



To: General Purposes Committee **Date:** March 14, 2022
From: Cecilia Achiam **File:** 08-4150-01/2022-Vol 01
General Manager, Community Safety
Re: **Proposed Ongoing City of Richmond Patio Program**

Staff Recommendation

1. That the City of Richmond Patio Program, as described in the staff report titled “Proposed Ongoing City of Richmond Patio Program”, dated March 14, 2022, from the General Manager, Community Safety, be approved for implementation;
2. That Council introduce a new process for issuing patio permits as described in the staff report titled “Proposed Ongoing City of Richmond Patio Program”, from the General Manager, Community Safety, dated March 14, 2022, by giving first, second and third readings to:
 - a. Public Space Patio Regulation Bylaw No. 10350;
 - b. Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273, Amendment Bylaw No. 10366;
 - c. Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 10367; and,
 - d. Heritage Procedures Bylaw No. 8400, Amendment Bylaw No. 10363;
3. That Richmond Official Community Plan Bylaw 7100, Amendment Bylaw No. 10362 be introduced and given first reading;
4. That Richmond Official Community Plan Bylaw 7100, Amendment Bylaw No. 10362, having been considered in conjunction with:
 - a. the City’s Financial Plan and Capital Program; and
 - b. the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;

is hereby found to be consistent with said program and plans, in accordance with Section 477(3)(a) of the *Local Government Act*;
5. That Richmond Official Community Plan Bylaw 7100, Amendment Bylaw No. 10362, having been considered in accordance with Section 475 of the *Local Government Act* and the City’s Official Community Plan Bylaw Preparation Consultation Policy 5043, is found not to require further consultation;

- 6. That the expiry date for valid Expedited Temporary Outdoor Patio (TOP) Permits be extended to June 1, 2023;
- 7. That a letter be sent to the BC Liquor and Cannabis Regulation Branch (LCRB) requesting an extension to existing Temporary Expanded Service Area authorizations in Richmond until June 1, 2023; and,
- 8. That staff be directed to provide an update in the fall of 2023 to Council regarding implementation of the City of Richmond Patio Program.

Cecilia Achiam
 General Manager, Community Safety
 (604-276-4122)

Att. 4

REPORT CONCURRENCE	
ROUTED TO:	CONCURRENCE
Building Approvals	<input checked="" type="checkbox"/>
Development Applications	<input checked="" type="checkbox"/>
Engineering	<input checked="" type="checkbox"/>
Law	<input checked="" type="checkbox"/>
Parks	<input checked="" type="checkbox"/>
Policy Planning	<input checked="" type="checkbox"/>
Richmond Fire-Rescue	<input checked="" type="checkbox"/>
Real Estate Services	<input checked="" type="checkbox"/>
Transportation	<input checked="" type="checkbox"/>
SENIOR STAFF REPORT REVIEW	INITIALS:
APPROVED BY CAO 	

Staff Report

Origin

In May 2020, the City of Richmond introduced the Expedited Temporary Outdoor Patio (TOP) Program as a COVID-19 pandemic response measure to enable food and beverage service establishments to quickly expand their outdoor seating areas as public health orders restricted their indoor seating capacity and impacted their viability. It was not intended to increase the total number of patrons permitted in an establishment or to accommodate permanent structures.

TOP Program Guidelines were developed to outline health and safety requirements for temporary patios on public and private property adjacent established businesses. All municipal application and permit fees were waived, with the exception of a nominal fee for licence agreements to use public property. The review and approval process for TOP Permits was expedited.

Due to the ongoing pandemic, Council subsequently extended the program on two occasions. The most recent Council resolution dated October 12, 2021, authorized an extension of the program to June 1, 2022, and directed staff to explore the development of an ongoing patio program:

1. *That the Expedited Temporary Outdoor Patio (TOP) Program as detailed in the staff report titled “Temporary Patio Program Update and Options for Permanent Expansions”, dated September 20, 2021, from the Acting Director, Corporate Business Service Solutions be extended until June 1, 2022; and*
2. *That staff be directed to explore the development of an ongoing program to allow patios on public property, and to report back.*

This June 1, 2022 program expiry date was selected in order to coincide with the end of the BC Liquor and Cannabis Regulation Branch (LCRB) Temporary Expanded Service Area (TESA) Program, as the majority of TOP permit holders serve alcohol on their patios. Following this resolution, a letter was sent to existing TOP Permit holders notifying them of this extension and advising them of the process to implement permanent, year-round patios on private property.

This report proposes to replace the TOP Program with a proposed ongoing City of Richmond Patio Program. The proposed Patio Program would provide flexibility for businesses considering their future options by enabling additional patio types, including those on public property and those on private property, where patio operation is seasonal and does not result in an increase to occupancy limits. Applicants seeking to increase their total occupancy limit or build a permanent patio structure can continue to apply through existing processes to ensure adherence to the Building Code and City of Richmond Building Regulation Bylaw No. 7230.

Analysis

Demand for Public Space and Seasonal Patios

As a result of Richmond’s TOP Program, demand has emerged from local businesses and the broader community to allow additional patio scenarios that cannot be accommodated within the

City's existing municipal processes and regulations. The proposed ongoing City of Richmond Patio Program (Patio Program) is intended to address this demand by providing an ongoing mechanism to consider patios on public property and seasonal patios on private property.

During the development of this program, technical analysis was undertaken by an interdepartmental working group including Business Licenses, Transportation, Engineering, Building Approvals, Development Applications, Parks, Economic Development, and others. In addition, staff conducted stakeholder engagement and a public survey, which concluded on December 5, 2021. An overview of the TOP Program and community engagement can be found in Attachment 1, with detailed survey results in Attachment 2.

Proposed City of Richmond Patio Program ("Patio Program")

The proposed Patio Program would enable additional patio types that cannot be accommodated within the City's existing municipal processes and regulations. A new patio permit process would allow food and beverage establishments to apply to utilize adjacent public property, such as sidewalks or curbside parking, for outdoor dining. It would also enable establishments to create seasonal patios on private property from April 1st to October 31st of each year (i.e. some or all of permitted indoor seating is relocated to an outdoor patio).

The proposed Patio Program would not allow increases to overall permitted restaurant seating capacity. Proposals for increased seating capacity will continue to be considered through existing municipal processes as there are various health, safety and other associated considerations such as the need for additional washrooms or improved kitchen capacity.

Applications for patio permits would be reviewed on a case-by-case basis. Guidelines have been developed to help businesses assess the feasibility of a patio expansion related to their location and circumstances. The main aspects of the program are outlined below.

Program Goals

The proposed Patio Program seeks to achieve the following high-level goals:

1. Support local businesses by expanding their outdoor seating options and simplifying the patio application process.
2. Ensure patios are safe, accessible and do not cause undue disturbance to communities, neighbours or passersby.
3. Support the creation of vibrant streetscapes, build a sense of community and create unique street experiences in Richmond.

Guiding Principals

In order to achieve these goals and to consider the needs of businesses and the community, the following Guiding Principals have been drafted.

- **Sense of Community:** patios should enhance the vibrancy of local streets, animate the streetscape, and strengthen community connections by facilitating social interaction among local businesses, patrons, neighbours and visitors.
- **Neighbourhood Character:** patios should enhance, respect and celebrate the unique character of the surrounding buildings and neighbourhood, while complementing the look of the business holding the license.
- **Ease of Movement:** locations and designs of patios should ensure that the mobility of people walking and rolling along sidewalks and surrounding pathways is not negatively impacted.
- **Safety & Accessibility:** patio designs should ensure that people of all ages and abilities can safely access and enjoy each patio space.
- **Welcomeness & Inclusion:** patio designs should support an open and welcoming environment that encourages a diversity of people to use and share the space together.

Program Guidelines

Patio Program Guidelines have been developed based on the above noted goals and guiding principles, as well as technical analysis and review of best practices. These would be used to streamline the application process for businesses and the review process for staff. The guidelines focus on technical aspects such as health, safety and accessibility requirements, together with other key elements outlined below. The complete Patio Program Guidelines would be made available to applicants through the City's website should approval be granted to proceed with implementation. A draft simplified Applicant Guide (Attachment 3) outlines key aspects of the program including related fees. This document would be used to communicate the program to the public and help businesses understand their options.

Patio Types

This program is intended to provide flexibility for businesses by allowing additional patio types beyond year-round patios on private property that involve permanent structures or increases to occupancy limits. New patio types that would be enabled through this program, which include curbside patios, sidewalk patios and seasonal patios on private property. All patio types are explained in the draft Applicant Guide.

Program Fees

Whereas the TOP Program was delivered by the City at no cost to participants as a COVID-19 response measure, the proposed Patio Program would involve application and renewal fees to recover City costs associated with administering the program. The application fee would be \$300 and renewable every two years. Applications for a small sidewalk patio would be \$100 and

renewable every two years. Fees would also be charged for the use of public property, which aligns with public feedback and the *Community Charter* general prohibition against providing assistance to business.

Use of Parking

The proposed Patio Program would allow food and beverage establishments to utilize adjacent curbside and off-street parking spaces to operate patios with some restrictions as outlined below that address concerns regarding loss of parking and safety.

1. Seasonal Patios on Private Property (Off-Street Parking)

To minimize potential displacement of customer parking, the Patio Program would permit seasonal patios within off-street surface parking areas where a private property includes a minimum of 20 commercial parking spaces and the proposed seasonal patio occupies no more than 10% of that commercial parking. All other proposals for seasonal patios within off-street parking spaces would be considered on a case-by-case basis subject to a parking study satisfactory to staff. Safe setbacks and protection from drive aisles will be a requirement of all patio designs proposed on private property.

2. Curbside Patios (On-Street Parking)

To minimize potential impacts on public parking and street operations, curbside patios would only be considered for on-street parking spaces that are not subject to parking restrictions such as loading zones, passenger drop-off, accessible parking spaces or taxi zones. Furthermore, for safety reasons, curbside patios will typically be limited to non-arterial classified streets with posted speed limits of 30km/hr or less. Streets with a maximum posted speed of 50km/hr may be considered on a case-by-case basis based on a detailed review, additional design requirements (which may limit patio seating capacity) and enhanced traffic protection to the satisfaction of the City. Adequate clearance and protection from adjacent traffic will be required together with accessibility measures and access to utilities, City infrastructure and Fire response.

Patios using established parking areas either on- or off-street, will require the applicant to acknowledge that any resulting identifiable safety, operational or off-site parking concerns can result in amendments to the permit.

Use of Public Property

The proposed Patio Program includes additional guidelines, requirements and regulations for the use of public property. For example, a fee would be charged for the private use of public property, based on the size of the patio, and an applicant would be required to maintain comprehensive general liability insurance. Additionally, the City would retain access to the property for the purpose of installing, maintaining or repairing works or services, or in the event of an emergency. Specific terms and conditions would be included in the permit issued to the applicant.

Neighbourhood Notification Requirements

The application process would include notification to neighbouring property owners and tenants. This is to allow for the adjustment of the application to address possible concerns raised by the local community. For applications involving a patio that includes a liquor service area, a report would be brought forward to Council for consideration that would provide a summation of the notification process and feedback from neighbouring property owners and tenants.

Area Specific Considerations

1. Steveston Village

Overall, 14 of the 67 TOP Permits issued were for temporary patios in Steveston, eight of which involved the use of City property. Patio configurations in this area are varied and include tables and chairs placed on a sidewalk, curbside patios, as well as temporary patios contained on private property.

Design guidelines have been developed for patios through the proposed new Patio Program in order to ensure the heritage character of the village is maintained. The guidelines specify the types of permitted fencing material (i.e., wood, metal or composite materials that resemble wood), the colours that must reflect a heritage palette and the types of exterior lighting. For patios within the Steveston Heritage Village Conservation Area (SHVCA) where a Heritage Alteration Permit (HAP) is required for building and landscape alterations, the new Patio Program would streamline the HAP process for public and private properties as follows:

- for patios comprising of tables and chairs only (i.e. no fencing, decks, use of parking spaces, or similar features), only a Patio Program Permit shall be required (i.e. no HAP); and
- for patios involving a structure, a HAP shall be required in addition to the patio permit. Authority to issue HAPs would be delegated to the Director of Development for patios on public property (i.e. sidewalk patios, curbside patios) and seasonal patios located on private property that is not a protected heritage property, provided that a construction value of the patio is less than \$10,000. The HAP application fee would be combined with the Patio Program Permit application fee if the HAP can be issued by delegated authority. Any patio with a construction value exceeding \$10,000 or located on a protected heritage property (regardless of construction value) would require a HAP issued by Council, and a separate HAP application fee would be required.

