

APPROVED BY COUNCIL
MAY 24, 2016

Town of Beaumont

Sidewalk Café Guidelines



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1. Purpose

The Town of Beaumont (Town) wants to encourage Sidewalk Cafés to improve the downtown streetscape while maintaining a safe walking experience for pedestrians. This document will establish rates and guidelines for the installation and operation of Sidewalk Cafés in Beaumont’s Central Area Redevelopment Area (CARP). These Guidelines will be administered by the Development Officer or his/her designate.

2. Definition

“Sidewalk Café” is an outdoor seating area on a public right-of-way which is an extension of an Eating and Drinking Establishment.

3. Project Area

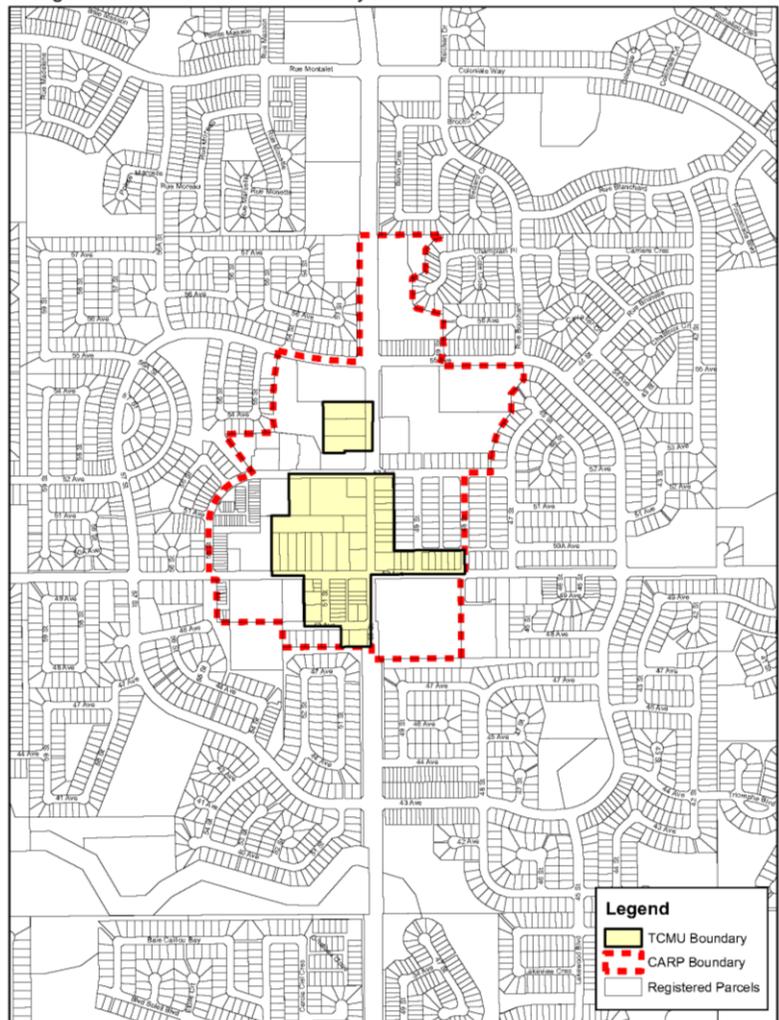
3.1 Town Centre-Mixed Use

Sidewalk Cafés will be a Discretionary use for Eating and Drinking Establishments-Minor or Major in the Town Centre Mixed Use District (TCMU) in the Central Area Redevelopment Plan (CARP).

3.2 Direct Control

Properties that are zoned Direct Control (DC) within the CARP Area may also be considered for Sidewalk Cafés if the regulations indicate a Sidewalk Café is a Discretionary use.

