

Active Patio Program Guideline

City of Burnaby



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1. Introduction

The Active Patio Program

If you're a food and beverage business in Burnaby, you can apply to add outdoor seating in the public realm.

Adding an outdoor street patio can help foster vibrant street life and provide an attractive environment for your customers to enjoy services outdoors.

This guideline describes the types of permitted patios, the application process, relevant fees, and how to design and operate your patio.

The Active Patio Program is open to registered businesses in Burnaby who want to explore outdoor street patios.



Program Background

During the COVID-19 pandemic, the City introduced and permitted temporary active patio installations at select locations as an emergent economic assistance program to support businesses. This program has now been updated to facilitate the transition into permanent outdoor patios, as well as to provide the opportunity for new businesses to apply for an outdoor patio.

The City is committed to developing the Active Patio Program with a set of guidelines and standards for street activations that can be implemented city-wide and respond to a variety of street and land use contexts.

The City retains the right to refuse an application, request changes to all or part of an application, and limit the number of patio spaces approved per City block. This guideline outlines the permitted types of patios and their design specifications/requirements.

What's New?

- Application intake begins 2024
- Application and program fees
- Operational considerations
- Accessibility requirements



2.1 Goals



Support local business



Build urban vibrancy within the public realm



Provide human scale public spaces



Maintain safe and accessible sidewalk spaces



Create a sense of place



2.2 Benefits

Outdoor seating can help increase:



Customer seating space



Space to engage with services



Foot traffic & sales



Visibility of business services

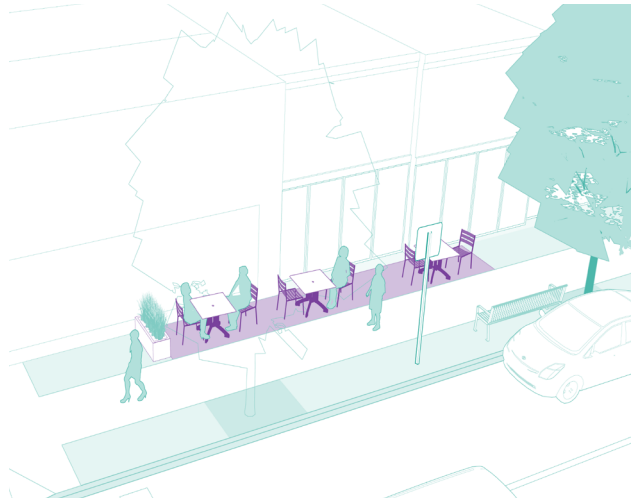


Street activity & urban vibrancy

3.1 Patio Typologies

Summary

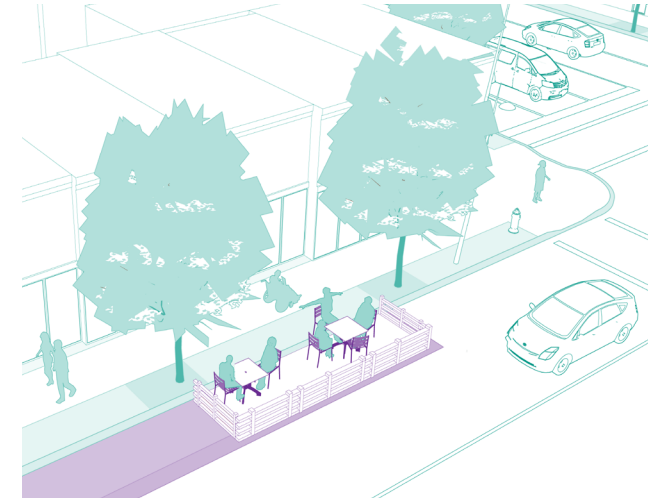
There are three types of patio permitted within the Program.



