

Reallocation of Space for Outdoor Dining: An Analysis of
COVID-19 Pandemic Outdoor Dining Policies and Perceptions
in Ontario

by

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Author's Declaration

I hereby declare that I am the sole author of this thesis. This is a true copy of the thesis, including any required final revisions, as accepted by my examiners.

I understand that my thesis may be made electronically available to the public.

Abstract

In recent years, the COVID-19 pandemic created disruptions in the restaurant industry. Consequently, cities in Ontario developed pandemic-induced patio policy with the goal of allowing restaurants to continue operation under lockdown restrictions. Pandemic-induced patio policy was identified to have the potential to contribute to long-term changes in these areas. Despite the increase in policy development, there is a gap in literature when considering how Ontario cities developed their policies and what the dominant themes of these policies are. Through a qualitative, mixed methods approach this thesis explores the changes that were made to patio policy in Ontario during the COVID-19 lockdowns of 2020 and 2021. The first manuscript assesses the extent that pandemic-induced patio policy was developed in the 52 cities in Ontario and what the key features of these policies were. The second manuscript explores how changes to patio policy were perceived by participants in the food retail environment. The first study concludes that supporting restaurant businesses through patio policy development was heavily prioritized by cities in Ontario during the COVID-19 pandemic. These policies varied in terms of time frame and method of implementation. Major policy themes included financial incentives, changes to the application process, and development of city-specific policy features including road closures, as well as other programming including promotional programs. A total of 10% of cities in Ontario implemented elements of their new patio policies post-lockdowns. Additionally, these policies were exempt from public consultation requirements, however some cities chose to conduct community engagement. The second study concluded that patio policy was a prevalent topic for employers, employees, and stakeholders when discussing responses to the COVID-19 pandemic. Themes discussed in interviews varied between the interview groups. Of the different respondent groups, employers discussed patios and patio policy most frequently. They found patios policy to be supportive, and that patio dining during the pandemic contributed to profitability. For some employees, patios lead to concerns over safety and create negative workplace environments. The feasibility of patio policy was perceived to be influenced by factors including vehicle use on the street, availability of patio space, and the business's financial situation. Recommendations based on the findings are associated with developing patio policy in a holistic manner, which considers compatibility with current streetscape functions and relevant plans.

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Chapter 1

Introduction

1.1 Problem Context

1.1.1 The Importance of Streets

Streets and their sidewalks, the main public places of a city, are its most vital organs. Think of a city and what comes to mind? Its streets. If a city's streets look interesting, the city looks interesting; if they look dull, the city looks dull. (Jacobs, 1961).

Streets and their components have played an important role in cities throughout history. The shape and function of streets can influence on-street safety, community sociability, vibrancy, and the city's unique identity. The state of the streets within a city are often representative of the state of the city. For example, when someone describes how a city makes them feel, they are often referring to how they feel on the city's streets and sidewalks (Jacobs, 1961).

In most modern North American cities, streets are places where automobile traffic is prioritized over any other form of public use. Highway expansion and urban sprawl have limited people's ability to navigate cities without a car. Since the invention of the automobile, cities in North America have consistently prioritized automobile travel over other forms of transportation (Bunting & Filion, 2010; Harvey, 1989). The trend towards development that favors automobile prioritization, also known as auto-centric development, is responsible for the widespread suburbanization, highway expansion, and urban sprawl seen in cities throughout North America. Following this rapid suburbanization, many cities in North America have seen a severe decline in their urban cores due to the outmigration of economic activity and housing. In the mid 20th century, competition from suburban malls and shopping plazas contributed to the deterioration of downtown economies. Many downtowns continue to struggle with high vacancy rates and crumbling infrastructure (Burayidi, 2018). This is detrimental to cities because downtowns and the activities that go on within them give the city its unique identity. A thriving downtown contains workplaces, residences, commercial activity, culture, and as much as possible of everything that cities have to offer (Jacobs, 1961). Many local governments in Canada have incorporated the objective of downtown revitalization into their plans to mitigate the negative effects of urban sprawl. In Ontario, The most frequent objectives

associated with downtown revitalization have been to increase residential population and increase downtown activity overall (Lauder, 2010). While these goals are important to revitalizing the downtown core, the process of downtown revitalization is complex and can create negative or positive effects for different groups of people.

In the following sections I present a series of arguments to justify my research topic. First, North American Streets in urban areas are not currently designed to serve the public good. Second, progressive and community-led downtown revitalization projects and supportive practices can contribute to improving North American downtowns, and third, restaurants and patios are a component of downtown revitalization, particularly in light of the recent COVID-19 pandemic. Finally, I will present my research question as well as the outline of my thesis.

1.1.2 The Decline of Downtowns

The shape and function of downtowns in North American cities are constantly shifting. At the beginning of the 20th century, the downtown areas of cities existed as the primary social and commercial centre within the city (Walzer & Kline, 2001). During this era, the downtown of most North American cities contained a business district surrounded by industrial activity. Those who lived and worked in the central business district and the surrounding industry lived near their workplaces as long-distance travel had yet to be made accessible to the average household (Walzer & Kline, 2001).

Following the second world war and stretching into the mid-70s, a major shift took place in the North American city's development pattern. This era, commonly known as the Fordist era, was characterized by innovations in vehicle production (Bunting & Filion, 2010; Harvey, 1989). These innovations led to a change in lifestyle for those living in North America. The prioritization of automobiles as a part of everyday life brought on significant changes in human behaviour. In the built environment, this was characterized by widespread suburbanization, single use zoning restrictions, and roadway development happening at a higher pace than ever before (Gilchrist, 2015).

These changes laid the groundwork for the decline of many downtown areas in the cities of North America (Scott & Filion, 2017). Roadway expansion and the prioritization of the automobile over pedestrian and other forms of transportation created limitations on the street's ability to be used as a form of public space (O'Neil, 2021). The function of the new roads and highways was limited to only automobile transportation and eliminated social and cultural aspects of streets including street furniture, patios, and street vendors. As North America became more suburban, activities shifted

away from the downtown core into plazas and other forms of business districts located in the suburbs (Bunting & Filion, 1999). The trend toward the development of sprawling suburbs, paired with the introduction of large-format retail to the edges of cities in North America been continuing for decades. This includes an outmigration of food retail activity from the downtown core to other areas of the city (Scott & Filion, 2017).

Many planning theorists have criticized the changes that took place throughout the Fordist era which continue to occur into the modern day. Jane Jacobs and subsequent urban scholars have described how the development of uniform zoning and suburbanization led to the deterioration of the downtown area in North American cities (Jacobs, 1961). To combat this, many cities have implemented downtown revitalization projects to steer back to these planning theories in practice.

1.1.3 Restaurants Role in Downtowns

Cities in Ontario have attempted a variety of projects with the goal of curbing the decline that has been taking place in downtown core including the focus of public investments into projects like sports arenas, performing arts centres, and downtown shopping malls (Filion & Hammond, 2008). Many of these projects have seen limited success. Other revitalization methods include a focus on attracting “lifestyle amenities” (Florida, 2002), which includes a variety of recreational and cultural activities paired with high density housing. In many cases, this focus on lifestyle amenities has contributed to an increase in activity in the core that had been lost by suburban development and deindustrialization (Scott & Filion, 2017). This generation of activity may contribute to other processes that occur in downtown areas including gentrification, sanitization, and the reinforcement of neoliberal ideology and several other processes (Scott & Filion, 2017).

The process of downtown revitalization is complex and can create negative or positive effects for different groups of people. Research into downtown revitalization methods has found that community-led continuous and incremental improvements are more important to holistically generating activity downtown rather than large scale individual projects (Jamal, 2018). These processes are complex and may come from a variety of places in combination including top-down provincial planning and bottom-up local strategies (Jamal, 2018). Revitalizing downtown areas is best accomplished through many different policies and practices that build on the community’s strengths (Faulk, 2006). Although every community has different strengths, there are certain areas that are common potential strengths of communities across North America.

One of these potential strengths is the food landscape, which is characterized in part by the restaurant industry. As food is a daily necessity, the food service and retail landscape can provide insight into how local communities operate to provide the necessary goods and services they require to meet their needs. In addition to meeting primary physical needs, the retail food environment can contribute to broader social and cultural needs of a community (Scott & Filion, 2017). Dine-in restaurants in particular can be a source of entertainment that serves a social and cultural purpose. Additionally, the local food landscape plays a prominent role in tourist decision-making as the food industry influences the types of tourism products offered and the local place promotion strategies a community might use (Bell & Valentine, 1997). The dine-in restaurant industry is not only a service, but a feature that contributes to unique place-making. Dine-in restaurants are a cultural amenity that has a vital role in the urban landscape (Scott & Filion, 2017). Restaurants in the core provide an opportunity to revitalize downtowns through the generation of activities related to the consumption of the local retail environment by residents and visitors alike (Scott & Filion, 2017).

One example where restaurants have contributed to a more vibrant and productive downtown is in Kitchener Ontario. In this city, downtown revitalization efforts resulted in an increase of restaurants in the downtown core. In 2011, the city of Kitchener engaged in projects intending to spur major downtown revitalization. This included a \$110 million dollar investment by the community with the goal of driving private sector investment and bringing companies and jobs to the region (The Record, 2013). Prior to this investment, the area known in Kitchener as the Duke Food Block did not exist. Restaurant owners considered this area to be a viable area for their businesses due to the new economic development taking place in the region, as well as new public transit development that was proposed at the time, and has since been developed (The Record, 2013). Although economic development led to the viability of this area for local restaurants, urban design and auto-centric infrastructure continued to be a barrier for these establishments. One restaurant owner in this area mentioned wanting to set a few chairs and tables outside of the restaurant, however application fees and future annual fees prevented him from pursuing this (The Record, 2013). Although the city had developed economically, automobile prioritization continued to limit space on the streetscape for both pedestrian public space, and other street fixtures including those related to outdoor dining.

In cities across Canada, automobile prioritization continues to limit the ability of restaurants to fulfil their role in downtown revitalization to their full extent. Urban design in many urban centres in Canada is a weakness rather than a strength. The streets in many Canadian cities have been either

built or repurposed into multilane streets to accommodate high levels of vehicle transportation, transforming urban space with features including expressways, interchanges, and consequently suburban sprawl (Gilchrist, 2015). Reclaiming these streets from vehicles can change the transportation hierarchy and give priority back to other forms of transportation, create more public space, and allow for the streetscape to become more than a transportation artery (Bunting & Filion, 2010).

1.1.4 Restaurants and the COVID-19 Pandemic

Canadian cities have witnessed a significant shift in the food retail industry because of COVID-19. Restrictions on indoor dining operations were necessary to prevent viral spread and, although protecting residents was top priority, restaurants experienced a considerable loss in revenue as an unavoidable result of pandemic restrictions. Small businesses were heavily impacted, as they are less likely than large corporately owned food retail businesses to have a large savings base which they can use to weather the challenges brought on by COVID-19 (CWB, 2021). This left Ontarian cities faced with two competing goals, one to support downtowns and the local retail spaces and restaurants within them, and another to prevent the spread of COVID-19.

Although substantial research has yet to be published on the full extent of COVID-19's effect on the industry, preliminary studies have documented some of the struggles and opportunities that COVID-19 has brought to the forefront. Within the restaurant industry, the effects of COVID-19 have been described as "a tale of two market segments," (CWB, 2021). In short, restaurants with an effective delivery and take out system typically found that 2020 and 2021 were some of their best years ever in terms of sales. Other restaurants that were not in the quick service business faced challenges related to customer traffic and health and safety (CWB, 2021). In March of 2020, Restaurants Canada reported that "10% of the country's 97,500 restaurants, bars and cafés have already permanently closed, another 18% said they will be forced to close for good within a month if current conditions continue." (Restaurants Canada, 2020). Due to the importance of dine-in restaurants to the cultural aspect of cities and the revitalization of downtown regions, it is relevant to the practice of urban planning that the effects of the pandemic on these businesses be studied.

Patios were economic supports to dine-in restaurants during the COVID-19 pandemic (Restaurants Canada, 2020). While the concept of outdoor dining has long existed in cities, its significance to restaurant businesses became more pronounced during the pandemic. The sudden

onset of the COVID-19 pandemic in 2020 and the lack of an established policy framework associated with outdoor dining has led municipalities to adopt a patchwork of policies and programs to support food retailers within their community. In Ontario, many cities have found that supportive patio policy created positive changes in their community, and a few have considered the potential of this supportive patio policy beyond COVID (Newcomb, 2022, Fox 2021). So far, there has been no comprehensive overview of the themes present within these policies, guidelines, and programs. For this reason, this study will undertake a systematic content analysis of the most recent patio policies and guidelines develop in response to COVID-19 for every city in the Province of Ontario, Canada. Additionally, there has been no research related to perceptions of these policies across Ontario. For this reason, this study also assesses perceptions in order to draw conclusions on strengths, weaknesses, and opportunities that participants in the restaurant industry have perceived.

1.2 Objectives and Purpose of Study

This research explores the policies and guidelines directing outdoor dining environments in Ontario and how they are perceived by policy makers, employees, and employers in the food service industry during the COVID-19 pandemic. This topic choice is based on the observation that almost all cities in Ontario have developed new patio legislation due to the recognition of the importance of the restaurant industry within the city. This topic was also selected due to the lack of previous policy analysis of patio legislation in Ontario. The focus on patio policy by policy makers in cities in Ontario during the COVID-19 pandemic makes this an opportune time to assess this legislation and determine what has been developed and how it is being viewed by policy makers and those within the industry. This understanding will be developed by addressing the following research questions:

1. To what extent does patio policy exist in Ontario cities?
 - a) What are the key characteristics and features of these policies?
 - b) How frequent are these different policy features in the cities with a population of 10,000 or more across Ontario?
 - c) In what ways do these policies vary based on city size?

2. What are the experiences of policy makers, employees, and employers, associated with the food retail economy with patio policy in Ontario throughout the pandemic?

To understand the effects of patio policies and practices throughout the pandemic, there must first be an understanding of the extent of the policies and practices that have been implemented by cities throughout the pandemic. This will be accomplished in the first manuscript (Chapter 4), where I will present a systematic content analysis of the most recent patio policies and guidelines developed by cities in Ontario Canada in response to COVID-19. In this chapter, I aim to develop the understanding of what patio policy has been developed in cities of all sizes in Ontario during the pandemic. I aim to describe the themes present in these policies and offer plausible explanations for the trends seen based on literature and the broader policy landscape in Ontario at the time these policies were developed. Understanding themes in patio policy at the provincial level can provide an understanding of the direction this policy is taking in Ontario and inform future research and policy development.

The second manuscript (Chapter 5) relies on qualitative interview data collected as part of a broader study to understand what role outdoor dining policy has had within cities throughout the pandemic by examining different perspectives of patio implementation in cities across Ontario. These perspectives include those of people involved in the food retail economy in the form of employees, employers, and other stakeholders.

1.3 Significance of the Study

COVID-19 has given planners a new knowledge base that has the potential to be assessed and applied across North America by those who plan for more resilient cities. This new knowledge comes from the assessment of the socio-economic effects the pandemic had on communities in relation to their urban planning policies and practices. The pandemic has brought to light aspects of urban spaces that inhibit or promote pandemic resilience. Using what has been learned from the pandemic, cities can become better equipped to withstand outside forces brought on by future changes including pandemics, economic changes, and shifts in human behaviour.

This study builds on existing literature that has assessed the need for Canadian cities to curb downtown core decline by reducing trends towards suburbanization and embracing pedestrian-centric and human scale design. This topic is related to the role of restaurants in the cultural development of a community, as well as their role in downtown revitalization in North American cities (Scott & Filion, 2017). This also builds on research on the role of the streetscape and role of fixtures on the street within urban design (O'Neil, 2021). This study addresses these through the development of the

new knowledge base that has arisen due to the COVID-19 pandemic. Although the pandemic will eventually end, the new policies, guidelines, and programs introduced during the COVID-19 pandemic associated with outdoor dining may have a long-term impact on the restaurant industry within cities.

1.4 Outline of Thesis

This thesis contains six total chapters. In the first introduction chapter, I describe the problem context and introduce the two sets of research questions. The second chapter is dedicated to the literature review. In this chapter I describe the problem context surrounding the two main research questions. This includes a description of the history of streetscapes in North America, and the need for downtown revitalization. In the second chapter I describe modern downtown revitalization methods associated with pedestrian-centric streetscape design including Open Streets and Flexible Streets. Also, in the second chapter I describe the economic activities that occur along streets and contribute to economic vitality. I expand on this by describing forms of economic development downtown revitalization including Business Improvement Areas. I describe the role of local restaurants and on street restaurant patios regarding both economic vitality and streetscape design. This includes the role that patios have played in supporting local businesses throughout the COVID-19 pandemic, and the supportive measures that cities across the world engaged in to support this industry, which was hit hard during lockdown. In this section I also describe the planning legislation surrounding the development of patios, as well as COVID-19-induced legislation developed to support patios and assist the restaurant industry.

The third chapter is the Methodology section, in which I describe the methods chosen to answer the two sets of research questions, including a description of the research design and rationale, along with the research ontology, epistemology, and methodology being used. In this section, I give justification for the methods I have chosen, the ethical concerns associated with them, and the strength and limitations of the methods. Chapters 4 and 5 are dedicated to the two manuscripts that I developed using the methods described in the previous chapter. This includes an abstract, introduction, and restating of methods. Also included in these chapters are the results of the study and a discussion of major research findings. Chapter 6 is the concluding chapter and restates the major research findings from the two manuscripts and describes how these findings contribute to planning as a profession in Ontario.

Chapter 2

Literature Review

2.1 Introduction

Streets and their components are an integral part of the urban landscape. One component of the streetscape that can be found in cities across the world is outdoor dining. This component is not only an element of the physical landscape, but also an element of the economic and cultural landscape. This literature review explores the planning concepts that surround outdoor dining in a historical and current context, particularly in the context of the COVID19 pandemic. This includes the concept of streetscape design and related aspects including pedestrian-centric streets, Open Streets, and Flexible Streets (Bogotá Colombia, 1974; Seattle USA, 1965; New York City USA, 1966). These are common streetscape design concepts that are being implemented in many cities in North America to improve walkability and pedestrian-centric design. Patio policies and guidelines can contribute to these elements of streetscape design.

In this literature review I describe the historical context surrounding streetscape development in North America, which has led to trends of suburbanization and downtown core degradation in many North American cities. Next, I describe current projects being implemented to reclaim the streets as spaces for activities other than auto-centric transportation. In this literature review I also detail the role patio legislation plays in economic development. This includes how economic variety is one way that cities can achieve resiliency (Jacobs, 1961) and how, in North American cities, downtown areas have seen a decrease in the existence of economic and cultural variety. I describe how restaurants have the potential to contribute to the revitalization of downtowns by creating spaces that are dynamic and culturally vibrant (Scott & Fillion, 2017). Included in this section is outdoor dining's relation to downtown revitalization and the ways that cities in North America seek to nurture local economic development including the use of Business Improvement Areas (BIAs). Additionally in this literature review I focus on recovery from the COVID-19 pandemic that began in early 2020. Under this focus I detail the struggles that cities and the businesses within them have faced.

2.2 Urban Planning and Streetscape History

Throughout history, streets and their forms have been facilitated by major changes in society. The development and organization of streets and public spaces across time have been derived from a

combination of political, economic, technological, and social circumstances (Varna, 2014 ref in Nguyen, 2018). Consequently, shifting paradigms over time have resulted in streetscapes with differing forms and functions.

In an urban environment, streetscapes and public spaces are a vital part of daily life. Streets act as a backdrop to many activities including working, shopping, traveling, and socializing. Because of their influence, attention to streets is necessary to balance the range of uses that take place within them. However, throughout history the balance between these multiple uses has constantly shifted. This section will describe the history of streetscape design that has culminated in the modern streetscape of North American cities.

The industrial revolution brought significant changes to the development of streets and public spaces within cities and the formalization of urban planning as a discipline. At the onset of industrialization, cities across Europe and North America found that they did not have the capacity to handle the centralization of industry and the consequent rise in population. Early post-industrial urban philosophers were concerned with reinventing cities to accommodate this oncoming urbanization. These thinkers were concerned with theorizing an urban utopia on a city-wide scale (Fishman, 1977). Theorists speculated on how cities and society could be completely restructured to achieve the theorist's ideas of perfection. The values of theorists involved in the development of the utopian perspective are tied to the rise of liberalism, a political ideology developed in the wake of the industrial revolution. Liberalism focused on problems with the industrial profits and how the working class failed to benefit from the new wealth brought on by the industrial revolution (Ganjavie, 2014).

During the early stages of the industrial era, streetscape changes were also occurring. One streetscape change that occurred during early industrialization had more to do with military power than industrial development. The redevelopment of Paris by Baron Georges-Eugene Haussmann (1804-1891) took place during the political shifts that followed the French revolution in 1848. These political shifts brought on a new form of state control and a desire by the new state powers to solve sanitation and social issues present in Paris. The state powers also desired wider transportation networks to accommodate the French army who moved around Paris and suppressed any uprisings following the revolution. To facilitate this, Haussmann developed a new network of straight main streets and avenues that could accommodate larger transportation loads (Lillebye, 1996). This plan received criticism both during its implementation and in the modern day due to the destruction of

medieval buildings to build wide avenues which acted as imperialist tools to quell civil unrest (Willsher, 2016). This plan, which was implemented between 1853-1870, exemplified the political factors that led to the changes in streetscapes occurring at the beginning of the industrial era in Paris and other European cities (Lillebye, 1996).

The social climate during the late 1800s was a time where many liberal social concepts and thoughts about utopian communities were developing. At this time, the British parliament was involved in discussions regarding social reform. Ebenezer Howard's exposure to these ideas inspired the Garden City concept, developed in 1898 (Clark, 2003). Howard brought a variety of ideas together to create a city concept that he hoped would solve the issues identified in industrial cities. He saw that, as people left the countryside, crowding became a problem for cities and consequently proposed a new model that involved the "marrying of town and country." Howard had seen that, as people migrated to cities, demand and price of agricultural land decreased. Ebenezer Howard saw this as an opportunity to reduce the surplus of population in cities through a system where the people working within the city would occupy the countryside, rather than living only within city (Clark, 2003). Howard's Garden City concept played a pivotal role in how cities are structured, and the Garden City concept is credited as the inspiration for the suburban development style that was implemented in cities across North America (Grant, 2014). Prior to the automobile age, this concept was used for planning and developing small, dense, and mixed-use cities. In the automobile age, the Garden City idea shifted to now being associated with low density, expensive, and single-use land patterns (Grant, 2014). Garden City concepts, in the era of the automobile have been attributed to increases in sprawl. This can contribute to factors like high development costs, unsustainable land use practices, and the auto-centric streets that characterize suburbs across North America (Grant, 2014). Due to the establishment of the automobile, the transit function of the street increased, and it became possible to travel much larger distances in a short time. As a result, the space dedicated to automobile transportation increased as well. Changing technologies led to a shift away from streets designed to be a space dominated by pedestrians, to streets designed to organize flows of vehicle traffic (Lillebye, 1996).

City planners of the early 20th century continued to build on the ideas developed by Utopians, developing theoretical models of the ideal transportation system within a city. Le Corbusier proposed a design referred to as "The Radiant City" or later referred to as "Towers in the Park" in the 1923 work *Ville Contemporaine*. This design saw the road network as the primary structure that dictated

urban form. In this design, there was a clear separation between areas used for transportation and areas used for living and working. Le Corbusier (1967) stated that “Our streets no longer work. Streets are an obsolete notion. There ought not to be such a thing as a street; we have to create something that will replace them.” (pg 121). He believed the street’s only function was as a traffic artery to carry people between useful areas. Although never fully implemented, Le Corbusier’s ideas of transportation separation influenced the development of the highway structures present in modern day cities. The increasing use of the automobile over time paired with the notion that the main purpose of streets is to carry traffic has led to constant highway development that persists to the current day. To support the use of automobiles, a substantial amount of space in North American cities has been given solely to the use of vehicles (O’Neil, 2021).

2.3 Pedestrian-Centric Streets

The theories that led to the development of auto-centric streets seen in modern North American cities, including the attempted redesigns by Le Corbusier and Utopian thinkers, failed to solve the issues that they intended to address, and instead may have had negative, unintended consequences. Utopian theorists attempted to provide theoretical Utopian answers to the street-related issues that arose due to industrialization. However, as attempts to redevelop streets according to these ideas progressed, it became clear that there were many users of the street who never benefitted from the attempted implementation of these theories (Crow, 1989). Practices carried out following Le Corbusier and other Utopian influences attempted to eliminate social issues within the streetscape by eliminating the social aspect of streets all together. However, planners of the later 20th century have theorized that these changes have only led to disconnect between the form of streetscapes and its users (Crow, 1989).

With the implementation of concepts developed by Le Corbusier and others that supported the idea of the street’s main function as a transportation artery, space on streets for any function other than vehicular traffic was overlooked. Following the invention of the automobile, the main method of transforming the streetscape into an efficient transportation artery was through auto-centric planning. This form of streetscape design arose in Canada in the early 20th century, following industrial innovation which allowed for an increase in automobile ownership. During this time, automobile marketing had a significant influence in Canadian culture. By the 1930’s, paved roads had become an indication of modernization and progress (Hill, 2002). Consequently, planners and engineers began to

design streets with the main goal of accommodating automobile traffic. Throughout the 20th century, the Canadian government made changes that supported the role of the street as a traffic artery including many highway projects. One of the first of these projects was the Queen Elizabeth Way (QEW), Ontario's first four lane highway. Since the proposal of the highway in 1939, the QEW has been seen as a historic marker of the trend towards highway prioritization and accompanying government policies and projects (Hill, 2002). In 1940s, the 400 series highways began development, starting with Highways 400, 401, and 402. With the development of highways and the rise in car ownership, pro-automobile values became normalized and imbedded into Canadian mainstream culture.

