

# Patios and Café Seating

in the ByWard Market

L'AUTORITÉ DU DISTRICT  
DU MARCHÉ BY



**BYWARD MARKET**  
DISTRICT AUTHORITY



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# INTRODUCTION



**The purpose of this document is to guide the best practices to apply and operate your patio/café seating in the ByWard Market.**

Establishments play a crucial role in the vibrancy and vitality of the ByWard Market, especially when utilizing the public space to operate a commercial patio space. We hope to encourage businesses to work alongside the ByWard Market District Authority (BMDA) in providing an accessible and delightful experience to visitors.

These guidelines encourage commercial patios to be designed to support local economic growth, animate the public realm, foster social connections, and be accessible to everyone.

This document compiles the information provided by the City of Ottawa and the ByWard Market District Authority to ease access to information for interested establishments.



# **PATIO ON THE RIGHT-OF-WAY VS. PRIVATE PROPERTY**





### PATIO ON THE RIGHT-OF-WAY

The “Right-of-Way\* can be defined as the legal right to go first across a road, before other road users”. For example, the Right-of-Way of a sidewalk prioritizes pedestrians while the roads prioritize vehicles.

Restaurants and other establishments can explore the option of using the Right-of-Way to install a patio.

Various patio designs entrench the Right-of-Way in various ways and this is why we have to stay mindful that it also serves a specific purpose, such as ensuring accessibility.

Depending on the level of entrenchment and the time of the year, a specific permit is required to be able to use the Right-of-Way.



Patios on ByWard Market Square in 2023.

\*Right of way | English meaning - Cambridge dictionary. (n.d.). <https://dictionary.cambridge.org/dictionary/english/right-of-way> English



### PATIO ON PRIVATE PROPERTY

This falls outside the ByWard Market District Authority's jurisdiction.

Regulations for patios on private property are governed under the Zoning By-law. For more information, consult [Section 85](#) of the Zoning By-law or contact a Development Information Officer (DIO) at the City of Ottawa by calling 3-1-1 or by emailing [DIOinquiry@ottawa.ca](mailto:DIOinquiry@ottawa.ca).

The accessibility and design requirements mentioned in this document still apply to patios on private property.

Where a patio on private property is within 30 m of a residential zone, the Zoning By-law requires that a screen be provided facing the residential zone



# **PATIO PERMIT APPLICATION PROCESS**



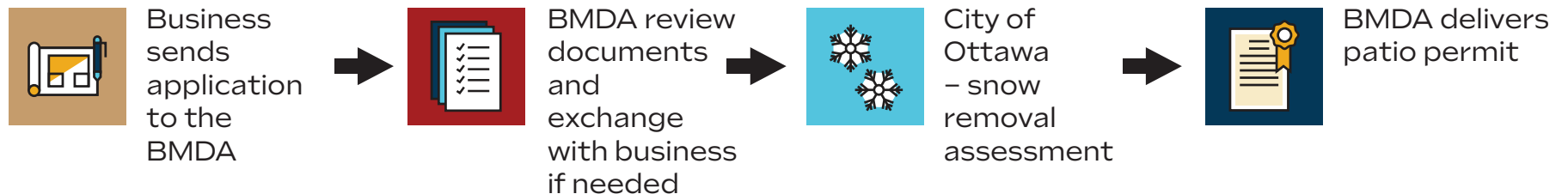


As you will see below, the application process varies depending on the patio season of interest. The winter season requires the BMDA to connect and collaborate with the City of Ottawa to ensure efficient snow removal. The number of applications and the response level of stakeholders will impact the processing time of your café seating or patio permit. A permit will be delivered as long as the establishment doesn't have outstanding invoices with the BMDA.

**SUMMER SEASON APPLICATION PROCESS**

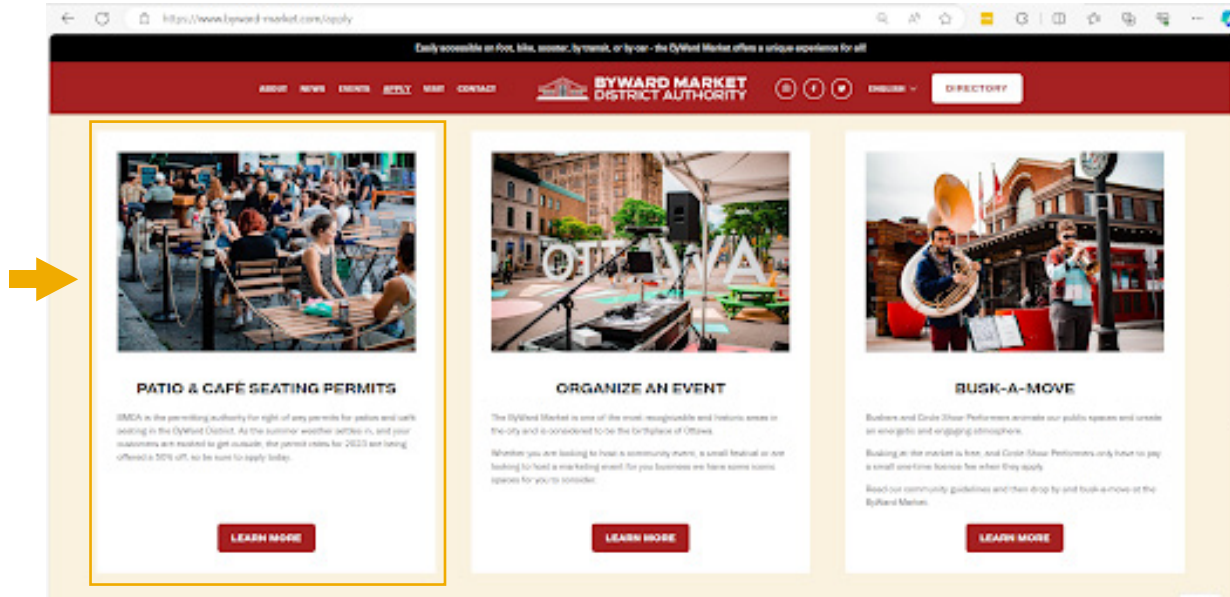


**WINTER SEASON APPLICATION PROCESS**





Go on our website <https://www.byward-market.com/patios> to find our application form.



