

PATIO PROGRAM GUIDE

SUMMER 2022

SUMMER PATIO PROGRAM GUIDE

Edmontonians enjoy outdoor patios, as they contribute to vibrant and livable communities and help make Edmonton a place where people want to live, work and thrive.

Restaurants, bars, and cafes are invited to plan their summer patio using the City's streets and sidewalks. You may be interested in a small patio on the sidewalk or a more prominent patio which repurposes space on the street.

This guide outlines the steps from design to approval to installation to co-create your patio with the City and contribute to safe, vibrant, and accessible spaces for everyone.

Summer 2022 Updates

- Application and occupancy fees are waived to support economic recovery due to the pandemic.
- Three quick-start patio design options have been created based on learnings from 2021.
- The City will create and share an online map to promote local businesses who have patios in the City.

Patios on Private Property vs. on Public Space

Please note that the Summer Patio Program applies to patios on public space only (sidewalks and streets).

City Council approved changes to the Zoning Bylaw in January 2021 to streamline the process for restaurants, bars and neighbourhood pubs wanting to open 'low impact' permanent outdoor patio expansions on their private property, such as in private parking lot space.

Under the new rules, a development permit is no longer required for these businesses to add an outdoor patio on their private property if the proposed patio meets the permit exemption criteria set out in [section 12.2.1.dd](#) of the Zoning Bylaw.

For more information on planning a patio expansion on private property, please send your questions to developmentpermits@edmonton.ca.

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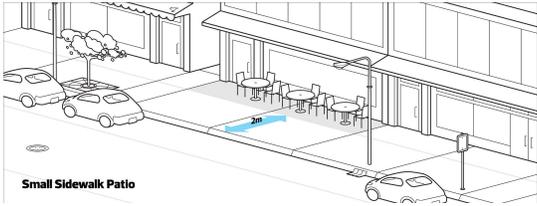
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Working Together to Create Safe, Vibrant, and Accessible Summer Patios

Role of the Business Owner	Role of the City
<ul style="list-style-type: none"> ✓ Maintain a clear path of travel along the sidewalk for people of all ages and abilities ✓ Ensure the patio and everything within it is safe, clean and in good condition ✓ Prioritize the use of private land for a patio prior to seeking approval to use public space ✓ Keep the patio free of any potential dangers, including power cords, debris and pooling water ✓ Create inviting outdoor spaces for residents to enjoy that contribute to a vibrant community ✓ Comply with regulations and requirements from other regulatory bodies, including but not limited to AGLC, AHS and Safety Codes ✓ Ensure the patio operations comply with the Community Standards Bylaw at all times ✓ Gain approval from the City 	<ul style="list-style-type: none"> Support community vibrancy and economic growth Help businesses navigate the application and permit process Maintain safe access for people of all ages and abilities Ensure safe and appropriate occupation of public road space Review and issue approvals and supply and install temporary traffic control Support a quick and efficient application process

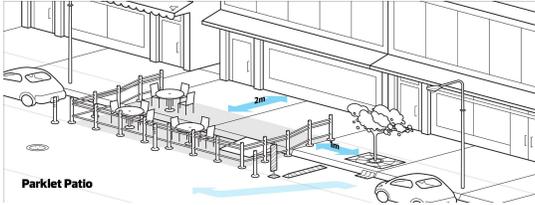
Summer Patio Options

There are three quick-start patio design options offered through the temporary Summer Patio Program.

<p><u>Option 1: Small Sidewalk Patio</u></p> <p>Create a simple sidewalk patio while keeping a clear path for pedestrians.</p>  <p><small>Small Sidewalk Patio</small></p>	<p>Features:</p> <ul style="list-style-type: none"> • A quick, easy and inexpensive option for businesses to take advantage of nice weather with expanded seating options. • Patio furnishings (tables and chairs) must be taken in and out each business day. • No umbrellas, railings, or barriers are permitted. • Maintain a clear path along the sidewalk, 2m wide, obstruction-free (for example, no planters or signs). <p>Approval Process: Declaration</p> <p>Timelines: Immediate approval is granted once the application and signed Declaration are received by the City.</p>
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Option 2: Parklet Patio

Create a patio on the street within the curb lane by repurposing parking space.



