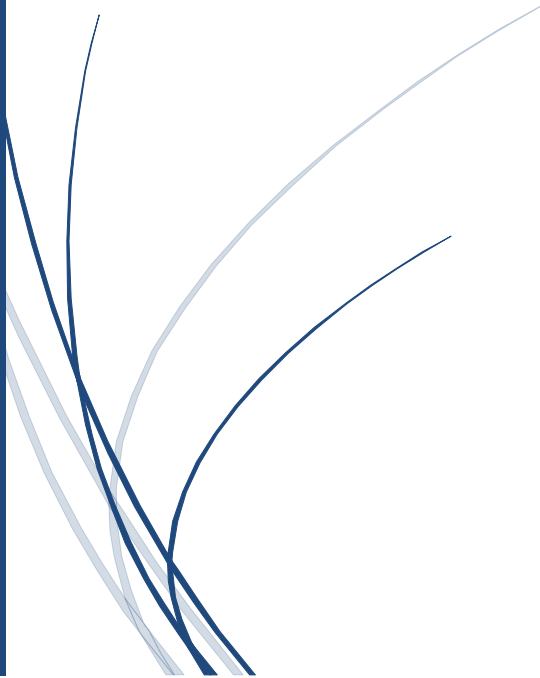




Sidewalk Patio Standards and Application Guide

Engineering and Development Services Department



Contents

1.0	Purpose	3
2.0	Application Process	4
2.1	General Overview	4
2.2	Steps in the Application Process	5
3.0	Classifications	8
3.1	Boulevard Patios	9
3.2	On-street Parking Space Patios	12
3.3	On-Street Parking Considerations	15
4.0	Design Details	16
4.1	Functionality	16
4.2	Furniture	18
4.3	Fences and Plantings	19
4.4	Additional Features	20
5.0	Maintenance and Enforcement	22

The City of Belleville would like to thank the City of London for allowing us to use some of their graphics to help us out the various patio set-up classifications and design details.

1.0

Purpose

To **clearly state our expectations** for seasonal patios and other pop-ups that will occupy part of our municipal sidewalk, on-street parking spaces, or both.

Our goal is to support property and business owners to successfully obtain an encroachment agreement by outlining the specific requirements and minimum standards.

Sidewalk patios and other pop-ups can help create a lively urban environment. Our intention is to ensure that any developments uphold and enhance universal accessibility, public safety, and our desired vision for the streetscape.

*We want to encourage **inclusive use and enjoyment** of our local businesses and community spaces.*

The standards in this guide apply to all businesses and property owners in Belleville who wish to place a seasonal patio or other pop-up within the public right-of-way, in on-street parking spaces, or both.

We invite you to consult this guide prior to completing your application for an encroachment agreement. To get an encroachment agreement you must complete the application and consultation process with our Engineering and Development Services Department and pay the associated fees.



2.0

Application Process

2.1 General Overview

The City will approve seasonal patios and other pop-ups that will occupy a municipal sidewalk, an on-street parking space, or both through an encroachment agreement.

- Encroachment agreements are valid seasonally from May 1st to October 31st.

Our Engineering and Development Services (EDS) Department handles applications and encroachment agreements. You can complete your application by:

- picking up a copy from EDS on the second floor of City Hall, or
- download the [Encroachment Agreement Application](#) from our website

Once you complete your application submit it to EDS along with the required fees.

The first time you apply for an encroachment agreement you will need to submit the full application and all supporting materials. After your initial encroachment agreement, each subsequent year you only need to submit a renewal application, unless anything changes or if there are any issues.

We have the right to reject an application if we determine that the patio or pop-up does not enhance our public spaces or comply with our minimum standards.

All seasonal patios and pop-ups must comply with the Accessibility for Ontarians with Disabilities Act and support inclusive use and enjoyment of our public spaces.



2.2 Steps in the Application Process

1. Select Patio Classification

Use Section 3 of this guide to determine which patio set-up is best suited for your location.

Note: If you will be using an area in front of an adjacent property for your set-up you need to include either:

- written consent from that property owner, or
- if the usage is in support of a Belleville Downtown Improvement Area (BDIA) initiative, a letter of support from the BDIA

There are six patio classifications that show acceptable set-ups. **Select an approved classification from Section 3** and then **follow the design standards from Section 4** to ensure your patio or pop-up complies with the minimum standards.

- Where standards are enhanced, meet the desired outcomes of these guidelines.

2. Plans & Drawings

We only require these plans and drawings for your initial application. If the details of your patio or pop-up stay the same each year, after you get your first encroachment agreement you only need to submit a renewal application.

