



## Community Development

### 2022 Seasonal Patio Program

Summer days are coming soon and The City of Red Deer invites your restaurant or entertainment establishment to take full advantage of the warm weather. Downtown businesses dedicated to food and entertainment services are encouraged to apply to expand their floor space to include the sidewalk in front of their venue.

Businesses are no longer required to build a solid barrier due to relaxed regulations by the AGLC: the patio must be suitably defined (enclosed by planters, a rope, railing or similar barrier). Please refer to the AGLC Manufacturer Handbook, Section 7.13, sidewalk patios.

Interested establishments are requested to submit their applications beginning **March 1, 2022**. If you would like to apply, please read through the guidelines and procedures attached.

The City of Red Deer will provide the following services:

- a. Build, install, remove and store the necessary boardwalks;  
*\*\*Once funding has been exhausted for the year, applications for new patios requiring boardwalks will no longer be accepted until new funding is available\*\**
- b. Not charge for use of the parking stalls required for the above boardwalks during this program or the storage of the above boardwalks during the off season.

In response, the permitted establishments will ensure that the patio design and/ or decks meet the building codes and follow the guidelines and procedures.

For questions and inquiries please contact:

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## **Guidelines**

The guidelines for the seasonal patio and boardwalk design are general to encourage a variety of looks by establishment owners. Each approved seasonal patio shall:

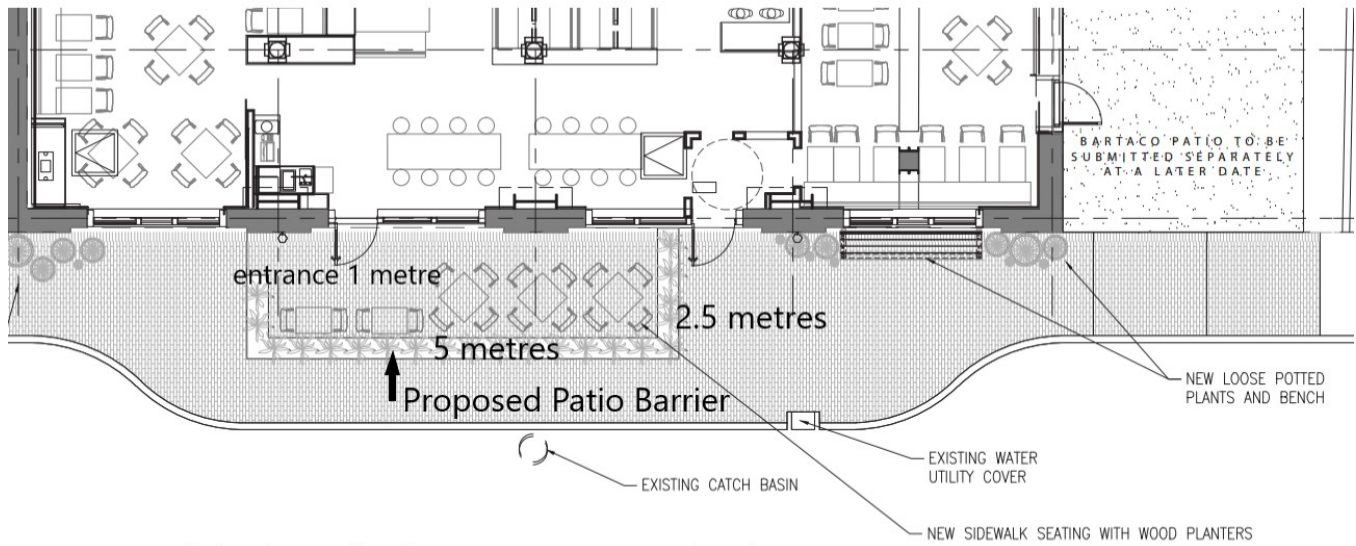
1. Remove no more than 30 per cent of parking stalls per block
2. Not extend beyond the edge of the existing sidewalk (inside edge of the curb). *Exceptions for patios abutting the Ross Street Patio.*
3. Maintain a separation distance of at least 30 meters (100 feet) from properties zoned residential
4. Directly abut the business so patrons and servers do not cross the flow of sidewalk pedestrian traffic.
5. Be adjacent to the business' property frontage and not extend onto the frontage of neighbouring property owners without written consent (please include with application).
6. All service stopped and all customers relocate inside establishment by 11 pm and ensure the patio remains closed between the hours of 11 pm and 7 am the following day
7. No person shall be permitted to smoke on a seasonal patio as per *City Bylaw No. 3345/2005 Section 3*
8. Not block access to Emergency Services connections, city sewers, city water works, gas valves, bus stops, or exits from the adjacent building.
9. Be constructed so that it can *be completely removed* within 24 hours if required. Decks, platforms and structures are not permitted except to level a significant grade difference in the sidewalk or to harmonize indoor and outdoor seating levels. If permitted, the deck to seasonal patio must be wheelchair accessible.
10. Not have any umbrellas attached to the patio railings.

## Procedure

Please submit plans to Community Development beginning **March 1st, 2022**.

