

2011

Street Furniture & Sidewalk Patio Design Guidelines



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1.0 INTRODUCTION

In support of the City of Owen Sound's planning vision, this set of design guidelines aims to enrich and strengthen the City's downtown streetscapes, including Second Avenue East, in terms of aesthetics, safety, and accessibility. This document was borne out of an extensive study of Accessibility and Sidewalk Furniture Guidelines being implemented in other cities in the province. In the implementation of these design guidelines the City will be able to continue its sidewalk design and furniture placement with uniformity, style, and ease.

1.1 Policy Context

The *Harbour & Downtown Urban Design / Master Plan Strategy* was created as part of the City's mission to establish sound planning initiatives and strategies in the redevelopment and revitalization of the Downtown. The Plan's goal is to create a vibrant shopping and business area with the physical infrastructure of the street supporting this goal. In pursuit of this, sidewalks, particularly in the Second Avenue section were widened with the addition of benches, planting areas, flower pots, heritage lighting, and other pieces of furniture. [Refer to Appendix A]

The vision for the Downtown, as reflected in the City's *Official Plan* (OP) also supports a vibrant, active, and attractive Downtown with a pedestrian environment that is comfortable, accessible, and aesthetically pleasing. The OP embodies a clear direction setting framework that prioritizes safety and accessibility within the urban environment. The Urban Design Policies of the OP emphasize the provision of furniture and amenities that encourage public activity and pedestrian traffic. [Refer to Appendix B]

Aesthetically pleasing and strategically placed street furniture and sidewalk patios, as outlined in this Design Guideline will allow the City of Owen Sound to achieve these goals.

1.2 Purpose

The purpose of this Design Guideline is to ensure that neither pedestrian nor vehicular traffic is impeded or hindered within the public right-of-way. The streetscapes within the Downtown Core must facilitate free and comfortable movement – sidewalk patios and street furniture should not encumber easy navigation. The standards laid out within this document will guide the City, its residents, and business proprietors in the placement of patios and furniture, working together to ensure that the City streetscape is maintained for free pedestrian movement and enhanced utility. Further, this document is intended to ensure that all patios and street furniture adds to the character of the Downtown through the use of high quality materials and heritage-inspired design. To view a cross section of the 'Municipal Right-of-Way Zones' refer to Figure One.

This document is to be used to provide further clarification to the requirements of By-law 2008-121 being a By-law to Regulate the Use of the Streets and for the Preservation of Order and Suppression of Nuisances thereon. This Design Guideline is not intended to conflict with any City By-law. The provisions of the City of Owen Sound's Street and Signage By-laws, the requirements of the Ontario Building Code, as well as any other local or provincial statutes shall be upheld.

1.3 Sidewalk Accessibility & the Visually Impaired

The Canadian National Institute for the Blind (CNIB) prioritizes, among other things, the ability of an individual living with visual impairment to safely and easily navigate a city streetscape. While amenities, such as waste receptacles, meters, and patios placed in the public right-of-way add to the character and functionality of the streetscape they also make safe movement more challenging.

There are many ways in which a person with visual impairment navigates, including with the use of assistive devices like a guide dog or white cane. The cane is used to allow the user to predict changes or upcoming irregularities, like a curb, in the walking surface. Based on information provided by the Owen Sound CNIB Satellite Office the textbook use of the cane is to hold it in a diagonal position, close to the ground, with the cane either held steady or held sweeping/tapping back and forth slightly wider than the width of the body. Cane and guide dog users may also use visual clues, like bright contrasting colours, if they have some travel vision. Hazards that are above thigh height (680-1,980 mm) are not cane detectable for cane users, meaning that a cane detectable edge should be implemented in these instances. [See Figure Two]

Paul Perna of the CNIB emphasized that an aerial street view should not have any resemblance to a maze—street furniture and sidewalk patios should be organized to maintain a straight pedestrian path. Maintaining a clear, non-undulating pedestrian path can be achieved by locating street furnishings either on the curb- or building-side of the pedestrian path.