We may require you to submit another full application with new plans and drawings if:

- you are redesigning or resizing the patio, or
- there were issues noted with your set-up during the previous season

When completing your initial application, you must include plans or drawings that show:

- a. An overhead view of the set-up and location of your patio or pop-up
 - It must show compliance with the classification and design requirements, with obvious indication of your 1.5 metre clear width for path of travel
- b. A street-level view of your proposed design features such as fencing, flowers and planters, furniture, and lighting for example
 - Include any sample photos, drawings, or plans that provide details about your design features
- c. The entrance to the patio and entrance to your building

- d. The location of any surrounding streetscape amenities, such as trees, bike racks, traffic partitions, and benches for example
- e. Any adjacent properties that may be affected by your set-up
- f. Details of the patio surface and how elements will be affixed to the surface
- g. Include at least three photos of the patio or pop-up area including one from the front facing your business, one from the left, and one from the right

3. Submit for Staff Review

Submit your package to EDS staff on the second floor of City Hall. Staff from various City of Belleville departments may be involved in the review of your application and will provide feedback on modifications or recommend it for approval.

To determine approval, we will evaluate your application based on the following criteria:

- Compliance with the minimum standards outlined in this guide
- Accessibility, compliance with Accessibility for Ontarians with Disabilities Act and assessment of inclusive use
- Safety of the patio location, set-up, and design features
- Structural compliance
- Design, how well your chosen features fit with our desired streetscape and enhance the public space

4. Consultation

In some cases, after reviewing your application we may call you in for a consultation. During this consultation we will discuss details specific to your location and desired set-up, and how to ensure your application meets the requirements.

5. Construct and Operate

Once approved, we will issue you an encroachment agreement to proceed with your plans as outlined in your application.



3.0

Classifications



There are six potential set-ups for a patio. Selecting the right classification for your specific location will ensure the streetscape is enhanced and the safety of patrons and the public is secured.

- When choosing your classification, **remember to consider** the existing streetscape, surrounding uses, and availability of space.

Patios must respect adjacent businesses and not impede the flow pedestrians or pedestrian traffic movements.

Sidewalk patios fit into two categories:

1. Boulevard patios, set-ups entirely within the public right of way (sidewalk)
2. On-street parking space patios, set-ups using an on-street parking space

The following pages explain in detail each of the six potential patio locations and include minimum and maximum measurements related to each situation.

3.1 Boulevard Patios

1. Along the Curb

- Located on the municipal sidewalk, along the edge of the curb.
- Clear path of travel is located between the associated building and the inside edge of the patio.
- Ensure there is a clear 1.5m radius around streetscape objects that are within the path of travel.
- Clear path of travel is measured from the edge of tree grates, light posts, and any fixed elements.
- Minimum buffer of 0.5m between the outside edge of the patio and the curb.
- Align the patio entrance with the main entrance of the business.

We prefer this set-up as it maintains a consistent path of travel along the storefronts for pedestrians, while still providing adequate patio space.

Summary of Required Distances

Clear Path of Travel	1.5m (min)
Distance from Curb	0.5m (min)
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)

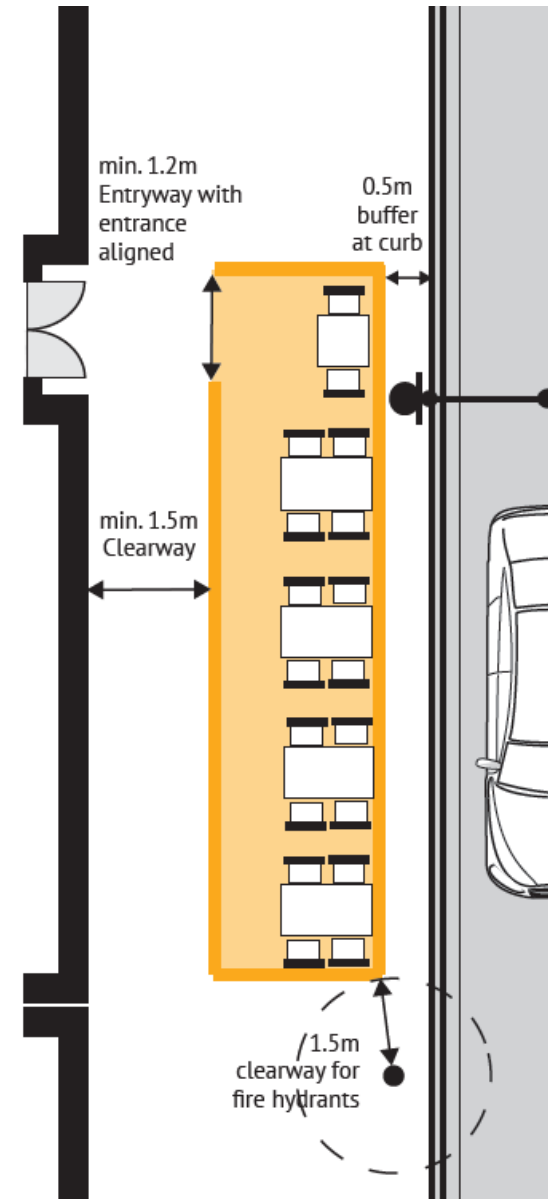


Image Credit: City of London, ON

2. Along the Building

- Located right along the building and extending out beyond the front property line into the sidewalk area.
- Clear path of travel is located between the outer edge of the patio and the curb.
- Ensure there is a clear 1.5m radius around streetscape objects that are within the path of travel.
- Clear path of travel is measured from the edge of tree grates, light posts, and any fixed elements.
- Align patio entrance with the main entrance of the business.

