

# Staff Report



---

To	<b>Committee of the Whole</b>
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, March 1, 2021
Subject	<b>2021-2023 Seasonal Patio Program</b>

---

## Recommendation

1. That the 2021-2023 Seasonal Patio Program as described in the 2021-2023 Seasonal Patio Program report be approved.
  2. That staff be directed to implement road closure Option 1 (Special Events Only) included as part of the 2021-2023 Seasonal Patio Program.
  3. That a one-time total transfer of \$112,500 from the Tax Operating Contingency Reserve #180 be approved for the purpose of delivering the Seasonal Patio Program in 2021 with expected future program costs being presented as part of the budget process.
  4. That a new annual seasonal patio parking stall rental fee be created in the amount of \$3.00 per square meter, and that staff be directed to waive fees associated with the approval of seasonal patio applications for the 2021 year to support economic recovery due to the COVID-19 pandemic.
  5. That the Chief Administration Officer, or designate, be delegated authority until October 31, 2023, to implement, administer and revise any City Council approved form, guideline or requirement associated with the City of Guelph's Seasonal Patio Program, including any modifications which may be necessary to the forms prescribed in connection with Commercial Patio Premises by the City Lands Encroachment By-law (2009)-18799.
  6. That staff shall be directed to prepare a temporary use by-law as authorized under section 39 of the Planning Act and O. Reg. 345/20 in connection with the 2021-2023 Seasonal Patio Program. And further, to liaise with Provincial representatives from the Ministry of Municipal Affairs and Housing, Ministry of Economic Development, Job Creation and Trade, and Ministry of Finance for the purpose of extending the authority to maintain this temporary use by-law in full force and effect for the duration of the 2021-2023 Seasonal Patio Program.
- 

## Executive Summary

### Purpose of Report

The purpose of this report is to provide engagement results and overall costs for the 2020 Temporary Seasonal Patio Program and Dining District pilots, and to seek approval of the proposed 2021-2023 Seasonal Patio Program.

## **Key Findings**

The City launched a Temporary Seasonal Patio Program (TPP) pilot during Summer, 2020 as an emergency response to the COVID-19 pandemic public health measures that restricted food and beverage service to takeout and outdoor patios only. TPP guidelines were quickly developed to allow businesses to immediately set up outdoor patios on private property and sidewalks. Later, the TPP was expanded to include on-street parking spaces in the downtown for patio use and Council directed staff to work with the Downtown Guelph Business Association (DGBA) and/or interested restaurant owners to pilot a temporary road closure or Dining District.

The immediate response required to support economic recovery did not allow for prior community engagement to inform program design. Instead, formal community engagement took place in November 2020 through to January 2021.

Engagement results showed success in economic recovery efforts with a majority of businesses with a seasonal patio indicating that the TPP had a positive impact on their ability to generate revenue during the COVID-19 pandemic re-opening. In contrast, the majority of businesses without seasonal patios who responded to engagement activities reported feeling that the 2020 TPP negatively impacted their revenue.

Engagement feedback related to road closures indicated a polarization with support for road closures from those with seasonal patios, their employees and the majority of patrons. Businesses and patrons not in support of road closures felt that it created inequity in business support and that the traffic disruption deterred people from travelling to, and through downtown. Based on this engagement data, the proposed 2021-2023 Seasonal Patio Program (SPP) aims to allow flexibility for businesses in all parts of the City to create seasonal patios for the summer months, and supports the corporate strategic objective to create a thriving downtown for businesses, residents and visitors.

All business types are able to apply for a seasonal patio in 2021 and all applications are subject to staff approval prior to opening a seasonal patio. Several options will be available for seasonal patios locations including: on private property, public sidewalks and in downtown public parking stalls that have been designated through the On-street Patio Permissions Map.

For 2021-2023, staff are recommending that road closures are only associated with special events applications which are business or organization-led, flexible to accommodate the needs of those participating, and will have minimal impact on delivery service and garbage service outside special event times. It also ensures consistent application of the program for all participating businesses.

## **Financial Implications**

Costs are estimated at \$112,500 for the 2021 budget year for implementation of the Seasonal Patio Program, much of this budget covers the one-time barrier purchases that would be required for traffic control on open streets. Additional financial implications of this program are dependent on Council's direction on the inclusion of road closures as part of the 2021-2023 Seasonal Patio Program, and could range from \$294,700 to \$429,720. Future program costs will be presented as part of the budget process.

