



Patio Program Design Guidelines

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1. General Design Guidelines

1.1 For applicants to obtain approval to operate a patio under this program, patios must be designed according to the design guidelines set out in this section. These guidelines ensure patios are safe, accessible and do not cause undue obstruction or nuisance to the general public. All patios must meet the *General design guidelines for all patios*, and depending on the location and type of patio, further guidelines apply as identified further in this section.

1.2 General design guidelines for all patios

The general design guidelines apply for all patios on both public and private property.

1.2.1 Location

- A. Typically, a patio is adjacent to the restaurant (food primary license) or limited service food (liquor primary) establishment's property on the front, side or rear of the establishment. The City may also consider patio proposals close to the curb (excluding Liquor Primary establishments).
- B. Curbside patios will be considered based on location, business license, and other special conditions. Further design guidelines for curbside patios are provided in section 1.8.
- C. Patios may be located on public property or private property areas identified in sections 1.7 and 1.9 of this policy. Areas not identified in this policy may be considered for approval at the discretion of City staff, subject to the procedures identified in section 1.4.

1.2.2 Accessibility and passage

- A. Patios must maintain exiting width at the building entry.
- B. Patios must accommodate wheelchair access. 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.
- C. Safe vehicle, and pedestrian, wheelchair and bicycle circulation outside of the patio zone must be provided.
- D. Outdoor patio operators are required to adjust the outdoor seating area's layout, dimensions, or distance from the property line to ensure that visibility and a clean path is maintained, in order to maintain minimum distance and clearance requirements at all times.
- E. The pedestrian space must be clear of obstructions caused by tree wells, posts, hydrants, or any other infrastructure or street furniture.



- F. If 1.5 m or 2.0 m (outside and inside City Centre, respectively) of unobstructed pedestrian thoroughfare area cannot be achieved and maintained, the outdoor patio area must be adjusted to ensure that this minimum distance is achieved. Some areas of the City sidewalks have insufficient right-of-way area or width to accommodate a patio.

1.2.3 Patio design and appearance

- A. The patio shall be designed in such a way that it can be removed within a 24 hour period.
- a. For patios within the maintenance footprint of City-owned utilities, in an emergency maintenance/repair situation, the patio will be removed by the City to allow for the maintenance/repair activities. In a non-emergency maintenance/repair situation, notice will be provided to the applicant to have the patio elements removed to allow for the maintenance/repair activities.
- B. Business names, logos, banners, signs and ads are prohibited on patios under this program.

1.2.4 Noise

- A. The use of speakers, amplified sound systems or live music in patios is prohibited. The occupancy of the patio should be limited as necessary to minimize disturbance where there are nearby residential dwellings and must comply with *Noise Regulation Bylaw No. 8856*.

1.2.5 Perimeter fencing and furniture

- A. Generally, patios are not required to have perimeter fencing unless they a) serve alcohol or b) are adjacent to a public road, private road or a parking space.
- B. Perimeter fences, if in place, must be secured without any damage to or drilling into the public right of way such as but not limited to: sidewalk, roadway or curb.
- C. The height of a perimeter fence shall be between 0.75 to 1 meter.
- D. Patios perimeter fencing or similar demarcation must be provided with one or more unobstructed means of egress with a minimum of 1 metre opening.
- E. Fence(s) and furniture within the patio must be no more than 1 meter in height, with exception to umbrellas, unless for the purpose of facilitating required reflective posts and object marker signs. Standards for lighting and heating elements will be reviewed separately.
- F. Protective perimeter fences shall be constructed with appropriate, easy to remove material such as concrete barriers, guard rail, gravity or water filled barriers.
- G. Bollard and chain fencing are not permitted as they pose a hazard to pedestrians with visual disabilities.
- H. The design and material of the perimeter fence should reinforce and respect the character of the surrounding streetscape, buildings and neighborhood, and complement the look of the business holding the patio license.



- I. Outdoor patio furniture shall not be secured to sidewalks, lampposts, streetlights, trees or other public street furniture.
- J. Tables and chairs shall be made of safe, sturdy, and durable materials. All furniture shall be of a commercial grade, or of a similar quality and durability, and able to accommodate outdoor commercial use.

