

## Temperance Street Parklet Cafés

**Date:** February 1, 2018  
**To:** Toronto and East York Community Council  
**From:** Director, Public Realm Section, Transportation Services  
**Wards:** Ward 28 - Toronto Centre-Rosedale

### SUMMARY

---

This report is required to enable the implementation and evaluation of a pilot project as the first phase of the potential transformation of Temperance Street into a flexible, shared street.

The proposed modifications to the section of Temperance Street between Sheppard Street and Bay Street will maintain the existing westbound lane of traffic and consolidate the existing Wheel-Trans stop and proposed parklet café and bicycle parking uses in the north portion of the travelled portion of the road adjacent to the northerly sidewalk.

The proposed modifications to the section of Sheppard Street at Temperance Street will enable the construction of a curb extension that is required for the placement of a proposed Bikeshare station.

### RECOMMENDATIONS

---

The General Manager of Transportation Services recommends that:

1. Toronto and East York Community Council grant a temporary permit to each of Boxcar Social and John & Sons Oyster House for the operation of a parklet café within the north portion of Temperance Street between Sheppard Street and Bay Street, in one of the two (2) locations shown as a parklet zone on the drawing entitled, "Schematic Site Plan" attached as Appendix "A" of this report, for the period of April 15, 2018 to November 14, 2018, inclusive subject to the following requirements:

a. permit holder has obtained a temporary street occupation permit for the applicable area from the General Manager of Transportation Services;

b. permit holder must pay a one-time application fee of \$280.62 and a permit fee of \$90.72/m<sup>2</sup>;

- c. permit holder maintains at all times a policy of Commercial General Liability insurance in an amount and form satisfactory to the City of Toronto;
- d. permit holder must ensure that the parklet café is closed and cleared of all patrons by no later than 12:00 a.m. midnight on Friday and Saturday nights and 11:00 p.m. on all other nights;
- e. permit holder shall not allow amplified sound on the parklet café;
- f. permit holder shall not allow outdoor food preparation in the permit area;
- g. permit holder shall not place or permit the placement of heaters and barbeques in the permit area;
- h. permit holder shall not have waste receptacles in use by servers or patrons, or work stations for servers in the permit area;
- i. permit holder shall not obstruct, hinder or interfere with the free access of a Municipal Enforcement Officer, employee, agent of the City, or any utility provider to enter any portion of the permit area for the purpose of the installation, maintenance or repair work or inspection of any part of the permit area;
- j. permit holder shall not interfere with curbside garbage collection;
- k. permit holder is required at all times and at their own expense to:
  - i. maintain all portions of the permit area and the street around the permit area in clean and sanitary condition, including removing all debris and cigarette butts;
  - ii. keep any objects and furnishing associated with the permit area in good and proper repair and condition;
  - iii. secure all moveable objects, including café furniture, with cable wire or similar device during non-business hours; and
  - iv. pay all utility, service, infrastructure or other rates, fees and charges that are incurred due to the operation of the permit area.
- l. permit holder shall close and remove the parklet café if at any time the Executive Director, Municipal Licensing and Standards or the General Manager of Transportation Services is concerned that a parklet café poses a risk to the health or safety of any person;
- m. permit holder will not assign, transfer or sublet the permission for the use of all or any portion of the permit area to any other person;

n. prior to receiving the permit, the business owner must enter into an agreement with the City containing the relevant terms and conditions set out in Chapter 313.36E, Boulevard Cafés, and any other terms and conditions satisfactory to the Executive Director, Municipal Licensing and Standards;

o. failure to comply with any of the conditions set out in the permit and/or the agreement will result in the revocation of the permit in accordance with the agreement.

