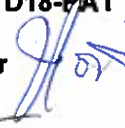




TO: Mayor J. Lehman and Members of Council **File: D18-PAT**
FROM: Janet Foster, BAA, MCIP, RPP, City Centre Revitalization Coordinator 
NOTED: R. Forward, MBA, M.Sc., P. Eng. 
General Manager of Infrastructure, Development & Culture
Carla Ladd, Chief Administrative Officer 
RE: Downtown Outdoor Patios Approval Process
DATE: April 30, 2012

This memo provides an overview of the outdoor patio approval process being undertaken by City staff and the BIA for applications in the City Centre.

On March 26, 2012, Council by Motion 12-G-074, amended by Motion 12-A-037, approved the process for approval of outdoor patios in the City Centre by way of delegated approval to staff. Lease rate fees for occupying the sidewalk and parking spaces were waived for the first year of business operation. Application fees in the amount of \$344.00 are being charged which covers the cost of the Right-of-Way Activity Permit (ROWA), inspection and disbursement fees. The terms and conditions of an Encroachment Agreement for the use of the City right of way will be included in the ROWA and therefore no fees will be collected as an agreement will not be required. In addition, the terms and conditions for a business license for the outdoor patio have also been included in the ROWA and therefore a separate business license and the applicable fee will not be required.

The Outdoor Patio Application, Checklist and Minimum Information Requirements are available on the City's website. Complete applications will be filed at City Hall, accepted in the Planning Services Department. Fees collected will be apportioned to the appropriate department account codes. Applications will be forwarded to the Operations Department for processing. Inspection of the completed temporary sidewalks located within the public on-street parking spaces will be undertaken only after the applicant's structural engineer has certified the temporary sidewalk as-built to the specifications for the temporary sidewalk structure submitted with the application. Outdoor patios will be permitted from April 15 to October 15 at which time the outdoor patios and temporary sidewalks will be removed. Under the terms of the City's Outdoor Patio Policy, hours of operation require that the patios be closed by 11pm. Only acoustical music is permitted in the patio. No amplified music is permitted.

The BIA is responsible for the pre-approval of the patio designs, structural drawings for temporary sidewalks and to ensure that the applications are complete upon submission and include all required information for processing. City staff have met with the BIA representative to ensure a common understanding. The BIA has also developed their own approval of certain terms and conditions that have to be adhered to in order to operate a seasonal outdoor patio in the Downtown. A form including the BIA's terms and conditions must be acknowledged by all applicants and must be signed and dated. The terms and conditions include the purpose, operations and design of the patios. Hours of operation require that the patios be closed at 11pm. The BIA's form is attached for your information.

Attachment – BIA Sidewalk Patio Terms and Conditions

SIDEWALK PATIOS 2012
DOWNTOWN BARRIE BUSINESS ASSOCIATION
4 Simcoe St. East Barrie, ON L4M 1A1
Phone: 705-734-1414 Fax: 705-734-1227

Sidewalk Patio Terms and Conditions

PURPOSE

1. Purpose: The purpose of the Sidewalk patios are solely for dining and dining only. *Initial* _____
2. Purpose: The Sidewalk patios are an annual license agreement – failing to comply with the Terms and Conditions provided can result in having a license revoked or not renewed. *Initial* _____
3. Purpose: The duration of the Sidewalk Patio program is April 15th to October 15th. *Initial* _____

OPERATIONS

4. Operations: Patios must be open at 5pm at the latest and be completely closed of guests by 11pm. Lunch is strongly recommended. *Initial* _____
5. Operations: A full menu must accompany the application and provide at least 5 meal options. *Initial* _____
6. Operations: The patios are to be designated 'non-smoking'. *Initial* _____
7. Operations: Patios must be licensed with the AGCO if selling and serving alcoholic beverages. *Initial* _____
8. Operations: Alcoholic beverages must be accompanied with a dining menu item. *Initial* _____

DESIGN

9. Design: Proposed design plans are to complement local façade and building attributes and to present a level a quality that is attractive and presentable. *Initial* _____
10. Design: The layout is to include beautification elements within; including but not limited to, flower plants, shrubs and greenery. *Initial* _____
11. Design: The extended sidewalk must fulfill the structural elements that meet accessibility and load requirements as provided by the engineering drawings attached. *Initial* _____

Signature – Applicant

Date _____/_____/_____

Signature – Downtown Barrie Business Association

Date _____/_____/_____

DOWNTOWN BARRIE BUSINESS ASSOCIATION (BIA)
www.downtownbarrie.ca // info@downtownbarrie.ca