The highways and fast arterial streets that were built in and around cities altered the balance of city functions. Where cities were once places with the purpose of bringing people together, highways and highspeed roads eliminated the need for proximity, and the purpose of streets became mainly for high-speed transportation. Opposed to this idea of unsociable, auto-centric streets was Jane Jacobs. In the later 20th century, Jacobs contributed new ideas to planning theory with the publication *The Death and Life of Great American Cities* (1961). This publication had an enormous impact on the urban planning practice which persists to this day. This work is the basis of Jacobs reputation as a defender of cities, and of city streets. Jacobs advocates for walkable cities with streets that foster community engagement. In this work, she criticized the Utopians and their theories when she said "The preferences of Utopians, and of other compulsive managers of other people's leisure, for one kind of legal enterprise over others is worse than irrelevant for cities. It is harmful." (Jacobs, 1961, pg. 41). As opposed to Le Corbusier who saw streets as only a transportation artery, Jacobs envisions streets that are developed as public spaces, with a purpose that extends beyond exclusively transportation (Maia, 2010). She argues that "the whole idea of doing away with city streets, insofar that is possible, and downgrading and minimizing their social and their economic part in city life is the most mischievous and destructive idea in orthodox city planning." (Jacobs, 1961, pg. 88).

Since Jacobs, planners have continued to develop these ideas by studying the negative effects of auto-centric streets. For example, negative effects can arise due to the potential of streetscapes to affect both the mental and physical health of people living and working within cities (Savitch, 2003). In North America, urban sprawl and automobile centric development has led a culture of social isolation in many cities (Janushewski, 2014). Suburban development fosters a culture that is wary of social interaction happening on public street spaces (Morris, 2005 qtd in Janushewski, 2014).

Consequently, there is a lack of engagement with the surrounding city. To combat these issues, many methods have been proposed in the years following the publication of Jane Jacobs work, including the idea of downtown revitalization.

2.4 Downtown Revitalization

Auto-centric planning has had particularly severe consequences for downtown cores of North American cities. As North America became more suburban, activities shifted away from the downtown core into plazas and other forms of business districts located outside of the downtown area (Filion et al., 2004). The post-modern planning period spanning from the 1970s to the present day has seen an outmigration of economic activity including food retail from the urban core to other areas of the city (Scott & Filion, 2017). This is also related to the establishment of uniform zoning and a movement away from the type of mixed-use zoning and multiuse functionality championed by Jane Jacobs (1961). Many Canadian cities continue to plan primarily for the movement of cars rather than for public transit or the pedestrian experience. In Canadian cities, auto-centric development has left city planners to deal with many challenges including congestion, lack of public transportation, population health impacts, inadequate transportation for marginalized groups, and negative environmental impacts (El-Geneidy & Gris , 2020).

Although auto-dependency and the suburban model for development was the most prevalent form of development in the early twenty-first century, recent attention of planners is being paid to non-auto-centric development in the downtown centres of cities. Downtowns and cultural districts have been prominent targets for revitalization. To accomplish this, cities have sought to use culture-led forms of regeneration with the goal of drawing social and economic activities back into the downtown core (Faulk, 2006; Scott & Fillion, 2017).

Following downtown revitalization, a growing number of people who were previously suburban residents began moving to the inner city. This creates a new issue; gentrification, which can result in residents of downtown areas being priced out of homes and businesses due to redevelopment and an increase in demand for inner city housing and retail space (Hwang & Sampson, 2014). Gentrification refers to the shifts in the demographic, social, cultural, and political makeup of a neighborhood that occur upon the entrance of a higher economic status population to a community (Hwang & Sampson, 2014). Toronto's Yorkville district, for example, experienced rapid gentrification in the 1970s following the exodus of artists and the arrival of a higher economic status population. This led to

changes in economic activity, particularly in the art space where local artists and smaller experimental galleries were priced out of the area and replaced with high end galleries, supported by the new economically advantaged class.

Within this modern urban landscape, shaped by changing housing and economic activity, pedestrian-centric streets continue to be a prominent goal of cities aiming to combat autocentric development and return streets to a human scale. Described below are two modern streetscape design concepts associated with pedestrian-centric streetscape design: Open Streets and Flexible Streets.

2.4.1 Open Streets

In reaction to Jane Jacob's and others' theories on the streetscape, there has been an increase in interest to return to the design of urban streets that act as a public space that fosters safety, health, and community engagement (Kent, 2015). Open Streets are streets that are open to pedestrians while limiting motorized traffic. This street form offers many potential community benefits related to public health and social wellbeing (Hipp et al., 2014). The Open Streets concept is a downtown revitalization method used to transform places where auto-centric development has taken place into walkable and pedestrian-centric spaces. Motivations behind open streets include increased physical activity, active transportation, promotion of community cohesion, and stimulation of the neighborhood economy for stores and restaurants (Hipp et al., 2014). Open Streets is being implemented in cities across the world as a practical application of progressive planning concepts.

The concept of Open Streets has been implemented in a variety of places. The streetscape initiative of Bogotá, Colombia drew international recognition to the Open Streets concept (Montero, 2017). In 1974, the city of Bogotá began to recognize that their development pattern had shifted towards an autocentric development form like that of cities in the United States. To combat this, the city developed a new streetscape called a Ciclovía, meaning "cycle way." The Ciclovía from Bogotá, Columbia is the inspiration behind many Open Street programs today (Montero, 2017). The success and permanency of the program showed that large cities exhibiting auto-centric development can make positive and permanent changes to the form and function of their streetscapes.

Another well-known example of an Open Street typology is the Woonerf. This form of streetscape development emerged in Delft, Netherlands in the 1960s. The woonerf is a form of public street designed to give pedestrians priority over other modes of transportation, including vehicles (Collarte, 2012). During the late 1960s, residents of Delft were concerned with the potential of

automobiles to disrupt their living spaces. To combat this, the residents replaced their streets with winding paths. The residents living along the street use the space in front of their homes as not only a travel artery, but also as a space to socialize and engage with the community (Canin Associates, 2014). In woonerf spaces, the use of vehicles is rare and is restricted to very low speed. (Reid, 2015). To achieve this, the street is designed with no clear division between pedestrian and automobile space, forcing drivers to slow down (Collarte, 2012).

Since the COVID-19 pandemic, the implementation of the Open Streets concept has become increasingly popular as a planning method to prevent the spread of infectious disease while enabling social connection and transportation during a time where social distancing and ventilation is necessary. According to the chair of the National Association of City Transport Officials (NACTO): “Today, people focused streets are a proven global best practice and the first-line response for transportation and transit agencies during the COVID-19 crisis. This is a historic moment when cities can change course.” (NACTO, 2020). For this reason, the development of Open Streets has become a part of many cities’ COVID recovery plans.

One example of this is the city of Milan’s Strade Aperte (Open Roads) plan which involves widening sidewalks, creating temporary and permanent bike lanes, and lowering the speed of limit along 35 km of road within the city. The strategy also describes the development of public spaces not used for transportation including spaces for children to play an exercise outdoors, encouraging restaurants and other food service venues to create outdoor seating, and reopen green spaces with physical distancing guidelines in place. Milan’s Adaptation Plan 2020 describes the city’s goals of becoming a 15-minute city, along with increasing the flexibility of usage of existing buildings and services that already exist within the city. This minimizes the need for new developments and instead reorganizes and repurposes the buildings and services that the city already has (City of Milan, 2020). This response by the city of Milan has inspired many other cities in their response to the COVID-19 pandemic including the city of New York in the United States and the city of Toronto in Canada.

Open Streets have been incorporated into COVID-19 response plans in cities across North America. Open Streets TO is a project by the Downtown Yonge BIA that began in 2013 in Toronto, Canada. Inspired by the Ciclovía, Open Streets TO focused on opening streets to people and closing them to cars to foster participation in physical activity and healthy recreation. The Open Streets TO project also sought to stimulate local businesses while broadening transportation choices.

(OpenStreetsTO, 2021). Associated with Open Streets TO during the COVID-19 pandemic is Active TO. This form of Open Street focused on ensuring physical distancing while providing residents with a way to get fresh air, socialize, and travel outdoors safely using active transportation.

Among these worldwide initiatives, there are commonalities contributing to their success. The involvement and support of policy makers and governing bodies is one factor that allows these projects to become successful. Successful Open Streets initiatives also often include collaboration between other stakeholders including local businesses and community groups (Hipp et al., 2014). The initiative in Bogotá, Colombia, is an example of a successful project supported by policy makers and city officials. This support comes from not only public promotion and endorsement, but also funding, permit assistance, and understanding of the complex nature of the initiative to ensure success and sustainability (Hipp et al., 2014).

2.4.2 Flexible Streets

Building on the Concept of Open Streets is the idea of Flexible Streets. Also known as Shared Streets, Flexible Streets are streets that act as modular spaces (O'Neil, 2021). This type of street is able to support the flow of vehicle traffic, pedestrians, and cyclists while also allowing the streetscape to transition between a transportation route and a public space. This form of street can be used in a variety of ways including as a public space, as a retail space for surrounding businesses, or as a site for community events (O'Neil, 2021).

In Ontario, 14 municipalities have incorporated the Flexible Streets concept into their street design plans (O'Neil, 2021). Flexible Streets have been incorporated into the plans of Ontario municipalities that have sought to establish the use of their streets to be more a transportation conduit. The goal of Flexible Streets in Ontario is to create streetscapes that are modular and can transition easily from a transportation space into a public space which can be used for a variety of activities including community events or expanded patios for restaurants (O'Neil, 2021). The concept of Flexible Streets was gaining popularity even before the COVID-19 pandemic. In the face of COVID-19, modular construction strategies have been especially relevant due to their potential to contribute to resiliency in a pandemic scenario as they can accommodate a change in community needs that might result from a pandemic or natural disaster (Megahed & Ghoneim, 2020).

The form of the streetscape, including components like pedestrian-centric streets, Open Streets, and Flexible Streets, do not only exist to serve an aesthetic purpose, but also act as facilitators

of the activities that take place in downtown areas. In North American cities, auto-centric planning has influenced physical form, which has in turn affected these activities and processes that place in the downtown core. In cities with a suburban development pattern, economic activity has seen a migration away from the downtown core and into suburban business plazas, which has contributed to downtown degradation. The next section describes the connection between streetscapes, urban planning, and economic development.

2.5 Urban Planning and Economic Development

Economic variety is important for city vitality. In “The Life and Death of Great American Cities” Jane Jacobs (1961) describes how planning principles can influence a city’s economy. One theme that is ubiquitous throughout her work is that a diversity of uses within cities is necessary to promote social and economic vitality:

Cities that contain a variety of commercial diversity tend to contain other kinds of diversity including a variety of cultural opportunities, variety of scenes, and a variety of users. The same conditions that generate diverse commerce are intimately related to the production, or the presence, of other kinds of city variety. (Jacobs, 1961, pg. 148).

City variety contributes to the appeal of downtown to both tourists and residents, and includes features like businesses, events, tourist destinations, restaurants, and hotels (PWC, 2021). Areas that contribute to city variety are also the areas that have been hit the hardest by the COVID-19 pandemic. In many North American cities there has been a loss of tourists, workers, and students. For downtowns, this means a loss of customers and a lack of economic activity (PWC, 2021). This has contributed to further devitalization in downtown areas. During the COVID-19 pandemic, the effect of planning and urban design on economic activity within cities has been especially evident (PWC, 2021). Planning and economic policies play a role in how resilient city’s economies are against the changes brought on by pandemics and natural disasters (Furman et. al, 2020).

The COVID-19 pandemic has provided an opportunity to assess the role that the built environment plays in pandemic resilience, including resilience against the virus as well as economic resilience in pandemic (and potentially other disaster) scenarios. These lessons will allow cities to implement changes that will make them stronger and better prepared for the next pandemic and other unplanned events. Researchers are currently asking questions like “Could COVID-19 be a catalyst for the implementation of policies that promote economic variety?” (Megahed & Ghoneim, 2020). To

curb the devitalization caused by the pandemic, many cities in North America are looking to embrace pedestrian-centric design and develop more multiuse spaces so that the downtown can continue to act as the core of the city and be enjoyed for future years by residents and tourists (PWC, 2021). Below, I discuss one major economic development intervention – the establishment of Business Improvement Areas, and how restaurants (and particularly restaurant patios) relate to economic development.

2.5.1 Business Improvement Areas

To achieve resiliency through economic variety, cities across North America have engaged in many different types of economic development projects before and throughout the pandemic. Specific to downtown urban areas is the concept of the Business Improvement Area (BIA). The goal of BIAs is to revitalize shopping districts, finance services, and improve and promote the local area to foster the success of businesses in that location (Charenko, 2015). To accomplish these goals, commercial and industrial businesses within the BIA are required to pay a levy which is used to fund a variety of projects including beautification, marketing, improving property values, reducing vacancy rates, and advocating for local businesses in government (Charenko, 2015).

Over 60,000 Business Improvement Areas exist globally (Charenko, 2015). The world's first BIA started in Toronto's Bloor West Village in the 1970s. Since then, the BIA model has grown substantially and is now in use worldwide. Bloor West Village found that the changes made through the BIA drew customers back into the local stores that were once struggling to attract customers. The changes also attracted new business diversity to the area (Charenko, 2015). The area, which had once been home to multiple gas stations, used car lots, and vacant businesses, found that improvements made by the BIA drove customers back to the BIA rather than the multiple business plazas that had been built in nearby areas. Local restaurants can receive benefits from being within a BIA, including BIA-specific support for patios. In Toronto's Bloor West Village, restaurants were one type of business that grew in number after the establishment of the BIA. During the COVID-19 pandemic, many BIAs within cities in Ontario implemented supportive measures for restaurants which included support to restaurant patios.

2.5.2 Restaurants and Planning

Food retail has played a role in the function of cities since before the industrial era and has remained a consistent component of cities across the world. The restaurant industry has the potential to generate

economic activity within the downtown by both residents and tourists (Scott & Filion, 2017). The presence of restaurants in the vicinity of other businesses is an example of commercial diversity, a feature that makes downtown areas attractive and productive (Jacobs, 1961). While restaurants generate economic activity, the restaurant industry also contributes to unique place-making and acts as an incubator of cultural and social innovation. Restaurants are not only an economic asset, but a cultural amenity that plays a role in the urban landscape. Zukin (1995, p.182) described the role that restaurants play in a city's cultural landscape: "what is going on in the restaurant industry is important as a cultural phenomenon. Restaurants have become incubators of innovation in urban culture. They feed the symbolic economy; socially, materially, and spiritually."

While the benefits of restaurants to place making exist, these amenities are not free from trends in renovation and redevelopment occurring within Canadian cities, including gentrification. Additionally, each city in Ontario has a unique historical context that has shaped the downtowns and restaurant industries within them. For example, trends in the remaking of the downtown areas of Toronto are very different than that of London or Winnipeg.

2.5.3 Outdoor Dining

While restaurants can contribute to economic and cultural activity, restaurant patios are the aspect of the restaurant industry that also contributes to the form and function of the streetscape. Restaurant patios are a unique element of urban form that contribute to the downtown's economic productivity while also influencing urban aesthetics. Prior to the COVID-19 pandemic, limited research surrounding the influence of patios in Canadian cities existed.

One pre-pandemic study was related to the restaurant industry in Kelowna BC, where it was found that the ability to have patios was crucial in producing a downtown is a present and thriving food culture (Scott & Filion, 2017). Improvements made in 2014 to Bernard Avenue in the downtown area included support to patios and development of a large pedestrianized space in the core brought an "intimacy of scale" to downtown Kelowna, according to a food retail employee (Scott & Filion, 2017).

Another Canadian city reported similar successes with streetscape initiatives involving patios prior to the COVID-19 pandemic. During August to September 2012, the Downtown Yonge BIA worked with the city of Toronto to host "Celebrate Yonge." Where automobile traffic was reduced to expand pedestrian spaces. These spaces hosted art installations, street furniture, lounges, and patios

along Yonge Street between Queen Street and Gerrard Street (Downtown Yonge BIA, 2012). During this initiative, pedestrian traffic increased while automobile traffic decreased. The profits of business on the street rose by 40%, supporting the idea that pedestrians and people on the street drive commerce and contribute to economic activity (Walker & Blakley, 2020).

Studies prior to the pandemic noted the economic successes of patios in collaboration with pedestrianized streets, however, studies during the pandemic have a stronger focus on whether patios support equitable urbanism. The article titled “Pandemic Patios and Flat White Urbanism” by Amina Yasin and Daniella Fergusson identified that the COVID-19 pandemic has led to the further marginalization of already vulnerable community members, and that pandemic patios are one example of how policy makers have prioritized supporting private business over the public (2020). While the implementation of “pandemic patios” was carried out quickly to satisfy employers, there was a contrasting lack of focus and action associated with food, housing, transportation, and equitable infrastructure projects (Yasin & Fergusson, 2020). This focus was administered by the legal structures in place in Canada that supported a focus on patio policy development and a prioritization of supporting business owners (Yasin & Fergusson, 2020).

Following the Yasin & Fergusson article, multiple preliminary studies sought to assess the effects of pandemic patio policy being implemented in cities across North America. One exploratory paper involved the case studies of Toronto and Chicago, and the policies and programs affecting patios being used in curbside parking spaces within those cities (Mandhan & Gregg, 2023). This study identified that these cities rapidly reduced barriers to developing patios in curbside space, and that these pandemic patio policies were being implemented into the long term. Additionally, both these cities saw that these shifts in the use of public space created tensions. This study identified that accessibility and social equity are key areas that must be addressed in future development of programs affecting sidewalk and street space in these cities (Mandhan & Gregg, 2023).

Following the onset of the pandemic, studies were also conducted on how patio changes are perceived by the communities they exist in. One study conducted in New Jersey aimed to understand whether any changes to the streetscape implemented during the pandemic encouraged changes in behavior related to active travel and outdoor dining. In New Jersey, it was found that substantial support existed to keep streets closed and reallocate on-street parking spaces for patios in order to allow increased outdoor dining (Noland et al., 2022). It was found that half of the participants in that

study had used the newly developed outdoor dining spaces, which exemplifies the effectiveness of those measures in achieving the goal of supporting restaurant businesses. A small group of participants in that study felt that traffic congestion increased in areas where parking spaces were converted to patios, however those perceptions were outnumbered by those who did not consider traffic congestion to be a concern. It was found that those who had previously dined on patios were more likely perceive these outdoor dining areas as a positive improvement to the street space and agree that some streets should remain closed to support these new patios (Noland et al., 2022).

In cities across North America, pandemic patio policy has highlighted the potential to create more people-focused streets while supporting restaurant businesses. Additionally, these changes have highlighted inequities that arise from regulations on streetscape uses. Perez (2020) claims that “local regulations pick winners and losers among the different potential uses favoring powerful interests and monetizable uses and excluding those perceived as disorderly, such as homeless or street vendors” (p.5). Policy makers, when seeking to promote economic variety through support to restaurants, may be limiting the ability of other players to contribute to this variety, or prioritizing one participant over another. The literature surrounding the operation of patios during the COVID-19 pandemic highlight the need for an assessment of pandemic patio policy in Ontario, along with the need for further identification of the legal structures in place that enable policy development.

2.6 COVID-19 Outdoor Dining Policy

2.6.1 COVID-19 and City Planning

The COVID-19 pandemic has brought to light many areas of fragility within cities across the world and has allowed planners to develop a new body of experience to look to when planning for cities of the future. Before COVID-19, limited information was available surrounding planning for global pandemics in modern cities. Throughout the COVID-19 pandemic, planners in cities across the world have developed substantial experience associated with preparing for and combating current and future health crises. Cities are now seeing the opportunity to use these experiences to change their planning approaches. This includes processes ranging from small to larger systematic processes (Lee et al., 2020).

Following the COVID-19 pandemic, cities have the opportunity to improve quality of life of their residents by developing new strategies, policies, and planning tools that align with the goals of

building a resilient urban environment (Barbarossa, 2020). Planners have realized that cities cannot return to business as usual. Instead, a “new normal” for cities should include well defined measures developed from a city’s experience with the pandemic that allow for the city to become a more resilient urban system (Barbarossa, 2020). This includes changes not only to physical layout, but to economic and social structures as well.

2.6.2 Development of Outdoor Dining Policies During the COVID-19 Pandemic

The development of support for outdoor dining and patios has been incorporated into the COVID-19 recovery strategies of cities across the world. These supports exist in the form of financial assistance, promotions and campaigns encouraging citizens to support these businesses, and allowing flexible use of public spaces (OECD, 2020). For example, the city of Hoboken in the USA developed a COVID-19 Small Business Recovery Strategy. This included permits for businesses to expand their space onto the sidewalk along with the conversion of curbside parking space into shared outdoor dining spaces referred to as strEATERIES and parklets (Hoboken, 2020).

Another example of global outdoor dining policy is in the Saga prefecture in Japan which also developed a program to allow restaurants and bars to use public pedestrian space. The program, called “SAGA Night Terrace Challenge,” was conducted in a central business district, in cooperation with Saga City and the local business association. The program was intended to provide support for local businesses, as well as create safer spaces for customers to eat and drink (Karamatsu, 2020).

Ontario has also seen the inclusion of patio policy and programming in the COVID-19 response strategies within its municipalities, but particularly within its cities. Cities are a designation in Ontario that includes 52 of the 444 lower-tier municipalities and single-tier municipalities who choose their designation to be a city, rather than a township, village, or municipality. This type of designation is included in the census subdivision (Statistics Canada, 2016). While before the *Municipal Act, 2001*, cities in Ontario were required to have a minimum population of 15,000 to designate themselves as a city, this restriction no longer applies, and single-tier and lower-tier municipalities can name themselves a city if they feel that is the appropriate designation (Government of Ontario, 2001). Cities in Ontario have been used as a study area by researchers interested in assessing policies and plans developed across Ontario. For example, the study by Vecchio & Arku (2020) assess policies associated with planning for manufacturing decline in Ontarian cities. This study area is useful as smaller municipalities often draw from the policies developed by cities, as

cities have a larger capacity for conducting their own policy development. For this reason, assessing the policies of cities provides a thorough level of insight into the policies being developed and implemented across Ontario. Of the 52 cities in Ontario, 48 developed patio policies and/or programming in response to the COVID-19 pandemic. For example, the City of Toronto, the largest of Ontario's cities, has developed the Café TO program with the goal of reclaiming the streets from automobiles and allowing for easier establishment of outdoor dining areas (Café TO, 2020).

Due to the focus on supporting businesses by provincial and local governments, more patio legislation has been developed by Ontario cities during the pandemic than ever before, making the pandemic and the post pandemic stage an opportune moment to study these policies and their impacts throughout the pandemic. While outdoor dining has been used as a tool to allow restaurants to remain open during the COVID-19 pandemic, questions of how these policies have impacted people within the industry and the community, as well as their potential for long term implementation remain. Additionally, through assessment of patio policies and the development process that occurred during the COVID-19 pandemic, the priorities of policy makers can be identified.

2.7 Policy Structure in Ontario

Patio related legislation in Ontario exists at both the provincial and municipal level. At the provincial level, the *Planning Act* is the main legal Act in Ontario that governs how land use planning takes place (Government of Ontario, 1990). Regulated under section 34 of the *Planning Act* is the ability of municipalities to create and implement zoning by-laws. These are used to regulate land use. Section 39 governs temporary use provisions and allows a local municipality to, in a by-law passed under section 34, authorize the temporary use of land, buildings or structures including patios for any purpose set out therein that is otherwise prohibited by the by-law.

The Government of Ontario responded to the COVID-19 pandemic with Ontario Regulation 345/20 made under the *Emergency Management and Civil Protection Act*. This regulation was made in response to hospitality sector workers and businesses being significantly impacted by the COVID-19 outbreak. Through this regulation, the Government of Ontario “sought to respond to the impacts of the outbreak on the hospitality sector by allowing restaurants and bars to temporarily create or extend outdoor patio spaces to safely accommodate patrons and staff once licensed establishments are permitted to reopen for business.” (Government of Ontario, 2020). This regulation allows for municipalities to enact a by-law that would authorize the temporary use of land for a restaurant or bar

patio under section 39 of the *Planning Act* to be exempt from subsections 34 (12) to (14.3), (14.5) to (15) and (19) of that Act and paragraphs 4 and 5 of subsection 6 (9) of Ontario Regulation 545/06 under that Act. Specifically, these sections describe the requirement of providing information to the public and holding a public meeting to receive feedback from the public, as well as allowing for appeals to the proposed by-laws by the public. Exemption from these subsections allows municipalities to speed up the process of developing by-laws, by-law amendments and by-law exemptions to allow for an easier patio establishment process for cities during the COVID-19 pandemic.

2.8 Summary of Thesis

In this Chapter, I have described the problem context surrounding the two main research questions. This includes a description of the history of streetscapes in North America, and the need for downtown revitalization. I also describe modern downtown revitalization methods associated with pedestrian-centric streetscape design including Open Streets and Flexible Streets. Additionally, I describe the economic activities that occur along streets and contribute to economic vitality. I also describe forms of economic development that contribute to downtown revitalization including Business Improvement Areas. I also include the role of local restaurants and on street restaurant patios in both economic vitality and streetscape design. This includes the role that patios have played throughout the COVID-19 pandemic, and the ways that cities have developed patio policy with the goal of supporting this industry. I also discuss preliminary research that has identified a need for more equitable policy development. In Ontario, provincial regulation associated with patio development includes section 34 of the *Planning Act* which describes the process by which municipalities can create By-Laws. During the pandemic, Ontario Regulation 345/20 made under the Emergency Management and Civil Protection Act allowed for easier development of By-Laws to facilitate the development of patios and assist the hospitality industry. The following chapters will elaborate on the two main sets of research questions:

1. To what extent does patio policy exist in Ontario cities in the context of the COVID-19 pandemic?
 - a) What are the key characteristics and features of these policies?
 - b) How frequent are these different policy features in cities across Ontario?
 - c) In what ways do these policies vary based on city size?

2. What are the experiences of policy makers, employees, and employers, associated with the food retail economy with patio policy in Ontario throughout the pandemic?

In Chapter 3, I describe the research questions, which arose in response to gaps identified in the literature review. I then outline methods chosen to conduct the studies undertaken to answer the two sets of research questions. Chapter 4 contains the first manuscript titled *The Development of Patio Policy, Guidelines, and Programs in Ontario in Response to the COVID-19 Pandemic: A Policy Analysis*. In this study, I address the first research question by undertaking a systematic content analysis of the written patio policies, guidelines, and other forms of patio regulation within cities in the Province of Ontario, Canada that applied during 2020 and 2021.

Chapter 5 contains the second manuscript titled *Perceptions of Patios and Patio Policy by Key Actors in the Food Retail Economy in Ontario: An Interview Analysis*, which addresses the second research question. In this study, I use qualitative interview data to assess the effects of outdoor dining policy within cities throughout the pandemic by examining different perspectives on patios in cities across Ontario. These perspectives include those of people involved in the food retail economy in the form of employees, employers, and other stakeholders. These groups represent key participants in the regulation and operation of patios during the pandemic. In Chapter 6 I state my main findings from the two studies. I describe how these findings contribute to the literature and provide recommendations derived from the findings which can contribute to planning in practice.