2. Authorize the General Manager of Transportation Services to issue a temporary street occupation permit to each of Boxcar Social and John & Sons Oyster House for the installation of a parklet café within the north portion of Temperance Street between Sheppard Street and Bay Street, in one of the two (2) locations shown as a parklet zone on the drawing entitled "Schematic Site Plan" attached as Appendix "A" of this report, for the period of April 15, 2018 to November 14, 2018, inclusive subject to the following requirements:

a) the applicant shall submit a temporary street occupation permit application and fee to the ROW Management Unit of Transportation Services;

b) The applicant shall be exempted from meeting the requirements of section § 743-18, Temporary street occupations, subsections A and B, of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use of;

c) the applicant shall provide written proof of support from adjacent landowners to the parklet;

d) the applicant shall provide a detailed, scaled site plan(s) to the satisfaction of the General Manager showing all relevant dimensions and design details of the parklet prior to receiving a temporary street occupation permit;

e) upon issuance of the temporary street occupation permit, the applicant shall obtain a permit from the Executive Director, Municipal Licensing and Standards for the operation of a parklet café on the street and shall only occupy the street in accordance with the permissions granted in the permit issued by the Executive Director, Municipal Licensing and Standards;

e) the parklet installation shall meet the following design and installation requirements to the satisfaction of the General Manager:

i) have a secure, stable, and safe vertical barrier along the perimeter of the parklet, except between the parklet and the sidewalk;

ii) have a vertical barrier at least 0.9 metres in height and any opaque portions of any barrier must not be greater than 0.9 metres in height, measured from the surface of the street, to preserve sight lines;

iii) include a wheel stop within the permit area at a distance of 1.2 metres from each end of the parklet platform, unless determined otherwise by the General Manager; and have secure, stable and safe planters in the permit area at each end of the parklet, either freestanding or integrated with the parklet platform, to help protect the parklet from moving traffic and parking vehicles;

iv) have retro-reflective marking tape at each end of the parklet and all other parklet materials must minimize glare for drivers and cyclists;

v) not have jersey barriers;

vi) have platform surfaces level with the sidewalk with a cross slope (from curb to outer parklet edge) of no greater than 2 percent and a running slope (parallel to the sidewalk along the street) of no greater than 5 percent;

vii) have a platform that is stable, safe, slip-resistant, and accessible with no transitions greater than 13mm between the level of the sidewalk curb and the parklet platform;

viii) not block stormwater drainage and overland flow;

ix) have all parts of any umbrellas on a parklet be set back at least 0.8 metres from the parklet edges adjacent to the travel lanes and parking spaces;

x) be removed entirely at the end of the term and the highway restored;

xi) have an unobstructed emergency access route between the travelled portion of the road and adjacent building entrances, in conformance with the Ontario Building Code and Fire Code;

xii) not have any enclosures, structures, or visual screens on or over the permit area;

xiii) meet any minimum separation distances to utilities or public infrastructure as determined by the General Manager of Transportation Services;

xiv) not install any enclosures, structures, or visual screens on or over the permit area;

xv) not place or permit the placement of any outdoor carpeting, artificial turf or other surface covering on any portion of the sidewalk or street;

xvi) meet minimum pedestrian clearway requirements as determined by the General Manager of Transportation Services;

xvii) have at least one accessible entrance to the permit area that is no less than 1 metre in width;

xviii) locate the parklet with a minimum 0.3 metres set back from the adjacent travel lane (as measured from the edge of the parklet café or public parklet closest to the adjacent travel lane) or a greater dimension as determined by the General Manager.

3. Authorize the alteration of Sheppard Street, between Temperance Street and Adelaide Street West, generally as shown on the drawing entitled, "Proposed Roadway Alterations" attached as Appendix "B" of this report.

4. Amend Chapter 950, Traffic and Parking, by rescinding the traffic and parking regulations outlined in Appendix "E" – By-Laws to be Rescinded, and generally shown in the drawing entitled, " Plan View of By-Laws to be Rescinded during Pilot Program" attached as Appendix "C" of this report.

5. Amend Chapter 950, Traffic and Parking, by enacting the traffic and parking regulations outlined in Appendix "F" – By-Laws to be Enacted, and generally shown in the drawing entitled " Plan View of By-Laws to be Enacted during Pilot Program " attached as Appendix "D" of this report.

