

Policy



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Department/Section All		Policy Number POL-ADM-010
Subject Temporary Sidewalk Use		Enacted by Council: April 20, 2021
		Motion # THC-210420-16
		Review Period November 2021
Date Amended	Amending Motion #	Section(s) Amended

Purpose:

This policy encompasses the process for application, review and approval of temporary sidewalk use for outdoor patios/retail space in the urban areas of Trent Hills for the 2021 season. This policy is aimed at assisting with the economic recovery for the business community of Trent Hills by expanding the area for seating, table and retail service.

Policy Statement(s):

The intent of this policy is to:

- Set out the criteria for temporary sidewalk use for the creation of outdoor patios and retail space, including accessibility, safety and insurance requirements
- Set out application and approval process
- Once the site plan is approved and the permit is granted, no changes are permitted. Failure to comply with the approved site plan will result in the revocation of the permit and the applicant will have 24 hours to dismantle the outdoor patio/retail space.

Any permits issued under this policy shall be subject to any COVID-19 restrictions and/or regulations established or imposed by Provincial or Public Health authorities.

The approval of a Temporary Sidewalk Use permit will be based on a number of criteria including, but not limited to:

- Accessibility and safety for pedestrians;
- Safety and sightlines for motorists;
- Insurance coverage of \$5M, with the Municipality of Trent Hills named as additionally insured;
- A fire safety plan in place, including the placement of a fire extinguisher(s);
- All AGCO and Smoke Free Ontario rules and conditions must be followed (if applicable); and
- Site specific requirements may be required.

There are two types of Temporary Sidewalk Use this policy addresses:

Sidewalk Patios/Retail Space

- There must be at least 1.1 metre (110 cm) available for accessible pedestrian passage on the sidewalk not including the boulevard, in accordance with the Municipality of Trent Hills – 2007 Facility Accessibility Design Standards.

On Street Parking Space Use to extend the sidewalk

- Will be considered to accommodate commercial use, when the required 1.1 metre accessibility requirement is not available;
- The sidewalk extension shall be constructed to be level with the curb and without gaps to ensure accessibility and continuity of the travelled sidewalk;
- Will have a railing that creates a safe barrier for pedestrians;
- Will not be considered on Bridge Street East or Bridge Street West in Campbellford or at any location within 30 metres of a controlled intersection; and
- The County of Northumberland will be consulted on the request for any On Street Parking Space Use on a County Road.

In addition, this Policy will consider the following, as per AGCO guidelines regarding the extension of patio space to accommodate COVID restrictions and to support economic recovery for Trent Hills businesses:

Private Parking Lot Patios

- Will have a railing that creates a safe barrier for patrons

Municipal Land

- Will be considered if there is land adjacent to an establishment that does not have access to any other option for additional patio space.

Temporary Sidewalk Use/Outdoor Patios will not:

- Permit use of patio heaters;
- Permit smoking;
- Provide service between the hours of 11:00 pm and 7:30 am (EST).

Application Review and Approval Process:

The application requires the applicant include:

- Detailed site plan with proposed location of any tables, chairs, umbrellas, retail displays and railings/barriers etc. Drawing should also show dimensions of sidewalk, boulevard, and the location of any lamp/hydro poles, hydrants or trees/tree vaults;
- Certificate of Insurance in the amount of \$5M, naming the Municipality of Trent Hills as an additionally insured.

Each application shall undergo a process which will include:

- Review the application for conformity with this policy;
- Circulation to the appropriate departments (By-law, Fire, Planning and Development and Public Works) for comment on the suitability of the application. Consultation with Northumberland County, if required;
- Site visit;
- A final inspection will be required before operation can commence.

All permits issued under this policy shall be issued by the Community Development Officer.

Approved Temporary Sidewalk Use will be permitted to operate from May 1st to October 15th, 2021.