Features:

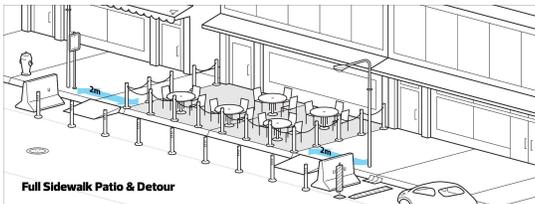
- This is the most [accessible](#) option for patrons and residents using the sidewalk, as detours are not required.
- Patios can be raised using a boardwalk or platform or placed directly on the street.
- Recommended width for a parklet patio is 2 m
- Features like tables, chairs, umbrellas, heaters, string lighting, movable patio perimeter railings/barriers, and movable patio perimeter planters are all permitted for this option.
- All structures must be temporary, fully removable within twenty-four (24) hours in case maintenance, events or other activity performed by the City must take precedence.

Approval Process: [Licence of Occupation](#)

Timelines: Approximately 10 business days are required for approval. Installation can take place once the City has received the signed Licence of Occupation.

Option 3: Full Sidewalk Patio & Detour

Create a patio on the sidewalk that diverts pedestrians along a protected curb lane pathway.



Features:

- This option permits tables, chairs, umbrellas, heaters, string lighting, patio perimeter railings/barriers, and patio perimeter planters.
- Audio-Visual Equipment can be included subject to submission of a [Noise Mitigation Plan](#).
- This option has a bigger impact on [accessibility](#) than Option 2, because detours can create additional challenges to people pushing strollers, using mobility aids, or with limited vision.
- All structures must be temporary, fully removable within twenty-four (24) hours in case maintenance, events, or other activities performed by the City must take precedence.

Approval Process: [Licence of Occupation](#)

Timelines: Approximately 15 business days are required for approval. Installations can take place once the City has received the signed Licence of Occupation.

Note: Where the sidewalk is wide enough, there may be cases where the sidewalk patio and detour are both accommodated on the sidewalk.

Approval Process

Sidewalks and streets are shared by all Edmontonians. Because permission is granted to the business owner by the City for non-exclusive use of this space through the Summer Patio Program, approval is required.

The City gives approval to businesses through either a Declaration or a Licence of Occupation, depending on the summer patio plan and how it will impact the sidewalk and curb lane.

The City of Edmonton reviews temporary patio applications as they are received. Applications can be completed by using the appropriate application form in the table below or online at edmonton.ca/TemporaryPatios.

Please note: All patios are subject to compliance checks. If the patio is found operating outside the approved plan, the patio and or applicant may be subject to enforcement.

Type of Approval	Things to Know	Application Process
<p>Declaration</p> <p>An acknowledgement by the business owner that they agree to abide by all guidelines and program requirements set by the City.</p> <p>Allows for the use of temporary chairs and tables.</p>	<p>For Option 1 (small sidewalk patio).</p> <ul style="list-style-type: none"> • The approval is immediate once the Application, signed Declaration and Patio Plan are received. • The patio can be used as per the terms and conditions of the Declaration and Option 1: Small Sidewalk Patio Requirements. • Issued for one season. • Business may operate on part of the City's sidewalk. • Must maintain a clear and accessible 2 m wide path on the sidewalk for pedestrians of all abilities. • Tables and chairs must be taken into the business at the end of each business day. • No umbrellas or planters are permitted. • The patio area cannot be enclosed by railings or barriers. 	<p>Application Form</p> <p>As part of the application form, you will need to submit:</p> <ul style="list-style-type: none"> • Signed Declaration Form • Temporary Patio Plan
<p>Licence of Occupation</p> <p>A permit that allows the use of the road right-of-way (ie: sidewalk, street) for commercial purposes.</p>	<p>For Option 2 (parklet patio) and Option 3 (full sidewalk patio with pedestrian detour) patios.</p> <ul style="list-style-type: none"> • Once the application and all supporting documents have been received, applications will be reviewed and evaluated by the City. • Patios are not to be installed or used until the Licence of Occupation has been signed and confirmation that the Temporary Traffic Control has been installed. • Issued for 1 season. • The patio may only operate within the designated patio area identified in the Licence of Occupation (LOO). • May contain tables, chairs, umbrellas, heaters, string lighting, temporary movable patio perimeter railings/barriers and temporary movable patio perimeter planters. 	<p>Application Form</p> <p>As part of the application form, you will need to submit:</p> <ul style="list-style-type: none"> • Temporary Patio Plan • Proof of Insurance Documents • Noise Mitigation Plan (if applicable) • Proof of Public Engagement (if applicable)

	<ul style="list-style-type: none"> • The City may alter or limit the use of the licence area to accommodate conflicting construction activities or events. As much advance notice as possible will be provided. • The City may terminate the permission to operate the patio without notice in the event of an emergency and/or operational safety concern. 	
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How can Temporary Patios be Used?