6. Toronto and East York Community Council direct that Temperance Street be returned to its pre-pilot project traffic and parking regulations when the project is complete.

7. Temporarily close to vehicular traffic the northern 2.075 metres of the westbound lane of Temperance Street from a point 17.4 metres east of Sheppard Street to a point 15 metres further east, and from a point 41.75 metres west of Bay Street to a point 5.34 metres further west for the period of April 15, 2018 to November 14, 2018, inclusive, to facilitate the construction and operation of parklet cafés as described in items 1 and 2 above.

## **FINANCIAL IMPACT**

---

There are no financial implications resulting from the adoption of this report.

All costs related to the parklet cafés will be borne by the establishments seeking permission to construct this facility.

All costs related to construction of the proposed curb extension will be borne by the Financial District Business Improvement Area.

## **DECISION HISTORY**

---

This report addresses a new initiative.

## **COMMENTS**

---

In 2016, an update to the public realm strategy for Toronto's Financial District entitled, "Raising the Standard" was completed by the Financial District Business Improvement Area (FDBIA). The strategy identified the potential to transform Temperance Street into a flexible, shared street that would provide a vibrant and welcoming destination for visitors and for people living and working in the area.

The FDBIA approached the Transportation Services Division shortly after the report was completed with a proposal for the implementation and evaluation of a pilot project on Temperance Street between Sheppard Street and Bay Street. The first phase includes the creation of expanded patio space for restaurants through the creation of parklet cafés, along with the installation of on-street bicycle corrals and a Bikeshare station on Sheppard Street. An existing Wheel-Trans stop is proposed to be relocated to facilitate the new street design. It was further proposed that streetscape improvements for this section of the street would be implemented as a future project phase.

Temperance Street is designated as a collector road with one westbound travel lane. The proposed design will maintain existing vehicular operations with a reduced lane width, improve pedestrian and bicycle infrastructure, and relocate the existing TTC Wheel-Trans stop to the north side of Temperance Street in order to maintain a straight roadway alignment. Proposed amendments to parking regulations will prevent illegal parking, standing and stopping during the sidewalk café season.

Sheppard Street is designated as a collector road with a travel lane in each direction that connects Adelaide Street West to Richmond Street West. The proposed design will maintain existing vehicular operations with reduced lane widths. This street is scheduled to be reconstructed in 2019. The curb extension will be completed in conjunction with this work. The Bikeshare station will be installed following the completion of the curb extension.

This proposal does not result in a reduction of parking spaces or vehicular travel lanes.

As the project proponent, the FDBIA is fully supportive of the recommendations contained within this staff report.

The FDBIA has consulted with the Ward Councillor's office and adjacent landowners as part of their proposal to the City. Transportation Services has consulted with Bikeshare, Transportation Services, and TTC Wheel-Trans staff in the preparation of this report.

## **CONTACT**

---

Fiona Chapman  
Manager, Pedestrian Projects  
Public Realm Section  
Transportation Services  
Tel: 416-392-0828  
Email: [fiona.chapman@toronto.ca](mailto:fiona.chapman@toronto.ca)