1.4 Definitions

- Sidewalk Patio In this set of design guidelines, the term 'sidewalk patio' refers to any outdoor seating area situated within a public right-of-way, which is associated with a food or beverage establishment, acting as an extension of that establishment.
- Street Furniture Street furniture has numerous forms and functions. For the purposes of these design guidelines, 'street furniture' refers to those objects and pieces of equipment that work to enrich the utility and aesthetic value of the street. Examples of street furniture are: benches, flower pots, retail/merchandise tables, and sidewalk patio furniture. These design guidelines can, however, apply generally to any object or equipment being placed in the public right-of-way.
- The City Any reference to 'the City' in this document refers to the Corporation of the City of Owen Sound.

Please also refer to applicable By-laws for further definitions.

2.0 SIDEWALK PATIO STANDARDS

2.1 Patio Application Requirements

The list below details the elements that must be considered when a sidewalk patio is being planned:

- ☞ Location of existing street furniture, including natural features, such as trees, in and around the proposed patio area;
- ☞ Sidewalk width, amenity strips, and normal pedestrian traffic flow;
- ☞ Size of proposed patio area and number of patio furnishings;
- ☞ Potential patio furnishing design and compatibility with building façade;
- ☞ Potential for interference with sightlines and street signage; and
- ☞ Necessity of fencing or tactile tape.

The following is a list of requirements that the applicant must fulfill in order to complete the Patio Application process:

- A site plan of the proposed patio location, including all dimensions (in metric units) and all existing and proposed street furniture.
- Photos illustrating the proposed patio site taken from different angles, showing the proposed site's proximity to the curbside, building face, and existing furniture.
- Photos or a detailed design description of the types of street furniture proposed.

2.2 Patio Setup & Operation Guidelines

These Patio Setup and Operation Guidelines shall be followed in order to ensure that the setup and operation of all sidewalk patios are to an equally high standard for all proponents. The following guidelines address physical setup, maintenance, insurance, and permitted patio operation times.

- 2.2.1 Patios shall be situated in the public right-of-way without interfering with the free and comfortable movement of pedestrian and vehicular traffic.
- 2.2.2 Patio setup must always consider accessibility of the adjacent pedestrian path and of the patio itself; all citizens have the right to enjoy the City's sidewalk patios.
- 2.2.3 Patio furniture shall not interrupt pedestrian or vehicular sightlines or block street signage.

- 2.2.4 Patios shall be situated so that the adjacent pedestrian path weaves as little as possible, and so that straight path alignment is maximized.



Protrusions force pedestrians to zigzag through obstructions in the path adjacent to a sidewalk

- 2.2.5 Patios shall operate only between May 1st and October 31st and shall allow live music outdoors no later than 11:00 p.m.; patios shall not operate beyond the operating hours of the associated establishment.
- 2.2.6 Patios shall not encroach upon the frontage of neighbouring establishments, without explicit consent.
- 2.2.7 Establishment proprietors shall ensure that patio setup is simple, tasteful, and removable.
- 2.2.8 Establishment proprietors must carry a minimum of two-million dollars (\$2,000,000) liability insurance for the operation of the sidewalk patio indemnifying the City as owner of the public lands on which the patio is situated.
- 2.2.9 Establishment proprietors must complete a Sidewalk Patio Application form, with supporting documentation and payment of fees before a sidewalk patio application will be considered by City Council.
- 2.2.10 If approved, the applicant will be required to enter into an agreement with the City, which may specify conditions for setup and operation. These agreements are site specific.
- 2.2.11 Establishment proprietors must ensure that the patio area and furnishings are kept clean and in good repair at all times; maintenance shall be ongoing and proactive; temporary or shoddy repair methods shall be avoided.

- 2.2.12 Establishment proprietors must ensure that the sidewalk on which the patio is placed is returned to its original condition after patio season.
- 2.2.13 All patio objects must be removed from the public right-of-way during the off-season and stored elsewhere.
- 2.2.14 Sidewalk patios must always operate in accordance with all City of Owen Sound By-laws, especially those dealing with noise, sidewalks, and signage. Patios must also operate in accordance with Ontario’s Liquor License laws, and any other applicable statutes.