What is Permitted	What is NOT Permitted
<ul style="list-style-type: none"> • Serving and eating food and beverages • Temporary structures, which can be moved within 24 hours (allowable structures vary between declaration and Licence of Occupation) 	<ul style="list-style-type: none"> • Cooking of food and drink preparation • Permanent infrastructure • Use of city power receptacles for any purposes • Patios with capacity of more than 60 people • Pergolas or any overhead elements aside from umbrellas. This type of installation cannot be solely approved through the Summer Patio Program. Businesses wishing to include these elements in their patio should plan for a longer approval timeframe, as a building permit is required prior to a summer patio permit being issued.

Where Summer Patios are Permitted

When private property does not provide the required space for a patio, public property may be considered using space within the curb lane of the street or along the sidewalk. This is an option for businesses located along mainstreets, within Business Improvement Areas (BIAs), and at properties where the front of the building is built up right to the property line (Zero Lot Line Development).

To be eligible to participate in the Summer Patio Program your business must meet the following:

- Businesses with a valid City of Edmonton Business Licence;
- Businesses that are an eating or drinking establishment; and
- Businesses with valid [zoning approval](#) for one of the following: Bars and Neighbourhood Pubs, Breweries, Wineries, Distilleries; Restaurants; or Specialty Food Services.

Maintaining Connected and Accessible Pedestrian Pathways

Edmontonians want safe and connected sidewalks. An obstacle free 2 m wide walkway is Edmonton's standard for accommodating all residents. This width allows for two-way travel and ensures that people with strollers, walking their bicycles, or using wheelchairs and other mobility aids will be able to have a clear path and feel welcomed by your business.

Summer Patio Options	Supporting Connected and Accessible Pathways
Option 1: Small Sidewalk Patio	Keep 2 m along the sidewalk clear, including the removal of any planters, signs or other obstructions.
Option 2: Parklet Patio	These options best support accessibility, as they do not require a detour.
Option 3: Full Sidewalk Patio with an Accessible Detour	<p>Direct pedestrians along a clearly marked path into the curb lane.</p> <p>Keep 2 m clear along the detour, including the removal of any planters, signs or other obstructions.</p> <p>Use ramps or boardwalk sidewalks to support all pedestrians, including people pushing strollers or using mobility aids.</p> <p>Use cane-detectable railings and or structures to support visually impaired people utilizing aids.</p>

Create Your Temporary Patio Plan

A Temporary Patio Plan is a drawing that identifies what portion of street and/or sidewalk space will be used for the temporary patio.

Plans must:

- Identify the boundary of the proposed patio area, including dimensions
- Illustrate the proposed layout of the patio (including, but not limited to, quantity of tables and chairs, umbrellas, railings lighting and heating elements)
- Clearly indicate where the 2 m of pedestrian space will be accommodated
- Identify if the patio area impacts any loading zones and parking (EPark or other restricted parking zones). Note: accessible parking areas and bus stops are not available for use.
- Identify any trees or tree grates impacted by or directly adjacent to the patio area
- Identify any other street furniture impacted by or directly adjacent to the patio area (waste receptacles, fire hydrants, street light poles or any accessory street furniture)
- Identify any elements associated with ensuring the patio area remains accessible for mobility users
- Identify if the proposed patio will extend beyond your business frontage. If it does, you need to get written permission from the adjacent property owners and/or tenants confirming they are in support of the proposed patio plan.

Please note that the application form also requires submission of photos of the business frontage, including showing adjacent businesses.

Other Requirements

Keep these things in mind to set your application up for smooth approval. If your patio plan does not meet these requirements, it will not be approved.

