

Extending Approval for Year-Round Operation of Parklets and Parklet Cafés on King Street and Duncan Street (Non-delegated)

Date: October 22, 2019

To: Toronto and East York Community Council

From: Director, Permits and Enforcement, Transportation Services

Wards: 10 and 13

SUMMARY

This report requests Council approval to permit cafés and public space installations to continually remain on a portion of King Street from Bathurst Street to Jarvis Street, as shown in Attachment 1, and on a portion of Duncan Street south of Richmond Street West, as shown in Attachment 2, until April 14, 2023, subject to annual permitting. Under existing authorities, the curb lanes occupied by cafés and parklets are closed to vehicular traffic until December 31, 2019 on Duncan Street and until April 14, 2020 on King Street.

This includes seeking authority to extend the temporary closure to vehicular traffic of the portions of King Street until April 14, 2023. A companion report, "Extending Approval for the Parklet Cafés on Duncan Street" has been submitted to the Toronto and East York Community Council to seek authority for extending the temporary closure to vehicular traffic of the portion of Duncan Street until April 14, 2023 to facilitate the proposed extended operations of a curb lane parklet café at The Fifth Pub House, Café and Market located at 225 Richmond Street West.

The harmonized by-law for cafés, parklets, and marketing displays requires seasonal removal of parklets and parklet cafés from November 15 to April 14 annually. Year-round installation of parklets is addressed on a case-by-case basis to allow for continued monitoring and observation of operations and maintenance of parklets in winter weather and any impacts on municipal snow removal operations.

Parklet cafés and parklets were initially implemented on King Street and Duncan Street in 2018 and were permitted to operate year-round through the winter of 2019.

RECOMMENDATIONS

The General Manager of Transportation Services recommends that:

1. City Council authorize the continuation from January 1 to April 14, and from November 15 to December 31 each year until April 14, 2023, all dates inclusive, of outdoor parklet cafés, parklets and public installations and the temporary closure, to vehicular traffic, of the required sections of the curb lanes on King Street, as described in Attachment 1 to the report (October 23, 2019) from the Director, Permits and Enforcement, Transportation Services, from April 15, 2020 to April 14, 2023 and, subject to approval by the Toronto and East York Community Council of a companion report, Item TE10.45, the continuation from January 1 to April 14, and from November 15 to December 31 each year until April 14, 2023, all dates inclusive, of outdoor parklet cafés, parklets and public installations on Duncan Street, including authorizing any by-law amendments required to do so.
2. City Council amend, despite any provision to the contrary in the new Municipal Code chapter (Municipal Code Chapter 742, Sidewalk Cafes, Parklets and Marketing Displays) for sidewalk cafes, parklets and marketing displays, as adopted by City Council in Item 2019.EC2.3, the various delegated authorities of the General Manager, Transportation Services, as well as the delegated authorities of the Executive Director, Municipal Licensing and Standards, respectively, as adopted by City Council in Item 2017.EX26.1, Item 2018.TE30.50, Item 2018.CC1.5, Item 2019.EX4.2, Item 2018.MM41.33 and Item 2018.MM1.5 to issue permits and enter into agreements for the operation of an outdoor café or public installations on a curb lane on King Street West and King Street East between Bathurst Street and Jarvis Street (which authorities are currently in effect until April 14, 2020) and, subject to approval by the Toronto and East York Community Council of a companion report, Item TE10.45, a portion of Duncan Street south of Richmond Street West (which authorities are currently in effect until December 31, 2019), to take effect until April 14, 2023.
3. City Council amend Section 937-3.6 of Municipal Code Chapter 937, Temporary Closing of Highways, by deleting the phrase ", until July 31, 2019," and replacing it with the phrase ", until April 14, 2023," and by deleting the phrase "but ending no later than April 14, 2020" and replacing it with the phrase "but ending no later than April 14, 2023", such that the General Manager, Transportation Services may until April 14, 2023 be delegated the authority to temporarily close to vehicular traffic portions of the curb lanes on King Street West and King Street East for any length of time but ending no later than April 14, 2023 for the King Street Transit Priority Corridor – Outdoor Cafés and Public Installations in the Curb Lane Public Spaces and to exempt the General Manager, Transportation Services in carrying out this delegation from Section 937-5 of Chapter 937.

FINANCIAL IMPACT

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

All costs related to permitting, building and maintaining parklet cafés and public installations will be borne by the applicants.

