Prevention

FROM: Lon LaClaire, General Manager, Engineering Services
Andrea Law, General Manager, Development, Buildings and Licensing

SUBJECT: Patio Program Update

RTS #: RTS 14718

This memo is to update Council on the Patio Program, including the new Summer Patio permit, which opens for applications on March 2, 2022.

Background

In 2020 and 2021, the City created a Temporary Expedited Patio Program (TEPP) to enable temporary patios in street rights-of way, on sidewalks and private property, under Council's direction for response to the COVID-19 pandemic. Because of the exceptional circumstances and acute need during the pandemic, the program included extraordinary regulatory accommodations, reduced application requirements and a highly accelerated review process.

On September 22, 2021, Council directed staff to create a summer patio program built on the successes of TEPP, and to undertake a review of the overall Patio Program (summer and year-round) including a fee review and design guidelines, with considerations around accessibility, equity and fairness.

TEPP, which closed on October 31, 2021, has become the basis to develop a sustainable, long-term program for a new Summer Patio permit, as presented to Council in September 2021.

Summer Patio Permit

Applications for Summer Patio permits (April 1 to October 31) will be accepted starting March 2, 2022. Key features include:

- A streamlined review process (within weeks);
- Architectural drawings required (i.e. accurate, to-scale 2D line drawings; professional seal not required);
- Continued allowance of curbside patios, and patios for breweries and distilleries;
- A new allowance to shift 20 per cent of existing occupancy to the patio, and for increased occupancy (up to 12 additional seats) if eligibility requirements are met;
- After initial approval, businesses can apply for a simplified renewal process; and,
- Application and permit fees (fees are based on pre-pandemic rates, with a standard annual increase for inflation).

Year-Round Patio Permit

The updated Year-Round Patio permit (May 1 to April 30) will also open to applications on March 2. As these patios are typically more complex in design, the year-round patio permits require a full review and inspection process. Fees for the year-round permit are also based on pre-pandemic rates with a standard annual inflation increase.

Provincial Liquor Regulations (TESA)

Establishments that have been issued a Temporary Expanded Service Area permit (TESA) by the Province, which allows alcohol service to be extended to an outdoor space, can continue to serve alcohol on their patio for the duration of TESA, ensuring they comply with all terms and conditions of the permit, including occupancy requirements.

Existing temporary patios

Establishments with existing temporary patios (TEPPs) must apply for a Summer or Year-round Patio permit. While all permit applications will be reviewed on a case-by-case basis, staff may no longer be able to support some of the existing temporary patios constructed under the TEPP program. For example, limited food establishments without public washrooms may be restricted from summer patios due to their occupant capacity, and patios on some arterial streets may not be viable due to impacts on the major road network as traffic volumes resume.

Upcoming Patio Program Review

Throughout the TEPP, staff collected feedback from the hospitality industry and other stakeholders including BIAs and the City's Advisory Committees.

Per Council's direction following the September 22, 2021 staff report on the Patio Program, staff will conduct more robust public, stakeholder, and advisory committee consultation during 2022, to further investigate more complex issues including a fee review, accessibility (i.e. access on sidewalks and curbside, impacts to parking), streetscape design, exploring potential wall or roof structures on patios, and balancing public and private uses of space, and will report back after the summer patio season. This review will further inform the Summer and Year-round Patio programs in 2023 and on.

A webpage and information guide with full program details will be available in early March on the City of Vancouver website.

If you have any further questions, please feel free to contact us directly.



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