

Appendix A

Temporary Physical Extension of Licensed Premises

The City of North Bay has developed the following guidelines for approvals of temporary outdoor physical extensions of licensed premises under Section 153.1 of Regulation 746/21 of the *Liquor Licence and Control Act*, 2019, S.O. 2019, c. 15, Sched. 22

Site Plans:

All new and expanded patios are required to prepare a site plan for the review and approval of the City of North Bay. The site plan must include the following:

- The location and size of the proposed patio or patio expansion on the property, including the location of any buildings or existing patios on site
- The location of existing and proposed new pedestrian and vehicular paths of travel
- The capacity of the area to which the extension would apply allows for at least 1.11 square metres per person

In Downtown North Bay:

- Patios are supported through the City's Sidewalk Patio program. Support for the creation of the sidewalk patio is available through the Growth Community Improvement Plan. To learn more about this program visit: <https://www.northbay.ca/services-payments/building-development/growth-community-improvement-plan/>
- You are required to enter into a Sidewalk Patio License Agreement with the City of North Bay, including the provision of insurance. A template of this agreement is available here: <https://www.northbay.ca/services-payments/building-development/downtown-sidewalk-patios/>

Requirements for all locations:

- Patios are not permitted to expand into yards adjacent to residential zones
- You must have washrooms available for the use of your patrons and staff
- You must meet and maintain all required accessibility standards
- An amendment to any existing Site Plan Control Agreement will not be required.
- No smoking is permitted on patios or expanded patio areas. All requirements of the *Smoke Free Ontario Act* are required to be maintained.
- The licensee is able to demonstrate sufficient control over the area to which the extension would apply
- There is no condition on the liquor licence prohibiting a patio.
- The licensed premises would not be subject to a temporary outdoor physical extension for more than a total of eight months in a calendar year.
- The municipality shall specify the maximum duration of an approved temporary outdoor physical extension.
- An approval may be granted with respect to one or more calendar years, as specified by the municipality.
- The licensee is required to notify AGCO: [Notifying the AGCO of an Approved Temporary Outdoor Physical Extension \(Temporary Patio\) | Alcohol and Gaming Commission of Ontario](#)

When is a Building Permit Required?

- When your patio is constructed more than 12 inches off the ground a building permit is required
- If your patio requires a building permit the design of your patio **must** be completed by a Professional Engineer or Architect or other qualified professional.
- Any tent that is 225m² (2,420 ft²) or larger requires a building permit and must be engineered; most of the tents from rental agencies do come with engineered drawings for erection and anchorage. This will need to be provided with your permit application. Regardless of their size, the canopies for all tents need to be fire retardant material.
- All tents also must be setup a minimum of 10 feet from any other structure