



# PATIO GUIDELINES



# APPLICATION PROCESS

**D**owntown Sault Ste. Marie is an exceptional place to socialize. The purpose of these guidelines is to enhance the vibrancy of our downtown streets through providing opportunities for businesses to expand their establishments outdoors. Outdoor eating and drinking spaces cultivate a distinct identity for the downtown as an entertainment district.

## **STEPS IN THE APPLICATION PROCESS:**

1. Contact City staff to discuss your intention to develop a patio.
2. Select patio location and style based on these guidelines.
3. Contact City staff to schedule a site visit to obtain approval of the proposed site.
4. Complete and submit attached application form, including a sketch of the proposed patio layout and, if required, written consent from neighbouring businesses.

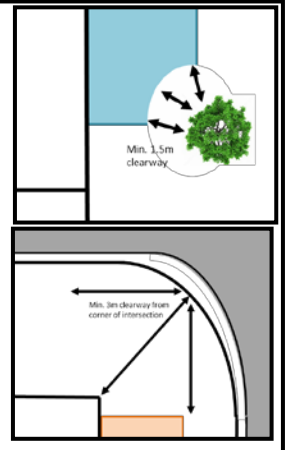




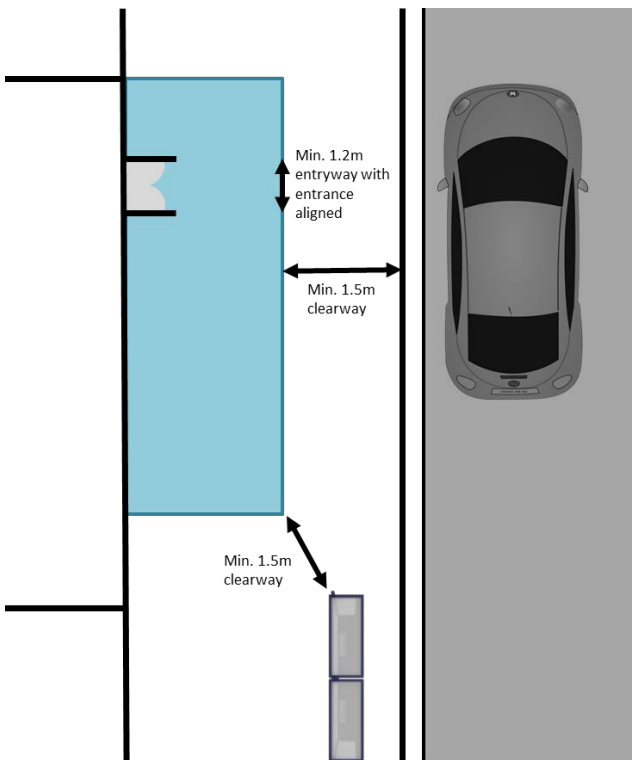
# LAYOUT GUIDELINES

## Patios Occupying the Sidewalk

- **Licenced patios** must be located along the building face and incorporate fencing at least 1m in height.
- The clearway is located between the outer edge of the patio and the curb.
- A minimum 1.5m clearway shall be maintained between the patio and any street furniture, plantings, or other objects located on the sidewalk
- **Non-licenced patios** may be located along the curb or along the building face. It is preferable that non-licenced patios locate along the curb to avoid implementing a non-linear accessible clearway. Patios located along the curb must incorporate a partition on the curb side.
- Patios must be located a minimum of 1.5m away from all streetscape objects (e.g., benches, trees, bus stops, fire hydrants)
- From the corner of an intersection, an additional clearway of at least 3m is required