DECISION HISTORY

At its meeting of March 26-27, 2018, City Council adopted, as amended, Toronto and East York Community Council Item 2018.TE30.50. In so doing, Council approved the implementation of outdoor cafes and public installation in the curb lanes temporarily closed to vehicular traffic on King Street for the King Street Transit Pilot and authorized the Executive Director, Municipal Licensing and Standards to grant temporary permits for the operation of outdoor cafes within designated public spaces, subject to certain requirements.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE30.50>

At its meeting of May 22-24, 2018, City Council approved the implementation of a parklet café pilot along the westerly southbound curb lane of Duncan Street south of Richmond Street West, from May 24, 2018 to November 14, 2018.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.MM41.33>

At its meeting of December 4, 5, and 13, 2018, City Council approved the extension of the Duncan Street Parklet Pilot to December 31, 2019.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.MM1.5>

At its meeting of March 27 and 28, 2019, City Council adopted, as amended, Item 2019.EC2.3 and, in so doing, recommended a harmonized by-law and updated fees for sidewalk cafés, parklets, and marketing displays. The new by-law 899-2019, which was enacted by Council on June 19, 2019 and came into effect on September 1, 2019, permits the installation of parklets under several conditions and requires removal during the period from November 15 to April 14 annually.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EC2.3>

At its meeting of April 16 and 17, 2019, City Council authorized that King Street continue to operate as a permanent Transit Priority Corridor between Bathurst Street and Jarvis Street and authorized the continuation of outdoor cafés, public installations, and the temporary closure of the curb lane to vehicular traffic until April 14, 2020.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX4.2>

At its meeting of April 29, 2019, the Economic and Community Development Committee adopted Item EC4.7 and, in so doing, requested staff to increase opportunities for winter-focused activations including all-season patios.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EC4.7>

COMMENTS

The harmonized by-law for cafés, parklets, and marketing displays requires the removal of parklets and parklet cafés from November 15 to April 14 annually. Year-round installation of parklets is addressed on a case-by-case basis to allow for continued monitoring and observation of operations and maintenance of parklets in winter weather and any impacts on municipal snow removal operations.

The current permits for parklets and parklet cafés on Duncan Street and King Street expire on December 31, 2019, and April 14, 2020, respectively. Year-round installation and operation of parklets and parklet cafés on King Street and Duncan Street were implemented on a pilot basis over the 2018-2019 season. These parklets and parklet cafés were monitored for any adverse impacts on the vehicular right-of-way and pedestrian clearway. From observation, it was concluded that the year-round installation of these parklets and parklet cafés did not significantly impact vehicular traffic; it also did not result in any displacement of paid on-street parking. Additionally, snow storage could be accommodated in site layouts.

Winter patios are an economic development opportunity. They help to create more active and attractive streets in the city's coldest months and encourage residents and tourists to rethink Toronto as a destination for unique outdoor experiences year-round.

Maintenance, upkeep, and snow removal in permitted areas remain the responsibility of the permit holders. Maintenance standards within these areas are subject to the discretion of the General Manager of Transportation Services. Parklets and public space installations managed by the City will continue to be maintained by the City.

Annual fees are required for all parklets and parklet cafés as identified in the harmonized café by-law for the 2020 calendar year.

CONTACT

Antonia Markos
Manager, Permits and Enforcement

SIGNATURE

Dave Twaddle
Director, Permits and Enforcement
Transportation Services

ATTACHMENTS

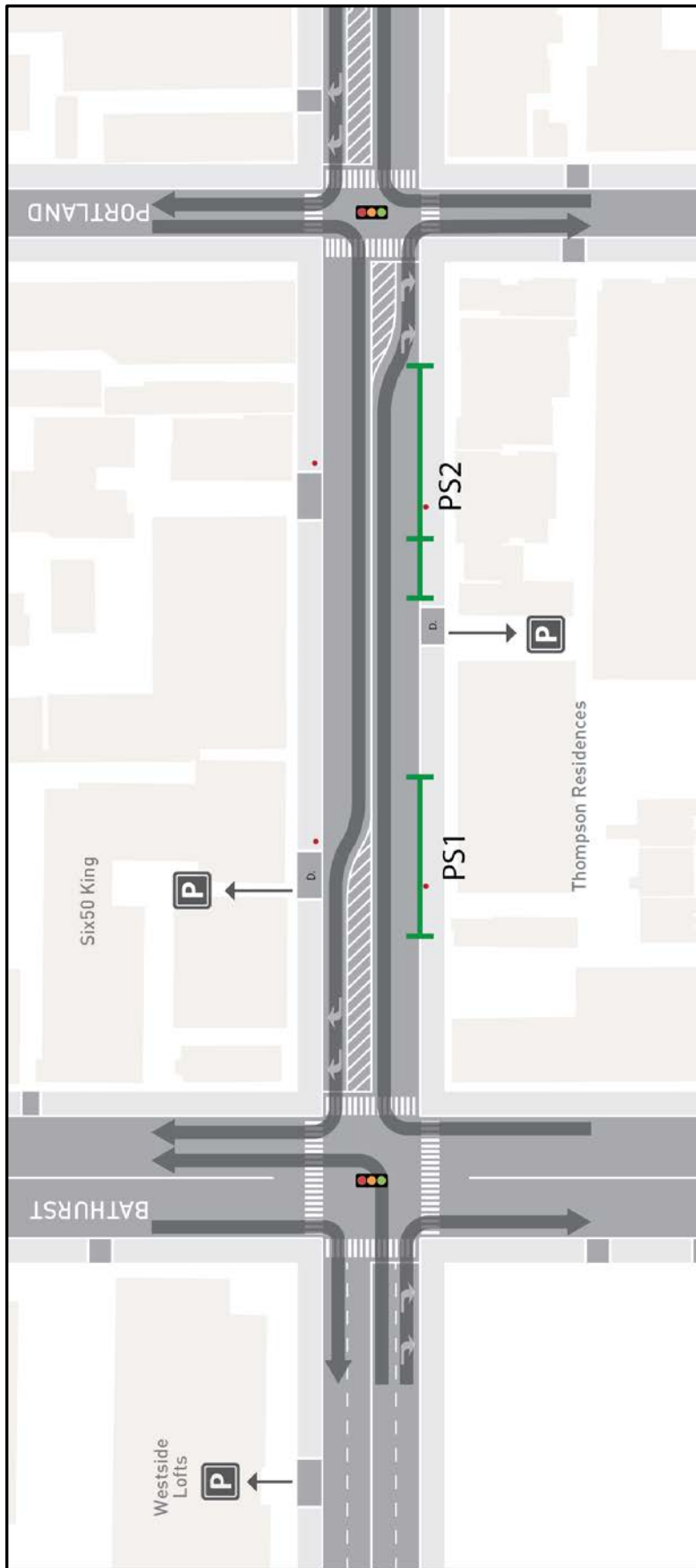
Attachment 1: Map and Schedule of King Street Public Space Areas closed to vehicles for public use and operation of Parklets, Public Space Installations, and Parklet Cafés