Note: This classification is unsuitable for locations where there are a lot of existing streetscape objects that would cause a zig-zag path of travel for pedestrians. In such situations, where patios can be located elsewhere this set-up should not be considered.

We will assess this when reviewing your application.

Summary of Required Distances

Clear Path of Travel	1.5m (min)
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)

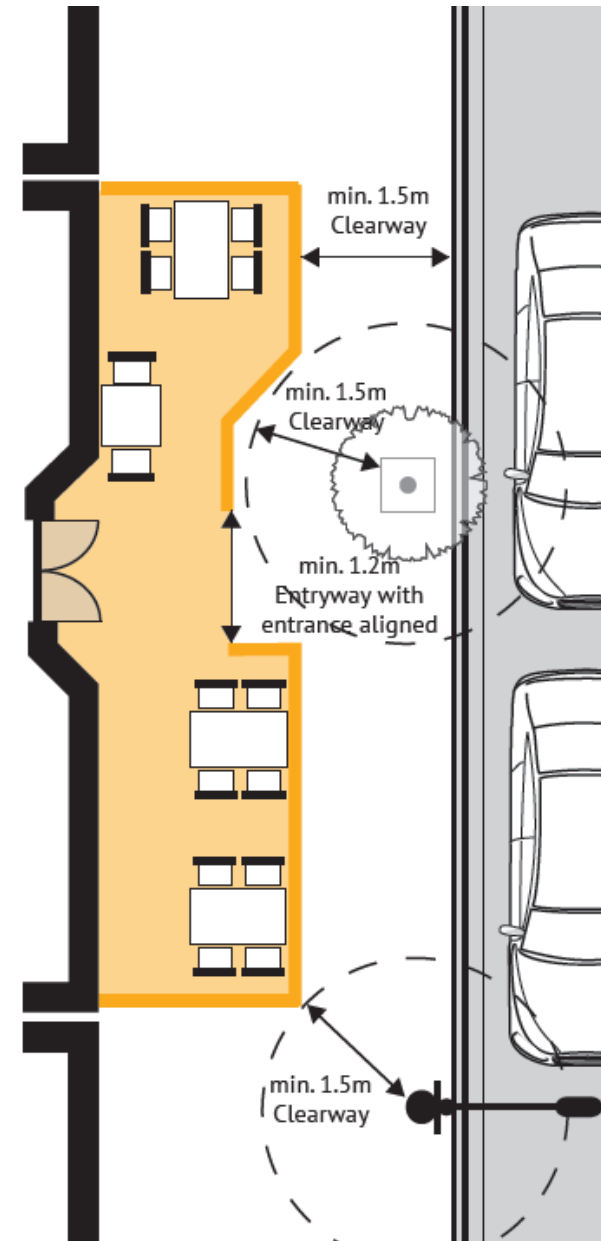


Image Credit: City of London, ON

3. Near a Corner

Patio is located along the curb and follows the same set-up requirements as #1 OR patio is located along the building and follows the same set-up requirements as #2.

Patios near corners and intersections have additional requirements to ensure the increased activity will not interfere with pedestrian flow and safety.

- Minimum clearway of 3m out from the corner and intersection.
- Maintain a 6m x 6m sight triangle across the corner.

Summary of Required Distances

Clear Path of Travel	1.5m (min)
Distance from Curb	0.5m (min)
Clearway from Corner	3.0m (min)
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)

