

Good afternoon Mayor and members of Council.

My name is BD, E.D. of the BDBA and my co-delegate this afternoon is Ted Kindos, owner/operator of two licensed restaurants in Burlington and member of the Burlington Restaurant Association.

We are here to speak in support of the report recommending options for the Temporary Use By-Laws governing outdoor patios in all seasons.

The report is comprehensive and timely.

As many of you know, members of Burlington's hospitality sector are already considering options and investments for outdoor service this winter.

There has been a recent series of requests from restaurateurs for clarity around the regulatory and approval processes for those wishing to proceed with a winter patio.

I think this report provides that clarity, thank you.

For my part of this delegation I would like to recommend one amendment to the current report and also offer a pledge of support.

My proposed amendment is in regard to the “financial matters” section of the staff report.

It indicates that city staff does *NOT* recommend the waiving of fees related to building permits for temporary structures.

This relates to tents or groups of tents where the aggregate area is greater than 60 meters squared and/or is less than 3 meters from another structure.

For operators that would like to pursue this option for the winter season – I am asking Council to waive this fee. The projected cost can be found in Appendix C.

In our view, IF the operator wishes to incur the cost of renting or buying a tent of this size, with appropriate heating and compliance to the Ontario Building Code and the purchase of services of a Professional Engineer just to turn on the lights...I am hopeful that they will receive relief from the municipality through a waiving of permit fees.....consistent with the mood of Council in the summer when the Temporary Use by-laws were enacted.

Finally, the report does an excellent job of explaining the pivotal role of “Winter Control Measures” in the case-by-case consideration of patio requests.

It is clear that the City must uphold its minimum maintenance standards on public right of ways, including snow removal, in the consideration of an application by the *Winter Patio Task Force*.

There will be occasions when the mechanical removal of snow from public spaces is impaired by a winter patio.

On these occasions we would like to see the deployment of non-mechanical snow removal, this could involve the manual removal of snow on the public right of way.

As you know, my organization has a prominent role to play, all year, in the maintenance of the public realm within our BIA.

We would consider a cost-share with the municipality for resources to remove snow, to the City's standards, for Downtown applicants that have successfully applied for a winter patio permit.

This is my pledge to Council and ask that it be given strong consideration by the *Winter Patio Task Force* when this criterion is being reviewed.

That concludes our delegation Chair, both myself and co-delegate Ted Kindos will stand by should there be questions.

Thank you