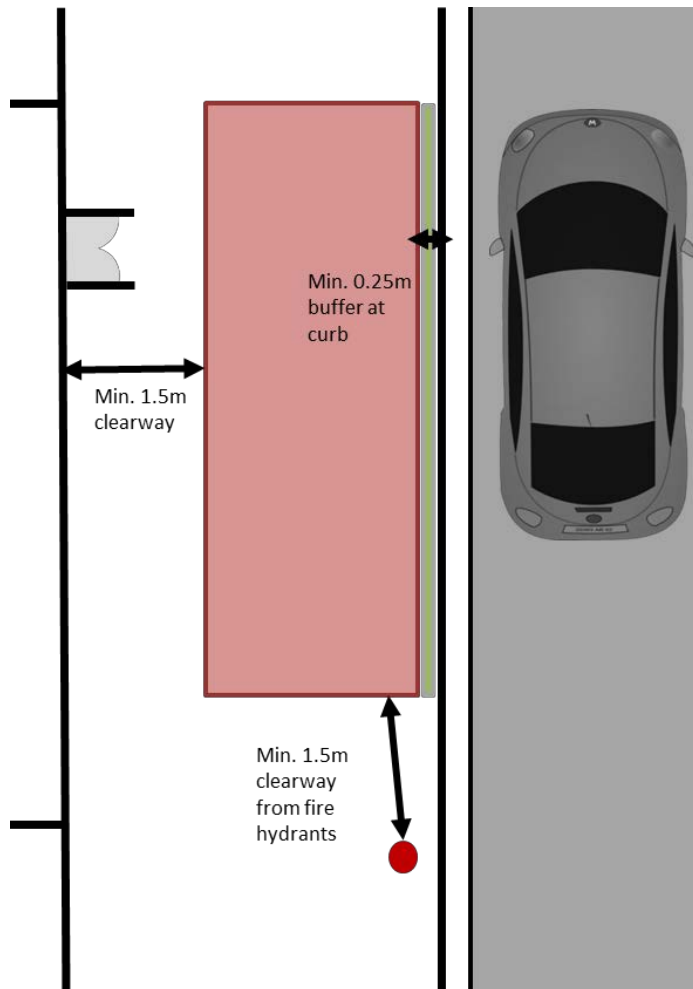
## Along the building face (requirement for licenced patios)



# LAYOUT GUIDELINES

## Patios Occupying the Sidewalk Along the curb

Non-licensed patios may choose to locate either along the building front or along the curb.

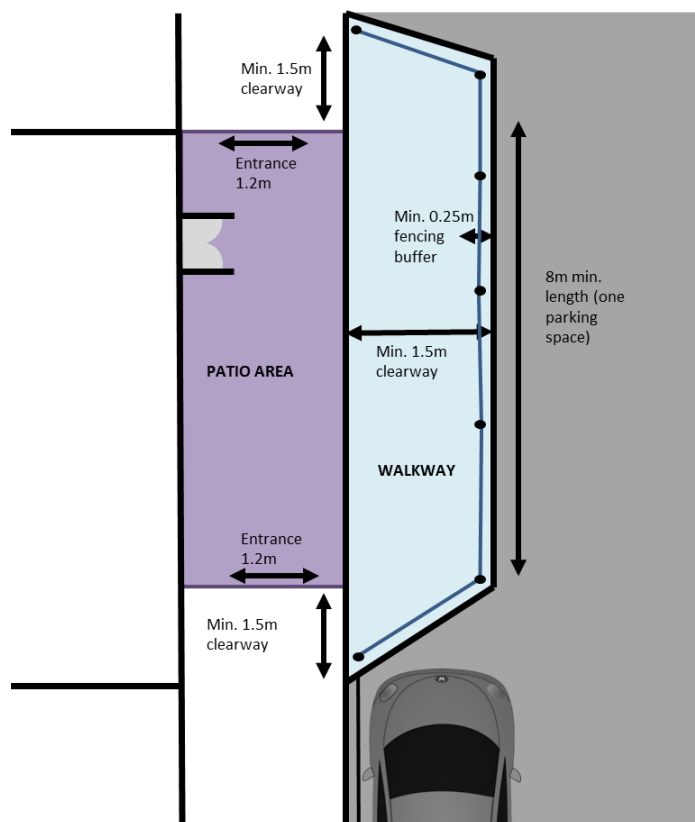


# LAYOUT GUIDELINES

## Patios Utilizing the Parking Bay

- **Licensed patios** must be located along the building face. For areas with a narrow sidewalk the establishment shall construct an accessible clearway extending into the parking bay.
- **Non-licensed patios** may be located within a parking bay.
- A railing/partition incorporating a 0.25m buffer at least 1m in height is required for all patios and walkways utilizing a parking bay.
- Patios and clearways must be brought to the same height as the sidewalk.

