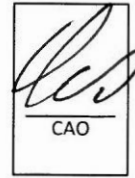
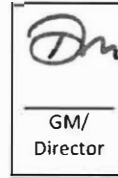
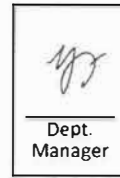


AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: January 23, 2023
<input type="checkbox"/> Other:	Date: _____



The District of North Vancouver REPORT TO COUNCIL

January 11, 2023
File: 08.3060.00/004.000

AUTHOR: Kevin Zhang, Senior Development Planner

SUBJECT: Outdoor Customer Service Areas (OCSA) – Regulation Changes and Process Improvements

RECOMMENDATION

THAT "District of North Vancouver Rezoning Bylaw 1422 (Bylaw 8604)" is given FIRST Reading;

AND THAT "Business Licence Bylaw 4567, 1974, Amendment Bylaw 8612, 2023 (Amendment 51)" is given FIRST Reading;

AND THAT Bylaw 8604 is referred to a Public Hearing;

AND THAT Bylaw 8612 is referred to a Public Input Opportunity;

AND THAT Council support a request with the BC Liquor and Cannabis Regulation Branch requesting an extension of existing Temporary Expanded Service Area authorizations in the District of North Vancouver to September 30, 2023.

REASON FOR REPORT

This report aims to give Council an update on the work currently underway to support businesses to transition pandemic-related temporary outdoor patios¹ to permanent patios (technically known as Outdoor Customer Service Areas (OCSA)² in the Zoning Bylaw and the Business Licence Bylaw), and to introduce proposed revisions to relevant regulations and approval processes in order to continue to support business recovery and public space vibrancy in appropriate locations.

¹ All uses of the term "patio" refer to a patio's use in conjunction with commercial uses, not residential or other uses, in this report and related attachments.

² For simplicity and convenience, the terms "patio" and "Outdoor Customer Service Area (OCSA)" are used interchangeably in this report and related attachments.

SUMMARY

The report highlights the following measures to support businesses with the design, review, and approval of permanent patios:

1. **Zoning Bylaw and Business Licence Bylaw Changes** – Proposed changes to the bylaws that better accommodate existing and future patios while maintaining an appropriate level of regulatory control over potential conflicts with neighbouring land uses;
2. **Guide for Establishing Outdoor Customer Service Areas (the Guide)** – A user-friendly publication to assist current and future businesses in establishing patios;
3. **Process Improvements** – A streamlined, single-contact review process for existing and new patios; and
4. **Staff Support** – Dedicated multi-disciplinary staff team to assist businesses transitioning existing patios or establishing new patios.

BACKGROUND

In response to the COVID-19 pandemic and the Provincial Health Officer's (PHO) orders, the Liquor and Cannabis Regulation Branch (LCRB) implemented Temporary Expanded Service Area (TESA) authorizations starting in May 2020. A TESA authorized licensees to temporarily expand their service areas but did not increase the approved occupant load or capacity. The increased service area allowed licensees to serve patrons while complying with the PHO's guidelines regarding physical distancing.

To align with the provincial TESA authorization, the District implemented the Temporary Outdoor Business Area (TOBA) Administrative Policy in June 2020, which allowed businesses to continue serving customers outdoors in a safe manner.



Temporary Outdoor Patios on Gallant Avenue in Deep Cove

Without the proposed amendments to the Zoning Bylaw and the Business Licence Bylaw, the expected end to the LCRB's authorization on March 31, 2023 could jeopardize these patios because many of the patios are not in compliance with the District's *existing* policies and regulations. As such, an opportunity arose for the District to modernize and improve its zoning regulations, licencing guidelines, and review procedures so that current temporary patios may be made permanent and that new patios may be built to better serve residents.

Since October 2022, staff have consulted with existing TOBA permit holders and other interested businesses to review the draft regulations and process revisions. In November of this year, District engaged with the broader community to seek feedback.



After reviewing the existing TOBA program, the consolidated feedback from business community and the broader public, staff are now ready to make recommendations contained in this report.

GUIDING PRINCIPLES

The proposed Outdoor Customer Service Area (OCSA) regulations and process was created with the following principles in mind:

- 1) Support local businesses by expanding patio options and simplifying the approval process;
- 2) Promote patios that are safe and accessible;
- 3) Minimize negative impacts to neighbours and public infrastructure; and
- 4) Enhance street and community vibrancy in the District of North Vancouver.

PUBLIC INPUT

Prior to crafting the proposed changes, a robust engagement program targeting businesses and residents was undertaken to gauge public sentiment and ensure that the proposed changes align with community and business needs.

This engagement program falls at the “Consult” level on the Spectrum of Public Engagement.



In summary, of the approximately 700 responses received, an overwhelming majority of residents had enjoyed these outdoor patios over the last two years. The input received from both businesses and the community indicate strong support for outdoor patios and the proposed changes to enable the pandemic-era patios to exist on a permanent basis.

There were two streams to the public engagement program: targeted business outreach and a community-wide online engagement survey. Below is a summary of the feedback and results. A comprehensive engagement summary report is available as Attachment 3.

Targeted Business Outreach

The targeted business outreach comprised of seven meetings of staff with 19 local businesses who either have temporary patios or are interested in establishing new patios. The meetings were held in geographic groupings centred in Edgemont, Pemberton, Lynn Valley, Lynn Creek, and Deep Cove commercial areas. Highlights of the feedback heard includes:

- Businesses are supportive of the proposed bylaw changes;
- Businesses understand the need to bring current temporary patios into alignment with safety, accessibility, and other requirements;
- Businesses welcome the District's new patio review and approval process;

- Businesses support the proposed 6-month transition period for current TOBA permit holders;
- Liquor-primary licencees were concerned about the timelines associated with the Liquor and Cannabis Regulation Branch; and
- Deep Cove businesses are concerned about the timing and phasing of the Livable Deep Cove construction project in 2023 and its impact on available space for patios.

Online Public Engagement Survey

The District conducted a broad-based, community-wide online engagement survey seeking input on outdoor patios in November 2022. The survey was promoted via a series of social media posts and on the District website, in-community lawn signs, and an ad in the North Shore News.

The online survey received 725 completed responses. The general sentiment toward outdoor patios in the District is positive.

Do you like outdoor patios in local business areas?



Participants were also given the opportunity to elaborate on why (or why not) they like patios. The top three themes for why patios are liked are:

- **Vibrancy and Pedestrian Atmosphere** – increased social opportunity, liveliness, pedestrian benefits (walkability and safety) (mentioned 187 times);
- **Enjoyment of Outside and Nature** (mentioned 176 times); and
- **Health Reasons** – avoid COVID-19 and other illness, less noisy than inside, improved mental health (mentioned 72 times).

Some responses included concerns or reasons for not liking patios. The top themes of why patios are not liked (or may be cause for concern) are:

- **Car and Pedestrian Disruptions and Safety Concerns*** – including vehicle traffic and parking disruptions and safety concerns for patrons (mentioned 59 times);
- **Not Enjoyable** – either not enjoyable to sit outside and eat or not enjoyable due to interferences from traffic (noise and fumes) (mentioned 25 times); and
- **Nuisance** – patios have caused visual disruption/changes to scenery (including suggestion to have design standards) and noise from patrons (mentioned 16 times).

* It should be noted Lonsdale Avenue was most commonly referred to in regard to vehicle and parking disruptions. These respondents appear to be referring to the City of North Vancouver's curbside patios located on mid- and lower Lonsdale.

Do you support keeping the allowable size of outdoor patios generally the same as what was temporarily allowed during the pandemic?



When asked whether there was support for the larger patios allowed under the TOBA program, compared with the smaller patios permitted under the existing Zoning Bylaw, the majority (82%) of respondents supported the generally larger patios as implemented under the TOBA program.

REGULATION CHANGES

Zoning Bylaw and Business Licencing Bylaw Changes

Based on public feedback and best practice research, staff are proposing a suite of changes to the Zoning Bylaw and the Business Licence Bylaw, and have created an accompanying Guide for Outdoor Customer Service Areas. The existing regulations have been identified to be overly complicated and not conducive towards establishing successful outdoor patios. The aim of these changes is to accommodate larger and more flexibly design patios, introduce safety and design criteria, minimize negative impacts to surroundings and neighbours, and improve accessibility for all users.

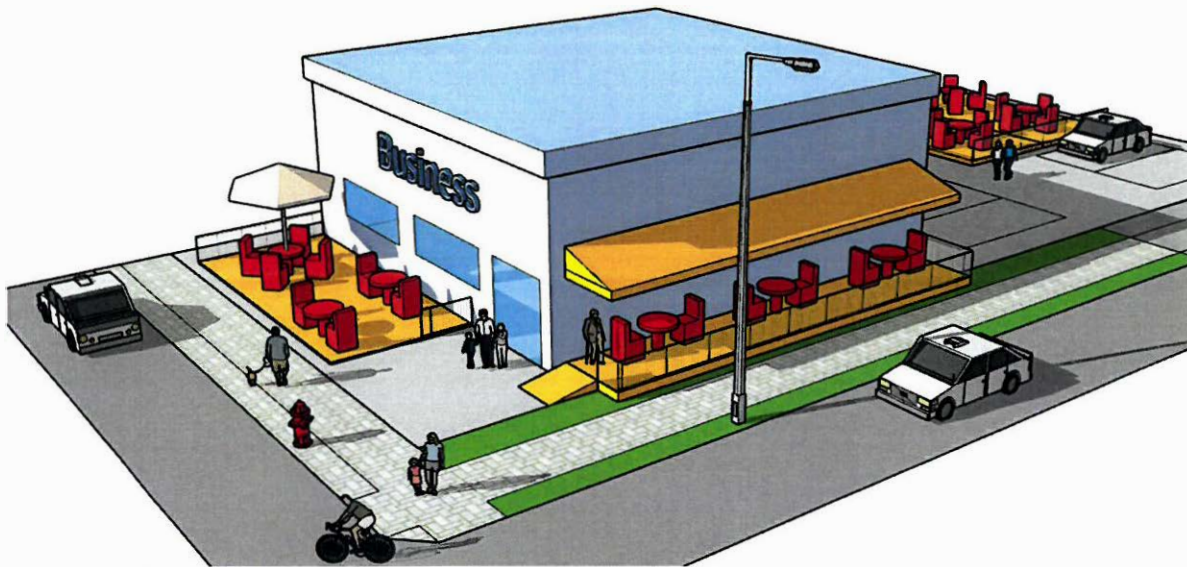


Illustration of three typical configurations of outdoor patios
(on frontage, by sidewalk, and in parking lot)

The following table identifies some of the key proposed changes to the District's regulatory framework to facilitate the establishment of new outdoor customer services areas.

	Current	Proposed
Max size of OCSA	10% of interior floor space	50% of the total gross floor area of the principal use
Max number of seats	20 seats for certain businesses	Removed
Max number of tables	4 tables for certain businesses	Removed
Vehicle Parking	No parking requirements associated with OCSAs	No parking requirements associated with OCSAs
Enclosure	None	Permanently or wholly enclosed spaces not permitted
Fence Heights	None	Min 3.0 ft, Max 3.9 ft
Accessibility	None	At least 1 table or 20% of tables within an OCSA, whichever is greater, should be fully accessible.

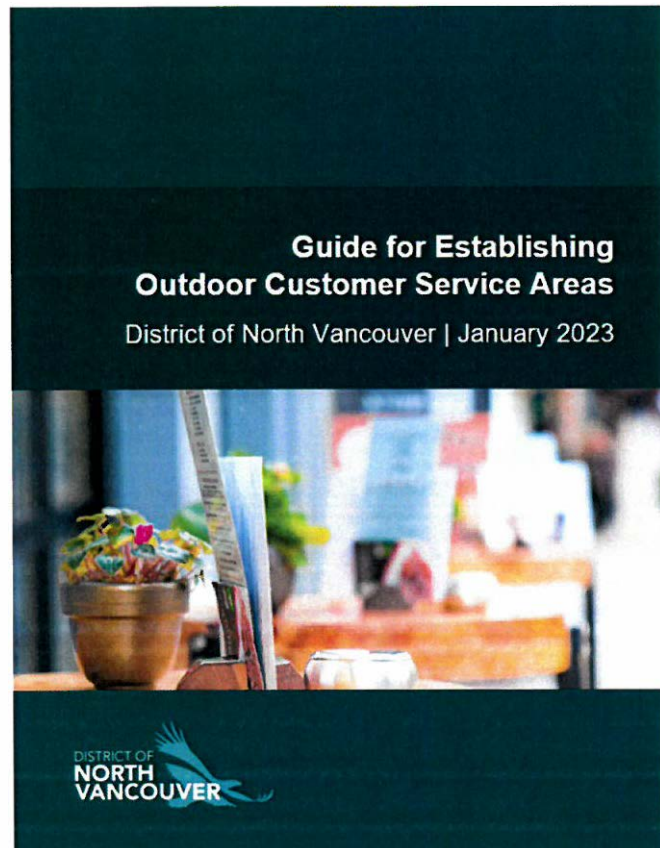
Separation from Residential properties	Patios must be separated from a residential property by a building.	Patios must be separated from a single-family residential property by a building.
Operation Hours	Regulated by Provincial Liquor Licence and/or Business Licence	Regulated by Provincial Liquor Licence and/or Business Licence

Despite the proposed increase in overall permitted size of the patio, there are a variety of other factors that limit the size of the final patio design. Examples of limiting factors include the available space on the property, the occupancy capacity of the establishment, and the cost of construction and maintenance of any structures.