Chapter 3

Methods

3.1 Introduction

In this chapter, I describe the research questions, which arose in response to gaps identified in the literature review. I then outline methods chosen to conduct the studies undertaken to answer the two sets of research questions. This includes a description of the research design and rationale, along with the research ontology, epistemology, guiding the studies I conducted to answer the research questions. In the following sections, I also detail the quantitative and qualitative tools used to collect, organize, and assess the data to answer the research questions. Finally, I describe ethical considerations as well as the limitations and justifications of the methods used.

3.1.1 Research Questions

This chapter describes the methods carried out to answer the following sets of research questions:

1. To what extent does patio policy exist in Ontario cities in the context of the COVID-19 pandemic?
 - a) What are the key characteristics and features of these policies?
 - b) How frequent are these different policy features in cities across Ontario?
 - c) In what ways do these policies vary based on city size?
2. What are the experiences of policy makers, employees, and employers, associated with the food retail economy with patio policy in Ontario throughout the pandemic?

This study builds on existing literature that has assessed the need for Canadian cities to curb downtown core decline by reducing trends towards suburbanization and embracing pedestrian centric and human scale design. This topic is related to the role of restaurants in the cultural development of communities, as well as their role in downtown revitalization in North American cities (Scott & Filion, 2017). This also builds on research on the role of the streetscape and role of fixtures on the street within urban design (O'Neil, 2021). This study also develops the new knowledge base that has arisen due to the COVID-19 pandemic. While the pandemic will eventually end, the introduction of

new policies, guidelines, and programs associated with outdoor dining may have a long-term impact on the restaurant industry within cities.

3.1.2 Mixed Methods Qualitative Research Approach

To guide the studies conducted to answer the two research questions, I have selected a mixed methods qualitative approach. Qualitative research involves the many different methodologies employed to develop an understanding of the social world and how individuals perceive their social world (Hesse-Biber, 2010). Social reality is considered subjective and varied. There is not one true social reality but multiple stories of lived experience. Qualitative mixed methods, defined as one method plus different simultaneous and sequential supplemental strategies, are used to develop an understanding of this social reality (Morse, 2010). Differing from quantitative research, where data collection and analysis are sequential and separate stages, qualitative mixed methods analysis allows for data collection, analysis, and the development of findings to be conducted interchangeably (Morse, 2010). For example, new insights may arise during the data collection phase or data coding and indexing phase, leading to additional lines of inquiry. Qualitative analysis can lead to the development of new hypothesis which can inform future research and planning practice (Edin & Pirog, 2010).

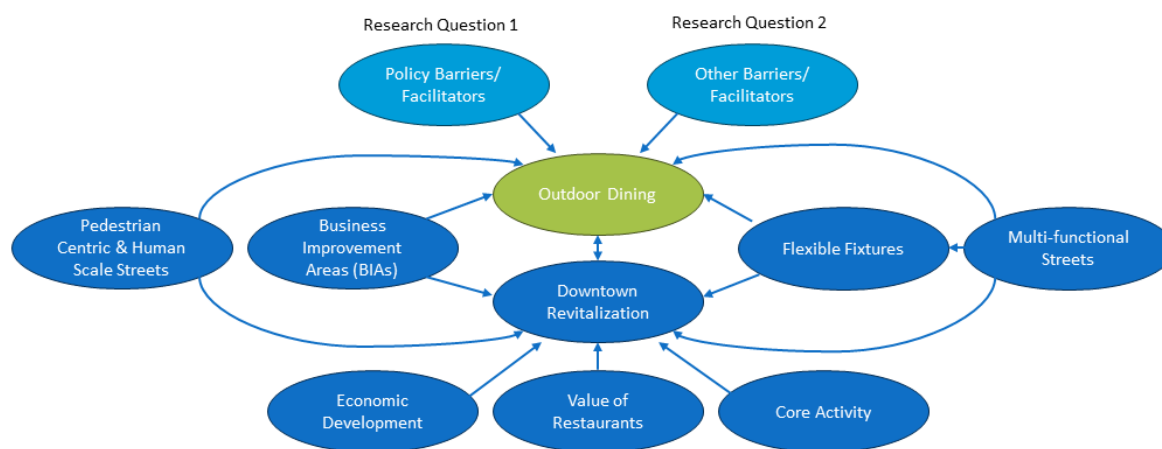
3.2 Research Methods

3.2.1 Theories

Data analysis described in the following chapters was conducted through the Pragmatic form of Grounded Theory. In this study, the forms of logic used to derive conclusions through Pragmatic Grounded theory include both abductive and deductive abductive reasoning. (Charmaz, 2014). Conclusions drawn following abductive logical reasoning are probable but not entirely ensured. This form of reasoning leads to the production of new insights through the creation of a hypothesis that explains observations. There is a focus on using deduction in a way that emphasizes the generation of possible conclusions rather than testing them. (Timmermans & Tavory, 2012). This form of reasoning is common in social science disciplines, as the topics being investigated are processes occurring in the real world, where an infinite number of factors exist, and theories cannot be tested for every scenario. When conducting analysis, this process is interactive and iterative, as new themes and lines of inquiry may emerge when conducting analysis (Timmermans & Tavory, 2012).

As part of the process for developing research questions and undertaking the literature review presented in Chapter 2, I created a conceptual model to guide the research questions examined in this thesis. Figure 1 draws heavily on existing literature to describe relationships between the built environment, local economic development, and sociocultural elements, and is a simplified depiction of the elements related to outdoor dining to guide this research.

Figure 1: Conceptual Model Depicting Theorized Influences on Outdoor Dining



This figure depicts the two streams of research questions, the first related to policy, the second related to lived experiences of restaurant stakeholders. Influences on outdoor dining and downtown revitalization depicted in the dark blue bubbles represent the most prominent relationships currently documented in literature. Specifically, I have included factors related to outdoor dining and elements of the urban environment that influence and/or are influenced by outdoor dining. Arrows depict the direction of influence between elements.

3.3 Framework Method of Thematic Analysis

To answer the research questions in both manuscripts, thematic analysis was conducted. Thematic analysis refers to the many types of analytical methodology associated with identifying commonalities and differences in qualitative data, before assessing relationships between parts of the data. This form of analysis is associated with drawing descriptive and explanatory conclusions based around themes (Gale et al., 2013). Thematic analysis involves “systematically identifying, organizing, and offering insight into patterns of meaning (themes) across a data set” (Braun & Clark, 2012, pg. 57).

For both studies, the Framework Method was used to guide the data collection and analysis process. This form of thematic analysis was developed in the 1980s by Jane Ritchie and Liz Spencer, from the Qualitative Research Unit at the National Centre for Social Research in the United Kingdom. The Framework Method is commonly used to conduct qualitative, mixed methods, studies (Gale et al., 2013). This approach is a flexible form of thematic analysis that can be applied to qualitative or mixed methods studies that aim to generate themes. While originally used to conduct large-scale social policy research, this method has been used to conduct analysis in a variety of fields including the field of planning. (Gale et al., 2013).

A key feature of the Framework analysis method is the production of the matrix output: rows (cases), columns (codes) and 'cells' of summarized data. The purpose of the research matrix is to systematically reduce the data so it can be analyzed by case and by code.

In the following paragraphs, elements of the Framework method will be described in sequence. This includes the Analytical framework, Analytical memo, Data, Categories, Charting, Data Coding, Indexing, Matrix, Theming, and the Analytic memo, each of which are described in more detail below.

1. Data: This refers to the qualitative data, formatted into a textual form to be used in analysis.
2. Categories: These are groups that represent clusters of data which contain similar and interconnected concepts. While conducting data collection using framework methodology, categories within the data are emergent in nature. Categories and subcategories were arranged in a tree diagram structure within the analytical framework. Developing categories transforms the data into a more abstract form.
3. Analytical framework: This refers to the set of codes organized into categories that are used to organize the data. This development of an analytical framework creates a useable structure for the data that helps to reduce the data for assessment.
4. Code: Coding involves assigning labels to the raw data to specify whether each category was present in the data. The variable '1' represents theme inclusion and '0' represents theme exclusion.
5. Indexing: This involves the systematic application of the codes derived from the analytical framework to the dataset under analysis.
6. Charting: This involves transferring the coded data into the Matrix table.

7. Matrix table: This is a table containing summarized data by codes in each column and cases in each rows.
8. Themes: These are interpretive concepts that describe aspects of the data, which are part of the analytical output of the whole dataset. Data categories are used to develop these through comparison between and within cases.
9. Analytical memo: This is a written investigation of the concepts being assessed. This is used to reflect on identified themes within the data.

3.4 First Manuscript Methodology

In this section, I describe the methodology used to address the first set of research questions:

1. To what extent does patio policy exist in Ontario cities in the context of the COVID-19 pandemic?
 - a) What are the key characteristics and features of these policies?
 - b) How frequent are these different policy features in cities across Ontario?
 - c) In what ways do these policies vary based on city size?

3.4.1 Study Area

In this section, I describe the 52 cities included as part of the study area, and the time frame of the pandemic within cities in Ontario over the years 2020 and 2021. All 52 cities in Ontario were included in the study area. Cities were chosen as the focus of the study as they are the areas most likely to have a restaurant industry affected by the COVID-19 pandemic and the ability to enact policy and programs related to patios and outdoor dining. In Ontario, cities are municipalities that have applied for and received official designation based on the parameters set out in the *Municipal Act, 2001* (Government of Ontario, 2001). Past studies have used cities as entities for analysis, due to the recognition that cities have greater planning capabilities than smaller municipalities, and the ability to develop innovative policies and programs (Vecchio & Arku, 2020). In cases where time constraints prevent the analysis of all 444 municipalities in Ontario, the policies and procedures of the 52 cities in Ontario can be used instead to create a comprehensive picture of Ontario's policy landscape. For this reason, the purpose of this study is to assess the policies and practices of cities in Ontario during the COVID-19 pandemic.

During 2020 and 2021, Ontario went through several stages of lockdowns that restricted indoor dining and social gatherings to reduce viral spread. In the following paragraph, I document the stages of the pandemic and the provincial restrictions that were put in place during these two years. On March 17, 2020, a state of emergency was declared due to the increasing number of COVID-19 cases in Ontario. This included a province wide shut down of non-essential businesses including the shutdown of restaurants dine in and outdoor dining facilities, and restricted restaurants to take-out operation only. On April 27th, a framework for the reopening of the province was publicized. Following the shutdown of nonessential businesses, cases of COVID-19 began to decline over the course of May through July 2020. On June 8th, 2020, some regions in Ontario began to enter stage 2 of Ontario's recovery plan, which allowed for the reopening of outdoor dining for restaurants and bars, while adhering to health and safety guidelines. Toronto, Mississauga, Hamilton, Durham, York, Hamilton, Sarnia-Lambton, and Niagara were the regions that remained in stage 1. On June 15th, 2020, Durham, York, Hamilton, Sarnia-Lambton, and Niagara entered stage 2 and lifted restrictions on outdoor dining. On June 22nd, Toronto and Peel Region entered Stage 2, while Windsor-Essex alone remained in stage 1. On June 24th, most of Windsor-Essex entered stage 2 except for the areas of Leamington and Kingsville. On July 6th, these last two areas of Leamington and Kingsville entered stage 2 as well (Government of Ontario, 2020). On July 24th *Bill 195, Re-opening Ontario (A Flexible Response to COVID-19) Act*, 2020, came into effect (Government of Ontario, 2020). This bill lifted the state of Emergency, however restrictions on businesses and indoor gatherings were still in place. In September 2020, the second wave of COVID-19 was recognized by the Ontario government. Regions in Ontario were placed in rolling lockdowns from late November to December 2020. The first COVID-19 vaccinations in Ontario began being issued to at-risk groups during December 2020 (Government of Ontario, 2020). In the next paragraph, I will describe the stages of the pandemic in Ontario for the year 2021.

The pandemic continued into 2021 and a second state of emergency was declared on January 12th, 2021, and was lifted on February 10th, 2021. Mid-March 2021 saw a third wave of the pandemic and a second province wide shutdown began on April 7th and lasted for 4 weeks. On May 10, 2021, the Ontario government announced the broadening of COVID-19 vaccine eligibility, and second doses of the vaccine would be given soon. On September 22nd, 2021, a proof of vaccination mandate was implemented in Ontario. In January 2022, Ontario entered another partial lockdown due to an

increase in cases of the Omicron variant. This included the closure of the majority of non-essential indoor facilities (Government of Ontario, 2021).

3.4.2 Data Collection

The data I collected in this study came from available municipal patio legislation that applied to the 2020 and 2021 patio season during the COVID-19 pandemic. These were the years of the pandemic where strict lockdowns were put in place to prevent the spread of the COVID-19 virus in indoor settings, and restaurant dining was unsafe and prohibited in Ontario. The patio policy issued by cities in Ontario included By-laws, By-law amendments and/or exemptions, along with other forms of guidelines and programs developed by the cities.

I collected this data by first determining where the patio policy was located online for each city and assembling links to form the initial database. Data was primarily collected through the cities websites, where By-Laws are accessible, along with pages developed by the city with the purpose of sharing patio policies and programming with the public. Policy described in news media was also included in the data. The news media used in data collection include written articles that contain descriptions of patio policy sourcing directly from the City of interest. For those cities with no available online data, contact was made through email and information was acquired directly from the planning departments of each city. Of all 52 cities in Ontario, only 8 did not have documentation of their policies and programs online and were contacted through email. These cities were Elliot Lake, Owen Sound, Pembroke, Pickering, Richmond Hill, Thorold, Vaughan, and Woodstock. Data collection took place over the summer of 2022 and through to Fall, when emails were sent out to cities with limited data available online. Data collection ended on February 22nd, 2022, when the final email was received.

3.4.3 Data Analysis

For this study, the documents I analyzed were electronic documents published on the internet and include those documents containing policies and programs pertaining to outdoor dining specifically in effect during the COVID-19 pandemic. These documents include By-laws, By-law amendments and/or exemptions, along with other forms of guidelines and programs developed by the cities. Document analysis requires that data collected from within the documents be analyzed and

interpreted to gain a deeper understanding of the data and build empirical knowledge (Corbin & Strauss, 2008).

Data collected from the documents included in the analysis were formulated into a data table (Appendix A). While collecting data, I developed categories and subcategories associated with each of the major areas addressed in the policies and programs being described in the documents. Next, I conducted present/absent coding to record whether each category was present in the data. The variable '1' represented the category being present in the data and '0' represented the category being non-present in the data. Indexing was conducted as category development and data collection were conducted. I input the coded data into the matrix table, which is included in Appendix A. From the matrix table, I calculated frequencies of each category overall, along with the frequency of each category according to city size. Based on the frequencies and relationships in the data, I developed themes seen between and within cases.

3.4.4 Ethical Consideration

Policy analysis is a form of research associated with potential ethical concerns. Privacy is a concern if the documents are not considered public information (Morgan, 2022). In this study, all documents were publicly available and published by news sources or the cities themselves. Using pre-existing, public information eliminates privacy concerns, however there are other concerns that arise from using public documents. This includes potential bias of the authors behind the development of the policy and the publication of that policy in the media. This policy analysis included documentation of the policy by media sources including CTV and CBC news networks, as well as local news sites. Ethical consideration was necessary to ensure that publications and policies included in this analysis came from sources that are unbiased in their reporting and credible.

3.5 Second Manuscript Methodology

While the first manuscript provides an overview of the planning practices being implemented across cities in Ontario, interviews with key informants provided a deeper look into how these policies and their outcomes are being viewed within the informant's city. This provides insight into the state of patio dining in these cities in the context of the Covid-19 pandemic, to answer the second research question:

What are the experiences of policy makers, employees, and employers, associated with the food retail economy with patio policy in Ontario throughout the pandemic?

Data for this study were collected by researchers involved with the Food Retail Environment Study for Health and Economic Resiliency (FRESHER) project led by Dr. Jason Gilliland at Western University. This study involved the collection of data on Ontario's food hospitality employees' experiences during the pandemic. This was done through the gathering information related to the challenges and experiences of various key stakeholders in the food retail industry including employees, employers, and other stakeholders during the time of the COVID-19 pandemic (Gilliland et al., 2021).

3.5.1 Study Area

Recruitment for this study took place in cities across Southern Ontario. Participants came from municipalities of all sizes, the smallest being Bruce Mines with a population of 582 residents, and the largest being Toronto with a population of 2.3 million residents. The most southern participant resided in Windsor and the most Northern participant resided in Thunder Bay. Under this study area, I determined the common themes within the interviews associated with patio policy across the Southern part of the province. Areas with no patio season were excluded from this study, as Northern cities have developed less patio policy and programming since patio dining is not viable in Northern communities due to climate conditions.

Beyond the general themes in Southern Ontario, a narrower focus on 3 main cities was also used. These cities are London, Kitchener-Waterloo, and Toronto. These cities were selected by the FRESHER team as study areas of particular focus as they are the cities that with developed patio policy, and many interviewees from these areas discussed patios or patio policies in the context of the COVID-19 pandemic.

3.5.2 Data Collection

Key Informants were a part of three separate groups of people that played a role in the food retail environment throughout the COVID-19 pandemic. These groups were stakeholders, food retail employers, and food retail employees. Food retail employers include business owners and operators of a food retail business. Food retail employees include anyone employed by a food retail or food hospitality business. Stakeholders are a broader category include those people that are not owners or

employees but are professionals involved in the food retail and hospitality economy in cities in another way. For example, policy makers, educators, economic developers, city councillors, and city building managers would be considered stakeholders.

Beginning in Spring of 2020, the FRESHER conducted 152 interviews with stakeholders, employers, and employees from across Ontario (FRESHER, 2022). Of the 152 interviews conducted, 82 interviews conducted by the FRESHER team included the mention of patios. Fifty-four of these interviews came from employees and employers in the hospitality sector, while the rest came from stakeholders or those involved in the food retail sector. The hospitality sector includes restaurants and other forms of food service that is not grocery or convenience stores.

A variety of methods were used to recruit participants including community networks, social media, business cards, phone calling, and a postcard mailed to all food-related businesses located in Southwestern Ontario inviting employees and employers of food retail and hospitality businesses to participate in the FRESHER project in multiple ways including through the completion of a survey or taking part in an interview. The study used a convenience sample based on who, of the employees, employers and stakeholders contacted through this recruitment process, were willing to participate in these surveys and interviews.

Semi-structured interviews were conducted by researchers on the FRESHER research team who were trained in conducting interviews, which did not include myself. Semi-structured interviews were used to ensure certain topics were addressed, but also allow for flexibility in how participants wanted to describe their experiences. These interviews were conducted through Zoom by trained research assistants between November 2020 and May 2021. These interviews were audio recorded and transcribed. If the participant did not consent to be audio-recorded, the researcher took notes of the conversation. In these interviews, the interviewer provided an overview of the topic, reminded the participant about their ability to skip questions or withdraw at any time, and re-ascertained whether the interviewee consented to be audio-recorded. The semi-structured interviews included questions tailored to Hospitality workers, Retail workers, and Stakeholders that aimed to encapsulate the experience of members of these groups during the pandemic. These questions are detailed in Appendix B. The interview guide included a series of open-ended questions covering a wide range of topics related to the participants experiences during the pandemic including changes to employment, stress, responses to the pandemic, access and use of personal protective equipment, sense of safety,

physical changes to their workplace, mental health support systems, and their perceptions on the role of government in responding to the changes brought about by the COVID-19 pandemic.

3.5.3 Data Analysis

This study involved the qualitative thematic analysis of key informant interviews. The use of interviews provides an opportunity to investigate the effects of COVID-19 restrictions more thoroughly than through surveys, making them a preferable method for this form of research. Given the amount of local knowledge required to interpret the effects of patio policy in each unique local context, using interviews to collect data is the most effective method of capturing this local context within the study area. The use of interviews also allows each interviewee the opportunity to share their personal local knowledge from their individual viewpoint (Feser & Bergman, 2000). The evaluation of the perceptions of changes that have occurred to outdoor dining through the lens of the restaurant server, the restaurant owner, the planner, the economic developer, or the small business owner, can contribute to an understanding the role that outdoor dining has played over the course of the COVID-19 pandemic. A qualitative approach is used to place value on individuals' experiences with the primary goal being to understand how these individuals how perceive their social world (Hesse-Biber, 2010).

3.5.4 Ethical Consideration

As this study relied on data from humans, there was a need for robust ethical considerations. However, given that all participants were adults, and that the subject matter was relatively benign (i.e., questions about how COVID-19 and related restrictions impacted business functioning), a delegated review was appropriate. FRESHER received ethics approval from Western University's Non-Medical Research Ethics Board (Project ID: 115896). All participants in these interviews gave written consent in advance of their interview.

3.6 Limitations and Justifications for Research Methodology

As in most forms of Pragmatic research, Pragmatic Grounded Theory uses abductive reasoning, and is therefore constrained by the prior beliefs held by the researcher conducting analysis (Morgan, 2020). Developing a literature review based on peer reviewed data was used as a basis of developing founded ideas and limiting any unfounded preconceptions. Despite this, limitations due to

preconceptions are associated with all forms of research that involve qualitative data analysis (Morgan, 2020).

In addition to limitations associated with preconceptions, mixed methods studies are subject to additional limitations due to the merging of qualitative and quantitative methodology. While mixed methods research is beneficial to better understanding and addressing complex public administration and public policy issues, mixed methods research contains the limitations associated with both qualitative and quantitative research methods (Hendren et. al, 2018).

3.6.1 Limitations and Justifications Associated with the First Manuscript

In the first Manuscript, limitations exist due to the potential for divergence when collecting and analyzing data that addresses the same topic but comes in various forms and from various sources. In the first manuscript, formatting and source of information varied from city to city. Data was collected from local government websites, news articles, and from email contact with city employees. This may have resulted in inconsistencies in data due to differing information formats and differing levels of data availability. While contacting the planning departments of cities directly would provide the most accurate information, it was not feasible to contact all 52 cities included in the study due to time constraints. Instead, direct contact was only made with cities where there was no, or very limited information on their patio and outdoor dining policies available online. For other cities where patio policy was available online, these online sources were used as the data source for patio policy in that city. If there were cases where some patio policy was available online, but not all, this could lead to inaccuracies in the data. For this reason, this study assesses the publicly available data regarding patio policy.

Although using a broad range of sources may create inconsistencies across cases, qualitative research encourages this form of data collection as it can be used to develop rich and saturated sets of data, which are able to thoroughly address the research topic (Silva, 2012). The limitations associated with the varied format of data sources were minimized by ensuring that information was read thoroughly from start to finish, to ensure that all information was included in the assessment. Any additional limiting effects due to inconsistent formatting were reduced through the Framework Method which involves the organization of data into a standardized matrix structure (Hendren et al., 2018). Another way that this limitation was mitigated was with the large sample size. By including 52 cities in the analysis, major trends would not be affected by minor inconsistencies in data between

cities. The inclusion of all 52 cities in analysis ensured that the data represented a comprehensive picture of the patio policies and programs developed in cities in Ontario.

3.6.2 Limitations and Justification Associated with the Second Manuscript

In the second manuscript, data was collected through semi-structured interviews. This form of data collection is beneficial when developing a saturated and contextualized database that can be used to analyze emerging regularities and associations across the dataset. These interviews were conducted by multiple researchers for the FRESHER project. When multiple researchers are conducting interviews, there is the potential for personal bias to alter the direction the interview takes. This can create inconsistencies across the interview dataset. To minimize these inconsistencies, a set of questions and follow up questions and probes, which are detailed in Appendix B, were used to guide interviews. Interviews were coded using the Framework Method to produce highly structured outputs of summarized data which further standardized the interviews.

An additional limitation is that I was not responsible for either the semi-structured interview guide development of the FRESHER project. Therefore, the questions were not specifically tailored to patio-relevant topics. Despite this, many key informants (n=65) mentioned patios in their interview responses, which is a large and diverse sample.

Chapter 4

The Development of Patio Policy, Guidelines, and Programs in Ontario in Response to the COVID-19 Pandemic: A Policy Analysis

4.1 Key Words

COVID-19, Food Retail, Restaurants, Patios, Outdoor Dining

4.2 Introduction

The COVID-19 pandemic has brought to light many areas of fragility within cities across the world and has allowed planners to develop a new body of experience to work with when planning for cities of the future. Before COVID-19, limited information was available surrounding planning for pandemic scenarios in modern cities. Throughout the COVID-19 pandemic, planners in cities across the world have developed new policies and practices to support the city during the pandemic. Cities are now seeing the opportunity to use these experiences to change their planning approaches. This includes processes ranging from small to larger systematic processes (Lee et al., 2020). Through assessment of what has taken place during the pandemic, future unplanned events can contribute to city resiliency.

The food service economy is a particular industry that was heavily affected by the COVID-19 pandemic. Considering these effects, many cities have developed COVID-19 specific policies, guidelines, and programming for patios and outdoor dining. The purpose of these policies is to support the restaurant industry in a way that complies with provincial regulations put in place to prevent viral spread. The focus on patio policy by policy makers in cities in Ontario during the COVID-19 pandemic makes this an opportune time to assess these new policies.

I chose to focus on outdoor dining policy based on initial observations that many cities in Ontario developed new outdoor dining and policies during the pandemic (Fergusson & Yasin, 2020; Mandhan & Gregg, 2023; Cortes, 2021). Despite the prevalence of new policies, there has been a lack of policy analysis regarding patio legislation in Ontario. So far, no comprehensive overview of the format, content, and extent of these policies within all 52 designated cities in Ontario has been conducted. For this reason, the purpose of this paper is to undertake a systematic content analysis of

the written patio policies, guidelines, and other forms of patio regulation within cities in the Province of Ontario, Canada.

