

## New Patio Bylaw and Program

The City of Victoria is seeking feedback and comments from key stakeholders to inform new bylaws and programs to support temporary use of public space for outdoor patios.

Temporary outdoor patios contribute to dynamic streetscapes supporting economic development and urban placemaking. Through this update, the City seeks to continue supporting animation and economic vibrancy while also maintaining the function, safety and accessibility of public spaces.

## Proposed Goals

1. City streetscapes and public spaces are enhanced through the patio program.
2. Patios are safe, accessible and maintain functional access to public infrastructure and spaces.
3. Licence application and approval services are fair, flexible and timely.

## Proposed Principles

1. **Sense of Community:** Patios should increase the vibrancy of the streetscape and strengthen community connections by facilitating social interaction among local businesses, patrons, neighbours and visitors.
2. **Ease of Movement:** Locations and designs of patios should ensure that the mobility of people walking and rolling along sidewalks and surrounding pathways are not negatively impacted. Patios should not unduly disrupt transit, loading and other mobility needs on a streetscape.
3. **Safety:** Patio designs and operations should prioritize public safety and allow for emergency response.
4. **Inclusion:** Patio designs should support an open, accessible and welcoming environment that encourages a diversity of people to use the space together.
5. **Neighbourhood Character:** Patios should enhance, respect and celebrate the unique character of the surrounding buildings and neighbourhood.
6. **Flexibility:** Patios should be designed and implemented in such a way that they can be modified as required to respond to business needs along with changing mobility requirements and maintenance of the street right-of-way.
7. **Recognition of Value:** Licence fees should be applied in a fair, defensible and balanced manner that encourages business development while compensating the City for private use of public lands. Private economic opportunities should be balanced with the protection of public space for the broader enjoyment of the public.

## Proposed Components

The goal is to create a user-friendly set of guidelines and application processes that meets the diverse needs of businesses across the municipality. We encourage you to review other programs across North America and provide insights and suggestions that you believe could work well for the Victoria context.

At a more granular level, the future Patio Bylaw and Program will address topics such as:

### Patio types

- Consideration of options for seasonal, annual, or 1-day/event-based patios.

### Patio locations

- Consideration of options for patios on sidewalks, at the curbside, within hardscaped boulevards, and select plazas, parks, and pathways.

### Application process

- Inclusion of pre-application meetings, site inspection processes, transitional provisions for existing licences, city-initiated removal requirements, fines and licence cancellation terms.

### Fee structures, including application, annual fees and fines

- Application fees and patio rates that reflect fair market value of patio spaces based on standard market factors (e.g., location, size, seasonality). Fees for more simple 'daily setup' patios could be different than semi-permanent patios, as well as higher fees for sites which support alcohol sales.

### Patio design and operations

- **Mandatory elements:** requirements for comprehensive safety measures, accessibility accommodations, insurance, consistent design elements, service hours, fencing treatments, weather protection treatments, portable heater storage, and clearance and access to public infrastructure.
- **Recommended elements:** suggested aesthetic treatments and furnishings including prefabricated options referenced from other documents such as the City's Placemaking Toolkit.
- **Prohibitions:** restrictions on enclosed patios, cooking/open fires, amplified music and sound, third party advertising, overhead electrical connections and changes to approved occupant loading.