BUILD BACK VICTORIA

RE-OPENING + RECOVERY

A Guide for Expanded Space for Business in Public Places

Last Updated September 11, 2020
Introduction

Now, more than ever, our economy is a local one. The diverse restaurants, boutique shops, services, and vibrant retail storefronts that attract hundreds of thousands of visitors each year are the very same local businesses our residents love. As these local businesses take steps to get back to work safely, the City is doing what it can to support their re-opening and recovery.

The City of Victoria is launching several temporary initiatives to support local businesses during their reopening and recovery from the COVID-19 pandemic. Spaces on sidewalks, on streets, in parking spaces, and in plazas and parks are temporarily available, through a permit program, for businesses to expand their footprint to safely conduct commercial activities.

By opening up areas of the public realm that are typically off-limits to business activity or require long-term commitments, and providing supplemental capacity outdoors, we can help businesses adjust to this new reality.

We know people need to feel safe for Victoria’s recovery to be successful and City staff are here to work with business owners to find the best solutions for their operations, while maintaining safety and liveability for those that need to use the same public spaces for leisure, gathering, recreation and other non-commercial purposes.

This is a new process for everyone so, while we know there will be some unanticipated challenges, we are committed to working together with businesses, residents, and the community to find the best solutions to carry us through this unprecedented time, together.

Other City-Supported Programs – COVID-19

The Province’s Restart Plan lays out a series of steps to protect people and ensure the B.C. and local economies can recover from the impacts of COVID-19 stronger than before. In response, the City has developed a toolkit of Business Resources to help establish confidence in businesses that are practicing physical distancing, taking hygienic measures, and generally exercising the necessary precautions to prevent the spread of COVID-19. The toolkit includes occupancy signage, a checklist of COVID-related measures your business is taking, as well as files for ready-to-print posters/floor stickers. You can find the toolkit, along with other business resources and information on the City’s COVID-19 business resources page of the Business Hub.

In addition to the public space initiatives detailed in this guide, the City has also automated pedestrian crossings near busy city hubs and established physical distancing zones along streets near important services to give pedestrians adequate space to pass each other.

If you are a community organization seeking funding to support recovery or resiliency efforts, please visit the City’s My Great Neighbourhood Grant Program webpage to learn more about funding opportunities.

If you are a business wanting to alter your private property for purposes of COVID-related recovery and commercial operations, a designated development application may be required. For more information email zoning@victoria.ca to be connected with a staff from the Planning Department who will review your proposal.
Business Recovery Initiatives

The City is launching a variety of re-opening and recovery initiatives that may allow a business’ footprint to extend into available public space. **The Build Back Victoria Program is temporary available until October 31, 2020.** Applications are accepted via email only.

Program Objectives

- Facilitate business recovery
- Support Public Health Officer recommendations
- Maintain safety & accessibility of public spaces
- Ensure equity across the municipality / programs – design for flexibility
- Avoid impacts to transit, wherever possible
- Deliver a low-barrier process through simple, streamlined, and expedited permitting

Principles for Program

- Applicant driven
- Collaboration between businesses
- Acknowledgement of the value of public space
- Fee-free programs – there are no cost to applicants for permits/administration
- Elevate arts, culture, and neighbourhood vibrancy through partnerships

City staff will work with businesses to review best options to meet business need and will provide a permit for use. Applicants should read the detailed descriptions to learn more about eligibility, application requirements, and guidelines in the related info sheets. Complete applications with all required details will help to facilitate a quicker review and approval time. We appreciate your patience and kindness as staff work to process applications from across the municipality.

