

BY-LAW NO. 14523

A By-law to amend Building By-law No. 14343 regarding patio review amendments

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This by-law amends the indicated provisions of Vancouver Building By-law 14343.
2. In Article 1.6.1.1. of Division C of Book I, Council strikes out Sentence (1) and substitutes the following:

“1) Except as permitted by Sentence (2), a *permit* is required before any work regulated by this By-Law is undertaken.

2) A building *permit* is not required for an outdoor patio

 - a) which is not more than 25 m² with a deck of not more than 0.6 m in height, and
 - b) if it includes demountable lightweight non-structural elements, those elements consist of an open frame with or without an overhead covering made of flexible material, such as textile and vinyl that:
 - i) is located not more than 3 m above the patio surface,
 - ii) does not interfere with overhead public utilities,
 - iii) if of *combustible* material, conforms to the appropriate requirements for resistance to fire as set out in CAN/ULC-S109, “Flame Tests of Flame-Resistant Fabrics and Films”, or NFPA 701, “Standard Method of Fire Tests for Flame Propagation of Textiles and Films, and
 - iv) is not connected to or supported by a *building* structure.

(See Note C-1.6.1.1.(2).)”
3. In Article 3.7.2.1. of Division B of Book I, Council strikes out Sentence (1) and substitutes the following:

“1) Except as provided in Sentence (2) and Sentence (5), for the purpose of this Subsection, the *occupant load* shall be determined in accordance with Subsection 3.1.17.”
4. In Article 3.7.2.1. of Division B of Book I, Council adds the following sentence in the correct numerical order:

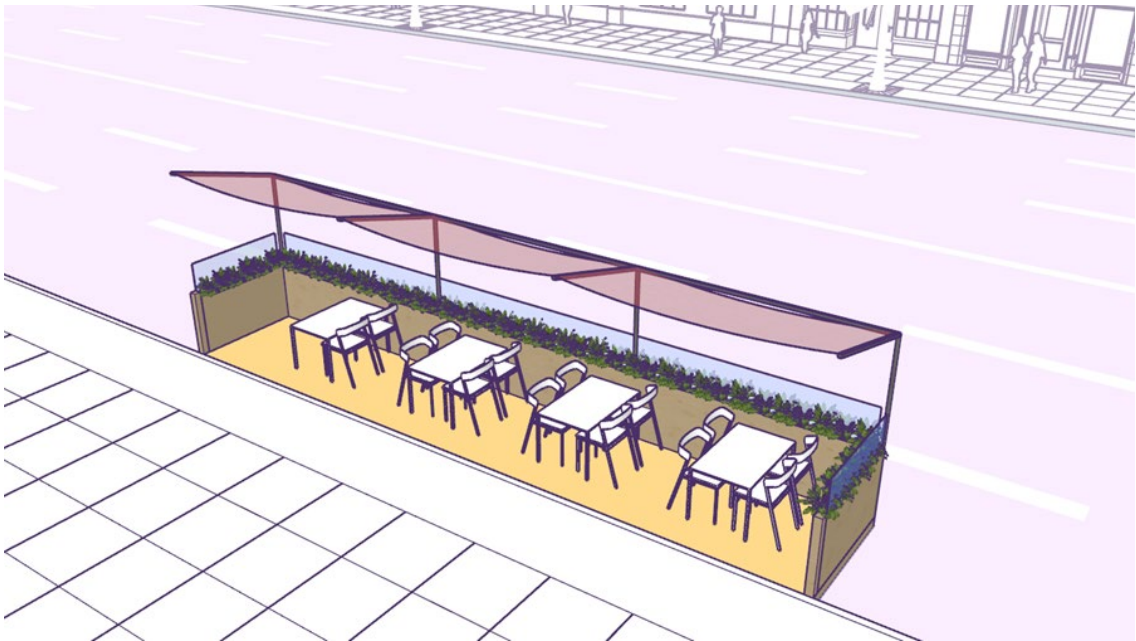
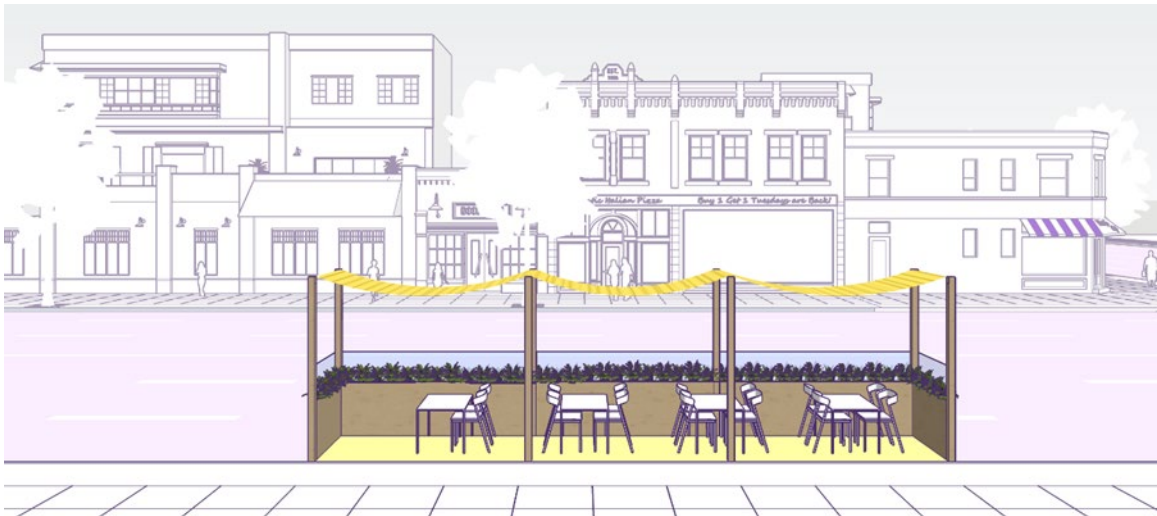
“5) For the purposes of this Subsection, an outdoor seating area is permitted to be exempt from the total *occupant load* calculation where:

