

Date: 2021-11-26

Subject: Brampton Patio Program – All Wards

Contact: Peter Fay, City Clerk, Legislative Services Department

Report Number: Legislative Services-2021-1244

Recommendations:

1. THAT the report titled: **Brampton Patio Program – All Wards**, dated November 26, 2021, to the City Council meeting of December 8, 2021, be received; and
2. THAT By-law 103-2020 be further amended to permit the temporary extension of outdoor patios on public and within private property for a period of time not exceeding 3:00 a.m. on January 1, 2023, in order to assist local businesses in mitigating the impacts of COVID-19.

Overview:

- **The Alcohol and Gaming Commission of Ontario (AGCO) has extended the validity period of existing liquor licenses to be used for adjacent outdoor patios from January 1, 2022 to January 1, 2023.**
- **This report recommends an extension of the City's Patio Brampton Program during 2022 to coincide with the AGCO policy extension to facilitate and support permitted Brampton businesses to establish and maintain temporary outdoor patios as a COVID economic recovery measure.**

Background:

In June 2020, City Council established the Patio Brampton Program as a temporary patio extension program to make it easier for Brampton bars and restaurants to expand their patios and allow for physical distancing to contain the spread of COVID-19. The Program provides the City of Brampton with more outdoor dining areas and allows restaurants and bars to create spaces which allow for physical distancing for customers. Patio Brampton ensures quicker processing of applications and permits and allows for

waiving of fees for sidewalk, parking lot and curb lane patios. The temporary patio program was enabled by the AGCO which, starting in 2020, permitted temporary physical extension of premises with eligible liquor licences to permit adjacent outdoor patios, subject to conditions.

The [Patio Brampton Program](#), established under [By-law 103-2020](#), was originally scheduled to end on January 1, 2021, but was extended to September 7, 2021 by [By-law 218-2020](#), and subsequently further extended to January 1, 2022 by [staff report](#) and [By-law 56-2021](#) to coincide with the scheduled expiration on January 1, 2022 of the AGCO enabling authority for temporary liquor licence extensions to patios.

Current Situation:

On November 29, 2021, as part of recent amendments to the *Liquor Licence and Control Act, 2019*, and related Regulations, the Alcohol and Gaming Commission of Ontario (AGCO) announced an [extension to the policy to permit the temporary physical extension of premises \(i.e. patios\), until January 1, 2023](#). This extension is to provide flexibility and support to businesses impacted by the COVID pandemic.

Therefore, this report recommends the City's current by-law for the Patio Brampton Program be extended from January 1, 2022 to January 1, 2023. The program requirements, details and conditions will remain the same and businesses with City-permitted temporary patios will be advised by the City Clerk's Office of the program extension for the duration of 2022. Any existing agreements and permits will be extended for 2022, subject the AGCO continuing its patio policy extension for eligible liquor sales licensees.

Corporate Implications:

Financial Implications:

Pursuant to Council direction given in June 2020, when the Patio Brampton Program was first established, staff have not proposed any fees associated with an application for or the issuance of a Temporary Outdoor Patio Extension Permit. Any nominal consideration collected pursuant to an agreement under Section 40 of the *Planning Act, 1990, c. P. 24* will be paid to the City's Cash-in-Lieu of Parking Reserve Account #26.

By-law 103-2020 includes a waiver of any fees under the User Fee By-law 380-2003, as amended, that may be applicable to an application for a Temporary Outdoor Patio Expansion.

Other Implications:

Term of Council Priorities:

This report aligns with the priority of a Well-run City by streamlining service delivery to support and facilitate business economic recovery from the COVID pandemic.

Conclusion:

The Patio Brampton Program, started in 2020 as a means to support businesses dealing with the closures and limitations resulting from the COVID pandemic, was set to expire on January 1, 2022, as the enabling AGCO temporary extension of eligible liquor sales on patios was set to expire. The AGCO recently announced an extension of the policy until January 1, 2023 to provide flexibility and support businesses impacted by COVID. This report recommends the City's Patio Brampton Program also be extended during 2022 to support business recovery.

Authored by:

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Attachments:

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