

## 2022 Seasonal Patio Program and Mobility Network Accessibility

### RECOMMENDATION(S):

That the Infrastructure and Planning Committee recommends that Council:

1. Support transitioning to seasonal on street patios to enhance vibrancy in business areas; and
2. Approve the proposed fee structure for seasonal patios.

### RECOMMENDATION OF THE INFRASTRUCTURE AND PLANNING COMMITTEE, 2022 MARCH 31:

That Council:

1. Support transitioning to seasonal on street patios to enhance vibrancy in business areas;
2. Approve the proposed fee structure for seasonal patios;
3. **Direct Administration to waive seasonal patio fees, license of occupation sidewalk cafe fees, and fees for outdoor cafe development permits on private land for a third year. And, access the Fiscal Stability Reserve to offset these costs for Roads in 2022 and, if necessary, access the Planning & Development Sustainment Reserve to offset the development permit costs in 2022; and**
4. **Direct Administration to refund fees for patio applications that have already been submitted in 2022.**

## HIGHLIGHTS

- Seasonal patios can enhance street vibrancy and attractiveness. Seasonal patios create new places for Calgarians to eat and play. The City has updated the seasonal patio guidelines to improve accessibility and support economic recovery. Administration has proposed a fee structure for businesses who operate seasonal patios which is equal to that of other City patio (outdoor café) programs.
- **What does this mean to Calgarians?** Calgarians will be able to enjoy their favourite seasonal patio that is designed to be inclusive and universally accessible ensuring everyone can participate in their community.
- **Why does this matter?** Universally designed seasonal patios are usable for all Calgarians. The accessible Guidelines developed for the 2022 patio season are aligned with the Canada Act which is focused on creating communities, workplaces, and services that enable everyone to participate fully in society without barriers.
- Several groups provided input on the seasonal patio guidelines including The City's Advisory Committee on Accessibility and Business Improvement Areas.
- Administration is recommending a subsidized fee for seasonal patios instead of the typical street use fees.
- The City has several programs and processes to support and prioritize accessibility within our mobility network.
- In June 2021, Council approved NOM C2021-0990 which directed Administration to ensure pop-up patios/detours are erected in a manner that provides universal accessibility around and onto patios; directed placement of pop-up patios to the curb lane; and increase the priority given to accessibility in the design, building, operation, and maintenance of Calgary's mobility network. In Sept 2021, Council approved NOM

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PFC2021-1120 which directed Administration to subsidize hoarding fees, daily street use permits, lane closure fees, and other associated fees; engage with stakeholders; create a team to deliver the program; and that patio extensions should adhere to accessibility standards.

- Strategic Alignment to Council's Citizen Priorities: A prosperous city

### **DISCUSSION**

#### **Patios**

City Administration is excited to support businesses through the upcoming 2022 Seasonal Patio Extension Program. Seasonal patios can make a street vibrant and attractive while creating spaces for Calgarians to eat and play. Aesthetically pleasing patios that are compatible with the neighbourhood context welcome all patrons, create destinations, and provide immense value for businesses and the community.

The City has updated the seasonal patio guidelines to improve accessibility both to the patios and along public sidewalks, support economic recovery, and improve the aesthetics of the seasonal patios. The guidelines were developed using best practices across western Canada. The City's Advisory Committee on Accessibility and Access Design Subcommittee provided valuable input on the guidelines. In addition, a multi-discipline team was formed as a steering committee to build upon previous patio programs to generate a new streamlined intake/review process for businesses and Administration.

Typically, a series of fees would be charged to any business for exclusive use of City right-of-way (e.g. roads and public sidewalk). These fees include street use permits, hoarding permits, parking loss fees, detour fees, and various administration fees (e.g. inspections). Instead, for 2022, Administration is proposing a single seasonal patio fee which is equal to the Council approved License of Occupation fee for outdoor cafés (\$7.35 per sq. ft). This would represent approximately a 55% reduction from the typical series of fees charged for on street patios. Assuming a similar number of seasonal patios in 2022 as received in 2021 (219 patios), the fee reduction would result in The City collecting approximately \$680,000, compared to the estimated \$1,500,000 collected through the typical fee structure. If Council approves this proposed fee structure, the parking fee revenue loss (approximately \$500,000) will be offset by utilising the Parking Revenue Reinvestment Policy.

#### **Accessibility**

In 2020, a Cross-Corporate Public Accessibility Advisory Team was created with departmental representatives. The purpose of this team is to facilitate the alignment and compliance of projects to The City's Access Design Standards. The Team augments and works in alignment with the Advisory Committee on Accessibility and the Access Design Sub-Committee who reviews and makes recommendations on City projects and plans. The Access Design Sub-Committee includes valuable insight and expertise from individuals with a cross-disability, lived experience perspective. The Cross-Corporate Public Accessibility Advisory Team has also created a process to review capital projects for accessibility. New and retrofit projects also must adhere to current design standards as well as accessibility guidelines. For example, Marda Loop Main Streets is currently being designed with accessibility being one of the priorities.