2. City Center

The majority of TOP Permits issued in the City Center were for temporary patios contained on private property. It is anticipated that as new developments are constructed in accordance with the City Center Area Plan (CCAP), there may be additional demand for patios on public property such as on sidewalks, curbside parking spaces or Parks property. The CCAP contains policies intended to enhance enjoyment of the public realm including providing “better places to stay & linger” and pedestrian-oriented retail precincts. The proposed Patio Program can create a mechanism for future business tenants to expand their seating areas into the public realm in alignment with this vision.

The Patio Program Guidelines include considerations for patio encroachments onto public space in the City Center.

At this time, Design Guidelines have been developed for Steveston Village only. The general Program Guidelines focus on technical aspects such as health, safety and accessibility requirements. Additional area-specific Design Guidelines may be developed in the future as new outdoor dining districts in the City Center and elsewhere are identified.

Grace Period for Existing TOP Permit Holders

In order to ensure minimal disruptions for businesses wishing to transition from the TOP Program to the proposed Patio Program, staff recommend extending valid TOP Permits until June 1, 2023. For patios on public property, this would be subject to the renewal of licence agreements with the City. This would allow businesses sufficient time to work with staff to pursue ongoing patio expansions through the proposed Patio Program or an existing municipal process such as a Building Permit depending on a business' individual circumstances.

This grace period would only apply to City bylaws and regulations and would not include third party requirements. For example, temporary outdoor patios with alcohol service are not permitted beyond June 1, 2022, which is the current expiry date of the BC Liquor Cannabis Regulation Branch (LCRB) Temporary Expanded Service Area (TESA) program.

City Staff raised this matter through the Union of British Columbia Municipals (UBCM) Local Government Working Group on Liquor Policy. Correspondence was submitted on February 25, 2022, from the UBCM executive to the Minister of Public Safety and Solicitor General and the LCRB requesting an extension to the June 1, 2022 expiry date for TESA authorizations to allow a smooth transition to permanent expanded service areas for businesses. To date no policy changes have been announced by the Province.

Complementary Initiatives

A number of initiatives are planned or underway that would complement the proposed Patio Program by encouraging alternate modes of transportation and providing outdoor dining spaces for the broader public. These are summarized in Attachment 4.

Summary of Bylaw Changes

The following bylaw changes would be required in order to implement this program:

1. Public Space Patio Regulation Bylaw No. 10350
 - To authorize and regulate the use of public property for patios and to delegate the authority to issue and renew Public Space Patio Permits to staff.
2. Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273, Amendment Bylaw No. 10366

- To introduce a Temporary Commercial Use Permit process for seasonal outdoor patios on private property. This would include waiving the formal Public Hearing process and the requirement to erect a sign on site. The application fee would be reduced from \$2,464 to \$300 for applications and from \$1,236 to \$300 for renewals. The decision on permit issuance, renewal and rejection will be delegated to the General Manager of Community Safety.
3. Official Community Plan Bylaw No. 7100, Amendment Bylaw No. 10362
 - To introduce design guidelines for patios in the Steveston Area Plan.
 4. Heritage Procedures Bylaw No. 8400, Amendment Bylaw No. 10363
 - To delegate the issuance of Heritage Alteration Permits within the Steveston Village Heritage Conservation Area for patios on public property and seasonal outdoor patios on private property that is not a protected heritage property to the Director of Development provided that the construction value of the patio is less than \$10,000, and subject to the applicant obtaining a Public Space Patio Permit or Temporary Commercial Use Permit for a Seasonal Outdoor Patio.
 5. Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 10367
 - To introduce an application and renewal fee for Public Space Patio Permits and Temporary Commercial Use Permits for Seasonal Outdoor Patios, and to waive the Heritage Alteration Permit Fee for patios that can be approved by the Director of Development (i.e. patios on public property and seasonal patios on private property that is not a protected heritage property, provided that a construction value of the patio is less than \$10,000).

Consultation

In accordance with Section 475 of the *Local Government Act* and the City's OCP Consultation Policy No. 5043, staff have reviewed the OCP amendments and recommend that the bylaw does not require a referral to other external stakeholders as consultation has already occurred with stakeholders such as businesses and regulators, along with the general public. There will also be further public consultation opportunities regarding the proposed amendments to the OCP that relate to the design guidelines in the Steveston Area Plan as part of the bylaw adoption process, which includes a public hearing for the proposed Official Community Plan Bylaw No. 7100, Amendment Bylaw No. 10362. Public notification for the public hearing will be provided in accordance with the *Local Government Act*.

This measured approach will provide interested stakeholders with a number of opportunities to share their views with Council as part of the statutory bylaw amendment process without creating further delay or uncertainty for the businesses who want to continue operating their seasonal patios approved under the TOP Program.

Financial Impact

None.

Conclusion

The City implemented an Expedited Temporary Outdoor Patio (TOP) Program as a COVID-19 response measure to help local food and beverage establishments quickly expand their outdoor seating areas. As this program is nearing its end, staff recommend implementing a new, ongoing Patio Program to provide flexibility for businesses considering their future options by enabling additional patio types beyond permanent, year-round patios on private property. The introduction of a new bylaw and a series of bylaw changes, as described in this report, are necessary to facilitate its implementation.

The proposed Patio Program was developed through inter-departmental staff analysis, business engagement and broader community consultation. A grace period is recommended for existing valid TOP Permit holders in order to ensure minimal disruption for businesses pursuing ongoing patio expansions through the proposed Patio Program or existing municipal processes.

Staff would monitor program implementation and continue to make any necessary adjustments based on business and community feedback. A report would be provided to Council in the fall of 2023.



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Director, Community Bylaws and
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- Att:
1. Overview of TOP Program and Community Engagement
 2. Detailed Survey Results re: Public Space Patio Program
 3. Draft City of Richmond Patio Program Applicant Guide
 4. Patio Program - Complementary Initiatives

Overview of TOP Program and Community Engagement

Overview of Expedited Temporary Outdoor Patio (TOP) Program

Overall, 67 TOP Permits were issued. Ten of these involved the use of public property, mostly in Steveston with the exception of two in the City Center. The remaining 57 were for patios on private property.

Table 1: TOP Program Statistics

TOP Location	Public Property	Private Property	Total
Steveston	8	6	14
City Centre	2	28	30
Elsewhere in Richmond	Nil	23	23
Total	10	57	67

66% of TOP Permits included a liquor service component, which was facilitated through the complementary Temporary Expanded Service Area (TESA) program administered by the LCRB. Council provided, by resolution, a one-time pre-approval to the BC LCRB for all individual requests for expanded liquor service areas related to temporary patios to further expedite the process for local businesses.

The City received overwhelmingly positive feedback about the TOP Program from participants who indicated that the program helped them to endure the hardships the pandemic imposed on their businesses and that the process was easy to navigate. Minimal concerns about the program were raised by the public. Since 2021, a total of ten complaints were received and were only related to a small number of program participants. These complaints related to violations of the Noise Regulation Bylaw No. 8856 and Solid Waste and Recycling Regulation Bylaw No. 6808.

Participants were polled regarding their plans to apply for permanent patio expansions beyond the TOP Program. 44 businesses responded, with 64% indicating that they were interested in pursuing an ongoing patio expansion beyond the TOP Program.

Existing municipal processes, such as the Building Permit process, can facilitate some patio expansion scenarios such as those involving permanent structures or increases to allowable occupancy limits. Any patio application involving a liquor service area will require an amendment to the existing liquor licence and a resolution from Council. In parallel, an application to the LCRB will be required for a permanent structural change to the liquor licence. Outreach has been conducted to existing TOP Permit holders providing them a point of contact at the City to help them understand their options and make applications.

The proposed new Patio Program would create an ongoing mechanism for existing TOP permit holders and other businesses to consider additional patio options.

Stakeholder and Public Engagement

In addition to outreach to existing temporary patio permit holders, broader community feedback was sought in order to inform the development of a new patio program. A survey was administered through Let's Talk Richmond. 458 responses were received between November 15 and December 5, 2021. While this survey focused on patios on public property, much of the feedback can also be applied to seasonal patios on private property.

Detailed survey results can be found in Attachment 2, with highlights included below.

- Respondents self-identified their affiliation(s) to a Richmond-based food or beverage establishment. This included Customer (420), Neighbour (109), Business Owner/Manager/Operator/Employee (27), and Other (14).
- 78% of respondents were in support of utilizing public property for outdoor patios for food and beverage establishments. 13% were not in support and 9% were unsure.
- A similar percentage of respondents indicated that they visit outdoor patios in Richmond by sustainable modes of travel including cycling, walking and transit (44%) as by car (43%).
- Steveston was the location where most respondents (322) wished to see future patios on public space, followed by the City Center (283), Neighbourhood Service Centres (278) and Ironwood (239).

Respondents were also asked to provide feedback regarding elements about patios that they enjoy or that are concerning to them. Outdoor dining options, support for small businesses, neighbourhood vibrancy and opportunities to socialize were among the top aspects respondents enjoyed. With respect to areas of concern for respondents, health and safety, loss of parking, impact to pedestrian flow, privatization of public space, and noise from the patio were among the most frequently cited concerns.

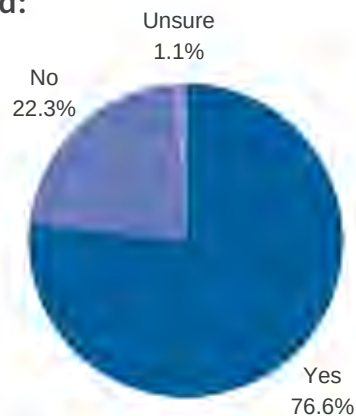
In addition to receiving business and public feedback, staff also engaged with and incorporated feedback from the LCRB and Vancouver Coastal Health.

PUBLIC SPACE PATIO PROGRAM

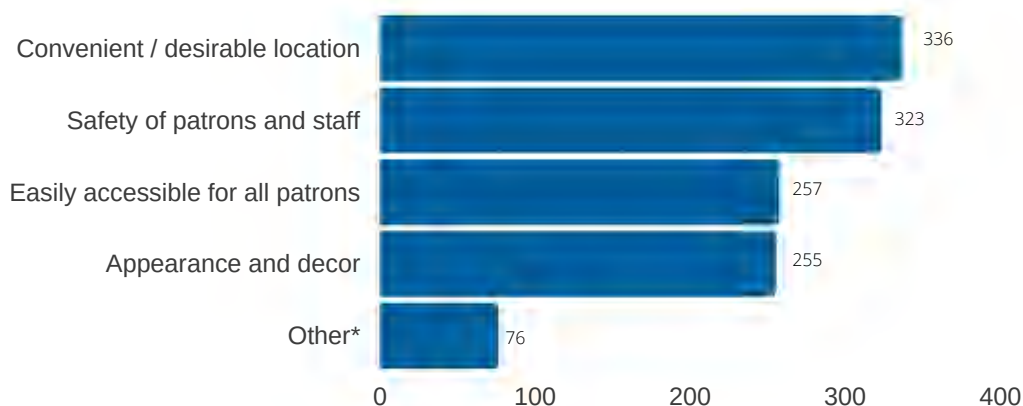
Let's Talk Richmond - Survey Data

The City sought feedback from the public and local businesses to inform the development of a program to allow food and beverage establishments to apply for an outdoor patio on an adjacent public space such as a sidewalk, on-street parking area, or other public space. A Let's Talk Richmond survey was open from November 15 to December 5, 2021. Upon conclusion of the consultation period, 458 survey responses had been received by the City. The data is as follows:

Q1. Since January 1, 2021, I have visited an outdoor patio of a food or beverage establishment in Richmond:



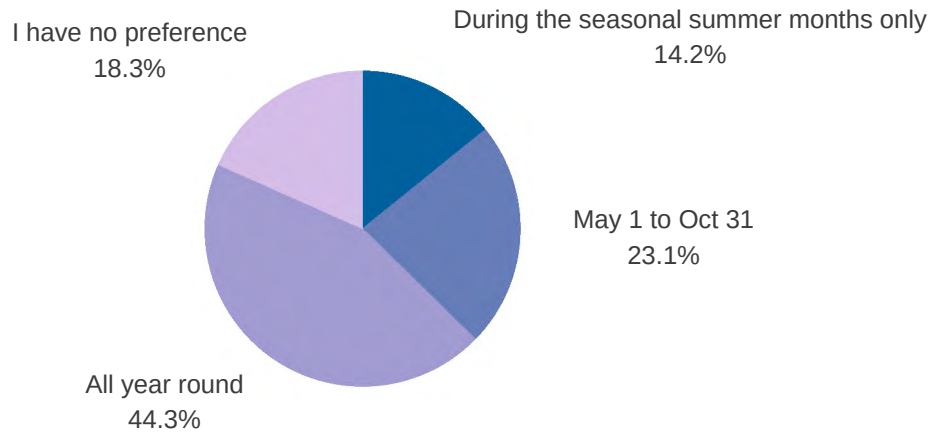
Q2. The aspects of an outdoor patio that are most important to me are (select all that apply):



