



P7

POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: September 11, 2012
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Meeting Date: September 18, 2012

TO: Vancouver City Council
FROM: General Manager of Engineering Services
SUBJECT: Implementation of a Public Bike Share program - By-law amendments

RECOMMENDATION

THAT, to facilitate the implementation of a public bike share system in Vancouver, the General Manager of Planning and Development Services be instructed to make application to amend the Zoning and Development By-law and the Sign By-law, generally as presented in Appendix A, and to amend various CD-1 (Comprehensive Development) District By-laws, generally as presented in Appendix B, and that the application be referred to a public hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending by-laws, generally in accordance with Appendix A and Appendix B for consideration at the public hearing.

REPORT SUMMARY

The implementation of a public bike share system (the "PBS") is an action within the Greenest City Action Plan (GCAP) and will provide people with an easy and convenient transportation option to help support sustainable transportation within the City. Green Transportation goals being developed within the City's Transportation Plan will, in turn, help the Region and the Province achieve their targets. By 2020 over 50% of all trips within the City are to be made on foot, bicycle, or transit.

In accordance with Council direction and the City's Procurement Policy, the City commenced a procurement process for a Vancouver PBS by issuing a Request for Expressions of Interest (an "RFEOI") in April of 2011. Six submissions were received in response to the RFEOI and two

top proponents were short-listed for further evaluation. Based on extensive discussions with these two proponents, staff selected Alta Bicycle Share Inc. ("Alta") with which to proceed further in the City's ongoing evaluation. As part of this evaluation, the City and Alta entered into a non-legally binding letter of intent (an "LOI") on August 2, 2012. The LOI sets out a number of conditions that Alta must satisfy before the City would be willing to award the Vancouver PBS to Alta pursuant to a legal contract. Among these conditions, Alta must secure a minimum level of sponsorship funding and deliver a helmet distribution plan and prototype. Alta is currently in the process of satisfying these conditions. If one or more of these conditions are not met, the City has a number of options, including continuing discussions with Alta or commencing discussions with another PBS operator.

This report summarizes proposed amendments to certain City by-laws in order to facilitate the operation and implementation of the PBS.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

There is a history of Council policy that supports the implementation of a PBS, including the City of Vancouver's 1997 Transportation Plan, the 2002 Downtown Transportation Plan and the Greenest City Action Plan, all of which articulate objectives for shifting trips to walking, cycling and transit.

On July 22, 2008, Council instructed staff to report back on the implementation and costs of a PBS in the City of Vancouver.

On March 24, 2009 Council directed staff to commence a procurement process for a Vancouver PBS, and to report back with respect to financial and staffing implications, as well as coordination with, and/or impacts to, existing contracts and business units.

On July 12, 2011 the Greenest City Action Plan "Green Transportation" priority was approved by Council, directing staff to pursue the development and installation of a PBS in Vancouver's downtown and other high-potential cycling areas.

On June 13, 2012, staff presented a report reference updating Council on the PBS procurement process and timeline.

REPORT

Background/Context

City staff have been directed by Council to implement a PBS in 2013. The initial service area will cover the Metro Core, an area including the downtown peninsula, bounded by the Central Broadway area and potentially extending from Alma Street to Victoria Drive with most stations sited every 300-400 m, comprised of about 125 stations and 1,500 bicycles.

A report reference was brought forward on June 13, 2012, to Council on the proposed PBS for Vancouver and the status of the PBS procurement process. As part of the City's ongoing evaluation under the PBS procurement process, the LOI was entered into between the City and Alta on August 2, 2012.

In order to facilitate the implementation and operation of a PBS, Council will need to amend the Sign By-law, the Zoning and Development By-law and various Comprehensive Development District (CD-1) By-laws in the manner summarized below and in accordance with Appendix A and Appendix B.

