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Item No. 1

Halifax Regional Council
August 5, 2008

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


Paul Dunphy, Director of Community Development

DATE: June 24, 2008

SUBJECT: Sidewalk Café Policy Review

INFORMATION REPORT

ORIGIN

This report originates from a Council motion on April 8, 2008 for staff to provide an update on considerations for year-round opening of sidewalk cafés.

BACKGROUND

HRM has permitted the operation of sidewalk cafés since 1997 when Regional Council approved a Sidewalk Café Policy which stipulates the guidelines for approvals, permitting, construction and operation of sidewalk cafés. The policy, when established, allowed the seasonal operation of temporary sidewalk cafés during a specified timeframe of May 15 until October 15. On April 8th, 2008, Council amended the timeframes for opening of sidewalk cafés to allow earlier openings in the spring period (with an amended start date of April 21st). This change was made in response to previous requests from the business community to allow for early startups in conjunction with major downtown events including the 2008 World Hockey Championship and the 2006 Junos.

This report provides an update to Council on consideration for further changes to the sidewalk café policy to consider the potential for year-round opening of sidewalk cafés as result of this issue being raised at Council.

DISCUSSION

In 2001 HRM began a review of Council's Sidewalk café policy and procedures. This review was guided by a consultants study completed in 2001 entitled "Downtown Halifax Sidewalk Café Design Standards, which was developed through public and stakeholder consultation. This study recommended improved design criteria for sidewalk cafés to address aesthetic, heritage, universal design and accessibility considerations. The study also made recommendations on how to improve the permit and application process for sidewalk cafés, which led to changes to the application and administrative review process for temporary sidewalk cafés. These changes were instituted in 2002 to address accessibility and universal design, heritage and design review of sidewalk cafés. However, due to some concerns from the local business community, policy changes to address year-round cafés were not advanced.

Recent consultations with HRMbyDesign have renewed interest in year round sidewalk cafés. Over the course of the HRMbyDesign process, staff has had discussions with merchants in the Granville Mall and the Argyle Street areas about their interest in year round patios. Year round cafés have many benefits in terms of extending the entertainment season, and enhancing street vibrancy particular in districts where a critical mass of cafés can help revitalize and grow an emerging restaurant district. The establishment of year round cafés need to be carefully balanced against other functions within the right of way including consideration for loading and access, on-street parking, traffic circulation and maintenance, and given these considerations must be carefully sited along streets which do not have a primary traffic and transit function.

The issue of permanent, year round cafés requires further review by staff and external stakeholders before recommendations can be brought forward to Council. This review will address a number of factors:

- appropriate design standards for permanent cafés,
- maintenance and liability concerns,
- displacement of on-street parking, adequate traffic circulation and loading,
- relationship to streetscape and other capital investment planned for downtown streets, and
- importantly appropriate cost sharing and fee structures for extended and permanent use of the sidewalk for commercial purposes.

HRMbyDesign has advanced a framework for enhancing streetscapes in Downtown Halifax that builds on previous Capital District streetscape plans and guidelines approved by Council in 2004. The HRMbyDesign project will recommend to Council priorities for downtown streetscape investment including the designation of pedestrian priority streets which by definition will be characterized by wider sidewalks and more emphasis on pedestrian rather than vehicular use. The appropriate timeframe to bring forward recommendations for year round patios would be following Council's approval of HRMbyDesign anticipated early in 2009.

BUDGET IMPLICATIONS

None.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ATTACHMENTS

None.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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