**Guidelines for Seasonal Patios located on public property (right of way)**

**You will need a digital copy of the following:**

• dimensioned drawings (see details below)

• letter(s) of support, especially from the building owner if different from the applicant as  well as the BIA (if applicable).

• copy of insurance for the patio with cross-liability coverage for the City for up to $2,000,000?

• Patios are to be located in the parking lane, adjacent to the curb. Patios shall not be  located in the pedestrian realm, so as to avoid a pedestrian detour. Seasonal patios  shall not be permitted in any portion of a travel lane.

• Curbside patios must maintain a minimum 2.0m clearance from other patios if extending two parking spaces (approx. 12m) or beyond.

• A business with a curbside patio must beginning and end of the patio a minimum of 0.5m  from the extension of the property line.

• 2m clearance must be maintained from ENMAX manholes, transformer vaults or other  associated infrastructure.

• A 1.0 m fence/barrier must separate the patio from the roadway. Fencing / barrier to be  supplied by the applicant.

• The application & plans will be circulated to Building Regulations for review and the  applicant will be advised if a Building permit is required. A patio around 10sqm or  greater may require a building permit. A Professional engineer stamp would be required  for the structure.

• Plans will also be circulated to utilities for review and comments. Any conflicts with  communicated to the applicant.

**To help determine compliance, please include:**

• location and details of egress (exit width, hardware, etc.) with measurements • location of tables and chairs within the encroachment area. Patio layout will adhere to  the City of Calgary’s *Access Design Standards.* Please illustrate:

• location and dimensions of the proposed encroachment area relative to the edge of the  building, property line(s) and curb

• the distance between the nearest edge along the proposed encroachment and the  nearest edge of any above-ground obstruction such as, the curb line, fire hydrants,  street lighting, traffic signal and other utility poles, sign posts, parking meters, trees, tree  wells, vending boxes, bus shelters, etc.

• location of any driveways and street intersections in close proximity to the proposed patio area

• width of paved sidewalk and boulevard, indicating boulevard surface material (grass,  pavers, concrete, etc.)

• dimensioned elevation and design of the required fencing that will be used to enclose  the proposed sidewalk café

• details of location of umbrellas, decking, planters and signs, if applicable **General Requirements**

1. Seasonal patios shall only be permitted for businesses who are licensed to serve food  and food/alcohol.

2. On Street Seasonal patios approved will allow businesses to use public property  between May 1 and shall extend no later than October 31, 2021. The: • City may terminate the permission/license upon 72 hours notice if a snowfall of 3cm  or greater is forecast.

• The City may terminate the permissions without notice in the event of an emergency  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 Seasonal patio shall mitigate any negative impacts on abutting  or nearby residential development, including prioritizing the use of private land before  utilizing public space.

5. The use of a Seasonal patio shall comply with the **Community Standards Bylaw** at all  times.

6. Cooking or food and drink preparation is not permitted on Seasonal patios. 7. Drainage within the roadway / gutter must be maintained.

8. Wheelchair access must be provided to, and throughout, the Seasonal patio. Patio  layout will ensure adequate path of travel and access for mobility devices. The patio  floor shall be at the same level as the adjacent sidewalk (i.e., no ramps). The Seasonal  patio and/or any structures and related business activities must not obstruct accessibility  and pedestrian circulation within the patio. Barrier free entrance to Patio shall be  provided and maintained. At the entrance to the patio, there shall be no gap – horizontal  or vertical – between the curb and the patio floor; the transition shall be smooth and not  present mobility issues or tripping hazard.

9. Umbrellas must stand at least 2.1m (7ft) above the walking surface. There must be no  infringement of patio furniture / paraphernalia into the pedestrian path of travel – on  either side (i.e., no planters, hanging or floor-standing, signage, etc.). Umbrellas must  not be attached to railings, be secured to the ground with sufficient weights/concrete  blocks/sandbags to prevent shifting or blowing away (do not connect directly to the  sidewalk or street), and be removed and stored at the end of each day.

