

APPLICATION FORM NON-CITY OWNED LAND (PRIVATE PATIO)

Outdoor Parking Lot or other Hard Surface Temporary Patio

Applicable to Restaurants/Food Service

Please return the completed application form and attachments to Realty Services by: email to buildthunderbay@thunderbay.ca, in person to 2nd Floor, Victoriaville Civic Centre, 111 Syndicate Avenue South, mail to PO Box 800, Thunder Bay, ON P7E 5V3 or by fax to (807) 623-9344 – Please include the business address with your cheque and mail it to above address. Questions regarding completion of the application can be directed to (807) 622-8453.

****Please refer to the “Fee” section on the Patio website www.thunderbay.ca/patio for current application/administration fees.**

(PLEASE PRINT CLEARLY)

APPLICANT: _____ DATE: _____

TELEPHONE # _____ CEL# _____ 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 ☐

☐ The Applicant has **not** previously applied for a patio at this location.

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

to the Business: **NOTE:** Upon obtaining an approval from a municipality, you are required to then notify the AGCO by making a submission on the **iAGCO** portal before selling or serving liquor on your temporary patio (refer to : www.agco.ca/notifying-agco-approved-temporary-outdoor-physical-extension-temporary-patio)

This Application and all prerequisites **must** be submitted to Realty Services for approval together with the requisite fee. 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. The Business has operational restroom facilities to accommodate the posted occupancy. ☐
3. That the patio and access to the patio will be clearly delineated; ☐
4. The patio area will be protected by curb stops, planters or similar objects sufficient to stop a rolling vehicle; ☐
5. Safe customer and staff access is provided to the patio; ☐
6. That all minimum setbacks and minimum separation distances are met (*for questions call Planning 807 625-2216*); ☐
7. The combined area of the patio does not displace more than 50% of the required parking spaces. (*for questions related to parking requirements contact Planning 807 625-2216*); ☐
8. The required number of designated Accessible Parking Spaces must remain available for parking use. ☐
9. That all exits, fire department access routes and fire department connections remain unobstructed and accessible; (*for questions call: Thunder Bay Fire Rescue at 625-2103*); ☐
10. No structures are being constructed that will require a building permit. ☐
11. 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; ☐

12. 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;
13. 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; ☐
14. Temporary patios permitted under this guideline shall extend no later than September 30th; unless agreed upon by the parties. ☐
15. That any existing accessibility features within the parking lot or leading to the parking lot must remain unobstructed; ☐
16. Acknowledged that patio umbrellas must stand at least 2.1m (7ft) above the walking surface; ☐
17. A fire extinguisher (minimum 2A-10BC) must be available within 15.2 m (50ft) of any part of the patio; ☐
18. 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; ☐
19. 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; ☐
20. 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; ☐
21. The patio must be accessible and meet the applicable requirements of the Accessibility for Ontarians with Disabilities Act (AODA) and applicable law generally. 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; ☐
22. The ground surface leading to and under tables that are accessible to persons using mobility aids must be level, firm and stable; ☐
23. 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.

Signature _____

Name & Position of Signing Officer/**Applicant** _____

Signature _____

Name & Position of Signing Officer/**Applicant** _____

Signature _____

Name of **Property Owner** (if different from applicant) _____