



Town of Okotoks

Temporary Outdoor Patio and Retail Space Guidelines

The Town of Okotoks is relaxing rules around temporary outdoor patios and retail spaces so businesses can create more space for customers in alignment with Alberta Health Service directives. From now until May 1st, 2021, the Town of Okotoks has relaxed regulations to allow businesses to expand or create temporary outdoor patios or retail spaces in private parking areas or within public property.

To participate in this program, begin by designing your temporary patio or retail space in accordance with these Guidelines. You must submit a Declaration Form before you start work creating your temporary patio or retail space. Along with that Declaration Form, you will be required to provide a plan or drawing of your intended space. 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. In some situations, as described in these Guidelines, you may also need prior approval from the Town’s Planning Services before you can start work.

Once you have obtained any required planning approvals and approval of your insurance and your Declaration Form, you can set up your temporary patio or retail space. Before you can begin using this space, you must have an inspection by Fire Services. Please contact Planning Services at planning@okotoks.ca or 403-995-2760 if you have any questions.

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

1. Temporary patios or retail spaces shall only be permitted in association with retail, eating/drinking establishments and brewery-type uses which hold an existing development permit and a valid Town of Okotoks business license.
2. Temporary patios or retail spaces permitted under these Guidelines shall extend no later than the end of the pilot project or the Applicant’s agreement with the Town authorizing such spaces.
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 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 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. Planning Services may grant an exemption to paragraph 6 above and allow the use of barrier-free spaces for temporary patio / retail spaces. Such approval is subject to satisfactory relocation of these barrier-free spaces. Prior approval of Planning Services is required.
8. Wheelchair access must be provided to, through, and throughout, the temporary patio or retail space to the satisfaction of the Town.
9. Cooking and/or food and drink preparation is not permitted on temporary patios.
10. A minimum 1.5m (5ft) clearance from fire department (siamese) connections and hydrants must be maintained on a temporary patio or retail space.
11. A fire extinguisher (minimum 2A-10BC) must be available within 23m (75ft) of any part of the temporary patio or retail space.
12. Temporary patios 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. Contact Parks (Town) if public trees are in conflict with umbrellas or outdoor space.
14. If the perimeter is enclosed, a temporary patio 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 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. Planning Services may reduce this to 2.0 m (7'-6"). Prior approval of Planning Services is required for such a reduction.

18. All areas of the temporary patio or retail space must be a minimum distance of 1.0m (3'-3") from the edge of any adjacent vehicle or bicycle travel lane.

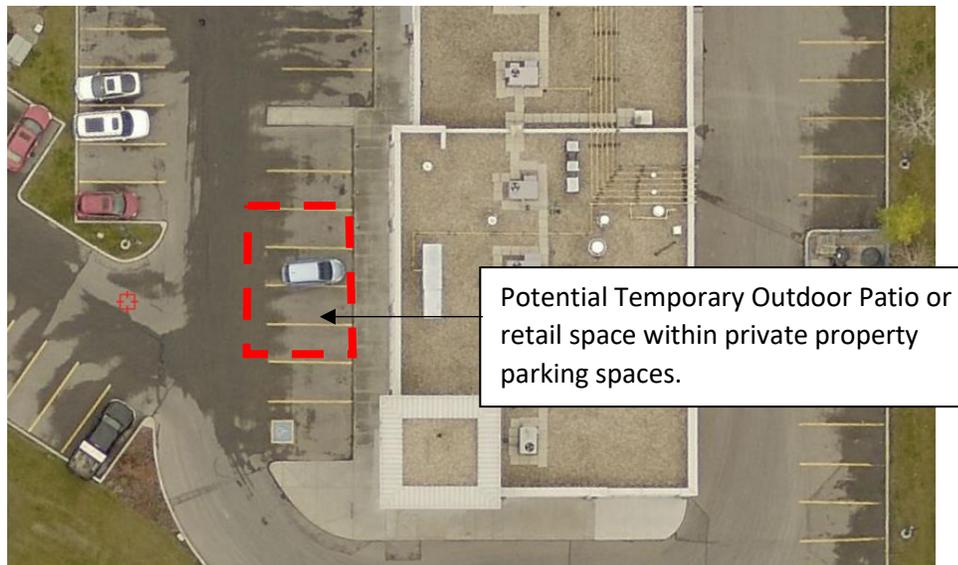
19. The Applicant's business name and logo may appear on fencing, but other banners and signs are prohibited except with prior approval of Planning Services or as required by law.

20. No structures, improvements, or objects associated with the temporary patio 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 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 or retail space within private property parking spaces. It is provided for illustrative purposes only.

Figure 1:



23. Temporary patios 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 or outdoor retail spaces shall not encroach into loading zones or fire lanes. Planning Services 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 Planning Services 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 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 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 Planning Services is required under these Guidelines, a proposal shall be submitted to planning@okotoks.ca. Such approvals are in the sole discretion of Planning Services.

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

1. Temporary patios or retail spaces shall only be permitted on public property if they comply with the following:

a. temporary patios 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 or retail spaces located on public sidewalks must maintain the clear path of pedestrian travel and wheelchair access as required above.

c. temporary patios or retail spaces located in public park spaces require prior approval by the Town.

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

