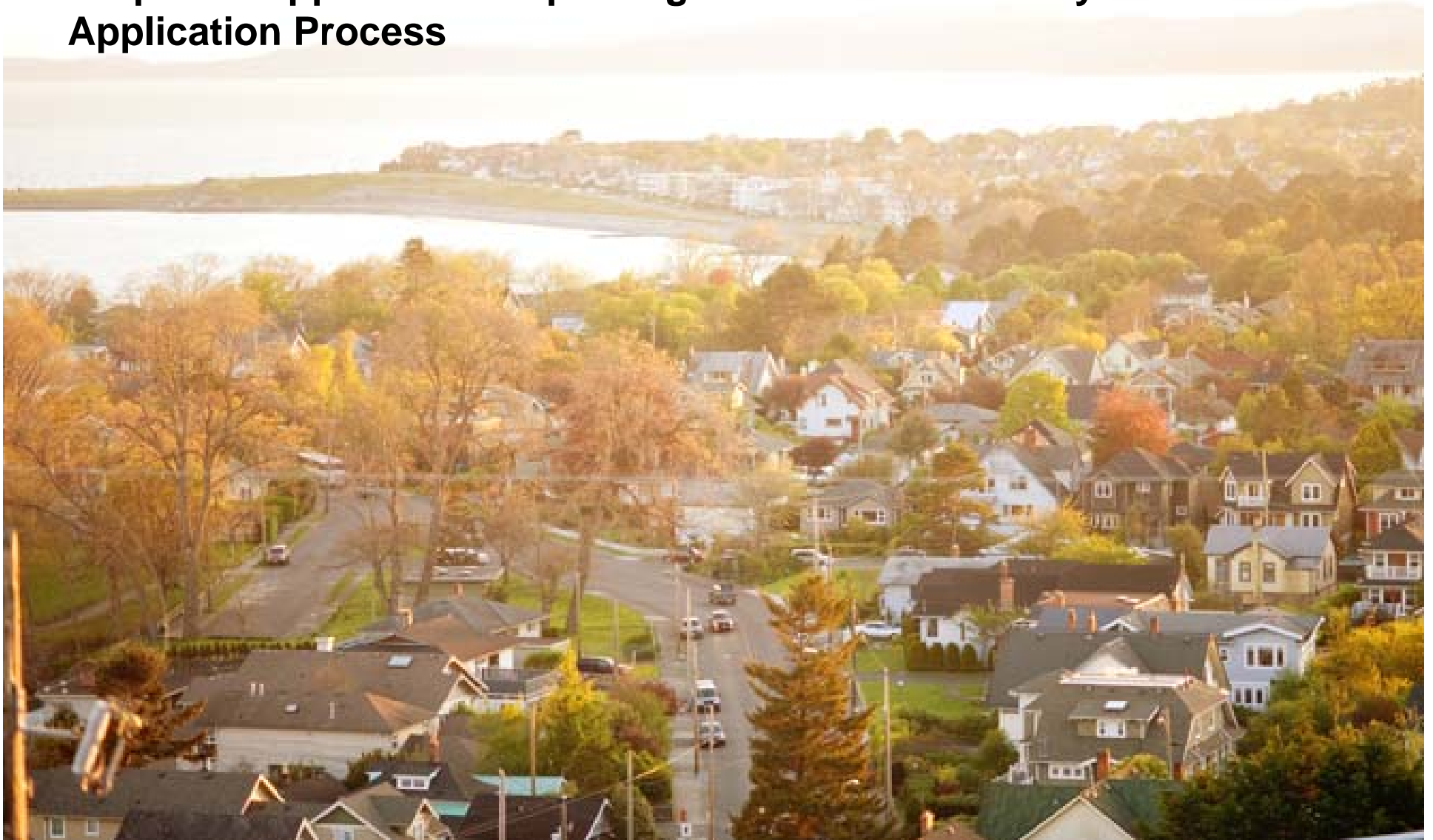


Sidewalk Café Bylaw Update

Proposed Approach for Updating the Sidewalk Café Bylaw and Application Process



Purpose

To present Council with:

- A proposed approach for updating the Sidewalk Café Bylaw
- A proposed approach for improvements to the process associated with establishing sidewalk cafés

To seek direction to proceed to public consultation and the subsequent refinement of the draft Bylaw.



