

CITY OF
Lethbridge



CITY OF LETHBRIDGE

OUTDOOR PATIOS, PARKLETS, AND STREET VENDING HANDBOOK

Last Updated: March 7 2022

INTRODUCTION

Outdoor Patios, Parklets, and Street Vending are different ways to convert City of Lethbridge (City) owned Right of Way (ROW)¹ into a use that serves people rather than vehicles, which supports local business, beautifies the streets, creates walkable destinations, and makes the city more welcoming and people-friendly.

In order to support these requests, a permit process was developed that supports businesses, ensures that pedestrian flow and public safety are maintained, and that consideration is given to adjacent businesses or residences regarding the potential impacts. As such a permit is required for Outdoor Patios (Minor and Major), Parklets, and Street Vending.

NOTE: Patios and outdoor seating located on a private parcel of land including parking lots are required to receive a temporary development permit. Contact :

developmentservices@lethbridge.ca

PURPOSE

This guideline will identify safety and operational requirements, as well as provide general conditions and clear direction to individuals who would like to understand this process from the perspective of either the business wanting to use the ROW adjacent to their business (Applicant), other businesses or citizens. The conditions and requirements in this guideline provide the City with a means to monitor and coordinate activities within the ROW in order to:

- Allow outdoor patios to be established in a non-disruptive manner.
- Efficiently use of the ROW for the benefit of our citizens.
- Minimize disruption to businesses, residents and road users (i.e. motorists, cyclists and pedestrians).
- Maintain safety for all users.

PERMIT TYPES

Parklet / Curbside Patio / Detoured Walkway (all referred to as 'Parklet' in this document) is an enclosed area, used for either seasonal dining, recreational purposes or for the purpose of detouring pedestrians to accommodate a sidewalk patio, that uses the parking spaces adjacent to a business (May 1 – October 15).



Minor Patio is an unfenced area used for dining and/or recreational purposes (during business hours) directly abutting a business.



Major Patio is a separated area by a fixed structure such as fencing, used for dining and/or recreational purposes directly abutting a business.



A Major Patio is permanent in nature and a specialized application will be necessary including dimensional drawings, encroachment agreement and lease agreement. Please contact City of Lethbridge via 311 for additional details.

Street Vending is a business placing merchandise for display and/or sale directly adjacent to their business only.



PERMIT PROCESS

Completed Application MUST include:

- Valid City of Lethbridge Business License
- General Commercial Liability Insurance
- Dimensional Site Plan
- Dimensional Elevation Drawing (if required)
- Business Letter of Support (if required)

Submit the Application

- City of Lethbridge Urban Revitalization Department
910 - 4th Ave South, 2nd Floor
- Email to Justin.Schipper@lethbridge.ca

Application Review

- Applicable City departments will review the application for compliance with safety and operational regulations.
- Downtown BRZ will also review for applications within the Downtown.

Approval

- Usually granted within 5 days
- Payment (if required) due prior to Permit being issued.

Annual Permit Renewal

- All Outdoor Patio, Parklet, and Street Vending Permits will be issued on an annual basis.
- Patio, Parklet, and Street Vending permits expire March 31st.

DETAILS

General Commercial Liability Insurance with the City of Lethbridge listed as an "Additional Insured" with a minimum of \$2,000,000 coverage.

Dimensional Site Plan Drawing is a view from above with measurements noted.

Dimensional Elevation Drawing is front and side views with measurements noted.

Business Letter of Support is a form signed by businesses on the block face indicating support/opposition for the proposed application. A template can be found on the Public Spaces webpage.

DIMENSIONAL SITE PLAN DRAWINGS:

Show with measurements noted for:	PARKLET	MINOR PATIO
Entire frontage of the building	√ and location of proposed parklet	√
Location of the door		√
Curb, including the distance between curb and building		√
Location of the proposed patio barrier and the distance from the barrier to the curb and nearby municipal obstructions (e.g. street light poles, signs, parking meters, garbage receptacles, benches, bus stops, trees, etc.). Trees must be measured from the edge of the tree-well grate, not the tree trunk.		√

DIMENSIONAL ELEVATION DRAWINGS:

Show with measurements noted for:	PARKLET	MINOR PATIO
Design/layout of the barrier posts, rails, and stiles, including a description of the construction materials.	√	
Disassembly process.	√	

GENERAL CONDITIONS

1. It is the Applicant's responsibility to ensure that their Permit is valid prior to installing any patio furniture, fencing or equipment.
2. Patios will be restricted to establishments located on the ground floor of the adjacent building. The patio is permitted only on the portion of the sidewalk directly abutting the related building face.
3. The Applicant must contact the Alberta Gaming, Liquor and Cannabis (AGLC) Commission if the intent is to serve alcohol or cannabis within the patio.
4. Patios will be considered and reviewed for commercial zones only as described in the Land Use Bylaw.

