



REFERRAL REPORT

Report Date: August 19, 2021
Contact: Chris Robertson
Contact No.: 604.873.7684
RTS No.: 14513
VanRIMS No.: 08-2000-20
Meeting Date: September 22, 2021

TO: Standing Committee on Policy and Strategic Priorities

FROM: General Manager of Planning, Urban Design & Sustainability

SUBJECT: Zoning and Development By-law Amendments to Allow Patios for Liquor Manufacturers

RECOMMENDATION

THAT the General Manager of Planning, Urban Design and Sustainability be instructed to make application to amend the Zoning and Development By-law generally in accordance with Appendix A, as follows:

- i. Amend the M-1, M-2, IC-1, IC-2, IC-3, I-1, I-1A, I-1B, I-1C, I-2, I-3, I-4, and FC-2 district schedules, to allow patios for liquor manufacturers; and
- ii. Update Section 10.29A to permit temporary patios until March 31, 2022;

FURTHER THAT the application be referred to Public Hearing;

AND FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amending By-law, generally in accordance with Appendix A, for consideration at Public Hearing.

REPORT SUMMARY

This report responds to Council's September 16, 2020, Motion which directed staff to report back on allowing patios on an ongoing basis for breweries that currently hold a lounge endorsement (see Appendix C) and is part of the continued efforts to support business recovery and promote economic development.

Following detailed analysis and industry feedback, staff recommend Zoning and Development By-law amendments to facilitate patios on private property for liquor manufacturers with a Provincial lounge endorsement. These amendments:

- introduce regulations to allow patios for liquor manufacturers in 13 industrial district schedules, and
- extend the temporary allowance of outdoor patios on private property for uses that must be wholly contained within a building in some District Schedules, such as retail stores, cabarets and some restaurants, from October 31, 2021 to March 31, 2022.

This extension would allow businesses with patio permits issued through the Temporary Expedited Patio Program (TEPP) to continue beyond October 31, 2021 as they transition to a new, permanent patio permit.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

- *July 2013* - Council enacted Zoning and Development By-law amendments to allow liquor manufacturing accessory lounges.
- *May 2020* - Council Motion to support small businesses such as restaurants in meeting Public Health physical distancing requirements while continuing to sustain themselves during the pandemic.
- *May 2020* – Council approval to temporarily waive patio permit and application fees until October 31, 2020.
- *June 2020* - Council approval of Zoning and Development By-law amendments to allow the Director of Planning to vary restrictions that require certain uses, such as a lounge accessory to a liquor manufacturing, to be carried on completely within an enclosed building until October 31, 2020.
- *September 2020* - Council Motion directing staff to report back on allowing patios for breweries that currently hold a lounge endorsement on an ongoing basis, and ensuring alignment with Provincial guidelines.
- *October 2020* - Council approval of Zoning & Development By-law amendments extending temporary patios for businesses on private property until October 31, 2021.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing.

REPORT

Background/Context

In response to COVID-19, and Public Health Office (PHO) orders requiring increased physical distancing, the Provincial Liquor and Cannabis Regulation Branch (LCRB) introduced the Temporary Expanded Service Area (TESA) for food primary, liquor primary and manufacturer licences. The TESA allowed for liquor licensed establishments to meet the PHO physical distancing measures and did not increase occupant loads. The Province has recently extended the TESA to June 1, 2022.

In June 2020, the City launched the Temporary Expedited Patio Program (TEPP), which expedited permit processes, waived permit costs for temporary patios, and included by-law amendments to allow temporary patios. The TEPP involved subsequent processes to support this initiative; specifically, Council approved amendments to the Zoning and Development By-law allowing temporary patios on private property for liquor manufacturers with accessory lounges until October 31, 2021.

On September 16, 2020, Council directed staff to report back on allowing patios on an ongoing basis for liquor manufacturers that currently have lounge endorsements (see Appendix C). It should be noted that brewery and distillery patio permits on private property make up a small subset of the overall TEPP permits received (approximately 400 temporary permits issued in 2020, and nearly 700 temporary patio permits issued for 2021). Of the 176 TEPP permits received as of summer 2021 for private property, 12 of these were for brewery and distillery lounge patios.

Engineering and Development, Buildings, and Licensing are bringing forward a separate report which will broadly address the transition from TEPP to an updated permanent summer patio program. This program includes patios on public and private property. If approved, the program will allow summer patios annually from April 1 to October 31. Permanent (year round) patios are currently allowed on private property (except for a limited number of uses in zones where they must be wholly contained within a building – discussed in the section below) and are processed through the standard development and/or building permit process.

Strategic Analysis

Liquor Manufacturing Uses and Temporary Patios

Current regulations in certain District Schedules prohibit some uses such as accessory lounges for liquor manufacturers, restaurants, retail stores, neighbourhood grocery stores and cabarets, from having a patio on private property since the use must be wholly contained within an enclosed building. The proposed zoning amendments focus on liquor manufacturers and patios in response to the September 2020 Council motion. The other uses will be reviewed separately by Planning Urban Design and Sustainability staff and brought back for Council's consideration in early 2022.

Liquor manufacturing lounges, as approved by Council in 2013, were intended as an accessory use to the principal manufacturing use within the Zoning and Development By-law. Lounges may be up to 80 sq. m. and must be contained wholly within the building in order to protect the integrity and viability of the City's industrial land base by ensuring the principal manufacturing use remains the primary focus of the site and zoning. In addition, these regulations minimized potential negative impacts on the surrounding area (e.g. other industrial uses, and adjacent commercial and residential properties).

In 2020, Council approved amendments to the Zoning and Development By-law to allow breweries and distilleries to temporarily install patios through Director of Planning discretion (Sec 10.29A) until October 31, 2021.

The following principles were used to assess the temporary program and develop the new draft Zoning and Development By-law regulations for brewery and distillery patios to continue beyond the temporary provisions of the TEPP:

- **Support local businesses and work with the liquor manufacturing industry** to expand their liquor-serving lounge operations with a permanent outdoor seating option.
- **Balance the protection of industrial lands** for production, distribution and repair activities by ensuring that liquor manufacturing remains the principal use on the site, while the lounge and patio remain accessory.
- **Ensure patios are safe** by meeting Vancouver Building By-law requirements.
- **Create patio regulations** for applicants and staff reviewing applications to support a streamlined application review process.

Proposed Zoning and Development By-law Amendments

Based on industry feedback and detailed staff analysis, staff recommend the following proposed Zoning and Development By-law amendments to permit brewery and distillery patios on an ongoing basis. Please see Appendix A and B for full details of these amendments.

Table 1. Summary of Zoning Amendments

Current Regulation	Proposed amendment	Rationale
<i>Applies to 13 industrial district schedules*</i>		
Lounge use accessory to Brewing or Distilling use must be wholly within a completely enclosed building.	<ul style="list-style-type: none"> • Remove the requirement for a lounge use to be wholly within a completely enclosed building. 	<ul style="list-style-type: none"> • Allows a patio to be located outside the building. Note: this is what current TEPP provisions permit until October 31, 2021. • Liquor manufacturers could potentially have both a lounge <u>and</u> a patio as part of their ongoing operations.
The Zoning & Development By-law does not currently allow patios for brewery & distillery uses.	<ul style="list-style-type: none"> • Introduce an area up to 80 sq. m for patios (lounge use located outside the principal building). 	<ul style="list-style-type: none"> • Supports the expansion of liquor-serving lounge operations while balancing protection of industrial lands. • Creates an outdoor space for patrons that is equivalent to the interior lounge (also 80 sq.m). • Reflects the median size of temporary liquor manufacturing patios on private property approved through the TEPP.
	<ul style="list-style-type: none"> • Exclude any portion of the patio from total floor area permitted for accessory uses. 	<ul style="list-style-type: none"> • Provides a maximum patio size that does not require accessory use floor area calculation. Any covered portion would still count towards overall FSR of the site.

Current Regulation	Proposed amendment	Rationale
<i>Applies to Section 10.29A</i>		
Temporary patios are permitted until October 31, 2021.	<ul style="list-style-type: none"> Update Section 10.29A to permit temporary patios until March 31, 2022. 	<ul style="list-style-type: none"> Provides an opportunity for liquor manufacturers with existing temporary patios to transition to the new regulations.

* Proposed district schedules amended: M-1, M-2, IC-1, IC-2, IC-3, I-1, I-1A, I-1B, I-1C, I-2, I-3, I-4, FC-2

Introduction of Liquor Manufacturing Patios

The proposed amendments will allow for liquor manufacturing patios as follows:

- an area up to 80 sq.m. (overall footprint of the patio covered or uncovered);
 - if covered (e.g. has a roof and posts), all covered portions of the patio would count towards the overall FSR of the site. Liquor manufacturers could still have up to an 80 sq.m footprint for a patio and 80 sq.m for an indoor lounge. This approach is consistent with how other patios on private property are reviewed by the City; and
- patios would be required to meet all applicable By-laws, including the Zoning and Development By-law, Vancouver Building By-law, Fire By-law, Parking By-law and licencing requirements.

The proposed new regulations allow liquor manufacturers to have a patio in addition to a lounge as part of their business and it provides a consistent approach for reviewing patio applications on private property.

Patio Permit Processing and Timing

If approved, the proposed changes to the Zoning and Development By-law would allow the extension of temporary patios from October 31, 2021 until March 31, 2022. This extension would:

- create a transition period for patios on private property approved under TEPP;
- facilitate continuous patio service; and
- enable liquor manufacturers on private property to continue to operate patios during the transition from TEPP to a permanent patio.

What We Heard: Industry Input

Due to public health orders restricting in-person gatherings during the COVID-19 pandemic, public engagement with industry, trade associations and BIAs was conducted online through two consultations. The first included an electronic survey, and the second consultation included sharing draft regulations electronically (see Appendix D for detailed information).

In summary, the industry was supportive of patios, citing benefits related to financial support during COVID-19 and its contribution to neighbourhood and city vibrancy. Concerns for ongoing patios related to the permitting process (review time), and processing questions (capacity/occupancy, washroom requirements and parking).

A cross-departmental staff review group has been working to respond to the strong industry support for the TEPP and to ensure the permitting process for the transition to an ongoing patio

program is consistent and streamlined. Engineering and Development, Buildings, and Licensing will be reporting out further on this work as part of their September 22, 2021 report.

The proposed regulations are designed to continue to support patios similar to those achieved through the TEPP and are adjusted for post-pandemic context. To enable physical distancing during the pandemic and facilitate an expedited response to provincial health orders mandating physical distancing and reduced service capacity, TEPP applications underwent streamlined building and development reviews. Reviews were completed on the basis of existing occupancy limits and relaxed parking requirements. Moving to a post pandemic context, applications must now align with all applicable by-laws including Vancouver Fire By-law, Vancouver Building By-law and licensing requirements to ensure key safety and building code requirements are met.

Financial Implications

TEPP patio permit fees have been waived until October 31, 2021. There are no permit or application fees for TEPP patios while the program is in operation. The Engineering and Development, Buildings, and Licensing September 22 report will address future fees past October 31, 2021.

Development Cost Levies (DCLs) would apply to any portion of the permanent patio that is counted towards floor space ratio (FSR) as indicated on a Development Permit. BC Assessment may be required to update the proportional property tax classification of a property based on the updated use of the site. Given the modest size of patios (up to 80 sq. m), these impacts are anticipated to be negligible.

CONCLUSION

This report recommends amendments to the Zoning and Development By-law to allow liquor manufacturing patios and to update Section 10.29A to March 31, 2022, to facilitate the transition from TEPP patios on private property to an ongoing patio permit. The proposed changes support local liquor manufacturing businesses and promote the expansion of liquor-serving lounge operation with an ongoing outdoor seating area.