Sidewalk patio



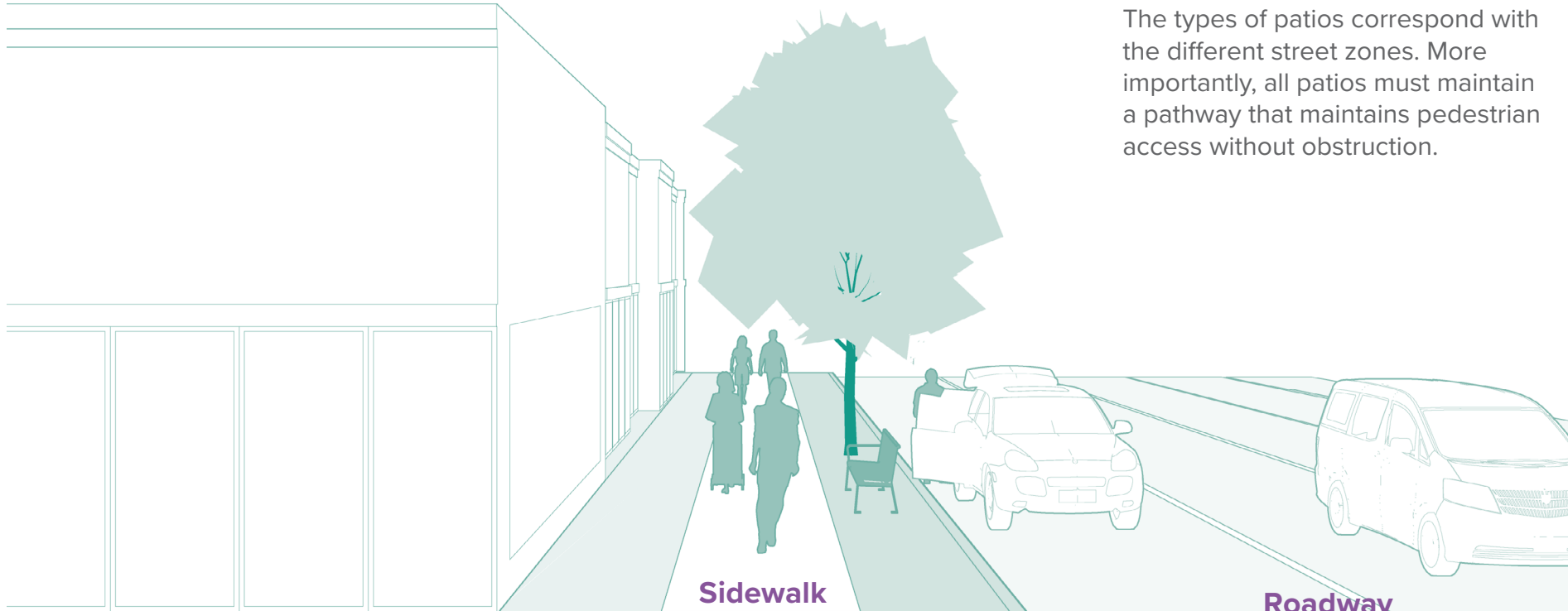
Boulevard patio



Curbside patio

Type of Patio	Season	Application Fee	Patio Occupancy Fee
Sidewalk Patio	May 1 - Oct 31	\$265	\$80 (Per 1 table & 2 chairs)
	Year-round		\$120 (Per 1 table & 2 chairs)
Boulevard Patio	May 1 - Oct 31	\$265	\$80 (Per 1 table & 2 chairs)
	Year-round		\$120 (Per 1 table & 2 chairs)
Curbside Patio	May 1 - Oct 31	\$265	\$50 (Per sq.m)
	Year-round		\$70 (Per sq.m)

3.2 Street Zones & Patios



The types of patios correspond with the different street zones. More importantly, all patios must maintain a pathway that maintains pedestrian access without obstruction.

Street Zone	(A) Frontage Zone	(B) Pedestrian Pathway	(C) Furnishing Zone	(D) Curbside Zone	(E) Traffic Zone
Street Use	Sidewalk space next to properties.	Sidewalk space used for safe and accessible pedestrian movement.	Sidewalk space used for street furniture such as benches, lighting and signage.	Road space that is not designated for travel lanes. This can include vehicle parking, loading and/or passenger pick-up and drop-off.	Road space used for travel lanes.
Patio Type	Sidewalk patio	> 1.8m sidewalk width must be kept clear at all times.	Boulevard patio	Curbside patio	None.

3.3 Sidewalk Patio

Description

The patio is located on the sidewalk directly against the business address. This can be either immediately in front of, or at the side of the premises. There must be sufficient space to accommodate both the patio and people moving along the sidewalk. The patio must not encroach upon the frontage of a neighbouring establishment without explicit written consent from the neighbouring property owner and tenant.