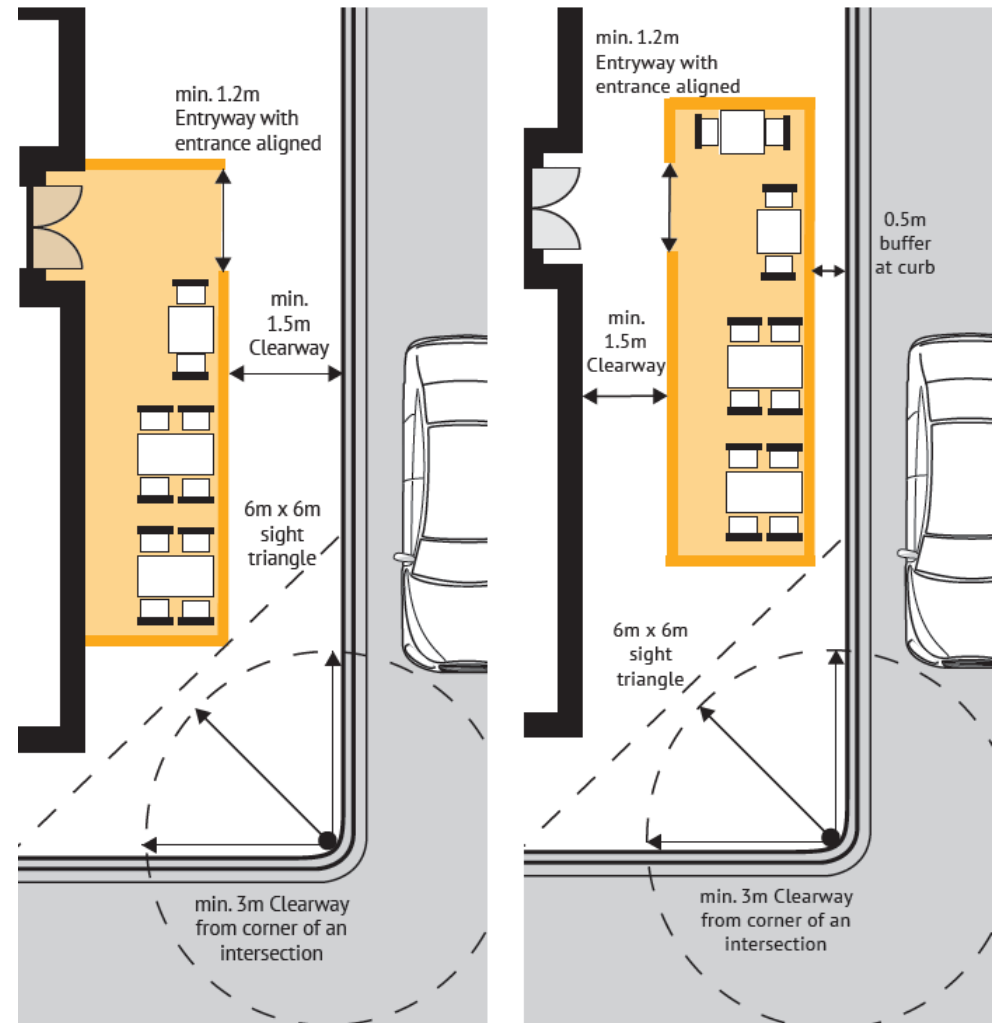


Image Credit: City of London, ON

3.2 On-street Parking Space Patios

4. In On-Street Parking Space

Where the public right-of-way is not large enough to support a patio on the sidewalk, or subject to City consideration, patios may be located within an on-street parking space subject to an agreement with the City.

- Regular sidewalk is maintained, clear path of travel is located between the associated building and the curb.
- Patio surface must be brought to the same height as the sidewalk and have no gap between surfaces.
- Patios must occupy complete parking spaces and have a minimum of 4m of the parking space located directly in front of the associated business.

This set-up has a minimal effect on the flow of pedestrian traffic and will be preferred in some locations. We will assess this when reviewing your application.

Summary of Required Distances

Clear Path of Travel	1.5m (min)
Length	6.7m (min) (1 parking space)
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)

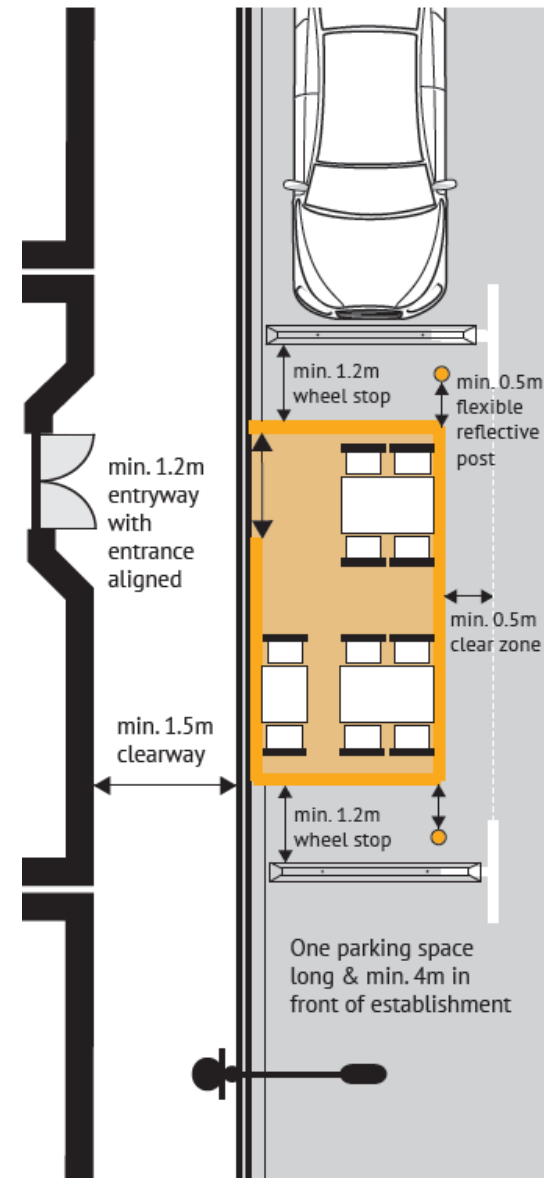


Image Credit: City of London, ON

5. Joined Combination

To create a larger patio, it may be suitable to choose a set-up that combines sidewalk space and on-street parking.

- Clear path of travel is located between the inside edge of the patio and the associated building.
- Ensure there is a clear 1.5m radius around streetscape objects that are within the path of travel.
- Use of an on-street parking space is subject to an agreement with the City.
- Align the patio entrance with the main entrance of the business.
- Patio surface must be firm, flat, and stable. The surface within the on-street parking space must be brought to the same height as the sidewalk. There must be a level transition with no gap between the two portions.