* * * * *

DRAFT

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

**A By-law to amend
Zoning and Development By-law No. 3575
Regarding Brewing or Distilling Patios**

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

1. This By-law amends the indicated provisions of the Zoning and Development By-law No. 3575.
 2. In section 10.29A.1, Council strikes out “October 31, 2021” and substitutes “March 31, 2022”.
 3. In the M-1 District Schedule, Council:
 - (a) strikes out section 3.3.3; and
 - (b) strikes out section 4.7.1(d) and substitutes the following:

“(d) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed:
 - (i) 80 m² for any portion of the lounge use located within the principal building, and
 - (ii) 80 m² for any portion of the lounge use located outside the principal building.”.
4. In the M-2 District Schedule and the I-4 District Schedule, Council:
 - (a) strikes out section 3.3; and
 - (b) strikes out section 4.7.1(f) and substitutes the following:

“(f) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed:
 - (i) 80 m² for any portion of the lounge use located within the principal building, and
 - (ii) 80 m² for any portion of the lounge use located outside the principal building.”.
5. In the IC-1 and IC-2 Districts Schedule and the IC-3 District Schedule, Council:
 - (a) strikes out section 3.3.6; and
 - (b) strikes out section 4.7.1(d) and substitutes the following:

“(d) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed:
 - (i) 80 m² for any portion of the lounge use located within the principal building, and

- (ii) 80 m² for any portion of the lounge use located outside the principal building.”.

6. In the I-1 District Schedule, Council:

- (a) strikes out section 3.3.7;
- (b) strikes out section 4.7.1(d)(v) and substitutes the following:
 - “(v) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed:
 - (i) 80 m² for any portion of the lounge use located within the principal building, and
 - (ii) 80 m² for any portion of the lounge use located outside the principal building.”; and
- (c) in section 2.2A, adds “, except any portion of the lounge use accessory to a Brewing and Distilling use located outside the principal building,” after “the total floor area of all accessory uses”.

7. In the I-1A District Schedule and the I-1B District Schedule, Council:

- (a) strikes out section 3.3.7;
- (b) strikes out section 4.5.1(d)(v) and substitutes the following:
 - “(v) for a lounge use accessory to a Brewing or Distilling use must not exceed:
 - (i) 80 m² for any portion of the lounge use located within the principal building, and
 - (ii) 80 m² for any portion of the lounge use located outside the principal building.”; and
- (c) in section 2.2A, adds “, except any portion of the lounge use accessory to a Brewing and Distilling use located outside the principal building,” after “the total floor area of all accessory uses”.

8. In the I-1C District Schedule, Council:

- (a) strikes out section 3.3.7;
- (b) strikes out section 4.5.1(d)(v) and substitutes the following:
 - “(v) for a lounge use accessory to a Brewing or Distilling use must not exceed:
 - (i) 80 m² for any portion of the lounge use located within the principal building, and
 - (ii) 80 m² for any portion of the lounge use located outside the principal building; and”;
- (c) in section 2.2A, adds “, except any portion of the lounge use accessory to a Brewing and Distilling use located outside the principal building,” after “the total floor area of all accessory uses”.

9. In the I-2 District Schedule, Council:

- (a) strikes out section 3.3.5;
- (b) renumbers section 3.3.6 as 3.3.5; and
- (c) strikes out section 4.7.1(i) and substitutes the following:
 - “(i) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed:
 - (i) 80 m² for any portion of the lounge use located within the principal building, and
 - (ii) 80 m² for any portion of the lounge use located outside the principal building.”.

10. In the I-3 District Schedule, Council:

- (a) strikes out section 3.3.6;
- (b) renumbers sections 3.3.7 and 3.3.8 as 3.3.6 and 3.3.7, respectively;
- (c) strikes out section 4.7.1(e) and substitutes the following:
 - “(e) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed:
 - (i) 80 m² for any portion of the lounge use located within the principal building, and
 - (ii) 80 m² for any portion of the lounge use located outside the principal building.”; and
- (d) strikes out section 4.7.2(e) and substitutes the following:
 - “(e) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed:
 - (i) 80 m² for any portion of the lounge use located within the principal building, and
 - (ii) 80 m² for any portion of the lounge use located outside the principal building.”.

11. In the I-4 District Schedule, Council:

- (a) strikes out section 3.3;
- (b) strikes out section 4.7.1(f) and substitutes the following:
 - “(f) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed:
 - (i) 80 m² for any portion of the lounge use located within the principal building, and
 - (ii) 80 m² for any portion of the lounge use located outside the principal building.”.

12. In the FC-2 District Schedule, Council:

- (a) strikes out section 3.3.7;
- (b) renumbers sections 3.3.8, 3.3.9, and 3.3.10 as 3.3.7, 3.3.8, and 3.3.9, respectively; and

City Clerk

Amendments to Zoning and Development By-law

Note: This document is being provided for information only as a reference tool to highlight the proposed amendments. The draft amending by-laws attached to the Council report RTS No. 14513 entitled "Zoning and Development By-law Amendments to Allow Patios for Liquor Manufacturers" represent the amendments being proposed to Council for approval. Should there be any discrepancy between this redline version and the draft amending by-laws, the draft amending by-laws prevail.

District Schedule(s)	Proposed Amendments
Section 10	<ul style="list-style-type: none"> Revise Section 10.29A.1 For the purposes of this section 10.29A, "temporary patio" means a patio permitted on a temporary basis only, for a period up to and including October 31, 2021 March 31, 2022.
M-1	<ul style="list-style-type: none"> Delete Section 3.3.3 Lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building. Section 4.71(d) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m² Replace with: (d) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed: <ul style="list-style-type: none"> (i) 80 m² for any portion of the lounge use located within the principal building, and (ii) 80 m² for any portion of the lounge use located outside the principal building.
M-2 & I-4	<ul style="list-style-type: none"> Delete Section 3.3 Conditions of Use 3.3.1 Lounge use accessory to Brewing or Distilling use must be carried on wholly within an enclosed building Delete Section 4.7.1(f) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m² Replace with: (f) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed: <ul style="list-style-type: none"> (i) 80 m² for any portion of the lounge use located within the principal building, and (ii) 80 m² for any portion of the lounge use located outside the principal building.
IC-1, IC-2 & IC-3	<ul style="list-style-type: none"> Delete 3.3.6 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building. Delete Section 4.7.1(d) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed 80 m². Replace with: (d) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed: <ul style="list-style-type: none"> (i) 80 m² for any portion of the lounge use located within the principal building, and (ii) 80 m² for any portion of the lounge use located outside the principal building.

District Schedule(s)	Proposed Amendments
I-1	<ul style="list-style-type: none"> • Revise 2.2A <i>Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction with wholesale uses listed in section 2.2.W, provided that, unless permitted as an outright approval use pursuant to section 2.2 of this Schedule, the total floor area of all accessory uses, except any portion of the lounge use accessory to a Brewing and Distilling use located outside the principal building, shall not be greater than 33-$\frac{1}{3}$ percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.</i> • Delete 3.3.7 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building. • Delete Section 4.7.1(d)(v) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m² Replace with: (d) (v) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed: <ul style="list-style-type: none"> (i) 80 m² for any portion of the lounge use located within the principal building, and (ii) 80 m² for any portion of the lounge use located outside the principal building.
I-1A & I-1B	<ul style="list-style-type: none"> • Revise 2.2A <i>Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction with wholesale uses listed in section 2.2.W, provided that, unless permitted as an outright approval use pursuant to section 2.2 of this Schedule, the total floor area of all accessory uses, except any portion of the lounge use accessory to a Brewing and Distilling use located outside the principal building, shall not be greater than 33-$\frac{1}{3}$ percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.</i> • Delete 3.3.7 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building. • Delete Section 4.5.1(d)(v) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m² Replace with: (d) (v) for a lounge use accessory to a Brewing or Distilling use shall not exceed: <ul style="list-style-type: none"> (i) 80 m² for any portion of the lounge use located within the principal building, and (ii) 80 m² for any portion of the lounge use located outside the principal building.
I-1C	<ul style="list-style-type: none"> • Revise 2.2A <i>Accessory Uses customarily ancillary to any of the uses listed in this section, but not including accessory retail use in conjunction</i>

District Schedule(s)	Proposed Amendments
	<p><i>with wholesale uses listed in section 2.2.W, provided that, unless permitted as an outright approval use pursuant to section 2.2 of this Schedule, the total floor area of all accessory uses, except any portion of the lounge use accessory to a Brewing and Distilling use located outside the principal building, shall not be greater than 33-1/3 percent of the gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory retail use, except for accessory retail use associated with an Artist Studio, is separated by a wall from the floor area in other uses which shall be inaccessible to the general public.</i></p> <ul style="list-style-type: none"> • Delete 3.3.7 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building. • Delete Section 4.5.1(d)(v) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m² Replace with: <i>(d) (v) for a lounge use accessory to a Brewing or Distilling use shall not exceed:</i> <i>(i) 80 m² for any portion of the lounge use located within the principal building, and</i> <i>(ii) 80 m² for any portion of the lounge use located outside the principal building; and</i>
I-2	<ul style="list-style-type: none"> • Delete 3.3.5 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building. • Renumber 3.3.6 as 3.3.5: 3.3.6 3.35 Except for entrances, Bulk Data Storage use shall not be permitted at the ground floor. • Delete Section 4.7.1(i) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m² Replace with: <i>(i) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed:</i> <i>(i) 80 m² for any portion of the lounge use located within the principal building, and</i> <i>(ii) 80 m² for any portion of the lounge use located outside the principal building.</i>
I-3	<ul style="list-style-type: none"> • Delete 3.3.6 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building. • Renumber 3.3.7 and 3.3.8 as 3.3.6 and 3.3.7 respectively: 3.3.7 3.36 Except for entrances, Bulk Data Storage use shall not be permitted at the ground floor. 3.3.8 3.37 Except for entrances, Office Uses listed in 3.2.O shall not be permitted at the ground floor. • Delete Section 4.7.1(e) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m² Replace with: <i>(e) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed:</i>

District Schedule(s)	Proposed Amendments
	<p>(i) 80 m² for any portion of the lounge use located within the principal building, and</p> <p>(ii) 80 m² for any portion of the lounge use located outside the principal building.</p> <ul style="list-style-type: none"> • Delete Section 4.7.2(e) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m² <p>Replace with:</p> <p>(e) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed:</p> <p>(i) 80 m² for any portion of the lounge use located within the principal building, and</p> <p>(ii) 80 m² for any portion of the lounge use located outside the principal building.</p>
I-4	<ul style="list-style-type: none"> • Delete Section 3.3 3.3 Conditions of Use 3.3.1 Lounge use accessory to Brewing or Distilling use must be carried on wholly within an enclosed building. • Delete Section 4.7.1(f) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m² <p>Replace with:</p> <p>(f) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed:</p> <p>(i) 80 m² for any portion of the lounge use located within the principal building, and</p> <p>(ii) 80 m² for any portion of the lounge use located outside the principal building.</p>
FC-2	<ul style="list-style-type: none"> • Delete 3.3.7 A lounge use accessory to Brewing or Distilling use shall be carried on wholly within a completely enclosed building. • Renumber 3.3.8, 3.3.9 and 3.3.10 as 3.3.7, 3.3.8 and 3.3.9 respectively: 3.3.8 3.3.7 Except for entrances, Office uses are not permitted at street level. 3.3.9 3.3.8 Except for entrances, Bulk Data Storage use shall not be permitted at the ground floor. 3.3.10 3.3.9 Except for residential entrances, no dwelling uses are permitted at grade. • Delete Section 4.7.6(e) the floor area for a lounge use accessory to a Brewing or Distilling use must not exceed 80 m² <p>Replace with:</p> <p>(e) the floor area for a lounge use accessory to a Brewing or Distilling use shall not exceed:</p> <p>(i) 80 m² for any portion of the lounge use located within the principal building, and</p> <p>(ii) 80 m² for any portion of the lounge use located outside the principal building.</p>

MOTION

5. Extending Pop-Up Patios This Fall and Winter and Making Pop-Up Patios a Part of Every Summer in Vancouver

At the Council meeting on September 15, 2020, Council referred the following motion to the Standing Committee on City Finance and Services meeting on September 16, 2020, in order to hear from speakers.