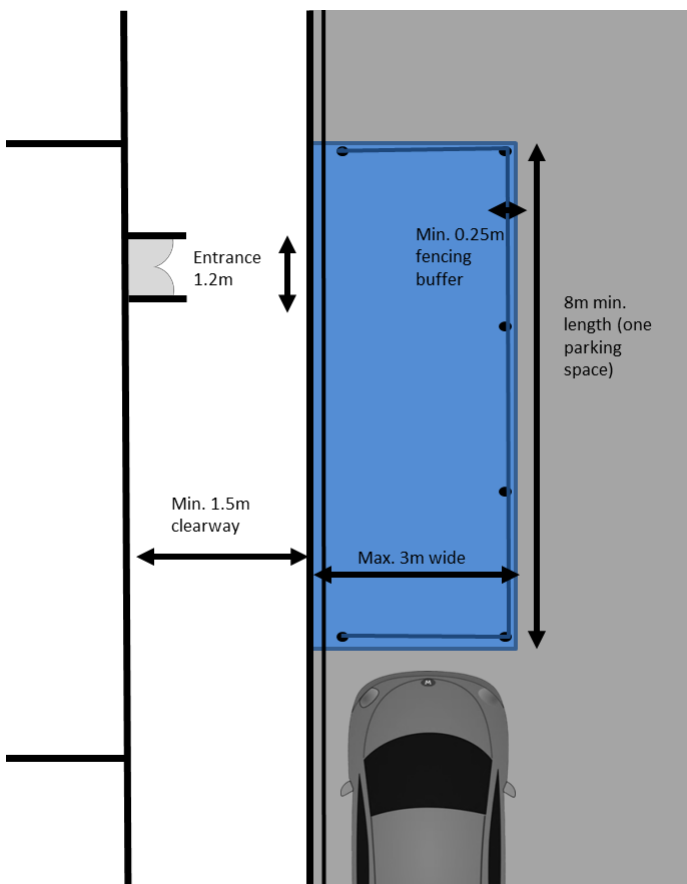
## Along the building face + walkway (Licensed)