## Report

On June 11, 2020 the City launched a Temporary Seasonal Patio Program (TPP) pilot as an emergency response to COVID-19 pandemic public health measures that restricted restaurants, bars and cafes in Ontario to outdoor patio service only. TPP guidelines were developed to allow businesses to immediately set up outdoor patios on private property and sidewalks. On July 27, the TPP was expanded to also include on-street parking spaces in the downtown for patio use.

On June 17, Council approved the TPP and, additionally, directed staff to work with the Downtown Guelph Business Association (DGBA) and/or interested restaurant owners to pilot a temporary road closure/Dining District that would allow patios to expand into drive isles with applications starting July 1. Staff worked with the DGBA to identify and pilot a temporary road closure on parts of Wyndham and Macdonell Streets on July 4-5. Given feedback from businesses, the boundaries of the closure were amended to reduce the closed area. The City and DGBA officially created Guelph's first Dining District on July 10 with the intention of it running to September 7. In response to a business-led request, a further extension was granted to September 21.

On September 21, Council directed staff to extend the TPP and the Dining District closure to November 30. The City's Temporary Use By-Law [\(2020\) -20512](#), first passed on July 13, 2020, was amended on September 28 [\(2020\) -20528](#) to support Council's direction. This Temporary Use By-Law expired on November 30, 2020.

On June 17, Council had directed staff to work with the DGBA to inform a staff report on the use of road closures and conversion of parking spaces for patio-use for Council consideration prior to April 2021. On September 21, Council provided further direction to staff to create a committee of stakeholders to develop a longer-term plan for both programs.

## 2020 Temporary Seasonal Patio Program

Among many actions put in place by the City in response to the COVID-19 pandemic, the TPP was spurred by the sudden introduction of the Provincial reopening framework that initially only allowed for outdoor dining, even as other businesses, such as retail were permitted customers in-doors. Even after Provincial restrictions allowed limited indoor serving capacity for restaurants, restaurant patrons showed a distinct preference for outdoor dining which was perceived as a safer option. Many restaurants communicated to staff that they considered patios as their only option for being able to continue operating throughout the pandemic.

For a full timeline of the 2020 TPP implementation, see Attachment-1.

## Legislation impacts

Supplementary to all measures in place as part of the [Reopening Ontario \(A Flexible Approach to COVID-19\) Act, 2020](#), the scope of the TPP was made possible due the Alcohol and Gaming Commission of Ontario's (AGCO) [relaxation of the liquor licensing provisions](#) as they apply to outdoor patio capacity, patio boundaries and timelines for AGCO application approvals. These relaxed policies, which were set to expire on January 1, 2021, have been extended until January 1, 2022.

As well, the July 2020 Province-wide [emergency order](#) gave municipalities tools that allowed them a streamlined process for passing temporary use bylaws that support temporary outdoor patios.

### Program costs

Costs associated with the program were tracked in two ways; staff examined hard and in-kind costs that had an impact on departmental budgets or work plans; as well as waived fees, which accounted for revenues that would normally be charged for the project such as foregone rental fees. In addition to the following, a significant amount of staff time was invested in the program design and administration both by City staff and by the DGBA with whom the City partnered in program delivery.

<b>Hard and in-kind expenses</b>	
Barrier purchase and rental	\$46,740
Transit services*	\$40,250
Police and enforcement	\$17,743
Fire prevention and enforcement	\$4,224
Parking lot revenue loss (July 4-6)	\$4,959
Picnic table delivery/set up	\$4,693
Signs and communications	\$365
Waived application fees (encroachment agreement, building/licencing review, land title search)	\$ 25,650
<b>Total hard and in-kind expenses</b>	<b>\$144,624</b>

<b>Forgone fees</b>	
Fire inspections/education	\$2,244
Picnic table rental	\$1,819
Parking stall rental **	\$73,766
<b>Total foregone rental fees</b>	<b>\$77,829</b>

\*Due to the impacts of COVID-19 pandemic ridership and changes to route scheduling in 2020, the majority of transit impacts were already accounted for in the reported 2020 variance from budget. Transit budget impacts in 2021 will need to account for a projected increased ridership and the additional kilometers and

staff time required to meet on-time performance for arrivals and departures at Guelph Central Station once regular service resumes.

\*\*Although this is accurately reflective of the forgone rental fees associated with the conversion of 80 on-street downtown parking spaces throughout the duration of the program. This is not indicative of historical revenues regularly received throughout the summer and fall months.

