



THE CORPORATION OF THE CITY OF  
**BRANTFORD**  
**POLICY MANUAL**

**POLICY NUMBER: PLANNING-004**

**SUBJECT:** Patio Brantford – On-Street Patio Policy

**POLICY STATEMENT:**

The City of Brantford's On-Street Patio Policy allows businesses to establish temporary seasonal patios by using on-street. The temporary On-Street Patio Policy fits with the City's goals to promote and build on the distinctive character and locational advantages of Brantford while creating a vibrant streetscape. These patios can be used as commercial (dining or retail) or passive parklet-style spaces.

**RELATED POLICY PROCEDURES/GUIDELINES:**

**CRITERIA**

Location

- a) On streets with existing on-street parking.
- b) Where the on-street patio can be located directly in front of the associated business:
  - a. Consideration will be given to patios that extend up to one parking space past the business's frontage provided neighbouring businesses have given consent.
- c) Proposals must not obstruct underground utility access, electrical transformer vaults, utility boxes, parking meters, loading zones, transit stops, fire hydrants, crosswalks, emergency vehicle routes, as well as snow plow operations and waste collection and other infrastructure.
- d) Accessible parking spaces are not eligible to be used as on-street patios.

- e) Proposals must not obstruct the intersectional sight lines on any roads, and must be reviewed by the Engineering Department.
- f) Patio proposals will be dependent on the road classification (i.e. road speed), and subject to approval by the Engineering Department.

### Design Standards

#### Accessibility

- a) The patio, including entrances, must be compliant with the Accessibility for Ontarians with Disabilities Act (AODA).
- b) The patio base must have an accessible transition at the sidewalk and curb to permit easy access and avoid tripping hazards by means of decking that is flush with the sidewalk.

#### Structural

- a) The owner/operator shall provide a floor structure that accommodates the crown of the road and provides a level surface for the deck that is flush with the adjacent curb and sidewalk. Sample drawings are attached to this Policy.
- b) Patios may utilize umbrellas, however overhead assemblies including but not limited to any fabric roof coverings, or trellis-type shade fixtures are not permitted.
- c) The owner/operator of the on-street patio is responsible to ensure that any materials that are proposed to be used in the construction of the on-street patio is free of deterioration such as rotting, cracking, splitting, or any other deterioration that may affect the structural integrity and/or performance of the platform or any portion thereof.

#### Visual

- a) Patio installations must be set back from the travelled portion of the roadway by a physical barrier at a distance determined by the Engineering Department.
- b) To ensure visibility to moving traffic and parking cars, installations must be buffered using a temporary wheel stop at a desired distance of 1.2 metres (48") from each end. This standard must be included in the notice and plans provided to neighbouring businesses for consent.
- c) Lighting will be subject to review and will be designed and installed in such a way as to not create a visual or physical distraction to travelling public

on the sidewalk or roadway. For example, patio lantern-style light fixtures may be permitted, while larger format flood lighting may not.

- d) The use of art is encouraged to improve the aesthetics of the standard patio enclosures.

#### Additional Criteria

- a) The applicant shall have a valid business license in good standing with the City of Brantford (where applicable), including consent by the property owner if applicable.
- b) The applicant is responsible for all requirements of the Alcohol and Gaming Commission of Ontario pursuant to the sale and service of alcohol (where applicable).
- c) Copy of Insurance Certificate as required pursuant to the Temporary Patio License.
- d) All gates must swing into the patio space and not obstruct the sidewalk or travelled portion of the roadway.
- e) No umbrellas or other treatments can extend into the sidewalk or travelled portion of the roadway.
- f) Applicants must provide notice to adjacent business neighbours of their proposals, if available; provide the Planning Department with acknowledgement.
- g) Promotional signage/advertising will not be permitted on any patio or adjacent sidewalk, along the entire length of the patio, which may include neighbouring businesses.
- h) Unamplified entertainment or amusement shall be permitted on the patio.
- i) At the end of each business day, the owner/operator is required to clean the sidewalk in and around the outdoor patio area and remove debris to a covered refuse receptacle. Garbage cannot be placed in City waste receptacles.
- j) The City of Brantford will have the right to maintain the municipal property in order to carry out repairs or maintenance to the municipal property. Where possible, the City of Brantford will provide written notice five (5) days prior to entering. The City has the right at any time to suspend the permit and undertake removal of the patio at the applicant's expense.
- k) Access to Fire Department connections or exits from adjacent buildings must be maintained.

