



## Seasonal Patio Permit Application

Summer in Downtown Red Deer is a wonderful season and provides a number of new opportunities for your businesses. The Seasonal Patio Program is one of these opportunities. Some of the benefits of participating may include: Increased customer seating, increased visibility for your business on the street, a livelier and inviting street environment, and decreased crime and vandalism in the area.

Applicants Name: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Mailing Address (If different from above): \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Required Information	Provided ✓
1. Dimensional Site Plan Showing:	
a. The entire front of the building plus 5m on either side, the location of the door, the curb and the distance between the curb and the building;	
b. The location of the proposed patio barrier;	
c. The length and depth of the sidewalk patio and its opening(s); and	
d. All of the objects on the sidewalk in front of the building and within 5metres on each side of the building	
2. Elevation Plan Showing:	
a. The barriers, posts, stiles, and rails, its height, design and materials	
b. Drawing and/or description of how it will be mounted to the sidewalk; and	
c. Drawing or description of how it will be disassembled.	
3. Dimensional Plan showing any new signage proposed for the patio	
4. Dimensional Plan showing any proposed lighting, heating or other equipment to be installed (additional permits may be required)	
5. Complete City of Red Deer Certificate of Insurance	

## City of Red Deer Certificate of Insurance

### **Liability and Indemnity**

The Licensee agrees that it will indemnify and save harmless the City of Red Deer and its officials, officers, employees, servants and agents from all costs, losses, damages, compensation and expenses (including Counsel fees) of any nature whatsoever suffered or incurred by the City and sustained or caused by the Licensee's occupation or possession of the Premises, and from all claims, demands, suits and judgments against the City and its officials, officers, employees, servants and agents, or either of them, on account of or in respect of the Premises or of the occupation or possession or use thereof by the Licensee, its servants, agents, contractors, licensees or permittees.

### **Insurance**

The Licensee shall, without limiting its obligations or liabilities herein and at its own expense, provide and maintain the following insurance(s) with the insurers in Alberta and in forms and amounts acceptable to the City of Red Deer's Inspections and Licensing Manager: Comprehensive general liability in an amount not less than \$2,000,000.00 inclusive per occurrence against bodily injury and property damage. The City of Red Deer and its officials, officers, employees, servants and agents are to be added as additional insured's under this policy(ies). Such insurance shall include, but not limited to:

- Products and Completed Operations Liability
- Owners and Contractor's Protective Liability
- Blanket Written Contractual Liability covering liability arising directly out of the performance of this agreement.
- Contingent Employer's Liability
- Personal Injury Liability
- Cross-liability or Severability of Interest
- Employees as Additional Insureds
- Broad-Form Property Damage
- Deductible Clause not to exceed \$5,000.00

All the foregoing insurance shall be primary. Any insurance or self-insurance maintained by the City of Red Deer shall be in excess of this insurance and shall not contribute to it. Prior to the commencement of the agreement the Licensee shall provide the City of Red Deer with evidence of all required insurance to be taken out in the form of a completed City of Red Deer Certificate of Insurance. Similar evidence of renewals, extensions or replacement of said policies shall be forwarded to the City of Red Deer at least 15 days prior to their renewal, extension or replacement. When requested by the City of Red Deer, the Licensee shall provide a certified copy or the required policy(ies).

All required insurance shall be endorsed to provide the City of Red Deer with 30 days notice of cancellation or material change.

I, \_\_\_\_\_ (Business Owner/Authorized Signatory), hereby acknowledge that the above information is correct.

\_\_\_\_\_  
(Business Owner/Authorized Signatory)

\_\_\_\_\_  
(Date)

Please send application form, drawings, and this Certificate of Insurance to [culturemailbox@reddeer.ca](mailto:culturemailbox@reddeer.ca)

The personal information on this form is collected under the authority of the Municipal Government Act section 3 and is protected under the provisions of the Freedom of Information and Protection of Privacy (FOIP) Act. The information will be used for the purpose of issuing seasonal patio permits, distribution of the business name with seasonal patios by the Downtown Business Association, and reports to City Council on the seasonal patio program. If you have any questions about the collection, use and protection of this information, please email [culturemailbox@reddeer.ca](mailto:culturemailbox@reddeer.ca).

## Downtown 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.

A review of applications will begin **March 1**. 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:

Kelly Andres, Community Facilitator  
Phone: 403-396-0940  
Email: [kelly.andres@reddeer.ca](mailto:kelly.andres@reddeer.ca)

## 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

Review of applications will begin **March 1**.

- 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 detailed drawing and/or description of how the barrier will be anchored to the sidewalk.

- iii. a detailed 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 Managers Order. Copies of the held insurance's must be submitted with application.