Designated Areas for Sidewalk Café Bylaw

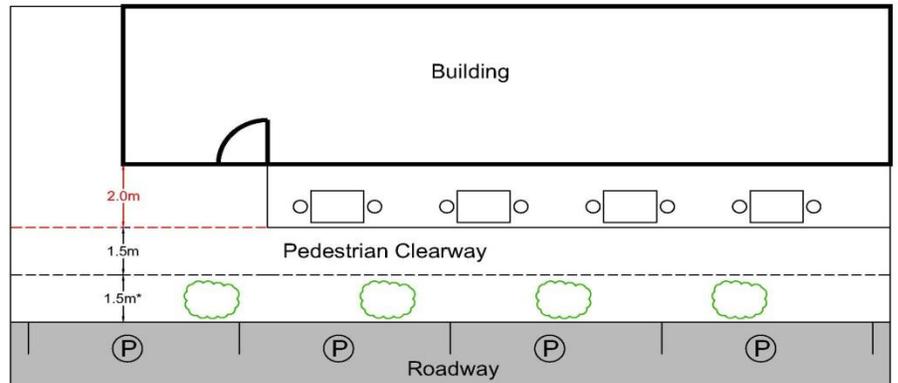


4. Types of Sidewalk Cafés Permitted

The following types of Cafés may be permitted in the Town of Beaumont based on the discretion of the Development Officer. Some areas may face different constraints that influence the type of Café that best meets the needs of the business owner and pedestrians.

4.1 Frontage Café

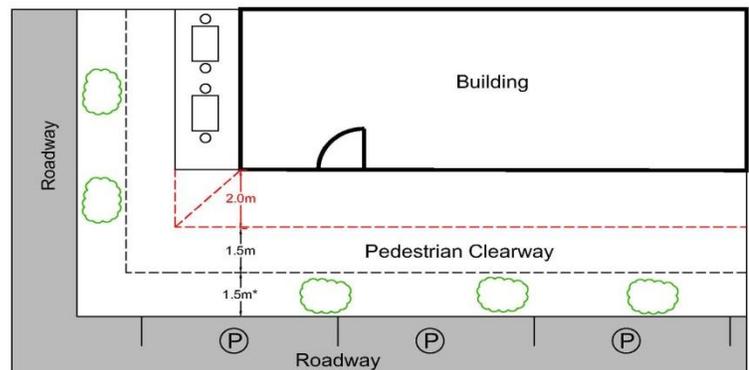
These Cafés occupy the section of the sidewalk between the building and pedestrian clearway. The Café is directly adjacent to the building and tends to be well suited to main streets with generous sidewalk widths.



----- Property Line (minimum 2.0m Front Yard Setback)
Not to scale
* For illustrative purposes only (measurements may vary)

4.2 Flankage Cafés

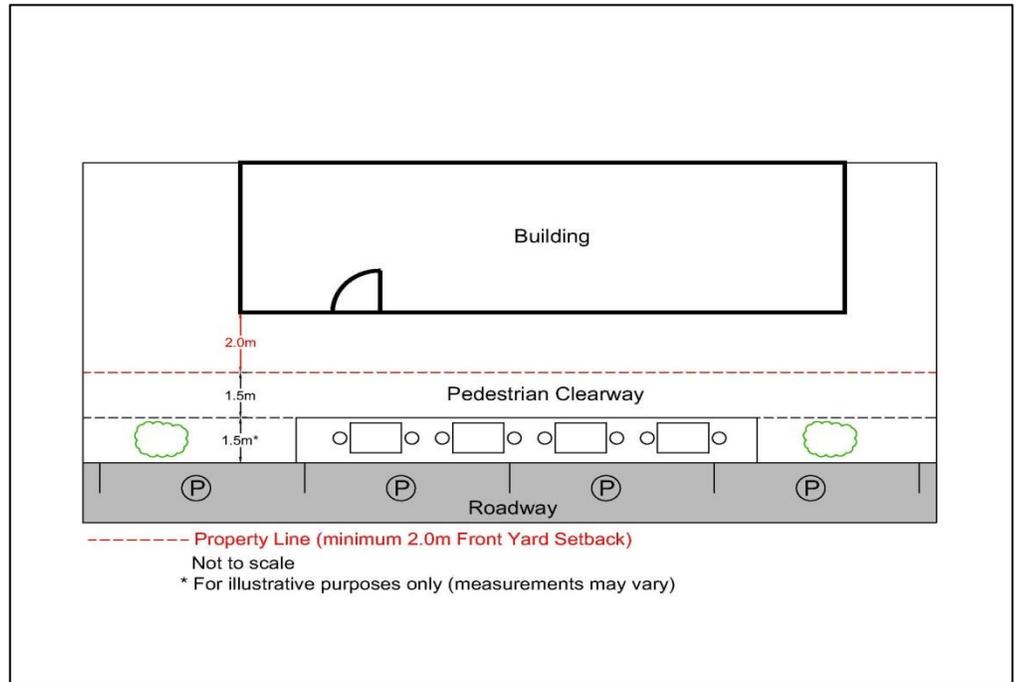
These Cafés occupy the secondary frontage of the Café and are most effective for side streets with wide sidewalk widths.