Seating

- Consists of groups of 1 table and 2 chairs.
- Businesses should consider seating that is inclusive and accessible for people of all ages and abilities. Seating arrangements should consider people using wheelchairs and/or strollers. Seating should not block pathways around the patio area designated for uses unrelated to the patio operation.

Lighting

- Hardwired, solar or battery powered lights are allowed within sidewalk patios. Any hardwired lighting must be approved by [Technical Safety BC](#).

Cover (Awnings & Umbrellas)

- Sidewalk Patios developed as dining spaces under existing building canopies and awnings are acceptable.

Protective Barriers & Plantings

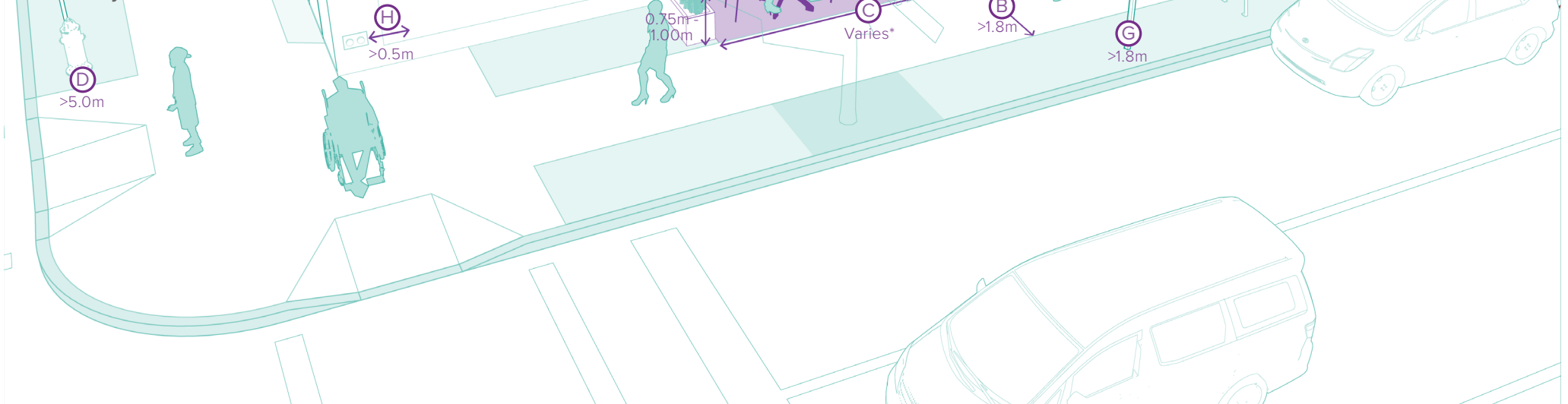
- Movable planters and protective barriers can be used to delineate the sidewalk patio space. They must be 0.75m - 1.00m in height. Planters may not form a continuous solid barrier.
- Protective barriers and plantings must not obstruct entrances and exists, and must not impact the minimum 1.80m pedestrian pathway on the sidewalk.



Patio Placement

The patio perimeter must meet all of the design requirements:

- A** The patio is adjacent to the business address, and provides space for a pedestrian pathway.
- B** Maintains a minimum 1.80m clear width for a pedestrian pathway on the sidewalk.
- C** The length of the patio area varies by the allowable business frontage.
- D** Maintains a 5.00m clearance from a fire hydrant.



E Groups of 1 table and 2 chairs.

F Maintains a 1.20m clearance from street trees. This is measured from the tree trunk.

G Maintains a desired 1.80m clearance from utilities and structures, and in constrained environments a minimum 0.90m clearance. This applies to signal boxes, lighting boxes, utility poles, bike racks, garbage cans, bus stops, benches, or other existing structures.

H Maintains a 0.50m clearance from a fire department connection.

I Movable planters and protective barriers can be used to delineate the patio space and must be 0.75m - 1.00m in height.

3.4 Boulevard Patio

Description

The patio is adjacent to the business address and is located in the furnishing zone on the sidewalk. The sidewalk is separated from the business by the pedestrian pathway. The patio can be located in front or at the side of the business address. There must be sufficient space for both the patio and for people to move on the sidewalk.