In addition to the amendments summarized in this report, other by-law amendments will also be required, including amendments to the Street and Traffic By-law, the City Land Regulation By-law, the Street Vending By-law, the Building By-law, the Vehicle for Hire By-law and the License By-law. Amendments to those by-laws do not require a public hearing, and will be presented to Council following any public hearing held to consider the proposed amendments to the Sign By-law, to the Zoning and Development By-law and to the CD-1 By-laws.

Strategic Analysis

The City is proposing a PBS private operator business model, consistent with the trend in North America. The City is seeking to facilitate the implementation and operation of a PBS in Vancouver by making PBS specific amendments to the following areas of existing regulations that apply to private and public lands:

- restrictions on land use;
- signage restrictions; and
- restrictions on the conduct of commercial transactions.

Land Use

PBS stations and system components require a detailed site review, and careful consideration prior to installation of a PBS station, of the impact of reallocating space from the pedestrian realm or from on-street parking and other curbside uses. Stations placed every 300-400 meters in dense pedestrian areas will optimize the PBS, with focus areas that include:

- commercial/shopping districts;
- connections to public transit;
- parks and community centres;
- tourist attractions; and
- educational institutions.

Public lands and private lands other than streets which are accessible to the public, may offer the best, or in some cases, the only solution for a PBS station in certain parts of the service area and therefore amendments to the Zoning and Development By-law (see Appendix A) are proposed to facilitate station placement.

A Public Bike Share use is to be created and added to the list of Retail Uses currently in the Zoning and Development By-law. Many current zoning districts will also be amended in order to allow Public Bike Share as a use in those zones, including amendments to various CD-1 districts that have been identified as possible PBS locations (see Appendix B). Other zoning districts do not require an amendment because those zoning districts already permit commercial or retail uses that would allow a Public Bike Share use.

A Public Bike Share use will also be added to the list of developments that are exempted from the requirement for a development permit if certain requirements are met. Generally, the requirements are that a Public Bike Share station must: (a) not include any enclosed structures, (b) be automated, (c) not interfere with any public works, facilities or amenities; and (d) be part of a network comprised of no fewer than 50 Public Bike Share stations.

Signage Restrictions

PBS systems rely on funding from sponsors as well as revenue from membership fees and access fees paid to the private business operator. This funding typically helps support the launch and operations as part of a multi-year arrangement. In exchange for funding, sponsors typically require acknowledgements to be displayed at PBS stations. These acknowledgements may take different forms but typically include logos on bikes and/or signage at stations. The Sign By-law currently prohibits many of these forms of acknowledgement. Amendments are proposed to the Sign By-law to remove these prohibitions and allow signs associated with PBS use. In particular, logos, signs and other forms of acknowledgement associated with the PBS will be added to the list of signs that are currently exempt from the Sign By-law, provided certain requirements are met.

Commercial Transactions

A PBS is typically comprised of a network of self-service stations, at which a user could rent and return a bike, and in Vancouver's case, a helmet, for short one-way bicycle trips. This PBS rental involves a commercial transaction, and the proposed amendments to Zoning and Development By-law are intended to permit these limited PBS specific commercial transactions. Other by-law amendments required for these purposes will be discussed in a subsequent report to be presented following any public hearing.

Financial Implications

Based on the planned initial launch of 125 stations, many of which will be on private land or public land other than streets, the one-time development permit fees that are forgone by the City as a result of the proposed exemption from the requirement for a development permit add up to approximately \$35,000.

CONCLUSION

The recommendations put forward in this report, if enacted, will result in amendments to the Sign By-law, the Zoning and Development By-law and to various CD-1 By-laws that will facilitate a private business operator to implement and operate a viable PBS system.

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PUBLIC BIKE SHARE: Proposed Amendments to the Sign By-law and to the Zoning and Development By-law

Note: Draft by-laws will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

BY-LAW NO. _____

A By-law to amend
Sign By-law No. 6510
regarding public bike share

1. This By-law amends the indicated provisions of the Sign By-law.
2. In section 3.2 Council:
 - (a) strikes the final “and” in section 3.2(e);
 - (b) replaces the “.” at the end of section 3(2)(f) with “; and”; and
 - (c) adds a new section 3.2(g) as follows:

“(g) signs necessary or incidental to the operation of a public bike share station, including sponsorship acknowledgement, provided:

- (i) no sign is greater in size than 2.0 square metres; and
- (ii) no sign has a height greater than 3 metres.”

