



REPORT FOR ACTION

A Framework for the Toronto Sidewalk Café Design Manual

Date: March 29th, 2017
To: Public Works and Infrastructure Committee
From: General Manager, Transportation Services
Wards: All

SUMMARY

A sidewalk café is an area within the public right-of-way that is permitted for use by an adjacent establishment. The City of Toronto currently has over 700 permitted, and an estimated 400 additional unpermitted, sidewalk cafés throughout the city. Cafés form an invaluable component of vibrant streets, and as such it is important that the City provide flexibility and design options so that the local economy can thrive and local businesses can be creative in their design of sidewalk cafés.

Currently, there are six different by-laws in force for café and marketing uses on the City's sidewalks, creating inconsistent and confusing procedures and standards across the former municipalities of Toronto, York, East York, North York, Etobicoke and Scarborough.

The lack of consistent policies and regulations is challenging to administer and enforce on a uniform basis, and can confuse the public and businesses who view these inconsistencies as both frustrating and inefficient. Specifically, consistent guidance regarding the pedestrian clearway and design guidance are required.

Over the past two years, Transportation Services, in conjunction with Municipal Licensing and Standards, has been undertaking a review of existing regulations pertaining to sidewalk cafés, including consultation and engagement with café stakeholders, Business Improvement Areas, members of the public, urban designers, and accessibility stakeholders.

In order to balance multiple interests with this project, the following three project objectives have been identified:

- 1) develop consistent standards for the harmonized by-law;
- 2) update the fee schedule; and
- 3) ensure the sidewalk functions for all users through the permit process and through new sidewalk café design options and opportunities.

Two reports are proceeding in coordination:

- 1) Municipal Licensing and Standards is bringing a report to the Licensing and Standards Committee on April 18, 2017 addressing the first two objectives.
- 2) Transportation Services is bringing forward this report to the Public Works and Infrastructure Committee to address the third objective. Specifically, this report:
 - a) provides an overview of the need for a harmonized Toronto Sidewalk Café Design Manual and supporting by-law;
 - b) presents the key principles that will guide staff in the completion of the Manual and supporting by-law; and
 - c) proposes a framework for the completion of the final Manual and supporting by-law.

An updated design manual will support the implementation of the new harmonized sidewalk café and marketing display by-law being developed concurrently by Municipal Licensing & Standards.

Both of the above frameworks recommend further consultation and a report back to City Council in the fourth quarter of 2017.

RECOMMENDATIONS

The General Manager of Transportation Services recommends that:

1. The Public Works and Infrastructure Committee direct the General Manager, Transportation Services to complete additional stakeholder consultation and report to City Council in the fourth quarter of 2017 with a finalized Toronto Sidewalk Café Design Manual, including an implementation plan, based on the framework and key principles set out in this report.

FINANCIAL IMPACT

While there are no immediate financial impacts associated with adoption of the recommendations contained in this report, any changes and/or updates to fees will be subject to Council approval as part of a final report later in 2017.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting of March 24, 2011, the Planning and Growth Management Committee requested the Chief Planner and Executive Director, City Planning, in consultation with the Executive Director, Municipal Licensing and Standards and other appropriate staff, to investigate and report back to the Committee on ways to regulate and/or limit the amount of merchandise that can be displayed outdoors, in areas of the City that permit the outdoor display of merchandise.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.PG2.13>

On May 7, 2013, City Council adopted Motion PW22.10, "Complete Streets", with amendments, requesting the Deputy City Manager, Cluster to develop Complete Streets Guidelines and report back to the Public Works and Infrastructure Committee in the third quarter of 2013 on an approach for developing Complete Streets Guidelines in the City of Toronto.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PW22.10>

At its meeting of May 6, 7 and 8, 2014, City Council endorsed the development of an integrated approach to developing complete streets guidelines that enable safe access and functionality for all uses and users within the transportation system, including pedestrians of all ages and abilities, cyclists, public transit riders, and motorists.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PW30.1>

At its meeting of December 9 and 10, 2015, City Council was provided an update of the TOcore: Planning Toronto's Downtown Core project and endorsed the development of a transportation strategy that prioritizes walking, cycling, surface transit and essential access and identifies networks and other improvements to address movement, connectivity and accessibility for the growing number of people living, working and visiting downtown.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE12.43>

At its meeting of February 8, 2017, the Disability, Access, and Inclusion Advisory Committee directed that the Sidewalk Café Design Manual incorporate Committee's feedback to increase standards for pedestrian clearways to ensure that pedestrians of all abilities can safely navigate Toronto's sidewalks and directed that the General Manager, Transportation Services report back to the Committee on meeting on improved standards for clearways.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.DI13.3>