Seating

- Consists of groups of 1 table and 2 chairs.
- Businesses should consider seating that is inclusive and accessible for people of all ages and abilities. Seating arrangements should consider people using wheelchairs and/or strollers. Seating should not block pathways around the patio area designated for uses unrelated to the patio operation.

Lighting

- Solar or battery powered lights are allowed within sidewalk patios. Any hardwired lighting must be approved by [Technical Safety BC](#).
- Running power (cables) from the building to the patio is NOT permitted.

Protective Barriers & Plantings

- Movable planters and protective barriers can be used to delineate the boulevard patio space. They must be 0.75m - 1.00m in height. Planters may not form a continuous solid barrier.
- Protective barriers and plantings must not impact the minimum 1.80m pedestrian pathway on the sidewalk and should maintain at least 0.6m clearance from the curb.



Patio Placement

The patio perimeter must meet all the design requirements:

- (A)** The patio is adjacent to the business address and in the boulevard space on the sidewalk.
- (B)** Maintains a minimum 1.80m clear width for a pedestrian pathway on the sidewalk.
- (C)** The length of the patio area varies by the allowable business frontage.
- (D)** Maintains a minimum 0.60m clearance from the edge of curb.



- (E)** Maintains a desired 1.80m clearance from utilities and structures, and in constrained environments a minimum 0.90m clearance. This applies to signal boxes, lighting boxes, utility poles, bike racks, garbage cans, bus stops, benches, or other existing structures.

- (F)** Maintains a 1.20m clearance from street trees. This is measured from the tree trunk.

- (G)** Groups of 1 table and 2 chairs.

- (H)** Maintains a 0.50m clearance from a fire department connection and 5.00m clearance from a fire hydrant.

3.5 Curbside Patio

Description

The patio is separated from the business and is located in on-street parking space immediately next to the business address - either in front, or at the side of the business. The patio must be enclosed by a protective barrier or planter boxes to provide a buffer between traffic. This type of patio can only be placed in parking spaces without parking restrictions. If the patio extends beyond the frontage of the applicant, explicit written consent from neighboring property owners and/or tenants is required.

Patio Size

The patio must occupy an existing on-street parking space(s) and must not exceed a maximum width of 2.40m.

Lane Restrictions

The patio must be located in an existing on-street parking space. It **must not** be placed in any of the following designated uses:

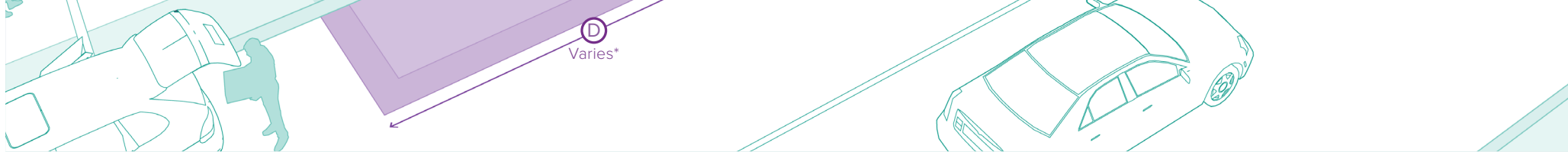
- Peak hour parking restrictions
- Bus lane (full time or peak hour operations)
- Vehicle travel lane
- Shared travel lane (bus and bike)
- Bike lane
- HOV lane
- Construction zone
- Alley or laneway



Patio Placement

The patio perimeter must meet all the design requirements:

- (A) The total width of the patio must not exceed 2.40m.
- (B) The total width of the patio seating area must not exceed 1.80m.
- (C) Patio protective barriers must be at least 0.60m in width and within 0.75m - 1.00m height.
- (D) The length of the patio area varies by the allowable business frontage.
- (E) Positioned in an on-street parking space without restrictions.
- (F) Does not impact the width of the sidewalk.
- (G) Maintains a 1.00m clearance from street trees.
- (H) Maintains a 0.50m clearance from a fire department connection.



