

Appendix "A"



Application for Temporary Patio Extension Checklist and Guidelines

The Town of Kingsville is introducing temporary measures to permit temporary patios and retail sales to assist with restaurant recovery efforts until January 1, 2021.

Please submit this form and all information for consideration by the Town to Peter Valore (pvalore@kingsville.ca). Your request will be processed in consideration of the Town's Comprehensive Zoning Bylaw and the Guidelines contained herein.

Name of Establishment _____

Address of Establishment _____

Address of Patio Extension (if different from above) _____

Applicant Name _____ Contact Information _____

Temporary Outdoor Patio

Proposed Temporary Outdoor Patio will be on:

Municipal Property ☐ Private Property ☐

Do you currently have approval for an outdoor patio? (Please submit a copy of your current outdoor patio plan or capacity, if available).

Yes ☐ No ☐

Are you proposing the removal of parking spaces to facilitate your temporary patio or extension?

Yes ☐ No ☐

Are you planning to construct a platform or deck for the Outdoor Patio? If yes, a zoning clearance certificate and building permit may be required.

Yes ☐ No ☐

Retail Sales

Are you proposing the outdoor sale of goods?

Yes ☐ No ☐

Proposed outdoor sales will be on:

Municipal Property ☐ Private Property ☐

Are you proposing the removal of parking spaces to facilitate your temporary retail area?

Yes ☐ No ☐

Are you planning to construct a platform or deck for the outdoor retail area? If yes, a zoning clearance certificate and building permit may be required.

Yes ☐ No ☐

Please provide the following in addition to the completion of this application form:

1. Show and label the location of the existing and proposed outdoor patio expansion on a map or image showing the entire property (Google maps are acceptable; staff can provide an air photo of the property to assist you, if needed).
2. Show and label the location of parking places to be removed or sidewalk space proposed to be used for the outdoor patio or retail sales area. Please note any accessible parking spaces or walkways, Fire Access Routes or garbage areas, fire hydrants or fire connections on the property in proximity to your proposed patio.
3. Written approval of the land owner and/or landlord authorizing the creation of a temporary patio or retail sales area as specified within this application form.
4. If you are proposing an extension or set up on municipal property you will be required to submit a certificate of general liability insurance naming the Town as an additional insured in the amount of \$5,000,000 or licenced patios and \$2,000,000 for retail sales.

By completing this application form, the Applicant agrees to abide by the applicable Guidelines noted in the attached appendices, and acknowledges that adjustments may be required to the application to comply with the applicable regulation and safety requirements. The Applicant understands that submitting this application does not guarantee that the request will be approved.

Applicant Signature _____

Date _____

APPENDIX A

Guidelines for Temporary Outdoor Patios:

1. Proposed temporary outdoor patios or temporary outdoor patio extension must be adjacent to the restaurant.
2. Provisions or accessible spaces shall be maintained.
3. Accessibility must be maintained to and throughout the temporary patio and restaurant.
4. A reasonable amount of non-accessible parking spaces shall be maintained.
5. No garbage routes or fires routes will be blocked by any new or expanded patios.
6. Recreation or Entertainment uses are not permitted on any temporary Outdoor Patio.
7. No food or drink preparation shall be permitted on temporary patios.
8. Platforms, stages, decks and portable toilets are not permitted.
9. Temporary patios must not extend in front of adjacent tenant spaces, or beyond the business frontage without permission from the affected adjacent property owner and/or tenant.
10. A minimum barrier of 1.2m shall be installed where a patio is adjacent to vehicle movement areas.
11. Perimeter fencing, planters or barriers are permitted on sidewalk patio areas.
12. Only CSA-certified electric or propane patio heaters (with maximum 20lb tank) are permitted when located at least 3m (10ft) away from tree branches, operated per the manufacturer's directions and not stored on the road right-of-way when not in use. Solid, gel or liquid-fuel fire features are not permitted.
13. Access between the patio and the restaurant shall not be obstructed by vehicular drive aisles.
14. The design and placement of the temporary outdoor patio shall ensure that the safe movement of pedestrians and vehicles is accommodated on the property in the vicinity of the outdoor patio.
15. Business owners are responsible to obtain and ensure compliance with all relevant permissions including those of the AGCO and landlord.
16. Fire Department connections (Siamese connections) and hydrants must be unobstructed.

17. Temporary outdoor patios are permitted no later than January 31, 2021, but may be terminated earlier upon 3 days' notice.
18. All provincial and public health guidelines including those related to COVID-19 precautions, must be maintained, including those related to physical distancing.
19. All other municipal and provincial regulations will continue to apply including AGCO Regulation 719, as amended.
20. Owners shall provide their liquor licence, if requested by any Officer.
21. The Town of Kingsville is authorized to inspect all temporary patios and require adjustments to the temporary outdoor patio to address compliance with these guidelines and other applicable municipal and provincial regulations.
22. Patios may not be established or expanded onto municipality owned lands without the consent of the Municipality. In order to obtain consent, a site drawing must be submitted illustrating the location, limits and dimensions of the temporary outdoor patio and associated features (barricades, tables, chairs). The owner of the patio business must indemnify the Municipality and provide the Municipality as an additional insured.
23. The occupant load is determined using 1.1m²/person as defined in the Ontario Building Code and Regulation 719 of the Liquor Licence Act as well as Table 3.7.4.3.D. of the Ontario Building Code for the minimum number of water closets required for restaurants. The most restrictive occupant load will be permitted for temporary licensed patios.

APPENDIX B

Guidelines for Retail on Private and/or Municipal Property:

1. Provisions for accessible spaces shall be maintained and accessibility must be maintained to the storefront and throughout the retail space.
2. A reasonable amount of non-accessible parking spaces shall be maintained.
3. No garbage routes or fire routes will be blocked.
4. Retail sales areas must generally be located adjacent to the existing retail store.
5. A minimum barrier of 1.2m shall be installed where a retail sales area is adjacent to vehicle movement areas.
6. Business owners are responsible to obtain and ensure compliance with all relevant permissions including those of the landlord.
7. Fire Department connections (Siamese connections) and hydrants must be unobstructed.
8. All provincial and health guidelines including those related to COVID-19 precautions, must be maintained.
9. All other municipal and provincial regulations will continue to apply.
10. The Town of Kingsville is authorized to inspect all temporary retail areas and require adjustments to the temporary retail areas to address compliance with these guidelines and other applicable municipal and provincial regulations.