

EXPANDED OUTDOOR DINING
AND CAFÉ PLACEMENT GUIDELINES



CaféTO



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This guidebook is based on the City of Toronto’s existing sidewalk café and parklet guidelines which are amended with particular requirements for the 2020 café season. These guidelines reflect a proposal currently being considered by Toronto City Council and may be updated to reflect Council’s decision on June 29, 2020.

This guidebook contains the minimum requirements restaurants and bars must meet to operate a café as part of the CaféTO Program. Please review the guidelines carefully and plan ahead to ensure compliance.

Restaurant and bar operators should follow the below steps to participate in the CaféTO Program:

1

Visit toronto.ca/CafeTO to register. If you do not wish to install or expand a café, you do not need to register.



2

Once you complete your registration, City staff will verify it for accuracy and provide you with more information by email.



3

Applicants that receive a positive confirmation for new and expanded sidewalk café requests can begin operating when the Province of Ontario allows outdoor dining in Toronto. It may take up to one week to assess the feasibility of curb lane closure requests.



You may not expand your café or occupy a curb lane without written permission from the City of Toronto.

A Message from the City



*Mayor
John Tory*

“One of the keys to Toronto’s economic restart and recovery will be making sure we do everything we can to help our restaurants and bars thrive. We need to protect jobs, bring vibrancy back to our streets and help create enjoyable experiences for residents and, eventually, visitors. Cities around the world have embraced similar approaches to encourage more patio space. Given the ongoing threat of virus spread and the need to keep customers and employees safe, CaféTO is part of our commitment to helping owners and operators get back in business quickly and safely so that they can stay in business.”



*Deputy Mayor Michael Thompson
(Ward 21 Scarborough Centre),
Chair of the Economic and
Community Development Committee*

“There’s no question that Toronto’s vibrant patio culture plays an important role in our economic and social vitality over the summer months. As we re-open our main streets and their restaurants and cafés following the devastating COVID-19 shutdown, we want to do everything we can to provide a boost to the thousands of restaurants and bars in our city who are struggling with severe financial pressures. By offering innovative and expanded customer service opportunities to neighbourhood culinary businesses, CaféTO is an important contributor not only to our main street food and beverage industry, but the social and cultural fabric of our neighbourhoods.”

Introduction

The City of Toronto is offering local restaurant and bar operators access to public space on city streets and sidewalks to assist with expanding outdoor seating capacity while maintaining physical distancing requirements.

The normal café permitting and application process is intended to be paused in order to provide this expedited opportunity for café operators.

Any cafés located in, or expanding into, the right-of-way must meet the design and operational requirements stated in this document, including but not limited to, obligations related to health and safety, accessibility, equipment (i.e. fencing, barriers, planters), and insurance and indemnification requirements. Pedestrian mobility, physical distancing and road safety requirements must be met, in order for this program to be successful for all members of the public.

The City of Toronto has prepared this document to summarize the essential information required to safely install or expand sidewalk or curb lane cafés, where possible, and to provide a suite of options to take advantage of the 2020 café season.

Patios on Private Property

The CaféTO program addresses outdoor patios located on City-owned property. Some restaurant and bars provide their patrons with outdoor patios located on private property which are regulated by the Zoning By-law. More information on expanding patios on private property is located on page 13 of this guidebook.

Business Improvement Areas

If your restaurant or bar is located within a Business Improvement Area, (BIA) please speak to your BIA representative for additional assistance. Please find the list of BIAs [here](#).

Toronto Public Health Requirements

Restaurants, bars, and other food and drink establishments will be permitted to open for outdoor dining once Toronto is authorized to move to Phase 2 of the Province's re-opening strategy. Appropriate measures must be in place to ensure physical distancing of at least 2 metres between groups of customers.

Please visit [Reopening Ontario's Guidelines for Restaurants and Bars](#) for a full list of requirements and to stay informed about ongoing updates and new regulations.

Toronto Public Health has also published comprehensive [Guidelines for Re-Opening Your Restaurant](#).

The following guidelines are specifically related to the operation of outdoor cafés and patios:

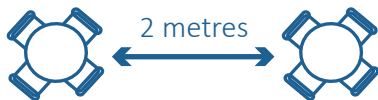


Patios/outdoor cafés must be open to the air; tents/structures/canopies are not permitted.

