



ADMINISTRATIVE REPORT

Report Date: November 20, 2009  
Contact: Donny Wong  
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VanRIMS No.: 08-2000-20  
Meeting Date: City Clerks Use Only

TO: Standing Committee on Transportation and Traffic

FROM: General Manager of Engineering Services in consultation with the Director of Planning

SUBJECT: Granville Mall By-Law and Administration of Flexible Sidewalks on Granville Street for Sidewalk Patios

**RECOMMENDATION**

- A. THAT Granville Mall By-law No. 9272 be repealed and a new Granville Mall By-law, generally as set out in Appendix A, be enacted to reinstate the transportation function of Granville Mall to pre-Canada Line construction operation and extend access to private vehicles through a permit system.
- B. AND THAT the Director of Legal Services be requested to prepare the new Granville Mall By-law generally as set out in Appendix A
- C. THAT Council receive for INFORMATION the project plan and schedule to develop a program to deliver mechanisms needed to appropriately animate and program a portion of Granville Street in and around the Civic Event Space on an annual basis
- D. THAT sidewalk patios be encouraged on Granville Street downtown, in accordance with principles of the Great Street design, by allowing the removal of up to 12 sidewalk parking spaces ( equivalent to two spaces per block per side ) to accommodate sidewalk patios and encourage street animation which translates into a potential decrease in revenue of up to \$53,600 should there be sufficient uptake.

### ***CITY MANAGER'S COMMENTS***

The City Manager recommends approval of the foregoing.

### ***COUNCIL POLICY***

On April 18, 2006, Council approved the "Modified Enhanced Existing" conceptual design of Granville Street to be put forward for detailed design. The main features of this concept are flexible sidewalks/sidewalk parking on Granville between Drake and Helmcken Streets, a specially designed civic space between Robson and Georgia Streets, and consistent sidewalk width from Robson Street to Hastings Streets by straightening the curvilinear roadway. The transportation function of the street was to remain generally as it currently was before the redesign except for the notion of increasing occasional non-commercial vehicle access through the transit mall by expanding the eligibility of Granville Mall access permits.

On May 17, 2007, Council authorized the retention of PWL Partnership Landscape Architects Inc. for the provision of landscape architectural consulting services to undertake the detailed design of Granville Street and the preparation of construction drawings.

On May 22, 2008, Council approved the funding arrangements and final design details for Granville Street which included the following elements:

- 1) A continuous line of trees on either side of the street in order to achieve cohesive form, scale and character for the street,
- 2) A unique pedestrian lighting scheme made up of an array of vertical columns along the entire length of the street,
- 3) Continuous arrangement of segmented granite (*now basalt*) bands inlaid in the sidewalks extending for the entire length of the street, and
- 4) Distinctive custom designed benches, bollards and bike racks exclusive to Granville Street

Council also requested staff to:

1. Explore funding, budget and delivery mechanisms needed to appropriately animate and program a portion of Granville Street in and around the Civic Event Space on an annual basis; and
2. Form a planning committee including Cultural Services, the Downtown Vancouver Business Improvement Association (DVBIA), Tourism Vancouver, TransLink and the Alliance for Arts and Culture to assist in the above.

### ***BACKGROUND***

During the detailed design of Granville Street, a set of goals and principles were developed to guide the process. These goals and principles were referred to from time to time to ensure that the final design product meets the original project expectations. These goals and principles are as follows:

### Goals

- 1) Re-establish the status of Granville Street as one of Vancouver's Great Streets based on the definition of a "Great Street" which Allan B. Jacobs provides in his classic book Great Streets.
- 2) Recreate Granville Street as a destination for locals and visitors.
- 3) Elevate community pride and promote public safety
- 4) Design a street that reflects Vancouver's unique identity, character and sense of place

### Principles

- 1) Create a pedestrian friendly street, accessible to all
- 2) Promote Granville Street as one continuous pedestrian-oriented thoroughfare with several distinct neighbourhoods
- 3) Establish a flexible infrastructure to allow for a wide variety of uses including special events
- 4) Accommodate day time and night time activities
- 5) Support retail activity to flourish including cafes, vendors and entertainers
- 6) Use lighting as a distinctive streetscape feature adding to night-time ambience
- 7) Design for the long-term success of street trees
- 8) Incorporate public art and creative design solutions to utilitarian functions
- 9) Promote cost effective, high quality materials and durable infrastructure elements with a sense of permanence
- 10) Ensure transit related facilities complement streetscape design
- 11) Minimize impacts of site servicing functions and utilities
- 12) To enhance and encourage access to Granville Street by the more sustainable modes of transport (walking, cycling, rapid transit, bus transit)
- 13) Utilize Crime Prevention through Environmental Design principles
- 14) Support Vancouver's Project Civil City goals

With the construction of Granville Street downtown nearing completion, the focus of the staff team has shifted to the overall operations of the corridor. The operations of the street can be thought of as being comprised of two elements; firstly, the transportation function of the street and the secondly, the activation of the street that would involve programming of events, animation and commercial street use of Granville Street on an ongoing basis. These two functions, while addressed separately through distinct mechanisms, are interrelated, as described below.