Until recently, there has been limited research on outdoor dining. Since the pandemic, however, studies have begun to reach publication. Many of these are case studies focusing on patio policy development or implementation in particular cities of interest. These case studies consider patio policy's impacts on these cities beyond the support to restaurants (Mandhan & Gregg, 2023; Cortes, 2021). Outdoor dining has had intended and unintended effects on the streetscape and the public realm. Many cities have found that supportive patio policy has created positive changes in the community and consider the potential of these supportive patio policies to be implemented beyond the COVID-19 pandemic (Newcomb, 2022, Fox 2021). These positive changes include increased foot traffic, and the generation of vibrancy in downtown areas (Cortes, 2021). Despite the perceived positive effects, equity concerns associated with the use of the street by private entities also exist. Outdoor dining also has the potential to affect safety, accessibility, and gentrification (Fergusson & Yasin, 2020; Mandhan & Gregg, 2023; Saba, 2023). The chair of the Accessibility for Ontarians with Disabilities Act Alliance, David Lepofsky, noted that pandemic patio programs are just one example of how accessibility has been compromised, particularly when patios require pedestrians to divert from the sidewalk and into the roadway (Saba, 2023). Additionally, patios can contribute to the continuation of the historic practices carried out by the government associated with deciding who can be in public which has led to the further marginalization of already vulnerable people (Fergusson & Yasin, 2020). Patio policy is also an example of how policy makers have prioritized supporting private business over public interests (2020). While the implementation of patio policy was carried out quickly to satisfy employers, there was a contrasting lack of focus and action associated with food, housing, transportation, and equitable infrastructure projects (Yasin & Fergusson, 2020). This focus was administered by the legal structures in place in Canada that supported a focus on patio policy development and a prioritization of supporting business owners (Yasin & Fergusson, 2020).

Through this paper, I aim to develop the understanding of what patio policy has been developed in 52 Ontario cities during the pandemic. I aim to describe the themes present in these policies and offer plausible explanations for the trends seen based on literature and the broader policy landscape in Ontario at the time these policies were developed. Understanding themes in patio policy beyond one city or region can provide an understanding of the direction this policy is taking in Ontario and inform future research and policy development.

Research questions I sought to answer include:

To what extent does patio policy exist in Ontario cities in the context of the COVID-19 pandemic?

- a) What are the key characteristics and features of these policies?
- b) How frequent are these different policy features in cities across Ontario?
- c) In what ways do these policies vary based on city size?

4.3 Methods

4.3.1 Research Strategies and Data Collection

The data collected in this study was derived from available patio legislation for cities in Ontario that applied to the 2020 and 2021 patio season during the COVID-19 pandemic. These were the years of the pandemic where strict lockdowns were put in place to prevent the spread of the COVID-19 virus in indoor settings, and restaurant dining was prohibited in Ontario. Cities are a designation in Ontario that includes 52 of the 444 lower-tier municipalities and single-tier municipalities who choose their designation to be a city, rather than a township, village, or municipality. This type of designation is included in the census subdivision (Statistics Canada, 2016). While before the *Municipal Act, 2001*, cities in Ontario were required to have a minimum population of 15,000 to designate themselves as a city, this restriction no longer applies, and single-tier and lower-tier municipalities can name themselves a city if they feel that is the appropriate designation (Government of Ontario, 2001). Cities in Ontario have been used as a study area by researchers interested in assessing policies and plans developed across Ontario. For example, the study by Vecchio & Arku (2020) assess policies associated with planning for manufacturing decline in Ontarian cities. This study area is useful as, generally, smaller municipalities draw from the policies developed by cities, as they have a lower capacity for conducting their own policy development. For this reason, assessing the policies of cities provides a thorough level of insight into the policies being developed and implemented in Ontario.

Patio policies for all Ontario cities (n=52) were collected first by determining where the patio policy was located online for each city and assembling links to form the initial database. Data was mainly collected through the city's websites, where By-Laws are accessible, along with pages developed by the city with the purpose of sharing patio policies and programming with the public. Policy reported in news media was also included in the data. For those cities with no available online data, contact was made through email and information was acquired directly from the planning

departments of each city. Of all 52 cities in Ontario, only 8 did not have thorough documentation of their policies and programs online and were contacted through email. These cities were Elliot Lake, Owen Sound, Pembroke, Pickering, Richmond Hill, Thorold, Vaughan, and Woodstock. Data collection took place over the summer of 2022 and through to Fall, when emails were sent out to cities with limited data available online. Data collection ended on February 22nd, 2022, when the final email was received.

4.3.2 Data Analysis

In this study, the documents being analyzed are electronic documents published on the internet and include those documents containing policies and programs pertaining to outdoor dining specifically in effect during the COVID-19 pandemic. These documents include By-laws, By-law amendments and/or exemptions related to patios, along with other forms of guidelines and programs developed by Ontario cities. This also included a search of each city's Community Improvement Plans (CIPs). Document analysis requires that data collected from within the documents be analyzed and interpreted to gain a deeper understanding of the data and build empirical knowledge (Corbin & Strauss, 2008). Studying the data derived from these policy and programming documents can contribute to the understanding of the perspectives, priorities, strategies, and perception of issues by the local government (Vecchio, 2020).

In this first manuscript, I employ a Framework methodology to conduct the thematic analysis of the policies and programs associated with outdoor dining in cities in Ontario. Conducting thematic analysis using the Framework method is an interactive and repetitive process. Using this process, themes develop organically as the data is collected. As more themes arise, these new themes are also applied to previously collected data, making this an iterative process where data collection and analysis occur simultaneously (Gale et al., 2013).

While collecting data, I developed categories and subcategories associated with each of the major features addressed in the policies and programs being described in the documents. Next, I coded the data to specify whether each feature was present in the data. The variable '1' represented the feature being present in the data and '0' represented the feature being non-present in the data. Indexing was conducted as feature development and data collection were conducted. I input the coded data into the matrix table, which is included in Appendix A. From the matrix table, I calculated

frequencies of each feature overall, along with the frequency of each feature according to city size. Based on the frequencies and relationships in the data, I developed themes present between cases.

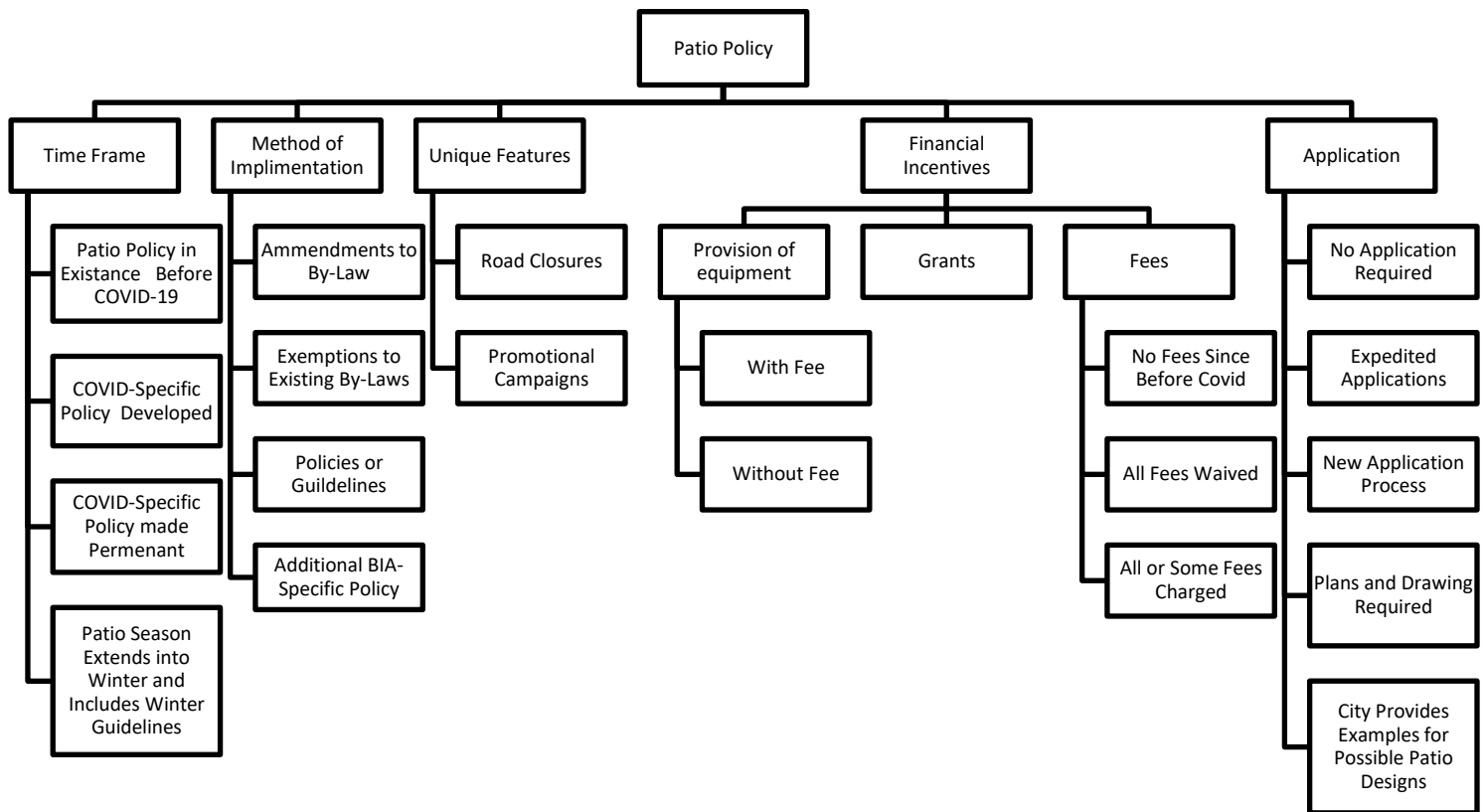
4.4 Results

I examined the policies and programs related to restaurant outdoor dining for the 52 cities in Ontario. In total 51 cities had some form of patio policy as of August 2022, and one did not. City populations ranged from 7,388 in Dryden to 2,794,356 in Toronto. Of the 52 cities, 12 were small population (<30,000), 18 were medium sized (30,000-100,000) and 22 were large (over 100,000). Appendix C details the population and population category for each of the 52 cities. The categorization of cities as small, medium, or large population centres according to these population parameters was determined by Statistics Canada. (Statistics Canada, 2022).

4.4.1 Summary of Policy Documents

Policy features were grouped into six major features: Time Frame, Method of Implementation, Unique Features, Financial Incentives, Application and organized into an analytical framework outlined in Figure 2. Briefly, Time Frame refers to time-related elements of the policy, for example when it was developed, whether it was permanent, and seasonality of patios. Methods of implementation covered what form the patio policy took (e.g., by-law amendment, by-law exemption, city policy, or BIA policy). The unique features category refers to location-specific initiatives including road closures and promotional campaigns. The financial incentives category includes features affecting the cost of patio development including provision of patio equipment, grants, and the waiving of fees. The Application category refers to aspects of the application process including the requirement of an application for a patio, expedited applications, a new application form or process developed, the requirement of plans and drawing for the application, and the provision of design examples provided by the city.

Figure 2: Tree Diagram Describing the Analytical Framework for Patio Policy Analysis



The six major policy features of Time Frame, Method of Implementation, Unique Features, Financial Incentives, and Application are described in further detail below.

4.4.2 Time Frame

Time Frame refers to the time frame of the development and implementation of patio policy within cities in Ontario. This includes whether there was any policy in existence before the COVID-19 pandemic and whether any COVID-19 specific policy was developed during the pandemic. This also includes how long this COVID-specific legislation was in effect, whether it was only for times where indoor dining was restricted or implemented permanently. This also included the time frame of the patio season regarding if the patio season extended into the winter months and included guidelines for patios during the winter season.

Almost all (96%) of Ontario cities had patio policies prior to the COVID-19 pandemic. The proportion of cities with a pre-COVID-19 patio policy ranged from a low of 83% of small cities to a

high of 100% of large cities. The three cities that did not have publicly available policies prior to the pandemic were Belleville, Temiskaming Shores, and Elliot Lake. A similarly high proportion (94%) implemented new patio policies during the pandemic, ranging from 75% in small cities to 100% in large cities. Of the pandemic patio policies implemented, 31% of policies included winter guidelines for patios, ranging from a low of 17% in small cities to 55% in larger cities. By winter of 2022, 98% of cities had patio policies. Elliot Lake was one city that did not develop any patio policy as policy makers noted that their Northern climate to be unsuitable for a patio season. Of the 52 cities in Ontario, 10% made their COVID-19 specific patio policies or guidelines permanent (low of 0% of small cities and a high of 18% of large cities). These cities were Guelph, Hamilton, Kitchener, Toronto, and Woodstock. In the following paragraphs I will provide a short summary of the elements of these policies that were implemented in the long term.

In Guelph, a new permanent patio program came about due to a positive response to changes to patio programming during the pandemic (Kitching, 2023). During the pandemic, Guelph developed dining districts supported by street closures. The new patio programs being implemented into the long-term included an allowance for patios to operate on street space including in parking spaces without the street closures seen during the pandemic (CBC, 2021). Additionally, encroachment fees were increased from their formerly reduced price following the pandemic (Kitching, 2023).

The City of Hamilton chose to permanently implement the On-Street patio dining program developed in 2020 to allow patios to operate in Business Improvement Areas and areas covered by the Community Improvement Plan (Sager, 2022; City of Hamilton, 2024). Permanent application involved amendments intended to consider concerns from disability advocates including additions to the inclusion of Urban Braille, a system that uses colours and textures to support accessible urban navigation (Sager, 2022; Mann, 2023).

In Kitchener, the pandemic prompted the development of new patio structures throughout the downtown. Following the pandemic, the use of these new structures was allowed to continue. These changes were developed in association with the and the Kitchener Downtown BIA, and with financial assistance from the My Main Street Community Activator Program which contributes to projects across Southern Ontario (My Main Street, 2023).

Toronto chose to implement changes made through the Café TO in the long term. This program increased allowances for restaurants to expand their outdoor dining space through sidewalk

patios, curb lane patios, and patios on private property. Public parklets were also installed to provide an increased amount of public space in café-saturated streetscapes. Additional information and assistance were offered by the many different BIAs that exist in Toronto and collaborated with the Café TO program (City of Toronto, 2021b)

The City of Woodstock was the only medium sized city to implement long-term changes to patio policy and programming. Major changes included increased support for sidewalk patios with bump out into parking spaces to accommodate pedestrians. These changes were considered in the Streetscape Master Plan. Despite support, businesses found that the cost to engineer and develop a patio was still a major challenge (Hammond, personal communication, 2022).

4.4.3 Methods of Implementation

Methods of Implementation included what form the patio legislation took. This includes New By-Law or amendment(s) to By-Law, Exemptions to By-Law, new guidelines, or policies, and new or amended Business Improvement Area (BIA) functions.

The most common form of patio legislation, developed by 75% of cities, was in the form of policies and guidelines. This ranged from highs of 83% in medium cities and 82% in large cities, to a low of 42% in small cities. New By-Laws or Amendment(s) to By-Law was the second most common form of implementation found in 43% of cities, with a high of 55% in large cities and a low of 22% in small cities. Exemption(s) to existing By-Law were implemented in 18% of cities with a high of 36% in large cities and a low of 0% in small cities. The most common By-Law exemptions were for parking By-Laws and zoning By-Laws. Another method of patio policy implementation was through BIA functions. Across Ontario, 25% of cities were found to have developed policies and programs within their BIAs, with a high of 45% in large cities and 0% in small cities.

4.4.4 Unique Features

Unique features refer to patio initiatives that are unique and location-specific according to each city's forms and functions. The two main forms of location-specific policies were road closures, found in 16% of cities, and promotional programming, with a high of 23% in large cities and a low of 8% in smaller cities. Another form of location specific programming was promotional programs. For example, a part of Orillia's "See You on the Patio" program included a city-wide marketing program

to encourage people to visit local patios. Promotional programs were found in 8% of cities, with a high of 14% in large cities and a low of 0% in small cities.

4.4.5 Financial Incentives

This theme includes any practices carried out by the city that are associated with the financial aspect of patio establishment and operation. The most common financial incentive was the waiving of all fees associated with patio application or establishment. This incentive was implemented in 69% of cities, with a high of 77% in large cities and a low of 42% in small cities. For those cities that did not waive all fees, 15% charged some or all fees, while 13% of cities did not charge fees before or during COVID. Other than application or establishment fees, some cities also addressed the financial impact of the cost of patio equipment. Patio equipment was provided to restaurants without a fee in 18% of cities, while equipment with a rental fee was provided in 6% of cities. In 10% of cities, grants were given to restaurants to aid in patio establishment, with a frequency of 18% in large cities, 8% in small cities, and 0% in medium sized cities.

4.4.6 Application Process

This theme includes elements of the application process used by cities to guide patio establishment by restaurants. In 78% of cities, a new application process was used following the onset of the COVID-19 pandemic, with a high of 91% in large cities and a low of 50% in small cities. In 76% of cities, this process required plans and drawings to be included in the application. Within Ontario, 41% of cities were able to expedite the application process during the pandemic. In 10% of cities, no application was required, and all patios adhering to the city's guidelines were permitted. This method was most common in small cities, at a rate of 17%, as opposed to 6% in medium sized cities and 9% in large cities.

4.4.7 Contents of Patio Policy in Cities in Ontario

The table below describes the prevalence of the six major policy features of Time Frame, Method of Implementation, Unique Features, Financial Incentives, Application by city population size, as well as overall prevalence in cities in Ontario. Population categories are Small (<30,000), Medium (30,000-100,000) and large (>100,000) (Statistics Canada, 2022).

Table 1: Prevalence of Major Patio Policy Features in Small, Medium, and Large Cities in Ontario

Theme	Sub-theme	Prevalence In Ontario (n=52)	Prevalence by Population Category		
			Small (n=12)	Medium (n=18)	Large (n=22)
Time Frame	Patio policy or guidelines in existence before Covid-19	96%	83%	94%	100%
	Covid-specific patio policy or guidelines implemented during the pandemic	94%	75%	94%	100%
	Patio season extends into the winter and includes winter guidelines	31%	17%	11%	55%
	Pandemic patio policy or guideline changes made permanent	10%	0%	6%	18%
Method of Implementation	New By-Laws or Amendment(s) to By-Law	43%	50%	22%	55%
	Exemptions to existing By-Laws	18%	0%	6%	36%
	New guidelines or policies	75%	42%	83%	82%
	Additional BIA-specific policy or guidelines	25%	0%	17%	45%
Unique Features	Road closures	16%	8%	11%	23%
	Promotional campaigns	8%	0%	6%	14%
Financial Incentives	Provision of equipment without fee	18%	8%	17%	23%
	Provision of equipment with rental fee	6%	0%	6%	9%
	Grants	10%	8%	0%	18%
	No fees (since before covid)	13%	17%	17%	9%
	All fees waived	69%	42%	72%	77%
	All or some fees charged	15%	25%	11%	14%
Application Process	No application required	10%	17%	6%	9%
	Expedited applications	41%	17%	50%	45%
	New application process	78%	50%	78%	91%
	Plans and drawings required	76%	67%	94%	64%
	City provides design examples for possible patio types	12%	8%	6%	18%

The main goal of these policies was to support restaurant businesses. A sample of wordings used by cities to describe policy goals is included in Table 2, below. Cities mentioned additional goals of promoting their downtown areas. For example, the city of Timmins specified that a goal of their patio policies and programs were to attract customers to the downtown and revitalize the core of the city in the wake of the pandemic. For the city of Peterborough, downtown revitalization and enhancement was a specified as a goal as well. According to Town Ward Councilor of Peterborough, Kemi Akapo, “Downtown patio and pedestrian spaces enhance the vibrancy of our downtown for visitors while supporting businesses. Our downtown community attracted people into the central area to visit the patios last year, and I’m looking forward to them building on that success this year.” (PTBO Canada, 2022, para. 2). One method specifically associated with the downtown areas of cities was BIA specific policies and programs. The downtown BIAs of Barrie, Greater Sudbury, Kingston, Kitchener, Peterborough, Timmins, and Windsor all provided specific support to downtown businesses.

Table 2: Sample of Wordings used to Describe Patio Policy Goals

City	Quote Describing Municipal Level Policy Goals
Barrie	<p>The city introduced the Patios Everywhere Program for the summer of 2020 in response to the COVID-19 pandemic. This program was intended to “support local restaurants by providing flexibility to restaurant owners while at the same time ensuring safety standards and measures remain in place.” (Goldfinger, 2020, para. 3).</p> <p>“This program will support our efforts for local economic recovery. The additional patio space across the city will provide options to create public spaces and to safely adapt during the pandemic,” said Mayor Jeff Lehman (Goldfinger, 2020, para. 4)</p>
Burlington	<p>“We want to support local businesses and allow temporary patios for restaurants and businesses each spring and summer.” (City of Burlington, 2021, para 1.)</p>
Dryden	<p>“The City of Dryden is ensuring area businesses are aware of their outdoor patio guidelines. Although Phase 3 of reopening in our region is allowing restaurants to reopen on Friday [referring to July 17, 2020], outdoor patios may still be used more for space or preference during the pandemic.” (Martyn, 2020, para 1.)</p>
Guelph	<p>“The city launched a Temporary Seasonal Patio Program (TPP) pilot during Summer, 2020 as an emergency response to the COVID-19 pandemic public health measures that restricted food and beverage service to takeout and outdoor patios only. TPP guidelines were quickly developed to allow businesses to immediately set up outdoor patios on private property and sidewalks.” (City of Guelph, 2021, pg. 2).</p>
Niagara Falls	<p>“Currently [referring to June 2020], restaurants and bars along with their patios remain closed due to provincial orders and public health recommendations related to COVID-19. In preparation for future staged re-openings of the hospitality industry across Ontario, the City of Niagara Falls is implementing a strategy to assist local bars and restaurants. The City’s plan will make it easier for restaurant and bar owners to open and expand sidewalk cafes and patios, and to access additional space for physical distancing to keep customers and employees safe.” (City of Niagara Falls, 2020, para. 1)</p>
Peterborough	<p>“As the City has been planning for the reuse of public space in the downtown, including closing or partially closing streets to provide more space for pedestrians and patios, the primary goal is to support the health and wellbeing of the community during the pandemic. The changes would be temporary and may be implemented in stages.” (City of Peterborough, 2020, para. 1).</p>

4.5 Discussion

This investigation provides insight into the ways that cities chose to regulate restaurant patios during the COVID-19 pandemic. This includes the specific elements cities included in their patio policies, guidelines, and programming, along with the methods used to develop and implement them. Understanding the policies and the themes present within patio legislation can allow for comparisons to be made between cities in how they reacted to the COVID-19 pandemic and develop a basis for future studies on the relationship between patio policy and urban factors including social, cultural, and economic characteristics.

In this study, I examined patio policy features for all 52 cities in Ontario. I explored policy features related to time frame, method of implementation, unique features, financial incentives, and the application process. Three key findings emerged from this research. First, 94% of cities implemented a new patio policy during the pandemic, indicating that patios perceived by policy makers to be assets to cities during a pandemic. Second, it appeared that large cities in particular prioritized policy features that would enable patio development in their boundaries. Third, only 10% of cities in Ontario implemented their COVID-19 specific policies in the long term. I describe each of these findings in further detail below.

First, 94% of cities implemented new patio policy or programming during the pandemic. At a time when cities needed to make changes due to the pandemic, almost all cities in Ontario prioritized patio policy and programming with the main goal of supporting restaurant enterprises. It is evident from the high proportion of cities that have developed COVID-19-specific patio policy or guidelines that the policy makers of cities in Ontario consider patio operations to be beneficial during the pandemic scenario. For cities in Ontario, the purpose of these policies was to allow restaurant businesses to continue operating during the pandemic. The cities of Thunder Bay, Burlington, Dryden, Guelph, and Niagara Falls all directly specified in their publications that the main purpose of their legislation was to enable the development of patios within their boundaries to support businesses during the COVID-19 pandemic.

Some cities specified that this policy development was in response to requests by restaurants themselves. For example, Norfolk County developed this policy as a response to requests by local businesses to do so. This exemplifies the city's recognition of the struggle of its restaurant industry. Canadian cities have witnessed a significant shift in the food retail industry because of COVID-19

(CWB, 2021). Restrictions on indoor dining operations were necessary to prevent viral spread and, although protecting the residents was top priority, restaurants experienced a considerable loss in revenue as an unavoidable result of pandemic restrictions. Small businesses were heavily impacted, as they are less likely than large corporately owned food retail businesses to have a large savings base which they can use to weather the challenges brought on by COVID-19 (CWB, 2021). One main theme of COVID-19 patio policies in Ontario is associated with the financial support to restaurants to aid in patio establishment. At a time where many restaurants were struggling financially, developing a patio would not have been possible for many of those with minimal savings that were not producing sufficient revenue. To ease the financial burden of patio establishment, many cities in Ontario offered grants, waived fees, and provided equipment for patios with and without fees.

In addition to supporting restaurants, some cities paid particular focus to downtown areas. The downtown areas of a city are particularly important, as these are the areas that give the city its unique identity. Restaurants are an aspect of downtowns that generate activity in multiple areas related to the consumption of the local production environment and can be important aspects of downtown vibrancy (Scott & Filion, 2017). Associated with this goal of downtown enhancement is the goal of contributing to the streetscape. The city of Barrie, for example, mentioned that their patio policies and programs had the additional goal of enhancing the streetscape while ensuring universal accessibility and public safety including fire access and separation from traffic. To curb the devitalization caused by the pandemic, cities can seek to develop streetscapes that are adaptable to their needs while ensuring accessibility and safety. The ability of streetscapes to adapt accordingly to unexpected conditions contributes to their resiliency through pandemic scenarios and other unplanned events (Megahed & Ghoneim, 2020). By ensuring that city streets contain many different types of spaces for people, the downtown can continue to act as the core of the city and be enjoyed for future years by residents and visitors (PWC, 2021).

In Ontario, three cities did not implement a COVID-19 specific patio policy. These cities were Brockville, Clarence-Rockland, and Kawartha Lakes. These cities had no publicly available information on their COVID-19 policies, and instead have pre-pandemic policies listed publicly. This indicates that, instead of creating a new pandemic policy, these three cities chose to continue with their pre-COVID patio policies and processes. Additionally, the city of Elliot Lake was the only city that did not have any form of patio policy before or during the pandemic as they found that their climate was not warm enough for a long enough season to accommodate patios. Of the three cities

that did not implement COVID-19 specific patio policy, Clarence-Rockland and Brockville are small cities while Kawartha lakes is a medium sized city. All three cities are located outside of Southern-Western Ontario and are north of Toronto. It is possible that, like Elliot Lake, the climates of these cities may be less suitable for patios, and city officials may have prioritized other initiatives more suitable for their specific needs.

Overall, the widespread development of patio policy in cities in Ontario shows that supporting restaurant businesses was heavily prioritized by cities in Ontario during the COVID-19 pandemic. In a time where many changes were happening, cities saw their restaurants as a valuable component of their communities and sought to support them when they were struggling.

