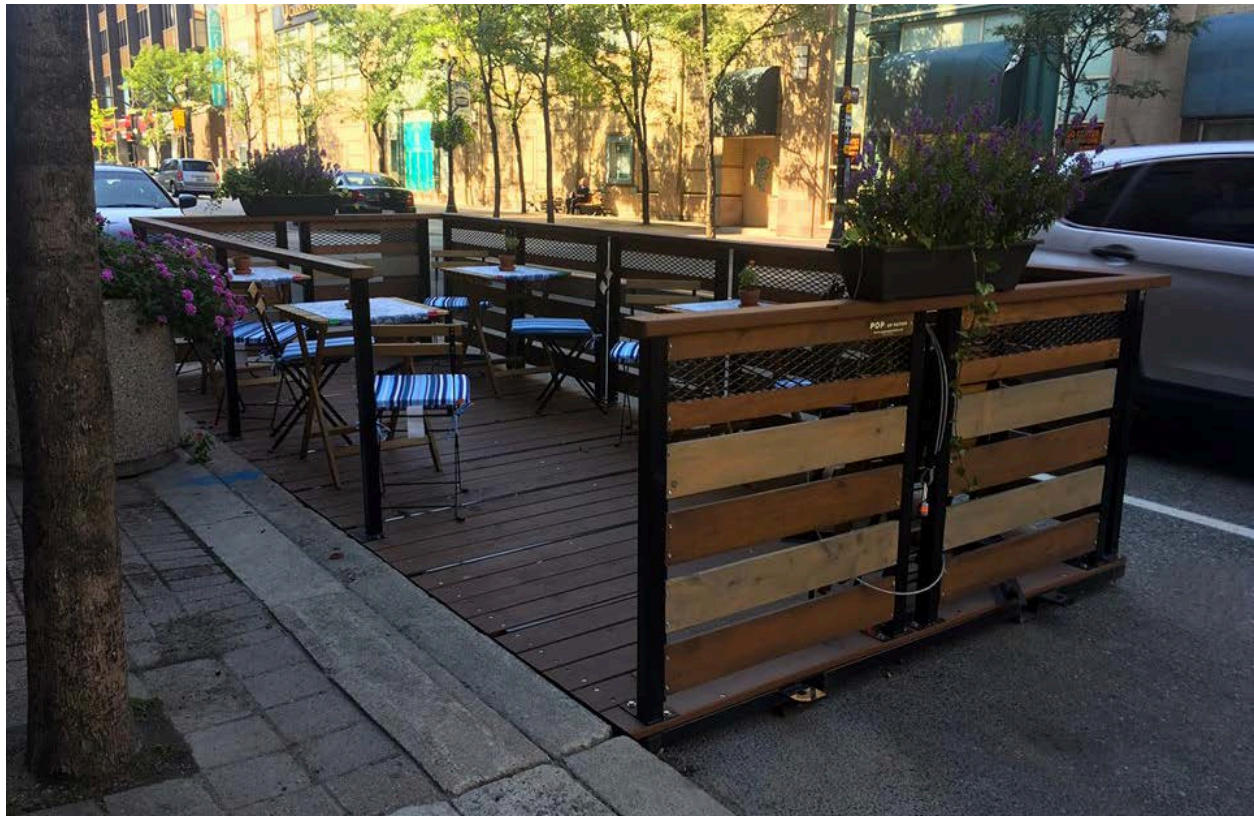


# REGION OF WATERLOO TEMPORARY ON-STREET PARKING / POP-UP PATIO GUIDELINES (“Regional Patio Guidelines”)



The purpose of the Region of Waterloo Temporary On-Street Patio / Pop-Up Guidelines (“Regional Patio Guidelines”) is to establish guidelines with all applicable laws and regulations, Regional By-laws, policies, and practices for temporary outdoor patio expansions during the 2020 patio season. These guidelines apply on Regionally owned land (roads), and, will form a basis for patio approvals to be administered by the local area municipality (either as part of a patio or licensing agreements) to permit patio expansions on regional road parking spaces. The Regional Patio Guidelines may be revised from time-to-time. In some cases, the Regional Patio Guidelines may provide direction for Regional sidewalk patios.