- I. Submission requirements include:
  - a. a dimensional site plan (aerial view from above with measurements noted) showing the patio designed in accordance with the regulations set out. The aerial site plan illustrates:
    - i. the entire front of the building and 5m on either side of the property, the location of the door, the curb and the distance between the curb and the building.
    - ii. the location of the proposed patio barrier.
    - iii. the length and depth of the seasonal patio and its opening(s). all the objects on the sidewalk such as lamp standards, signs, parking meters, garbage receptacles, benches, trees, (trees must be measured from the edge of the tree-well grate not the tree trunk). – All objects along the front of the property and within 5m on either side of the property are to be shown. A digital photograph may be used with measurements noted.
  - b. a dimensional elevation plan (view from the side or front with measurements noted) showing the patio barrier designed in accordance with the regulations set out. The elevation drawing must show:
    - i. a drawing of the barrier posts, rails and stiles, its height and design with a description of what it will be constructed of and its colour and finish.
    - ii. a detail drawing and/or description of how the barrier will be anchored to the sidewalk.
    - iii. a detail drawing and/or description of how the barrier will be disassembled.
  - c. a dimensional drawing showing any new signage proposed to be located in the patio area. A separate sign application is required if signage is proposed after the patio has been approved.
  - d. a drawing showing the proposed lighting if any to be added to the patio. (A separate electrical permit must be taken out by a licensed electrician).
2. Any other information the development officer deems necessary to properly assess the application.
3. All applications will be reviewed for safety and design standards by the following departments:
  - a. Inspections and Licensing;
  - b. Engineering; and
  - c. Public Works.
4. The applicant must complete and sign a Certificate of Insurance (attached) prior to the release of the development permit. Copies of the held insurance's must be submitted to Community Development by **June 1** of each year.

Example of aerial site plan:



Patio barrier made of 8 - 1mx1mx0.5m wooden planters

Example of site plan from front showing elevation:



**Regulations**

1. Season Duration for **City installed boardwalks** (patios located outside of the Ross Street Patio may require a boardwalk):
  - a. **April 1 to October 15 2022.**
  - b. All patio barriers, furniture, furnishings and fixtures must be removed from the sidewalk by **October 15<sup>th</sup>**.
  - c. For any patios abutting the Ross St. Patio, all patio barriers, furniture, furnishings and fixtures must be removed from the sidewalk by **October 11<sup>th</sup>**, as the Ross St. Patio will be removed at this time.
2. If there is a change of ownership, the permit is void and the new owners must apply for a new permit or remove the seasonal patio within 10 business days.
3. The seasonal patio is permitted only for previously approved:

- a. Eating and Drinking Establishments
  - b. Entertainment Establishments
4. Operational Requirements:
- a. The applicant must keep the seasonal patio and adjacent sidewalk clean and maintain the seasonal patio barrier so that it remains stable, secure, and attractive.
  - b. The applicant must obtain and adhere to all other applicable permits and licenses for activities proposed for the seasonal patio.
5. Liability Insurance:
- a. The applicant must sign a completed 'Certificate of Insurance' at the time of application.
6. Patio Design Requirements:
- a. The patio is permitted only on the portion of sidewalk abutting the related building face.
  - b. The patio is not permitted to extend in front of neighbouring buildings or businesses. The patio must be enclosed by a barrier designed in accordance with the regulations set out below.
  - c. The patio layout must accommodate wheelchairs and must not impede wheelchair access to the related building or to neighbouring buildings or businesses.
  - d. All patio furniture and other fixtures such as flower boxes, portable lights or heaters, etc must be located within the patio area and not in the pedestrian travel area.
  - e. Patio umbrellas may extend into the pedestrian travel area provided there is a minimum 7' (2.13m) ground clearance, but the umbrella base must be located within the patio area.
7. Patio Barrier Design Requirements:
- a. The patio barrier must be
    - i. designed for stability,
    - ii. designed for easy removal at the end of the season.
  - b. Preferred method of anchoring: galvanized or stainless steel concrete anchors counter-sunk with internal threads. Upon removal of the barriers the holes must be capped flush with the surrounding surface. Damage sustained to City property, during this process, is the sole responsibility of the applicant.
  - c. Free-Standing barriers, attached to the sidewalk, are preferred. Fastening barriers to the building is discouraged. If the site is designated as a Heritage Building, an Intervention Report must be obtained during the approval process. The method may be refused if it has potential to cause long term irreparable damage.
  - d. Patio umbrellas must not be affixed to the patio barrier nor must the barrier be connected to any existing building canopies.
8. The City retains the right to:
- a. require the immediate dismantling of the seasonal patio, at the applicant's expense, in order to gain access to the sidewalk, or adjacent street, or adjacent buildings, or to the utilities located on, over, or under the sidewalk or adjacent street or adjacent buildings. Reinstallation of the seasonal patio is at the applicant's expense.
  - b. suspend or revoke the Seasonal Patio Permit if, at any time, it is found that violations of the regulations have occurred or that the use of the seasonal patio is creating difficulties

the City deems unacceptable. Dismantling of the seasonal patio is at the applicant's expense.