

(Introductions)

Purpose of our delegation is to show support for the recommendations in the Outdoor Patio Program report, **with modifications**.

Staff is asking Committee to endorse IN PRINCIPLE the Draft Patio Design Guidelines included as Appendix B.

Both my organization, the BRA and industry suppliers were consulted on these draft guidelines during an intensive briefing last month. These were the same draft guidelines shared with members of City Council.

From that meeting we jointly tabled 14 recommendations and edits we would like to see addressed. We expect that these amendments will be duly considered when staff re-approaches with a final report in Q1.

Providing blanket support for the proposed fee schedule in the report is however, a challenge.

We are reminded of the projections from industry experts that the recovery of the hospitality sector, province wide, is a five to seven year journey toward pre-pandemic sales.

Our downtown boasts the largest concentration of restaurants and hospitality service providers in Halton Region. As advocates for this industry, Craig and I will continue to push for the removal of all barriers and additional costs to operators that could impair their recovery.

It is well known that chronic labour shortages, persistent supply chain concerns and the cost of fuel are already impediments to recovery.

Our goal today is to provide DIRECT advice and solutions to Committee as staff consider the rates & fees by-law.

RECOMMENDATION 1: We are asking Committee and Council to reduce the insurance burden on operators from \$5M to \$2M in 2023.

\$2M is the approved rate from last season.

I would bring Committee's attention to the correspondence submitted by Team Burlington in support of this reduced cost.

For many in the industry, Chair, the proposed leap to \$5M in patio liability insurance is a clear barrier to entry. This is especially true for smaller operators in the BIAs where it is typical to carry insurance in the \$1M-\$2M range.

We would like to see this program expand, not only in its geography but also in the number of participants. The industry has concluded that a requirement for \$5M and the resultant leap in cost to the operator to meet that standard, an estimated **\$10-\$40K** per business annually, would be a significant disincentive to participate.

RECOMMENDATION 2: We are asking Committee and Council to reduce or eliminate many of the proposed fees outlined in the present report.

Prior to the pandemic, operators that encroached on public parking stalls were charged a fee of \$1,720 to offset the loss of revenue that would be generated.

In June 2020 Council's wisdom was to waive that fee in its entirety.

This was part of a municipal support package that waived *also* the fees and requirements for site plan approval and zoning clearance certificates.

The present report is seeking a *re-introduction* of the parking space fee to an amount of **\$750** per space. In addition, it introduces a new fee of **\$500** per application for patios encroaching on-street to assume the cost for any bollards, hazard-marker signage or barriers required.

While we appreciate the desire to include municipal cost-recovery measures, we are in fact seeking a municipal investment in a permanent patio program commencing 2023.

Finally Chair, the staff recommendation in the report is OPTION 2: *“the discontinuation of a municipal investment in on-street barriers for the creation of “pedestrian clear paths” on roads”*.

We agree with the sentiment of the citywide patio survey referenced in the report: the outdoor dining experience was *not enhanced* by the set up of large, orange waterfilled barriers last season.

The hospitality sector downtown **does** support the need for a consistency of look and feel in the design of the patios and rights of way.

Yet, our support for the new design guidelines, in principle, comes with significant consequence.

By the municipality rescinding its investment in the creation of pedestrian clear paths the onus will fall squarely on the operators to fund and install this required infrastructure.

This is an unacceptable cost.

Page 12 of the Report outlines a solution to the problem of funding a centrally-managed pedestrian walkway system: The Municipal Accommodation Tax Reserve Fund.

A permanent patio program citywide requires a permanent investment in pedestrian walkways.

Our knowledge of the MAT program is the following:

- 1) Local hospitality providers have already commenced the collection of this tax

2) 50% of this revenue is to be used at the discretion of the City of Burlington

3) The intention of the MAT Fund is to invest in projects that *“improve visitor and resident experiences by increasing the infrastructure and tourism capacity of the City”* as well as *“investing in placemaking initiatives that provide economic recovery to tourism and hospitality businesses”*

Our view is that this Fund is perfectly aligned to support the needed infrastructure that the revised Design Guidelines demand.

Yet, this program is out-of-reach until 2024.

Chair, we submit

RECOMMENDATION 3: We are asking Committee and Council to expedite the MAT Fund to 2023. Specifically, to signal pre-approval for the purchase or rental of pedestrian platforms to support the Patio Program city-wide. Alternatively, to identify a similar funding source to meet this goal.

In conclusion, Chair, our delegation is seeking funding certainty from this Council as operators weigh their participation in the proposed Patio Program for next year.

We submit that if the tenets of the present report were in effect today including: higher insurance requirements, the introduction of new fees, and, a significant expense to furnish the public realm, most operators would simply opt out.

- That concludes our delegation, we will take questions