

OUTDOOR RESTAURANT PATIO POLICY

Scenario 1: Permit application for a new restaurant including a patio

Option 1A:

Patio enclosure with gates allowing unimpeded exits to the outside:

- Seating layout signed and sealed by an architect will be required. The permit plan shall indicate the proposed occupant loads of restaurant and patio.
- The restaurant and patio occupant loads may be treated individually for assessing the required fire and life safety measures (e.g. fire alarm, exit width, etc.)
- A fire alarm system is required if an individual occupant load exceeds 150 persons.
- If a part of the restaurant's occupant load is discharged into the patio for exiting, the patio gates need to be designed for the total occupant load assigned to these gates, and they shall be readily opened from the inside without requiring keys or specialized knowledge.
- Washroom facilities shall be provided for the combined occupant loads.

Option 1B:

Patio enclosure without gates to the outside:

- The architect's seating layout shall show the combined occupant loads of restaurant and patio.
- Fire and life safety systems shall be designed for the combined occupant loads.
- Washroom facilities shall be provided for the combined occupant loads.

Note 1: A clearance letter for liquor license will be issued by the Building Department upon request with applicable fee paid.

Note 2: The occupant load approved by the Building Department under a building permit shall not be later amended by the Fire Services (unless an occupant load increase is requested later by the owner).

Note 3: If the patio is proposed after the restaurant permit has been issued, a revision to the building permit or a new building permit application with applicable fee paid will be required. A new architect's seating layout indicating the above items is mandatory.

Scenario 2: New patio with no roof above and patio floor sitting on ground in an existing restaurant

- A building permit is not required when no other structure is proposed.
- Clearance from Planning Services may be required in case of an existing Site Plan Agreement related to grading, accessibility, etc.
- Contact Oshawa Fire Services for a clearance letter for liquor license.

Note for both scenarios: Proposed patio must comply with Zoning Bylaw No. 60-94, as amended. Plans showing the patio, building(s) and parking spaces on the site as well as seating layouts prepared by a qualified designer, shall be provided for review of Zoning Bylaw.