Submitted by: Councillor Kirby-Yung

WHEREAS

1. At the Standing Committee of Council on Finance and City Services on May 13, 2020, Council unanimously approved the motion Flexible, Innovative and Expedited Patio Permitting;
2. The motion was a direct recognition of the devastating economic impact the Covid-19 pandemic has inflicted on the City's restaurant sector (due to closure periods, physical distancing requirements and the costs of additional cleaning and safety protocols) noting that many small business operators were struggling to survive;
3. Through the Temporary Expedited Patio Program that launched June 1 in response to the motion, 361 permits had been issued as of August 14th, including 291 patios on public space and 70 patios on privately owned space. Eight permits were also issued for craft brewery patios, a first in Vancouver as patios for breweries with a lounge endorsement had never been allowed. And finally, nine pop-up plazas were created in partnership with local businesses and Business Improvement Associations in neighbourhoods across the City, giving people places to be, to gather, to rest and room to eat;
4. Pop-up patios have supported our local economy, enhanced our social fabric and the vitality of placemaking in our City. The Temporary Expedited Patio Program that included free permits for local businesses is slated to conclude October 31, 2020;
5. The Covid-19 pandemic response remains in full force. Many restaurants will be under further duress in the coming months as cooler weather arrives. A late August survey from Restaurants Canada and the Canadian Chamber of Commerce advised that over half of restaurants could face bankruptcy in the next 90 days, and that closure of patios would be a blow reducing needed capacity. Employment in the sector is at record lows, and would be further decimated by closures;
6. Also, with Fall and Winter upon us, many residents are facing increased social isolation without the ability to be outdoors as much. Many residents are still reluctant to dine indoors at restaurants but many are expressing interest in an extended patio season;
7. The City has prioritized winter patio initiatives before flexing its policies in response to circumstances such as the 2010 Olympic Winter Games when semi-enclosed patios were allowed;

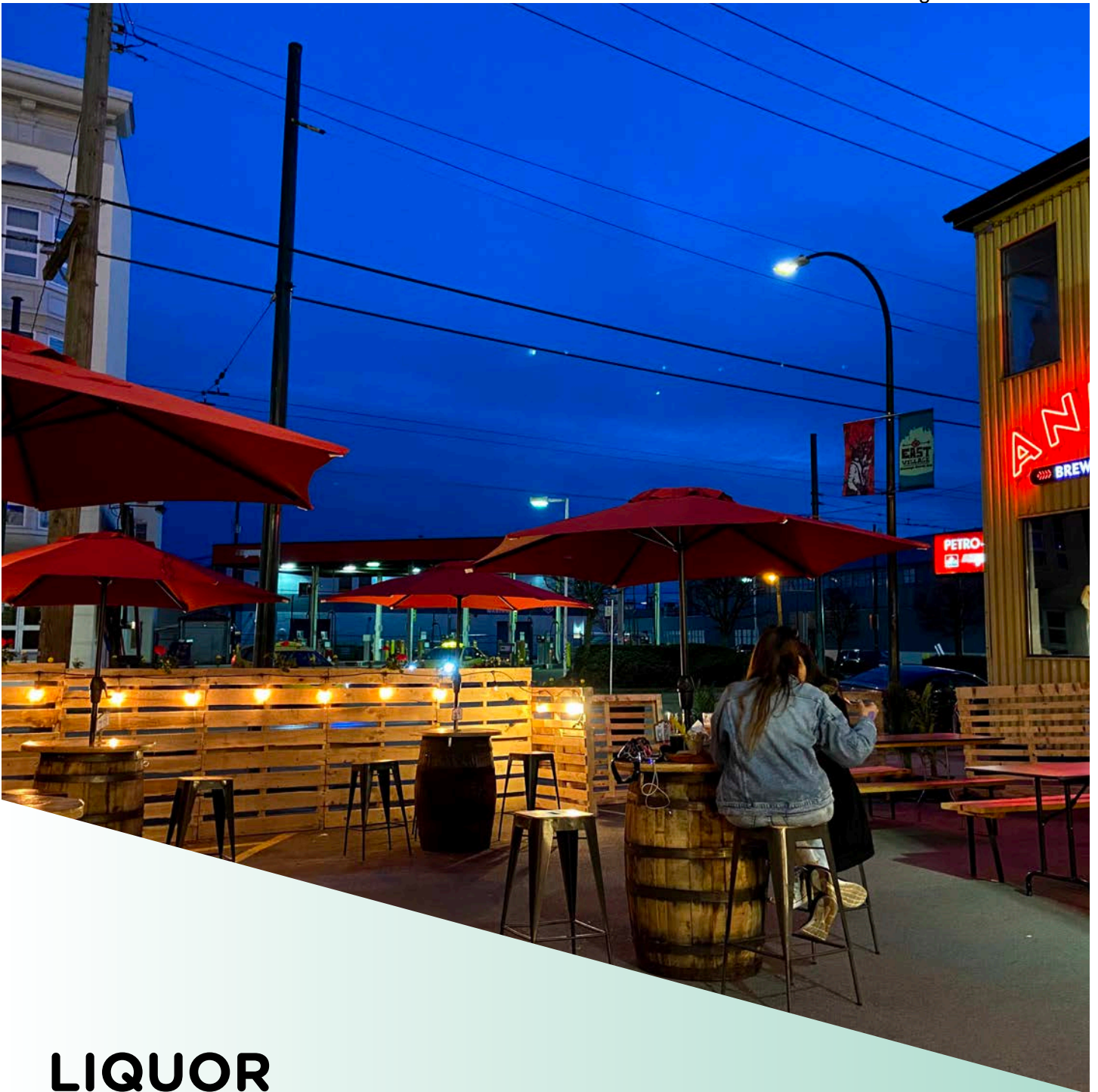
8. The responsiveness demonstrated by the City of Vancouver to adapt its policies so quickly to support small business has been a lifeline for the sector and demonstrated what a positive economic and social impact the City can have when regulations and permitting are streamlined and expedited, and we are more creative with public space;
9. A full economic recovery from Covid-19 is expected to take some time, likely years, with no firm date for a vaccine in sight;
10. Summer is a busy season for many Vancouver restaurants. In 'normal' years or pre-Covid times, there has been a shortage of patio space where people can enjoy healthy and fun outdoor dining; and
11. Public response has been incredibly positive with many people commenting on the vibrancy pop-up patios have brought to neighbourhoods by prioritizing people and lifestyle in Vancouver's public space. Not reverting to the 'old normal' but instead building on the innovation can be a positive legacy for Vancouver in the move towards a more vibrant and people-focused City and to operating in a new, post-COVID world.

THEREFORE BE IT RESOLVED

- A. THAT Council direct staff to extend the Temporary Expedited Patio Program (TEPP), that included free permits for local businesses, beyond October 31, 2020, into this coming Fall and Winter.
- B. THAT extension of the Temporary Expedited Patio Program (TEPP) into this Fall and Winter include allowance for the provision of heat sources (with priority for electric but acceptance of propane options for this Covid response period) as well as use of roof shelters or awnings or secured tents for weather protection (in consultation with Vancouver Fire & Rescue Services and consideration of accepting sign-off of structures by an independent engineer or architect) that still provide for free airflow to support healthy dining.
- C. THAT staff share the economic recovery, public and mental health imperative to continue the Temporary Expedited Patio Program (TEPP) into this coming Fall and Winter with the Province of BC, and request a continuation of the blanket extension given by the Province to the TEPP for expanded outdoor liquor service within current operators' existing allowable liquor seat allocations.
- D. THAT Council direct staff to investigate the inclusion of roof shelters or awnings or secured tents for weather protection on the pop-up plazas that were launched in neighbourhoods across the City, and have provided valued, free commons-style gathering and eating spaces, in order to enable them to continue to be enjoyed by the public this coming Fall and Winter.
- E. THAT Council direct staff to report back on the results and learnings from the summer's Temporary Expedited Patio Program by the end of 2020 (including but not limited to info such as number and type of permits issued, response, challenges, the use of public and private space, accessibility considerations, etc.) as well as options for continuing a Pop-Up Summer Seasonal Patio Program annually.

- F. THAT Council direct staff to report back on allowing patios for breweries that currently hold a lounge endorsement within the City of Vancouver on an ongoing basis, including any considerations for aligning with Provincial guidelines in order to streamline the different permit processes required by the City and the Province.
- G. THAT Council direct staff to report back on continuing with the creation and expansion of pop-up plazas in more neighbourhoods across the City that provide free, commons-style gathering and eating spaces (ensuring they are accessible to those who use wheelchairs, mobility scooters and other mobility devices and in consultation with Business Improvement Associations) as part of Vancouver's rethink of public space use in a new post-pandemic world.
- H. THAT staff consult with the Province of BC to share the positive response to the Temporary Expedited Patio Program, and to explore the most effective way for the City of Vancouver to work with the Province for expedite provincial approvals for expanded outdoor liquor service within current operators' existing allowable liquor seat allocations to enable an ongoing, annual Pop-Up Summer Seasonal Patio Program in continued support of placemaking, vibrant neighbourhoods and small business.

* * * * *



LIQUOR MANUFACTURING PATIOS ON PRIVATE PROPERTY: CONSULTATION SUMMARY

FALL 2021

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This page: Strange Fellows

Source: Eliana Macdonald

Cover page: Andina

Source: Eliana Macdonald

BACKGROUND

The City of Vancouver responded quickly to the COVID-19 pandemic and the Provincial Liquor and Cannabis Regulation Branch policy which permits a Temporary Expanded Service Area (TESA) authorization for food primary, liquor primary and manufacturer licences. The TESA, which was recently extended until June 2022, allows for liquor licensed establishments to accommodate the approved number of patrons while complying with the Public Health Officer (PHO) orders and physical distancing measures.

Throughout 2020 and 2021, Council supported businesses that applied for a patio, which included:

- Pre-approving all liquor primary and manufacturer establishments service areas and temporarily waiving fees;
- Temporary Expedited Patio Program (TEPP) for public property (i.e. on street space) or on private property;
- Z&D By-law amendments to allow temporary patios for breweries and distilleries until October 31, 2021; and
- Extending pop-up patios into 2021.

PROJECT PURPOSE

The City of Vancouver is reviewing opportunities to allow liquor manufacturers to have patios on private property on an ongoing basis in response to a September 2020 Council motion directing staff to report back on patios on private property for liquor manufacturers that are permitted to have lounges.

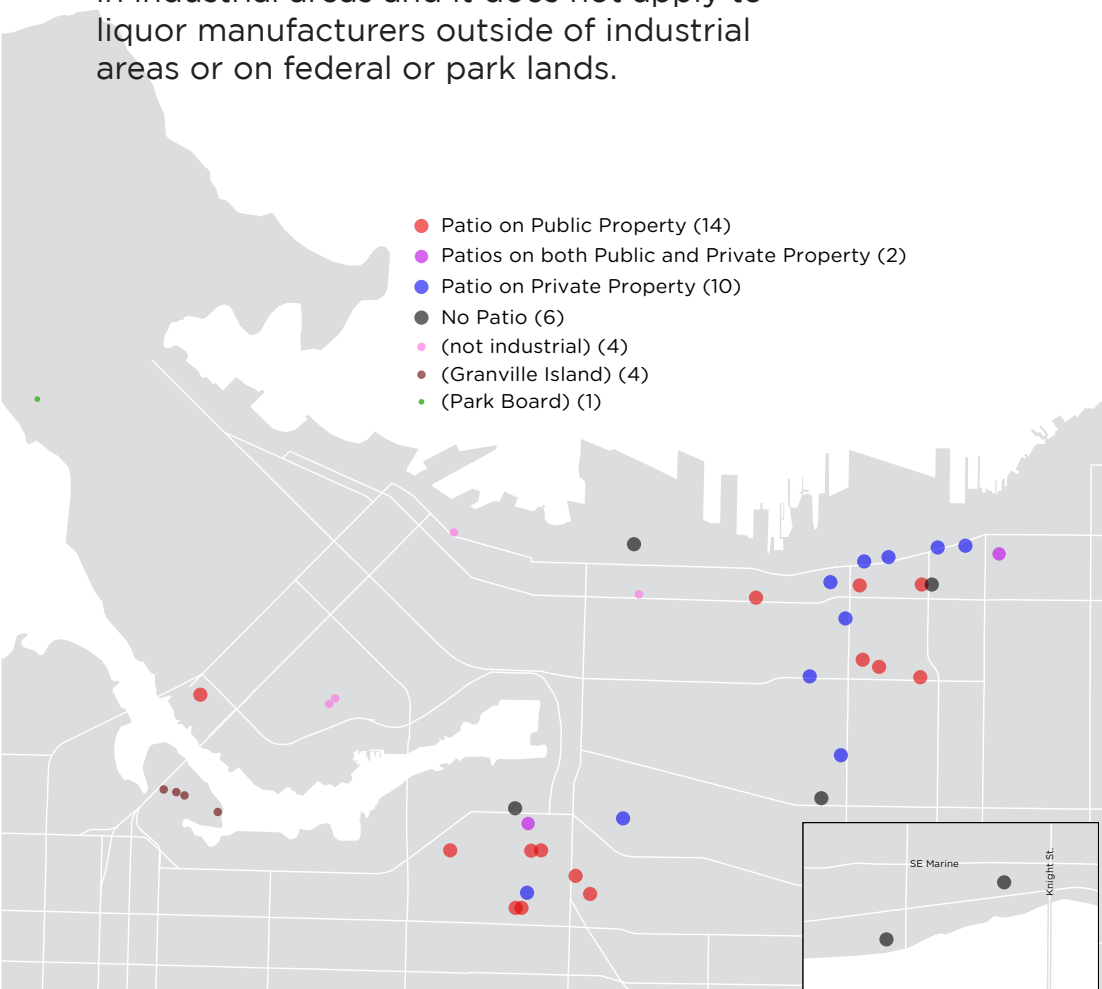
Currently, the City's Zoning and Development By-law has regulations in industrial zones that require a lounge accessory to brewing or distilling to be located wholly within a building. The 2020 Zoning and Development By-law amendments allowed for temporary patios for liquor manufacturers until October 31, 2021. This review applies to liquor manufacturers with lounge endorsements in industrial areas and it does not apply to liquor manufacturers outside of industrial areas or on federal or park lands.