- Umbrellas are allowed for shade
- CaféTO umbrella regulations are located on Page 10 of this Guidebook



In the event of rainfall, customers may move indoors, but the total number of customers indoors may not exceed 50% of the rated capacity available for use.



The required distance between tables is 2 metres.

- Each individual group must be seated 2 metres away from another group
- Temporary table dividers may be installed to make physical distancing easier for restaurants with communal seating or larger tables
- No more than 6 people at a table



Allow space for the safe circulation of customers and staff.

- Reservation system to avoid lines of waiting customers and ensure that those lines do not come close to patio customers



Demarcate the floor with markers for any areas where a line-up may occur.

- Mark the direction of travel to designated entrances and exits, pick-up areas and washrooms
- Post signage promoting physical distancing
- Provide more than one means of egress

The rules for physical distancing, service, cleaning and sanitation that apply to the indoor area of the food premise also apply to cafés.

Temporary Outdoor Dining on City Streets

The City of Toronto is temporarily pausing certain permitting, application and fee requirements under [Municipal Code Chapter 742 \(Sidewalk Cafés, Parklets, and Marketing Displays\)](#) to allow for expedited approvals of expanded outdoor dining opportunities, but there are still basic requirements necessary to safely operate a café on city streets and in the public right-of-way. Please review this document carefully as it is the operator's responsibility to ensure that all requirements are followed. City staff will ensure that expanded cafés meet these guidelines and will be visiting establishments to ensure compliance. Café operators that do not comply with these requirements may be unable to continue participating in the program.



Registration

If you wish to expand your existing permitted café space or construct a new café space for the 2020 season, you **MUST** register with the City of Toronto. Please visit toronto.ca/CafeTO for full registration requirements, which include providing proof of comprehensive liability insurance and identifying that you have a valid Business Licence issued from Municipal Licensing & Standards. If you have an existing café permit and do not wish to expand on the sidewalk or the curb lane, you do not need to register.



Current permitted café operators that intend to expand either on the sidewalk or in a curb lane, must still provide an updated Certificate of Insurance specifically for the CaféTO program.



Fees

The City of Toronto recognizes the financial hardships faced by the restaurant industry as a result of the COVID-19 pandemic and fees for the 2020 café season will be waived. Existing permit holders that have already paid their fees for 2020 will have those fees applied to the next renewal period.



Alcohol Service

The Province of Ontario has announced new measures to extend the outdoor service of alcohol.

A restaurant that has a current liquor licence and wishes to serve alcohol in an expanded area can do so without a temporary extension application to the Alcohol and Gaming Commission of Ontario (AGCO). Licensees must meet certain criteria including:

- The café area extension must be adjacent to the business to which the licence to sell liquor applies
- The café operator is able to demonstrate sufficient control over the café extension
- There is no condition on your liquor sales licence prohibiting a café/patio
- The capacity of any new café, or extended café space where the licensee has an existing licenced café, does not exceed 1.11 square metres per person
- There is distinguishable delineation of the café area

Please see the new AGCO regulations available [here](#).

Restaurants and bars wishing to apply for permanent changes to liquor licences will still need to apply for approvals through the AGCO. Further instructions on new permanent licences are available [here](#).

Pedestrian Clearway

Pedestrian Clearway

The pedestrian clearway is the most important area of the street for the safe, accessible and efficient movement of pedestrians. The sidewalk is how people and customers of all ages and abilities access local shops, restaurants, offices, transit stops and other services and pedestrians have the first priority for its use.

A **minimum pedestrian clearway of 2.1 metres is required.** The installation of sidewalk cafés requires the operator to ensure the pedestrian clearway of 2.1 metres is protected.



Maintaining a minimum pedestrian clearway of 2.1 meters is essential since a clear and straight path of travel ensures that all pedestrians in your neighbourhood can move unimpeded along the sidewalk, particularly those using mobility devices, strollers and other similar apparatus. Sharp jogs in the path of travel should be avoided. The pedestrian clearway will also assist with physical distancing issues on streets.

If you do not maintain a minimum pedestrian clearway width of 2.1 metres, a City of Toronto enforcement officer will require you to adjust your café dimensions upon inspection. Café operators that are the subject of repeated complaints may have their ability to expand their café revoked for the 2020 café season.



Please do not use the pedestrian clearway to queue patrons awaiting their reservation or table.

