

EC2.3 Attachments 1-8

Attachment 1(a)

Additions to Municipal Code, Chapter 441 related to fees for sidewalk cafes, marketing displays and parklets

Chapter 441 Ref. #	Service	Fee description	Category	Fee basis	Fee*	Annual Adjustment
MS455	Licence & Permit Issuance	Application fee: Sidewalk Café permit	Full cost recovery	Application	\$865.00	Yes
MS470	Licence & Permit Issuance	Application fee: Marketing permit	Full cost recovery	Application	\$765.00	Yes
MS464	Licence & Permit Issuance	Permit Transfer fee: Sidewalk Café and Marketing	Full cost recovery	Application	\$676.27	Yes

Permit Fees that apply to new applications; and to existing permits upon transfer, permit cancelation, or following a conviction under the harmonized bylaw

Chapter 441 Ref. #	Service	Fee description	Category	Fee basis	Fee*	Annual Adjustment**
MS456	Licence & Permit Issuance	Annual fee: Sidewalk Café permit: Central zone	Market Based	Square Metre	\$88.31	Yes
MS457	Licence & Permit Issuance	Annual fee: Sidewalk Café permit: Outer zone	Market Based	Square Metre	\$44.14	Yes
MS458	Licence & Permit Issuance	Annual fee: Marketing Display permit: Central zone	Market Based	Square Metre	\$62.65	Yes
MS459	Licence & Permit Issuance	Annual fee: Marketing Display permit: Outer zone	Market Based	Square Metre	\$38.12	Yes

* Fees in NIA's and Kensington Market are subject to 15% discount

** Annual adjustment will be applied once the permit fees are fully implemented

Deletion from Municipal Code, Chapter 441 related to fees for sidewalk cafes and marketing displays effective September 1, 2019

Chapter 441 Ref. #	Service	Fee description	Category	Fee basis	Fee
MS279	Licence & Permit Issuance	Application fee: Boulevard Café permit	City Policy	Application	\$253.31
MS281	Licence & Permit Issuance	Application fee: Boulevard Marketing permit	City Policy	Application	\$84.35
MS301	Licence & Permit Issuance	Annual fee: Boulevard Café permit - Area 1	Full Cost Recovery	Square metre	\$83.43
MS303	Licence & Permit Issuance	Annual fee: Boulevard Café permit - Area 2	Full Cost Recovery	Square metre	\$41.70
MS305	Licence & Permit Issuance	Annual fee: Boulevard Café permit - Area 3	Full Cost Recovery	Square metre	\$20.87
MS307	Licence & Permit Issuance	Annual fee: Boulevard Café permit - East York	Full Cost Recovery	Square metre	\$22.71
MS311	Licence & Permit Issuance	Annual fee: Boulevard Marketing permit - Area 1	Full Cost Recovery	Square metre	\$94.87
MS313	Licence & Permit Issuance	Annual fee: Boulevard Marketing permit - Area 2	Full Cost Recovery	Square metre	\$47.51
MS315	Licence & Permit Issuance	Annual fee: Boulevard Marketing permit - Area 3	Full Cost Recovery	Square metre	\$23.78
MS317	Licence & Permit Issuance	Annual fee: Boulevard Marketing permit - East York	Full Cost Recovery	Square metre	\$22.71
MS409	Licence & Permit Issuance	Application fee: Boulevard Café permit - East York	Full Cost Recovery	Application	\$57.72
MS410	Licence & Permit Issuance	Application fee: Boulevard Marketing permit - East York	Full Cost Recovery	Application	\$57.72

Toronto Parking Authority – Parklet Café Permit Fees

Chapter 441 Ref. #	Service	Fee description	Category	Fee basis	Fee*	Annual Adjustment
MS462	Licence & Permit Issuance	Monthly Fee: Parklet Café Central zone	Market Based	Each	\$1,093.00	No**
MS463	Licence & Permit Issuance	Monthly Fee: Parklet Café Outer zone	Market Based	Each	\$683.00	No**

* fee is for the average size of 1 parking space

** Subject to increases in accordance with Toronto Parking Authority

Parks and Forestry

Chapter 441 Ref. #	Service	Fee description	Category	Fee basis	Fee	Annual Adjustment
PRxxx		Funds tree planting across the City		Each	\$650.00	No

Transportation

Chapter 441 Ref. #	Service	Fee description	Category	Fee basis	Fee	Annual Adjustment
Xxx	Permits & Applications	Application fee: Public Parklet All Zones	City Policy	Each parking space	\$568.71	Yes