Guide for Establishing Outdoor Customer Service Areas

In conjunction with the aforementioned Zoning Bylaw and Business Licence Bylaw changes, staff have also prepared an accompanying Guide for Establishing Outdoor Customer Service Areas. This guide is intended to be a comprehensive document for any business wishing to establish a new patio. The guide contains key information such as eligibility criteria, patio design requirements, sample designs, process overview, and key cost considerations.

Many of the guidelines are carried over from the existing TOBA Policy, which local businesses are already familiar with. This is intended simplify both patio design and review processes.



PROCESS IMPROVEMENTS

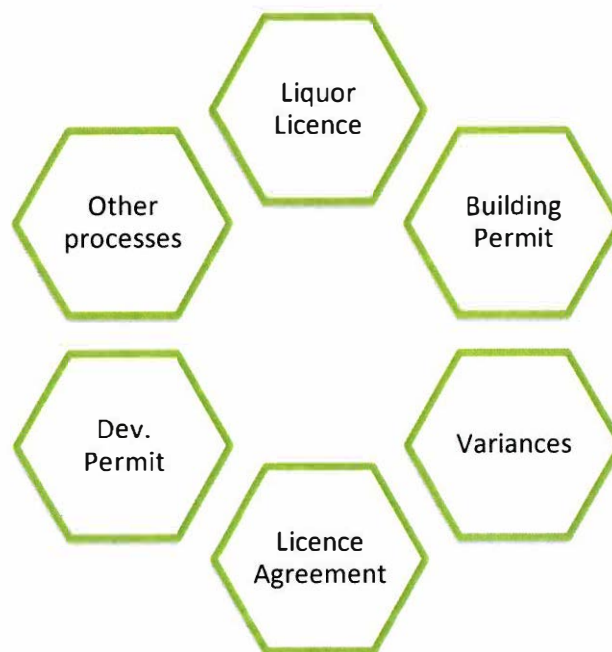
The District aims to reduce approval times and review complexity associated with outdoor patios. Establishing a new patio, modifying an existing patio, or making a temporary patio permanent will now be addressed through the District's existing business licence procedures. No additional application fees will be required by the addition of a proposed patio.

It is anticipated that the majority of patio approvals will flow through the streamlined process (highlighted in blue below), where Business Licencing staff review the proposed patios against the Zoning Bylaw, the Business Licencing Bylaw, and the Guide prior to approval. However, some more complex patio proposals may require additional process (highlighted in green below).

Streamlined Approval Process



Potential Additional Processes for Complex Patio Proposals



Potential Additional Processes

Patio applications may trigger other District regulatory, bylaw, licencing and/or permitting requirements, and may also trigger requirements of other statutory authorities, including WorkSafe BC, Vancouver Coastal Health Authority, and the Provincial Liquor and Cannabis Regulation Branch. All such other requirements must be satisfied before a business licence is issued, renewed, or modified in relation to a new OCSA or a continuation or modification of an existing OCSA. The associated requirements and processes below remain unchanged. Additional relevant fees will apply.

Licence Agreement

When a patio is proposed on District property (boulevard, public plaza, sidewalk), a Licence Agreement will be required. Licence Agreements are negotiated on a case-by-case basis, and will address, among other things, risk allocation, licence fee, insurance requirements, use limitations pedestrian access, utility clearances, maintenance and removal requirements, and termination rights.

Current licencing fees are found in the [District's Outdoor Customer Service Area Policy-Municipal Property](#). The policy and fees will be reviewed and revised shortly in the following months and brought to Council for consideration.

Liquor Licence

As required by the Provincial Liquor and Cannabis Regulation Branch, any business wishing to serve alcohol on a patio must receive a licence from the LCRB. District Council would be requested to provide a municipal endorsement to the LCRB for certain types of liquor licences.

Building and Fire Review

No permanent structures (other than fences, railings, stairs, paths, awnings and platforms) and no structures for which a building permit is required (other than an awning) shall be installed in an Outdoor Customer Service Area.

New outdoor customer service areas and the use of heating equipment of certain fuel types within certain patio enclosure scenarios may require review and approval from the District's Fire and Rescue department to ensure the safety of occupants and neighbouring properties.

Should a business wish to construct a permanent structure, the standard processes of the District will apply.

Development Variance Permit

In some unique situations, reasonably designed patios may not be able meet all requirements set out in the applicable bylaws. DVPs may be required to accommodate these scenarios, should there be policy support for such variances.

Council is concurrently considering the delegation of the authority to issue minor variances to staff (currently all variances require Council or Board of Variance approval). Should Council authorize this delegation to staff, increased efficiencies are anticipated to result in a more streamlined process for minor DVPs.

Next Steps

In anticipation of the end to the Province's Temporary Expanded Service Authorization (currently slated for March 31, 2023), staff have been working with existing TOBA holders and other local businesses to familiarize them with the proposed changes and to assist them in the preparation of submission materials for patio approvals. Should Council adopt the proposed Zoning Bylaw and Business Licence Bylaw changes, it is anticipated that these businesses will be in good shape to take advantage of these new patio regulations prior to the summer season.

Transition Period

Staff are aware of the practical challenges faced by businesses. Even if a business has an approved patio design and the intention to proceed with construction, they are not immune to delays due to staffing shortages, supply chain disruptions, unexpected weather, and other external factors.

Staff are proposing a transition period spanning from March 31 to September 30, 2023 to accommodate businesses that are actively working on their proposal (i.e. have submitted their patio proposal to staff) and who need extra time to complete construction. By September 30, 2023, all TOBAs are expected to be transitioned to permanent patios in compliance with the District's Zoning Bylaw and Business Licence Bylaw.

Conversations and engagement are still continuing around the Liveable Deep Cove Project public realm and the Deep Cove Parking Review. Decisions on patios in Deep Cove should proceed after the engagement has been completed.

Liquor and Cannabis Regulation Branch Review

To streamline the review process with the LCRB, staff plan to bring any required Liquor Licence Review Applications forward to Council for endorsement as a group, and subsequently forward them to the LCRB as a group. Subsequent applications after this initial review will still be brought to Council.

As the parallel LCRB review process may significantly impact the timelines of patio approvals, staff suggest a letter be written to the LCRB requesting an extension of current TESA authorization in the District to September 30, 2023, matching the District's 6-month transition period. Other municipalities (e.g. Richmond) have requested this through the Union of British Columbia Municipals (UBCM)'s Local Government Working Group on Liquor Policy.

CONCURRENCE

A District-wide, cross-departmental team has collaborated on the proposed changes in this report, with key inputs from the Municipal Solicitor, Economic Development, Business Licensing, Development Planning, Properties, and Building department staff.

Ministry of Transportation and Infrastructure

Rezoning Bylaw 8604 affects land lying within 800 m of a controlled access intersection. Therefore, approval by the Provincial Ministry of Transportation and Infrastructure will be required following third reading of the rezoning bylaw and prior to bylaw adoption.

CONCLUSION

The proposed changes to patio regulations and processes aims to increase street vibrancy and support economic recovery while at the same time ensuring safety and accessibility of occupants, and minimizing disturbances to neighbours. There is also general support for larger, permanent outdoor patios from both the local business community and residents alike. The proposals identified in this report are ready for Council consideration.

OPTIONS

The following options are available for Council's consideration:

1. That Council:
 - a. Introduce Bylaw 8604 and 8612 refer the bylaws to a public hearing; and
 - b. Support a request with the BC Liquor and Cannabis Regulation Branch requesting an extension of existing Temporary Expanded Service Area authorizations in the District of North Vancouver to September 30, 2023.

(staff recommendation)

2. Refer the project back to staff for further considerations; or
3. Defeat the bylaws at First Reading and provide further direction to Staff.

Respectfully submitted,



Kevin Zhang
Senior Development Planner

ATTACHMENTS

1. District of North Vancouver Rezoning Bylaw 1422 (Bylaw 8604) [5819464](#)
2. Business Licence Bylaw 4567, 1974, Amendment Bylaw 8612, 2023 (Amendment 51) [5886858](#)
3. Draft Guide for Establishing Outdoor Customer Service Areas [5883455](#)
4. Outdoor Customer Service Areas Public Consultation Summary Report [5855881](#)
5. Temporary Outdoor Business Area Policy (expiration March 31, 2023) [5645886](#)

REVIEWED WITH:					
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<input type="checkbox"/> Development Planning		<input type="checkbox"/> Communications	CG	<input type="checkbox"/> Library Board	
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<input type="checkbox"/> Economic Development	NL	<input type="checkbox"/> Planning	JP		

The Corporation of the District of North Vancouver**Bylaw 8604**

A bylaw to amend District of North Vancouver Bylaw 3210, 1965

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

Citation

1. This bylaw may be cited as "District of North Vancouver Rezoning Bylaw 1422 (Bylaw 8604)".

Amendments

2. District of North Vancouver Zoning Bylaw 3210, 1965 is amended as follows:
 - a) Part 2 Interpretation is amended by deleting the definition of "Outdoor Customer Service Area" and replacing with the following:
 - i) "'Outdoor Customer Service Area" means an area that is not permanently or wholly enclosed or climate controlled for the consumption of food and beverages situated adjacent to a building containing the following principal or accessory uses: restaurant, retail food service, neighbourhood public house, or licenced lounge. Cooking and food preparation is not permitted in Outdoor Customer Service Areas."
 - b) Part 2 Interpretation is amended by deleting the definition of "licensed lounge" and replacing with the following:
 - i) "'licenced lounge" means premises, which is an accessory use to a hotel, entertainment, recreation, and manufacturing use and which is used for the on-site consumption of alcoholic beverages;"
 - c) Part 2A Interpretation is amended by deleting the definition of "licensed lounge use" and replacing with the following:
 - i) "'licenced lounge use" means premises, which is an accessory use to a hotel, entertainment, recreation, and manufacturing use and which is used for the on-site consumption of alcoholic beverages."

d) Section 413 is deleted in its entirety and replaced with the following:

"413 Outdoor Customer Service Areas

The design and operation of Outdoor Customer Service Areas shall be in conformity with the following regulations:

1. Principal Premises means a building or buildings containing a restaurant, retail food service, neighbourhood public house, or licenced lounge.
2. When the subject property abuts a single family residential property or single family residential properties, an Outdoor Customer Service Area is not permitted unless the Principal Premises completely blocks any view of the Outdoor Customer Service Area from any ground level point on the abutting single family residential property or properties;
3. An Outdoor Customer Service Area must be accessory to and operationally connected with the Principal Premises.
4. The size of an Outdoor Customer Service Area shall not exceed 50% of the total gross floor area of the principal use to which the Outdoor Customer Service Area is accessory.
5. As per Part 10 of the Zoning Bylaw, vehicle parking is not required for an Outdoor Customer Service Area.
6. The design of Outdoor Customer Service Areas is regulated as follows:
 - i. No permanent structures (other than fences, railings, stairs, paths, awnings and platforms) and no structures for which a building permit is required (other than an awning) shall be installed in an Outdoor Customer Service Area.
 - ii. Any space that is climate controlled or completely enclosed for more than a total of 7 months in any 12-month period is not permitted in an Outdoor Customer Service Area.
 - iii. All temporary structures (other than fences, railings, stairs, paths, awnings and platforms) must have transparent walls."

e) The contents of Section 723.4 Outdoor Customer Service Areas is deleted in its entirety and replaced with the following:

- i) "Outdoor Customer Service Areas provided that Section 413 of this Bylaw is complied with."

f) Section 770.04 Accessory Uses is amended by adding the following subsection in alphabetic order:

i) "Outdoor Customer Service Areas provided that Section 413 of this Bylaw is complied with."

READ a first time

PUBLIC HEARING held

READ a second time

READ a third time

APPROVED by the Ministry of Transportation and Infrastructure on

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

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The Corporation of the District of North Vancouver**Bylaw 8612**

A bylaw to amend Business License Bylaw 4567, 1974

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

Citation

1. This bylaw may be cited as "Business License Bylaw 4567, 1974, Amendment Bylaw 8612, 2023 (Amendment 51)".

Amendments

2. Business License Bylaw 4567, 1974 is amended as follows:

- a) The definition of "Outdoor Customer Service Area" in Section 344.A is deleted and replaced with the following new definition:

"Outdoor Customer Service Area" has the meaning given to it in Part 2 of Zoning Bylaw No. 3210, 1965;"

- b) Section 526.1 is deleted in its entirety and replaced with the following new section 526.1:

"Before operating a new Outdoor Customer Service Area on private property, and before modifying and operating an existing Outdoor Customer Service Area on private property, a person must:

- (i) apply for and obtain a new or modified licence to reflect the new or modified Outdoor Customer Service Area;
- (ii) provide the Inspector with a written description of the proposed new Outdoor Customer Service Area or proposed modification of an existing Outdoor Customer Service Area, as the case may be;
- (iii) provide detailed and fully dimensioned plans of the proposed new Outdoor Customer Service Area or proposed modification of an existing Outdoor Customer Service Area, as the case may be;
- (iv) provide such other information as the Inspector may be required to ensure compliance with all District Bylaws and to indicate compliance with all regulations of other authorities having jurisdiction; and
- (v) provide written permission from the registered owner of the property supporting the proposed new or modified Outdoor Customer Service Area."

