



July 16, 2020

MEMO TO : Park Board Commissioners

FROM : Shauna Wilton  
Acting General Manager, Vancouver Board of Parks and Recreation

SUBJECT : **COVID-19 - Restaurant Patio Temporary Expansion Permits – Board Briefing Memo**

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Dear Commissioners,

In order to assist operators of restaurants to reopen and recover while adhering to physical distancing orders during the pandemic, many Metro Vancouver municipalities including the City of Vancouver have introduced programs to allow for the temporary expansion of patio service areas. The purpose of this memo is to provide an update on the planned approach to accommodate the temporary expansion of patio service areas for restaurants located in Vancouver parks and facilities.

### **Background**

Since the onset of the COVID-19 pandemic, many businesses in Vancouver have been responding to the physical distancing measures introduced by British Columbia's Public Health Officer (PHO). On May 22, 2020, the provincial Liquor and Cannabis Regulation Branch (BC L&CRB) approved policy that permits a Temporary Expanded Service Area Authorization to be issued to food primary, liquor primary, and manufacturer licenses to support liquor licensed establishments in accommodating the same number of patrons while complying with PHO distancing and public gathering requirements. The temporary extension of service areas expires on October 31, 2020.

To enable businesses to take advantage of the Province's authorization for temporary expanded service areas and facilitate economic recovery with speed, flexibility, and nimbleness, the City of Vancouver introduced a new Temporary Expedited Patio Program on June 1, 2020. This program allows Vancouver businesses to apply for a free temporary patio permit until October 31, 2020, on public property in front of, or beside, their building. Applicants that meet program requirements may be issued a permit within two business days of submitting their application. As of July 15, 2020, the City had issued approximately 200 temporary patio permits.

Since the Park Board has exclusive jurisdiction and control over park land use in the City of Vancouver per the Vancouver Charter, the City's program does not apply to restaurants located in Vancouver parks and facilities. Accordingly, a Park Board-specific approach is required to extend this opportunity to Park Board restaurant partners.

### **Discussion**

Similar to restaurants in non-park locations, several Park Board restaurant partners have expressed interest in taking advantage of the temporary expanded patio service opportunity. To date, two Park Board restaurant partners have submitted proposals to temporarily expand their patio operations at their restaurant locations – the Tap & Barrel Restaurant at Olympic Village and Stanley Park Brewing Restaurant & Brewpub in Stanley Park – in order to improve the viability of their business



operations (which have decreased 50% to 70% compared to 2019). After consulting with staff responsible for managing the City's program and engaging with the City's Legal Department, Park Board staff have determined that issuing permits for temporary expanded patio service operations under the Park Board's existing 'Restaurant Use of Adjacent Outdoor Spaces Program' is the most timely, flexible, and agile option.

This program, which falls under staff authority, allows restaurants in Stanley Park to use adjacent outdoor spaces for time limited events and activities of 1 to 3 days in duration. In order to adapt this program to meet partner restaurant requirements during the current pandemic environment, the following temporary changes will be required and implemented:

- Expansion of the program to include restaurants located outside of Stanley Park; and
- Allowing permits to be issued for an extended duration (until October 31, 2020, although it is expected that most restaurants will discontinue use of expanded patios by the end of September 2020).

Moving forward in this manner will enable the Park Board to implement the expanded patio service opportunity in the quickest and most efficient manner possible for restaurants located in Vancouver parks and facilities (staff anticipate that permits for compliant applications could be issued in 48 to 72 hours). The Park Board program would be subject to similar requirements and follow similar procedural steps as those of the City, including:

- Temporary permits would expire on October 31, 2020, and be non-renewable;
- Temporary permits would be subject to the terms and conditions of the primary lease between the Park Board and the applicable restaurant partner;
- No electrical or utilities would be permitted in these spaces;
- Temporary patio spaces can be unlicensed or licensed;
- Licensed patios must install temporary stanchions/railings and comply with all other terms and conditions required by the BC Liquor & Cannabis Regulation Branch.

While the City anticipates hundreds of restaurants to apply under their program, the scope and scale of this initiative for the Park Board will be much smaller. As noted above, two proposals have been received to date from Park Board restaurant partners, and staff anticipate that the number of applications will total between 2 and 4 across the entire Park Board network. Staff also expect that the majority of these temporary expanded patio service areas will be deployed on hardscape surfaces; if deployment is required in green spaces, best efforts will be made to limit any green space encroachment (especially in high use areas) and adjustments will be made in collaboration with our partners if required.

### **Summary/Next Steps**

The temporary expansion of patio service areas has been endorsed by provincial, municipal, and industry representatives as a key contributor to the successful reopening and recovery of local restaurant businesses. Leveraging the use of the Park Board's existing 'Restaurant Use of Adjacent Outdoor Spaces Program', with some necessary and reasonable modifications given the current pandemic environment, provides the best approach for the Park Board to respond quickly and flexibly to implement temporary expanded patio service areas at restaurants in Vancouver parks and facilities.



Park Board staff are reviewing existing proposals to ensure compliance with program requirements, with the intent to begin issuing permits for temporary expanded patios under the expanded parameters of the 'Restaurant Use of Outdoor Spaces Program' as soon as possible. Staff will work with restaurant partners to ensure appropriate notification is provided to key stakeholders and to also address/mitigate any operational issues should they arise.

Please contact me should you have any questions or require additional information.

Regards,

A handwritten signature in black ink, appearing to read "Shauna Wilton". The signature is fluid and cursive, with the first name being the most prominent.

Shauna Wilton  
Acting General Manager

/os/clc

Copy to: PB Senior Leadership Team  
PB Business Development & Special Events  
PB Communications