Edmonton Fire needs efficient and easy access to water

- Leave 1.5 m (5 ft) of free space around any fire department connections on buildings and any fire hydrants on the sidewalk.
- A fire extinguisher (minimum 2A-10BC) must be available within 23 m (75 ft) of any part of the temporary patio.

Emergency exit access

- Temporary patios must not block any building's emergency exits.
- Any patio with perimeter railing must have emergency exits:
 - They must be at least 0.9 m (3 ft) wide and obstacle free.
 - They must be either clearly visible to patrons, or clearly marked with exit signs.
 - Patios with capacity of up to 60 people require a minimum of 1 exit.

Keep trees safe

- The Temporary Patio Permit holder will be responsible for any loss of or damage to City trees that fall within the boundary of the patio area and that is deemed to be the result of the Temporary Patio or its operation. This compensation will be in accordance with the procedures of City of Edmonton's [Public Tree Bylaw 18825](#) and the [Corporate Tree Management Policy C456C](#).
- Nothing is to be secured to, hung from, affixed, or attached to a City owned tree without prior permission or approval from the [City of Edmonton's Urban Forestry team](#).
- **Trees under 14 cm diameter at 1.4 m above the surface of the tree grate:**
 - Cannot be located within the patio area due to watering requirements.
 - The edge of the patio must be 1 m from the edge of the tree grate. Any exceptions require approval from Forestry, and may include watering obligations.
- **Trees over 14 cm diameter at 1.4 m above the surface of the tree grate:**
 - Preference is to exclude trees from the patio area.
 - If trees are within the patio area, you must limit physical contact between City owned trees and patio patrons.
 - No tables, chairs or railings placed within 1 m of the edge of the tree grate.
 - Rainwater can not be obstructed from reaching the tree's roots.
- Trees in grassed boulevards may be permitted within the patio. However, separate approval by Forestry is required along with specialized tree protection.
- For more information on these requirements, visit edmonton.ca/UrbanForestry or call 311.

Maintain clear paths for pedestrians

- A clear, 2 m wide pedestrian path must be maintained.
- Detours need to be accessible to people pushing strollers, using mobility aids, and with visible impairments.
- Consideration must be given to ensuring the patio area remains accessible for all mobility users.
- Consideration must also be given to how visually impaired pedestrians interface with the edge of the patio area. Use cane-detectable railings to support visually impaired people utilizing mobility aids.

Maintain safety around streets, intersections, bike lanes and shared pathways.

- Patios are only permitted on roadways with a posted speed limit of 50 km/h or less.
- Patios are permitted in curb lanes where people park, any patios located in vehicle travel lanes (curb lanes signed as No Stopping or Tow Away Zones) for the 2022 season will require an additional approval through the permit process and may increase approval times.

- The edge of the patio must be at least 0.65 m (2'2") from the edge of any adjacent travel lane, bike lane, and shared pathway.
- Temporary patios must be at least:
 - 5.0 m (16'5") from the corner of an uncontrolled intersection.
 - 10.0 m (32'9") from the corner of a controlled intersection (stop/yield sign or signals) or an intersection with a marked pedestrian crosswalk.

Street Signs

- Traffic Control Signage (for example, stop signs, yield signs, speed limit signs) cannot be moved to accommodate a temporary patio.
- Any modifications to non traffic control signage (for example, information signage) must be addressed through a customized Traffic Accommodation Plan.

Bus Stops

- Temporary patios are not permitted in bus stops; any exceptions require approval of Edmonton Transit Services, which may increase approval times. Applicable relocation costs are the responsibility of the business owner.

Parking

- Unrestricted curbside parking is available for patio use and can be used to create a Parklet Patio or accommodate a detour.
- Restricted curbside parking may be permitted for patio use. However, adjustments to signage may be required and are identified in the Traffic Accommodation Plan.
- Using loading zones or E-park zones is possible, but it requires approval through the permit process as well as [public engagement](#).
- Accessible parking spaces may not be used for patios.
- Using No Stopping or Tow Away Zones is possible, but will require a customized Traffic Accommodation Plan.

Moving bike racks, waste bins, and other street furniture

- Bike corrals, benches, Canada Post boxes, newspaper boxes, poster columns and affixed waste bins cannot be relocated.
- Relocating bike racks to accommodate a temporary patio is possible, but requires approval through the permit process and may require [public engagement](#), including Business Improvement Area support.
- Relocating bollards will be reviewed on a case by case basis.
- Applicable relocation costs are the responsibility of the business owner.