----- Property Line (minimum 2.0m Front Yard Setback & 2.0m Public Roadway Corner Setback)
Not to scale
* For illustrative purposes only (measurements may vary)

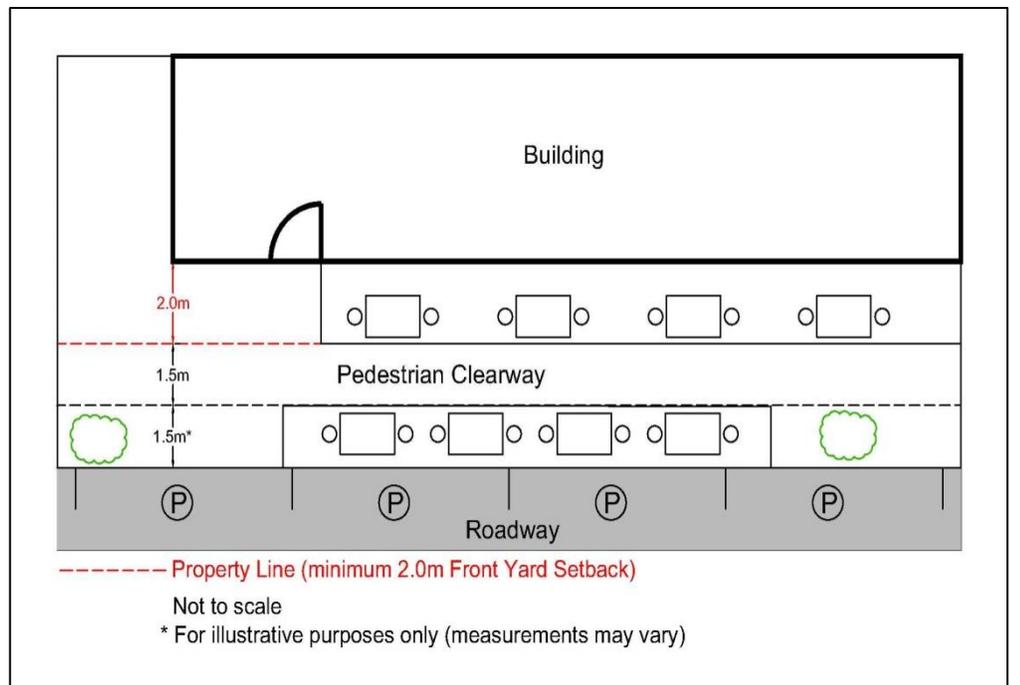
4.3 Curbside Café

These Cafés occupy the Sidewalk between the pedestrian clearway and the curb, which is most effective with constrained sidewalks or areas with wider curbside zones.



4.4 Frontage/Curbside Café

These Cafés have two separate Café areas which are bisected by the pedestrian clearway to make more efficient use of a sidewalk.



5. Operational Guidelines

The Sidewalk Café Guidelines are implemented under the Town of Beaumont Land Use Bylaw 796-12 as amended.

5.1 Pedestrian Circulation

- A minimum of 1.5 m of unobstructed sidewalk width must be provided for pedestrian circulation.

5.2 Operation

- The Sidewalk Café may operate all year long.
- If the Sidewalk Café is not used on a continuous basis, the business owner must remove all furniture, umbrellas and railings from the café area.
- The business owner shall ensure that pedestrian access and the sidewalk surface in the café area are free of snow and ice in the winter months.

5.3 Alcohol

- If the business is licensed to serve alcohol it must comply with the Alberta Gaming & Liquor Commissions (AGLC) guidelines and requirements for Outdoor Patios.

5.4 Liability Insurance

- The Sidewalk Café Permit shall be conditional upon the business owner providing proof of liability insurance, indemnifying the Town from any claims or liabilities arising from the use of municipal property. The Applicant is required to maintain Liability Insurance as a condition of the Sidewalk Café licence (minimum of \$2,000,000 coverage).

5.5 Smoking

- Smoking is prohibited in all Sidewalk Café areas and nearby public places as indicated in the Town's *Smoke-Free Public Places Bylaw 593-03*.



