

Transportation Services  
Municipal Licensing and Standards

# PROPOSED BYLAW UPDATES AND FEES FOR SIDEWALK CAFÉS & MARKETING DISPLAYS

## PUBLIC CONSULTATIONS

June 13, 2017 Toronto City Hall

June 20, 2017 North York Civic Centre







# SIDEWALK CAFÉS & DISPLAYS

- Toronto has vibrant streets with a growing café culture and local businesses.
- With Toronto's growth, our streets and sidewalks are facing increased demands as “places” for people to visit, dine and shop.
- Toronto's sidewalks must also support mobility for people of all ages and abilities, and other uses such as street furniture, trees, transit stops, and utilities.

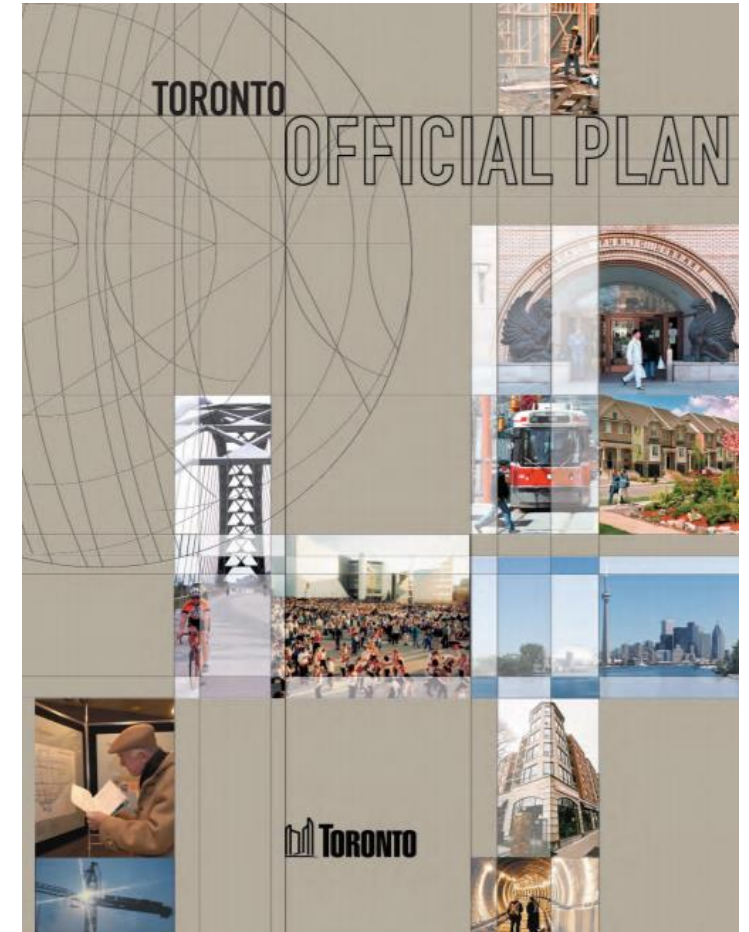


# BUILDING A SUCCESSFUL CITY: OFFICIAL PLAN

“City streets are important public open spaces which connect people and places and support the development of sustainable, economically vibrant and complete communities.”

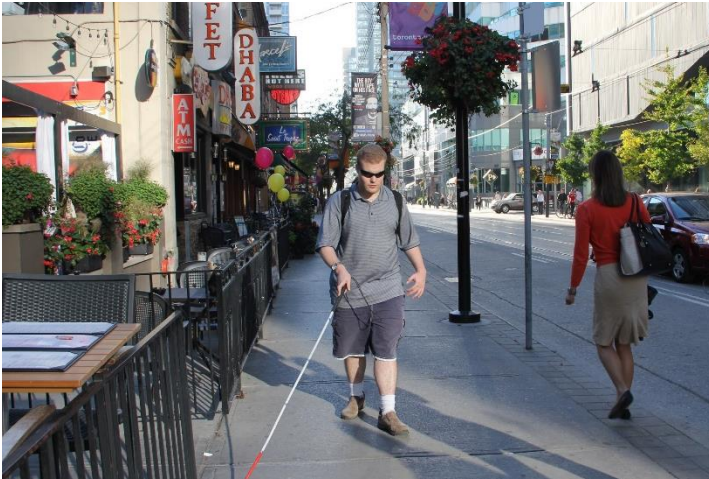
A “Complete Streets” design approach balances the needs and priorities of various users and uses within the public right-of-way:

