

**From:** [Mochrie, Paul](#)  
**To:** [Direct to Mayor and Council - DL](#)  
**Cc:** [Zammar, Jimmy](#); [LaClaire, Lon](#); [City Manager's Correspondence Group - DL](#)  
**Subject:** Council Memo - Additional Seating Capacity for the Water St Pilot Patios - RTS 16435  
**Date:** Thursday, June 6, 2024 4:55:20 PM  
**Attachments:** [image001.png](#)  
[Council Memo - Additional Seating Capacity for the Water St Pilot Patios - RTS 16435.pdf](#)  
**Importance:** High

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Dear Mayor and Council,

Please see the attached memo from Jimmy Zammar. A short summary of the memo is as follows:

- This memo provides a response to Council's May 7 direction to "report back as soon as possible, with recommendations to increase overall occupancy for businesses with the intent to increase patio capacity."
- Businesses can temporarily increase overall seating capacity through "additional patio seats" for their pilot patios, with terms and conditions. This is a temporary measure specific to the Water St Pilot, through which the City will assess impacts and future opportunities.
- As a next step, staff will proactively notify eligible businesses of this opportunity. The targeted date for earliest patio installation is June 26.

If you have any questions, please feel free to contact Jimmy Zammar at 604-871-6880 or [jimmy.zammar@vancouver.ca](mailto:jimmy.zammar@vancouver.ca).

Best,  
Paul

**Paul Mochrie** (he/him)  
City Manager  
City of Vancouver



The City of Vancouver acknowledges that it is situated on the unceded traditional territories of the x̱m̱əθḵʷəy̱əm (Musqueam), Sḵw̱x̱w̱ú7mesh (Squamish), and səliw̱ətəʔ (Tsleil-Waututh) Nations.

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## MEMORANDUM

June 6, 2024

TO: Mayor and Council

CC: Paul Mochrie, City Manager  
Armin Amrolia, Deputy City Manager  
Karen Levitt, Deputy City Manager  
Sandra Singh, Deputy City Manager  
Katrina Leckovic, City Clerk  
Maria Pontikis, Chief Communications Officer, CEC  
Teresa Jong, Administration Services Manager, City Manager's Office  
Mellisa Morphy, Director of Policy, Mayor's Office  
Trevor Ford, Chief of Staff, Mayor's Office

FROM: Jimmy Zammar  
Deputy General Manager, Engineering Services

SUBJECT: Additional Seating Capacity for the Water St Pilot Patios

RTS #: 16435

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On May 7, 2024, Council directed staff to “report back as soon as possible, with recommendations to increase overall occupancy for businesses with the intent to increase patio capacity.” This memo provides an overview of the approach by which Water Street businesses will be able to temporarily increase seating capacity and have additional patio seats on their pilot patios for the duration of the Water Street Pedestrian Zone Pilot (‘Water St Pilot’).

### **Increasing seating capacity for pilot patios in the Water St Pilot**

Since receiving the direction from Council, staff from Engineering Services and Development, Buildings and Licensing have explored tools to increase seating capacity in the context of a temporary pilot. These discussions included input from the Liquor and Cannabis Regulation Branch (LCRB), which oversees licensing and enforcement for service of alcohol on patios, including Temporary Extensions of Licensed Areas (TELA).

For the duration of the Water St Pilot, the City will be trialing additional patio seats that will not be counted against the approved occupant loads for restaurant and food service establishments. Under this trial, businesses will retain their approved maximum occupant loads, and be temporarily permitted additional patio seats specifically for their pilot patios. In addition, washroom requirements per the Vancouver Building By-law (VBBL) will not be applied to the additional patio seating for the pilot's duration. This approach applies to curbside, large, and small pilot patios.

While this approach will increase the number of seats overall, it is a temporary measure specific to the Water St. Pilot, through which the City can assess impacts and potential future opportunities. Under regular circumstances and for longer term changes, additional seating

would necessitate further review, and require businesses to reapply for their Occupant Load Permits, under the existing process. Given that these steps would be prohibitive at this late stage of the pilot, staff are enabling this temporary measure for the pilot only.

Terms and conditions for additional patio seats for pilot patios:

To prevent overcrowding, the additional patio seats must be contained exclusively within the approved pilot patio footprint and cannot be transferred to or from other areas of the business under any circumstance, including inclement weather. During the pilot, each business will thus have two (2) distinct and separate occupant loads: 1. the approved maximum occupant load (existing); and 2. the approved maximum seating capacity of the pilot patio, i.e., additional patio seats (temporary).

Businesses will be responsible for ensuring both occupant loads do not exceed their respective capacities for the following reasons:

- to reduce risk to life safety in the scenario of emergency evacuation;
- to comply with the terms and conditions of LCRB licensed areas; and
- to avoid impacts to existing, approved maximum occupant loads.

The number of additional patio seats for each eligible business will be determined by the dimensions of the approved pilot patio footprint. Pilot patio footprints were determined in conjunction with the Water St Pilot street design, with consideration of emergency access and fire lane clearances, pedestrian and traffic movements, and other public space needs, and also included four rounds of engagement with Water Street businesses.

While specific numbers for additional patio seating vary per business, staff estimate the potential additional seats would increase the number of seats by an average of 30% for large and curbside pilot patios. Smaller businesses such as limited food service businesses, which are currently limited to 16 seats, may see up to a one-fold (100%) increase in overall capacity, while larger restaurants with substantially higher existing occupant loads may see a comparably smaller percentage increase.

**Next steps**

Staff will proactively reach out to eligible businesses to inform them of the opportunity for additional seats on pilot patios. To date, approximately 22 businesses have confirmed interest in new and/or expanded patios for the Water St Pilot. The targeted start date for patios to be installed is June 26, in advance of the Canada Day long weekend.

Enabling additional patio seats for pilot patios adds to the suite of tools that the City has unlocked to support businesses in the Water St Pilot, including allowing new and expanded patio footprints within the pilot area, developing an expedited review process with the LCRB, waiving application and permit fees for patios and merchandise displays, relaxing design guidelines and permit application submission requirements, and more. As the Water St Pilot is an opportunity to learn, staff will be monitoring the temporary change for increased seating capacity, as well as other items being trialed, to inform future pedestrian-first pilots and help evolve our city-wide street use programs.

If you have any questions, please contact me directly.



Jimmy Zammar M.A.Sc., M.Sc., PMP  
Deputy General Manager, Engineering Services

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