5.6 Traffic Flow and Access

- Sidewalk Cafés will not be permitted in locations, which in the opinion of the Planning and Infrastructure Department obstruct sightlines at an intersection, or cause any operational or safety problem on the public road right-of-way.
- Sidewalk Cafés are not permitted on service grates, commercial loading zones, or pedestrian crossing areas.
- Fire service connections and/or hydrants must be unobstructed and accessible at all times and comply with the Alberta Fire Code.
- No chairs or tables will be permitted to block the front door so that a clear access to the front door of the restaurant is maintained at all times.

5.7 Heating

- Commercial grade heating, including radiant heating, propane, natural gas or other heating elements may be installed, but must be operated in accordance with the manufacturer specifications. The heating unit must be located and used so that it is not a hazard to Sidewalk Café patrons or pedestrians. Propane shall be stored outside in a secure well-ventilated area away from building openings (cages or non-combustible strapping may be used to secure).

5.8 Noise

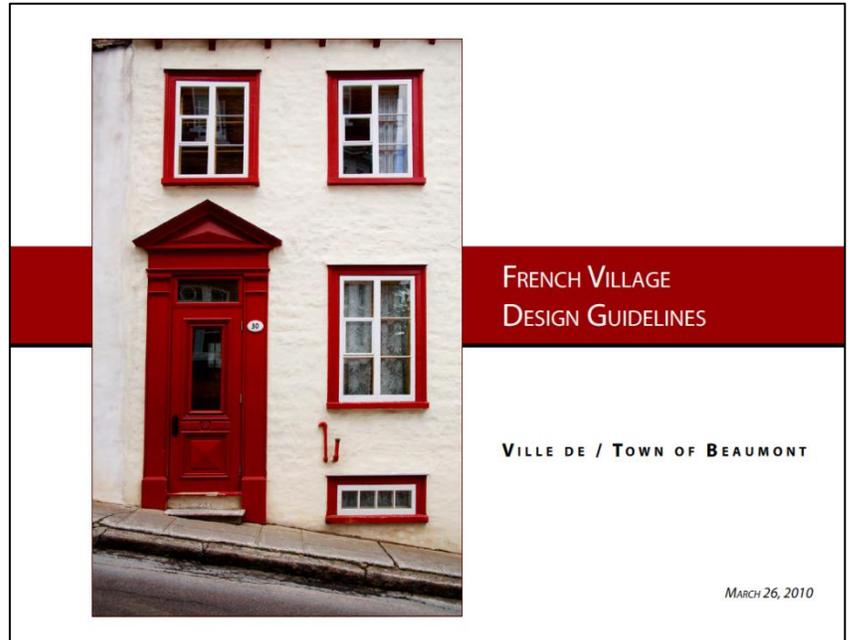
- Outdoor speakers or amplification systems for ambient music shall be in accordance with the Noise Abatement Bylaw.
- The use of the Sidewalk Café will only be permitted from the hours of 8:00am to 11:00pm.



6. Design Guidelines

6.1 Furniture

- All Sidewalk Café furniture must be durable, weather resistant, and reflect the French Village Design Guidelines.
- Furniture shall not be secured to public property including trees, public street furniture, or anchored into pavement unless permission from the Town has been granted.
- Furniture shall be arranged to allow unobstructed movement within the Sidewalk Café area.
- All furniture must be contained within the designated Sidewalk Café area.



6.2 Umbrellas

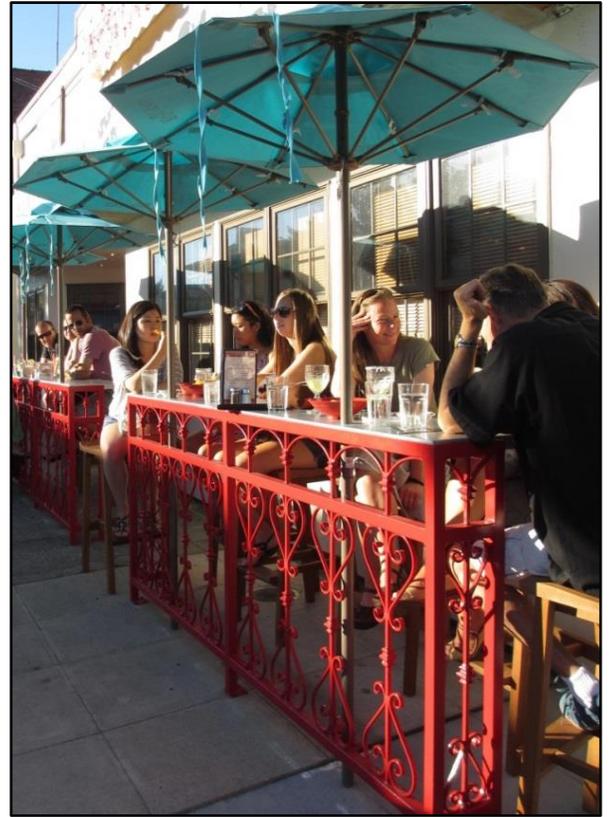
- Umbrellas must be durable, weather resistant, and the materials and colours should coordinate with the surrounding building's French Village Design.