Attachment 2: Map of Duncan Street Parklet Café

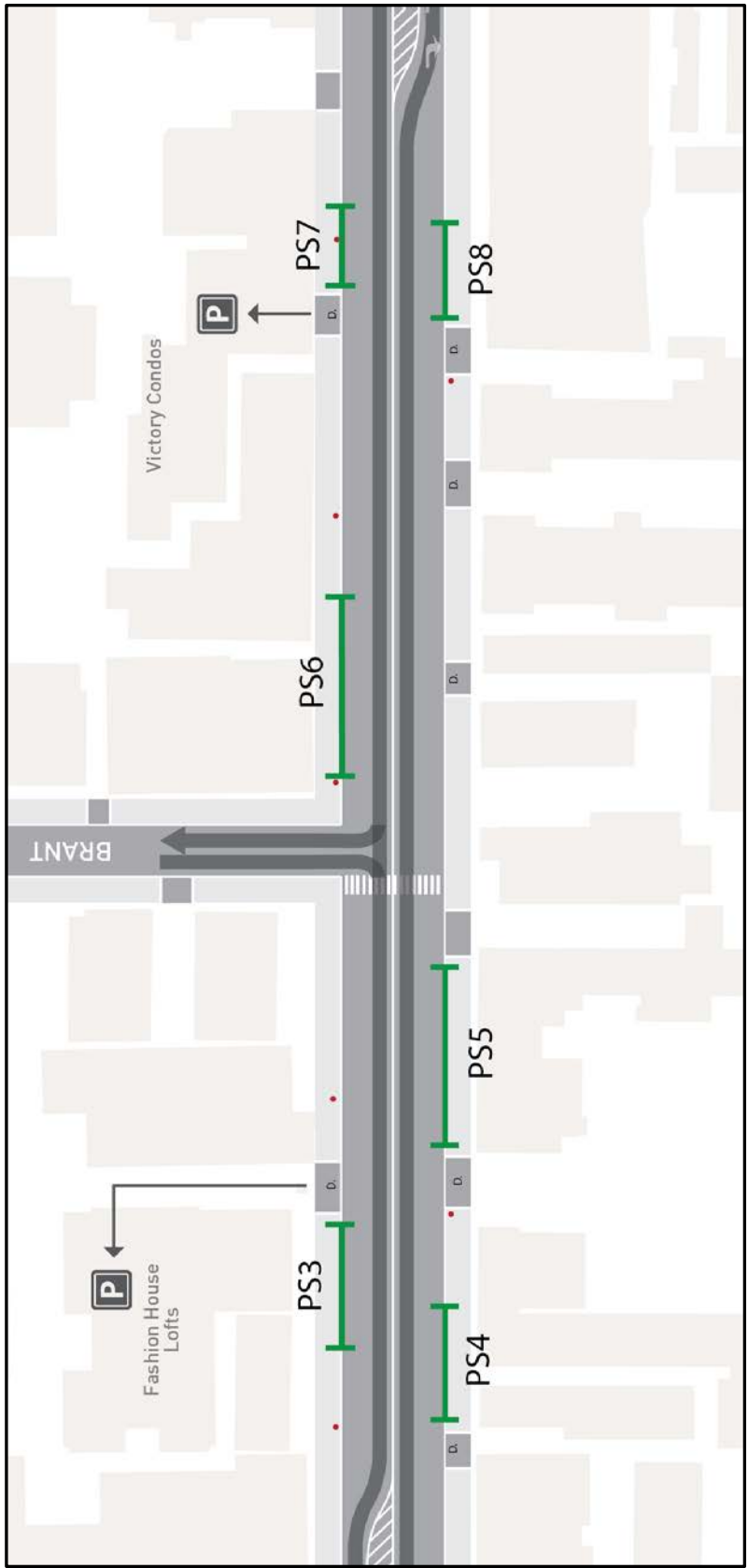
ATTACHMENT 1 - KING STREET TEMPORARY CLOSURES FOR PARKLETS, PUBLIC SPACE INSTALLATIONS, AND PARKLET CAFES