We prefer this option because it allows a larger patio to accommodate more patrons, while maintaining a consistent clear path of travel along the storefronts for pedestrians.

Summary of Required Distances

Clear Path of Travel	1.5m (min)
Length	6.7m (min) (1 parking space)
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)

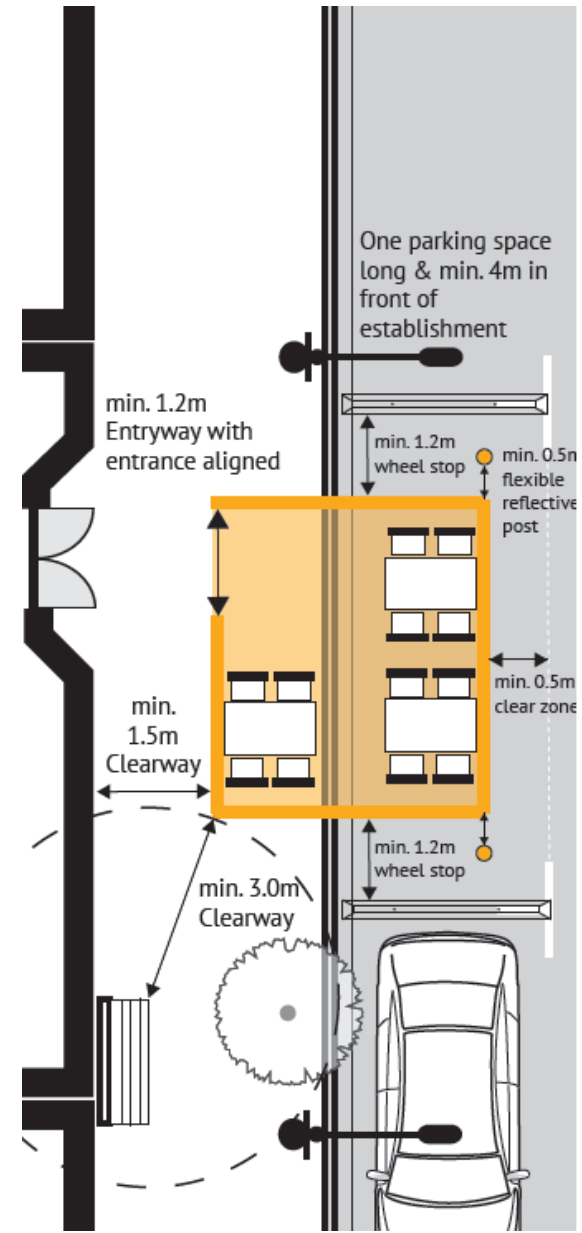


Image Credit: City of London, ON

6. Split Combination

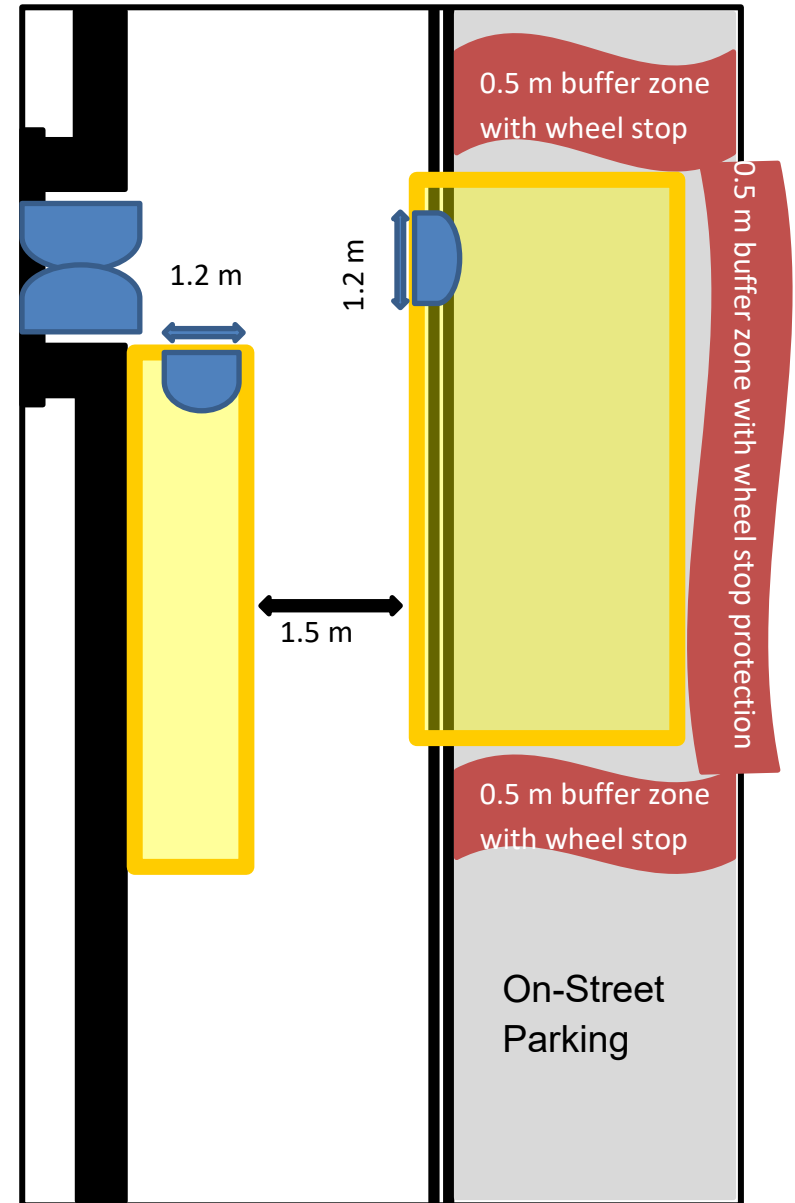
Depending on your location and the existing streetscape objects, it may be suitable to choose a split combination to gain a larger patio space.