10. A minimum 1.5m (5ft) clearance from fire department (siamese) connections and  hydrants must be maintained on a Seasonal patio.

11. A fire extinguisher (minimum 2A-10BC) must be available within 23m (75ft) of any part of  the Seasonal patio.

12. Seasonal patios must not block any building exits. Seasonal 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. Owner to ensure compliance with building code - Must maintain a minimum of  1.1m egress from building and within patio area. Must not block fire department access  or fire department connections. No Roof structure is permitted. Identify the emergency

access route(s) out of the patio which is to be maintained clear and unobstructed for  emergency access and evacuation routes.

13. The owner shall ensure that all permits required in connection with the proposed work  are obtained before starting work to which they are related

14. A Seasonal outdoor patio shall not contain any structures, permanent or Seasonal,  except for tables, chairs, umbrellas, Seasonal movable patio perimeter fencing/barriers  and Seasonal movable patio perimeter planters. Any Seasonal movable patio perimeter  fencing/barriers and seasonal 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.

15. Solar or battery powered lights on tables or railings are allowed within curbside patios.  Running power (cables) from the building to the patio is NOT permitted. Suspended  lights are NOT permitted.

16. Permanent fences and barriers, platforms, decks, or stages are not permitted. Optional  Seasonal movable patio perimeter fencing, planters, or barriers 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.

17. When a Seasonal patio with capacity for more than 60 people and the Floor area  exceeds 150m2 and /or Travel distance over 15m, it must have at least two separate  exits. Only one exit is required where a Seasonal patio has a capacity of up to 60  people. Exit openings must be at least 0.9m (3ft) in clear width.

18. Any emergency exit gates must swing freely outward from the Seasonal patio.

19. 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. No encroachments into  the pedestrian path of travel are allowed.

20. Barriers may be required to separate motorist from the patio. The side of the Seasonal patio adjacent to vehicle traffic shall maintain a minimum distance of 0.8m from the edge  of any adjacent travel lane (including barrier if required).

21. Any fences/railings adjacent to the pedestrian path of travel must have a cane detectable edge within 100 mm of the ground. A fence height of 1.0 m is preferred.  Fences must be secured without damaging or drilling into the sidewalk, roadway or curb.  If provided on the patio, planter boxes and other obstructions must not project into the  barrier-free path of travel. Colour contrasting will be used to distinguish the patio  perimeter and entrance from the sidewalk.

22. Seasonal 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. Temporary patios shall not be permitted within on-street parking  spaces adjacent to streets with a speed limit over 50 km/h

23. Seasonal 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.

24. Opaque structures including walls or booth seating must not impede sight lines from  nearby approaches or public lanes. Avoid gaps in the planking or between the curb and  platform wider than 6 mm. The patio floor shall be within 6mm of the adjacent sidewalk  (i.e., no ramps). At the entranceway to the patio, there shall be no gap – horizontal or  vertical – between the curb and the patio floor; the transition shall be smooth and not  present mobility issues or tripping hazard.

25. The outside railing shall accommodate an Object Marker Sign/Hazard Sign located on  the corner nearest the approaching vehicle traffic, facing vehicle traffic.

26. 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 debris and pooling water. The  establishment is responsible for traffic management, ensuring that collisions between  staff and pedestrians are avoided. A clear path to and from the patio shall be provided.

27. Implementations must pass initial inspection before going live. Patios may be subject to  spot inspections by the City for adherence to the accessibility requirements.

Once approved, a temporary permission will be issued, and Business licensing will be notified. Applicant TO DO once temporary permission is granted:

1. Set up patio, tables / ropes or planters

2. Call 311 – request ‘CFD – Inspection – Special Event’ use the correct term. DO NOT  request occupancy permit.

3. Fire Inspector will complete inspection

4. Please e-mail AGLC once the inspection is completed by the Fire Inspector at  Petrina.Nash@aglc.ca to ensure your AGLC License is properly updated.

This permission will allow businesses to set up the patio seasonally for X years after being  issued. A renewal notice will be sent to business every year before the season starts for  verification and billing.