Attachment 1 (b): Permit fees for existing permit holders

Annual Sidewalk Café Permit Fees for Existing Permit Holders*: 2019-2028

Current (Former) Zone	Current Fee (\$/m2) (a)	New Zone	Annual Increase to (a)***	Annual Permit Fee (\$/m2)
Toronto Area 1	\$83.43	Central Zone	\$0.49	N/A
Toronto Area 2	\$41.70	Central Zone	\$4.66	N/A
Toronto Area 2	\$41.70	Outer Zone	\$0.24	N/A
Toronto Area 3	\$20.87	Central Zone	\$6.74	N/A
Toronto Area 3	\$20.87	Outer Zone	\$2.33	N/A
Etobicoke	\$11.00	Outer Zone	\$3.31	N/A
North York**	\$114.12	Outer Zone	N/A	\$44.14
York	\$5.50	Outer Zone	\$3.86	N/A
East York	\$22.71	Outer Zone	\$2.14	N/A

* Annual Adjustment will be applied after the permit fees are fully implemented, starting in 2029

** Denotes locations where permits were discounted through harmonization

*** Discount of 15% applies to permits located in Neighbourhood Improvement Areas and Kensington Market

Annual Marketing Display Permit Fees for Existing Permit Holders*: 2019-2028

Current (Former) Zone	Current Fee (\$/m2) (a)	New Zone	Annual Increase to (a)***	Annual Permit Fee (\$/m2)
Toronto Area 1**	\$94.87	Central Zone	N/A	\$62.65
Toronto Area 2	\$47.51	Central Zone	\$1.51	N/A
Toronto Area 2**	\$47.51	Outer Zone	N/A	\$38.12
Toronto Area 3	\$23.77	Central Zone	\$3.89	N/A
Toronto Area 3	\$23.77	Outer Zone	\$1.44	N/A
Etobicoke	\$11.00	Outer Zone	\$2.71	N/A
North York**	\$114.12	Outer Zone	N/A	\$38.12
York	\$5.50	Outer Zone	\$3.26	N/A
East York	\$22.71	Outer Zone	\$1.54	N/A

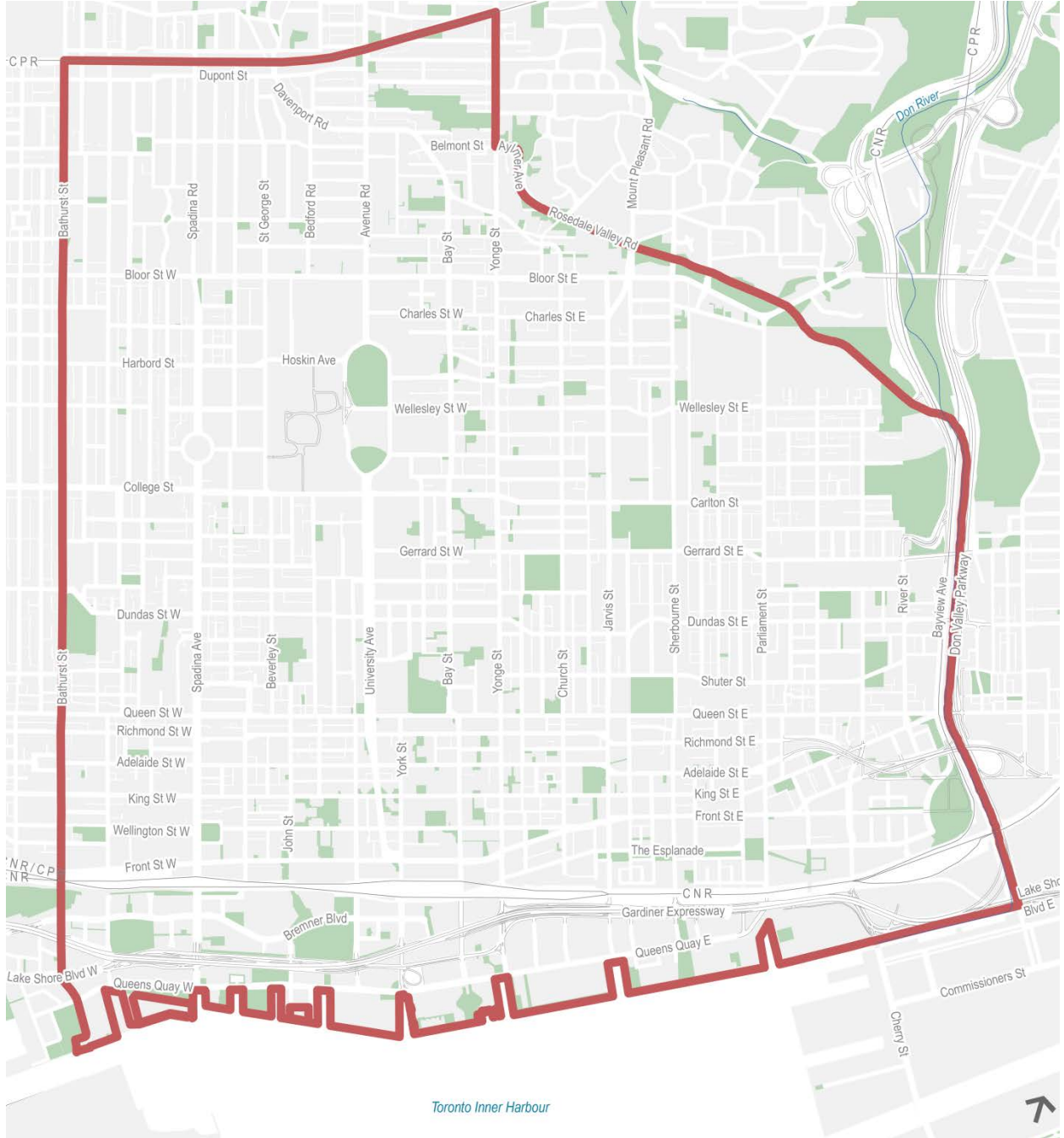
* Annual Adjustment will be applied after the permit fees are fully implemented, starting in 2029.

