



Newmarket

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## Community Services - Economic Development Report 2015-12

TO: Committee of the Whole  
DATE: April 02, 2015  
SUBJECT: Downtown Patios – Pilot Project  
ORIGIN: Community Services – Economic Development

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### **RECOMMENDATIONS**

**THAT Community Services - Economic Development Report 2015-12 dated April 2, 2015 regarding Downtown Patios Pilot Project be received and the following recommendations be adopted:**

- 1. THAT Council endorse a 2015 pilot project of not more than 2 outdoor patios in downtown Newmarket between Millard Avenue and Water Street;**
- 2. THAT applicable provisions of By-law 2002-151 (Outdoor Serving Area) be waived to allow for the pilot to occur, to the satisfaction of Town staff.**
- 3. AND THAT the Main Street District Business Improvement Association be notified of this action.**

### **COMMENTS**


#### **Executive Summary**

The purpose of this report is to seek Council endorsement of a pilot project to permit up to two businesses to open seasonal patios that encroach onto municipally-owned property in downtown Newmarket. This is a positive change that will promote economic development, increase pedestrian activity, and make Main Street a more appealing destination. This report contains background information, a discussion of patio styles, and potential steps for implementation.

#### **Background**

Several Main Street businesses have historically placed informal seating arrangements adjacent to their storefronts in order to provide fair-weather seating for customers on an ad-hoc basis. These have occasionally been on private frontages and other times in the public right-of-way. During special events, permits have been issued for some businesses to expand their operations into the public right-of-way within certain limits. Recently, the Town has been approached to support the establishment of seasonal outdoor patios in the Main Street area.

Studies indicate the desire and importance of supporting pedestrian-centric activities in the downtown. The 2001 Newmarket Historic Downtown Community Improvement Plan (CIP) noted a desire for covered sitting areas, more space for pedestrians, unique restaurants, and vibrant activity in the area. A 2009 survey of residents showed 58% wanted to see more restaurants and cafés in the downtown. A 2013 survey of residents indicated dining was the top reason for visiting downtown Newmarket. The same survey ranked expanding evening activities downtown as the most popular option for improving the area. Since the adoption of the CIP, the Town has invested in attractive streetscaping, façade renewal, building improvements, public facilities, parking, Riverwalk Commons, etc., in or near the downtown area.



## Benefits

Facilitating outdoor patios in the downtown area, particularly fronting onto Main Street, would have several benefits:

- A more attractive, vibrant downtown
- Expanded space for businesses to accommodate more customers
- Increased pedestrian and tourist activity
- Increased number of potential customers for non-restaurant businesses
- Improved dining experience

## Opportunities

Four general types of patios are possible:

### Boulevard patios

Boulevard patios exist in the boulevard (the area of the right-of-way between the road and the sidewalk) but retain an area between the patio and the building front. In the Newmarket context this would take place on the street side of wider sidewalks or on bump-out areas.



Figure 1: Boulevard patio examples

### Sidewalk patios

Sidewalk patios extend from the building face across the sidewalk.



Figure 2: Sidewalk patio examples

Building face patio

A building face patio is a line of chairs or tables against the building wall without additional fencing.



Figure 3: Building face patio examples

Street patio

A street patio makes use of the right-of-way used for on-street parking to extend the grade of the sidewalk. This serves either to permit a *boulevard patio* on a purpose-built wooden structure, or a *sidewalk patio* extending from the building with a wooden sidewalk extension in front.

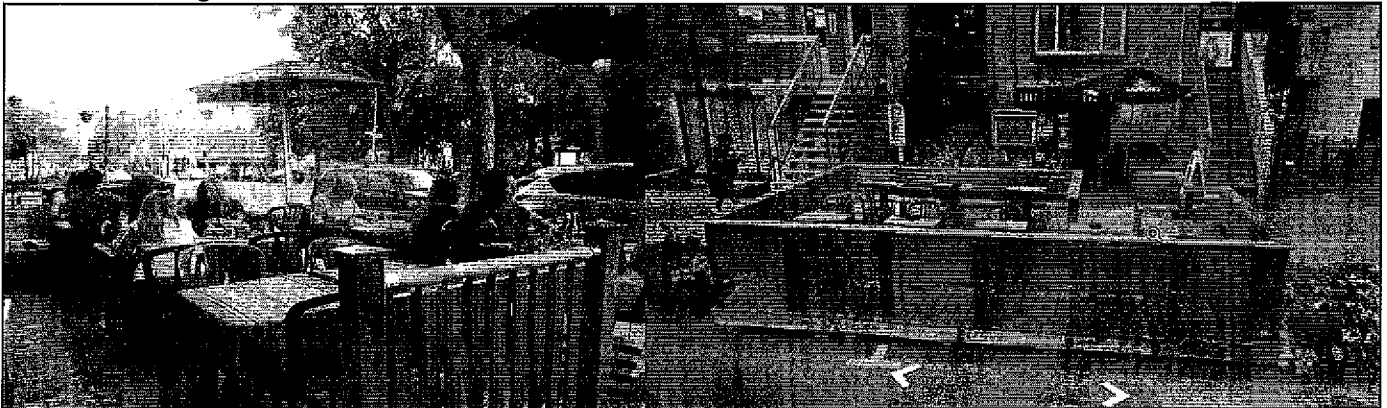


Figure 4: Street patio examples



Figure 5: Street patio examples

## **Analysis**

Restaurant and café patios have proven popular and successful in many Ontario communities. Toronto and Ottawa have expanded their patio programs with municipalities such as Barrie, London, Markham, Collingwood, Sudbury, and Aurora beginning to encourage the practice. Issues they have dealt with and resolved as part of the approval process are identified below.

