

Luke Weiler

June 29, 2023

Guelph, ON

Mayor Cam Guthrie;
Members of Council
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

RE: Seasonal Patio Program (SPP)

Dear Mayor Guthrie and members of council:

I am writing to support staff's recommendation that the Seasonal Patio Program be made permanent, but to challenge and raise concerns about other recommendations.

I live and work downtown. I do not operate a restaurant or patio. I have no financial interest in this issue and will not stand to benefit from any decision made.

I have been a supporter of the patio program since its inception early in the pandemic. I think it has greatly activated our downtown and that the benefits to residents and local businesses are significant and obviously noticeable. The SPP has inarguably made downtown Guelph a more pleasant, inviting, and attractive place than it was four years ago.

It is unfortunate that nothing less than a world-shaking pandemic could jolt us out of our reflexively anti-fun habits and into embracing activated and welcoming public space. We should be on guard against our natural tendencies and take care not to smother a successful but still-nascent program with onerous regulation and fees.

City staff propose to reduce the operation of the program by six weeks. This is the opposite of what we should do. I say make it year-round, and applaud anyone who has the fortitude and ingenuity to set up outdoor accommodation between November and May. Patios can exist in the cold, believe it or not. What businesses need is certainty and stability so they can make capital investments to brave the harder parts of the year.

I am also opposed to the proposal to run this program on a cost-recovery basis, paid for by patio operators and the municipal accommodation tax. It is proposed that the city:

- increase the application fee from nil to \$171 annually;
- increase the footage fee from \$3 per square metre annually to \$10 per square metre *monthly*;
- require a patio agreement at the cost of \$228; and

- charge an inspection fee of \$260 per year.

As the Downtown Business Association notes, for a patio 100 square metres in size, this would represent a year-to-year increase of over 1600%.

This would make sense only if the SPP was a public nuisance that the city was trying to shut down. For a program the city supposedly supports and wants to encourage, these fees are not reasonable. They will increase the burden on local small businesses, making it harder and more costly to participate in this program. At a time when businesses are struggling to find staff, dealing with inflation, and in some cases still paying off pandemic loans, this recommendation is poison for the patio program.

The city needs to appreciate that these patios are not mere appendages of restaurants or bars; they are also public amenities. They improve our quality of life. At a time when the city is looking at spending millions of dollars rebuilding Wyndham Street and pedestrianizing its antiquated vehicular 1960s design, I see local business owners already doing the hard work themselves to make inviting, articulated, and welcoming streets. As Jane Jacobs noted, a street with more eyes on it is a safer street. A street with more people on it is a street that more people want to be on. The SPP has led to more people coming downtown, at more times of the day, on more days of the week. It is a boon to locals and tourists. The fact that the city gets all these benefits for less than \$200,000 annually should be recognized as a great deal.

We should learn from the example of Toronto. After being similarly rocked begrudgingly into innovation by COVID-19, Toronto's DNA is reasserting itself and crushing its celebrated patio program to death. Red tape, fees, and bureaucratic inertia have already led to the loss of hundreds of patios and the program seems unlikely to make it to 2025.

Who wants to return to the sun-baked and ugly dust-blown streets of 2019? If you don't, don't approve these fees; keep the program running with the support and minimal intervention which has led to this early success and ask what could be done to make it *easier* for a business owner to participate in the future.

Thank you for your time and consideration.



Luke Weiler