** Denotes locations where permits were discounted through harmonization

*** Discount of 15% applies to permits located in Neighbourhood Improvement Areas and Kensington Market.

Attachment 1 (c): Sidewalk café and marketing display permit fee zones

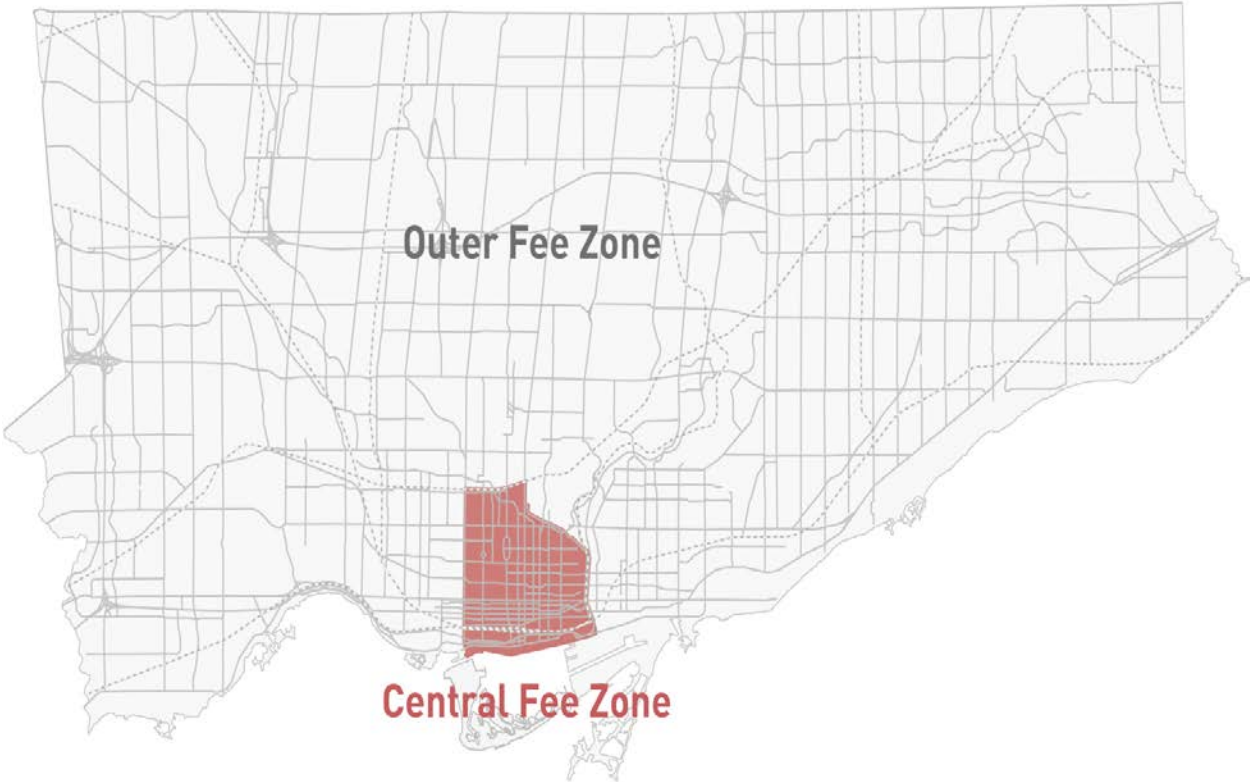
The Central Zone permit fee shall apply to any permit located within the area bounded by the heavy line in Map 1.