# LAYOUT GUIDELINES

## Patios Utilizing the Parking Bay Within the parking bay



# LAYOUT GUIDELINES

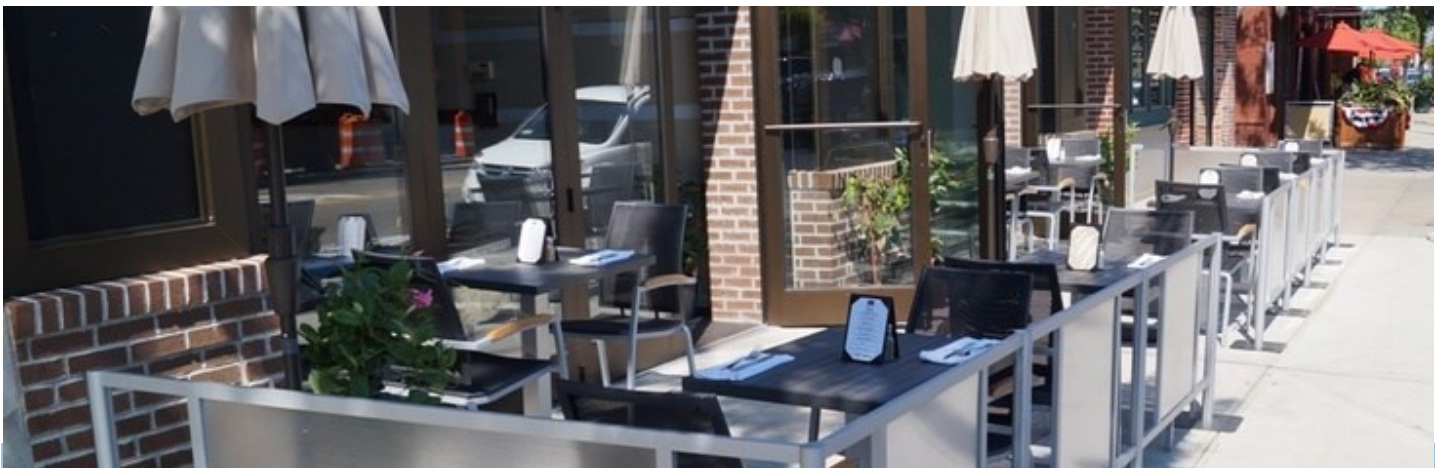
- Patio furniture must not protrude into the pedestrian pathway
- Patio umbrellas may be incorporated into design providing that they do not obstruct pedestrian and vehicular sightlines
- All licenced (AGCO) patios require a partition at least 1m tall separating the patio from the sidewalk.
- Partitions including fencing or railing systems, shall be decorative and free of jagged edges.
- Fencing or railings demarcating a licenced patio must be removable and shall be no higher than 1.2m.
- Pedestrian-scale lighting is permitted in the patio area, subject to approval by Public Works
- CSA approved outdoor heating devices are permitted on patios
- An unobstructed area of 1.5m must remain clear around the establishment's door
- Any patio or pedestrian walkway located within a parking bay must feature reflectors for night safety
- All patio furniture must be made out of sturdy and weather resistant materials (e.g., wrought iron, aluminum, steel, weatherproof fabrics); plastic/vinyl is not permitted

*This image shows well-designed partitions and durable furniture*



# OPERATION REQUIREMENTS

- Applicant is required to maintain Liability Insurance as a condition of the Licence to Occupy City Property (minimum of \$2,000,000; if patio is licenced to serve alcohol or if patio is located in parking bay, a minimum of \$5,000,000)
- Patios may not be installed earlier than May 15 and must be removed by October 1.
- If a Licenced Patio is proposed, the applicant must show proof of authorization from the AGCO prior to operation
- Drawings for a protruding pedestrian walkway must be prepared and signed by a BCIN qualified designer. The same designer must certify the temporary sidewalk structure, post construction, as-built to design.
- Patios incorporating a parking bay shall pay a rental fee of \$220 per season per space
- Patio set-up must always consider accessibility of the adjacent sidewalk and the patio itself
- Patio furniture shall not obstruct vehicular or pedestrian sightlines or visibility
- Patios shall not encroach upon the frontage of neighbouring establishments without written authorization from the property owner
- If proposing to utilize the parking bay, written consent from neighbouring businesses must accompany the application
- Establishments must ensure that the patio area and furnishings are kept orderly and in good condition. Maintenance shall be ongoing. Furniture must be secured when not in use outside hours of operation.
- Smoking is prohibited on patios
- Establishments must ensure the sidewalk or parking space on which the patio is placed is returned to its original condition after patio season
- If cooking facilities are provided outside, the outdoor patio shall be equipped with a fire extinguisher
- Patios must operate in accordance with all City of Sault Ste. Marie by-laws, especially those dealing with noise, sidewalks, and signage.







# APPLICATION



**Applicant name:**

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**Duration of Patio Operation:**

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**Address:**

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**Location of Proposed Patio (please describe):**

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**Registered Business Name:**

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**Temporary pedestrian walkway required? Yes/No**

**Telephone and email address:**

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**Estimated number of patrons:** \_\_\_\_\_

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## Food Preparation

Food that will be served in the outdoor café will be prepared as follows:

☐ Inside existing food establishment (i.e. using existing indoor kitchen)

If food is being prepared outside the existing kitchen, the applicant must apply for a Temporary Food Permit through Algoma Public Health.