**All businesses must apply and be granted a permit before extending their commercial operations into any public space.**

General Terms – All Programs

The City of Victoria reserves the rights to the following:

- Allocating space for the purposes of facilitating the corporate use of public space.
- Changing or adapting the layout of approved space or installations, based on distribution, adjacent demand or operational needs.
- Requiring the temporary closure of any temporary installation, without notice for maintenance, utility work, or emergency purposes. The City is not responsible for any damages or loss of equipment removed pursuant to this subsection.
- Removal of any installation that creates an obstruction to, or causes congestion of, pedestrian or vehicular traffic due to existing conditions on the surrounding public right-of-way if it finds the installation represents a danger to the health, safety or general welfare of the public.
Terms for Businesses – All Programs

The City of Victoria is seeking a culture of “temporary stewardship” – meaning we want all applicants to take care of and steward the public space while they have access to the area. Key terms that all applicants are required to follow include:

- **Protecting accessibility:** All installations must maintain access for people with disabilities. The City would like to achieve 2 – 3 meters of clear, unobstructed space for people to safely travel. Business activities must not impede the pedestrian right-of-way. This includes any electrical or other connections crossing the sidewalk.

- **Operating Hours:** Proposed operating hours are subject to approval by the City and must comply with related bylaws such as noise or liquor licensing. All applicants are reminded of the goal to balance residential and business needs and to encourage good neighbours.

- **Furnishings/materials:** Businesses must provide their own furnishings for spaces. All materials used in the approved space must be temporary; nothing can be anchored to the public right-of-way, and must be easily movable in case of emergency.

- **Physical Distancing:** Activities in public spaces, including the placement of any furnishings or materials must allow for adequate physical distancing for the public and customers.

- **Cleanliness:** Public spaces and any furnishings/materials/structure used in these spaces must be kept clean and clear of debris, litter, and trip hazards.

- **Protection of City-supplied Materials:** City-supplied pylons, barricades or other materials must be securely stored by the applicant.

- **Insurance:** Applicants must maintain insurance to carry on business in BC, third party public liability, and property damage insurance in an amount of not less than $2 million to protect the application from any and all claims which may arise from the proposed work. Insurance may not be cancelled, lapsed or materially changed without the insured giving 15 day written notice of cancellation to the City.

- **Liability:** Permit holders indemnify and save harmless the City of Victoria against all claims, liabilities, judgments, cost and expenses which may accrue against the City in consequences of, and incidental to, the granting of the permit.

- **Regulatory Adherence:** The use of public spaces through these initiatives is subject to general provisions of City and CRD bylaws including, but not limited to:
  
  - Noise Bylaw
  - Sign Bylaw
  - Liquor License Policy
  - CRD Clean Air Bylaw
  - Sidewalk Café Regulation Bylaw
  - Work Safe BC requirements
The City of Victoria reserves the right to update information in these guidelines based on feedback from businesses or through the implementation process.

Contact bizhub@victoria.ca with any questions related to this information guide or the application.
FLEX SPACES

Flex Spaces allow businesses to expand their footprint during business hours providing more space for their goods, services, and customers. Flex Spaces can be used for:

- Seating (self-serve/cafè style, table service, or other)
- Customer queueing
- Selling retail goods
- Providing business services
- Displaying / demonstrating goods
- Hosting performances

Business activities in Flex Spaces are subject to the uses permitted by the applicant’s existing business license and health and safety requirements. Flex Spaces are zones that are set-up during business hours. Pylons and any other materials or furnishings must be secured by the host outside of business hours. Flex Spaces will be determined by City Staff and may extend into:

Sidewalks, Plazas, and Squares

Suitability of a Flex Space will depend on site-specific conditions. Flex Spaces must:

- maintain an unobstructed pedestrian right-of-way with 3m clear space;
- maintain access to public utilities, building entrances, crosswalks, and bus stops; and
- not exceed the width of the sidewalk frontage of the subject property.

On-street Parking Spaces

Businesses may apply for a maximum of two (2) consecutive parking spaces. Neighbouring businesses are encouraged to apply together (one principal applicant with additional businesses as co-applicants) if they are interested in a greater number of consecutive on-street parking spaces. Eligible parking spaces includes those that are:

- Either parallel or angled street parking, in the public right-of-way
- Located on the immediate frontage of the applicant’s business
- Either a metered, time-limited, or unrestricted parking space. Stalls marked residential parking only will be considered in areas outside of the downtown core.
- NOT an accessible parking space
- NOT a “No Stopping/Parking”, Commercial Loading”, “Transit” zone or “Passenger” zone.