In this application form, you will be asked to provide certain documentation such as:

- Patio sketch (footprint included)
- Insurance certificate
- AGCO license (if applicable)

Feel free to reach out to our office if you have questions when applying by sending an email to [patios@bmda.ca](mailto:patios@bmda.ca).





The patio program in the ByWard Market is divided into 2 seasons:  
Summer and Winter.

The distinction is due to the increased consideration in the winter to ensure efficient snow removal.

Depending on the patio season application, the process, the design requirements, and the pricing will vary.

A permit does not carry from one season to another, therefore an establishment will have to carry forward another application before the start of the season.

The café seating program runs for 12 months; hence a café seating permit will be valid for 12 months following the start date.





Based on your establishment needs, you might prefer choosing between a café seating permit or a patio permit. Please see below the differentiation between the two as you will be asked which permit type you would like to apply for. Please consult Chapter 4 of this guide for details about design specifications.

### **CAFÉ SEATING PERMIT**

- Minor entrenchment of the Right-of-Way
- Limited outdoor seating located on the sidewalk
- Annual permit



Play Food + Wine on York St in 2023

### **PATIO PERMIT**

- Major Right-of-Way entrenchment
- Either on the sidewalk or the road/a parking spot
- Specific permit for each patio season



The Grand on William St in 2023



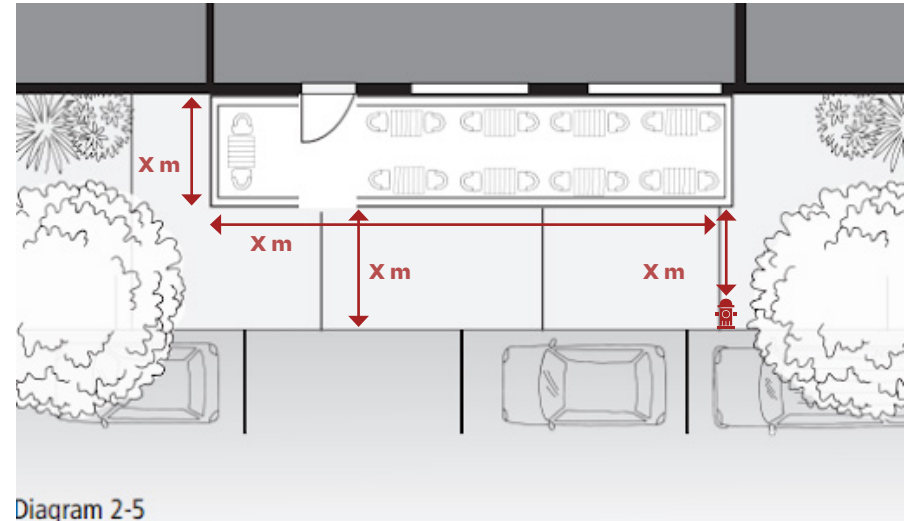


### A PATIO SKETCH SHOULD INCLUDE,

A site plan and elevation drawings showing the location and dimensions of the proposed ROW patio, the premises to which the ROW patio will be apparent, all relevant lot lines, and all existing surface features located between the premises and the roadway;

A description of the proposed ROW patio and of all materials to be used in the construction and operation of the patio, including all appurtenances such as:

- canopies,
- platforms
- railings
- umbrellas,
- planters,
- tables and chairs, and
- perimeter barriers or railings;





**PER SECTION 14 OF THE OF THE RIGHT-OF-WAY PATIO BY-LAW NO. 2023-230,**

- It is required to maintain a valid insurance throughout the duration of the patio and café seating permit
- The certificate of insurance needs to be provided to the permitting authority (BMDA in the ByWard Market) when applying.
- The certificate of insurance must mention additional insureds and their respective address.

	Café Seating Application	Patio Application
Document Type	Certificate of insurance	Certificate of insurance
Additional Insured	<p><b>ByWard Market District Authority</b> 55 ByWard Market Square, Ottawa ON K1N 9C3 Tel: 613-244-4410</p> <p><b>City of Ottawa</b> 110 Laurier Ave W., Ottawa ON K1P 1J1 Tel: 613-580-2424</p>	
Name of Insured (Name of the Applicant)	<p>Have a business name with an address that is the location of the business associated with the patio,</p> <p><b>OR...</b></p> <p>The location of the operation references the operating address of the restaurant associated with the patio.</p>	
Proof of Commercial General Liability	<p><b>\$2,000,000</b></p> <p>Note: If you have “Umbrella coverage”, this can be added to any Commercial General Liability amount to satisfy the minimum requirement of \$2,000,000.</p>	<p><b>\$5,000,000</b></p> <p>Note: If you have “Umbrella coverage”, this can be added to any Commercial General Liability amount to satisfy the minimum requirement of \$5,000,000.</p>





**PER SECTION 23 OF THE RIGHT-OF-WAY PATIO  
BY-LAW NO. 2023-230,**

The ROW patio permit holder shall ensure that, where liquor is served, the permit holder and the ROW patio comply with the [Liquor License Act](#) and the applicable requirements of the [Alcohol and Gaming Commission of Ontario](#), including those concerning the delineation of the perimeter of the ROW patio.