### ***DISCUSSION***

#### Transportation Function of Granville Street downtown - Replacement of Granville Mall By-law

In addition to being one of Vancouver's premier shopping streets, Granville Street plays a key role as a public transit hub that has carries more than 60,000 passengers daily and provides convenient linkages between bus routes and four rapid transit stations. In accordance with the Council approved "Modified Enhanced Existing" street concept, the transportation function of the street upon completion of the construction would be generally unchanged

from pre-construction conditions except for increasing occasional vehicular access through the transit mall by expanding the eligibility of Granville Mall access permits.

The transportation function of Granville Street is controlled by two City by-laws; the Street and Traffic By-law No. 2849 and the Granville Mall By-law No. 9272.

From Drake to Smithe Streets, Granville will remain a four lane thoroughfare that consists of two lanes southbound and two lanes northbound. From Hastings to Cordova Streets, Granville is reduced to three lanes with two lanes northbound and one lane southbound. In both these segments, the Street and Traffic Bylaw governs the operation of the street. Similar to any other roadway in the City, Engineering Services administers and controls use of the roadway for traffic. For example, the City controls the lane configurations and directions, the availability of turns at certain intersections and various other curb side uses with appropriate signage, paint markings and traffic control devices.

The functionality of the section from Smithe to Hastings Streets, also known as the pedestrian/transit mall since 1974, is governed by the Granville Mall by-law which supercedes the Street and Traffic By-law. In this segment of the corridor, there are a number of qualities that make it different than other streets in the City. These are as follows:

- 1) Vehicle access is restricted to transit buses, transit service vehicles, emergency vehicles and other vehicles that obtain a permit pursuant to the Granville Mall Bylaw. These 'permitted' vehicles are not allowed to access the transit mall in rush hour periods,
- 2) Access and exit from this segment of Granville Street is strictly limited to a number of key intersections, and
- 3) Pedestrian crossings mid-block are allowed except within 12 metres of a crosswalk controlled by a traffic signal.

In April 2006, the Granville Mall by-law was repealed and replaced to allow general vehicle access to the portions of the transit mall that were not under construction. The intention was to improve access and provide street parking during Canada Line construction in sections of Granville Street that would have otherwise have been closed to general traffic. With construction now nearing completion, staff recommend repealing the current Granville Mall bylaw and replacing it with the draft attached as Appendix 1. There are only a few differences between the newly proposed Granville Mall by-law and the one that existed prior to Canada Line construction. Apart from minor updates to language and definitions, the main modification to the Granville Mall By-law is that it expands the eligibility of Granville Mall permits to non-commercial vehicles to promote increased accessibility to properties and businesses in the transit mall for loading and unloading purposes only. The proposed by-law limits the number of daily permits to 60 vehicles per day during non-peak hours.

This limit was determined through computer modelling (micro-simulation) conducted as part of the conceptual design phase of the project and represents the maximum number of vehicles that are able to be introduced to the transit mall without adversely affecting overall transit efficiency.

### Activation of Granville Street downtown - Granville Street Management Program:

A key objective of the City's investment in the Granville Street redesign project has always been to re-establish downtown Granville Street as one of Vancouver's pre-eminent public spaces and venue for pedestrian-oriented public life, just as the street was at an earlier stage in its history. Stakeholders have recognised that this involves creating the conditions that encourage retail activity to flourish including cafes, sidewalk patios, vendors and entertainers.

Throughout the design and construction process, there has been strong public support from all the stakeholders that a mechanism to coordinate the street uses and events would be required to maximize the benefit of the newly rebuilt street. Coordination of all uses of sidewalks, roadway and other street features that may include, but not be limited to, special events, street vending, street entertainment, banners, seasonal street decorations, and other initiatives taking place along the corridor, in the vicinity of the civic space or in the Granville Entertainment District.

### Resource Requirements

The development of the Granville Street Management Program will be coordinated by Engineering Services staff in consultation with the businesses along Granville Street, through consultation with the DVBA to implement a structure and management model encompassing roles, responsibilities and funding for desired activities and services for the corridor. As many of the street activities are currently administered by the Engineering Services Department, it is expected that program guidelines and by-law amendments that may be necessary be carried out by various Engineering branches under existing processes and staffing resources.

