



Attachment # 2

Proposed Patio Program Framework

CNW Patio Program Update

Seasonal Patios

Address simple patios that can achieve approval in a short amount of time and are temporary in nature.

Seasonal Term: April 1 – October 31

- Operators must apply annually at start of season
- Quicker approvals/simplified design requirements
- Guidelines based on temporary COVID-19 program guidelines
- Portable coverings (e.g. umbrellas) must not extend beyond the footprint of the patio area or be on the roadway
- Any lighting or lighting related structure must not interfere with the safe operation of traffic signal lights or street lighting
- Patios may be located on the sidewalk or on-street (only permitted on collector or local roads)
- Non-operational after Oct 31; Needs to be removed one week after Oct 31
- Requirement for liability/insurance - \$2M no liquor, \$5M liquor
- An accessible patio design is required including curb ramps, cane-detectable boundaries and accessible seating
 - Curbside patios encouraged to provide a platform, may provide a ramp
- Amplified music is not permitted. Certain contexts may allow live music on review.
- Patios taking over parking must provide a letter to adjacent properties explaining intent and with a 2 week period to respond to City staff.
- City would continue to install any necessary traffic diversion/safety measures for curbside patios, at the cost of the applicant.
 - Estimated at \$250 for basic installations to \$500 when if signage required
- Small sidewalk patios (e.g. table and chairs) with no liquor services do not require delineation
- Fees (effective January 2023, including reinstating \$600 security deposit):
 - Application \$50
 - Large patios, requiring delineation (April 1- Oct 31) = \$1.46/sq ft annual
 - Small patio = \$30/per table and two chairs annual

Should operators desire a patio that is longer in duration than the seasonal term, or more complex design, they may apply for annual patio permit, which will have a more detailed level of review reflecting the complexity of adding a permanent structure or additional people to public property.

Year-Round Patios

Year-round patios address patios on public property that are more complex in design and are intended to be in place 365 days a year, whether or not they are operational.

- Year round; don't have to remove structure at end of season

- More detailed design and location review
- Design requirements reflecting more durable materials, snow/ice removal
- Portable coverings (e.g. umbrellas) must not extend beyond the footprint of the patio area or be on the roadway
- Any lighting or lighting related structure must not interfere with the safe operation of traffic signal lights or street lighting
- Subject to annual review/inspect for compliance
- Patios may be located on the sidewalk or on-street
- An accessible patio design is required including cane-detectable boundaries and accessible seating.
 - Curbside patios must have platform that brings floor of patio in line with surrounding curb height
- Amplified music is not permitted. Certain contexts may allow live music on staff review.
- Curbside patios taking over parking must provide a letter to adjacent businesses explaining intent and with a 2 week period to respond to City staff
- City would continue to install any necessary traffic diversion/safety measures for curbside patios, at the cost of the applicant.
 - Estimated at \$250 for basic installations to \$500 when if signage required
- Small sidewalk patios (e.g. table and chairs) with no liquor services do not require delineation
- Fees (effective January 2023, including reinstating \$600 security deposit):
 - Application \$50
 - large patios, requiring delineation= \$2.50/sq ft. annual
 - small patio= \$30/table and two chairs annual

Staff will conduct a review after the first year, including guidelines and fees.

Patios on Private Property

- Must apply for a minor Development Permit, Building permit if necessary.
- Notification to nearby residences required as part of Provincial liquor approval process for Liquor Primary Licenses (e.g. pubs).
- Proposed amendment to Zoning Bylaw to permanently allow conversion of:
 - 2 (non-accessible) parking spaces; or
 - Use of loading space, provided loading can still be accommodated (e.g. tables/fencing can be moved on days when loading is required)
For the use of patio space.

Patio Design Guidelines

- Information package which graphic illustrations will be developed.