Curb Lane Public Space No.	Highway	Lane	Between
1	King Street West	Southerly Eastbound	A point 40.5 metres east of Bathurst Street and a point 31.8 metres further east
2	King Street West	Southerly Eastbound	A point 26.2 metres west of Portland Street and a point 55.3 metres further west
3	King Street West	Northerly Westbound	A point 74.0 metres west of Brant Street and a point 40.3 metres further west
4	King Street West	Southerly Eastbound	A point 74.3 metres east of Portland Street and a point 20.1 metres further east
5	King Street West	Southerly Eastbound	A point 135.4 metres east of Portland Street and a point 41.8 metres further east
6	King Street West	Northerly Westbound	A point 11.4 metres east of Brant Street and a point 26.5 metres further east
7	King Street West	Northerly Westbound	A point 71.4 metres west of Spadina Avenue and a point 16.1 metres further west
8	King Street West	Southerly Eastbound	A point 56.4 metres west of Spadina Avenue and a point 28.7 metres further west
9	King Street West	Northerly Westbound	A point 15.3 metres west of Charlotte Street and a point 30.6 metres further west
10	King Street West	Northerly Westbound	A point 13.9 metres east of Charlotte Street and a point 40.6 metres further east
11	King Street West	Southerly Eastbound	A point 72.0 metres east of Spadina Avenue and a point 32.2 metres further east
12	King Street West	Southerly Eastbound	A point 27.8 metres west of John Street and a point 59.5 metres further west
13	King Street West	Northerly Westbound	A point 10.0 metres west of Simcoe Street and a point 52.0 metres further west
14	King Street West	Southerly Eastbound	A point 88.9 metres east of John Street and a point 31.3 metres further east
15	King Street West	Southerly Eastbound	A point 37.0 metres west of Simcoe Street and a point 100.0 metres further west

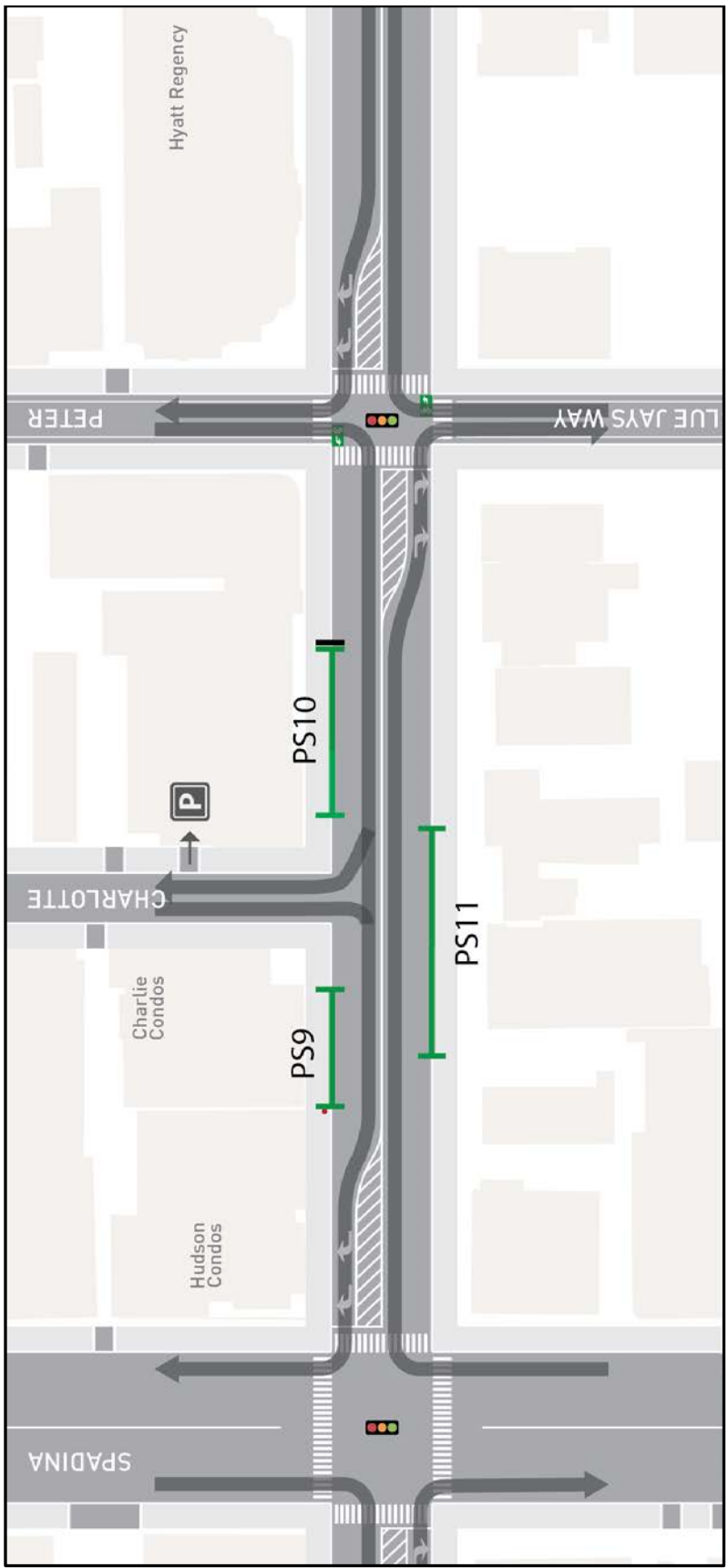
Curb Lane Public Space No.	Highway	Lane	Between
16	King Street West	Southerly Eastbound	A point 24.2 metres east of York Street and a point 17.4 metres further east
17	King Street West	Southerly Eastbound	A point 5.4 metres east of Jordan Street and a point 10.3 metres further east
18	King Street East	Southerly Eastbound	A point 50.3 metres east of Yonge Street and a point 7.0 metres further east
19	King Street East	Northerly Westbound	A point 7.1 metres east of Victoria Street and a point 38.2 metres further east
20	King Street East	Northerly Westbound	A point 42.0 metres west of Church Street and a point 15.0 metres further west
21	King Street East	Northerly Westbound	A point 40.3 metres west of Jarvis Street and a point 85.4 metres further west
22	King Street East	Southerly Eastbound	A point 63.7 metres east of Church Street and a point 36.3 metres further east



