

Subject: 2021 Outdoor Patio/Display of Merchandise By-laws

Department: Community Services

Division: Economic Development and Culture

Report #: CMS-2021-004

Meeting Date: 2021-03-08

Recommendations

That report CMS-2021-004, dated March 8, 2021 be received;

And that Council pass by-laws amending the Outdoor Boulevard Café and the Display of Merchandise by-laws for the period up to November 30, 2021 and as outlined within this report;

And that Planning staff be directed to amend Outdoor Boulevard Café applications and permits accordingly.

Background and Analysis

At its June 8, 2020 and subsequent meetings, Council moved quickly to adapt the Town's Outdoor Boulevard Café and Display of Merchandise by-laws in response to the COVID-19 pandemic and impact that the virus was having on Orangeville's retailers and food establishments.

The Outdoor Boulevard Café amendments enabled establishments to open temporary patios and to apply for new outdoor boulevard café permits that permitted extending into a maximum of two parking spaces in front of their restaurants, provided that adequate sidewalk accessibility was maintained for patrons and the public. Outdoor boulevard café permits were also extended to October 31, 2020 and subsequently extended again to November 30, 2020.

Under the Display of Merchandise by-law, amendments permitted retail stores, while maintaining a sidewalk/walking area of no less than 1.5 m (5 ft), to maintain their

existing outdoor display space of .75 m (2.5 ft) from their facades or to erect a tent on the street side of the boulevard, but not on the roadway.

These measures allowed the public to safely enjoy service, meet social distancing requirements and other public health guidelines while also supporting the Town's retail and food sector businesses by expanding their capacity levels. The amendments were very well received by the business community.

2021 Recommendations

It is clear that the COVID-19 pandemic will continue well into 2021. Therefore, it is recommended that amendments to the Outdoor Boulevard Café and Display of Merchandise by-laws be permitted throughout 2021.

The following measures are recommended to provide flexibility for local food and beverage establishments and retail stores located on municipal property:

Outdoor Boulevard Cafés on municipal property

- Extend the temporary patio license season from April 1 – November 30, 2021 with appropriate health and safety measures in place and ensure that permits issued to businesses include clauses that ensure the removal of all outdoor patio furniture, equipment and other items as required for snow removal/property maintenance and/or for infrastructure upgrades scheduled by the Town;
- Enable expansion of patios into two parking spaces in front of food establishments effective May 1 – November 30, 2021;
- Throughout the season, adequate sidewalk accessibility must be maintained and adherence to all required safety items would be addressed by businesses as part of the permit application process and approved by the Town;
- All other elements of the existing Outdoor Boulevard Café by-law would remain in place.

Businesses interested in obtaining an Outdoor Boulevard Café license will be able to apply by submitting a completed application to the Planning Division.

Display of Merchandise

- Effective April 1 – November 30, 2021, while maintaining a sidewalk/walking area of no less than 1.5 m, businesses may utilize outdoor display space of .75 m (2.5 ft) from their façades; **OR**,
- Businesses may erect a tent on the street side of the boulevard, but not on the roadway, to display merchandise. Tents must be anchored/secured but not

attached/embedded to the sidewalk - weights must be used. Tents cannot be positioned adjacent to the façade.

-Retailers interested in expanding their space by erecting a tent on the street side of the sidewalk will be required to:

- Submit sketches (outlining tent location/size/anchors) and proof of insurance. A liability insurance policy in an amount of no less than \$2,000,000, with a cross liability clause naming the Town as an additional insured will be obtained and provided and provided to the Town. The Certificate of Insurance will name the "Corporation of the Town of Orangeville" as additionally insured for no less than \$2,000,000;
- Sketches and Certificates of Insurance will be submitted to Ruth Phillips, Manager, Economic Development and Culture - rphillips@orangeville.ca. Submissions will be reviewed and responses provided as quickly as possible.

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Economic Vitality

Objective: Attract, retain and expand businesses

Sustainable Neighbourhood Action Plan

Theme: Economic Development and Culture

Strategy: Implement initiatives that further Orangeville's identity as a cultural hub in the region

Notice Provisions

N/A

Financial Impact

None.

Respectfully submitted

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Attachment(s): N/A