- c) Section 526.2 is deleted in its entirety and replaced with the following new section 526.2:

"In addition to the matters listed in section 408A, the Inspector may impose terms and conditions in relation to a Outdoor Customer Service Area that must be met for obtaining, modifying, continuing to hold, or renewing a licence respecting general bylaw compliance, compliance with the requirements of other authorities having jurisdiction, and reducing, eliminating, preventing, or mitigating interference with public use of sidewalks and other public areas or interference with or damage to any District infrastructure."

READ a first time

NOTICE given under Section 59 of the *Community Charter* on

OPPORTUNITY for representatives to Council provided in accordance with Section 59 of the *Community Charter* on

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Draft Guide for Establishing Outdoor Customer Service Areas

District of North Vancouver | January 2023



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About this Guide



This guide provides an overview of the District of North Vancouver's Outdoor Customer Service Area Program ("OCSA Program" or "the Program"). The guide outlines the steps required to apply for an Outdoor Customer Service Area (also referred to as a "patio" through this guide) and details the requirements for designing and operating an OCSA.

The following procedures apply to OCSA proposals:

- Anyone who wishes to install a new Outdoor Customer Service Area (OCSA) must submit a OCSA proposal to the District of North Vancouver (the "District") prior to installing their OCSA, with their business licence application, modification, or renewal.
- Anyone who wishes to continue the operation of an existing OCSA which has not been processed in any previous business licence application, modification, or renewal, must submit a OCSA proposal to the District with their business licence modification or renewal.
- Anyone who wishes to modify an existing OCSA must submit a OCSA proposal to the District, prior to modifying their OCSA, with their business licence modification or renewal.

Note: In this guide and related documents, all uses of the term "patio" refer to a patio's use in conjunction with commercial or light industrial uses, not residential or other uses; the terms "patio" and "Outdoor Customer Service Area (OCSA)" are used interchangeably.

Guiding Principles

- 1) Support local businesses by expanding patio options and simplifying approvals;
- 2) Promote patios that are safe and accessible;
- 3) Minimize impacts to neighbours and public infrastructure; and
- 4) Enhance street and community vibrancy in the District of North Vancouver.



Eligibility and Design Guidelines

Before you begin planning your patio, please review the requirements in this guide, in section 413 of the Zoning Bylaw, and in section 526 of the Business Licence Bylaw. In addition to the patio's location and design, businesses should consider their patio's accessibility and safety for patrons, as well as more functional requirements such as clearance, access, fencing, and weather protection.

The District of North Vancouver's patio requirements differ depending on whether the patio is located on public space (for example, a sidewalk, boulevard or curbside parking spot), or on private space, including private parking lot spaces.

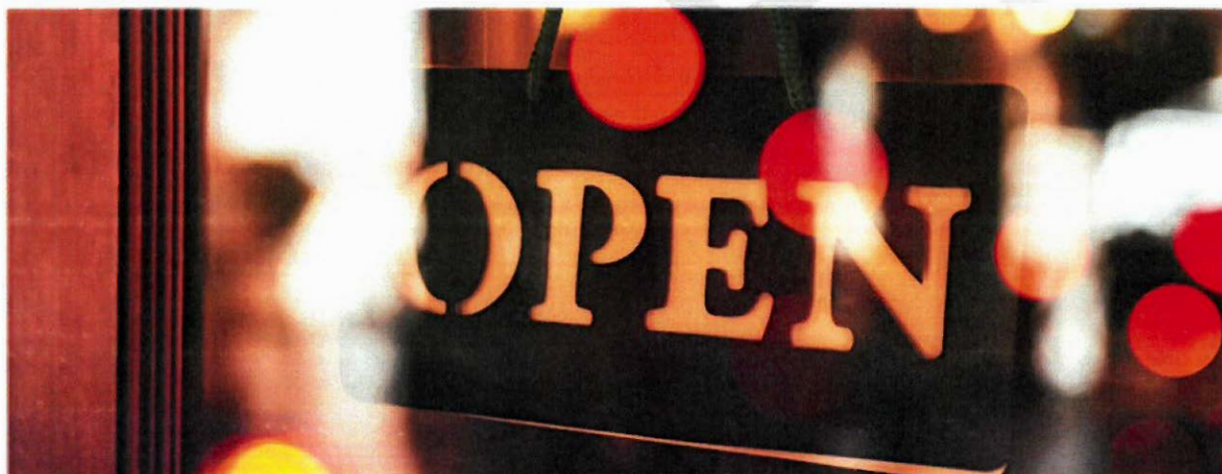
Eligibility and Use

An Outdoor Customer Service Area means an area situated on private or public property which is accessory to a restaurant, retail food service, neighbourhood public house, or licensed lounge. You are only eligible to submit an OCSA proposal with your business licence application or renewal if an OCSA is a permitted accessory use under the zoning applicable to the property upon which your business is located.

An Outdoor Customer Service Area may only be used for the consumption of food and beverages by customers. Cooking and food preparation is not permitted.

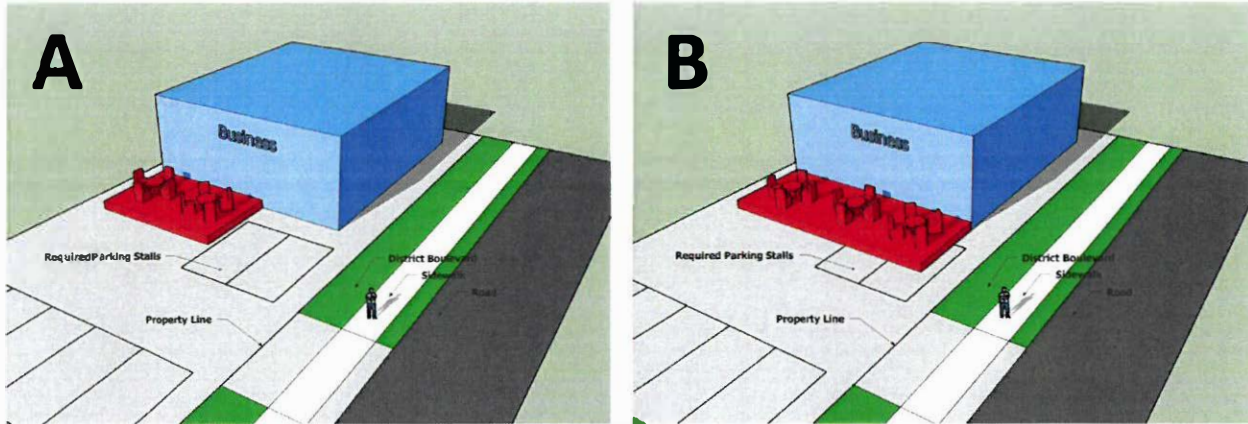
Operating Hours

Your permitted operating hours within OSCAs will be dictated by your Provincial Liquor Licence and/or Business Licence, and your licence agreement with the District of North Vancouver if your OCSA is or will be located on District road allowance or other District property. A key consideration is reducing negative impacts to immediate neighbours.



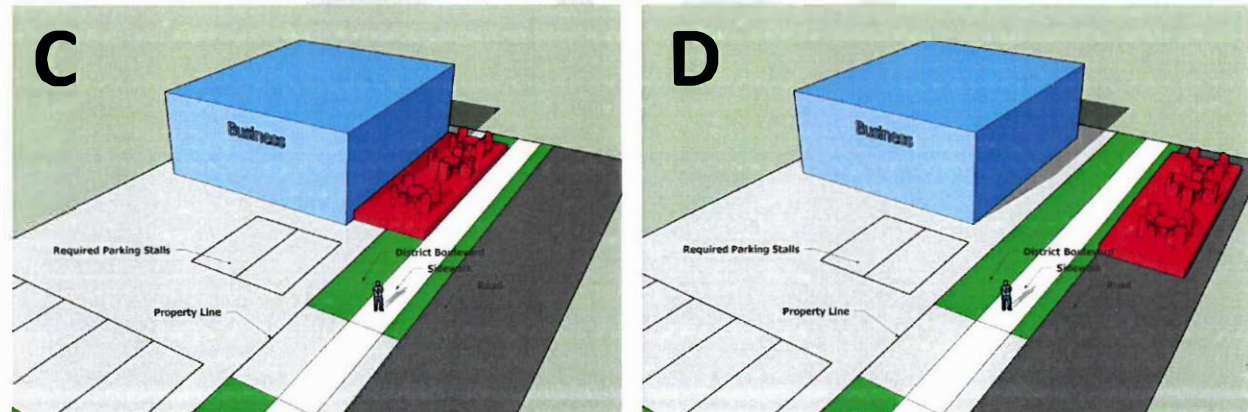
Patio Location Scenarios

There are four typical scenarios your OCSA will fall under:



Scenario A shows the proposed patio on private property, not requiring the removal of parking stalls. This is the most straightforward scenario.

Scenario B shows the proposal patio occupying space previously used for on-site parking. Should this create a deficiency in required on-site parking, a [Development Variance Permit](#) is required.



Scenarios C and D both occupy District lands (boulevard and public road respectively). In these scenarios, a Licence Agreement with the District will be required (see Licence Agreement section in this guide).

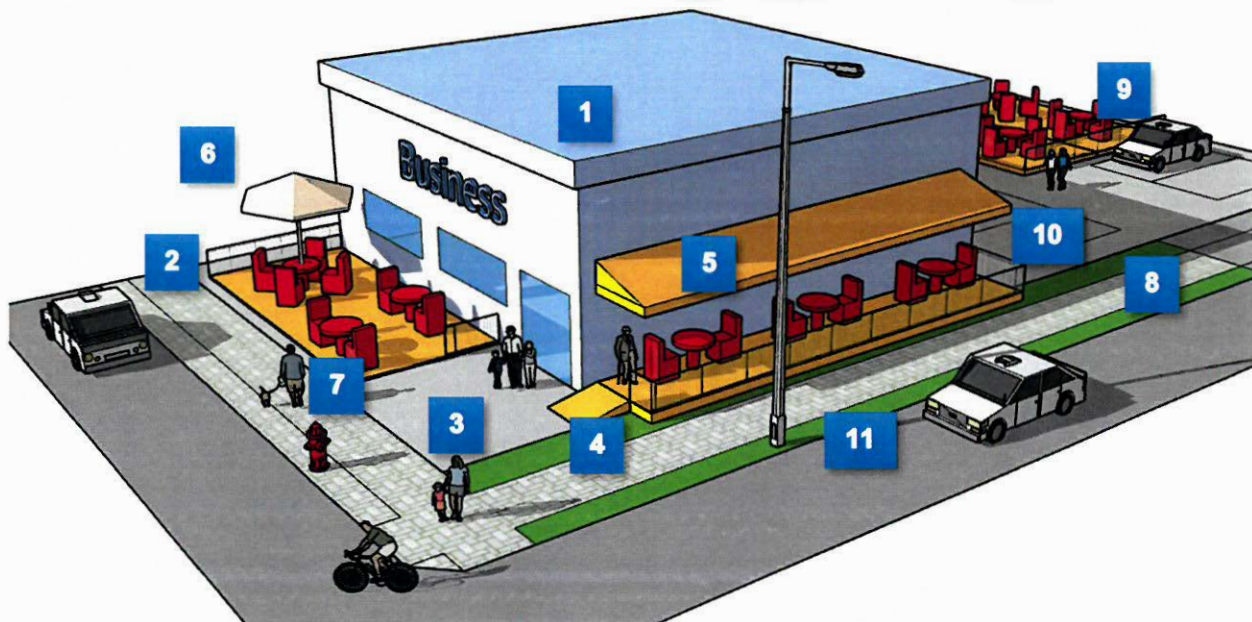
Licence Agreement

In relation to Scenario C and D, where a patio is proposed on District property (for example, boulevard, public plaza, sidewalk), a Licence Agreement will be required. These agreements are negotiated on a case-by-case basis, and will address, among other things, risk allocation. Insurance requirements, use limitations pedestrian access, utility clearances, maintenance and removal requirements, and termination rights.

Current licencing fees are found in the [District's Outdoor Customer Service Area Policy-Municipal Property](#).

