

THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. SI-2024-0016

**FOR THE CONSIDERATION OF
COUNCIL**

September 11, 2024

**SUBJECT: UPDATE – POTENTIAL TO ALLOW FOR THE INSTALLATION OF
TEMPORARY PATIOS WITHIN THE PUBLIC ROAD ALLOWANCE**

1. RECOMMENDATION:

1. That Council receive Report No. SI-2024-0016 prepared by the Economic Development and Tourism Division, Strategic Initiatives Department, dated September 11, 2024, on information gathered with respect to the potential to allow for the installation of temporary patios within the public road allowance.
2. That Council provide direction to Staff on whether to develop and implement a program and licensing bylaw to permit restaurants/cafes to establish temporary patios within the public road allowance.
3. In the event that Council directs staff to develop a program and bylaw as outlined in Recommendation 2 above, that Staff report to Council with the proposed program outlined in Q1 of 2025.

2. PURPOSE:

This report provides information gathered regarding the establishment of temporary patios within the public road allowance and requests Council to provide direction on whether to proceed with the development and implementation of a program and licensing bylaw that would regulate and formalize a process to allow for restaurants/cafes to establish temporary patios within the public road allowance.

3. BACKGROUND:

During the 2024 budget deliberations, Council requested that staff give consideration to allowing for businesses to install seasonal/temporary patios within the road allowance. This request was included in the 2024 work plan for the Economic Development and Tourism Division.

4. ANALYSIS:

Temporary, bump out patios, typically made of wood became popular throughout the pandemic to help support the dining sector through closures and regulation changes. These bump out patios are typically installed within on-street parking spaces, next to the active traffic lane, in laneways or within the boulevard/sidewalk area between the

front façade of the building and the travelled portion of the road. Staff note within many historic downtowns including Georgina's, the buildings are located at the front lot line. In this regard, any patios established in front of the building are technically on the public road allowance.

Staff are of the opinion that due to the cost of installing a patio within the travelled portion of the road allowance (i.e., parking space), staff expect that the majority of future requests will be to permit the establishment of patios with the public spaces between the front façade of the building and the travelled portion of the road. Based on the research conducted in 2023, the cost of renting/installing a patio structure that occupies one parking space was \$3,000 - \$5,000 (excl. taxes) depending on the materials, design and size.

In the event that a patio is proposed within the existing sidewalk area and the boulevard, the cost of having a patio installed with a structure to redirect the pedestrian traffic around the patio via an on-street parking space was approximately \$15,000 depending on materials, size, design etc.

Staff note that through the design phase for the reconstruction of High Street there will be an opportunity to give consideration to design features that support outdoor patios.

Staff have conducted research on how other municipalities have structured their programs/policies that allow for the establishment of temporary patios within the road allowance. Attachment 1 provides an overview of the various patio programs. Attachment 2 is an example of the Town of Newmarket's patio policy, which is implemented through a licensing bylaw. It is important to note that the research conducted indicates that the business owners are responsible for the permitting/licensing and addressing the various requirements related to safety in addition to the costs associated with installing and removing the patio at the end of the season. As noted, municipalities also establish a per sq.ft. fee for the use of the public road allowance.

Staff are aware that during the Pandemic, funds from various levels of government were available to cover the cost of these patios (i.e. construction/rental/installation). However, since this time and based on the research conducted, the majority of temporary patios are now paid for by the individual business owners. Given the cost of installing these seasonal patio structures, staff do not anticipate a significant uptake in this program by the private business owners. And, due to the High Street reconstruction, the program uptake would be further reduced in the short term.

Notwithstanding the cost of these patios, they have the opportunity to promote placemaking, animate the streets to create a more pedestrian friendly environment and support revenue generation for local businesses. In this regard, staff are currently investigating potential grants or financial programs that may help support the installation of patios.

Should Council wish to adopt a process and licensing bylaw that would allow for the establishment of temporary patios within the road allowance, consideration for the following would be required:

- Preparation of a Licensing bylaw and application process to regulate patios within the public road allowance
- Traffic management plan (barriers and visibility)
- Building code standards
- Locations patios are allowed (i.e. municipal and/or regional road allowance)
- Duration of patio operations
- Number of parking spaces that can be utilized for patios in each business area
- Permitting/Licensing fees payable to the Municipality (fees collected in the form of rent for the use of public space by a private business)
- Based on the research conducted, patio programs are typically administered through the municipal licensing division in consultation with other municipal staff to address building and fire code/road safety matters.

5. RELATIONSHIP TO STRATEGIC PLAN:

Diversifying our Local Economy

- Continue to support Georgina's tourism sector as an economic driver
 - Implement BIA beautifications and enhance placemaking/revitalization efforts through infrastructure and streetscaping projects

Creating a vibrant, healthy, and safe community for all

6. FINANCIAL AND BUDGETARY IMPACT:

There is currently no allocated budget or staff resources assigned to the development and implementation of a licensing bylaw. Should a licensing bylaw be implemented, business owners would be required to fund the purchase/rental/installation of temporary patios for their individual business operations.

As noted above Staff are investigating grant programs to assist business owners with the cost of these patios.

7. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

There is no mandatory public consultation or notice requirements for this report.

8. CONCLUSION:

This report provides Council with information related to the establishment of a patio program that would allow for seasonal patios to be established within the public road allowance. Staff are also requesting direction on the development of licensing bylaw.

APPROVALS

Prepared By: Julie Cain
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Reviewed By: Rachel Dillabough
Town Clerk

Reviewed By: Karyn Stone
Manager of Economic Development

Recommended By: Shawn Nastke
Director of Strategic Initiatives

Approved By: Ryan Cronsberry
Chief Administrative Officer

***Attachments: Attachment 1 – Municipal Comparison Table
Attachment 2 – Newmarket Temporary Patio Policy (example)***