At its meeting of February 28, 2017, the Public Works and Infrastructure Committee considered Complete Streets Guidelines, and referred the item to the Deputy City Manager, Cluster B for further work with a request to report back.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PW19.3>

COMMENTS

THE NEED FOR A HARMONIZED MANUAL AND BY-LAW

The City of Toronto currently has over 700 permitted, and an estimated 400 additional unpermitted, sidewalk cafés throughout the city. They operate under six different in-force bylaws that have not been harmonized since the City's amalgamation. The former municipality of Toronto's boulevard café guidelines were developed in 1989.

While compliance is governed via by-laws, existing sidewalk café design guidance is similarly outdated. The lack of consistent policies and regulations is challenging to administer and enforce on a uniform basis, and can confuse the public and businesses who view these inconsistencies as both frustrating and inefficient.

Beyond harmonization, there is a need to address the competing demands placed upon Toronto's streets and sidewalks. In addition to being destinations that support a vibrant café culture, sidewalks are a critical component of the transportation network. Sidewalks must support mobility for all sidewalk users and accommodate people of varying ages and levels of ability.

Ensuring sufficient space for the safe and accessible movement of pedestrians, while at the same time recognizing the needs of business and facilitating economic growth, is the primary objective for this project. Balancing localized needs to retain or improve neighbourhood liveability and character is also important

This need can be experienced in real terms on many of Toronto's sidewalks where there are high concentrations of sidewalk cafés. Common issues for sidewalk users, especially those with mobility and visual impairments, include pedestrian clearways that are not straight, clear and of sufficient width to accommodate pedestrian movement. These issues resonated strongly with residents, pedestrians, and accessibility stakeholders that participated in the consultation process.

PROPOSED FRAMEWORK & KEY PRINCIPLES

In order to address these needs, Transportation Services, in conjunction with Municipal Licensing and Standards, have developed a framework for revisions to the Toronto Sidewalk Café Design Manual and harmonized by-law.

Included in this development has been extensive stakeholder consultation, including café stakeholders, Business Improvement Areas, members of the public, urban designers, and accessibility stakeholders. A detailed summary of consultation activities to date is included as Attachment 1.

Feedback received to date has allowed staff to develop a series of proposed key principles, which are intended to inform the completion of the final harmonized Toronto Sidewalk Café Design Manual and supporting by-law.

Given the complex nature of the issue at hand, it has been determined by staff that presentation of the proposed framework and key principles to Committee will provide an opportunity for comment and input prior to completion of stakeholder consultation. The feedback received through this process will be used to guide staff during efforts to complete this stakeholder consultation and the final Manual and supporting by-law.

KEY PRINCIPLES

Based on feedback received to date, three key principles are currently guiding staff in efforts to complete the final harmonized Toronto Sidewalk Café Design Manual and supporting by-law:

- 1) Supporting residents and pedestrians;
- 2) Supporting local businesses; and
- 3) Facilitating an effective transition to apply updated regulations.

Key Principle #1: Supporting Residents and Pedestrians

Safe and accessible sidewalks include pedestrian clearways that are consistent with City policies and by-law standards, are of sufficient width to accommodate pedestrian movement, and allow all pedestrians to navigate the sidewalk with ease.

The greater the activity on sidewalks, the greater need for space for people to safely walk, pass each other, stop and window shop, and use sidewalk amenities such transit stops.

The existing café and marketing bylaw requires updating as the by-law includes the furnishing zone (where street furniture, bike rings, and street trees are located) as part of the clear space for pedestrian movement next to a sidewalk patio when this space is not clear of obstacles.

To ensure that these aims are met, the Toronto Sidewalk Café Design Manual is proposed to include:

- **Consistent Minimum Standards for the Width of Pedestrian Clearways** - Minimum standards for the width of pedestrian clearways will be proposed that are consistent with current City policies and standards for application to sidewalk cafés and marketing displays. The proposed minimum standards are reflective of a number of established City policies, as detailed in Attachment 2.
- The proposed minimum standards vary according to road class and pedestrian volumes, to ensure that minimums are reflective of actual demands:
 - **Arterial and Collector Roads** - A 2.1m minimum pedestrian clearway for sidewalk cafés that front arterial and collector roads, where pedestrian activity is generally higher. The pedestrian clearway must be clear and free of obstacles, and does not include the furnishing zone (where street furniture, bike rings, street trees and other objects like parking meters are located).
 - **Local Roads** - 1.8m pedestrian clearway plus a 0.2m edge zone
 - **High Volume Pedestrian Areas** - In some locations where there are higher pedestrian volumes, a pedestrian clearway that is wider than the minimum standards may be required. Additional work is required to develop criteria and finalize where this may be required.
- **Unobstructed Pedestrian Clearways** - The encroachment of obstacles such as marketing displays, planters and A-frame signs into the pedestrian clearway was identified as a concern by the public and accessibility stakeholders during the stakeholder consultation process.
- **Straight Pedestrian Clearways** - This Manual currently proposes a requirement for a straight, unobstructed pedestrian clearway. Significant concerns have been heard

from accessibility stakeholders about the challenges of identifying and manoeuvring around unpredictable obstacles within the sidewalk

Key Principle #2: Supporting Local Businesses

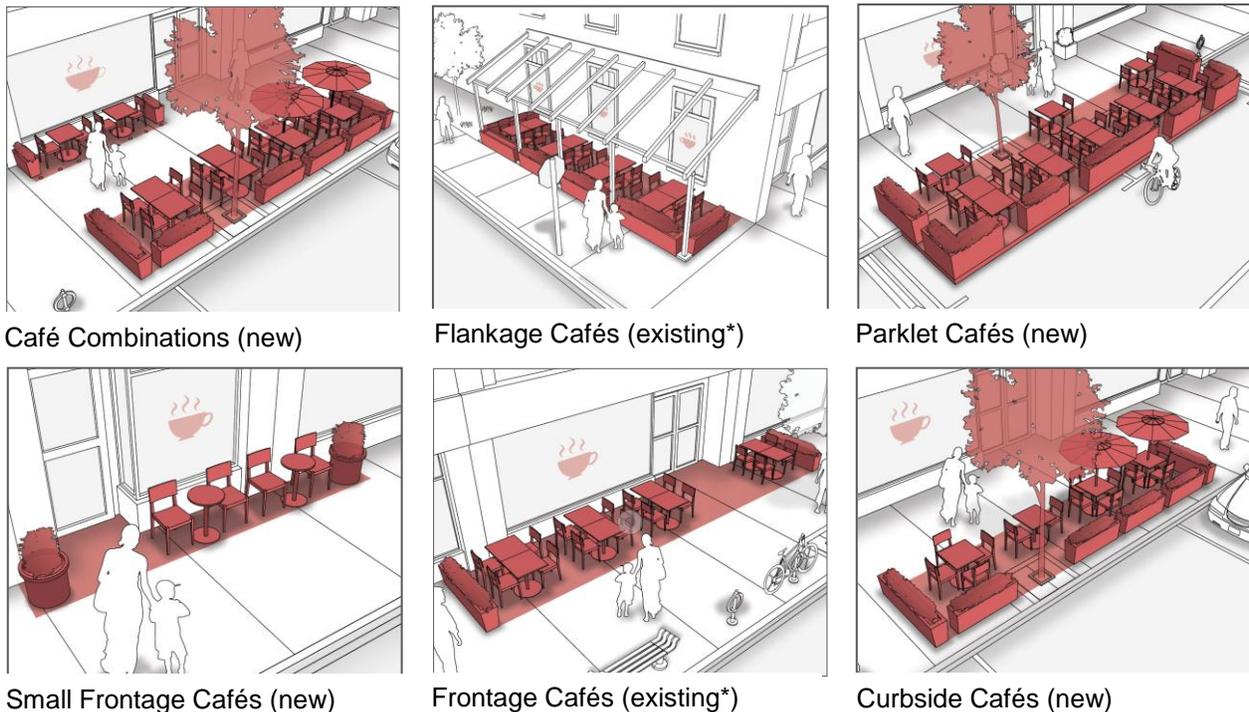
While it is important to consider the needs of residents and pedestrians, it is of equal importance to provide flexibility and design options so that the local economy can thrive and local businesses can be creative in their design of sidewalk cafés.

Cafés form an invaluable component of vibrant streets, and as such one of the proposed guiding principles of the updated Sidewalk Café Design Manual and associated by-laws is to ensure that existing cafés are maintained to the greatest extent possible, and that new options be provided to business owners to encourage the creation of new ones.

To ensure that these aims are met, the finalized Toronto Sidewalk Café Design Manual is proposed to include:

- **New Sidewalk Café Configurations** - To increase design flexibility, the proposed Manual will expand the current complement of café configurations to include small frontage cafés, curbside cafés, parklet cafés, and café combinations.