### Parking

Increased customer traffic to the downtown area is a key component of business success. An on-street patio can be a more efficient use of space as a customer-traffic generator than as a parking space. A parking space occupied by a vehicle will convey, on average, 1.6 people to the area. A parking space occupied by an on-street patio can provide seating for as many as 20 additional customers. The economic benefit of this increased activity is confirmed by a recent study that indicates businesses near such patios have seen 20% increases in sales and a 29% increase in local pedestrian traffic.

Should on-street patios be supported, staff will continue to enforce downtown parking bylaws and work toward the improvement of parking in the downtown area, including the opening of the market square parking area as well as reviewing the longer term parking requirements in the Main Street area.

### Liability

Participating businesses will be required to maintain a minimum amount of liability insurance and name the Town of Newmarket as an additional insured party on their policy to prevent potential liability concerns for the Town. This is standard practice in other municipalities.

### Safety

Changes to the right-of-way can cause concerns of safety and accessibility. Certain styles of patio can cause deviations in the expected pedestrian path, which can be a concern for residents with visual impairments. The Accessibility Advisory Committee will be consulted to make certain that downtown sidewalks remain accessible for all residents. Additionally, Central York Fire Services will be consulted to ensure that the movement of their vehicles and other emergency access concerns are addressed.

### Noise

The Town has a noise by-law in place to restrict excessive noise and has the ability to regulate the opening hours of outdoor patios. Town Staff will monitor feedback from residents and business owners to review the hours of operation for patios.

### Appearance

Well-designed patios can contribute a great deal to the appearance of the downtown area. Urban design guidelines ensure that patio fencing and furniture are attractive and reflect the historic character of the downtown. The Heritage Conservation District Committee will be consulted to ensure that patio designs reflect the historic character of the neighbourhood.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

### Official Plan

The Official Plan supports the principles behind permitting and encouraging outdoor restaurant patio space. For instance, section 12.2.3 of the Official Plan underlines the need for pedestrian amenities as a way to ensure comfort outdoors, stating: ““Designing for pedestrian amenities should be informed by the following: [...] Comfortable outdoor gathering places, particularly in work and entertainment centres, can be created by designing for human scale and providing shelter and shade.” Similarly, 12.2.4 relates to the importance of usable common areas, saying: “Common areas such as plazas, parks, recreation areas and other outdoor spaces, create ‘breathing room’ – areas for rest and relaxation in our urban environment.” Outdoor seating, both public (in the form of benches along sidewalks) and private (in the form of restaurant and café patios) are an important part of this outdoor comfort.

### Community Improvement Plan

The 2001 Newmarket Historic District Downtown Community Improvement Plan includes a vision for Main Street as a welcoming, bustling beehive of activity. For instance, section 6.3 of the Plan includes a vision for "A welcoming, historic, beautiful downtown [that is] pedestrian friendly (possibly by narrowing the street)". The potential exists to enhance the role of the street as a pedestrian-friendly environment throughout summer months, as the plan calls for "A downtown full of outdoor places to celebrate community spirit, [including] cafés, outdoor seating, courtyards, [and] public open spaces."

### CONSULTATION

This project has been presented to Engineering Services, Bylaw Services, Public Works Services, Planning Services, Building Services, and the Main Street District Business Improvement Association, which has indicated preliminary support for this initiative.

### HUMAN RESOURCE CONSIDERATIONS

None.

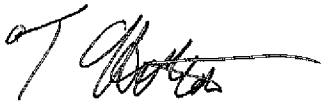
### BUDGET IMPACT

#### Operating and Capital Budgets (Current and Future)

None or nominal.

### CONTACT

For more information on this report, contact Chris Kallio, Economic Development Officer, [ckallio@newmarket.ca](mailto:ckallio@newmarket.ca), ext. 2442.



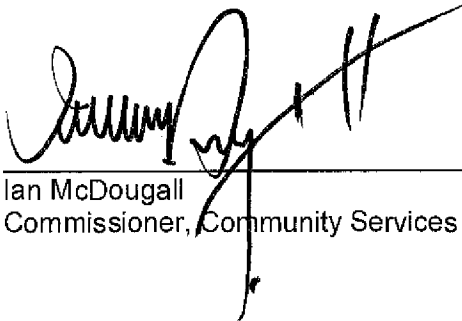
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