Outfitting your Patio

Umbrellas

- Must be at least 2.1 m (7 ft) above the walking surface when open.
- Must NOT extend beyond the boundary of the patio area.

String Lights

String lights need to be high enough for people to move freely and powered by the business.

- String lighting must be attached at least 2.4 m (8 ft) above the walking surface. No part of the string lighting fixtures may hang below 2.1 m (7 ft) above the walking surface.
- Power for the lights must come from the main electrical panel or a metered power source that the business owns or is responsible for. City power receptacles cannot be used for any temporary patio string lighting installations.

- Electrical cords must be strung overhead and not lay on the ground. Tamper proof materials must be used.
- No connections to underground utility lines are allowed.
- No flashing lights or colors that mimic traffic signals can be used.
- Lights cannot be projected upwards or directed onto any adjacent properties.
- Clearance from overhead power lines must be provided. A minimum distance of 1 m from electrical service lines and 3 m from high voltage power lines is required.

Applicants may require Code Inspections or Electrical Permits if any new service connections or adjustments to existing services are required to support string lighting. Standard fees apply to these elements and supporting documents must be provided upon request to the City.

Heaters

- ULC or CSA-certified electric or propane patio heaters (with max 20 lb tank) are permitted where located at least 3 m (10 ft) away from City tree branches and operated per the manufacturer's directions.
- Heaters and tanks must be stored off the road right-of-way when not in use. Solid, gel or liquid-fuel fire features are not permitted.

Planters

- Planters can be used to enhance the boundary of the patio area.
- Planters can be placed between the patio and the temporary traffic control devices, but cannot be a substitute for railings.
- Planters with plants can not be taller than 1.2 m.
- No planters, plant material, or other elements can block temporary traffic control devices, signs or pedestrian/mobility pathways.

Portable toilets

- Not permitted through the Licence of Occupation.

Stages

- Not permitted through the Licence of Occupation.

Audio-Visual Equipment

Audio-visual equipment can be included in patio designs using Option 3: Full Sidewalk Patio with an Accessible Detour.

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.

- Place audio-visual equipment only within the boundary of the patio and must NOT extend beyond the boundary of the patio area.
- Audio-visual equipment can not be attached to a building unless building permit approval for the attachment exists.
- Audio-visual equipment exceeding a height of 1.2 m (4 ft) above grade, measured from the top of the device, must be approved by the City relative to impacts on traffic operational sightlines.
- Power for any audio visual equipment must come from the main electrical panel or a metered power source that the business owns or is responsible for. City power receptacles can not be used for any temporary audio visual installations.
- Any electrical cords must be strung overhead and not lay on the ground. Tamper proof materials must be used. No part of the electrical cords may hang below 2.1 m (7 ft) above the walking surface.

- Audio-visual equipment must be secured in such a manner that does not damage any public property and without endangering any underground utilities.
- Any televisions or video displays must be oriented facing away from vehicle traffic and may not be arranged consecutively to create a wall or visual obstructions.

Patio Decks or Raised Boardwalks

Any platforms, whether they are patio decks or raised boardwalks, used as part of a detour must meet the following conditions:

- Must not exceed 2 m (6.6 ft) in width from curb face to outside edge of deck structure.
- Any raised boardwalks or decks must be flush with the sidewalk and the connection between the boardwalk and sidewalk must be covered with a stout non-slip plate.
- All platforms require guard railings as specified below.
- The base of the boardwalk must not interfere with the drainage flow in the gutter.
- Boardwalks need to be supported in a way that they are not damaging any public property.
- Any affixture to asphalt can only be with butyl pads or similar adhesive systems.
- Any affixture to concrete must adhere to the specifications in the Licence of Occupation document.
- Must be secured without endangering any underground utilities.
- Must be secured in such a manner that they are readily movable at all times.

Overhead Structures (roofs, pergolas, temporary tents)

Pergolas or any structures with overhead elements are not solely permitted through the summer patio program. Any patio with overhead elements aside from umbrellas require Safety Codes review and require a non-standard Licence of Occupation. Businesses wishing to include these elements in their patio should plan for a longer approval timeframe, as a building permit is required prior to a summer patio permit being issued.