Exemptions on eligibility may occur on a case-by-case basis.

Approved applicants will receive:

- A temporary permit to operate in the designated Flex Space (valid until October 31, 2020)
- A set of blue stackable pylons, provided by the City, to be placed around the perimeter of the Flex Space during business hours
- A marked boundary to identify the business activity area
- A parking sleeve for metered stalls, where applicable, to restrict parking during business hours
TEMPORARY PATIOS

Temporary Patios allow businesses to expand their footprint providing more space for seating and table service. Businesses can apply to convert sidewalk, plaza, square, or on-street parking space to a Temporary Patio to support their restaurant or café activities. Temporary Patios start with a Flex Space and provide applicants the ability to establish a more robust patio area that remains in place 24 hours a day, 7 days a week. The host is responsible for securing their patio space when not in use.

Temporary Patio Locations will be determined by City Staff and may extend into:

Sidewalks, Plazas, and Squares

Suitability of a temporary patio will depend on site-specific conditions. Patios must:

- maintain an unobstructed pedestrian right-of-way with 3m clear space;
- maintain access to public utilities, building entrances, crosswalks, and bus stops.

On-street Parking Spaces

Businesses may also access on-street parking spaces for patios. Neighbouring businesses are encouraged to apply together (one principal applicant with additional businesses as co-applicants) if they are interested in a greater number of consecutive on-street parking stalls. Eligible parking spaces includes:

- Parallel or angled street parking, in the public right-of-way
- Located on the immediate frontage of the applicant’s business
- Either a metered, time-limited, or unrestricted parking space. Stalls marked *residential parking only* will be considered in areas outside of the downtown core.
- NOT an accessible parking space
- NOT a “No Stopping/Parking”, “Commercial Loading”, “Transit” zone or “Passenger” zone. Exemptions on eligibility may occur on a case-by-case basis.

Temporary Patio Construction Specifications

Physical structures to support Temporary Patios can be established by the applicant at their own cost. City staff will work with applicants to find suitable solutions for their Temporary Patio design that maintain safety and accessibility, while considering overall aesthetics and function. Requirements for physical structures include:

- A continuous physical barrier between the patio and travel lane
- No more than 2.5m wide if located on the roadway
- Perimeter is at least 6m from an intersection if located on the roadway
- Minimum 1m buffer between the patio and adjacent parking stalls if located on the roadway
- The sidewalk must remain unaltered
- Design maintains access to City infrastructure such as litter cans, manhole covers, hanging baskets and other items

Accessible patios are encouraged. If you are unable to achieve full accessibility in your temporary patio, businesses are required to have other spaces available to support the needs of people with disabilities.

A permit will be granted for the construction of the patio space as well as for the patio space itself. Construction should ideally be able to be completed in one day. You will be required to submit your patio structure design to the City of Victoria with list of materials and dimensions.
Temporary Patio Sample Design

The City of Victoria has a “parklet shell” that can be purchased at a cost recovery basis. This is fabricated and installed by City crews. The cost of a parklet shell is approximately $3300 - including a $600 deposit for the concrete blocks. If you are interested in this option, please indicate in your application form.

City of Victoria Parklet Shell Concept Drawing

Approved applicants will receive:

- A permit to construct and operate a Temporary Patio in a designated space, once applicant’s plans and designs are approved (valid until October 31, 2020)
- In the event there is an extended lead time around confirming / approving patio designs, a permit to operate as a Temporary Flex Space may be issued (valid until October 31, 2020 or until a Temporary Patio permit is issued)
  - For a Flex Space: a set of blue stackable pylons, provided by the City, to be placed around the perimeter of the Flex Space during business hours

NOTE: Semi-permanent patio installations, beyond the scope of this COVID Business Recovery Program, are possible but do require stamped engineering drawings and designs which adhere to more rigorous City specifications.
CURBSIDE LOADING

Many businesses have adapted their business to offer online ordering, curbside pick-up, and delivery through third party services. Businesses can apply to convert existing on-street parking spaces into Temporary Loading Zones to support either customer or business loading activities.