- (I) Maintains a 5.00m clearance from a fire hydrant.
- (J) Maintains a 6.00m clearance from an intersection or stop sign/ traffic control.
- (K) Maintains a 0.50m clearance from utilities (such as maintenance holes and storm drains).
- (L) Maintains a 1.00m clearance from any other business patio, unless patios are coordinated between neighbouring businesses.
- (M) Maintains a 1.50m clearance from an alleyway or lane from where the curb straightens. Maintains at minimum 1.50m clearance from the edge of a driveway.

Seating **N** **O**

- Includes groups of chairs and tables contained within the 1.80m width seating area.
- Businesses should consider seating that is inclusive and accessible for people of all ages and abilities. Seating arrangements should consider people using wheelchairs and/or strollers. Seating should not block pathways around the patio area designated for uses unrelated to the patio operation.
- Access ramps are required where there is a change in grade (e.g. step down from the curb).

Patio Delineation / Barriers **P**

- Protective barriers such as fencing or planter boxes can be used as a buffer between the seating area and travel lane. They must be within 0.75m - 1.00m in height, 0.60m in width, and must not extend beyond the permitted patio footprint.
- Bollards and chain fencing are not permitted.
- Planting of flowers and container-grown vegetation are encouraged but should be grown in planters that are easily removable from the site.

Traffic Visibility **Q**

- An object marker must be installed and retro reflective tape, or reflectors must be added to the patio to maximize the visibility of the patio for oncoming traffic.
- Traffic controls will be provided by the City of Burnaby and coordinated during the patio construction and inspection stage.

Lighting

- Solar or battery powered lights on tables or railings are allowed within curbside patios.
- Running power (cables) from the building to the patio or suspended lights are NOT permitted.