PUBLIC BIKE SHARE: Proposed Amendments to the Sign By-law and to the Zoning and Development By-law

BY-LAW NO. _____

A By-law to amend Zoning and Development By-law No. 3575 Regarding public bike share

1. This By-law amends the indicated provisions of the Zoning and Development By-law.
2. In section 2 Council inserts in the correct alphabetical order:

“Public Bike Share Station means a bicycle sharing facility where bicycles are stored and from which the general public may rent and return bicycles and other objects or equipment necessary for or appurtenant to the operation of a Bicycle Share service.”
3. In section 2 under the definition of “Retail Uses” Council inserts in correct alphabetical order:

“Public Bike Share means a use of premises that provides the general public with an opportunity to rent bicycles through an automated system on a short-term basis for use within the city as part of a network comprised of no fewer than 50 Public Bike Share Stations located on separate sites.”
4. In section 5 Council adds as section 5.19:

“5.19 The installation and maintenance of a Public Bike Share Station as part of a Public Bike Share use, provided that the Public Bike Share Station:
 - (a) does not include any enclosed structures;
 - (b) is automated;
 - (c) does not interfere with any public works, facilities or amenities; and
 - (d) is part of a network comprised of no fewer than 50 Public Bike Share Stations.”
5. Council adds as section 11.26:

“Public Bike Share

PUBLIC BIKE SHARE: Proposed Amendments to the Sign By-law and to the Zoning and Development By-law

11.26.1 Despite anything to the contrary in this By-law, Public Bike Share is only a permitted use of lands that fall within the area inside the thick black line shown on the map attached to this section as Figure “1”.

11.26.2 The Director of Planning may approve a Public Bike Share use, including such conditions as the Director may decide, provided that the Director first considers:

- (a) all applicable policies and guidelines adopted by Council; and
- (b) the submission of any advisory group, property owner or tenant;

but no development permit approving the use shall be required if the use complies with section 5.19 of this By-law.

11.26.3 Floor space necessary for Public Bike Share or a Public Bike Share Station shall be excluded from the calculation of floor space ratio on any site.”

6. To section 3.2.R in the C-1,C-2, C-2B, C-2C, C-2C1,C-3A, FC-1, FM-1, HA-1, HA-1A, HA-2, HA-3, I-1, I-2, I-3, IC-1, IC-2, IC-3, M-1, M-1A, M-1B, M-2, RA-1, RS-1A, RS-1B, RS-2, RS-3, RS-3A, RS-4, RS-6, RT-1, RT-2, RT-3, RT-6, RT-7, RT-8, RT-9, RT-10, RT-10N, RM-1, RM-1N, RM-2, RM-3, RM-3A, RM-4, RM-4N, and RM-6 District Schedules, Council adds, in correct alphabetical order:

- “● Public Bike Share.”

7. To section 3.2.1.R in the C-5, C-6, C-7, C-8, MC-1, MC-2, RM-5, RM-5A, RM-5B, RM-5C, RS-1, RS-5, RS-7, RT-4, RT-4A, RT-4N, RT-4AN, RT-5, RT-5A, RT-5N and RT-5AN District Schedules, Council adds, in correct alphabetical order:

- “● Public Bike Share.”

8. Council repeals section 3.3.1 of the RM-5, RM-5A, RM-5B and RM-5C Districts Schedule and substitutes:

“All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) the display of flowers, plants, fruits and vegetables;
- (c) restaurant;
- (d) farmers’ market; and

PUBLIC BIKE SHARE: Proposed Amendments to the Sign By-law and to the Zoning and Development By-law

(e) public bike share.”