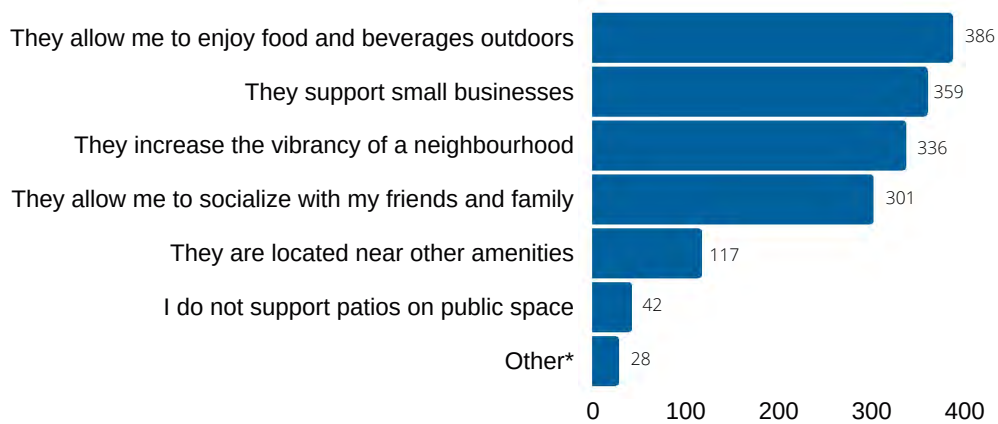
* Key themes from 'Other' include:

- Community vibrancy and wellbeing
- Accessibility:
 - Avoid interference with intended use of space i.e. sidewalks, parking
 - Accessible entrances and exits for patios themselves
- Weather protection from the elements

Q3. I would prefer that patios on public property be open:



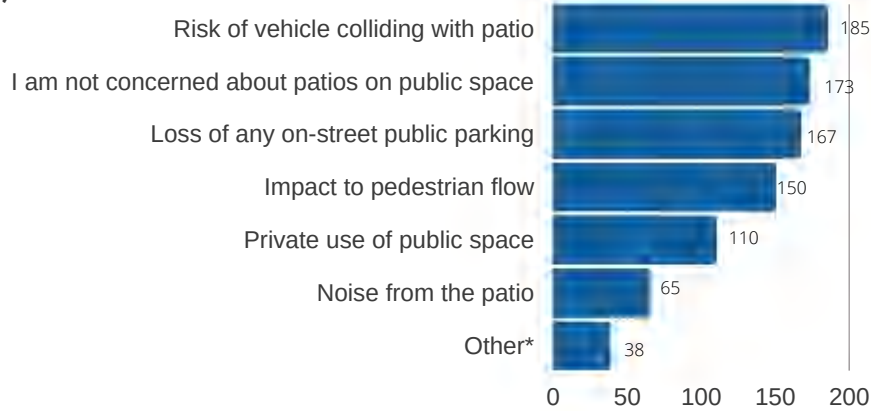
Q4. The aspects I enjoy, or would enjoy, most about patios on public space are (select all that apply):



* Key themes from 'Other' include:

- They provide a safe, enjoyable outdoor eating option during the COVID-19 pandemic and beyond
- They can re-prioritize the use of public space from being vehicle-centric
- They are more accessible for some patrons
- They can enhance the public realm and create opportunities for artistic expression

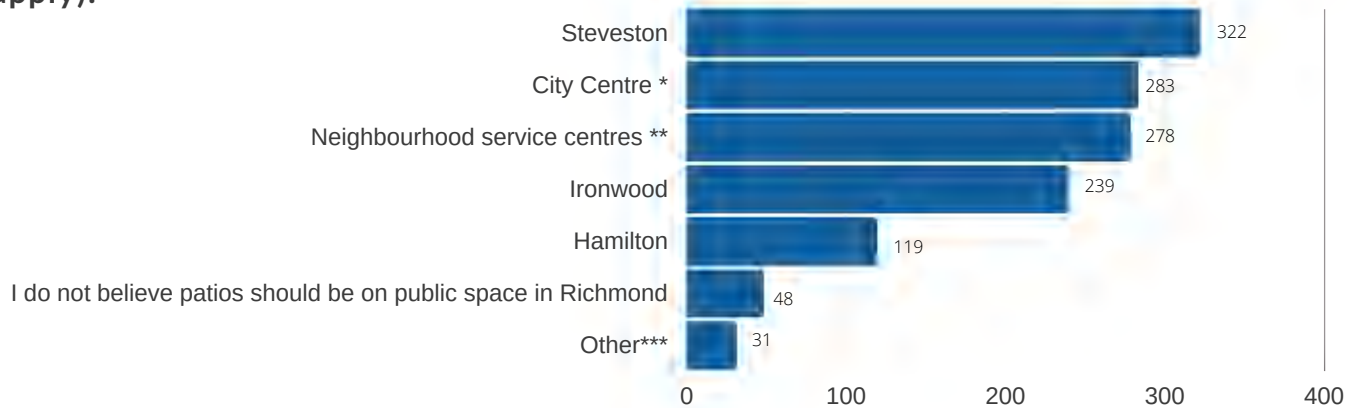
Q5. The aspects that concern me most about patios on public space are (select all that apply):



* Key themes from 'Other' include:

- Cleanliness, appearance and upkeep of patio
- Nuisances from crowds or alcohol consumption
- Impact to traffic flow
- Conflict between vehicles, pedestrians and patrons i.e. exhaust fumes from surrounding traffic

Q6. Many of the current temporary patios on public space are located in Steveston. I would like to see future patios on public spaces in the following neighbourhoods (select all that apply):



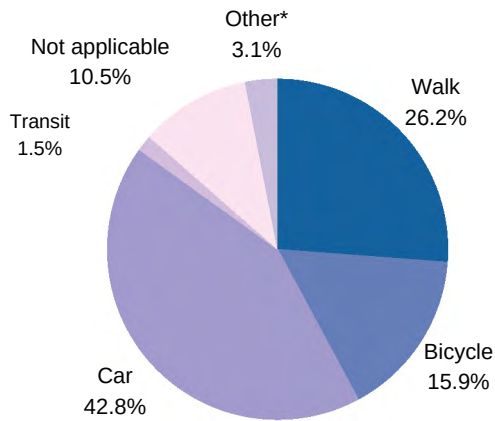
* Oval Village, Brighthouse, Aberdeen, Capstan Village, Lansdowne, Bridgeport

** Seafair, Terra Nova, Broadmoor

*** Key themes from 'Other' include:

- Consider the Richmond Oval area or anywhere there is demand from businesses
- Anywhere in Richmond that is safe from vehicular traffic
- Anywhere so long as there is enough room to ensure accessibility

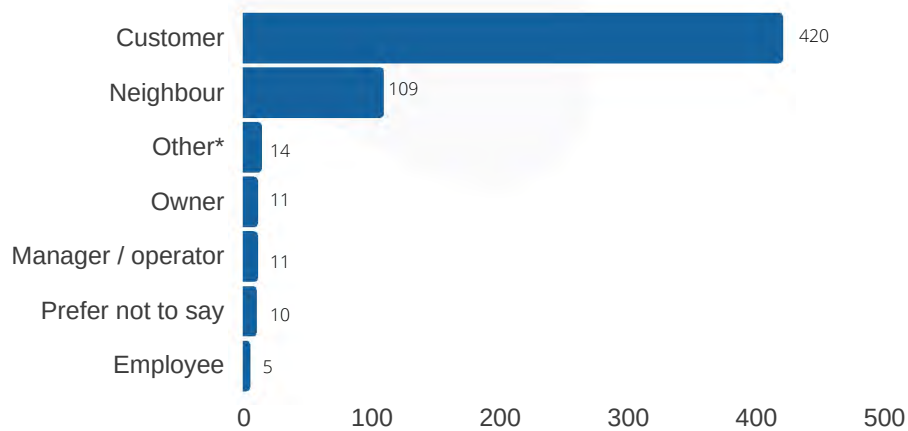
Q7. When I visit an outdoor patio in Richmond, the most common mode of travel has been:



*Key themes from 'Other' include:

- Additional transportation options:
 - Wheelchair
 - Disability scooter
- Active transportation options to and from patio destinations could help reduce reliance on car traffic

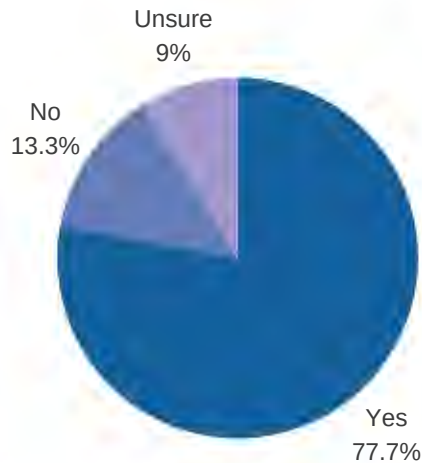
Q8. My affiliation to a food or beverage establishment in Richmond is (select all that apply):



* Key themes from 'Other' include:

- Citizen
- Regulatory Agency (Environmental Health)
- No affiliation

Q9. I am in support of utilizing public space (such as sidewalks, on-street parking areas or other public space) for outdoor patios for food or beverage establishments.



The following table displays results filtered by specific categories of respondents. Please note responses with no opinions were omitted from chart percentages.

	Owner / Manager / Operator / Employee (27)	Customer (420)	Neighbour (109)
TRUE: I am in support of utilizing public space for outdoor patios for food or beverage establishments.	94.1%	79.8%	89.0%
FALSE: I am in support of utilizing public space for outdoor patios for food or beverage establishments.	0.0%	11.7%	7.3%

PUBLIC SPACE PATIO PROGRAM

Let's Talk Richmond - Feedback Highlights

Respondents were also invited to provide additional feedback through the survey or by email. Highlights of this feedback are included below and categorized under three main themes.

Support for a Public Space Patio Program

- Outdoor patios are positive as long as they and their surroundings are safe and accessible for patrons, pedestrians and the general public.
- Outdoor dining spaces create friendlier neighbourhoods, in turn promoting healthy communities and an improved ambiance.
- Allowing patios on public space supports small family owned businesses and provides more safe and enjoyable dining experiences for customers.
- Outdoor patios were a response to COVID-19 that should continue to help support businesses while enhancing neighbourhoods.

Opposition to a Public Space Patio Program

- Public spaces must be preserved for public use only to provide safe and accessible spaces for all people to enjoy - not just for economic gain by businesses.
- The loss of parking spaces will impact surrounding small businesses and cause additional traffic congestion.
- The safety and convenience of pedestrians and accessibility for people with disabilities is more important than patios.
- Outdoor patios can cause disturbances and nuisances for neighbours.

Suggestions for the Regulation of a Public Space Patio Program

- Private businesses benefiting from the use of public space should be charged a fee and responsible for safe and respectful operation of the patio.
- A public notification process should be included to consider neighbourhood feedback.
- Regulations should consider noise, operating hours, and means of mitigating nuisances to ensure harmony with neighbourhood and adjacent residential dwellings.
- Permissions should be granted for a minimum of 2 years to provide stability and allow time for cost recovery by businesses investing in patios.
- Accessibility for patrons and public should be prioritized.
- Weather protection and heating elements should be allowed recognizing the mild weather and year-round outdoor dining opportunities in Richmond. Seasonal patios should be encouraged so parking is returned during months of inclement weather.
- Patio size and duration should be considered to mitigate loss of parking or impacts to pedestrian traffic.
- Outdoor dining spaces should be made available to the general public and not only restaurants and their paying customers.
- Access to, and use of, public walkways in Richmond should be protected and expanded where possible. Curblanes should be used for patios rather than sidewalks.

City of Richmond Patio Program



About this guide

Overview

This guide provides an overview of the City of Richmond Patio Program (“Patio Program” or “Program”). The guide also explains the steps required to apply for a Patio Permit, and details the design requirements for building an outdoor patio adjacent to a food and beverage establishment.

Building on the success of the City’s Expedited Temporary Outdoor Patio Program, which was launched in 2020 as a pandemic response measure, this Patio Program provides flexibility for businesses considering their future options by enabling additional patio types.

This guide is designed to help you through the application process for a Patio Permit. It outlines the detailed design and operational requirements your business will need to follow, based on what type of patio you plan to install. This guide adheres to the City of Richmond Patio Program Guidelines. The full set of Guidelines can be found at: <http://www.richmond.ca/patiopermits>

Who is this guide for?

The Applicant Guide is for businesses that want to establish either:

- A patio on **public property** adjacent to their business; or
- A **seasonal** patio on **private property** adjacent to their business.

To build one of the patio types above, businesses require a Patio Permit. This program allows businesses to expand their seating areas and animate outdoor space, by shifting some of their seating capacity to an outdoor patio.

