

Appendix A

SCHEDULE “P”

OUTDOOR RESTAURANT

CONDITIONS

1. In addition to any conditions the Director may impose on a vendor pursuant to section 65 of this Bylaw, the vendor operating under a temporary street use permit for outdoor restaurant shall comply with the following conditions:
 - (a) ensure prompt removal of the outdoor restaurant upon permit expiration;
 - (b) the temporary street use permit is non-transferrable and is only valid at the address indicated on the permit;
 - (c) ensure any signs for the outdoor restaurant shall comply with *The Regina Zoning Bylaw 2019*, Bylaw No. 2019-19 and *The Clean Property Bylaw*, Bylaw No. 9881, unless otherwise permitted;
 - (d) ensure barrier-free access to building entrances and exits, public utilities and service connections at all times;
 - (e) ensure the outdoor restaurant shall not be used for storage at any time;
 - (f) abide by all laws and regulations, bylaws and resolutions governing the vending operation including, but not necessarily limited to those below:
 - (i) properties located in the boundaries of the Victoria Park Heritage Conservation District in accordance with *The Victoria Park Heritage Conservation District Bylaw*, Bylaw No. 9656 and are regulated by the guidelines provided in that Bylaw; and
 - (ii) alterations to properties designated as municipal heritage properties in accordance with *The Municipal Architectural Design Guidelines Bylaw*, Bylaw No. 2007-78.
2. In the event the vendor causes damage to the public highway, sidewalk, boulevard, pedestrian mall, Pat Fiacco Plaza, Frederick W. Hill Mall, or public right of way, then the City, in its sole discretion, may repair such damage and the vendor shall be required to reimburse the City for the cost of such repair.
3. All costs associated with development and maintenance of the outdoor restaurant, including litter pick up, shall be the responsibility of the vendor.

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LOCATION CRITERIA FOR OUTDOOR RESTAURANT

4. Temporary street use permits shall only be granted where the location criteria for an outdoor restaurant meets the following minimum requirements:
 - (a) if the outdoor restaurant is licensed by the Province of Saskatchewan to serve alcohol then it must compliance with *The Alcohol and Gaming Regulation Act*, as amended by the Government of Saskatchewan”;
 - (b) except for restaurants governed by clause (a) above, outdoor restaurants may be located along the curb allowing pedestrians between the outdoor restaurant and building face or directly adjacent the building face;
 - (c) operate directly adjacent and not extend laterally beyond the frontage of the established restaurant by the same vendor, unless otherwise approved by the City;
 - (d) not be located in a traffic lane or driveway;
 - (e) not be located adjacent to any driving lane or bus lanes where the passageway for pedestrians is less than 2 meters;
 - (f) not be located on any side boulevard landscaped with grass, plants, or landscape materials; and
 - (g) where the outdoor restaurant is on a corner, then such corner restaurants shall require special consideration to ensure intersection sightlines are maintained as described in section 69 and Schedule “H (1)” of this Bylaw, and is at the discretion of the City;
5. Notwithstanding section 4 above, all outdoor restaurants shall have and maintain a minimum 2 meter wide clear walkway for pedestrians at all times between the edge of the outdoor restaurant and either the curb face, or any obstructions along the sidewalk such as trees, tree pits (where a metal tree grate is not present), meters, light poles or other furnishings.
6. Notwithstanding section 4 above, a vendor may request from the Director permission as part of its temporary street use permit to install a seasonal boardwalk in a parking lane, where the City sidewalks would otherwise be too narrow to permit an outdoor restaurant.
7. In the event the Director grants the vendor permission to install a seasonal boardwalk in the parking lane, then such boardwalks shall only be permitted seasonally from April 1st and must be removed by October 15th of the same calendar year, unless otherwise permitted by the Director.
8. The vendor shall be solely responsible for all costs associated with erecting, maintaining and dismantling the seasonal boardwalk.

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9. If a seasonal boardwalk is installed at a parking meter location, then the vendor shall obtain a parking meter bag and pay an additional fee, in addition to the temporary street use permit fee.

DESIGN CRITERIA FOR OUTDOOR RESTAURANT

10. Temporary street use permits shall only be granted where the design criteria for an outdoor restaurant meets the following minimum requirements:
 - (a) an open appearance with defined edge such as a railing or a row of planters or pots;
 - (b) all furniture or articles shall be of commercial quality;
 - (c) all furniture placement shall not extend beyond the approved perimeter for the outdoor restaurant;
 - (d) all advertising and other equipment used in the operation of the restaurant shall not lean against or hang from any streetlight, traffic sign, parking meter or other structure on public property;
 - (e) if the vendor chooses to install a railing then such railing shall not:
 - (i) exceeding 1.2 meters in height to delineate the restaurant area; or
 - (ii) obstruct view of seated patrons.
 - (f) If a seasonal boardwalk is installed, then such boardwalk:
 - (i) shall be minimum 2 meters wide; and
 - (ii) shall not exceed the width of a parking lane.