



The Corporation of the Municipality of Arran-Elderslie

Staff Report

Council Meeting Date: June 13, 2022

Subject: SRW.22.20 DRAFT Municipal Sidewalk Policy

Report from: Scott McLeod, Public Works Manager

Appendices: Appendix A – PW02-22 Municipal Sidewalk Policy

Recommendation

Be It Resolved that Council hereby,

1. Supports the implementation of the DRAFT PW02-22 Sidewalk Policy;
2. Directs Staff to collaborate with Bruce County Staff to ensure the terms of the policy are acceptable to their needs;
3. Directs Staff to bring the final version of the PW02-22 Sidewalk Policy and implementing Bylaw to the next available Council meeting for final approval and adoption by Council.

Report Summary

The intent of this report is to adopt a policy to guide the placement of patios, cafes, benches, trees, planters, bike racks, signage, other décor items or activities on municipal sidewalks.

Background

Council and Staff have noted several locations where businesses have placed items on municipal sidewalks. Staff have also received verbal requests from local businesses as well. In order to provide fairness and consistency, it seems appropriate to adopt a policy to provide guidelines and ensure accessibility and other standards are maintained.

Analysis

A key concern is the Municipality's ability to maintain compliance with accessibility standards and minimize risk and liability. The sidewalk policy requires that an unobstructed pedestrian corridor is maintained at all times, as required by O. Reg. 413/12: *INTEGRATED ACCESSIBILITY STANDARD*. To assist with mitigating trip hazards from low lying items on the sidewalks, a minimum height of one metre is required. This means that items smaller than one metre in height, must be elevated to one metre or higher.

Application for encroachment will be required on an annual basis. There is a fee associated with the application as well which will be included in the annual fees and charges bylaw and reviewed annually. This fee will offset Staff costs to review the applications and monitor compliance throughout the year. No fee is associated with the placement of an accessible ramp since these are to be removed daily but an application is required to ensure that ramps meet the appropriate standards.

All encroachments are only permitted between April 1 and October 31 to avoid interference with snow clearing operations, with the exception of temporary accessible ramps. A contingency has also been added in the event of an unexpected weather event within the timeframe of the permit. Conditions and verbiage have been included to address requests that may require a permit through the County of Bruce. Any of these requests will come to the municipality to be assessed on a case by case basis. There is no guarantee that such requests will be approved.

Staff believe that implementing a Sidewalk Policy will support local businesses and help to beautify our downtown cores, making them more attractive and inviting.

The policy includes special conditions for requests made involving Bruce County owned lands. These provisions require collaboration between Bruce County and Arran-Elderslie in these instances before any permits are issued. Each application would be considered on a case by case basis. Arran-Elderslie Staff are currently working with our insurance provider and County Staff on the terms of this policy to ensure they are acceptable.

Link to Strategic/Master Plan

6.2 Supporting Businesses and the Local Economy.

Financial Impacts/Source of Funding/Link to Procurement Policy

A proposed fee structure for the Sidewalk Encroachment Permit is as follows:

Initial Application - \$150.00

Renewal – Major Revisions - \$150.00

Renewal – Minor Revisions - \$ 50.00

The fees will be reviewed annually to ensure they are sufficient to cover Staff time for review, approval and compliance monitoring.

Approved by: Sylvia Kirkwood, Chief Administrative Officer