Phase 1 - Survey

In May-June 2021, the liquor manufacturing industry was invited to share their thoughts and experiences on temporary patios on private property, in order to inform future regulations that can accommodate private property patios for liquor manufacturers.

Phase 2 - Draft Regulations Summary

In July, a summary of the survey with proposed regulations was sent to the same recipients of the survey. They were invited to review the materials and send any questions or comments to staff.



41

Liquor Manufacturers in Vancouver

30 in Industrial zones

6 in other zones

4 on Granville Island (Federal jurisdiction)

1 in a Park (Park Board jurisdiction)

Engagement Overview



58

surveys and follow up draft regulations were sent to key stakeholders, including:

- Vancouver Liquor Manufacturers
- Local Business Improvement Associations
- Trade Associations



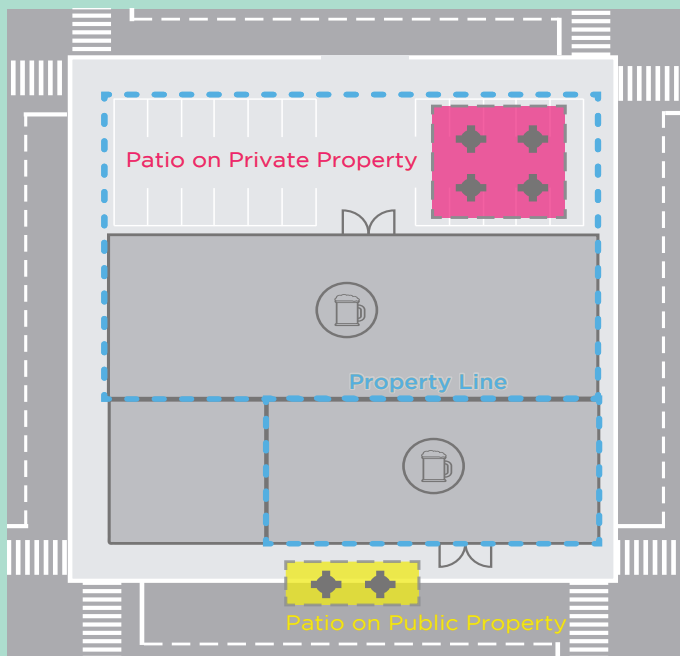
32

responses to the survey were received.



10

responses to the follow up and draft regulations were received.



TIMELINE

JUNE

PHASE 1

Stakeholder Survey

JULY

PHASE 2

Further Industry input on draft regulations

SEPT

COUNCIL REFERRAL

Council will consider the draft regulations and whether to refer them to public hearing.

OCT

PUBLIC HEARING

If the amendments are approved by Council at Public Hearing, the by-law changes would be enacted.

PHASE 1 SUMMARY

11

different Liquor Manufacturers with patios on **private** property responded to the survey.

11

different Liquor Manufacturers with patios only on **public** property responded to the survey.

PHASE 2 FURTHER INPUT

10

different Liquor Manufacturers, trade associations & members of the industry submitted detailed comments to the follow up document. Feedback included a collective response from the BC Craft Brewers Guild on behalf of its members.

What We Heard

Phase 1 Survey

Responses varied based on whether they had a patio on public or private property. More detailed questions were asked of those liquor manufacturers with private patios.

In general, the temporary expedited patio program (TEPP) was well-received by liquor manufacturers, with significant interest in future opportunities for patios on private property. In summary:

- Patios provided financial support during physical distancing restrictions and added vibrancy to the city.
- More than half of the respondents (55%) indicated that their private patios were small (smaller than 40 m² or 430 sq ft.).
- Most respondents (90%) with patios on private property would like to continue to have a patio and are interested in operating it year round.
- Four (36%) of the liquor manufacturers with a public patio would be interested in having a private patio in the future.
- If private patios are allowed on an ongoing basis, liquor manufacturers would like to invest in design and equipment. Survey responses indicated that the uncertainty around TEPP influenced the provision of equipment.
- Respondents were interested in increasing patio occupant capacity once physical distancing restrictions were removed.
- If private patios are allowed on an ongoing basis, potential challenges include permitting processes (municipal and provincial) and meeting requirements (occupancy, washrooms and parking).
- There was a significant desire for a roof or structure with posts, as well as planters, umbrellas, movable chairs and tables, and heaters.



Faculty Brewing
Source: Eliana Macdonald

What We Heard

Phase 2 Industry Engagement - Draft Regulations

Proposed amendments were shared via email to the same group as the survey. Feedback was received from individual brewery owners/operators, as well as the BC Craft Brewers Guild on behalf of its Vancouver members. Respondents were grateful that the City was moving forward with proposed amendments to allow patios on private property and appreciated the opportunity to provide input. Although each liquor manufacturer provided feedback unique to their own operation, similar key points are summarized below:

Parking

Certain liquor manufacturers have used on-site parking spaces to accommodate temporary patios. Parking relaxations will be necessary to allow these patio to continue on an on-going, permanent basis.

Patron Capacity/Occupant Load

Patios permitted on an on-going basis should have a separate occupant load from the interior lounge in order to permit an overall increase in liquor-serving capacity.

Washrooms

Certain existing liquor manufacturers have maximized their production and interior lounge floor areas and would be unable to meet the additional washroom requirements associated with an increased patio occupant capacity.

Covered Patios

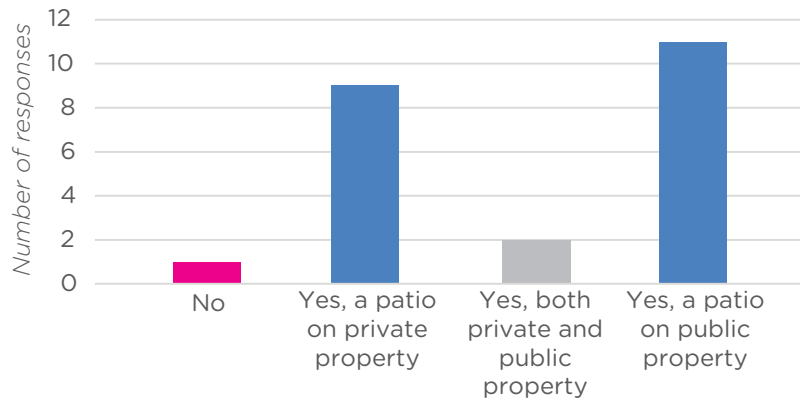
A covered patio is essential in a rainy city like Vancouver. Therefore, whether or not a patio has posts supporting a roof or tent, it should be excluded from regulations specific to floor space ratio and maximum accessory uses.

Expedited Application Process

The City's application process for a permanent patio should be as simple as possible with no major delays. With no guarantee of approval, engaging in a long and drawn-out application process would be very challenging.

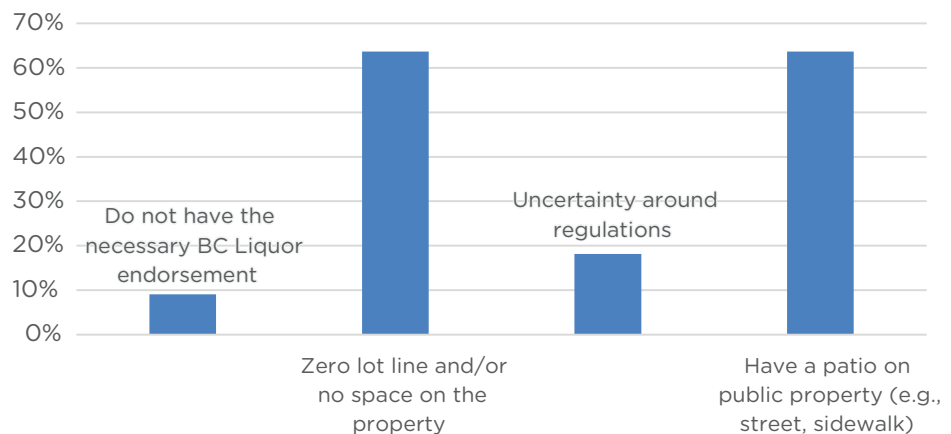
Do you currently have a patio at your liquor manufacturing business?

44% of liquor manufacturers respondents have a private patio.



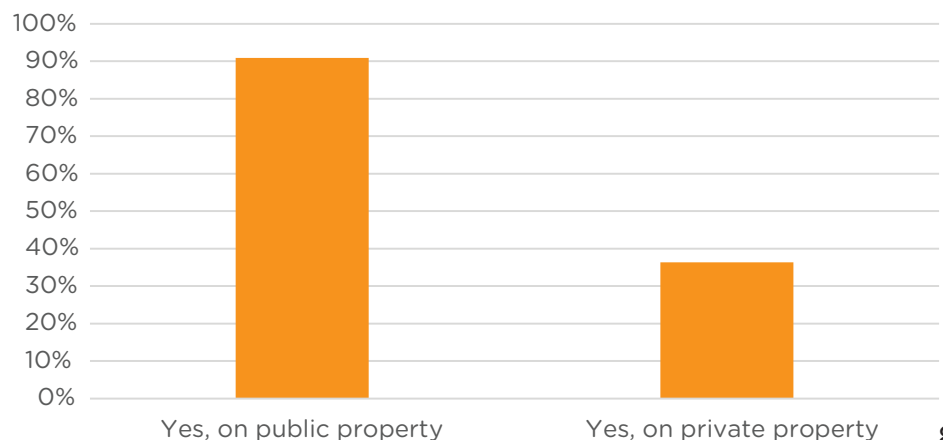
If you don't have a patio on private property, why not?

Most liquor manufacturers who don't have a private patio indicated that they have no space on their property and/or have a patio on public property.



Would you be interested in having one in the future?

Most liquor manufacturers without a patio on private property were interested in retaining their patio on public property. Four were interested in creating a new patio on private property.



Survey Results

How has the patio helped?

How has the temporary patio on private property helped your business?

The temporary patio program was **instrumental** in helping liquor manufacturers survive the indoor dining restrictions and physical distancing requirements. A selection of responses from liquor manufacturers with private patios below:

“ Immensely. **Without it, we would not have survived summer 2020 as a business.** We would like to be able to rely on a permanent future patio scenario in order to help make up for 2020-2021 pandemic reduced revenues.

“ It has been instrumental in our survival during Covid. **It provides a safe space for people to come and enjoy our food and beverages as well as helping to create a safe community gathering space.** It was our only way to serve customers on site while indoor dining was banned. Looking ahead, it would help us to survive any future indoor dining bans due to the lingering effects of Covid as well as any future pandemics. It also gives people the opportunity to socialize and support their local businesses in the comfort and health promoting fresh air.

“ Our patio has received a huge amount of positive feedback from our clients. **It is a comfortable, beautiful space that allowed us to remain open during the indoor service lockdown.** It brought in revenue when other avenues were closed and helped us survive. We spent a substantial amount of money and believe it brightens the neighborhood.

“ **It has allowed us to stay in business during the pandemic.** Without the patio we must likely would have gone out of business. We don't have much space indoors and with the spatial restrictions we can't host anyone indoors.

“ Our indoor lounge is barely large enough to hold a couple customers waiting for the washroom, so our lounge seating has been 100% outdoors regardless of whether indoor dining is permitted at the time. So it hasn't so much “helped our business” so much as “been our only business.”

