

GUIDELINES FOR TEMPORARY PATIOS LOCATED ON PUBLIC PROPERTY

General Requirements

1. Temporary patios shall only be permitted for Bars and Neighbourhood Pubs; Breweries, Wineries and Distilleries; Restaurants; and Specialty Food Services Uses operating under an existing valid Development Permit.
2. Temporary patios permitted under this guideline shall extend no later than November 1, 2021; however the City may terminate these permissions upon 24 hours notice. Further, the City may terminate the permissions without notice in the event of an emergency and/or operational safety concern.
3. The business owner is responsible for obtaining all relevant permissions, including but not limited to AGLC, AHS, and their landlord. The business owner must comply with all regulations and requirements from AGLC, AHS, and other relevant regulatory bodies.
4. The business owner of a temporary patio shall mitigate any negative impacts on abutting or nearby residential development; including prioritizing the use of private land before utilizing public space.
5. No outdoor audio-visual equipment (for example speakers, sound systems, television, visual displays, projectors, etc.) may be used on a temporary patio unless a noise mitigation plan is submitted to the City. Audio-visual equipment exceeding a height of 1.2m (4ft) above grade, measured from the top of the device, must be approved by the City relative to sightlines and shall not be attached to a building. Audio-visual equipment must be secured in such a manner that does not damage any public property and without endangering any underground utilities. Audio-visual equipment shall only be placed on the business owner's private property, not on public property. Televisions, speakers, and video displays must be oriented facing away from vehicle traffic and shall not be arranged consecutively to create a wall or visual obstruction.
6. The use of a temporary patio shall comply with the **Community Standards Bylaw** at all times.
7. Wheelchair access must be provided to, and throughout, the temporary patio.
8. Umbrellas must stand at least 2.1m (7ft) above the walking surface.
9. Cooking or food and drink preparation is not permitted on temporary patios.

10. A minimum 1.5m (5ft) clearance from fire department (siamese) connections and hydrants must be maintained on a temporary patio.
11. A fire extinguisher (minimum 2A-10BC) must be available within 23m (75ft) of any part of the temporary patio.
12. Temporary patios must not extend in front of any building exit. Temporary patios must not extend in front of adjacent tenant spaces or beyond business frontage without written permission from affected adjacent property owners and tenants; this includes any overhanging elements.
13. A temporary outdoor patio shall not contain any structures, permanent or temporary, except for tables, chairs, umbrellas, heaters, temporary movable patio perimeter fencing/barriers and temporary movable patio perimeter planters. Any temporary movable patio perimeter fencing/barriers and temporary movable patio perimeter planters must not exceed a height of 1.2m (4 ft.) above grade. If the business owner requires any other structure, they must enter into a License of Occupation with the City.
14. Permanent fences and barriers, portable toilets, platforms, decks, or stages are not permitted. Optional temporary movable patio perimeter fencing, planters, or barriers 1.2m (4ft) high or less are permitted, provided they are not damaging any public property, and are secured without endangering any underground utilities and in such a manner that they are readily movable at all times.
15. When a temporary patio with capacity for more than 60 people is enclosed by a temporary perimeter fence, it must have at least two separate exits. Only one exit is required where a temporary patio has a capacity of up to 60 people. Exit openings must be at least 0.9m (3ft) in clear width, and provided with exit signs where not clearly visible to patrons.
16. Any exit gates must swing freely outward from the temporary patio during hours of operation. ULC- or CSA-certified electric or propane patio heaters (with max 20lb tank) are permitted where located at least 3m (10ft) away from City tree branches, operated per the manufacturer's directions and must be stored off the road right-of-way when not in use. Solid-, gel- or liquid-fuel fire features are not permitted. Any heater intended for use inside a tent or shelter is subject to City approval.

17. A clear path of pedestrian travel of minimum 2.0m (6'6") must be maintained on the public sidewalk. A clear path of 2.3m (7'6") is recommended.
18. The side of the temporary patio adjacent to vehicle traffic shall maintain a minimum distance of 0.65m (2'2") from the edge of any adjacent travel lane.
19. Temporary patios shall not be permitted in any portion of a parking lane or travel lane.
20. Temporary patios shall not be placed within 5.0m (16'5") from the corner of an intersection and 10.0m (32'9") from the corner of an intersection that has a stop/yield sign or pedestrian crosswalk.
21. Temporary patios must not encroach into existing loading zones, Accessible Parking Stalls, bike racks and bike corrals, tow away zones, bus stops, shared pathways or designated bike lanes.
22. The business owner is responsible for maintaining any structures and equipment in a safe and clean condition and in good repair. This maintenance must include keeping the area free of any potential dangers; including power cords, debris, and pooling water.
23. City power receptacles shall not be used for any temporary patio purposes.