

Downtown Sidewalk Patio Application

City of Yellowknife

Email to: permits@yellowknife.ca



PLEASE PRINT CLEARLY

Applicant Business (Food/Beverage Establishment) Information (property adjacent to sidewalk)					
Applicant Name					
Applicant Telephone(s)	Home or Cell:		Work:		
Applicant Email					
Mailing Address of Applicant					
Civic Address of Property					
Legal Description of Proposed Development	Lot:		Block:		Plan:
Owner Information (<i>if different from applicant</i>)					
Owner Name					
Owner Telephone(s)	Home or Cell:		Work:		
Owner Email					
Mailing Address of Owner					
Civic Address of Owner					
Development and Submission Requirements					
Please provide the following drawings and documentation: <ul style="list-style-type: none">• Scan/picture of the current business licence for the food/beverage establishment (restaurant, cafe);• Description of the proposed sidewalk patio, required sidewalk area, hours of operation, and proposed term of the seasonal sidewalk use;• Existing site plan including locations of parking meters and/or reserved taxi parking on adjacent road;• Ground floor plan of the existing food/beverage establishment (restaurant, cafe);• Proposed sidewalk patio design drawings, including patio dimensions, patio height, railing height, materials description, numbers of chairs and tables, and access/exit points;• Proposed temporary sidewalk design drawings in accordance with the Temporary Sidewalk Requirements (attached); and• Additional information may be required by the Development Officer through pre-application consultation or preliminary review.					
Applicant Declaration: I confirm by my signature below that the information contained in this application, including plans and details, is to my knowledge, true and complete.					
Signature				Date	

Any Permit issued on the basis of incorrect information contained in the application shall be invalid.

FOR OFFICE USE ONLY:		
Permit #: _____	Fee Paid: _____	Customer ID #: _____

DOWNTOWN SIDEWALK PATIO PERMIT APPLICATION GUIDE

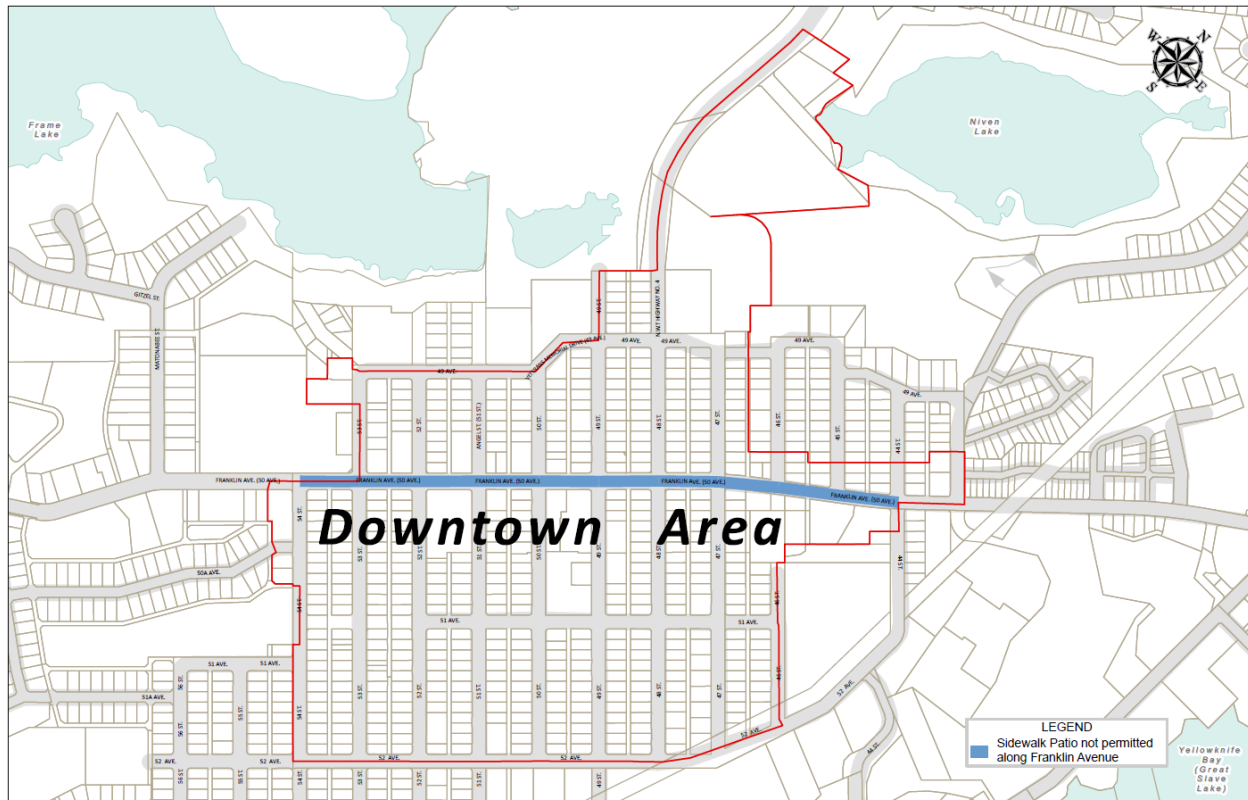
Restaurants and cafes fronting a downtown street may install seasonal outdoor patios on the sidewalk adjacent to their business frontage. The City of Yellowknife provides downtown sidewalk patio permits for qualified restaurants to encourage outdoor patio space and promote downtown revitalization. The permit is valid for a year with specific terms identified in the Downtown Sidewalk License Agreement entered into by the applicant with the City, and may be renewed annually.

