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To: Chair and Members of Committee of the Whole

From: Todd Evershed, Supervisor, Special Projects & Urban Design

Cc: Samantha Yew, Tim Commisso, Brynn Nheiley, Jamie Tellier, Kyle Plas

Date: February 2, 2024

Re: **CORRECTIONS – Program Fees in 2024 for Seasonal Outdoor Patios on Public Property**

The intent of this memo is to correct figures reported for the proposed 2024 program fees in Report PL-05-24, listed as item 12.1 on the Feb. 5, 2024, Committee of the Whole Meeting Agenda.

In PL-05-24, the recommended fees were calculated based on the approximate 2023 program costs set out in Table 2-2 of the report (see page 10 of Report PL-05-24); however, the correct recommended fees should accurately reflect the anticipated 2024 program costs.

Should council approve the recommended zoning bylaw amendments and establishment of a permitting system, the program costs will decrease in 2024 as the result of efficiencies that will require less staff time to both process applications for patios on private property and administer licence agreements for those on public property.

CORRECTIONS:

1. On page 12 of Report PL-05-24:

Table 2-3 Proposed 2024 Program Fees

Fee Type	Proposed User Fee	Projected 2024 Volume	Projected 2024 Revenue
Application Fee	\$492.92	17 Installations	\$8,379.69
Seasonal Patio Permit Fee	\$40.00 per square metre (m ²)	17 Installations	\$34,799.60
Barrier Rental/Deployment Fee	\$123.04 per linear metre (lm)	116.5 linear metres	\$14,334.21
Total Revenue			\$57,513.50

CORRECTS:

Table 2-3 Proposed 2024 Program Fees

Fee Type	Proposed User Fee	Projected 2024 Volume	Projected 2024 Revenue
Application Fee	\$450	0 New Applications	\$0
Seasonal Patio Permit Fee	\$103.45 per square metre (m ²)	13 Applications	\$90,000
Barrier Rental/Deployment	\$80.12 per linear metre	116.5 linear metres	\$9,334.21
Total Revenue			\$99,334.21

The above updated fee schedule more accurately reflects the anticipated program costs associated with implementing the proposed Seasonal Outdoor Patio Program in 2024. These updated program fees are based on a review of staff time related to permit application processing, review and approval, installation/removal coordination, and responding to concerns from participants and the public. It is important to note that these fees include a reduction of the seasonal patio permit fee from \$103.45 to \$40.00 per square metre based on an analysis of market rents, and an increase of the barrier rental/deployment fee to include costs related to the partial recovery for the purchase of safety barriers in 2023 amortized over 10 years of rental fees.

- On page 12 of Report PL-05-24, in para 3 under section 2.4.5, staff erroneously stated: “Staff propose to remove the requirement for an application fee in 2024 for businesses that participated in the program in 2023 to assist businesses during this transition year.” In fact, to align with the recommendation for full cost recovery as detailed in Option 1 below, staff recommends that an application of \$492.92 be charged to all program participants in 2024.
- Starting on page 13 of Report PL-05-24, the following figures should be replaced throughout the remainder of the report, accordingly:

Figure:	Replace with:
\$450.00	\$492.92
\$103.45	\$40.00
\$80.12	\$123.04

- On page 14 of Report PL-05-24:

Table 2-5 Comparison of Fees – 2019 vs. Proposed 2024

2019 Fee for Average Patio*	Proposed 2024 Fee for Average Patio*	% Reduction in Fee
\$2,856	\$1,232.92	57%

*Assuming average patio area of one parking space – an area of 18.5 m²

CORRECTS:

Table 2-5 Comparison of Fees – 2019 vs. Proposed 2024

2019 Fee for Average Patio*	Proposed 2024 Fee for Average Patio*	% Reduction in Fee
\$154.38 per m ²	\$103.45 per m ²	33%

*Assuming average patio area of one parking space – an area of 18.5 m²

5. On page 17 of Report PL-05-24:

Table 3-2 Full Rate Curb Lane Fee Comparison: Proposed in Burlington vs. CaféTO

Proposed 2024 Fee for Average Patio*	2025 CaféTO Fee for Average Patio*	Cost Difference for Seasonal Patio Permit
\$1,232.92	\$3,314.77	\$2,081.85

*Assuming average patio area of one parking space – an area of 18.5 m²

CORRECTS:

Table 3-2 Full Rate Curb Lane Fee Comparison: Proposed in Burlington vs. CaféTO

Proposed 2024 Fee for Average Patio*	2025 CaféTO Fee for Average Patio*	Cost Difference for Seasonal Patio Permit
\$1,913.83	\$2,449.77	\$535.94

*Assuming average patio area of one parking space – an area of 18.5 m²

6. On page 19 of Report PL-05-24:

Option 1: Full Cost Recovery Model. (Recommended)

Year	2024
Application Fee	\$492.92
Seasonal Patio Permit Fee (per m²)	\$40.00
Barrier Rental/Deployment Fee (per lm)	\$123.04
Projected Program Costs	\$57,513.50
Total Projected Revenue	\$57,513.50
Recovery of Program Costs	100%
Subsidized Program Costs	\$0.00

Option 2: Recommended fees phased in over three years (CaféTO Approach).

Year	2024	2025	2026
Application Fee	\$162.66	\$325.33	\$492.92
Seasonal Patio Permit Fee (per m²)	\$13.12	\$26.40	\$40.00
Barrier Rental/Deployment Fee (per lm)	\$40.60	\$81.21	\$123.04
Projected Program Costs	\$57,513.50	\$57,513.50	\$57,513.50
Total Projected Revenue	\$18,979.46	\$37,958.91	\$57,513.50
Recovery of Program Costs	33%	66%	100%
Subsidized Program Costs	\$38,534.05	\$19,554.59	\$0.00

CORRECTS:

Option 1: Full Cost Recovery Model. (Recommended)

Year	2024
Application Fee	\$450
Seasonal Patio Permit Fee (per m²)	\$103.45
Barrier Rental/Deployment Fee (per lm)	\$80.12
Projected Program Costs	\$99,334.21
Total Projected Revenue	\$99,334.21
Recovery of Program Costs	100%
Subsidized Program Costs	\$0

Option 2: Recommended fees phased in over three years (CaféTO Approach).

Year	2024 (33%)	2025 (66%)	2026 (100%)
Application Fee	\$148.50	\$297	\$450
Seasonal Patio Permit Fee	\$34.14	\$68.28	\$103.45
Barrier Rental/Deployment Fee	\$26.44	\$52.88	\$80.12
Projected Program Costs	\$99,334.21	\$99,334.21	\$99,334.21
Total Projected Revenue	\$32,782.06	\$65,564.12	\$99,334.21
Recovery of Program Costs	33%	66%	100%
Subsidized Program Costs	\$66,552.15	\$33,770.09	\$0

This memo serves to refine and update the fees recommended in Report PL-05-24 for the proposed permanent Seasonal Outdoor Patio Program for patios on public property.

Respectfully submitted,

Todd Evershed
Supervisor, Special Projects & Urban Design