

**TO:** His Worship Mayor Dan Ruimy  
and Members of Council  
**FROM:** Chief Administrative Officer

**MEETING DATE:** October 24, 2023  
**FILE NO:** 01-0530-01  
**MEETING:** Council Workshop

**SUBJECT:** Seasonal Curbside Patio Program and Guidelines

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**EXECUTIVE SUMMARY:**

The City is working to achieve Council strategic priorities including a diversified, thriving economy; a noted objective from the economic development strategy is to permit more commercial patios; the proposed Seasonal Curbside Patio Program and Guidelines help the City demonstrate movement to achieve those goals and priorities. Patios are one way to invite the community to engage with one another and to enjoy all the best the Maple Ridge has to offer. A Seasonal Curbside Patio Program has been developed to modernize and clarify requirements and guidelines for patios utilizing public right of way in the City of Maple Ridge.

**RECOMMENDATION:**

**THAT Council endorse the Seasonal Curbside Patio Program and Guidelines for implementation in Spring 2024.**

**THAT Council direct Staff to issue notices for the removal of temporary curbside patios located in the public Right of Way (public parking areas) by November 10, 2023 in preparation for the new Seasonal Curbside Patio Program launch in Spring of 2024.**

**DISCUSSION:**

**a) Background Context:**

**Seasonal Curb-Side Patios**

On April 11, 2023, staff brought a report to Council noting the need for a modernized and streamlined approach to curb-side patios. Following discussion, motion (R/2023-WS-025) was approved:

That staff develop a modernized and streamlined curb-side patio program with design guidelines for future discussion with Council prior to October 31, 2023.

A set of options is provided in the updated visioning of Curb-Side Patios for Maple Ridge. Businesses in particular zones will have the opportunity to partake in Sidewalk Café's, Sidewalk Patios (without boardwalks), Full Sidewalk Patios (with boardwalks), or Parklet Patios, utilizing the public right-of-way (sidewalks or on-street parking stalls).

Each typology noted above is increasingly intensive for the use of public space, with Full Sidewalk Patios (with boardwalks) and Parklet Patios taking up parking stalls in the road Right of Way. In an effort to consider both hospitality industry and retailers, Parklets and Full Sidewalk Patios with boardwalks (utilizing parking spaces to accommodate patios) are proposed on a seasonal basis from

case of a major weather, maintenance, or emergency event, as is currently noted in Highway Use Permit Terms.

It is worthwhile to note that many of the temporary curbside patios (seven of record under the program) in Maple Ridge spawned due to actions taken during Covid-19 to ensure restaurants and hospitality industry businesses could continue to operate and service customers with increased distancing requirements. Temporary Service Expansion Areas (TESAs) were granted from the Liquor and Cannabis Regulation Branch (LCRB) to accommodate increased distancing public health orders, and did not increase overall occupancy for those who initially obtained TESAs. With the seasonal curbside patio program provincially approved TESA's remain intact; however, must comply with new City guidelines.

To standardize curbside patios moving forward, it is being recommended that all curbside patios must come into compliance with the new guidelines for the 2024 season. Curbside patios utilizing parking stalls in the public Right of Way are to be removed by November 10, 2023 to facilitate holiday shopping parking in the downtown.

### **Expanded Applicability of the Program**

Under this new program, the City will consider applications in expanded zones – while the temporary curb-side patio program considered only those businesses in C-2 and C-3 zoned lands, the modernized guidelines will consider applications across the City in the following land use zones: C-1 Neighbourhood Commercial, C-2 Community Commercial, C-3 Town Centre Commercial, C-4 Neighbourhood Pub, C-5 Village Centre Commercial, CRM Commercial/Residential, H-1 Heritage Commercial, and H-2 Hammond Village Commercial, where conditions can accommodate safe installation of patios on public Right of Way with respect to vehicle traffic and unconstrained pedestrian accessibility.

### **Process, Design, and Cost**

Full Sidewalk (with Boardwalk) and Parklet Patios temporary sitting areas will operate from April 1 to October 31, and then be removed by November 1 of each year. They are meant to be easily set-up and removed. They will require highway-use-permits, to regulate their location, operation, maintenance, and insurance. Sidewalk Patios (without boardwalk) will also require highway-use-permits however, as they are permitted only in areas that have the necessary space required for 2m of pedestrian walkway once installed, they can operate year-round, as can Sidewalk Café's which are the least intensive use of public space. Sidewalk Café's require an application, however, will have an immediate approval due to their low impacts on public space needs.

