



## Staff Report

Council Meeting Date: February 24, 2025

Subject: CLKS-2025-07 Sidewalk Encroachment Policy

Report from: Julie Hamilton, Deputy Clerk

Attachments: None

---

### **Recommendation**

Be It Resolved that Council approves report CLKS-2025-07 Sidewalk Encroachment Policy and directs staff to bring forwards Sidewalk Encroachment Policy for consideration.

---

### **Background**

Décor items, curbside merchandise and sidewalk patios and cafes on the sidewalks provide an opportunity for downtown businesses to extend activities and create an atmosphere downtown that people want to spend time in. A sidewalk café or patio, when designed and facilitated appropriately, can make a significant contribution to the downtown community.

There is currently one sidewalk patio that has been installed seasonally in Paisley since 2021, and Council has provided support for both the 2025 and 2026 seasons.

Staff have received a proposal for a sidewalk patio for 2025 in Chesley which would encroach on both the sidewalk and parking lane of the downtown area. The Municipality does not currently have any regulations regarding sidewalk encroachments.

Each of our downtown areas is situated on a Bruce County highway, however, responsibility for the sidewalks and parking are the responsibility of the lower tier. Applicants must apply to Bruce County for an Encroachment permit as well; however, that process requires approval from the municipal level before an approval is provided.

---

## **Analysis**

Staff have discussed the potential to regulate the placement of décor items, signage, café furniture and full patios on municipal sidewalks.

The proposed policy would proceed in tandem with the encroachment policy of the County of Bruce and require the submission of an application which outlines the details of the proposed encroachment and any relevant site plan and design drawings. Applications would be required on an annual basis and all encroachments would only be permitted between April 1 and October 31 to avoid interference with snow clearing operations.

Staff, in consultation with Bruce County Staff, will then have an opportunity to address accessibility, safety, insurance, and other licencing requirements (i.e. Alcohol and Gaming Commission of Ontario) and will also be provided the opportunity to impose conditions. Permission would require approvals from both the County of Bruce and the Municipality.

Staff time will be required to review and approve applications, and it is recommended that an application fee be included in the Fees and Charges Bylaw to recover associated costs. The policy could provide provisions where an application is exempt the fee based on the complexity of the encroachment.

---

## **Link to Strategic/Master Plan**

6.5 Engaging People and Partnerships

---

## **Financial Impacts/Source of Funding/Link to Procurement Policy**

The licence fee would cover staff time to review and approve applications.

---

Approved by: Emily Dance, Chief Administrative Officer