## **Stakeholder and Community Engagement Findings:**

The immediate response required to support the economic recovery did not provide the opportunity for formal community engagement prior to 2020 implementation as would typically have been undertaken to inform program design. As an alternative, evaluation and feedback of the program was gathered in real-time by various means. In response to feedback, 2020 TPP guidelines were revised and improved throughout the patio season to reduce the regulatory impact on businesses, and respond to safety and accessibility concerns of patrons. This feedback was compiled and reported to Council through an information report on October 23 ([2020-183](#)) and was considered as part of the development of the 2021-2023 program.

Formal engagement to inform the future program took place in November 2020 through January 2021 with the following identified stakeholders and audiences:

- Businesses directly involved in 2020 TPP
- Employees of businesses directly involved in 2020 TPP
- Patrons of seasonal patios
- Periphery businesses to road closures
- Downtown Guelph Business Association
- Guelph Chamber of Commerce
- Community at large
- City staff
- Other municipalities

The following engagement activities were undertaken:

- Online survey (1,743 respondents)
- Telephone survey (600 respondents)
- Downtown business consultation (50 respondents)
- Municipal outreach (9 municipalities reviewed)
- Council-directed stakeholder group (8 members)

## **Engagement results**

For a full engagement report see Attachment-2. Note that engagement related to road closures is discussed later in this report.

## **Economic impacts**

Engagement results showed success in economic impact with a majority of businesses with a seasonal patio indicating that the TPP had a positive impact on their ability to generate revenue during COVID-19 pandemic re-opening. In terms of employment, program participants also indicated that employment during the 2020 patio season was the same or even increased compared with prior years. This was echoed by employees who worked on seasonal patios, with a majority noting that they were a new hire, or that they had been hired back because of the program. In contrast, the majority of businesses without seasonal patios who

responded to engagement activities reported feeling that the 2020 TPP negatively impacted their revenue or had no impact at all.

## **Safety**

Most employees felt safe working on patios, reporting that their employer had made it clear what their responsibilities were related to public health measures in place. The large majority of patrons of seasonal patios also agreed that the patio program created safe spaces for social gatherings. Although patrons surveyed felt adequate sanitization and mask wearing was maintained, social distancing (remaining 6.5 feet from people that were not part of their household/social bubble) was the most commonly raised concern related to the COVID-19 pandemic public health measures.

Also noted by businesses, patrons and employees was the need for increased enforcement of public health, noise and other non-compliance of patio guidelines in the closed road area of downtown.

## **Customer feedback**

Most customers who completed the survey reported that they had visited between one and five times; these visits were typically in the afternoon and evening and on Fridays and Saturdays. Many of these patrons also reported that they had attended patios prior to the COVID-19 pandemic. The most common reasons listed for attending were to support local businesses, to meet with people socially, and to get a break from the routine of cooking at home.

Most businesses with a seasonal patio noted very positive feedback from their customers on the program. Customers enjoyed the outdoor setting, given social distancing regulations in place, and indicated they would like to see the program continue or expand from the 2020 TPP. Negative customer feedback from these businesses included the impact of street closures on their ability to navigate downtown.

Most businesses that did not have a seasonal patio who participated in the engagement activities reported negative feedback from their customers on the patio program. Customer complaints included not being able to get to these other businesses in a timely manner due to a road closure or confusion in access to alternative parking options. Others criticized the program for helping only a few businesses and raised public health concerns related to COVID-19. Positive customer feedback from businesses without a seasonal patio included the vibrancy patios added to downtown and the programs' contribution to attracting people to the city core.

## **Support for seasonal patio program**

In summary, all stakeholder groups were supportive to create an annual seasonal patio program with a strong majority of participating businesses indicating they would take part in the program again. The main themes that emerged for those in favor included the support for business, bringing people downtown and increased employment opportunities. Those that were most strongly opposed were businesses that did not have a seasonal patio. The main themes for not supporting an annual seasonal program were heavily weighted to the negative impacts of road closures and on the perceived inequity of the program. Collectively from all stakeholder

groups, there was support for year-round patios, with businesses expressing a preference for a May to October time frame.

### **Program successes:**

Businesses with a seasonal patio, their employees and patrons thought road closures were a positive component of the program that should remain part of future programming, and that the City should continue to provide barricades and tables and allow for expanded patios related to pandemic economic recovery efforts.

### **Program improvements:**

In contrast, road closures were also the most noted improvement to the program by all stakeholder groups, urging for restricted boundaries or removing closures from the program altogether. Additional themes included the need for increased security and enforcement, improved signage, more equity in access to the program (particularly related to road closures) and improved programming of public space.

### **Municipal outreach**

Staff consulted with nine municipalities to determine best-practices and learnings. The municipalities varied in population and patio program approaches which resulted in little coordinated work or consistency in approach. Three cities chose Intermittent closures, one chose a Full closure, and seven chose to keep roads open to vehicle traffic.

In six cases, inspections were conducted regularly by both Fire Services and Public Health. City, and Business Improvement Area (BIA) staff as well as bylaw enforcement conducted inspections in all other cases. Business outreach and coordination was completed by the downtown BIAs in five of the nine cases. In all other instances, municipal staff in Economic Development were tasked with this responsibility.

Water-filled or concrete jersey barriers were used in all examples of closed streets and these were complemented by appropriate traffic signage, landscape planters for utility and beautification. In cities where the roads remained open to traffic, varying safety approaches were taken ranging from fencing to City-approved patios that incorporated safety by following Ontario Traffic Manual standards and AODA requirements.

No solution existed for the impact on deliveries and curbside pickup within a closed road. In examples of where streets remained open to vehicle traffic, designated parking was established to facilitate curbside pickup. City staff will continue to liaise with other municipalities through the development of the patio program to share best practices.

### **Proposed 2021-2023 Seasonal Patio Program**

The 2020 TPP design was focused on business retention through the COVID-19 economic shock. The 2021-2023 Seasonal Patio Program (SPP) shifts focus toward that of business retention, attraction and expansion as the City looks to and beyond pandemic recovery. This revised three-year program will aim to allow flexibility for businesses in all parts of the City to create seasonal patios for the summer months, and supports the corporate vision of a thriving downtown for businesses, residents and visitors. The timing of the SPP aligns with the three-year limitation of the

Temporary Use By-Law and coordinates with the projected timeline for major construction projects in the downtown for servicing infrastructure upgrades.

Changes to the program include the approval of seasonal patio applications prior to installation, and that businesses will be expected to source and store patio equipment for their seasonal patios. City-owned picnic tables will not be supplied for the use on seasonal patios the 2021-2023 SPP as they will be required to accommodate expected increased activity in City parks and pavilions in summer and fall 2021.

Staff will report back to Council on program direction beyond 2023, taking into account construction impacts and potential alignment with future street design in the downtown.

### **Principles of the 2021-2023 Seasonal Patio Program**

As part of engagement, City staff heard from all stakeholder groups and, from this effort, staff were better positioned to understand the wants and needs of businesses, visitors, residents and employees. The 2021-2023 SPP aims to balance the needs of businesses with the wants of all parties, within the context of the control and responsibility of the municipality.

To that end, staff used the following principles to guide the 2021-2023 SPP program design:

- Reduce obstacles for participation
- Fairness in program implementation
- Increase opportunity for economic activity
- Support vibrancy in the downtown

### **Revised 2021-2023 SPP guidelines**

Guidelines will remain similar to that of the 2020 TPP, given the bulk of the provisions align with Ontario Building Code, Ontario Fire Code and Accessibility for Ontarians with Disabilities Act regulations. However, the patio stakeholder group provided staff with insight into recommended additions and improvements that would allow for high quality submissions and providing for faster review time, including the following:

- Adapting more plain language
- Clearer guidance on layout and design
- Improved tools to assist with fully complete applications
- List of City-preferred equipment to improve the quality of submissions
- Pre-approved patio design specifications in order to fast track applicants through the process and ensure compliant and visually appealing functionality

### **Applications**

All business types are able to apply for a seasonal patio in 2021. All patio applications are subject to staff approval prior to opening a seasonal patio. Business owners will be required to mitigate any negative impacts of their seasonal patio on abutting or nearby commercial or residential developments. Where the business owner is a tenant, landlord approval will be required.

## **Private property applications**

Portions of privately owned walkways and/or non-accessible parking spaces can be converted to patio-use during the spring to fall season in accordance with the 2021-2023 Seasonal Patio Guidelines. Private owners will work out an amenable use of space that accommodates the needs of their tenants.

## **Public property applications**

Additional approvals will be required from the City of Guelph to permit conversion of the following public spaces for patio-use.

### **Sidewalk:**

Public sidewalks within a business' frontage can be converted for patio-use for the spring to fall season in accordance with patio guidelines. Sidewalk seasonal patios may be permitted to extend beyond a business' frontage with approval being required from the neighboring occupied business. No patio may obstruct visibility or access of a neighboring business.

