

DECISION/DIRECTION NOTE

Title:	Downtown Pedestrian Mall and Parklet Program
Date Prepared:	January 17, 2023
Report To:	Regular Meeting of Council
Councillor and Role:	Councillor Debbie Hanlon, Special Events Regulatory Committee
Ward:	N/A

Decision/Direction Required: Seeking Council approval of the recommendations outlined below for the Downtown Pedestrian Mall and Parklet Program, allowing consistency and certainty for both the City and businesses participating in these programs.

Discussion – Background and Current Status: The City has operated the Downtown Pedestrian Mall (DPM) and the Parklet Program for three years. A pedestrian mall (or pedestrian precinct) is defined as a street or part of town where vehicles are not allowed. During this time, the program scope, footprint, and operations have expanded and changed. The safe and effective operation of this program requires engagement and resources from multiple City groups, currently administratively demanding and can cause confusion for businesses when criteria is changes year to year.

In consideration of the ongoing demand from the public for this program, City staff from all involved divisions met to debrief and discuss the future of the DPM and the Parklet Program. All staff agree that long-term program planning and commitment from Council are crucial for the sustainability of the DPM and the Parklet Program.

Seven recommendations are outlined below, which if implemented will contribute to more efficient implementation and management of the program, and in turn a successful event for years to come. These recommendations were based on what we heard from business, members of the public and other regulatory and safety considerations.

Downtown Pedestrian Mall:

1. Staff recommend extended dates for the 2023 – 2025 DPM to coincide with the end of the school year (last Thursday of the week school closes) and to finish on Labour Day Monday of each year.
 - 2023 - Thursday June 22nd – Monday September 4th
 - Start dates for future years in line with the NLESD school calendar.

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2. Staff recommend a modified footprint for DPM, to include Water Street from Adelaide Street to Cliff's Baird's Cove. This modification will alleviate safety concerns with vehicles and pedestrians sharing the same road space.
 - Continued vehicle access is required to the Courthouse, Colliers Parking lot and private residential parking.
 - A modified footprint will allow unimpeded access to the Atlantic Place parking garage.
 - Allow for improved accessible parking along Water Street.
 - Working with GoBus, in conjunction with their safety supervisor and CSJ traffic services division, to identify an accessible drop off area on Water Street west of Cliff's Baird's Cove
 - Previous attempts to eliminate interactions between pedestrians and vehicles in this area have not been successful.

Tourism and Event staff recommendation to modify the footprint of the DPM to Adeladie Street to Cliff's Baird's Cove is based on safety and accessibility for all. Safety remains our key priority, and the vehicular access in the area of Cliff's Baird's Cove to Prescott Street has been a concern in previous years. Transportation staff have identified a concern around traffic congestion in the area of Cliff's Baird's Cove. This will have to be monitored and adjustments made where necessary.

Parklet Program

3. Staff recommend 3-year period for approvals of the Discretionary Use applications for Parklets.
 - 3-year approvals will result in a reduction of administrative time and cost to process applications.
 - A commitment will consistency for business owners when planning parklet infrastructure
4. Staff recommend parklet rates remain as per 2022 program.
 - Presuming the Discretionary Use is approved for 3 years, businesses wishing to lease land for a parklets will enter into a lease for the three years with such lease setting out the period in each year they will lease the land. Businesses may choose to shorten or extend their annual lease period in subsequent years and the annual rental payment shall be adjusted accordingly. However, there shall be no refunds of rent in any year if the business chooses to open later and/or close earlier. The lease may also be terminated by a business.
5. Staff recommend an application period.
 - While late applications will be considered, for business certainty, businesses will be asked to submit their application no later than April 30.
 - This ensures program elements are finalized allowing business to open parklets on time. Such elements include the lease, insurance certificates, plans approvals, ensure safety elements are implemented and to allow for programming into the wayfinding application.

6. Jersey Barrier Safety Requirement

- In 2022, jersey barriers were located alongside parklets to provide an additional safety protection against passing vehicles. It is anticipated approximately 30 jersey barriers will be required for the 2023 parklet program.
- Annual cost to purchase and install and remove these barriers is approximately \$12,000 to \$20,000 (depending on how many new barriers will need to be purchased). Staff recommend this cost is absorbed by the City of St. John's.

7. Staff recommend the development of a new By-Law for building standards of Parklets.

- By-Law will cover standards including accessibility, sight distance, design and construction standards, use of cooking apparatus, use of heating apparatus, etc.
- Without a By-Law the only mechanism for enforcement is the termination of a lease.

Parklet fees previously approved by Council SJMC-R-2022-03-28/128:

1. In 2022, Council approved the implementation of a standard development application fee beginning in 2023. This \$300 fee is paid only when making an application for discretionary use, therefore should a three-year application process be approved, this fee would only be paid once
2. Where applicants also require a lease of City land there is an additional \$300 administrative fee associated with the preparation of the lease.

Key Considerations/Implications:

1. Budget/Financial Implications: Existing budget in place for DPM road closure program and jersey barrier costs included in PERS budget.
2. Partners or Other Stakeholders: Downtown St. John's
3. Alignment with Strategic Directions: A Connected City: Develop and deliver programs, services and public spaces that build safe, healthy and vibrant communities.
4. Alignment with Adopted Plans: N/A
5. Accessibility and Inclusion: Increase availability of accessible parking options near the Downtown Pedestrian Mall in consultation with the Accessible Parking Working Group and Inclusion Advisory Committee. Support businesses to increase inclusion and accessibility through the development of education tools and incentives.
6. Legal or Policy Implications: By-Law to be drafted and enacted. Discretionary Use application(s) under Development Regulations will have to be approved by Council. Leases will be drafted for parklets.
7. Privacy Implications: N/A

8. Engagement and Communications Considerations: Should the following recommendations be approved Special Events and Planning, Engineering and Regulatory Services will engage with the Marketing and Communications division to ensure that a comprehensive communications strategy is developed to ensure (a) businesses in the downtown and (b) visitors to the event are fully informed of the timelines, footprint and regulations regarding parklets.
9. Human Resource Implications: N/A
10. Procurement Implications: N/A
11. Information Technology Implications: N/A
12. Other Implications: N/A

Recommendation:

That Council approve the 7 recommendations noted for the 2023-2025 Downtown Pedestrian Mall and Parklet program.

Prepared by:

Approved by: