



**APPLICATION FOR TEMPORARY PATIO ON PRIVATE  
PROPERTY DUE TO COVID -19 PANDEMIC**

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**Applicant Information**

Legal Name of Applicant: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Property Information**

Legal Name of Property Owner (if not applicant): \_\_\_\_\_

Phone No.: \_\_\_\_\_ Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_ E-mail: \_\_\_\_\_

Property Address: \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

\_\_\_\_\_

Roll Number: \_\_\_\_\_

**Patio Information**

Proposed Installation Date: \_\_\_\_\_

Description of Patio (On-Street, Sidewalk, Materials to be used, etc.):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Occupant Load of Establishment \_\_\_\_\_  
(According to the *Ontario Building Code*.)

Occupant Load of Proposed Patio \_\_\_\_\_  
(According to the *Ontario Building Code*.)

Describe washrooms for use in Establishment (i.e. number, accessibility, etc.).

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Will alcohol be available/served on the patio? \_\_\_\_\_

It is the responsibility of the applicant to meet all licensing requirements that would normally be required to operate the commercial establishment (Health Unit, **Alcohol and Gaming Commission of Ontario**) and provide confirmation of same upon request.

**Applicants are required to provide a Patio concept to scale and properly labelled with the following minimum information:**

- The location and dimension of the building establishment, the entrances, exits and washrooms.
- The location and use of the adjacent buildings, the entrances and exits.
- The location and dimension of the patio, the entrances and exits.
- The area of the patio (in square meters).
- Location and dimension of any enclosures umbrellas/tents, awnings, etc.
- The location, height, construction material and fence design to be used for the boundary fence, gate location and width of gate(s).
- Location of table, chairs, etc.
- Expected occupant load.
- Location of ALL municipal services and/or assets within the identified Patio location or in close proximity (e.g. location of curbs, municipal parking spaces to be utilized, sidewalk, hydrants, storm sewer grates, manholes, trees and diameter of trees, etc.).

**TEMPORARY PRIVATE PATIO PERMIT**

**Authorization and Certification**

I \_\_\_\_\_ the applicant certify all the information provided herein is true and accurate.

Signature of Applicant \_\_\_\_\_ Date: \_\_\_\_\_

If the applicant is not the owner of the land that is the subject of this application, the authorization set out below must be completed by the owner.

I/we \_\_\_\_\_ am/are the owner(s) of the land that is the subject of this application.

I/we authorize \_\_\_\_\_ to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application.

Signature of Owner \_\_\_\_\_ Date: \_\_\_\_\_

**For Haldimand County Use Only**

*Application Reviewed By:*

<i>BBE</i>	<input type="checkbox"/>	<i>EDT</i>	<input type="checkbox"/>
<i>Planning</i>	<input type="checkbox"/>	<i>Other</i>	_____
<i>Emergency Services</i>	<input type="checkbox"/>		

Application Approved       Application Not Approved

Approval Authorization: \_\_\_\_\_  
*General Manager, CDS Signature*

Permit Number:

**THIS IS A TEMPORARY PERMIT FOR A PATIO ON PRIVATE PROPERTY AND IS VALID FROM MARCH 15, 2021 to JANUARY 1, 2022 OR UNTIL PROVINCIAL ORDERS AS A RESULT OF THE COVID-19 PANDEMIC ARE LIFTED AND THE BUSINESS IS ABLE TO RETURN TO 100% OPERATIONAL CAPACITY.**

## **REQUIREMENTS FOR TEMPORARY PATIO ON PRIVATE PROPERTY DUE TO COVID -19 PANDEMIC**

Haldimand County recognizes the impact that closures as a result of pandemic have had on local businesses. As businesses begin to reopen under new capacity restrictions, Haldimand County is providing these businesses the ability to erect a temporary patio on private property during this time. Upon completion of an application Haldimand County will issue a temporary permit for patios to be placed on private property from March 15, 2021 until January 1, 2022 or until the Provincial Orders as a result of the COVID-19 pandemic are lifted and the business is able to return to full operational capacity. Note that after the Provincial orders are lifted or after January 1, 2022 whichever ever comes first, all patios will be required to comply with Haldimand County Zoning By-law regulations and applicable Ontario Building Code requirements.