### **On-street patios:**

Public downtown parking stalls that have been designated through the On-street Patio Permissions Map (Attachment-3) can be converted to patio-use for the spring to fall season in accordance with patio guidelines. Traffic modeling has been completed to provide on-street patio applicants with the maximum space available for conversion of parking spaces to patio-use while accounting for open and free two-way traffic and turning radii or buses and emergency vehicles.

## **Application process**

Patios must be approved by staff prior to installation. Taking in to account engagement feedback related to the application timing, business owners would like to streamline the process as much as possible. In response, a single application will be required for the entire three year program. There will be no annual application required unless patio boundaries change over time. In addition, an application window has been established to allow for appropriate shifting of existing short-term parking spaces and planter placement in the downtown to reduce service impacts, improve functionality and esthetics for pedestrians and drivers. Approval of seasonal patio applications is a first-come, first-served and is dependent on the quality of submissions.

## **Key annual program dates (2021)**

- April 1 - 2021 applications open
- April 23 - 2021 applications close\*
- May 1 - Patio installation begins
- September 30 - 2021 new business applications close
- November 1 - All patios off street by end of day with traffic and parking stalls fully re-opened November 2

\*new businesses may continue to apply for a seasonal patio.

## **Fees**

Application fees are intended to be cost recoverable for administrative/review time associated with the processing of applications and installation of barriers. A new

seasonal patio parking stall rental fee is being proposed to ensure there is equity in the use of public space for patio-use, and to ensure patio spaces remain activated throughout the season.

Seasonal patio application fee: \$210.00

Seasonal patio agreement (public property): \$505.00

Seasonal patio parking stall rental fee (annual): \$3.00/SM

## **Other considerations**

### **Fire safety and inspections**

There were considerable impacts to Fire Services related to responding to fire safety complaints in 2020, issuance of inspection orders, and education and assistance, which displaced fire prevention officers from their other duties throughout the season.

The most notable impacts included obstructing sprinkler/standpipe connections, alteration of fencing materials, the use of combustible decorative materials (cloth, plastics, aesthetic table ornaments and other coverings), and patio layouts blocking emergency responding personnel. It is the intention of Fire Services to assist business owners across the City to meet fire safety requirements, but more enforcement is required to ensure guidelines are being adhered to. It is expected Ontario Fire Code non-compliance can be avoided by ensuring that applications are approved prior to patio installation.

### **Accessibility**

Program feedback included concerns that downtown accessible parking spaces were moved to accommodate seasonal patios in 2020, and accessibility standards were not adhered to in the design of some patios. To address these concerns, additional tools for businesses will be included in the revised 2021-2023 Seasonal Patio Guideline resource. Accessibility legislation non-compliance is also expected to be mitigated by ensuring that applications are approved prior to patio installation. The Accessibility Advisory Committee will be consulted to address concerns where downtown seasonal patios interfere with existing accessible parking spaces.

### **Parking**

The number and final location of downtown on-street patios is unknown. Therefore, balancing the need for on-street parking with patio applications will be addressed through the application approval process. In addition, the Baker Street and Upper Wyndham Street parking lots may be closed in 2021 as a result of site development. This could reduce the current parking inventory in the downtown by 294 spots. To address these concerns, improved directional signage will be used to direct drivers to open surface parking lots and parkades.

### **Waste collection**

Given that the number and final location of on-street patios is unknown in the downtown, a waste collection plan will be required to ensure that the placement of waste receptacles reduce impact on patios and allow access for waste collection staff.

## **Road closures**

### **Engagement results**

Engagement feedback related to road closures indicated a polarization with support for road closures from those with seasonal patios, their employees and the majority of patrons. Those business surveyed that did not participate in the program felt that the closures had negative impacts on their business. Those patrons not in support of road closures felt that it created a perceived inequity in business support and that the traffic disruption deterred people from travelling to, and through downtown. Some patrons also expressed concern that public health measures were not being adhered to in the general closed-street area. Overall, the most common reason given by those that supported road closures was the increased vibrancy in the downtown and that the community outdoor dining space contributed to a feeling of well-being.

#### **Boundaries:**

When presented with a seasonal road closure option, there was support from businesses surveyed to remain with the 2020 downtown road closure boundaries. When asked about preferred changes to boundaries, businesses with patios in 2020 were split evenly on restricting or expanding 2020 road closure boundaries. Businesses without patios leaned much more toward restricted closure boundaries. Employees and patrons were in highest support of the 2020 road closure boundaries and if changed, would like to see them expanded.