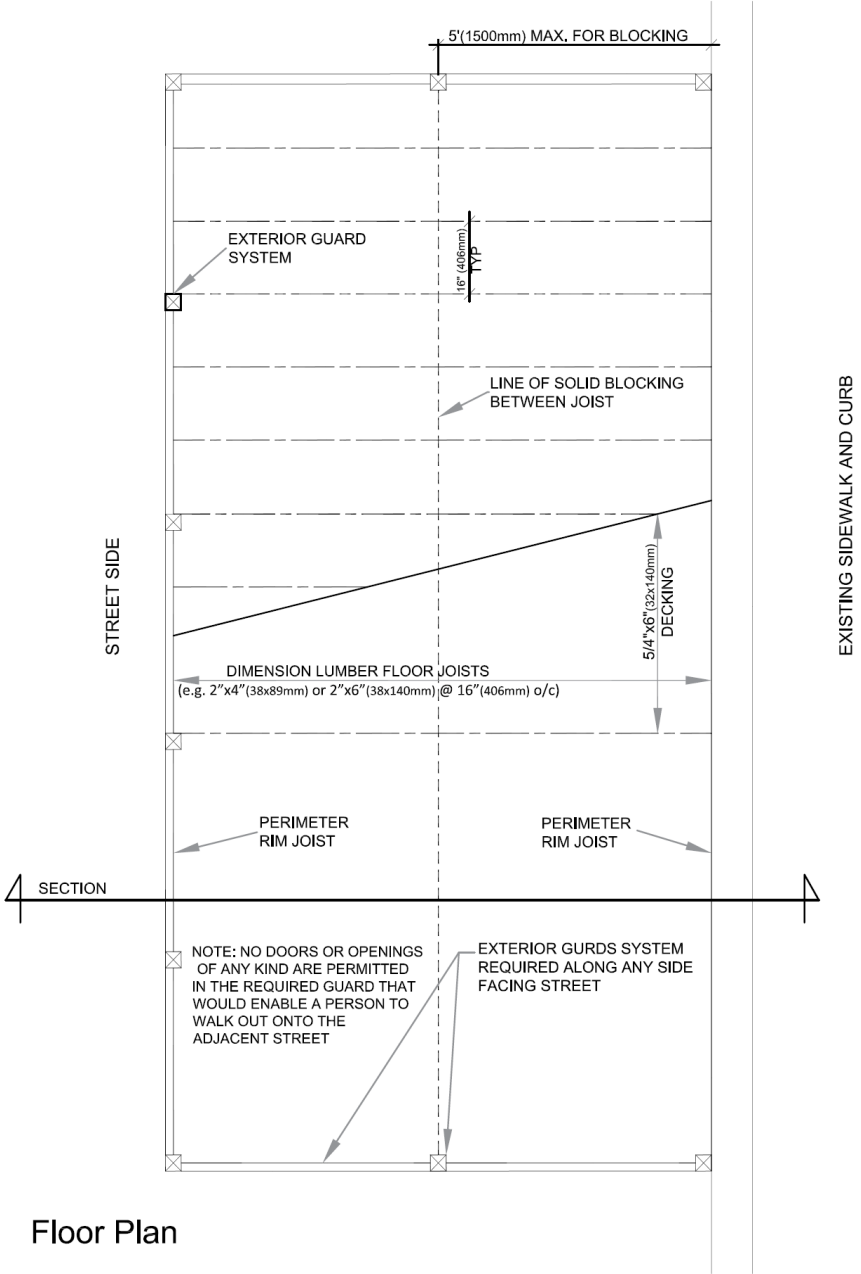
### Application Requirements

- a) Prepare plans and drawings of the proposed installation(s) using metric dimensions and standard drafting templates, in conjunction with the plans provided in this Policy.
- b) Complete the On-Street Patio Occupancy Permit Application.
- c) Enter into a Temporary Patio License with the City.

### Approval Process

- a) Submit your Permit application, as above, and five (5) copies of the required plans and drawings and photos of the proposed patio location to the Planning Department.
- b) Revise application in response to Staff comments, if necessary.
- c) Clear conditions of approval and receive a Temporary Patio License.
- d) Install on-street patio.
- e) Contact City Staff re: inspection.
- f) Obtain final approval by the Planning Department.

Date of Enactment:  July 16, 2020	Related By-law Number/Staff Report Number:  86-2020/2020-286 (Original) 206-2020/2020-286 (Amending) 63-2021/2021-99 (Amending) 95-2022/2022-359 (Amending)
Review and Amendment Dates:  November 24, 2020 March 23, 2021 June 28, 2022	Department Responsible for Review:  Planning
Date of Next Review:	Applicable Legislation/Legislative Authority:



Floor Plan



# Schedule B – Concept Patio Plan (Cross Section)

