


**ATTACHMENT 1  
TOWN OF AJAX  
ACCESSORY OUTDOOR PATIOS**

**Legend**  
 Zones where Accessory Outdoor Patios are permitted

Sources: Teranet Inc., 2005  
 Regional Municipality of Durham, 2005  
 Town of Ajax, 2005

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 650 325 0 650  
 Metres

## ATTACHMENT 2

Several municipalities within and a couple situated outside the Greater Toronto Area were surveyed to examine their zoning provisions and accessory outdoor patio regulations. A summary of staff's review is as follows:

- Oshawa, Pickering and Whitby do not have any regulations for their accessory outdoor patios.
- In general, noise emanating from accessory outdoor patios was not seen as a major problem in several municipalities.
- In many municipalities, outdoor patios are prohibited in any yard which abuts a residential zone; however there are exceptions:
  - Hamilton permits the outdoor patio to be located in the front yard.
  - Richmond Hill permits the outdoor patio where residential zones are separated by an arterial road. Music is prohibited unless the outdoor patio is located at least 100 metres from a residential property in a residential zone.
  - Burlington permits outdoor patios in their downtown area where the outdoor patio may abut a residential area, but with regulations such as the serving of alcohol ceases at 10:00 p.m. and music or entertainment is prohibited on the outdoor patios. In zones other than the downtown area, there is a 45 metre separation from an outdoor patio abutting a residential zone.
  - In Newmarket, an outdoor serving area is not permitted within 12 metres of the property line of an adjacent residential property or road allowance unless the outdoor serving area is separated by a solid translucent or opaque barrier of a minimum of 1.8 metres in height.
- Common among many municipalities is the restriction or prohibition of musical instruments, or other mechanical or electrical music equipment and theatrical performances on accessory outdoor patios that are adjacent to a residential zone;
- Municipalities such as Barrie and Burlington have a business license by-law whereby the license can be used as a tool to control potential noise complaints. For example, if there are complaints about noise emanating from an outdoor patio, a by-law officer can give a warning to the restaurant owner to reduce the noise. If the problem continues, then Council has the ability to revoke or terminate the business license.

- Newmarket has a licensing by-law that specifically licenses and regulates outdoor serving areas. The restaurant owner cannot operate an outdoor patio without obtaining or renewing a license annually. If the restaurant owner violates any of the outdoor serving area requirements or regulations, Council may revoke or terminate the license under the licensing by-law.