#### **Timing:**

When presented with a seasonal road closure option, businesses with patios and their employees were the strongest supporters to have streets closed throughout the entire week. The days of the week that gained largest support from all stakeholder groups was Friday, Saturday and Sunday, with Thursday garnering noteworthy support.

## **Other road closure considerations**

### **Revised closed road area boundaries**

In response to engagement support for the 2020 road closure boundaries in the downtown, staff are recommending that the only City-led road closure area be the Wyndham Street and Macdonell Street intersection. It is being recommended that closure boundaries be restricted to allow for the maximum economic activity related to the conversion of parking stalls and roadways to patio-use, and reduce delivery/pick up and garbage service impacts to business within the closed road area. This location also has the highest concentration of restaurants in the downtown and is the most restricted in available on-street patio space due to the turning radii for buses and trucks.

### **Enforcement and inspections**

Staff recommends that resources for increased inspections and enforcement be included in the 2021 program budget. Public engagement indicated that non-compliance of patio guidelines and public health measures were concerns, particularly in the 2020 closed road area. Emergency services staff note that pro-

actively educating the public on guideline compliance will mitigate complaints and subsequent inspections from emergency services staff.

Should seasonal or intermittent road closures be implemented as part of the 2021-2023 SPP, staff recommends that the budget be approved for additional security for weekends when higher volumes of patrons are anticipated within road closure areas. This increase will be over and above regular patrol of Guelph Police Services.

### **Transit service impacts**

The proposed road closure area of Macdonell and Wyndham Street has considerable transit impacts affecting 11 Guelph Transit routes. Run-cutting for three routes may be required to continue to meet on-time performance for arrivals and departures at Guelph Central Station. There are significant costs associated with the rerouting and run-cutting including fuel, maintenance and staffing costs, depending on the type of schedule or amount of routes involved. In addition, there are logistical challenges around communicating alterations of regular schedules so that changes are clearly understood by both Transit employees and riders.

### **Scheduled construction projects:**

To accommodate the rehabilitation of railroad bridges in the downtown area, the following road impacts are anticipated in 2021:

- Norfolk Street (lane closures under Metrolinx bridge at Waterloo Avenue)
- Wilson Street (one full weekend closure between Carden Street and Gordon Street)
- Wellington Street East/Macdonell Street/Elizabeth Street (weekend closures to accommodate bridge rehabilitation work over the Speed River)

The timing of the bridge work is not confirmed at this time but may overlap with the seasonal patio program. The SPP coordinator will work collaboratively with Traffic staff to appropriately communicate access to downtown during the construction period.

### **Partnership with the Downtown Guelph Business Association (DGBA)**

The DGBA supports a Seasonal Patio Program but it is not in support of a seasonal road closure in the downtown. The costs associated with any City-led road closure would be the responsibility of the City, including costs noted above as well as transit detours, added enforcement, signs and staffing. The DGBA will partner with the City on marketing, communication, programming and patio aesthetics. The DGBA will also serve as a mediator related to disputes between downtown businesses that are part of their membership, and other related issues that may arise as part of the Seasonal Patio Program.

### **Road Closure Options**

<b>OPTION 1</b>	<b>Option Considerations</b>
<b>Special Events Only</b>	Community organizations and groups of businesses can submit a special events application to program public space (including roads) throughout the City. On-street seasonal patios would remain restricted to the On-street Permissions

OPTION 1	Option Considerations
	Map area and would not change during the time of the special event.
<b>Fee Structure</b>	Fees associated with application processing and road closure (such as signs/barriers) would be recovered by the City through the special event application process.
<b>Financial Impact</b>	There is little additional financial impact to the City over and above the 2021-2023 SPP implementation, given that the management of events would remain with the applicant or within existing staff work.
<b>Impacts</b>	<p><b>Benefits:</b></p> <ul style="list-style-type: none"> <li>• Business or organization-led, flexible to accommodate the needs of businesses.</li> <li>• Minimal impact on delivery service and garbage service outside special event times.</li> <li>• Consistent application of the program to all businesses.</li> </ul> <p><b>Drawbacks:</b></p> <ul style="list-style-type: none"> <li>• Does not provide for expanded patios beyond areas identified in the On-street Permissions Map.</li> <li>• Unknown volume of applications; may strain special events staff.</li> <li>• COVID-19 regulations and Public Health guidance may limit events for 2021.</li> </ul>

**Map:** Attachment-3, on-street patios would remain restricted to the areas defined on the On-street Seasonal Patio Permissions Map.