The ByWard Market District Authority reserves the right to control that patio permit holders are compliant with the Liquor License Act to assess patio permit compliance.

The delineation and railing requirements of patio design ensure an accessible and safe environment on the premises allowing alcohol consumption.



### SUMMER SEASON PRICING

	Patio Pricing	Café Seating Pricing
Processing Fee	\$73.00	\$73.00
Permit Fee	\$11.45/m <sup>2</sup> /month	\$136.50/year

For patios, the total pricing will depend on the patio’s footprint (in m<sup>2</sup>).

The rates above are valid for the Summer 2024 patio season. Winter patio rates will be released at a later date. Prices are subject to change.





Businesses that have not previously applied or been permitted by the ByWard Market District Authority, formerly Ottawa Markets, are required to register their contact and business details at [www.byward-market.com/patios](http://www.byward-market.com/patios). Once registered, they will receive an email inviting them to the right-of-way portal. This portal will be where businesses apply for and renew permits, check application status, and upload supporting documents such as insurance certificates.

### **NEW APPLICATIONS:**

- Register business by completing a form with contact details on patio page
- Once details are submitted, an email will be received with a link with instructions to access the patio portal.
- The portal is linked to your file with the BMDA and allows you to add new documentation to complete the initial application process.
- The BMDA will review documentation and make a decision.

### **RETURNING / RENEWALS:**

- An email will be sent to the establishment with a unique link to their portal.
- The portal already contains the files (sketches, insurance certificates etc.) provided to the BMDA.
- The business can review the current documentation and make modifications if needed.
- The BMDA will review documentation and make a decision

# PATIO DESIGN OPTIONS





When it comes to choosing a patio design, options are not limited. The following options are available,

- Café seating
- Wall-side
- Street-side
- Curb-side
- Combined

The ByWard Market District Authority (BMDA) reserves the right to approve designs that best fit accessibility standards and enhance the visitor’s experience. The BMDA may also consult the City of Ottawa for council on best patio design on a case-by-case basis.



ByWard Market Square S2 Road closure – Summer 2023 – Allowing street-side patios to thrive through pedestrianization pilot project.



A Café Seating Patio is a patio that is located on the sidewalk and is one table deep. These patios are generally located flush against the wall of the associated establishment and do not require partitions to delineate the space. To provide better pedestrian flow in specific circumstances, these patios may also be permitted to be located along the edge of the sidewalk (or “Curb-side”). This type of patio design is named “Café Seating” because, unlike the other patio designs that may accommodate a larger area and greater capacity, this design provides small-scale café-style seating



**CAFÉ SEATING EXAMPLE**

Lollo on George St in 2023

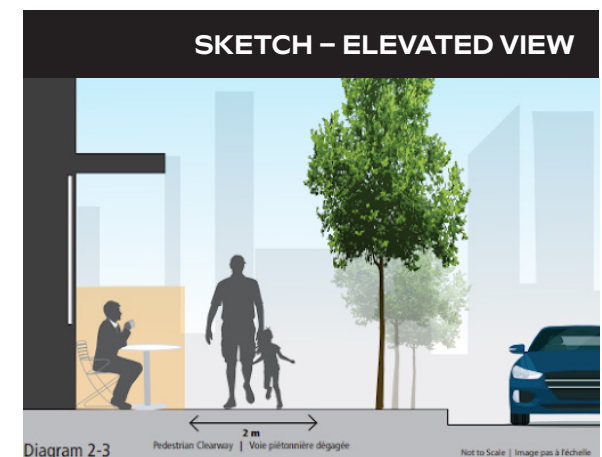
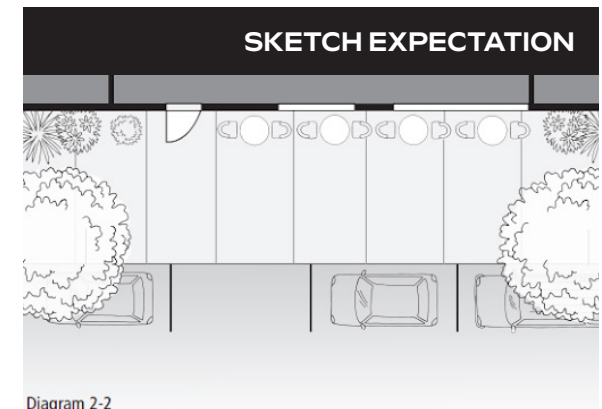


## FEATURES:

- A simple and inexpensive option for establishments that wish to provide limited outdoor seating.
- Does not require the space to be delineated with partitions.
- Ideal for establishments that wish to offer seating at bistro-style tables against the building façade or, in specific circumstances, curbside.
- Ideal for establishments that do not wish to invest substantially in patio structures. All patio furniture must be brought into the business when it closes every day.
- May operate in the summer and winter seasons.
- May include patio elements such as tables, chairs, and decorative planters.

## REQUIREMENTS:

- Provide a pedestrian clearway at least two-metres wide, including between pinch points such as between the patio and street signs, bike racks, light standards, etc.
- Be one-table deep, with a maximum depth of 76cm
- Each table is permitted a maximum circumference of 76cm and is permitted a maximum of two chairs
- Not cause alterations to the boulevard surface
- Be removed and stored on private property when not in use, or if in use, then at the earlier of the end of the business day or 2 a.m. of the next day
- Not use a platform
- Not place tables and chairs in any location other than against the building façade; unless a better pedestrian flow can be established with a curbside location, as determined by and to the satisfaction of the General Manager
- Not be attached to any object
- Be removeable at all times
- Where located curbside, patio elements and/or elements from the existing streetscape may be required to delineate the patio space. Operators need to ensure the chairs and tables remain against the wall at all times.