General Patio Design Guidelines

The following image illustrates key guidelines applicable to all Outdoor Customer Service Areas, whether located on District land (pursuant to a licence agreement) or on private property. Please refer to section 413 in the Zoning Bylaw and section 526 in the Business Licence Bylaw for further requirements.



1. The size of an Outdoor Customer Service Area shall not exceed 50% of the total gross floor area of the principal use to which the Outdoor Customer Service Area is accessory, or 50% of the number of seats permitted for the principal use to which the Outdoor Customer Service Area is accessory whichever is the lesser.
2. Any railing, fencing, or other enclosure should not be less than 0.9 m (3.0 ft.) nor more than 1.2 m (3.9 ft.) in height.
3. An adjacent clear path of pedestrian travel of minimum 2.0 m (6.5 ft.) in width should be maintained.
4. At least 1 table, or 20% of tables (whichever is greater) should be fully accessible for a person with a wheeled device or other mobility equipment.

5. Overhead cover or other structures may require a Building Permit.
6. The lowest portion of an umbrella, canopy or similar overhead device should provide for a minimum clearance of 2.1 m (7ft.) above any walking surface.
7. Patio furniture, enclosure railings or barriers, plants etc. should not block pedestrian or vehicular sightlines or visibility of street signage and traffic signals.
8. Use of land located within hazard development permit areas (streamside or environmental protection, slope or wildfire hazard) is discouraged, and would likely require issuance of an environment and/or hazard development permit.
9. The perimeter of any OCSA adjacent to parking spaces or a vehicle drive aisle should be protected as appropriate with a temporary barrier or railing.
10. All temporary structures (other than fences, railings, stairs, paths, awnings and platforms) must have transparent walls.
11. Any use of District lands or right of ways is subject to a Lease Agreement with the District.

Guidelines for Patios on Public Property

The issuance of a licence agreement for an OCSA on a District road allowance or on any other District property is subject to the sole discretion of the District. The District's discretion is considered in the context with, but not limited by, the following guidelines:

1. Existing public landscaped areas should not be converted to Outdoor Customer Service Areas.
2. Removal of accessible parking spaces, no stopping areas, loading areas and cycle lanes is not permitted.
3. Proposals will be reviewed for impacts on sightlines, driveway access, and other civil engineering, highway and sidewalk issues.
4. Temporary patios and retail spaces should be set back a minimum 3.0 m (9.8 ft.) from stop signs, traffic signals, driveways, laneways, or intersections.
5. Where an OCSA is within 2.5 m (8.2 ft) of an adjacent roadway, temporary 30 km/hr posted speed signage may be required to be installed adjacent to the OCSA
6. Due to higher operating speeds and traffic volumes, OCSAs on arterial and higher-travelled roads may require a greater degree of separation between the patio/retail space and adjacent vehicle lane(s). Separation could include "jersey barriers" and signage along the interface of the temporary use area.
7. No OCSA will be permitted if it would or could impact on wheelchair accessibility on any District sidewalk.
8. Structures requiring a Building Permit (other than awnings) cannot be accommodated on public property.
9. Landscape elements should be provided only in easily removable planters.
10. Planters and plants must not obstruct sightlines or create hazards for vehicle operators or pedestrians.

Application Process and Submission Requirements

Prior to installation of a new OCSA or prior to the modification or continuation of an existing OCSA, an applicant must submit an OCSA proposal to the District as part of their business licence application, renewal, or medication, as applicable.



To submit your proposal for an OCSA to PropertyUse@dnv.org you will need to provide:

1. A completed Outdoor Customer Service Area Design Checklist.
2. Written permission from the registered owner of the property supporting the proposed patio.
3. Fully-dimensioned plan of your proposed patio with a seating plan and seating count. The plans must delineate and label the area of the proposed patio and the interior floor space of the principal use to which the OCSA is accessory.
4. Elevation drawing(s) of your proposed patio showing heights of fencing, railings, decks, and other structures.
5. Site Plan.
6. Photographs of the proposed location of the patio.
7. Any other documents that you feel may clarify/support your proposed patio(s).
8. Other information as may be required to ensure compliance with all District Bylaws and guidelines to indicate compliance with all regulations of other authorities having jurisdiction;

Applications Fees

There is no additional fee associated with the OCSA component of your Business Licence application or renewal. Complex proposals requiring additional processes will require payment of applicable fees (see Potential Additional Processes section).

Potential Additional Processes

Patio applications may trigger other District regulatory, bylaw, licencing and/or permitting requirements, and may also trigger requirements of other statutory authorities, including WorkSafe BC, Vancouver Coastal Health Authority, and the Provincial Liquor and Cannabis Regulation Branch. All such other requirements must be satisfied before a business licence is issued, renewed or modified in relation to a new OCSA or a continuation or modification of an existing OCSA. The associated requirements and processes below remain unchanged. Additional relevant fees will apply.

Liquor Licence

As required by the Provincial Liquor and Cannabis Regulation Branch, any business wishing to serve alcohol on a patio must receive a licence from the LCRB. District Council would be requested to provide a municipal endorsement to the LCRB for certain types of liquor licences.

Building and Fire Review

No permanent structures (other than fences, railings, stairs, paths, awnings and platforms) and no structures for which a building permit is required (other than an awning) shall be installed in an Outdoor Customer Service Area.

New outdoor customer service areas and the use of heating equipment of certain fuel types within certain patio enclosure scenarios may require review and approval from the District's Fire and Rescue department to ensure the safety of occupants and neighbouring properties.

Should a business wish to construct a permanent structure, the standard processes of the District will apply.

Development Variance Permit

In some unique situations, reasonably designed patios may not be able meet all requirements set out in the applicable bylaws. DVPs may be required to accommodate these scenarios, should there be policy support for such variances.

Council is concurrently considering the delegation of the authority to issue minor variances to staff (currently all variances require Council or Board of Variance approval). Should Council authorize this delegation to staff, increased efficiencies are anticipated to result in a more streamlined process for minor DVPs.

Other Applicable Regulations

Noise Bylaw

The occupancy of the patio should be limited as necessary to minimize disturbance where there are nearby residential dwellings and must comply with Noise Regulation Bylaw No. 7188. The Noise Regulation Bylaw can be found here:

<https://www.dnv.org/bylaws/noise-regulation-bylaw>

Smoking Regulation Bylaw

Smoking is prohibited on or within 6 metres of an Outdoor Customer Service Area under Smoking Regulation Bylaw No. 7792. The Smoking Regulation Bylaw can be found here: <https://www.dnv.org/bylaws/smoking-regulation-bylaw>

Provincial Liquor and Cannabis Regulation Branch (LCRB)

The LCRB must approve any outdoor patio that serves alcoholic beverages. Online applications can be made via the following link: [Home - Liquor and Cannabis Regulation Branch \(gov.bc.ca\)](https://www.gov.bc.ca/liquor-and-cannabis-regulation-branch/)

Provincial Policy on Pet Dogs on Outdoor Dining Areas

Please refer to the BC Centre of Disease Control webpage:

www.bccdc.ca/resourcegallery/Documents/Educational%20Materials/EH/FPS/Food/DogsonPatios.pdf



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Temporary Outdoor Business Areas

Public Consultation Summary Report

December 2022

Prepared by:

Planning, Permits & Properties Department

Outdoor Customer Service Areas
Public Consultation Summary Report

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Outdoor Customer Service Areas

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Introduction

Since the outset of the pandemic, the District had responded with a Temporary Outdoor Business Areas (TOBA) program and process to allow businesses to serve customers outdoors, mirroring the Liquor and Cannabis Regulation Branch (LCRB)'s Temporary Extended Service Areas (TESA) program.

With the temporary patio program set to expire at the end of March 2023, Council directed staff to explore ways to transition pandemic-era temporary patios to a permanent state that is compliant with health, safety and other key regulations. With this initiative, Council's aim is to support business recovery and build street vibrancy, while respecting other business tenants and existing neighbourhoods.

To advance Council's mandate, staff have developed a suite of minor regulatory amendments and a streamlined process for businesses to establish outdoor patios on a permanent basis. Staff also implemented a corresponding businesses and residents engagement program, to gauge public sentiment and ensure the proposed changes align with community and business needs.

There were two streams to the public engagement program: targeted business outreach and a community-wide online survey.

Business Outreach

The targeted business outreach comprised a series of District staff meetings with holders of TOBA permits or businesses who inquired for such a permit during the pandemic, in geographic groupings.

Business Outreach Implementation

44 businesses were invited to attend the meetings with staff, mostly concentrated in the Edgemont, Pemberton, Lynn Valley Village, Lower Lynn Creek and Deep Cove commercial areas. Staff held 7 online and 1 in-person meetings with businesses between October 31st and November 15th, 2022. 19 businesses + a representative of the North Vancouver Chamber of Commerce (NVCC) attended the meetings. Staff presented the proposed relaxed zoning regulations and streamlined process for converting temporary outdoor patios added during the pandemic to permanent and for enabling similar outdoor patios to be operated by eligible businesses in the future. Staff also answered questions related to approvals for patio placement on private versus District property and business-specific cases related to patio construction and building permitting requirements.

Business Feedback

By large, businesses attending the meetings supported the proposed changes and commended the District for taking a proactive approach to support businesses during the TESA transition and maintain the vibrancy of the District's town centers and commercial areas post-pandemic. Specifically:

- Businesses are highly supportive of the bylaw changes, including the larger patio size, removal of seat limits and preservation of the no additional parking required (as is in current zoning bylaw) – these proposed regulatory changes were welcomed by current operators and would enable

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businesses to transition current temporary patios to continue to serve their patrons after the TESAs expire.

- Businesses understand the need to bring current temporary patios into compliance of community safety, accessibility and other requirements or the need to propose new patio concepts that are compliant to continue to operate their temporary outdoor patios permanently
- Businesses further support the District's one-point proposal intake and case management, as well as the parallel zoning, building, licensing compliance review processes
- Businesses support the proposed 6-month grace period to transition existing TOBA patios to comply with licensing, building regulations (current TOBA holders only), if required

Concerns raised in the targeted business meetings:

- Liquor-primary manufacturers are concerned about the timing of District bylaw adoption and the LCRB licensing deadline of March 31, 2023, stating that failure to secure a permanent outdoor patio license may result in dry-only patios, which is not a reasonable service model for liquor-primary and liquor-serving establishments
- The potential for an incremental increase in the property assessments, property taxes and lease rates for North Shore businesses with substantial outdoor patio structural additions that could be interpreted as property improvements by the BC Assessment Authority¹
- Deep Cove businesses are concerned about the timing and phasing of the Livable Deep Cove construction project in 2023 and the uncertainty over the use of curbside space for outdoor patios²

¹ The concern was raised by the North Shore Chamber of Commerce, from conversations with businesses in the City of North Vancouver

² It is anticipated that the District's Deep Cove parking review, currently under way, will provide further clarity and visibility into the use of the curbside space along Gallant Avenue

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District-Wide Online Survey

Concurrent to the targeted business meetings, the District implemented a community-wide online engagement survey seeking feedback from residents and businesses on proposed changes, including:

- Replacing temporary outdoor patios added during the pandemic with permanent
- Relaxing outdoor patio regulations moving forward

Online Survey Implementation

Hosted on dnv.org, the survey went live on November 2nd and ran for 3 weeks, closing on November 23rd. The opportunity to provide feedback was extensively promoted in the community via both online and on the ground means, including:

- A series of social media posts on Facebook, Twitter and Instagram, amplified by NVCC posts and re-posts
- Further amplification through the NVCC and Vancouver North Shore Tourism Association newsletters to reach a broader business base
- Approximately 20 in-community lawn signs, strategically placed in areas of concentration of current TOBA holders (Lynn Valley, Edgemont, Lynn Creek, Deep Cove), which invited neighbouring residents and businesses to fill out the online survey via a scannable QR code
- An advertisement in the North Shore News

Online Survey Results

The online engagement survey registered 829 responses, of which 89 were incomplete (the user did not hit “Submit”), 11 were received before the survey went live (staff testing pre-launch) and 2 that were entirely blank. Data clean up conducted after the survey closed resulted in **725 valid responses** which were used to analyze the survey results.

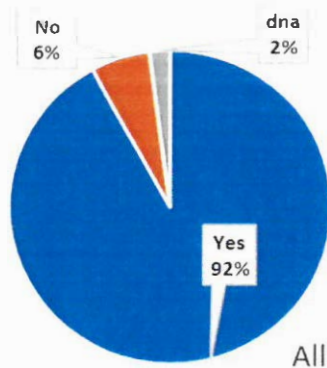
The results below are summarized in 4 thematic categories: general public sentiment for outdoor patios, public feedback on patio size and curbside parking location, feedback from non-TOBA businesses, and survey metadata analysis.