The cost of a Highway Use Permit in the City as of the date of this report is \$150.00 plus 7.50 GST plus a refundable security deposit based on the extent of the work.

All applications to the curbside patio application must include a patio plan which includes the following:

- Identify the boundary of the proposed patio area, including dimensions.
  - If the proposed patio area will extend beyond one parallel parking stall in front of your business frontage you must get written permission from the adjacent property owners and tenants confirming their support of the plan.
- Illustrate the proposed layout of the patio identifying the elements it will include such as:
  - parklet or sidewalk (with or without boardwalk) patio and any required guards and/or patio railings;
  - the quantity of tables and chairs; and,
  - any furnishings such as umbrellas, planters, string lights, or heaters.
- Clearly indicate where the 2m pedestrian clear path will be accommodated.

- Identify if the patio area impacts any loading zones and curbside parking (EPark or other restricted parking zones). Note: accessible parking areas and bus stops are not available for use.
- Identify any Boulevard Street Trees in the Right of Way impacted by or directly adjacent to the patio area.
- Identify any utility infrastructure impacted by or directly adjacent to the patio area (fire hydrants, street light poles and/or utility cabinets).
- Identify any other street furniture impacted by or directly adjacent to the patio area (waste receptacles, bicycle parking areas, bollards, and/or any accessory street furniture).
- Identify any elements associated with ensuring the patio area remains accessible for mobility users.

A design guideline (Appendix A), noting what is permissible and what is not, has been created and an application form will be formatted with necessary information, checklists and requirements and posted on the City's website, with noted adherence to overall patio guidelines and additional design guidelines noted in the Official Community Plan will create a more consistent look and feel of patios across the City.

#### **A Note Regarding Patios on Private Property**

Businesses interested in putting temporary, seasonal patios or "picnic areas" on private property such as off-street parking spaces or other areas of private property are able to do so through building permitting processes. If the patios have floors, roofs, or walls, or if there is installation of electrical appliances or fixtures the patios must be in line with BC Building code and have the necessary inspections completed.

If there are no floors, roofs, or walls constructed, no formal approval from the City would be required. Necessary approvals from the Liquor and Cannabis Regulation Branch are the responsibility of the business owner.

#### **Simplified timelines and steps for the curbside patio program**

Application for sidewalk café and sidewalk patio (without boardwalk)	Year Round
Application's open for seasonal patios	February 1
Approval notification to businesses	March 15
Seasonal patios operational period	April 1 - October 31
Permits required	Highway Use Permit
Highway Use Permit Requirements (As well as following guidelines of curbside patio program)	Scaled construction drawings showing dimensions; siting relative to building and property lines; seating plan; entrances/exits; clearances to obstacles and City infrastructure; construction materials and methods, and front, side and overhead views
Insurance	\$5 million in liability insurance with the City of Maple Ridge as a named insured party

#### **b) Desired Outcome:**

A clear set of guidelines and a streamlined process for curbside patios in Maple Ridge. The is wanting to see a vibrant and active community which includes patios that add to the vibrancy of the community and meets adjacent business needs.

#### **c) Strategic Alignment:**

The Seasonal Program aligns with the Council Strategic Plan priorities including livable community; engaged, healthy community; and Diversified, Thriving Economy by having expanded areas and

typologies of seasonal curbside patios. The program is also in line with the Economic Development Strategy 5-2 - Enable Outdoor Patios.

**d) Citizen/Customer Implications:**

Existing temporary curbside patio structures will need to be removed as this new program comes into place for the 2024 patio season. Curbside patios utilizing public parking stalls shall be removed in the winter season in preparation for the 2024 seasonal curbside patio programs implementation. To ensure new patios are inline with guidelines and process, current, existing, and temporary curbside patios in parking stalls must be removed by November 10, 2023.

**e) Interdepartmental Implications:**

Feedback has been sought from Senior Administration on the overarching program as well as more details from Engineering, Planning, Bylaw, Licencing and Community Safety, Building, and Fire & Rescue specifically.

**f) Policy Implications:**

Administrative review of the overall patio guidelines on an annual basis for the first 2 years of implementation and every 2 years going forward after that point.