 - a) the occupancy is served by at least 2 water closets, or
 - b) the number of outdoor seats does not exceed 10.

(See Note A-3.7.2.1.(5).)”
5. In Division C of Book I, at the end of Part 1, Council adds the following:

“Notes to Part 1

A-1.6.1.1.(2) Sentence 1.6.1.1.(2) enables the introduction of outdoor patios without triggering requirements for a building permit when certain design criteria is met. The following illustrate the intent of this Sentence:



6. In Division B of Book I, Council adds the following new note under Notes to Part 3 in the correct alphanumerical order:

“A-3.7.2.1.(5) The intent of Sentence 3.7.2.1.(5) is to allow the number of water closets in a new premise to be calculated based on the occupant load of the interior space. The occupant load of exterior spaces (such as decks, patios, and similar areas) does not need to be considered when determining the required number of water closets, provided that the premise either has at least two water closets or the number of additional outdoor seats does not exceed ten.

It is important to note that the number of water closets for interior spaces must still be calculated in accordance with the requirements set out in Article 3.7.2.2 when this outdoor seating exemption is applied to a new premise.

When applied to an existing premise, the intent of Sentence 3.7.2.1.(5) is to permit additional outdoor seating provided the premise either has at least two existing water closets or the number of additional outdoor seats does not exceed ten, without requiring additional water closets. This provision is intended to encourage the use of patios and decks without triggering costly renovations for additional washrooms, which could pose a barrier for small businesses or seasonal expansions, when minimum sanitary facilities are already in place.”

7. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this by-law, and is not to affect the balance of this by-law.

8. This by-law is to come into force and take effect upon enactment.

ENACTED by Council this 9th day of December, 2025

Signed _____ “Ken Sim”
Mayor

Signed _____ “Katrina Leckovic”
City Clerk