

Dear Colleagues:

Many of us have heard from our hospitality service sector the devastation that COVID had on their businesses over the past two years. Through multiple lockdowns, restaurants have pivoted to make adjustments to ensure a safe, healthy and enjoyable experience for patrons. As we move toward a post pandemic era, we also recognize that the path forward will be long and must look to ways to support those who have been so committed through this time.

One of the bright lights of the COVID crisis has been an ability for us to experience firsthand expanded opportunities for outdoor patio space to serve patrons differently. Many restaurateurs have taken advantage of the opportunity to have more seats outside. This has created little to no negative community impacts and in fact has created a much more vibrant streetscape for many neighbourhoods, not just the downtown core and Ward 13.

While many early investments were done “on the fly” and at as low a cost as possible, owners are now looking to make more lasting investments in their premises with furniture, plants, and other infrastructure, as well as additional staff, to make the experience better and keep us coming back. That investment costs money, and owners want to ensure, should those expenses incur that the future of extended patios is here to stay.

With this in mind, we have worked together on a motion for the Planning and Environment Committee and ultimately Council’s consideration, to address the community’s concerns.

Currently the City regulates patio capacity via section 4 of the Z-1 zoning by-law as follows:

#### **Subsection 4.18 – Outdoor Patios Associated with a Restaurant or Tavern**

##### **4.18(1) – Capacity**

*No outdoor patio shall accommodate more than 50 percent (50%) of the licenced capacity of the restaurant with which the patio is associated, or 50 persons, whichever is the greater.*

Given during the pandemic the City of London has essentially run a pilot project allowing for expanded patio service, and given maximum capacities are already regulated via the Alcohol and Gaming Commission of Ontario based on the premises size, we believe additional layers of regulation via the City of London are an unnecessary additional restriction. With that in mind, we are asking for your consideration of the motion below:

*That Civic Administration be directed to investigate options to repeal subsection 4.18(1) or amending current capacity restrictions to allow greater flexibility for restaurateurs in meeting their ACGO capacity limits and report back with options for council’s consideration.*

Sincerely,

Councillor John Fyfe-Millar  
Ward 13

Councillor Shawn Lewis  
Ward 2