



Committee of the Whole Report

For the Meeting of March 22, 2018

To: Committee of the Whole
From: Chris Coates, City Clerk
Subject: Street Vending Review Project

Date: March 12, 2017

RECOMMENDATION

That Council:

1. Direct staff to proceed with bylaw amendments to the Street Vendor Bylaw, Streets and Traffic Bylaw and Park Regulation Bylaw to permit a seasonal pilot project to enable bicycle vending from May 1 to December 31, 2018.
2. Direct staff to report back in Quarter 1 of 2019 with street vending policy and regulatory recommendations for Council approval.

EXECUTIVE SUMMARY

Council approved a seasonal pilot project for 2017 to permit bicycle street vendors to operate in the City. The Bylaw changes were adopted at the beginning of July 2017. The Committee of the Whole Report addressing this that was considered in May 2017 is attached as Appendix A and the adopted bylaw amendments are attached as Appendix B.

The uptake on business licenses for the Pilot was very low. Only three vendors obtained Licenses. In a follow up to stakeholders in the fall of 2017, the feedback from the operators and prospective operators generally identified interest in participating further and provided some suggestions on regulatory modifications. Subsequently, staff have received a number of enquiries on next steps in the last few weeks from prospective operators. A further outreach to interested operators has provided more feedback, again expressing interest in participating and no clear impediments. In addition, staff touched base with the Downtown Victoria Business Association who indicated that they have some degree of concern about the lack of experiential knowledge gained from the low uptake and the ongoing concern about the impacts mobile vendors could have on existing storefront businesses. DVB is supportive of an extension to the Pilot to gain more insight into issues.

In view of the limited experience with the regulations and the associated impacts from the operations, it is difficult for staff to suggest anything more than an extension of the Pilot be approved, but for a longer period than last year, to better assess the longer term impacts from both a transportation and business impacts perspective. In addition, the balance of the work approved by Council last year has been held off pending the discussion on the mobile vending component.

PURPOSE

The purpose of this report is to update Council on the bicycle street vending pilot program approved for the summer of 2017 and seek Council direction on the next steps.

BACKGROUND

Prior to the Pilot established for bicycle vendors on the street and in park areas, the opportunities for this activity in public spaces resulted in the case of special events.

The seasonal bicycle street vending pilot was initiated in July 2017. Leading up to the Pilot, there were a number of interested vendors. Ultimately only three licenses were obtained, resulting in limited experience with the regulations and the impacts of these operations.

ISSUES & ANALYSIS

The requirements that were established on the operations for the Pilot in 2017 were:

Business Licence

Interested vendors would first need to obtain a Business Licence. The business licence application process for bicycle vendors has been modelled after the existing City process for food trucks and carts. For example, vendors must provide details on their vending unit, including pictures, receive approval from the Island Health Authority and pay a licencing fee. In addition, vendors would need to supply adequate insurance coverage and be subjected to a criminal record check prior to the issuance of the business licence. The number of licences would not be capped as uptake during the pilot is expected to be relatively low.

Fees

The license fee is \$100 dollars for the duration of the pilot project. This fee is in line with other municipalities, including Vancouver and Halifax and is the current fee charged to food carts and trucks.

General Conditions

A bicycle vendor shall:

1. Display a vending decal on each licenced bicycle. The decal is non-transferable.
2. Only sell permitted products, including flowers, food and non-alcoholic beverages.
3. Operate only on City streets and parks, except Beacon Hill Park and on designated multi-use pathways within the City of Victoria.
4. Bicycle vendors must remain 100 metres away from restaurants, events or concessions that sell a similar product.
5. Bicycle vendors must remain 30 metres away from a public or private school.
6. Operate between 7 a.m. – 10 p.m. only.
7. Maintain their bicycles and keep them clean and in good repair.
8. Advertise only for their business. Advertising must be integrated into the bike.
9. Install a bicycle bell, if desired but only ring the bell for intervals of 20 seconds or fewer, and only between the hours of 9 a.m. – 9 p.m.
10. Provide an integrated waste receptacle. Recycling and compost must be separated from garbage, either as part of the bicycle design or at the vendor's base of operations.
11. Stop, only if hailed by a customer first.
12. Comply with all applicable bylaws, including *Streets and Traffic, Park Regulation, Noise* and the *Motor Vehicle Act*.