Guardrails, Railings and Barriers

- All patios located in the curb lane must include a guardrail.
- Any guardrails must meet the following conditions:
 - The minimum guard rail height is 0.9 m (36 inches) and must not exceed 1.22 m (48 inches)
 - Spaces between guardrail vertical spindles must not exceed 0.1 m (3.94 inches)
 - Guardrails must not be climbable
- Any gates must not swing into the pedestrian clear zone or the adjacent road space or parking lanes. All railings and barriers must be readily movable at all times as per the terms of the Licence of Occupation.

Vertical Posts to support string lights or hanging planters

- No vertical posts larger than 4 ft x 4 ft
- No closer than 2.4 m (8 ft) apart.
- Patios that are less than 4.9 m (16 ft) long can have a maximum of 2 vertical posts.
- Vertical posts must be at least 2.4m (8 ft) tall.
- Posts must be securely fastened to the deck structure and to the railing structure and cannot be floating in a precast footing.

Public Engagement Requirements

Public engagement will be required in the following situations:

- **If the patio extends beyond your business frontage**, you must obtain letters of support from adjacent businesses, property owners and/or commercial/residential tenants that are impacted by the patio extension.
- **If the patio will impact on street parking or require street furniture to be moved**, the business owner is required to engage with all business, property owners and/or commercial/residential tenants on their blockface. To be approved, 50% +1 support is required.

Noise Mitigation Plan

A noise mitigation plan is required when a patio is located on public property and proposes to use audio visual equipment. This amenity is only available to [Option 3](#): Full Sidewalk Patio with an Accessible Detour.

Please see the [Noise Mitigation Plan Template](#) for reference.

Insurance Requirements

All patios held on public property require a minimum of \$2 million liability coverage with the City of Edmonton listed as an “Additional Insured”.

Traffic Accommodation Plan

All Option 2 and Option 3 patios require a Traffic Accommodation Plan. The City of Edmonton is providing all Traffic Accommodation Plans and associated Temporary Traffic Control devices through the 2022 season to support economic recovery from the COVID-19 pandemic.

Encroachment Agreements

Any patio that includes a structure that extends from private property onto public property requires an encroachment agreement. Any patios that require [encroachment agreements](#) are not part of the temporary patio program and need to be coordinated through the Development Permit and Safety Code processes.

Definitions

As you fill out your application, you may need to be familiar with the following terms:

"Road Right-of-Way" as that portion of the highway between property lines that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, or for pedestrian use, and can include a sidewalk, boulevard, carriageway, berm, ditch, swale, bicycle facility, noise attenuation facility, transit facility (including public areas of light rail transit), and landscaping.

"Licence of Occupation (LOO)" is an agreement for the temporary use of a specified portion of road right-of-way for a specified time and for a consideration where the Licensee is given use of the area and assumes responsibilities for activities carried out therein and thereon.

