
General Conditions for All Temporary Patio Permits (2026)

Town of Bradford West Gwillimbury — Office of Economic Development

These General Conditions apply to every permit issued under the 2026 Temporary Patio Program. The 2026 program is limited to temporary, fully removable patios located on the public sidewalk directly in front of the applicant's own storefront frontage, within the former Downtown Community Improvement Plan (CIP) area (Holland Street, Barrie Street, and Simcoe Road). The program runs from June 2, 2026 through October 12, 2026.

By accepting a Temporary Patio Permit, the applicant agrees to all of the conditions below. These conditions form part of the permit and are in addition to the application form and any site-specific conditions imposed by the Town.

A. Undertakings of the Applicant

The applicant agrees and undertakes to:

1. Comply with all relevant and applicable provincial legislation, regulations, and Orders, including but not limited to the Building Code Act, Fire Protection and Prevention Act, Accessibility for Ontarians with Disabilities Act (AODA), and (where alcohol is served) the Liquor Licence and Control Act and Ontario Regulation 746/21, together with all regulations and codes established thereunder, including the Fire Code and Building Code.
2. Comply with any recommendations and Orders of the Simcoe Muskoka District Health Unit.
3. Comply with all Town by-laws and Orders, including but not limited to the Traffic By-law, Noise By-law, Accessible Parking By-law, Signs By-law, and Road Use By-law.
4. Where the business operates as a tenant, obtain the written authorization of the owner of the building the business occupies, in advance, and provide a copy to the Town upon request. (If the applicant owns the building, no separate authorization is required.)
5. Where alcohol is served on the patio, obtain and comply with all AGCO requirements and the Town's municipal approval of the AGCO temporary outdoor physical extension under Ontario Regulation 746/21, and provide a fully enclosed patio with approved delineation satisfying AGCO Standard 6.2. (Note: alcohol service is not part of every permit; it applies only where the applicant has been approved to serve.)
6. Permit access to Town staff (including Bylaw, Fire, and Transportation/Roads) and Simcoe Muskoka District Health Unit staff for the purpose of inspection and determining compliance with the permit, and subsequent enforcement.
7. Assume all liability and any cost incurred by the Town as a result of the temporary patio, and indemnify and save harmless the Corporation of the Town of Bradford West Gwillimbury, its elected officials, officers, employees, agents, contractors, and volunteers

from any and all claims arising out of or in connection with the construction, operation, use, or removal of the temporary patio, until the patio is removed.

8. Maintain Commercial General Liability insurance as set out in Section C, naming the Town as an additional insured.
9. Pay the \$500 permit fee when requested by the Town. The fee is payable only after the application is approved and before the Conditional Permit is issued.
10. Construct and maintain the temporary patio in accordance with the patio parameters set out in Section B.

B. General Patio Parameters

Location and footprint

- The patio may be located only on the public sidewalk directly in front of the applicant's own storefront frontage. It must not extend past the width of the applicant's establishment or into the frontage of a neighbouring property.
- For corner properties, the side-yard or flankage frontage is also eligible where the width supports the required 1.8 m clear pedestrian path of travel.
- All patio furnishings and elements must be removable and not permanently fixed in place, and must be contained within the approved patio area.
- No element may be attached to trees, street elements, utilities, poles, or other infrastructure.
- Patios must be semi-permanent in nature: the approved layout and configuration must remain consistent throughout the operating season and must not be reconfigured on a daily basis.

Accessibility and pedestrian clearance

- A minimum 1.8 m unobstructed pedestrian thoroughway must be maintained at all times between the patio and any curb, roadway, or physical obstruction. Physical obstructions include, but are not limited to, light poles, traffic signal poles, sign poles, trees, fire hydrants, bus shelters, waste receptacles, benches, planters, street furniture, utility boxes, pedestals, and vaults. At no point may the clear width of the thoroughway be reduced below 1.8 m. This standard exceeds the 1.5 m minimum under the AODA and aligns with the Council-adopted GAATES Illustrated Technical Guide to the Accessibility Standard for the Design of Public Spaces.
- The pedestrian thoroughway must remain free of tables, chairs, umbrellas, delineation features, signage, and any other patio-related elements.
- The patio must not obstruct access to building entrances, neighbouring businesses, pedestrian crossings, barrier-free routes to entrances/exits or washrooms, pedestrian crosswalks, or municipal infrastructure.
- The patio must not obstruct fire or emergency access or designated fire routes, or access required by Town, County, or utility staff for the repair or maintenance of infrastructure (hydrants and fire department connections, electrical and gas connections, trees, pipes, cables, poles, waste/recycling bins, and similar).
- Any umbrella or element overhanging the pedestrian path of travel must be at least 2.1 m above the sidewalk. Umbrellas must be secured or weighted so they cannot tip over or move into the path of travel.