A frame sign is not permitted in the pedestrian clearway.

Accessibility Requirements

AODA Compliance

It is the responsibility of the business owner to maintain compliance with the Accessibility for Ontarians with Disabilities Act (AODA) at all times.

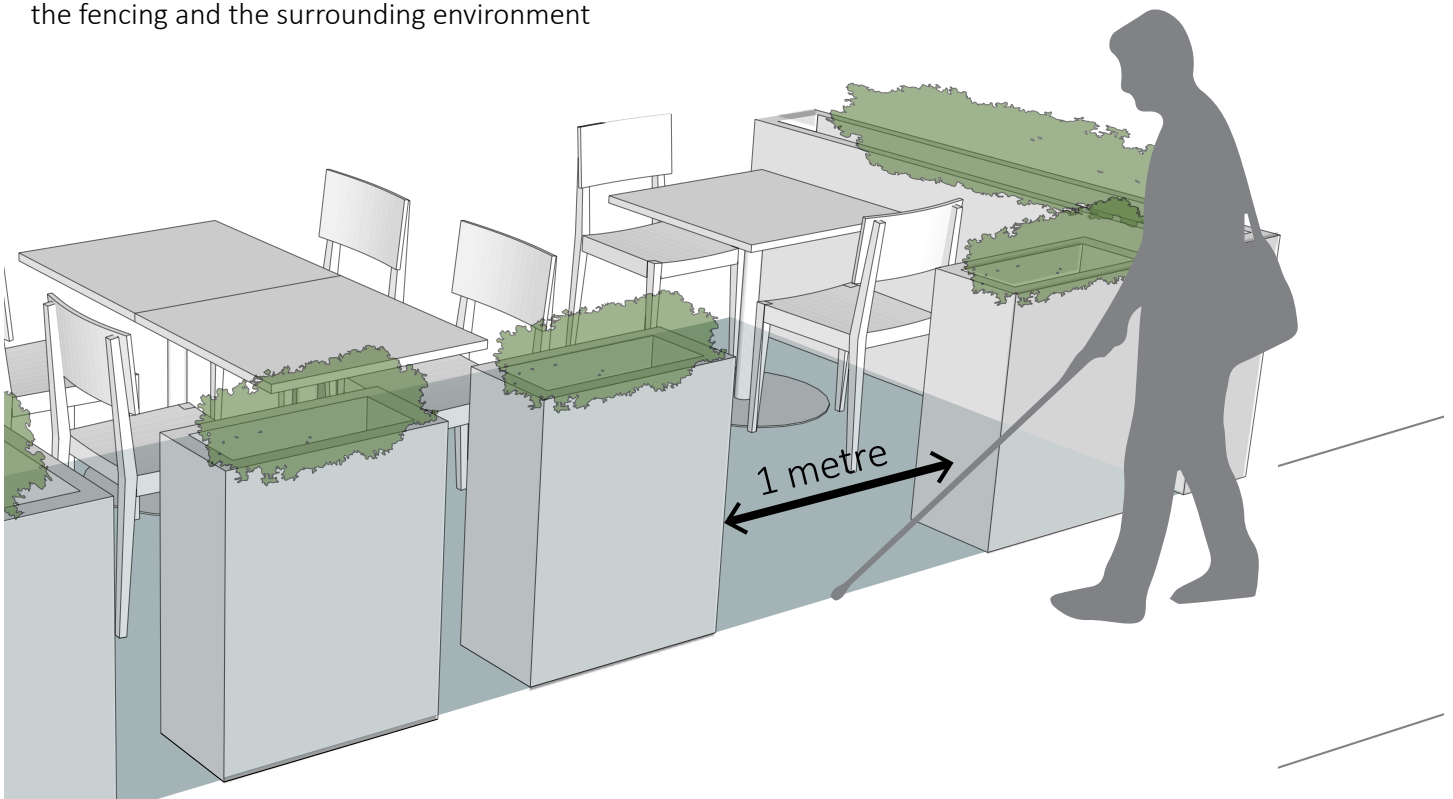
Please ensure your establishment adheres to the accessibility standards noted in the AODA, including:

- Provide an accessible entrance to the café area of a minimum width of 1 metre
- Do not allow your café or customer queuing area to impede any existing barrier-free access or sidewalk clearance for people using mobility devices to your establishment or that of your neighbours
- Ensure any barricades/boundaries (railings, planters, pylons, etc.) to identify the café area are cane-detectable, to provide people with low or no vision a means of identifying boundaries
- Decorative temporary fencing/delineator should incorporate pronounced colour contrast between the fencing and the surrounding environment



For temporary cafés in the curb lane, the City of Toronto will install asphalt ramps to ensure that people using mobility devices can enter your café in the curb lane.