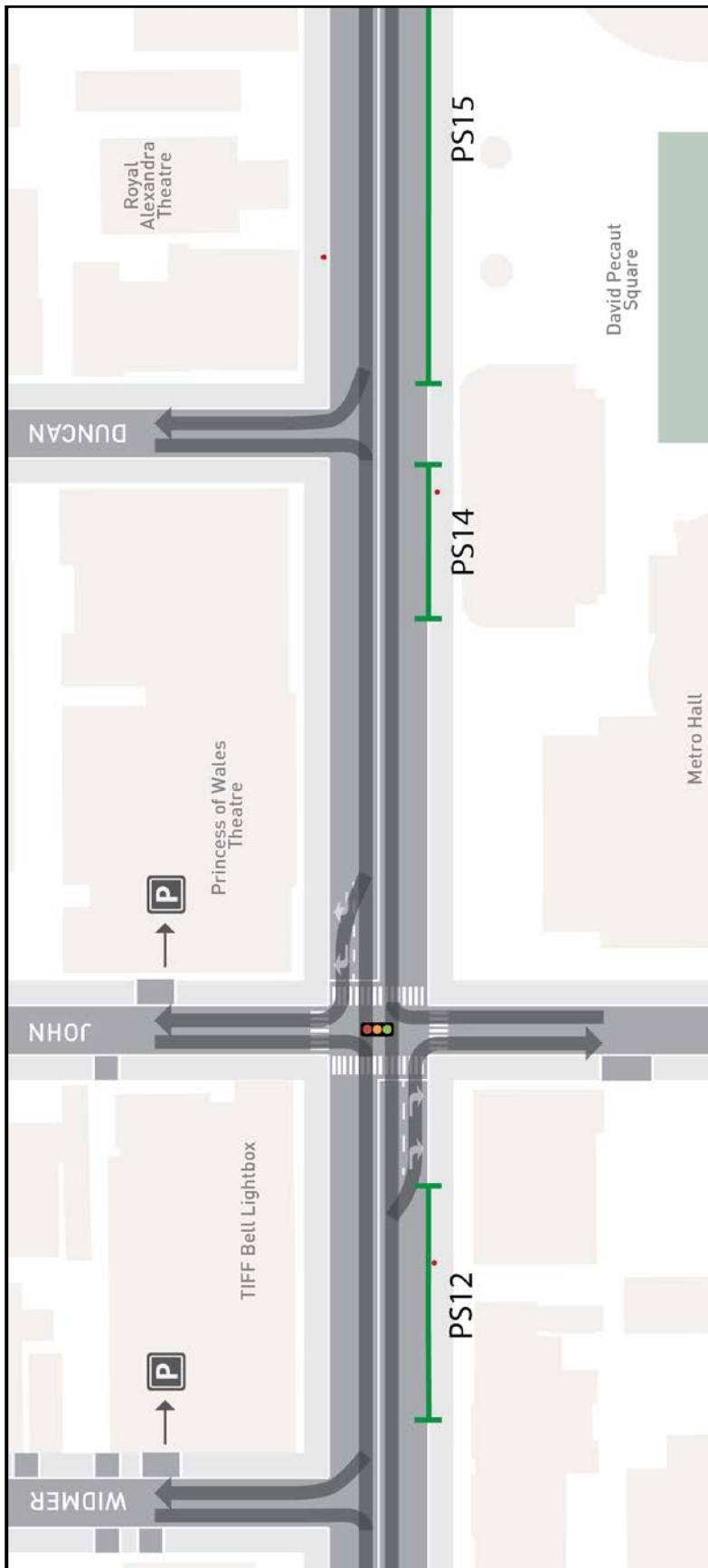
Extending Authority for Parklet Cafés and Parklets



