



Town of Okotoks

Temporary Outdoor Patio, Fitness Area and Retail Space Program Guidelines

The Town of Okotoks is establishing rules about temporary outdoor patios, fitness areas and retail spaces so businesses can create more space for customers and increase the vibrancy of the Town's commercial areas and have more flexible opportunities for their operations from April 1st to October 31st of each calendar year.

To participate in this program, you must follow these steps:

Step 1: Design your temporary patio, fitness area or retail space in accordance with these Guidelines, including preparing a plan or drawing.

Step 2: Submit a Declaration Form along with the plan or drawing of your design.

Step 3: If you are proposing to use sidewalks, public parks, municipally owned parcels, or reserve parcels ("public property"), you will also be required to provide proof of insurance and wait for confirmation from the Town that this is satisfactory before starting work setting up your temporary patio or retail space.

Step 4: Set up your temporary patio, fitness area or retail space.

Step 5: Arrange an inspection by Fire Services. A satisfactory inspection must be completed before you can begin using your temporary patio or retail space.

In some situations, as described in these Guidelines, you may also need prior approval from the Town before you can start work.

Please contact Town Administration at planning@okotoks.ca or 403-995-2760 if you have any questions.

A. General Requirements for Temporary Patios, Fitness Areas or Retail Spaces on Private Property and Within Public Property

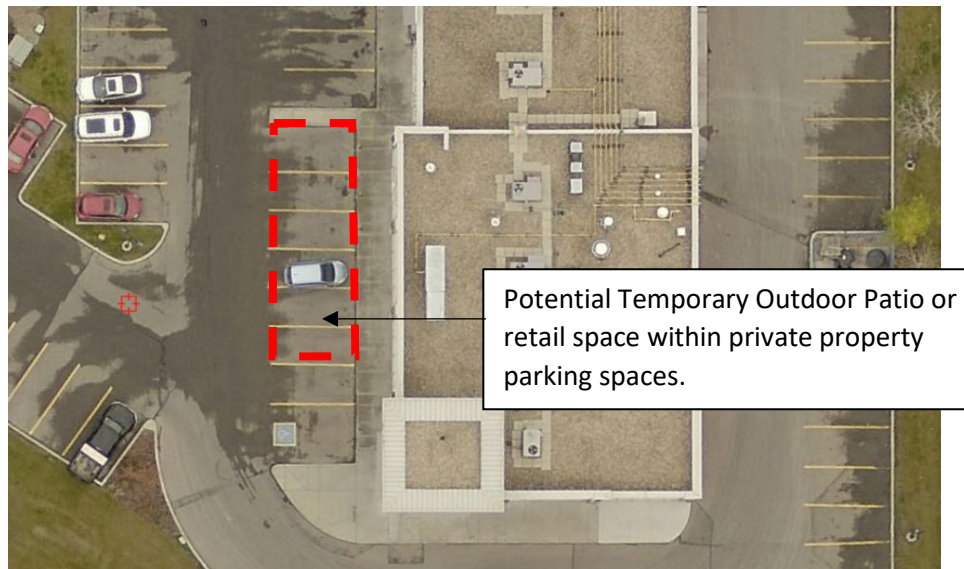
1. Temporary patios, fitness areas or retail spaces shall only be permitted in association with retail, eating/drinking establishments, fitness facilities/gyms and brewery-type uses which hold an existing development permit and a valid Town of Okotoks business license. If your business is not one of these above-noted uses and you believe it would be a suitable fit for this program, please contact planning@okotoks.ca as exemptions are at the discretion of Town Administration.
2. Temporary patios, fitness areas or retail spaces permitted under these Guidelines shall extend no later than October 31st of the year for which they are approved.
3. Applicants are responsible for obtaining all relevant permissions, including, but not limited to, the AGLC, AHS, and the applicable landlord or property owner, and

meeting all of the requirements of those permissions. Information about AGLC's requirements is available at www.aglc.ca.

4. The Applicant for a temporary patio, fitness area or retail space shall mitigate any negative impacts on abutting or nearby developments – including adjacent businesses and residential development. Consultation with adjacent business owners and residents (if applicable) is strongly encouraged prior to submitting a Declaration Form.
5. No outdoor speakers or sound systems shall be used, with the exception of businesses in the Central Commercial Business District (CCB), which may use speakers provided that the speakers are used on a limited basis between 11AM-11PM at a reasonable volume as background music.
6. On-site parking may be used for temporary patio, fitness areas or retail spaces, with the exception of barrier-free spaces. Any approvals required by the landlord for use of parking spaces in developments that share parking areas is the responsibility of the Applicant.
7. Town Administration may grant an exemption to paragraph 6 above and allow the use of barrier-free spaces for temporary patios, fitness areas or retail spaces. Such approval is subject to satisfactory relocation of these barrier-free spaces. Prior approval of Town Administration is required.
8. Wheelchair access must be provided to, through, and throughout, the temporary patio, fitness area or retail space to the satisfaction of the Town.
9. Cooking and/or food and drink preparation is not permitted on temporary patio, fitness areas or retail spaces.
10. A minimum 1.5m (5ft) clearance from fire department (siamese) connections and hydrants must be maintained on a temporary patio, fitness area or retail space.
11. A fire extinguisher (minimum 2A-10BC) must be available within 23m (75ft) of any part of the temporary patio, fitness area or retail space.
12. Temporary patios, fitness areas or retail spaces must not extend in front of adjacent tenant spaces, exits, or beyond business frontage except with written permission from affected adjacent property owners and occupants; this includes any overhanging elements.
13. Temporary structures including tents, canopies, shelter structures or stages are not permitted. Reasonably sized shade umbrellas which are a minimum of 1m from public tree branches (or as otherwise approved by the Town of Okotoks Parks department) are permitted provided that they otherwise meet the requirements of these Guidelines.

