

Appendix 5

Backgrounder: Parking Patios and Sidewalk Cafes

Issue

The City of Saskatoon regulates Sidewalk Cafes and Parking Patios through Council Policy No. C09-013, the Use of Sidewalks, Boulevards and Parking Stalls – Vending. A document entitled Sidewalks Cafe and Parking Patio Guidelines sets out further regulation for these uses. As a result of COVID-19, requests have been made to reduce or eliminate the fees associated with the regulation of parking patios in some parts of Saskatoon.

Background/Discussion/Analysis

Parking Patios

- The opportunity to establish a parking patio has been in place since approximately 2015. A parking patio is defined as “a Sidewalk Cafe which has been extended to include the temporary conversion of designated Parking Stall(s) located on public streets”.
- The license fees for a parking patio are set at a rate of \$14.40 per space, per paid parking day for the first month, and \$12.96 per space per paid parking day for all subsequent months. At this time, the fee structure is not set out in Council policy or bylaw. This was done by resolution as an interim solution until a fee structure could be adopted as part of the future Temporary Reserve Parking Policy. Such a policy shall be presented to City Council in early 2021.
- The license fee structure for a parking patio license was adopted by City Council at its meeting in March 2017. At this meeting, City Council reduced the parking patio fee structure which fell under the Meter Hooding Program, from \$35 per day for the first month and \$25 per day for each subsequent month, to the custom rates stated above.
- Not every restaurant is situated in a location that makes a parking patio viable; the complexity of the site and availability of suitable parking spaces can make it difficult or sometimes impossible to set up a patio. As a result, not all restaurants would benefit from such an approach.
- Businesses are required to apply for a parking patio license and renew it each year. All applications must include a detailed site plan. Applications are reviewed by internal departments (Transportation, Police, Saskatoon Light & Power, Fire) and outside agencies (Health Region, BIDs, SLGA [if liquor is proposed to be served]) to ensure the plans meet all bylaws, regulations and requirements.
- The primary purposes of the application review and approval is to ensure public safety, and significant time is spent with the applicant ensuring appropriate requirements for protective barriers for parking patios are in place. The Transportation Division provides the technical review expertise and the site specific requirements for each parking patio application to ensure traffic safety concerns are mitigated.
- In situations where sidewalk cafes and parking patios will include serving of liquor, SLGA is involved in the application review process. Our approval process for a sidewalk cafe or parking patio, along with the site plan provided as part of the application, serves as a liquor endorsement required by SLGA to issue their license. Without such an approval process, the restaurant would need to obtain a separate liquor endorsement through the Development Review process, at a cost of \$210, and arrange to have a site plan with fencing plan submitted and approved by SLGA.

- Considerations in review of applications for parking patios include:
 - ability to provide clear pedestrian passageway (minimum of 2 metres), free of physical obstructions (e.g. utility poles, bus shelters, parking meters, trees, benches)
 - parking spaces utilized must be located immediately in front of the restaurant applying for a parking patio, or written approval from adjacent business owner provided if the proposed patio is proposed to extend across the frontage of adjacent uses
 - liability insurance (\$2 million) in place
 - located 6 metres from any intersection, bus stop or bus shelter
 - any potential traffic related concerns are mitigated with appropriate protective barriers
 - must be accessible
- Direction on the number of parking spaces that may be reserved for use for a parking patio on any given block face comes from the Temporary Reserve Parking (TRP) provisions, which specifies a cumulative maximum of four reserved parking spaces permitted per block face, although up to six spaces may be permitted with approval of the Parking Services Manager. This maximum would include any additional parking spaces reserved under the TRP program for use of development projects, maintenance etc.

Nature of Proposal

- A proposal by Tourism Saskatoon and three business improvement districts has been made requesting temporary relaxations to the parking patio program to take effect between April 2020 and October 2021, including:
 - 1) suspension of parking patio fees;
 - 2) permit up to two parking patios per block face; and
 - 3) permit parking patios to be installed all year.
- Points 1 and 2 are addressed in this background summary. Due to logistics regarding snow clearing, parking patios are currently permitted to be installed from April 1 to October 31. Further review of the potential for year-round use of parking patios would be required to consider and mitigate the considerations arising from winter conditions, including snow clearing operations and additional appropriate traffic safety measures.

Financial Implications – Loss of Revenue if Fees Waived

- The below table shows the number of parking patios, the number of parking spaces utilized, and fees collected for the years 2017 to 2019, with projections provided for 2020, based on interest expressed or applications approved to date.

Year	Number of Parking Patios	Number of Parking Spaces in use for parking patios	Total Fees
2017 (actual)	6	10	\$17,383
2018 (actual)	4	6	\$9,792
2019 (actual)	3	6	\$9,961
2020 (projected)	8	16	\$27,584 (projected)

- Provision for free use of paid parking spaces for parking patios/retail uses would result in fewer spaces being available for paid parking; however, it is difficult to identify what, if any, financial implications may be incurred due to lost pay parking revenue.

Sidewalk Cafes

- A sidewalk cafe is defined as “a group of tables and chairs and other accessories situated and maintained upon a public Sidewalk or Boulevard for the consumption of food and beverages sold to the public from, or in, an adjoining indoor restaurant, lounge or tavern”.
- In 2019, 16 sidewalk cafes were licensed. Sidewalk cafes are approved as an extension of a Commercial Business License for a restaurant; there is no additional fee for a sidewalk cafe license.
- Costs of set up is primarily the cost of tables/chairs and in some cases fencing or other demarcation to provide a clear pedestrian passageway or to address SLGA liquor licensing requirements. In order to ensure that sidewalk cafes comply with the standards outlined in the policy, such as maintaining a minimum two metre pedestrian pathway, businesses are required to apply for a sidewalk cafe license and renew it each year.
- In addition, restaurants may provide for outdoor eating spaces on their own site if such space is available; there are no fees associated with doing so. Site plans are reviewed by Development Review to ensure compliance with zoning regulations. If decks etc. are being contemplated this would be subject to development approval.
- There is no additional fee for a sidewalk cafe license. The existing rationale for this is that sidewalk cafe licenses are an extension of a business’s Commercial Business License. Further, the administrative costs of developing a program to collect a modest additional fee for only 15 to 20 businesses was anticipated to be greater than the fees collected. There is no foregone revenue from allowing businesses to utilize the sidewalk, the way there is with a parking stall.
- With sidewalk cafes – and in some cases parking patios – the Administration has found that the most significant ongoing challenge is to ensure that tables/chairs do not start encroaching into the required two meter pedestrian passageway. Administration does periodic site inspections and also inspects if complaints are received.