## **SIGNATURE**

---



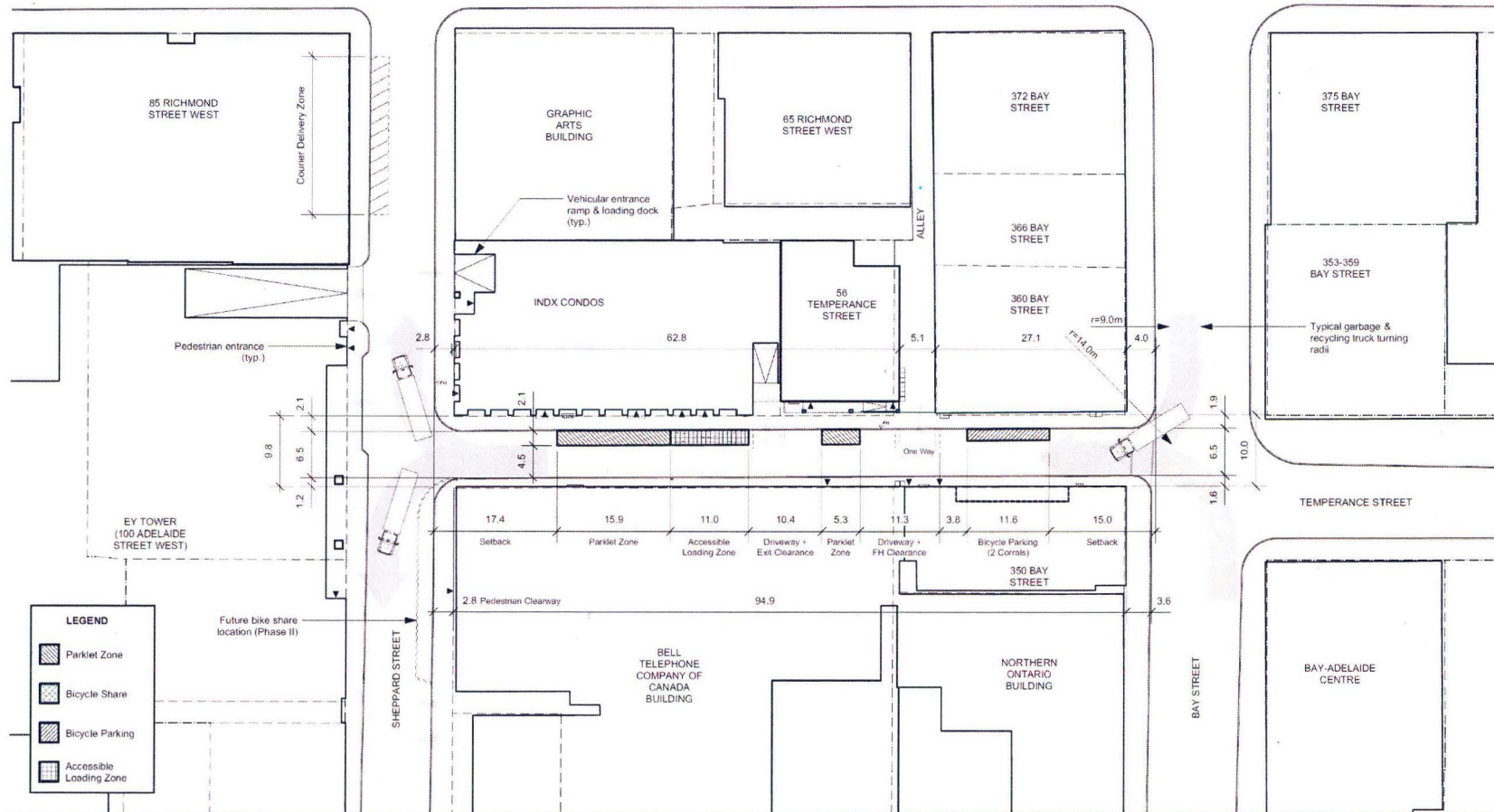
Elyse Parker  
Director, Public Realm Section  
Transportation Services

## **ATTACHMENTS**

---

Appendix A - Schematic Site Plan  
Appendix B - Proposed Roadway Alterations  
Appendix C - Plan View of By-Laws to be Rescinded during Pilot Program  
Appendix D - Plan View of By-Laws to be Enacted during Pilot Program  
Appendix E - By-laws to be Rescinded  
Appendix F - By-laws to be Enacted

APPENDIX A - SCHEMATIC SITE PLAN



Temperance Street Parklet Cafés

ISSUED  
 City Report 2017.11.07  
 Revision to City Report 2017.11.16  
 Final City Report 2018.01.31

