2020 Temporary Patio Permit: Frequently Asked Questions:

1. **What are acceptable uses of the additional space being provided under the temporary patio permit program?**

   The program is designed for the purpose of assisting businesses in operating while meeting the requirements of physical distancing. Temporary patio permits may be issued for the use existing parking layby areas on designated downtown streets for the purpose of:
   - Additional customer queueing space
   - Additional retail space
   - Additional serving space for both Licensed and Non-Licensed restaurant establishments.

2. **What is the general process for obtaining a temporary patio permit for 2020?**

   Email patios@cityofkingston.ca with your temporary patio permit request including the following information:
   - Applicant Name and phone number
   - Business name and address requesting the temporary permit.
   - Proposed use of the temporary outdoor space
     - Line-Up/Waiting Line
     - Retail/Merchandise Space
     - Patios (licensed and unlicensed):

   Location of Patio (public or private property)
   - All inquiries will be reviewed and allocated to the appropriate City of Kingston department for initial review.
   - Application forms and instructions will be provided to the applicant in accordance with the type of their request.
   - The full application would be reviewed for approval
   - Once approval is achieved, the applicant can then begin to install the temporary patio.
   - City Staff would be scheduled to inspect the installation for compliance with the application prior to operations beginning
   - If the installation meets the criteria in the application, then approval can be granted for the 2020 temporary patio permit and the patio can open.
3. What is the cost of the temporary permit?

   All fees for existing and temporary patios have been waived for 2020.

4. What if I have responded to the survey released in May regarding additional space in the downtown area?

   If you have responded to the survey and indicated you would be interested in utilizing additional space, you will be contacted by the City and you do not need to apply again.

   If you did not respond to the survey then please email patios@cityofkingston.ca with the information outlined above.

5. Will the City be modifying any requirements of my current liquor license through this process?

   No, if applicable, Businesses are responsible for ensuring these spaces comply with direction from Public Health and the ACGO.

6. Will I be able to apply for a temporary patio permit in future years?

   At this time, we do not know what 2021 will look like but we anticipate further conversations regarding future installations based on the learning experiences of the 2020 season.

7. How long will it take to obtain a temporary patio permit under the new streamlined process?

   Duration of process will rely on the complexity of the request

   Several measures have been put into place to streamline the temporary process to ensure that it could take as little as a few days to obtain the temporary permit.

8. Do I need a permit if I am expanding a previously approved patio space?

   Yes, a temporary permit will be required to modify a previously approved patio. Applicants can apply as outlined above.

9. Do I need a permit if I am installing a previously approved patio without modifications?

   Yes, you will be required to obtain a certificate to operate a historically approved patio. This process has not changed and requires an inspection of the patio installation by City Staff. This can be scheduled by emailing Engineering@cityofkingston.ca
10. Can I request to open a temporary patio anywhere within the City Right of Way (sidewalk, boulevard, closed parking layby or closed traffic lane)?

No, all temporary patios must be in the closed parking layby areas (with the exception of previously approved patios). Patios in closed traffic lanes which are specifically designated for pedestrians will not be permitted.

11. Can I request more than one (1) parking layby for my temporary patio expansion.

Staff are currently working through the first round of temporary patio requests for parking layby areas. We further expect that several new applications will be submitted now that the temporary lane closure infrastructure is in place. These new applications will be reviewed and space will be allocated as available.

Once all the applications have been received and the layby areas have been allocated then staff will review requests for additional layby space and determine if they can be accommodated within the available remaining area. Staff will work through additional layby allocations the week of July 6 or sooner where possible.

12. What level of insurance do I require to operate in an expanded patio area?

Before taking possession of the Licensed Area, and throughout the Licence Term, the Permit Holder will (1) obtain the insurance coverage which a prudent licensee would maintain; and (2) without limiting the general nature of the previous requirement, provide to the City any evidence which the City requires confirming that the Permit Holder maintains at least the following insurance:

- Line-Up/Waiting Line: No additional insurance required
- Retail/Merchandise Space: No additional insurance required
- Patios (licensed and unlicensed): minimum of $5M insurance required

13. What are the KFL&A public health regulations to help stop the spread of COVID-19?

a. Public access to any indoor portions of the business must be limited to food pickup, payment, washroom access, or access required to get to the outdoor dining area.

b. All patio seating must ensure physical distancing of at least two metres (6 feet) between patrons seated at different tables.

c. Patio should be open air. Umbrellas are allowed for shade.

d. Allow space for the safe circulation of customers and staff.
e. Ensure that lines of waiting customers do not come close to patio customers.

f. Provide one or more means of leaving the patio.

The rules for distancing, service, cleaning and sanitation that apply to the indoor area of the food premise also apply to patios. Patios must also comply with all City of Kingston or municipal requirements.

Please check out KFL&A Public Health’s Guidance for Business and Workplaces for additional suggestions for helping keep your staff and patrons safe.

At this time, we’d also like to remind you of the requirements under the Smoke-Free Ontario Act, 2017: Smoking or holding lighted tobacco, cannabis, or use of e-cigarettes is not allowed on or within 9-metres of bar and restaurant patios.