Figure 1 – Proposed Sidewalk Café Configurations



* flankage and frontage cafés are not permitted in all of the former municipalities, and are proposed to be permitted city-wide under the new by-law

- **Fewer Restrictions on Sidewalk Café Elements** - The draft Manual proposes that many of the material and finish specifications in the existing Toronto sidewalk café

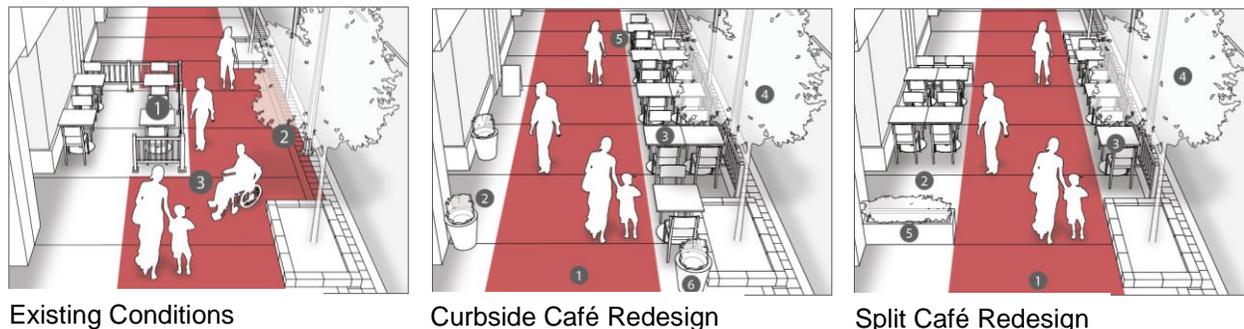
and marketing display by-law be removed for reasons of efficiency, practicality and flexibility.

Key Principle #3: Facilitating an Effective Transition to Apply Updated Pedestrian Clearway Regulations

Several principles are proposed that are intended to help business owners take advantage of new café options, and where necessary, effectively transition to compliance with the pedestrian clearway requirements. Proposed principles include a discussion about grandfathering existing sidewalk café and marketing display operators where redesign and new design options are not feasible.

- **Reduce Pedestrian Clearway Compliance Issues through Redesign and New Options** - it is anticipated that reorganization of tables and chairs, making adjustments to existing street furniture elements where feasible (such as rationalizing bike rings, publication boxes and the size and placement of some street furniture), and using the full range of design options proposed under the new sidewalk café design manual and related regulations will provide opportunities to bring many cafés into compliance with the pedestrian clearway regulations.

Figure 2 – Sidewalk Café Options on Toronto Sidewalks of Average Width



- **Stepped Compliance with the Manual and By-laws** - In order to provide sufficient time for existing sidewalk café and marketing display permit holders to comply with the pedestrian clearway requirements, a two-step transition period is currently proposed, including:
 - A three year transition period for existing sidewalk café and marketing display permit holders to apply the new sidewalk design options to meet compliance with the pedestrian clearway regulations.
 - Beyond the initial transition period, the 'red circling' of some existing sidewalk cafés and marketing locations. 'Red circling' is a variant of grandfathering whereby the sidewalk café or marketing display is deemed to be non-compliant, but can remain in place until a later sunset timeframe, a change in ownership, or sidewalk reconstruction project.

- **Provide Resources for Business Owners** - In order to provide support to business owners, especially in locations that have particular challenges that require a more supportive effort among café or marketing operators during the transition, staff are considering the following potential resources that would be funded through the Public Realm Reserve Fund:
 - design consultant services to help guide sidewalk café and marketing display operators into compliance with the new pedestrian clearway regulations; and
 - design plans to be completed across city blocks to help improve the organization of sidewalk cafés, marketing displays and other sidewalk elements.
 - the relocation of street furnishings and rationalization of other infrastructure elements where possible to assist in the provision of the required clearway.
- **Reduce Impacts through Planned Street Projects** - The proposed Manual and associated by-laws currently propose consideration of sidewalk cafés as part of projects such as Environmental Assessments, streetscape improvements, and capital projects. These projects will offer opportunities to create improved sidewalk cafés and sidewalks.
- **Pilot Projects** - During the transition period, it is proposed that pilot projects be initiated to test the new design-based regulations and different café configurations. Working with the Economic Development & Culture Division, an outreach effort to BIAs will be initiated to gauge support for pilot projects in their area.

FRAMEWORK FOR COMPLETION

Following consideration of this report, and reflecting input received, three key tasks must be completed prior to the consideration the final Manual and by-laws by City Council:

- **Additional Research** - Additional work will be undertaken to define the pedestrian clearway requirements. These activities include:
 - the development of an approach, framework and criteria to identify sidewalk locations where a pedestrian clearway is required that is greater than the minimum standard;
 - further analysis of impacts to existing cafés;
 - examination of potential special cases requiring exemption; and
 - development of area-specific design studies to identify the impacts, and potential design options, of the proposed pedestrian clearway regulations.
- **Additional Consultation** - Subject to Committee direction, a final round of stakeholder consultation will be completed in the Spring of 2017 to provide an opportunity for members of the public and stakeholders to review and comment on the topics contained within this framework and the results of the additional research. Consultation activities will target stakeholders that participated in earlier project

stages. The format of consultation events is expected to include public meetings, targeted stakeholder consultations, and other potential outreach methods.

- **Final Report** - Feedback from this consultation will inform the final directions and recommendations for the Manual and supporting by-laws. The Manual and by-laws will then be brought forward to the Public Works & Infrastructure Committee in late 2017.

EQUITY IMPACT STATEMENT

In addition to being destinations, sidewalks must support mobility for all sidewalk users and accommodate people of varying ages and levels of ability. The following principles considered in this report ensure that all sidewalk users, no matter what their ability level, can expect a comfortable, reliable, and safe path of travel. Safe and accessible sidewalks include pedestrian clearways that are of sufficient width to accommodate pedestrian movement, free and clear of obstructions and encroachments, and straight and parallel to the street.

These needs are especially relevant for vulnerable populations such as seniors and those with disabilities, and were confirmed through a multi-phased consultation process that included members of the public, pedestrian and accessibility stakeholders and experts.

This framework report considers the incorporation of best-practice accessibility design guidance and regulations from other jurisdictions, and provisions that are consistent with municipal and provincial accessibility policies and regulations.

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ATTACHMENTS

Attachment 1 – Public Consultation Summary

Attachment 2 – Summary of Existing Pedestrian Clearway Standards in Existing City Policies and By-Laws

ATTACHMENT 1 – PUBLIC CONSULTATION SUMMARY

SUMMARY OF CONSULTATION PROCESS AND OUTCOMES

Multi-phase consultations with stakeholders were held to help inform proposals contained within this report.

In addition to Municipal Licensing & Standards, a range of city division and agency stakeholders were also consulted, including Corporate Finance, Economic Development and Culture, Fire Services, Forestry, Legal Services, Public Health, Real Estate Services, Solid Waste Management Services, Toronto Buildings, Toronto Hydro, Toronto Parking Authority, Toronto Water, and Urban Design (City Planning). The Alcohol and Gaming Commission of Ontario (AGCO) was also consulted.

Phase One Consultation

The first phase of consultation took place in the Fall and Winter of 2014. The purpose of this phase of consultation was to determine priorities of all stakeholders and levels of support for potential updates to the Manual and by-law.

Input and advice was received from over 700 individuals, including six public meetings and an online survey open to all project stakeholder and members of the public. To better understand the challenges and needs of pedestrians with disabilities, staff consulted with mobility instructors from the CNIB, arranged a walking tour with an individual with vision impairment, and consulted with the Disability Access Committee

Additional focused consultation sessions were held with the Toronto Association of Business Improvement Areas (TABIA), Ontario Restaurant, Hotel and Motel Association (ORHMA), and the Design Review Panel.

Phase Two Consultation

The second phase of public consultation took place in the Fall of 2015. More detailed approaches and options for café design were presented to stakeholders.

Approximately 100 stakeholders were engaged between six public meetings, two meetings with TABIA and two meetings with ORHMA. Additional meetings with specific BIAs were held at their request and included the Entertainment District, St Lawrence Market, and Downtown Yonge.

Phase Three Consultation

A third consultation phase took place in the Fall of 2016 and Winter of 2017. A project update was provided to key industry, accessibility and divisional stakeholders along with proposals on project implementation.

Summary of Outcomes

While the interests of different stakeholder groups sometimes varied, a number of key messages emerged:

Wide Unobstructed Sidewalks: Most participants expressed concern and frustration with cafés and marketing displays that sometimes create barriers and challenges for pedestrians, especially those with disabilities. Most felt that wider and straight clearways for pedestrians to move unhindered is a priority.