A Wall-side Patio is located on the sidewalk and/or boulevard abutting the associated establishment, allowing the pedestrian clearway to extend from the patio to the sidewalk curb. It is named “Wall-side” patio because it is located directly next to the wall of the associated establishment, on the City sidewalk and/or boulevard.



The KEG on York St in 2023

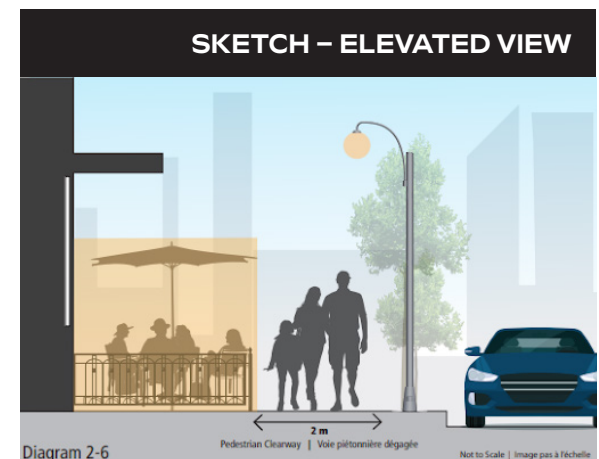
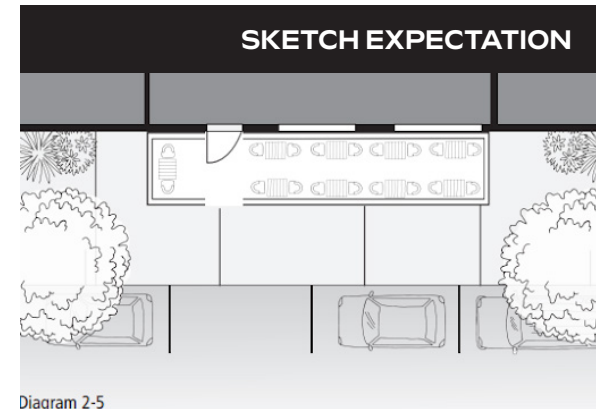


**FEATURES:**

- An option for establishments that wish to provide a patio on the sidewalk directly adjacent to their establishment. A Wall-side Patio is in a similar location to the Café Seating Patio but it is larger in area and capacity and is subject different requirements under the Right-Of-Way Permit.
- Ideal for establishments that have a wide sidewalk or boulevard adjacent to their establishment and can provide a pedestrian clearway that extends from the patio to the sidewalk curb, that is at least two-metres in width.
- May operate the patio in the summer and winter seasons.
- May include patio elements such as platforms, partitions, tables, chairs, canopies, umbrellas, parasols and decorative planters.

**REQUIREMENTS:**

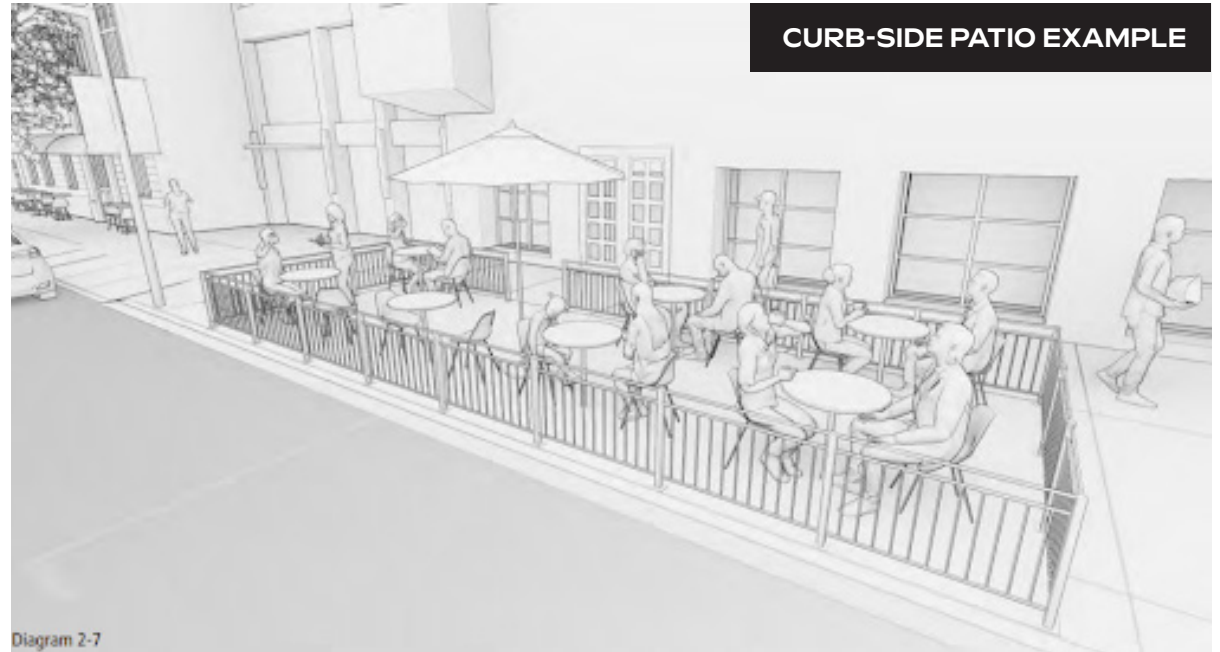
- A Right-of-Way Permit
- Provide a pedestrian clearway at least two metres wide, including between pinch points such as between the patio and street signs, bike racks, light standards, etc.
- Provide site-specific dimensions on a site plan and elevation drawings submitted for permit approval.
- Capacity is limited to what space permits





A Curb-side Patio is located on the part of the sidewalk and/or boulevard that abuts the roadway, allowing a continuous sidewalk between the associated establishment and the patio. It is named “Curb-side” because it is on the side of the sidewalk and/or boulevard that abuts the curb, next to the roadway.

