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**To:** Council  
**From:** Debi Lucas, CAO  
**Date of Meeting:** May 10, 2023  
**Subject:** By-law No. 2023.038 Adopt a Temporary Patio Extension Policy

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**Recommendation:**

That By-law No. 2023.38, being a by-law to adopt a Temporary Patio Extension Policy, be read and passed in open Council signed and sealed this 10<sup>th</sup> day of May, 2023.

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**Executive Summary:**

New regulations established by the Alcohol and Gaming Commission of Ontario (AGCO) in 2023 have downloaded the responsibility of approval for temporary patio extensions for licensed establishments to local municipalities.

At the April 26 Regular Meeting of Council, a proposed approval process for applicants was presented for Council consideration. The new process includes an application form requiring detailed information of the proposed patio extension that would be reviewed by Township staff prior to approval, as well as an associated fee.

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**Background:**

Traditionally, the Alcohol and Gaming Commission of Ontario (AGCO) were the governing body for any temporary and permanent licensed patio extensions for the hospitality industry.

In June 2020, in response to the COVID-19 pandemic, the AGCO permitted certain liquor sales licensees and by-the-glass endorsement holders (i.e. restaurants and breweries) to temporarily create or extend an outdoor area adjacent to their existing licensed premises without application to the AGCO.

The regulations established in June 2020 remain in effect, but new regulations came into effect on January 1, 2023. The AGCO will no longer receive applications for temporary patio extensions for licensees. These approvals have been downloaded to the local municipalities.

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**Alignment with Community Strategic Plan:**

Goal 3: Economic Growth

Objective 3.1: Small Business Retention

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**Risk and Asset Management Considerations:**

There are no perceived risks associated with the approval of this policy. As the approval body, staff will review all patio extension applications to ensure compliance prior to the establishment of a patio extension.

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**Options:**

1. That Council approve the Temporary Patio Extension Policy
  2. That Council does not approve the Temporary Patio Extension Policy
  3. Other
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**Financial Impact:**

There is no financial impact expected from the approval of this policy. While staff time would be accumulated for review of applications, the associated fee established is expected to recover those costs.

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**Others Consulted:**

Director of Planning and Building  
Chief Building Official  
Fire Chief  
Public Works Supervisor

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*Prepared by:*

*Chris Hemond, Economic Development and Communications Coordinator*