Cane-detectable means that a person with low vision or no vision is finding their way on the sidewalk with a white-cane. Your planter and fencing must have a solid base so a white-cane can be used to tap along the bottom of the element to determine where to safely walk.



Types of Cafés



Curb Lane Cafés are located in the curb lane of the road. More information about curb lane cafés is on page 12 of this guidebook. This café type **requires registration** with the City of Toronto.



Small Frontage Cafés are located directly against the building. The maximum size of a small frontage café is 0.8m deep by 5.5m wide. You must have a planter or similar item with a solid base as a white cane navigation aid to make your café safe for people with low or no vision. Umbrellas, fencing and enclosures are not permitted for this café type. This café type **does not require registration** with the City of Toronto.



Sidewalk Cafés are located on the sidewalk adjacent to the frontage wall of the building. This café type **requires registration** with the City of Toronto.

Expanded Sidewalk Cafés are frontage cafés that expand in front of a neighbouring business. **You must submit written permission from the adjacent tenant and/or property owner to expand a café.** This café type **requires registration** with the City of Toronto.



Curb Side Cafés (in the furnishing zone of the sidewalk) are permitted under limited circumstances. City staff will advise those that are eligible.

Existing Flankage Cafés (located on secondary/side frontages) with a valid permit may continue to operate, but new or expanded flankage cafés are not permitted.

CaféTO Requirements



Umbrellas

Umbrellas should be carefully installed to protect customers and passers-by.

- All umbrella parts should be at least 2.1 metres above the level of the street or sidewalk
- All umbrella parts in a curb lane café must be set back at least 0.8 metres from either edge of the closure area
- Umbrellas must be manufactured of fire-resistant material

New awning, canopy or tent installations are not permitted. You may only use an awning if it is approved on your existing café permit.



Built Structures

Inspections for built structures are not possible in 2020. Café operators should not install:

- Any built structures, including decks
- Electrical installations
- Visual screens
- Any other fixtures in the public right-of-way



Noise

Please ensure that noise arising from the service of food and alcohol on your outdoor café does not disturb local residents. Amplified sound is not permitted. Please be a responsible business operator by ensuring that the conduct of your patrons does not adversely impact your neighbours.



Fire Considerations

Café Operators must:

- Maintain unobstructed emergency access routes and exiting facilities conforming to the Ontario Building Code and the Fire Code
- Maintain a 1.2 metre clearance from all fire hydrants or fire connections (Siamese) and they must be visible and accessible at all times
- Allow access to utility providers and City staff to maintain their assets
- Not install fueled fire appliances, i.e. propane heaters, BBQs
- Ensure that all fire protection equipment is being maintained as per Ontario Fire Code regulations



Lighting

Lighting features must be temporary and comply with all applicable safety standards and codes. You must also ensure:

- No power cables or lighting elements run over the pedestrian clearway
- Lights do not cast glare for pedestrians or nearby properties
- Lights are not attached to trees, utilities or other street elements
- Permission is granted for your power source



All Cafés must be removed by November 15, 2020 unless otherwise instructed by the Province of Ontario.

The regular café permitting process will open on November 15, 2020. Your temporary expansion may not qualify for a permit in 2021.

CaféTO Requirements



Fencing and Delineation

For cafés that intend to serve alcohol for the 2020 café season, affixing fencing to the sidewalk or road is not required, however other delineation is mandatory. Perimeter delineation items that will be permitted include planters, stanchions, and movable fencing. The City will provide barriers separating curb lane cafés from live traffic.

The following fencing guidelines must be met:

- The maximum allowable height is 1.2m. Delineation materials higher than 0.9m high must be at least 30m away from the nearest intersection
- Delineation elements must not be attached to street trees, sidewalk elements, or utilities
- Free-standing or self-supporting delineation items must not create a trip hazard or project into the pedestrian clearway
- To ensure cane-detectability for people with low or no vision, delineation elements must be a contrasting colour to the sidewalk. One of the following must also be provided:
 - Non-solid delineation elements with a lower rail height between 75mm and 150mm above the sidewalk surface; or
 - Planter boxes with a solid, detectable base that are spaced no more than 0.3m metres apart except for the accessible entrance.



