

Council Policy C001-07

Patio Policy

Part 1 - General

Division 1 - General

Policy Statement

- 1 The City will facilitate and thoughtfully evaluate applications for Sidewalk Patio Permits to support economic prosperity and add vitality to City streets.

Purposes of this Policy

- 2 To establish guidelines to inform applicant proposals and guide City staff review of applications for Sidewalk Patios Permits.

Division 2 - Interpretation

Definitions

- 3 In this policy:

"Furnishings" means any furniture or accessories, including tables and chairs, umbrellas, and heaters, associated with a Sidewalk Patio.

"Permit Holder" means the business in possession of a Sidewalk Patio Permit.

"Sidewalk Patio" means the use of public sidewalk by a business for the purpose of food and beverage service or retail display.

"Sidewalk Patio Permit" means a permit to carry out a Sidewalk Patio on public land.

Part 2 - Guidelines for Consideration of Applications

Division 1 - Guidelines for Sidewalk Patios

General Intent

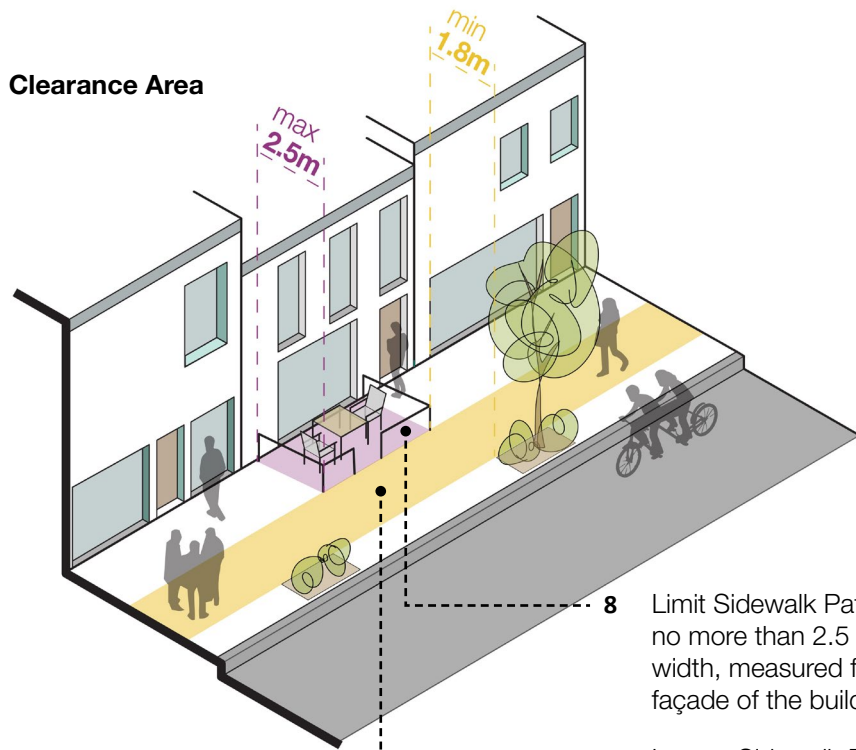
- 4 Sidewalk Patios should be located directly adjacent to the applicable business frontage. They should enhance the pedestrian experience and not impede the movement of pedestrians or access to municipal infrastructure.

Siting & Design

- 5 Design Sidewalk Patios to maintain barrier-free access for persons with mobility challenges.
- 6 Design Sidewalk Patios to be compatible with the applicable building's architecture.
- 7 Limit Sidewalk Patios to the frontage of the business to which it belongs, except with written consent from the adjacent business owner.
- 8 Ensure Sidewalk Patios do not interfere with building entrances, exits, access to fire connections, or loading zones.



Clearance Area



- 8 Limit Sidewalk Patios to no more than 2.5 m in width, measured from the façade of the building.
- 9 Locate Sidewalk Patios to maintain a minimum 1.8 m clearance to the nearest object or structure that may impede the movement of pedestrians (edge of tree grate, utility pole, etc.).