An illustrative example of a fully furnished and at grade pop-up temporary patio on parking space (Credit: POP-UP Street Patios Inc.).

## **Regional Patio Process:**

1. Establish a *Master Agreement* between Area Municipality and The Region of Waterloo:
  - The Master Agreement for temporary outdoor patios on Regional Roads.
  - The Master Agreement delegates approval of temporary patio to the Area Municipality on Regional roadways during Covid-19 Pandemic subject to performance criteria;
  - Prior to a Master Agreement being in effect, a business owner can enter into an Encroachment Agreement with the Region of Waterloo as an interim measure until a Master Licensing Agreement is in place.
2. Select location based on Regional Patio Guidelines (on Regional Roads / land).
3. Apply Regional Patio Guidelines to Area Municipal patio application with patio plan.
4. Prepare and submit Area Municipal patio application for review and approval administered by Area Municipality. Area Municipality to approve on-street parking / pop-up patios as per area Master Agreement and applicable Regional guidelines.
5. In all cases, it is the operating business responsibility to ensure compliance with all applicable laws to operate.

Note: Proposed on-street parking / pop-up patios may be prohibited if guidelines are not in compliance subject to Regional review and direction.

## **General guidelines:**

- Duration. During the patio season as per any existing patio agreement and as established by provincial law or by local area municipality. The standard Region of Waterloo season ends October 15<sup>th</sup> or as per Master Agreement.
- Operating Business Owner Notification and Consent.
  - Notification: Operating business owner to provide written notification of the proposed patio plan to the adjacent property owner(s) and tenant(s) prior to patio operation.
  - Consent. Operating business owner to receive written consent from adjacent property owner(s) to support proposed patio plan if the patio extends beyond the operating business frontage onto the adjacent property.
- Patio Plan. A patio plan is required as part of a patio application to expand patio onto a Regional Road. The patio plan is to show the proposed patio location and layout (including physical distancing) in relationship to the surrounding site conditions and context including street curb, sidewalk, parking space locations, pedestrian access (including by-pass), utilities, fencing, street trees, signage, light poles, transit stops. All features to include dimensions including setbacks. The Patio Plan is to be in compliance with the Regional Patio Guidelines to the satisfaction of the Area Municipality as per the Master Agreement.

- Interpretation. For select patio applications and locations, The Region of Waterloo may review the guidelines on a site- by-site basis and modify criteria based on site conditions to the satisfaction of The Region.
- Updates. Regional Patio Guidelines may be updated from time-to-time to the satisfaction of the Region and shall provide direction for patio review and approvals.

#### **Location and Buffer Guidelines:**

- Buffer. Patios to have a 0.6m buffer setback from the travel lane.
- Location. On-street parking / pop-up patios to be located on two-lane traffic roads with existing on-street parking.
- Intersection Setbacks:
  - Intersection setback (general). Patio's must be at least 15 metres from corner of an intersection (stop sign or nearest edge of closest sidewalk on an intersecting street subject).
  - Intersection setback for far side, non-signalized intersection. Patio's may be located 9 metres from intersection.
  - Patios must be at least 3m setback from a driveway intersection.
  - Adjustment may be considered on a site-by-site basis based on sight lines, road geometry, road design, proximity to transit stops and related amenities, and other considerations to the satisfaction of The Region.
- Fire hydrant separation. Minimum 5.0 metres from patio to fire hydrants or to the middle of fire department connections.
- Delineation. If patio occupies the first parking space within a row of parking, additional pavement markings and flexible bollards (spaced 2 metres apart) must redirect approaching traffic around the patio for a minimum approach distance of 15 metres. Patio applicant, with area municipality, to install a tiger-tail sign on a post at the edge of the first patio on a block and if there's adjacent parking to the patio.