OPTION 2	Option Considerations
<b>Seasonal Road Closure</b>	<p>Road closure of the Wyndham Street and Macdonell Street intersection from Victoria Day weekend to Thanksgiving Day weekend. Portions of the drive lane will be converted to patio-use expanding the areas available for on-street patios or programming.</p> <p>Businesses within the closed road boundary would be permitted to expand their patio by an additional 2.1-2.6 metres (approximately 6.5 feet-8.5 feet) from the curb as well as utilize space within the intersection not used for pedestrian crossings or emergency route.</p>
<b>Financial Impact</b>	Because this would be an extension of the SPP, the City would take on all cost impacts. This option would reduce the SPP budget requirements for barrier purchases. The estimated increase to the SPP program budget would be an additional \$338,200.

OPTION 2	Option Considerations
<b>Fee Structure</b>	There would be no fees over those recovered through the SPP.
<b>Impacts</b>	<p><b>Benefits:</b></p> <ul style="list-style-type: none"> <li>• Provides for expanded patios</li> <li>• Creates pedestrian friendly atmosphere and added vibrancy to downtown</li> <li>• Less traffic control measures required within the closed area</li> </ul> <p><b>Drawbacks:</b></p> <ul style="list-style-type: none"> <li>• Security plan recommended</li> <li>• Delivery/pick up impacts to businesses within closed road boundary</li> <li>• Negative economic impact to businesses located outside of closed road boundary</li> <li>• Disproportionate patio sizes from those inside and outside the boundaries.</li> <li>• Requires re-routing of 11 transit routes</li> <li>• Depending on the volume of applications it may strain current special events staff.</li> <li>• On-street patios within the closed boundary only permitted between Victoria Day and Thanksgiving Day weekends.</li> </ul>

**Map:** Attachment-4 – Road Closure Boundaries shows the proposed road closure for Wyndham and Quebec Streets.

OPTION 3	Option Considerations
<b>Intermittent Road Closure</b>	Road closure of the Wyndham Street and Macdonell Street intersection from Friday morning to Monday morning from Victoria Day weekend to Thanksgiving Day weekend (as well as holidays). On-street seasonal patios would remain restricted to the On-street Permissions Map area and would not change during the time of the road closure however, the closed space could be used for programming.
<b>Financial Impact</b>	Because this would be an extension of the SPP, the City would take on all costing impacts. The estimated increase to the SPP program budget would be an additional \$152,200.
<b>Fee Structure</b>	There would be no fees over those recovered through the SPP.
<b>Impacts</b>	<b>Benefits:</b>

OPTION 3	Option Considerations
	<ul style="list-style-type: none"> <li>• Creates pedestrian friendly atmosphere and added vibrancy to downtown on weekends that are most visited by patrons.</li> <li>• Allows for programming area within closed road not used for patios</li> </ul> <p><b>Drawbacks:</b></p> <ul style="list-style-type: none"> <li>• Security plan recommended</li> <li>• Weekend delivery/pick up impacts to businesses within closed road boundary</li> <li>• Does not provide for expanded patios beyond areas identified in the 2021-2023 SPP</li> <li>• Negative economic impact to businesses located outside of closed road boundary</li> <li>• Requires re-routing of 11 transit routes on weekends</li> <li>• COVID-19 regulations and public health guidance may limit events opportunities for 2021.</li> <li>• Significant ongoing set-up and take-down time as well as added challenge of storing material</li> </ul>

**Map:** Attachment-5 – Road Closure Boundaries shows the proposed intermittent road closure for Wyndham and Quebec Streets. There would be no change in patio layout as closures would be intermittent.

## Financial Implications

### Program Budget

Program costs associated with the 2021-2023 Seasonal Patio Program include:

- Purchase, set up, take down, and ongoing maintenance of road closure barriers.
- Parking stall location signs, directional signs and communication related to parking changes.

Program coordination can be absorbed into 2021 budget, however additional resources may be needed in 2022 and 2023. Future program costs being presented as part of the regular budget process. Provincial and Federal funding to support seasonal patio programs will be explored as they are made available to offset program costs to businesses and reduce the budget impacts to the City.

### Seasonal Patio Program 2021 Costs

Traffic Control	\$100,800
Signs and Communications	\$4,000
Inspections and enforcement	\$7,500
Contingency	\$2,000
<b>Total</b>	<b>\$112,500*</b>

\*Does not include road closure costs as discussed in the following sections.