- Be safe and inviting for people of all ages and abilities and all modes of travel
- Consider space for utilities, trees, green infrastructure, snow storage, wayfinding, cafés, marketing and vending, and street furniture
- Reflect local context and serve as public places and destinations





# VISION & GOALS FOR THE UPDATE



- **Safety & Accessibility:** provide safe, accessible and comfortable sidewalks for all regardless of age and ability
- **Vibrancy :** balance activity and animation with localized needs for liveability
- **Economic Prosperity:** Support local businesses and economic growth by providing more design options, and a balanced approach to implement new by-laws and fees.
- **Design Excellence:** encourage high quality, well-designed cafés that enhance the public realm and café experience



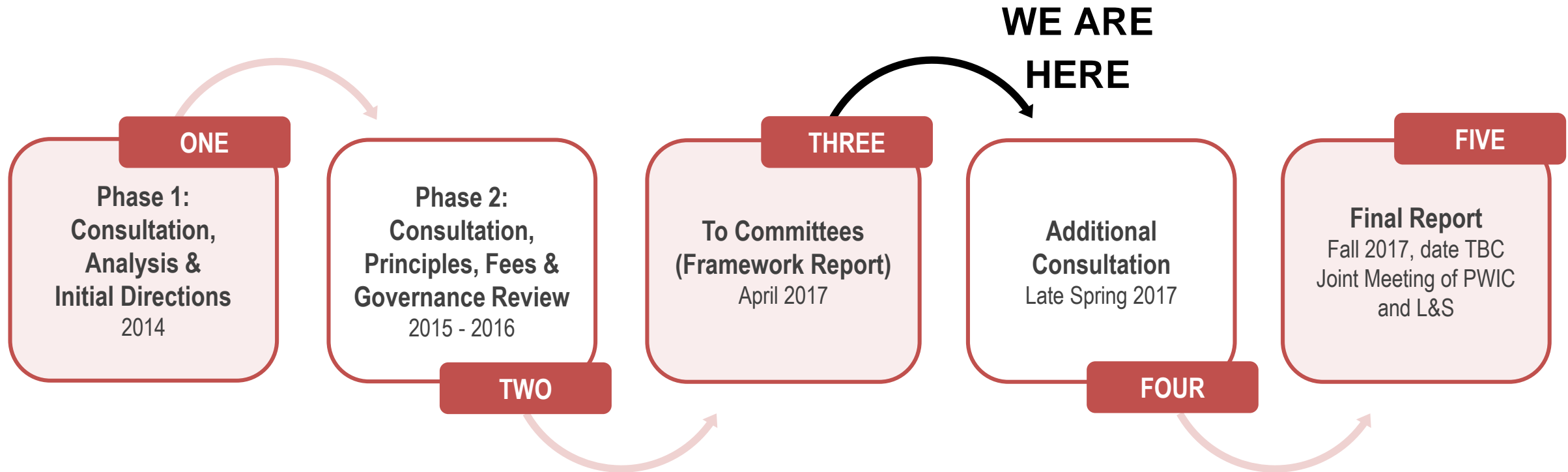


# BENEFITS OF UPDATING THE BY-LAWS

- Allow more café design options to businesses, such as curbside cafés.
- Create an accessible, age-friendly Toronto and Ontario, as a result of population trends and new standards for safe, accessible mobility for all ages and abilities.
- Create one set of rules, city-wide. This will reduce confusion and improve consistency.
- Sidewalk cafes and displays will be permitted in Scarborough.