#### **Patio design standards for on-street parking / pop-up patio spaces:**

- Patio depth/width. Maximum 1.8 metres (measured from curb) leaving additional buffer setback to vehicular travel lane.
- Utility access. Minimum 0.5 metres from patio to utility access point(s).
- Emergency / Garbage Access. Must have a 1.0 metre spot available after every two parking spots for emergency and garbage access for separate businesses.
- Delineation. Patio's must be clearly defined and must meet AGCO requirements for licensed patios. Recommended delineation includes stanchions, planter boxes, fencing, and other clearly defined techniques.
- Fence Height. Fences, and other vertical elements, are encouraged and should be at least 0.91 metres (36") but no higher than 42" in height.

- Umbrellas. Umbrellas may be permitted provided they do not extend into the sidewalk, travelled portion of the road, bike lanes. Umbrellas must be secured to the patio surface.
- Barrier Free Accessibility. On-Street parking spaces are encouraged to be accessible. Reduced access may be considered if accessible patio seating and access provided on a sidewalk patio.
- Signage. Signage is encouraged to identify temporary outdoor patio locations (entrances) and pedestrian circulation (including possible re-direction).

#### **Patio Design Standards for Raised Platforms (Barrier Free Accessibility):**

- A raised platform (deck) may be used for an approved patio location to provide barrier free access to the sidewalk and reduce tripping hazard.
- The sub-structure must accommodate the crown of the road, provide a level surface for the deck floor structure to match the sidewalk grade and designed to support occupant and user load.
- Deck material must be of a slip resistant surface.
- A raised deck must have vertical elements to define the patio edge and incorporate required setbacks from travel lane.
- Alternatively, a ramp may be used to provide access from public sidewalk to on-street patio area. All ramps to be AODA compliant and meet all applicable law.

#### **Pedestrian By-Pass / Sidewalk Rail System:**

- Consult Regional staff if a pedestrian by-pass / sidewalk rail system is proposed to accommodate a sidewalk patio.
- In some instances, a pedestrian by-pass / sidewalk rail system may be supported along a regional road parking space subject to meeting appropriate accessibility, sight line, drainage and other performance standards to accommodate greater patio space along the public sidewalk.
- Pedestrian access to be at least 1.8 metres wide, avoid blockage of street utilities and storm water drainage impacts along the roadway and subject to all applicable law.
- Ensure a 0.6 metre buffer is provided between sidewalk by-pass and traffic lane.
- Ensure the pedestrian by-pass is fenced (range 36" to 42" in height).
- A pedestrian by-pass may be a raised platform deck (sidewalk rail system), or, at grade with ramp by-pass access.
- A pedestrian by-pass / sidewalk rail system must be designed to be AODA compliant and meet all applicable law.
- Pedestrian by-pass signage recommended.

**Prohibitions:**

- Access:
  - Any proposed patio must not obstruct any vehicular travel lane.
  - Any proposed patio must not block a transit stop location, any related transit amenities, or space required for transit vehicle access.
  - Any proposed patio must not obstruct an existing pedestrian crossing.
- Location:
  - Travel Lanes. On-street patio shall not be located in through traffic lanes or lanes as marked as no parking, accessible parking, delivery space or LRT track (if applicable).
  - Speed Limit. On-street Parking Patio spaces are only permitted on roadways with designated speed (posted) of 50 km or less. Patios are not permitted on higher speed roads.
  - Road Width. On-street parking spaces are only permitted on roads (roadway) with two vehicle travel lanes (plus on-street parking). On-street parking patios are not permitted on roadways with more than two vehicular travel lanes.
  - Utilities. A patio must not block or obstruct any underground utility access, electrical transformer vaults, utility boxes, drains, storm water runoff, and other infrastructure.
  - Transit. A patio must not block or obstruct any transit stop or related amenities, or any space required for transit vehicle access. Locations of proximate transit stops and amenities should be identified on any plan submitted for approval.