**g) Alternatives:**

**a. Place a moratorium on new year-round curbside patios**

Council could choose to place a moratorium on all new curbside patios and continue to allow existing curbside patios to operate as legal non-conforming uses for the current operators. Council could further choose whether this moratorium would apply throughout the Town Centre or be limited to specific areas (e.g. 224 Street).

**b. Prohibit all curbside patios**

Council could choose to prohibit all curbside patios from operating anywhere in the City. Existing patio operators could be allowed to continue to operate until December 31, 2023 after which their curbside patios would need be permanently removed.

**CONCLUSION:**

Curbside patios can increase the vibrancy of a community; the modernized and streamlined approach for seasonal and year-round curbside patios presents opportunities for business owners to choose what option is right for their clients, to increase social interactions on city streets, and to set forward a clear process, guidelines, and regulatory approach to curbside patios into the future.

  
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Director of Engineering

  
Approved by: **Stephane Labonne**  
Deputy Chief Administrative Officer

  
Concurrence: **Scott Hartman**  
Chief Administrative Officer

Attachments:

(A) Draft - Curbside Seasonal Patio Program Guidelines



## City of Maple Ridge Patio Guideline

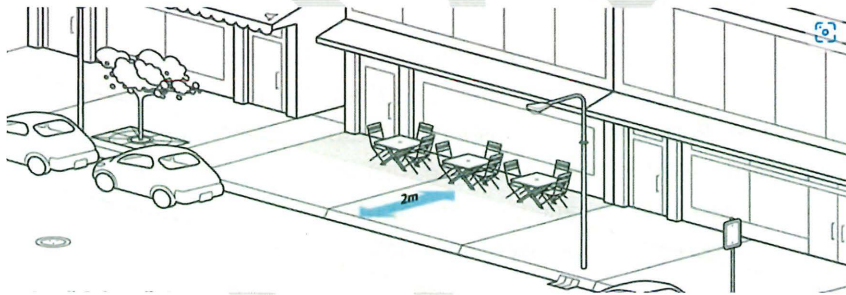
### Where Patios on Public Space are Permitted

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, along the sidewalk or in an alleyway. This is an option for businesses located along main streets, within Business Improvement Areas (BIAs), and at properties where the front of the building is built up right to the property line in zones that include the following:

- C-1 Neighbourhood Commercial
- C-2 Community Commercial
- C-3 Town Centre Commercial
- C-4 Neighbourhood Pub
- C-5 Village Centre Commercial
- CRM Commercial/Residential
- H-1 Heritage Commercial
- H-2 Hammond Village Commercial

### Types of patios covered in this document:

#### Sidewalk Café



Non invasive to the public space, groups of table and two chairs directly adjacent to storefront. Requires two (2) metres (m) unencumbered pedestrian walkway. Tables and Chairs must be brought indoors at the end of the business day. Can be seasonal and year-round.

Image Credit: City of Edmonton

## Sidewalk Patio

Can be utilized where 2 metres of pedestrian walkway can be accommodated without the use of pedestrian diversion or use of curbside parking stall – can be seasonal or year-round.

Patios must include a patio rail system around the perimeter. This option is only available where the sidewalk is wide enough to accommodate both the patio and a 2m clear path for pedestrians. Temporary traffic control is not required for this type of patio. Patios can be furnished with tables, chairs, umbrellas, string lights, heaters, and planters. All railings and patio furnishings must be fully removable within twenty-four (24) hours in case maintenance, events, or other activities by the City are required.

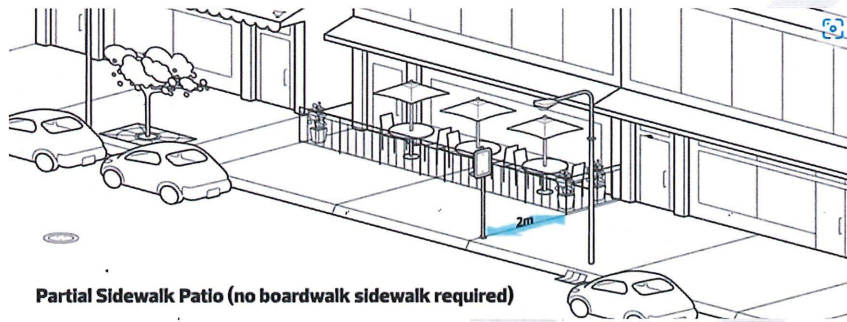


Image credit: City of Edmonton

## Full Sidewalk Patio (with Boardwalk) – highway use permit

Businesses are responsible for supplying a mandatory boardwalk sidewalk structure to provide an accessible path for the public in the curb lane. Boardwalk structures and the patio area must include a guard and patio railing around the perimeter. Patios can be furnished with tables, chairs, umbrellas, string lights, heaters, and planters. All boardwalk structures and patio furnishings must be fully removable within twenty-four (24) hours in case maintenance, events, or other activities by the City and utility providers are required. This type of patio can be operated seasonally.

