TORONTO CAFÉ GUIDELINES

project overview
THE PROJECTS

Harmonization of Outdoor Café & Marketing Bylaws
• Municipal Licencing & Standards Division
• Review of the bylaws governing outdoor cafés on the right-of-way

Outdoor Café Guidelines
• Transportation Services Division (Public Realm Section)
• Update of Outdoor Café Guidelines
TORONTO CAFÉ GUIDELINES

project overview

Work Plan

1. Analysis
   June - August 2014

2. Initial Directions
   Sept - Nov 2014

3. Document Preparation
   Dec 2014

4. Council Reporting
   Late Spring 2015

5. Cafe Season
   Summer 2015
RELATED CITY PROJECTS & POLICIES

**Design**
- Toronto Walking Strategy
- Vibrant Streets
- Streetscape Manual
- Café Guidelines
- Complete Streets

**Regulatory**
- Ontario Building Code
- Liquor Licence Act
RELATED CITY PROJECTS & POLICIES

- Vibrant Streets
- OBC
- Toronto Walking Strategy
- Streetscape Manual
- Complete Streets
- AGCO
- Café Guidelines

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Jurisdictions Reviewed
OTHER JURISDICTIONS

Existing Bylaws

• No clear example of café bylaw + illustrated bylaw overlay

Content

• Brief to extensive
• Technical to design-based to comprehensive
• Often include ...
  • design principles
  • illustrations
  • application summary
  • maintenance requirements
OTHER JURISDICTIONS

Top Guidance Documents

- Melbourne Café Guidelines (comprehensive)
- Richmond Café Guidelines (design only)
- San Francisco Parklets (comprehensive)
- Vancouver Parklets (comprehensive)
## TORONTO CAFÉ GUIDELINES

### analysis

<table>
<thead>
<tr>
<th>Quality of Public Realm</th>
<th>Accessible Sidewalks</th>
<th>Regulation</th>
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<tbody>
<tr>
<td>• poorly executed café enclosures can privatize public space</td>
<td>• minimum pedestrian clearway standards often not sufficient</td>
<td>• staff application refusals often overruled at council</td>
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<td>• allowable café types limit design flexibility</td>
<td>• many patio designs force pedestrians to weave</td>
<td>• restrictive liquor regulations limit flexibility</td>
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<td>• quality of café furniture detracts from public realm</td>
<td>• café furniture encroachments are common</td>
<td>• staff resources to enforce are minimal</td>
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<td>• current process does not allow transportation approval</td>
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### Notes
- **Enclosures**
  - Can privatize public space
  - Allowable café types limit design flexibility
  - Quality of café furniture detracts from public realm
  - Current emphasis on fencing limits design flexibility

- **Sidewalks**
  - Minimum pedestrian clearway standards often not sufficient
  - Many patio designs force pedestrians to weave
  - Café furniture encroachments are common

- **Regulation**
  - Staff application refusals often overruled at council
  - Restrictive liquor regulations limit flexibility
  - Staff resources to enforce are minimal
  - Current process does not allow transportation approval
CAFÉ BYLAW THEMES

Bylaw Update
• Consolidate pre-amalgamation by law provisions
• Update by-law provisions, fees & enforcement processes

Increase Choice
• Identify new opportunities for cafés within the public right-of-way
CAFÉ GUIDELINE THEMES

Bylaw Interpretation
• Help the cafe applicant understand and interpret the Bylaw
• Help the café applicant navigate through the application process

Design Quality
• Provide café applicants with additional flexibility and choice
• Encourage more high-quality and well-designed boulevard cafes

Safety & Accessibility
• Ensure outdoor cafes do not interfere with pedestrian movement
Overall Approach to the Café Guidelines

- Design Guidelines (Boston, Richmond)
- Design Guidelines + Selected Content (Vancouver Parklets)
- Comprehensive Guidelines (Melbourne)
Overall Approach to the Café Guidelines

- Short Document (Boston Overlay)
- Medium Document (Vancouver Parklets, Toronto POPS)
- Extensive Document (Melbourne, San Francisco)
Positive Guidance