Maintenance, Cleanliness, Orderliness

Café operators are responsible for:

- Keeping the sidewalk, the curb lane and any other street area around their café in a clean and sanitary condition
- Clearing debris and trip or slip hazards (i.e cigarette butts, spilled food or liquids)
- Maintaining dining furniture in good repair



Access to Neighbouring Businesses & Homes

Please respect doorways and other access points to neighbouring businesses and doorways when considering the placement of your expanded café.



Fire and Utility Access

Expanded cafés must maintain unobstructed emergency access routes and exiting facilities conforming to the Ontario Building Code and the Fire Code. You must maintain a 1.2 metre clearance from all fire hydrants or fire connections (Siamese) and they must be visible from the street and accessible at all times for Fire Services. You must also be prepared to ensure accessibility for City staff and utility providers (i.e. electricity, gas, tree maintenance) should they require access to their assets in the public realm.



Waste Collection

Restaurants and bars that receive night time waste collection from the City of Toronto should continue to place their bins at curbside on your regular collection night. If a curb lane closure prevents you from placing your bins in front of your establishment, place them communally outside the closure area. Ensure your location's address is on your bins.



Removal Authority

Bylaw Officers have the authority to remove any café that is determined to contribute to unsafe conditions and does not meet the minimum criteria noted in this guidebook. The City of Toronto reserves the right to remove any sidewalk, curbside, frontage, or curb lane café or any permutation thereof that causes an obstruction to pedestrian or vehicular traffic due to existing conditions in the nearby right-of-way.

Curb Lane Closures

It may be possible in some locations to close the curb, or parking lane to accommodate an expanded café. Public safety is the first priority and City staff require a detailed review and traffic plan to close the curb lane because it is next to moving traffic.

Every effort will be made to investigate the potential for a curb lane closure, but they are not guaranteed. Curb lane closures are not possible within in the following areas:

- Commercial or Accessible loading zones
- Transit stop and taxi cab zones
- Certain bike lane locations


Proximity to intersections, driveways, laneways and pedestrian crossovers will also limit the ability to close a curb lane. Please see the entire list of curb lane closure constraints at toronto.ca/CafeTO.



Operating a Café in the Curb Lane

It is the responsibility of the café operator to:

- Provide their own dining furniture
- Provide any additional barrier or delineation materials beyond what is provided by the City of Toronto
- Keep the curb lane closure area clean and orderly
- Remove all furniture and umbrellas from the curb lane at the end of the day



The curb lane closure guidelines in this document are governed by Book 7 of the Ontario Traffic Manual which provides regulations and specifications for temporary conditions for road safety.