Background

Sidewalk Cafés can help achieve City objectives related to street activity and economic vitality

Bylaw regulates the construction, placement, use and maintenance of objects and fixtures on public sidewalks

Adopted in 2002

Currently 94 sidewalk cafés with licences (5 new per year)



Proposed Approach

Improve customer service

Encourage vibrancy on sidewalks

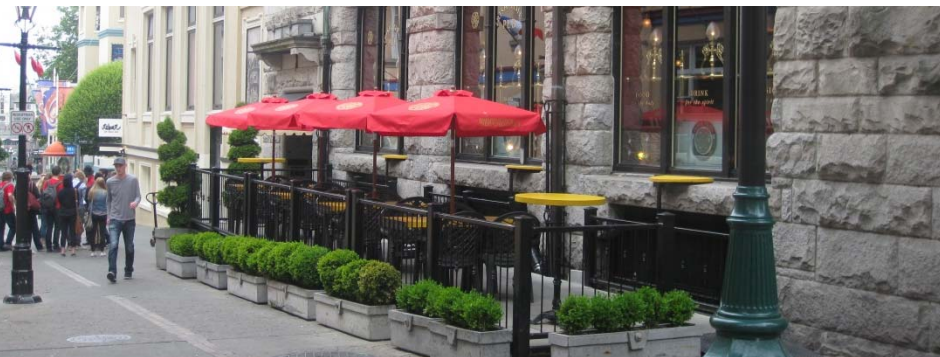
Promote economic growth

Maintain public access, safety, and mobility on sidewalks

Ensure sidewalk cafés are consistent with the character of the area

Improve consistency with other City processes, policies and regulations

Protect public property from damage.



Improved Application Process

Concise and easy to understand guide to the application process

Application process coordinated by business licencing staff and review managed by Sustainable Planning and Community Development Department

SPCD to review for urban design, placemaking, and economic development

Collaborative review by City staff addressing elements such as heritage, utilities, transportation, heater safety, and other potential requirements

Coordinated response to applicant



Law Updates

Areas to be Improved:

Definition of sidewalk café types

Objects attached to the sidewalk

Pedestrian passageway and utility access

Heater and fire safety

Annual fees

Use of adjacent parking stall



Design Guidelines Added

Clear and concise

Address specific goals

Flexibility to allow creative solutions

Organized by type of guidelines for ease of use

Graphic/visual examples to guide best practice



Next Steps

Determine fees based on market value

Advance the draft bylaw and design guidelines

Complete public consultation

Report to Council with proposed bylaw by February 2016



Recommendations

Request Council direct staff:

Request staff to bring forward an updated Sidewalk Café Bylaw (No. 02-75) based on the following approach:

- a. that the type of sidewalk cafés distinguish between whether objects are fixed in place or not;
- b. that fully enclosed sidewalk cafés are no longer permitted;
- c. that only fixtures that are easily removable are permitted;
- d. that clearances from the curb be updated for safety and clarity;
- e. that heater regulations be updated for safety and clarity;
- f. that the fees be updated to simplify the process and for consistency with City policy;
- g. that the adjacent parallel parking stall be an option for sidewalk café use in some circumstances;
- h. that the Bylaw language be improved for clarity.



Recommendations (cont'd)

To prepare design guidelines to provide guidance for sidewalk café design and application review.

To proceed with public consultation, focused on providing information on the bylaw and process changes to stakeholders for feedback.

To incorporate refinements into the draft *Sidewalk Café Bylaw* in response to the input received from the public consultation and report back to Council with the proposed Bylaw by February 2016.