This Parisian Cafe uses bollards to separate local traffic from the patio patrons. This comfortable space is highly used, even in cooler weather.

Source: Google Images

2.3 Patio Design Guidelines

By encouraging sidewalk patios, the City aims to enhance the function and appeal of the Downtown Core. The uniform application of the following Patio Design Guidelines will ensure that the City can achieve these goals, while maintaining a barrier- and clutter-free streetscape. Proponents are strongly encouraged to implement design cues from the City's heritage aesthetic into all patio design features, including furniture and fencing.

DIMENSIONS & LOCATION:

[See Figure Two & Three]

- 2.3.1 A sidewalk corridor must be a minimum of 3.0 metres wide before a sidewalk patio will be considered.
- 2.3.3 A clear, unobstructed, accessible pedestrian path shall always be maintained at a minimum of 1.2 metres wide.
- 2.3.4 Curbside amenity/street furniture strips must have a maximum width of 1.5 metres.
- 2.3.5 Street furniture/signage display strips at the building face must have a maximum width of 0.9 metres.
- 2.3.6 A minimum overhead clearance of 1,980 MM must be maintained in the clear pedestrian path.
- 2.3.7 Items or furniture that protrude more than 100 MM into the pedestrian path require distinct cane detectable edges; proprietors shall take care with protruding hazards that sit 680 MM to 1,980 MM above grade for the benefit of the visually impaired.
- 2.3.8 A sidewalk patio may be located directly next to the curbside only if on-street parking is present adjacent to the proposed patio location.



This small patio is located next to the adjacent on-street parking, free of the pedestrian corridor. The wrought iron furniture and accent planter make this outdoor seating area very attractive.

FURNITURE:

- 2.3.9 All patio furniture used must be made out of sturdy and weather resistant materials (e.g., wrought iron, aluminum, steel, weatherproof fabrics); plastic/vinyl furniture is not permitted.



Furniture designs can easily be both functional and attractive. Inexpensive designs such as those shown here are stylish, sturdy and can be easily maintained.

Source: Google Images

- 2.3.10 Patio design must be tasteful and compliment the façade of the building to which the patio is accessory, as well as the architecture of the surrounding buildings.
- 2.3.11 Patio tables, chairs, and other amenities shall never obstruct or protrude onto the pedestrian path, throughways, or building entrances.
- 2.3.12 Patio umbrellas may be added to a sidewalk patio design, but shall not extend beyond the designated patio area; umbrellas shall be tastefully designed and implemented, and shall display no advertising or brand logos.



Tasteful furniture and simple patio designs will enhance the function and charm of our City streetscapes.

FENCING & TACTILE TAPE:

Upon examination of a Patio Site Plan, City Staff or Council may require perimeter fencing around the proposed patio area; fencing requirements will be determined by the proposed patio size, location in the Downtown, and the possibility that the patio will impede pedestrian or vehicular traffic or adjacent establishment.

2.3.13 Fencing enclosures is required where patios are licensed under the Liquor License Board of Ontario (LLBO).

2.3.14 Fencing enclosures shall generally be required for large patios, with 15 tables or more.



This sidewalk patio in San Diego is enclosed by a stylish black wrought iron fence. Hanging planters add interest and visual appeal.

Source: Google Images

2.3.15 Where possible the requirement for fencing shall be minimized to reduce visual clutter.

2.3.16 Where fencing is not required, proprietors must mark the perimeter of the patio area with white tactile tape for the benefit of the visually impaired.

2.3.17 Where it is required, fencing shall be:

- ☞ 0.92 metres to 1.06 metres high above grade;
- ☞ considerate of accessibility, with openings to accommodate a wheelchair at a minimum width of 1.2 metres;
- ☞ considerate of accessibility, with a cane detectable edge along fencing at 0.15 metres for the visually impaired;
- ☞ discrete and tastefully composed, with an infusion of heritage-inspired design;

- ☞ sturdily constructed with aluminum, steel, wrought iron, or other solid material; use of wood, chain-link, and vinyl fencing or fencing material is prohibited;
- ☞ removable at all times;
- ☞ free of jagged edges and other safety threats brought on by poor design or construction; and
- ☞ built in accordance with the Ontario Building Code and any other relevant statutes.