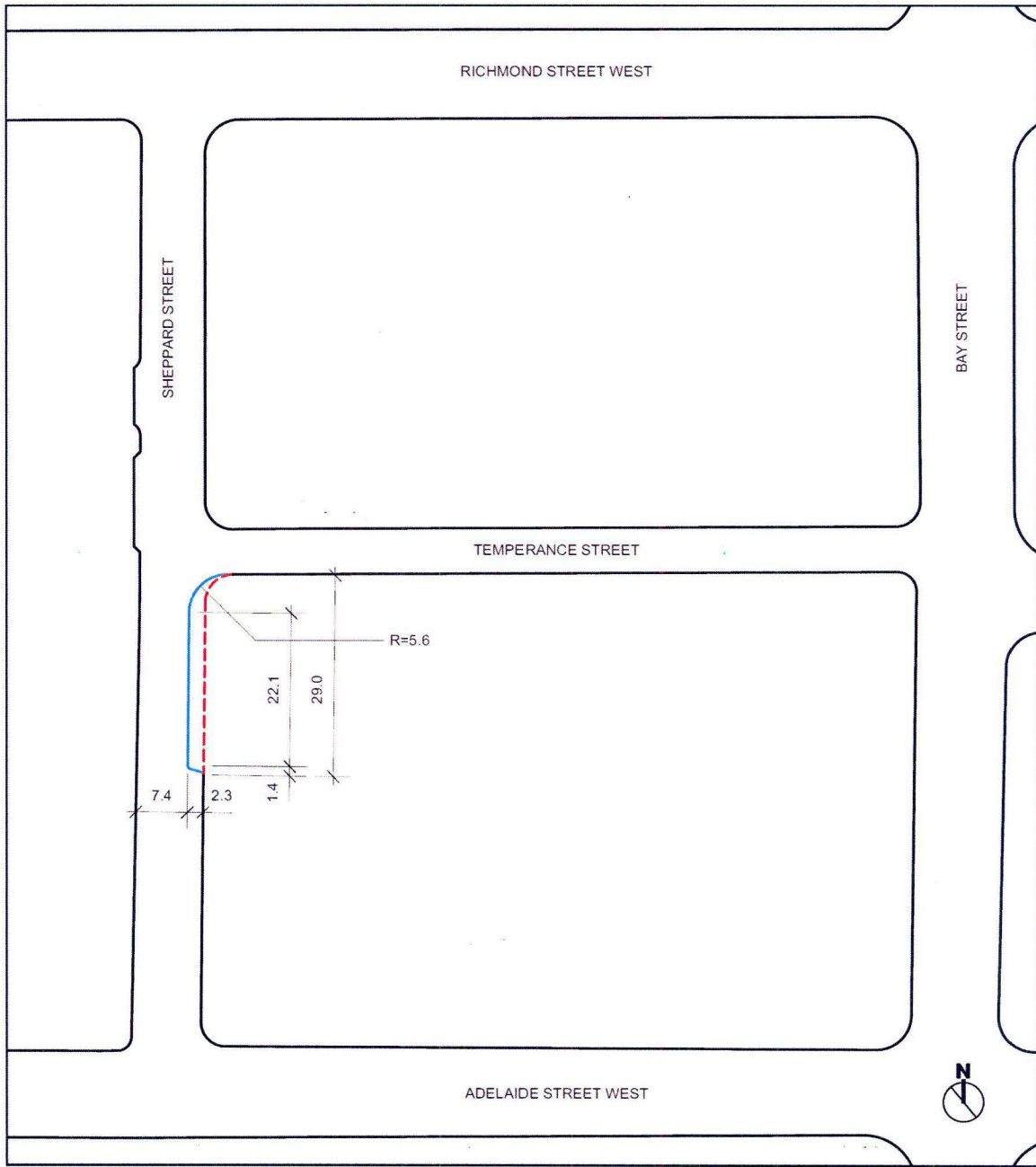
**PLANT ARCHITECT INC.** SUITE 208 - 101 SPADINA AVENUE  
 TORONTO CANADA M5V 2K2  
 TELEPHONE 1-416-979-2012  
 WWW.BRANCHPLANT.COM