1. Who Can Apply

If you are a downtown restaurant (food/beverage service) owner/operator and are interested in establishing a sidewalk patio adjacent to your business frontage you may apply for a sidewalk patio permit. If requested, parking lane patios with pedestrian traffic maintained on sidewalk may be considered by the City on a case-by-case basis.

Downtown sidewalk patios are permitted in the area bordered by 54 Street, Franklin Avenue, 53 Street, 49 Avenue, 44 Street and 52 Avenue, as shown below. Sidewalk patios along Franklin Avenue are not permitted due to the high volume traffic on the main traffic corridor.

Figure1: Permitted Area for Sidewalk Patios



Before applying for the sidewalk patio permit, you need to ensure the following requirements are met:

- 1) Your restaurant is legally permitted for the food/beverage service use; and
- 2) Your restaurant has a current business license allowing operation of the food/beverage service.

2. Sidewalk Patio Licence Fees

- a) Application fee: \$0.00
- b) License Agreement fee: \$1,000.00

3. How to Apply

a) Application

The owner of the restaurant shall submit to the City a Downtown Sidewalk Patio Application for the proposed seasonal sidewalk patio:

Online application can be submitted through Cityview at <https://cityview.yellowknife.ca/>, please indicate the project name as “Downtown Sidewalk Patio” and choose “Development Permit”; OR

Paper application is available by emailing the completed Downtown Sidewalk Patio Application form to permits@yellowknife.ca or submitting it in person at City Hall during regular business hours. All applicants are advised to consult with the Planning and Development Department prior to making application.

Applications may take up to 6 weeks to process.

Required drawings and documentation include:

- Scan/picture of the current business licence for the food/beverage establishment (restaurant, café);
- Description of the proposed sidewalk patio, required sidewalk area, hours of operation, and proposed term of the seasonal sidewalk use;
- Existing site plan including locations of parking meters and/or reserved taxi parking;
- Ground floor plan of the existing food/beverage establishment (restaurant, cafe);
- Proposed sidewalk patio design drawings, including patio dimensions, patio height, railing height, materials description, numbers of chairs and tables and access/exit points;
- Proposed temporary sidewalk design drawings in accordance with the Temporary Sidewalk Requirements (attached); and
- Additional information may be required by the Development Officer through pre-application consultation or preliminary review

1) Application Review and Approval

Applications will be reviewed by administration to ensure it meets all requirements. Once staff has approved the proposed sidewalk patio, you will receive preliminary approval and must provide the following prior to issuance of the sidewalk patio permit:

- Payment for the License Agreement fee (\$1,000.00);
- A certificate of liability insurance, each patio requires a minimum of \$2 million liability insurance with City of Yellowknife named as insured;
- Signed, two copies of the Sidewalk Patio License Agreement (Sample Agreement attached).

4. Office of the Fire Marshal (OFM) Review

The total number of guests including the patio shall not exceed the approved Occupancy Load for the restaurant unless otherwise approved by the OFM. For further information please contact the Office of the Fire Marshal at (867) 767-9161 ext. 21028, fax number (867) 873-0260.

5. NWT Liquor Board Requirements

To serve liquor on the patio, a current liquor license for the restaurant and an amended liquor license to include an Outside Seasonal Use Area are required. Please refer to the NWT Liquor Licensing Board Requirements (attached) for more information.

6. Renewing Your Permit

Once you have a sidewalk patio permit, you may renew it annually by:

- Maintaining a current business licence allowing you to operate as a restaurant;
- Maintaining other permits and licences as required;
- Maintaining proper liability insurance and submitting proof of valid insurance before agreement renewal;
- Adhering to guidelines, standards, and performance expectations of the license agreement; and
- Signing two copies of the sidewalk patio licence renewal agreement as provided by the City.

