

Seasonal Curbside Patio Program – 2024 Season Review & 2025 Refinements

Recommendation:

THAT Council receive the Seasonal Curbside Patio Program – 2024 Season Review & 2025 Refinements report dated March 4, 2025, for information.

THAT Council endorse the adjustment to the Third-Party Liability Insurance requirements for all Type A/B patios and non-liquor-licensed Type C/D patios operating under the Seasonal Curbside Patio Program.

Report Purpose and Summary Statement:

The City's Seasonal Curbside Patio Program, endorsed by Council on October 24, 2023, as part of the work to achieve Council strategic priorities, including a diversified, thriving economy, has completed its first operational season. Guidelines for patios on public rights-of-way were developed and implemented, promotion of the program took place and continues, businesses engaged with the program, and feedback has been received. Private patios – which are beyond the scope of the program – continue to thrive across Maple Ridge.

Previous Council Action:

On October 24, 2023, Council endorsed the Seasonal Curbside Patio Program and Guidelines for implementation in spring 2024 and directed Staff to issue notices for the removal of temporary curbside patios located in the public right-of-way (public parking areas) by November 10, 2023, in preparation for the new Seasonal Curbside Patio Program launch in spring 2024 (R/2023-WS-064).

On May 28, 2024, Council received the Seasonal Curbside Patio Program Update, providing details on the status of the program (R/2024-CM-093).

Financial Impact:

No impact beyond existing allocation for Economic Development

Funding Source:

Existing departmental budgets

Strategic Alignment:

Liveable Community; Engaged, Healthy Community; Diversified, Thriving Economy

Communications:

City announces opening of the enhanced 2025 Seasonal Curbside Patio Program, including more eligible businesses and lower barriers to entry

Applicable Legislation/ Bylaw/Policy:

Seasonal Curbside Patio Program and Guidelines (R/2023-WS-064)

To: Mayor and Council

File number: [01-0640-30]

Seasonal Curbside Patio Program – 2024 Season Review & 2025 Refinements

BACKGROUND:

On October 24, 2023, Council endorsed the Seasonal Curbside Patio Program and Guidelines for implementation in spring 2024 and directed Staff to issue notices for the removal of temporary curbside patios located in the public right-of-way (public parking areas) by November 10, 2023 in preparation for the new Seasonal Curbside Patio Program launch in spring 2024 (R/2023-WS-064).

Guidelines for patios on public rights-of-way were developed and implemented. The program was promoted, businesses engaged with it and feedback was received. Private patios – which are beyond the scope of the program – continue to thrive across Maple Ridge.

Staff committed to reviewing the patio program after the 2024 and 2025 seasons, moving to a biennial review thereafter.

ANALYSIS:

Discussion:

Design Guidelines and Application Development

In November 2023, Staff engaged Dialog, a design consultancy firm, to develop the Seasonal Curbside Patio Program guidelines based on information gathered by Staff, industry best practices, and professional experience of the firm.

As part of the design guidelines development, the consultants conducted two business engagement sessions and an online survey for eligible business participants to provide input on the guidelines document. The sessions, held on January 10 & 11, 2024 were promoted through two mailouts to eligible businesses and ongoing communication by Staff to potential participants. Three businesses registered for the engagement sessions, and no responses were received via the online survey. Additionally, other key departments were engaged to provide input to ensure the guidelines met City requirements and properly communicated information to applicants.

The final guidelines for the Seasonal Curbside Patio Program were adjusted based on feedback from both Staff and businesses.

Patio Program Launched

On February 1, 2024, the Seasonal Curbside Patio Program information was formally launched by the City and announced via news release, social media output, dedicated web pages, and continued communication with businesses and business associations. The launch was covered by The News.

Program Promotion

Economic Development continued to promote the launch of the Program through a variety of means, including hand-delivery of materials to eligible businesses in key areas, regular sharing of information with partner organizations (i.e. Chamber of Commerce, Downtown BIA), ongoing communication with businesses and supporting groups, cross-promoting the Program with other promotional opportunities, and setting up a demonstration patio at the Economic Development office to show how simple and effective a small-scale patio can be.

Program Uptake

Three applications to the Program were received through the season, two of which were from previous operators of curbside patios, and one from an operator who had never operated a patio before.

Two other businesses expressed interest in the Program, and Staff continued engagement to inform and encourage the businesses to apply.

The City of Port Coquitlam reached out to Staff for information on the City's Seasonal Curbside Patio Program as they developed their own patio program.

Participation by Previous Patio Operators

Two previous patio operators applied to the new program, with both applications being approved.

In communication with other previous patio operators, two businesses explicitly stated no intention of participating or engaging with the program without funding from the City, while one did not declare one way or the other.

A Note Regarding Patios on Private Property

Businesses interested in putting temporary, seasonal patios or 'picnic areas' on private property such as off-street parking spaces or other areas of private property can do so through building permitting processes. If the patios have floors, roofs, or walls, or if there is installation of electrical appliances or fixtures the patios must be in line with *BC Building Code* and have the necessary inspections completed.

If there are no floors, roofs, or walls constructed, no formal approval from the City would be required. Necessary approvals from the provincial Liquor and Cannabis Regulation Branch (LCRB) are the responsibility of the business owner should they wish to license their patio area.

It is recommended businesses consult legal counsel or their insurance provider regarding LCRB licensing and other liabilities.

While the City facilitates the program, compliance with building codes, fire regulations and liquor laws (where applicable), remain the responsibility of the business owner.

Patio Inventory

Patios on private property that do not require formal approval from the City and are not licensed service areas will not generally be captured by the City's building permitting process. This poses a challenge when attempting to take inventory of all patios currently activated across Maple Ridge.

Using several data sources from various points in time, including patio listings compiled by/from the Ridge Meadows Chamber of Commerce, the LCRB, the City, online mapping tools, and walkabouts during the patio season, the estimated 2024 patio inventory across Maple Ridge was as follows:

| | |
|---------------------------------|----------------------------------|
| Seasonal Curbside Patio Program | 3 approved, 2 expressed interest |
| Other curbside patios | 3 |
| Patios on private property | 38 |
| TOTAL NO. OF PATIOS | 44 |

Of the three patios approved one was fully operational for the duration of the season; one was approved by the City and in the process of securing LCRB sign-off when the business was damaged by a fire and forced to cease operation; and one was not operational due to challenges securing appropriate outdoor furnishings

Other restaurants or businesses may be eligible and/or able to operate a patio – either on private or public property – but may choose not to do so for various reasons, including but not limited to staffing challenges, physical location constraints, customer experience, and LCRB licensing challenges.

Internal City Feedback

Economic Development managed the development, promotion, preliminary review, and primary customer service functions of the program, served as the central hub for interactions between applicants and the City, and coordinated the review process with Engineering and Building & Planning.

Applications for Type A patios were received and processed entirely within Economic Development. The review and approval process for Type B/C/D patios required the development of new workflows to combine two separate regulatory processes and payments—Highway Use Permit (HUP) and Occupancy Load Calculations—into a single outward-facing process for the applicant.

Regardless of the patio type, Staff collaborated to ensure the process was as seamless and straightforward as possible from the applicant's point of view. Staff will continue to refine the process going forward into the 2025 season to identify opportunities for improvement and efficiency. The collaborative process has allowed for the development of stronger working relationships between departments.

One identified opportunity for improvement is the development of a patio-specific permit and associated terms and conditions to better reflect the needs related to patios in the public right-of-way. This could address the current situation of two separate regulatory processes and the awkward use of a permit more typically used for major construction works or a road closure.

Project Description:

The Seasonal Curbside Patio Program enables patios located on public property – sidewalks and curbside parking lanes. This program provides for a more active and dynamic streetscape while encouraging a diversified and thriving economy.

Public Engagement:

Operators participating in the Seasonal Curbside Patio Program provided feedback on their experience for the 2024 season:

- Businesses appreciated the assistance and guidance of Staff during the application and approval process
- The guidelines were informative but a bit challenging to follow, needing to flip back and forth multiple times to get all the information they needed
- One operator said some of the required setbacks from various street furniture and utility access points posed challenges to the design of their patio
- Concern was raised about the City's third-party liability insurance requirement for the Type A (Sidewalk Café) patios, which consists of simple café-style furnishings on the public space immediately adjacent to the front face of the building.
- It was suggested that off-site storage challenges may be a hindrance for greater uptake of the Program by other businesses
- Patios were operated to the greatest extent possible, given weather conditions and trading hours of the business. One operator said their patio allowed their business to open earlier in the day, extending their trading hours and employment hours for staff
- It was asked if patio operators could tap into the irrigation lines used to water City-owned hanging baskets to water patio planters to simplify watering of plants and mitigate the fire risk (as identified by the insurance company) of smoking materials tossed into planters
- Patio operators found limited value in the use of standardized, modular patio structures, noting that each business and site required tailored solutions

- Operators see value in the City supporting the development and growth of a patio culture through small grants or other funding to offset the cost of building and furnishing the patio or to help activate the patio space with entertainment or launch events

Strategic Alignment:

The Seasonal Curbside Patio Program aligns with the Council Strategic-Plan priorities including Liveable Community; Engaged, Healthy community; and Diversified, Thriving Economy by having expanded areas and typologies of seasonal curbside patios. The program is also in line with Economic Development Strategy 5-2 - Enable Outdoor Patios.