Outdoor Customer Service Areas

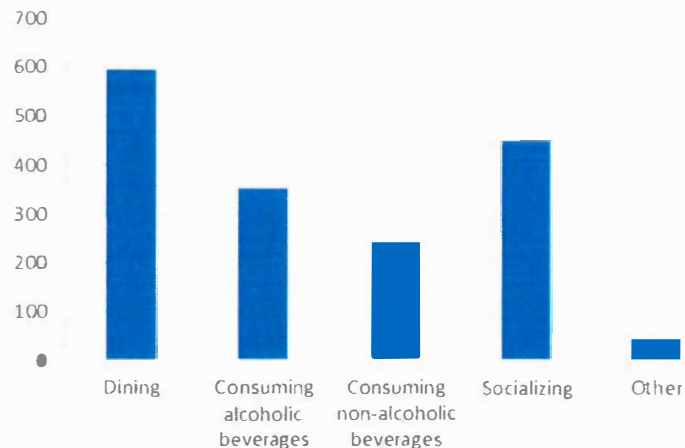
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Public Sentiment for Outdoor Patios

Do you enjoy and/or have you used outdoor patios at local businesses?



What was the primary purpose of your outdoor patio visit?



Over 92% of all respondents had visited an outdoor patio prior to or during the pandemic or both. 6% had not visited an outdoor patio and 2% did not respond. Dining, socializing and consuming alcoholic and non-alcoholic beverages are the top reasons people visit outdoor patios (multiple responses).

Other Responses to Purpose of Visit

Respondents who selected “other” provided additional reasons for their purpose of visiting a patio. Out of 44 responses, 37 answers were a reason not already supplied by the question. Of these 37 responses, 17 respondents explained additional reasons for using patios, with the top three themes being:

- to bring a pet (dog)
- to provide persons with health concerns (such as immuno-compromised persons) safer dining and social opportunity; and
- to enjoy nature and the outdoors.

Other additional themes for using patios included to work/study, that dining outside is quieter making it easier to hear, to generally leave the house and fill time, and to enjoy a more “European” street vibrancy.

Eight respondents gave reasons for disliking patios, including patios not being generally enjoyable (i.e. sitting in street not enjoyable), that patios cause traffic/parking disruptions, and that dining out is not affordable.

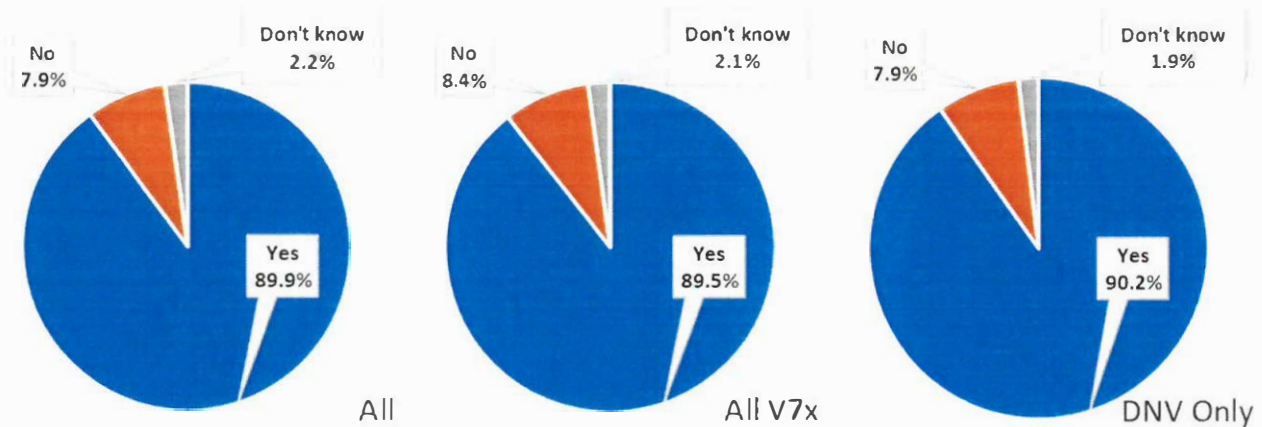
Outdoor Customer Service Areas

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Support for Outdoor Patios

Support for outdoor patios in the District was overwhelmingly positive.

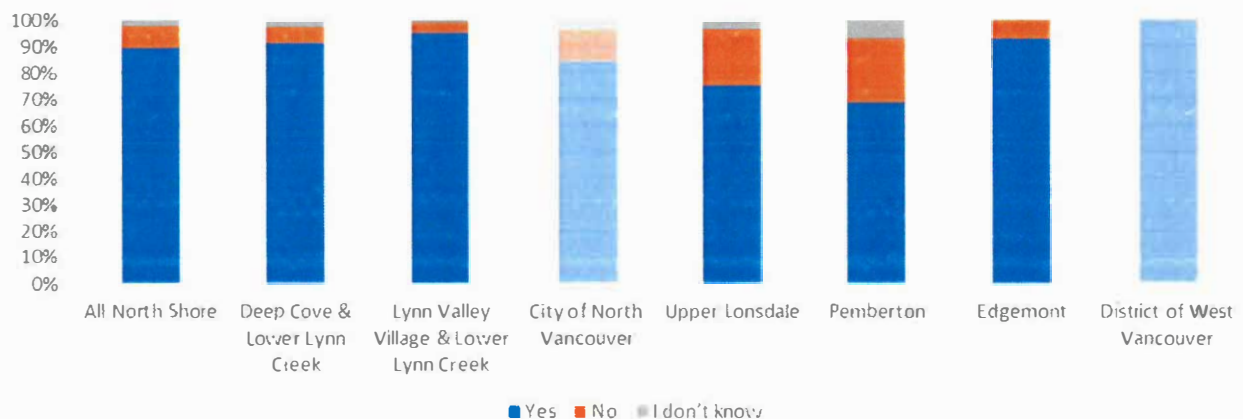
Do you like outdoor patios in local business areas?



89.9% of respondents (725 responses) support outdoor patios while 7.8% oppose them. Respondents are 89.5% in support and 8.4% in opposition of outdoor patios when responses were limited to those who indicated they are North Shore residents³ (610 responses). Notably, respondents in support of outdoor patios increased to 90.2% and in opposition dropped back to 7.9% when responses were controlled for District residents only (532 responses)⁴.

Support for Outdoor Patios (by area)

Do you like outdoor patios in local business areas (by area)?



When broken down by commercial area, support for outdoor was highest in Deep Cove, Lower Lynn Creek, Lynn Valley Village and Edgemont (above 90% of responses) and lowest in Upper Lonsdale and Pemberton (70-75% of responses). Notably, responses from the areas with higher levels of opposition

³ North Shore residents are identified by limiting responses to the 11 V7x postal codes on the North Shore

⁴ District only residents are identified by removing the 3-digit postal codes generally representing City of North Vancouver (V7L, V7M) and District of West Vancouver (V7S, V7W) residents

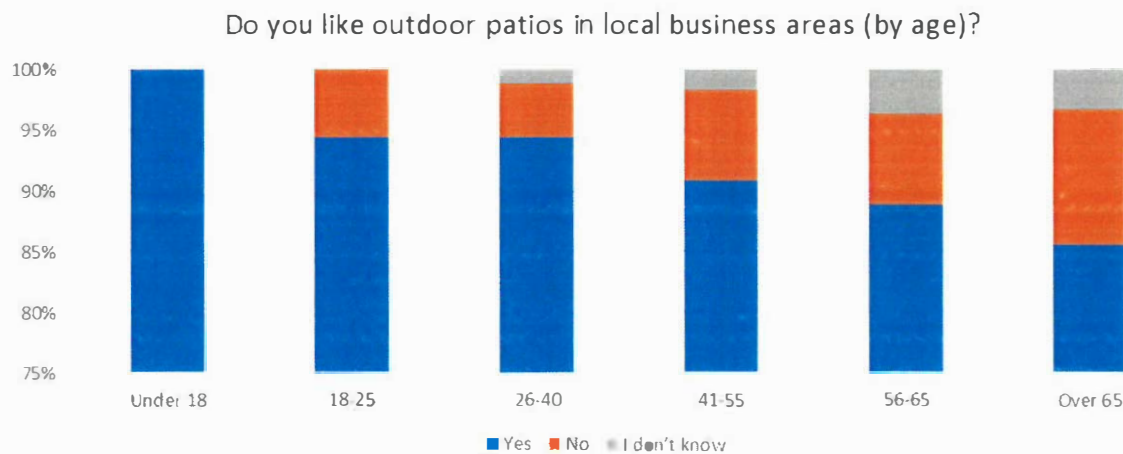
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were substantially lower in numbers at 9% of total responses from Upper Lonsdale and 5% from Pemberton. Also, 13% of all responses were from residents of the City of North Vancouver, which was also an area with lower levels of support (83%), likely due to experiences with outdoor patios in the City of North Vancouver. Below is how total responses to this question were distributed among the different commercial areas:

Do you like outdoor patio spaces in local business areas?	% of responses
Deep Cove & Lower Lynn Creek	26%
Lynn Valley Village & Lower Lynn Creek	33%
City of North Vancouver	13%
Upper Lonsdale	9%
Pemberton	5%
Edgemont	14%
District of West Vancouver	0%
All North Shore	100%

Support for Outdoor Patios (by age)



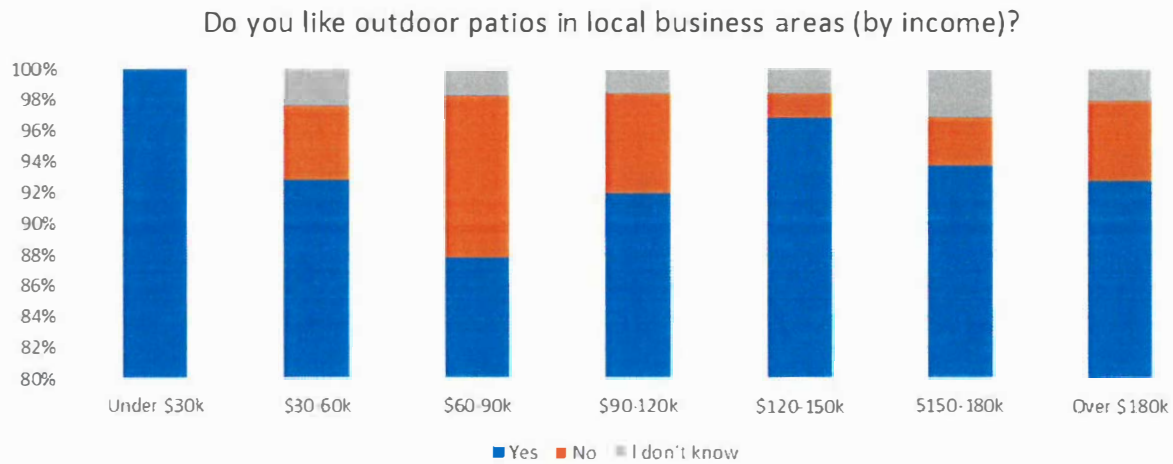
When broken down by age, support for outdoor patios was highest among younger age groups and tended to drop below the 90% overall support levels among people 55+, although it remained above 85% across all age groups. Below is how total responses to this question were distributed among the respondents reporting their age:

Do you like outdoor patio spaces in local business areas (by age)?	% of responses
Under 18	1%
18-25	3%
26-40	26%
41-55	34%
56-65	23%
Over 65	14%
All Respondents Indicating Age	100%

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Support for Outdoor Patios (by income)



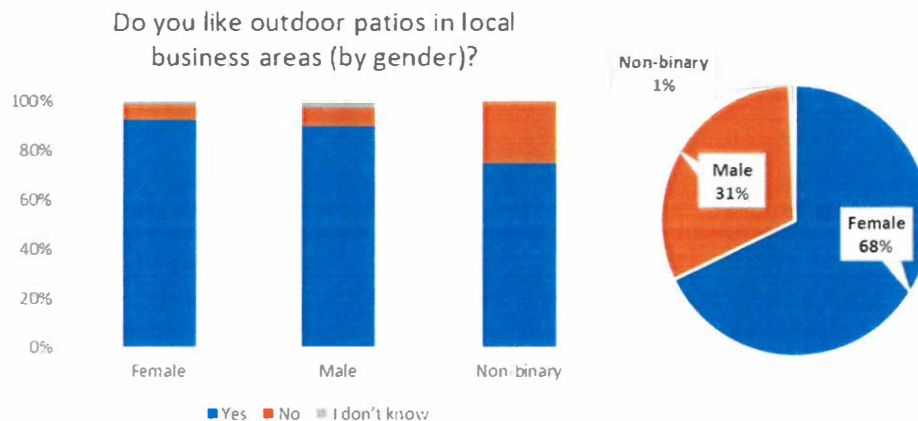
When broken down by age, support for outdoor patios was high across all individual income levels. Notably, individuals reporting lower and higher income ranges were slightly more supportive (between 90% and 100%) of outdoor patios than those reporting incomes in the middle \$60-\$90k range (87%). Below is how total responses to this question were distributed among respondents reporting income:

Do you like outdoor patio spaces in local business areas (by income)?	% of responses
Under \$30k	6%
\$30-\$60k	15%
\$60-\$90k	21%
\$90-\$120k	23%
\$120-\$150k	12%
\$150-\$180k	6%
Over \$180k	18%
All Respondents Reporting Income	100%

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Support for Outdoor Patios (by gender self-identification)



Support for outdoor patios was equally strong among respondents reporting their gender. Of note is that more than two-thirds of respondents were female and less than one-third were male.

