



## Guidelines for Temporary Outdoor Patios

Outdoor boulevard cafés have been permitted in the Town's Central Business District under the Town's Outdoor Café By-law [2003-041](#), as amended. In addition to this By-law, the following provides greater clarity regarding the criteria for outdoor boulevard café's or patio areas (patios):

1. **Locations:** Patios may be permitted partially or entirely within the sidewalk and boulevard area adjacent to the business that they are intended to serve and must meet the following criteria:
  - a. **Same area as the building they serve:** Patios may not encroach into the frontage of a neighbouring establishment unless they have consent from the establishment(s) being encroached upon or approval from the Town to do so.
  - b. **Pedestrian path must be maintained:** Patios are to be situated so that a 1.5 metre wide unobstructed and barrier-free public pathway for pedestrians must be maintained at all times. If there are any braces supporting the railing, they will not encroach onto the 1.5 metre wide clearance pathway and are not to be fastened to the surface of the ground. Patios are encouraged to be situated so that the public pathway weaves as little as possible and maintaining a straight corridor alignment abutting the building faces is maximized. Patios should not obstruct accessibility ramps adjacent to the building.
  - c. **Patios to be physically delineated:** Patios are to be surrounded as follows:
    - i. using a fence or railing with a height of at least 0.9m but not exceeding 1.2m and/or planter boxes or pots so that the patio area is appropriately and tastefully delineated or physically enclosed.
    - ii. Enclosure requirements will be subject to the AGCO requirements, which shall prevail in the event of any conflict with these criteria.
    - iii. Patio enclosures must include a barrier-free access opening of at least 1.2m wide. No access opening is to be provided on the street-facing side of the patio unless the patio directly abuts the building. No gates are permitted.
  - d. **Patios or walkways may be in the on-street parking area:** Patios may be situated to occupy up to two parking spaces in front of the establishment, provided that:
    - i. Any public pathway circumventing a patio area within the parking space area must be delineated and separated from vehicular traffic to the satisfaction of Town staff. Jersey Barriers may be installed by the Town at certain locations at the discretion of the General Manager of Infrastructure Services.
    - ii. Any patio and/or public pathway situated within the parking space area of the roadway must be situated on a suitable platform constructed to match the grade of the abutting sidewalk/boulevard area. Such platforms must



be constructed in a manner that does not negatively impact the drainage. It is the applicant's responsibility to ensure the removal of any waste or debris that may accumulate in this area.

- iii. When the café and accessories are being placed on Municipal Property, you are required to complete the work in accordance with Ontario Traffic Manual Book 7 to ensure proper traffic protection is being administered and maintained during the work.
  - iv. Traffic signals and other traffic control devices must not be impacted by the boulevard café.
2. **Alterations on municipal property:** The Town of Orangeville will not allow any alterations to pavement, curb, boulevard, sidewalk, etc. including the permanent fastening of railings or other parts of the café enclosure to the hard surfaces. Any damage deemed to have been caused by the installation, removal and use of the café shall be rectified at the Applicant's expense.
  3. **Maintenance by municipality:** The Town will retain the right to have the applicant make modifications, including removal of the enclosure system, as it deems necessary should there be maintenance, access or other boulevard related issues associated with the location of the enclosed café. The Town is not responsible for damages and/or inconvenience to patrons as a result of regular maintenance on the sidewalks and/or abutting roadway.
  4. **Conflicts:** The Town accepts no responsibility and/or liability in the event that there is conflict between pedestrians, patrons and/or staff persons.
  5. **Insurance:** A valid liability insurance policy naming the Town as an additional insured party in the amount of no less than \$2,000,000 must be maintained throughout the duration of the boulevard cafe.
  6. **Public Health Protocols Related to COVID-19:** All patron seating areas must comply with all COVID-19 Public Health and Safety measures.
  7. **Season:**
    - a) For patios located on the **sidewalk/boulevard**, the duration of the patio season is from April 1 to November 30, 2022.
    - b) For patios located within the **on-street parking area**, the patio may exist from May 1 to November 30, 2022.

Notwithstanding the permitted seasonal patio durations described above, the Town may at its discretion, require the proponent to remove all patio implements and furnishings to accommodate winter maintenance activities, subject to weather conditions.
  8. **Snow removal:** All outdoor patio furniture, equipment and other items be removed as required by the Town for snow removal.
  9. **2022 Capital Project – Removal and replacement of boulevard bricks, sidewalk and other surface areas and amenities:** From approximately early September through until late November, the Town will be undertaking a capital project involving



the removal and replacement of the boulevard bricks, sidewalk and other surface areas and amenities on both sides of Broadway, between Third Street and John Street. Interruptions to outdoor cafés in this area are anticipated. This work will progress in phases moving from west to east. As the project progress through this phasing, applicants will be given at least 10-days' notice to remove their cafés from the boulevard area to make way for construction.

10. **Application process:** Applicants are to submit the Boulevard Café Application form with accompanying checklist items identified on the form by email to [planning@orangeville.ca](mailto:planning@orangeville.ca). There is no fee for boulevard café applications.

Application submissions received will be processed as quickly as possible within 5 business days.