- Patio space within the on-street parking spot must meet the same set-up requirements as #4.
- Patio space along the building must meet the same set-up requirements at #2, with the patio entrance located as close as possible to the main business entrance.
- Clear path of travel is located between the inside edge of the patio space that is in the on-street parking spot and the inside edge of the patio space that is along the building.
- Use of an on-street parking space is subject to an agreement with the City.

This option also allows for a larger patio to accommodate more patrons, while still maintaining a relatively consistent clear path of travel for pedestrians. This option should be considered based on your location and the existing streetscape objects in the area.

Summary of Required Distances

Clear Path of Travel	1.5m (min)
Length	6.7m (min) (1 parking space)
Entrance	1.2m (min)
Distance from Streetscape Objects	1.5m (min)



3.3 On-Street Parking Considerations

- A full parking space length must be used. The parking area that remains available on either side of the patio must provide one or more full parking spaces of 6.7m length.
- The outside edge of the patio must be at least 0.5m away from a lane of traffic, creating a 0.5m buffer zone.
- Wheel stops must be placed 1.2m from the side of a patio to provide a buffer zone between it and the next parking spot.
- Patios must have flexible reflective posts, at least 1.2m high, placed 0.5m from both corners of the patio that are in the roadway. The reflective elements should be in line with the outside edge of the patio that is parallel to the lane of traffic.
- You are responsible to pay a fee for the use of the on-street parking space., Fees are calculated based on the average revenue generated by an on-street parking space during the term or season.
- The patio surface must be designed for easy removal and to prevent damage to the underlying roadbed. Your plan for installing wheel stops and flexible posts must be included as part of your application and is subject to our approval.
- The substructure design of a patio will vary and depends on the slope of the street and the overall design of the structure. The sub-structure must accommodate the crown of the road and provide a level surface for the patio. Adjustable deck support pedestals that can be placed under the surface and of different heights are a common application. Another method is to provide steel sub-structure and angled beams.
- The design of the patio structure should not inhibit the adequate drainage of storm water runoff. Small channels between the base and the platform should facilitate drainage.
- Guardrails must be present around the three sides of the patio that border parking spots and traffic laneways. They must be constructed to the following specifications:
 - minimum 1.07m high
 - designed and attached in a manner to resist a concentrated load at any point of not less than 1kN
 - designed and attached in a manner to resist a uniformly distributed load of 0.75kN / m
- Open guardrails are encouraged to reduce the risk of high winds using the guardrail to move the patio structure
 - Openings through the guardrail shall be a size that will prevent the passage of a spherical object having a diameter of 100mm.

4.0

Design Details

Sidewalk patios consist of structural, functional, and decorative features. To ensure public safety, inclusive use, and enhancement of the vision for our streetscapes, the following sections outline our minimum requirements for the various features of a sidewalk patio.

We encourage creativity and the development of unique outdoor dining spaces that meet our design detail requirements.

4.1 Functionality

Clearway

- Maintain an unobstructed pedestrian pathway of at least 1.5m at all times. The location of the path of travel relative to the patio will depend on your patio set-up.
- Clear path of travel is measured from the edge of tree grates, light posts, and any fixed elements.
- Patios located at a corner will require a clearway of 3m out from the corner of the intersection.

Entryway

- Provide an entryway to the patio of at least 1.2m wide and, where possible, align it with the entrance to the corresponding business.
 - If the patio entrance cannot align with the business entrance they should be as close to each other as possible.
- Maintain the clear 1.2m wide entryway at all times. Signage, A-frame boards, host / hostess stands, and other objects cannot impede this 1.2m clearance.
- Patio design and set up must not interfere with any existing barrier-free entrance or accessibility features of your building
 - 1.5 m clear radius around power door operators
 - 1.2 m clear width that allows a forward approach

Streetscape Elements

- There must be a 1.5m clear radius around streetscape objects such as garbage receptacles, tree grates, fire hydrants, street furniture, and any other item that poses an obstruction within the clear path of travel.
- Having streetscape elements within the path or travel along your patio is acceptable as long as the 1.5 clear width is maintained, and they do not cause pedestrians to zig-zag around them.
- Fire hydrants require a 1.5m buffer zone at all times.
- Streetscape elements, outside of the clear path of travel do not require a buffer. For example, a tree grate can be near the edge of your patio if it is not within the path of travel.
- Street trees may be incorporated into the patio

Seasonal Use

- Sidewalk patios, in their entirety, may only operate as seasonal features. All elements must be removable and disassembled at the end of the season, October 31.

