

# Temporary Outdoor Patio Serving Alcohol Application

City of Mississauga  
Planning & Building  
300 City Centre Drive  
Mississauga, ON L5B 3C1  
temporarypatio@mississauga.ca



Personal information on this form is collected under the authority of section 11 of the Municipal Act, 2001, and applicable City of Mississauga By-laws. The information collected will be used for processing the application. Questions about the collection of this information should be directed to 311 (905-615-4311 outside city limits).

The information requested below is required in support of all applications for restaurant establishments with a valid Liquor Sales Licence seeking to install or expand a temporary outdoor patio.

## Applicant Information

Applicant Name

Applicant Address

City

Province

Postal Code

Telephone Number

Email Address

Applicant is the Property Owner

Applicant is the tenant and has obtained authorization from the Property Owner(s)

Name of Restaurant

Application Date (YYYY MM DD)

Address of Restaurant

City

Province

Postal Code

Mississauga

Ontario

Liquor Licence Number

Liquor Licence Expiry Date (YYYY MM DD)

## Patio Details and Confirmation

Starting on January 1, 2023, the Ontario Government has granted municipalities the permanent authority to approve temporary outdoor extensions for licensed liquor establishments, in compliance with Section 153.1 of Ontario Regulation 746/21 of the Liquor License and Control Act, 2019 (the "Regulation").

Patio Description/Comments

(include details such as the whether the proposed temporary outdoor patio will include a tent or require a wooden platform, specify the size of the patio and if applicable, the number of parking spaces to be utilized for the patio)

Please specify the location of the patio:

- Located on Private property only
- Located on Public land (road, sidewalk, curb lane/on-street parking lane, or a municipal parking lot)
- Located on BOTH Private and Public lands

## Application Requirements

Please confirm whether your application complies with the following requirements, as outlined in the Regulation:

1. The proposed temporary outdoor patio is adjacent to the premises to which the license to sell liquor applies.
2. The Applicant is able to demonstrate sufficient control over the area to which the proposed temporary outdoor patio would apply.

Please briefly describe the control measures:

3. There is no condition on the Applicant's liquor licence prohibiting a temporary outdoor patio.
4. The capacity of the area to which the extension would apply allows for at least 1.11 square metres per person
5. The licenced premises would not be subject to a temporary outdoor extension for more than a total of eight months in a calendar year.

By checking this box, you acknowledge and agree that:

1. You have read, fully understand and agree to be bound by the General Conditions of Approval attached to this application.
2. As per the Regulation, a licensed establishment can only have a temporary outdoor patio for a maximum of eight months within a calendar year.
3. As per the Regulation, Applicants that obtain City approval for a temporary outdoor patio for liquor licenced establishments must [notify the AGCO](#) before selling or serving liquor on the temporary outdoor patio.

## Signature of Applicant

I, THE (temporary outdoor patio/extension) APPLICANT, attest that the information provided in this application form is true to the best of my knowledge.

Name of Applicant

Signature of Applicant

Date (YYYY MM DD)

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## City of Mississauga - Approval Section

To be filled out by reviewing staff

The above noted temporary outdoor patio is deemed:

Authorization Number

Authorization Date (YYYY MM DD)

Expiry Date (YYYY MM DD)

Conditions (if applicable)

## CITY OF MISSISSAUGA GENERAL CONDITIONS OF APPROVAL

1. The approval of an application (“Approval”) to install or extend a temporary outdoor patio (the “Patio”) for licensed liquor establishments is issued to the Applicant pursuant to the authority granted to the City of Mississauga (“City”) under section 153.1 of Ontario Regulation 746/21 of the *Liquor Licence and Control Act*, 2019 and applicable City by-laws.
2. The City reserves the right to inspect the Patio and/or request such documents as may be required to ensure compliance with the City’s requirements.
3. The Applicant will comply all applicable statutes, regulations and by-laws, including but not limited to: the *Building Code Act, 1992*, the *Fire Protection and Prevention Act, 1997*, the City’s Zoning By-law 0225-2007 and Noise Control By-law 360-1979 (“Applicable Law”).
4. The Applicant shall ensure that the Patio meets all safety, accessibility, operation and functioning requirements, as well as requirements in respect of serving of alcohol in accordance with Applicable Law.
5. The Applicant shall comply with all conditions and requirements of this Approval to the satisfaction of the City. Any non-compliance of this Approval or any applicable conditions may result in the Approval being suspended or withdrawn.
6. A copy of the Approval must be readily available at the Patio location at all times.
7. Any alterations to this Approval must be approved by the City prior to such changes taking place.
8. This Approval does not authorize any construction works at the Patio location.
9. The Patio, road and sidewalk surfaces in and around the Patio must be kept clear of obstructions or debris, to avoid hazard and/or inconvenience to the public.
10. This Approval shall come into effect as of the date approved by the City, and shall expire on the date noted on the Approval.
11. This Approval cannot be assigned by the Applicant and shall terminate automatically if title to the Patio property or lease hold interest is transferred to another party.
12. The Applicant has advised its insurer or broker of the Applicant’s intention to operate the Patio and the insurer confirmed that the Applicant has sufficient liability insurance to address host liquor liability and Patio operation exposures, among other liability exposures relevant to the Applicant’s operations.
13. **Release:** The Applicant agrees to release and forever discharge the City, its elected officials, officers, employees, agents, contractors, subcontractors and invitees (the “Releasees”) from any and all liabilities, losses, damages, costs and expenses (including, without limitation, all legal and other professional fees and disbursements, interest, liquidated damages and amounts paid in settlement, whether from a third party or otherwise), claims, actions, causes of action, complaints, demands, suits or proceedings of any nature or kind (hereinafter “Claims”), howsoever and whatsoever incurred, suffered or sustained by the Applicant or anyone for whom the Applicant may be in law responsible, arising out of or otherwise in connection with the Approval. This Release shall survive the alteration, suspension, revocation, or expiry of the Approval.
14. **For temporary outdoor patio encroachments on Public Lands –** the Applicant agrees that:
  - a. The Applicant has obtained a Permit issued by the City for a Temporary Outdoor Patio on Public Lands (“Permit”) and/or has entered into an encroachment agreement with the City pursuant to the Encroachment By-law 0057-2004, as amended (“Encroachment Agreement”); and
  - b. The conditions of the Permit and/or Encroachment Agreement continue to apply to the Patio.