High Design Quality: Stakeholders felt that cafés should include high quality furnishings that are safe, durable and contribute to a great café culture. Many felt the City should encourage individuality by letting owners decide what café elements are appropriate.

Design Flexibility: Most stakeholders supported a wider range of café types, with curbside, small frontage and parklet café types resonating strongly. Most were supportive of reduced fencing requirements.

Although the opinions of stakeholders generally aligned, stakeholder groups were divergent about the approach that should be taken with existing sidewalk cafés. While members of the public and accessibility stakeholders indicated that existing cafés should be required to meet existing or updated pedestrian clearway requirements, industry stakeholders felt strongly that the regulations should allow existing café permit areas to remain 'as-is'. Concerns cited included impacts to restaurant viability, fair recognition of business that have been their location for a substantial period of time, and the presence of other sidewalk elements that can sometimes compromise pedestrian movement.

Further information on the public consultation process can be found at www.toronto.ca/mlshaveyoursay.

DETAILED SUMMARY OF OUTCOMES FROM PHASE TWO

Introduction

This section presents a detailed summary of the feedback received during the course of the consultation process in the Fall of 2014 for the Outdoor Café By-law ("By-law") and Outdoor Café Design Guidelines ("Guidelines") projects. Extensive notes were taken at each public and stakeholder consultation event, detailed summaries of which are also available. This feedback will be essential in the development of the final By-law and Guidelines documents.

Project Overview

In October 2013, the City of Toronto launched the Outdoor Café By-law and Outdoor Café Design Guidelines Review, a joint project between the Municipal Licensing and Standards (ML&S) and Transportation Services Divisions.

Between October 2013 and March 2014, ML&S completed research, analysis, and a first round of consultation with stakeholder groups on the draft By-law. The consultations included Business Improvement Areas, the Ontario Restaurant Hotel & Motel Association, outdoor café and marketing permit holders, and the general public. In the Fall of 2014, ML&S and Transportation sought additional feedback from the public and stakeholders for the draft By-law and introduced the Guidelines project.

Over the course of the consultation events, ML&S and Transportation Services received input and advice from over 700 individuals, including accessibility advocates, restaurant industry owners and representatives, urban design experts, and members of the general public. Providing multiple forums for public consultation – public meetings, drop-in sessions, and an extensive online survey – city staff worked to generate a clear picture of Torontonians' vision for a safe, accessible, and vibrant patio culture.

Key Messages from Participants

The following messages represent the most common ideas and themes that arose from the diverse group of participants that were engaged during the course of the public consultation process.

Safety and Accessibility: Sidewalk safety and accessibility needs to be at the core of the updated By-law and Guidelines. While every effort should be made to foster a diverse and vibrant patio culture in the city, it is essential that it be grounded in the principles of ample, straight running pedestrian clearways and universally accessible patios.

Transition and Grandfathering: Opinions were divergent on this subject. Members of the public and accessibility stakeholders indicated that existing patios should be required to meet the updated pedestrian clearway width and straightness provisions. Industry stakeholders felt strongly that existing patios should be unaffected by bylaw and guideline changes, with only new patio applications subject to these changes.

Quality of Design and Furniture: Patios should be well designed both aesthetically and functionally, and should incorporate high quality furnishings to promote safety, durability, and a great café culture.

Flexibility and Diversity: While retaining a basic framework of safety and accessibility, the By-law and Guidelines should provide flexibility for operators to tailor their cafés to their clientele, and foster a diversity of patio layouts and styles within the city. Greater flexibility includes allowing a wider range of patio types, encouraging year-round cafés, relaxing existing café fencing requirements, and permitting a diverse range of design options for café furnishings and fixtures.

Application Process: The application process for patio permits should be streamlined, allowing restaurant owners to apply online and easily provide the city with detailed information about patio design and operation.

Complaint Review Process: The complaint review process needs to be revised. The process should be structured in a way as to give voice to both complainants and supporters of an establishment, and should prohibit the leveraging of the system by competing businesses.

Detailed Summary of Feedback

Overview

The consultation process was designed to elicit feedback about four main areas of the By-law and Guidelines:

Flexibility and Safety/Accessibility Objectives: Have we got the balance right between ensuring safe and accessible sidewalks, and creating the flexibility required to support local café owners and foster a vibrant patio culture?

Design Objective: Is the increased number of patio design options that is being proposed appropriate? What are your priorities regarding the design criteria and construction materials for patio furniture, fencing and fixtures?

