

THE CORPORATION OF THE TOWN OF COLLINGWOOD

Temporary Patio Extension on Private Property Guidelines

Introduction

As of January 1, 2023, licensed patios require municipal approval to expand temporarily. Previously, a municipal statement of non-objections was required by the AGCO. A team has been set up to review requests for extensions of patios on private property. This process involves the review of public safety, access, location, and other site-related matters.

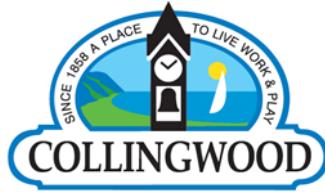
Who can apply?

The owner or employee of a restaurant or bar, with the consent of the property owner, can apply to temporarily extend their patio area on private property for a maximum of 8 months per year. Patio extensions are typically considered between April 1 and October 31 each year.

What is required?

To be eligible for a temporary extension, the patio must meet the following criteria:

1. The temporary patio must be accessory to (and directly associated with) a permitted restaurant on the property. To confirm if a restaurant is permitted, you can check the Town's [Zoning By-law](#).
2. The temporary patio must be located on the same lot (property) as the permitted restaurant and cannot encroach or be located on a separate property or public lands (i.e. Town road allowance).
3. The establishment of the temporary patio does not require the alteration of any grades or surfaces.
4. The temporary patio shall not occupy accessible parking spaces. The [Town's Zoning By-law](#) calculates minimum parking requirements based on the gross floor area of existing buildings - not on occupancy. Temporary patio extensions where insufficient parking is available may not be permitted and will be considered on a case-by-case basis. The Town reserves the right to limit the capacity of the temporary outdoor patio as a condition of approval based on site specific considerations (i.e. such as the availability of sufficient parking).
5. The temporary patio shall not include any permanent structures, including, but not limited to, footings, decks, roofs, gazebos, awnings, permanent fencing, electrical installations, visual screens and fueled fire appliances (i.e. propane heaters, BBQs). Patio furnishings, fences, and other patio improvements must be removable and not permanently fixed in place. All objects must be contained within the patio area and



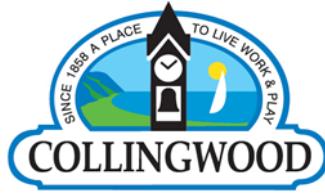
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removed after the patio ceases operation. A building permit is not required to add a temporary, ground-level patio.

Note: You will need a building permit for a temporary tent if the tent or group of tents exceeds 60 m² in area, the tent is attached to a building, or the tent is less than 3 m from other structures. Except for residential decks serving a house or single dwelling unit, a building permit is required for the construction of any structure, including a raised platform that is greater than 10 m² and is not directly supported on grade (i.e. greater than 180 mm above grade requiring stairs to access).

6. The temporary patio does not obstruct emergency access routes or exiting facilities (doors) at any time.
7. The temporary patio shall not be located within: 1.5 m of any fire hydrants, 0.6 m of any utility meters, 1.5 m of a vehicle travel lane, or 1.5 m of any utility vaults (transformers, utility boxes/poles, etc.)
8. All fire protection equipment is to be maintained per Ontario Fire Code regulations.
9. The temporary patio and affected lands shall comply with the Accessibility for Ontarians with Disabilities Act (AODA) at all times. Consideration should be made for:
 - Maintaining 1.5 m walkways/sidewalks
 - Protecting designated accessible parking spaces
 - Providing accessible access to the restaurant and temporary patio
 - Ensuring that the temporary patio is located on level ground
 - Compliance with the [Integrated Accessibility Standards Regulations](#)
10. The temporary patio shall not include any amplified sound and must comply with the Town's Noise By-law No. 2018-032. More information about the by-law can be found [here](#).
11. All signage associated with the temporary patio must comply with the [Town's Sign By-law No. 2012-110](#).
12. The temporary patio may not encroach into designated landscaping areas. The removal of or damage to landscaping (including trees, shrubs, garden beds, etc.) to accommodate the proposed patio extension is prohibited. Patios shall be designed around existing landscaping features.