- Umbrellas must be contained entirely within the Sidewalk Café area, and must have a minimum 2.1 m in clearance in height from grade.

6.3 Lighting and Signage

- For lighting and signage please consult the French Village Design Guidelines (Part A).
- Proprietary logo/signature or name of the restaurant may appear on awnings and umbrellas. General advertising, including banner signs, is not permitted within the Sidewalk Café area or on the railings.



6.4 Enclosures

- Enclosures act as the demarcation between the Café and pedestrians and will be considered with the permit application.
- Railings or fencing should be constructed of sturdy or durable materials such as aluminum or ornamental iron and reflect the character of the French Village Design Guidelines. Planters with landscaping may also be incorporated subject to any other provincial guidelines.
- Railings or fencing should not be more than 1.2 m in height and be generally transparent to allow for visibility and security.
- An enclosure will not be mandatory for Frontage Cafés or Flankage Cafés, but are required for seating that is adjacent to a roadway such as the Curbside and Frontage/Curbside Cafés (see Section 4 for permitted Café types).



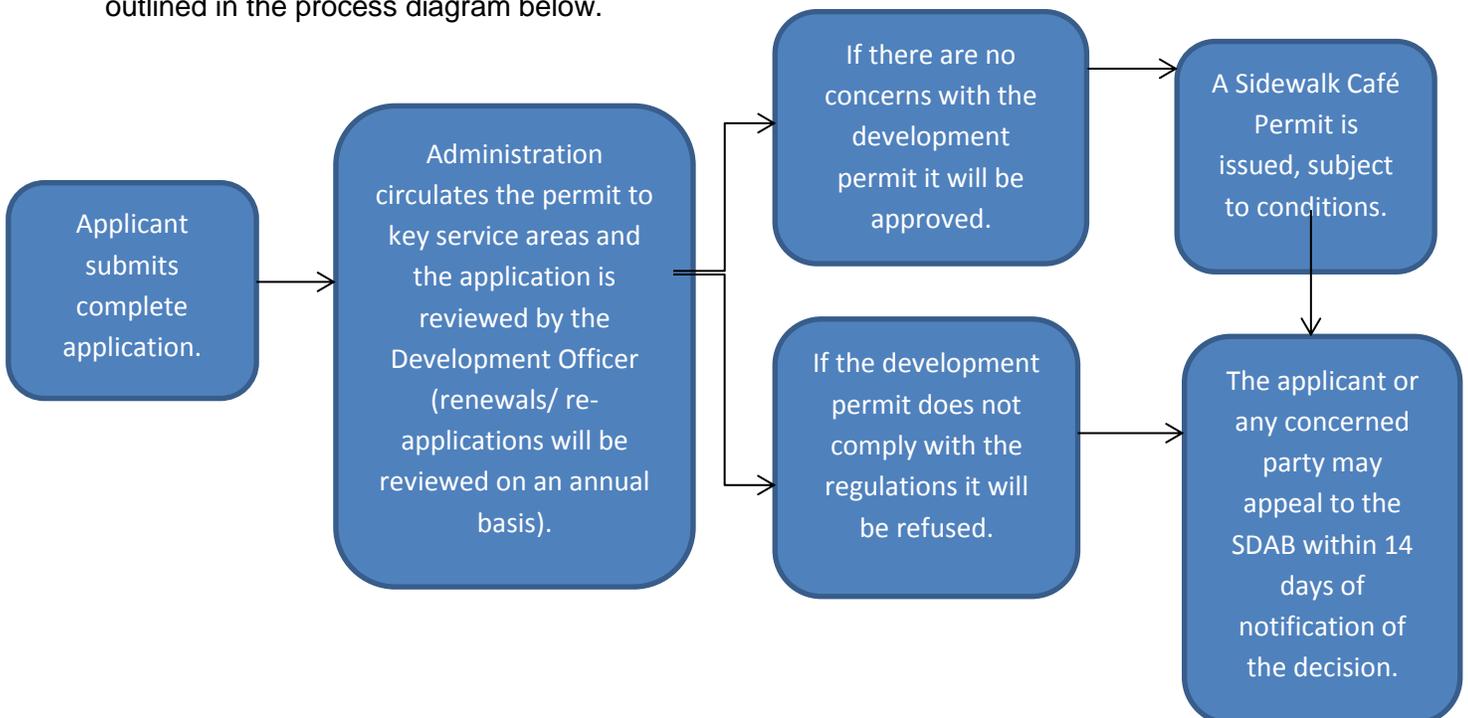
7. Side Walk Café Application Process

This document is considered to be an extension of the Central Area Redevelopment Plan and Land Use Bylaw. It is meant to implement guidelines for Sidewalk Cafés to ensure they meet the intent and character supported in the Town's other plans and policies. Applicants need to apply for a Development Permit for a Sidewalk Café to ensure compliance with these guidelines. After the café has been in place for a year, the Development Officer may reassess the site to determine if a permit may be issued for 5 years rather than on an annual basis.

Applicants will be required to follow the Sidewalk Café Permit Application and submit all of the required information including site plans and the appropriate application fee (see attached application checklist).