Long Answer Responses to Why (or Why Not) like Patios in Local Business Areas

Respondents were also given the opportunity to elaborate on why (or why not) they like patios in local business areas. 479 respondents provided long-answer elaboration with many responses including multiple reasons. Each reason within an answer is counted meaning the numbers below are not reflective of the number of responses.

410 of these long-answer responses indicate “yes” to liking patios in the previous question and in general had positive comments as to why patios are liked. The top three themes to why patios are liked are:

- **Vibrancy and Pedestrian Atmosphere** – increased social opportunity, liveliness, pedestrian benefits (walkability and safety) (mentioned 187 times)
- **Enjoyment of Outside and Nature** (mentioned 176 times)
- **Health Reasons** – avoid COVID-19 and other illness, less noisy than inside, improved mental health (mentioned 72 times)

Additional themes for liking patios included having increased dining options and improved convenience (including less wait times, more space, a place to rest), that patios are good for the economy and businesses, and ability to bring pets.

54 respondents answered “no” and 15 answered “I don't know” to why (or why not) they like patios and gave long-answer elaborations why. Note some respondents indicated they generally like patios but also give a concerns or indicated they like patios on a conditional basis. These concerns are included below. The top themes for why patios are not liked (or may be cause for concern) are:

- **Car and Pedestrian Disruptions and Safety Concerns** – including vehicle traffic and parking disruptions and safety concerns for patrons (mentioned 59 times)
- **Not Enjoyable** – either not enjoyable to sit outside and eat or not enjoyable due to interferences from traffic (noise and fumes) (mentioned 25 times)

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- **Nuisance** – patios have caused visual disruption/changes to scenery (including suggestion to have design standards) and noise from patrons (mentioned 16 times)

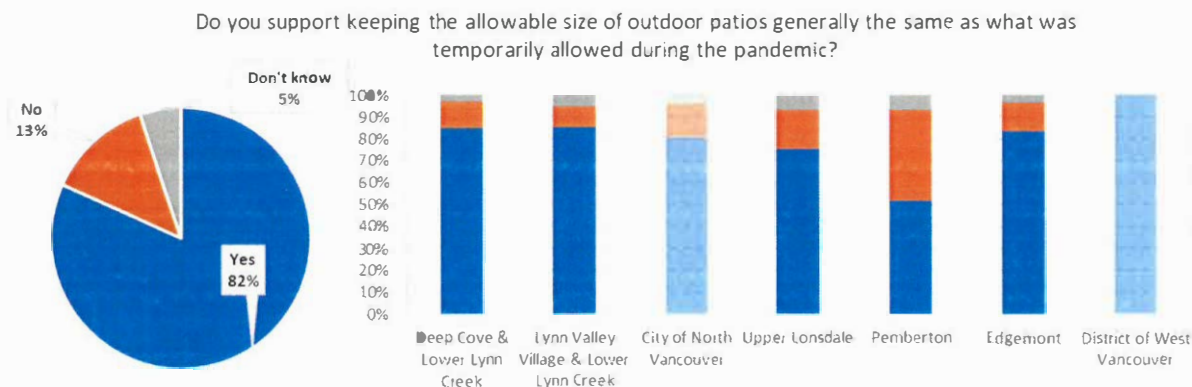
It should be noted that Lonsdale Avenue was mentioned 22 times in regard to vehicle and parking disruptions. These respondents are speaking to lower and mid Lonsdale where the City of North Vancouver have a concentration of curbside patios. Respondents either mentioned this as a model to not follow or perhaps think the survey was for the municipality containing these patios.

Additional themes for not liking patios or having concerns include that patios are not necessary and/or they are under-utilized (including weather making only part of year feasible), privatization of public space (including wanting more public patios), give some businesses unfair advantage (some businesses can't have patios or their parking is affected), should be only specific to the business (not public), and use fossil fuels (patio heaters).

Public Feedback on Patio Size and Curbside Parking Location

Public Feedback on Patio Size

722 of the 725 valid responses contained an answer on outdoor patio size.



82% of those who answered the patio size question supported the generally larger patios seen implemented under the TOBA program. Regionally, support levels for larger patios was lower (at 52%) in the Pemberton area. Notably, only 29 of the 722 responses (or 5%) to the question originated from the Pemberton area.

Long Answer Responses to Why (or Why Not) Support Larger Size Pandemic-Time Patios

Respondents were also given the opportunity to elaborate on why (or why not) they support the size of patios allowed temporarily during the pandemic. 414 respondents provided long answers, with many stating multiple reasons. Each reason within an answer is counted meaning the numbers below are not reflective of the number of responses.

311 of these long-answer responses indicate “yes” to supporting the patio sizes allowed during the pandemic. The top three themes to why larger patios are supported include:

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- **Good for Business and Customer Options** – support businesses, more customer choices (mentioned 72 times)
- **Vibrancy and Sense of Community** – atmosphere, socializing, enjoyment (mentioned 66 times)
- **Outdoor and Health** – outside, fresh air, avoid illness, less noisy than inside, improved mental health (mentioned 62 times)

Additional themes for liking larger patios included continuing the success with patios from the pandemic, that patios are a good use of public space (and in some answers better than cars), and that larger size is acceptable as long as pedestrian safety and accessibility needs are met.

84 respondents answered "no" to the size of pandemic-time patios, with 15 stating that they'd support larger patios (they interpreted the question as patios during the pandemic being smaller rather than larger). The concerns are included below. The top themes for why patios are not liked (or may be cause for concern) are:

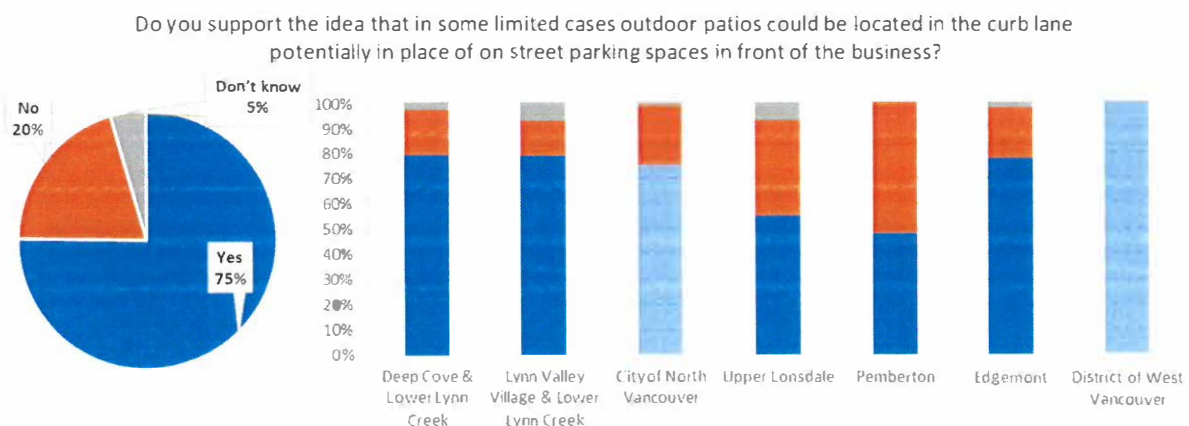
- **Car and Pedestrian Disruptions and Safety Concerns** – including vehicle traffic and parking disruptions and safety concerns for patrons (mentioned 35 times)
- **Not Needed** – patios no longer needed for Covid-19 social distancing, patios are sitting empty (especially in Lonsdale) and not enjoyable to sit next to traffic (mentioned 16 times)
- **Nuisance** – patios have caused visual disruption/changes to scenery and noise from patrons (mentioned 13 times)

It should be noted that Lonsdale Avenue was mentioned 10 times in regard to vehicle and parking disruptions, and empty patios. These respondents are speaking to lower and mid Lonsdale where the City of North Vancouver have a concentration of curbside patios. Respondents either mentioned this as a model to not follow or perhaps think the survey was for the municipality containing these patios.

19 answered "I don't know" to why (or why not) they support pandemic-time patio sizes and gave long answers why. Note some respondents indicated they generally like patios but also indicated patio sizes should be decided based on individual circumstances.

Public Feedback on Curbside Parking Location

720 of the 725 valid responses contained an answer on curbside parking location for outdoor patios.



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Although constrained parking availability is a top of mind issue in the District, 75% of respondents to this question still elected to support placing outdoor patios in curbside parking locations. Exceptions are Upper Lonsdale and Pemberton, at 55% support and 48% support, respectively. It should be noted that there isn't currently a concentration of outdoor patios in Upper Lonsdale. Furthermore, both these locations represent the lowest number of responses, at 9% and 5%, respectively, from across District areas.

Long Answer Responses to Why (or why not) Outdoor Patios in Curb Lane

Respondents were also given the opportunity to elaborate on why (or why not) they support patios in the curb lane potentially in place of on street parking spaces in front of the business. 404 respondents provided long-answer elaboration with many responses including multiple reasons. Each reason within an answer is counted meaning the numbers below are not reflective of the number of respondents answering the question.

258 of these long-answer responses indicated "yes" to supporting patios in the curb lane and in general had positive comments. The top three themes to why patios are supported in the curb lane are:

- **Alternative Solutions Available** – alternative modes of transportation can/should be used and increased, parking elsewhere and walking is possible, and there is enough existing parking (mentioned 72 times)
- **Vibrancy and Pedestrian Atmosphere** – repetitive of last question (mentioned 70 times)
- **Patios and People over Parking and Cars** – the benefits of patios are generally valued over parking/cars (no specific reason given or did not foresee issues) (mentioned 59 times)

Additional themes for supporting patios in the curb lane are that this location allows patios to be off the sidewalk (freeing up sidewalk space), it's good for business and customer choice/convenience (including when no on-site patio space is available and to bring pets), and is better for health and environmental reasons (repetitive of last long-answer question mentioning avoidance of illness and environmental benefits of having less cars on road). Some responses gave conditional support for this type of patio mentioning that only when there are no other location options available, as long as some parking (including accessible parking) is maintained and as long as the business owners support the loss of parking.

124 respondents answered "no" and 20 answered "I don't know" to why (or why not) they support patios in the curb lane and gave long-answer elaborations why. Note some respondents indicated they generally like the concept but also gave a concern or their support is on a conditional basis. These concerns are included below. The top themes of why patios are not supported in the curb lane (or may be cause for concern) are:

- **Traffic, Parking and Sidewalk Disruptions** – including disruptions to accessibility (mentioned 121 times) *note some responses indicated sidewalk would be disrupted despite this style of patio clearing the sidewalk
- **Not Enjoyable** – either not enjoyable to sit outside to dine or not enjoyable due to interferences from traffic such as noise and fumes (repetitive from last long answer question) (mentioned 21 times)

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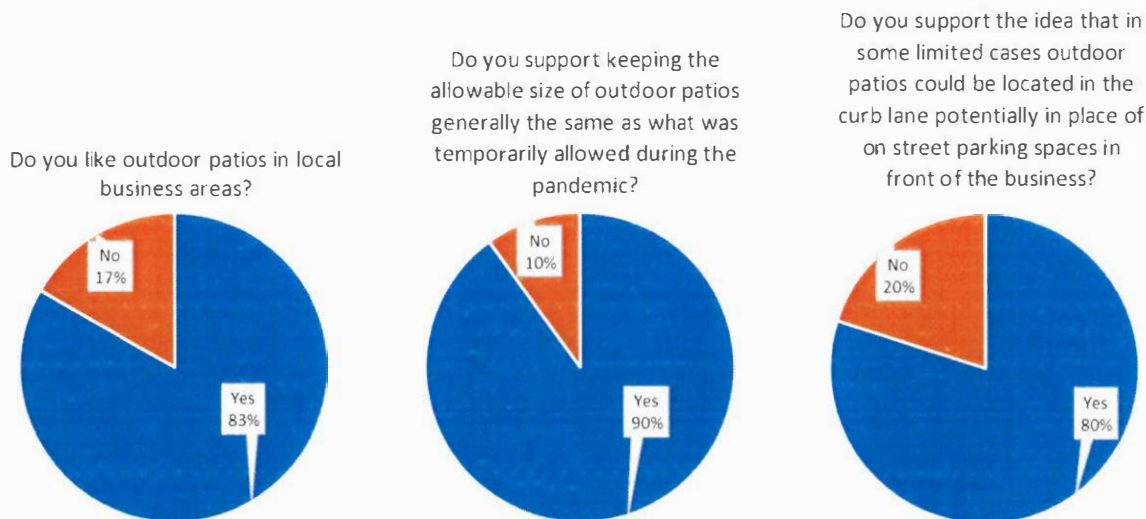
- **Safety Considerations** – emergency response impaired and safety concerns for patrons (mentioned 26 times)

It should be noted Lonsdale Avenue was mentioned 32 number of times in regard to vehicle and parking disruptions. These respondents are speaking to lower and mid Lonsdale where the City of North Vancouver have a concentration of curbside patios. Respondents either mentioned this as a model to not follow or perhaps think the survey was for the municipality containing these patios.