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13. Where the temporary patio includes temporary fencing or delineation of space:

- Temporary perimeter delineation items that will be permitted include planters, stanchions, and movable fencing.
- Fencing and delineation items in a side or rear yard shall not exceed a height of 3 m.
- Fencing and delineation items located in the front yard shall be setback a minimum of 7.6 m from the front lot line and shall not exceed a height of 1 m.
- All delineation materials greater than 1 m in height must be at least 6 m away from the nearest intersection.
- Delineation elements must not be attached to street trees, sidewalk elements, or utilities.
- Free-standing or self-supporting delineation items must not create a trip hazard or project into the pedestrian clearway.
- To ensure cane-detectability for people with low or no vision, delineation elements must be a contrasting colour to the sidewalk/walkway.
- The Town's [Fence By-law 2013-046](#)

Other Permits and Approvals

You may need other permits if:

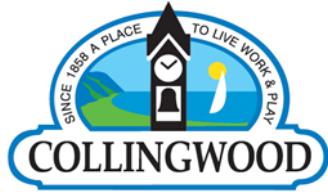
- Your lot is regulated by a Conservation Authority (i.e. Nottawasaga Valley Conservation Authority or Grey Sauble Conservation Authority). Should the temporary patio be located within an area regulated by a Conservation Authority, a permit or alternative clearance from the Conservation Authority Office may be required.

For more information regarding permits from Conservation Authorities please visit the websites linked below:

Nottawasaga Valley Conservation Authority: <https://www.nvca.on.ca>

Grey Sauble Conservation Authority: <https://www.greysauble.on.ca>

- Your patio is on public lands or right-of-way.
- You want to put up signage.



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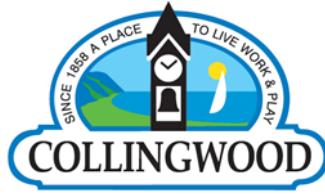
- You want to enclose your patio or build a structure.

Where patios do not meet the eligibility criteria identified above, Site Plan Control may be required. While Town staff will work with the applicant to process the application expediently, a more detailed review of the application and a fee will be required. Please get in touch with Planning staff to discuss the proposal at planning@collingwood.ca.

What do I need to apply?

The following items must be completed and submitted to Planning Department. Where all required material is not provided, the application will be determined to be 'incomplete,' which will result in delays in the processing of the application.

1. A completed application [form](#).
2. Written confirmation and authorization from the owner of the property (if different from the applicant).
3. A legible sketch/site plan/aerial photo of the proposed temporary patio, including:
 - The restaurant building location in relation to the proposed temporary patio;
 - The Gross Floor Area (GFA) of the restaurant. The GFA should not include any space used for storage, mechanical rooms, common halls, stairwells, private kitchens, washrooms and garages;
 - The temporary patio location, including dimensions and floor area;
 - The location of all proposed tables, chairs and patio elements, such as temporary fencing and temporary landscaping features, etc.;
 - The location of all emergency access routes and associated fire connections, where applicable;
 - The location of all pedestrian circulation routes (walkways/sidewalks) and the width of these routes; and
 - The dimensions (setbacks) of the patio to the lot lines, sidewalks, vehicle travel lanes, fire hydrants, utility meters, and utility vaults (transformers, utility boxes/poles, etc.).
4. The number and location of any parking spaces, as well as an indication if any loading/delivery/parking spaces are to be removed to facilitate the expansion or creation



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of a temporary outdoor patio. Note: accessible parking spaces shall **not** be temporarily removed.

5. Any other documentation and supporting materials required to support the temporary patio application. Please note that staff may request a copy of your liquor license during review of your application.

FAQs

Is there an application fee?

Yes, there are application fees. Current application fees can be found in the Town's [Fees & Charges Schedule](#). Please be advised that there is a fee for new temporary patios and a reduced fee for renewals with no changes.

Can I build a structure or enclosure on my temporary outdoor patio?

If your outdoor patio incorporates additional structures like a raised platform, you may require a building permit, and there may be zoning rules that prevent or regulate a structure or enclosure on a patio. There are also provincial Building Code regulations, fire safety regulations, and public health regulations that must be considered.

How long can I operate my temporary patio?

Temporary patios may only operate for a maximum of eight months per calendar year.

Can I operate a patio year-round?

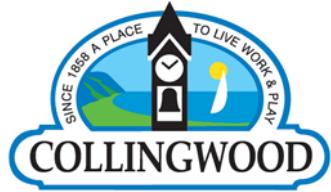
A new permanent outdoor patio may require a Site Plan Control application. While Town staff will work with the applicant to process the application expediently, a more detailed review of the application and a fee will be required. Please contact Planning staff to discuss the proposal.

I had a temporary patio last year; do I need to apply again?

Yes, you need to apply each year to temporarily extend your patio. However, if there are no changes to your patio, staff may be able to expedite your review. Please indicate you are applying for a renewal on your application form.

What if the temporary patio area is larger than the restaurant and/or existing patio area?

A temporary patio larger than the existing restaurant and/or patio area may be permitted and will be evaluated on a case-by-case basis. The Town reserves the right to limit the



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capacity of the temporary outdoor patio as a condition of approval based on site specific considerations (i.e. such as the availability of sufficient parking).