When addressing accessibility and pedestrianization, cohesiveness and continuity within the same district section are heavily considered to ensure efficient foot traffic flow. The curb-side patio has not been popular in the ByWard Market due to other more suitable designs.



By CSW Landscape Architects Limited and the City of Ottawa.



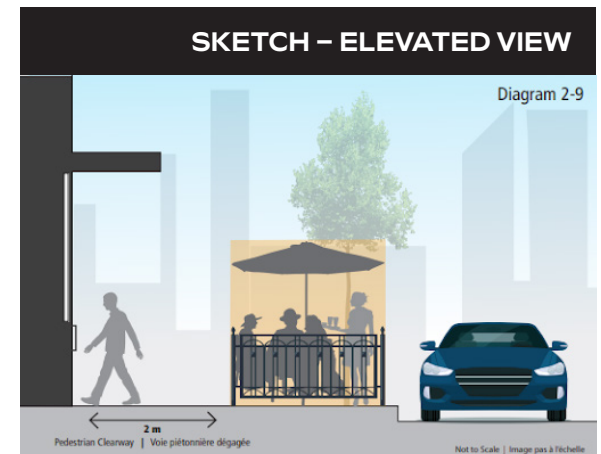
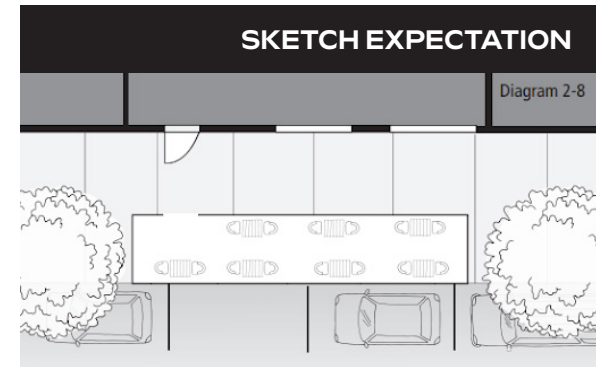


**FEATURES:**

- An option for establishments that wish to provide a patio on the sidewalk and/or boulevard at the road edge.
- Ideal for establishments that have a wide sidewalk and/ or boulevard in front of their establishment and wish to maintain an unobstructed section of the sidewalk directly in front of their establishment. As this patio is located on the part of the sidewalk that abuts the sidewalk curb, it allows a continuous sidewalk between the associated establishment and the patio.
- May operate in the summer and winter seasons.
- May include patio elements such as platforms, partitions, tables, chairs, canopies, umbrellas, parasols, and decorative planters.

**REQUIREMENTS:**

- Provide a pedestrian clearway at least two-metres wide, including between pinch points such as between the patio and street signs, bike racks, light standards, etc.
- Provide a 0.8 metre setback from the edge of a curb that abuts a roadway, or where there is no curb provide a 0.8 metre setback from the roadway
- Only operate under a tree canopy where there is a lowest canopy height of 2.4m
- Not be located within a 3 metre sight triangle at an intersection
- Not be located within 15 metres behind a bus stop, to allow for passenger movement
- Not have any umbrellas or other items overhanging the roadway.
- Site-specific dimensions must be delineated on a plan submitted for permit approval.
- Capacity is limited to what space permits.





A Street-side Patio is located in a parking space that has been re-purposed in the outer lane of the roadway, in front of or beside the associated establishment. It is named “Street-side” because it is the only patio permitted to be located on the street/ roadway; all other patio designs are located on the sidewalk and/or boulevard.

This example shows the elevated deck required in a street-side patio as well as a ramp that has been added to ensure accessibility. This access is secured as being located on a pedestrian-only street and it avoids a detour through the curb.



Zak's Diner, Zak's Cantina and Blue Cactus on ByWard Market Square in 2023

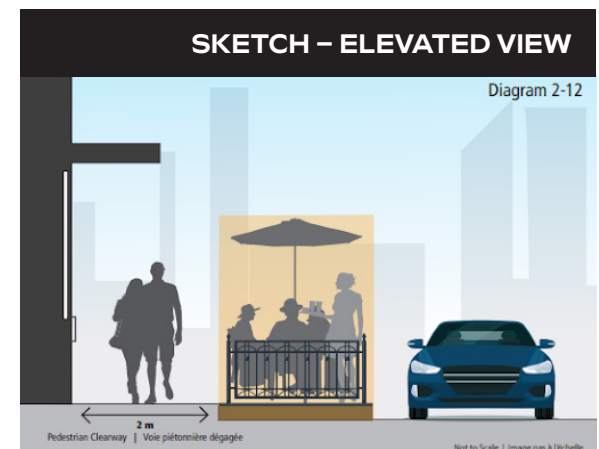
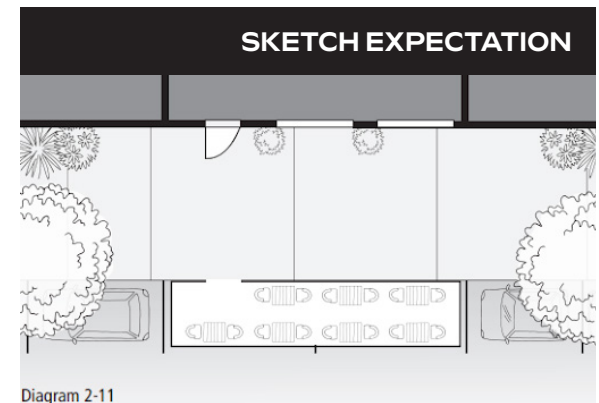