**Regional Sidewalk Patios:**

- Maintain at least 1.8 metres sidewalk clearance zone for unobstructed pedestrian mobility.
- Encourage patios to locate close to building frontage.
- Encouraged fencing / delineation around licensed patios areas as per AGCO requirements.
- Ensure umbrellas are located within patio area and do not extend into the sidewalk clearance zone.
- Locate signage to avoid conflict with the sidewalk clearance zone.

**General Liability Insurance:**

- A \$5M liability insurance is required for any on-street / pop-up patio and licensed patios.
- A \$2M liability insurance may be considered for any non-licensed sidewalk patio.

**Covid-19:**

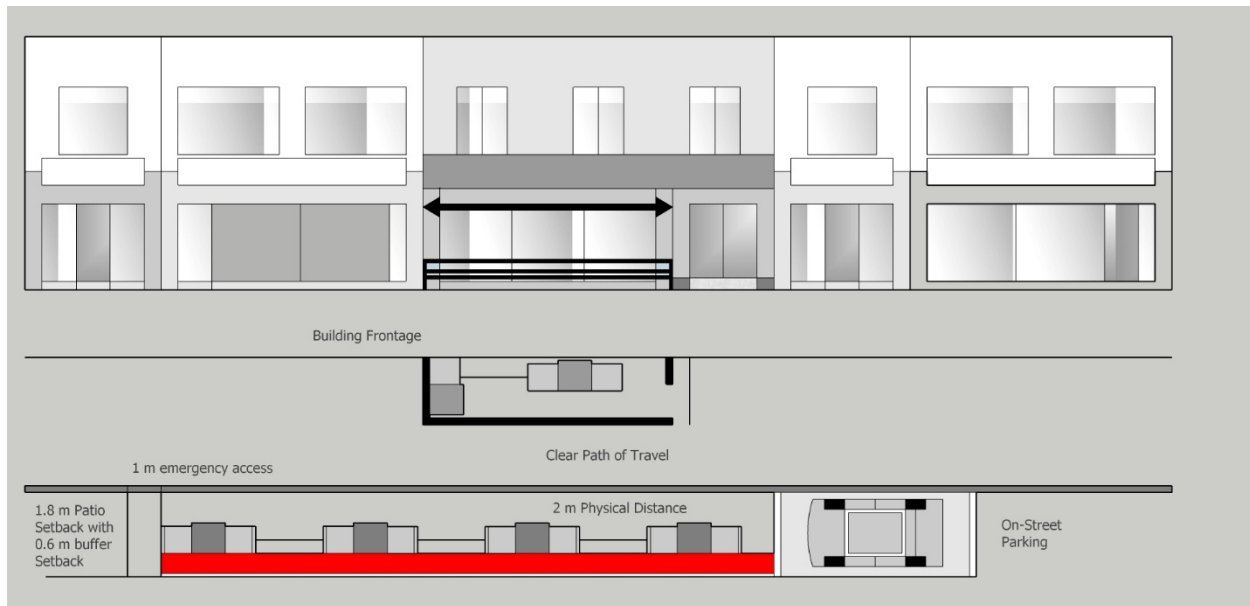
- Physical distancing. It is the business responsibility to ensure compliance with all applicable laws to operate.
- A two metre separation distance is required between all people and high traffic areas subject to applicable law.
- Occupancy. Subject to applicable law.



- Additional information is available at:

Province:	<a href="https://www.ontario.ca/page/resources-prevent-covid-19-workplace">https://www.ontario.ca/page/resources-prevent-covid-19-workplace</a>
Region of Waterloo:	<a href="https://www.regionofwaterloo.ca/en/health-and-wellness/re-opening-restaurants-and-food-services.aspx">https://www.regionofwaterloo.ca/en/health-and-wellness/re-opening-restaurants-and-food-services.aspx</a>

### Illustrative On-Street Parking / Pop-Up Patio Plan:



An illustrative Patio Plan showing basic setbacks to accommodate an on-street parking patio.

