

## **Temporary Asphalt Parking Patios**

### **ISSUE**

Throughout the COVID-19 pandemic, businesses have looked for innovative ways to provide safe alternatives for their customers to shop, meet and dine. The existing parking patio program allows for restaurants to provide outdoor seating on the public right of way by constructing a temporary deck or boardwalk. Due to construction costs, a parking patio may not be a viable option for some businesses. A Temporary Asphalt Parking Patio Program was established for the summer of 2020, with relaxed requirements for parking patios. The Temporary Asphalt Parking Patio Program is proposed to be reinstated for a six-month period in 2021, providing more flexibility for businesses to operate during the pandemic.

### **RECOMMENDATION**

That City Council resolve to reinstate the Temporary Asphalt Parking Patio Program to operate from April 27, 2021 until October 31, 2021.

### **BACKGROUND**

In response to the COVID-19 pandemic, at its Regular Business Meeting held on June 29, 2020, City Council adopted several resolutions aimed at making parking patios more financially viable for businesses, including waiving parking fees and permitting parking patios to operate year-round in 2020 and 2021. City Council resolved, in part:

- “4. That Administration work with any interested Business Improvement Districts, to allow permanent asphalt parking patios for all store front businesses that request it, until September 15, 2020, subject to administrative guidelines; and
5. That the City Solicitor be directed to bring back any necessary bylaw and policy amendments.”

In 2020, under the Temporary Asphalt Parking Patio Program, businesses were permitted to provide a seating area, retail space or other extension of their licensed commercial business on the sidewalk, with a pedestrian pathway in the parking lane. Unlike the conventional Parking Patio Program which requires a deck or boardwalk constructed flush with the sidewalk, the pedestrian pathway could be provided directly on the asphalt surface with access ramps and concrete jersey barriers, provided by the business, placed to protect the pathway. One business was licensed through this program in 2020.

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At its meeting on April 12, 2021, the Standing Policy Committee on Planning, Development and Community Services received a request from a group of business organizations seeking to reinstate the Temporary Asphalt Parking Patio Program, effective immediately and permitted to operate until October 31, 2021. The Committee resolved to request a report back from Administration at the earliest time, and if possible, report back at City Council's April Regular Business Meeting. This report addresses this resolution.

### **DISCUSSION/ANALYSIS**

In response to the pandemic in 2020, the Temporary Asphalt Parking Patio Program established enhanced provision for all types of businesses to make use of the sidewalk to provide outdoor retail or dining opportunities. While there was minimal uptake on the program, this may have been due in part to the fairly limited operational period of June 29 to September 15, in 2020 and businesses were still determining how to adjust their business model to adapt to the pandemic. There appears to be merit and interest in having this program available again in 2021.

Administration reviewed the proposal and has no concerns in having the program operate again in 2021, through to October 31, 2021. It is possible intermittent snow and ice conditions may occur during this period. If the program is adopted as proposed, businesses will be responsible for ensuring the pedestrian pathway is kept clear of snow and ice. For safety reasons, the Asphalt Parking Patio Program is not suited to operate through the winter.

### **FINANCIAL IMPLICATIONS**

Parking patios, asphalt patios and sidewalk cafes are considered to be accessory uses to a licensed commercial business. There are no additional application fees collected. Typically, businesses installing parking patios pay a fee to partially offset the impact of the loss of paid parking spaces; however, based on City Council approval, this fee has been waived until 2022. The Business Licence Program is not supported by the mill rate and is funded through business licence application fees. The staff time to review Temporary Asphalt Parking Patio applications and monitor for compliance with the approved site plan will be carried out as part of the Business License Program.

### **OTHER IMPLICATIONS**

There are no other legal, social or environmental implications identified.

### **NEXT STEPS**

Amendments to bylaws and policies are not required to reinstate the Temporary Asphalt Parking Patio Program. If City Council adopts the recommendation, the program will come into effect immediately. Administration will collaborate with business improvement districts (BIDs) on implementation of the program, including reviewing applications in the applicable district.

### **COMMUNICATION ACTIVITIES**

Updated information regarding the Temporary Asphalt Parking Patio Program and application process will be provided on the City of Saskatoon's website and to stakeholder agencies, such as the BIDs. Guidelines will include information regarding the need to keep the pedestrian pathway clear of ice and snow if asphalt patios remain in place until the end of October. Business owners will be required to submit an application with a detailed site plan and demonstrate the asphalt patio is established in conformity with the approved site plan, ensuring basic health, safety and accessibility requirements are met.

### **REPORT APPROVAL**

Written by: Mark Wilson, Licensing and Permitting Manager  
Reviewed by: Jo-Anne Richter, Director of Community Standards  
Approved by: Lynne Lacroix, General Manager, Community Services

SP/2021/CS/Council/Temporary Asphalt Parking Patios/mh