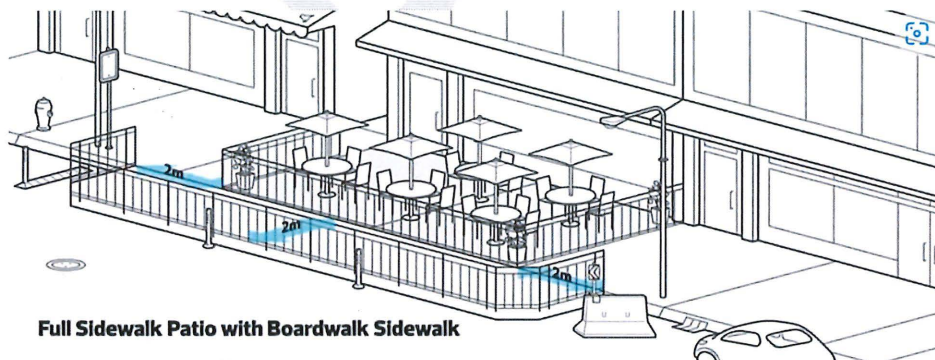


Image credit: City of Edmonton

### Parklet Patio – highway use permit

Patios can be developed on a platform that is level with the sidewalk or placed directly on the street. Parklet patios must include a guard around the perimeter. Businesses are responsible for ensuring the parklet patio is accessible which may include supplying curb ramps into the patio area if it is directly on the street. Patio can be furnished with tables, chairs, umbrellas, heaters, and planters. All structures and patio furnishings must be fully removable within twenty-four (24) hours in case maintenance, events or other activities by the City and utility providers are required. This type of patio can be operated seasonally.

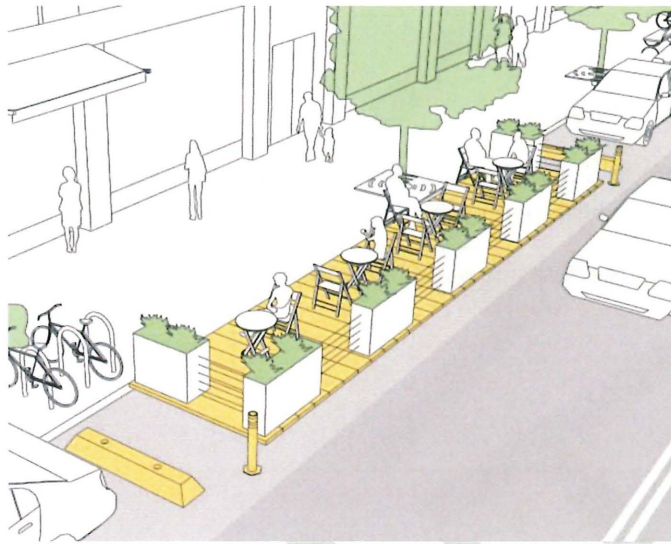


Image credit: NACTO

Patio Type	Required approval tool	Seasonality / Year Round	Application period	Considerations
<b>Sidewalk Café</b>	Application	Both	Year Round	Tables and chairs must be brought in each evening. Maintain full 2 m of distance for pedestrian access of sidewalk
<b>Sidewalk patio (no boardwalk)</b>	Highway Use Permit	Both	Year Round	Maintain full 2 m of distance for pedestrian access of sidewalk
<b>Full Sidewalk Patio with boardwalk</b>	Highway Use Permit	Seasonal (April 1 – Oct 31)	Applications accepted from Feb 1 – March 15	If impacting more than one parking stall, support letters from adjacent neighbours and



				business owners are required.
<b>Parklet</b>	Highway Use Permit	Seasonal (April 1 – Oct 31)	Applications From Feb 1 – March 15	If impacting more than one parking stall, support letters from adjacent neighbours and business owners are required.