# PROJECT TIMELINE





# WHAT WE HEARD SO FAR



**14** STAKEHOLDER MEETINGS



**12** PUBLIC CONSULTATIONS



**500** RESPONSES TO OUR ONLINE SURVEY



**850** PEOPLE PROVIDED FEEDBACK

- We **love café patios & shopping locally**
- Need **wider sidewalks**
- Want **more design options**
- Too many **sidewalk obstacles** & need to zig zag when walking
- Want **more flexibility** in designs
- Sidewalks are **too crowded and unsafe** when people step off the curb to walk in the roadway
- Businesses are **worried about rule changes** and **large fee increases**



# KEY PRINCIPLES

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1



SUPPORTING  
RESIDENTS AND  
PEDESTRIANS

2



SUPPORTING LOCAL  
BUSINESSES

3



A BALANCED  
IMPLEMENTATION PLAN





# 1. SUPPORTING RESIDENTS & PEDESTRIANS



**CLEAR, STRAIGHT & WIDE ENOUGH  
SPACE FOR SAFETY & COMFORT OF  
ALL AGES & ABILITIES**

- **Existing bylaw's minimum pedestrian clearway**
  - For local streets, café must be setback from the curb edge by the width of the sidewalk (varies) plus 0.46m
  - For commercial frontage, 2.1m from the café to the curb
- **Proposed minimum pedestrian clearway by street type:**
  - For local streets, 1.8m plus the curb
  - For commercial frontage, 2.1m clear from the café to the curb
  - Greater than 2.1 m on specific Downtown streets where the block already has a greater clear space for its character and function



# STREET BLOCKS WITH GREATER WIDTHS

- Specific streets in the Downtown that need and have greater than 2.1m clear space for walking on some sections:

- Adelaide Street
- Bay Street
- Bloor Street
- Carlton Street /  
College Street
- Dundas Street
- Front Street
- Jarvis Street
- John Street
- King Street
- Queen Street
- Richmond Street
- Spadina Ave
- St George Street
- Queens Quay
- Yonge Street
- University Avenue
- Wellington Street
- York Street

- Goal is to protect and maintain the street blocks that have this character and function.