### FEATURES:

- An option for establishments that wish to provide a patio on the roadway.
- Ideal for establishments that have surface parking spaces located on the roadway in front of their establishments. This Street-side Patio design option is located in a parking space that has been re-purposed in the outer lane of the roadway and, therefore, requires parking space availability. To ensure the patio does not interfere with the existing movement of vehicular traffic, these parking spaces must be available for parking at all times and not just available for parking during certain times of the day.
- Ideal for establishments that wish to have the entirety of the sidewalk adjacent to their establishment clear of obstructions. As this patio is located in the roadway, no pedestrian detours would be required.
- Ideal for establishments that wish to operate the patio only in summer.  
**Permits for winter season operations are not issued for Street-side Patios.**
- May include patio elements such as platforms, partitions, tables, chairs, canopies, umbrellas, parasols, and decorative planters.

### REQUIREMENTS:

- Be constructed with a vertical barrier attached to the platform of a minimum of 0.9m in height
- Not have an overhead obstruction that extends beyond the boundary of the Street-side Patio on the travel lane side.
- Be on a street with a speed limit of 50 km/h or less
- Be at a location where parking is allowed at all times
- Be on a lane that is not a moving traffic lane at any time of the day
- Be on a road that has a running slope of 5% or less and a cross slope, from curb to outer limit of the Street-side Patio or parklet, of 2% or less
- Have the approval of the Fire Chief, when a patio is a setback less than 1.5 meters from a fire hydrant
- Be for a summer season only; winter patios are not permitted
- Site-specific dimensions must be delineated on a plan submitted for permit approval.
- Capacity is limited to what space permits.
- Refer to the City of Ottawa document [Streetside Spots Standards](#) for additional guidance







A Combined Patio is a patio that is located within two distinct areas within the Right-Of-Way, using the previously outlined design options in this document.

The example provided in the graphics below is a combination of a Wall-side Patio and a Street-side Patio.



By CSW Landscape Architects Limited and the City of Ottawa.

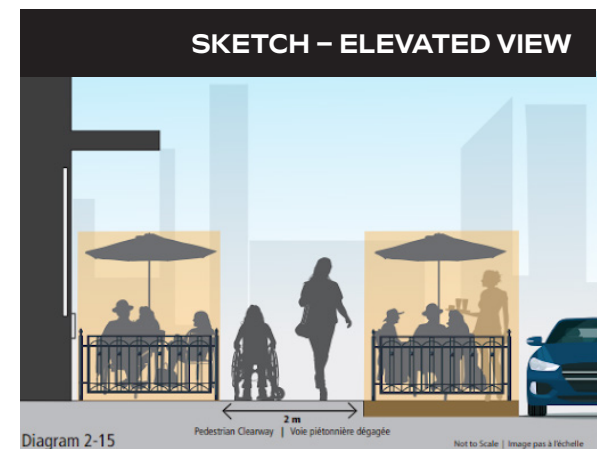
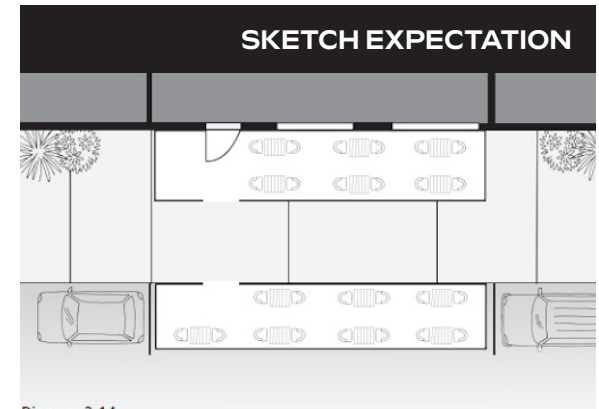


**FEATURES:**

- An option for establishments that wish to provide a combination of patio design options.
- Ideal for establishments that have ample room in the Right-of-Way to accommodate different types of patio design options.
- Ideal for establishments that are seeking to serve a large number of patrons and can meet all the requirements associated with the respective patio design options they select.

**REQUIREMENTS:**

- All requirements for a street-side and curb-side patio.





# DESIGN REQUIREMENTS





All partitions must adhere to municipal by-laws and provincial legislation by:

- a. having a perimeter that is delineated as per Alcohol and Gaming Commission Ontario (AGCO) legislation requires
- b. meeting partition height requirements as per the City of Ottawa's Patio By-law
- c. being free-standing, stable, and well-balanced
- d. being able to be readily removable from the public Right-Of-Way
- e. being of sturdy construction

Use weather-resistant, durable, and safe partition materials including metal or finished wood. Fabric, canvas, unfinished wood, and plexiglass materials are discouraged.

To allow a person with sight loss to navigate around a patio partition, patio partitions must be designed to ensure that they will fall within the range of a cane being used for navigation, otherwise known as being "cane detectable". See the City of Ottawa's Patio By-law and Accessibility Design Standards for further information.



Nan's Parlour on Clarence St in 2023

To be cane detectable:

- a. The individual posts that make up a partition must be no further than 0.5 metres apart from each other and include a toe rail. If a toe rail is not present, individual posts must be no further than 0.3 metres apart.
- b. Consider using fencing, as it is the most cane detectable type of partition (rather than a rope, chain, or planters to delineate the patio).
- c. The bottom of partitions must be no more than 0.6m from the ground surface.
- d. Be cane detectable at the leading edge (the edge of the patio partition that someone on the sidewalk would encounter first) as well as at the trailing edge (the other edge of the partition).
- e. Use a colour for the partitions that contrasts with the colour of the ground surface for increased visibility



It has been authorized to provide shade and comfort to patrons with the use of umbrellas or parasols.