#### **Eligibility for the Patio Program includes:**

- Having a valid City of Maple Ridge Business Licence;
- Being an eating or drinking establishment, including liquor primary, food primary, liquor manufacturing, u-brew and u-vin licenced establishments; and
- Having a valid zoning approval as noted in the curbside patio program

#### **What is Permitted:**

- Serving and eating food and beverages
- Patio installations that can be moved within 24 hours. Types of structures and furnishings vary depending on the option.
- On a day-to-day basis, patios can be open during the same hours as the business it is associated with.

#### **What is not Permitted:**

- Cooking of food and drink preparation
- Permanent infrastructure including spiking, drilling or otherwise permanently affixing railings, furniture, parklets and other patio structures to City infrastructure
- Use of City power receptacles for any purposes
- Portable toilets
- Painting of Municipal Sidewalks
- Posting of signs on municipal light standard
- Stages



- Pergolas or any overhead elements aside from umbrellas.
- Exceeding permitted occupant load for the total number of seats, including the patio

**While operating your patio as a business, the following should also be kept in mind:**

- The patio may only operate within the designated patio area identified in the Highway Use Permit.
- 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.
- 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 concerns.
- All patios are to remain in a safe, clean, and sanitary condition.
- Locations for staging areas for clearing, storing dishes are not permitted on the patio area or on the public right of way.
- String lights may only be affixed to private property with authorization to do so; Lights, if installed, should not impact residential units (will not be permitted)
- If landscaping or vegetation is a component of the Patio, there should be a high standard of maintenance to ensure aesthetically pleasing appearances.

**Create Your Patio Plan**

A Patio Plan is a drawing that identifies what portion of street and/or sidewalk space will be used for the patio. The application also requires photos of the business frontage, including showing adjacent businesses.

**Your Patio Plan must:**

- Identify the boundary of the proposed patio area, including dimensions.
  - If the proposed patio area will extend beyond one parallel parking stall in front of your business frontage you must get written permission from the adjacent property owners and tenants confirming their support of the plan.
- Illustrate the proposed layout of the patio identifying the elements it will include such as:
  - parklet or sidewalk (with or without boardwalk) patio and any required guards and/or patio railings;

- the quantity of tables and chairs; and,
- any furnishings such as umbrellas, planters, string lights, or heaters.
- Clearly indicate where the 2m pedestrian clear path will be accommodated.
- Identify if the patio area impacts any loading zones and curbside parking (EPark or other restricted parking zones). Note: accessible parking areas and bus stops are not available for use.
- Identify any Boulevard Street Trees in the right-of-way impacted by or directly adjacent to the patio area.
- Identify any utility infrastructure impacted by or directly adjacent to the patio area (fire hydrants, street light poles and/or utility cabinets).
- Identify any other street furniture impacted by or directly adjacent to the patio area (waste receptacles, bicycle parking areas, bollards, and/or any accessory street furniture).
- Identify any elements associated with ensuring the patio area remains accessible for mobility users.

### **Street Safety and Accessibility**

- Parklet or Full Sidewalk (with Boardwalk) Patios are only allowed on roadways with a posted speed limit of 50 km/h or less; Not including Lougheed Highway, Haney Bypass, and Dewdney Trunk Road.
- The edge of the patio (side adjacent to vehicle traffic) must be at least 0.65m (25½”) from the edge of any adjacent travel lane, bike lane, or shared pathway.
- Parklet or Full Sidewalk (with Boardwalk) Sidewalk Patios must be at least:
  - 6.0m (19’-8 1/4”) from the corner of an uncontrolled intersection or from the corner of a controlled intersection (stop/yield sign or signals) or an intersection with a marked pedestrian crosswalk.
  - Measured from the edge of the patio area to the face-of-curb of the intersecting roadway.
- Maintain traffic sight lines as noted in Highway and Traffic Bylaw 6704-2009
- Curb lanes where vehicles park are available for consideration of Parklet Patio or Full Sidewalk (with Boardwalk) installation
- Traffic Control Signs - for example, stop signs, yield signs, speed limit signs - Cannot be moved to accommodate a patio.
- Accessible Parking Spaces - these are spaces reserved for vehicles with disabled parking placards - Cannot be used for a Parklet Patio
- Patios are not permitted in bus stops or if in close proximity must be in line with Translink Bus Infrastructure Design Guidelines to allow for transit traffic flow.