This Program does not apply to permanent, year-round patios on private property. Businesses that want to pursue year-round patios on private property or increases to their existing permitted occupancy limits must follow the standard building permit application process, which can be found at: <http://www.richmond.ca/patiopermits>





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1

▶ Program overview

Program overview

In 2020, the City of Richmond introduced an Expedited Temporary Outdoor Patio (TOP) Program as a pandemic response measure. The purpose of this program was to allow food and beverage establishments to quickly expand their seating areas to accommodate COVID-19-related public health orders.

To support local businesses in a timely manner, the review process was expedited, and all municipal application, licence and permit fees (with the exception of a nominal fee for the use of public property) were waived.

The new City of Richmond Patio Program provides a comprehensive, long-term solution to the original temporary program, allowing food and beverage establishments to apply for ongoing patios on public property, or seasonal patios on

private spaces, adjacent to their business. Existing valid TOP Permits will be extended until June 1, 2023 to allow businesses sufficient time to pursue ongoing patio expansions. Patios on public property would be subject to the renewal of license agreements with the City.

The Patio Program Guidelines were developed based on a comprehensive review of existing bylaws, regulations and technical requirements. The process involved input and review from multiple City departments, including Economic Development, Transportation, Planning, Engineering & Public Works, Building Approvals, Law, Customer Service, Business Licensing, Development Applications, as well as Richmond Fire Rescue. Feedback from a public consultation process, including a public survey and outreach to businesses, was also incorporated.



1.1. Goals

This Patio Program seeks to achieve the following high-level goals:

1. Support local businesses by expanding their outdoor capacity and simplifying the patio application process.

2. Ensure that patios are safe, accessible and do not cause undue disturbance to communities, neighbours or passersby.

3. Support the creation of vibrant streetscapes, build a sense of community and create unique street experiences in Richmond.



1.2. Guiding principles

In order to achieve the goals above, and to consider the needs of businesses and the community, public property or seasonal patios should reflect and apply the following guiding principles:



Sense of Community

Patios should enhance the vibrancy of local streets, animate the streetscape, and strengthen community connections by facilitating social interaction among local businesses, patrons, neighbours and visitors.



Ease of Movement

Locations and designs of patios should ensure that the mobility of people walking and rolling along sidewalks and surrounding pathways is not negatively impacted.



Neighbourhood Character

Patios should enhance, respect and celebrate the unique character of the surrounding buildings and neighbourhood, while complementing the look of the business holding the licence.



Safety & Accessibility

Patio designs should ensure that people of all ages and abilities can safely access and enjoy each patio space.



Welcomeness & Inclusion

Patio designs should support an open and welcoming environment that encourages a diversity of people to use and share the space together.

1.3. Types of patios

Before deciding which type of patio to apply for, please read the definitions below to understand which type of patio is possible for your business location.



Curbside Patio

A Curbside Patio is fully detached from buildings and located on public property. It occupies on-street parking spaces that are dedicated for parking at all times without any parking restrictions. Curbside patios cannot be located in any other areas, including loading zones, accessible parking stalls, passenger drop-off, taxi only, construction, etc. Liquor-primary establishments are excluded from curbside patios.

See pages 16-21 for more details on this type of patio.



Sidewalk Patio

A Sidewalk Patio may occupy public property on the sidewalk, provided it is adjacent to the business making the patio application.

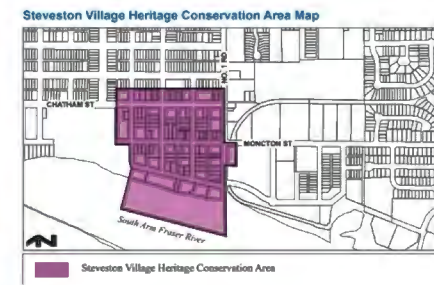
See pages 16-21 for more details on this type of patio.



Seasonal Patio

Seasonal patios involve a patio located on private property adjacent to a food service or neighbourhood public house establishment. It can only operate seasonally between April 1 and October 31. Seasonal Patios are located either on private land or private, off-street parking spaces. Each location has slightly different requirements. In Section 3.1 (Patio Requirements Checklists), these patio types are referred to as "Seasonal (Private Land)" and "Seasonal (Off-street Parking)".

See pages 16-21 for more details on this type of patio.



Steveston Village Patio

Patios located within Steveston Village must be built in a way that maintains Steveston's heritage character. These patios must meet the relevant general patio requirements detailed on pages 16-21, as well as specific guidelines for patios on both public or private property in Steveston Village.

A Heritage Alteration Permit (HAP) is required for all patios located in the Steveston Village Heritage Conservation Area, regardless of its construction value and location. The application fees is included in the Patio Permit application fee if the HAP can be issued by the Director of Development. If a patio requires a HAP issued by council, there will be a separate HAP application fee in addition to the Patio Permit application fee.

See pages 22-24 for more details on this type of patio.

Note: Patios on private property that are operated year-round or result in increased occupancy are permitted. This applicant guide does not apply to those patios. Learn more about year-round patios on private property at www.richmond.ca/patiopermits.

2

▶ How to apply

How to apply for a patio permit

2.1. Before you get started

Before you begin planning your patio, please review the requirements in this guide. In addition to the patio's location, design, and appearance, businesses need to consider their patio's accessibility and safety for patrons, as well as more detailed requirements like clearance, access, fencing, and weather protection. Detailed location-based requirements are detailed on page 17, followed by the design, safety, accessibility, fencing and weather protection requirements for each patio type.

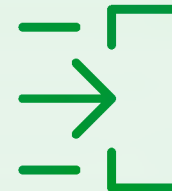
Location

Before beginning an application, businesses should determine the type of patio they intend to build. Patio requirements differ depending on whether the patio is located on public space (for example, a sidewalk or curbside parking spot), or on private space, including parking lot spaces. Patios in Steveston have additional requirements.



Clearance & access

It's essential that patios do not block access points for utilities and emergency services. Patios must also keep clear of existing infrastructure, including bike racks, doorways, and parking spaces.



Accessibility

Patios should be inclusive and welcoming to people of all ages and abilities, even if they are not using the patios. Patios must be designed in a way that is accessible to people using wheelchairs and strollers, and cannot block public pathways around the patio area.



Design & appearance

The look and feel of your patio should complement your business, without impacting the street's existing character. Patios in Steveston have more detailed design requirements to maintain the neighbourhood's historic character. Generally, no signage or branding is allowed.



Safety

Patios that are on the street or in parking spots must prioritize the safety of their customers and vehicles on the street, by following specific hazard marking and barrier requirements.



Perimeter fencing

There are specific fencing requirements for patios that are located on the street or serve alcohol.



Weather protection

While it's important to keep customers comfortable year-round, weather protection features must be contained within the patio area and follow specific safety requirements. Patios cannot be fully enclosed.



2.2. What's not allowed



Enclosed patios

Any partial enclosures or weather protection must have adequate ventilation. Full enclosures are not permitted.



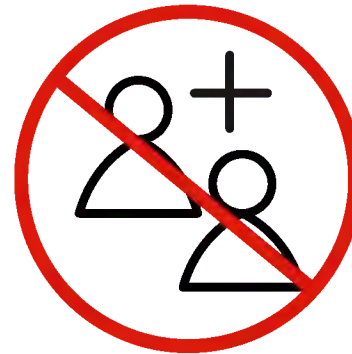
Use of speakers, amplified sound systems or live music

The use of speakers, amplified sound systems or live music in patios is prohibited.



Cooking

All food preparation, processing, and cooking devices and/ or activities are prohibited on patios.



Increased capacity

Patios approved and built under this program cannot increase a business' existing permitted occupancy load. Businesses that would like to receive approval to increase their occupant load must submit an application through the Buildings Approvals department. To learn more about how to increase your capacity, visit www.richmond.ca/patiopermits



Open fires or ground heaters

The use of open-air fires (bonfires) and ground heaters are prohibited on patios.

2.3. Application requirements

To apply for a Patio Permit, you will need to provide:

1. A completed Patio Program Application Form (see www.richmond.ca/patiopermits)
2. Location and design checklist
3. Drawings that include all requirements laid out in this guide. Clear drawing requirements are outlined in the Application Form.
4. A copy of your business license
5. Heritage Alteration Permit Application (for patios in Steveston only. This requires a separate application process ([see here](#) for more information). This process will be streamlined with your Patio Permit application.
6. Application Fee Payment as listed in the fee schedule below on page 14

Note: Applicants are not required to secure approval from a structural engineer for their designs.

The Patio Program Application Form will also ask for the following information:

- General business-related and property-ownership information
- Patio location and design details (to ensure you have met the requirements in this guide)
- Additional patio-specific information like dates, and whether you will be serving liquor
- Summary checklist (to ensure you've included all the required documents)
- Declarations (signatures) that you understand and acknowledge the terms and conditions for operation of a patio, as well as the associated bylaws and regulations

After you've submitted your application

For patios on public property, proof of insurance will need to be provided prior to issuing a Patio Permit. Approved applications will need to provide a Certificate of Insurance (minimum \$5,000,000) that names the City of Richmond as an additional insured.

2.4. Cost

Annual patio permit fees:

The Patio Permit application fee for a seasonal patio on private property is \$300 and is subject to renewal every two years. Additional fees are required for the private use of public property. The cost varies based on the number of tables and chairs it includes and whether it includes a liquor licence. All public property Patio Permit fees are outlined below

Small Sidewalk Patios

A Small Sidewalk Patio may have up to three tables and six chairs. One extra table and two chairs can be added for an additional fee.

This option is only available for a Sidewalk Patio application (patio types detailed on page 8).

General permit fees		
Application fee	\$100 + GST	Valid for two years
Renewal fee	\$100 + GST	Required every two years
Annual public property use fees		
Small Sidewalk Patio	\$300 + GST	Flat fee for up to three tables and six chairs.
Small Sidewalk Patio addition	\$100 + GST	Fee for one additional table with two chairs.

**Individual requests for patios exceeding 37.16 square metres will be subject to further review and pricing will be established on a case-by-case basis.*

***For Large Public Space Patios operating on a seasonal basis only, fees will be prorated based on the number of months the space is occupied. A minimum of six months is required.*

Large Public Space Patio

A Large Public Space Patio includes any Sidewalk Patio with five or more tables and 10 or more chairs, any patio with a liquor licence, and any Curbside Patio. A Large Public Space Patio must have a perimeter fence, as defined in the general design guidelines. Large Public Space Patios are charged per square metre.

This option is available for either a Sidewalk Patio or a Curbside Patio (patio types detailed on page 8).

General permit fees		
Application fee	\$300 + GST	Valid for two years
Renewal fee	\$300 + GST	Required every two years
Annual public property use fees		
Large Patio - Steveston & City Centre	\$107.64 / m ² + GST	Up to a maximum of 37.16 square metres.
Large Patio - all other areas in Richmond	\$86.11 / m ² + GST	Up to a maximum of 37.16 square metres.

3

▶ Patio requirements



Patio requirements

3.1. Patio requirements checklists

This section details the requirements for each type of patio. Each line detailed in the checklist is a distinct element that the City will be looking for in your patio application.

How to use the checklists

The tables on the following pages provide a reference tool for all applicants to the City of Richmond Patio Program to ensure that their patio application meets all of the City’s requirements. The left-most column outlines the guidelines. Applicants should then follow the appropriate column for the type of patio they wish to install, and ensure that they check off all of the empty boxes under that column. Greyed out squares indicate that that guideline does not apply for that type of patio. Unique requirements apply to any patio type located in Steveston (pages 22-24).