AESTHETIC CONSIDERATIONS

1. Patios must be kept tidy and all furniture and fixtures must be maintained in good condition and visual appearance.
2. Lighting may be used to add character to the patio space, so long as it does not interfere with traffic.
3. Furniture, decorations, planting of flowers and container-grown vegetation are all encouraged within the boundaries of any approved patio.

SAFETY REQUIREMENTS

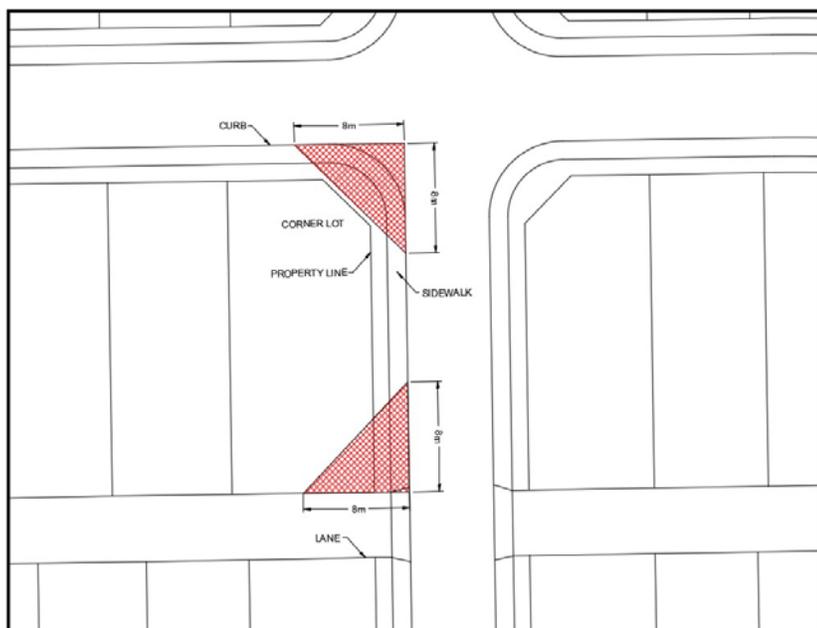
1. The patio space and adjacent sidewalk must be clear of any hazards including the timely removal of snow, ice and refuse.
2. All outdoor furniture must be of a commercial grade and shall not be secured to municipal infrastructure (e.g. the sidewalk, tree wells/trees, posts, fire hydrants, parking meters, street lights, bicycle racks, etc.)
3. No open flames are permitted.
4. A minimum of 1.8m (6') of unobstructed pedestrian space must be maintained between the outer extents of the patio (including but not limited to: lights, plants, tables, chairs, umbrellas, awnings, etc.) and any municipal infrastructure. (e.g. tree wells, posts, fire hydrants, parking meters, street lights, bicycle racks, etc.).
 - a. If a detoured walkway is built through a parking lane (on a roadway) to accommodate a sidewalk patio, the detoured sidewalk must meet the minimum unobstructed 1.8m (6') walkway clearance for pedestrians.
5. No parts of the patio, including decorations shall pose a hazard (e.g. thorns, poisonous plants, sharp edges, tripping hazards, etc.)

OPERATIONAL REQUIREMENTS

1. Stacked storage of tables and chairs is not permitted when the patio is not in use.
2. Exterior lighting used within an approved patio shall be down-facing to minimize light spill into abutting properties and shall not interfere with the public thoroughfare, and be free of exposed cables.
3. The Applicant must comply with relevant City Bylaws, including the Noise Bylaw which states that bells, whistles, music or other attention seeking or intrusive sounds are not permitted between 10:00 p.m. and 9:00 a.m.
4. A garbage can must be provided within the patio area.
5. The patio layout must accommodate wheelchairs and must not impede wheelchair access to the related building or to neighbouring buildings or businesses.
6. All patio furniture and other fixtures such as flower planters, portable lights, decorations, etc. must be located within the patio area and not in the pedestrian travel area, with the exception of umbrella canopies which may extend into the pedestrian travel area provided that there is a minimum 2.1m (7') ground clearance.