Map 1: Central Fee Zone

The Outer Zone permit fee shall apply to any permit located in the geographic boundary of Toronto, with the exception of locations that are within the Central Zone as depicted and described in Map 1. The Outer Zone permit fee shall apply along both sides of any street that forms a boundary between the Central Zone and the Outer Zone.

Map 2: Outer Fee Zone



Attachment 2 (a): Comparison of Application Fee by Use – Current and Proposed

Former Municipality	Current Application Fee		Proposed Application Fee	
	Marketing Display	Sidewalk Café	Marketing Display	Sidewalk Cafe
Toronto	\$93.45	\$280.62	\$765	\$865
Etobicoke	\$96.00	\$845.14		
North York	\$250.00	\$250.00		
York	\$250.00	\$250.00		
East York	\$63.95	63.95		

Attachment 2 (b): Distribution of permits by zone - Current and Proposed

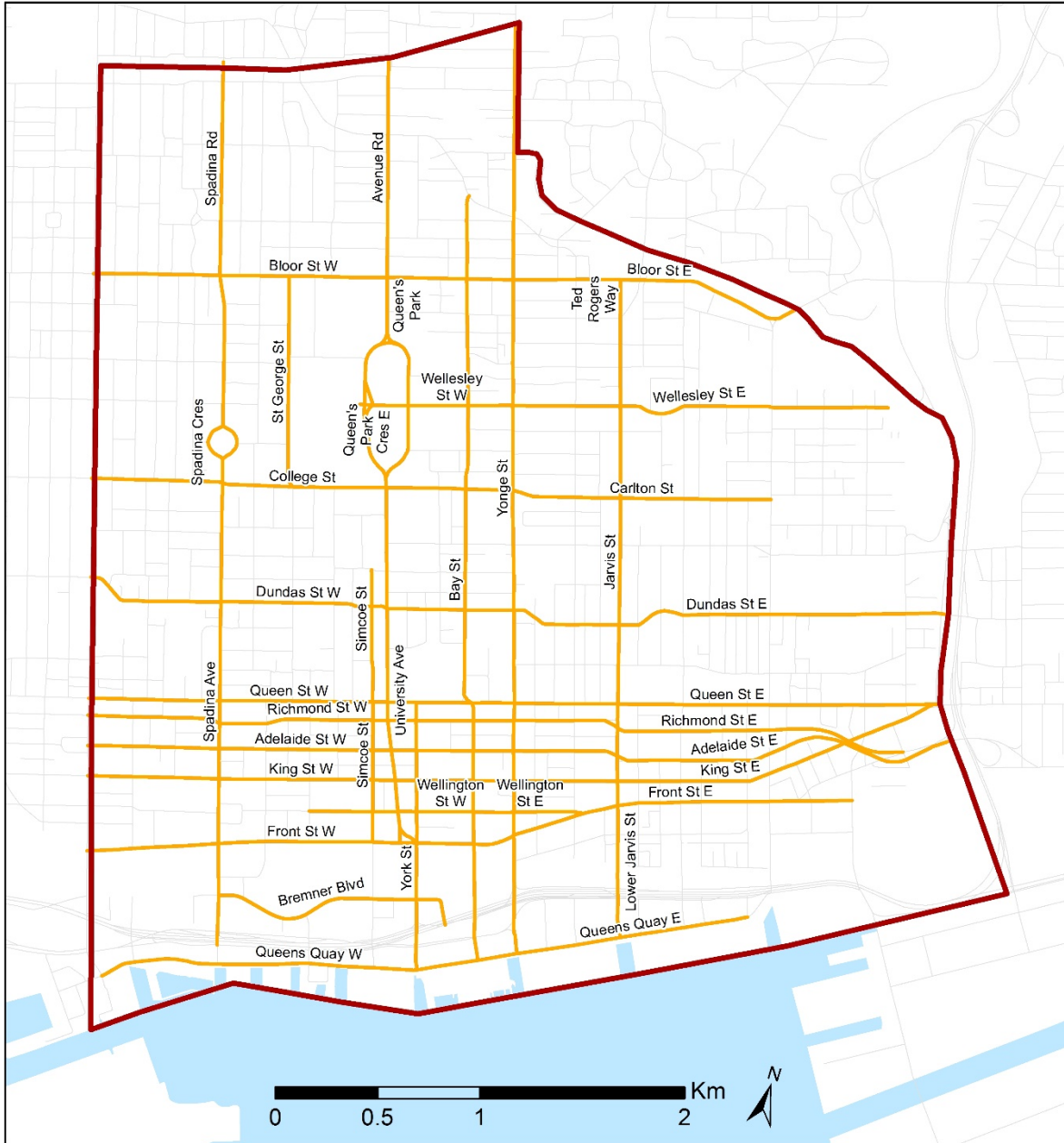
Table 1, Sidewalk Café Permits

Current Zone	Current Distribution of Permits	Permits Redistributed to Central Zone	Permits Redistributed to Outer Zone
Toronto Area 1	19	19	0
Toronto Area 2	201	154	47
Toronto Area 3	436	81	355
Etobicoke	20	0	20
North York	9	0	9
York	9	0	9
East York	16	0	16

Table 2, Marketing Display Permits

Current Zone	Current Distribution of Permits	Permits Redistributed to Central Zone	Permits Redistributed to Outer Zone
Toronto Area 1	0	0	0
Toronto Area 2	59	43	16
Toronto Area 3	158	15	143
Etobicoke	2	0	2
North York	3	0	3
York	1	0	1
East York	4	0	4