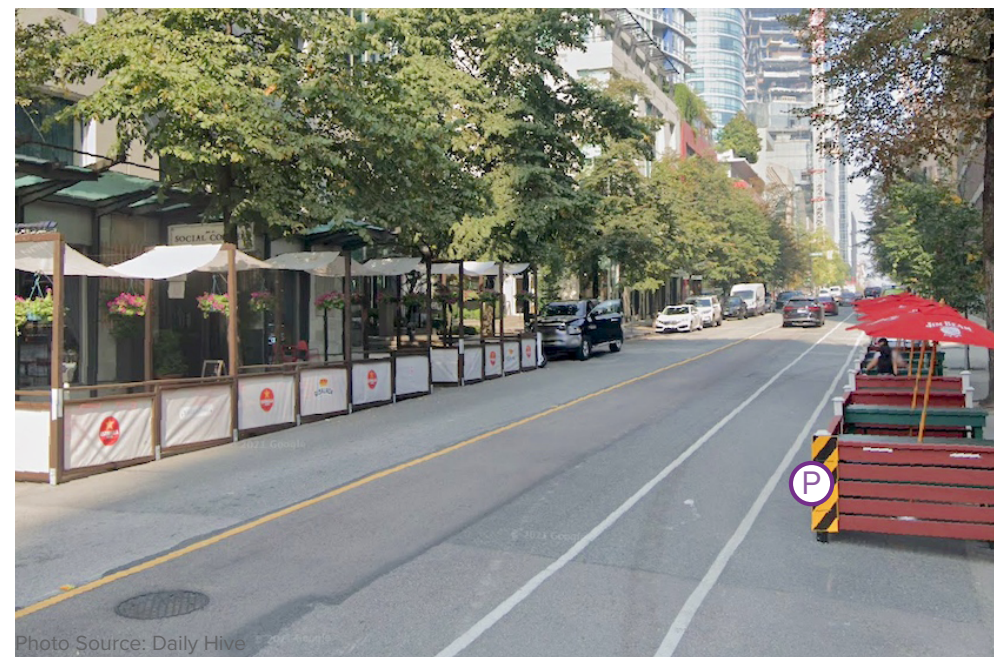
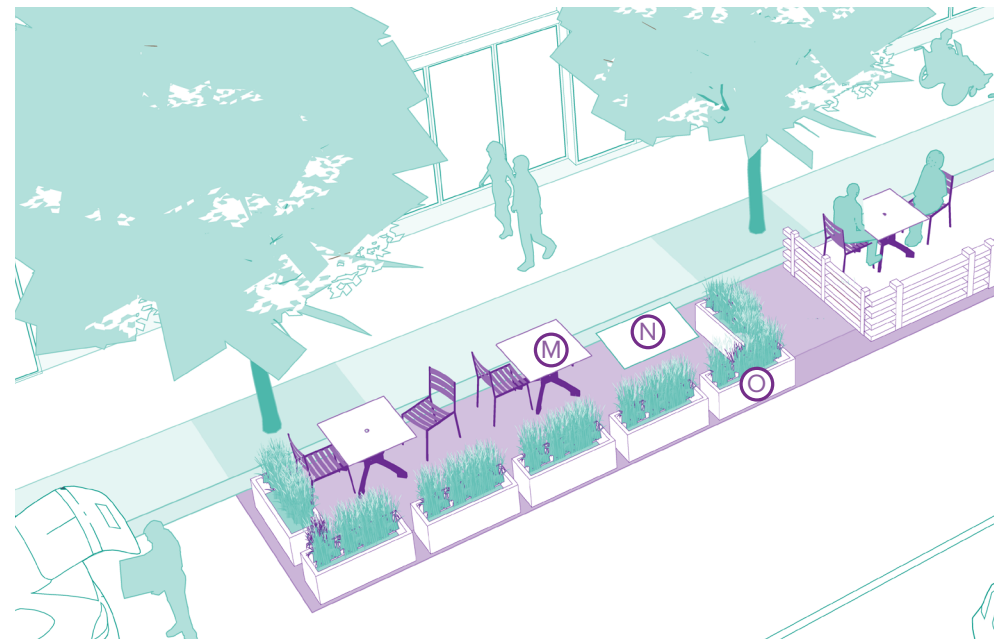
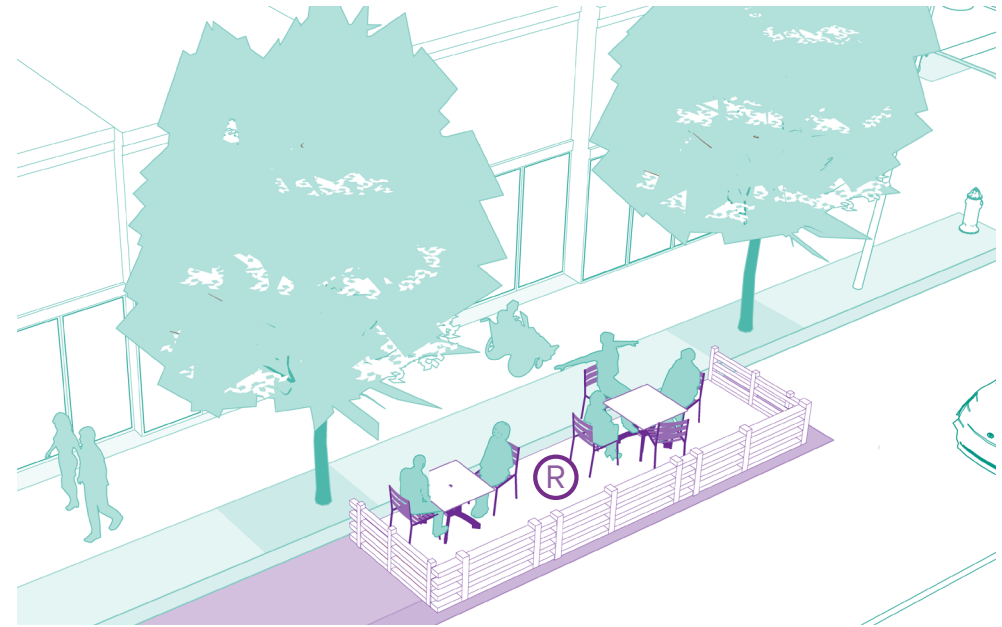


Photo Source: Daily Hive

Platform & Decking Access R

- The platform or deck for a curbside patio should be freestanding and anchoring into the sidewalk or street is not permitted.
- The decking should be modular and easily removed within 24 hours to accommodate construction, maintenance or other activities in and around the patio area.
- All decking and platforms must be wheelchair accessible. They should have a flush transition from the sidewalk and curb to the patio to permit easy access and avoid tripping hazards. Decking should follow the curb height along the entire length of the patio.
- If the platform contains gaps that would allow objects to fall through to street level, the area underneath the deck must be accessible.
- The decking should have a slip-resistant surface.