All Work shall conform to the applicable local Building Code latest issue, and all other relevant authorities with jurisdiction. Do not use these drawings for construction unless they have been signed and sealed by the Architect. The Contractor shall verify all dimensions and report any discrepancies to the Architect prior to start of construction.  
**DO NOT SCALE DRAWINGS.**

Appendix A — Schematic Site Plan  
 scale: 1:500 2018.01.31  
**Temperance Street Parklet Pilot Program – Phase I**  
 Toronto Financial District BIA, Toronto, Ontario  
 Project No. 16039 TORONTO & EAST YORK DISTRICT



# APPENDIX B - PROPOSED ROADWAY ALTERATIONS



**LEGEND**

- EXISTING CURB TO REMAIN
- - - EXISTING CURB TO BE REMOVED
- PROPOSED CURB

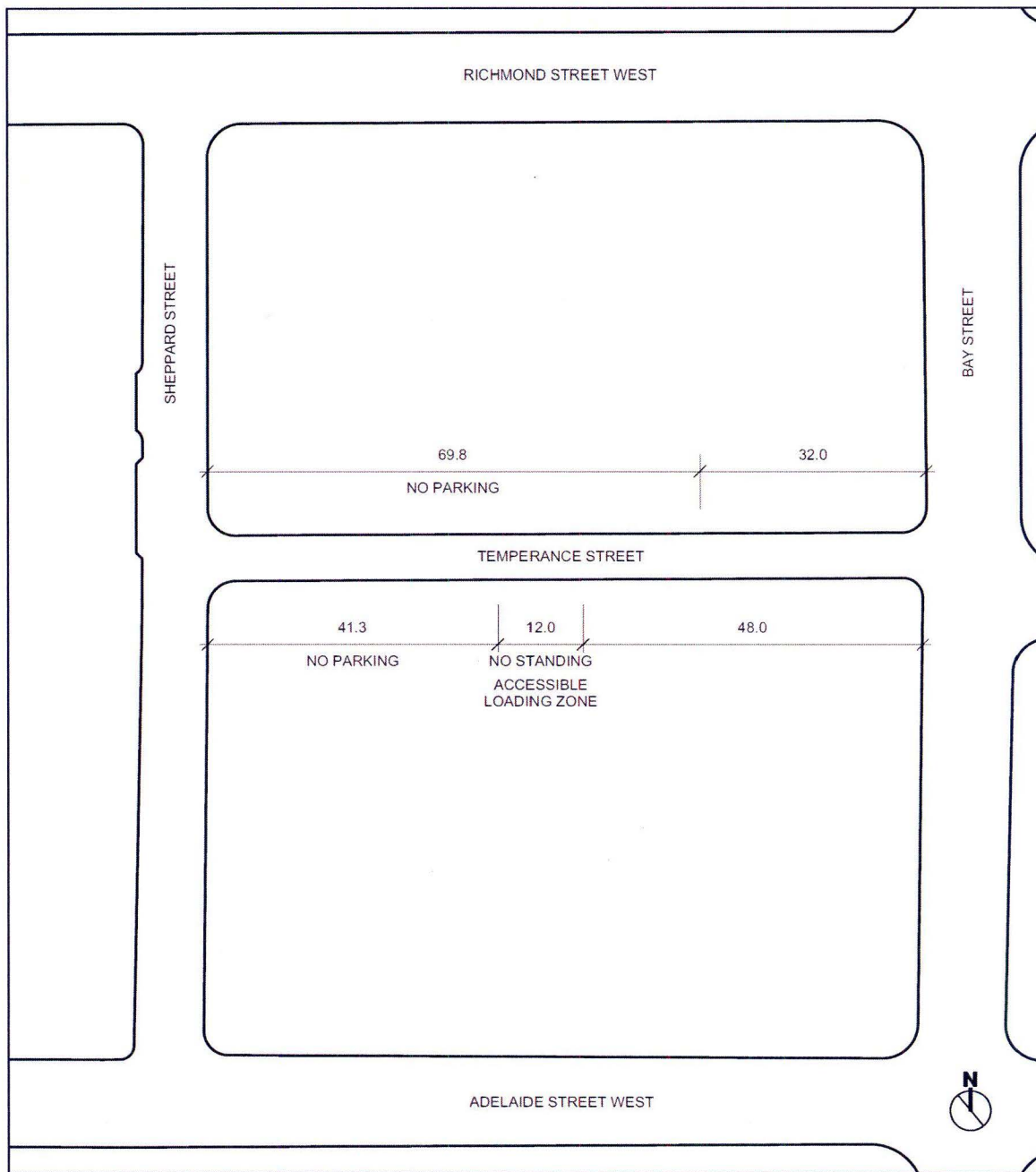
Appendix B – Proposed Roadway Alterations