However, these should be:

- fully contained within the patio footprint
- when open, at a height that does not interfere with the pedestrian clearway
- made of durable material that is weather-resistant, such as canvas
- appropriately sized to fit the space. Consider that square umbrellas are more space-efficient on patios with limited space.





## **PATIO MODIFICATIONS REQUIRING BUILDING SERVICES INTERVENTION**

You might decide to beautify your patio with an awning or even wooden columns, however, these might fall under the [Ontario Building Codes Act](#).

Any patio that does not satisfy all requirements for an exemption is required to be erected under the benefit of a building permit. Where a building permit is required, site-specific pre-consultation with a Building Official is recommended and may be arranged by calling 613-580-2424 ext. 14259 or via email at [BuildingPermits@ottawa.ca](mailto:BuildingPermits@ottawa.ca).

A patio is exempt from a building permit if all the following are met:

- The patio structure is supported directly on the ground (not raised nor constructed on deck blocks),
- The patio must not have an occupant load exceeding the aggregate sum of the occupant loads permitted for interior and exterior spaces,
- The patio must not adversely impact the existing exiting arrangement from building(s) or patio(s), and
- The patio must not adversely impact the existing barrier-free accessibility to building(s) or patio(s)

Please refer to an inspector for a thorough evaluation of your patio structure if in doubt about being exempted.





The ByWard Market is designated as a heritage conservation district which implies that structures need to be carefully considered.

The ByWard Market District Authority reserves the right to request modification of a patio structure obstructing the heritage character when located in front of a designated heritage building.

**ByWard Market Heritage Conservation District**  
(Part V of OHA)

**Secteur de Conservation des Biens Culturels**  
(Partie V de la loi sur le patrimoine de l'Ontario)





Lighting can provide animation and ambiance to patio spaces. We encourage patio operators to consider accessibility and enhancing visitor's experience when installing lighting.

Lighting design should coordinate with patio furnishings and the streetscape design.

Consider pedestrian movement and the safety of patrons and staff when deciding on the location of patio lighting.

- String lighting must be located high enough to allow people to move freely
- Consider having internal pathways and entrances within the patio be well-lit
- Avoid tripping hazards from any power cords required for lighting
- All lighting on commercial patios must be powered by the establishment associated with the patio operator.

Lighting must not cause light pollution or directly face toward adjacent uses.

Decorative lighting on City-owned trees in the Right-of-Way is prohibited unless permission has been granted from Forestry Services, Public Works Department at the City of Ottawa.





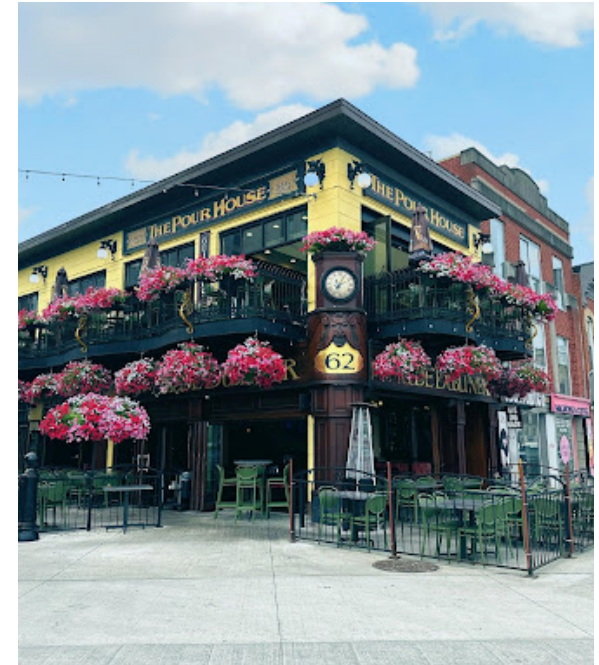
### **ALL VEGETATION MUST BE:**

- able to be readily removed from the public Right-Of-Way.
- contained within the patio footprint and not interfere with the pedestrian clearway.

### **MAINTENANCE AND RECOMMENDATIONS**

- All vegetation must contain a soil volume to support the planted material and must be watered either by hand or by a homemade or pre-made watering system.
- Incorporate vegetation by using hanging planters, potted plants on the ground, or containers that are hung from the patio partitions or built into the patio itself.
- Use vegetation that is in scale with the patio space.
- Place vegetation in areas that are most visible to people. Consider that people's eye level when seated or standing is generally between two-to six feet above ground level.
- Create a full, voluminous profile for container plants by planting a large number of flowers or vegetation.
- To lighten the weight of a container plant, consider filling the bottom half with light inorganic material and then using an insert filled with soil and vegetation on the top.

- On private commercial patios consideration should be given to providing landscape screening between patios and drive-throughs and/or parking spaces.
- Artificial vegetation can be effective at adding visual interest in patio spaces where living vegetation is not feasible. Consider the following options:
  - Artificial vines on patio trellis' to add ambiance and shade
  - Artificial green walls on patio partitions where visibility through the partition is not a concern
  - Artificial vegetation in winter pot displays on patios that operate in the winter
- Non-vegetative patio decorative elements can be used to visually unify patio spaces and create visual interest. Consider the use of:
  - Ambient lighting
  - Colour
  - Murals
  - Art and sculptures
  - Chalkboards



Aulde Dubliner – The Pour House au coin de la rue George et William 2022



# PATIO OPERATION



**TO FOSTER GOOD NEIGHBOR RELATIONS AND MINIMIZE ANY POTENTIAL NEGATIVE IMPACTS OF THE PATIO ON NEIGHBORING RESIDENTIAL USES, PATIO OPERATORS ARE ENCOURAGED TO:**

