

Meeting Date: April 4, 2023

Subject: Outdoor Patio Program in Bolton - Master Patio Agreement with Region of Peel

Submitted By: Sandra Dolson, Economic Development Officer, Community Services

RECOMMENDATION

That the Mayor and Clerk be authorized to execute the Master Patio Agreement attached as Schedule A with the Region of Peel as it relates to delegating authority to the Town to process and approve restaurant patios located within the Region of Peel right of way in the Bolton business improvement area.

REPORT HIGHLIGHTS

- The Bolton Downtown Revitalization Plan (the Plan) was adopted by Council in April 2021.
- An outdoor patio program has been implemented to support local restaurants and activate the street(s).
- Patio “season” is May 1 to October 31.
- Sidewalk Patios adjacent to restaurants located on Queen Street North are within the Region of Peel right of way.
- Currently permission to have a sidewalk patio would require a Town of Caledon Business License and an encroachment agreement with the Region of Peel.
- To reduce processing time and cost, creating a “one stop” process for the applicant an Agreement to delegate authority from the Region of Peel to the Town of Caledon to process and approve sidewalk patios in the right of way is required.

DISCUSSION

The Bolton Downtown Revitalization Plan (the Plan) was adopted by Council in April 2021.

The Plan provides a framework to guide revitalization of the historic downtown commercial area of Bolton through four pillars: Organizational, Design, Economic Vitality and Promotion.

A number of actions in the Plan are focused on activating the streets as a way to directly support local businesses and attract residents and visitors to the area.

An outdoor patio program has been implemented to support local restaurants and activate the street(s). Patio “season” is May 1 to October 31. The program includes patios to be located on the sidewalk.

In order to allow sidewalk patios a number of policy changes were required:

- Zoning By-law Amendment, completed in 2022
 - o To allow patios to be located on public property adjacent to a restaurant, including specifications regarding, setbacks, size, season, and approval
- Business License By-law Amendment, completed in 2022
 - o Adding Temporary Patios. The By-law provides rules and process to ensure safety, accessibility, Building and Fire Code compliance
- Region of Peel
 - o On-street parking on Queen Street North to become permanent (initially implemented as a pilot project), completed in 2022
 - o Traffic By-law Amendment to allow for the sale of goods, as it pertains to patios, within the Right of Way, to be considered by Regional Council on April 13, 2023

In order for the patio program to be a success the process cannot be onerous for the business owners. Currently, an applicant for a sidewalk patio located in the Region of Peel's (Region) right of way are required to go through the Town's business license process, in addition to entering into an encroachment agreement with the Region, which adds considerable process, time and expense for the business owner. Town and Regional staff have worked collaboratively to find a solution to reduce cost and processing time.

Staff are recommending entering into a Master Patio Agreement with the Region which will delegate authority to the Town of Caledon to process and approve patios located in the right of way through the Town's business license process. Staff at the Region of Peel worked in collaboration with Town of Caledon staff and are supportive of this agreement. On April 13th Region of Peel staff will bring a report to Regional Council as staff in both the Town of Caledon and the Region of Peel will require authority to sign the Master Patios Agreement.

The business license for a patio requires the business owner to enter into an encroachment agreement, however it would be between the business owner and the Town. The encroachment agreement has been reviewed and agreed upon by the Region and Town's legal staff allowing the agreement to be standardized.

Staff believe having delegated authority to approve patios provides a "one-stop" approach for the applicant. The application, review, approval, encroachment agreement and fee processed through a business license.

FINANCIAL IMPLICATIONS

There are no financial implications.

COUNCIL WORK PLAN

Sustainable Growth – Bolton downtown revitalization

ATTACHMENTS

Schedule A: Proposed Master Patio Agreement