Second, larger cities prioritized policy features that would enable patio development in their boundaries more frequently than smaller cities. It appears that some aspects of patio policy and programming are less feasible for small cities than large cities, while other elements are feasible for cities of any size. A difference between small and large cities was present in most categories.

One key example of this difference was in financial aspects. The waiving of all fees was done more often in large and medium sized cities than small cities, with 77% of large municipalities, 72% of medium sized municipalities, and 42% of small municipalities waiving fees. Small cities charged all or some fees more frequently than large and medium sized cities. The charging of fees was present in 14% of large cities, 11% of medium sized cities, and 25% of small cities. Other areas where this difference was present was in the Time Frame, in particular, the length of the patio season. The patio season extended into the winter and included winter guidelines in 55% of large cities, 11% of medium sized cities, and 17% of small cities. The presence of BIA-specific policies also varied by city size, being present in 45% of large cities 17% of medium sized cities, and 0% of small cities.

Communities of different sizes have a different number of businesses, different budgets and, subsequently, different resources available for them to use to achieve policy. Overall, smaller cities have smaller administrative capacities and implementing the policies of large cities may not be feasible for smaller population centres. Smaller cities also likely have a smaller number of businesses within their BIAs, which limits the potential functions of the BIA. A smaller BIA's function may not have as broad of a reach as the BIAs of larger cities and may be less likely to include restaurant patios in their programming.

Third, despite the development of new policy and programming during the pandemic by 94% of cities, only 10% of cities in Ontario made any elements of their new patio policies permanent. Although the goals of economic support, downtown revitalization, and streetscape enhancement prompted almost all cities in Ontario to develop patio policy during the pandemic, the low frequency of permanent changes suggest that there may be factors affecting the success of city's patio policies.

One potential barrier to long-term implementation may be a lack of inclusion of patios and patio furniture as incentives in the Community Improvement Plan. The city of Owen Sound, for example, withdrew their proposal to offer grants to businesses for patio development due to concerns over potential violation of section 106 of the *Municipal Act* (2001), which forbids a municipality from directly or indirectly granting financial bonuses to businesses, with some exceptions. A councillor from Owen Sound cited a lack of inclusion of grants to patio furniture in the CIP to be the reason that the issuing of grants for patio development may be considered prohibited assistance or "bonusing" and potentially violate section 106 of the *Municipal Act* (Hermiz, 2021). This section of the Act details provisions for municipalities to offer grants and agreements to support businesses as deemed within the interests of the municipality. While the act of offering financial assistance and issuing grants is regulated by the *Municipal Act*, the municipal authority to develop and implement CIPs are regulated by the *Planning Act* (1990).

For those cities that did offer some sort of patio assistance, a plausible explanation for limited long-term adoption of these policies is linked to the goals of the policies. Cities in Ontario mention that the main goal of their COVID-specific patio policies is to support the restaurant industry during the pandemic scenario when indoor dining was restricted. After restrictions were lifted, cities with patio policy that existed only to replace indoor dining would have no reason to continue after the restrictions were lifted. In these cases, the goals of these policies limit city's ability to acquire any long-term benefits that may arise due to patio policy changes. In these cases, cities are not prioritizing long-term beneficial changes, but instead are looking to make short-term policy changes before returning to the same conditions as prior to the pandemic. The limited goals of patio policy may be because patio policy is not included in city's long-term plans. For example, no Ontario cities contain mention of patios in their Community Improvement Plans (CIP). This suggests that patio policy may exist as a stand-alone form of policy, separate from a city's long-term goals. It is plausible this stand-alone nature of COVID-specific patio policies affects the ability of cities to determine if their policy is in alignment with their long-term goals. For this reason, cities are unable make long-term changes,

but instead make short term policy changes before returning to the same conditions as prior to the pandemic. This limits the city's ability to gain any long-term benefit from potential positive effects associated with their temporary patio policies.

Another plausible reason for limited permanent implementation is associated with the fast-tracked development and implementation of the patio policies in cities in Ontario. Across the 52 cities in Ontario, 78% of total cities developed a new application system to accommodate patios during the restricted dining period and 41% of total cities specifically implemented an expedited or fast-tracked application process to allow restaurants to begin patio operations as quickly as possible. One goal mentioned by the 41% of cities who developed a faster application system is associated with expediting policy development and patio applications with the goal of quickly approving applications. The city of Pickering, for example, developed and began implementing their COVID-19 specific patio policies and programs in a span of two weeks. The city of Pickering also streamlined their process by waiving the usual Site Plan review of the restaurant's patio design. Other methods used by cities to develop and implement policy as fast as possible included the expediting of approvals, and the use of technology to streamline the approvals process. In the city of Belleville, the approvals process was streamlined through the development of an application guide and a formalized framework where there had not been one before. This framework laid out requirements relating to on-site parking, functionality, furniture, fences, plantings, and additional features, along with surety that elements of the patio won't interfere with other nearby businesses. The new policy was intended to make it easier for business owners to reach an encroachment agreement with the city. With their accelerated process, approvals by the city of Belleville quickened to one week after the application was submitted.

The fast-tracked processes that took place to support quick patio development were supported by the government of Ontario at the provincial level through Ontario Regulation 345/20 made under the *Emergency Management and Civil Protection Act*. Through this regulation, the Government of Ontario "sought to respond to the impacts of the outbreak on the hospitality sector by allowing restaurants and bars to temporarily create or extend outdoor patio spaces to safely accommodate patrons and staff once licensed establishments are permitted to reopen for business." (Government of Ontario, 2020, pg. 1). This regulation allows for municipalities to enact a by-law that would authorize the temporary use of land for a restaurant or bar patio under section 39 of the Planning Act to be exempt from subsections 34 (12) to (14.3), (14.5) to (15) and (19) of that Act and paragraphs 4 and 5

of subsection 6 (9) of Ontario Regulation 545/06 under that Act. Specifically, these sections describe the requirement of providing information to the public and holding a public meeting to receive feedback from the public, as well as allowing for appeals to the proposed by-laws by the public. Exemption from these subsections allows municipalities to speed up the process of developing by-laws, by-law amendments and by-law exemptions to allow for an easier patio establishment process for cities considering the COVID-19 pandemic.

Although the purpose of the Act described above was to allow cities to develop policy that provided quick support to the restaurant industry, there is the potential for policies to overlook concerns that typically arise and can be mitigated through public consultation. While streamlining the policy process is intended to, and in many cases may have been successful at, creating a more efficient patio development process, it is possible that there may have been unintended consequences that limit the policy's potential to be implemented in the long-term. For example, patios have contributed to the increasing inaccessibility of streets in urban areas. The chair of the Accessibility for Ontarians with Disabilities Act Alliance, David Lepofsky, noted that pandemic patio programs are just one example of how accessibility has been compromised, particularly when patios require pedestrians to divert from the sidewalk and into the roadway (Saba, 2023). A part of patio policy that can contribute to inaccessible development is the application process, which is intended to ensure that patios meet accessibility guidelines. To do this, cities frequently require plans or drawings to be included in patio application at a rate of 76%. Although most cities require plans to be included in applications, only 12% included publicly available examples of approvable patio designs. In the case where businesses are left to interpret accessibility standards on their own, they risk developing accessible patio designs. At a time where cities were focused on approving as many patios applications as possible, this creates a risk for accessibility concerns to be overlooked in favour of approving as many patios as possible. Other equity concerns have been raised over these policies that enable the use of public street space for private patios. The speed and frequency at which pandemic patio policies were able to be developed has been called a continuation of the historic practices carried out by the government associated with deciding who can be in public (Fergusson & Yasin, 2020).

While public consultation was not required under the *Emergency Management and Civil Protection Act*, it was still possible for cities to choose to conduct public consultation before implementing the patio policies developed in response to the COVID-19 pandemic. The city of

Peterborough, for example, conducted public consultation between 2020 and 2021 and found that the public considered supporting business activity and providing additional pedestrian space to be a top priority. Responses from the public consultation were incorporated into design plans and street design maps for 2021 (City of Peterborough, 2021). The city of Guelph also recognized that the initial temporary patio policies developed for the summer of 2020 had been exempt from public consultation and recognized the need to conduct public consultation. Following the introduction of their temporary patio policy in the summer of 2020, a formal community engagement took place in November 2020 through to January 2021 (City of Guelph, 2021).

Although the quick development of patio policies left opportunities for public concerns to be overlooked, in 10% of cities new COVID-19 outdoor dining policies led to changes that became implemented in the long term due to their positive effects. The cities that implemented long-term policies are Guelph, Hamilton, Kitchener, Toronto, and Woodstock. Kitchener, for example, noted that these patios added a lively feel to the downtown area which is something the city had been already seeking prior to the pandemic (Mapp, 2021). In all these cities, these policies were tied into long-term goals that went beyond providing economic support for restaurants. For example, Woodstock incorporated the use of patios into their Streetscape Master Plan (Hammond, personal communication, 2022). One aspect that was not typically carried over into the long term was financial support. Cities found it less feasible to continue offering aspects of financial support including waived fees to patios due to the city's own financial constraints. For example, in the City of Guelph encroachment fees were increased from the reduced prices that had been in place during the pandemic (Kitching, 2023). In cities where long-term implementation occurred, patio policy was not only used as a way to support businesses financially during the COVID-19 pandemic but also as contribution to other goals and priorities including supporting downtown areas, streetscape enhancement, and community vitality. Long-term implementation of policies and programs that have been determined to be beneficial can allow Ontarian cities to not return to the old "normal" and instead contribute to the overall development of resilient and vibrant communities in the long term.

For the 90% of cities that did not apply their COVID-19 patio policies into the long term, some returned to their pre-pandemic policies while some implemented new changes or applied learnings from the pandemic into future iterations of their policies. For example, the city of Barrie implemented a Patios Everywhere program during the pandemic which involved the downtown BIA. This provided financial assistance to businesses, along with additional support with the application

process. This program also created an exemption from applicable By-Laws associated with business licensing (City of Barrie, 2021). While the financial aspect of the patio program was not continued into the long-term, and By-Law exemptions are no longer applicable, this city found that many of the patios established during the pandemic continued operation in the following years under the pre-pandemic By-Laws and with support from the BIA. In this case, although no pandemic-era By-Laws remained, an increase in outdoor dining still existed in the city. For some cities, learnings from the pandemic were considered in future iterations of outdoor dining policy. For example, some found that their temporary policy lacked a clear framework and sought to make changes to this following the pandemic. Other cities have chosen to prioritize other areas including active travel and general support for retailers in the form of street closures that do not focus directly on outdoor dining.

In conclusion, there are two main plausible reasons for the limited permanent implementation of patio policy. The first is the limited goals of patio policy to only accommodate the duration of indoor dining restrictions, and the disconnect between these short-term policies and the community's long-term goals. The second is associated with issues created by fast-tracked policy development including the lack of public consultation.

This study was subject to strengths and weaknesses. A major strength is in the number of cities included in the study. The 52 cities in Ontario provide a comprehensive view of the patio policy landscape developed in Ontario in response to the COVID-19 pandemic. A potential weakness is the possibility of policy exclusion due to unavailability. When collecting data, publicly available information was used, and, for those cities where no public information was available, information was collected using direct contact with the city through email. Although this allowed for a comprehensive overview of city policies, there could exist a scenario where a city has posted some, but not all patio policy information publicly. In this potential scenario, information not shared publicly would have been overlooked. However, the large number of cities included in the study mitigates the possibility that overlooked information will affect general trends and impact the study overall.

4.6 Conclusion

This paper identifies the characteristics and themes present within cities in Ontario associated with outdoor dining policy, guidelines, and programming. It identifies similarities and differences in themes among various sizes of cities and offers plausible explanations to policy orientations. Several

findings provide conclusions of how cities in Ontario have planned, and continue to plan, for restaurant patios within their boundaries.

It is evident that cities in Ontario developed patio policies within their boundaries with the main goal of providing economic support to businesses during a difficult time. This is evident as 94% of cities in Ontario developed new patio policies or guidelines during the COVID-19 pandemic. This confirms initial reports on the prioritization of policy support for restaurants and other private businesses during the pandemic (Fergusson & Yasin, 2020). In addition to supporting restaurants, cities in Ontario also reported goals associated with supporting downtown areas and improving the physical streetscape. This highlights the role of patio policy in both the economic and physical landscape. It was clear that larger cities developed more extensive patio policies than smaller cities. This suggests that larger cities have larger planning capacities which gave them a greater opportunity to engage in patio policy planning and development than smaller cities.

Planners have noted that the application of patios within compatible streets during the pandemic provides an opportunity for Ontario to not return to the old normal but instead engage in recovery efforts focused on developing flexible resilient communities in the long term (Nooren et al., 2020). Despite the development of new policy and programming during the pandemic by 94% of cities, only 10% of cities in Ontario made any elements of their new patio policies permanent. This is related to the finding that some aspects of patio policy within cities are incompatible with broader, city-wide planning goals and current streetscape functions. It is possible that, due to the accelerated nature of pandemic patio policy development paired with a lack of community engagement, policy may have been developed in isolation from other planning features including the Community Improvement Plan. This finding supports other initial reports that have documented patio's incompatibility with accessibility guidelines, along with potential equity issues (Fergusson & Yasin, 2020; Paling, 2021). Additionally, in cities where the main policy goal is only to provide economic support during the pandemic, the opportunity to develop more flexible and resilient communities in the long term is being overlooked.

The development of patio policies, the shortcoming of these policies, and the lack of long-term adoption has highlighted the importance of developing holistic policy, rather than approaches intended to address issues in isolation. Additionally, these findings highlight the importance of community engagement in the policy development process to address concerns from citizens

regarding gentrification and accessibility. These findings also highlight the importance of flexible infrastructure such as Flex-Streets which can accommodate streetscapes changes and contribute to the compatibility of patios with current streetscape functions (Nooren et al., 2020).

Following the lifting of pandemic restrictions, planners, researchers, and news sources have recorded both positive and negative outcomes of pandemic policies in cities across Ontario (Fergusson & Yasin, 2020; Paling, 2021). While these effects have been recognized, the policy landscapes behind the development of the patio policy and programming of cities in Ontario had not been effectively studied and reported prior to this study. In this study, I have identified some of the systemic structures in place that have led to the outcomes of patio development during the pandemic. In the future, this policy analysis can be used in the larger assessment of the many different types of policies developed by cities to understand what cities prioritized during the pandemic.

Chapter 5

Perceptions of Patios and Patio Policy by Key Actors in the Food Retail Economy in Ontario: An Interview Analysis

5.1 Keywords

COVID-19, Food Retail, Restaurants, Patios, Outdoor Dining

5.2 Introduction

Several studies have documented some of the struggles, risks, and opportunities within the restaurant industry that the COVID-19 pandemic brought to the forefront (Madhan & Gregg, 2023, Glaeser et al., 2021, Wang et al., 2021). Restaurants in Canadian cities experienced a considerable loss in revenue due to necessary pandemic restrictions. Small food businesses were heavily impacted, as they are less likely than large corporately owned food retail businesses to have a large savings base available to weather the challenges brought by COVID-19 (CWB, 2021). This left cities in Ontario faced with two conflicting goals, one to support local restaurants within them, and another to prevent the spread of COVID-19.

Restaurants are an important component of cities. They not only provide food but can contribute to broader social and cultural needs of a community (Scott & Filion, 2017). Dine-in restaurants can be a source of entertainment that serves a social and cultural purpose. Additionally, the local food landscape plays a prominent role in tourist decision-making as the food industry influences the types of tourism products offered and the local place promotion strategies a community might use (Bell & Valentine, 1997). The dine-in restaurant industry is not only a service but are a cultural amenity that contributes to unique place-making and has a vital role in the urban landscape (Scott & Filion, 2017). Restaurants can also be a component of downtown revitalization, as restaurants in the core can generate activity in multiple areas related to the consumption of the local production environment by both residents and tourists (Scott & Filion, 2017). Due to the importance of dine-in restaurants both in terms of cultural amenities and the revitalization of downtown regions, it is relevant to the practice of urban planning that the effects of the pandemic on these businesses be studied.

The establishment of patios was typically perceived as a support to dine-in restaurants during the COVID-19 pandemic (Restaurants Canada, 2021). Although the concept of outdoor dining is not new, its significance to businesses within the food retail environment became more pronounced when indoor dining was restricted. The sudden onset of the COVID-19 pandemic in 2020 and the lack of an established policy framework associated with outdoor dining led municipalities to adopt a patchwork of policies and programs to support food retailers within their community. In Ontario, many cities found that supportive patio policy created positive changes in their community, and a few have considered the potential of this supportive patio policy beyond COVID (Newcomb, 2022, Fox 2021).

Despite the new policies developed, perceptions of this policy in Ontario have yet to be assessed from different perspectives. This study relies on qualitative interview data to assess what role outdoor dining policy has had within cities throughout the pandemic by examining different perspectives on patios in cities across Ontario. These perspectives include those of people involved in the food retail economy in the form of employees, employers, and other stakeholders. These groups represent key participants in the regulation and operation of patios during the pandemic. As front-line workers, employees were a group that was heavily affected by changes brought on by the COVID-19 pandemic (Larue, 2021). Employers and other stakeholders are groups that contribute to the development of patios and can influence patio structure and regulations. The insights on patios from these groups are valuable contributions to the body of knowledge developed from the pandemic and the assessment of the effects of patios and patio policy on the restaurant industry during the pandemic. Importantly, front-line workers like employees may have very different perspectives than employers, but to date no research has explicitly explored these potential differences.

This study is part of a larger research project known as the Food Retail Environment Study for Health and Economic Resiliency (FRESHER) project. This was a collaborative study between researchers at the University of Western Ontario, University of Waterloo, Wilfrid Laurier University, and the University of Guelph. FRESHER was based out of the Human Environments Analysis Laboratory (HEAL) at the University of Western Ontario and led by Dr. Jason Gilliland. FRESHER aimed to assess the effects of COVID-19 on restaurants, fast food outlets, grocery stores, cafes, bars, pubs, and alcohol retail stores, across many different of communities within Ontario.

5.3 Methods

5.3.1 Study Area

Recruitment for this study was conducted by the FRESHER research team and took place across all Southern Ontario, with most interviews coming from London, Kitchener-Waterloo, and Toronto. The following paragraphs detail the study area context for these three regions.

In London, Ontario, temporary measures associated with using public space for expanded outdoor patios and merchandise displays during the pandemic were implemented through a Zoning By-law Amendment (City of London, 2021). The city also launched a Patio Improvement Program in 2021. This includes a grant approved through the London Community Recovery Network to encourage enhancement of outdoor patios in the London Business Improvement Areas (BIAs). Expenses that can be covered by the grant include barriers, lighting, material required to complete improvements, outdoor furniture, outdoor heaters, planters and plants, and “pop-up” prefabricated patios (City of London, 2021). The city has also extended the patio season, allowing outdoor patios to stay operational until December 31st during winter months (City of London, 2020).

Kitchener and Waterloo, Ontario are both second tier municipalities situated within the Region of Waterloo and share a border, so are often referred to by residents as “Kitchener-Waterloo”. Kitchener-Waterloo had both regional policies that applied to the Waterloo Region, and Kitchener had additional city-specific policies. The Region of Waterloo developed Temporary On-Street Patio/Pop-Up Guidelines (“Regional Patio Guidelines”) to establish guidelines to enable temporary outdoor patio expansions during the 2021 patio season (Region of Waterloo, 2021). These guidelines detail the sidewalk patio process. They also cover guidelines for on street patios, guidelines for patios with raised platforms, and guidelines for winter season patios. In 2021, many restaurants in Waterloo Region established winter patios considering the new lockdown guidelines from the government. Promotional material was produced by the Uptown Waterloo BIA and included a map of all patios labelled by what kinds of food they serve, if they are pet friendly, and if they are covered by an umbrella (Uptown Waterloo BIA, 2021).

In Kitchener, patios with a permanent licensed patio did not need any further approvals from the City of Kitchener. An extension approval was necessary for extending a patio into parking lots or parts of the property that were not used for patios before the pandemic. The City of Kitchener provided a streamlined system to speed up the approvals process for new or expanded temporary

outdoor patios in 2021. The Kitchener Downtown Business Improvement Association invested \$600,000 into new downtown restaurant patios, and the Belmont Village BIA helped create a pedestrian-only experience (Monteiro, 2021. Mapp, 2021). This was done by shutting down slip-streets to put up a communal patio for businesses. This policy also includes the permitted extension of patios through the winter until March 31st, when the regular patio season starts (Senoran, 2022). Winter patios must ensure that any immediate surrounding walkways will remain free of snow and ice while in operation and will not cause any risk to patrons from falling ice. Tents and heaters were permitted if they followed the Building and Fire code. City counselors have seen success in the extended patio program throughout the pandemic and have voted to make extended patios permanent (Monteiro, 2021).

Finally, in Toronto, The CaféTO program ran through 2020, 2021, and was implemented as a long-term program for 2022 (City of Toronto, 2021b). This program provided restaurants and bars in Toronto with the opportunity to increase their space for outdoor dining by expanding their business into sidewalk cafés, curb lane cafés, or on private property. Permit, registration, and zoning bylaws existed for these three different cafe types. The café permitting and application process that was used prior to the pandemic was paused to provide an expedited application and permitting system for café operators. Additional information and assistance were offered by the many different BIAs within Toronto (City of Toronto, 2021b). Restaurants owners seeking to install or expand a patio on private property did not need to register with the CaféTO program. The program saw continuous growth. In 2021 participation in the program increased by 51% from 2020 registration levels (City of Toronto, 2021b). In 2021, CaféTO contributed more than 12 kilometres of public space to be allocated for outdoor dining opportunities (City of Toronto, 2022b). All application fees to the CaféTO program were waived for 2020, 2021, and 2022 (City of Toronto, 2022b). A total of 65 public parklets were also installed to provide an increased amount of public space in streetscapes where private patios were prevalent in order to offset the reduction in public space by these patios (City of Toronto, 2022b). The CaféTO program also included allowance for patios through the winter. For the winter season guidelines were established associated with portable heaters, tent guidelines and winter maintenance.

5.3.2 Research Strategy and Data Collection

As noted, this study uses data collected by researchers involved with the FRESHER project led by Dr. Jason Gilliland at Western University. This study involved the collection of data on Ontario's food hospitality employees' experiences during the pandemic. FRESHER gathered information about the challenges and experiences of employees, employers, and other stakeholders related to the food retail industry during the pandemic (Gilliland et al., 2021).

Recruitment for this study took place across all Southern Ontario. Participants came from municipalities of all sizes, the smallest being Bruce Mines with a population of 582 residents, and the largest being Toronto with a population of 2.3 million residents. The most southern participant resided in Windsor and the most Northern participant resided in Thunder Bay. Under this study area, common themes in response to patio policy across the Southern part of the province can be determined.

Informants were a part of three separate groups of people that played a role in the food retail environment throughout the Covid-19 pandemic. These groups were employers, employees, and other stakeholders in the food retail and service industry. Employers include business owners and operators of a food retail business. Employees include anyone employed by a food retail or food hospitality business. Stakeholders are a broader category include those people that are not employers or employees but are professionals involved in the food retail and hospitality economy in cities in another way. For example, policy makers, educators, economic developers, city councillors, and city building managers all fell within the category of "stakeholders".

Beginning in Spring of 2020, the FRESHER conducted 141 interviews with employers, employees, and other stakeholders from across Ontario (FRESHER, 2022). Participants were recruited through community networks, social media, business cards, phone calling, and a postcard mailed to all food-related businesses located in Southwestern Ontario inviting employees and employers of food retail and hospitality businesses to participate in the FRESHER study. Participation included taking a survey or being interviewed. The study used a convenience sample based on who of the employees, employers and other stakeholders contacted through this recruitment process, were willing to participate in these surveys and interviews.

Semi-structured interviews were used to collect data for the FRESHER study. This form of interview was used to ensure certain topics were addressed, but also allow for flexibility in how

participants wanted to describe their experiences. These interviews were conducted over Zoom by multiple research assistants between the months of November 2020 and May 2021. Interviews were all audio recorded and then transcribed. Participants who did not consent to be audio-recorded were recorded through notes taken by the interviewer during the conversation. During these interviews, the interviewer provided an overview of the topic, reminded the participant about their ability to skip questions or withdraw at any time, and re-ascertained whether the interviewee consented to be audio-recorded. The semi-structured interviews included questions tailored to hospitality workers, retail workers, and stakeholders that aimed to encapsulate the experience of members of these groups during the pandemic. Interviewers followed an interview guide which consisted of a series of open-ended questions related to various topics associated with the COVID-19 pandemic. This included changes to employment, levels stress, employer and employee responses to the pandemic, access and use of personal protective equipment, sense of safety, physical changes to their workplace, mental health support systems, and the role of government in responding to the COVID-19 pandemic.

The use of interviews provides an opportunity to investigate the effects of COVID-19 restrictions more thoroughly than through surveys, making them a preferable method for this form of research. Interviews as a form of data collection consider knowledge and lived experiences of participants. Given the amount of local knowledge required to interpret the effects of patio policy in each interviewee's context, using interviews to collect data is the most effective method of collecting data to answer the research questions. The use of interviews also allows each interviewee the opportunity to demonstrate their specific local knowledge from whatever professional viewpoint they may have (Feser & Bergman, 2000). Evaluating the changes that have occurred in urban form and the food service industry through the lens of the restaurant server, the restaurateur, the planner, the economic developer, or the small business owner is useful developing an understanding the role that outdoor dining has played over the course of the COVID-19 pandemic.

5.3.3 Data Analysis

This study involved the thematic analysis of these key informant interviews. Thematic analysis refers to the many types of analytical methodology associated with identifying relationships within qualitative data. This form of analysis is associated with drawing descriptive and explanatory conclusions based around themes (Gale et al., 2013). Thematic analysis involves “systematically

identifying, organizing, and offering insight into patterns of meaning (themes) across a data set” (Braun & Clark, 2012, pg. 57).

The form of thematic analysis used in this study is referred to as the Framework Method. This form of thematic analysis was developed in the 1980s by Jane Ritchie and Liz Spencer, from the Qualitative Research Unit at the National Centre for Social Research in the United Kingdom. The Framework Method is commonly used to conduct qualitative, mixed methods, studies (Gale et al., 2013). This approach is a flexible form of thematic analysis that can be applied to qualitative or mixed methods studies that aim to generate themes. While originally used to conduct large-scale social policy research, this method has been used to conduct analysis in a variety of fields including the field of planning (Gale et al., 2013). A key feature of the Framework analysis method is the production of the matrix output which is made up of rows representing cases and columns representing themes and cells containing interview data. The purpose of the research matrix is to systematically reduce the data so it can be analyzed.