scale: nts 2018.01.31

**Temperance Street Parklet Pilot Program**

Toronto Financial District BIA, Toronto, Ontario TORONTO & EAST YORK DISTRICT

# APPENDIX C - PLAN VIEW OF BY-LAWS TO BE RESCINDED DURING PILOT PROGRAM



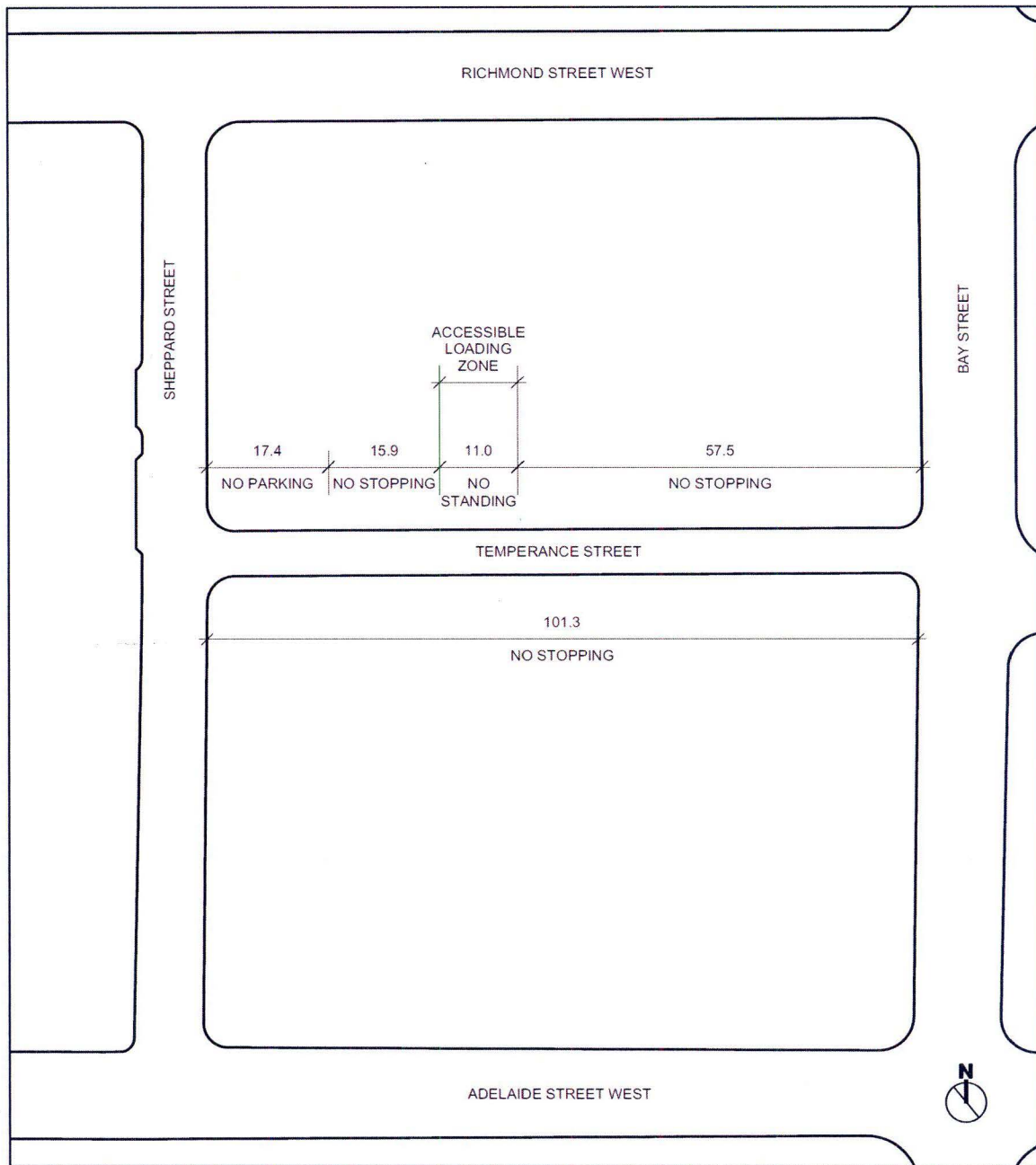
Appendix C — Plan View of by-Laws to be Rescinded during Pilot Program