The applicant is encouraged to hold a pre-application meeting with the Town to review the process and highlight any items of concern. The applicant will then go through the Town's review process so that key departments can evaluate the permit to ensure it complies with the regulations and ensures the safety for all residents. When an application for a permit is made or an alteration to a Sidewalk Café is made, submissions shall be reviewed by the French Village Design Review Committee (see Section 1.3 of the French Village Design Guidelines) based on its compliance with the standards set out in this document. The Committee will serve as an advisory body to the Development Officer and assist in improving objectivity, consistency and predictability in the design review process. This process typically takes 2 to 3 weeks.

If there are no issues the permit will be approved, subject to the 14 day appeal notification process. If the permit is issued or refused, the applicant or any concerned party has the opportunity to appeal the decision to the Subdivision & Development Appeal Board (SDAB) as outlined in the process diagram below.



Appendix: Application Form and Example Site Plan



VILLE DE/TOWN OF
BEAUMONT

5600 - 49 Street
Beaumont, Alberta T4X 1A1
Phone: (780) 929-8782
Fax: (780) 929-3300
Email: development@beaumont.ab.ca

Sidewalk Café Permit Application

Application to be submitted with Development Permit application Form

Applicant is the:

- Landowner
- Authorized Agent of the owner
- Tenant who has been given permission from the registered landowner(s) *(Written permission from landowner required)*

Applicant Information

Last name:
First name:
E-mail:
Telephone number:
Alternative telephone number:
Mailing address:
City:
Province:
Postal code:

Sidewalk Café Information

Municipal Address:
Legal Description:
Current Zoning:
Business Name:
Business Licence Number:
Number of Seats:
Is Alcohol being served?

