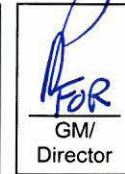
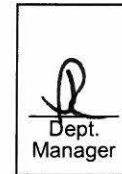


AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting:	Date: <u>October 5, 2020</u>
<input type="checkbox"/> Other:	Date: _____



The District of North Vancouver REPORT TO COUNCIL

Date: September 22, 2020
File: 08.3170.20/513.000

AUTHOR: Janine Ryder, Manager – Real Estate and Properties

SUBJECT: Extension of Temporary Outdoor Business Areas to October 2021– Covid-19 Recovery

RECOMMENDATIONS:

1. THAT Bylaw 8463, to amend the Fees and Charges Bylaw, be given first, second and third readings.
2. THAT Bylaw 8463 be adopted.

REASON FOR REPORT:

On June 15, 2020, Council approved Bylaw 8443 which amended the Fees and Charges Bylaw, to establish the bylaw fees and charges associated with Temporary Business Areas at \$0.00 until October 31, 2020. The Provincial Government has extended their Temporary Expanded Service Area (TESA) authorization to October 31, 2021. This report provides a bylaw amendment to extend the expiry date of the amended Fees and Charges Bylaw until October 31, 2021 for Temporary Business Areas.

ANALYSIS

On May 22, 2020, the Provincial Liquor and Cannabis Regulation Branch (LCRB) issued Policy Directive no. 20-13 enabling food primary (e.g. restaurants), liquor primary (e.g. pubs), and manufacturing licensees (e.g. wineries, breweries and distilleries) to apply for a Temporary Expanded Service Area (TESA) Authorization. All TESA authorizations were originally set to expire on October 31, 2020. On September 18, 2020, the Province issued Policy Directive 20-26 extending the expiry of the TESA authorizations until October 31, 2021. If local government is supportive of the extension, the LCRB will reissue authorization letters to licensees with existing TESA's prior to October 31, 2020.

The District has approved thirteen Temporary Business Areas both on-site (private property) and off-site (public property, such as road allowances). Businesses continue to look for ways to accommodate physical distancing, the Temporary Outdoor Business Areas increases the size of the existing service areas allowing for increased person/patron capacities. Businesses have expressed that the Temporary Business Areas should be extended, and are looking for innovative ways to attract person/patrons throughout fall and winter.

**SUBJECT: Expansion of Temporary Outdoor Business Areas to October 2021 –
Covid-19 Recovery**

September 22, 2020

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Fees and Charges Bylaw Amendment

The proposed bylaw amendment is included as Attachment 1. The amendment allows for the fees and charges associated with Temporary Outdoor Business Areas to be \$0.00, including any fees that would otherwise be payable for the temporary relocation of activities associated with a business to District road allowance, for the purpose of meeting COVID-19 guidelines established by senior levels of government. The proposed bylaw amendment will expire on October 31, 2021.

This bylaw also includes a housekeeping item that increases the maximum fee applicable to Business Licences to \$5,000.

Temporary Outdoor Business Area Policy and Guidelines

Staff are reviewing and updating the administrative and guidelines policy to allow for winterizing the Temporary Outdoor Business Areas for patios and retail spaces both on-site (private property) and off-site (public property).

Staff will contact each business owner that has an approved Temporary Outdoor Business Area, to discuss any changes in the policy and guidelines. The existing permits will be extended until October 31, 2021, if requested by the business owner. Staff will also continue to expedite any new applications for Temporary Outdoor Business Areas.

CONCLUSION

Temporary patio spaces and outdoor business areas are tools for businesses to expand their service areas to fulfil public health objectives for physical distancing. The amendment to the Fees and Charges Bylaw will set the bylaw fees at \$0.00 for Temporary Outdoor Business Areas through to October 31, 2021.

Options:

1. THAT Bylaw 8463, to amend the Fees and Charges Bylaw, be given first, second and third readings; and
2. THAT Bylaw 8463 be adopted.
(Staff Recommendation)

OR

3. THAT no further action be taken at this time.

Respectfully submitted,



Janine Ryder
Manager – Real Estate and Properties

**SUBJECT: Expansion of Temporary Outdoor Business Areas to October 2021 –
Covid-19 Recovery**

September 22, 2020

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REVIEWED WITH:		
<input type="checkbox"/> Community Planning _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Planning _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Development Engineering _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> NVRC _____
<input type="checkbox"/> Parks _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Environment _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Facilities _____	<input type="checkbox"/> Real Estate _____	
<input type="checkbox"/> Human Resources _____	<input type="checkbox"/> Bylaw Services _____	
<input type="checkbox"/> Review and Compliance _____	<input type="checkbox"/> Planning _____	

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ATTACHMENT 1

The Corporation of the District of North Vancouver

Bylaw 8463

A bylaw to amend Fees and Charges Bylaw 6481, 1992

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

- 1) This bylaw may be cited as "Fees and Charges Bylaw 6481, 1992 Amendment Bylaw 8463, 2020 (Amendment 67)".

Amendments

- 2) Fees and Charges Bylaw 6481, 1992 is amended as follows:
 - a) by changing the dates under the heading "Liquor Related Applications" in Schedule "B" from October 31, 2020 to October 31, 2021;
 - b) by changing the date under the heading "Development Permit - Minor" in Schedule "B" from October 31, 2020 to October 31, 2021;
 - c) by changing the dates under the heading "Building Permit Fee" in Schedule "B" from October 31, 2020 to October 31, 2021;
 - d) by changing the date in the last row under the heading "Development Permit - Major" in Schedule "B" from October 31, 2020 to October 31, 2021;
 - e) by changing the date in the first row under the heading "Permit" in Schedule "B" from October 31, 2020 to October 31, 2021; and
 - f) by changing the business licence Maximum Fee under the heading "Other Fees" applicable to all Business Licences" in Schedule "E" from \$4,854.80 to \$5,000.00.
- 3) Bylaw 8443, 2020 is amended as follows: by changing the date in section 2(f) from October 31, 2020 to October 31, 2021.

READ a first time

READ a second time

READ a third time

ADOPTED

**SUBJECT: Expansion of Temporary Outdoor Business Areas to October 2021 –
Covid-19 Recovery**

September 22, 2020

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Mayor

Municipal Clerk

**SUBJECT: Expansion of Temporary Outdoor Business Areas to October 2021 –
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Note: Subsection 12(a)(iii) of Ministerial Order M192, made by the Minister of Public Safety and Solicitor General under the *Emergency Program Act* in response to the COVID-19 declared emergency and dated June 17, 2020, permits a council to adopt a bylaw on the same day that it has been given third reading despite section 135(3) of the *Community Charter* if the bylaw is made in relation to Section 194 of the *Community Charter* [municipal fees]. Due to urgent circumstances, the District of North Vancouver has availed itself of this temporary power where warranted.

Certified a true copy

Municipal Clerk

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