



# 2021 Outdoor Patios & Sidewalk Cafés

## [Notice of Passing of Zoning By-law 2021-31](#)

### Description

The intent of By-law No. 2021-31 is to temporarily allow restaurants, bars and other similar businesses that serve or sell food or drink to have accessory outdoor patios and sidewalk cafés.

By-law No. 2021-31 amends regulations in the zones as noted in the attached Public Notice and permits an outdoor patio or sidewalk café accessory to the uses noted, where such use is currently permitted under the zoning of the property. The by-law also includes regulations for outdoor patios and sidewalk cafés. [By-law No. 2021-31 effective March 26, 2021 until December 31st, 2022.](#)

An outdoor patio or sidewalk café established under this by-law will still be required to meet other applicable requirements of the City, Region and/or the Province, including, but not limited to, compliance with requirements of a liquor license or a sidewalk café agreement.

By-law No. 2021-31 includes the following regulations for outdoor patios and sidewalk cafés:

- Permit temporary accessory structures, including tents and air supported structures, in conjunction with an outdoor patio or sidewalk café;
- Require an Accessible Exterior Path of Travel in accordance with the Accessibility for Ontarians with Disabilities Act;
- Remove restrictions on the maximum allowable capacity of the outdoor patio;
- Exempt an outdoor patio from the parking requirements;
- Permit an outdoor patio to locate within a required parking area, parking lot, parking space or manoeuvring aisle of a use the outdoor patio is accessory thereto, provided such outdoor patio does not block any fire route or emergency access;

- A minimum 1 metre (39 inches) wide emergency evacuation route from the business operation to the street, must be shown on the plan.
- For locations with low pedestrian sidewalk traffic, a minimum 1.5 metre wide sidewalk clearance for pedestrian access must be maintained. This clearance may be reduced to an absolute minimum of 1.2 metres around occasional intrusions such as trees, light poles, hydrants, utility boxes, etc.
- For locations with moderate or high pedestrian sidewalk traffic, wider sidewalk clearances will be required to be maintained.
- Require any enclosure, fence, wall or structure erected to contain an outdoor patio or sidewalk café to be removed at the expiration of the by-law.
- Authorize the Director of Planning, Building and Development and the Director of Municipal Works to waive road occupancy fees for sidewalk cafés on City owned sidewalks or rights of way.
- General commercial liability insurance in the amount of least \$ 5 million throughout the term of permit.

Plans for your sidewalk café or patio must be drawn to scale showing: the front of the restaurant, the outside dimensions of the outdoor café area, the position of tables and chairs such that a 2 metre separation distance is maintained at all times.

[APPLICATION](#) for a sidewalk café must be submitted to the Planning Department, City Hall, 4310 Queen Street (drop box only), Niagara Falls, ON OR [ndebenedetti@niagarafalls.ca](mailto:ndebenedetti@niagarafalls.ca).

The application will be circulated to municipal departments to make sure there are no safety risks. Provided there are no issues, the request will be granted expeditiously.

FAQ's - [Sidewalk Cafes and Outdoor Patios | City of Niagara Falls, Canada](#)

[AGCO Update](#) Jan 8 2021 - Highlights of Recent Liquor Reforms to Support Businesses.