## **Regulations**

- 1. Season Duration for **The City of Red Deer installed boardwalks:**
  - a. **April 1 to October 15.**
  - b. All patio barriers, furniture, furnishings and fixtures must be removed from the sidewalk by **October 15<sup>th</sup>.**
- 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.

# Elevation Site Plan Template

Neighbouring Business	Your Business	Neighbouring Business
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Large empty area for drawing the site plan, bounded by a dotted line.

## Legend

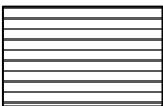


City Sidewalk



Patio Barrier

Street



Boardwalk (Built and installed by City)

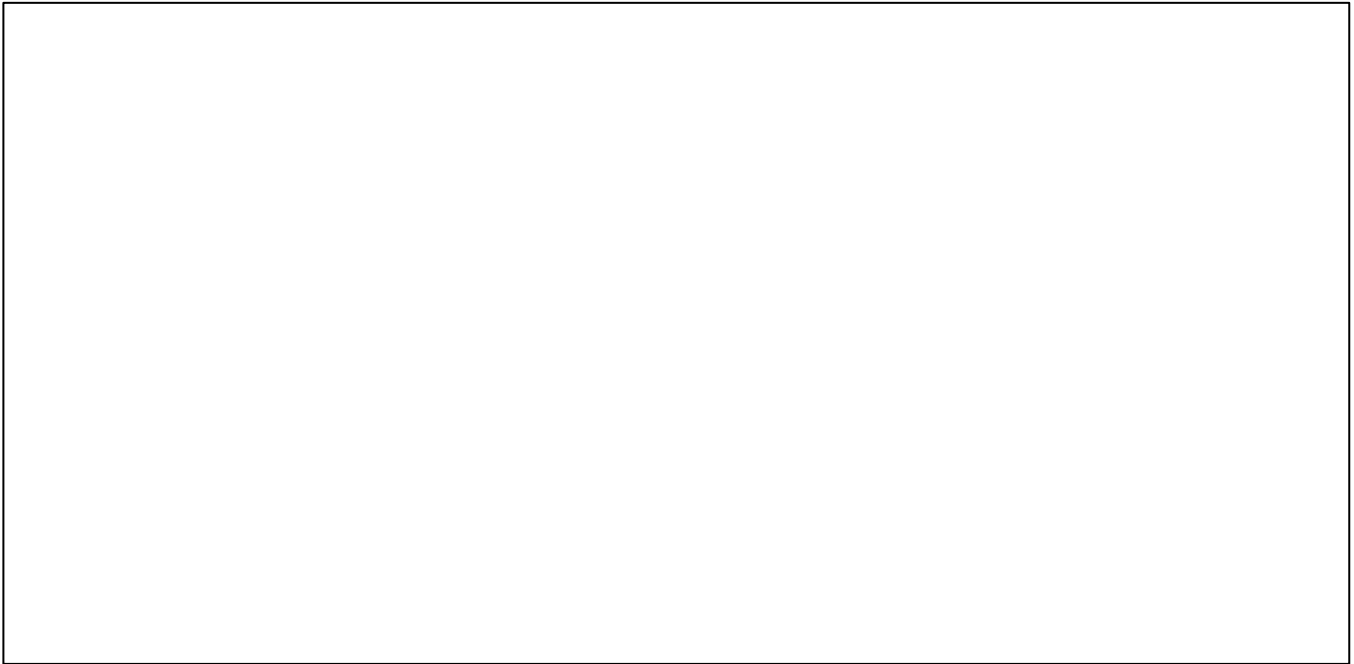
## Instructions

Please draw your proposed patio barrier in relation to the sidewalk, street, business entrance and boardwalk (if boardwalk is needed). Include any signs, lighting or umbrellas in this drawing.

This template can be modified in Microsoft Word or if drawn by hand, please use a ruler.

Include dimensions (length, width, height) for each element.

**Detailed Drawing of Barrier and List of Materials Used**



**Detailed drawing of how barrier is anchored to the Sidewalk (if using anchors):**



**Legend**

List each component that will be used to create the patio barrier and connect a line to it in the drawing:

Material/Color:

_____
_____
_____
_____
_____
_____
_____
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_____
_____
_____
_____
_____
_____
_____
_____

**Describe How the Barrier will be disassembled:**

_____
_____
_____
_____



# Aerial Site Plan Template

Neighbouring Business	Your Business	Neighbouring Business

## Legend



City Sidewalk



Property Line



Patio Barrier



Street



Patio Opening/Door

## Instructions

Please draw your proposed patio barrier in relation to the sidewalk, street, and property lines.

This template can be modified in Microsoft Word or if drawn by hand, please use a ruler.

Include dimensions (length and width) on each line drawn.