

## Staff Report

Meeting Date: June 23, 2025

Subject: ECDEV-2025-18- Sidewalk Patio Policy Community Input

Report from: Jennifer Isber-Legge, Economic Development Coordinator

Attachment: DRAFT Sidewalk Policy – June 2025

### **Recommendation**

Be It Resolved that Council hereby approves Report ECDEV-2025-18- Sidewalk Patio Policy Community Input;

AND supports the implementation of the Sidewalk Patio Policy as presented, which establishes a permitting process for sidewalk patios

AND FURTHER defers consideration of sidewalk cafés and sidewalk merchandise (including sandwich boards and retail displays)

AND FURTHER approves the application fee of \$130 for sidewalk patio permits to offset administrative review and processing costs,

AND FURTHER directs staff to continue engagement with Bruce County to streamline the Encroachment Permit process and reduce administrative burden for applicants,

AND FURTHER approves the appropriate by-laws coming forward.

### **Background**

On March 10, 2025, Council tabled a motion to approve a Sidewalk Patio Policy, initiating consultation with the Business Community, Working Groups, and the County of Bruce. ([Report CLKS-2025-11](#))

The proposed policy recommended a permitting process for sidewalk cafés and patios, while exempting smaller décor items, curbside merchandise, and other easily movable elements from requiring a permit.

While each downtown area is situated on a Bruce County highway, the responsibility for sidewalks and parking falls under the jurisdiction of the lower-tier municipality. Consequently, applicants must obtain an Encroachment Permit from Bruce County, which requires prior municipal approval.

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## **Analysis**

**Sidewalk Café:** An open arrangement of tables, chairs, and related accessories, located and maintained on a public sidewalk, parking space, or municipally owned property. It is designated for the consumption of food and beverages served to the public by an adjacent or adjoining indoor food and beverage establishment.

**Sidewalk Patio:** A fenced-in grouping of tables, chairs, and related accessories, situated and maintained on a public sidewalk, parking space, or municipally owned property. It is intended for the consumption of food, beverages, and alcoholic beverages served to the public by an adjacent or adjoining indoor establishment.

### **Input requested from the Community Groups:**

1. Does the group support the use of sidewalk cafés and sidewalk patios in the downtown core areas?
2. Does the group support the draft policy as written?
  - a. Suggest more items be included (e.g. Sandwich boards, retail merchandise, promotional materials)
  - b. Suggest the removal of sidewalk cafés from the policy and focus solely on sidewalk patios.

Staff time will be required to review and approve applications; it is recommended that a yearly non-refundable application fee of \$130 be implemented (cost of a minimum building permit).

3. Does the group support a flat rate for all applications?
4. Does the group support a reduced fee for patio cafés?
5. Does the group support an alternate fee?

### **Input from Community Groups**

#### **Chesley Community Working Group**

1. In support of sidewalk patios with a \$130 license fee.
2. In support of sidewalk cafes with an application and permit, but no fee.
3. In support of items for sale on the sidewalk permitted through an annual application process with no fee

4. Considerations for items for sale on the sidewalk
  - Must be easily moved by a single person
  - Doesn't obstruct the walkway
  - Must be brought in at night

### **Tara Community Working Group**

1. Supports sidewalk cafes and patios in the downtown core areas
2. Supports adding more items mainly retail merchandise
3. Supports \$130 fee for patio applications
4. Supports no fee for cafe and retail merchandise applications
5. Supports consideration for the condition of merchandise and cafes

### **Paisley Community Working Group**

1. Supports sidewalk patios and cafes in the downtown core areas.
2. Suggests the removal of sidewalk cafes from the policy to focus solely on the sidewalk patios.
3. Requested that the municipality explore opportunities to reduce administrative red tape between the County and Municipality for sidewalk patio owners applying for permits.

### **Arran-Elderslie Community and Business Association**

1. In support of sidewalk patios with a \$130 license fee.
2. In support of sidewalk cafes with an application and permit, but no fee.
3. In support of items for sale on the sidewalk permitted through an annual application process with no fee
4. Considerations for items for sale on the sidewalk
  - Staff must be available and on location if product is on sidewalk
  - Should not include sandwich board signs
  - Must be brought in at the end of open hours

### **Recommendation**

Given the mixed feedback, staff recommend proceeding with the patio component of the policy while deferring cafés and merchandise for further review.

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

6.5 Engaging People and Partnerships

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

\$130 yearly application fee to cover staff time to review and approve applications.

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Approved by: Emily Dance, Chief Administrative Officer