Additional themes for not supporting patios in the curb lane or concerns include that patios are visually unappealing (including needing design guidelines), impact access to services/businesses (including this style of patio is bad for restaurants and other businesses when their parking is gone), cause privatization of public space (including rental fees should be charged), provides unfair advantage to some businesses, and underutilized (including perhaps best for seasonal use only).

Broader Business Feedback

Only 30 of the online survey responses indicated that the respondent owns a business located in the District. Businesses who hold an outdoor patio licence holders were excluded to mitigate for bias. All 30 business respondents answered the three main questions asked by the survey.



83% of the business respondents support outdoor patios, 90% support larger sizes and 80% support location of outdoor patios in curbside parking spaces. Positive comments received by businesses centered on community vibrancy, outdoors and fresh air experiences, post-pandemic restaurant recovery, positive impact on the livelihood of restaurants and workers, curbing of car-centricity and encouraging walking and biking, among others. The few comments submitted by businesses in opposition of outdoor patios centered on limited parking availability and traffic issues.

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Key Definitions and Metadata Analysis

Distribution of Responses by Postal Code

Distribution of Responses By All Postal Codes

By Postal Code	# Responses	%
North Shore	610	84%
Other	64	9%
Not Provided	51	7%
Grand Total	725	100%

Distribution of Responses by 3-Digit North Shore Postal Codes

By North Shore Postal Code	# Responses	%
District of North Vancouver	530	87%
City of North Vancouver	78	13%
Not Provided	2	0%
Grand Total	610	100%

Distribution of Responses by 3-Digit District Postal Codes

By District Postal Code	# Responses	%
V7G	105	20%
V7H	54	10%
V7J	113	21%
V7K	86	16%
V7N	57	11%
V7P	29	5%
V7R	86	16%
Grand Total	530	100%

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Area Definitions

Postal Code	# Responses	% of Responses	Area Definition
V7G	105	17%	Deep Cove & Lower Lynn Creek
V7H	54	9%	Deep Cove & Lower Lynn Creek
V7J	113	19%	Lynn Valley Village & Lower Lynn Creek
V7K	86	14%	Lynn Valley Village & Lower Lynn Creek
V7L	42	7%	City of North Vancouver
V7M	36	6%	City of North Vancouver
V7N	57	9%	Upper Lonsdale
V7P	29	5%	Pemberton
V7R	86	14%	Edgemont
V7S	1	0%	District of North Vancouver
V7W	1	0%	District of North Vancouver
Grand Total	610	100%	

Responses By Date (District Only)

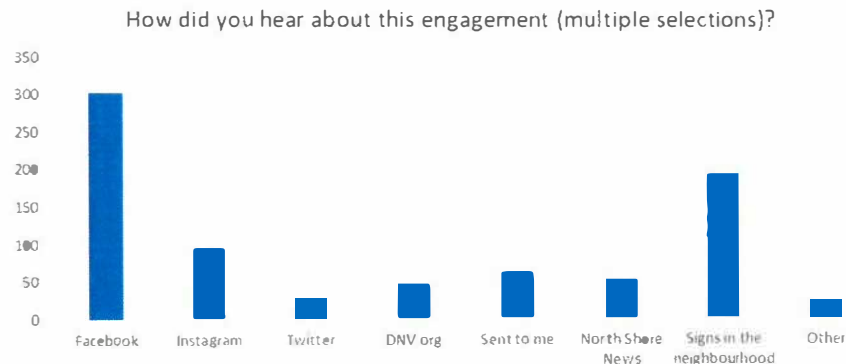
Date Submitted	V7G	V7H	V7J	V7K	V7N	V7P	V7R	Grand Total
2022-11-02	3	2		3		1	1	10
2022-11-03	5	3	5	3	2			18
2022-11-04	6	2	7	5	2		2	24
2022-11-05	6	3	9	5	2	1	5	31
2022-11-06	7	2	5	7	4	1	9	35
2022-11-07	3	3	4	3	3		3	19
2022-11-08	5	2	4	5	3	1	6	26
2022-11-09	4	3	5	7	5		3	27
2022-11-10	3	1	6	7	1	4	9	31
2022-11-11	3	2	13		3	3	6	30
2022-11-12	1	3	4	2	3	2	6	21
2022-11-13	2		6	1	4	5	2	20
2022-11-14	3	3	5	3	1		4	19
2022-11-15	4		4		1		3	12
2022-11-16	14	6	5	3	3	1	1	33
2022-11-17	6	4	3	1				14
2022-11-18	3	1		3	1		3	11
2022-11-19	5	1	4	7	1	2	2	22
2022-11-20	5	3	6	8	5	1	2	30
2022-11-21	6	4	6	4		2	5	27
2022-11-22	4	4	5	3	5	5	8	34
2022-11-23	4	1	4	6	7		5	27
2022-11-24	3	1	3		1		1	9
Grand Total	105	54	113	86	57	29	86	530

Outdoor Customer Service Areas

Public Consultation Summary Report

District only responses were analyzed against the timing of when they were submitted to identify any significant outliers as a result of the targeted business outreach meetings. Two small spikes in responses occurred the day after the Lynn Valley Village/Lower Lynn Creek business meeting (Nov 11 at 13 responses) and Deep Cove (Nov 16 at 14 responses). No other significant deviations were registered.

Communication Campaign Effectiveness



Online promotion and in-neighbourhood signs were the most effective methods of promoting the online survey.

Survey Demographics

Distribution of Responses by Age Group

Age Groups	Responses	%
Under 18	6	1%
18-25	18	3%
26-40	181	25%
41-55	240	34%
56-65	162	23%
Over 65	90	13%
Prefer not to answer	19	3%
Total Responses	716	100%

Distribution of Responses by Income Levels

Income Levels	Responses	%
Under \$30,000	35	5%
\$30,000-\$60,000	84	12%
\$60,000-\$90,000	115	16%
\$90,000-\$120,000	125	17%
\$120,000-\$150,000	64	9%
\$150,000-\$180,000	32	4%
Over \$180,000	97	13%
Prefer not to answer	167	23%
Total Responses	719	100%

Outdoor Customer Service Areas

Public Consultation Summary Report

Distribution of Responses by Gender

Gender	Responses	%
Female	454	63%
Male	211	29%
Non-binary	4	1%
Prefer not to answer	52	7%
Total Responses	721	100%

Distribution of Responses by Ethnic Origin

Ethnic Origin	Responses	%
African origins	2	0%
Asian origins	23	3%
Caribbean origins	2	0%
European origins	517	73%
Latin, Central, and South American origins	6	1%
North American Indigenous origins (e.g. First Nation, Metis or Inuit)	10	1%
Oceania origins	1	0%
Prefer not to answer	143	20%
Total Responses	704	100%



District of North Vancouver
ADMINISTRATIVE POLICY MANUAL

Title	Temporary Outdoor Business Areas
Section	Development and Social Planning

POLICY

This policy is intended to guide staff in the review and approval of on-site and off-site business areas in the form of temporary patios and retail spaces.

1.0 REASON FOR POLICY

In response to the challenges created by Covid-19 and to offer businesses an option in complying with appropriate physical distancing objectives, this Policy provides for the creation of temporary patio and retail spaces through the period to March 31, 2023. This Policy sets out the term, guidelines, criteria for review of applications, and the application process.

2.0 DEFINITIONS

- (a) *"Guidelines"* means the Guidelines for Temporary Patio and Retail Spaces attached to this policy.
- (b) *"Highway Use Permit"* means a permit to use public sidewalk and road allowance areas in accordance with Section 704 of the District of North Vancouver Street and Traffic Bylaw 7125.
- (c) *"Interim Period"* means the period of time between when this policy is approved until March 31, 2023.
- (d) *"Temporary Patio or Retail Space"* means an outdoor area on private or public land for the use of a business during the *Interim Period*. May include but is not limited to: restaurant patio space, seating areas, and retail display areas.

3.0 ELIGIBILITY

1. Any business with a valid business licence to operate in the District of North Vancouver may request approval for a new or expanded *Temporary Patio or Retail Space*.

3.0 CRITERIA

1. A *Temporary Patio or Retail Space* may be located on private or public property.
2. A *Temporary Patio or Retail Space* will be located, configured, and operated in accordance with the *Guidelines* (Attachment 1).
3. The *Guidelines* are subject to review and updating during the *Interim Period*.
4. Municipal fees and rents will be reduced to zero subject to proposals being in compliance with the *Guidelines*.
5. Zoning Bylaw provisions related to a *Temporary Patio or Retail Space* on private property will be considered for enforcement should the configuration and operation of the space not comply with the *Guidelines*.
6. To ensure compliance with the *Guidelines*, approved applicants for **on-site** (private) spaces are required to sign and return to the District the "Temporary Outdoor Patio or Retail Space Declaration" (Attachment 3) which will confirm an applicant's understanding of the *Guidelines* and their agreement to comply. The declaration form will include reference to any coverings or enclosures for weather protection, as applicable.
7. To ensure compliance with the *Guidelines*, approved applicants for **off-site** (public) spaces will receive a Highway Use Permit which will include the guidelines as an attachment and a notation that the space will be subject to inspection by the District of North Vancouver Fire Inspector.


3.0 PROCEDURE

The following procedure is used to implement this Policy but does not form part of the Policy. This procedure may be amended from time to time at the discretion of the General Manager, Planning, Permits, and Properties.

1. **Business expresses interest to the District for new or expanded *Temporary Patio or Retail Space* by submitting a completed Temporary Patio or Retail Space Questionnaire (Attachment 2) to planning@dnv.org**
2. ***Temporary Patio or Retail Space* proposal reviewed by the appropriate department:**
 - 2.1 Applications that include a *Temporary Patio or Retail Space* on private land will be reviewed relative to the *Guidelines* by the Development Planning Department;
 - 2.2 Applications that include a *Temporary Patio or Retail Space* on public land or a combination of private and public land will be reviewed by Real Estate and Properties Department with input from the Transportation Department for any requirements related to sightlines, traffic management, speed signage, or other engineering issues; and

2.3 Applications that include construction (e.g. a deck or other structure) will be reviewed by the Building Department (in addition to the reviews noted in section 2.1 and 2.2).

3. **Public consultation requirements are waived for proposals that comply with the *Guidelines*.**
4. **Application fees and rent for municipal land (if applicable) are reduced to zero for proposals that comply with the *Guidelines*. In circumstances where extraordinary costs are created through review or implementation of a proposal, these costs may be allocated to the applicant.**
5. **For compliant on-site (private) spaces the applicant signs and returns to the District the “Temporary Outdoor Patio or Retail Space Declaration” (Attachment 3) confirming their agreement to comply with the *Guidelines*.**
6. **For compliant off-site (public) spaces the Highway Use Permit is created with the *Guidelines* as an attachment to the Highway Use Permit.**
7. **An approval email is issued to the applicant outlining the conditions for the operation of the patio and confirming the need for compliance with the *Guidelines*.**
8. **For a Temporary Patio or Retail Space that includes the serving of alcohol, the provincial Liquor and Cannabis Regulation Branch (LCRB) is advised that the District of North Vancouver has no objection to the licencing approval of the space, subject to compliance with LCRB requirements.**

Approval Date:	June 23, 2020	Approved By:	
1. Amendment Date:	October 27, 2021	Approved By:	David Stuart, CAO
2. Amendment Date:	May 22, 2022	Approved By:	Gavin Joyce, acting CAO
3. Amendment Date:		Approved By:	

Guidelines for Temporary Patio and Retail Spaces

Proposals for temporary patios and retail spaces must meet the guidelines noted below. The guidelines are divided into three sections:

1. General guidelines for **all** temporary patio and retail spaces
2. Guidelines for **on-site** temporary patio and retail spaces located on private property
3. Guidelines for **off-site** temporary patio and retail spaces located on municipal sidewalk or road areas

General Guidelines for all Temporary Patios and Retail Spaces:

These guidelines are subject to review and updating until the expiry of the temporary patio and retail space period (March 31, 2023) - they are subject to change. Terms and conditions may be added to business licenses or Highway Use Permits as necessary and compliance enforcement may be undertaken as required.

- Time period for temporary patios and retail spaces is from June 1, 2020 to March 31, 2023.
- Business activities may be conducted between the hours of 8am to 11pm seven days a week however these hours may be reduced subject to unresolved neighbourhood issues such as noise or other matters.
- An adjacent clear path of pedestrian travel of minimum 2.0 m (6.5 ft.) in width must be maintained.
- Safe pedestrian and traffic movements, including emergency vehicle access, must be maintained.
- The patio or retail space must provide a minimum 2.5 m (8.2 ft.) width for patio and/or display area uses.
- Wheelchair access must be provided and maintained to and within any temporary outdoor patio or retail use.
- Businesses are encouraged to prioritize the use of private land before proposing to use public space.
- Use of land located within development permit areas, such as streamside or environmental protection areas and areas that are steeply-sloped, is discouraged.
- Negative impacts on abutting businesses or nearby residential development should be minimized.
- The occupancy of the patio or retail area should be limited as necessary to minimize disturbance where there are nearby residential dwellings and use of the space must comply with Noise Regulation Bylaw 7188.

