

# City of Burlington Outdoor Patio Program (PL-05-24)

Committee of the Whole  
Item 12.1  
Feb. 5, 2024



# Purpose

To provide a response to the motion from the CPRM Committee Meeting of Dec. 5, 2023, to:

- **Refer community planning department report PL-63-23 regarding the City of Burlington Outdoor Patio Program back to staff for additional information and further analysis and report back to the February 2024 committee cycle.**



# Engagement

- Staff engaged with stakeholders via subsequent meetings and communications.
- Numerous requirements revised due to additional consultation.



# Overview of Changes

- Modifications to regulations and process for Patios on Private Lands
- Modifications to guidelines for Patios on Public Lands



# Patios on Private Lands

- **What's Changed Since Last Report? – Zoning Regulations**
  - Outdoor patios allowed as-of-right.
  - Capacity requirements.
  - Breweries, wineries and distilleries as licensed by the AGCO are permitted to have a patio.
- **What Hasn't Changed? – Zoning Regulations**
  - Setbacks from residential. Won't affect participants from 2023.
  - Existing site-specific planning approvals.



# Patios on Private Lands

- **What's Changed Since Last Report? – Process**
  - Easier than before.
  - Comply with zoning.
  - Existing liquor licence expansion process for AGCO.





# Patios on Public Lands

- **What's Changed Since Last Report? – Patio Guidelines**

- Clarified application requirements.
- Clarified which operational materials are to be provided by applicant.
- Added flexibility.

- **What Hasn't Changed? – Patio Guidelines**

- Accessibility requirements as per consultation with City's accessibility specialist.



# Patios on Public Lands

- **Process – No changes from last report**
  - Staff asking for direction to draft By-laws to:
    - Implement permitting system.
    - Continue allowing patios/by-passes on the street.
    - Amend Rates and Fees By-law to implement recommended fees in 2024.





# Fee Options for Public Lands

- **Option 1 (Full cost recovery)**

- Application fee: \$492.92 per location
- Seasonal Patio Permit Fee: \$40.00 per square metre
- Safety Barrier Rental/Deployment Fee: \$123.04 per linear metre

- **Option 2 (Phase in fees over 3 years)**

- 2024 - \$162.66 per location, \$13.12 per sm, \$40.60 per lm
- 2025 - \$325.33 per location, \$26.40 per sm, \$81.21 per lm
- 2026 - \$492.92 per location, \$40.00 per sm, \$123.04 per lm

- **Option 3**

- Defer fees for X number of years (as determined by council)



# Insurance – Patios on Public Lands

Staff continue to recommend the resumption of the \$5 million liability limit for the 2024 patio season.



# Next Steps

- If the recommendations are approved, staff will:
  - Bring By-laws to council in March 2024 for enactment.
  - Continue communications, outreach and engagement.