14. If the perimeter is enclosed, a temporary patio, fitness area or retail space with capacity for more than 60 people must have two separate exits. Only one exit is required where a temporary patio or retail space 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.
15. Any exit gates must swing freely outward from the temporary patio, fitness area or retail space during hours of operation.
16. CSA-certified electric or propane patio heaters (with max 20lb tank) are permitted where located at least 3m (10ft) away from tree branches, operated per the manufacturer's directions and not stored on the road right-of-way when not in use. Solid-, gel- or liquid-fuel fire features are not permitted.
17. A clear path of pedestrian travel of 2.3m (7'-6") minimum shall be maintained. Town Administration may reduce this to 2.0 m (7'6"). Prior approval of Town Administration is required for such a reduction.
18. All areas of the temporary patio, fitness area or retail space must be a minimum distance of 1.0m (3'-3") from the edge of any adjacent vehicle or bicycle travel lane.
19. The Applicant's business name and logo may appear on fencing, but other banners and signs are prohibited except with prior approval of Town Administration or as required by law.
20. No structures, improvements, or objects associated with the temporary patio, fitness area or retail space may impact existing drainage patterns, swales or natural flow of stormwater.
21. A fire inspection is required prior to occupying the temporary outdoor patio, fitness area or retail space. This can be scheduled by contacting Fire Services at 403-995-6319 (once the temporary patio or retail space setup is completed).
22. The following Figure 1 provides an example of potential temporary outdoor patio, fitness area or retail space within private property parking spaces. It is provided for illustrative purposes only.

Figure 1:



23. Temporary patios, fitness areas or retail spaces shall not be permitted:
 - a. within on-street parking spaces adjacent to streets with a speed limit over 50 km/h;
 - b. within 5.0m (16'-5") of the corner of an intersection; or
 - c. within 10.0m (32'-9") of the corner of an intersection that has a stop/yield sign or a pedestrian crosswalk.
24. Temporary patios, fitness areas or outdoor retail spaces shall not encroach into loading zones or fire lanes. Town Administration may grant an exemption to this requirement and allow the use of loading zones or fire lanes for temporary patio or retail spaces subject to satisfactory relocation of these loading zones or fire lanes. Prior approval of Town Administration is required.
25. Temporary curb ramps are required to provide a safe passage for pedestrians to cross between roadways and pedestrian walkways where applicable.
26. Where located in a parking area, outdoor patios, fitness areas or outdoor retail spaces shall include planters, perimeter fencing or barriers used to buffer the edge of the patio or retail space from parking spaces to the satisfaction of the Town. Planters, perimeter fencing or barriers may also be used by the Applicant to define the patio or retail space, subject to these Guidelines. Planters, perimeter fencing and barriers must be not more than 1.2m (4ft) high (plus plants in the case of

planters), must not damage any public property or endanger any underground utilities, and must be adequately secured.

27. Planters, perimeter fencing and barriers on sidewalks or pedestrian walkways must be easily removable and pose no trip hazard.
28. The Applicant shall maintain the outdoor patios, fitness areas or outdoor retail spaces, including any associated structures, improvements 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, snow and ice.
29. Where the prior approval of Town Administration is required under these Guidelines, a proposal shall be submitted to planning@okotoks.ca. Such approvals are in the sole discretion of Town Administration.

B. Additional Requirements for Temporary Outdoor Patios or Retail Spaces on Public Property

1. Temporary patios, fitness areas or retail spaces shall only be permitted on public property if they comply with the following:
 - a. temporary patios, fitness areas or retail spaces located in public on-street parking spaces or on public sidewalks must be fully located within the front of the business that is utilizing the patio or outdoor retail space unless there is written consent from the owners and occupants of the adjacent property.
 - b. temporary patios, fitness areas or retail spaces located on public sidewalks must maintain the clear path of pedestrian travel and wheelchair access as required above.
 - c. temporary patios, fitness areas or retail spaces located in public park spaces require prior approval by the Town.
 - d. temporary patios, fitness areas or retail spaces must include a physical barrier to buffer adjacent parking spaces and adjacent driving lanes from vehicles and the utilized space.
2. The outdoor patio improvements or retail spaces (including chairs and tables) shall be set up only during the applicable hours of operation and may not be stacked or stored outside on the public property at any time when the business is closed.
3. The following Figure 2 provides an example of potential temporary outdoor patio or retail space within public property. It is provided for illustrative purposes only.

Figure 2:

Potential Patio Example Within Public Right-of-Way



Potential Patio example