To develop the research matrix, first, mentions of patios and outdoor dining were compiled into a Microsoft Excel spreadsheet. The development of themes from this data was an iterative process. The interviews containing mentions of patios or outdoor dining were read fully and themes associated with the research question were identified from the interviews. This process involved re-reading each interview, identifying topics of discussion, and determining higher level themes appropriate to the data-set and associated research question. During this process some themes were broken up into sub-themes or compiled into larger themes. Themes and their sub-themes are visualized in a tree diagram. Each theme was defined to specify its meaning. These themes were used to develop the matrix output made up of rows representing each interview, and columns representing each theme. Descriptive statistics were derived from the matrix output.

5.4 Results

Interview transcripts from 141 interviews collected by the FRESHER research team were analyzed. Of the 141 interviews, 72 were classified as employers, 44 were employees, and 25 were other stakeholders. In total, 65 of 141 participants (46%) mentioned patios at least once. By participant category, 54% of employers, 36% of employees, and 40% of other stakeholders mentioned patios in their interviews. Table 3 details this distribution of mentions of patios across participant classification.

Table 3: Number of Interviewees who mentioned Patios by Respondent Classification – Employees, Employers, and Stakeholders

	Employers (n= 72)	Employees (n=44)	Stakeholder (n=25)	Total (n=141)
Interviewees who mentioned patios	39 (54%)	16 (36%)	10 (40%)	65 (46%)
Interviewees who did not mention patios	33(46%)	28 (64%)	15 (60%)	76 (54%)

Patios were discussed at similar rates across the province. As noted, most interviews were with participants located in the cities of Kitchener/Waterloo, London, and Toronto. Patios were discussed at similar rates whether there were with participants from the 3 main cities, or the other municipalities that did not have as high a number of interviewees. Frequency of patio mentions by city is detailed in Table 4.

Table 4: Number of Interviewees who mentioned Patios by City – Kitchener/Waterloo, Toronto, or Other

	Kitchener/Waterloo (n=23)	London (n=41)	Toronto (n=16)	Other (n=61)	Total (n= 141)
Total Number of Interviewees that Mentioned patios	11 (48%)	18 (44%)	8 (50%)	28 (46%)	65 (46%)
Total Number of Interviewees that did not Mention Patios	12 (52%)	23 (56%)	8 (50%)	33 (54%)	76 (54%)

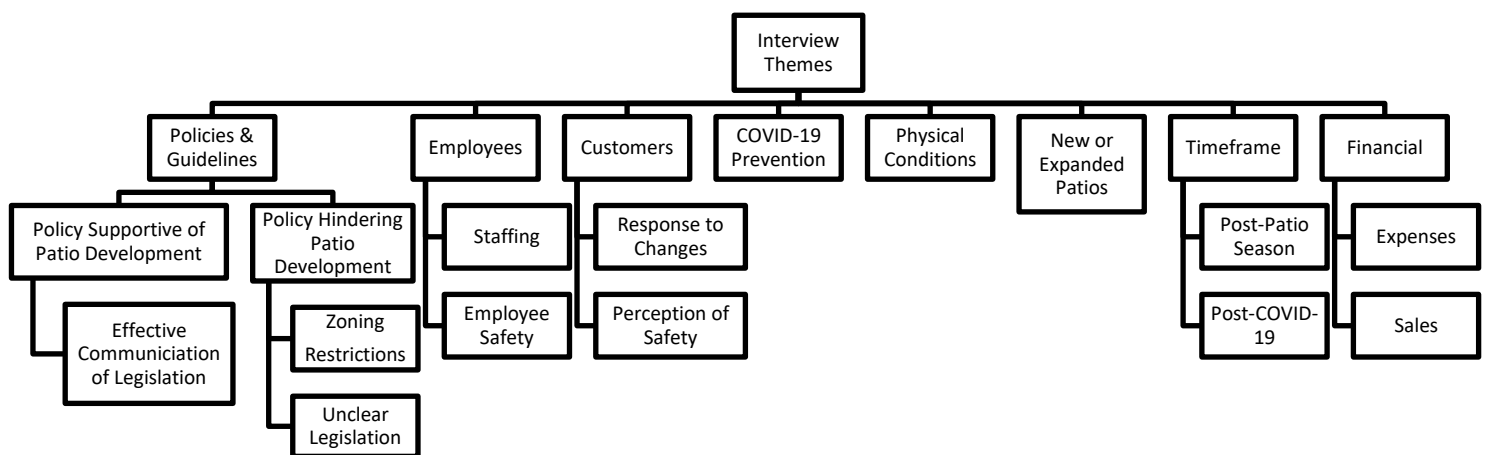
The semi-structured interviews were guided by a set of interview questions for each group (employer, employee, and stakeholder). For employers, the question with the most responses mentioning patios was Question 1: “How has the pandemic affected your business?”, with a total of 21 participants mentioning patios. For employees, patios were most often mentioned in response to Question 4: “Did your workplace make any physical changes, such as erecting barriers, putting up signage, or moving around furniture in response to COVID-19?”, with a total of eight participants mentioning patios. For stakeholders, the question with the most responses mentioning patios was Question 3: “What types of services, initiatives, or policies did you bring into effect in response to the pandemic?”, with a total of eight participants mentioning patios. The distribution of patio mentions according to all interview questions is detailed in Appendix D.

Within the 65 interviews where patios were mentioned, I identified major themes associated with patio perceptions using thematic analysis. For all following results, themes and their frequencies are represented as percentages of those 65 interviews where patios were mentioned.

5.4.1 Summary of Interview Themes

Themes present in the interviews are grouped into eight major categories, which represent clusters of data associated with related concepts. The eight main patio-related themes in these interviews are Policies and Guidelines, Employees, Customers, Covid-19 prevention, Physical Patio Conditions, New or Expanded Patios, Timeframe, and Financial Aspects. The Analytical Framework (Figure 3) the organization of the interview data into categories and themes, and subthemes present within the main themes.

Figure 3: Tree Diagram Describing the Analytical Framework used in Interview Analysis



Within the interviews, major themes and subthemes were present. These themes differed in frequency between employers, employees, and other stakeholders. These different groups of people had differing priorities regarding patios and patio policy in the context of the COVID-19 pandemic, which influenced what they chose to discuss in their interviews. Because these interviews were semi-structured, interviewees guided the discussion according to their own priorities. The themes discussed in the interviews also differed according to location. Within London, Kitchener/Waterloo, and Toronto, patios were mentioned at similar rate, however, the themes discussed by interviewees differed between cities.

The following section describes the major themes present within the interviews. Each of these themes and their subthemes are described in further detail below and example quotes for each theme are provided. Appendix E includes all the quotes included below tabulated according to their respective themes. For all following results, themes and their frequencies are represented as percentages of those 65 interviews where patios were mentioned.

5.4.2 Policies and Guidelines

This theme includes any mention of patio policies or guidelines developed in response to the COVID-19 Pandemic. Sub-themes include perceptions of policy to be supportive to patio development and perceptions of policy to be unsupportive to patio development.

Policy perceived as supportive to patio development was mentioned in 54% of interviews where patios were mentioned. In 17% of interviews, this mention was regarding effective communication of policies and guidelines, while the other 37% was regarding other mentions of general supportive policy. Policy unsupportive to patio development was mentioned in 26% of interviews. In 6% of interviews, this mention was regarding unclear communication of policies and guidelines, 3% of mentions were regarding zoning issues, and the other 17% was regarding other mentions of general unsupportive policy.

While patio policy was perceived as both supportive and unsupportive by interviewees, supportive policy was mentioned approximately twice as frequently as unsupportive policy. Of the different respondent groups, employers were the group that discussed patios and patio policy most frequently, at a rate of 54%, compared to 36% of employees and 40% of other stakeholders.

Some topics were mentioned across multiple cities. One of these topics was Business Improvement Areas (BIAs) which were mentioned as supportive forms of patio policy by interviewees from London, Kitchener and Thunder Bay. For example, the quote below is from an employer from Kitchener who described how their BIA developed a patio program that was supportive to the patio development of their business and others within the BIA. Within this quote, the interviewee shares that the BIA assisted in making changes to the physical streetscape that allowed patio to operate. This included the closure of part of the street to operate public picnic tables, which helped businesses stay afloat.

We were also very fortunate to have a good BIA. The Business Improvement Association in our area worked with us in the city to

close down half of our street. That's now an open-air patio that has public picnic tables, so people can still get outside, not have to be confined to their homes or to be somewhere wearing a mask and just get some fresh air and get as close back to a normal life as possible those three things helped us stay afloat. Around us there are a bunch of other restaurants that, because the BIA has closed the street, have these wonderful outdoor eating areas. ... without the BIA working with us and having the draw to the establishment we definitely wouldn't be busy enough in the evenings to stay open so that's been a bit of a saviour.

Within the cities of London, Kitchener/Waterloo, and Toronto, the city of London, Ontario had participants that discussed patio policy most frequently. Of the 41 total interviewees from London, 30% discussed aspects of patio policy that was supportive to patio development, and 24% discussed aspects of patio policy that was unsupportive of patio development. Within London, business owners' experiences with patio policy differed depending on the individual circumstances of restaurants. For example, in the quote below, a business owner with the capabilities to develop a patio into their parking lot describes their positive experiences with London's patio development process.

The City of London offered that we could have patios on a parking lot, and a lot of times the City can be very difficult, but the City was amazing, we got approval within 12 hours of requesting it. We're not on the flex street, but I think the flex street is a wonderful idea.

Not every business had these capabilities, and therefore participants had different perceptions of patio policy. Some policies were perceived as unsupportive due to certain businesses being unable to participate in patio programs due to financial reasons. Interviewees from London, Ontario mentioned unsupportive policies and rapidly changing or unclear policies more often than other cities, where this topic was mentioned very few times. For example, in the quote below, one business owner described a situation in which rapid policy or practice changes meant that even though they wanted to participate in expanding their patio, they could not afford to do so because of prior patio investments.

Every week we're changing some drastic part of our business, and the rules keep changing, and there's continuously new things. So, they're like, "okay, now that the street is closing, are you going to extend the patio?" We just put a huge investment into building the patio, I don't know that we can afford to do that right now.

Another unsupportive perception of patio policy expressed by a business owner in London Ontario was derived from the policy development process. The quote below is from this business owner who perceived their city to be behind in policy development as compared to others.

I sat on the mayor's task force prior to phase two coming into effect, where I was a part of this panel with a number of other restaurant owners across the city. It was really underwhelming, frankly. I remember being quite frustrated that day because I was shocked that the City of Toronto, that was nowhere near where we were in terms of being able to go into phase two, had already published very specific protocols and policies about how business would behave when they were to reopen, and London has published nothing.

While not mentioned in London or Toronto, the topic of zoning was brought up as an area of unsupportive policy unique to interviewees from Hamilton Ontario. Two employers in the city of Hamilton mentioned that zoning restrictions prevented them from developing a patio. For example, when asked why they could not open their patio, one employer noted that they were not zoned for a patio and could not afford to file for a zoning amendment.

It's a C2 zoning, which is residential-commercial. I have to do an amendment to the zoning. It's about twenty-five thousand dollars and can take up to a year. [Are you planning to file for the zoning amendment?] I can't afford it now. I thought I could get it. I really did. I have a perfectly good patio at the side. I have a huge parking lot behind me.

5.4.3 Time Frame

This theme is associated with discussions of the timeframe of patio operation including discussion of the winter season and cold weather. Also included in this category is any mention of patio changes occurring in the long-term, post-COVID-19, timeframe. For example, concerns of what to do in the months where patios are no longer available, along with mentions of developing patios that can be used during the winter months were common in this theme. Mentions of the post-patio winter season, including discussion of cold weather, was present in 15% of interviews. Mentions of patio operation in the post-COVID-19 landscape were present in 6% of total interviews.

Business owners mentioned that they were concerned about how they would fare in winter season. For example, one business owner from Toronto expressed uncertainty about the future winter months. When asked about strategies that they might implement in the future as Toronto enters stage 2, the employer said,

The strategies would be to set up our physical locations up in a manner that can maximize our capacity in a safe manner. So, patio extensions and things of that nature. It becomes very unclear what happens when patio season is no longer available to us.

Although the winter season created uncertainty for business owners, many cities extended their patio season into the winter months. In the quote below, a business owner from Kitchener/Waterloo described that demand remained for patio dining even in the cold weather.

Even now people will still turn up and some people still are choosing to step outside and it's minus five. All power to them.

An employee from Toronto also noted that patrons were willing to sit on the patio in cold weather but expressed safety concerns related to the use of heaters near vehicles. They also noted that the patio season, even with heaters, only ran until October 6th when they felt that the season could have been longer.

If it does snow, I know they allowed heaters on Yonge Street, but a propane heater on Yonge with cars driving by doesn't seem like the safest thing in the world for me. I would not personally want to sit there with this, like, bomb ready to go off at any time. And they also cancelled all the street heaters by now. Ours got taken away October 6th, it would have been beneficial to have them for the rest of the month, I thought originally until November 15th. Apparently, it was October 6th.

5.4.4 Financial Aspects

The topic of “Financial Aspects” includes any mention of patio’s financial impacts on restaurants. Sub-themes in this category include the effect of patios on restaurant sales and the effect of patio expenses on restaurants. Impacts on sales was discussed by 18% of interviewees, with a high of 26% of employers and a low of 6% of employees. For all mentions of patio’s effects on sales, patios were seen as contributing to an increase in sales. Patio expenses were mentioned in 5% of interviews. The only group that mentioned these were employers, with a frequency of 8%.

Patios overall were seen as an important economic support to restaurants. It is plausible that employers can assess the financial success of patios more than other groups as they are the ones seeing the financial returns from these patios. One employer mentioned that patios had led to sales that were even better than they were prior to the COVID-19 pandemic.

Overall, I can't say that it (the state of the business) has been good or bad. The first couple months and everybody's adjusting. Business is not great. And then we were able to open patios and things got way better, like even better than in previous years.

Of those that mentioned patios, employers reported financial successes from patios at a frequency of 26%. This topic was reported by employers more often than financial expenses the patios created which had a frequency of 8%.

5.4.5 Employees

Included in this theme are mentions of the impacts on employees associated with patios. The two subthemes included in this category are effects of patio dining and the COVID-19 pandemic on employees and impacts on employee staffing due to the COVID-19 pandemic. Employee effects included mentions of concerns over dangers of COVID-19 for employees working on patios due to exposure, along with other mentions of stress. Also mentioned in this category were accounts of specific circumstances where COVID-19 prevention standards were not followed, putting employees at risk. The sub-theme of employee effects was present in 11% of interviews, with a frequency of 37% of employee interviews, 3% of employer interviews, and 0% of other stakeholder interviews. One employee from Thunder Bay mentioned that the employees were often tasked with navigating the new patio regulation in addition to their regular responsibilities. They felt that the changes were chaotic and overwhelming.

And then our city decided that they were going to shut down the street so more patio seating can happen. Then, the Ontario government decided that there could be seating inside. So, watching my friend who owns the business, try to keep up with all of this, I found myself having to just try to be a real team player and I empathize, but a lot of the time I felt so overwhelmed. I thought it was chaotic, and I thought it was not well thought out. It was not well planned. And I thought that, it wasn't the fault of the businesses, they were just trying to make the most money they could. But as the regulations changed, and the numbers changed, all it did was force businesses to try to figure out how to get more people in safely. And that often fell on the shoulders of the employees.

Another employee mentioned that they felt endangered from COVID-19 on the patio. They felt there was divide between the people who were able to afford to dine on patios during the

pandemic, and the employees working to serve these customers for minimum wage. They also mentioned the infeasibility of fully complying with all safety protocols.

The privileged few that are retired or whatever, have some money want to go sit on the patio, great. But I, as a server, have to touch your fork, I have to touch your knife, I have to touch your cup. I have to bring you food when you don't have a mask on. I have to do all that stuff. And for what am I doing it for minimum friggin wage? You know what I mean? And, I have to do it, I have no choice. So, do I change my gloves every three minutes? No, because no employer is going to give you gloves every three minutes to pay for it. How do you pay for that? How do you pay for, as an employer, somebody to come and clean just non-stop because that's what you need? You need somebody to do the doorknobs and do this stuff. And then you've got people touching cutlery and it's bigger than having the waitress wait on you. It's bigger than that now, so there's far more money involved, so I don't know how you would create money to support that. I don't know.

Also included in this theme is the discussion of employee staffing, particularly regarding patio staff. This included mentions of hiring additional staffers to work on the patio, including mentions of difficulty finding staff to work on the patios. The sub-theme of patio staffing was mentioned in 14% of interviews, with a frequency of 10% of employers, 31% of employees, and 0% of other stakeholders.

5.4.6 Customers

This theme includes all mentions of customer perceptions and behaviours in relation to patios. Overall, customers were mentioned in 17% of interviews. Subthemes include responses to changes involving patios due to the COVID-19 pandemic and perception of safety on patios as opposed to indoor dining. Responses to patio changes were mentioned in 12% of interviewees, with a high of 19% of employees, 13% of employers, and a low of 0% of other stakeholders. Of those that mentioned customer response to patios, most described that the response was positive. Customers were described as excited, and eager to support restaurants. Some interviewees mentioned that the patios were beneficial due to needing extra seats to accommodate an increased demand. An employer from London described the response they saw.

Patios were busy from the get-go, and then I think it was two weeks ago we opened the inside. People have been dying to get out so most

people are in a good mood, most people understand the rules and regulations.

Additionally, the customer's perception of safety by was mentioned by 5% of employers, 6% of employees, and 0% of other stakeholders. Topics related to customer perception of safety include accounts of customers considering patios to be a safer option than indoor dining, along with mentions of a lack of customers on days when patios were unavailable due to weather conditions due to customers fearing indoor dining. According to those interviewees that mentioned perceptions of safety, customers perceived patio dining to be safer than indoor dining. Even when restrictions on indoor dining had been lifted, an employer from London mentioned that customers did not feel that they were safe indoors. When rain made patio dining infeasible, customers were wary of indoor dining.

We had good business on Friday night, but Saturday night we prepared all day for people to come, and we had the reservations on the patio and then if it's going to rain, nobody wanted to come inside and we had to work, but only one couple would come inside to eat. So, it all got cancelled.

5.4.7 COVID-19 Prevention

Within the interviews, some mentions of patios included discussion on what measures were being taken to prevent the spread of COVID-19 on the patio. This theme included any mention of steps taken to prevent the spread of the virus including masking, sanitizing, ensuring social distancing, and temperature taking. Overall, 15% of all interviewees mentioned COVID-19 prevention on the patio in some form, with a prevalence of 31% of employees, 13% of employers, and 0% of stakeholders. Some employees found carrying out COVID-19 prevention protocols was not possible, while others felt that it was possible, but stressful.

One employee from Kitchener described their experience carrying out COVID-19 prevention protocols. They felt that their establishment was very compliant with new policies surrounding COVID prevention. They felt that it was difficult and stressful at times but easier once they got the hang of it.

[So, your establishment was very consistent with COVID-19 screening, and the implementation of physical distancing protocols and that gradual return to work as restrictions eased more and more employees came back?] Yeah, absolutely. They were very strict on the new policies. And I mean, as a server, it's hard for us to maintain

distance, but even little things. They implemented it. It went above and beyond. It was a little stressful. Sometimes. It wasn't perfect. But once you got the hang of it, I was never scared to go to work, which a lot of people can't say, which is nice.

5.4.8 Physical Patio Conditions

This category is associated with the conditions of the physical environment related to patios including traffic, noise, street conditions, and other environmental factors. Included in this category are perceptions of patios incompatible with the current state of the downtown area. Other accounts include concerns over patios being located next to high-speed traffic. This theme was mentioned by 8% of interviewees, with a high of 10% of employers and 10% of stakeholders, and a low of 0% of employees.

Policy makers including City Planners, City Councilors, Community Economic Development Managers, Community Developers, and other members of municipal governments that have a role in the restaurant industry during the pandemic partook in the interviews. These Policy makers described their goals associated with enhancing the streetscape, conducting downtown revitalization, and creating more public and human-scale spaces within cities. For example, one policy maker from London described how they saw patio policy as a piece that plays a part in larger goals associated with improving the streets within the city.

One thing that the pandemic has also brought to light or been a bit of a push for some other great projects that really haven't gotten off the ground. So, the idea of using our streets in different ways. Not just using cars but thinking about patios and bike lanes and even the pickup and drop off areas. I think that's really important. I think it's drawn attention to the need for more public spaces, as well. Everyone that's living, especially in urban areas, you need to have those communal outdoor spaces or pathways for exercise and that sort of thing.

Policy makers also perceived discrepancies in patio viability based on streetscape characteristics. While some businesses have large parking lots and room to expand, other businesses with limited or inflexible space around them faced challenges in developing patios. In the quote below, a policy maker from London describes the discrepancies they saw. This includes the observation that restaurants in downtown areas struggled to expand while restaurants with large parking lots were able to adapt that space to develop their patios. They also noted that there was a competition for the right of way between curbside pickup and curbside patio development.

I think the issue is it increases a lot when you're looking at locations like downtown and Old East Village because they don't typically have a lot of outdoor space. Whereas Boston Pizza, with a giant parking lot, has a lot of room to expand, where a lot of our downtown businesses are very small inside and they have very little if no outside space to allow that adaptability. So, we've really been trying to work with them and having the use of the public sidewalk as an amenity for them. There's also been a lot of challenges with that.

5.4.9 New or Expanded Patios

This topic includes mention of businesses developing new patios or expanding existing patios. This includes mentions of restaurant owners that their business is establishing a new patio or expanding their patio during the COVID-19 pandemic. It also includes mentions by businesses of their patio developments that took place due to COVID-19. Business owners mentioned new and extended patio developments including the extension of patios into the street, into areas surrounding the business, and into parking lots. Stakeholders also mentioned similar forms of patio establishment that they observed. Employees commonly described the forms of patios being developed by their workplaces. Overall, this theme was mentioned by 31% of interviewees, with a high of 50% of other stakeholders, 31% of employers, and a low of 19% of employees. This theme was the most frequent patio-related theme present in the interviews with employers and other stakeholders. New or expanded patios were the second most prevalent topic of discussion related to patios (after supportive and unsupportive policy). In the quote below, one policy maker in Kitchener/Waterloo mentioned how new patios had been developed in areas that had otherwise been underutilized.

Right in our uptown, that's sort of connected to several restaurants, and so the restaurants that are directly above the square have been able to sort of maximize their patio space and utilize the square that would otherwise be relatively vacant.

5.4.10 Mention of Topics Based on Respondent Classification and Location

Interviews topics were mentioned at various frequencies depending on the characteristics of Respondent Classification, which includes employers, employees, and other stakeholders. The frequencies of interview topics according to respondent classification is detailed in table 5.

Differences in the frequency of themes discussed by employees, employers, and stakeholders contribute to the key findings. The most common topic among those interviewed was supportive

policies. Some policies mentioned include effective communication of policy changes, allowances for expanded patios on the street, fast approvals, BIA initiatives, waived fees, grants, changes to AGO liquor service restrictions, and pedestrianized streets Supportive policy was discussed over twice as frequently as unsupportive policy. Some of the unsupportive policies discussed include ineffective communication of policy changes, zoning restrictions, liquor service restrictions, restrictions on daily times of operation, limited space restricting participation in patio programming, restrictions on extending patios into winter months, policy limited compared to other cities, and lack of patio inclusion in the CIP.

Key findings from Table 5 are also associated with differences between employers, employees, and stakeholders. The most prominent difference is in the topic of effects on employees which was mentioned by 37% of employees, 3% of employers, and 0% of stakeholders. Other differences exist within the categories of COVID-19 prevention, customer response to changes, customer perception of safety, and staffing. These themes were discussed by employees and employers but not mentioned by stakeholders. Additionally, patio contribution to sales was mentioned most frequently by employers, with a frequency of 26%, followed by 10% of stakeholders and 6% of employees. Patio expenses were mentioned by 8% of employers, 0% employees, and 0% of stakeholders. Within the stakeholder category, the most common topic was supportive policies at 70%, followed by new or expanded patios, at 50%.

Table 5: Thematic Analysis of Interview Topics Related to Patios based on Respondent Classification

			Employer N (%)	Employee N (%)	Stakeholder N (%)	Total N (%)
Interviewees who mentioned patios			39 (100%)	16 (100%)	10 (100%)	65 (100%)
Policies and Guidelines	Policy Hindering Patio Development	Unsupportive Policy	9 (23%)	1 (6%)	1 (10%)	11 (17%)
		Unclear Communication of Policies/Guidelines	3 (8%)	1 (6%)	0 (0%)	4 (6%)
		Zoning Restrictions	2 (6%)	0 (0%)	0 (0%)	2 (3%)
	Policy Supportive of Patio Development	Supportive Policies	12 (31%)	5 (31%)	7 (70%)	24 (37%)
		Effective Communication of Policies/Guidelines	7 (18%)	1 (6%)	3 (30%)	11 (17%)
Time Frame	Post Patio Season		5 (13%)	4 (25%)	1 (10%)	10 (15%)
	Post COVID-19		1 (3%)	2 (12%)	1 (10%)	4 (6%)
Financial	Patio Expenses		3 (8%)	0 (0%)	0 (0%)	3 (5%)
	Patio Contribution to Sales		10 (26%)	1 (6%)	1 (10%)	12 (18%)
Employees	Staffing		4 (10%)	5 (31%)	0 (0%)	9 (14%)
	Effects on Employees		1 (3%)	6 (37%)	0 (0%)	7 (11%)
Customers	Response to changes		5 (13%)	3 (19%)	0 (0%)	8 (12%)
	Perception of Safety		2 (5%)	1 (6%)	0 (0%)	3 (5%)
Physical Conditions			4 (10%)	0 (0%)	1 (10%)	5 (8%)
New or Expanded Patios			12 (31%)	3 (19%)	5 (50%)	20 (31%)
COVID-19 Prevention			5 (13%)	5 (31%)	0 (0%)	10 (15%)

In addition to Respondent Classification, interview topics also varied according to Location. Respondent Locations Classifications include Kitchener/Waterloo, Toronto, and other Municipalities. The frequency of each interview topic according to Respondent Location is detailed in Table 6. The location that mentioned policy most frequently was London Ontario, where supportive policy was mentioned in 50% of interviews and unsupportive policy was mentioned in 39% of interviews. In Kitchener Waterloo, supportive policy was mentioned in 36% of interviews while unsupportive policy was mentioned in 9% of interviews. Patio policy was not mentioned at all in Toronto, instead the most common topic here was Effects on Employees at 37%.