### Key Dates

A project plan has been developed and key dates are referenced below.

#### Proposed Timeline for the Development of the Granville Street Management Program

Research and Analysis - Street Management Programs & Funding Mechanisms	December 2009 - March 2010
Formation of Granville Street Management Program Planning Committee	April 2010
Draft Program Guidelines	April 2010
Stakeholder Consultation	May 2010
Council Approval of Granville Street Management Program, if required	June 2010
By-law Amendments, if required	September 2010
Implementation	Fall 2010

## Administration of Flexible Sidewalk/Flexible Parking Spaces on Granville

During the major construction phase, it became clear that the investment in public infrastructure on Granville, in the form of new custom sidewalks, lighting, street furniture, and roadway has encouraged and continues to encourage investment in the adjacent private properties. In many cases, private property owners and contractors are conducting improvements to private property tenanted spaces and building facades in coordination with the street work.



Figure 1 - Perspective Drawing Illustrating Sidewalk Parking Stalls

Now with major sidewalk and roadway construction complete on Granville, staff have been receiving inquiries about the usage of the new wider sidewalks for commercial purposes - in advance of the Granville Street Management Program development.

Specifically, staff have been receiving, processing and approving applications for sidewalk patios. North of Nelson, Granville Street sidewalks are generally of consistent width and applications are being processed accordingly. South of Nelson, however, the sidewalks have been specifically designed to be flexible so that parking can be accommodated at certain times on portions of the sidewalk between custom designed bollards but, at other times, can also act as widened sidewalks by restricting parking for special events or when pedestrian demands are elevated.

Some of the recent sidewalk patio applications, specifically in this section of Granville Street (south of Smith), would require the elimination of some flexible parking spaces (see figure 1) to provide permanently wide sidewalks to allow enough space for pedestrians to circulate around year-round sidewalk patios. Currently applicants are being advised by the City that they will be required to bear the cost of the foregone parking revenue. This is deterring several potential sidewalk patio applications, according to the DVBA.

Designing Granville Street to better support retail activity and establishing flexible infrastructure that allows for a wide variety of uses, are two of the guiding principles of the design. Accommodation of sidewalk patios is a key part of that principle, along with street vending and entertainment, and such patios provide benefits such as encouraging street animation and providing extra 'eyes on the street'. However, the availability of parking supply for the destination businesses located on this section of Granville Street has also been considered an important feature in previous rounds of consultation.

To balance the needs for both uses, it is recommended that twelve of the fifty-six flexible parking spaces (representing 20% of the overall parking supply of the southern three blocks) be considered for elimination to permit large year-round sidewalk patios, effectively shifting public sidewalk use from one commercial use (parking cars) to another (sidewalk patios).

It is expected that reducing the number of parking spaces by 20% of the total on-sidewalk parking supply will not materially affect overall parking supply on the street and still allow enough spaces to serve businesses and to allow staff to evaluate the pay-stations that have been installed on the street. While the principle of reducing one commercial use of sidewalks for another is supportable, there are also financial impacts that Council must consider.

A typical sidewalk patio permit fee, based on a 200 square foot sidewalk patio for both the summer and winter terms (in effect, all year round), is approximately \$2,000. Assuming that an average of one and a half parking spaces be eliminated to provide enough space for pedestrian passage, i.e. depending on layout of street elements, one or two spaces may be required, the revenue lost would be \$8700 per year (based on \$5800 per year times 1.5 parking spaces).

As such, the net loss of City revenue for this re-balancing of the sidewalk space would be \$6700 (\$8700 from 1.5 parking spaces - \$2000 from sidewalk patio permit) per sidewalk patio which translates to a potential net loss of up to \$53,600 per year in revenue as detailed in the table below.

Revenue Impact	Amount
Potential revenue lost from 12 parking spaces @ \$5,800 per space	\$69,600
Recaptured permit revenue from 8 sidewalk patios (approximately 1 patio to 1.5 parking spaces)	(\$16,000)
<b>Potential net revenue loss to City</b>	<b>\$53,600</b>

#### Processing of Sidewalk Patio Applications to Date - Nelson to Drake - Flexible Sidewalks

To date, sidewalk patios on these blocks have been approved in principle based on full recovery of lost revenue for the City. As such, applicants are being charged for both a patio permit and the difference between the permit fee and the cost of a pay parking stall removed to accommodate the patio.

Concerns about the added cost of a patio on this section of Granville Street have been expressed by patio applicants and the DVBA. In addition, a request has been made by the DVBA to relieve sidewalk patio applicants in this section of Granville Street from being charged lost parking space revenue for this interim period in the spirit of the design, in

recognition of the inconvenience of the construction period, and to jumpstart economic activity on street following the construction period until the Granville Street Management Program is developed and implemented.

The DVBIA and its design consultants have argued that the sidewalk patios were always recognized as being an important part of the redesigned street's new identity and that such patios contribute to realizing the full public benefits of the more than \$23 million investment in Granville Street. It has also been noted that penalizing the very businesses that are reinvesting commercially in Granville Street (i.e. the sidewalk patio owners) runs contrary to the intent of the redesign and will very likely result in fewer, not more, sidewalk patios being developed. The DVBIA supports the staff recommendation to allow up to 12 sidewalk parking spaces be eliminated to support sidewalk patios, as described above.

### ***FINANCIAL IMPLICATIONS***

The potential loss in parking revenues associated with the removal of sidewalk parking spaces on Granville to accommodate year-round sidewalk patios is \$53,600, as described in the table below. The potential revenue for the issuance of access permits to the transit mall is estimated at \$1,000 annually.

<b>Revenue Impact</b>	<b>Amount</b>
<b>Sidewalk Patios</b>	
Potential revenue lost from 12 parking spaces @ \$5,800 per space	\$69,600
Recaptured permit revenue from 8 sidewalk patios (approximately 1 patio to 1.5 parking spaces)	(\$16,000)
<b>Potential net revenue loss to City</b>	<b>\$53,600</b>
<b>Vehicle Access Permits</b>	
Potential revenue from the issuance of vehicle access permits to transit mall	\$1,000
<b>Potential annual revenue to City</b>	<b>\$1,000</b>

The access permits for additional vehicle usage of the transit mall are subject to the Goods and Services Tax and will also be subject to the Harmonized Sales Tax. As such, permit fees have been established at tax excluded prices. Upon implementation of the Harmonized Sales Tax, the total fee payable for the permits will be increased. However, as most users are expected to be commercial in nature, it is anticipated that input tax credits will reduce the tax impact for the majority of these users.

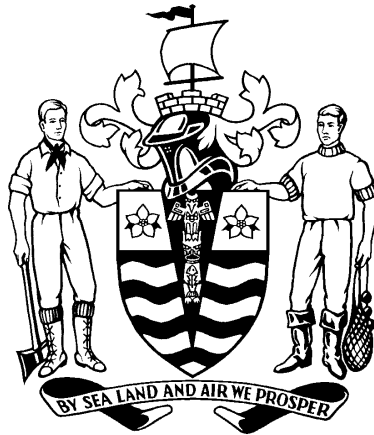
### ***CONCLUSION***

As construction of Granville Street downtown nears completion, the recommendations outlined in this report will guide the administration of the City's investment in this important corridor and establish guidelines to maximize its public benefit.

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CITY OF VANCOUVER  
BRITISH COLUMBIA



GRANVILLE MALL BY-LAW NO. \_\_\_\_\_

## GRANVILLE MALL BY-LAW

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BY-LAW NO. \_\_\_\_\_

**A By-law to repeal Granville Mall By-law No. 9272  
and to create a new Granville Mall By-law**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

**Name of By-law**

1. The name of this By-law, for citation, is the "Granville Mall By-law".

**Definitions**

2. In this By-law:

"bus" means a vehicle for hire operated by or on behalf of British Columbia Transit or its successor, used for the transportation of passengers, and operated in conjunction with a street transportation system in the city but excludes a custom transit vehicle;

"City Engineer" means the individual appointed by Council to be General Manager of Engineering Services or a person duly authorized to carry out the powers and duties of the General Manager of Engineering Services;

"commercial vehicle" means a vehicle that displays a valid plate or decal identifying it as registered and licensed under the Vehicle Licensing By-law, and that carries goods in the ordinary course of business but excludes a bus, taxicab, limousine, tow truck, fire, police or ambulance vehicle, or other vehicle designated as an emergency vehicle by the City Engineer;

"custom transit vehicle" means a vehicle used primarily for the transport of physically disabled persons, operated by an agency approved by the government authorities responsible for providing transit services for physically disabled persons, and identified in a manner specified by the City Engineer;

"emergency vehicle" means a tow truck, a fire, police or ambulance vehicle, or any other vehicle designated as an emergency vehicle by the City Engineer;

"Granville Mall" means that portion of Granville Street between the south boundary of Smithe Street and the north boundary of Hastings Street;

"limousine" means a vehicle licensed as such under the Vehicles for Hire By-law;

"transitway" means that portion of Granville Mall between the curbs designed for vehicular traffic but excludes any intersecting street;

"taxi" means a Class A, D, or L taxicab licensed as such under the Vehicles for Hire By-law; and

“vehicle” means any device that transports people or property on a roadway, irrespective of motor power, but excludes railway cars running upon rails.