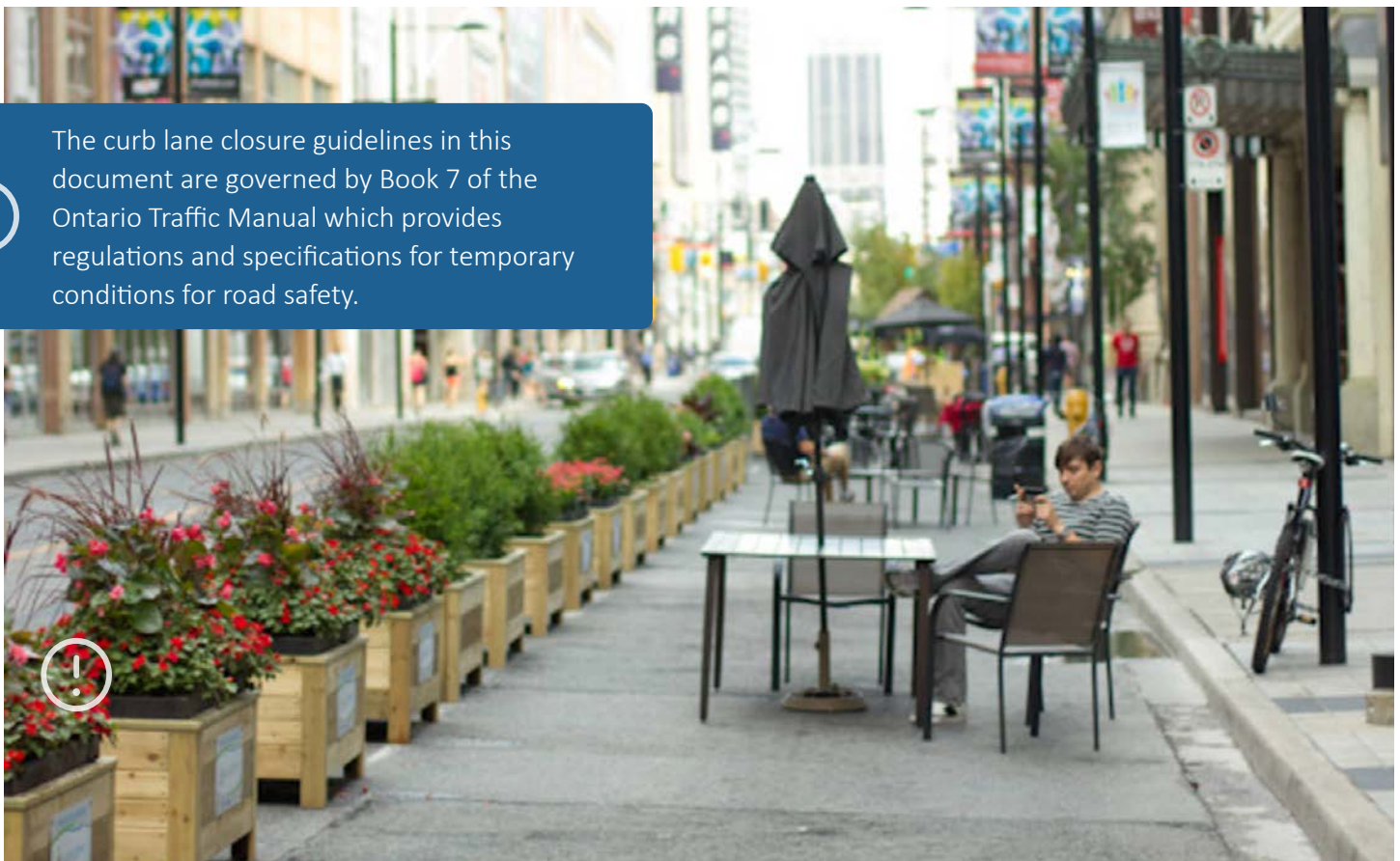


Photo by Jimmy Lu for BlogTO

Patios on Private Property

Patios on private property are governed by the City of Toronto Zoning Bylaw and expansions are not currently permitted. The City is proposing to introduce a temporary bylaw amendment to ease the process required to temporarily expand patios on private properties. The change could occur by mid-July.

In the meantime, restaurant and bar operators who wish to expand their patio on private property should begin consultations with their landlords for permission. Expanded patios on private property will only be permitted along or in front of a building, generally in parking lots and plazas. Private patio expansions are not permitted on rooftops, rear areas or side flankages.

In order to ensure safe operation of outdoor patios on private property, operators may not:

- Build or expand permanent structures like decks, walls, stairs, etc.
- Install new fueled fire appliances, i.e. propane heaters, BBQs
- Amplify sound of any type
- Construct awnings or tent-like structures
- Block access to fire connections or adjacent businesses

Please visit toronto.ca/CafeTO to stay updated on temporary patio extensions on private property.

You must comply with the accessibility requirements noted elsewhere in this guidebook.

If you have existing conditions imposed by the City or the AGCO (i.e. hours of operation), they remain in force for your expanded patio area.

