



## INFRASTRUCTURE AND GROWTH MANAGEMENT MEMORANDUM

---

**TO: MAYOR J. LEHMAN AND MEMBERS OF COUNCIL**

**FROM: A. MILLER, RPP, GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH  
MANAGEMENT**

**NOTED: M. PROWSE, CHIEF ADMINISTRATIVE OFFICER**

**RE: RESPONSE TO REQUEST FOR DOWNTOWN PATIO SEASON EXTENSION**

**DATE: OCTOBER 26, 2020**

---

The purpose of this Memorandum is to provide members of Council with a summary of the matter referred to staff on October 19, 2020, from the Circulation list related to the request from the BIA to support the extension of patio season in downtown Barrie.

An extension of the patio season in downtown has been reviewed by staff. There are real operational challenges as downtown patios affect the public right-of-way. In addition, there is a significant risk to completion of the Dunlop Streetscape Project should a patio season extension proceed.

Operationally, staff previously outlined specific challenges but believe patios could stay in place “until such time that there is snow in the forecast” provided patios are removed upon 48 hours’ notice from the City. All sidewalks, regardless of the presence of patios, would need to continue to clear of snow and ice by 10:00 am, regardless of accumulation amount, in accordance with the existing Downtown Snow-clearing Bylaw.

However, paving of Dunlop Street is scheduled over the next month, as weather conditions allow, in order to complete the Streetscape Project before asphalt plants close in early December. Paving cannot proceed efficiently with the patios in place. If paving does not proceed now, the Dunlop Streetscape Project will carry-over into spring 2021. Downtown businesses will experience disruption again between April and June 2021.

Essentially it is either patios or paving in the downtown until paving is complete. The Dunlop Streetscape project schedule was discussed with the BIA. With this additional information, the BIA confirmed on October 21<sup>st</sup>, a preference to complete the paving so that construction in the downtown will be complete in 2020. The BIA has asked that the 3 or 4 remaining patios be allowed to operate until October 25. These patios will be removed on Sunday. Staff can accommodate this request and are proceeding with construction deficiency repairs, working around the remaining patios. Notices for paving will be distributed October 22, with paving to begin on Tuesday October 27, weather permitting.

The BIA would like permission to permit patios to reopen, after paving is complete, should weather conditions allow. This request continues the operational challenges described in the October 19<sup>th</sup> email to Council but staff can accommodate the request. Should Council decide to allow a season extension post paving, the “until such time that there is snow in the forecast provided patios are removed upon 48 hours’ notice from the City”, condition should apply. The Downtown Sidewalk Clearing requirements must also apply. By-law 2008-212 requires all business and property owners remove all snow and ice from the sidewalks in front, to the side and behind all properties within the Downtown BIA each day of the year by 10 am. As we are entering the “shoulder” winter season this maintenance becomes critical for public safety. As the temperature fluctuates overnight with a freeze/thaw action in addition to any accumulation of snow, the continuation of the patio program may affect that maintenance requirement. Staff within Enforcement Services patrol the sidewalks within the Downtown BIA, 7 days a week to ensure the areas are clear for safe passage.



## INFRASTRUCTURE AND GROWTH MANAGEMENT MEMORANDUM

---

The Patios Everywhere program requirements and timing were designed to be aligned with the Downtown Patio Program. In order to ensure that all dining establishments have the same opportunity for expanded dining outdoors, patio permits issued under the Patios Everywhere program will also receive the extension, should an extension be directed by Council. Staff will remind Patios Everywhere permit holders to proactively address the safety and parking issues that may ensue as the weather begins to turn should they continue to operate a patio during an extended patio season.

The following Direct Motion has been prepared for consideration should Council want to proceed with a patio season extension:

1. That should the weather conditions permit, patios at eating establishments be permitted in the City of Barrie until November 30, 2020 and if there is snow or ice weather conditions that the patios be removed upon 48 hours' notice from the City.
2. That businesses affected by the Downtown Streetscape Project in the Downtown, be permitted to re-open their patios once the paving is complete and upon notification by the City to do so.
3. That the Patios Everywhere program continue to November 30, 2020.
4. That enforcement of the Snow Clearing (Downtown) By-law 2008-212 be suspended until the conclusion of the Patios Everywhere Program or November 30, 2020 whichever comes first. However, all Business Owners and or Property Owners within the Downtown Business Improvement Area shall ensure that all snow and ice is removed daily by 10 am as noted in the By-law.