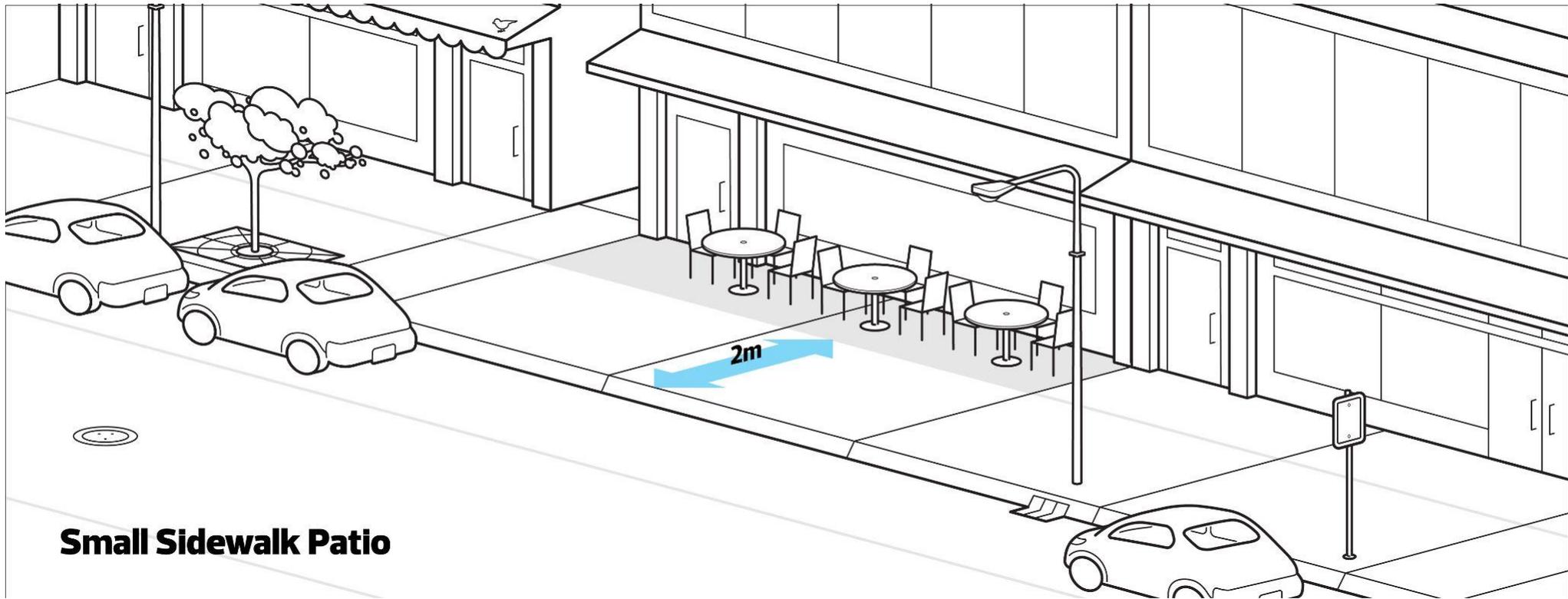
"Licensee" as the organization with which the City is entering the agreement.

"Zero Lot Line" means a development on a Site where one Site Side Setback is reduced to 0 m and each principal Dwelling is developed on its own Lot.

"Diameter at 1.4 m" is determined by measuring the circumference of a given tree at a point that is 1.4 m from the surface of the tree grate and then [using this measurement to calculate diameter](#).