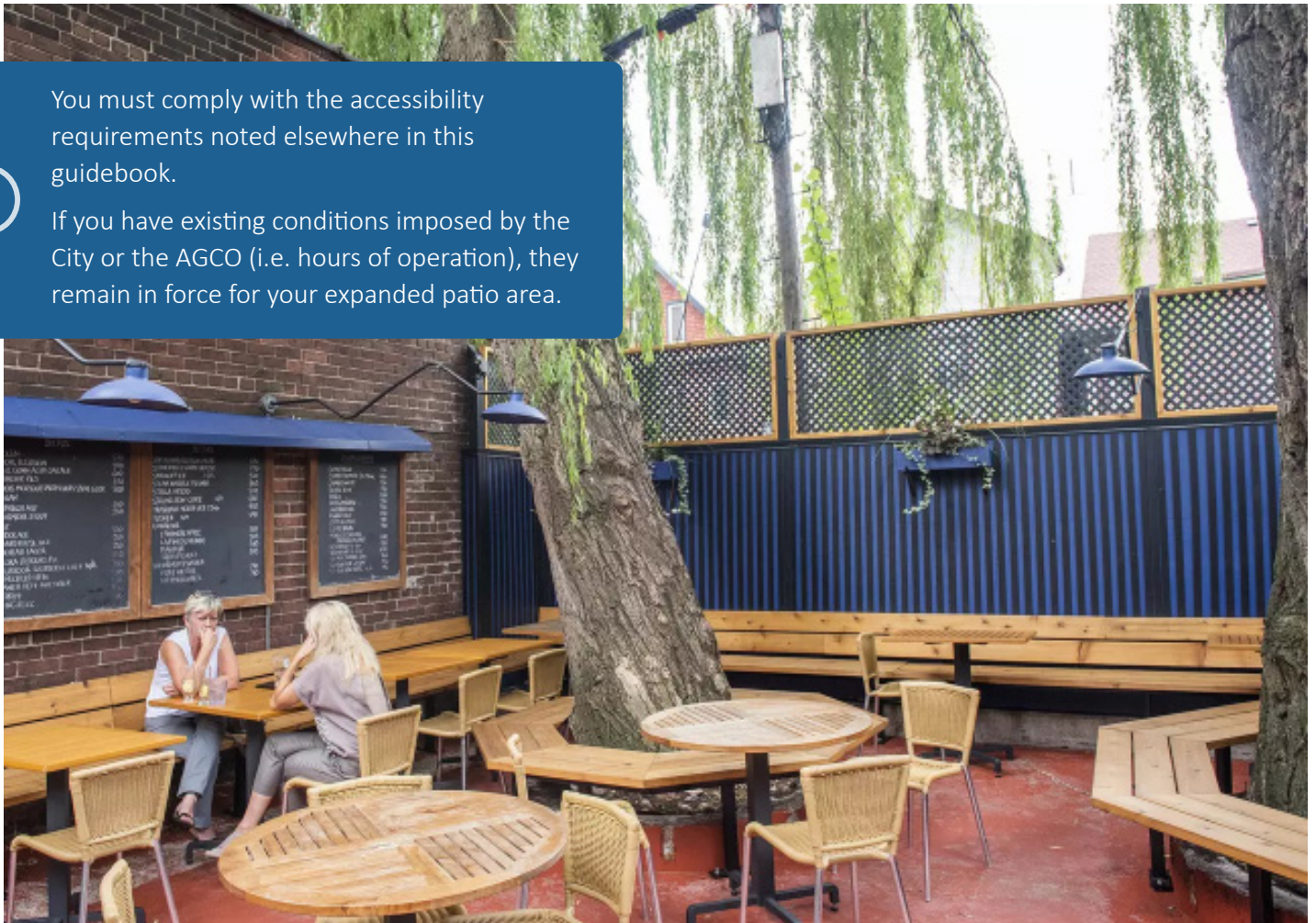


Photo by Hector Vasquez for BlogTO

Other Services

CurbTO

CurbTO helps support physical distancing outside businesses and accommodates for quick delivery and pick-up services.



Temporary Parking Pick-up Zones allow for the installation of a 10-minute priority parking area for curbside deliveries and quick pick-ups near a business.



Curb Lane Pedestrian Zones provide customers and other pedestrians with enough space to line-up and pass by safely.

More information, including an application, can be found at toronto.ca/CurbTO

Marketing Displays

Retail businesses may display goods on the sidewalk without a permit when the following requirements are met:

- Maximum size is 0.8m depth x 5.5 width
- Must be located directly against the building wall
- Must have white cane-detectable planters at each end
- No umbrellas, fencing or enclosures
- Displays must be removed after business hours
- No adjacent A-frame signs on the sidewalk
- Must be portable to ensure access to utility connections



Businesses that wish to apply for a permit for an extended frontage Marketing Display can email mlsapplication@toronto.ca and they will be contacted directly by City staff about their applications. Licence application and renewal fees must be paid [online](#).

Café**TO**
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