Checklist

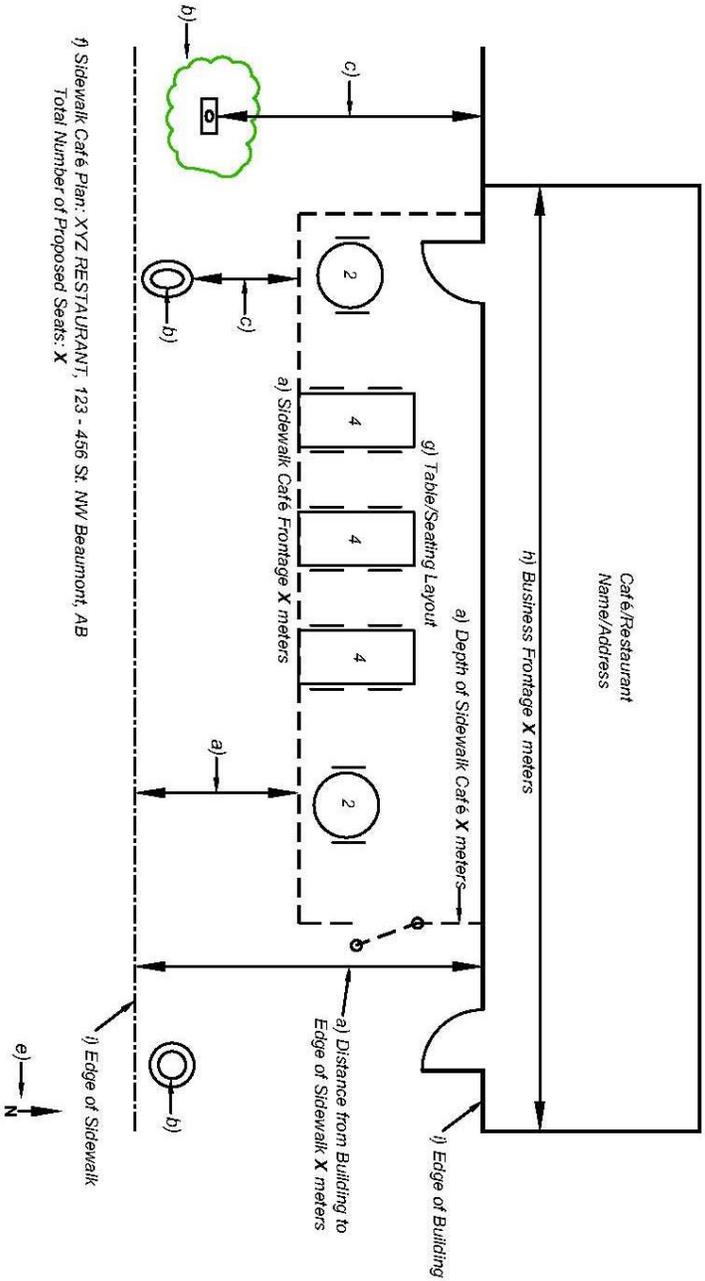
- Application Fee
- Valid Business License
- Proof of Liability Insurance
- Proof of Liquor License from Alberta Gaming and Liquor Commission (AGLC) if alcohol is being served
- Site plan (3 copies)
 - o Dimensions of the Sidewalk Café area and setback measurements from the curb
 - o Identify any Town fire connections and infrastructure within or nearby the proposed Sidewalk Café such as light posts, street furniture, sign posts, garbage bins, trees/landscaping or any other notable obstructions)
 - o If any Town infrastructure or landscaping is identified, provide setback measurements from these objects to the edge of the proposed Sidewalk Café
 - o Fence opening if required
 - o Identify North arrow
 - o Label the municipal address and street and/or avenue in front of the Sidewalk Café
 - o Seating plan with total number of seats (details, descriptions and measurements regarding tables, chairs, umbrellas, fencing, lighting, and heating elements)
 - o Label business frontage in meters
 - o Label edge of building and sidewalk

Applicant's Signature is confirmation that all required information is correct.

Signature: _____ **Date:** _____

If you have any questions or concerns please contact Planning & Development at development@beaumont.ab.ca

Updated: July 14/16
M:\0550 - Development, Land Use\0555-001 Development, Land Use - General\0555-L02 Land Use Bylaw\Memos\Sidewalk Cafes\Sidewalk Café Permit Application.docx



f) Sidewalk Café Plan: XYZ RESTAURANT, 123 - 456 St. NW Beaumont, AB
 Total Number of Proposed Seats: X



Legend

- Proposed Area
- - - Property Line
- Bike Ring
- Tree & Tree Pit / Planter
- Post (Sign, Utility, Lamp, etc.)

Corresponding Site Plan Details

- a) Dimensions of the Sidewalk Cafe area and setback measurements from the curb
- b) Identify any Town fire connections and infrastructure within or nearby the proposed Sidewalk Cafe area such as light posts, street furniture, sign posts, garbage bins, trees/landscaping or any other notable obstructions)
- c) If any Town infrastructure or landscaping is identified, provide setback measurements from these objects to the edge of the proposed Sidewalk Cafe
- d) Fence opening if required
- e) Identify North Arrow
- f) Label the municipal address and street and/or avenue in front of Sidewalk Cafe
- g) Seating plan with total number of seats (details, descriptions and measurements regarding tables, chairs, umbrellas, tending, lighting, and heating elements)
- h) Label business frontage in meters
- i) Label edge of building and sidewalk
- j) Label edge of sidewalk

*** All measurements are in Meters**

Photo References for images within the Guidelines

All over Albany. (2016). Café Madison. Retrieved from http://alloveralbany.com/images/cafe_madison_outdoor_dining.jpg

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