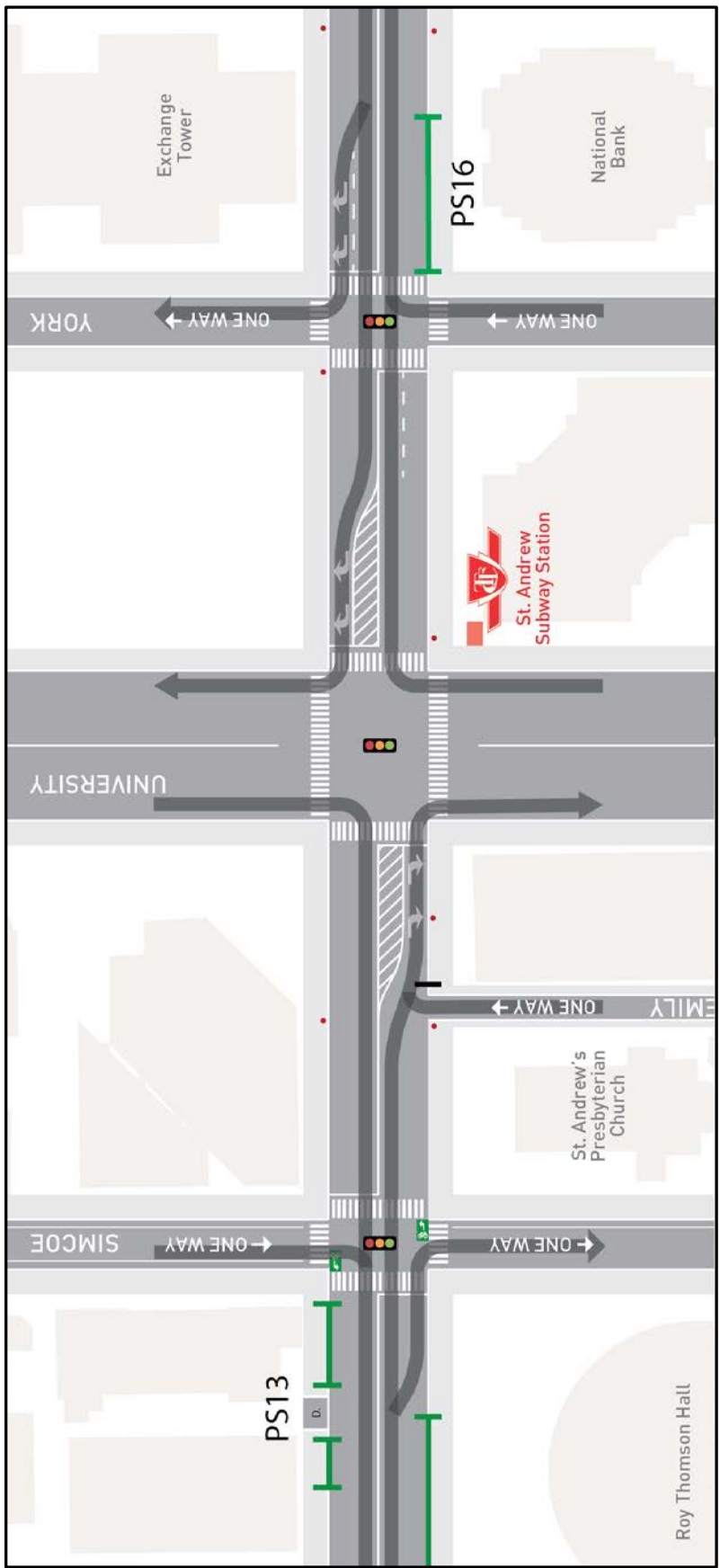
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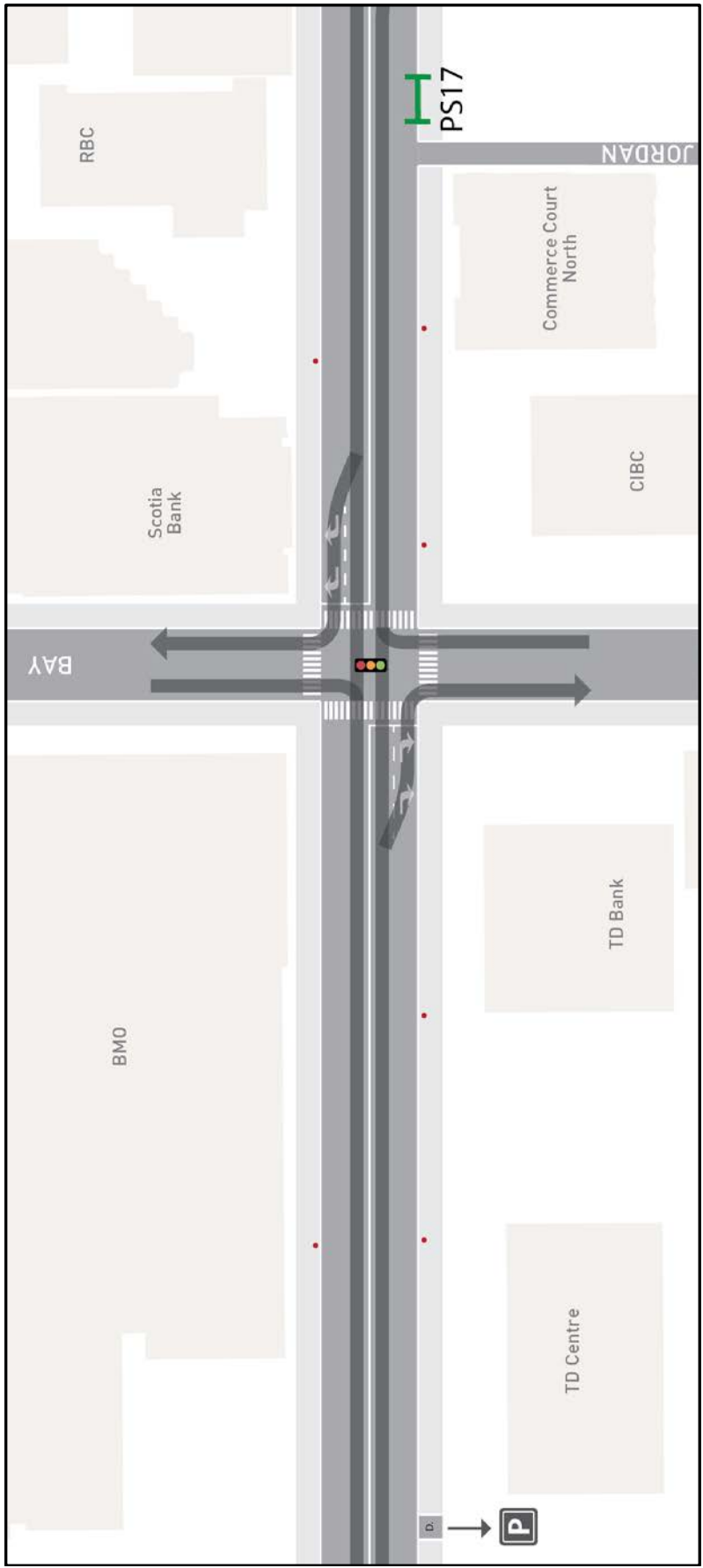
