

Subject: Outdoor Restaurant Patios**Recommendation:**

BE IT RESOLVED THAT Council receive Report #2021-046 for information.

Background:

On June 15, 2020 Council approved the temporary waiving of a maximum of 6 parking spaces for restaurants to allow for 'pop-up' parking lot patios to be used in parking areas associated with restaurants during the pandemic to support local restaurant businesses.

Analysis:

The COVID-19 pandemic has resulted in significant economic impact on local businesses. Restaurants have been significantly impacted due to the restrictions on their operations and some have not survived. The permission to allow 'pop-up' patios in the parking lots during the summer and fall months of 2020 was important to many of these businesses and it is anticipated that with the COVID-19 pandemic extending well into 2021 it will continue to have a significant impact on the operations of these businesses. By continuing to temporarily waive the requirement of up to 6 parking spaces for restaurants and allow those spaces to be used as 'pop-up' patios during the pandemic in 2021 will be a support for these businesses and is consistent with the provincial government's directive to provide flexibility to these businesses.

The Town also has a Sidewalk Encroachment Policy that allows for restaurants to apply to the Town for permission to encroach on the municipal right-of-way i.e. the sidewalk, for outdoor sidewalk patio use subject to meeting the policy requirements related to proof of insurance, provincial licensing requirements, pedestrian accessibility requirements and urban design zoning, sign and Building Code requirements. Approval of sidewalk patios under the Sidewalk Encroachment policy is managed through the Clerk's Office and there is no fee associated with this permission. It is recognized that outdoor restaurant patios contribute positively to the vitality of downtowns, main streets and public spaces.

Staff recognize the need to open the economy slowly and safely during the COVID19 pandemic and at the same time want to support local restaurants in their ability to offer a dining and food experience. It is recognized that 'pop-up' parking lot patios are temporary in nature and will only be allowed during the period of pandemic. Also, it is acknowledged that the 'pop-up' parking lot patios provide some opportunity for restaurants to offer hospitality service and the waiving of up to six parking space requirements supports these small businesses during a very difficult economic time.

In 2020 all of the 'pop-up' parking lot patios occurred on private property and were subject to meeting Public Health protocols and Provincial licensing requirements related to food service and serving of alcohol. Should a 'pop-up' parking lot patio be proposed on municipal property, in addition to meeting Public Health, accessibility, and licensing requirements, the proponent would be required to provide evidence of having the liability and property damage insurance in the amount of \$2,000,000 in place for the patio area and name the Town as an insured entity prior to being allowed to operate the patio on municipal property.

By continuing to allow the temporary 'pop-up' parking lot patios during the pandemic, in addition to the sidewalk patios, Council continues to provide support to these local businesses.

Financial Considerations:

The only cost associated with the extension of the program is the value of staff time. No additional monies are required to deliver the service and permit the existence of temporary 'pop-up' parking lot patios. Continuing to allow the temporary 'pop-up' patios for restaurants supports local businesses during the pandemic and is one measure that the Town can offer to help these businesses survive the pandemic.

Alternatives Reviewed:

No alternatives were reviewed.

Strategic Plan Relationship: Build Strong Communities and Cultural Assets

Supporting the local businesses helps to build strong communities and resiliency for these businesses.

Consultation:

The EOC was consulted.

Other Pertinent Reports/Attachments:

Community Planning and Development Report 2020-089.

Prepared and Recommended by:

Barbara Wiens, MCIP, RPP
Director of Community Planning and Development

Prepared and Submitted by:

David Cribbs, BA, MA, JD, MPA
Chief Administrative Officer