EXAMPLE

Your patio...	CURBSIDE	SIDEWALK	SEASONAL (PRIVATE PROPERTY)	SEASONAL (OFF-STREET PARKING & PRIVATE PROPERTY)
Is located in the City of Richmond	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.1. Patio requirements checklists

Prior to submitting your application, select the type of patio you are applying for and confirm that it aligns with all of the criteria below:

LOCATION

Your patio...	CURBSIDE	SIDEWALK	SEASONAL (PRIVATE PROPERTY)	SEASONAL (OFF-STREET PARKING & PRIVATE PROPERTY)
Occupies on-street parking spaces that are dedicated to parking at all times, with no parking restrictions.	<input type="checkbox"/>			
Is not in a loading zone, accessible parking space, passenger drop-off, taxi only or construction zone.	<input type="checkbox"/>			
Is not on an arterial street.	<input type="checkbox"/>			
Does not block or reroute pedestrians.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does not block fire routes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is located in a parking lot where your business has at least 20 parking spaces.				<input type="checkbox"/>
Is in a parking lot, and does not reduce your business' available parking spaces by more than 10%.				<input type="checkbox"/>

CLEARANCE & ACCESS

Your patio...	CURBSIDE	SIDEWALK	SEASONAL (PRIVATE PROPERTY)	SEASONAL (OFF-STREET PARKING & PRIVATE PROPERTY)
Does not block access to City-owned infrastructure, BC Gas valves, or underground kiosks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does not block exits or doors to adjacent buildings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is at least 1m away from all fire department connections.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is at least 5m away from fire hydrants.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does not block access to bike racks, garbage cans, or other existing structures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is at least 2m away from all City-owned utilities other than fire hydrants.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is at least 1m away from other patios.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is at least 1m away from vehicle lanes or adjacent parking spots.	<input type="checkbox"/>			
Is at least 6m away from street corners, stop signs, and traffic control.	<input type="checkbox"/>			
Is at least 2m away from the nearest sidewalk obstruction (bike rack, parking meter post, sign post, utility pole, bench, bus shelter, etc.).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is at least 1m away from accessible parking spaces.	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Is at least 6m away from residential zones.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ACCESSIBILITY

Your patio...	CURBSIDE	SIDEWALK	SEASONAL (PRIVATE PROPERTY)	SEASONAL (OFF-STREET PARKING & PRIVATE PROPERTY)
Provides enough width for wheelchairs and strollers at every entry/ exit point.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Includes furniture placed in a way that allows people using wheelchairs to pull up to each table or sit next to other seats.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uses materials and surface treatments that are safe and accessible for all users.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Keeps or provides clear and safe vehicle, pedestrian, wheelchair and bicycle routes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leaves a path of at least 2m on the public sidewalk.	<input type="checkbox"/>	<input type="checkbox"/>		

DESIGN & APPEARANCE

Your patio...	CURBSIDE	SIDEWALK	SEASONAL (PRIVATE PROPERTY)	SEASONAL (OFF-STREET PARKING & PRIVATE PROPERTY)
Can be removed within a 24 hour period.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does not display a business name, logo, banners, signs or ads.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is not wider than 1.8m.	<input type="checkbox"/>			

SAFETY

Your patio...	CURBSIDE	SIDEWALK	SEASONAL (PRIVATE PROPERTY)	SEASONAL (OFF-STREET PARKING & PRIVATE PROPERTY)
Includes reflective posts at least 1.2m high at each corner of the patio that is next to moving traffic or parking spots.	<input type="checkbox"/>			<input type="checkbox"/>
Has reflective hazard object marker signs on traffic posts and on its perimeter.	<input type="checkbox"/>			<input type="checkbox"/>
May require an extended concrete barrier taper at the start of the patio in the direction of traffic for streets with posted speed limits greater than 30 km/hr.	<input type="checkbox"/>			
Provides easy access to a working fire extinguisher inside your business' building.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PERIMETER FENCING

Your patio...	CURBSIDE	SIDEWALK	SEASONAL (PRIVATE PROPERTY)	SEASONAL (OFF-STREET PARKING & PRIVATE PROPERTY)
Has fencing that is 0.75m to 1.0m tall (if serving alcohol, adjacent to a road/parking space).	<input type="checkbox"/>	Only if serving alcohol	Only if serving alcohol	Only if serving alcohol
Has not damaged or drilled into the sidewalk, roadway or curb.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uses fencing materials that complements the character of the business and the neighbourhood.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WEATHER PROTECTION

Your patio...	CURBSIDE	SIDEWALK	SEASONAL (PRIVATE PROPERTY)	SEASONAL (OFF-STREET PARKING & PRIVATE PROPERTY)
Does not have structural components that connect to existing buildings (canopies, roof coverings, extensions or attachments).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does not have umbrellas or other items (fences, planters, etc.) that extend over the edge of the patio area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cannot be not fully enclosed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uses only approved propane heating devices.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uses coverings and/or walls made of registered NFPA 701 flame retardant materials with visible labels, when a heating device is included.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.2. Additional Steveston Village patio requirements

Steveston Village is known for its history and heritage. Patios in this neighbourhood must be built in a way that maintains Steveston’s traditional character and charm.

In addition to meeting all the relevant patio requirements in the checklists above (pages 17-21), patios located within the Steveston Village Heritage Conservation Area must follow these additional requirements:

GENERAL STEVESTON VILLAGE REQUIREMENTS

Your patio...	PATIOS ON PUBLIC PROPERTY IN STEVESTON	PATIOS ON PRIVATE PROPERTY IN STEVESTON
Has applied for a Heritage Alteration Permit.	<input type="checkbox"/>	<input type="checkbox"/>
Meets the general requirements for patios on public property (Curbside or Sidewalk, respectively) (pages 17-21).	<input type="checkbox"/>	
Meets the general requirements for patios on private property (pages 17-21).		<input type="checkbox"/>

DESIGN & APPEARANCE

Your patio...	PATIOS ON PUBLIC PROPERTY IN STEVESTON	PATIOS ON PRIVATE PROPERTY IN STEVESTON
Respects the character of adjacent buildings in terms of scale, material and character.	<input type="checkbox"/>	<input type="checkbox"/>
Does not visually dominate the heritage buildings or streetscape.	<input type="checkbox"/>	<input type="checkbox"/>
Is either unpainted, or uses strong but muted heritage colours that are compatible with Steveston's character.	<input type="checkbox"/>	<input type="checkbox"/>
Has minimal landscaping, or small planters that do not block the view of the buildings if on Moncton Street between No. 1 Road and 3 rd Avenue.	<input type="checkbox"/>	<input type="checkbox"/>
Planters should not be used to provide a continuous solid barrier to mark off the patio area.	<input type="checkbox"/>	<input type="checkbox"/>
Does not use light fixtures that are directly attached to the patio structure.	<input type="checkbox"/>	<input type="checkbox"/>
Uses light fixtures that have warm and soft lighting that does not cause glare for neighbours.	<input type="checkbox"/>	<input type="checkbox"/>
Does not have any advertisement or signage, except for signage required due to safety reasons.	<input type="checkbox"/>	<input type="checkbox"/>

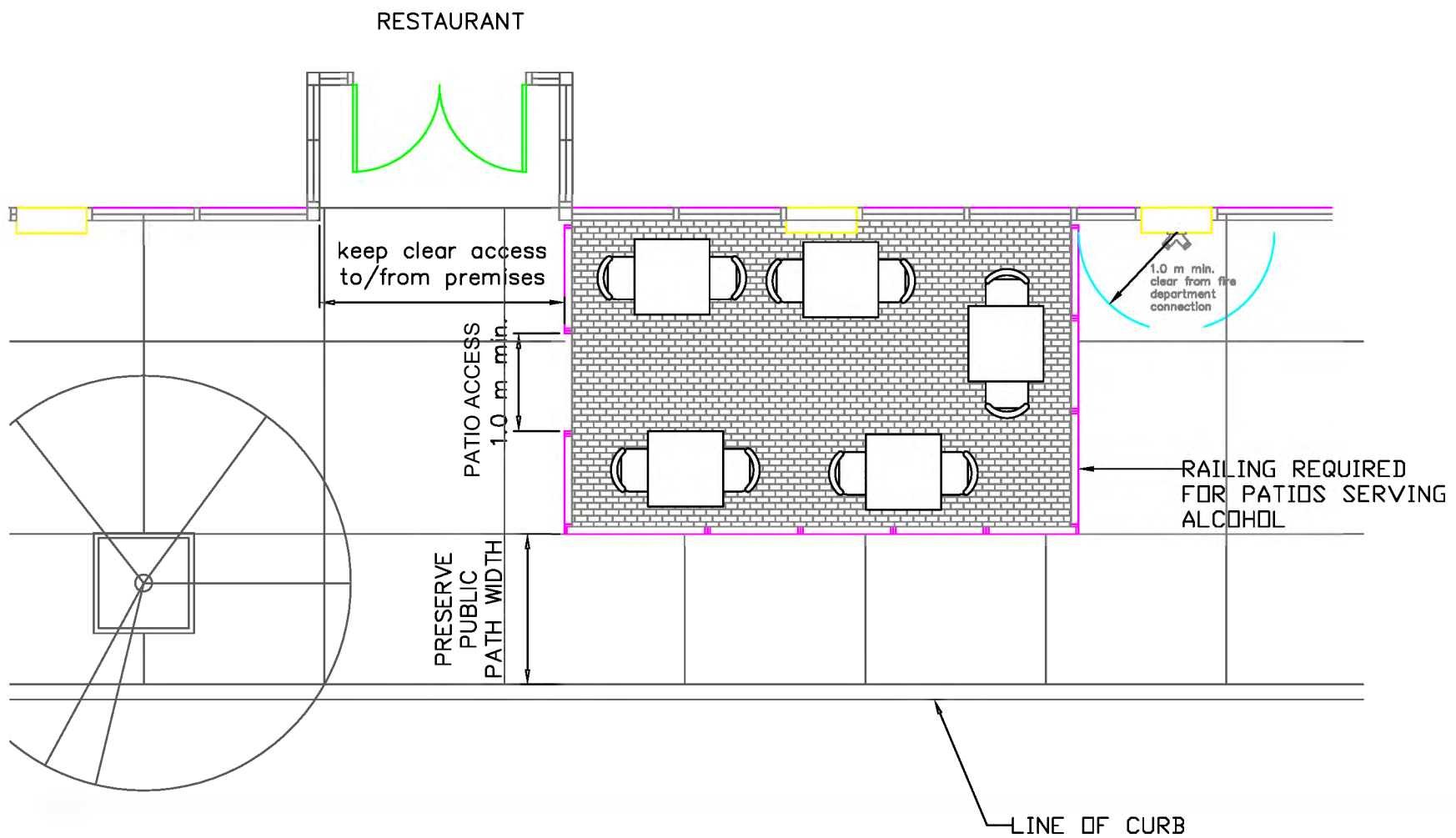
PERIMETER FENCING & BARRIERS

Your patio...	PATIOS ON PUBLIC PROPERTY IN STEVESTON	PATIOS ON PRIVATE PROPERTY IN STEVESTON
Does not have a solid, continuous barrier, and has an "open" appearance.	<input type="checkbox"/>	
Visually obstructs less than 50 of the total area of the barrier (length x height).	<input type="checkbox"/>	
Uses high-quality materials to mark off the area, and does not use plastic barriers or chain fencing.	<input type="checkbox"/>	<input type="checkbox"/>
Uses either wood, metal, or composite material designed to resemble wood for railings and fencing.		<input type="checkbox"/>
Uses material that aligns with the architectural finish of nearby buildings.	<input type="checkbox"/>	<input type="checkbox"/>
Does not have any barriers above 0.9m tall.		<input type="checkbox"/>
Does not have any elements that exceed 0.9m for patios on sidewalks and 1.1m for curbside patios.	<input type="checkbox"/>	

3.3. Patio layout example diagrams

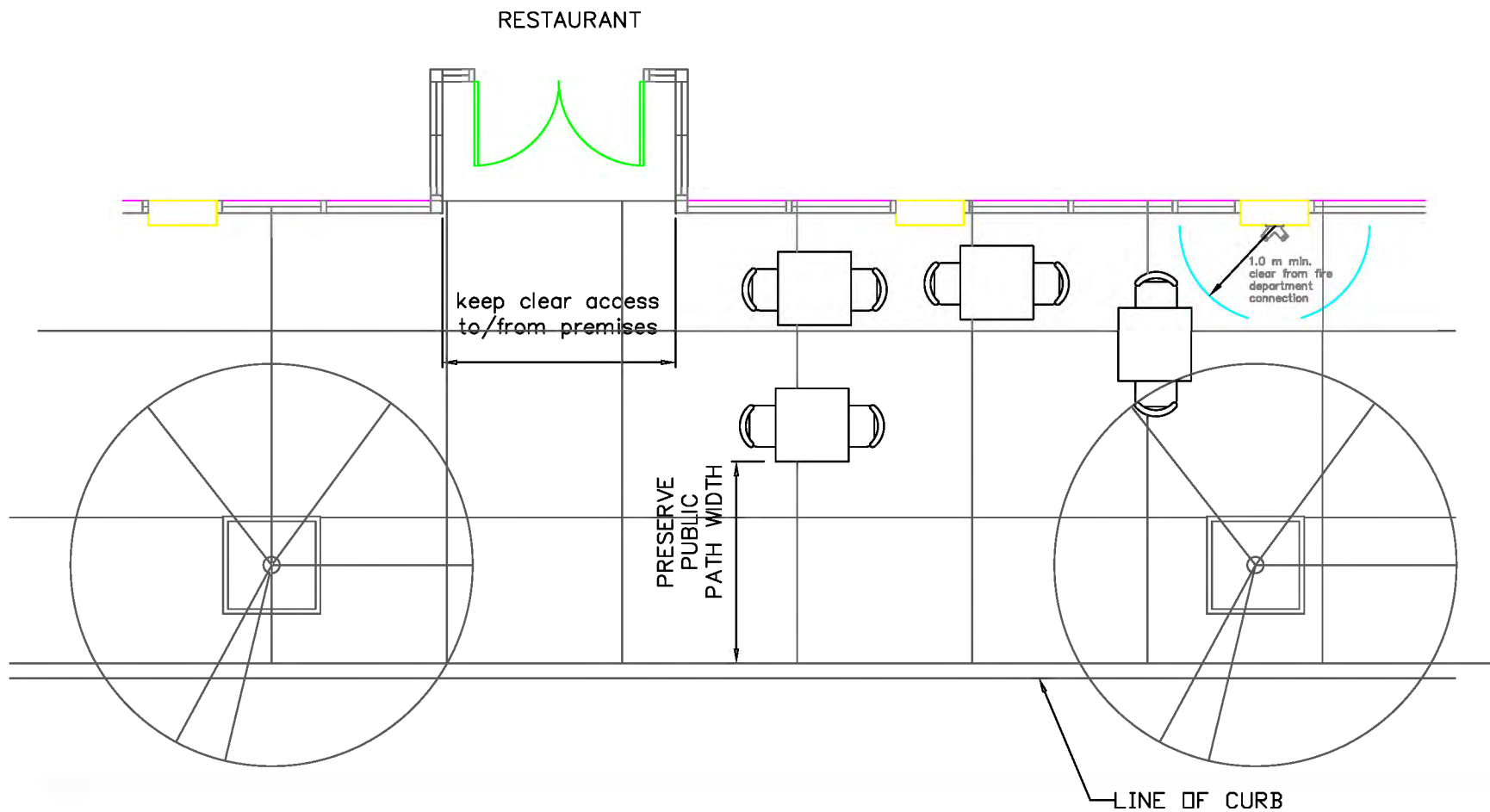
The following three pages provide examples of site sketches for different patio types. They highlight some of the key requirements detailed in the checklist above.