## 2. SUPPORTING LOCAL BUSINESSES



SENSITIVITY TO THE STREET TYPE



EASIER OPTIONS – SIMPLIFIED PROCESSES



MORE OPTIONS

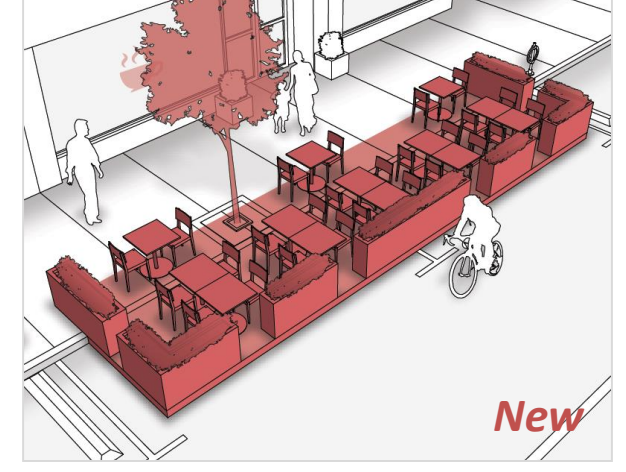
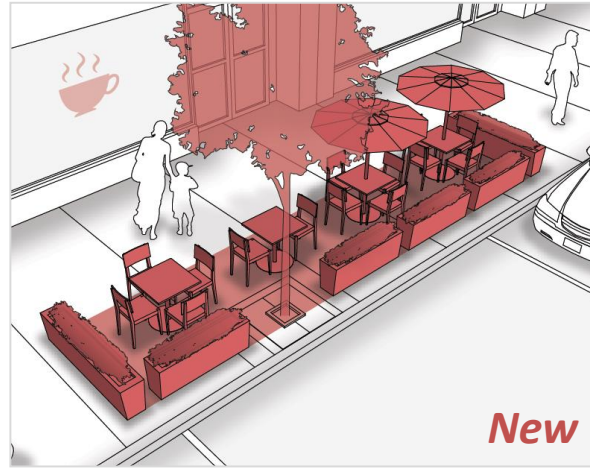
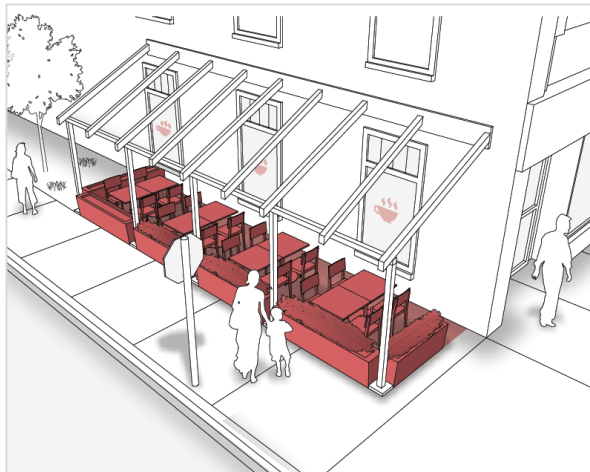
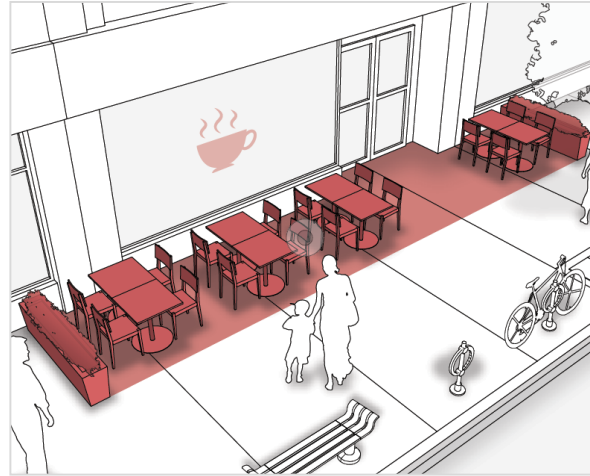
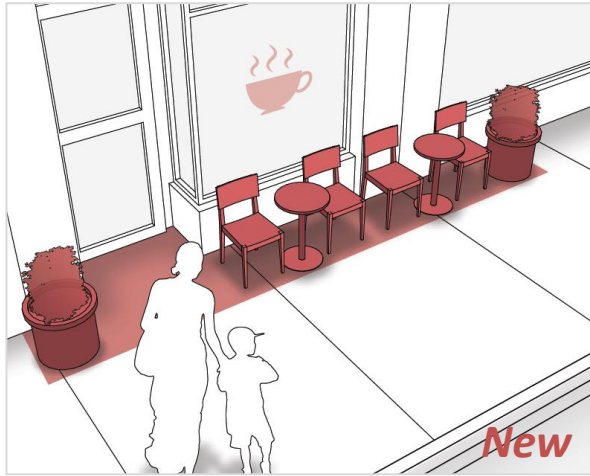


