

Seasonal Patio Toolkit for Businesses

In the Municipality of Kincardine

Toolkit Introduction

This quick-reference toolkit is designed to help food and beverage businesses understand how to apply for, set up, operate, and take down a Seasonal Patio in the Municipality of Kincardine. It summarizes the Seasonal Patio By-law in a clear, step-by-step format.

Defining a Seasonal Patio

A Seasonal Patio is a **temporary outdoor seating area**, typically located within an on-street parking space and/or a portion of the boulevard, associated with an existing food and beverage service business.

Seasonal Patios help activate downtown streets, support local businesses, and enhance the public realm, while ensuring accessibility, safety, and orderly use of municipal space.

NOTE: Staff shall be given 10 business days to provide any concerns/comments regarding the application. Following the receipt of comments, the Director shall review the application and staff comments to determine whether to approve the request for the Seasonal Patio.

Key Dates at-a-Glance

- **Spruce the Bruce grants open:** Feb 1st
- **Seasonal Patio applications open:** March 1st
- **Approved Patios may be Installed:** May 1st
- **Application deadline:** At least 30 days before your intended setup date
- **Latest patio removal:** October 15th (or earlier if required due to weather)

NOTE: You can start the application at any time. Earlier submissions mean smoother reviews.

STEP 1: BEFORE YOU APPLY

NOTE: Businesses that are applying for a Seasonal Patio are required to be a food and beverage service business.

A “food and beverage service business” means a commercial establishment whose primary purpose is to prepare and serve food and drinks to customers for consumption. This includes restaurants, cafés, pubs, bars, and similar businesses that offer meals, snacks, or beverages as part of their normal operations, whether for dine-in or takeaway service.

Determine Eligibility

Seasonal patios are considered on a **site-by-site basis** and depend on factors such as:

- Existing on-street parking configuration
- Pedestrian clearances and accessibility
- Sightlines, safety, and nearby infrastructure
- Concentration of existing patios

A permit is **not guaranteed**, even if a patio was approved in a previous year. Please contact Community Economic Development Coordinator at 519-396-3468 x7128 if you have questions.

Site Meeting (If Required)

You **must request a site meeting** with the Building Department if:

1. You are a new patio operator, or
2. You are proposing changes to a previously approved patio design



Scan for Seasonal
Patio By-Law



STEP 2: SUBMIT YOUR APPLICATION

On-Street Patio Application Form

All applications must be submitted through the Municipality of Kincardine's online application:
www.kincardine.ca/seasonal-patio/

Applications must be submitted **at least 30 days before** your intended installation date.

A Complete Application Includes:

- Completed application form
- Required application fee (per the Rates and Fees By-law)
- Photo of the proposed patio location
- Seasonal Patio Site Plan (Schedule A)
- Completed Accessibility Checklist (Schedule B)
- Proof of insurance
- Any required external agency approvals (e.g., MTO, SVCA, AGCO)
- Any additional documentation requested by staff



Scan for online
Seasonal Patio
Application



NOTE: Incomplete applications will be returned and will delay approval.

Seasonal Patio Fees

NOTE: Fees were waived for 2026 season. 2027 and future years are subject to Council approval and confirmation each year.

Businesses applying for a Seasonal Patio in the Municipality of Kincardine should plan for the following potential costs under the current Rates and Fees By-law:

- Patio Application Fee: \$241.30 (one-time, per season)
- Patio Lease Fee: \$0.30 per square foot, per month (charged for the duration of your patio permit)
- Jersey Barrier Rental: \$235.38 base rental fee, plus \$13.23 per barrier.

STEP 3: REVIEW AND APPROVAL

Municipal Review Process

- Staff have up to **10 business days** to review and comment on a complete application
- Applications are circulated to the **Business Improvement Area (BIA)** and the **Accessibility Advisory Committee (AAC)** for awareness.
- The Director of Infrastructure and Development may:
 1. Approve the application
 2. Approve with conditions
 3. Refuse the application

Appeals

If your application is refused or approved with conditions, you may appeal the decision to Council within **10 days** of receiving notice.

Returning Operators: What to Know

Already had a Seasonal Patio last year? You may qualify for a simplified renewal process!