EXAMPLE: SIDEWALK PATIO - LARGE PUBLIC PROPERTY PATIO - SERVING ALCOHOL



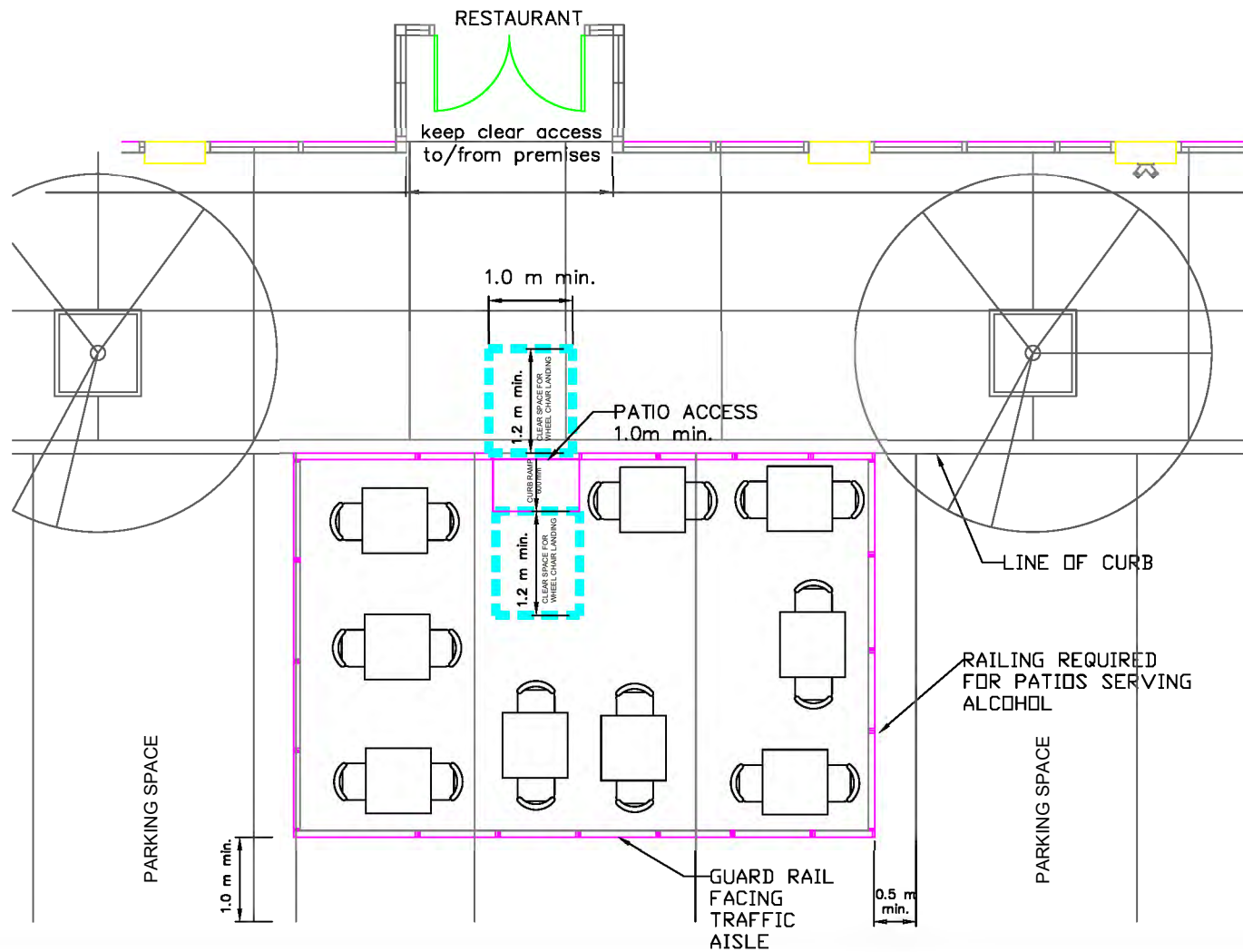
3.3. Patio layout example diagrams

EXAMPLE: SIDEWALK PATIO - SMALL SIDEWALK PATIO WITH ADDITIONAL TABLE AND CHAIRS - NO RAILING OR FENCING REQUIRED, NO ALCOHOL SERVED



3.3. Patio layout example diagrams

EXAMPLE: CURBSIDE PATIO - LARGE PUBLIC PROPERTY PATIO



3.4. Legal requirements

In addition to the location and design requirements detailed in this guide, businesses must ensure their patios meet and maintain the following six legal requirements:

- You must hold a valid City of Richmond business licence.
- If you intend to serve liquor on the patio, you will need to obtain a liquor licence endorsement from the British Columbia Liquor and Cannabis Regulation Branch.
- Patio liquor service must comply with Provincial liquor licensing requirements and policy directives.
- If your patio is on public property, you will need to maintain a \$5,000,000 general liability insurance policy that names the City as an additional insured.
- Approval for a patio permit does not automatically result in an increase to permitted occupant load, such increases would require additional levels of processing to ensure adherence to health and safety regulations such as the BC Building Code.
- Your business must adhere to all municipal and other governing bylaws and regulations.
- Patio service ends at 10:00 p.m.

3.5. Operational requirements

Once your patio has been approved and built, your business is responsible for successfully operating it. This responsibility includes:

- Shifting a portion of your permitted seating or capacity outside between April 1 and October 31.
 - Note: A patio permit does not automatically result in increased seating or capacity. For an increase, apply to udbuilding@richmond.ca.
- You must remove any patio structures, furniture or fixtures within 30 days of your permit expiration date.
- You are responsible and liable for all maintenance repairs of your patio.
- If your patio stays in place through the winter, you are responsible for clearing all snow and ice from the patio and from its entry and exit points.

This program will be reviewed, with consideration for policy and design adjustments. Input from applicants is welcome at economicdev@richmond.ca.



City of Richmond

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Telephone: 604-276-4000

www.richmond.ca

Patio Program – Complementary Initiatives

Complementary Initiatives

The following initiatives would complement the Patio Program while helping to achieve its objectives.

1. Pacific.Authentic. Pop-up Picnic Areas

Not all businesses have access to adjacent outdoor space on which to operate a patio. In 2021 Tourism Richmond launched the Pacific. Authentic. Pop-up Picnic Program to provide inviting outdoor dining spaces close to restaurants. This provided new outdoor dining areas for the broader public while supporting take-out programs for restaurants without access to patio space, such as those located in shopping malls. In 2022, Tourism Richmond is planning to bring back the pop-up picnic areas and work with more local artists to paint additional Richmond themed picnic tables.

2. Alternative Transportation Initiatives

Outdoor patios increase the vibrancy of neighbourhoods, making them a destination for residents and visitors and providing an incentive for a bike ride, walk or other types of non-vehicle trips.

In a Let's Talk Richmond survey undertaken from November 15 to December 5, 2021, 44% of respondents indicated they visited outdoor patios by sustainable modes of travel such as cycling, walking and rolling.

There are initiatives underway that support active transportation and low carbon travel that will reduce demand for parking and free up space for other uses such as patios.

- **Richmond Discovery Shuttle:** This service, a joint project between the City, the Richmond Hotel Association and Tourism Richmond, provides a seamless connection for visitors between the City Center and Steveston. It was first piloted in 2019 and is in the planning stages for implementation again over the 2022 summer period.
- **Steveston Bike Valet:** In partnership with Tourism Richmond, the new bike valet is being planned for summer 2022 that will provide a free to end user service where visitors to Steveston can securely store their bikes, strollers, skateboards or other mobility devices. This allows them to enjoy the village and support local restaurants, shops and attractions.
- **E-Scooter Pilot Project:** Part of a Provincial initiative, this came into effective in July 2021 and a public e-scooter share pilot program will launch in spring, 2022.

- The City's Active Transportation Network: This continues to expand and improve with additional routes, signage and facilities. Future improvements are prioritized in the 2021 update of the Cycling Network Plan.

Increased use of sustainable transportation modes will aid Richmond in reducing its carbon footprint and complement the patio program and other enhancements to the vibrancy of the community.



CITY OF RICHMOND

PUBLIC SPACE PATIO REGULATION BYLAW

BYLAW NO. 10350

WHEREAS section 8 of the *Community Charter* allows Council to set regulations on the use of public places;

WHEREAS section 194 of the *Community Charter* allows Council to impose fees payable in respect of the use of municipal property; and

AND WHEREAS the Council of the City of Richmond deems it advisable to set fees, and regulate the operation of public space patios within the City of Richmond.

NOW THEREFORE the Council of the City of Richmond, in open meeting assembled, enacts as follows:

PART 1: CITATION

- 1.1 This Bylaw may be cited for all purposes as “Public Space Patio Regulation Bylaw No. 10350”.

PART 2: INTERPRETATION

- 2.1 In this Bylaw, the following terms have the following meanings:
- (a) “**Applicant**” means an applicant for a **Public Space Patio Permit**, and for the purposes of this Bylaw, also means the holder of a **Public Space Patio Permit**, once issued;
 - (b) “**Applicant’s Personnel**” means the **Applicant’s** officers, directors, employees, agents, contractors, subcontractors, permittees, invitees and sublicencees;
 - (c) “**Application**” means an application for a **Public Space Patio Permit**;
 - (d) “**Business**” means a Business as defined in the City’s Business Regulation Bylaw No. 7538;
 - (e) “**City**” means the City of Richmond;

- (f) **“City Personnel”** means the City’s officials, officers, employees, agents, contractors, subcontractors, permittees and invitees;
- (g) **“Consolidated Fees Bylaw”** means Consolidated Fees Bylaw No. 8636;
- (h) **“Council”** means the duly elected Council for the City;
- (i) **“General Manager”** means the City’s General Manager, Community Safety, or designate;
- (j) **“Losses”** means losses, judgments, builder’s liens, damages, costs (including legal costs), expenses, actions, proceedings, suits, debts, accounts, claims and demands, including any and all claims of third parties;
- (k) **“Public Space Patio”** means an outdoor patio, sidewalk patio, street patio or deck located on a sidewalk or other portion of a street, including parking stalls, or publically owned property, permitted by a **Public Space Patio Permit** for the purpose of serving food and beverages in an outdoor setting to seated patrons in conjunction with an existing **Business**. For certainty, a **Public Space Patio** includes a **Small Sidewalk Patio**;
- (l) **“Public Space Patio Permit”** means a permit for a **Public Space Patio** issued under this Bylaw; and
- (m) **“Public Space Patio Permit Area”** means the area designated in a Public Space Patio Permit for a Public Space Patio.
- (n) **“Small Sidewalk Patio”** means a **Public Space Patio** located on a publically owned sidewalk adjacent the Applicant’s Business that has four or fewer tables and a combined maximum total of 8 or fewer chairs.

PART 2 – APPLICATION AND PUBLIC SPACE PATIO PERMIT REQUIREMENTS

Public Space Patio Permit Required

- 2.1 Unless otherwise exempted by this Bylaw, a **Public Space Patio** is only allowable with a valid **Public Space Patio Permit** and no person shall construct, erect, modify, convert, expand, reconstruct, relocate or replace any such **Public Space Patio** without first having obtained a valid **Public Space Patio Permit**.