Attachment 3: Map of Downtown streets where wider pedestrian clearways are required only on sidewalks wider than 5 metres (measured from building's exterior wall to curb face)



Proposed Downtown Streets Where Wider Pedestrian Clearways Are Required for Sidewalks Wider Than 5 Metres

Legend

- Proposed Streets
- Other Streets/Roadways
- Downtown Plan Boundary
- Lake Ontario

Attachment 4: Impact analysis on existing café and marketing permits of a wider pedestrian clearway on proposed Downtown streets

Streets where there will be no impact:

The following streets do not currently have any permitted sidewalk cafes or displays along them, within the Downtown area. The proposal for a wider pedestrian clearway along these streets will therefore have no impact for existing businesses:

Avenue Road, Richmond St East, Front St West, Queens Quay West, Queens Quay East, Wellesley St West, Spadina Crescent, Spadina Road, Queens Park Crescent East, Queens Park Crescent West, Queens Park, York Street, University Avenue, Lower Jarvis Street, Ted Rogers Way, St George Street, Simcoe Street

Downtown streets where there will be an impact:

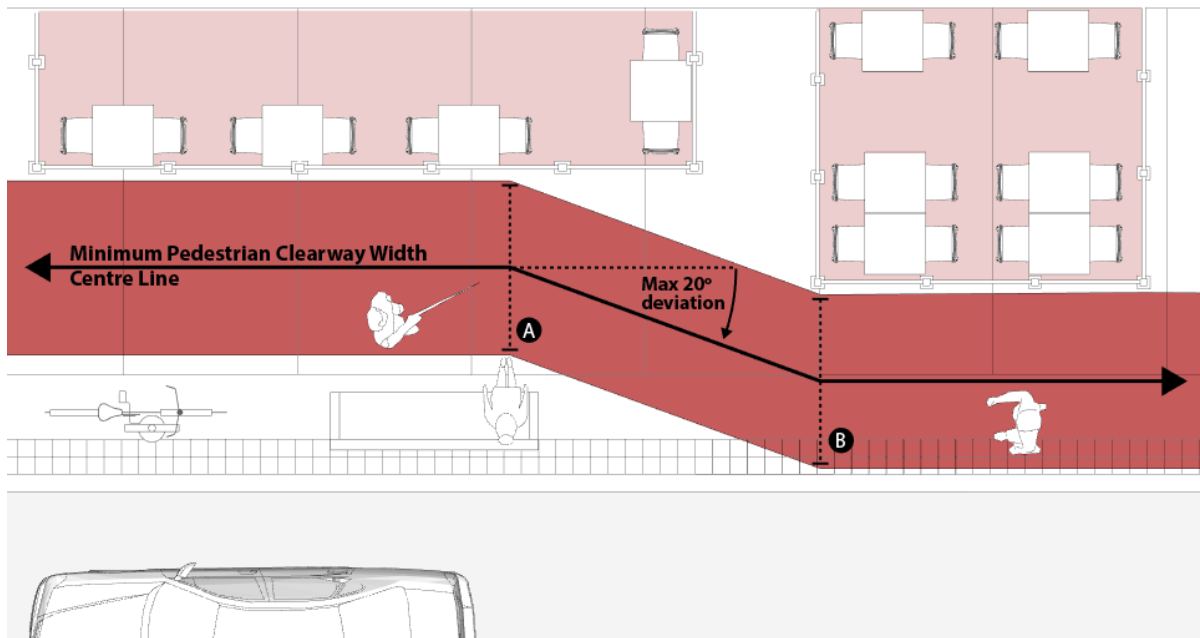
Streets listed in the table below have sidewalk zones that are at least 5 metres. On these segments, a 2.5m pedestrian clearway is recommended. The permits on these segments will be required to provide the 2.5m pedestrian clearway at the time of permit transfer.