Consistency

- Tables and chairs should be made of matching sets of themes and be consistent throughout the patio.

Materials

- All furniture should be made of durable, weather resistant materials that are easily cleaned.
- Composite, metal or painted, pressure treated, and stained wood is preferred for decking and fencing.
- Deck surfacing must be firm, flat and stable, and have a non-slip surface.

4.2 Furniture

Host Stands

- Host stands are permitted within the patio provided they are consistent with the furniture in the patio and do not enter the clearway.

Garbage Receptacles

- Garbage receptacles are permitted within the patio provided they are located with host stands and are not a prominent feature within the space.

Menus & Sandwich Boards

- Menus and sandwich boards are permitted, provided they complement the patio and do not enter the clearway.
- Menus and sandwich boards may not extend beyond 1m high from the ground and cannot obstruct views

Tables

- Design must allow for at least one table that is accessible to someone seated in a mobility device. Consider the following table design features:
 - Knee and toe clearance
 - Forward approach
 - Turning radius
 - Transfer option

4.3 Fences and Plantings

Fences

- Fencing is always required, regardless of liquor license and set-up classification
- Patio fencing must be 0.75 - 1m high
- Fencing must have a solid continuous line that would allow a pedestrian to follow along the edge of the patio to navigate around it
- Fencing used as a guardrail must abide by the On-street Parking Considerations in Section 3.3

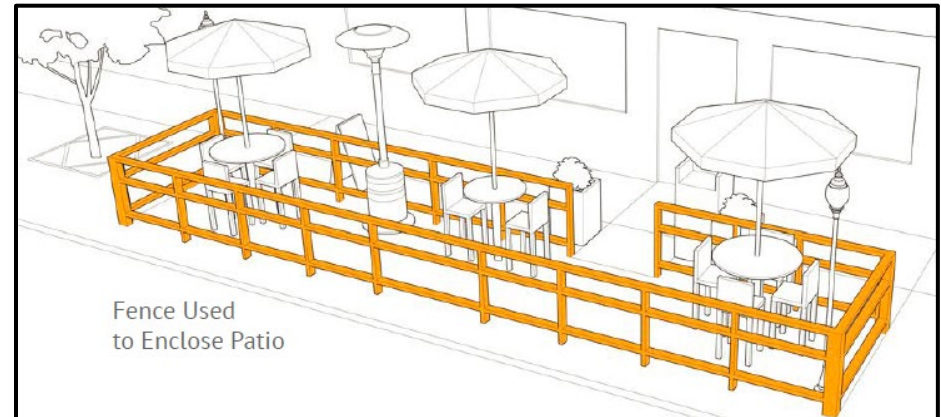


Image Credit: City of London, ON

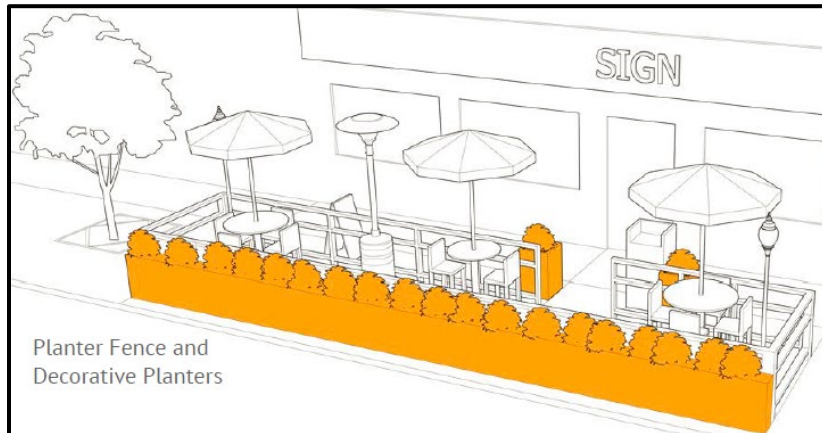


Image Credit: City of London, ON

Decorative Planters

- Ground planters may be used within the patio for decoration. The planters may not exceed 0.5m wide and 1m high. Planters with plant material may not exceed 1.5m high and cannot interfere with sight lines.
- Hanging planters and acceptable. Plant material may extend a maximum of 0.5m from the hanging planter box.

Plant Materials

- Plants must be healthy, living, and maintain throughout the season

Planter Fence

- Planters can be used in lieu of a fence but must be adequately sized to define the patio space.
- The planter with plants must be 0.75 - 1m high and a continuous length to delineate the patio space.
- Planters must maintain a 0.5m buffer from the curb.

4.4 Additional Features

Awnings & Umbrellas

- Awnings and umbrellas must have a minimum height of 2.4m. Awnings must be installed on the first storey of the building.
- Any awnings and umbrellas made of fabric must be flame and fade resistant material.

