



Hamilton

Temporary Outdoor Patio Program

Advisory Committee for Persons with
Disabilities

February 8, 2022

Staff

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Program Background

2 separate programs provided for bars, restaurants & cafes, to extend their service area into the outdoor space

On-Street Patio Program

- On-Street Patio or Pedestrian By-Pass Structures in municipally owned metered parking spaces
- Permanent City of Hamilton program that has been in place since 2016

Outdoor Dining Districts Program

- temporary patio extensions on both municipal and private property with no permanent fixtures installed – intended as support during COVID-19
- Developed through Council direction in May of 2020

On-Street Patio Program

- Includes wooden structures that utilize metered parking spaces on municipal roadways
- Approved by City Council in June 2016 (Report PED16119) and runs annually



Outdoor Dining Districts Program

- Patios are intended to be temporary only, can have no permanent fixtures and no elements implemented that would require a building permit
- All patios (municipal or private property) must have an unencumbered accessible route measuring at a minimum 1.5m that remains open for access and space for a mobility device to turn



Council Direction

November 10, 2021

That the appropriate staff be requested to report back to Council with options and the necessary policy or by-law changes to maintain the Outdoor Dining Districts program on a permanent basis, alongside the existing on-street temporary patio program

Recommendations to Council

- Staff have prepared a report in which the recommendations include combining the 2 existing temporary patio programs under one umbrella, called the Temporary Outdoor Patio Program, and setting appropriate application and permit fees for annual temporary patios
- **Important Note: This report does not provide specific information on the review process (Standard Operating Procedures) or design elements required for patios**

Recommended Fees

Type of Fee	Proposed Fee Amount
Application Fee	To be proposed as part of User Fee By-law Review
Municipal Parking Space Fee	\$875
Installation of Safety Devices	\$800
Sidewalk/Alleyway/Boulevard Application	\$54.67 (every 2 weeks)
Full Road Closure Application	\$721.24

Terms and Conditions Overview

- Temporary Outdoor Patios may include patios, as well as temporary sidewalk bypass structures that are intended to create sidewalk space for a Temporary Outdoor Patio.
- All Temporary Outdoor Patios must follow all applicable public health requirements, including any COVID-related public health requirements, as well as all applicable Provincial Orders.
- Through the application process, staff ensure no negative impacts with respect to pedestrian safety, accessibility, emergency services, public transit, access to other businesses, delivery and pick-up, and other issues that are normally addressed through the SEAT review process. In cases where staff identify a potential impact on an adjacent property due to the location of the patio, staff may require the applicant to demonstrate that adjacent properties do not object to the temporary patio.

Terms and Conditions Overview

- The Ward Councillor will be notified of all applications for Temporary Outdoor Patios in advance of any approval or implementation. In addition, if an application is received for a location within the boundaries of a BIA, the BIA will also be notified.
- The patio shall be compliant with the Accessibility for Ontarians with Disabilities Act (AODA).

Review Process

- This report will be on the Planning Committee Agenda for Tuesday February 15, 2022 for review and discussion
- Members of the ACPD would be welcome to attend and speak as a delegation
- The ACPD could also provide correspondence to the Planning Committee for consideration

Questions?