“ Saved my business.

“ **Having a patio during the pandemic has arguably made the difference between business success and failure.** Revenue made from retail sales of our beer is small but significant in terms of profitability compared to our wholesale sales. We are very grateful that the C of V was able to act as quickly as they did in implementing the temporary patio permits and naturally we hope for this to continue even after the pandemic is over. This would help with future revenue needed to pay back deferred loans and debts we've incurred as a result of this situation.

“ It has spared about 10 jobs, helped our brewery stay afloat during COVID-19 and provided a place for consumers to safely consume our food and beverages in a safe place. Without our tasting room, all our bar staff would have been laid off, and our business would have lost even more money in 2020, and for the first 5 months of 2021.

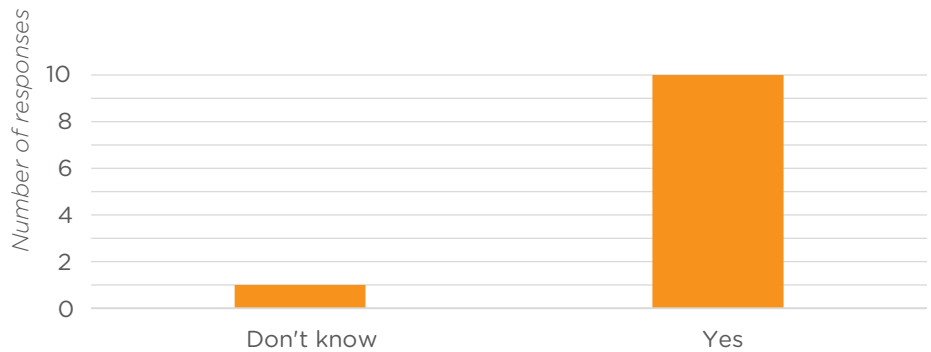
“ It has helped immensely. During April and May we were not permitted to sell beer for indoor dining, so we had to build a patio, quickly. 50% of our staff work in the Front of House operations, and without a patio would have been laid off. During Covid, the space we have on our patio allows additional seating that permits us to reach our maximum capacity of 75 persons. Without a patio, we cannot realize the full amount of business we designed the space for. **Outside of COVID, a patio would allow us to increase that capacity and bring in additional business of approximately \$400k annually. This would also employ an additional 4-5 FTEs, annually.**

Survey Results

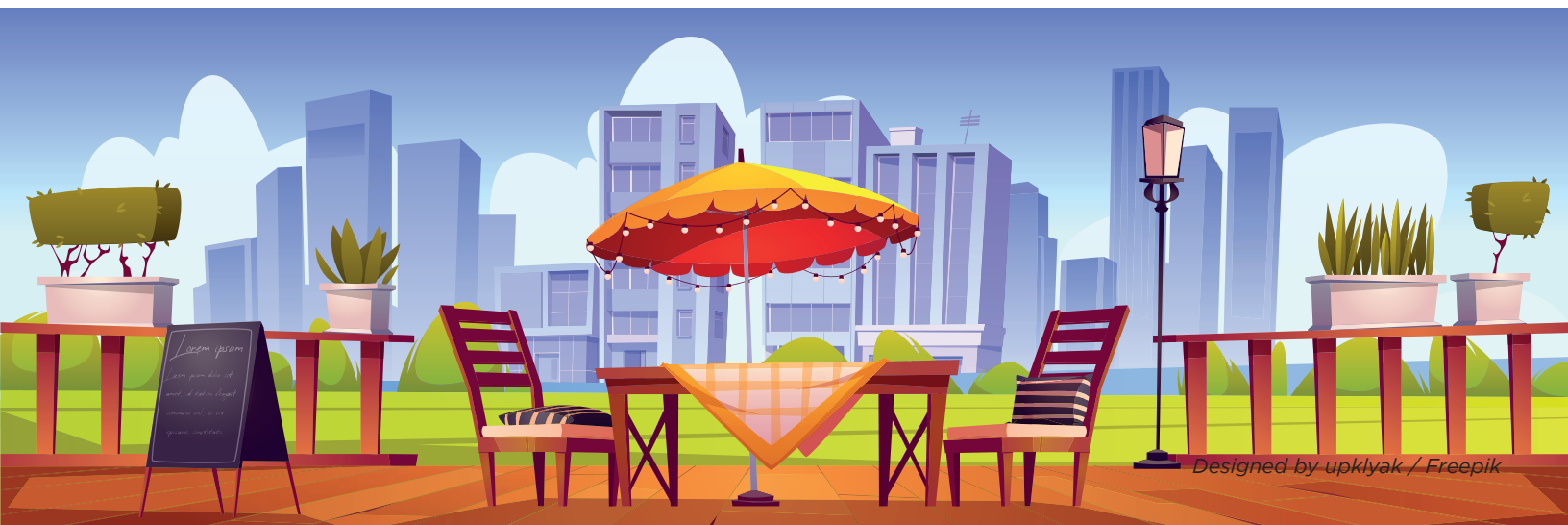
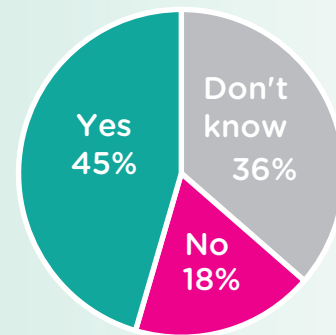
Patio Changes

Would you be interested in keeping your patio on private property after provincial health orders and physical distancing restrictions are removed?

Nearly all liquor manufacturers with private patios wanted to keep them post pandemic. The sole “don’t know” is from a business that had a patio prior to the Temporary Expedited Patio Program (permitted for a restaurant use).

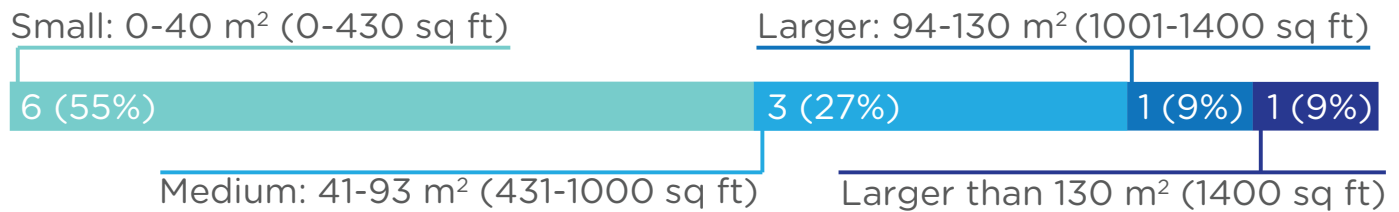


If patios on private property are permitted on an ongoing basis, would you make changes to your existing patio?

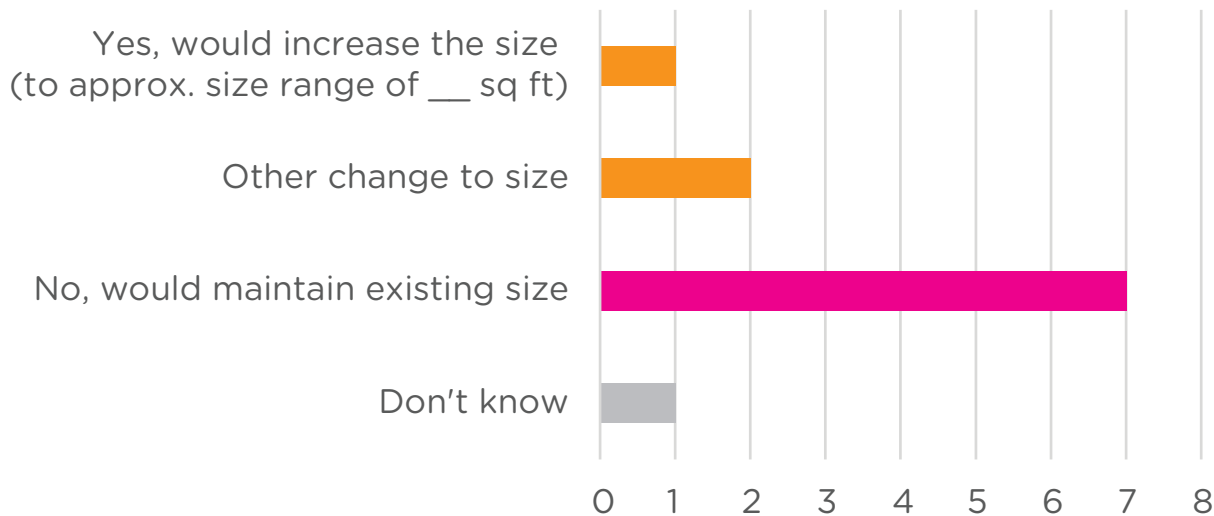


How large is your patio on private property?

Overall, respondents indicated that their patios were smaller-scale (55%). Only 27% had a medium sized patio, and 18% had a larger patio.



Would you want to change the size of your current patio on private property if it were to be allowed on an ongoing basis?

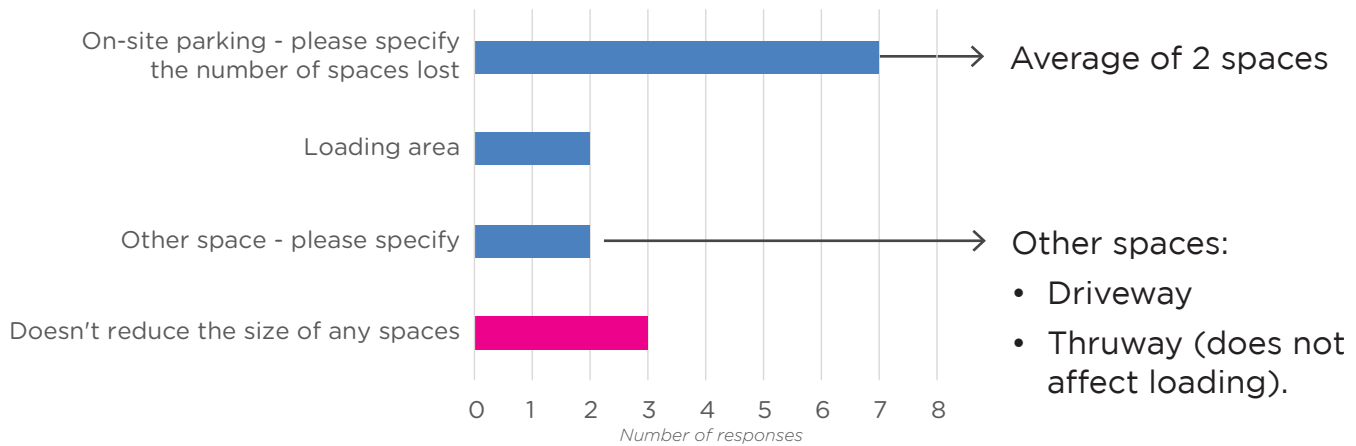


- Overall, 63% of respondents would retain their existing patio size.
- One respondent would increase their smaller patio to 500 sq ft.
- One of the “Other change to size” indicated it would depend on allowable occupancy, but larger and more people would be desired.
- The other “Other change to size” indicated that they would like convert their entire parking lot into a patio, which would then shift them to the large patio size category (larger than 1400 sq ft).

