



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF THE CAO

Mission Statement: As stewards of the Town of Amherstburg, we strive to improve the quality of life of all residents through the delivery of effective, efficient, and affordable services.

Author's Name: Bill Tetler	Report Date: November 7, 2024
Author's Phone: 519 736-0012 ext. 2251	Date to Council: January 27, 2025
Author's E-mail: btetler@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: User Fees for Temporary Patio Extensions on Municipal Property

1. **RECOMMENDATION:**

It is recommended that:

1. The report dated November 7th, 2024 regarding the User Fee for Temporary Patio Extension on Municipal property **BE RECEIVED**; and,
2. Administration **BE DIRECTED** to update the User Fee By-law to include a User Fee for Temporary Patio Extensions on Municipal Property.

2. **BACKGROUND:**

At the October 15th, 2024 meeting, Council directed Administration to explore the possibility of implementing a user fee for Temporary Patio Extensions placed on Municipal property. While the Temporary Patio Extension By-law was passed on May 27, 2024, no fee was included in the by-law at that time.

The Economic Development Committee at their November 21, 2024 meeting supported the Temporary Patio Fee as outlined in the report.

The Audit and Finance Committee at their December 5, 2024 received the report.

3. DISCUSSION:

By-law 2024-026, which establishes requirements for patios and grants authority for temporary patios and temporary patio extensions in the Town of Amherstburg, specifies that entities must enter into an agreement with the Town and provide a certificate of insurance naming the Town of Amherstburg as an additional insured. To gather insights on fee structures, Administration conducted research to align with other municipalities across Ontario that have implemented similar Patio Extension By-laws. The following summarizes the information obtained:

City of Windsor

- \$275 per application

Town of Tecumseh

- \$250 per application

Town of Lakeshore

- \$250 per application

City of St. Catherines

- \$250 per application

Town of Ingersoll

- \$50 per application

City of Peterborough

- \$320 per application

Town of Wasaga Beach

- No fee

Town of Whitby

- \$100 per application

City of Stratford

- \$650 licence fee, plus \$2.80 sq ft

Port Colbourne

- \$300 per application

The research indicates that in all municipalities where a municipal by-law has been adopted, it is common practice to apply a one-time application fee. This practice ensures that the municipality recovers administrative and processing costs associated with the review, approval, and issuance of the permit.

Given that this approach is widely adopted across similar municipalities, Administration recommends updating the User Fee By-law to align with this standard practice.

4. RISK ANALYSIS:

There is no risk analysis associated with this report.

5. FINANCIAL MATTERS:

By developing a fair, transparent fee structure and regularly reviewing its impact, the Town can maximize the benefits of increased revenue while ensuring the long-term success and vitality of the local economy.

6. CONSULTATIONS:

Melissa Osborne, Director, Development and Building Services/Deputy CAO
 Tracy Prince, Director of Financial Services
 Valerie Critchley, CAO

7. CORPORATE STRATEGIC ALIGNMENT:

Vision: Preserving our past while forging our future.

<i>Amherstburg Community Strategic Plan 2022 - 2026</i>	
<p style="text-align: center;">PILLAR 1 Deliver Trusted & Accountable Local Government</p> <ul style="list-style-type: none"> <input type="checkbox"/> Improve trust between council and staff, and residents, by strengthening governance and internal accountability structures. <input type="checkbox"/> Deliver transparent and efficient financial management. <input type="checkbox"/> Increase effective communication and engagement with residents. <input type="checkbox"/> Develop our staff team, resources, and workplace culture. <input type="checkbox"/> Continue to deliver strong core municipal services. <input type="checkbox"/> Ensure Amherstburg is an inclusive accessible and welcoming community committed to reconciliation. 	<p style="text-align: center;">PILLAR 3 Encourage Local Economic Prosperity</p> <ul style="list-style-type: none"> <input type="checkbox"/> Encourage development of commercial and industrial lands. <input type="checkbox"/> Continue to promote local tourism industry, especially overnight accommodation. <input checked="" type="checkbox"/> Continue to facilitate downtown development for residents and visitors. <input type="checkbox"/> Continue to leverage partnership opportunities with other provincial, federal, and local governments, agencies, and organizations.

<p style="text-align: center;">PILLAR 2 Invest in Community Amenities and Infrastructure</p> <ul style="list-style-type: none"> <input type="checkbox"/> Maintain safe, reliable and accessible municipal infrastructure and facilities. <input type="checkbox"/> Increase access to recreation opportunities for all ages. <input type="checkbox"/> Finalize and execute plans for town-owned lands (e.g. Duffy’s site, Belle Vue) <input type="checkbox"/> Create public access to water and waterfront <input type="checkbox"/> Prioritize opportunities to reduce environmental impacts of Town operations and increase Town resilience to climate change. 	<p style="text-align: center;">PILLAR 4 Shape Growth Aligned with Local Identity</p> <ul style="list-style-type: none"> <input type="checkbox"/> Define and communicate a vision for the Town’s future and identity. <input type="checkbox"/> Promote and plan for green and “climate change ready” development. <input type="checkbox"/> Review and implement policies that promote greater access to diverse housing. <input type="checkbox"/> Protect the Town’s historic sites and heritage. <input type="checkbox"/> Preserve the Town’s greenspaces, agricultural lands, and natural environment.

8. CONCLUSION:

Research conducted on similar municipalities across Ontario indicates that a minimal application fee is commonly applied for Temporary Patio Extensions. In light of this, Administration is recommending a one time application fee of \$300 per year for allowing a temporary patio extension to be installed between March 31 and November 7 each year as per the Town’s By-law. This fee would help cover the staff time required to review applications and perform inspections related to the agreement.



Bill Tetler
Manager, Licensing and Enforcement

Report Approval Details

Document Title:	User Fee for Temporary Patio Extensions on Municipal Property.docx
Attachments:	
Final Approval Date:	Jan 8, 2025

This report and all of its attachments were approved and signed as outlined below:



Tracy Prince



Valerie Critchley



Kevin Fox