GREATER FLEXIBILITY





# EXPANDED CAFÉ DESIGN OPTIONS: BY-LAW & MANUAL

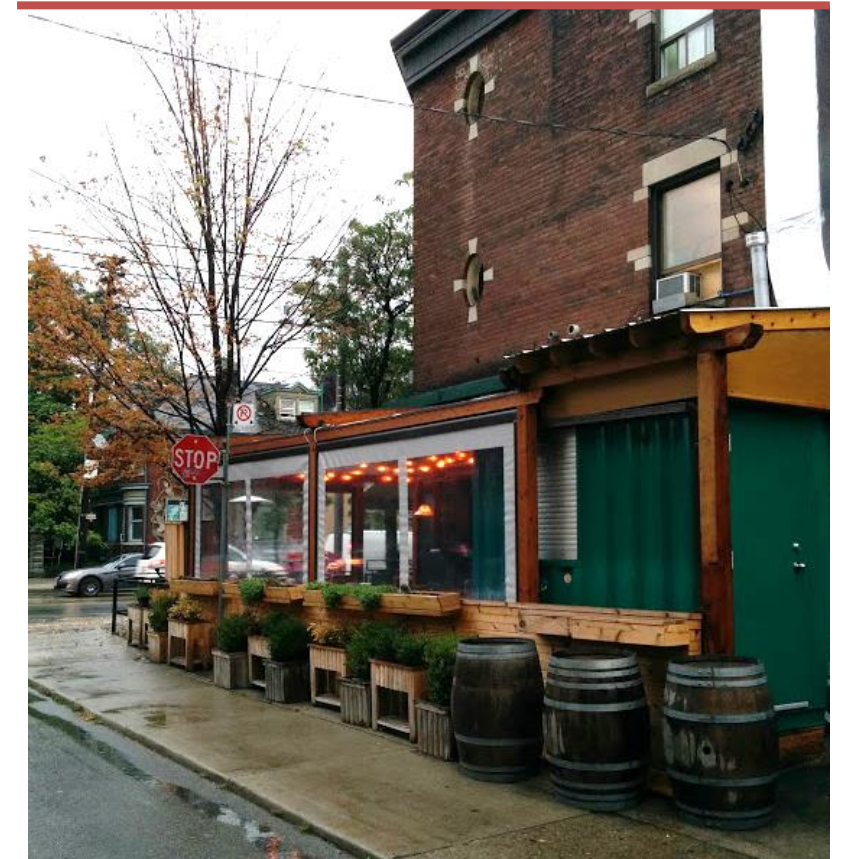




## MORE OPTIONS: YEAR-ROUND CAFES

New permission that would allow an approved café to operate year-round. Proposed criteria developed in consultation with Toronto Building and Fire Services:

- Permitted on Local (Residential) Roads only
- The enclosure must be made of fire-proof, temporary materials (canvas, sail cloth etc.)
- Sides must be removed/rolled-up during the regular café season (May 15 – September 15)
- A building permit is required for the temporary café enclosure
- Minimum 2.5m pedestrian clearway (to provide for snow on sidewalk)
- The enclosure must be fully accessible and barrier-free; and
- The structure must be designed in a way that it can be removed for emergency street repairs or construction on 24-hours notice







## 3. IMPLEMENTATION – PEDESTRIAN CLEARWAY

- **For new applicants:**
  - The City's minimum requirements will be secured through new applications
- **For existing permit-holders:**
  - 2018-2020, focus on locations with less than 1.5 metres (AODA provincial minimum) of clear space for walking
  - Improvements will benefit all users
  - Potential design services and support to relocate or modify some street elements (e.g., bike rings or resize street furniture)







# BALANCING IMPACT ON LOCAL BUSINESSES

- **For existing permit-holders** – Other locations that don't meet the proposed minimum pedestrian clearways will be allowed until:
  - Change in ownership
  - Redevelopment
  - Street reconstruction
  - Specific issues of safety or accessibility
  - 2020–2025 plan for transition
- **Further investigation needed (outside the scope of the bylaw):**
  - Some locations with less than 1.5m of clear space for walking are the result of patios **on private property**



John St, north of Front. Credit: J. Fischer, Walk Toronto



# ACCESSIBILITY: TOWARDS 2025

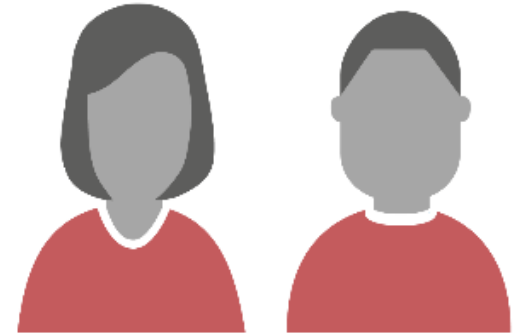


- The harmonized Bylaw will go to Council in the fourth quarter, 2017
- New Bylaw enactment is targeted for the 2<sup>nd</sup> quarter, 2018
- Staff will **report back in 2020** on the progress and impacts on existing cafés and marketing areas and on walking conditions
  - Better data and experience will inform a **five year plan (2020 to 2025)** for the rest of the existing cafés to meet current City standards.



