

Town of Cochrane

Temporary Outdoor Patio Guidelines

The Town of Cochrane is allowing for temporary outdoor patios, a pilot project, so food and beverage businesses can create more space for customers in alignment with Alberta Health Service (AHS) directives. From now until September 30th, 2021, the Town of Cochrane will allow restaurant businesses to expand or create temporary outdoor patios in private parking areas or within public property.

To participate in this program:

1. Begin by designing your temporary patio in accordance with these Guidelines.
2. Fill out and sign the Temporary Outdoor Patio Program Agreement
3. If you are proposing to use the adjacent sidewalks, , municipally owned parcels, reserve parcels (“public property”) or road Right of Ways, you will also be required to provide proof of insurance.
4. Send your signed Agreement and Patio Design to Planning@cochrane.ca for approval. Your submission must include:
 - a. A site plan that includes: the proposed patio location, setbacks from buildings, adjacent parking stalls and bike lanes
 - b. Material of the patio and railing/fencing
 - c. Any proposed planters and landscaping
 - d. Signed Temporary Outdoor Patio Program Agreement
 - e. Proof of insurance that includes coverage of the new patio space
5. Once submitted it will take a minimum of five (5) business days to receive your approval or initial comments.

Town Administration will review your submission and provide an approval if it confirms with the Guidelines and your proof of insurance and Agreement Form is complete and acceptable. Once you have obtained approval you can begin to set up your temporary patio, however, before you can begin using this space, you must have an inspection by Town of Cochrane Fire Services.

A. General Requirements for Temporary Patios on Private Property and Within Public Property or the Road Right of Way

1. Temporary patios shall only be permitted in association with eating/drinking establishments and brewery-type uses which hold a valid Town of Cochrane business license.
2. Temporary patios permitted under these Guidelines shall extend no later than the end of the pilot project or the Applicant’s agreement with the Town authorizing such spaces.
3. Applicants are responsible for obtaining all relevant permissions, including, but not limited to, the Alberta Gaming and Liquor Commission (AGLC), AHS, and the applicable landlord or property owner, and meeting all of the requirements of those permissions. Information about AGLC’s requirements is available at www.aglc.ca.

4. The Applicant for a temporary patio shall mitigate any negative impacts on abutting or nearby developments – including adjacent businesses and residential development. Consultation with adjacent business owners and residents (if applicable) is strongly encouraged prior to submitting a Temporary Outdoor Patio Agreement to the Town of Cochrane.
5. It is the applicants responsibility to ensure that the patio remains in a clean and tidy state including but not limited to the removal of garbage,.
6. Outdoor speakers or sound systems shall be allowed provided that the speakers are used on a limited basis between 11AM-10PM at a reasonable volume as background music.
7. On-site parking may be used for a temporary patio with the exception of barrier-free parking stalls.
8. Any approvals required by the landlord for use of shared parking spaces is the responsibility of the Applicant.
9. Barrier-free access must be provided to, through, and throughout, the temporary patio to the satisfaction of the Town.
10. Cooking and/or food and drink preparation is not permitted on temporary patios.
11. A minimum 1.5m (5ft) clearance from fire department (siamese) connections and hydrants must be maintained on a temporary patio.
12. Temporary patios must not extend in front of adjacent tenant spaces, exits, or beyond the applicant's business frontage except with written permission from affected adjacent property owners and occupants; this includes any overhanging elements.
13. If the perimeter is enclosed, a temporary patio with capacity for more than 60 people must have two separate exits. Only one exit is required where a temporary patio has a capacity of up to 60 people. Exit openings must be at least 0.9m (3ft) in clear width, and provided with exit signs where not clearly visible to patrons.
14. Any exit gates must swing freely outward from the temporary patio during hours of operation.
15. A fire extinguisher is within 10 meters of the furthest portion of the patio.
16. Any canopy's or umbrellas used must be CAN/ULC S109 rated.
17. Any outdoor heaters being used must comply with CSA standards.
18. Occupancy numbers are calculated on dimensions given from plans.
19. The business must continue to meet all requirements under the National Fire Code.
20. Outdoor wood burning fire pits, fireplaces or appliances are not permitted to be used on temporary patios.
21. Straw or hay bales should not be used on temporary patios unless treated.
22. A clear path of pedestrian travel of 2.3m (7'-6") minimum in width shall be maintained.
23. All areas of the temporary patio must be a minimum distance of 2.0m (6'-6") from the edge of any adjacent driving aisle or bicycle lane.
24. Applicant to ensure that the patio is not located within 5m on either side of a bus stop. An exemption may be granted by Town Administration.
25. The Applicant's business name and logo may appear on fencing, but other banners and signs are prohibited.
26. No structures, improvements, or objects associated with the temporary patio may impact existing drainage patterns, swales or natural flow of stormwater.
27. A fire inspection is required prior to occupying the temporary outdoor patio. This can be scheduled by contacting Fire Services once the temporary patio setup is completed.

28. Temporary patios shall not be permitted:
 - a. within on-street parking spaces adjacent to streets with a speed limit over 50 km/h;
 - b. within 7.5m (24.6ft) of the corner of an intersection, or;
 - c. within 10.0m (32'-9") of the corner of an intersection that has a stop/yield sign or a pedestrian crosswalk.
29. Temporary patios shall not encroach into loading zones or fire lanes.
30. Temporary curb ramps are required to provide a safe passage for pedestrians to cross between roadways and pedestrian walkways where applicable.
31. Where located in a parking area, outdoor patios shall include planters, perimeter fencing or barriers used to buffer the edge of the patio from parking spaces and drive aisles to the satisfaction of the Town. Planters, perimeter fencing or barriers may also be used by the Applicant to define the patio, subject to these Guidelines. Planters, perimeter fencing and barriers must not exceed 1.2m (4ft) in height (including plants in the case of planters), must not damage any public property or endanger any underground utilities, and must be adequately secured.
32. Planters, perimeter fencing and barriers on sidewalks or pedestrian walkways must be easily removable.
33. The Applicant shall maintain the outdoor patios, including any associated structures, improvements and equipment in a safe and clean condition and in good repair. This maintenance must include keeping the area free of any potential dangers; including debris, snow and ice.

B. Additional Requirements for Temporary Outdoor Patios on Public Property or in the Road Right of Way

1. Temporary patios shall only be permitted on public property if they comply with the following:
 - a. Temporary patios located in public on-street parking spaces or on public sidewalks must be fully located within the front of the business that is utilizing the patio unless there is written consent from the owners and occupants of the adjacent property.
 - b. Temporary patios located on public sidewalks must maintain the clear path of pedestrian travel and wheelchair access as required above.
 - c. The business will be responsible for the clean-up of any garbage, refuse, or any other items or materials in the road right-of-way along the perimeter of this patio. In addition, the business will sweep this area at least once a week to keep it clear of dirt and debris.
 - d. The business will ensure that the placement of the patio does not negatively impact the drainage within the road right-of-way.
 - e. The business will ensure that a barrier of some nature is placed between the patio and driving lane are secure and actively work as a buffer from traffic. The barrier material used is subject to approval from Administration.