Table 6: Thematic Analysis of Interview Topics Based on Respondent Location

			Kitchener/ Waterloo N (%)	London N (%)	Toronto N (%)	Other N (%)
Total Number of Interviewees that Mentioned Patios			11 (100%)	18 (100%)	8 (100%)	28 (100%)
Policies and Guidelines	Policy Hindering Patio Development	Unsupportive Policy	1 (9%)	7 (39%)	0 (0%)	3 (11%)
		Legislation Unclear	0 (0%)	3 (17%)	0 (0%)	1 (4%)
		Zoning Restrictions	0 (0%)	0 (0%)	0 (0%)	2 (7%)
	Policy Supportive of Patio Development	Supportive Policies	4 (36%)	9 (50%)	0 (0%)	11 (39%)
		Effective Communication of Legislation	2 (18%)	3 (17%)	0 (0%)	6 (21%)
Time Frame	Post Patio Season		3 (27%)	2 (11%)	1 (13%)	3 (11%)
	Post Covid		1 (9%)	1 (6%)	0 (0%)	2 (7%)
Financial	Patio Expenses		0 (0%)	2 (11%)	1 (13%)	0 (0%)
	Patio Effect on Sales		3 (27%)	1 (6%)	2 (25%)	6 (21%)
Employees	Staffing		2 (18%)	2 (11%)	1 (13%)	4 (14%)
	Effects on Employees		1 (9%)	1 (6%)	3 (37%)	2 (7%)
Customers	Response to changes		1 (9%)	2 (11%)	1 (13%)	4 (14%)
	Perception of Safety		0 (0%)	3 (17%)	0 (0%)	0 (0%)
Physical Conditions			1 (9%)	3 (17%)	1 (13%)	0 (0%)
New or Expanded Patios			3 (27%)	7 (39%)	1 (13%)	9 (32%)
COVID-19 Prevention			0 (0%)	4 (22%)	1 (13%)	5 (18%)

5.5 Discussion

The COVID-19 pandemic was a catalyst for cities in Ontario to implement many rapid changes needed to support residents and businesses, while preventing the spread of the virus. From this analysis three main themes emerged. First, perceptions of patios by actors in the food retail industry are generally positive. Across Ontario, actors in the food retail industry perceived that cities have developed policies, programs, and guidelines that have supported the establishment and operation of restaurant patios during the COVID-19 pandemic. Second, there exists differences in patio perceptions between employees, employers, and other stakeholders. Stakeholders were less likely to discuss factors associated with occurrences on the patios, including customer perceptions and COVID-19 prevention. Employees were more likely to speak about effects on employees than other

groups. Third, there are a variety of streetscape design concepts that relate to the perceptions detailed in this manuscript. This includes streetscape designs that support active transportation and pedestrian centric spaces. Each of these findings are discussed in greater detail below.

5.5.1 Patios Perceived as Profitable and Supported by Policy

First, of the 141 employers, employees and other stakeholders interviewed, 65 (46%) mentioned patios. That just under half of the respondents mentioned patios, without being asked a direct question about them, suggests that there was substantial engagement with patios by those in the restaurant industry during the pandemic. Overall, supportive policy was mentioned at twice the rate of unsupportive policy. This suggests that patio policy was perceived more frequently as supportive than unsupportive.

Employers reported financial successes from patios (26%) more often than they discussed the financial expenses the patios created (8%). This implies that, over the COVID-19 pandemic, patios have been perceived as a greater financial support to businesses than an expense. It is possible that the financial expenses created by patios have been mitigated by grants which were issued by 10% of cities, or withdrawn fees which were implemented by 69% of cities in Ontario.

5.5.2 Variation In Patio Perceptions Between Employers, Employees, and other Stakeholders

When discussing major changes made during the COVID-19 pandemic, patios were a prevalent topic for all three groups interviewed. This implies that changes to patios had impacts across stakeholder groups. However, themes discussed in interviews varied between the interview groups (employers, employees, and stakeholders). Of the different respondent groups, employers discussed patios and patio policy most frequently, at a rate of 54%. A plausible reason for this is that employers and restaurant owners have the most to gain from successful patio policy during a time when indoor dining was not feasible. Within the employer group, perceptions differed based on their ability to participate in patio programming during the pandemic. A small number of business owners (8%) found that they did not have the financial resources to develop extensive patios. Small businesses, even prior to the pandemic, tended to have a smaller savings base to fall back on during times when revenues are limited (CWB, 2021). It is plausible that business owners facing financial limitations

were not able to participate in patio programming as extensively as larger restaurants during the pandemic.

Other stakeholders differed from employers and employees in the topics they chose to discuss. Employers and employees both mentioned topics associated with patio operation more often than other stakeholders. For example, responses from customers were mentioned by 13% of employers, 19% of employees, and 0% of other stakeholders. Another example is in perceptions of COVID-19 prevention on the patio. This topic was mentioned by 31% of employees, 13% of employers, and 0% of other stakeholders. Generally, stakeholders are less involved in direct operations than employees and employers, and they rely on input from involved parties to develop informed policy through a public consultation process. As patio policy can affect the daily lives of the workers involved, inclusion of worker voice in policy development can provide policy makers with a wider perspective on the issues involved (Hall & Tucker, 2022). During the COVID-19 pandemic, some fields saw a lack of worker voice in policy development including hospital workers, teachers, and long-term care workers (Hall & Tucker, 2022). Given that Ontario Regulation 345/20 made under the *Emergency Management and Civil Protection Act (2020)* exempts patio policy developed during the COVID-19 pandemic from public consultation, it is plausible that similar trends influenced the development of COVID-19 patio policy (Government of Ontario, 2020).

Employees were one group of interviewees that had unique perceptions associated with patios. The effects of patios on the employees were discussed by 37% of employees, 3% of employers, and 0% of other stakeholders. As policy makers and other stakeholders did not discuss the effects on employees in their interviews, it is possible that stakeholders are more closely aligned with focuses of the employer group rather than the employee group. While interviews with employers and other stakeholders generally focused on the financial contributions patios could make to businesses, employees offered a different viewpoint. For example, an employee from Kitchener mentioned that fellow servers at their workplace generally disliked working on the patio, and that complaints about patios contributed to animosity between employees and created stress. Another employee mentioned that the task of navigating policy changes and requirements associated with patios often fell on the shoulders of the employees. Within the restaurant industry, employee turnover was high during the COVID-19 pandemic, and stress and negative emotions among restaurant employees were common effects of negative work-related conditions (Kim et al., 2023). It is plausible that the use of patios during the pandemic increased the workload and responsibilities of restaurant service workers, while

also putting their health at risk. Safety was mentioned by three employees who were concerned about exposure to COVID-19 on the patios. While the employers interviewed mention that proper PPE was being used and COVID-19 prevention was being enforced, employees noted that there was often no way for them to maintain proper social distancing on the patio, and that they perceived patios to be creating conditions that were not preventative of viral transmission especially among staff.

Service workers in the hospitality industry who interact with the public are at greater risk of contracting the COVID-19 virus than those who can stay home and isolate. Within the restaurant industry, several inequities have been identified due to the risk of COVID-19 to food service workers (St-Denis, 2020). In Canada, women face higher occupational risks of exposure to COVID-19, as they overrepresented in the food service industry, making up 58% of the food service workforce. Visible minorities are also highly represented in the restaurant and hospitality industry in Canada at a frequency of 31%, as opposed to 21% in the overall workforce (Cheung & Nguyen, 2021). Perceptions disclosed by employees relate to the idea that there are societal inequities related to viral spread which are associated with mental and physical health concerns. This finding supports research that has identified that, during the COVID-19 pandemic, hospitality workers' COVID-19 risk perception was related to an increase in depressive symptoms (Yan et al., 2021). Perceived risk also had significant associations with negative effects on sleep and increased anxiety (Casagrande et al., 2020). Interviews with employees conclude that there was an added perception of risk created by patios which contributed to negative effects on employee mental health. This suggests that the use of patios contributed to health inequities during the COVID-19 pandemic.

5.5.3 The Relation of Patio Perceptions to Planning Concepts

The third major finding was that the experiences of employees, employers, and other stakeholders regarding outdoor dining during the COVID-19 pandemic demonstrate the relationship between outdoor dining and progressive planning concepts. These concepts include those involving streetscape designs including the use of space for vehicles and the allocation of space for public and private use particularly in downtown areas. Each of these concepts are described more fully below.

First, patios are related to transportation patterns and streetscape design concepts. As an element of the streetscape, patios and their feasibility on the street are impacted by the modes of transportation being used within cities. Interviewees mentioned how vehicle use conflicts with patio operation. Vehicle traffic was perceived by some to be a danger to those on the patio. One owner mentioned that

they felt that vehicles driving by on the street made patio dining unsafe. Another employer mentioned that downtown rush hour limits the time when they are allowed to operate patios, and that traffic created unenjoyable patio conditions. An employee mentioned that they felt vehicles driving past the on-street patios created unsafe conditions particularly in the winter when restaurants began using propane heaters on the patio. Heated winter patios are a form of outdoor dining that grew in popularity during the COVID-19 pandemic. In 31% of cities in Ontario, policies and guidelines surrounding cold weather patios were developed during the pandemic. Many of the winter patio policies included the regulation of heaters on the patio, requiring approval from the fire department. While measures were taken by cities to prevent danger due to heaters, little research exists related to the compatibility of heaters on on-street patios with the streetscape and their safety. Overall, these interviews demonstrate how prioritizing both vehicles and patios can create contention between streetscape uses.

Second, when patios in downtown areas extend into the street, they can reappropriate limited downtown parking space. Even prior to the pandemic, the balance between public space, vehicle space, and private business space was challenging to negotiate. Interviewees mentioned that allocation of space was a factor that contributed to an incompatibility with patios and the street. For example, one interviewee noted that, in their city, they saw that businesses with large parking lots were able to easily expand their patios. These restaurants with their own parking lots have a greater opportunity to extend their patios into their own private space, something that is less feasible for smaller restaurants, particularly those located in areas with less flexible space available. Some downtown businesses, however, had little to no available outside space to allow that adaptability. When businesses with limited space extend into the street, there can be conflict between street uses if the use of patios is not compatible with current transportation patterns.

As demonstrated above, this limitation of space is most prevalent in downtown areas. During the COVID-19 pandemic, some cities saw that downtown businesses were at risk of closing due to financial reasons. The city of Hamilton Ontario, for example, found that their downtown businesses struggled due to the pandemic. They found that their downtown was at risk of losing the progress and improvements that had taken place in recent years (Lam, 2021) The closure of downtown businesses is detrimental to cities because downtowns and the activities that go on within them give the city its unique identity. A thriving downtown should contain workplaces, residences, commercial activity, culture, and as much as possible of everything that cities have to offer (Jacobs, 1961). Many local

governments in Canada have incorporated the objective of downtown revitalization into their plans to mitigate the negative effects of urban sprawl that have been seen to contribute to a decline in downtown activity (Lauder, 2010). In Ontario, the most prevalent objectives of downtown revitalization have been to increase residential population and increase general activity (Lauder, 2010). It is plausible that, when patio policy supports restaurants with large parking lots as opposed to downtown businesses, these policies are not supporting goals of downtown revitalization. In the years following the development of COVID-19 patio policy, cities have the opportunity to assess their policies and determine if their practices are benefiting businesses in a way that aligns with their goals for economic revitalization and support for their downtown areas.

Third, of the supportive policies mentioned, the use of streetscape alterations was the most commonly discussed form of policy that enabled the use of the street for patios and public space, while limiting its use as a vehicle corridor. For example, one interviewee from Elora mentioned that the pedestrianization of the street allowed patios to expand and created an enjoyable atmosphere. This initiative was carried out each weekend during the summer of 2020 and 2021 due to the pandemic, however street closures were reduced in 2022 to only be carried out on weekends when special events were taking place in order to accommodate parking (Kozolanka, 2023). Other specific places mentioned were Flex-Street in London and the pedestrianized areas of Kitchener, Thunder Bay, and Windsor. Flexible Streets have been seen to contribute to the adaptability of streets, allowing them to change as the city's needs and priorities change (O'Neil, 2021). In a pandemic scenario, where significant changes are taking place, flexible streets can accommodate changing demands. Interviewees from Kitchener and Thunder Bay mentioned that these streetscape alterations were carried out by their Business Improvement Area (BIA). BIAs are a form of economic development that is carried out at the local level. BIAs seek to revitalize shopping districts, finance services, and improve and promote their area to foster the success of businesses within their operating location (Charenko, 2015). To accomplish these goals, commercial and industrial businesses within the BIA are required to pay a levy which is used to fund a variety of projects including beautification, marketing, improving property values, reducing vacancy rates, and advocating for local businesses in government (Charenko, 2015). Interviewees from three different municipalities spoke positively about the programs their BIAs had developed. Within Ontario 25% of cities had BIAs that participated in patio policies and forms of support. It is plausible that BIAs, being specific to each

location, can understand and accommodate the unique needs of the restaurant businesses within their boundaries.

Finally, beyond the support of patios, a redistribution of street space for humans rather than vehicles has, in some cases, been associated with an increase in physical activity, which is related to health and quality-of-life for those who use the street (Wolf et al., 2015). Many researchers have collected evidence of how autocentric planning has destroyed many urban areas in the United States and Canada and created dangerous environments for walkers and cyclists (Dumbaugh & Gattis, 2005; Dumbaugh & Li, 2010), yet attempts to change the current function of the street as an autocentric corridor meet resistance (Noland et al., 2022). Although changes to patio policy were made in 98% of cities in Ontario during the COVID-19 pandemic, far fewer cities reported any major change to the streetscape to increase compatibility with patios. In cities in Ontario, only 16% engaged in activities like road closures in context with their patio policies to address the autocentric function of their streets. It is plausible that a lack of engagement in attempts to limit the autocentric nature of streets may consequently limit the ability of cities to apply their patio policies in the long-term. In cities where there may be various actors competing for the right of way of the street, patios may impose on the current function of the streets. If cities do not address incompatible uses, this will limit the longevity of COVID-19 patio policy to be implemented in the long term. Throughout the pandemic, efforts to develop streetscapes compatible with patio policy have been piecemeal and efforts of individual cities have managed to produce unique outcomes in isolation.

5.5.4 Limitations and Strengths

A limitation of this study is that the interviews conducted by the FRESHER research team were not tailored specifically to collect information on patio policy. The purpose of the interviews was to broadly assess the changes taking place in the food retail environment during the COVID-19 pandemic. Despite the lack of any questions directly asked about patios, 65 of the 141 interviewees mentioned patios and patio policy. For this reason, the previous limitation is mitigated through the surveying of many people. The 65 interviews from employers, employees and other stakeholders that include mentions of patios provide a broad perspective on patios during the COVID-19 pandemic.

An additional strength is the use of semi-structured interviews. This form of interview allows interviewees to discuss topics according to their own priorities, allowing for greater opportunities for them to express their personal perceptions on topics they feel are important. A limitation to this form

of interview is that the unstandardized format limits the data's ability to be compared directly across cases, as each interview consists of different topics.

An additional limitation is regionality. All interviewees were from municipalities in Ontario that were able to participate in a patio season during the COVID-19 pandemic. Perceptions may differ from those recorded in this study in regions with different regional factors. For example, some cities in Northern Ontario do not benefit from the warm summers that most of Southern Ontario experiences, and perceptions on patios will differ in these areas.

5.6 Conclusion

Considering the experiences of employers, employees, and other stakeholders within the restaurant industry during the pandemic, this study offers insight into the perceptions surrounding patios during the COVID-19 pandemic. This includes perceptions surrounding what elements of patio policy have been considered supportive and unsupportive of patio development in Ontario. First, policy has been generally seen as supportive, with almost twice as many accounts of supportive policy than unsupportive policy, and many new and extended patios for restaurants in Southern Ontario have resulted from these policies. Second, employees, employers, and other stakeholders share different views on patios and patio policy. For some employees, patios lead to concerns over safety and create negative workplace environments. At times, employees were unable to maintain COVID-19 prevention protocols related to social distancing and sanitization. Third, the feasibility of patio policy was influenced by other factors associated with the physical conditions of streetscape. Businesses with large parking lots and excess funds found it easier to develop patios than business in areas where space or funds are limited. Areas where there is limited space for non-vehicle functions saw that patios were sometimes incompatible with the current streetscape, whereas initiatives that altered the streetscape to support the use of both pedestrian activity and patios were viewed positively.

Although restrictions on indoor dining have been lifted since 2021, and restaurants are open across the province of Ontario, there is much to learn about how cities and businesses operated during the time when COVID-19 restrictions were in place. Throughout history, many major changes in urban planning in cities are the direct results of pandemics and other types of health crises (Almeida, 2020). How cities responded during the COVID-19 pandemic can be an indicator of their resilience, and findings of how cities operated during the pandemic can contribute to body of knowledge that planners can use to navigate future pandemics and other unplanned scenarios effecting the operation

of restaurants within cities. Looking back at the patio policy developed during the onset of the pandemic, and the perceptions of patios by different groups, planners can determine what might have been missed as cities navigated rapid change.

Patio policy is an area where there is a balance between value and risk. Patios have been beneficial to businesses and have the potential to contribute to positive streetscape dynamics, but there are risks as well. Interviewees identified potential inequities, and dangers that come with incompatible street uses, as risks associated with patios. Although, in terms of risks, this manuscript addresses the potential inequities that employees face, there are parallel debates occurring around inequities that members of the public outside of the restaurant industry face as well. The use of public space for private businesses is a form of privatization and commoditization of public space which can contribute to equity issues (Fergusson & Yasin, 2020; Mandhan & Gregg, 2023). The development of patio policy during the COVID-19 pandemic show the possibilities for improving cities and towns by deprioritizing traffic flow and parking which, in the North American context, traffic engineers and urban planners have tended to prioritize over other forms of transportation (Blomley, 2007; Hamilton-Baillie, 2004; Hess et al., 2019). Instead, patio policy that is developed alongside streetscape initiatives has the potential to support a city's larger goal of downtown revitalization, and pedestrian centric streets.

Chapter 6

Final Conclusions

This chapter describes the findings from the two studies described in Chapters 4 and 5, along with how recommendations derived from these findings can contribute to planning in practice. These contributions are based on the analysis of patio policy in cities in Ontario during the COVID-19 pandemic, and the analysis of interviews with participants in the food retail industry. First, I will describe the main contributions of both papers to planning practice and literature. Second, I will provide recommendations on what steps could be taken to apply these findings into practice. Finally, I will describe areas of future research that would further develop these findings.

6.1 Main Contributions

Findings from the first study relate to patio policy developed by cities and the policy development process that took place during the pandemic. Findings from the second study are associated with responses to these policies from key stakeholders including employees, employers, and other stakeholders. Both studies build on existing literature that has highlighted the need for Canadian cities to curb downtown core decline by reducing trends towards suburbanization and embracing pedestrian-centric and human-scale design (Bunting & Fillion, 2010, Gilchrist, 2015, Lauder, 2010, Walzer & Kline, 2001). These studies also contribute to furthering research on the role of the streetscape and role of fixtures on the street within urban design (O’Neil, 2021).

The COVID-19 pandemic has been a catalyst for streetscape changes from active transportation to outdoor dining. Case studies have documented the implementation of outdoor dining policies in particular cities and have identified goals and outcomes for individual cities (Cortes, 2021, Madhan & Gregg, 2023, Noland et. al, 2022). The first study expands on the scale of previous studies by focusing on policies at the provincial scale. In this study I identify themes of pandemic-induced outdoor dining policy in all cities in Ontario along with trends in these themes across the province.

Several studies have documented the struggles, risks, and opportunities within the restaurant industry that the COVID-19 pandemic brought to the forefront (Madhan & Gregg, 2023, Glaeser et al., 2021, Wang et al., 2021). The second study builds on this area of research through the assessment of how patios and patio policy were perceived by key stakeholders in the food retail industry during

the pandemic. In the following subsections, I describe the findings of both studies, along with how they develop on previous planning research.

6.2 Restaurant Patio's Role in Streetscape Function and Economic Development

Findings from both manuscripts illustrate that patio policies have played a role in the changes to streetscape form and function during the COVID-19 pandemic. The findings of these studies are associated with the contributions of restaurant patios to the streetscape and economic development efforts of cities in Ontario.

The first study found that new patio policies were implemented in almost all cities in Ontario. Most cities specified that their goal in developing these policies was to support restaurant businesses during the COVID-19 pandemic. Cities also described policy goals associated with patio's impacts on the streetscape. Some had additional goals of supporting downtown revitalization and contributing to the streetscape. Key elements of patio policy included financial support to restaurants in the form of waived fees, grants, and provision of equipment with or without a rental fee. Key methods of implementation include amendments or exemptions to By-Law, new guidelines and policies, and new policies and programs developed by Business Improvement Areas (BIAs).

Planners have noted that the application of patios within compatible streets during the pandemic provides an opportunity for Ontario to not return to the old normal but instead engage in recovery efforts focused on developing flexible resilient communities in the long term (Nooren et al., 2020). Despite the development of new policy and programming during the pandemic by 94% of cities, only 10% of cities in Ontario made any elements of their new patio policies permanent, and any long-term implementation of patio policies was only present in large cities. One plausible explanation is incompatibility of uses of the streetscape. Previous research has identified that the use of patios might trigger conflicts with pedestrians and cyclists and create accessibility issues (Honey-Rosés et. al, 2021, Verhulst et. al, 2023). Research has also identified that streetscape changes are typically accompanied by limits to vehicle traffic to provide space for activity (Verhulst et. al, 2023). This research found that, of those cities that developed patio supports, few cities developed complementary streetscape changes that accounted for this change in use.

The second study offered an open-ended opportunity for participants in the food retail environment to speak about how their businesses were affected by pandemic. Of the 141 respondents, 54% mentioned patios or patio policy in their responses, indicating that this topic was of particular importance to them at that time. Through thematic analysis, perspectives on patio policy were identified and coded. Findings indicated that, in general, patio policy developed during the pandemic was perceived as successful in accomplishing its goal of financially supporting restaurants during the pandemic, particularly by business owners.

This research suggests that the feasibility of patio policy was influenced by factors associated with the physical conditions of streetscape. Some interviewees perceived that, in those areas where space is limited for non-vehicle functions, patios were sometimes incompatible with the current streetscape. In downtown areas, traffic and space issues were perceived as conflicting with patio use. Businesses with large parking lots and excess funds found it easier to develop patios than small businesses where space or funds were limited. These findings relate to previous research which identified that, during the COVID-19 pandemic, some cities found that downtown businesses were more likely to close due to financial reasons (Lam, 2021). The closure of downtown businesses is detrimental to cities because downtowns and the activities that go on within them give the city its unique identity. Many local governments in Canada have incorporated the objective of downtown revitalization into their plans to mitigate the negative effects of urban sprawl that have been seen to contribute to a decline in downtown activity (Lauder, 2010). It is plausible that, when patio policy supports restaurants with large parking lots more than downtown businesses, these policies are not supporting goals of downtown revitalization.

6.3 The Role of Pandemic-Induced Patio Policy in Highlighting Holistic Policy Development.

Findings from these studies highlight the role of holistic planning practices. Holistic or systemic planning practices are those which recognize the whole system rather than its constituent parts in isolation (Carmona & Sieh, 2004). A holistic approach to policy development includes considering how each part of the system interacts with other parts, and the issues in these interactions (Carmona & Sieh, 2004).

Previous research on holistic planning suggests that economic development policies in Canadian cities are often closely tied to planning goals (Reese, 2006). However, it has been suggested that

when policies are developed for visible, short term gains, they are less likely to be linked to other goals (Reese, 2006). Previous research has also documented that, while streetscape changes occurring during the pandemic have been successful in economically supporting businesses, they face issues concerning the level of citizen participation (Verhulst et. al, 2023). Findings from the first study confirmed that, in the case of pandemic-induced patio policy, citizen participation was indeed limited. This is due to pandemic-induced patio policies being exempt from the public consultation process, although some cities still choose to conduct community engagement despite the exemption. This is also plausibly linked with the low frequency of long-term adoption of these policies.

Exemption from community engagement came through Ontario Regulation 345/20 made under *the Emergency Management and Civil Protection Act* (1990). Through this Regulation, the government of Ontario sought to support restaurants by allowing patio policy development to bypass typical community engagement procedures. This regulation exempts cities from the requirement of providing information to the public and holding a public meeting to receive feedback from the public, as well as the requirement of allowing for appeals to the proposed by-laws by the public. It is possible that, due to a lack of community engagement, patio policy may have been developed without input from community members. The community consultation process enables community members to share new ideas and contribute to policy innovation based on their personal experiences. Community engagement in the urban planning process is important for the development of localized policy and the prevention of conflicts following policy implementation (Konsti-Laakso & Rantala, 2018).

The second study assessed perceptions of patios and patio policy during the lockdown stages of COVID-19 pandemic. Prior literature found that street experiments developed during the COVID-19 pandemic have a higher acceptance among the public and policy makers than those developed before the pandemic (Verhulst et. al, 2023, Noland et. al, 2023). Similarly, this study found that patio policy developed during the COVID-19 pandemic had a high acceptance by policy makers and other participants in the restaurant industry. An aspect of policy that was perceived particularly positively was streetscape changes used to accommodate patios, including road closures and pedestrianized streets. This relates to previous research which has found that that streetscape changes occurring during the COVID-19 pandemic are typically accompanied by limits to vehicle traffic, to provide space for the change in activity (Verhulst et. al, 2023).

Additionally, participants in the second study showed support for permanent changes to patio policy. Despite these positive perceptions, the majority of cities in Ontario have not kept these changes into the post-lockdown years. It is plausible that limited permanent application may be a result of a lack of holistic planning. Limited long-term implementation may be related to short term goals. For most cities with pandemic-induced patio policy, changes were intended to act primarily as economic supports to businesses during the pandemic, fewer cities had goals of contributing to streetscape improvement initiatives or contributing to long-term change.

6.4 Recommendations and Practical Applications

Findings suggest that, before implementing policies in the long term, cities should consider whether their policies are contributing to holistic policy development. While it is likely that the COVID-19 lockdowns have passed, the introduction of new policies, guidelines, and programs associated with outdoor dining have the opportunity to change cities into the future.

