

This is in response to the Councillor Information Request on May 5, 2020, wherein Council asked administration to provide information on the reopening of restaurants and patios and any municipal considerations for expansion to patio space to allow for social distancing.

Are there any bylaw amendments required or code restrictions to allowing a patio to expand?

There are no Land Use Bylaw Amendments required. Where an existing restaurant with a seasonal patio has been approved, there are no concerns from a land use perspective in temporarily expanding the patio area provided the capacity (number of seats) is not increasing for either the restaurant or patio.

From a Safety Codes perspective, we will need to review the patio expansion area being proposed. A floor plan is required to be provided to our office showing the expanded area including any required emergency exit(s), containment, etc. An inspection by our office will be required, prior to occupancy, to ensure code considerations are implemented. These requests will be reviewed within one business day and the inspection can be conducted as early as the next business day. No fees will apply.

Notwithstanding the above, the restaurateur will need approval from the landowner and/or condominium association to extend the existing patio onto private property. Where the expansion involves County property, we will work with them to amend their existing license.

Restaurants not proposing any expansion to their existing approved patio area, will not need a review/inspection by our office to reopen to dine-in patrons provided all code considerations (including emergency exits) remain in place.

Provincial legislation?

The Provincial guidelines for reopening, released on May 12, must be followed including ensuring restaurants are operating at 50% of the seating capacity for each indoor and outdoor patio seating area

Occupant loads are regulated through the National Building Code – Alberta Edition and established through the building permit process for restaurants. Occupant loads are typically displayed on a placard in the restaurant and can be provided/confirmed by our office.

Please direct any inquiries to Planning and Development Services at 780-464-8080 or planninganddevelopment@strathcona.ca