Accessibility (AODA / IASR)

- Patio designs must comply with the Accessibility for Ontarians with Disabilities Act (AODA) and the Integrated Accessibility Standards Regulation (IASR), where applicable. The patio must not obstruct an accessible path of travel and must maintain access to the business entrance and, where the establishment is barrier-free, to accessible washroom facilities.
- In accordance with the IASR requirements for outdoor public-use eating areas, the patio must provide a minimum of one accessible table, or at least 20% of all tables, whichever is greater. Accessible tables must include appropriate knee and toe clearance, clear ground space, and be connected to an accessible route.
- The patio layout must allow patrons using mobility devices to independently access, circulate within, and use the patio.

Permitted and prohibited elements

Permitted elements only: tables, chairs, umbrellas, and approved delineation features (e.g. planters).

The following are prohibited as-of-right under the 2026 program:

- Permanent or fixed structures
- Fencing or gates, except the enclosure required for a licensed alcohol-serving patio
- Heaters
- Decorative lighting
- Amplified sound
- Cooking of food or preparation of drinks on the patio
- Occupation of traffic lanes or parking spaces
- Bump-outs

Delineation for liquor-serving patios

Patios serving liquor must satisfy AGCO Standard 6.2 (“Premises Readily Distinguishable”); the licensed patio area must be clearly delineated from surrounding pedestrian areas. Delineation features must:

- Be visually distinguishable from the surrounding sidewalk;
- Be cane-detectable for persons who are blind or have low vision;
- Include a continuous lower element located no more than 680 mm above the walking surface;
- Be continuous along the patio perimeter, except at approved entrance openings;
- Be stable and maintained in an upright position at all times;
- Not encroach into the required 1.8 m pedestrian clearway; and
- Not create a trip hazard or obstruction to pedestrian movement.

Acceptable delineation features may include planters or other Town-approved delineation features that meet the above requirements; approved delineator types are subject to Town determination and approval. Where delineation features are provided, at least one unobstructed entrance opening with a minimum clear width of 1.0 m must be maintained to provide access to the patio area. The proposed delineation method and entrance opening(s) must be shown on the patio sketch and are subject to Town approval. Fencing, gates, walls, and other permanent or fixed structures are prohibited.

Utility and infrastructure clearances

The patio must maintain the following minimum separations:

- Gas assets or meters: 0.6 m
- Utility vaults: 1.5 m
- Fire department connections and hydrants: 1.5 m

Fire safety

- A fire extinguisher (minimum 2A-10BC rating) must be available within 15.2 m of any part of the temporary patio.

Waste

- The operator is responsible for managing and removing any additional waste generated by the patio. Waste and waste containers must not be stored on the sidewalk or within the pedestrian path of travel.

Operating hours and noise

- Operating hours for the patio extend up to 11:00 p.m.
- Section 3.2 of the Town's Noise By-law permits non-amplified music only between 9:00 a.m. and 11:00 p.m.; music must cease outside these hours. Amplified sound is prohibited.

Removal — events and severe weather

- The patio must be fully removed on the days of Carrot Fest (Friday August 14 and Saturday August 15, 2026).
- All items must be removed upon the issuance of a severe weather advisory. It is the operator's responsibility to monitor for such advisories.

Maintenance

- The applicant is responsible for all maintenance and repair of the temporary patio and may be required to undertake alterations or repairs as required by the Town to maintain safety and accessibility.

Inspection

- The patio must be inspected by, and receive approval from, the Town of BWG Fire and Emergency Services prior to opening. Use of the patio is not permitted until that approval is obtained and the Full Permit and permit number have been issued.
- The patio is subject to inspection at any time by the Town (including Bylaw, Fire, and Transportation/Roads staff) and the Simcoe Muskoka District Health Unit, and may be shut down if the operator is not in compliance.

Term and transferability

- The temporary patio must be removed no later than October 12, 2026, or upon termination of the program.
- Permission to install a temporary patio for the 2026 season does not entitle a business or person to any right or expectation to install a patio in subsequent seasons.
- The permit is issued to a specific applicant for a specific premises and is not transferable. Any relocation, change of operator, or change of premises requires a new application.

C. Insurance

The applicant must maintain Commercial General Liability (CGL) insurance from an insurer licensed in the Province of Ontario, against any liability for property damage or personal injury,

including death, arising from the applicant's operations under this permit. Coverage requirements are tiered based on whether alcohol is served:

- \$2,000,000 per occurrence — non-alcohol patios, with an aggregate limit of no less than \$5,000,000.
- \$5,000,000 per occurrence — alcohol-licensed patios, with an aggregate limit of no less than \$10,000,000.

The policy must include:

- The Corporation of the Town of Bradford West Gwillimbury named as an additional insured
- A Cross Liability and Severability of Interests Clause
- Products and Completed Operations coverage

Full indemnification of the Town is required as a condition of the permit.

D. Non-Compliance

Failure to comply with these General Conditions or any Town Order to remedy may result in suspension or revocation of the Temporary Patio Permit. Non-compliant elements may be removed at the applicant's cost under the Road Use By-law. The Town may take any action it deems necessary to repair the patio or reinstate the site to its original condition for public protection, at the applicant's expense. In all cases, the decision of the Town is final.