This Seattle sidewalk patio uses fencing to delineate a clear pedestrian path and a pleasant streetscape.
 Source: Google Images

ADDED AMENITIES:

- 2.3.18 Refuse Receptacles: No garbage or recycling containers shall be placed within the patio area.
- 2.3.19 Signage: There is no advertising or signage permitted on patio fencing, furniture, umbrellas, or surrounding street furniture. Minimal signage and advertising is permitted in accordance with the City's Sign By-law.
- 2.3.20 Patio Lighting: Pedestrian scale lighting is permitted within the limits of the patio area. Lighting must be directed downward, and shall not present a tripping hazard in any way. Electrical cords shall not be placed across the pedestrian pathway, without proper placement of cords in cable mats.
- 2.3.21 Outdoor Heating Devices: Heating devices may be permitted within the patio area. Additional insurance may be required for these items. Conditions for use must be addressed in the Patio Agreement with the City.

2.3.22 Plant Materials:

- ☞ Placement of planters in the designated patio area is encouraged as a means of enhancing the area and the entire streetscape;
- ☞ No existing City planters or greenery may be moved, removed, or altered without explicit consent of the City of Owen Sound Parks Department;
- ☞ All planters shall be tasteful, well-maintained, and removable;
- ☞ Larger planters may be used to help define the patio area boundaries; and
- ☞ Planters shall not encroach upon the pedestrian right-of-way, and shall not impede free pedestrian movement or present a tripping hazard.

3.0 STREET FURNITURE STANDARDS

Placement, maintenance, and design of any type of street furniture shall generally be in accordance with the applicable provisions of Sections 2.2 and 2.3 of this document.

Owen Sound Harbour & Downtown Urban Design/Master Plan Strategy

Owen Sound's *Master Plan* was completed in 2001 after nearly one year's worth of public and private consultation and research. The Plan was created in the City's mission to establish sound planning initiatives and strategies in the re-development and revitalization of the Downtown Improvement Area, consisting of the Downtown Core and the Harbour. The following excerpts from the *Master Plan* illustrate the importance of strengthening the Downtown through the use of aesthetic and urban design tools, such as the implementation of sidewalk patios and through the elimination of street clutter.

A-5.0 THE MASTER PLAN FRAMEWORK

5.1 Strategic Planning Directions

- The key to improving the Downtown's commercial strength is to move aggressively to create a new image and identity for the downtown. Raising the profile of the Downtown, creating new market awareness, and exploiting its differentiation from the peripheral shopping areas will stimulate shopper volumes and expenditures.
- As a general principle, the Master Plan should encourage a concentration of retail functions which provides the highest possible density of retail activity and pedestrian traffic along 2nd Avenue East. This should be the signature street which sets the image and tone for adjacent areas. If 2nd Avenue East is strong, the Downtown is strong.
- The streets, open spaces, and water's edge should become a venue for a sustained program of public activity, special events, festivals, and happenings throughout the year.

This capability should be explicitly embedded into the physical design of the street improvements – particularly along 1st Avenue East, 2nd Avenue East, 8th Street, and 9th Street. These streets should have the necessary characteristics and facilities that enable efficient set up and tear down of temporary structures, decorative lighting, etc.

5.4.2 Streetscape Guideline Principles

- Street Furniture: A more informal arrangement of brightly coloured, casual tables and chairs, benches, pots, patio screens can be installed artistically in the widened sidewalks. They can be inexpensive and fun to set in the street or lanes for casual seating.

