OTTAWA CONCRETE PROS

# Permits, Zoning & City Rules

Building permit exemptions, the hardscaping licence, Zoning By-laws 2008-250 and 2026-50, and the Access By-law for the City right of way

4 Expert Answers from Concrete Pro IQ

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Q1

## Walkway access built without a permit in Orleans: what does the by-law say?

Orleans is part of the City of Ottawa, so the Access By-law 2026-139, enacted April 8, 2026, applies there the same as anywhere else in the city. Whether a permit was needed depends on what was built and where it sits relative to the right of way.

The Access By-law deals with accesses in the City right of way, the City-owned land that includes the boulevard and the accesses to driveways and walkways. Work behind the property line raises zoning and building-permit questions instead.

If the walkway access crosses the right of way, section 20(1) of the Access By-law says no person shall construct, reconstruct, relocate or alter an access without first obtaining a permit. Section 20(3) sets out the exceptions: no permit is required for resurfacing an access where there are no changes to its location or dimensions or to site grading, and no permit is required for a pedestrian access that meets section 18. Section 18 allows a residential pedestrian access without a permit if it does not exceed 1.8 metres in width, is not within 0.6 metres of a fire hydrant or 1.8 metres of a vehicular access, and there is no modification to the curb or sidewalk. Where the frontage is 12 metres or less and there is an existing vehicular access, a pedestrian access is not permitted unless otherwise approved.

So the question is whether the work done qualifies under section 20(3). If it was new construction or a relocation, and it does not meet the section 18 conditions, a permit was required and was not obtained. If it was resurfacing with no change to location, dimensions or grading, no permit was needed.

A few other rules attach regardless of permit status. Section 6 says the owner is responsible for maintaining every access serving their property, including curbs, culvert pipe, headwalls and steps, at the owner's expense. The Access By-law also sets a grade requirement for the access: not less than 2 per cent and not more than 8 per cent, descending toward the roadway. The Landscaping Education Guide notes that the right of way may be wider than you think, and that geoOttawa shows an approximate line; for the exact property line, a licensed surveyor gives the definitive answer.

On the zoning side, both Zoning By-law 2008-250 and Zoning By-law 2026-50 apply to applications deemed complete on or after March 11, 2026, with the most restrictive provisions from both applying. Under 2026-50, the maximum width of a walkway leading to a front or exterior side lot line is 1.8 metres, and the cumulative width of all walkways plus all driveways and parking spaces in a front or exterior side yard must not exceed 50 per cent of the lot width. Confirm the rules for the specific lot with the City.

If a permit was required and not obtained, the right step is to contact the City of Ottawa directly to ask how to regularize the work. The City's Building Code Services can answer questions about building permits; the City's access permit process handles the right-of-way side.

Before you sign with any contractor to address this, ask them to show you their City of Ottawa hardscaping contractor licence and to confirm in writing exactly which portions of the work fall within the right of way and which permits they will obtain before starting.

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Q2

## Relocating my front walkway access in Ottawa: City permit?

Under Ottawa's Access By-law 2026-139, section 20(1) says no person shall construct, reconstruct, relocate, alter, close or remove an access without first obtaining a permit; the 2026 standard fee is $208. Section 20(3) lists exceptions, including resurfacing with no change to location, dimensions or grading, and a residential pedestrian access that meets section 18.

Relocating a walkway changes its location, so the resurfacing exception does not apply; whether the relocated walkway can rely on the section 18 exception depends on the conditions below, so confirm with the City.

A road cut permit is also required for any work in the right of way, and the City says the contractor doing the work must obtain it before work begins. The City notes that processing, including the road cut permit, takes six to eight weeks, so plan accordingly. The right of way may be wider than you expect; the City's Landscaping Education Guide says geoOttawa shows the approximate line, and a licensed surveyor gives the exact property line.

There are also design limits to know. Section 18 of the Access By-law says a residential pedestrian access may be built without a permit if it does not exceed 1.8 metres in width, is not within 0.6 metres of a fire hydrant or 1.8 metres of a vehicular access, and there is no modification to the curb or sidewalk. Where the frontage is 12 metres or less and there is an existing vehicular access, a pedestrian access is not permitted unless otherwise approved. The access grade must be not less than 2 per cent and not more than 8 per cent, descending toward the roadway.

On the private-property side, both Zoning By-law 2008-250 and Zoning By-law 2026-50 apply to applications deemed complete on or after March 11, 2026, with the most restrictive provisions from both applying. Under 2026-50, the maximum width of a walkway leading to a front or exterior side lot line is 1.8 metres, and the cumulative width of all walkways plus all driveways and parking spaces in a front or exterior side yard must not exceed 50 per cent of the lot width. Confirm the rules for your lot with the City.

The contractor doing this work needs a City hardscaping contractor licence, which has been required since March 1, 2026 for businesses that install, alter or pave walkways and pathways on private property. The City's March 2026 guidance says to ask the contractor to show you a copy of their business licence and to check the City's published list of licensed hardscaping contractors yourself. Ottawa Concrete Pros does not verify anyone's licence or insurance.

Before anyone breaks ground, a locate request must be submitted through Ontario Dig Authority at least five business days before digging starts; the Ontario Underground Infrastructure Notification System Act, 2012 requires it for any project that breaks ground, and it is free. Ask who will submit the locate request and whether any private lines to the property will be marked.

Put one question to the contractor in writing: does the new walkway meet section 18 or needs an access permit, and whether the road cut permit is in their scope.