Downtown Streets with Higher Pedestrian Clearway Requirement (proposed)	No. of permits on streets where the sidewalk zone is at least 5 metres, where a 2.5m pedestrian clearway is not currently provided	
	Sidewalk Cafes	Marketing Displays
King St West	12	0
Bloor Street West	9	0
College Street	5	0
Queen St West	6	1
Spadina Avenue	6	16
Yonge Street	5	0
Dundas St West	1	0
Adelaide St West	2	0
King St East	2	0
Bloor Street East	1	0
Carlton Street	1	0
Dundas St East	1	0
Queen St East	1	0
Adelaide St East	1	0
Wellington St East	1	0
Bremner Boulevard	1	0
Wellesley St East	1	0

Attachment 5: Measuring pedestrian clearway width and changes in direction

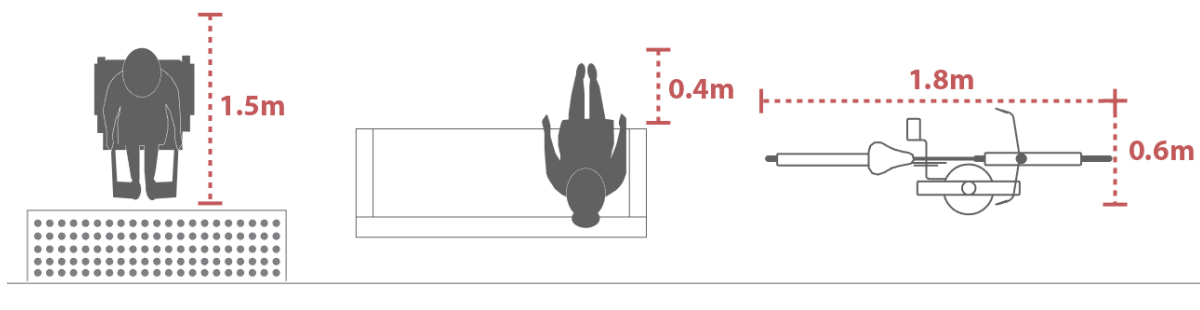
As illustrated in Figure 6, the pedestrian clearway must be measured from the outermost edge of the permit area to **(A)** the nearest obstruction or **(B)** the back of curb. A change in direction shall be measured using the midpoint of the minimum pedestrian clearway width. The pedestrian clearway must not have changes in direction that are more than 20 degrees.

Figure 6: Measuring changes in the pedestrian clearway



When measuring to the nearest obstruction, measurements must account for space required to use certain elements. The following illustrations provide common examples of buffer distances that should be given to accommodate the use of common elements (e.g. a wheelchair manoeuvring on a transit ramp, a seated person on a bench, and the dimensions of a bicycle attached to a bike ring). See Figure 7 below.

Figure 7: Common clearway buffer considerations



Attachment 6 (a): Minimum separation distances for all sidewalk cafés and marketing displays from street furniture and utilities

The table below and on the next page lists minimum separation requirements for fixed and portable sidewalk café and marketing elements from street furniture, transit stops and utilities.

These standards ensure that street furniture, transit stops and utilities can function for their intended purpose and can be accessed and maintained. They are not the pedestrian clearway requirements, which still must be met for safe, accessible pedestrian movement.

These standards were determined through consultation with stakeholders including Toronto Public Utilities Coordinating Committee (TPUCC), Fire Services, Toronto Transit Commission, Urban Forestry, Street Furniture and others.