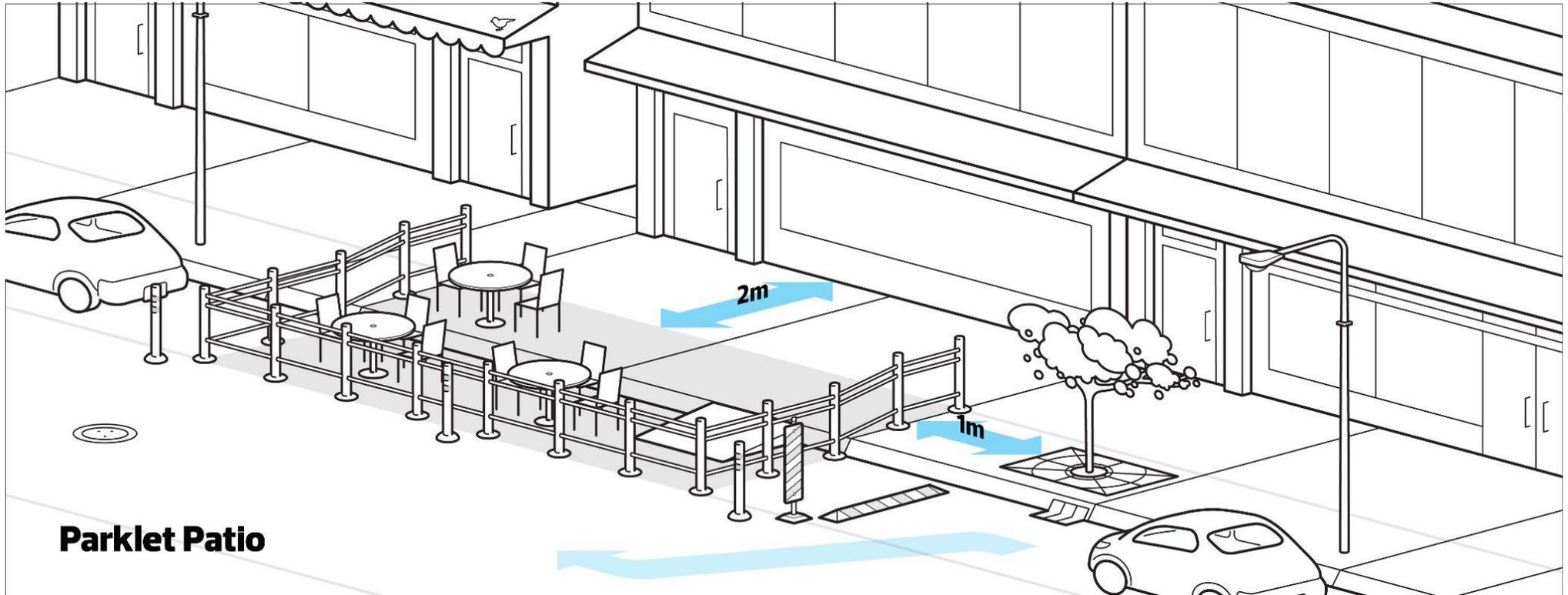
Appendix

Diagram of Option 1: Small Sidewalk Patio



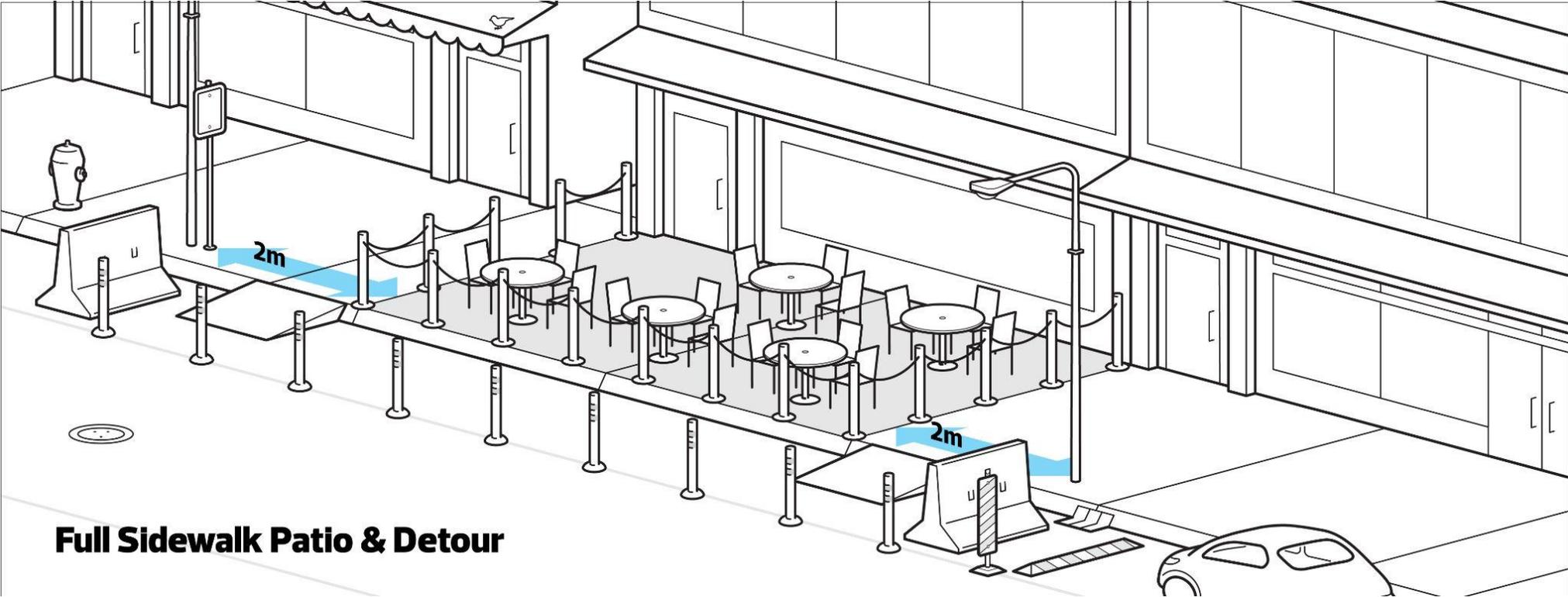
Small Sidewalk Patio

Diagram of Option 2: Parklet Patio



Parklet Patio

Diagram of Option 3: Full Sidewalk & Patio Detour



Full Sidewalk Patio & Detour