Stakeholder Feedback

Five vendors shared their feedback on the summer pilot. All respondents stated they would like the program to continue. Feedback around areas for improvement included requests to:

- Provide dedicated bicycle storage facilities Extend maximum standing time from 30 minutes to one hour
- Permit vendors on bicycle paths (Galloping Goose), and
- Allow some types of amplified sound

Further outreach with potential operators was undertaken over the last few weeks to inform recommendations to Council. Vendors who had expressed interest in the summer pilot were invited to provide feedback on the future of the program. Seven people provided input.

Two vendors had participated in the summer pilot, four were aware of the pilot but didn't participate (mainly because their business operations were not in place i.e. license or equipment) and one person was not aware of the pilot.

When asked about the strengths of the pilot, responses were:

- Quick turnaround on application process
- Creates new opportunities for entrepreneurs
- Provides a needed service to Victoria residents and tourists

When asked about areas of improvement for the program, responses were:

- Greater public outreach to allow vendors to prepare to take advantage of the opportunity
- Allow vendors to solicit sales more proactively
- Extend 30 minute standing time (short window restricts potential sales)
- Permit extended standing time for sales in parks and around beaches
- Extend pilot to CRD, GVHA property and allow sales near events (Inability to use CRD or GVHA property and restrictions around proximity to events prevents vendors from going to where the people are)

Five respondents said they would participate in a future pilot program, one stated they wouldn't participate and one stated they might participate (contingent on the cost of the investment).

Analysis of Feedback

Some of the feedback from operators and prospective operators involve issues outside of the City's authority such as cart storage and promotion which would be considered granting assistance to business As well as the issue locating on CRD and GVHA property for which the City has no authority over.

In terms of the operational issues raised, staff are not recommending any changes to the terms for a further pilot, changes to the operational requirements based on the feedback could be considered. It is not clear what implications of the changes would have particularly from an increase to the standing time of 30 minutes from a traffic perspective. Changes could be implemented to reflect the issues noted in the feedback relative to the regulations in the Bylaw.

OPTIONS AND IMPACTS

Option 1 – Proceed with 2018 Pilot Program for Bicycle Street (Recommended)

3. Direct staff to proceed with bylaw amendments to the Street Vendor Bylaw, Streets and Traffic Bylaw and Park Regulation Bylaw to permit a seasonal pilot project to enable bicycle vending from May 1 to December 31, 2018.
4. Direct staff to report back in Quarter 1 of 2019 with street vending policy and regulatory recommendations for Council approval

Option 2- Identify Regulatory Amendments based on Feedback.

Council could provide direction to change regulations pertaining to:

- standing time of 30 minutes,
- permit proactive solicitation, and;
- allow amplified sound to be generated

2015 – 2018 Strategic Plan

This proposed work is consistent with Strategic Plan Objectives of “Create Prosperity Through Economic Development” and “Enhance and Steward Public Spaces, Green Spaces and Food Systems”.

Impacts to Financial Plan

This project has been included in the 2018 Key Initiatives plan and no additional resources are needed for this work.

Official Community Plan Consistency Statement

Section 8: Placemaking describes several broad objectives that are relevant to this project, including:

8 (h) That the public realm is animated through street life and festivals, celebrations and special events.

CONCLUSIONS

A further extension of the Pilot for this year, for a longer duration with an anticipated increase in uptake will help to further identify what if any impacts these vendors have and the better inform long term regulations the City can consider.

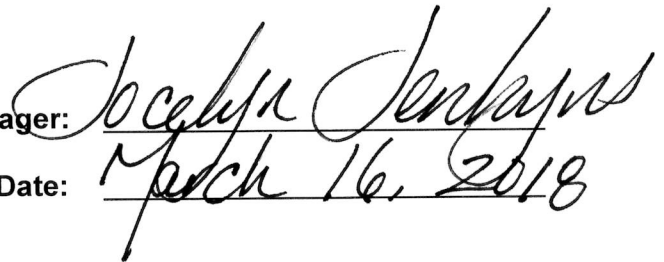
Respectfully submitted,


Quinn Anglin
Business Ambassador


Chris Coates
City Clerk

Report accepted and recommended by the City Manager:

Date:


March 16, 2018

List of Attachments

Appendix A: May 11, 2017 Committee of the Whole Report

Appendix B: Mobile Bicycle Vending Miscellaneous Amendments Bylaw No. 17-073