



Subject: Canalside Restaurant Inn and Kitchen Store – Request to Extend Patio Season to Year-Round

To: Council

From: Chief Administrative Office

Report Number: 2021-272

Meeting Date: October 25, 2021

Recommendation:

That Chief Administrative Office Report 2021-272 be received;

That the patio season for any sidewalk-based patios with existing encroachment agreements and all other rules followed be permitted as a trial from November 1, 2021 through to April 30, 2022, and that it be re-evaluated in April for future years; and

That the Economic Development Officer be directed to consult with the Port Colborne Wainfleet Chamber of Commerce, local Business Improvement Areas and businesses on a permanent policy regarding patio season length.

Purpose:

The purpose of this report is to follow up on Council direction from the September 27, 2021 Council Meeting and report back on a request received from Greg Poisson at Canalside Restaurant Inn and Kitchen Store to extend the patio season to 12 months per year.

Background:

At the Council meeting of September 27, 2021, Kelly Rankin, on behalf of Greg Poisson from Canalside Restaurant Inn and Kitchen Store (Canalside), appeared as a delegation and requested that Greg's establishment receive an extension to his encroachment agreement to allow the approved patio to remain open after October 31st. Currently the patio season ends October 31st, and Canalside is seeking to have its patio season extended through the winter until a new season starts in 2022.

At this time, Canalside has a patio on the sidewalk adjacent to the restaurant and another on the grassy area across the street next to the Canal promenade.

Canalside has invested in awnings and heaters that are affixed to the building.

Discussion:

Throughout the pandemic the City of Port Colborne has been actively working with the Chamber of Commerce and Business Improvement Areas (BIAs) to support local businesses and provide flexibility and solutions to allow for business continuation.

In the restaurant and retail sectors, this included 15-minute parking to facilitate pick-up orders and delivery vehicles. Flexibility was given around pop-up patios on City streets in parking stalls.

All relevant City departments were consulted, and no objections were raised with extending the patio season for Canalside on the sidewalk adjoining the restaurant with the following conditions:

- 1) The Fire Department will need to complete an inspection for clearance and code of the heaters;
- 2) The By-law Division will need to amend the encroachment agreement and a site plan needs to be submitted for the file;
- 3) A building permit needs to be applied for and obtained by November 1, 2021;
- 4) It is understood by Canalside that it is their responsibility to maintain the sidewalk and remove tables/chairs daily and that the City may have to cut the snowbanks in the winter and will require the area to be clear. It is advised that snow be kept on the interlock area of the sidewalk;

While Canalside made the request for an extension to their encroachment agreement, Economic Development and Tourism Services staff are recommending that this extension be granted to other restaurants in Port Colborne provided they meet City requirements as outlined in this report.

Internal Consultations:

The By-law Division, Fire and Emergency Services Division, Building Division, and the Public Works Department were consulted and provided the following comments:

Fire Services: No objections, there will need to be an inspection for clearance and code compliances.

By-law: No objections to the awning or the heaters as Canalside already has an existing encroachment agreement with the City and the Seaway and any further encroachments would just be amended to the existing one. By-law would require the site plan of the additional encroachment to add to the file.

Building: An order to comply was issued, remove heaters or apply and obtain a building permit by November 1, 2021.

Public Works: No objections. The City does not maintain the sidewalk in the wintertime, and it is the responsibility of the business to do so safely. It is advised that they can keep the snow on the interlock area of the sidewalk. That is where the road snow will go also. City staff will cut down the snowbanks if they get too high, the area will need to be clear for City staff to do this.

Financial Implications:

There are no financial implications.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar of the strategic plan:

- Attracting Business Investment and Tourists to Port Colborne

Conclusion:

The pandemic has caused significant hardships on local businesses, including restaurants, in the City of Port Colborne. This has led to innovation and change in how restaurants operate in Port Colborne. Allowing for a pilot program in 2021-2022 and undertaking consultation with businesses and key stakeholders to establish future policies will set Port Colborne's downtown and Main Street business districts on a path to be prepared for the emergence from this pandemic.

Respectfully submitted,

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Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.