9. Council repeals section 3.3.1 of the C-2B and C-2C District Schedules and substitutes:

“All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) full serve and split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
- (c) restaurant;
- (d) neighbourhood public house;
- (e) farmers’ market;
- (f) public bike share.”

9. Council repeals section 3.3.1 of the C-2C1 District Schedule and substitutes:

“All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) full serve and split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
- (c) restaurant;
- (d) drive-in restaurant;
- (e) drive-through service;
- (f) neighbourhood public house;
- (g) farmers’ market; and
- (h) public bike share.”

PUBLIC BIKE SHARE: Proposed Amendments to the Sign By-law and to the Zoning and Development By-law

10. Council repeals section 3.3.1 of the C-5 and C-6 Districts Schedule and substitutes:

“All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) full service gasoline station, except that section 11.10.2 of this By-law continues to apply;
- (c) neighbourhood public house;
- (d) restaurant;
- (e) farmers’ market; and
- (f) public bike share.”

11. Council repeals section 3.3.1 of the C-7 and C-8 Districts Schedule and substitutes:

“All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) full serve and split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
- (c) vehicle dealer;
- (d) taxicab or limousine station;
- (e) restaurant;
- (f) neighbourhood public house;
- (g) farmers’ market; and
- (h) public bike share.”

12. Council repeals section 3.3.3 of the MC-1 and MC-2 Districts Schedule and substitutes:

PUBLIC BIKE SHARE: Proposed Amendments to the Sign By-law and to the Zoning and Development By-law

“All uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) full serve and split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
- (c) display of flowers, plants, fruits and vegetables;
- (d) neighbourhood public house;
- (e) vehicle dealer;
- (f) transportation and storage uses;
- (g) lumber and building materials establishment;
- (h) farmers’ market; and
- (i) public bike share.”

13. Council repeals section 3.3.1 of the HA-1 and HA-1A, District Schedules and substitutes:

“All uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) restaurant;
- (c) parks and playgrounds;
- (d) neighbourhood public house;
- (e) full serve and split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
- (f) farmers’ market; and
- (g) public bike share.”

14. Council repeals section 3.3.1 of the HA-2 District Schedule and substitutes:

PUBLIC BIKE SHARE: Proposed Amendments to the Sign By-law and to the Zoning and Development By-law

- “All uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:
- (a) parking and loading facilities;
 - (b) restaurant;
 - (c) display of flowers, plants, fruits and vegetables;
 - (d) neighbourhood public house;
 - (e) farmers’ market; and
 - (f) public bike share.”
15. Council repeals section 3.3.1 of the HA-3 District Schedule and substitutes:
- “All uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:
- (a) parking and loading facilities;
 - (b) neighbourhood public house;
 - (c) farmers’ market; and
 - (d) public bike share.”
16. Council repeals section 3.3.1 of the C-1 District Schedule and substitutes;
- “All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:
- (a) parking and loading facilities;
 - (b) full serve and split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
 - (c) neighbourhood public house;
 - (d) farmers’ market; and
 - (e) public bike share.”

PUBLIC BIKE SHARE: Proposed Amendments to the Sign By-law and to the Zoning and Development By-law

17. Council repeals section 3.3.1 of the C-2, C-3A and FC-1 District Schedules and substitutes:

“All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) full serve and split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
- (c) vehicle dealer;
- (d) drive-in restaurant;
- (e) drive-through service;
- (f) lumber store;
- (g) taxicab or limousine station;
- (h) neighbourhood public house;
- (i) farmers’ market; and
- (j) public bike share.”

18. Council repeals section 3.3.1 of the RM-6 District Schedule and substitutes:

“All commercial uses listed in this section shall be carried on wholly within a completely enclosed building, except for the following:

- (a) parking and loading facilities;
- (b) display of flowers, plants, fruits and vegetables;
- (c) split island gasoline station, except that section 11.10.2 of this By-law continues to apply;
- (d) restaurant;
- (e) farmers’ market; and
- (f) public bike share.”