B-1.1 DEVELOPMENT AND IMPROVEMENTS

1.4 Second Avenue East Streetscape

- The design of the streetscape improvements reinforces the objectives and principles described in the Downtown River Precinct section. The streetscape concept requires an image change to create a vibrant upscale heritage shopping street. Proposals include continued building façade improvements, distinct heritage lighting, colourful signage and plantings to enhance store windows, awnings, and sidewalks cafés. A festive, colourful appearance needs to be generated through event planning, and business creativity.

The City of Owen Sound Official Plan

Section 3 of the Official Plan outlines the goals and objectives that will work to guide future development and help with decision making as the City grows. The essence of these goals and objectives, and the policies that follow, is to ensure health, safety, and quality of life for all citizens. The objectives outlined below specifically address issues of accessibility and ease of navigation:

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| <p>3.5 Equity, Diversity and Accessibility</p> <ul style="list-style-type: none">3.5.2.1 Provide a safe and accessible urban environment for all persons in accordance with the City’s Accessibility Plan3.5.2.3 Promote policies, a built environment, and City activities that meet the needs of people of all ages, abilities and interests, and of all cultural and ethnic groups |
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- | |
|---|
| <p>3.6 Urban Design</p> <ul style="list-style-type: none">3.6.2.2 Maintain a clearly defined and visible Downtown which is vibrant, active and attractive to visitors and maintains its heritage qualities3.6.2.4 Provide a pedestrian environment that is safe, comfortable, accessible, aesthetically pleasing and diverse |
|---|

Section 4 of the Official Plan addresses land use within the City. This section outlines the ways in which the City shall develop City lands and shape the City fabric.

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|--|
| <p>4.2.9 Downtown Areas</p> <ul style="list-style-type: none">4.2.9.1.1 Within the Central Downtown area, uses permitted by section 4.2.1.1, Downtown Commercial, Uses Permitted, may be permitted in accordance with the following:<ul style="list-style-type: none">b) The heritage street front retail area shall be maintained, strengthened and supported.e) The pedestrian environment of the area shall be strengthened and supported. |
|--|

Section 7 of the Owen Sound Official Plan lays out the general policies that are intended to act as qualitative and quantitative guidelines for the formation of the City's By-laws and important decision making processes. These policies encompass the natural and built environments, as well as social and cultural issues.

7.8.3 Experiencing the City

7.8.3.1 It is the City's intention to strengthen the positive image of Owen Sound as an attractive and livable City by making the impression on entering and the experience of passing through the main streets enjoyable and easily understood.

7.8.3.3 The City will consider higher standards for permitted uses and the design of buildings and streetscapes along the main arterial streets. Design Guidelines should be developed for uses fronting on these arterial streets, with appropriate building setbacks and points of access.

7.8.4 Pedestrian Environment

7.8.4.1 The City will seek to secure a safe and accessible pedestrian environment in public and private development through the development and use of design guidelines which provide standards for clear visibility in public places, appropriate lighting, safe movement around vehicles, barrier-free sidewalks and building entrances and such others measures as may be appropriate.

7.8.4.6 In retail areas, the city will promote the provision of a comfortable pedestrian environment suitable for shopping, with wide sidewalks and some weather protection. Retail areas should provide opportunities to meet people or to sit in outdoor cafés. Sidewalks should not be utilized for snow storage.