1.2.6 Weather protection

- A. Patios must not have structural adaptations such as attachments, canopies, roof coverings or extensions that connect to existing buildings.
- B. Patios developed as dining spaces under existing building canopies and awnings are acceptable.
- C. Patio umbrellas, fences, planter boxes, and such similar items must not overhang or extend beyond the designated patio area nor onto nearby tenant space.
- D. Any partial enclosures or weather protection must have adequate ventilation; full enclosures are not permitted.
- E. For patios where approved propane heating devices are used, coverings or walls must be made of registered NFPA 701 flame retardant materials, with the label visible.
- F. Table umbrellas must be securely attached to tables and must NOT encroach into the pedestrian passageway in any way.
- G. The design of the interior and immediate surroundings of an outdoor patio's overhead canopies or umbrellas shall ensure a clear, unobstructed height, from grade level, of 2.13 m.

1.2.7 Lighting

- A. Lighting is important to the function and appearance of a patio as well as the safety and security of the public environment. Lighting may be used to add character to the patio space.
- B. Exterior lighting shall not spill into abutting private property or interfere with the public thoroughfare.
- C. Lighting should be demountable with no exposed cables.
- D. Lighting design should coordinate with patio furnishings and building design.

1.2.8 Richmond Fire-Rescue requirements

Heating

- A. The use of open-air fires (bonfires) and ground heaters are prohibited.
- B. Standing radiant heaters that are approved for use in Canada (ULC, CSA, Intertek, QAI, or other approved mark), in accordance with the Standards Council of Canada, are permitted. Standing radiant heaters must be placed in a clear space of minimum 1 metre from any combustible material.
 - a. All patios and heating equipment is subject to inspection by Richmond Fire-Rescue personnel.



Cooking

- B. Patio will not include any hot pot or grilled food cooking or warming with open flame devices, no food preparation or food processing (including, but not limited to: BBQ or table top grill, butane burner, induction burner, hot plate, warming candles, mineral oil wicks, or any other form of table top cooking/warming).
- C. There must be a working fire extinguisher inside the building that is accessible from the patio.

1.2.9 Clearance and access requirements

- A. The patio must not block access to City-owned infrastructure, B.C. Gas valves or other underground kiosks, and exits from the adjacent building
- B. Patio areas are not permitted within 1.0m of all fire department connection accesses.
- C. Perimeter of the patio must maintain a minimum 5.0m clearance from fire hydrants.
- D. Access to any existing structures on the sidewalk in front of the business (i.e. bike racks, garbage cans, etc.) must not be impeded by the patio;
- E. Maintain a minimum 2.0 m clearance from utilities (such as maintenance holes and storm drains.
- F. A minimum 1.0 m gap is required between two neighboring patios
- G. The patio egress must be free, clear, and unobstructed at all times.

1.2.10 Plant material

- A. Plant material may contribute to the general comfort and enjoyment of the patio experience.
- B. Planting of flowers and container-grown vegetation is encouraged but should be grown in planters that are easily removable from the site.
- C. Planters should be integral with fence and barrier structures to maintain a compatible design relationship.
- D. Planters and the content within must not obstruct the public right-of-way, in any way.
- E. Planters may not exceed a height of 0.91 m above the level of the sidewalk (height does not apply to the actual plant material).
- F. Plants may not exceed a height of 2.4 m above the level of the sidewalk.
- G. All planters must have plants contained within them.
- H. Dead plants must be replaced or the planter must be removed from the public right-of-way. Empty planters or planters with only bare dirt, mulch, straw, woodchips, or similar material are not permitted.
- I. All material within the planters must be healthy and aesthetically maintained. Artificial plants must be removed or replaced if ripped or excessively dirty or faded.

1.2.11 General Enforcement

- A. Where an operator fails to conform with the terms and conditions of approval, the City of Richmond may order that the outdoor patio be removed from the space on which it is located.



- B. For patios on City property, if the operator fails to comply with such an order within 24 hours notification, the City of Richmond may take such action needed to have the outdoor patio removed.

1.3 Additional general guidelines for Steveston Village

Patios in Steveston Village must meet all the general design guidelines outlined in this section (1.2), further they must also meet the guidelines set forth below. Should there be conflict between the general design guidelines, and guidelines for Steveston Village, the latter guidelines shall prevail.