PUBLIC BIKE SHARE: Proposed Amendments to the Sign By-law and to the Zoning and Development By-law

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**PUBLIC BIKE SHARE: Proposed Amendments to Various CD-1
(Comprehensive Development) District By-laws**

Note: Draft by-laws will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

1003 Pacific Street

BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 5852

1. This By-law amends the indicated provisions of By-law No. 5852.
2. In Section 2, Council inserts in section 2(b) the words “public bike share,” following the words “retail store,” found in the third bullet.

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**PUBLIC BIKE SHARE: Proposed Amendments to Various CD-1
(Comprehensive Development) District By-laws**

955 Burrard Street

BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 9190

1. This By-law amends the indicated provisions of By-law No. 9190.
2. In Section 3, Council:
 - a. deletes the word “and” from section 3(d);
 - b. replaces the “.” at the end of section 3(e) with “; and”; and
 - c. inserts as section 3(f) the following:

“(f) Public Bike Share.”

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**PUBLIC BIKE SHARE: Proposed Amendments to Various CD-1
(Comprehensive Development) District By-laws**

901 West Hastings Street

BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 6885

1. This By-law amends the indicated provisions of By-law No. 6885.
2. In Section 2, Council deletes sections 2(a), 2(b) and 2(c) and replaces them with the following:

“(a) public open space which may include through vehicular access;
(b) underground parking garage;
(c) public bike share; and
(c) accessory uses customarily ancillary to the above uses.”

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**PUBLIC BIKE SHARE: Proposed Amendments to Various CD-1
(Comprehensive Development) District By-laws**

757 West Hastings Street (Sinclair Centre)

BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 6557

1. This By-law amends the indicated provisions of By-law No. 6557.
2. In Section 2, Council:
 - a. deletes the word “and” at the end of section 2(w);
 - b. inserts as section 2(x) the following:

“(x) Public Bike Share; and”; and
 - c. renumbers the previous 2(x) as 2(y).

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**PUBLIC BIKE SHARE: Proposed Amendments to Various CD-1
(Comprehensive Development) District By-laws**

1144 - 1152 Mainland Street

BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 6819

1. This By-law amends the indicated provisions of By-law No. 6819.
2. In Section 2, Council deletes sections 2(a) and 2(b) and replaces them with the following:

“ (a) Underground Parking;
(b) Park or Public Open Space; and
(c) Public Bike Share.”

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**PUBLIC BIKE SHARE: Proposed Amendments to Various CD-1
(Comprehensive Development) District By-laws**

34 West Pender Street

BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 7556

1. This By-law amends the indicated provisions of By-law No. 7556.
2. In Section 2, Council:
 - a. deletes the word “and” at the end of section 2(e);
 - b. inserts as section 2(f) the following:

“(f) Public Bike Share; and”; and
 - c. renumbers the previous 2(f) as 2(g).

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**PUBLIC BIKE SHARE: Proposed Amendments to Various CD-1
(Comprehensive Development) District By-laws**

Vancouver General Hospital

BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 4472

1. This By-law amends the indicated provisions of By-law No. 4472.
2. In Section 4.1.6, Council inserts the words “Public Bike Share,” following the words “Retail Store (Hospital),”.

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**PUBLIC BIKE SHARE: Proposed Amendments to Various CD-1
(Comprehensive Development) District By-laws**

1899 West 1st Avenue (Seaforth Place)

BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 7174

1. This By-law amends the indicated provisions of By-law No. 7174.
2. In Section 2, Council:
 - a. inserts as section 2(l) the following:

“(l) Public Bike Share; and”; and
 - b. renumbers the previous 2(l) as 2(m).

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**PUBLIC BIKE SHARE: Proposed Amendments to Various CD-1
(Comprehensive Development) District By-laws**

453 West 12th Avenue (City Hall)

BY-LAW NO. _____

A By-law to amend CD-1 By-law No. 4356

1. This By-law amends the indicated provisions of By-law No. 4356.
2. In Section 2, Council inserts the words “, Public Bike Share” after the words “Civic Government Offices”

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