Application Requirements

- 2.2 No **Public Space Patio Permit** for erection of a **Public Space Patio** shall be issued until:
 - a) A full and complete **Application** has been submitted. The Application will include, without limitation, plans and details of the proposed **Public Space Patio** showing:

- i. the area of the sidewalk, street or other publically-owned space to be occupied;
 - ii. the location and type of all fixtures or other objects which shall be placed within any area of the sidewalk, street or other publically-owned space to be occupied; and
 - iii. any other materials, documents and information as determined by the General Manager;
- b) The proposed work set out in the **Application** conforms to this Bylaw and all other applicable bylaws and **City** guidelines applicable to **Public Space Patios**;
 - c) The **Applicant** for the **Public Space Patio Permit** has paid the prescribed application fee as specified in **Consolidated Fees Bylaw**;
 - d) The **Applicant** for the **Public Space Patio Permit** has paid the prescribed fee for the use of public space as determined by the City's Director, Real Estate Services, or designate;
 - e) Evidence of the **Applicant's** comprehensive general liability insurance in accordance with the amounts and other requirements set out in this Bylaw, has been received; and
 - f) Until the Application has been approved by the General Manager.

PART 3 – PUBLIC SPACE PATIO CONDITIONS OF PUBLIC SPACE PATIO PERMIT

3.1 Every **Public Space Patio Permit** is subject to the conditions of use set out in Part 3 of this Bylaw.

Validity Period

3.2 A **Public Space Patio Permit** may be valid for a maximum of 24 months, subject to the terms of this Bylaw. Upon expiry or early termination.

3.3 No **Public Space Patio** shall be permitted to operate later than 10:00 p.m.

3.4 Subject to Section 4.1, upon expiry of a **Public Space Patio Permit**, all fixtures and structures placed within or surrounding a **Public Space Patio** must be completely removed within 30 days and must replace and restore the sidewalk, street or other publically-owned space to a safe and proper condition to the satisfaction of the **General Manager**.

3.5 Where an **Applicant** neglects, refuses or fails to cease occupation of the **Public Space Patio** as required pursuant to this Bylaw, or fails to do so within the time specified, the **General Manager** may cause any fixtures, furnishings or personal property located on the **Public Space Patio** to be removed and may cause the sidewalk, street or other publically-owned place to be restored to a safe and proper condition and may charge the

costs of such removal and restoration to the **Applicant**. Where the **City** has incurred costs pursuant to this Section, a certificate of the **General Manager** setting out those costs shall be final and the **City** may recover such costs from the **Applicant** in any Court of competent jurisdiction as a debt owing by the **Applicant** to the **City**.

- 3.6 Where an **Applicant** is required to remove any fixtures, furnishings and personal property pursuant to this Bylaw, the **Applicant** must not make any claim against the **City** on account of such removal.

Compliance with Applicable Laws

- 3.7 An **Applicant** will:

- (a) comply with all applicable laws including, without limitation, City bylaws, policies and guidelines pertaining to the use of the **Public Space Patio Permit Area**;
- (b) not release, dump, spill or place, or allow to be released, dumped, spilled or released on the **Public Space Patio Permit** any waste or special waste (as defined in the Environmental Management Act, S.B.C. 2003, c. 53, as it may be amended or substituted from time to time), or any toxic substance (as defined in the Canadian Environmental Protection Act, S.C. 1999, c. 33, as it may be amended or substituted from time to time), or any matter which the British Columbia Ministry of Environment considers a risk to the environment or to human health;
- (b) exercise its rights under the **Public Space Patio Permit** so as to cause as little inconvenience to the **City** and the public users of the **Public Space Patio Permit Area** and surrounding area as is reasonably practicable in the City's sole discretion; and
- (c) comply promptly with the legal requirements of all authorities, including any association of fire insurance underwriters or agents, and all notices issued by them that are served upon the **City** or the **Applicant**.

Location and Use of Public Space Patio

- 3.8 The location of a **Public Space Patio** may not extend beyond the location indicated on the **Public Space Patio Permit**.
- 3.9 The **Public Space Patio Permit Area** must not be used for any purpose other than seating and serving customers.

Design and Maintenance of Public Space Patio

- 3.10 All Public Space Patios will comply with the City's design guidelines.
- 3.11 The **Applicant** must keep and maintain the **Public Space Patio** in a clean, sanitary, attractive condition and must keep the sidewalk surrounding or adjacent to the **Public Space Patio** free from papers, rubbish and debris of any kind.

- 3.12 The **Applicant** must repair and/or replace, to the **City's** satisfaction, any damage to the **Public Space Patio Permit Area**, any other lands, structures, buildings, improvements, the sidewalks, lanes, utilities or streets adjacent or in proximity to the **Public Space Patio Permit Area** that is caused by, either directly or indirectly, or is contributed to by, either directly or indirectly, the existence of the **Public Space Patio**.
- 3.13 For the purpose of constructing, installing, repairing or maintaining any street, municipal work, service, utility or other improvement owned by the **City** or a permitted third party utility company, the **Applicant** must:
- (a) allow employees or agents of the City and any permitted third party utility company to enter the portion of the **Public Space Patio Permit Area**; and
 - (b) when requested by the **General Manager**, remove at the cost of the **Applicant** part of the **Public Space Patio** within 48 hours, or immediately in the event of an emergency, for regularly scheduled utility or service installation, maintenance or repair.

Insurance, Indemnity and Release

- 3.14 The **Applicant** shall obtain and maintain comprehensive general liability insurance with a limit of not less than \$5,000,000.00 for loss, damage, injury or death arising out of any one occurrence. The policy shall name the City as an additional insured thereunder and shall indemnify and protect the City against all claims for any **Losses**, damage, injury or death to any person or persons and for damage to any public or private property occurring within or about the **Public Space Patio Permit Area** or arising by virtue of the **Applicant's** occupation and/or use of the **Public Space Patio Permit Area**. The policy shall contain such other terms and conditions satisfactory to the City's Risk Manager. The Applicant shall provide the **City** with satisfactory proof of such coverage prior to the construction or installation of the **Public Space Patio**.
- 3.15 In consideration for the issuance of a **Public Space Patio Permit**, each **Applicant** indemnify and save harmless the **City** and **City Personnel** in respect of any and all **Losses** which the **City** or any City Personnel may suffer, incur or be put to, arising out of or in connection, directly or indirectly, with the **Public Space Patio Permit** or the **Public Space Patio** or that would not or could not have occurred "but for" the **Public Space Patio Permit** or the **Public Space Patio**, including without limitation:
- (a) the occupation and/or use of the **Public Space Patio Permit Area** by the **Applicant** and the **Applicant's Personnel**, supplies, machinery and equipment;
 - (b) injury or death to any person occurring in or about the **Public Space Patio Permit Area** and damage to or loss of property owned by any person occurring in or about the **Public Space Patio Permit Area**, or relating to or arising from the occupation and/or use of the **Public Space Patio Permit Area** (including claims under the *Occupier's Liability Act*) by the **Applicant**, the **Applicant's Personnel**, any of their machinery, tools, and equipment, and/or the use of the **Public Space Patio Permit Area**; and

- (c) any breach by the **Applicant** of any condition or covenant contained in this Bylaw.

3.16 The Applicant does hereby waive, remise and release the **City** and **City Personnel** from absolutely any and all **Losses** which the **Applicant** or any **Applicant's Personnel** may suffer, incur or be put to, arising out of or in connection, directly or indirectly, with the **Public Space Patio Permit** or the **Public Space Patio** or that would not or could not have occurred "but for" the **Public Space Patio Permit** or the **Public Space Patio**, including without limitation:

- (a) the occupation and/or use of the **Public Space Patio Permit Area** by the **Applicant** and the **Applicant's Personnel**, supplies, machinery and equipment;
- (b) injury or death to any person occurring in or about the **Public Space Patio Permit Area** and damage to or loss of property owned by any person occurring in or about the **Public Space Patio Permit Area**, or relating to or arising from the occupation and/or use of the **Public Space Patio Permit Area** (including claims under the *Occupier's Liability Act*) by the **Applicant**, the **Applicant's Personnel**, any of their machinery, tools, and equipment, and/or the use of the **Public Space Patio Permit Area**; and
- (c) any breach by the **Applicant** of any condition or covenant contained in this Bylaw.

The release and indemnification provisions contained in this Bylaw shall survive the termination or expiration of a **Public Space Patio Permit**.

PART 4 - AUTHORITY OF THE GENERAL MANAGER

4.1 The **General Manager** is authorized to:

- a) determine the form of an **Application** for a **Public Space Patio Permit**;
- b) to determine and prescribe the terms and conditions to be included in the **Public Space Patio Permit**;
- c) issue a **Public Space Patio Permit** for the operation of a **Public Space Patio** in accordance with terms and specifications set out in this Bylaw, and impose additional terms, conditions, restrictions and requirements;
- d) issue design guidelines for **Public Space Patios**;
- e) refuse to issue a **Public Space Patio Permit**, if
 - i. the information submitted is insufficient to determine compliance with the provisions of this bylaw or another enactment;
 - ii. the incorrect information is submitted;

- iii. it would be prohibited by any other bylaw or regulation; or
 - iv. the **General Manager** considers that the activities proposed or contemplated under the **Public Space Patio Permit** cannot be carried out safely and with a minimum risk of injury to persons, damage or loss to property, inconvenience to others using the street, residents or businesses in the vicinity, or to the public generally.
- f) suspend, amend, vary, revoke, or cancel any **Public Space Patio Permit**, without compensation to the permit holder, if
- i. there is a contravention of any specification or condition of the **Public Space Patio Permit**;
 - ii. the **Public Space Patio Permit** was issued in error;
 - iii. the **Public Space Patio Permit** was issued on the basis of incorrect information;
 - iv. in the opinion of the **General Manager**, a portion of the **Public Space Patio** area is required for the maintenance, repair or installation of municipal utilities or other municipal purposes; or
 - v. the **General Manager** considers that the activities under the **Public Patio Permit** are not being carried out safely and with a minimum risk of injury to persons, damage or loss to property, inconvenience to others using the street, residents or businesses in the vicinity, or to the public generally.
- g) Upon suspension, amendment, variation, revocation, or cancellation of a **Public Space Patio Permit**, the **General Manager** may order the **Applicant** to immediately remove all fixtures and structures placed within or surrounding a **Public Space Patio** and the replacement and restoration of the sidewalk, street or other publically-owned space to a safe and proper condition to the satisfaction of the **General Manager**.

PART 5 – SEVERABILITY

- 5.1 If any part, sub-section or phrase of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed, and the remainder of the Bylaw shall be deemed to have been enacted without the invalid portion.

PART 6 – EFFECTIVE DATE

- 6.1 This Bylaw comes into force and effect upon its adoption.

- iv. in the opinion of the **General Manager**, a portion of the **Public Space Patio** area is required for the maintenance, repair or installation of municipal utilities or other municipal purposes; or
- v. the **General Manager** considers that the activities under the **Public Patio Permit** are not being carried out safely and with a minimum risk of injury to persons, damage or loss to property, inconvenience to others using the street, residents or businesses in the vicinity, or to the public generally.
- g) Upon suspension, amendment, variation, revocation, or cancelation of a **Public Space Patio Permit**, the **General Manager** may order the **Applicant** to immediately remove all fixtures and structures placed within or surrounding a **Public Space Patio** and the replacement and restoration of the sidewalk, street or other publically-owned space to a safe and proper condition to the satisfaction of the **General Manager**.

PART 5 – SEVERABILITY

5.1 If any part, sub-section or phrase of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed, and the remainder of the Bylaw shall be deemed to have been enacted without the invalid portion.

PART 6 – EFFECTIVE DATE

6.1 This Bylaw comes into force and effect upon its adoption.

6.2 Notwithstanding Section 8.1 of this Bylaw, this Bylaw shall not apply to persons who hold a valid temporary patio permit issued by the City.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating dept. <i>KF</i>
APPROVED for legality by Solicitor <i>LB</i>



**Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273
Amendment Bylaw No. 10366**

The Council of the City of Richmond enacts as follows:

1. **Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273**, as amended, is further amended by adding the following as Section 1.2.4:

“1.2.4 Notwithstanding subsection 1.2.1 above, an **applicant** for a **temporary use permit** for a **seasonal outdoor patio** is not required to provide signage as set out in subsections 1.2.1 and 1.2.2.”

2. **Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273**, as amended, is further amended by adding the following as Section 2.4.4:

“2.4.4 Notwithstanding subsections 2.1.1, 2.4.1 and 2.4.2 above:

- (a) the **General Manager, Community Safety** is responsible for processing and reviewing applications for **temporary use permits** for **seasonal outdoor patios**;
- (b) where a request for a renewal of a **temporary use permit** for a **seasonal outdoor patio** has been made, the **General Manager, Community Safety** must process and review such application generally in the same manner as an application for a new permit under subsection 2.4.4(a).