Simplicity Objective: Have we created an effective, streamlined set of administrative processes (i.e. applications and related materials, public notification, issue resolution etc.)?

Transition Strategies: How can we better facilitate the transition between the current regulatory environment and the new By-law and Guidelines?

It should be noted that the following represents a condensed version of the feedback received during the consultation process. For detailed summaries of each consultation activity, please consult the individual meeting and survey summaries.

Feedback on Flexibility and Safety/Accessibility Objectives

Patio Types: There was support among a broad range of stakeholders for the introduction of a wider range of café types than currently exists. However, it was also clear that a balance must be struck between providing flexibility in patio types and ensuring that these designs – particularly patio fencing and enclosures – are accessible for those pedestrians with disabilities.

- Operators should be allowed to use the frontage of neighbouring properties.
- Though many participants supported curbside patios, it was also noted that they can disrupt pedestrian movement/safety in situations where café elements and patrons encroach on the pedestrian clearway.
- Unenclosed patios should be encouraged but must be confined in some way to prevent patio furniture and café patrons from merging into the pedestrian clearway.

- Cafés with no fencing have been highly successful in various parts of Europe and the United States.
- Many participants supported parklet cafés.

All-Season Operation: In general, it was felt that the By-law and Guidelines should allow for all-season operation. It was stressed that a balance needs to be struck between keeping sidewalks accessible and clear of snow accumulation for pedestrians (especially for those with mobility issues), while fostering a year-round patio culture. Many solutions were suggested – removable patios that can be stored when not in use, partially removable patios, specially designed winter-use patios, painted demarcations to indicate the location of furniture and fencing

Pedestrian Clearways: Pedestrian clearways should be at the heart of patio By-law and Guidelines, with a clearway of sufficient width to accommodate pedestrians forming the basis for café regulation and design. Providing a straight clearway also emerged as a priority for the majority of participants, including accessibility stakeholders. Some participants suggested that in some areas of the city the clearway be increased to accommodate wheelchair accessibility and high pedestrian volumes. Industry stakeholders expressed concern that café operators with existing permits would be required to reduce their café size to meet the updated sidewalk clearway and accessibility standards.

Community Integration: Businesses should be required to control the ambient light and noise emanating from their patios, and should have restrictions imposed on operating hours in accordance with their proximity to residential buildings.

Feedback on Design Objectives

Advertising: Third party advertising should be discouraged, though some participants voiced their support for limited advertising on certain patio furniture such as umbrellas and chalkboards. It was also suggested that businesses should be free to advertise their own brand as they see fit.

Structure of Guidelines: The structure of the patio guidelines was a topic of great interest among consultation participants, and yielded several key suggestions.

Patio guidelines should be as flexible as possible while encouraging the use of high quality designs and furniture, and retaining the core principles of safety and accessibility for patrons and pedestrians.

The guidelines should provide ‘cut sheets’ detailed examples of successful/desirable patio designs and materials, and include detailed images and information about furniture types and design principles.

It was noted that clearly defining terms such as attractive, durable, and commercial may be difficult.

There should be a testing or pilot phase to ensure that the guidelines are as effective in practice as they appear to be in theory.

Site Plans: As a means of more effectively regulating patios, inclusion of site plans in permit applications should be encouraged, though the city needs to be clear about exactly what it expects the plans to include. A requirement to use professional software for applications is preferable to a requirement that they be completed by a professional. The software requirement will present barriers for café owners without the experience, resources or time to draft adequate plans.

Patio Enclosures/Fences: Fencing design was an important topic for many participants, particularly for accessibility stakeholders.

There was broad support for the proposed relaxation of fencing requirements. Patio fencing needs to be stable and designed in such a way as to facilitate easy navigation for people with mobility issues. Solid fencing or metal fences with pickets are the easiest type of fences to navigate for these persons.

Fences need to be low enough so that drivers and pedestrians can see past them. End-of-business-day and seasonal removal of fencing is an issue for individuals with vision impairments that rely on the presence and predictability of fences to navigate sidewalks safely.

Industry stakeholders suggested that in areas where existing sidewalks are too narrow, fencing and clearway requirements be relaxed to allow for café patios, provided that they are not serving alcohol.

Planters and greenery should be encouraged as long as they don't obstruct the pedestrian clearway.

Feedback on Simplicity Objective

Application Process: The application process should be entirely online and as streamlined as possible, allowing the city to obtain detailed information from applications while being as easy as possible to complete. There should be a dedicated hotline to provide support for applicants. The city should develop infographic-based, engaging and user-friendly handbooks that explain the application process and timeline.

