

Outdoor Dining Patio Requirements

APPLICATION CRITERIA

A City of North Vancouver Business Licence is required before the application will be considered.

The City will review any application for use of City-owned land (generally City sidewalk or street curb lane) and approve at its sole discretion, giving consideration to pedestrian traffic widths, gradient, usable area and the general suitability of on-street proposals. All applications must include one site plan drawing, 8.5 X 11 or 11 X 17, scaled (in metric units) which clearly show the following:

- a. Property line and lot dimensions;
- b. Building dimensions and setbacks;
- c. Proposed Outdoor Dining dimensions;
- d. Patio floor plan including: location and number of proposed tables and chairs and location of two wheelchair accessible seating spots and aisle width;
- e. Maximum number of staff at any given time;
- f. Location and height of any proposed railing, screen or landscaping features;
- g. Location of accessible access and egress from Outdoor Dining , if applicable;
- h. Location of any existing structures on side walk in front of the business (i.e. bike racks, fire hydrants, garbage cans, bus stops, etc.);
- i. Interior floorplan with washrooms labelled male, female, unisex and accessible;
- j. All utility access points;
- k. Plans to show occupant load as per BC Building Code;
- l. Patio structures may only be 50% enclosed.**

An owner or tenant of a restaurant, take-out service prepared food, delicatessen or bakery fronting a sidewalk and City street has two options for the placement of an outdoor patio:

Curbside patios – utilizing the parking space in front of the business. Requirements include:

- Must not exceed a width of 2.4 metres from the face of the curb and can extend the length of the business frontage;
- Structures placed in the curbside lane must maintain 40cm of clearance from the face of the curb to the structure to allow for drainage; and
- A continuous barrier at the edge of the patio adjacent to the road and/or parking area is required

Sidewalk patios – utilizes the frontage space immediately adjacent to the business occupying a maximum distance of 2.5 metres from the face of the building provided that:

- There remains a minimum of 3.0 metres unencumbered sidewalk; this width may be reduced to 2.0 metres with the written approval of the City;
- Tables and chairs permitted on the sidewalk shall be placed and maintained by the owner in a manner so as not to constitute a hazard to the general public.
- Items which are placed on the sidewalk should be of such a nature that they may be removed on 24 hours' notice; and
- Seating on a public sidewalk must meet the limitations with respect to the Street and Traffic Bylaw, Section 816 (Commercial Use of Sidewalks).

General conditions for either curbside or sidewalk patio are as follows:

- All utility access points must be kept clear or designed to be readily accessible by City staff. If damage to a patio is incurred as a result of City forces accessing utilities the City will not be liable for repairs. Reasonable warning of utility access will be provided when possible;
- There must be a continuous barrier at the edge of the patio adjacent to the road or parking area;
- The maximum allowed area of street occupancy will be reduced by the City, if in their opinion, it is required for public purposes;
- The maximum allowed area of street occupancy may be reduced by the City, if in their opinion, it is required for public purposes;
- All structures must be free standing, anchoring is **not** the preference of the City. If the structure requires anchoring, a deposit will be determined on a site by site basis based on the square footage of the space.

Example – 6ft X 6ft sidewalk panel replacement cost approximately \$350 - \$500/panel

Provincial Liquor and Cannabis Regulation Branch (LCRB)

The LCRB must approve any Outdoor Dining that serves alcoholic beverages. Online applications can be made via the following link: justice.gov.bc.ca/lcrb/.

APPLICATION REQUIREMENTS DECLARATION

Insurance Coverage

1. A cross liability clause and include the City of North Vancouver as additional insured for the duration of the Outdoor Dining. A copy of renewed insurance must be provided to the City each year.
2. No less than **Five Million dollars (\$5,000,000)** all-risk comprehensive general liability policy.
3. Thirty (30) days written notice must be provided by the insurer in the event of any

material change in the policy that may be requested by the primary insured.

4. Seating on a public sidewalk must meet the limitations with respect to the Street and Traffic Bylaw, Section 816 (Commercial Use of Sidewalks).

I understand and agree to the above Insurance requirements for Outdoor Dining Patios.

_____ *Initials*

Fire Department

1. Emergency access to and from the building must not be affected. Egress requirements from the outdoor seating area shall remain clear from obstructions.
2. Maintain a 1 metre clearance around Fire Alarm annunciator and Fire Department connection.
3. Consult with the Fire Department prior to purchasing any heating equipment (including free standing portable units).

Any affixed heating device must be installed under permit and incorporate manufacturer's clearances to the building and combustible materials.

4. To ensure there is no risk of carbon monoxide build up, no portable fuel fired appliances (heaters, fire pits, etc.) are permitted in any enclosed or semi enclosed space.
5. Storage is not permitted in the outdoor dining area, including the storage of spare propane tanks.
6. Canopies, awning, umbrellas and other materials or decorations must be flame spread rated per the BC Fire Code (CAN/ULC S109). Standards other than that are not acceptable in BC.
 - Do not create a visual obstruction below 2.6m;
 - If an awning is within 50m of an intersection, please contact the City to review the location.

I understand and agree to the above Fire Department requirements for Outdoor Dining Patios. _____ *Initials*

Building and Construction

1. Make an Occupant Load Certificate application, if required by the LCRB.

2. Any proposed structure may require a separate building permit application (raised patio, platform, cover, parklet, or other similar structure. Please email buildingpermits@cnv.org or visit Building & Development online for information on applying for a building permit – cnv.org/BuildingPermits

I understand and agree to the above Building and Construction requirements for Outdoor Dining Patios. _____ *Initials*

Planning and Zoning

1. The Outdoor Dining Patio in a curb lane, must be adjacent to the associated business and may only occupy a space as wide as the establishment frontage (unless adjoining tenants and property owners grant written approval to the City);
2. The Outdoor Dining Patio must not be bounded by a railing, screen or wall higher than 1.07 metres (42 inches).
3. The Outdoor Dining Patio on private property must **not**:
 - a. Reduce the number of required off-street parking spaces;
 - b. Displace any required waste and recycling containers; and
 - c. Negatively affect existing landscaping features.

I understand and agree to the Planning and Zoning requirements for Outdoor Dining Patios. _____ *Initials*

Vancouver Coastal Health Authority

1. Operation of the patio must maintain compliance with the City of North Vancouver Noise Control Bylaw 2021, No. 8885. In order to minimize impacts on neighbouring residents, all services of food and beverages on the patio should cease by 10:00 pm and the patio area should be cleared by 11:00 pm.
2. Music is permitted on the patio but must be kept at a volume to not negatively impact adjacent uses. Music must be turned off at 10:00 pm nightly.
3. No cooking or food preparation is permitted outdoors.
4. The City of North Vancouver Smoking Regulation Bylaw 1998, No. 7026 prohibits smoking on the patio and within 7.5 metres of the patio.

I understand and agree to the above Vancouver Coastal Health requirements for Outdoor Dining Patios. _____ *Initials*