

WHEREAS in direct response to emergency orders and restrictions identified by both the Province of Ontario, Peel Region Public Health, the Council of the City of Mississauga enacted temporary use By-law 0163-2020 on July 8, 2020, effective until December 31, 2020, to permit local restaurants to establish temporary outdoor patios on public or privately zoned lands and within public rights-of-way;

AND WHEREAS, through the passage of By-law 0241-2021 on November 24, 2021, in an effort to show continued support for the restaurant industry impacted by the COVID-19 pandemic, Council extended the temporary use by-law permissions for patios until December 31, 2023;

AND WHEREAS, Council Resolution 0213-2021, passed on November 24, 2021, directed staff to review the potential for permanent regulations for outdoor patios and report back with recommendations;

AND WHEREAS, the City has set up a Temporary Patio Program website with details outlining the as-of-right permissions and regulations for patios on Private lands, as well as the permit process for patios on Public lands;

AND WHEREAS, effective January 1, 2023, the Province of Ontario via the Alcohol and Gaming Commission of Ontario (AGCO) has changed their protocol by transferring the permanent authority to approve temporary outdoor extensions for licensed liquor establishments to municipalities, in compliance with Section 153.1 of Ontario Regulation 746/21 of the Liquor License and Control Act, 2019;

THEREFORE BE IT RESOLVED THAT:

1. City staff be delegated the authority on an interim basis to approve temporary outdoor physical extensions of premises with a liquor sales licence, both on Public and Private Lands, in accordance with Ontario Regulation 746/21 of the Liquor License and Control Act, 2019.
2. City staff be directed to update the current Temporary Patio Program and related public facing documents with the interim approval process; and
3. This interim approval process remain in effect until such time as permanent regulations for outdoor patios are developed by City staff and approved by Council.

A handwritten signature in black ink, appearing to be 'S. J. O' followed by a stylized flourish.