



Staff Report

Council Meeting Date: March 10, 2025

Subject: CLKS-2025-11 - Sidewalk Patio Policy

Report from: Julie Hamilton, Deputy Clerk

Attachments: DRAFT Sidewalk Policy

Recommendation

Be It Resolved that Council approves report CLKS-2025-11 Sidewalk Patio Policy and directs staff to bring back a bylaw to bring force and effect to the Sidewalk Patio Policy.

Background

At the February 24, 2025, Council meeting, the following resolution was passed:

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

The DRAFT policy provides a permitting process for Sidewalk Cafes and Sidewalk Patios and does not require permitting for smaller décor items, curbside merchandise or other smaller items that are easily removed or relocated.

A sidewalk café or patio, when designed and facilitated appropriately, can make a significant contribution to the downtown community.

As noted in the previous report, 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. The provisions of this policy will not apply to that specific instance until 2027, however, any County imposed requirements will still apply.

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; that process requires approval from the municipal level before an approval is provided.

Analysis

The proposed policy requires an application to be submitted for the installation of a:

Sidewalk Café, which means an open group of tables and chairs and other accessories situated and maintained on a public sidewalk, parking space or municipally owned property for the use and consumption of food and beverages sold to the public from, or in an adjoining or adjacent indoor food and beverage establishment.

Sidewalk Patio, which means a fence enclosed group of tables and chairs and other accessories situated and maintained upon a public sidewalk, parking space or municipally owned property for the use and consumption of food and beverages including alcoholic beverages sold to the public from, or in, an adjoining or adjacent indoor establishment located adjacent to the business.

Applications must be accompanied by a site plan outlining the proposed location and placement of tables, chairs, fences and all other accessories to be included within the defined patio space which includes the patio building envelope and any utility poles, accessible parking spaces, trees, bike racks, benches, hydrants, parking metres, shelters, manholes, traffic signs, catch basins, awnings and any other physical or drainage features of the street within 6 metres (19.7 ft) of any public utility that may be affected by the development.

Conditions of a Sidewalk Café or Patio includes:

- Removal of all structures and restoration of municipal lands back to their original conditions between October 15 and May 1st of each year for snow removal purposes.
- Provisions to ensure patrons do not pose a nuisance to abutting property owners.
- Municipal and Public Utility right of access provisions
- Restrictions regarding smoking and patio heaters
- Ensure compliance with the Municipal Noise Bylaw
- Require appropriate insurance with the Municipality and County as additional insured.
- Ensure safety and accessibility remains paramount in our downtowns
- Impose special conditions where the sale of alcohol is proposed on the patio.

Design aspects and elements have been specified to ensure appropriate site triangles are maintained and an accessible walking path of a minimum of 1.5 metres is always maintained in accordance with AODA Regulations. All applications will be reviewed and require a County Encroachment Permit as well, where they

are proposed to encroach into the parking lanes on County maintained roads.

Staff time will be required to review and approve applications, and it is recommended that a yearly non-refundable application fee of \$130.00 be included in the fees and charges bylaw.

Link to Strategic/Master Plan

6.5 Engaging People and Partnerships

Financial Impacts/Source of Funding/Link to Procurement Policy

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

Approved by: Emily Dance, Chief Administrative Officer