Several recommendations can be derived from the findings of the first study. Firstly, findings indicate the need for conducting public engagement if this has not occurred during policy development. The *Planning Act* includes requirements for conducting community engagement when developing new By-Laws or By-Law amendments. The purpose of public engagement is to ensure that citizen priorities and the needs of the community are considered during policy development. During the pandemic, these requirements were waived for By-Laws that would authorize the temporary use of land for a restaurant or bar patio. With the desire of policy makers and those in the restaurant industry to potentially implement these policies in the long-term, policy makers should assess whether their COVID-19 patio policies were developed with adequate public consultation. Without public consultation, it is possible that conflicts may arise when community concerns are overlooked. During the pandemic, some cities chose to conduct community engagement despite the exemption. The city of Peterborough is a ‘best-practice’ example of community engagement that took place during the pandemic. Between 2020 and 2021, the city of Peterborough conducted public consultation and found that the community considered supporting business activity and providing additional pedestrian space to be a top priority. This feedback was incorporated into the design plans and 2021 street design maps. Collaboration with Peterborough Public Health and the Downtown BIA also took place when developing plans for restaurant patios downtown. The incorporation of input from local public health agencies is particularly beneficial in the case of restaurant patios, as some

public health concerns including accessibility and safety were identified areas that were often overlooked in pandemic patio programs (Paling, 2021). Additional recommendations include consultation with accessibility and safety experts for those cities seeking insight into how their patio policy may impact these areas, particularly if they plan to carry out their patio programming into the long term.

Findings also indicate that, in some cities, financial support for outdoor dining may not conform to incentive priorities outlined in the CIP. For example, in 2021 the City of Owen Sound proposed to provide grants to help downtown restaurants with the cost of setting up temporary patios for the summer of 2021. This motion was withdrawn after the city determined that this grant for patios did not fit with any of the grant programs in the city's newly adopted CIP (Hermiz, 2021). The City of Owen Sound's CIP provides allowance for the funding of some patios through the Landscaping & Property Improvement Grant Program including street level patios in the City's Downtown and Harbour Area, however, temporary patios and the components of patios are not an eligible funding area (City of Owen Sound, 2020). The preparation of a CIP is guided by Section 28 of the *Planning Act* (1990) which gives a municipality the authority to prepare CIPs and describes the types of funding that the CIP can enable. Community Improvement Plans are developed to be in alignment with community goals expressed in the Official Plan. Findings indicate that using the Community Improvement Plan to guide patio funding is recommended to ensure the city is engaging in funding that aligns with their goals, while preventing prohibited forms of financial assistance as described in section 106 of the *Municipal Act*.

In the second manuscript, interviewees shared their own recommendations associated with patio policy based on their personal experiences during the pandemic. Overall, findings across survey participants indicated that there was support for continued patio programming. Additionally, the reduction of red tape allowed business owners to quickly develop their patios, which was beneficial for these businesses during the pandemic. There was also a desire for clearer communication of patio policy at the local level. Survey respondents also shared positive views of pedestrianized and vehicle-limited streets in promoting patio use. Respondents indicated that they hoped that positive changes would continue after the pandemic restrictions were lifted, as they viewed them as a desirable streetscape element. While many employers had direct recommendations, employees were less likely to make direct recommendations, however they still expressed concerns for themselves and their fellow employees. Some mentioned feeling that their health was at risk when working on patios,

and their safety and health was not considered by local governments. It is possible that, in the future, measures could be taken to ensure that other groups are included in patio policy development beyond the employer group. It is possible that a more extensive community consultation process could be undertaken to ensure that these views are recognized and considered during the policy development process.

Findings from the second study suggest that businesses with large parking lots were able to develop patios more easily than businesses in downtown areas. This indicates that, in some cases, patios may be incompatible with current streetscape functions. In areas with limited space, patios disrupt active transportation flow and create accessibility issues when they reappropriate pedestrian spaces (Paling, 2021). The incompatibility of patios with streets are a sign that, in many Canadian cities, streets may not be equipped to operate as pedestrian spaces, patio spaces, and automobile spaces simultaneously. This highlights the need for cities to incorporate patio policy into larger goals associated with streetscape changes and consider how patios align with goals for accessibility and active transportation. One ‘best-practice’ example of streetscape changes to accommodate patios was carried out by the Belmont Village Business Improvement Association in Kitchener. This organization developed a pedestrian-only street by shutting down slip-streets for automobile traffic to put up a communal patio for businesses (Doan, 2020). Through collaboration between the BIA, local businesses, and the City of Kitchener, Belmont Village was able to develop expanded patios, shade structures, and play features (Whalen, 2024).

The COVID-19 pandemic provided the opportunity for many cities in Ontario to make changes to their streetscapes to incorporate the development of restaurant patios. In many cases, these changes have received support from the community, and many hope to continue to see these changes continue beyond the pandemic. In the post-pandemic landscape, cities should assess what forms of patio policy have been successful and consider implementing them in the long term. Following the lifting of restrictions on indoor dining, cities can amend patio policy that may have been developed in a fast-tracked process during the pandemic. Additionally, amendments to CIPs may be necessary for cities who seek to continue providing funding for patios. For those cities where patios were not compatible with the physical form, other measures could be taken including pedestrian-focused streets, such as implementing flexible streets projects, paired with developments in active transportation and public transportation.

6.5 Areas of Future Research

Findings from this research show that patio policy has influences beyond financial support to restaurants. Future researchers may be interested in assessing how patio policy aligns with other community goals. These goals could be associated with accessibility, streetscape enhancement, active transportation, downtown revitalization, and any other area where patio policy might play a role.

While this research looked at patio policy and perceptions of this policy across Ontario, areas of future research may include additional assessment of patio perceptions in specific locations to directly assess the impact of different elements of patio policy within a city's local context. This research could also be repeated in locations beyond Ontario, where different provincial and national guiding legislation may have resulted in different policy outcomes.

Although restrictions on indoor dining were lifted in 2021, there is still much to learn about how cities and businesses operated when COVID-19 restrictions were in place. It is crucially important to ensure that urban settings are prepared for future pandemics (Lee et al., 2020). How cities responded during the COVID-19 pandemic can be an indicator of their resilience, and assessment of these responses can contribute to increasing resilience against future pandemics and other unplanned scenarios. Before COVID-19, limited information was available surrounding planning for global pandemics in modern cities. Throughout the COVID-19 pandemic, planners in cities across the world have developed substantial experience needed to prepare for and combat current and future health crises. Cities are seeing the opportunity to use these experiences to change their planning approaches. This includes processes ranging from smaller bodies of policy, including policy related to patios, to larger systematic processes. In the future, the findings from this research can be used in the larger assessment of the many different types of policies developed by cities during the pandemic.

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Appendices

Appendix A

Data Table Summarizing Outdoor Dining Policy Theme Presence

City	Policy or Guidelines in Existence before COVID-19	COVID-specific Policy or Guidelines Implemented During the Pandemic	Pandemic Ratio Policy or Guideline Changes Made Permanent	Ratio Season Extends into the Winter and Includes Winter Amendments(s) to By-Law	Exemptions to Existing By-Laws	New Guidelines or Policies	Additional BMK-Specific Policy or Guidelines	Road Closures	Proportional Campaigns	Provision of Equipment Without Fee	Provision of Equipment with Rental Fee	Grants	No Fees (Including Pre-Covid)	All Fees Waived	All or Some Fees Charged	No Application Required	Expedited Applications	New Application Form	Plans and Drawings Required	City Provides Design Examples for Possible Patio Types
Barrie	1	1	0	0	0	1	1	0	0	0	0	0	0	1	0	1	1	1	0	0
Belleville	0	1	0	0	0	1	1	0	0	0	0	0	0	1	0	0	1	1	1	1
Brampton	1	1	0	1	1	0	0	0	0	0	0	0	0	0	1	0	0	1	1	0
Brant	1	1	0	1	0	1	0	0	0	0	0	0	0	1	0	0	0	1	1	0
Brantford	1	1	0	0	1	1	0	0	0	0	0	0	0	1	0	0	0	1	1	0
Brockville	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Burlington	1	1	0	1	1	1	0	0	0	1	0	0	1	0	0	0	0	1	0	0
Cambridge	1	1	0	0	1	1	0	0	0	0	0	0	0	1	0	0	0	1	1	0
Clarence-Rockland	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0
Cornwall	1	1	0	0	0	1	0	0	0	1	0	0	0	1	0	0	1	1	1	0
Dryden	1	1	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	1	1	0
Elliot Lake	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Greater Sudbury	1	1	0	1	0	0	1	1	0	0	1	0	1	0	1	0	0	1	1	0
Guelph	1	1	1	1	0	0	1	1	0	0	1	0	0	1	0	0	1	1	0	1
Haldimand County	1	1	0	0	0	1	0	0	0	0	0	0	0	0	1	0	1	1	1	0
Hamilton	1	1	1	0	0	0	1	1	0	0	0	0	0	1	0	0	1	1	0	0
Kawartha Lakes	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0
Kenora	1	1	0	0	1	0	1	0	0	0	0	0	0	1	0	0	1	0	0	0
Kingston	1	1	0	0	1	0	0	1	0	0	0	0	0	0	1	0	1	0	1	0
Kitchener	1	1	1	1	1	0	1	1	0	0	0	0	0	1	0	0	0	1	1	0
London	1	1	0	1	1	0	1	1	0	1	0	1	0	1	0	0	0	1	1	0
Markham	1	1	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1	1	1	0
Mississauga	1	1	0	1	0	0	1	0	0	1	0	0	0	1	0	0	0	1	0	1
Niagara Falls	1	1	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	1	1	0
Norfolk County	1	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	1	0
North Bay	1	1	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1	0
Orillia	1	1	0	1	0	0	1	0	1	0	0	0	0	1	0	0	1	1	1	0
Oshawa	1	1	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	1	1	0
Ottawa	1	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	1	1	0
Owen Sound	1	1	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
Pembroke	1	1	0	0	0	1	0	0	0	0	0	0	0	1	0	1	0	0	1	0
Peterborough	1	1	0	0	1	0	1	1	0	1	0	0	0	1	0	0	0	1	1	0
Pickering	1	1	0	0	1	0	1	0	0	0	0	0	0	1	0	0	0	1	1	0
Port Colborne	1	1	0	1	1	0	0	0	0	0	0	0	0	1	0	0	0	1	1	0
Prince Edward County	1	1	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	1	1	0
Quinte West	1	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	1	1	0
Richmond Hill	1	1	0	0	1	0	1	0	0	0	0	0	0	1	0	1	0	0	1	0
Sarnia	1	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0
Sault Ste. Marie	1	1	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	1	1	0
St. Catharines	1	1	0	1	0	0	1	0	0	0	0	0	0	1	0	0	0	1	1	0
St. Thomas	1	1	0	0	0	0	1	0	0	0	0	0	1	0	0	1	0	0	1	0
Stratford	1	1	0	0	0	0	1	0	0	1	1	0	0	0	1	0	1	1	1	0
Temiskaming Shores	0	1	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Thorold	1	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	1	1	0
Thunder Bay	1	1	0	0	0	1	1	0	0	0	1	0	0	1	0	0	1	1	0	0
Timmins	1	1	0	0	0	0	1	0	1	0	1	0	1	0	1	0	0	1	1	0
Toronto	1	1	1	1	1	1	1	1	1	0	0	1	0	1	0	0	0	1	1	1
Vaughan	1	1	0	1	1	1	0	0	0	0	0	0	1	0	0	0	0	1	0	0
Waterloo	1	1	0	1	0	0	1	1	0	1	0	0	0	1	0	0	0	1	1	1
Welland	1	1	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1	0
Windsor	1	1	0	1	0	0	1	1	1	1	0	1	0	1	0	0	0	1	1	0
Woodstock	1	1	1	0	0	0	1	0	0	0	0	0	0	1	0	0	0	1	1	0

Appendix B

Questions and Follow-Up Probing Questions asked to Interviewees in Semi-Structured Interviews

Employers:

1. How has the pandemic affected your business?
 - What has been your customer volume?
 - What change have you seen in customer spending amounts and choices?
 - How did you respond to difficulties in supply chain or cash flow?
 - Have costs like insurance increased?
2. What were the key changes to your business? Think of changes in operating hours, staffing, and product offering
 - How did you implement these changes?
 - How were they perceived by customers?
 - What impact did they have on your ability to cope?
 - What impact has the pandemic had on your employees?
 - How successful were these changes?
 - What have been the impacts to yourself?
3. What types of services did you bring into effect in response to the pandemic?
 - Did you launch new services in response to the pandemic?
 - Who did you work with to implement these services?
 - How successful were these programs?
4. What protective strategies did you bring into effect in response to the pandemic?
 - How did you change access for customers to your business?
 - How did you protect your employees?
 - How did you support their mental health?
 - Have you noticed a change in your employee's mental health or efficiency because of the pandemic?
5. What strategies, policies, and programs created by government entities and other organizations in response to Covid-19 did you and your employees?
 - Did you use the Canada Wage Subsidy, Emergency Response Benefit, Canada Small Business Loans, Provincial Business Support or Banking Loan Relief, Municipal Tax Deferral?
 - Where did you find your information about different supports?
 - What communications did you receive from the business associations you are a member of at national, provincial, and local levels?
 - Did your local municipality or chamber of commerce help promote your business?
 - How useful were these strategies/programs/policies?
 - What strategies, policies, and programs would you like implemented, or changed, to better support you and your employees now and in future?

Employees:

1. How do you feel the pandemic has affected you?
 - Have you noticed a change in your focus and stress with work?
 - What have been the effects on your family?
 - What have been the effects on your friends and social networks?
 - What has been the change in your productivity?
 - Have you noticed changes in your workplace relationships?
 - Have you noticed these effects among your co-workers?
 - Were you ever out of work since March 2020? Did you return to your previous employer? Are you working with a new employer?
2. What are some key changes that your employer made in response to the pandemic?
 - Were there changes in workplace policies and procedures? Think of changes in operating hours, number of employees, screening, physical distancing.
 - Which ones you mentioned were most successful? Which ones were less successful? Which ones impacted you the most/least?
3. What types of personal protective equipment, such as gloves, face shields, and masks, were you provided by your employer?
 - Which ones make you feel safer?
 - Which ones have worked, or not worked in your workplace?
 - Were you asked to purchase the equipment yourself or did the employer provide it for you?
4. Did your workplace make any physical changes, such as erecting barriers, putting up signage, or moving around furniture in response to COVID-19?
 - How did you change access for customers to your business?
 - How did your employer support your mental health?
 - Have you noticed a change in your coworkers' mental health or efficiency because of the pandemic?

- Were there workplace features prior to the pandemic that made you feel safe during the pandemic? Which were most/least successful? Which impacted you the most/least?
- 5. Did your workplace provide you with any additional physical or mental health support?
- Were you provided with new equipment? Access to counselling?
- Do you feel your employer directly or indirectly pressures you to come to work, possibly even sick, or after being in close contact with someone sick?
- Does your employer still pay you if you are positive or need to care for someone with Covid-19?
- 6. What strategies, policies, and programs created by governmental entities and other organizations in response to Covid-19 did you use?
- Did you make use of the Emergency Response Benefit, Emergency Student Benefit, provincial business support, corporate programs or banking loan relief, municipal tax deferral?
- Where did you find your information about different supports?
- Did you feel disincentivized to return to work because of the support programs?
- How useful were these strategies/programs/policies?
- What strategies, policies, and programs would you like implemented, or changed, to better support your business and employees now, and during the future recovery period?
- 7. What else would you like us to know about your experiences working during the Covid-19 pandemic?

Stakeholders:

1. How has the pandemic affected the retail food industry?
 - Has there been changes in customer traffic? Business closures? Stories of struggle, resilience, or success?
2. What were some of the key changes you have observed in the industry?
 - How were these changes implemented?
 - How were they perceived by customers?
 - What impact did they have on businesses?
 - How successful were these changes?
 - What have been the impacts on your own work or organization?

3. What types of services, initiatives, or policies did you bring into effect in response to the pandemic?
 - Who did you work with to implement these changes?
 - How successful were these programs, policies, and initiatives?
4. What protective strategies have you seen brought into effect by businesses?
 - How did that change access for customers to businesses?
 - How did that change the interactions between customers, businesses, and your organization?
5. What strategies, policies, & programs created by government entities and other organisations in response to Covid-19 did you and your employees use?
 - What was the uptake of the Canada Wage Subsidy, Emergency Response Benefit, Commercial Rent Support, Canada Small Business Loans, Provincial Business Support, Corporate Programs, Banking Loan Relief, Municipal Tax Deferral?
 - Where did you find your information about different supports?
 - How did you pass that information on to your community?
 - How useful were these strategies/programs/policies?
 - What strategies, policies, and programs would you like implemented, or changed, to better support the industry?

Appendix C

Population Categories of Cities in Ontario

City	Population (According to the 2021 census)	Population Category Small: Below 30,000 Medium: Between 30,000 and 100,000 Large: Over 100,000
Barrie	147,829	Large
Belleville	55,071	Medium
Brampton	656,480	Large
Brant	39,474	Medium
Brantford	104,688	Large
Brockville	22,116	Small
Burlington	186,948	Large
Cambridge	138,479	Large
Clarence-Rockland	26,505	Small
Cornwall	47,845	Medium
Dryden	7,388	Small
Elliot Lake	11,372	Small
Greater Sudbury	166,004	Large
Guelph	143,740	Large
Haldimand County	49,216	Medium
Hamilton	569,353	Large
Kawartha Lakes	79,247	Medium
Kenora	14,967	Small
Kingston	132,485	Large
Kitchener	256,885	Large
London	422,324	Large
Markham	338,503	Large
Mississauga	717,961	Large
Niagara Falls	94,415	Medium
Norfolk County	67,490	Medium
North Bay	52,662	Medium
Orillia	33,411	Medium
Oshawa	175,383	Large
Ottawa	1,017,449	Large
Owen Sound	21,612	Small
Pembroke	14,364	Small
Peterborough	83,651	Medium
Pickering	99,186	Medium
Port Colborne	20,033	Small
Prince Edward County	25,704	Small
Quinte West	46,560	Medium
Richmond Hill	202,022	Large
Sarnia	72,047	Medium
Sault Ste. Marie	72,051	Medium
St. Catharines	136,803	Large
St. Thomas	42,840	Medium
Stratford	33,232	Medium
Temiskaming Shores	9,634	Small
Thorold	23,816	Small
Thunder Bay	108,843	Large
Timmins	23,816	Small
Toronto	2,794,356	Large
Vaughan	323,103	Large
Waterloo	121,436	Large
Welland	55,750	Medium
Windsor	229,660	Large
Woodstock	46,705	Medium

Appendix D

Patio Mentions by Interviewees for Each Interview Question

Respondent Type	Question	Number of responses that mention restaurant patios
Employers	Question 1: How has the pandemic affected your business?	21
	Question 2: What were the key changes to your business? Think of changes in operating hours, staffing, and product offering	16
	Question 3: What types of services did you bring into effect in response to the pandemic?	8
	Question 4: What protective strategies did you bring into effect in response to the pandemic?	10
	Question 5: What strategies, policies, and programs created by government entities and other organizations in response to Covid-19 did you and your employees?	16
Employees	Question 1: How do you feel the pandemic has affected you?	7
	Question 2: What are some key changes that your employer made in response to the pandemic?	6
	Question 3: What types of personal protective equipment, such as gloves, face shields, and masks, were you provided by your employer?	0
	Question 4: Did your workplace make any physical changes, such as erecting barriers, putting up signage, or moving around furniture in response to COVID-19?	8
	Question 5: Did your workplace provide you with any additional physical or mental health support?	0
	Question 6: What strategies, policies, and programs created by governmental entities and other organizations in response to COVID-19 did you use?	6
	Question 7: What else would you like us to know about your experiences working during the COVID-19 pandemic?	0
Stakeholders	Question 1: How has the pandemic affected the retail food industry?	4
	Question 2: What were some of the key changes you have observed in the industry?	6
	Question 3: What types of services, initiatives, or policies did you bring into effect in response to the pandemic?	8
	Question 4: What protective strategies have you seen brought into effect by businesses?	0
	Question 5: What strategies, policies, & programs created by government entities and other organizations in response to COVID-19 did you and your employees use?	2

Appendix E

Example Quotes for Each Major Theme

Policies and Guidelines	Policy Hindering Patio Development	Unsupportive Policy	<p>“Stuff like that I was very happy to hear that, now a thing that I thought was silly is that they have hours, so it's open to traffic sometimes or it's really hard to kick people off of the patio, because I think they had it open from this time to this time and you had to try and remove people off your seat to move them. They need to say okay from Friday at 5 o'clock until Monday or Sunday night at 2 in the morning, like whenever they close, then you know, it's open. The flex street is closed for tables, and then it opens to the city again on Monday morning for buses and transport.” (H-021)</p>
		Legislation Unclear	<p>“Now we have it and it's great. But like every week, we're changing some drastic part of our business, and the rules keep changing, and there's continuously new things. So they're like, “okay, now that the street is closing, are you going to extend the patio?”. We just put a huge investment into building the patio, I don't know that we can afford to do that right now” (H=016)</p>
		Zoning Restrictions	<p>[and the reason you can't open your patio is because of the zoning restrictions?] Its a C2 zoning, which is residential commercial... I have to do an amendment to the zoning. its about twenty-five thousand dollars [and] up to a year. [Are you planning to file for the zoning amendment?] I can't afford it now...I thought I could get it. I really did. I have a perfectly good patio at the side. I have a huge parking lot behind me. They said [there is chance of] a house fire, but there's not. And I went to see the whole neighborhood, within 200-meter radius from my building and every single one said that you contribute to the neighborhood. They have no neighborhood; they have no problem with me being there. Doesn't matter... [When you are tackling something [like this] should [something] be implemented across the board for new businesses deeming like a loan program or tax relief?] Anything...It can't come from the local level, it's got to come from the provincial level, at least [a] minimum. (H-007)</p>
	Policy Supportive of Patio Development	Supportive Policies	<p>“And then we were also very fortunate to have a good BIA. The Business Improvement Association in our area, worked with us in the city to close down half of our street. That's now an open-air patio that has public picnic tables, so people can still get outside, not have to be confined to their homes or to be somewhere wearing a mask and just get some fresh air and get as close back to a normal life as possible those three things helped us stay afloat. Around us there are a bunch of other restaurants that because the BIA has closed the street have these wonderful outdoor eating areas. One restaurant I think they still do its full capacity out on its patio like they've closed off a whole parking facility for them. And then another one's got 10 tables another one to 12 tables of for all outside so we become the dessert spot for one shop at these</p>

			restaurants that gives us a draw in the evening, but again, without the BIA working with us and having the draw to the establishment we definitely wouldn't be busy enough in the evenings to stay open so that's been a bit of a saviour." (H-023)
		Effective Communication of Legislation	"The CEWS and CERB have been easy to find. The \$5,000 loan to fly home, that was really entertaining to find it. The county had some rules that were easy to scope out, what the rules were for a restaurant, what you needed to have in place built before they had the outdoor patio takeout and what they have currently." (H-009)
Time Frame	Post Patio Season		"We are only getting by because the government assistance, because of CECRA and the wage subsidy. We cannot survive without this help, once the patio season ends, and the outdoor events season ends. I'm looking at ending wage subsidy in December. We're catering companies, like they're all screwed." (H-021)
	Post Covid		[Do you think that the patio extension is going to stay post pandemic whenever the world goes back to some form of normalcy?] The owner has said that he would like to have it stay. And I think the region is going to keep extending the patio for the next summer at least. (H-026)
Financial	Patio Expenses		"It was a big expense in creating a patio. A big expense in building all the areas in the restaurant. There are so many expenses. We bought new furniture. We didn't have the patio before, we had to build a whole patio." (H-020)
	Patio Effect on Sales		[you guys were also part of the CafeTO right? You guys had a couple tables on the street?] Yeah, so we were able to get 24 seats on Yonge Street, as well as a parking lot patio, about 30 feet as well. So that actually really increased our business. (H-025)
Employees	Staffing		"I'm actually short staffed right now because we were approved for patio, but I can't because I don't have enough staff." (H-084)
	Employee Safety		"The privileged few that are retired or whatever, have some money want to go sit on the patio, great. But I, as a server, have to touch your fork, I have to touch your knife, I have to touch your cup. I have to bring you food when you don't have a mask on. I have to do all that stuff. And for what am I doing it for minimum friggin wage? You know what I mean? And, I have to do it, I have no choice. So, do I change my gloves every three minutes? No, because no employer is going to give you gloves every three minutes to pay for it. How do you pay for that? How do you pay for, as an employer, somebody to come and clean just non-stop because that's what you need? You need somebody to do the doorknobs and do this stuff. And then you've got people touching cutlery and it's bigger than having the waitress wait on you. It's bigger than that now so there's far more money involved so I don't know how you would create money to support that. I don't know."
Customers	Response to changes		"Patios were busy from the get-go, and then I think it was two weeks ago we opened the inside. People have been, dying to get

		out so most people are in a good mood, most people understand the rules and regulations.”
	Perception of Safety	“What's even tougher is now that we're allowed to be open, on the weekends (on the) patio, and it was kind of risky trying a Saturday night. We had good business on Friday night, but Saturday night we prepared all day for people to come, and we had the reservations on the patio and then if it's going to rain, nobody wanted to come inside and we had to work, but only one couple would come inside to eat. So, it all got cancelled.” [So, did you have full reservations on that day and then most people just cancelled?] “Yes.” [People have a fear of going indoors to restaurants?] “Yes.”
	Unfavourable Physical Conditions	“Initially, I just thought it was really dangerous to be honest. Because, I mean, you're sitting for five car zooming down Yonge Street. A little scary for me personally.” (H-025)
	New or Expanded Patios	“When the government loosened restrictions for what we could do with extensions for liquor license, we did extend into our parking lot to try and do a patio, but it pretty much broke even in the summer. It's really the only extension of service.” (H-042)
	Covid-19 Prevention	“We put all of our staff behind glass and made sure everyone had masks or shields or whatever they were comfortable with. On the patio, it was the same thing – they were provided everything they needed to be safe. We posted all the rules – proper handwashing and sanitation recommendations that were coming out. We set up a communication group on Facebook for all of our staff and we would post all up-to-date information to make sure they were following all the rules.” (H-075)