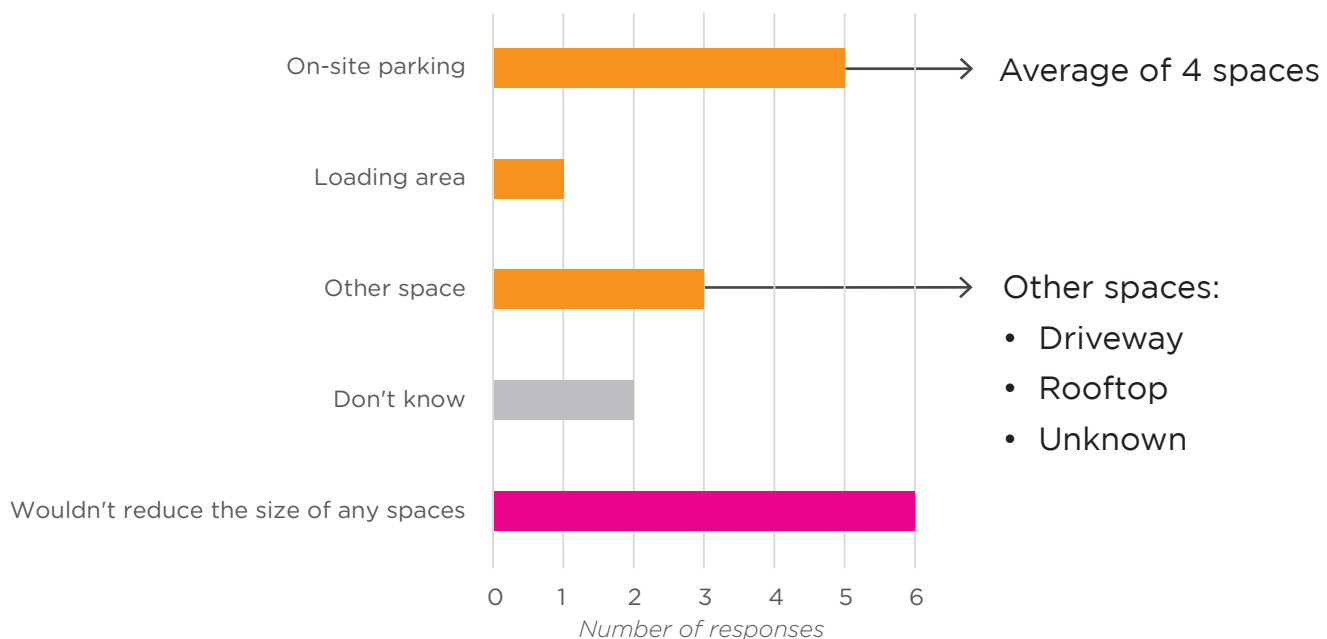
Survey Results

Parking/Loading Space Impacts

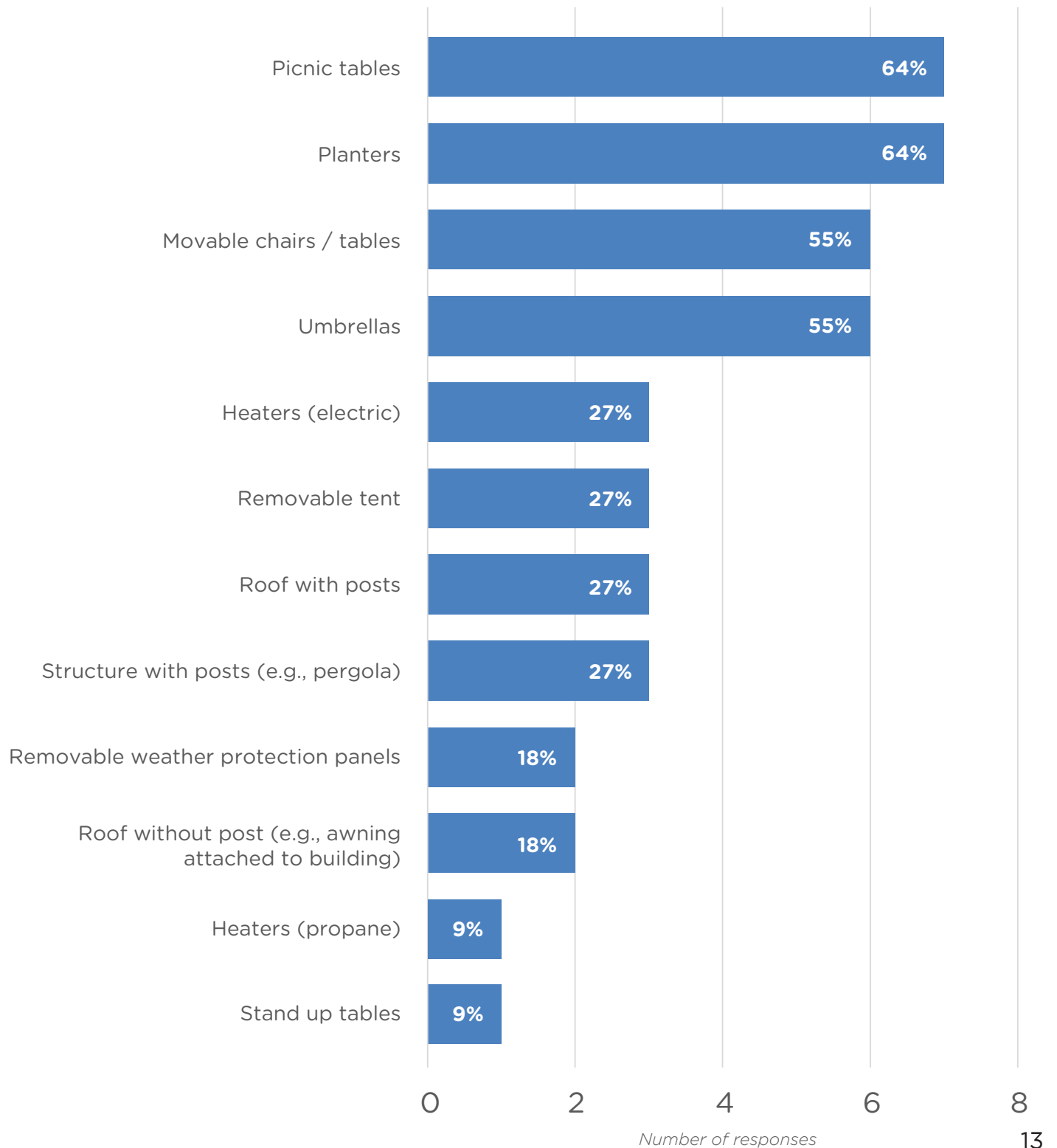
Does the current location of your patio on private property reduce any of the following?



Would the desired location of your future patio on private property reduce any of the following?



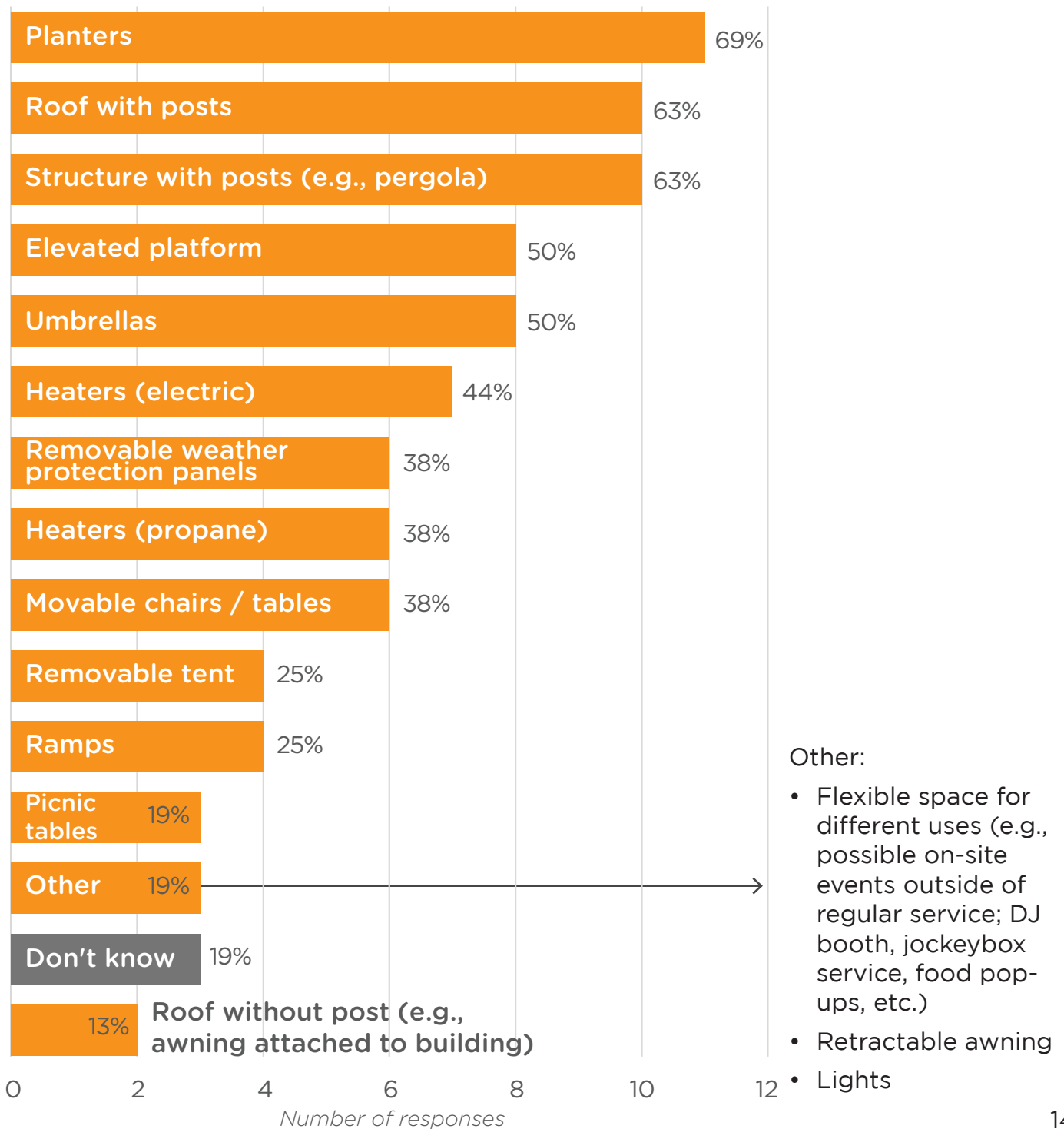
What type of equipment do you currently have on your patio on private property?



Survey Results

Future Equipment

What type of equipment would you like to have in the future, if patios on private property were allowed on an ongoing basis?

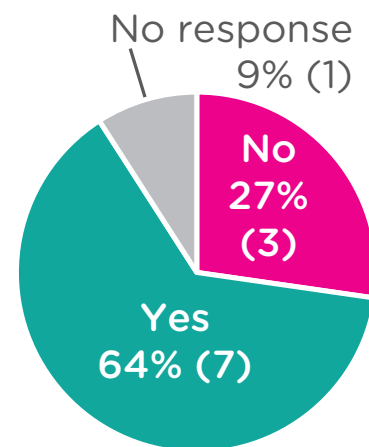


Survey Results

Temporary Nature

Did the temporary nature of the current patio on private property program influence the design or equipment provided/included?

The majority of liquor manufacturers with patios on private property kept furnishing costs to a minimum without the assurance that patios regulations would be amended to allow for patios on an ongoing basis. Some indicated that they would invest more in design and equipment should regulations be amended, while one expressed they invested in permanent structures in advance of amended regulations. Another liquor manufacturer noted that they ensured that furnishings could be easily removed.



Superflux

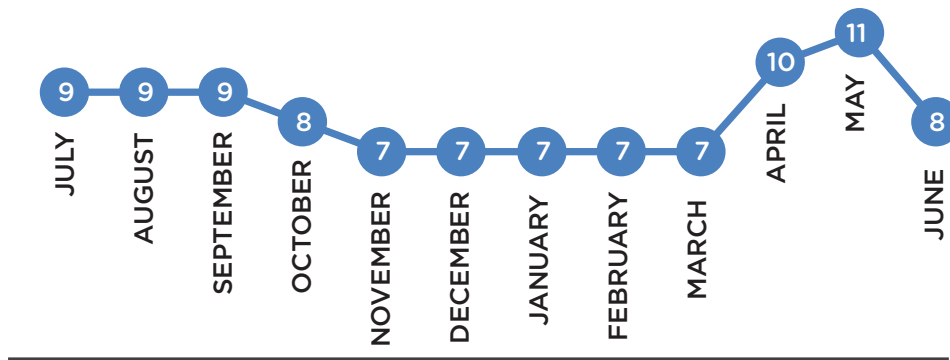
Source: Eliana Macdonald

Survey Results

Months of Operation

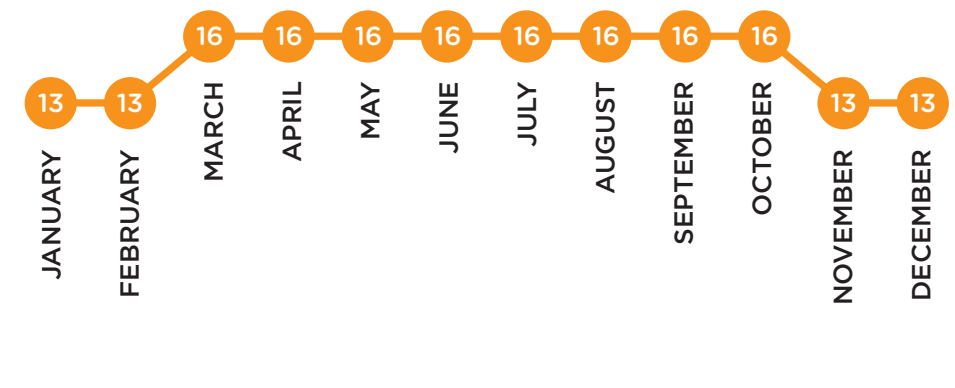
What months of the year have you operated your patio on private property?

