

COUNCIL MEMBERS' MOTION

10. A Regulatory Framework to Enable Innovative Urban Activation Projects

Submitted by: Councillor Dominato

WHEREAS

1. Vancouver City Council strives at all times to create walkable, complete, connected, culturally vibrant neighbourhoods, including the larger aspiration to become a 15-minute city that lessens the use of personal vehicles, activates underutilized urban spaces, and bring goods and services closer to end consumers in their neighborhoods; ⁱ
2. The circumstances and conditions of the COVID-19 pandemic over the past two years have neither altered nor diminished Council's commitment to creating walkable, complete, connected, culturally vibrant neighbourhoods;
3. The COVID-19 pandemic has resulted in a wide range of adaptations, innovations, and societal changes in many spheres of life including changes in consumer behaviour, in how and where people work, as well as a marked increase in all manner of e-commerce transactions and delivery mechanisms for goods and services to consumers;
4. Encouraging and facilitating social, cultural, and technological innovations, wherever and whenever these have demonstrated the power and potential to a) enhance and improve the lives of the city's residents and businesses, b) advance the policy goals and objectives of Council and the City, and c) activate and otherwise enrich the city's neighbourhoods, is fundamentally sound from a public policy perspective and logical for elected bodies to embrace and enable;
5. As a 21st century society, we live in a state of constant evolution and rapid innovation, with fast-changing trends among consumers that – in many ways – respond to innovations and new technologies. At the most basic level, innovation means introducing new methods, ideas, or products and it includes the development of new processes and business models that better fit the needs of consumers;
6. A number of innovative projects that exemplify new methods, ideas, products, and/or business models that respond to the evolving needs of consumers have recently come to the attention of members of Council. These projects have the clear potential to support Council's objective to
 - a) create walkable, complete, connected, culturally vibrant neighbourhoods;
 - b) become a 15-minute city;
 - c) activate the city's streets and underutilized urban spaces, and
 - d) bring goods and services closer to end consumers in their neighborhoods;

7. Despite the City's and Council's stated policy objectives and the strategies meant to achieve these objectives, the City's existing By-laws and permitting framework have proven challenging to several of these innovative projects because they do not fit easily into the existing categories and structures of the City's regulatory framework. Instead of proceeding smoothly toward activating underutilized spaces in the city, these projects have encountered a variety of policy, By-law, and permitting obstacles, impediments, challenges, and paradoxes;
8. Examples of several innovative projects that embody new methods, ideas, products, and/or business models that have encountered By-law, policy, and permitting obstacles and impediments due to the limitations, structures, and categories of the City's current regulatory framework include:
 - **ROLL TECHNOLOGIES**: A Canadian company that aims to bridge the gaps in public transportation and grow micro-mobility alternatives safely and sustainably toward reshaping urban mobility as cities outgrow their reliance on cars. The company is working to launch a pilot in Vancouver with 50 e-bikes this spring and summer, leveraging underutilized space in City owned EasyPark lots. Each e-bike has its own physical locking mechanism on the back wheel, with an app used to unlock the bikes. In addition to the requirement of a business license for each site, the operator was initially advised that a Development Permit (DP) was required for each EasyPark location. Car share companies leasing spots in EasyPark lots do not require a DP, adding confusion and complexity to the application;
 - **BLOOM COMMUNITY PROJECTS**: The Bloom project seeks to activate underutilized urban spaces with retail and food opportunities. Their current project is to activate the south side of The Plaza Nations on a seasonal basis. The project would create a free-flowing outdoor patio space with pop-up units ranging in size from 150 – 200 square feet. These pop-up units would feature local retailers, rotating artists/installations, food and beverage kiosks, as well as breweries, cafés, snacks, wine bars, and cocktail collaborations. The project is intended to showcase and support local businesses and provide a unique customer experience for pedestrians along a heavily used section of the downtown seawall. The proposal requires a longer term special events permit and a development permit. The process for obtaining and coordinating these permits has been challenging, and the critical gap has been there is no clear guidance for prospective proponents to follow;
 - **REEF TECHNOLOGY**: REEF is the largest operator of neighbourhood kitchens and urban logistics hubs in the United States and Canada. In April of 2021, REEF announced an expansion of its *NBRHD Restaurant Development Program* to Vancouver making use of underutilized urban spaces. The REEF model is designed to help local restaurants scale their delivery business and bring goods and services closer to end consumers in their neighbourhoods. Vancouver is the first Canadian city for a REEF pilot project, and restaurants with fewer than three locations are qualified to apply for the pilot program – with priority for underrepresented groups including local women and Indigenous-owned restaurants to apply.

Despite support for the project, it has encountered By-law, policy, and permitting obstacles and impediments due to the limitations of the City's current regulatory framework;

- **FARMERS MARKETS:** Last summer the Vancouver Farmers Market sought to relocate its Main Street location to 88 Pacific Boulevard, triggering the usual special events permit, but also a Development Permit (DP) because it was on private property. While the private property owner supported the Farmer's Market activating this urban space on a temporary basis, there were concerns and confusion over the site triggering a DP;
9. As with the examples of innovative projects noted above, urban agriculture (community gardens, urban farms) and farmers markets represent additional examples of innovative urban activation projects where By-law and permitting challenges have been experienced. Staff advise that urban agriculture projects are supported and facilitated by numerous City policies and strategies, notwithstanding challenges that have been experienced; and
10. The regulatory obstacles and challenges that have been encountered by various innovative projects that meet the stated policy objectives of Council and the City point to the need for a review the City's regulatory framework as it pertains to innovative new land use models for underutilized urban spaces. There is a need to ensure that the City's By-laws, plans, policies, strategies, and procedures are appropriately in alignment with the City's stated policy objectives and therefore capable of – and adaptable enough – to accommodate and facilitate innovative projects that have the potential to benefit the city and its residents in a timely manner by way of a more streamlined and simplified application and approval process.

THEREFORE BE IT RESOLVED THAT Council direct staff to review the City's regulatory framework that currently enables innovative urban activation projects on underutilized public and private properties with the goal of streamlining and simplifying the process for prospective proponents, including consideration for establishing a clear set of guidelines and pathways for advancing these projects;

FURTHER THAT staff be directed to report back to Council by the end of Q2 2023 with recommendations for a draft set of guidelines and pathways that address current obstacles and impediments to enabling innovative urban activation projects and models;

AN FURTHER THAT the guidelines to streamline and simplify the City's existing application and approval processes for innovative urban activation projects should serve as a precursor to – and serve to inform – any and all future reviews and revisions to relevant By-laws, policies, and regulatory frameworks as they relate to the City's goal to create walkable, complete, connected, culturally vibrant neighbourhoods in the city as well as the larger aspiration to become a 15-minute city.

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ⁱ Creating complete, connected, and culturally vibrant neighbourhoods is a key goal of the Vancouver Plan.