Any proposed changes will require a new sidewalk patio permit application with a new or updated sidewalk license agreement. For example:

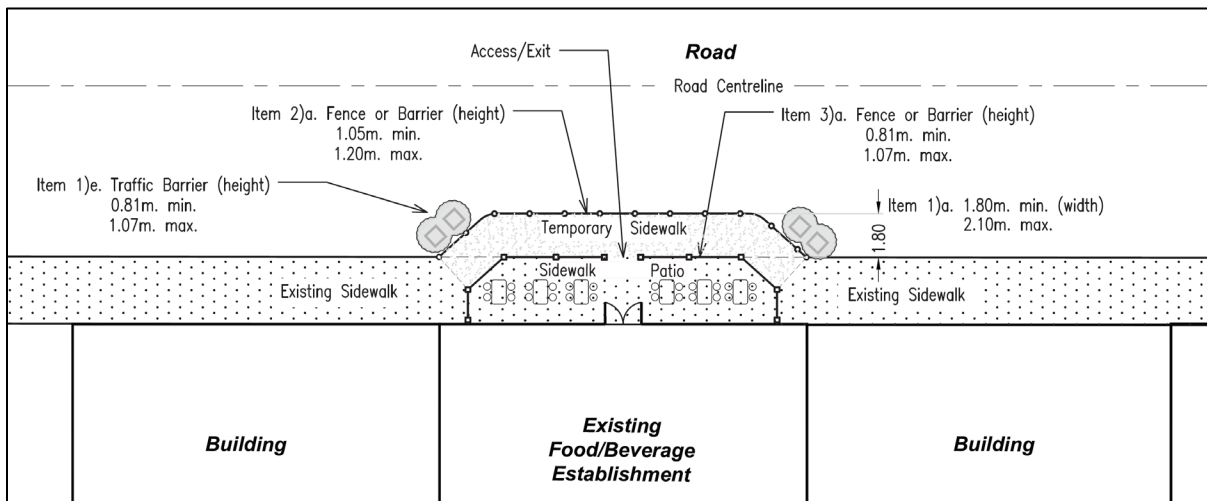
- Any changes to the sidewalk patio
- Any changes to the temporary sidewalk design
- Any other changes such as a change of ownership

NOTE: Speakers are not permitted at the sidewalk patio.

Appendix 1: Temporary Sidewalk Requirements

The Owner must provide a temporary sidewalk in the parking spaces adjacent to the sidewalk patio in order to preserve free unobstructed flow of pedestrian traffic. If requested, parking space patios with pedestrian traffic maintained on sidewalk may be considered by the City on a case-by-case basis.

- 1) The temporary sidewalk must conform with the following specifications:
 - a. The temporary sidewalk must be no less than 1.8m (72in) in width or no more than 2.1m (84in) in width.
 - b. The base of the temporary sidewalk must provide a smooth and level transition between the existing sidewalk and the temporary sidewalk.
 - c. When wood decking is used to create the temporary sidewalk a non-slip surface must be applied.
 - d. Temporary sidewalks shall be guarded by a traffic barrier at ends exposed to vehicular traffic.
 - e. Traffic barriers must be no less than 0.81m (32in) in height and no more than 1.07 m (42in) in height.
 - i. Planters may be used in place of traffic barriers. The planters must have a minimum weight of 1,000kg and minimum height of 0.6m (24 in). The planters shall be maintained with healthy plants for the duration of the sidewalk patio.
- 2) A fence or barrier must be installed along the street edge of the temporary sidewalk to delineate the edge of the structure and to prevent pedestrians from entering the street.
 - a. The fence/barrier must be no less than 1.07m (42in) in height or no more than 1.2m (48in) in height.
 - b. The fencing may provide partial visual screening but cannot be opaque in nature.
- 3) A fence or barrier must be installed along the patio edge of the temporary sidewalk to delineate the edge of the patio.
 - a. The fence/barrier must be no less than 0.81m (32 in) in height or no more than 1.07m (42in) in height.
- 4) The temporary sidewalk construction must maintain existing drainage patterns and storm water runoff volumes.
- 5) The temporary sidewalk must be built in accordance with the current version of the National Building Code of Canada.
- 6) When a temporary sidewalk is proposed, the City will review the proposal to ensure vehicles and pedestrians may continue to move safely and that barrier free access is maintained.



Appendix 2: NWT Liquor Licensing Board Requirements

The NWT Liquor Licensing Board requires the following if the Licence Holders want to license an outdoor patio:

- Copy of the proposed Floor Plan
- An Occupancy Load Certificate (obtained from the Office of the Fire Marshal) for the proposed outside area
- A written request to the Board to amend the current licence to include an Outside Seasonal Use Area.

In the written request, the Licence Holder may include the following:

1. Is the Outside Area located in a Residential or Industrial Area?
2. The proposed hours of operation for the outside area.
3. Photographs are helpful, but not initially required.

The Board normally considers the following factors in consideration of a request to include an outside area to an existing licence:

1. Fencing/barrier - will the fence/barrier prevent liquor from being removed from the licensed area?
2. Speakers – not permitted
3. Zoning - are there residences or businesses in the surrounding area that could be impacted by a licensed outside area?
4. Access - is the entrance to the outdoor patio limited allowing for adequate supervision of patrons?

The Board may require a public notice period to allow the public an opportunity to comment on a proposed outside area licence. The Board may set conditions on the use of an outside area including hours of operation, supervision requirements, and barriers.

For further information please contact the Board office toll-free at 1-800-351-7770.

Note: Information last updated May 2017 and subject to interpretation by the NWT Liquor Licensing Board.

Appendix 3: Application Form (DM#488288)

Appendix 4: Downtown Sidewalk Patio Seasonal License Agreement Template (DM #515641)