Seasonality and fluctuating health orders likely contributed to the variations in months that patios were open. 100% of the patios were open during the month of May.

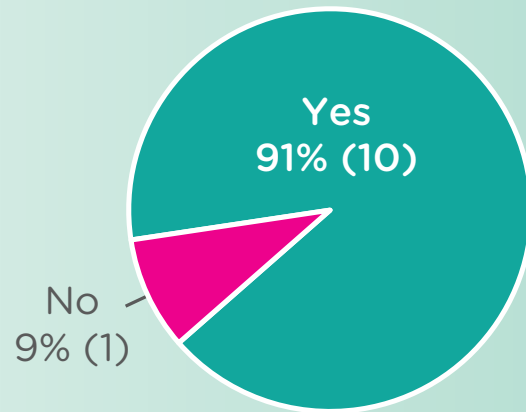


If patios on private property were allowed on an ongoing basis, which months of the year would you like to operate your patio?

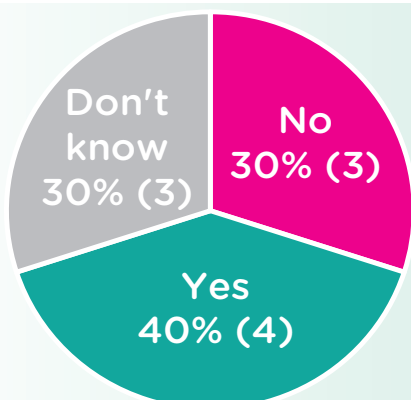
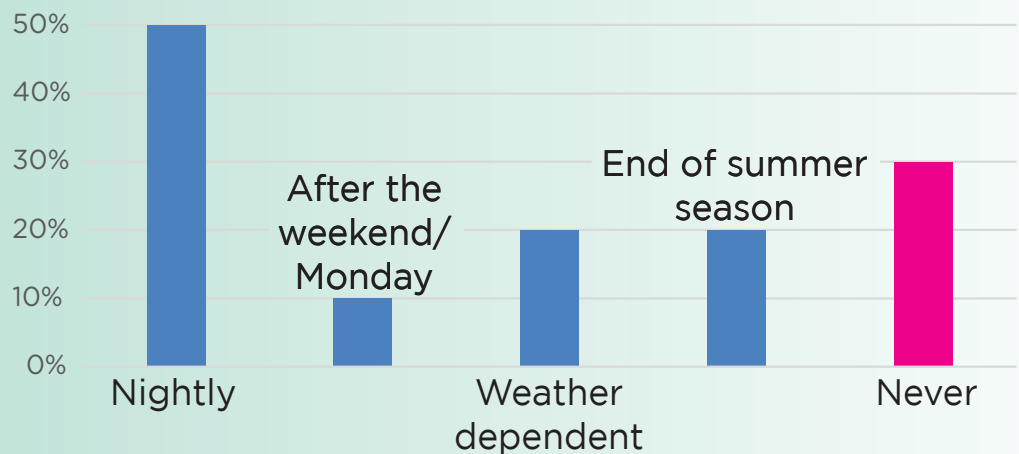
Most respondents with patios on private property or those who would like to have a patio on private property would maintain their patio year-round; however, 3 of 16 respondents would not want to operate in the winter months.



Can your patio on private property be dismantled?



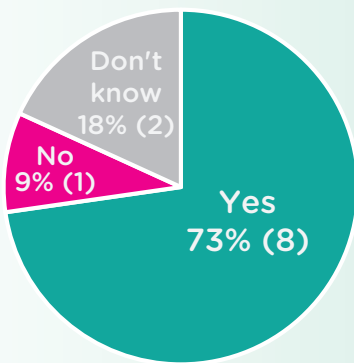
If yes, how often is the patio on private property or parts of it taken down?



If yes, would you continue dismantling on the same schedule in the future?

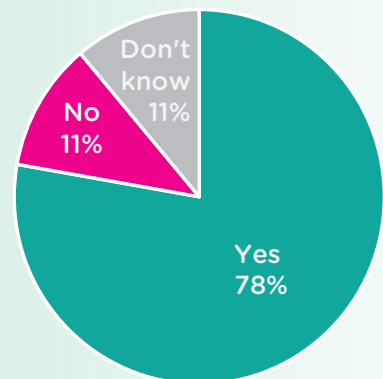
How many customers can your patio on private property accommodate while maintaining physical distancing?

The number of customers ranged from a **minimum** of 12 to a **maximum** of 80. The **median*** was 30 and the **average** was 36.



Once provincial health orders and physical distancing restrictions are removed, would you be interested in increasing the occupant capacity on your patio on private property?

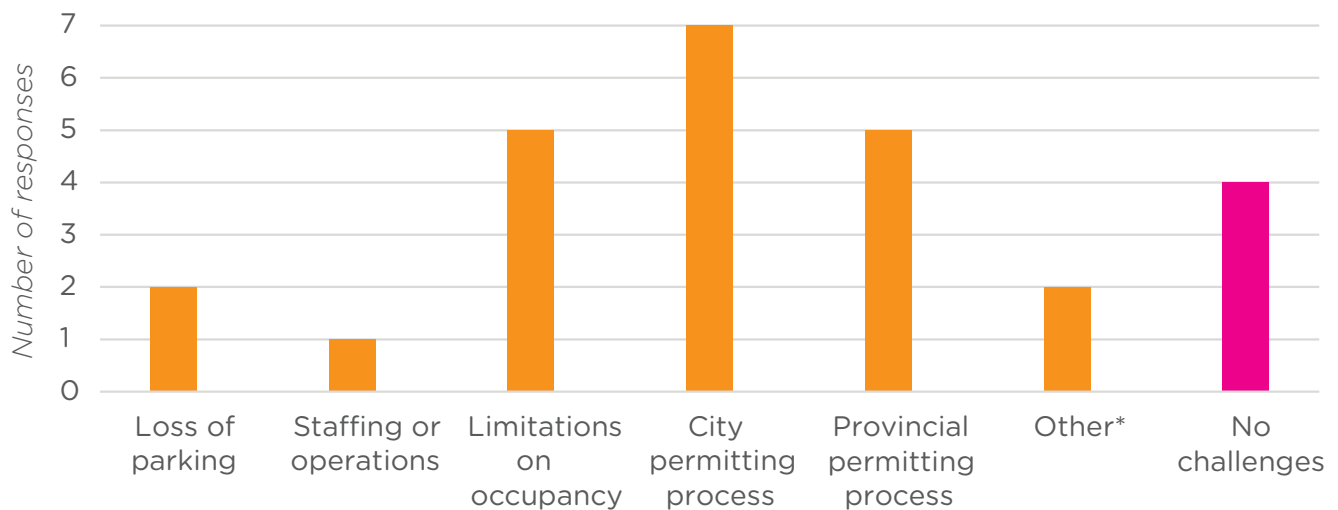
If you are interested in increasing occupant capacity on your patio, are you aware that there may be investments / upgrades needed (e.g. building code considerations)?



Survey Results

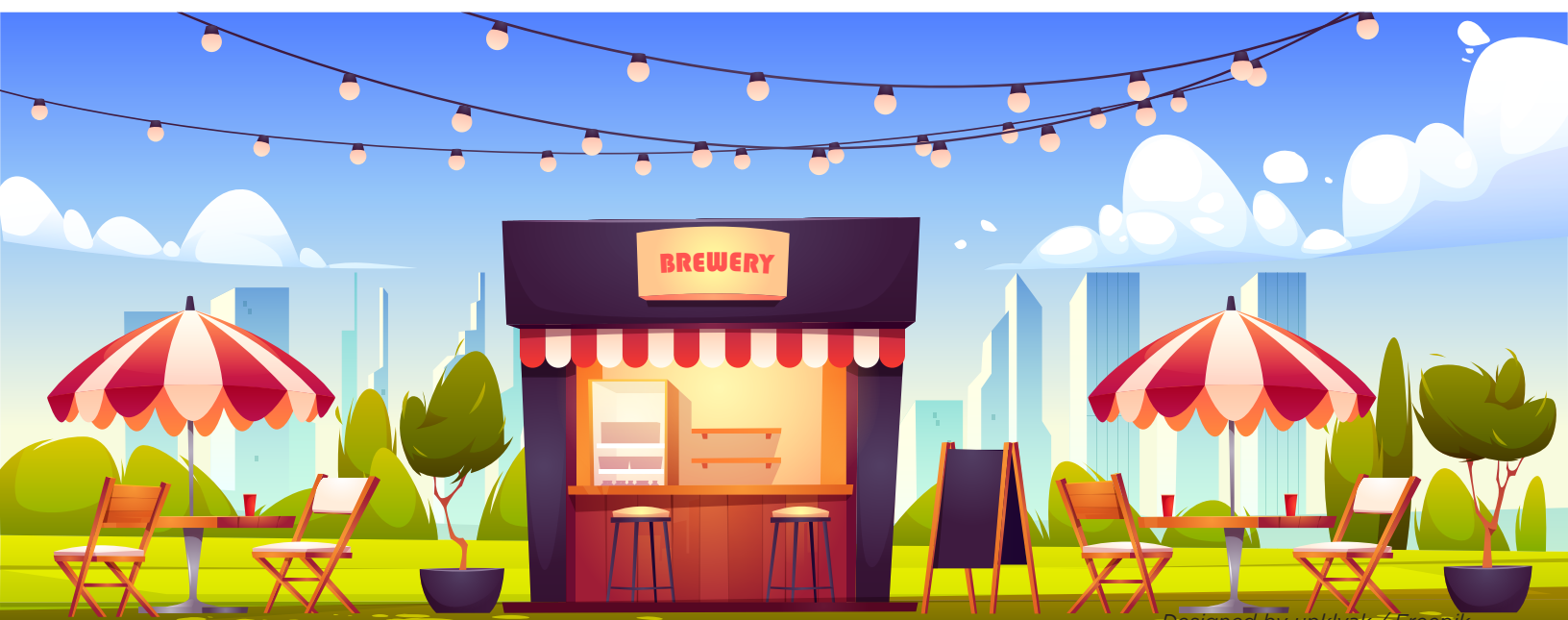
Potential Challenges

If patios on private property are permitted on an ongoing basis, would any of the following be challenges for your business?



*The “Other” comments include:

- Desire to increase total occupancy presents challenge in meeting required washrooms.
- Complying with an onerous set of procedures and requirements.
- Hiring more staff if the patio area could be increased.



Survey Results

Issues, Considerations & Other Information

Are there any issues or considerations for patios on private property that you would like to bring to our attention?

Timing/Location

Desire for a more flexible set-up (i.e. have the patio open several days of the week and act as a 'weekly market' on weekends). Some breweries do not have parking lots and would only have the option of a public property patio or rooftop patio.

“ We do not wish to operate a full service bar 7 days a week, but rather have our patio act as a “weekly market” type temporary setup on weekends. We would like to convert our existing lounge into mostly production space, but still maintain the ability to have our patio open a couple days a week.

Parking

Liquor manufacturers would like to use parking stalls as the location of their patios, as many of their customers did not drive to the brewery and areas that are lit/active reduce vandalism to the building making the building safer overall.

Occupancy/Washrooms

Respondents were concerned with restrictions imposed on seating. While liquor manufacturers understood that occupancy and washrooms are connected, adding more washroom indoors requires physical space within the building that many businesses do not have. One respondent inquired about portable washroom units.

Investment

If patios were permanent, liquor manufacturers were looking to invest more into the patios (i.e. furniture, planters, covering, heaters, etc).

General Feedback

Patios were well received with significant support for future patio opportunities, particularly during COVID.

What other information should the City consider if regulations are amended to allow patios on private property on an ongoing basis?