**Road closure options**

The following would be additional costs over and above that of the 2021-2023 Seasonal Patio Program.

**Option 1: Special Events Only**

The number and final location of special events are unknown. Current tourism staff will support special event applicants to ensure high quality applications and coordination with seasonal patio guidelines. Fees regularly charged for special events will be recovered by the City through the special event application process.

**Option 2: Seasonal Road Closure**

Additional program costs associated with Option two includes:

- Fuel, maintenance and staffing costs for re-routing 11 Guelph Transit routes in order to meet on-time performance for arrivals and departures from Guelph Central Station.
- Set up, take down, and ongoing maintenance of road closure barriers.
- No parking sign installation and soft-tow services for intermittent road closures.
- Directional signs and additional communication of seasonal closure.
- A security plan for high volume weekends in the summer and fall.

A seasonal road closure would not require the full amount of barrier purchases as would be associated with the Seasonal Patio Program the 2021 program budget would be reduced by an estimated \$42,000.

**Seasonal closure 2021 budget impact**

Transit detour	\$338,200 annual*
Security plan	\$15,000 annual
Operations staff	\$3,020 annual
Signs and communications	\$3,000
Reduced barrier costs	-\$42,000
<b>Total</b>	<b>\$317,220</b>

\* Transit detour budget impact is an estimate only. Depending on volume of ridership as we transition through the summer months, and the operational impacts related to the pandemic, these costs could be higher than projected.

Should Council direct staff to implement Option 2, the recommendations should be amended to read:

That staff be directed to implement road closure Option 2 (Seasonal Road Closure) included as part of the 2021-2023 Seasonal Patio Program. And, that, a one-time total transfer of \$429,720 from the Tax Operating Contingency Reserve #180 be approved for the purpose of delivering the Seasonal Patio Program in 2021 with expected future program costs being presented as part of the budget process.

### Option 3: Intermittent Road Closure

Additional program costs associated with intermittent closures include

- Fuel, maintenance and staffing costs for re-routing 11 Guelph Transit routes on weekends and holidays in order to meet on-time performance for arrivals and departures from Guelph Central Station.
- Set up and take down road closure barriers twice per week.
- No parking sign installation and soft-tow services for intermittent road closures.
- Directional signs and increased communication of intermittent closures.
- A security plan for high volume weekends in the summer and fall.

#### Intermittent closure 2021 budget impact

Transit detour	\$152,200 annual
Security plan	\$15,000 annual
Operations	\$11,000 annual
Signs and communications	\$4,000
<b>Total</b>	<b>\$182,200</b>

Should Council direct staff to implement Option 3, the recommendations should be amended to read:

That staff be directed to implement road closure Option 3 (Intermittent Road Closure) included as part of the 2021-2023 Seasonal Patio Program. And, that, a one-time total transfer of \$294,700 from the Tax Operating Contingency Reserve #180 be approved for the purpose of delivering the Seasonal Patio Program in 2021 with expected future program costs being presented as part of the regular budget process.

### Consultations

Economic Development Advisory Committee

Downtown Guelph Business Association

Patio Stakeholder Group

Guelph Police Services

### Strategic Plan Alignment

Powering Our Future

- Fostering downtown business innovation to support a thriving downtown Guelph
- Building collaborative partnerships with businesses
- Ensuring policies and zoning bylaws support a healthy economy and are consistent with environmental priorities
- Encouraging the growth of Guelph's employment base, offering meaningful opportunities for all

### Attachments

Attachment-1 2020 Temporary Patio Program Timeline

Attachment-2 Engagement Results Report  
Attachment-3 On-street Seasonal Patio Permissions Map  
Attachment-4 Proposed road closure  
Attachment-5 Intermittent road closure  
Attachment-6 Staff Presentation – Seasonal Patio Program

## **Departmental Approval**

Engineering and Transportation Services, Environmental Services, Facilities and Energy Management, Fire Services, Guelph Transit, Legal, Realty and Court Services, Operations, Parks, and Planning and Building Services.

## **Report Author**

Christine Chapman, Manager, Economic Development

### **This report was approved by:**

John Regan, EcD(f), CECD.  
General Manager, Economic Development and Tourism  
Infrastructure, Development and Enterprise Services  
519-822-1260 extension 3567  
john.regan@guelph.ca

### **This report was recommended by:**

Kealy Dedman, P.Eng., MPA  
Deputy Chief Administrative Officer  
Infrastructure, Development and Enterprise Services  
519-822-1260 extension 2248  
kealy.dedman@guelph.ca