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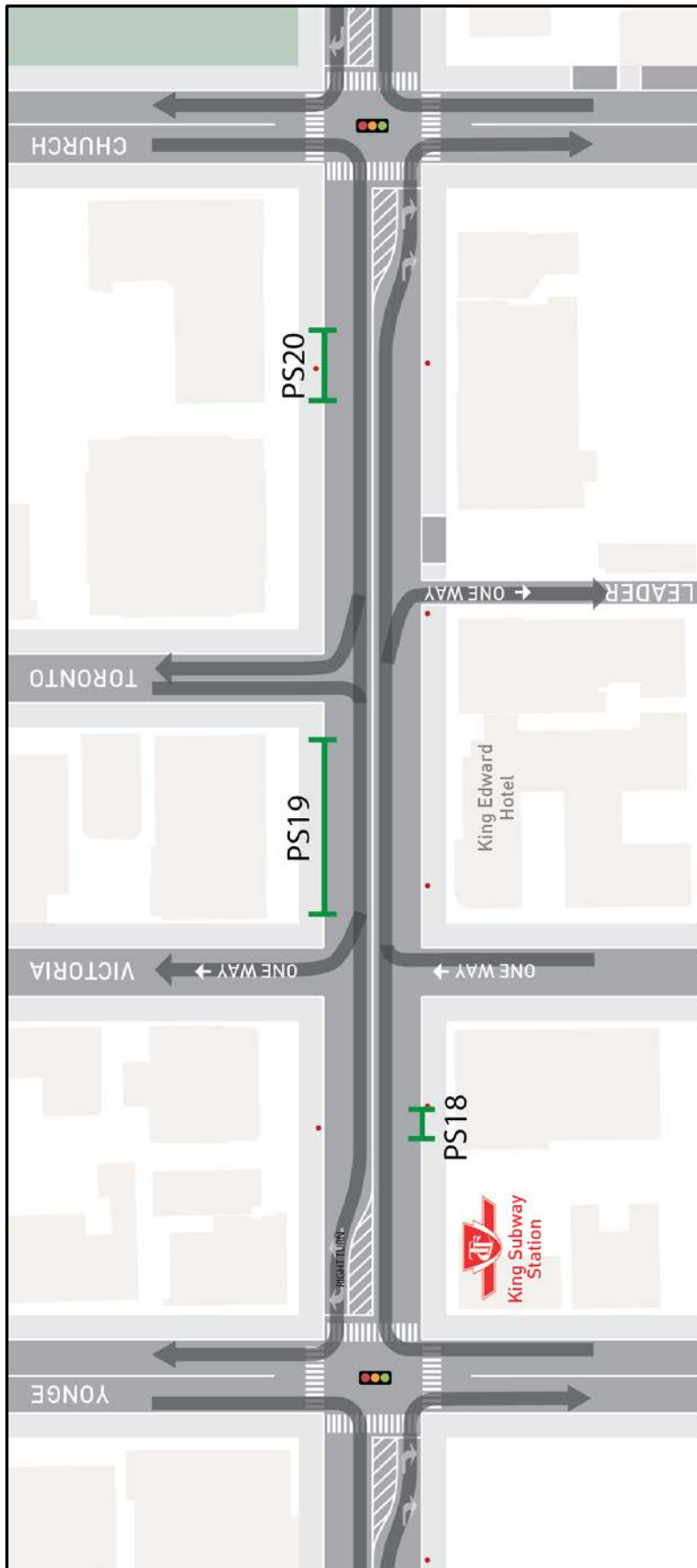
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