



City of Port Moody

Report/Recommendation to Council

Date: September 21, 2020
Submitted by: Community Development Department – Economic Development Office
Subject: Update on COVID-19 Temporary Assistance Program for Businesses and Related Business Licence and Permit Fees

Purpose

To update Council on the Temporary Assistance Program for Businesses and to present a bylaw to waive related business licence and permit fees until October 31, 2021.

Recommended Resolution(s)

THAT City of Port Moody Fees Bylaw, 2019, No. 3213, Amendment Bylaw No. 5, 2020, No. 3262 be read a first, second, and third time as recommended in the report dated September 21, 2020 from the Community Development Department – Economic Development Office regarding Update on COVID-19 Temporary Assistance Program for Businesses and Related Business Licence and Permit Fees;

AND THAT staff be directed to change the expiry date of issued outdoor customer seating expansion permits to October 31, 2021 to be consistent to the Liquor and Cannabis Regulation Branch approvals.

Background

At the July 14, 2020 Regular Council meeting, the following resolution was passed:

RC20/287

THAT staff be directed to prepare amendments to relevant bylaws exempting current Port Moody businesses from paying any additional fees to the City so that they may expand outdoors, move into a larger space or add-on a secondary physical location, allowing for proper physical distancing to help combat the spread of COVID-19, as recommended in the report dated July 13, 2020, from the Office of Councillor Steve Milani regarding COVID-19 Related Business Licence and Permit Fees;

AND THAT any monies already paid out by businesses for COVID-10 related expansion, as stated in this report, be refunded in full.

More recently, the City received a request for expanded patio permissions in a joint letter from the BC Restaurant and Foodservices Association, the Alliance of Beverage Licensees, and the BC Craft Brewers Guild (**Attachment 1**). Specifically, they are seeking support from municipalities to expedite applications for businesses to winterize patios in public and private spaces to provide operators with the opportunity to capitalize on the confidence of outdoor space and extend support for temporary patios until the end of summer 2021.

Discussion

The [COVID-19 Temporary Assistance Program for Businesses](#) was developed through the Emergency Operations Centre and implemented in late May 2020 to provide businesses a streamlined permitting process to access public property or use outdoor private property to support operations during the pandemic. Businesses could establish or expand outdoor seating to compensate for loss of indoor capacity due to physical distancing guidelines, extend their retail footprint, or offer services. The current program expires October 31, 2020.

Staff are working on an extension of the program for another full year until October 31, 2021. This date aligns with the extension of temporary expanded service areas (TESA) by the Liquor and Cannabis Regulation Branch (LCRB) that enables licensees, upon local government support, to provide alcohol service on extended patios until October 31, 2021.

Guidelines are being developed with the purpose of ensuring businesses receive approvals for shelter additions quickly while public safety standards are met. These include:

- priority treatment for applications made under this program;
- “concierge”-type treatment where an applicant will only have one point of contact from the City to navigate the process to secure authorizations; and
- staff assistance to business owners to comply with requirements of the BC Building Code. Staff and Council have no discretion on the application of these requirements as it falls under Provincial Legislation.

Businesses will have four options for the addition or expansion of an outdoor shelter. Options 1a and 1b would in essence be an extension of the building and would be discouraged as they would be less outdoors in nature and would reduce the intent of utilizing outdoor areas to mitigate potential transmission of the virus. Options 2 and 3 are likely to offer the best options to businesses in terms of meeting desired patio coverage with expediency of process.

<u>Option</u>	<u>Building Permit Required</u>	<u>Development Permit Required</u>	<u>Permanent</u>	<u>Notes</u>
1a. An addition under 46.5m ² (500ft ²)	Y	N	Y	Would consist of an extension of the current building. Might require additional parking.
1b. Permanent expansion over 46.5m ² (500ft ²)	Y	Y (minor staff-issued DP up to 100m ² / 1,076ft ² ; Council approval for larger)	Y	Would consist of an extension of the current building. Might require additional parking.
2. Canopy or awning addition	Y	N	Y	Walls would be prohibited. Could be built over temporary seating. Not limited by size. Outdoor seating area does not require additional parking.
3. Tent	Y	N	N	Needs to be separated from the existing structure. Outdoor seating area does not require additional parking.