Issue Resolution Process: Many participants felt that the resolution process needs to capture public opinion in the community affected by an establishment. Industry stakeholders stressed the importance of a more democratic process that requires more than just one or two objections for an application to be refused. The process should be designed in such a way as to mitigate rival businesses from leveraging the objection and issue resolution process for competitive gain.

Notification Process: The notification process for new patios should require owners to notify residents within 125m from the café. Owners should also be required to display their patio permits and include contact information for reporting problems. When asked how long a public notice should be posted to notify the neighbourhood about a new

application for patio, 30-day window received the highest support (47%), while 14 days was second (25%).

Feedback on Transition Strategies

Grandfathering: There was significant concern amongst industry stakeholders that existing outdoor cafés would be required to meet the updated sidewalk design criteria within the new regulatory system. Industry stakeholders also stressed that café owners should be given a generous grace period during which they can implement any necessary By-law changes.

Transition Support: There is an opportunity for BIAs to play a support role for café owners in the transition to the new By-law and Guidelines. This could include both information about the new system, as well as support with applications and conflict resolution.

Patio License Transfer: Industry stakeholders strongly supported a continuation of the existing patio license (i.e. no automatic requirement for renewal) with the sale or transfer or restaurant ownership.

Calendar of Activities

Phase 1 Consultation Schedule (2014)

| Event | Date | Time | Location | Attendance |
|---------------------------------|---------------|------------------------|-------------------------------|-------------------------------------|
| Disability and Access Committee | November 20th | 6-9 p.m. | Metro Hall | Disability Issues Committee members |
| Stakeholder's Meeting | November 26th | 6-9 p.m. | Metro Hall | Approx. 45 |
| Public Meeting | November 27th | 6-9 p.m. | Metro Hall | Approx. 15 |
| Panel Display Meeting | December 1st | 9:30 a.m. - 12:30 p.m. | Montgomery Pool & Health Club | N/A |
| Panel Display Meeting | December 2nd | 1-3:30 p.m. | Scarborough Civic Centre | N/A |
| Public Meeting | December 2nd | 6-9 p.m. | East York Civic Centre | 5 |
| Panel Display Meeting | December 4th | 1-3:30 p.m. | New Toronto Public Library | N/A |
| Panel Display Meeting | December 8th | 1-3:30 p.m. | North York Civic Centre | N/A |

| Event | Date | Time | Location | Attendance |
|-----------------------------|-------------------------------|---------|-------------------|--------------------------|
| Design Review Panel Meeting | December 9th | 12:00pm | Toronto City Hall | Panel members and public |
| Online Survey | November 21st – December 10th | N/A | N/A | 502 respondents |

Phase 2 Consultation Schedule (2015)

| Event | Date | Time | Location |
|---|----------------|------------------------|--------------------------|
| Public Meeting | September 21st | 6:30-8:30 p.m. | Metro Hall |
| TABIA | September 22nd | 2:00p.m. – 4:00p.m. | Metro Hall |
| Disability, Access and Inclusion Advisory Committee | September 29th | 9:30a.m. – 12:00 p.m. | Toronto City Hall |
| Public Meeting | September 29th | 6:30-8:30 p.m. | Etobicoke Civic Centre |
| Public Meeting | October 6th | 9:00 a.m. - 11:00 a.m. | Toronto City Hall |
| Public Meeting | October 7th | 6:30-8:30 p.m. | East York Civic Centre |
| Public Meeting | October 14th | 6:30-8:30 p.m. | North York Civic Centre |
| Public Meeting | October 15th | 6:30-8:30 p.m. | Scarborough Civic Centre |

Phase 3 Consultation Schedule (Fall 2016/Winter 2017)

| Event | Date | Time | Location | Attendance |
|--------------------------------|-------------------|-----------------|-----------|---------------|
| EDC Inter Departmental Meeting | November 15, 2016 | 2-4 p.m. | City Hall | TABIA Members |
| EDC Inter Departmental Meeting | January 17, 2017 | 2-4 p.m. | City Hall | TABIA Members |
| ORHMA | February 2, 2017 | 10:30-11:30a.m. | City Hall | |

| Event | Date | Time | Location | Attendance |
|--------------|------------------|------------------|------------|------------|
| Walk Toronto | February 7, 2017 | 11:00-12:00a.m. | Metro Hall | |
| DAIAC | February 8, 2017 | 9:30 – 11:30a.m. | City Hall | N/A |