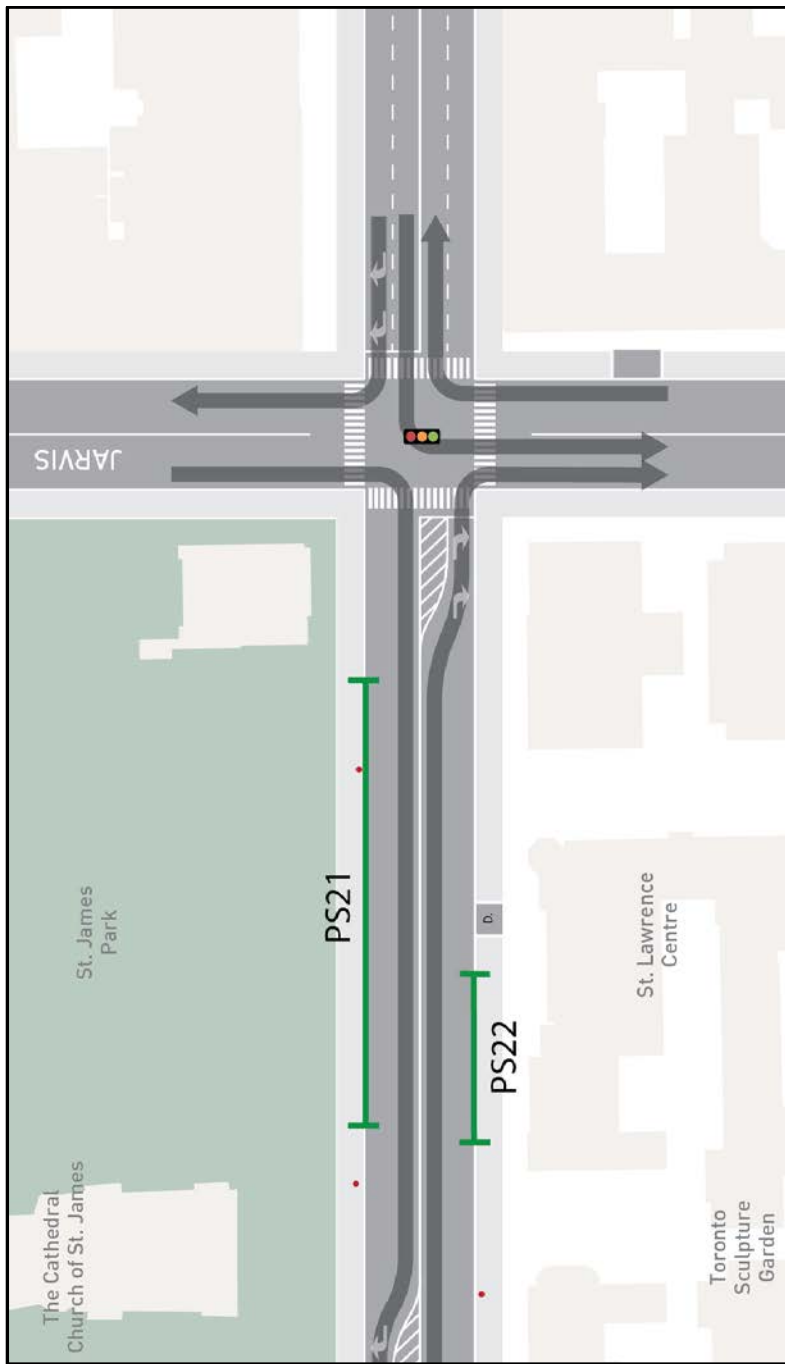
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ATTACHMENT 2 – LOCATION OF DUNCAN STREET PARKLET CAFE

