

In-Street Structured Patio (ISP) Permit - Conditions

1. Permitted use of parking stalls or other location, includes solid structured patios for food and beverage establishments which may also include planters, pergolas or gazebos, or temporary canopy tents.
2. Temporary signage may require a Development Permit from Planning and must comply with the [Town of Canmore's signage standards](#). Signage that does not adhere to the signage standards is prohibited – e.g. a-frame signs. For inquiries, contact [Planning](#).
3. An Occupancy Load Certificate is required from the Fire Department for any delineated patio.
4. A Road Use Permit is required for the installation and tear-down of any in-street structured patio outside of the seasonal Main Street pedestrian area. This permit is free of charge.
5. Within the seasonal Main Street closure area, a wooden curb ramp to improve accessibility from the pedestrian area to your business can be constructed and installed and will make your use of the street more inclusive.
6. In-street patios must stay within the business's own frontage or as otherwise outlined by the Town. Within the Main Street closure area, patios may go up to but not cover the white line painted for the seasonal closure. Where use extends past the applicant's own business frontage, written permission must be obtained from affected neighbouring business owners and property owners.
7. For safety and accessibility, the sidewalk must be kept free of all obstructions. This includes but is not limited to, signage, displays, cables crossing the sidewalk regardless of cable covers or other mitigation tactics.
8. For safety, umbrellas cannot hang over the perimeter of any patio.
9. Patios must maintain distance from the curb of 6 inches for drainage access. It is the permit holder's responsibility to ensure this space is clear of debris or obstruction to the curb or gutter.
10. All structures must be secured with weights or sandbags as per the Building Code to withstand the effects of wind or other forces. Tying structures to one another as a means of weighing down is prohibited. Affixing a structure to the Town infrastructure by way of any means – e.g. spiking, drilling or otherwise, is prohibited.
11. Lineups to access the patio or the storefront must be organized on the permit holder's private property. Lineups are not permitted on the sidewalk or on the street.

12. Generators are not permitted.
13. Buskers are only permitted to perform in Canmore with a Busking Licence and at a Town-approved busking location. Businesses may request that their property be added as an approved busking location by contacting economicdevelopment@canmore.ca with letters of support from adjacent business owner(s).
14. Business located within the Main Street closure area who require vehicle access within the closure zone for regular business operations or construction must apply for a [Road Use Permit](#).
15. If within the Main Street closure area, for the permit holder's patio installation or tear-down, or who for businesses with a Road Use Permit for regular business activities, vehicular access and egress are by way of 7 Avenue. Barriers are to be managed by the driver and must be kept closed, and speed limit is 10km/hr. Motorists must yield to pedestrians and cyclists.

Building Permits

A Building Permit is required from Planning in the following circumstances:

16. For any patio with a solid platform that exceeds 0.6 meters in height above grade which requires a guardrail – i.e. an enclosure.
17. For any structure that could impact street drainage.
18. Temporary ramps installed to improve accessibility.
19. For a single pergola or tent or combination thereof exceeding 10 square meters, or if the structure is large enough for customers to be within or underneath. The structure would then be required to meet all aspects of Building Code, including anchorage, wind resistance and fabric fire resistance rating.
20. Umbrellas setup for shade do not require a Building Permit but must be safely secured.

Responsibilities

21. Permit holders who are second-floor or non-street facing businesses, are Town-approved Vendors on private commercial property must operate from their permitted location and utilize their activity zone for a minimum of five days a week for the duration of the seasonal closure.
22. From 10:00 a.m. until the end of the Canada Day parade on July 1, all umbrellas, flags, banners, and visual barriers must be removed from the patio to ensure adequate site lines for patrons and for the safety of parade participants and animals.

23. It is the business owner's responsibility to ensure that their patio is maintained in functioning order and cleaned and swept daily.
24. Town of Canmore's Streets and Roads Department will provide regular road sweeping. On Main Street, this will be done every Friday morning.
25. It is the business owner's responsibility to ensure that their patio does not exceed their permitted patio or setup boundary. Should this not be maintained, it would be considered a contravention of these conditions, subject to penalty, and the business owner would be responsible for ensuring cleanliness of the space inaccessible to the Town of Canmore's sweeper truck.
26. Town of Canmore will endeavour to provide a minimum of two business days' notice to permit holders of any scheduled street or sidewalk maintenance that may impact access to the patio. Whenever possible, the Town will endeavour to schedule this work outside of busy times.
27. Permit holders may install their patios or other permitted setup from the date indicated on their ISP Permit. This date is subject to change with notice from the Town of Canmore should unforeseen circumstances impact installation timelines.
28. Permit holders must remove their patios or other permitted setup by the date and time indicated on their ISP permit.
29. It is the business owner's sole responsibility to obtain approval and adhere to any municipal, provincial, federal or other regulations related to in-street structured patio. For example, obtaining an extension of a business premises to include a patio as part of a business's AGLC liquor licence and/or insurance policy.
30. The permit holder must maintain commercial general liability insurance and indemnify the Town of Canmore against all claims of any kind arising from any negligent act either by the permit holder or the permit holder's agents. The permit holder must provide to the Town of Canmore, a certificate of insurance that includes the in-street patio as an extension of the insured operations. . Town of Canmore must be included as additionally insured party on the certificate which must be valid for the duration of their permitted use of the location and be for a minimum of five million dollars per incident.
31. All ISP Permit holders must abide by the In-Street Structured Patio Permit Conditions, their Licence of Occupation and the In-Street Patio Policy. Contravening these documents could result in the rejection of the permit application or revoking of the permit and may be subject to penalty under Traffic and Road Use Bylaw 2020-03 and/or other applicable Bylaws.