Comments fell within the following areas:

Fees

Desire for reasonable fees

Occupancy

Generally, the liquor manufacturers wanted to increase their occupancy and decrease the size limitations for lounge endorsements

Permitting

Respondents indicated that an overlap period between temporary licence and permanent would be helpful.

Revenue

Many businesses, including liquor manufacturers, suffered losses during COVID. Allowing patios moving forward would help with growing revenue for businesses' survival.

General feedback

Patios have provided a range of benefits, including vibrancy, mental health and general well-being.



LIQUOR MANUFACTURING PATIOS ON PRIVATE PROPERTY: UPDATE AND DRAFT APPROACH SUMMER 2021

BACKGROUND

The City of Vancouver is reviewing opportunities to allow liquor manufacturers to have patios on private property on an ongoing basis.

Currently, City regulations permit temporary patios for liquor manufacturers on private property until October 31, 2021.

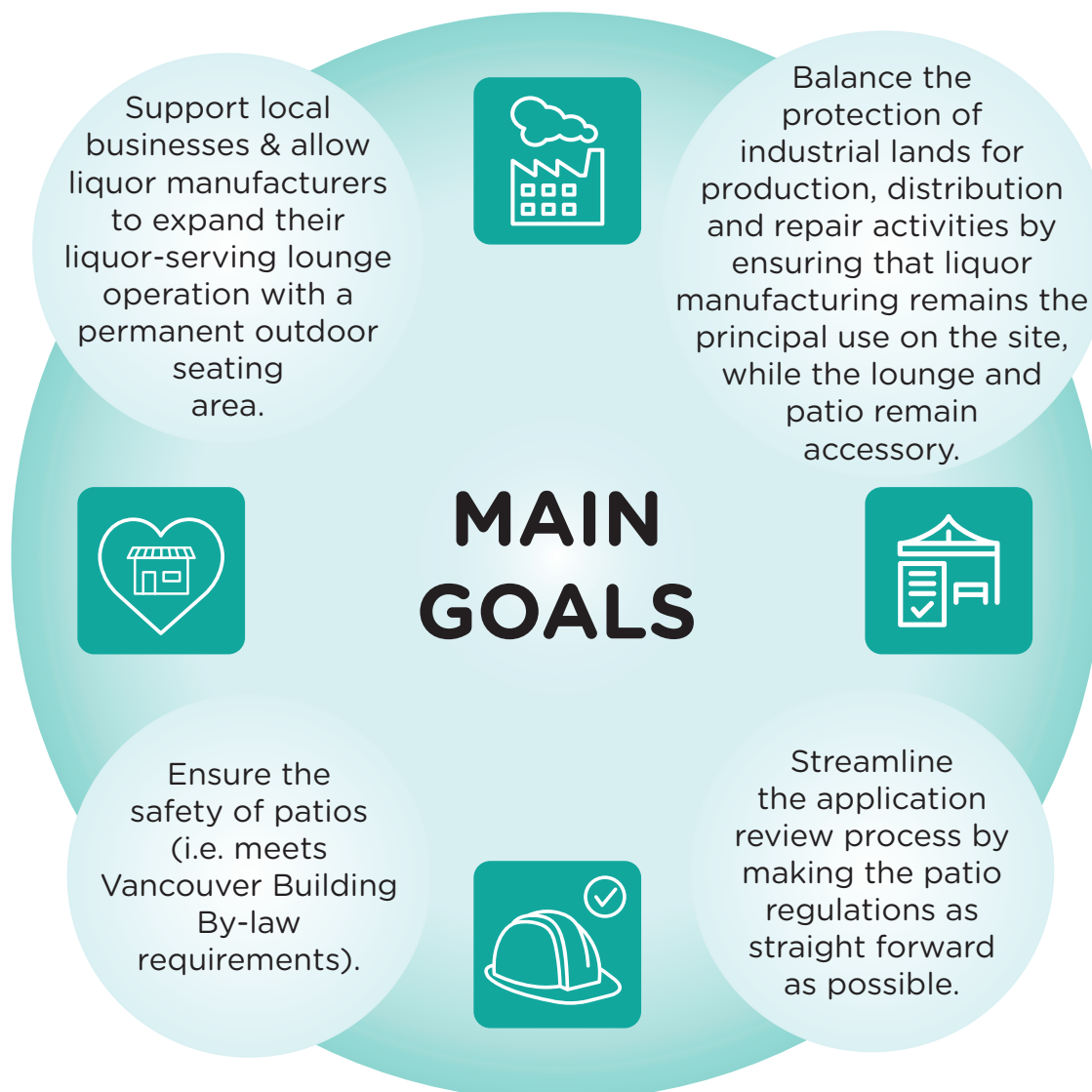
Under the existing regulations a lounge, for a brewing or distilling business would normally need to be located wholly within a building.

We'll be reporting back to City Council in September 2021 on proposed by-law amendments that could allow for permanent patios for liquor manufacturers.

INTENT

After assembling the feedback and analysis from the June 2021 survey, staff have prepared potential directions for liquor manufacturer patios.

We would like to gather your further input and comments on the draft Zoning and Development By-law amendment directions (page 4 of this document) that will enable liquor manufacturers with a lounge endorsement to have a patio on an ongoing basis.



SURVEY SUMMARY



58

surveys were sent on May 31 to key stakeholders, including:

- Vancouver Liquor Manufacturers
- Business Improvement Associations
- Trade Associations

The intent of the survey was to understand liquor manufacturers' experiences with temporary patios on private property and gather input to shape future regulations that can accommodate private property patios for liquor manufacturers.



32

responses to the survey were received.

11

different Liquor Manufacturers with patios on **private** property responded to the survey.

11

different Liquor Manufacturers with patios only on **public** property responded to the survey.

WHAT WE HEARD

In general, the temporary expedited patio program (TEPP) was well-received by liquor manufacturers, with significant interest in future opportunities for patios on private property. In summary:

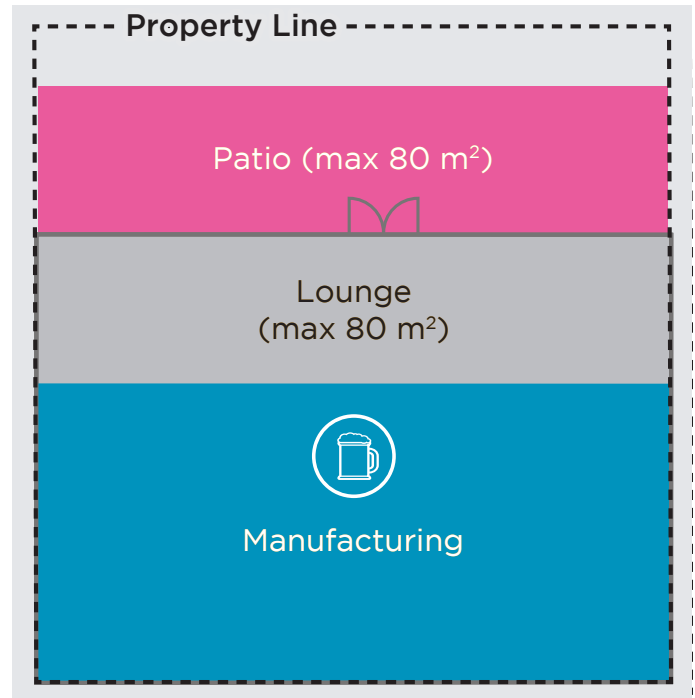
- Patios provided financial support during physical distancing restrictions and added vibrancy to the city.
- More than half of the respondents (55%) indicated that their private patios were small (smaller than 40 m² or 430 sq ft.).
- Most respondents (90%) with patios on private property would like to continue to have a patio and are interested in operating it year round.
- Four (36%) of the liquor manufacturers with a public patio would be interested in having a private patio in the future.
- If private patios are allowed on an on-going basis, liquor manufacturers would like to invest in design and equipment. Survey responses indicated that the uncertainty around TEPP influenced the provision of equipment.
- Respondents were interested in increasing patio occupant capacity once physical distancing restrictions were removed.
- If private patios are allowed on an on-going basis, potential challenges include permitting processes (municipal and provincial) and meeting requirements (occupancy, washrooms and parking).
- There was a significant desire for a roof or structure with posts, as well as planters, umbrellas, movable chairs and tables, and heaters.

PROPOSED REGULATIONS

The City is proposing to allow a patio, in addition to the lounge, for liquor manufacturers that hold a lounge endorsement.

- **Size:** the patio can have an **area up to 80m²**.
- **Accessory Uses:** the patio will not count towards the limitation on floor area for accessory uses in industrial areas (33 1/3% in most zones).
- **Floor space ratio:** If the patio is **covered** (e.g. has a roof and posts), all covered portions of the patio would count towards the overall floor area of the building.

Please see the FAQ below for more details.



HOW TO GET INVOLVED



Review the proposed regulations & FAQs.



Send us your thoughts on the proposed amendments.

Please send any feedback, comments or questions by August 9 to:

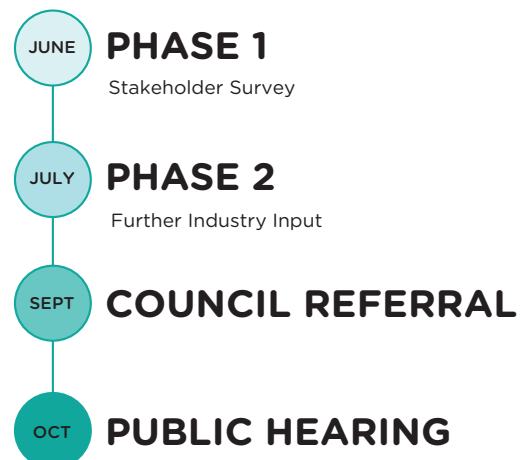
Karen Wong
brewery.patios@vancouver.ca

WHAT'S NEXT?

Once we've heard back from the industry, we will summarize and prepare the Council report for a target **September 2021 Council** date and **mid-October Public Hearing** date. We will inform you once these dates have been finalized.

If the amendments are approved, you could submit your application and drawings for a Development Permit to start the process for getting your patio permit. Please note a Building Permit may also be required.

Staff are exploring a transition period for patios issued through TEPP until spring 2022.



FAQ

Can my patio be covered?

- If the patio is **uncovered**, it will not count towards the overall floor area of the building.
- If the patio is **covered**, all covered portions of the patio would count towards the overall floor area of the building.
 - An example of a cover is a roof held up by posts.
 - An awning attached to the building and umbrellas are not considered covered.
- This approach is consistent with how other patios on private property are reviewed by the City.

What is the update on public patios?

- The City is reviewing the process for patios on public property. The Engineering department has reached out to stakeholders and will continue to undertake work (including lessons learned from TEPP and broader feedback) in the upcoming months.
- A report for the summer annual program is expected to be presented to Council in fall 2021.

What is the rationale for an 80m² patio size?

The 80m² for patio area:

- Allows the opportunity to support liquor manufacturers in expanding their liquor-serving lounge operation while protecting industrial areas;
- Creates an outdoor space for patrons that is equivalent to the interior lounge (also 80m²); and
- Reflects the average size of temporary patios on private property approved through TEPP.

Can my patio occupy parking spaces?

- Applications will be required to meet Parking By-law requirements. Operators interested in converting excess parking spaces to patios can request and engage staff during the Development Permit process.
- Each site will need to meet the loading, accessible parking and bike parking requirements in the Parking By-law.

Can I increase my occupant load? How will this affect my washroom requirement?

- The number of occupants allowed and washroom requirements will need to meet all applicable By-laws, including Vancouver Building By-law & Vancouver Fire By-law, and licencing requirements.

FAQ

How long will the patio review permit process take?

- The process review time frame will vary depending on application volume, permit duration, submission requirements and complexity.
- Please note that annual/permanent permits may be more complex and require more detailed review, which will result in a longer review time.

How much will patio permits cost?

- Fees are waived until April 2022.
- After this date, standard Development Permit/Building Permit fees would apply.

How can I apply for an ongoing patio? What approvals do I need?

Should these amendments be approved by Council in the fall, for a private property patio, you may require:

- [Development Permit](#): considerations include meeting the parking & loading requirements.
- [Building Permit](#): for physical construction, and/or changes to occupant load.
- Provincial approval.
- All patios will need to meet the requirements in all applicable By-laws, including the Zoning & Development By-law, Vancouver Building By-law, The Vancouver Fire By-law and Parking By-law.
- Staff are exploring a transition period for patios issued through TEPP until spring 2022.