



Council Update Report

For the Meeting of July 27, 2017

To: Council **Date:** July 7, 2017

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Sidewalk Café Bylaw Update - Parklets

RECOMMENDATION

That Council give 1st, 2nd and 3rd readings for the attached Sidewalk Café Amendment Bylaw which include proposed amendments that would enable staff to approve parklets (converting parking into public space).

EXECUTIVE SUMMARY

The purpose of this report is to inform Council that, in accordance with Council's motion of June 22, 2017, (motion attached) the necessary Sidewalk Café Bylaw Amendments as described in the June 15, 2017 Committee of the Whole Report, have been prepared (bylaw attached).

There are two types of licences that would affect parking stalls under the proposed bylaw amendments:

- a sidewalk café licence may occupy a parking stall for seating and serving customers as an extension of an existing food vendor establishment (permitted under the current and proposed bylaws)
- a parklet licence would permit a parking stall to be used for public use and could not be used for commercial purposes, including the sale of goods or service of food and beverage (not permitted under the current bylaw).

Both of these licences must not negatively impact traffic or safety or result in insufficient parking or loading space.

The Council motion specifically directed staff to "bring back to Council proposed bylaw regulations for parklets including a 2 for 1 parking spot deal for groups of businesses and residents that come together to develop a parklet." Instead of providing a 2 for 1 fee structure, staff recommend for Council's consideration that the fees for a parklet be half the price of fees for a sidewalk café that occupies a parking stall. This would allow more flexibility for the size of a parklet.


Staff also recommend for Council's consideration that a parklet licence would not be limited to groups of businesses and residents, but that an individual person or organization could apply for one. This would not prevent a group from coming together to seek a parklet licence, but it would ensure an organization or individual take responsibility for the installation for liability purposes and in case issues arise related to bylaw contraventions.

Respectfully submitted,


Rob Bateman
Senior Process Planner
Development Services Division


Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: July 20, 2017

List of Attachments:

- June 22, 2017 Sidewalk Café Bylaw Council Motion
- Proposed Sidewalk Cafe Bylaw (No. 17-081)

1. **Sidewalk Café Bylaw Update-Noise, Parklet Trial Installation and Fees for Use of Parking Stalls**

Motion:

It was moved by Councillor Loveday, seconded by Councillor Thornton-Joe, that Council direct staff to:

1. Monitor potential noise issues related to sidewalk cafes under the existing Noise Bylaw and Nuisance (Business Regulation) Bylaw and report back to Council in two years with analysis and recommendations.
2. Bring forward amendments to the Sidewalk Cafe Bylaw to update the fees for sidewalk cafes using the adjacent parking stall so that it is double the amount currently charged for sidewalk cafes occupying a sidewalk.
3. Conclude the Parklet Trial Installation (700 block Fort Street) and bring back to Council proposed bylaw regulations for parklets including a 2 for 1 parking spot deal for groups of businesses and residents that come together to develop a parklet.

Carried Unanimously