### Sidewalk Patio Examples Showing minimum 1.8 metre sidewalk clearance zone with sidewalk patio located along Building Frontage:



An example of a licensed sidewalk patio



An example of a non-licensed sidewalk patio.

### On-Street Parking Patio Illustrative Examples:



On-street parking patio showing grade access to sidewalk clearance zone. On Regional Roads, a 1.8m patio depth is required with a 0.6m buffer to the travel lane (Photo Credit: Ryan Mounsey).



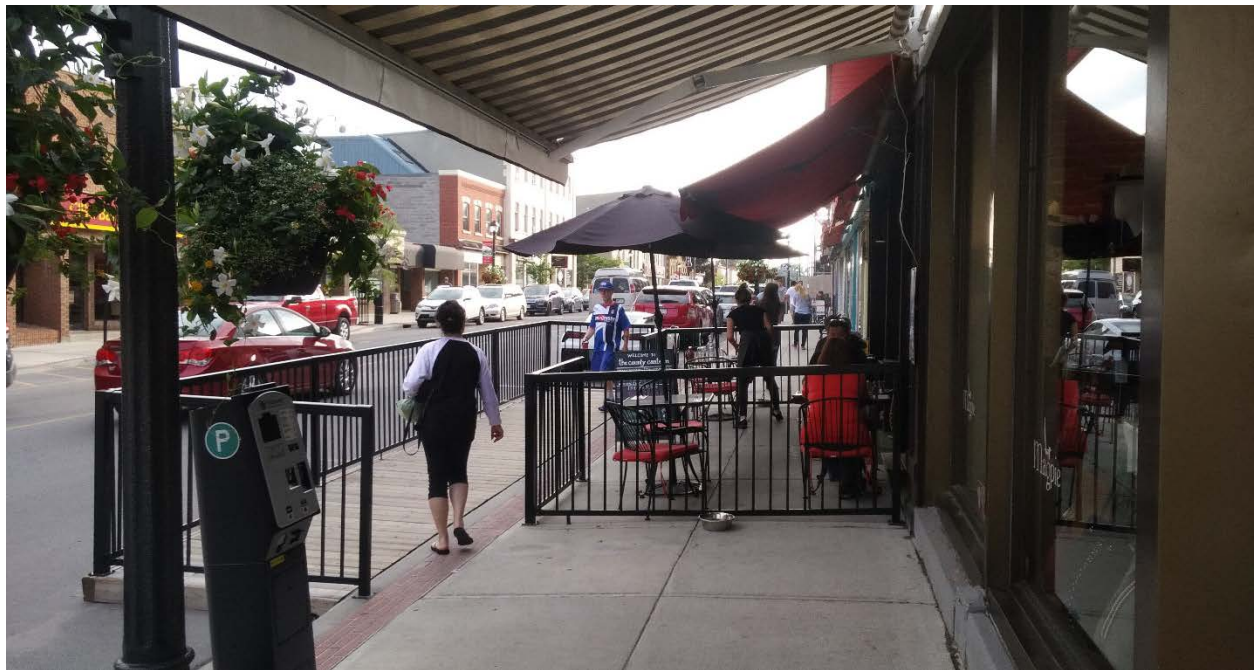
A temporary pop-up patio showing a defined edge treatment and drop curb access (Photo Credit: Jimmy Lu, BlogTo).



## On-Street Parking Passenger By-Pass / Sidewalk Rail System Illustrative Examples:



A 1.8 metre pedestrian By-pass illustration to accommodate a wide sidewalk patio that meets all applicable law (Photo Credit: Pop-Up Street PATIOS Inc.).



A pedestrian Bypass example in Picton (Photo Credit: Ryan Mounsey).

*Version in Effect: June 23, 2020*