- Recent guidelines focus on positive guidance
- Use of the terms ‘should be’, ‘shall be’, ‘must be’ should be carefully considered

"should be" or "is encouraged"
"should be uniform in style and design"
"high quality durable materials are encouraged"
"should be constructed using weather resistant materials"

"is discouraged"
"plastic furniture is discouraged"

"shall be" or "must be"
"must be constructed of materials that do not deteriorate quickly"
"furniture shall be visually pleasing and unified"
"furniture shall be constructed using weather resistant materials"
"shall be/must be manufactured for outdoor use"
"shall be commercial grade"

"is not permitted" or "is unacceptable"
"plastic and resin chairs are not permitted"
"furniture constructed entirely of plastic is unacceptable"
KEY DOCUMENT SECTIONS

Definitions

• Establish definitions using clear language
  • Frontage Zone
  • Pedestrian Clearway
  • Curbside / Furnishing Zone
  • Curb / Parking Lane
• Bridge the gap between bylaw and lay terminology (the bylaw is the foundation)
KEY DOCUMENT SECTIONS

Pedestrian Clearways

- A minimum 2.1m clearway unless a lesser width is permissible or a greater width is required to safely accommodate pedestrian movement.
- A greater clearway in locations with:
  - med/high pedestrian activity
  - near a transit hub
  - arterial/collector street
  - significant commercial activity
- Clearway shouldn’t shift
- Potential to be described in a comprehensive map
KEY DOCUMENT SECTIONS

Café Classification

- An introduction to the range of possibilities
- Allow applicants to select their preferred arrangement from the outset
- Not a common section in other guidelines (most jurisdictions only allow a single arrangement)
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Common Themes

- High-quality well designed cafes
- Appropriate café locations & clearances
- Safe cafes & sidewalks for all
- Accessible cafes & sidewalks for all
TORONTO CAFÉ GUIDELINES

initial directions

KEY DOCUMENT SECTIONS

Design Elements

- Fencing & Barriers
- Temporary Café Decks
- Café Enclosures
- Tables & Chairs
- Awnings & Umbrellas
- Landscaping
- Street Trees
- Lighting
- Paving Treatments
Initial directions

Example: Vancouver Parklets

**Responsibilities of the Successful Applicant**

The City will retain ownership of the parklet structure and is responsible for any major repairs. However, the sponsoring organization is expected to regularly oversee and clean the parklet, and to maintain any plants incorporated into the design.

Successful applicants will be required to sign a letter agreement that commits to the following:

- **Insurance:** You will be required to carry commercial general liability insurance with at least a $2,000,000 limit as per City Risk Management policies. Most businesses already carry this insurance; please check with your provider. The designer will also be required to carry professional liability insurance to be determined on a case-by-case basis.

- **Cleaning:** You will be required to keep the parklet free of debris, grime, and graffiti. You must clean the surface of the parklet and rinse out the area beneath the parklet at least once a week. Seating should be dried after rainfall if necessary.

- **Landscaping:** You must keep plants in good health, including watering, weeding, and trimming when necessary. Design and maintenance of any landscaped areas must follow the City’s Boulevard Gardening Guidelines.

- **Movable Furniture:** Any movable items, such as tables and chairs, must be either locked down at night or taken inside. Unsecured furniture is not permitted after business hours. All tables and chairs must be different from what you are using as part of your business, including sidewalk café tables and tables inside the restaurant.

- **Table Service:** Parklets are free and open to all members of the public to use. You will be responsible for ensuring that there is no table service on your parklet, including the placement of condiments or napkins.

- **Annual Renewal Fee:** Applicants should commit to looking after their parklet for a minimum of three years. You will be required to pay a $500 annual renewal fee to help recover City costs associated with the program.

Parklets may have to be temporarily or permanently removed under certain circumstances. The City reserves the right to remove part or all of the parklet for street improvements, utility work, emergencies, or repeated violations of the letter agreement. Advanced notice will be given in case of planned maintenance.
Many jurisdictions have an application process summary
Application materials are often found online
Some jurisdictions have a two-stream or fast track process
questions ...