



**Development & Emergency
Services Department**

Realty Services /Building Services

2nd Floor, Victoriaville Civic Centre
111 Syndicate Avenue S., P.O. Box 800
THUNDER BAY, ON P7C 5K4

Tel: (807) 625-3199 Fax: (807) 625-2977

APPLICATION FORM NON-CITY OWNED LAND (PRIVATE PATIO)

2023 Outdoor Parking Lot or other Hard Surface Temporary Patio

Applicable to Restaurants/Food Service

Please return the completed application form to Realty Services via email to lisa.zawadzki@thunderbay.ca OR by fax to (807) 623-9344, OR by mail or drop off to Realty Services, 2nd Floor, Victoriaville Civic Centre, 111 Syndicate Avenue S, P.O. Box 800, Thunder Bay, On P7C 5K4

Any questions regarding this form can be directed to (807) 625-2527

Application Administration Fee = \$100.00 plus HST = \$113.00.

(PLEASE PRINT CLEARLY)

APPLICANT: _____ DATE: _____ 2023

TELEPHONE # _____ FAX# _____ EMAIL: _____

BUSINESS NAME: _____

NAME OF PROPERTY OWNER: _____
(If different from Applicant)

ADDRESS OF BUSINESS: _____

MAILING ADDRESS: _____
(If different from Business Address)

CITY: _____ POSTAL CODE: _____

EATING EST. LICENCE NUMBER: _____ Expiry Date: _____

LIQUOR LICENCE NUMBER (if applicable): _____ Expiry Date: _____

EATING ESTABLISHMENT POSTED OCCUPANCY NUMBER OF ADDITIONAL SEATS

DUE TO ADDITION OF PATIO

NOTE: AGCO requires an approval letter from the municipality **prior to applying for any extension of the liquor licence onto the temporary patio**

Applicant intends to serve alcohol on the proposed patio and requests the City provide its approval letter to the Business:

This Application and all prerequisites **must** be submitted to Realty Services for approval. Once the application and submissions have been reviewed and approved, a letter of approval will be issued to the applicant.

PREREQUISITES:

- Site plan** of the proposed location/parking lot **plus 3 photographs** of proposed location, access to applicant's business, access to parking area. The site plan must include the dimensions of the patio, dimensions of the parking lot, description of materials being used to delineate the patio and provide perimeter protection, total number of available parking spaces and number of parking spaces affected by use of patio, distance from patio to business, location of the parking lot entrance(s), distance to hydrants, identify accessibility parking, fire hydrants (in lot or on building), & location of fire path.
- By checking this box you confirm that you have advised your insurer of your intention to operate a temporary seasonal patio and that the insurer has confirmed that you have sufficient liability insurance coverage.

Guidelines to Temporary Outdoor Patios on Private Property

By submitting this application form, the Applicant acknowledges receipt and acceptance of these guidelines: Check all that apply.

1. That the occupancy number anticipated for each assembly room, dining area, patios (including new temporary patio) will not exceed the posted occupancy at any time;
2. That the patio and access to the patio will be clearly delineated;
3. The patio area will be protected by curb stops, planters or similar objects sufficient to stop a rolling vehicle;
4. That safe customer and staff access is provided to the patio;
5. The patio must be accessible and meet the applicable requirements of the Accessibility for Ontarians with Disabilities Act (AODA) and applicable law generally;
6. That all exits, fire department access routes and fire department connections remain unobstructed and accessible; *[For questions call: Captain Kevin Anderson at Thunder Bay Fire Rescue at 628-4921];*
7. No structures are being constructed that will require a building permit.
8. That the applicant has obtained and will maintain all licences, permits and certificates that may be required for or in connection with the business including but not limited to the Alcohol and Gaming Commission of Ontario, where applicable and will abide by the Ontario Guidelines for restaurant and food services health and safety; The applicant shall provide their liquor license or landlord consent, if requested by the City;
9. That the applicant will comply with the requirements of every applicable statute, law, and ordinance, and with every applicable lawful regulation and order including but not limited to the requirements of the City's Noise By-law, the Smoke-Free Ontario Act and Municipal Smoking Prohibition By-law;
10. That the applicant will comply with and shall ensure its staff, volunteers and invitees comply, with all applicable federal, provincial, municipal and Thunder Bay District Health Unit laws, regulations, policies, directions and recommendations;

- 11. Temporary patios permitted under this guideline shall extend no later than October 15, 2023; unless agreed upon by the parties. The City may terminate these permissions upon 24 hours' notice;
- 12. The required number of designated Accessible Parking Spaces must remain available for parking use. A reasonable number of standard parking spaces should remain available to serve patrons;
- 13. That any existing accessibility features within the parking lot or leading to the parking lot must remain unobstructed;
- 14. Umbrellas must stand at least 2.1m (7ft) above the walking surface;
- 15. A fire extinguisher (minimum 2A-10BC) must be available within 15.2 m (50ft) of any part of the patio;
- 16. The applicant acknowledges that all propane heaters must be CSA-certified electric or propane patio heaters (with max 20lb tank) must be located at least 3m (10ft) away from tree branches and any flammable construction, operated per the manufacturer's directions. Solid, gel- or liquid-fuel fire features are not permitted;
- 17. The applicant acknowledges that the Chief Building Official is authorized to inspect all temporary patios and require adjustments to the patio in order to address compliance with these Guidelines;
- 18. Any public complaints will be logged and forwarded to the Applicant to rectify. Responsibility for the Patio shall be wholly with the Applicant and at the Applicants expense;
- 19. A minimum of 20 per cent of the tables that are provided must be accessible to persons using mobility aids by having knee and toe clearance underneath the table and in no case shall there be less than one table in an outdoor public use eating area that meets this requirement;
- 20. The ground surface leading to and under tables that are accessible to persons using mobility aids must be level, firm and stable;
- 21. Tables that are accessible to persons using mobility aids must have clear ground space around them that allows for a forward approach to the tables. O. Reg. 413/12, s. 6

The City reserves the right to inspect the patio to ensure compliance with the above and further reserves the right to revoke the letter of authorization if it is determined at the sole discretion of the City that any of the above items have not been complied with.

Name of Business

Print Name & Position of Signing Officer/Applicant

Signature of Applicant

Signature of Property Owner (if different)