

Outdoor Patios

(B. Henderson/D. Iveson/
K. Diotte)

Recommendation:

That the October 10, 2012, Sustainable Development report 2012SCP022, be received for information.

Report Summary

This report provides an overview of the existing sidewalk café program and provides suggestions for improvement.

Previous Council/Committee Action

At the April 18, 2012, City Council meeting, Councillors B. Henderson, D. Iveson and K. Diotte made the following inquiry:

There have been a number of recent questions about our policies relating to outdoor patios connected to commercial establishments.

Could you please answer the following questions:

1. Describe the current process for getting permission to run an outdoor patio and include timeframes.
2. What are the current limitations to our rules and laws that may limit their use on public and/or private property, including but not limited to:
 - a. locations where they are allowed and not allowed and the rationale
 - b. time of year when they are allowed and not allowed and the rationale
 - c. use of outdoor heaters and the rationale

- d. connectivity to the applying establishment – i.e. do they have to be contiguous, and what are the rules and rationale regarding of temporarily expanding available space by using public on-street parking spaces
- e. limitations based on occupancy limits of the existing indoor establishment and rationale

- f. fees and other costs imposed on businesses for an outdoor patio permit

3. In what ways are we constricted by current Alberta Government liquor regulations.

4. In what ways are our current limited regulations affected by risk management concerns.

5. Other cities in Canada have managed to do this differently and with more success. Please provide any available information on best practices in other major Canadian cities for patios.

6. Please also offer possible suggestions for policy/bylaw changes that might be made so that public/private patio approval in Edmonton requires fewer steps than the current process.

Report

Restaurants, sidewalk cafés and outdoor patios assist to increase the vibrancy of downtown streets, main streets and business districts. In the mid 1990's, City Council approved a Sidewalk Café Licence Agreement approach and established Guidelines for Sidewalk Cafés to encourage a sidewalk café culture. Today, there are about 65 sidewalk cafés in Edmonton, mostly clustered in the central area, along Whyte Avenue, Jasper Avenue,

and other main streets and commercial districts in the City.

Operation of a sidewalk café within a public road right-of-way requires a number of permits and approvals from the City and outside agencies, including a Food Handling Permit from Alberta Health Services and a Liquor Licence from the Alberta Gaming and Liquor Commission (if alcoholic beverages are being served). Details of the approval process, fees, time frames, and current regulations, as well as answers to specific questions in the motion, are outlined in Attachment 1- Sidewalk Café Detailed Analysis.

Administration examined the sidewalk café policies and guidelines of several Canadian cities to identify common best practices. In addition, Administration held a workshop attended by over 20 City staff on May 29, 2012, to review current City of Edmonton practices with respect to sidewalk cafés and to identify more effective practices.

The results of the policy analysis and workshop suggested a number of strategic changes that may result in a simplified approval process, improvements in processing time and an enhanced street atmosphere, as outlined in Attachment 1. The most significant suggested changes include:

- Streamline the sidewalk café permitting process to create two application streams - minor and major. The minor application (illustrated in Attachment 1, Enclosure 4) would be defined as a simple, small scale café of less than 12 spaces. Alcohol would not be permitted within the café area and additional parking would not be required. The Major application

(illustrated in Attachment 1, Enclosure 5) would involve a larger seating capacity with services and facilities that would require a more comprehensive review and additional approvals.

- Adopt a Sidewalk Café Policy and update the Design Guidelines to act as an umbrella to manage the increasing demand for Sidewalk Cafés and Outdoor Patios, and set new directions to encourage participation of the Business Revitalization Zones and property owners in the transformation of their communities.
- Simplify the review procedure, improving application forms and shortening processing timelines.
- Amend the Zoning Bylaw to allow Minor Sidewalk Cafés within the Whyte Avenue Commercial Overlay; reduce or eliminate parking and loading requirements for Sidewalk Cafés and address location impacts relating to noise, lighting and visibility adjacent to areas zoned predominantly for residential or residential mixed use.
- Examine the feasibility of repurposing on-street parking to accommodate sidewalk cafés as part of road rehabilitation or Business Revitalization Zone/community based initiatives.

Policy

This report supports policy directions in:

- *The Way We Grow*, City of Edmonton's Municipal Development Plan;
- *The Way We Live*, City of Edmonton's People Plan;
- *Capital City Downtown Plan*:

4.2 Vibrant Downtown; and

- *The Way We Move*, Edmonton's Transportation Master Plan: Strategic Goal 4.0, Transportation and Land Use Integration.

Corporate Outcomes

The Way Ahead, Edmonton's Strategic Plan 2009-2018:

- Transform Edmonton's Urban Form

Attachment

1. Sidewalk Café Detailed Analysis

Others Reviewing this Report

- R. Boutilier, General Manager, Transportation Services
- D. H. Edey, General Manager, Corporate Services