Street Furniture or Utility	Min. Separation Distances (m)	
	Fixed café elements (i.e. café fencing)	Portable café elements
bicycle ring**	2.5	2.5
catch basin**	3.0	3.0
fire hydrant or fire connections (Siamese)*	1.2	1.2
gas assets or gas meters	0.6	0.3
hydro cable chamber (from lid edge)*	2.0	0.3
hydro padmount transformer or switchgear*	3.0	3.0
hydro vault (from edge)*	1.0	1.0
Intersection or pedestrian crossover****	3.0	3.0
maintenance access point	1.0	none
other utility pole	0.6 (local street) 1.0	0.3
street light	0.6 (local street) 1.0	0.3
planter*	1.0	0.3
postering column**	1.5	1.5

Attachment 6 (b): Minimum separation distances for all sidewalk cafés and marketing displays from street furniture and utilities

The table below lists minimum separation requirements for fixed and portable sidewalk café and marketing elements from street furniture and utilities. These standards ensure that street furniture and utilities can function for their intended purpose and can be accessed and maintained. They are not the pedestrian clearway requirements, which still must be met for safe, accessible pedestrian movement.

Street Furniture or Utility	Min. Separation Distances (m)	
	Fixed café elements (i.e. café fencing)	Portable café elements
street furniture: bench, garbage/recycling bin, news corral, parking ticket kiosk	1.0	1.0
street tree* ***	1.0	0.3
traffic or parking sign pole (not at an intersection)	0.3 (local street) 1.0	0.3
traffic signal / control box (not at an intersection)	1.0	1.0
transit shelter with ads or InfoPillar with ads**	5.0	5.0
transit stops/transit stop markers or transit shelters without ads**	2.5	2.5
wayfinding signs (no ads)**	3.0	3.0

Numbers without any asterisk represent street elements that can typically be contained within the permitted café area if approved by the city.

* a minimum offset is required that is measured as a minimum radius width from the street element or utility

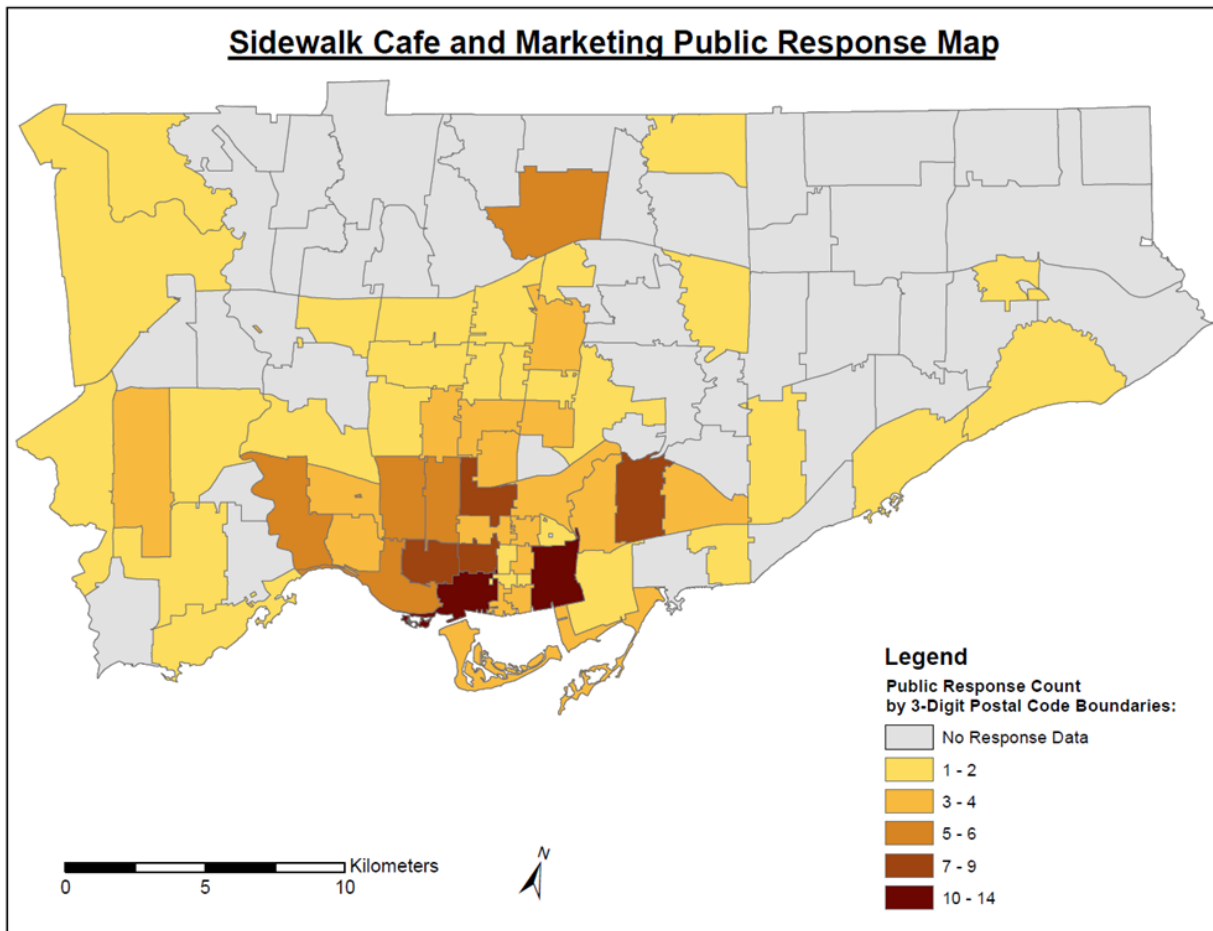
** a minimum linear offset is required that is measured along the curb edge and a minimum 2.4m width for the transit platform (area where transit riders get on/off)

*** café elements must not be placed on open soil or soft surfaces adjacent to street trees, nor be fixed to the tree pit surface, so Urban Forestry has full access

**** intersections and pedestrian crossovers require adequate space for people of all ages and abilities waiting to cross the street and for safety and visibility. Additional separation distances are required for curbside and parklet cafés for visibility and road safety.

Attachment 7: Geographic reach of summer 2017 consultations

The summer 2017 consultation process engaged people through in-person meetings and an online feedback form from June 13 to July 28. The following figure illustrates participation rates from postal code boundaries throughout the city. Note that it was optional for participants to share location information; the map shows locations that were provided voluntarily and is not an indication of all survey responses.



(Note: Not all consultation event attendees and feedback form respondents disclosed postal code information)

Attachment 8: Summary of key feedback from summer 2017 consultations

Consistent trends amongst all stakeholders:

- Support for the harmonization initiative, and in particular to implement consistent city-wide standards
- Support for the proposed new café and marketing types
- Support for pedestrian clearway requirements that are based on street type, including wider pedestrian clearways on Downtown streets with wide sidewalks and high pedestrian volumes
- General support for proposed fee zones
- General support for the revised tree fee
- General support for proposals for amplified sound and noise mitigation
- General support for the proposed method for community engagement, including the change to polling

Mixed feedback from residents and accessibility stakeholders on the following:

- *Proposed curbside café type:* generated some concerns that greater conflict will result on sidewalks between pedestrians and servers/café activities;
- *Decision-making for pedestrian clearway requirements:* some stakeholders think staff should make the final decision on applications, while others felt the decision should remain with Community Council; and
- *Proposed method of community engagement, including the change to polling:* while the majority of online respondents had no comments, a small percentage of respondents (about 5% and some written responses) are not in support of the proposal and think the polling method should be retained.

Key concerns and feedback from residents and the accessibility community:

- More enforcement is needed of A-frame signage, sidewalk cafés and marketing displays that are non-compliant and extend into the pedestrian clearway.
- Removing the requirement for fencing will allow cafés and displays to spill beyond their permitted area and make it hard for the blind and visually-impaired to navigate around cafés without walking into tables or patrons
- Accessibility stakeholders felt that the proposed pedestrian clearway minimums were not enough to accommodate people with mobility challenges and downtown pedestrian commuter traffic
- Permit fees are too low for the value of the use of public space
- 15-year period for implementing permit fee increases is too long and does not match inflation or the value of the use of public space
- Implementation plan for the pedestrian clearway standards for existing permit-holders is too long.
- Accessibility stakeholders are concerned that the proposal will not achieve a straight clearway that does not zig-zag/deviate, making it difficult for people with low or no vision to navigate
- The tree fee is too low and does not cover the full cost of planting a tree.

- Significant concerns over patio noise levels and their impact on quality of life including from residents who live in "vertical neighbourhoods" or mixed-use condominiums.
- *Year-round enclosed cafés*: some stakeholders are concerned these will become "permanent," result in sidewalk clutter, and negatively impact walking conditions in winter.

Key feedback from businesses:

- Support for the revised permit fees, which are substantially reduced from the initial proposal
- Some positive feedback for the proposed pedestrian clearway standards based on street type and character, as well as the phased approach to implementation for existing permit-holders.
- Some questions about why the City's standards exceed the Province-wide AODA minimum standard for the pedestrian clearway
- Request to remove the "minimum" requirement from pedestrian clearways so that there is greater flexibility for city staff when reviewing and approving café applications
- Concern over details on how the pedestrian clearway is measured (Eg. From the patio to the front or back of curb) as small differences in measurement methodologies may effect existing permitted sidewalk cafés significantly in some areas of the city
- Generally support for new café and marketing types – including some interest in year-round enclosed cafés
- Clarification needed on the proposed tree planting fee, including on how it is determined and applied
- Clarification needed on the application fee and cost recovery breakdown