### **Table of contents**

3. The table of contents for this By-law is for convenient reference only, and is not for use in interpreting or enforcing this By-law.

### **Severability**

4. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

### **Pedestrian crossings at intersections and on transitway**

5. At all intersections on Granville Mall, and on the transitway within 12 metres of a marked crosswalk, a pedestrian must not cross the transitway except as directed by a traffic-control signal.

### **Other pedestrian crossings**

6. Except in the areas referred to in section 5, a pedestrian may cross the transitway at any time but only if the pedestrian has first yielded the right of way to all vehicles on the transitway.

### **Overtaking and passing vehicles**

7. A person driving a vehicle must not overtake and pass any other moving vehicle on the transitway.

### **Entering transitway**

8. A person driving a vehicle, except for a bus or emergency vehicle, must not enter the transitway at Pender Street or Georgia Street.

### **Exiting Granville Mall**

9. A person driving a vehicle must not exit Granville Mall at any location except that:
- (a) the driver of a vehicle may exit at Hastings Street or Smithe Street in compliance with any posted traffic sign;
  - (b) the driver of a bus or emergency vehicle may exit at any location; and
  - (c) the driver of a taxi, a limousine, or a custom transit vehicle may exit at Dunsmuir Street to proceed in a westerly direction.

### **Loading or unloading**

10. A person must not load or unload a vehicle on Granville Mall except:
- (a) for a bus; or
  - (b) if such person has stopped or parked the vehicle atop the sidewalk and parallel to the transitway in a manner that does not impede pedestrians, waiting transit passengers, or access to private property entrances.

### **Time limit for loading or unloading**

11. A person must not stop or park a vehicle on Granville Mall, to load or unload it, for more than:
- (a) three minutes if the vehicle is a taxi or limousine;
  - (b) 30 minutes if the vehicle is a commercial vehicle; or
  - (c) 120 minutes if the vehicle displays a valid permit under this By-law.

### **Taxis and limousines**

12. A person must not drive a taxi or limousine on the transitway except to drop off or pick up a customer at a prearranged location.

### **Permits**

13. The City Engineer may issue permits to authorize the use of Granville Mall by persons driving vehicles.

### **Fees for permits**

14. The fee for a permit referred to in section 13 is:
- (a) \$251.43 for a permit valid for one year for a commercial vehicle;
  - (b) \$32.38 for a permit valid for one to 14 days for a commercial vehicle; and
  - (c) \$9.52 for a permit valid for one day for a non-commercial vehicle;

and any tax imposed under the Excise Tax Act (Canada) or other federal statute is additional.

### **Display of permit**

15. A permit holder must display the permit issued under this By-law prominently in the front of the vehicle so as to be visible through the vehicle's front windshield.

### **Prohibition on vehicles**

16. A person must not drive a vehicle on the transitway except for a vehicle displaying a valid permit issued under this By-law, a bus, a taxi, an emergency vehicle, or a bicycle.

### **Prohibited hours**

17. A person must not drive a vehicle displaying a current permit issued under this By-law on the transitway, or leave a vehicle parked on Granville Mall, between 7 a.m. to 9:30 a.m. or 3 p.m. to 6 p.m.

### **Traffic movement**

18. A person must not stop or park a vehicle, except for a bus, on Granville Mall in such a manner as to leave available less than 7.0 metres of the transitway for the free movement of two-way traffic.

### **Use of sidewalk**

19. Despite sections 66 and 67 of the Street and Traffic By-law, a person may use a designated portion of the sidewalk of Granville Mall to provide entertainment or to display or sell goods if that person has written authorization from the City Engineer to conduct such activity at the location and for the duration specified by the City Engineer.

### **Effect of other by-laws**

20. The Street and Traffic By-law and all other by-laws apply to Granville Mall, except:

- (a) for sections 76 and 76A of the Street and Traffic By-law; and
- (b) that in case of a conflict between this By-law and another by-law, this By-law is to prevail.

### **Offences under By-law**

21. A person who:

- (a) violates any provision of this By-law, or does any act or thing which violates any provision of this By-law, or suffers or allows any other person to do any act or thing which violates any provision of this By-law;



## EXPLANATION

### Granville Mall By-law

The attached by-law will implement Council's resolution of December 15, 2009 to create a new Granville Mall By-law.

Director of Legal Services  
December 15, 2009