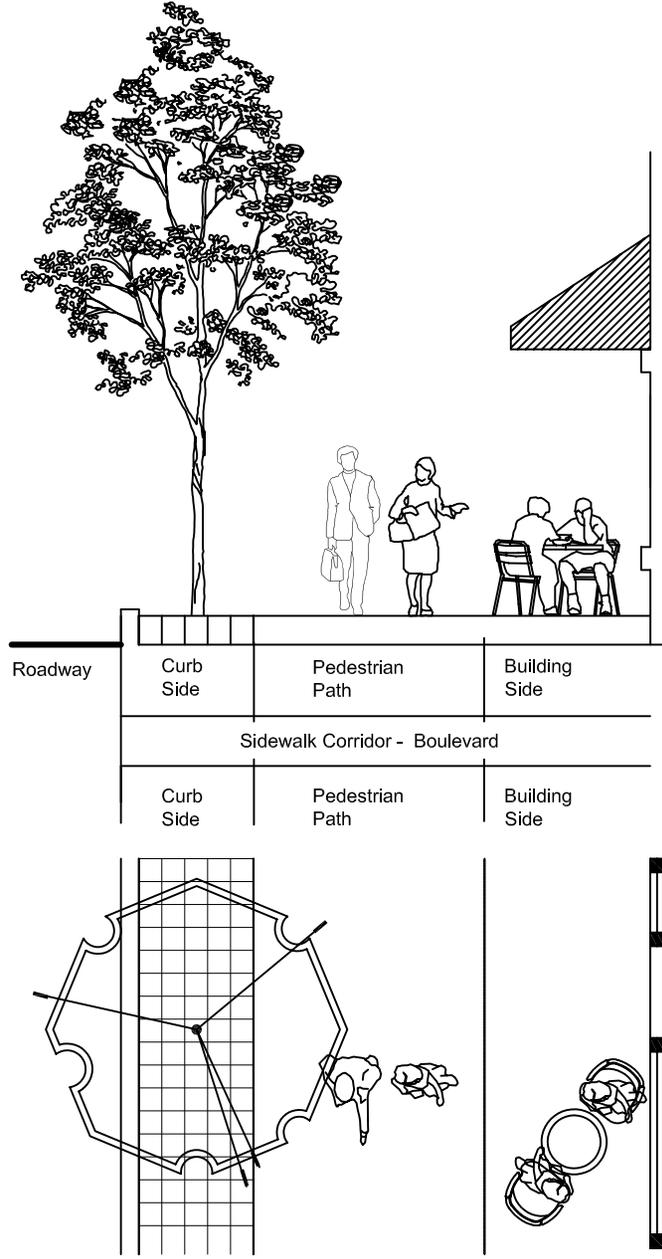
7.8.5 Public Spaces

7.8.5.1 The City will maintain and develop a network of attractive public spaces within the City, particularly in the Downtown and harbour areas. These spaces will include areas related to public buildings such as the City Hall and the Market, park areas, harbour-side walkways and links to public parking. Public spaces should be designed to provide places for people to meet, to gather for public events, to sit and to enjoy.

7.8.6 Streetscape

7.8.6.1.4 The City may provide, or may require of new development, enhancement of the public right of way consistent with the character of the neighbourhood and applicable urban design guidelines, using streetscaping elements such as special lighting, landscaping, paving stones, street furniture, public art and other complimentary features and furniture.

DIAGRAM ONE Municipal Right-of-Way



Source: City of Windsor, Sidewalk Cafe Handbook, February 2005.

