

B. Additional Requirements

1. General Liability Insurance

General liability insurance on an occurrence form in an amount of not less than two million dollars (\$2,000,000.00) per occurrence for personal injury (including death) and/or property damage, which shall name the Town as an additional insured and shall include an undertaking by the insurer to notify the Town at least thirty (30) days prior to cancellation of the policy.

2. The outdoor patio improvements or retail spaces (including chairs and tables) shall be set up only during the applicable hours of operation and may not be stacked or stored outside on the public property at any time when the business is closed.

3. The following Figure 2 provides an example of potential temporary outdoor patio or retail space within public property. It is provided for illustrative purposes only.



Figure 2

Program Objective

*The Town of Vermilion is promoting temporary outdoor patios and retail spaces so businesses can create more space for customers.
From June 1 to September 30*

For more information, contact

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Temporary Outdoor Patio and Retail Space Guidelines



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Temporary Outdoor Patio and Retail Space Guidelines



Apply Now!

To apply, please use the contact information on the back of this brochure.

To participate in this program, begin by designing your temporary patio or retail space in accordance with these Guidelines. You must submit an Application Form before you start work creating your temporary patio or retail space. Along with that Application Form, you will be required to provide a plan or drawing of your intended space. If you are proposing to use sidewalks, public parks, municipally owned parcels, or reserve parcels (“public property”), you will also be required to provide proof of insurance and wait for confirmation from the Town that this is satisfactory.

Once you have obtained any required planning approvals and approval of your insurance and your Application Form, you can set up your temporary patio or retail space.

A. General Requirements for Temporary Patios or Retail Spaces on Private Property and Within Public Property

1. Temporary patios or retail spaces shall only be permitted in association with retail, eating/drinking establishments and brewery-type uses which hold an existing development permit and a valid Town of Vermilion business license.

2. Applicants are responsible for adherence to all applicable Federal, Provincial, and Municipal laws, regulations, orders, bylaws and enactments, including, but not limited to, the 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.

3. The Applicant for a temporary patio or retail space 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 an Application Form.

4. On-site parking may be used for temporary patio or retail spaces, with the exception of barrier-free spaces. Any approvals required by the landlord for use of parking spaces in developments that share parking areas is the responsibility of the Applicant.

5. Wheelchair access must be provided to, through, and throughout, the temporary patio or retail space to the satisfaction of the Town.

6. A clear path of pedestrian travel of 1 m minimum shall be maintained.

7. Cooking and/or food and drink preparation is not permitted on temporary patios.

8. A fire extinguisher must be in close proximity to the temporary patio or retail space.

9. A minimum 2.0 m clearance from fire department connections and hydrants must be maintained on a temporary patio or retail space.

10. Temporary patios or retail spaces must not extend in front of adjacent tenant spaces, exits, or beyond business frontage except with written permission from affected adjacent property owners and occupants; this includes any overhanging elements.

11. All areas of the temporary patio or retail space within on-street parking spaces cannot exceed 3.5 m into the street from the curb. Event spaces on corner lots within on-street parking spaces cannot exceed 3.5 m into the parallel street from the curb and must be 8.5 m away from the edge of the perpendicular street.

12. Temporary patios or retail spaces shall not be permitted:

- a. within on-street parking spaces adjacent to streets with a speed limit over 50 km/h;
- b. within 8.5 m of the corner of an intersection; or
- c. within 8.5 m of the corner of an intersection that has a stop/yield sign or a pedestrian crosswalk

13. No structures, improvements, or objects associated with the temporary patio or retail space may impact existing drainage patterns, swales, hydrants or natural flow of stormwater.

14. Temporary patios or outdoor retail spaces shall not encroach into loading zones or fire lanes.

15. Temporary curb ramps are required to provide a safe passage for pedestrians to cross between roadways and pedestrian walkways where applicable.

16. Where located in a parking area, outdoor patios or outdoor retail spaces shall include planters, perimeter fencing or barriers used to buffer the edge of the patio or retail space from parking spaces to the satisfaction of the Town.

17. Planters, perimeter fencing and barriers on sidewalks or pedestrian walkways cannot be more than 1.2 m high and must be easily removable and pose no trip hazard.

18. The Applicant’s business name and logo may appear on fencing, but other banners and signs are prohibited except with prior approval of Infrastructure and Planning Services or as required by law.

19. The Applicant shall maintain the outdoor patios or outdoor retail spaces, 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.