Financial Impact:

Many of the suggested adjustments can be handled by existing approved budget and workplans for the Economic Development Department. Council Endorsement for Insurance requirements is needed, however there is not a financial impact to the City of Maple Ridge.

Applicable Legislation/Bylaw/Policy:

Seasonal Curbside Patio Program and Guidelines (R/2023-WS-064)

OPTIONS & IMPLICATIONS:

The foundations of the Seasonal Curbside Patio Program are strong, and the program performed relatively well over the first season of operation. A wholesale rebuild of the program is not required, as there is a significant amount of flexibility already built into the program around business- and location eligibility, patio types, and patio activation.

Examples of flexibility already within the program include:

- Eligibility of all businesses in targeted zones (C-1, C-2, C-3, C-4, C-5, CRM, H-1, and H-2), not only food and beverage businesses
- No specified types or minimum quantities of furnishings for any patio type
- No specified type of activation of patio space

Based on feedback from patio operators, City staff, and the larger business community, several adjustments to the program are proposed for the 2025 season.

1) Third-party liability insurance requirements *(Council endorsement required)*

Right-size the requirement for third-party liability insurance to be provided by patio operators to reflect current industry standards and requirements set by comparable jurisdictions (refer to **Attachment A**)

- o Reduce from \$5 million to \$2 million for all Type A/B patios
- o Reduce from \$5 million to \$2 million for Type C/D patios without a liquor licence
- o Maintain \$5 million for Type C/D patios with a liquor licence

2) Clarify business eligibility *(Operational decision)*

Clarify that any businesses in the targeted zones—not only food and beverage outlets—are eligible to participate in the patio program to enhance and activate the streetscape.

Retail and service businesses can apply for a patio to provide outdoor space for waiting areas, retail display, al fresco workspace, or a parklet for the community

- While these activities are typically prohibited in a public highway, the Seasonal Curbside Patio Program is a Council-endorsed mechanism to allow businesses to carry on these activities in the public realm

3) Explore Micro-grants to support patio activation *(Operational decision)*

Offer non-repayable micro-grants to participants in the Seasonal Curbside Patio Program to assist with activating their patio space, e.g., through a launch event, hosting live on-patio entertainment, and deploying lights, plants, or other décor items; exploration into the façade improvement program inclusion for patios with the Downtown Maple Ridge Business Improvement Association (DMRBIA)

- Proposed amounts of \$250 for Type A/B patios and \$500 for Type C/D patios, available each season to successful applicants
- Can be funded from existing Economic Development allocations

4) Develop a Patio Permit *(No Council decision required at this time)*

Work to develop a separate Patio Permit and associated forms, fees, terms & conditions, and/or bylaw or amendments (if required) to further streamline the application and approval process and ensure the regulatory tool is right sized for the situation

5) Type C/D demonstration patio *(Operational decision)*

Staff to look for an opportunity to implement a demonstration patio site in the downtown area to highlight the ease of the program and the low barriers to entry for businesses

6) Collaborate to support patio operators *(Operational decision)*

Work with partner organizations—including the DMRBIA and the Ridge Meadows Chamber of Commerce—to further promote the patio program and explore options to support patio operators with access to services for construction, transport, and storage of patio structures and/or furnishings

CONCLUSION:

The Seasonal Curbside Patio Program serves as a solid foundation for fostering a thriving patio culture in Maple Ridge. The proposed refinements build upon the lessons learned from the 2024 season, focusing on streamlining processes, clarifying requirements, and enhancing supporting for participating businesses. These adjustments not only respond to direct feedback from operators but also align with the City's broader strategic goals – supporting a liveable community, encouraging economic growth, and creating engaging public spaces. With these improvements, the 2025 Seasonal Curbside Patio Program will continue to strengthen Maple Ridge's reputation as a dynamic and business-friendly city.

Staff will return to Council after the conclusion of the 2025 operating season with a comprehensive report outlining the program's outcomes and recommending further enhancements to best serve businesses, residents and visitors.

Prepared by: Jeff Baker, Business Retention
& Expansion Advisor

Attachments:

(A) Third-Party Liability Insurance Requirements Review

Report Approval Details

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|----------------------|---|
| Document Title: | Seasonal Curbside Patio Program - 2024 Season Review.docx |
| Attachments: | - Attachment A - Insurance coverage landscape review.docx |
| Final Approval Date: | Feb 27, 2025 |

This report and all of its attachments were approved and signed as outlined below:

Tyler Westover, Director of Economic Development

Carolyn Mushata, Director of Legislative Services and Corporate Officer

Scott Hartman, Chief Administrative Officer