



*This information is provided for clarification purposes only and is not in substitution of any applicable City Bylaws or Provincial or Federal Codes or laws. In the case of any contradictions, legislative Codes, laws or Bylaws take precedence. You must satisfy yourself that any existing or proposed construction or other works complies with such Bylaws, Codes, applicable Acts, regulations and decisions and orders of any person or body having jurisdiction over the Lands.*

## Outdoor Patio Options for Businesses in Richmond

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**This bulletin is to inform applicants about the requirements associated with the Patio Program and the various patio options available to Richmond businesses.**

### Patio Types:

A patio permit on public and private property is valid for two years and is subject to one renewal for an additional two years. Annual fees are required for the private use of public property and the cost of the patio varies based on the number of tables and chairs or the size of the space being used. Refer to [Consolidated Fees Bylaw 8636](#) for more information. There are three options for patio permits managed by the Richmond Patio Program:

#### 1. Seasonal Patios Located on Private Property:

- Located adjacent to a food service or neighbourhood public house establishment, operating seasonally between April 1 and October 31.
- Patios located in a private parking lot may occupy no more than 10% of a parking lot and have additional safety requirements.
- Neighbourhood notification process is required for patios located in a private parking lot.

#### 2. Large Public Space Patios:

- Located adjacent to a food service establishment and can operate year-round; Excludes liquor-primary establishments.
- Located on a curbside on non-arterial streets without parking restrictions and has additional safety requirements such as fencing and hazard markers.
- Annual fees for the use of public property and a Certificate of Insurance (minimum \$5 million) is required each year.
- Neighbourhood notification process is required for patios located in public parking spaces.

#### 3. Sidewalk Patios Located on Public Property:

- Located adjacent to a food service or neighbourhood public house establishment and can operate year-round.
- The patio must be fully detached from the building structure and provide a clear, unobstructed path for pedestrians.
- Annual fees for the use of public property and a Certificate of Insurance (minimum \$5 million) is required each year.

### Permanent Patios

For patio operators seeking additional occupant load for a permanent outdoor space and/or making changes to building structure, the following option is available:

- Permanent patios are not managed by the Richmond Patio Program and are subject to their own fees and review times.
- [Interior Finishing, Alterations Plan Review Application \(PL-43\)](#) form indicating scope of work and change in occupant load for permanent patio should be submitted to Building Approvals Department.
- See [Bulletin Info-13 Tenant Improvement Process](#) for more information.

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## Renewal Process:

A Patio Permit is valid for two years after issuance and may be renewed once for an additional two years. The renewal process is simplified if there is no change to your patio structure or location.

The City will contact permit holders to finalize the renewal process and to request the renewal fee. If the patio is located on public property, the annual fee for use of public property and a Certificate of Insurance will also be required at that time.

If you are making changes to your temporary patio structure or location, a full Patio Permit application is required for staff review.

## Steveston Village Heritage Conservation Area:

- A Heritage Alteration Permit (HAP) is required for all patio structures located in the Steveston Village Heritage Conservation Area (SVHCA), regardless of its construction value and location. Once a Heritage Alteration Permit is approved, operators do not need to reapply for a HAP.
- HAPs for the following types of patios can be issued by the Director of Development, and a separate HAP application fee would not be required if the HAP application is submitted with the Patio Permit application:
  - seasonal patios with a construction value of \$10,000 or less on private non-protected heritage property; and
  - patios with a construction value of \$10,000 or less on public property.
- HAPs for the following types of patios require City Council approval and an HAP application fee would be required at time of application in addition to the Patio Permit application:
  - permanent patios on private property (regardless of its construction value);
  - patios that straddle public and private property (regardless of its construction value);
  - patios (both seasonal and permanent) on protected heritage property (regardless of its construction value); and
  - patios (both seasonal and permanent) with a construction value more than \$10,000 on private and/or public property.

## City Liquor Licence Approval Process:

Changes in occupant load or liquor service area due to an additional commercial patio space may require an amendment to the existing Liquor Licence issued by the City. City staff will assess liquor licence requirements during the Patio Permit application process. A subsequent application to the LCRB may be required. For more information on the LCRB process, visit [LCRB's Permanent Service Area](#).

The Patio Program is intended to temporarily shift indoor seating outside and will not increase your establishment's overall seating capacity.

- Program applicants serving liquor on the patio must provide a drawing showing all interior and patio seating in order to confirm no overall change in the occupancy load during the seasonal shift as required by the Liquor and Cannabis Regulation Branch (LCRB).
- Only establishments that sell liquor will have to identify occupant load to the City of Richmond and the LCRB.

Every applicant seeking approval from the City about a new or existing licence to serve liquor must:

1. Submit a completed Application for New Liquor Licence or Amendment to Existing Liquor License form, together with the processing fee.
2. Post a sign on the subject site in accordance with the requirements of the Bylaw (wording for signage to be approved by the Supervisor, Business Licences prior to posting). Photo to be taken once posted and forwarded to Supervisor, Business Licences by email to include date posted.
3. Place three advertisements in consecutive issues in the local newspaper (wording to be approved by the Supervisor, Business Licences prior to publication), in accordance with the requirements of the Bylaw. Dates of publication to be forwarded to Supervisor, Business Licences.

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4. A letter is generated and mailed out to all property owners, occupants or businesses within a 50 meter radius of the subject property advising of proposed application.
5. Business must be in compliance with all regulations, statutes and Bylaws, prior to Council resolution.
6. Email is sent to RCMP, Richmond Fire-Rescue, Vancouver Coastal Health and the City's Building Approvals Department to query if there are any negative issues from their records which could prevent the recommendation of approval by Richmond City Council of this application.
7. Once application and processing fee is submitted, application will be signed and forwarded to the applicant.
8. Once public consultation period (30 days) has elapsed, a Report is written to Council outlining all the information.
9. The City has 90 days for this process.

## Other Regulatory Information:

### Noise:

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*.

- The use of speakers, amplified sound systems or live music on patios is prohibited and patios must close at 10:00 pm.

### City Utility Maintenance/Emergencies:

The City retains access to City utilities within the boundaries of a patio for maintenance, service, installation and/or emergency works.

- In an emergency maintenance/repair situation, patios located within the maintenance footprint of City-owned utilities will be immediately removed by the City to allow for the maintenance/repair activities.
- In a non-emergency maintenance/repair situation, 48 hour notice will be provided to the applicant to have the patio elements removed to allow for the maintenance/repair activities.

In both cases, the cost for removal of the patio and restoration of City property is the responsibility of the permit holder.

### Enforcement:

- Should an operator fail to conform with the *Public Space Patio Regulation Bylaw No. 10350*, other applicable City bylaws and/or the Terms and Conditions of their Patio Permit, the City of Richmond may order that the outdoor patio be removed from the space on which it is located.
- 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.
- The cost for removal of the patio and restoration of City property is the responsibility of the permit holder.

## References:

- City of Richmond, [Bulletin Info-13](#)
- City of Richmond, [Bulletin Permits-15](#)
- City of Richmond, [Consolidated Fees Bylaw 8636](#)
- City of Richmond, [Public Space Patio Regulation Bylaw 10350](#)
- City of Richmond, [Development Permit, Development Variance Permit and Temporary Commercial and Industrial Use Permit Procedure Bylaw 7273](#)
- City of Richmond, [Heritage Procedures Bylaw No. 8400](#)
- City of Richmond, [Official Community Plan Bylaws 9000 and 7100](#)