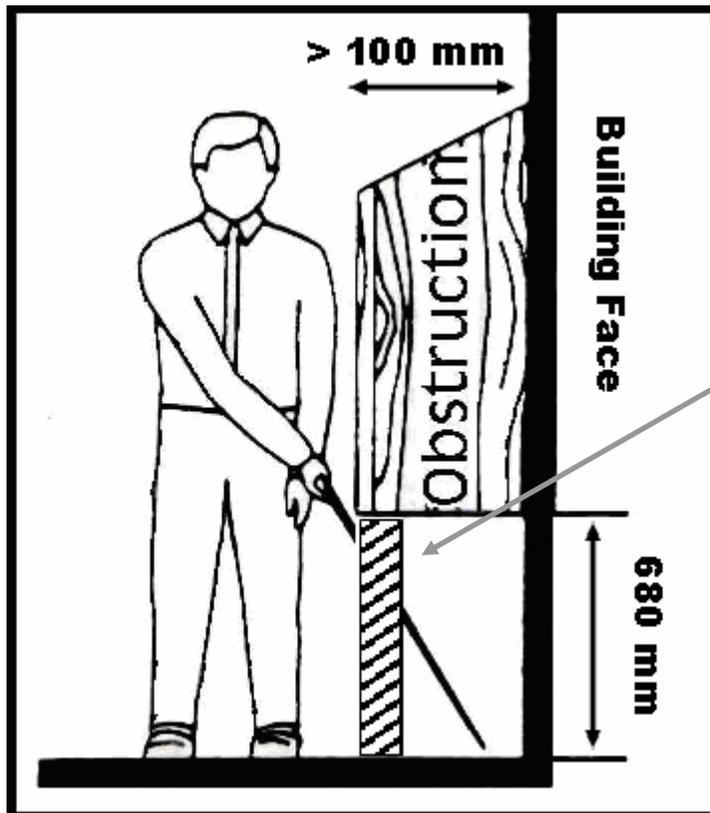
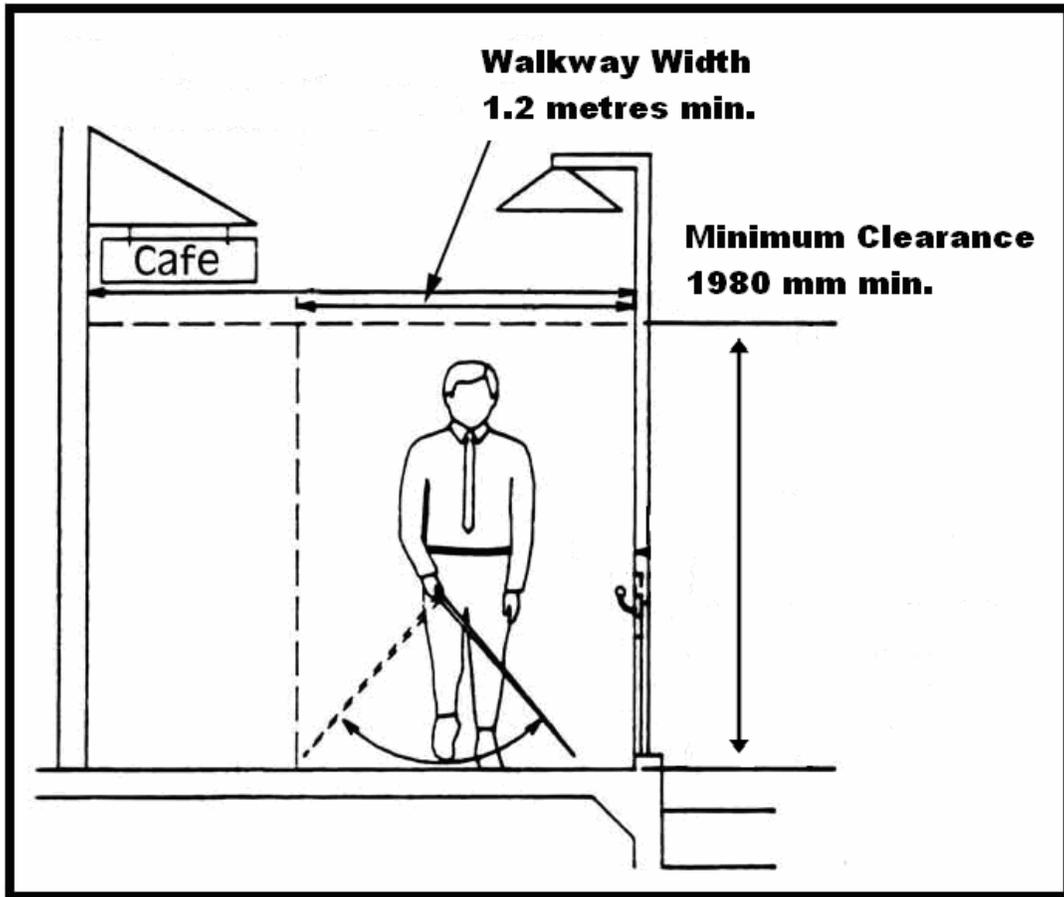
Sidewalk Cafe: Public Right-of-Way Zones