### **Fire Department Infrastructure**

- Maintain 1.5m (59”) of clear space around any:
  - Fire hydrant; and,
  - Fire Department Connections

### **Utilities**

- Patios cannot be located overtop of underground utility vaults.
- Patios must not obstruct utility connections/disconnects, lines, or meters; or obstruct access to utilities in any manner.
- Maintain 1.5m (59”) of clear space around any Hydro infrastructure including but not limited to Utility Cabinets, Pad Mounted Transformers, Vista Switches, Vaults or Pedestals or otherwise aligned with BC Hydro guidelines.

### **Street Furniture**

- Benches, Canada Post Boxes, Newspaper Boxes, and Affixed Wastebins, cannot be relocated to accommodate a patio.
- Temporary seating and tables for sidewalk cafés must be taken indoors each evening

### **Patio and Building Exits**

- Patios cannot block any building exit, including any emergency exits, or impede the exit path to safety.
- Patios with a Patio Railing must have at least one exit through the railing (not back into the building):
  - Exits must be at least 0.9m (35½”) wide and obstacle free.
  - Exits must be clearly visible to patrons, or clearly marked with exit signs.

### **Patio Perimeter Treatments**



- All Parklet Patios or Full Sidewalk (with Boardwalk) Patios located in the curb lane must include a Guard.
- Guards must be constructed with these requirements:
  - Minimum height is 1.07m (42”) and maximum height is 1.22m (48”); and
  - Spaces between horizontal or vertical elements less than 10.2cm (4”) or greater than 20.3cm (8”).
- Any gates in the Patio Railing must not swing into the pedestrian clear path, the adjacent road space or parking lanes.
- All Guards or Patio Railings must:
  - Not be affixed to any building facade or element;
  - Constructed and supported to not damage any public property;
  - Readily removable at any time;
  - Be a complementary design to the surrounding streetscape and design guidelines in the OCP (e.g. black railings to minimize visual impact and create consistency or tastefully designed with unique features when viewed in the overall context of the neighbourhood and municipality)

## Heaters

- Electric or propane patio heaters must be:
  - ULC- or CSA-certified freestanding units only;
  - Installed and operated per the manufacturer’s directions;
  - Located at least 3m (~10’) away from any City tree branches;
  - Stored off the road right-of-way when not in use.
- Any propane tanks used cannot exceed 20lb capacity.
- Any electrical cords used cannot lie on the ground; if strung overhead no part of the cord may hang below 2.11m (7’) above the walking surface.
- Solid, gel, or liquid-fuel fire features are not allowed.
- Heaters that are not freestanding and/or have fuel service connected to a building are not permitted through the patio program

## Engagement Requirements

If the patio area will extend beyond one (1) standard parking stall, in line with your business frontage, the applicant must obtain letters of support from the adjacent businesses, property owners/managers, commercial/residential tenants, Business Improvement Areas and/or community leagues that are impacted by the patio extension

If you have a valid BC liquor licence and [LCRB External website, opens in new tab](#) approval, you can serve alcohol to patio patrons.

## Insurance Requirements:

All patios held on public property require a minimum of \$5 million liability coverage with the City of Maple Ridge listed as an “Additional Insured”.

## General Design Guidelines:

The following guidelines outline the standards that successful curbside patio, sidewalk café and sidewalk patio designs are expected to fulfill.

- Parklets should be interesting and welcoming spaces that encourage passersby to pause, sit, relax, and interact with others.
- Seating should be durable and comfortable for individuals and groups of all ages and abilities. Designs that encourage use in rainy weather should be considered.
- The overall character of the design on your patio should be unique and should not have an overt visual relationship with any nearby businesses. *Consistency of the patio, where possible is encouraged (E.g., black railings and guards to ensure consistent look and feel through the community, sitting areas and within the patio are encouraged to be unique).*
- Signage denoting the curbside patios, sidewalk café’s and sidewalk patios as publicly accessible must be clearly and prominently displayed. Any additional signage or logos must be approved by City staff.
- The curbside patios, sidewalk café’s and sidewalk patios with pedestrian diversion should respond to surrounding conditions. Special consideration will be given to applications that improve the walking experience, for example by creating more space to walk on particularly narrow or congested sidewalks.
- The design must promote visibility to passing traffic and maintain clear sightlines at intersections and crossings.
- The design should consider travel patterns and behavior of people walking and biking in order to minimize potential conflicts and maximize contribution to public life and public realm.