- If you are returning from the previous patio season **with no changes to your layout or design**, you may be eligible for an annual permit extension for up to **two operating seasons**.
- This streamlined option is intended to reduce paperwork for businesses continuing with an approved patio setup.
- If an operator is found to be **non-compliant during any operating season**, a **full application package** will be required for future approvals.

- Any proposed changes to your patio location, size, or design will also trigger a **full application review**.

NOTE: Even if you qualify for an extension, early communication with Municipal staff is encouraged to keep your patio season running smoothly.

STEP 4: AFTER APPROVAL, BEFORE SETUP

Seasonal Patio Permit

Once approved:

- Your permit is valid from **May 1 to October 31**
- A **Seasonal Patio Agreement** must be executed before installation

Set-Up Timing

- Patios may be installed on or after May 1
- Operators must notify the Municipality when they are ready for setup
- Providing **one week's notice** for setup and takedown is preferred
- Installation timing may be weather dependent

Inspection

- An inspection by the Operations Division **may be required** before the patio can open
- The patio must be constructed exactly as approved

Added Help

To help get you started, the BIA has compiled a community-suggested list of local contractors.

This list was created based on recommendations from community members, along with basic verification through public websites and social media pages. Please note that inclusion on this list does not imply endorsement by the BIA.

We encourage you to connect directly with any contractors you are considering confirming availability, scope of services, and overall fit for your project. As always, we recommend requesting references and conducting your own due diligence.

While the BIA is pleased to share these community recommendations, we are not responsible for contractor performance or project outcomes.

Community-Suggested Contractors:

- Mike Howes, 416-276-2500

- J.S Carpentry, 905-870-3881
- Collin Roehr, Mr. Fix & Finish, 226-850-0642
- Prior Projects & Renos, 226-222-0069
- Strongback Construction, 519-372-4833

STEP 5: OPERATING YOUR SEASONAL PATIO

General Operating Rules

1. Operating hours: **8:00 a.m. to 11:15 p.m.**
2. The permit must be displayed in a visible location
3. Smoking and vaping are not permitted on seasonal patios
4. Generators are not permitted
5. Noise must comply with the Municipality's Noise Control By-law

Alcohol Service

If serving alcohol:

- AGCO approval is required
- Proof of AGCO authorization must be provided before service begins
- Municipal Alcohol Policy exemptions may apply if all by-law conditions are met

Safety and Accessibility Highlights

1. Minimum sidewalk clearway: **1.5 m at all times**
2. Patios must be fully enclosed with cane-detectable fencing
3. MASH-compliant roadside barriers are required where patios occupy parking or curb lanes
4. At least **one table or 20% of tables** (whichever is greater) must be accessible
5. Furniture, umbrellas, and fencing must not block sightlines or access routes

STEP 6: DAILY RESPONSIBILITIES

Operators are responsible for:

1. Keeping the patio and surrounding area clean and sanitary
2. Proper refuse storage and removal
3. Securing or stacking furniture when not in use
4. Ensuring staff are familiar with the Seasonal Patio By-law
5. Maintaining safe conditions at all times

Failure to comply may result in permit suspension or revocation.

STEP 7: TEAR DOWN AND END OF SEASON

- Patios must be removed on or before **October 31**
- Earlier removal may be required due to weather or safety concerns
- Operators should provide advance notice for takedown
- The patio area must be restored to its pre-approved condition

Any remediation costs incurred by the Municipality may be billed to the operator.

Insurance Requirements

- **No alcohol service:** Minimum \$2 million liability insurance
- **Alcohol service:** Minimum \$5 million liability insurance
- The Municipality of Kincardine must be named as an additional insured
- Insurance must remain valid for the entire operating season

Resources

All information about Seasonal Patios in the Municipality of Kincardine can be found on our website. If you have specific questions about Seasonal Patios, please contact the Operations Department at 519-396-3468 x7122 or the Community Economic Development Coordinator at 519-396-3468 x7128.

- Information on Seasonal Patios is found at www.kincardine.ca/seasonal-patio/
- Seasonal Patio Application Form: form.kincardine.ca/Operations/On-Street-Patio-Application-Form
- Seasonal Patio By-Law 2025-119 can be found at www.kincardine.ca/seasonal-patio/