

Winterizing Patios – Options, Guidelines and Approvals

To support food and beverage establishments in continuing to provide seating capacity while complying with the orders of the Provincial Health Officer (PHO) related to the COVID-19 pandemic, this resource document describes:

- potential options for winterizing patios to provide for weather protection
- municipal approval requirements
- guidelines and considerations for temporary options
- application fees/costs

Potential options for winterizing patios to provide weather protection

Potential options may include:

1. Temporary appurtenances such as a fabric wall or fabric roll down wall hanging from an existing structural canopy
2. Temporary building/tent structure less than 10 m² in building footprint area
3. Temporary building/tent structure greater than 10 m² in building footprint area
4. Permanent building or structure

Guidelines and Considerations for Temporary Options

Guidelines for temporary buildings/structures less than 10 m² in building footprint area

- A professional engineer's review is required when structures are placed on municipal property, Whistler Village Land Company (WVLC) property, a road vested in the municipality, or on a right of way granted by a registered owner of land to the municipality for public access.
- All tents must meet the requirements of the BC Fire Code Section 2.9.
- Multiple temporary structures may be located on a single patio area, but temporary structures, whether walled or unwalled, must be placed no closer than 1.5 m to each other and to other structures and with sufficient space between to allow for a means of egress.
- A lightweight tent structure will require ongoing snow clearing by the business owner.
- Open flame devices such as propane heaters are not permitted in a temporary structure that is occupied by the public. ULC approved electrical heating is permitted subject to the heating device being sited consistent with manufacturer's specifications.
- Tents and wall surrounds, including any tarpaulins and decorative materials shall be made of flame resistant material conforming to CAN/ULC –S109-03 (material shall be labelled or information available from manufacturer available on site).
- Fully enclosed structures should be properly ventilated.
- Combustible materials such as hay, straw or shavings shall not be permitted within the structure, and the ground within 3 metres of the structure shall be cleared of flammable materials and vegetation other than maintained grass and combustibles.
- A 2A10BC fire extinguisher is recommended to be provided within 25 metres of every portion of the structure.



- Smoking and open flame devices are not permitted, except that Sterno can style chafing dish warmers are permitted, providing:
 - a) A staff member, knowledgeable and able to use an extinguisher, is in attendance and a 2A10BC (or larger) fire extinguisher is available in proximity to the table, and
 - b) All used or spare cans of Sterno are stored away from the structure in a secure area.

Guidelines for temporary appurtenances such a fabric wall or fabric roll down wall hanging from an existing structural canopy

- Wall surrounds shall be made of flame resistant material conforming to CAN/ULC –S109-03 (material shall be labelled or information available from manufacturer available on site).
- Fully enclosed structures should be property ventilated

Heating and Electrical

- No increase in use of non-renewable heat sources for temporary expanded service areas.
- Support use of ULC approved electric heating.
- Siting of outdoor heating devices shall be consistent with manufacturer’s specifications.
- Electrical systems shall be maintained and operated in a safe manner, and:
 - The electrical system and equipment, including electrical fuses and switches, shall be inaccessible to the public.
 - Electrical cables on the ground shall be protected by covers to prevent damage from traffic.
- The visual impact of temporary utility services should be minimized.

Other Considerations

- In addition to municipal approvals, winterizing an existing licensed patio area may require a structural change application to the LCRB. Businesses are advised to contact the local Liquor Inspector.
- Encourage patrons to dress warmly.
- There should be visual connection between activities inside a tent or other temporary structure and pedestrians.
- An accessible route having a minimum 1.5 metre clear width must be maintained to the front door of the business establishment.
- Temporary lighting fixtures should be night sky compatible, and located in such a manner as to not spill glaring or unwanted light onto adjacent properties.



Municipal Approvals

There are different approval requirements, depending on the weather protection option, as described in the table below.

Municipal Approval Required	Permanent building or structure	Temporary building/tent structure (greater than 10 m ² in building footprint area	Temporary building/tent structure less than 10 m ² in building footprint area ¹	Temporary appurtenances (eg. fabric wall/roll down wall hanging from an existing structural canopy)
Temporary Patio Application (for proposals on RMOW/WVLC lands and statutory rights of ways)		✓	✓	✓
Development Permit ²	✓			
Blackcomb LUC Development Approval ³	✓	✓		
Building Permit ⁴	✓	✓		

¹ A professional engineer's review is required when structures are placed on municipal property, Whistler Village Land Company (WVLC) property, a road vested in the municipality, or on a right of way granted by a registered owner of land to the municipality for public access.

² Proposal reviewed against applicable OCP Development Permit Area Guidelines

³ Applicable to lands regulated by the Blackcomb Land Use Contract (LUC).

⁴ A professional engineer's review is required.

Application Fees/Costs

The application fees/costs for municipal approvals are below:

Temporary Patio Application for: liquor licence for temporary expanded service area	\$0
Temporary Patio Application for: outdoor patio on RMOW/WVLC lands, outdoor patio on statutory rights of way	\$240
Renewal: outdoor patio licence or approval of outdoor patio on statutory right of way (one renewal on same terms and conditions, except terms and conditions relating to fee, term and snow removal)	\$0



Development Permit/ Development Approval	\$300 (delegated)/\$750 non-delegated plus staff time
Building Permit	1% of construction costs (including consultant fees)

Contact

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