- Temporary patio and retail spaces shall not encroach upon the frontage of neighbouring establishments, without explicit written consent from the neighbouring property owner and tenant (if applicable).
- The use of speakers, amplified sound systems, or live music is prohibited.
- Food and drink preparation or cooking is not permitted in a temporary patio or retail space.
- Portable standing radiant heaters are permitted where they conform to the safety standards established by the Canadian Standards Association (CSA) and are certified by the Underwriters' Laboratories of Canada (ULC) where necessary, subject to being located in a clear space a minimum of 1.0 m (3.3 feet) from any combustible material (including trees and landscaping) and subject to inspection by District of North Vancouver Fire and Rescue Services.
- Business names and logos may appear on fencing or barriers, but other banners, signs and advertisements, including third party signage or advertisements are prohibited, with the exception of any signage required under WorkSafeBC Guidelines or similar advisory signage.
- Configuration of temporary patio and retail spaces must consider all existing sidewalk obstructions such as signs, poles, bus stops, fire hydrants, street furniture, street trees and landscaping.
- Temporary patio and retail space installations shall not block access to municipal infrastructure such as fire hydrants, valves, manholes or access to third party utilities such as gas, hydro or telecommunications manholes, kiosks, boxes, etc.
- Any railing, fencing, or other enclosure is to be not less than 0.9 m (3.0 ft.) in height and not more than 1.2 m (3.9 ft.) in height.
- Patio furniture, enclosure railings or barriers, plants etc. shall not block pedestrian or vehicular sightlines or visibility of street signage.
- The lowest portion of an umbrella, canopy or similar overhead device must provide for a minimum clearance of 2.1 m (7ft.) above any walking surface.
- Large tents and canopies are not permitted and any overhead devices must be open on all sides.
- The operator is responsible for maintaining any equipment in a safe and clean condition and in good repair, including keeping the area free of potential dangers such as pooling water and disposing of any debris, whether or not created by the operation of the business.
- The outside edge of a temporary patio or retail space must be set back a minimum of 0.6 m (2.0 ft.) from an adjacent vehicle travel lane or drive aisle where physical separation is provided, or a minimum 1.0 m (3.3 ft.) where no physical separation is provided, with setbacks subject to a site-specific review by the District of North Vancouver Engineering Department.
- Minimum setback from trees, light standards, trash receptacles, newspaper vending kiosks and similar is 0.5 m (20 inches).

- Minimum setback from bus shelters, benches and similar street furniture where the public may be seated is 2.0 m (6.5 feet).
- A minimum 1.5m (5ft.) clearance from fire department connections and fire hydrants must be maintained, and connections and hydrants must remain visible at all times.
- A fire extinguisher (minimum size 2A-10BC for a space of up to 139 m² or 1500 sq. ft.) must be available within 23 m (75 ft.) of any part of the temporary patio or retail space.
- Areas where a liquor licence allows consumption of alcohol must meet all requirements of the Liquor and Cannabis Regulation Branch (LCRB) and compliance is the sole responsibility of the establishment.
- Configuration and operation of patios and retail spaces must be in compliance with the requirements of the Liquor and Cannabis Regulation Branch (if applicable), the recommendations of the local health authority, and the Provincial Health Officer.
- Proponents must demonstrate compliance with WorkSafeBC recommendations regarding layout and operation of the proposed area, including appropriate separation for “non-patron” pedestrians.
- Where the operator of the temporary outdoor patio or retail space fails to conform to these guidelines the District of North Vancouver may order the removal of the temporary outdoor patio or retail space upon 24 hours notice. Should the operator fail to comply with the order the District of North Vancouver reserves the right to take action to remove the patio or retail space and charge the operator any incurred costs.

Guidelines for On-Site Temporary Patio and Retail Spaces

In addition to the general guidelines for all temporary patio and retail spaces, the following specific guidelines apply to proposals for **on-site** temporary patio and retail spaces on private property:

- On-site parking may be re-allocated as a temporary patio or retail space, with the exception of the required number of designated accessible handicap parking stalls, which must remain available for parking use.
- Up to 50% of on-site parking stalls associated with the business may be re-allocated to a temporary outdoor patio or retail space, unless otherwise determined by the General Manager of Planning or his designate.
- On-site loading areas may not be re-allocated as a temporary patio or retail space, unless otherwise determined by the General Manager of Planning or his designate.
- Existing private landscaped areas (with the exception of turf) may not be converted to a temporary patio or retail space.
- To maintain a minimum level of safety, curb stop(s) are required for parking spaces fronting onto temporary patio and retail spaces.
- The perimeter of any temporary patio or retail space adjacent to parking spaces or a vehicle drive aisle must be protected with an appropriate temporary barrier or railing to clearly separate patron areas from driving and parking surfaces.
- Existing Zoning Bylaw provisions related to activities on private property will be considered for enforcement on a complaint basis only. Adjustments to the configuration and/or operation of the temporary patio or retail space may be required to assist in addressing complaints.

Guidelines for Off-Site Temporary Patio and Retail Spaces

In addition to the general guidelines for all temporary patio and retail spaces, the following specific guidelines apply to proposals for **off-site** temporary patio and retail spaces (on road and sidewalk areas):

- A Highway Use Permit is required to accommodate use of public road or sidewalk areas for temporary patio or retail spaces.
- Public parking spaces and sidewalk areas fronting businesses are eligible for re-allocation in the creation of temporary patio and retail spaces.
- Existing public landscaped areas may not be converted to temporary patio or retail spaces.
- Removal of accessible parking spaces and loading areas is not permitted.
- Temporary patio and retail spaces will not be created in a designated “no stopping” area.
- Use of public areas occupied by cycle lanes will require assessment on a case by case basis but will generally not be permitted.
- Proposals will be reviewed for impacts on sightlines, driveway access, and other engineering issues.
- Temporary patios and retail spaces must be set back a minimum 3.0 m (9.8 ft.) from stop signs, traffic signals, driveways, laneways, or intersections.
- Where a temporary patio or retail space is within 2.5m (8.2 ft.) of an adjacent roadway, temporary 30 km/hr posted speed signage is required to be installed adjacent to the temporary patio or retail space.
- Due to higher operating speeds and traffic volumes, temporary patio or retail spaces on arterial and higher-travelled roads will require a greater degree of separation between the patio/retail space and adjacent vehicle lane(s). Separation could include “jersey barriers” and signage along the interface of the temporary use area.
- Provision of wheelchair access between the sidewalk and the temporary patio or retail area is required and may need to include the use of temporary ramps.
- Structures requiring a Building Permit cannot be accommodated on public property.
- Temporary patios and retail spaces on public property are required to be enclosed by a barrier, railing, or fence of not less than 0.9 m (3.0 ft.) in height and not more than 1.2 m (3.9 ft.) in height which must be secured without any damage to or drilling into the public right of way including the sidewalk, roadway, or curb.
- The width of any opening used for exit or egress in the perimeter fence or railing, shall be no greater than 2.0m (6.6 ft.) and no less than 1.0m (3.3 ft.) and shall be oriented to open directly along the property frontage and not cause exit of patrons to the frontage of an adjacent business or into a travel lane on a road.
- Landscape elements shall be provided only in easily removable planters.
- Planters may not exceed a height of 1.0 m (3.3 ft.) not including plant material, and the total height of the plants and planters may not exceed 2.0 m (6.6 ft.)

- Planters and plants must not obstruct sightlines or create hazards for vehicle operators or pedestrians.
- All tables, chairs, and other patio furniture must be secured at the end of each business day and shall not be secured to sidewalks, lamp posts, street lights, trees or other public street furniture.
- The District of North Vancouver and all public utility agencies retain the right of access to the temporary outdoor patio or retail space for the installation, maintenance and repair of pipes, cables, wires, poles, hydrants, etc. as necessary.
- In an emergency maintenance/repair situation, the temporary patio or retail space will be removed by others to allow for required maintenance/repair activities.
- In a non-emergency maintenance/repair situation, notice will be provided to the operator to have the elements of the temporary patio or retail space removed to allow for the required maintenance/repair activities.
- Temporary patios and retail spaces are subject to inspection by the Fire Inspector and any requirements of District of North Vancouver Fire and Rescue Services must be incorporated into the configuration and operation of the space.
- Where the operator of the temporary outdoor patio or retail space fails to conform to the terms and conditions of the issued Highway Use Permit, the District of North Vancouver may terminate the Permit and order the removal of the temporary outdoor patio or retail space. Should the operator fail to comply with the order the District of North Vancouver reserves the right to take action to remove the patio or retail space and charge the operator any incurred costs.

Temporary Patio or Retail Space Questionnaire

Question	Response	Additional Information
What is your Business Licence number?	_____	
Is the proposal to expand an existing space or to create a new space?	<input type="checkbox"/> Existing <input type="checkbox"/> New	If existing, indicate the size and location of current and proposed areas
Is the Outdoor Customer Service Area on private property or public land?	<input type="checkbox"/> Private <input type="checkbox"/> Public	
What is the intended use of the area?	<input type="checkbox"/> Patio for pub/restaurant <input type="checkbox"/> Retail display/sales <input type="checkbox"/> Other	Provide details if "other"
What is the location and size of proposed area?		Provide sketch plan
Expected duration of use	_____	Provide "end date"
What are the intended hours of operation for the outdoor area?	_____ am to _____ pm	Provide details of any daily adjustments to hours
Are any structures proposed? (e.g. raised decking, stairs, overhead structure)	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, provide details on proposed structures
Are any coverings or enclosures proposed? (e.g. canopies, umbrellas, curtains or panels for weather protection)	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, provide details on proposed coverings or enclosures
Seating capacity (for restaurant, pub, café etc.)	_____ seats	
Will liquor be served?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If "Yes" indicate LCRB application number and contact name for LCRB
How will the area be accessed?	<input type="checkbox"/> From business interior <input type="checkbox"/> Exterior access	Include details on sketch plan
Will the area will be delineated by fencing, railings, or planters?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Include details on sketch plan
Is parking proposed to be re-allocated to create the space?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If "Yes" indicate how many parking spaces _____
Has the owner of the property (if different than the applicant) provided written permission for the proposal?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Include evidence of written permission

Submit completed package, with contact information, to: **planning@dnv.org**

Declaration Form

Temporary Outdoor Patio or Retail Space Declaration

I, the Applicant, hereby declare that the construction and use of the temporary patio or retail space (the "Application") as shown in "Attachment A," will comply with the Temporary Patio and Retail Space Guidelines as applicable, and the Provincial guidelines for physical distancing and all orders issued by the Provincial Health Officer and BC Minister of Public Safety and Solicitor General.

I further declare that:

1. Any tent structures used will comply with Flame Spread rating ULC-S109
2. Any tent structures will remain free-standing from the building, not be attached to the building, or enclose the building entrances/exits
3. The tent structures will be secured by either mechanical fastening or other adequate means, such as weighted bags, to ensure they remain fixed in place and are not detrimentally-affected by weather impacts such as high winds
4. The fastening system(s) will be checked daily to ensure they are safe and secure
5. Any curtains or side enclosures will be transparent and limited to not more than 75% of the perimeter of the covered area
6. No extension cords will be used for lighting or other electrical equipment
7. Any heating will be provided only by portable standing radiant heaters which conform to the safety standards established by the Canadian Standards Association (CSA) and are certified by the Underwriters' Laboratories of Canada (ULC) where necessary, located in a clear space a minimum of 1.0 m (3.3 feet) from any combustible material, not exceed a rating of 40,000 BTU for each heater, and operated in accordance with manufacturer specifications
8. No open flame devices will be used in the patio area
9. Safe exiting from the covered patio will be maintained at all times
10. I acknowledge that the configuration and covering of the patio area are subject to inspection by District of North Vancouver Fire and Rescue Services.

I acknowledge that this Application is temporary in nature until no later than March 31, 2023, unless otherwise extended by the District of North Vancouver, and may be terminated by the District of North Vancouver with 24 hours' notice (unless emergency access is required, and/or operational and safety concerns are identified in which case no notice is required). Any approval or permission by the District of North Vancouver regarding this Application does not imply authorization or approval of a permanent patio or retail space nor imply approval for matters under Provincial jurisdiction. Currently there are no applicable District of North Vancouver fees or charges for the Application.

By signing this Declaration I confirm that I have authority to bind the Applicant.

<hr/>	<hr/>
Applicant Business Name (please print full legal name)	Business Licence No.

<hr/>
Name (please print)

<hr/>	<hr/>
Signature	Phone

<hr/>	<hr/>
Email	Date

General Location of Temporary Outdoor Business Area:

General Configuration of area and any covering or enclosure (as applicable):

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