☐ Temporary Food Permit included in this application

☐ Outside existing food establishment (i.e. using outdoor cooking equipment such as a BBQ)

☐ Food to be catered by Third Party food supplier

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## Liquor Service:

Will liquor be served in the outdoor café area? ☐ Yes ☐ No

If yes, applicant has submitted required application form to the AGCO available at

<http://www.agco.on.ca/> ☐ Yes ☐ No



# APPLICATION

- A. The establishment will need to address any issues raised by relevant City department(s), to their satisfaction, prior to any final agreement. In some instances, the concerns may be of a nature that they cannot be resolved and the request for a licence will be denied, and confirmed by letter in writing from the City's Planning Division
- B. If appropriate to enter into Licence to Occupy City Property Agreement, the Legal Department will prepare such an Agreement that will include the following:
- Conditions/issues raised by City Departments will be incorporated into the licence
  - Establishment must comply with all necessary bylaws, rules, regulations, etc. and agree to indemnify/save harmless the City in event of any such noncompliance
  - Establishment is liable for any taxes, permits, licenses, assessments of every nature/kind and must seek/be aware of the same
  - Establishment shall indemnify/save harmless the City from all costs and expenses, claims, damages, etc. brought or based in any way from the presence of Outdoor Patios—it will be clear that the City is to be at no risk/expense from these Outdoor Patios
  - Licence cannot be transferred/assigned to another person
  - If City/Emergency personnel need to remove a portion or entirety of Outdoor Patio to deal with a matter (at their sole discretion), there is no restriction to same. Further, City/Emergency personnel shall not be responsible for restoring the Patio to its condition prior to such access.
  - Establishment shall complete all necessary maintenance/clean up at their sole cost and expense promptly and to sole satisfaction of the City. If not completed to satisfaction of the City (in the City's sole discretion), the City may complete such cleanup activities/remove Outdoor Patio at the expense/risk of Establishment
  - The City can terminate Licence at any time, without cause/reason or any advance notice.
  - Establishment will not use City Property for any other reason/purpose than that which is authorized in the Licence. Use must remain consistent with the sketch included in this application.
  - Insurance requirements—Establishments must meet insurance requirements to satisfaction of City Legal Department—usually \$2,000,000 (may require more). If patio is licenced, or if the patio is located within the parking bay, the amount of insurance required is \$5,000,000. The City must be named as "Additional Insured" on policy and proof of insurance must be filed with the Legal Department before Outdoor Patio can be used

# AUTHORIZATION

## Additional Requirements:

Please include a sketch and description of the proposed patio. The sketch should also provide a list and illustration of proposed patio furniture and partition (if required). Sketch included: ☐

If proposing a sidewalk patio that extends beyond building owner's façade to adjacent façade, written consent from neighbouring businesses are attached: ☐

If proposing to utilize a parking bay, written consent from neighbouring businesses are attached, along with payment of \$220.00 per parking space: ☐

If proposing a temporary walkway in the parking bay, drawings completed by a BCIN certified designer are attached: ☐

Date of initial site visit with PWT: \_\_\_\_\_

I, \_\_\_\_\_ (print name) hereby declare that the information provided in this application are, to the best of my knowledge, a true and complete representation of the purpose and intent of this application. I submit this application with the acknowledgement that the information contained in this application will be on file in the City of Sault Ste. Marie Legal Department, will be circulated to various departments and agencies for comments, and will be made available to the public upon request.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

For office use only:	Application Fee \$250.00 <input type="checkbox"/>	N/A <input type="checkbox"/>
Building:	Planning:	
PWT:	Fire:	
Police:	APH:	
Accessibility:		