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Q3

## How much of my front yard must stay soft landscaped in Ottawa?

The answer depends on how far your front yard setback is and how wide your lot is, and for applications deemed complete on or after March 11, 2026, both Zoning By-law 2008-250 and Zoning By-law 2026-50 apply, with the most restrictive provision from each applying.

Under Zoning By-law 2026-50, the minimum soft landscaping in a front or exterior side yard is set by Table 802, based on the yard's setback depth. If the setback is less than 1.5 metres, there is no minimum percentage, but any land not used for permitted driveways, walkways or permitted projections must be soft landscaped. If the setback is 1.5 metres to less than 3 metres, at least 20 per cent of that yard must be soft landscaped. If the setback is 3 metres or more, the minimum is 30 per cent for a lot width under 8.25 metres, 35 per cent for a lot width of 8.25 metres to under 12 metres, and 40 per cent for a lot width of 12 metres or more. Under Zoning By-law 2008-250, all of the front yard and corner side yard not occupied by parking spaces, driveways, aisles, permitted projections, accessory buildings or structures, or walkways must be soft landscaped. Because both by-laws apply and the most restrictive provisions govern, you need to check your lot against both sets of rules.

What counts as hard landscaping that reduces your soft area matters here. Under 2026-50, patios, permitted driveways, parking spaces, and pedestrian walkways are among the uses that may occupy the non-soft portion of the yard. A walkway leading to a front or exterior side lot line is limited to a maximum width of 1.8 metres, and the cumulative width of all walkways plus all driveways and parking spaces in a front or exterior side yard must not exceed 50 per cent of the lot width. A walkway that abuts a driveway is considered part of the permitted driveway

under that by-law.

The City's Landscaping Education Guide, which a licensed hardscaping contractor is required to give you, explains these rules in plain language. The City of Ottawa's hardscaping contractor licence has been required since March 1, 2026 for any business installing, altering or paving hard landscaping features such as patios, walkways, steps or concrete pads on private property. Ask any contractor you hire to show you their City of Ottawa hardscaping contractor licence before work begins.

Because the exact percentages depend on your specific setback depth and lot width, confirm the numbers for your lot with the City before any concrete is placed. Your lot dimensions and setback are on your survey or can be approximated through geoOttawa, but for exact property lines the City's Landscaping Education Guide says to contact a licensed surveyor.

Before work starts, have the written contract with the full scope and price, any required permit, and the Landscaping Education Guide all in hand.

Q4

## Which patios does the City of Ottawa exempt from a building permit?

The City's patio page says a patio is exempt from a building permit if all four of the following are met: the patio structure is supported directly on the ground, meaning it is not raised and not constructed on deck blocks; it does not have an occupant load exceeding the aggregate sum of the occupant loads permitted for the interior and exterior spaces; it does not adversely impact the existing exiting arrangement; and it does not adversely impact the existing barrier-free accessibility. That page is not written exclusively for houses, so the exemption is not a blanket rule for every residential concrete patio.

There are conditions that can pull a patio back into permit territory even when it looks straightforward. The City's list of projects not requiring a permit notes that exempt projects must still comply with the 2024 Ontario Building Code and any applicable law, including the Zoning By-law. It also states that designated heritage buildings or buildings within a Heritage District Overlay are not subject to those exemptions, so if your property carries a heritage designation, ask the City's Building Code Services before work begins.

Steps and landings connected to the patio add another layer. The City's Landscaping Education Guide (March 2026) says some hardscape structures need a building permit, specifically stairs, landings and decks that provide access to a building. The City's Building Code Services advisory on landscaping materials reinforces this: a landscaping structure that provides access to a building or serves a required egress may require a permit where, among other triggers, there is more than 600 mm (2'-0") difference in elevation between adjacent surfaces, or where a retaining wall exceeds 1 m (3'-3") in exposed height. The 2024 Ontario Building Code also sets out rise, run, handrail and guard requirements for exterior stairs, and states those provisions apply regardless of whether a permit is required. So even a permit-exempt stoop must meet the Code's dimensional rules.

Zoning is a separate question from permits. Both Zoning By-law 2008-250 and Zoning By-law 2026-50 apply to applications deemed complete on or after March 11, 2026, with the most restrictive provisions from both by-laws applying. Zoning By-law 2026-50 sets minimum soft-landscaping percentages for front and exterior side yards that a large patio could affect. We found no lot-coverage percentage for patios, and no single number can be given as the rule for your lot. Confirm the zoning rules that apply to your specific property with the City.

The contractor doing the work also needs a City of Ottawa Hardscaping Contractor Licence, which has been required since March 1, 2026 for businesses that install concrete patios, steps and walkways on private property. The City's March 2026 news release advises homeowners to ask to see the licence and to check the City's published list of licensed contractors. Ottawa Concrete Pros does not verify anyone's licence or insurance.

Before any digging starts, a locate request must be submitted through Ontario Dig Authority at least five business days before the dig, under the Ontario Underground Infrastructure Notification System Act, 2012. Locates are free.

When you have two written quotes in front of you, set them side by side and check that each one spells out the base preparation depth and material, the slab thickness, the concrete compressive strength (the 2024 Ontario Building Code sets 32 MPa for exterior flatwork), the finish, and whether removal of existing concrete and disposal are included or priced separately.

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**Disclaimer:** This guide is provided for informational purposes only by Ottawa Concrete Pros. It does not constitute professional advice. Always consult qualified contractors and your local building authority (the City of Ottawa) before starting any concrete project, and request utility locates before anyone digs. Concrete work in Ontario must meet the 2024 Ontario Building Code (O. Reg. 163/24) where it applies. Information is current as of November 15, 2026 and may change. Visit **ottawaconcretepros.ca** for the latest answers.