Appendix - A.
Scale: NTS

Sidewalk Cafe Handbook



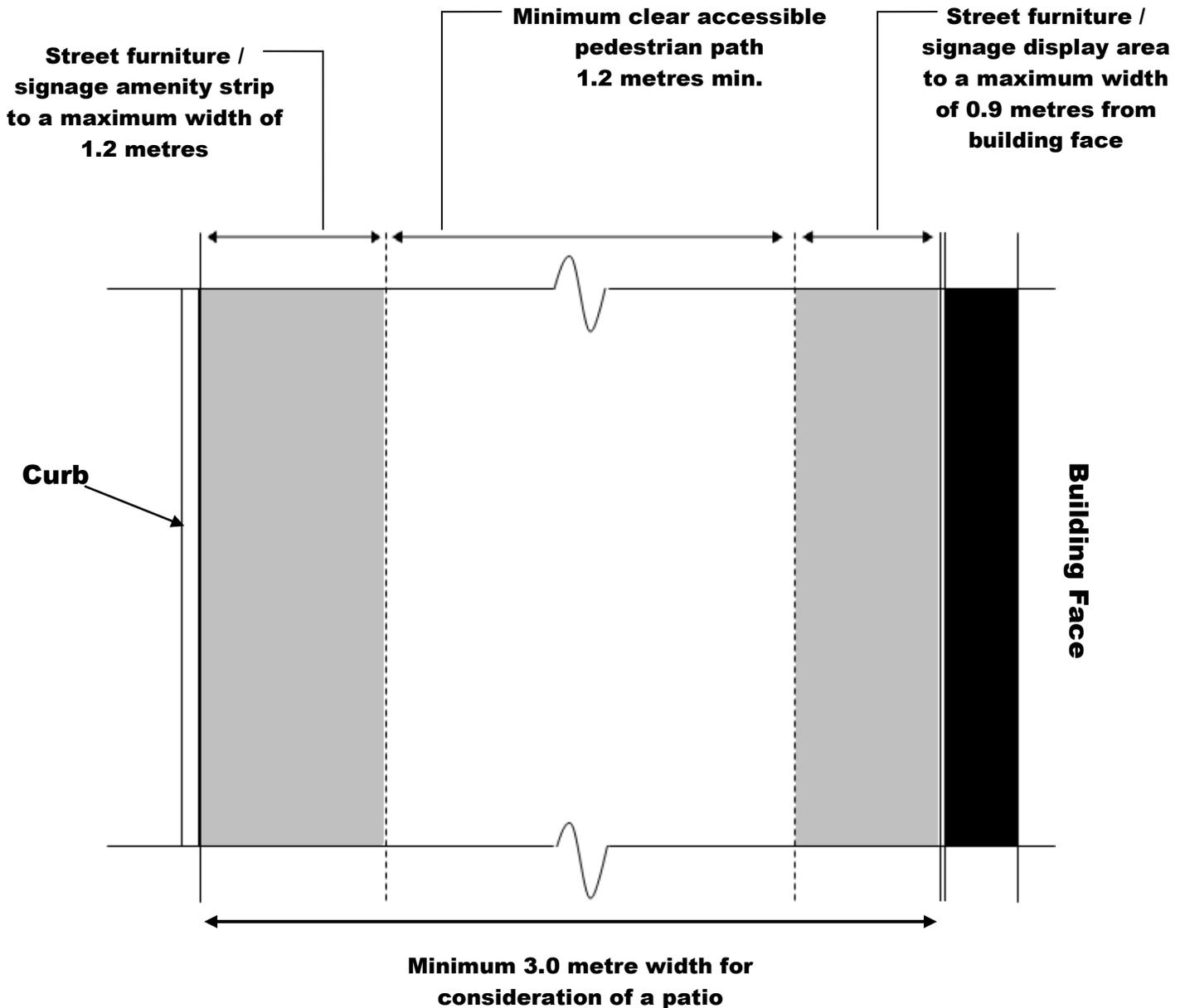
DIAGRAM TWO



**Protrusions
larger than
100 mm
require
distinct
cane
detectable
edges**

DIAGRAM THREE

Right-of-Way Requirements



SIDEWALK CORRIDOR

Note:

- Dimensions will vary depending on sidewalk width
- Pedestrian path shall always be a minimum of 1.2 metres