This program is intended to be flexible in granting permission to commercial establishments. The program will consider various types of patios that make use of private property including the use of parking spots on the property. It is intended that patios will be granted for establishments located in the defined downtown areas and community improvement project areas. Commercial areas and hamlets can also be considered. Eligible establishments include restaurants, taverns and other eating and drinking establishments, as well as micro-breweries.

### **Application Process:**

The application process will be administered by the Haldimand County, Economic Development and Tourism (EDT) Division. Prior to submission, applicants are encouraged to contact EDT staff to review their application. Once the proponent has submitted a complete application, the Economic Development and Tourism Division will proceed to circulate the request through a staff review committee. The internal review committee will include: Planning and Development, Emergency Services, Building & Municipal Enforcement Services, and Economic Development & Tourism Divisions.

Once the application has been reviewed by staff and if all requirements have been met, the staff review committee will recommend approval of the application. Once approval has been recommended, a Permit will be authorized by the General Manager of Community and Development Services.

### **General Requirements**

The Permit Holder shall adhere to the following requirements:

- Patios shall only be permitted from March 15<sup>th</sup>, 2021 until January 1, 2022 or until the business is able to return to 100% operational capacity.
- All patios are to be constructed on a temporary basis and should not be permanently installed.
- Patios will operate only during normal business hours and must cease operation by 11:00 p.m.
- It is the responsibility of the applicant to meet all licensing requirements that would normally be required to operate the establishment (Health Unit, **Alcohol and Gaming Commission of Ontario**) and provide confirmation of same upon request.

- Smoking will not be allowed on any patios or sidewalk patios as per provincial regulations.
- Maintenance of the patios will be the responsibility of the applicant (including removal if required by the County).
- Applicants are responsible for all costs associated with the construction, maintenance, storage and removal of the patio and any items associated with the installation of the patio.
- Fencing shall be free from loose or insufficiently secured, rotten, warped or broken materials and objects and constructed or erected so as not to become an accident hazard
- A copy of the permit shall be posted onsite at all times.
- All patios will be reviewed in accordance *The Fire Protection and Prevention Act* and may be required to be added to the Fire Safety Plan.
- No trip hazards can occur with the installation of patio such as the running of extension cords.
- Permits are valid from March 15<sup>th</sup>, 2021 to January 1, 2022 or once the business returns to 100% operational capacity which ever comes first.
- No patio shall be within 9 metres of the sight triangle where a property is located at a street intersection or at the County's discretion.
- A removable fence or other suitable barrier, shall be erected to clearly delineate the area being used for the patio.
- Structures such as decks may be permitted and may require a building permit, at the expense of the applicant.
- If heaters are to be installed on patios, they will be required to meet Fire Code standards. Applicants will be advised of Fire Code regulations for patio heaters and will be requested to reach out to Haldimand County's Fire Prevention Officers to discuss their plans to install heat and any type of tent structure.
- Patios are permitted adjacent to and abutting the restaurant's frontage and/or flankage and cannot impact the neighbouring property's frontage. Patios not adjacent to existing frontage may also be considered provided they satisfy the all other requirements of the program.
- No changes can be made to the structural integrity of the patio or barriers without consultation with Haldimand County Staff.
- Any gates must swing into the patio space and not obstruct the sidewalk.
- Patios cannot be placed in barrier free parking spaces.
- Patios shall not obstruct stormwater flows or block stormwater drains.
- No outdoor food preparation shall be permitted, unless otherwise authorized through the Haldimand Norfolk Health Unit.
- If installing a deck it must be constructed of a slip-resistant surface.
- The deck and patio, including entrances, must meet all AODA requirements.
- Railings and vertical elements should be a minimum of 0.91 metres (36") and no higher than 1.07 metres (42") in height.
- No umbrellas or other treatments can extend into the sidewalk or travelled portion of the roadway.
- Vertical elements, including but not limited to umbrellas, must be securely installed to prevent them from leaving the patio area.

□ As part of the extension of the patio program the applicant is responsible for snow removal around and adjacent to the existing patio. Failure to comply will result in their patio permit being revoked, therefore requiring the business owner to remove the patio at their own expense.