



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. Maintaining a straight corridor alignment abutting the building faces is to be maximized. Patios should not obstruct accessibility ramps adjacent to the building.
 - c. **Patios to be physically delineated:** Patios are to be delineated only 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.
 - iv. No canopies or tent structures may be erected in any patio space.
 - 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 surface water

drainage. It is the applicant's responsibility to ensure the removal of any waste or debris that may accumulate in this area.

- iii. Where patio or walkway areas and accessories are placed on municipal roadside parking areas, all work must be completed 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.

A maximum of 6 parking spaces may be cumulatively occupied by extended outdoor café's within the Central Business District during the patio season. Approvals will be issued on a first-come, first served basis until this maximum is reached.

2. **Alterations on municipal property:** No alterations are permitted to pavement, curb, boulevard, sidewalk surfaces, etc. including the permanent fastening of railings or other parts of the café enclosure to such surfaces. Any damage deemed to have been caused by the installation, removal and use of the café must be rectified at the Applicant's expense.
3. **Maintenance by municipality:** The Town retains the right to require the applicant to modify or removal the enclosure system, should there be maintenance, access limitations or other issues associated with the location of the boulevard café. The Town is not responsible for damages and/or inconvenience to patrons as a result of any maintenance activities that may arise for sidewalks and/or abutting roadways.
4. **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. The Town accepts no responsibility and/or liability in the event that there is conflict between pedestrians, patrons and/or staff persons.
5. **Public Health Protocols:** All patron seating areas must comply with Public Health and Safety measures at all times.
6. **Season:**
 - a) For patios located on the **sidewalk/boulevard**, the duration of the patio season is from April 1st to October 31st annually.
 - b) For patios located within the **on-street parking area**, the patio may exist from May 1st to October 31st annually.
7. **Snow Removal:** Notwithstanding the permitted seasonal patio durations, all patio implements and furnishings must be removed to accommodate any winter maintenance activities that may arise during the patio season, subject to weather conditions.
8. **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. There is no fee for boulevard café applications.

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