- 10 Ensure the required clearance area takes into account the surrounding context and provides a seamless transition to and from adjacent frontages.

Railings and Planters

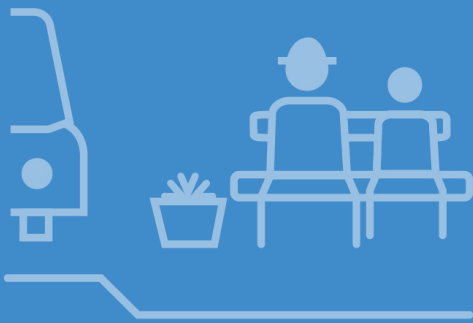
- 11 If liquor service is proposed, railings or planters are required to delineate the Sidewalk Patio.
- 12 Ensure railings or planters are not secured to public land and do not extend beyond the Sidewalk Patio.
- 13 Railings or planters should be between 0.5 m and 1.0 m in height and designed to have an open appearance. Signage should not be mounted onto railings or planters.
- 14 Bollard and chain fencing is not permitted.

Exits

- 15 For enclosed Sidewalk Patios, maintain exits with a minimum 1.1 m in clear width and ensure exits do not direct patrons into the frontage of an adjacent business.
- 16 Ensure building exits and entrances maintain a 1.1 m clear pathway through the Sidewalk Patio.

Decks and Platforms

- 17 Decks and platforms may be permitted if needed to level existing grade or harmonize the surface level with indoor uses.
- 18 Where permitted, decks and platforms must be less than 0.6 m (2 ft) in elevation from the sidewalk to the deck/platform surface and must be less than 55 m² (592 ft²) in area.



- 19 Design decks and platforms to be freestanding, not secured to buildings or public land. Decks and platforms should be capable of being easily removed within 24 hours.

Furnishings

- 20 Contain all furnishings within the Sidewalk Patio during the applicable business hours of operation. Remove all furnishings and store them inside when the business is closed.
- 21 Furnishings may not be secured to City-owned infrastructure (sidewalks, lamp posts, etc.), street trees, or other public sidewalk furnishings.

Umbrellas

- 22 Umbrellas must maintain a clear unobstructed height of 2.1 m and may not extend beyond the Sidewalk Patio. Awnings, roof coverings, and tents are not permitted.

Heaters

- 23 Do not place portable heaters under or near umbrellas, awnings, or street trees.

Retail Display

- 24 Retail operators may apply for a Sidewalk Patio Permit for the purpose of displaying retail merchandise.

Food and Beverage Service

- 25 Ensure all applicable laws and regulations regarding the sale and service of food and beverages to the public are being met at all times.

Maintenance

- 26 The responsibility for the proper maintenance of the Sidewalk Patio, including repairs, cleaning, and hazards, rests with the Permit Holder.

Sidewalk Patio Permits

- 27 A Sidewalk Patio is only permitted with a valid Sidewalk Patio Permit.
- 28 To obtain a Sidewalk Patio Permit an applicant must submit an application to Planning and Development Services. Application requirements are outlined on the [Development Planning application form](#).
- 29 Sidewalk Patio Permit applications are subject to an application fee in accordance with the [Development Application and Service Fee Bylaw, 2010](#).
- 30 A rental rate for the use of public land, as outlined in Schedule "A", will be applied to all Sidewalk Patio Permits, and renewed annually, at the time of Business Licence renewal.
- 31 The City may at any time revoke a Sidewalk Patio Permit and require the Permit Holder to remove any works associated with the Sidewalk Patio, at their own expense.

Schedule "A"

Sidewalk Patio Permit Rental Rate

Sidewalk Patio Permit Rental Rate	\$100/year or \$5/ft ² /year, whichever is greater
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ADOPTED June 27, 2022