PARKLET SPECIFIC CONDITIONS

1. All parklets are limited to the period between April 1 and October 15.
2. All outdoor furniture shall not be left unsecured after business hours.
3. The parklet area shall not be used for storage.
4. The Applicant must provide a letter of support with each annual application from the adjoining property owners (support from 66% of the block face in question is required).
5. The parklet shall not exceed the width of the abutting on-street parking stalls.
6. The parklet will require additional traffic barriers (e.g. jersey barriers, large planters, etc.) to ensure the safety of the patio users and/or pedestrians, dependent on the design submitted. Any barriers used for the parklet must be constructed so that they can be completely removed within 24 hours. No permanent attachment of any fence or barrier to City property is permitted.
7. The design of the parklet should direct patrons to access/egress at the ends on its sidewalk-facing side and ensure that the transition between the existing sidewalk and parklet is fully accessible and mobility friendly.
8. The parklet must not interfere with storm water drainage, restrict access to catch basins/maintenance holes/utilities, or be located within 5m (16'5") of a fire hydrant or fire lane.
9. The parklet cannot be physically attached to the surface of the road, sidewalk or boulevard.
10. Furniture, planting of flowers and container-grown vegetation are all encouraged but shall not extend past the boundaries of the patio.
11. In accordance with the Streets Bylaw, no item with a height greater than 1m (3'4") above the established elevation, measured from the top of the curb where there is a sidewalk or from the level of the crown of the Roadway where there is no sidewalk, shall be placed within a triangle formed on a corner site by the way of two curb lines adjoining an intersection, including an alley intersection, and two points located 8m (26'3") from the said corner where the curb lines meet



MINOR PATIO SPECIFIC CONDITIONS

1. All outdoor furniture (including portable heaters/lights and/or plants) shall be set up only during business hours, and must be taken in at the end of each business day (11:00 p.m. at the latest) and stored indoors (not stacked and stored outside).

STREET VENDING GUIDELINES

1. It is the Applicant's responsibility to ensure that all conditions and requirements of this guideline have been met prior to placing any merchandise, stands or equipment within the ROW.
2. Merchandise placement is permitted directly in front of the associated business's building face. It is not permitted to extend in front of neighbouring buildings or businesses.
3. Merchandise placement will be restricted to establishments located on the main floor of the building.
4. Merchandise, stands and equipment must be removed from the ROW at the end of each business day.
5. The Applicant must maintain a minimum of 1.8m (6') of unobstructed pedestrian space between the merchandise and any municipal obstruction (e.g. tree wells, posts, fire hydrants, parking meters, street lights, bicycle racks, etc.) for safe pedestrian movement.
6. No cords, cables or other tripping hazards associated with the merchandise display shall cover any area of the sidewalk adjacent to the display.
7. No sharp objects or edges, bright lights, inappropriate subject matter, or other hazards/distractions may form part of the display.
8. The Applicant must comply with relevant City Bylaws, including the Noise Bylaw.

Submitting an Application

Permit applications shall be made to the City of Lethbridge Urban Revitalization Department:

- In person at City Hall located at 910 - 4 Avenue South, on the 2nd floor.
- Phone: 403-320-3137 or Lethbridge 311
- Email: Justin.Schipper@lethbridge.ca

Payment is due prior to the issuance of the Permit

Requirement Checklist	Parklet Patio	Minor Patios	Major Patios	Street Vending
Permit	Seasonal Permit Required; fee required	Annual Required; no fee	<p>A Major Patio is permanent in nature and a specialized application will be necessary including dimensional drawings, encroachment agreement and lease agreement.</p> <p>Please contact Urban Revitalization Manager at 403-320-3998 or via 311 for additional details.</p>	Annual Required; no fee
Insurance Certificate	Required	Required		Required
Dimensioned Site Plan	Required	Required		Not required
Dimensioned Elevation Drawings	Required	Not required		Not required
Unobstructed sidewalk width of 1.8m (6')	Not required	Required		Required
Barrier Free Access	Required	Required		Required
Additional Lighting	Down facing allowed	Down facing allowed		Down facing allowed
Furniture removed at end of day	Not required; must be secured	Required		Required
Furniture removed at end of season	Required	Not required		Required
Liquor and Cannabis Sales	Contact AGLC for approval	Contact AGLC for approval		Contact AGLC for approval
Open Flames	Not allowed	Not allowed		Not allowed
Patio Heaters	Allowed	Allowed		Allowed
Block Face Business Support	Required, 66% /per application	Allowed		Allowed
Valid City of Lethbridge Business Licence	Required	Required	Required	
AHS Food Handling Permit	If applicable	If applicable	If applicable	

Businesses operating without a valid Permit or in contradiction to any of the permit conditions or requirements outlined in these guidelines, or specific to their Permit, may be subject to a fine as per the Streets Bylaw.