Platform & Decking Drainage

- The design of the deck should not inhibit stormwater drainage or runoff, and must not restrict water crossflow from the street surface towards the curb and catch basins.
- Because the deck is situated adjacent to the curb, a drainage channel must be built into the design of the deck to retain the existing flow of curbside drainage. The drainage channel must also be designed in such a way that regular clearing of debris is possible so that a clear route to the nearby catch basins can be maintained.
- Drainage channel must be at least 40 cm wide by 10 cm tall. Both ends of the drainage channel should be covered by a mesh to prevent litter and debris from accumulating in the drainage channel.



3.6 All Patio Type Considerations

Patio Clearance

- The patio area must not interfere with access to Fire Department connections, City utilities (i.e. sewers, water, manholes, etc.), solid waste and recycling service, or any other City infrastructure or services.
- The patio area must not interfere with third party utility access points (i.e. BC Hydro, Fortis BC, telecommunications, etc.), underground kiosks, and entrances, driveways or other access for adjacent properties or businesses.

Furniture Storage

- Fixtures/patio furniture can be left outside overnight. If you choose to do so, it is recommended to secure them safely to avoid any losses or damage. Stored furniture must not impact the minimum required pedestrian pathway clearance.
- Alternatively, it may be easier and safer to bring your fixtures/ furniture in each night.



Cover (Awnings & Umbrellas)

- Umbrellas or other weather protection are permitted but must sit within the footprint of the patio and not extend over the sidewalk or vehicle travel lanes. Umbrellas must be removed and stored at the end of each day.
- Canopies, awning, umbrellas and other materials or decorations must be flame spread rated per the BC Fire Code (CAN/ULC S109).
- Tents or other structures are not permitted to ensure full visibility for people walking, cycling and driving. Spaces must allow for ventilation and spaces cannot be enclosed.
- Umbrellas can only have a single post.

Heaters

- Portable heating devices must be CSA/ULC listed and designed for outdoor use only.
- Propane is a common fuel source for portable heating devices and propane cylinders are not permitted to be stored indoors.
- Any heaters must be stored as per the BC Fire Code and CSA B149.2. Plumbed gas lines or electrical wiring will need to be approved by [Technical Safety BC](#).



4. Business Responsibilities

Application

As part of the application process, you must:

- Complete the **online application** through [My Permits Portal](#).
- Create a dimensioned **site plan** showing the layout of structures, chairs, tables, and other appurtenances.
- Provide **photos** of the premises, from specified directions.
- Liaise with City of Burnaby Engineering Department if you intend to provide a deck or platform as part of a curbside patio.

Construction

Your business is responsible for:

- Providing patio materials.
- Providing labour and patio construction.
- Ensuring that the final product meets all design criteria as specified within this guideline.

Operation & Maintenance

Your business is responsible for:

- Providing ongoing maintenance and cleaning. The patio area must be cleaned each day, before and after closure of the business.
- Removing any waste, discarded debris, food stains, and refuse containers that belong to the business at the end of each day.
- Removing snow and ice from the sidewalk surrounding the business area as well as the patio area.

- You must be able to remove the patio within 24 hours notice to accommodate construction, maintenance or other activities in and around the patio area.

Changes & Alterations

- Any proposed changes or alterations to the location of the patio area, the type of patio, or proposed increase in patio area size must be submitted through the application process.

Compliance & Regulations

Your business must comply with the following:

- Hold a valid Burnaby Business License.
- Maintain existing occupancy load as defined within the business license and other regulatory requirements.
- Comply with all applicable laws, regulations, bylaws and orders.
- Provide proof of commercial general liability insurance listing the city as an additional insured, and a minimum \$5,000,000 Commercial Liability.
- Provide proof of a BC liquor license (if liquor is served).
- Ensure that patio services end by 10:00pm and all customers must be relocated inside unless otherwise indicated on your business license, patio permit, and/or liquor license.
- Ensure patio activities do not disturb local residents, businesses and nearby properties. Live entertainment, broadcasting, and amplified sound including music and speech are NOT permitted.

5. How to Apply