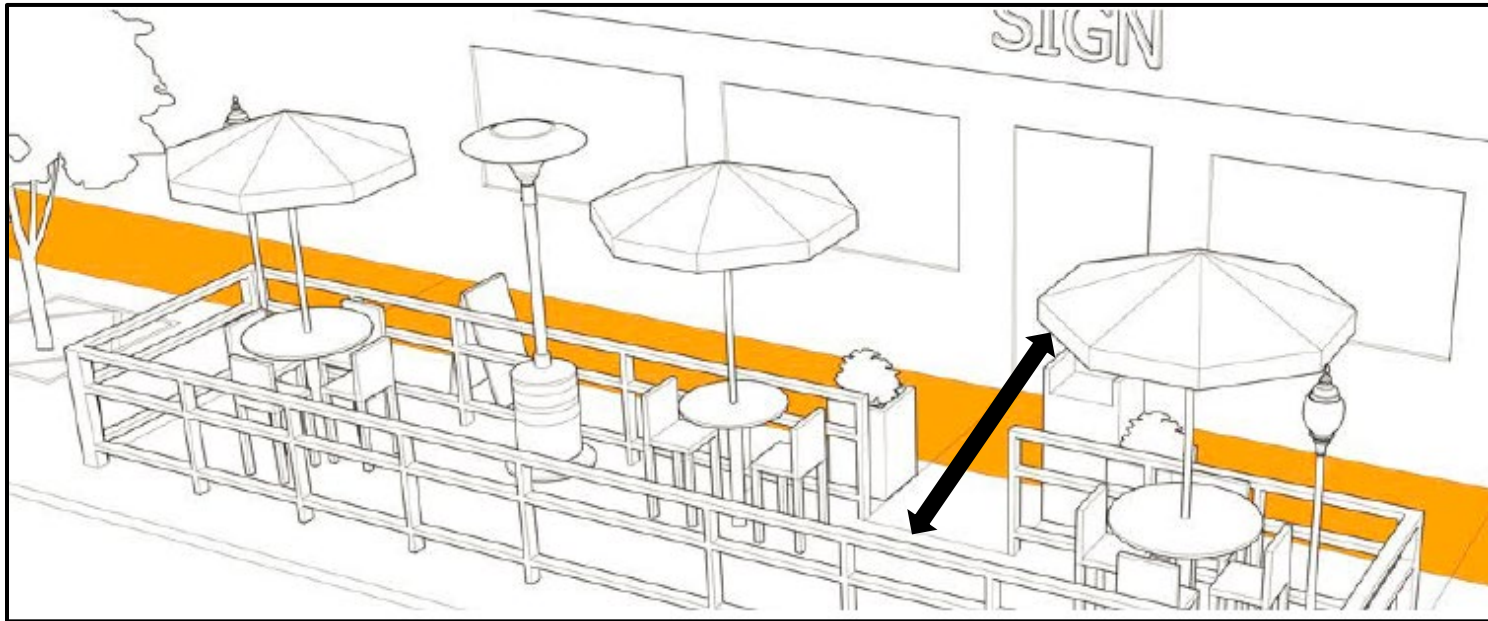


Image Credit: City of London, ON

Heaters

- Heaters are permitted within the patio provided that:
 - they do not exceed 3m in height
 - are used within the manufacturer's guidelines
 - you follow all installation, operation, and safety instructions
 - the units are not in an entryway or exit
 - the units are fastened to the surface they are on or at a minimum equipped with a tip over safety switch
 - the units are clearly labelled "HOT do NOT touch"
 - the installation and operation manuals are kept on site and available to the "Authorities Having Jurisdiction" (AHJ)

Lights

- Lighting for the patio is permitted, provided it is within the boundaries of the patio and does not infringe the clearways.
- Lights may not exceed 3m in height. The brightness of the lights should be sensitive to the uses surrounding the patio and should be directed onto the patio, away from neighbouring properties and the street.
- Lighting is restricted to low voltage (12V system), 120VAC is not permitted.

Paving

- Site specific paving or surface treatment is not permitted in the public right-of-way.
- Where paving surface is required, such as to level an on-street parking space to the sidewalk, the material should be strong, durable, complimentary to the existing paving materials, and removable at the end of the season.



5.0

Maintenance and Enforcement

The business owner is expected to maintain the sidewalk patio area and furniture in a clean and hygienic manner, and secure or store the patio furniture when not in use outside the hours of business operation. At the termination of the sidewalk patio permit, you must return the patio area to its pre-approved condition.

Businesses that do not comply with the standards and requirements of this guide will first be given a warning detailing the issues and time to fix the problem. If the problem persists, your encroachment agreement may be terminated and the City may take steps to rectify the problem at your expense.

We reserve authority over the road right-of-way and, when required, will exercise the right to request removal of sidewalk patio areas due to safety, construction, or community needs.

If we have any safety objections, the sidewalk patio will not be approved or we will issue notice of removal within 24 hours when conflicts are identified. Emergencies may necessitate faster removal times as required by the City or emergency Services. Under these situations, care will be taken for removal of infrastructure, the City will not be held liable for damages to sidewalk patio infrastructure added to the road right-of-way by the proprietor.

The permit holder is required to remove (at their own expense) their patio during public works projects such as repaving and sidewalk widening.