# GOVERNANCE ISSUES: PROCESS

- Councillors have asked for input on whether decisions on the pedestrian clearway be **appealable** to Community Council **or delegated to City Staff**?
  - If a new application does not provide the minimum pedestrian clearway, the application will be refused.
  - Currently, this decision can be appealed to Community Council.
- Issues include:
  - **Fairness**
  - **Clarity**
  - **Consistency**
  - **Transparency**

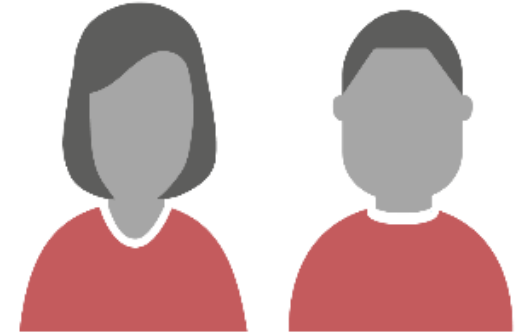






# GOVERNANCE & REGULATORY ISSUES

- **Public Notice, Proposed Approach for all new applications:**
  - Discontinue polling
  - 14-day public notice
  - Mailout to all residents within 60-metres of the proposed café
  - BIA notification, if application
- **Operating Hours / Noise Mitigation**
  - No changes to the existing operating hours are proposed
  - Operating hours could be reviewed by Community Council if the café results in numerous noise complaints
  - Amplified sound prohibited on a residential flankage café
  - Amplified sound permitted on a commercial frontage only until 11:00p.m.





# REVISED FEES: SIMPLIFIED FEE ZONES

Two simplified fee zones are proposed:

## Central Zone

- Delineated by the heavy blue line
- Higher permit fees apply in the Central Zone

## Outer Zone

- Everywhere else outside of the blue line
- Lower permit fees in this zone
- Majority (~65%) of cafes & displays are in this zone

Q. Did we get this right? We want your feedback!





# FEE STRUCTURE: PROPOSED PERMIT FEES

Proposed Fee Zone	Type of Permit				
	Sidewalk Café (\$/m2/year)	Marketing Display (\$/m2/year)	Small Café or Marketing Display	Year-round Enclosed Café (\$/m2/year)**	Parklet Café* (\$/month)
Central Zone	\$88.31	\$62.65	\$0	\$133.00	\$900
Outer Zone	\$44.14	\$38.12	\$0	\$66.50	\$565

\* the proposed parklet café permit fees are based on the average size of a TPA parking stall, which is 14.3 m2

\*\* Higher permit fee reflect the ability to operate year-round

- Proposed Implementation:**
1. Proposed fees would remain unchanged through to 2033
  2. Any increase to existing permit holders would be phased in equally over this 15-year period
  3. Any decreases would take effect immediately





# ADMINISTRATIVE FEES & TREE FEE

	Sidewalk Café & Marketing Display (one-time)	Small Frontage Café	Small Marketing Display
Proposed <b>Application Fee</b>	\$1331.45	\$141.57	\$141.57
Proposed <b>Renewal Fee</b>	\$0 (included in permit fee)	\$63.71	\$63.71

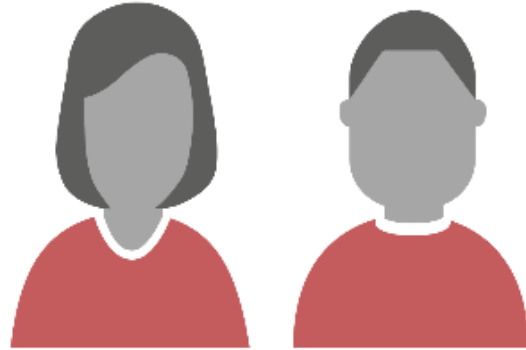
Proposed **Fee for Tree Planting:** \$1300

The tree planting fee is a one-time fee that would only be paid by new applicants when:

- a new permit is approved at a location where there is a soft, unpaved boulevard;
- Urban Forestry has determined that the proposed use (café or marketing display) would limit the ability to plant a tree there.

The fee for tree planting would not be required if the application is for a small Frontage Café, Small Marketing Display, or Parklet Cafe

# GIVE US YOUR FEEDBACK



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Meet with City Staff at our Public Meetings

Visit our website and fill out the feedback form: [www.toronto.ca/mlshaveyoursay](http://www.toronto.ca/mlshaveyoursay)

Tell us your ideas by **July 14<sup>th</sup>, 2017**