3. **Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273**, as amended, is further amended by adding the following as Section 5.4:

“5.4 Delegation of Temporary Use Permits for Seasonal Outdoor Patios

5.4.1 Notwithstanding Section 5.2 above, **Council** delegates to the **General Manager, Community Safety** the authority to:

- (a) approve, issue, and renew **temporary use permits** for **seasonal outdoor patios**;
- (b) reject applications for **seasonal outdoor patios**;
- (c) vary and supplement **seasonal outdoor patios** and impose conditions and requirements on said permits; and

- (d) cancel **temporary use permits** for **seasonal outdoor patios** if a permit holder fails to comply with a term or condition of the permit.
- 5.4.2 The **General Manager, Community Safety** must send a notice of their decision in writing to the **applicant**, which notice shall be deemed to have been received by the **applicant** 10 days after the notice is mailed by the **City**.
- 5.4.3 An **applicant** for a **temporary use permit** for a **seasonal outdoor patio** is entitled to have **Council** reconsider the decision of the **General Manager, Community Safety** in accordance with the following process:
- (a) the **applicant** must apply for the reconsideration by delivering to the **City Clerk**, and providing a copy to the **General Manager, Community Safety**, within 30 days after the decision of the **General Manager, Community Safety** is deemed to be received by the **applicant**, a reconsideration application in writing setting out the following:
 - (i) the date of the decision of the **General Manager, Community Safety** and the nature of the decision;
 - (ii) reasons why the **applicant** wishes the decision to be reconsidered by **Council**;
 - (iii) a request from the **applicant** that the decision be made by **Council**, with brief reasons in support of the request; and
 - (iv) a copy of any materials the **applicant** considers to be relevant to the reconsideration by **Council**.
 - (b) the **General Manager, Community Safety** must present to **Council**, a report on the application and decision to be reconsidered, consisting of a recommendation, and any other information the **General Manager, Community Safety** considers to be relevant;
 - (c) reconsiderations must occur at a regular meeting of **Council** held at least two weeks after the date on which the reconsideration application is delivered to the **City Clerk** and notice shall be provided in accordance with Section 3.2 of this Bylaw;
 - (d) the **applicant** may delegate to **Council** in accordance with Council Procedure Bylaw No. 7560 at the regular meeting of **Council** at which the **General Manager, Community Safety**'s report is on the agenda;
 - (e) upon receipt of the recommendation from the **General Manager, Community Safety** and the delegation from the **applicant**, and **Council**'s reconsideration of the **General Manager, Community Safety**'s decision, **Council** must:
 - (i) confirm the decision of the **General Manager, Community Safety**; or

- (ii) vary, or set aside the decision of the **General Manager, Community Safety** and substitute the decision of **Council**, and either:
 - (A) issue the **temporary use permit** for a **seasonal outdoor patio**, or approve the renewal of the **temporary use permit**; or
 - (B) reject the application for a **temporary use permit** for a **seasonal outdoor patio**, or the renewal of a **temporary use permit**.”
- 4. **Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273**, as amended, is further amended by adding the following as Section 8.1.3:

“8.1.3 Where the **General Manager, Community Safety** issues a **temporary use permit** for a **seasonal outdoor patio** the **City Clerk** must ensure that such permit is properly executed and must mail or otherwise deliver such permit to the **applicant**, and cause the appropriate “Notice of Permit” to be filed in the Provincial Land Title Office.”
- 5. **Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273**, as amended, is further amended by adding the following as Section 10.1.2(d):

“(d) prior to issuance by the **General Manger, Community Safety** of a **temporary use permit** for a **seasonal outdoor patio**.”
- 6. **Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273**, as amended, is further amended at Section 12.1 by adding, the following defined terms in their proper alphabetical order:

SEASONAL OUTDOOR PATIO means a patio constructed on private property adjacent to a **food service establishment, liquor primary establishment, marine public house, or neighbourhood public house** establishment which is subject to a temporary use permit, which can operate only from April 1 to October 31.

FOOD SERVICE ESTABLISHMENT means a business which, in return for consideration, serves prepared food to the public for consumption on or off the premises, and includes coffee shop, restaurant or drive-in restaurant, cafeteria, dining lounge, ice cream parlour, and refreshment or food vending stand, but specifically excludes neighbourhood public house.

LIQUOR PRIMARY ESTABLISHMENT means a premise, licensed under the Liquor Control and Licensing Act, where liquor is served for consumption on-site.

NEIGHBOURHOOD PUBLIC HOUSE means a premise, licensed under the Liquor Control and Licensing Act, where liquor is served for consumption on-site, with a maximum occupant load of 125 persons.

- 7. This Bylaw is cited as “**Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw No. 7273, Amendment Bylaw No. 10366**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating dept. <i>KF</i>
APPROVED for legality by Solicitor <i>LB</i>



**CONSOLIDATED FEES BYLAW NO. 8636,
AMENDMENT BYLAW NO. 10367**

The Council of the City of Richmond enacts as follows:

1. The **Consolidated Fees Bylaw No. 8636**, as amended, is further amended by adding Schedule A attached to and forming part of this bylaw as a schedule to Consolidated Fees Bylaw No. 8636, in alphabetical order.
2. The **Consolidated Fees Bylaw No. 8636**, as amended, is further amended by adding Schedule B attached to and forming part of this bylaw as a schedule to Consolidated Fees Bylaw No. 8636, in alphabetical order.
3. That **Consolidated Fees Bylaw No 8636**, as amended, is further amended at SCHEDULE – DEVELOPMENT APPLICATION FEES by deleting the Heritage Application No. 8951 table and replacing it with Schedule C attached to and forming part of this bylaw.
4. This Bylaw is cited as “**Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 10367.**”

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept. <i>KF</i>
APPROVED for legality by Solicitor <i>LB</i>

MAYOR

CORPORATE OFFICER

SCHEDULE A – Public Space Patio Fees**Public Space Patio Regulation Bylaw No. 10350**

Sections 2.3(c)

Public Space Patio Permit Application Fee	2022 Fee
Permit	\$300
Renewal	\$300
Small Sidewalk Patio Permit Application Fee	2022 Fee
Permit	\$100
Renewal	\$100

SCHEDULE B**DEVELOPMENT APPLICATION FEES****Temporary Use Permits No. 8951**

Section	Description	Base Fee	Incremental Fee
Section 1.6.1	Temporary Use Permits for Seasonal Outdoor Patio	\$300	Not Applicable
Section 1.6.1	Temporary Use Permit Renewal for Seasonal Outdoor Patio	\$300	Not Applicable

DEVELOPMENT APPLICATION FEES

Heritage Applications No. 8951

Section	Description	Base Fee	Incremental Fee
Section 1.15.1 (a)	<u>Heritage Alteration Permit</u> No Development Permit or Rezoning Application With Development Permit or Rezoning Application	\$272 (20% of the total applicable development permit or rezoning fee, whichever is greater)	Not Applicable Not Applicable
Section 1.15.1 (b)	<u>Heritage Alteration Permit</u> For patios to be considered by the Director of Development with the City of Richmond Patio Permit Application	No Fee	Not Applicable
Section 1.15.1 (c)	<u>Heritage Revitalization Agreement</u> No Development Permit or Rezoning Application With Development Permit or Rezoning Application	\$272 (20% of the total applicable development permit or rezoning fee, whichever is greater)	Not Applicable Not Applicable



**Heritage Procedures Bylaw 8400
Amendment Bylaw 10363**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Heritage Procedures Bylaw 8400 is amended by adding the following new subsection 5.1.7 immediately after subsection 5.1.6:

“5.1.7 issuance of a Heritage Alteration Permit in respect of patios on public property and seasonal patios on private property that is not a protected heritage property, provided that its construction value does not exceed \$10,000.00 and the applicant obtains a Patio Permit through the City of Richmond Patio Program.” ;
2. This Bylaw may be cited as **“Heritage Procedures Bylaw 8400, Amendment Bylaw 10363”**.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED by
<i>JH</i>
APPROVED by Manager or Solicitor
<i>LB</i>

MAYOR

CORPORATE OFFICER



**Richmond Official Community Plan Bylaw 7100
Amendment Bylaw 10362 (Revisions to the Steveston Area Plan)**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Official Community Plan Bylaw 7100 (OCP Bylaw) is amended by adding the following in Section 9.3.2.1 Steveston Village General Guidelines of the Steveston Area Plan (Schedule 2.4) after “Landscape Elements”:

“Patios

Patios animate the streetscape and enhance the relationship between buildings and adjacent streets and public areas. The patio design must be well-integrated into the existing historic streetscape of Steveston Village and must be compatible with the form, massing and materials of the adjacent buildings. Particularly, Moncton Street between No. 1 Road and 3rd Avenue retains the historic elements of scale, and maintains a continuous commercial storefront street wall with one or two storey buildings. The design of patio structures must respect the character of the existing humble, small-scaled buildings on Moncton Street.

A Heritage Alteration Permit (HAP) is required for all patios located within the Steveston Village Heritage Conservation Area if the patio includes structure or is to be surrounded by a railing or other boundary that causes alterations to the existing landscape. For a patio located on City property such as a sidewalk patio or a curbside patio (i.e., occupying on-street parking spaces), a permit to allow the patio to occupy public space such as a Patio Permit obtained through the City of Richmond Patio Program is also required in addition to the HAP. In addition, other technical requirements from Engineering, Transportation, Building and Fire must be met and appropriate permits must be obtained.

To respect the heritage character of Steveston Village, new developments should ensure that:

For All Patios

- a) The scale, material and character of a patio structure respect the adjacent buildings and streets, and do not visually dominate the heritage buildings or streetscape.
- b) Colours of patio structures are compatible with Steveston’s traditional character. Either unpainted, or strong, but muted, colours produced as a “heritage series” by a number of commercial paint manufacturers are preferred.
- c) Landscaping is compatible with the existing heritage landscape of Steveston Village. On Moncton Street between No. 1 Road and 3rd Avenue, landscaping should be kept minimal and simple; smaller planters, which do not block the view of the buildings, may be permitted within the patio areas. In other areas in the Steveston Village Core

- area and the Steveston Village Riverfront area, planters, window boxes or other types of container gardens to provide an abundance of year-round seasonal colour are permitted. Planters should not be used to provide a continuous solid barrier to mark off the patio area.
- d) No umbrella is attached to or overhangs the patio railings.
 - e) The patios are wheelchair accessible. Any entry/exit point should be wide enough for a comfortable experience and to accommodate wheelchairs and strollers. The design and placement of site furniture should allow a person in a wheelchair to sit alongside fixed seating or where tables are provided, to allow a person in a wheelchair to pull up to each table. The material and surface treatments should be designed to be safe and accessible for all users.
 - f) Light fixtures are not directly attached to the patio structure, and are appropriate to the historic character of Steveston Village. Fully shielded metal cast fixtures are encouraged. Warmer and softer glow should be provided for ambience and aesthetic similar to traditional light sources. Excessive lighting levels, glare or overspill to neighbours should be avoided.

For Patios on Private Property

- a) Materials for barriers (e.g., railing, fences) to mark off the patio area are of high quality, natural and durable. The material should integrate with architectural finish and materials of the adjacent buildings. The preferred material is wood, metal or contemporary materials that offer a compatible look (e.g., composite decking boards that resemble wood). Plastic barriers or chain fencing are not permitted. The design of the barrier must be simple to complement the overall character of Steveston Village.
- b) The barrier is no higher than 0.9 m (3 ft.). For patios on private property, a trellis or similar structure may be permitted overhead, supported on posts.
- c) No advertisement or signage is allowed on patio structures.

For Patios on Public Property

- a) The material (e.g., fence) to demarcate the patio area does not form a solid continuous barrier, and has an “open” appearance. The visual obstruction must be less than 50% of the total area of the barrier (length x height).
- b) Materials for barriers (e.g., railing, fences) to mark off the patio area are of high quality, natural and durable. The preferred material is wood, metal or contemporary materials that offer a compatible look (e.g., composite decking boards that resemble wood). Plastic barriers or chain fencing are not permitted.
- c) No elements of the patio structure exceed 0.9 m (3 ft.) for patios on sidewalk. For curbside patios (i.e., occupying on-street parking spaces) directly adjacent to vehicle travel lanes, the height of the barrier must be appropriate to provide safety, but no elements of the patio structure should exceed 1.1 m (3.6 ft.).
- d) No advertisement or signage is allowed on patio structures, except for signage required due to safety reasons.”

2. This Bylaw may be cited as “**Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 10362**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED by
<i>JH</i>
APPROVED by Manager or Solicitor
<i>LB</i>

MAYOR

CORPORATE OFFICER