- A. The scale, material and character of a patio structure in Steveston Village should respect the adjacent buildings and streets, and should not visually dominate the heritage buildings or streetscape.
- B. Colours of patio structures should be 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 must be 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 that 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. Light fixtures should not be directly attached to the patio structure, and must be 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.

1.4 Additional guidelines for patios on public property in Steveston Village

Patios on public property in Steveston Village shall meet the general design guidelines, the additional general design guidelines for Steveston Village, any applicable additional guidelines (for sidewalk or curbside patios), as well as the following additional guidelines:

- A. The material (e.g., fence) to demarcate the patio area must not form a solid continuous barrier, and must have 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., fences) to mark off the patio area should be of high quality, natural and durable. The preferred material is 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.
- E. For a patio located on City sidewalk or a curbside patio (i.e., occupying on-street parking spaces) and if its construction value does not exceed \$10,000, the HAP can be considered by the Director of Development, and a Public Property Patio Permit are required.
- F. If the patio is located on public property and if its construction value exceeds \$10,000, a HAP issued by City Council and a Public Property Patio Permit are required.
- G. If the patio straddles private property and City property, both a Heritage Alteration Permit (HAP) and a Public Property Patio Permit are required, regardless of its construction value.

1.5 Additional guidelines for patios on private property in Steveston Village

Patios on private property in Steveston Village shall also meet the following guidelines:

- A. Materials for barriers (e.g., railing, fences) to mark off the patio area should be of high quality, natural and durable. The material should integrate with architectural finish and materials of the adjacent buildings. The preferred material is wood or metal. 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 should be 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.
- D. If a seasonal patio is located on private property that is not a protected heritage property and if its construction value does not exceed \$10,000, the Director of Development can approve the Heritage Alteration Permit (HAP). Note: for permanent patios and seasonal patios located on a protected heritage property, a HAP issued by Council is required in addition to a Patio Permit.
- E. If the patio is located on private property and if its construction value exceeds \$10,000, a HAP issued by City Council is required in addition to a Patio Permit.
- F. If the patio straddles private property and City property, both a HAP and a Public Property Patio Permit are required.

1.6 Additional general guidelines for patios on park property

1.6.1 General

- A. During the development stage of a private development, various design parameters are set out including building setbacks and if there is any park dedication. If there is any intention for an outdoor patio space, areas within the building setback should be considered first.



- B. A dedicated park space from a development is intended for public use as a park. In general, City owned property cannot be used by commercial businesses (e.g. an outdoor patio for restaurants) as set out in the *Community Charter*, unless where the business has first been issued a Patio Permit by the City.

1.6.2 Landscaping and screening

- A. Fences, screens and barriers shall be able to be removed at any time; fences, screens, and barriers however, shall be properly secured when the corresponding business is closed or not in use.
- B. Design materials and colours used for the barriers shall be of a high quality finish and compatible with the architectural elements of the building within which the business operates.
- C. All finishes should be clean and free of any exposed screws or other fasteners.

1.6.3 Specifications for Landscape Construction

- A. All specifications and procedures for the acquisition, installation and maintenance of the landscape are to be done in manner consistent with good horticultural practice.
- B. All landscape areas and installations shall meet or exceed latest edition of the British Columbia Nursery Trades Association Standards and be regularly maintained, except for natural area plantings which should meet the latest edition of the Society of Landscape Architects Landscape Standards and where regular maintenance may not be required.
- C. All plant materials shall be hardy to the location on the site where they are planted.
- D. Existing landscaping or natural vegetation that is to be retained must be protected to the furthest extent of the drip line and the final grading of the site should not alter the existing grade within the root zone more than 20.0 cm, unless an arborist report indicates otherwise and is approved by the City.

1.7 Additional design guidelines for patios on the sidewalk

- A. Patios may occupy space on the sidewalk, provided it is adjacent to the business making the patio application. The additional design guidelines in this section (1.3) apply for patios on the sidewalk:

1.7.1 Sidewalk clearance

- B. Patio shall have a minimum of 2.0m clearance from the proposed edge of patio to the nearest sidewalk obstruction (bike rack, parking meter post, sign post, utility pole, bench, bus shelter and other sidewalk amenities) is required. Where there is high pedestrian volume such as near intersections of busy commercial streets or near Canada Line stations, the minimum clearance may be higher.
- C. Measurements are to be taken from the proposed outside edge of the delineating element to the nearest obstruction or to the utility strip, a hardscaped or landscaped boulevard, if there is no other intermediate obstruction.