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Operationally, Administration supports and is continually working to increase accessibility on our mobility network through several existing programs and processes. Highlighted in report TT2021-0819, snow and ice control accessibility improvements include the increased priority of sidewalk clearing for all City-owned properties within 24 hours, an addition of 100 km of pathways being cleared, the removal of snow build up (windrows) at 500 high-priority wheelchair ramp locations, as well as a communications campaign to increase public awareness on the need to clear important accessibility related infrastructure around the City. Administration maintains 715km of pathways, 958km of sidewalks, 136 traffic calming curbs, 17.6km of walkways and pedestrian bridges, 13km of separated bike lanes, 1247 priority bus pads, and 500 priority wheelchair ramps for snow and ice operations in addition to the roadway surfaces. Accessibility and equitable services are a priority focus of the snow and ice control policy review currently underway. Accessible Pedestrian Signal devices, which provide audible indications to assist visually impaired pedestrians crossing at traffic signals, are now installed at all new signals with pedestrian crossings. Accessible Pedestrian Signals devices are also installed at existing signals during retrofit projects and on request. City programs which install wheelchair ramps and tactile treatments retrofitted over 445 wheelchair ramp locations in 2021.

Administration has completed seven actions within the Step Forward Pedestrian Strategy and are continuing to work on thirty-five actions of which some are ongoing. There is also a program created to remove maze gates on engineered walkways. Administration also is working on a new detour manual to improve sidewalk detours and closures.

Finally, Council recently approved a \$2M budget to improve mobility network accessibility within the City. This additional investment will provide an enhanced level of service for pedestrian accessibility while also improving meaningful access in many of our public facing facilities. Funding will allow for items such as:

1. Increased maintenance of installed Accessible Pedestrian Signals and pedestrian corridors/signals (i.e., rectangular rapid flashing beacons).
2. Relocation of pedestrian push buttons according to new accessibility standards.
3. Installation of tactile plates in wheelchair ramps to assist the visually impaired, among other vulnerable users.
4. Installation of accessible parking in Calgary Transit Access Zones, Business Improvement Areas, and in Calgary's City Centre.
5. Implementation of new standards for pedestrian crossings, barrier reductions, maze gate revisions, and urban braille system development.
6. City facility upgrades to meet accessibility standards.

### **STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)**

- Public Engagement was undertaken
- Public Communication or Engagement was not required
- Public/Stakeholders were informed
- Stakeholder dialogue/relations were undertaken

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The Advisory Committee on Accessibility and the Access Design Subcommittee provided input on accessibility aspects within the seasonal patio guidelines and have been engaged throughout the process.

Business Improvement Areas were engaged to provide comments/feedback on the seasonal patio guidelines as well as to inform their area businesses of the proposed updates. Input from both the Business Improvement Areas as well as individual businesses were received and considered in drafting the final guidelines.

The Business and Local Economy team has provided updates at the Business Advisory task force meetings.

Two official communications from Administration were provided to the 219 businesses (as well as Business Improvement Areas) that had seasonal patios in 2021.

A key consideration when crafting the guidelines was striking the correct balance between the needs of business as well as the need for accessibility around and onto seasonal patios.

## **IMPLICATIONS**

### **Social**

Patios increase vibrancy within the areas they exist and can provide an attractive street presence to users of all modes of travel. There are traffic calming benefits as the street narrows while also creating more “people vibrancy” and less “car vibrancy”. Furthermore, investments made in patio accessibility (and accessibility in general) have a significant positive social impact.

### **Environmental**

More accessible mobility networks could encourage active travel versus auto travel

### **Economic**

Patios provide great value for business by extending their dining space while creating exceptional places for Calgarians to eat and play. Providing a subsidy for businesses who implement these seasonal patios will support economic recovery.

### **Service and Financial Implications**

Decrease in rates or fees

Businesses who operate seasonal patios will be charged the same fee amount as businesses that have a License of Occupation for outdoor cafés. This recommendation provides a subsidy over street use fees and loss of parking fees. Parking revenue will be impacted if businesses occupy roadway spaces and Traffic permit revenue will be impacted as part of this report. Parking fee revenue loss will be offset from revenues within the Parking Revenue Reinvestment Policy.

## **RISK**

The following risks have been identified:

1. Accessibility groups may have concerns that the proposed guidelines are not removing all accessibility barriers.
2. Businesses may not invest in patios due to economic uncertainty and City fees.

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3. Businesses who would not benefit from a seasonal patio will experience reduced parking, potential impacts to their operations, and could feel Administration is providing an inequitable business subsidy that only helps those with street frontage that are conducive to patios.
4. Reduction in on street spaces reduces the ability for those with a need for enhanced accessibility to be dropped off or picked up near their destinations as well as reducing food delivery pickup spaces.
5. Mechanisms to recover costs result in shortfall to administration operating budgets.

These risks are considered to be low to medium for The City. The strategies in place to manage these risks focused on engaging the Advisory Committee on Accessibility and Access Design Subcommittee for input on the guidelines, providing clear consistent communication with Business Improvement Areas and businesses on the guidelines, as well as providing a subsidized fee for seasonal patios.

#### **ATTACHMENT(S)**

Previous Council Direction

Department Circulation

General Manager	Department	Approve/Consult/Inform
Doug Morgan	Transportation	Approve