scale: nts 2018.01.31

**Temperance Street Parklet Pilot Program**

Toronto Financial District BIA, Toronto, Ontario TORONTO & EAST YORK DISTRICT

# APPENDIX D - PLAN VIEW OF BY-LAWS TO BE ENACTED DURING PILOT PROGRAM



## Appendix D — Plan View of by-Laws to be Enacted during Pilot Program

scale: nts 2018.01.31

### Temperance Street Parklet Pilot Program

Toronto Financial District BIA, Toronto, Ontario TORONTO & EAST YORK DISTRICT

## APPENDIX E - BY-LAWS TO BE RESCINDED

---

### No Standing

Highway	Side	Between	Prohibited Times and/or Days
Temperance Street	South	A point 48 metres west of Bay Street and a point 12 metres further west	Anytime

### No Parking

Highway	Side	Between	Prohibited Times and/or Days
Temperance Street	North	A point 32 metres west of Bay Street and Sheppard Street	Anytime
Temperance Street	South	Sheppard Street and a point 60 metres west of Bay Street	Anytime

### Accessible Loading Zone

Highway	Side	Between	Times and/or Days
Temperance Street	South	A point 48 metres west of Bay Street and a point 12 metres further west	Anytime

## APPENDIX F - BY-LAWS TO BE ENACTED

---

### No Stopping

Highway	Side	Between	Prohibited Times and/or Days
Temperance Street	South	Bay Street and Sheppard Street	Anytime, April 15, 2018 to November 14, 2018
Temperance Street	North	A point 17.4 metres east of Sheppard Street and a point 15.9 metres further east	Anytime, April 15, 2018 to November 14, 2018
Temperance Street	North	A point 44.3 metres east of Sheppard Street and Bay Street	Anytime, April 15, 2018 to November 14, 2018

### No Standing

Highway	Side	Between	Prohibited Times and/or Days
Temperance Street	North	A point 33.3 metres east of Sheppard Street and a point 11 metres further east	Anytime, April 15, 2018 to November 14, 2018

### No Parking

Highway	Side	Between	Prohibited Times and/or Days
Temperance Street	North	Sheppard Street and a point 17.4 metres east	Anytime, April 15, 2018 to November 14, 2018

### Accessible Loading Zone

Highway	Side	Between	Times and/or Days
Temperance Street	North	A point 33.3 metres east of Sheppard Street and a point 11 metres further east	Anytime, April 15, 2018 to November 14, 2018