A Temporary Loading Zone is established from an on-street parking stall and can be used for:

- Delivery, pick up or loading (15 minute max.)

Approved Applicants will receive:

- A permit for (1) assigned parking space, located in front of or near the business frontage
- City of Victoria signage for reserving the space

Operating Hours

Temporary Loading Zones can be designated as 24/7 or restricted to business hours of operation, where after posted hours, the stall reverts back to parking. The latter is preferred but not required.
MOBILE VENDING

The City has designated zones throughout the City where food trucks and other mobile vendors are permitted to operate. Spaces can be used to operate a mobile business during approved hours of operation. Business activities in Mobile Vending spaces are subject to the uses permitted by the applicant’s existing business license, and health and safety requirements.

Approved Applicants will receive:

- A Permit to operate in a designated Mobile Vending space (valid for two consecutive weeks from start date)

Guidelines for Mobile Vending space use:

- **Hours of operation**: each space will be reserved from 7am – 7pm. Vendors are welcome to stay beyond 7pm, however must comply with the City’s noise bylaw.
- **Designated Spaces**: each food truck may only operate in their designated Mobile Vending spot, assigned by City staff.
- **Accessibility and Physical Distancing**: Vendors must provide directions for queueing customers as to not obstruct the sidewalk for accessibility purposes and to maintain physical distancing.
- **Cleanliness**: Food truck operators are responsible for cleanliness in and around their mobile vending spot. The area must be kept clean and clear of debris, litter, and trip hazards.
- **Furnishings**: Mobile Vendors may make full use of their assigned Mobile Vending space which, in some cases, may allow for materials/furnishings outside the primary vehicle/cart/trailer. Any furnishings/materials must allow adequate space for physical distancing, following Public Health recommendations.
- **Refuse**: Food truck permit holders must provide their own refuse collection bins and assume responsibility for refuse disposal.
- **Hook-ups**: The City is not providing electricity, water or other utility hook ups at these locations. All vendors must be self-sufficient.

Designated Locations

Vendors will be given a chance to identify preferred locations from those listed below. City staff will aim to rotate vendors through different locations every 2 weeks. The City reserves the right to re-issue permits for the same location if no other mobile vendors are interested in occupying those spaces.

<table>
<thead>
<tr>
<th>Location #</th>
<th>Location Description</th>
<th>No. of available spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Central Park, on-street parking on Vancouver Street</td>
<td>2</td>
</tr>
<tr>
<td>2</td>
<td>Dallas Road, on-street parking</td>
<td>4</td>
</tr>
<tr>
<td>3</td>
<td>Hollywood Park, on-street parking on Fairfield Road</td>
<td>2</td>
</tr>
<tr>
<td>4</td>
<td>MacDonald Park, Simcoe Street parking lot</td>
<td>2</td>
</tr>
<tr>
<td>5</td>
<td>Oaklands Park, on-street parking on Kings Road</td>
<td>2</td>
</tr>
<tr>
<td>6</td>
<td>Royal Athletic Park, Southeast corner of parking lot</td>
<td>2</td>
</tr>
</tbody>
</table>
TEMPORARY ROAD CLOSURES

The City will consider applications for full or partial road closures to provide expanded space for businesses activities and physical distancing. Applications for road closures to facilitate business needs will be prioritized by City staff. Applications to support other community-building activities or celebration areas facilitated through Neighbourhood / Community Associations are also welcomed.

Full or partial road closures may be facilitated for a single event or for an extended period of time.

Once installed, Road Closures can be used for:

- Seating (self-serve/café style, table service, or other)
- Customer queueing
- Selling retail goods
- Community-focused activities or events
- Providing business services
- Displaying / demonstrating goods
- Hosting performances

Business activities in Road Closure spaces are subject to the uses permitted by the applicant’s existing business license, and health and safety requirements. The City will review each application on a case-by-case basis.

Approved applicants will receive:

- A designated space indicating the maximum extents of road closure
- Traffic barricades / traffic control signage, provided by the City, to define the closed space
- A city-informed traffic plan to deploy detours/signage as needed to direct people away from the closure
- A temporary Permit to operate in the designated Road Closure (valid for different lengths of time, pending applicant request)

Road Closure Application Guidelines

Full or partial street closures allow clusters of businesses near a commercial activity hub to expand their footprint providing more space for their goods, services, and customers. Full or partial street closures may also facilitate community recovery events, activities and celebration areas. The design and configuration of each road closure will vary depending on the particular site constraints, in addition to programming needs of the sponsoring community group.

Road Closures require 80% support from neighbouring businesses and residents. Interested applicants must petition businesses and residents on the proposed block and include their information in the application form.

Extent of Road Closures

Road Closures can vary from partial to full closures depending on street characteristics and demand for the space – for both business and transportation needs. In some cases, approved areas may require applicants to maintain access for local traffic for driveway/delivery access. City staff will review and assess each proposed location on a case-by-case basis. Staff will work with applicants to find solutions that provide the greatest benefit.
Eligible Areas for Road Closures

Eligible areas for full or partial road closures:

- Near a commercial activity hub / cluster of businesses
- Low traffic volume road
- NOT on a designated truck route
- Do NOT interrupt a transit route

Exemptions on eligibility may occur on a case-by-case basis. Road closure requests are more complex in nature due to competing demands, local traffic circulation characteristics, loading/delivery considerations, emergency access, and more. The City will seek to review the request expediently and efficiently as possible.

Additional Guidelines for Temporary Road Closures

- **Operating Hours**: Road Closures can be variable in length. Proposed hours and length of road closures are subject to approval by the City.
- **Active travel**: In some cases, the City may require reserved space within a road closure for pedestrian and bicycle travel. In such cases, the designated travel areas must remain clear at all times.
- **Cleaning**: Cleaning and maintaining closures and plaza spaces is the responsibility of the host.

Government Street

The City will be implementing a pedestrian priority and road closure zone on Government Street, between Humboldt and Yates. Staff will work proactively with businesses adjacent to the closures areas to allocate space for business use of the public space on these blocks. Space may be granted on the sidewalk, boulevard or in the roadway. Staff will connect directly with businesses along this corridor from June 8-12. Before completing the application form, businesses on this corridor should ensure they have had preliminary discussions with City staff on space availability and allocation. For any questions regarding this section of Government Street, contact the City’s Business Hub by email at bizhub@victoria.ca.

Approved applicants will receive:

- A temporary permit to operate (valid until October 31, 2020)
- A designated space within which they can expand their footprint and operate

If you are a business on Government Street, but not within the zone between Humboldt and Yates Street, you can apply for any program described in this guide.
BUSINESS IN PARKS

The City will accept applications for business activity in select City Parks, excluding Beacon Hill Park. Priority for permits to operate in Parks is for businesses with recreation, wellness, and fitness related focus areas. Neighbourhood / Community Associations may also apply for a permit in Parks to support community events or activities.

Guidelines required for the use of parks:

- **Public access:** all parks will remain open to the public
- **Physical distancing:** Maintaining required distances from pedestrian pathways
- **Landscape protection:** Activities should remain clear of trees and significant landscape features.
- **Refuse:** All businesses are required to manage their own waste, recycling and composting.
- **Alteration of site:** On-site signage and/or temporary structures are not permitted

Operators can locate City Parks and find details on park amenities here [https://www.victoria.ca/EN/main/online-services/maps.html](https://www.victoria.ca/EN/main/online-services/maps.html)

Sports fields follow the traditional guidelines and application processes and are not subject to this program.

**Approved Applicants will receive:**

- A Permit to operate in approved City of Victoria Parks