Because every option may not be available depending on site-specific features, each application will be reviewed by staff with the intent of matching the applicant's vision with the best available option.

Regarding fee waivers, staff have drafted City of Port Moody Fees Bylaw, 2019, No. 3213, Amendment Bylaw No. 5, 2020, No. 3262 (**Attachment 2**) that will allow staff to waive relevant permit fees related to applications through the COVID-19 Temporary Assistance Program for Businesses.

If Council approves the amendment bylaw, businesses that paid permit fees through this program in 2020 will be refunded. Moving forward, any business that applies for a permit related to establishing or expanding an outdoor space for operations or for a shelter through the COVID-19 Temporary Assistance Program for Businesses will have fees waived, including any necessary Building or Development Permits, until October 31, 2021.

It should be noted that the fees associated with permit applications is to recover the cost of staff's time for reviewing and processing each permit. By not charging applicants under the Temporary Assistance Program for Businesses, the costs to the City will have to be recovered in another way.

For businesses moving into a larger commercial space or into a secondary location to maintain physical distancing guidelines for employees and customers, staff will prepare a special business licence for short-term, COVID-related applications. The expiry for this type of application will be December 31, 2020 and any such applications will be reassessed in early 2021 pending further Provincial COVID-19 directives. At the date of this report, staff have

received only one request of a business licence refund from a business owner who has been able to expand into a second location; however, staff anticipate further requests in the future.

Other Option(s)

THAT the report dated September 21, 2020 from the Community Development Department – Economic Development Office regarding Update on COVID-19 Temporary Assistance Program for Businesses and Related Business Licence and Permit Fees be received for information.

Financial Implications

The refund of fees collected to date for the COVID-19 Temporary Assistance Program for Businesses and any loss of revenue from future fees for this program will not materially affect the City's budget given the limited number of businesses expected to participate in the program. However, as the definition of a fee is cost recovery for the provision of a service and staff time will still be required to process applications, there will be a financial impact for the City. To date, nine businesses have received special event permits for temporary extension of their outdoor space due to COVID-19 and \$1,899 have been collected. There has been one business that has expanded to a secondary location and paid \$134 to the City.

If all nine businesses currently with expanded patios apply for a Building Permit to build a shelter, staff anticipate a loss of revenue between \$2,000 and \$14,000.

Communications and Civic Engagement Initiatives

The business community will be contacted regarding the extension of the Temporary Assistance Program for Businesses. Otherwise, no formal civic engagement initiatives will be required.

Council Strategic Plan Objectives

This recommendation is aligned with the Economic Prosperity priority of Council's Strategic Plan as it will provide additional support to businesses during the pandemic and help commercial districts remain vibrant.

Attachment(s)

1. Letter from BC Restaurant and Foodservices Association Alliance of Beverage Licensees and BC Craft Brewers Guild.
2. Draft City of Port Moody Fees Bylaw, 2019, No. 3213, Amendment Bylaw No. 5, 2020, No. 3262.

Report Author

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Report Approval Details

Document Title:	Update on COVID-19 Temporary Assistance Program for Businesses and Related Business Licence and Permit Fees.docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 - Letter from BC Restaurant and Foodservices Association Alliance of Beverage Licensees and BC Craft Brewers Guild.pdf- Attachment 2 - Draft City of Port Moody Fees Bylaw, 2019, No. 3213, Amendment Bylaw No. 5, 2020, No. 3262.pdf
Final Approval Date:	Oct 2, 2020

This report and all of its attachments were approved and signed as outlined below:

Robyn MacLeod, Manager of Building, Bylaw, and Licensing - Sep 24, 2020 - 4:19 PM

Kate Zanon, General Manager of Community Development - Sep 25, 2020 - 9:05 AM

Dorothy Shermer, Corporate Officer - Sep 25, 2020 - 5:55 PM

Rosemary Lodge, Manager of Communications and Engagement - Sep 26, 2020 - 5:23 PM

Paul Rockwood, General Manager of Finance and Technology - Sep 27, 2020 - 10:15 AM

Tim Savoie, City Manager - Oct 2, 2020 - 11:15 AM