- D. The clearances for the remaining pedestrian walkway must be as straight and clear as possible; pedestrians are not to be routed around the patio or obstructions.
- E. A clear path of pedestrian travel of minimum 2.0m (6'6") must be maintained on the public sidewalk. A clear path of 2.3m (7'6") is recommended.

1.8 Additional design guidelines for Curbside patios (in adjacent on-street parking spaces)

1.8.1 Curbside patios are fully detached from buildings and occupy on-street parking spaces that are dedicated for parking at all times without any parking restrictions. Patios cannot be located in any other areas such as, bus stops, loading zones, accessible parking stalls, taxi only, construction, etc.

1.8.2 Location

- A. Curbside patios are only permitted on non-arterial classified streets, preferably on streets with posted speed limits of 30 km/hr.
- B. Maximum posted speed limit of adjacent street is 50 km/hr. Streets serving as bus routes and with posted speed limits greater than 30 km/hr will require additional design considerations.

1.8.3 Clearance

- C. The outside edges of the patio zone must be at least 1.0 m from the vehicle travel lane, drive aisle or adjacent parking space.
- D. Curbside patios near corners must maintain at minimum 6.0m clearance from the edge of the sidewalk or stop sign/traffic control;
- E. Maximum width of curbside patio area is 1.8m (width is measured from the sidewalk into the roadway to the end of the structure). If this width does not satisfy the 1.0 m clearance to the adjacent travel lane, the patio width will need to be reduced.

1.8.4 Design

- F. Reflective posts, at least 1.2m high, must be provided at the corners of the patio area adjacent to moving traffic or parking stalls;
- G. Reflectorized hazard object marker signs must be installed on traffic posts and on the perimeter enclosure.
- H. For streets with posted speed limits greater than 30 km/hr, an extended concrete barrier taper may be required at the start of the patio in the direction of traffic. If so, any extension of patio and associated design materials extending past the subject restaurant' frontage may require written acceptance by impacted neighbouring businesses and/or residents. Or, the area of the patio in front of the subject business may have to be adjusted to allow for space for the concrete barriers angle sufficiently.

1.9 Additional design guidelines for Seasonal Patios on private property

1.9.1 Applications for patios on private properties may be considered subject to these Program Guidelines and the issuance of a Patio Permit. For applicable patios, the guidelines outlined in this section may apply.



1.9.2 Patios on private property

- A. Patios are allowed on private property so long as their use corresponds with the applicant's activity corresponding to their business license, and the Program Guidelines.
- B. Patios on private property do not need to have perimeter fencing unless they are adjacent to a public or private roadway, or a parking space, or internal parking drive aisle.
- C. Patios on private property where liquor will be served shall have a perimeter fence, as identified in the general design guidelines (section 1.1).

1.9.3 Patios in off-street parking areas

Patios may be approved on off-street private parking areas.

- A. The minimum parking area where a patio may be considered shall be no less than 20 stalls.
- B. The maximum allowable reduction of private on-site parking is 10%.
- C. To consider use of parking spaces exceeding 10%, a parking study by a Professional Traffic consultant is required for City review. Any proposed use to share/use parking of other tenants/businesses/properties shall be confirmed in writing by affected parties.
- D. Patios may not make use of accessible parking spots or loading bays.
- E. Patios shall have a minimum of 1.0 m (3.3 ft.) distance from accessible parking spaces.
- F. Patios must maintain a setback of 6.0 m (19.7 ft.) from residential zones
- G. Patios must keep fire routes clear and not blocked.

1.10 Procedures for patio applications in locations not identified in the design guidelines

1.10.1 This section applies when a patio application does not clearly fall under one of the location scenarios identified in this document. In that case the policies in this section apply.

- A. The City may approve patios in locations not clearly identified in this policy document.
- B. Patios, in all cases, shall conform to the general design guidelines for all patios (section 1.1).
- C. The Application portal should direct the Applicant to inquire about whether additional guidelines apply to their location. Staff may only choose additional guidelines from the ones identified in sections 1.2 and 1.3.
- D. City staff reserve the right to reject patio applications with patio locations that pose undue harm or risk to the general public, public property or private property.