- Proactively reach out to their neighbors to establish a point of contact so that if any issues arise with the operation of the patio, neighbors can contact the patio operators directly for a resolution.
- Consider noise impacts by limiting the use of outdoor audio speakers or other amplified sound systems in ROW patios. Abide by the Noise By-law, Patio By-law, and the noise provisions in the Zoning By-law. Section 85 of the Zoning By-law prohibits the use of amplified sound systems for private outdoor patios when within 30 m of an adjacent residential zone.
- Consider privacy impacts by providing adequate screening of the patio and mitigating light spillover. Abide by the screening provisions in the Zoning By-law and consider using cut-off lighting fixtures that do not impact abutting properties.
- Consider air quality impacts by locating designated smoking areas for patrons away from areas that are near neighboring properties as well as a minimum of 9 metres away from where food and drink are being served.
- Consider visual impacts by minimizing visual clutter with appropriately sized signs and banners.
- Consider the general public's use of abutting public streets by:
  - a. Ensuring there is a pedestrian clearway, or an unobstructed travel path, at least two metres in width on the City sidewalk. Aim to have this pedestrian clearway as straight as possible for easy navigation by pedestrians.
  - b. Using a reservation system to avoid lineups that block the sidewalk and interfere with pedestrian flow along the street. Lineups for establishments must not interfere with the pedestrian clearway along the public sidewalk.
  - c. Locating A-frame signs to be flush against the building, so they do not block the sidewalk.
  - d. Ensuring patio structures and decorative features are fully contained within the patio footprint





Ensure a clear and unobstructed travel path in front of your patio; always ensuring a minimum 2 meter of clearance

## **LINEUPS**

Ensuring lineups are not blocking the sidewalk- consider a reservation system so that patrons can wander the neighbourhood while waiting for a table.

## **A-FRAME**

Please keep A-frame signs against the building so as not to block the sidewalk.

Where it allows, an A-frame sign may be placed building faced if a 2-meter clearway can still be maintained on the sidewalk. If a 2-meter clearway cannot be maintained, it is recommended the sign be placed towards the curb under the following conditions:

- The sign can only be posted while the business is open
- The sign is not placed within 50 cm of the curb
- Where there is no sidewalk or curb, not placed within 2m of the roadway
- Not placed within 10 meters of an intersecting street
- Not placed within a loading zone or 20 meters of the approach side of a bus stop
- Not placed adjacent to a multi dwelling building if the property lines extend into the boulevard



Silver Fox's A-frame on Murray St in 2023





Noise is a common complaint from residents who live nearby. Please be a good neighbour and ensure the noise on the patio does not disturb neighbouring residents. Your establishment must comply with the [noise By-Law 2017-255](#).

Regardless of the patio closing times, no music is permitted to be played on the patio after 11:00 pm. This includes outdoor audio speakers, live music on the patio, or indoor speakers or indoor live music emitting from inside the establishment onto the patio.

Consider limiting or avoiding the use of outdoor audio speakers or other amplified sound systems where possible.

Where a patio on private property is within 30 m of a residential zone, the Zoning By-law prohibits the use of any amplified sound system to serve the patio.





## **SMOKING**

Respecting your neighbour's property (i.e., having a designated smoking area for patrons away from your residential neighbours and a minimum 9 meters away from where food and drink are being served).

## **FABRIC, TEXTILE OR FILM REQUIREMENTS**

All fabric, textile or film, as applicable, is required to be certified to CAN/ULC-S109 Flame Tests of Flame-Resistant Fabrics and Films or NFPA 701 Fire Tests for Flame Propagation. The certification of the fabric must form part of the design documents submitted for the permit.

## **TENTS, AWNINGS, AND CANOPIES**

They are intended to be equipped with a fuel-fired appliance or heater, as applicable, and shall comply with the clearance and ventilation requirements provided by the manufacturer and all applicable standards.

## **ENCLOSURE REQUIREMENTS**

At least two full sides of the outdoor dining area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers as per Provincial legislation.



The ByWard Market District Authority works closely with Ottawa By-Law officers to ensure patio permit compliance.

The BMDA encourages establishments to be educated and address patio modifications within 2 weeks after a notice has been sent out.

Please, to ensure efficient bylaw operation, make sure your patio or café seating permit has been displayed seemingly in your establishment.





# CONTACT US

## DO YOU STILL HAVE QUESTIONS FOR US?

The ByWard Market District Authority's Patio Department can be contacted by email at [patios@bmda.ca](mailto:patios@bmda.ca)

Please be aware that this mailbox is monitored on a part-time basis.

You can also reach out to us by phone 613-244-4410



## **CITY OF OTTAWA**

- By-laws Noise By-law 2017-255, as amended
- Right of Way Patio By-law 2017-92, as amended
- Road Activity By-law 2003-445, as amended
- Signs on City Roads By-law 2003-520, as amended
- Zoning By-law 2008-250, as amended

## **CITY OF OTTAWA GUIDES**

- ByWard Market Public Realm Plan,
- City of Ottawa City of Ottawa Accessibility Design Standards Streetside Spots Standards,
- City of Ottawa Summer Patios Fact Sheet,
- City of Ottawa Tents, Patios, Awnings and Canopies Fact Sheet,
- City of Ottawa The Good Neighbours (A-Frame Signs) Guide,
- City of Ottawa The Good Neighbours (Patio Season) Guide, 2022, City of Ottawa

## **OTHER RESOURCES**

- Clearing Our Path, Canadian National Institute for the Blind (CNIB)
- Patio Heater Safety Guidelines, Technical Standards & Safety Authority
- Restaurant Patio Guidelines within the Right of Way, April 2022, Ontario Traffic Council, CIMA+
- Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada