

Doing Business in Canada: Drone Regulations for Businesses

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By: Fiona Brown and Sonali Ravi

As drones become increasingly integrated into industries ranging from construction, infrastructure and real estate to surveying, media and logistics, businesses operating in Canada need to understand the regulatory framework governing their use.

Drone operations in Canada are primarily regulated by Transport Canada under the *Aeronautics Act*[1] and Part IX of the *Canadian Aviation Regulations* ("**CARs**").[2] Depending on the business model, the Canadian Transportation Agency ("**CTA**") may also oversee services involving the transportation of goods by drone. Businesses must consider applicable privacy, property, provincial and municipal requirements. Following amendments to Canada's drone regulations that took effect November 4, 2025, the framework now permits medium-sized drone operations and certain lower-risk beyond visual line-of-sight ("**BVLOS**") flights without a Special Flight Operations Certificate ("**SFOC**").[3]

This overview addresses key questions for businesses seeking to operate drones or offer drone-enabled services in Canada. It is not a substitute for an operation-specific assessment.

We are pleased to support your business activities in Canada. If you have questions about any portion of the below, or require further information on a topic not addressed here, please do not hesitate to contact us.

Category	Question	Answer
Core framework	What are the primary laws governing drones in Canada?	The principal federal framework consists of the *Aeronautics Act* and Part IX of the CARs, which regulate remotely piloted aircraft systems ("**RPAS**"). Transport Canada administers the aviation safety regime. Depending on the nature of the service being provided, additional requirements may arise under the *Canada Transportation Act* and the *Air Transportation Regulations*, administered by the CTA, including when a business uses drones to transport goods for compensation as part of a publicly available service.

[1] *Aeronautics Act*, RSC 1985, c A-2.
[2] *Canadian Aviation Regulations*, SOR/96-433.
[3] Regulations Amending the Canadian Aviation Regulations (Remotely Piloted Aircraft Systems and Beyond Visual Line-of-Sight Operations), SOR/2025-70, Canada Gazette, Part II, Vol. 159, No. 7 (26 March 2025).

Commercial operations	Are there separate aviation rules for recreational and commercial drone operations?	**Generally, no**. The applicable aviation requirements are determined by the drone's operating weight, where and how it is flown and the complexity of the operation, rather than whether the flight is recreational or commercial. Additional requirements may apply, however, if the operation constitutes a commercial air service.
Weight classifications	Does the weight of the drone matter?	**Yes**. Microdrones weigh less than 250 grams. Small drones weigh at least 250 grams but not more than 25 kilograms. Medium drones weigh more than 25 kilograms but not more than 150 kilograms. Large drones weigh more than 150 kilograms. The available operating categories and applicable requirements vary depending on the drone's operating weight and the proposed operation.
Registration	Do businesses need to register their drones?	**Generally, yes**. An RPA weighing 250 grams or more must ordinarily be registered with Transport Canada and marked as required. The registered owner must satisfy the applicable eligibility requirements, and the pilot must have ready access to the registration certificate throughout the operation. Registration does not, by itself, authorize a particular flight.
Pilot certification	Do employees operating drones need a pilot certificate?	**Generally, yes**. Pilots operating small or medium drones require the certificate appropriate for the operation. The three principal levels are Basic, Advanced and Level 1 Complex. Basic certification requires an online examination. Advanced certification generally requires an examination and flight review. Level 1 Complex certification requires additional training, examinations and a flight review. However, holding an appropriate pilot certificate is only one element of compliance. Aircraft eligibility, airspace, proximity to people, operating declarations, operator certification requirements and any required authorizations must also be satisfied for the proposed flight.

Beyond visual line-of-sight	Can businesses operate drones beyond the pilot's visual line-of-sight?	**Yes, in specified circumstances**. Lower-risk BVLOS operations may be conducted under the Level 1 Complex framework without obtaining an SFOC for an RPAS ("**SFOC-RPAS**"). However, these operations remain subject to a range of regulatory requirements. Among other things, the flight must be conducted in uncontrolled airspace below 122 metres (400 feet), satisfy applicable distance requirements from airports, aerodromes and populated areas, use an eligible RPAS, and be conducted by a Level 1 Complex pilot operating under an RPAS Operator Certificate ("**RPOC**"). The specific distance requirements from populated areas vary depending on the type of operation. Other BVLOS operations may require an SFOC-RPAS.
Media, marketing and events	Can a business fly a drone at a concert, festival, market or sporting event?	**Not necessarily**. Special restrictions apply to advertised events, including certain operations involving microdrones. Businesses should not assume that a drone's sub-250-gram weight permits unrestricted flight over or near a concert, festival, market, sporting event or other advertised event. The availability of a particular operation will depend on the applicable regulatory requirements and the circumstances of the proposed flight.
Operator certification	Does a business need an RPAS Operator Certificate?	**Yes**. An RPOC is required for Level 1 Complex operations. The RPOC applies at the operator level rather than the individual pilot level and requires the operator to establish policies and procedures appropriate to the size and complexity of its operations. Pilots conducting Level 1 Complex operations must operate under an RPOC.
Foreign businesses	Can a foreign company bring its drones and pilots to Canada to perform work?	**Additional requirements apply**. Foreign businesses and pilots operating drones in Canada may be subject to Canadian pilot certification, aircraft registration and operational authorization requirements, including a Foreign SFOC-RPAS in certain circumstances. The applicable requirements will depend on the nature of the operation, the aircraft and the operator. Foreign operators should obtain operation-specific advice before bringing personnel or aircraft into Canada.

Drone delivery	Does a company need a CTA licence to deliver goods by drone?	**Potentially, yes**. Where a business uses drones to provide a publicly available service transporting goods for compensation, CTA licensing requirements may apply. Depending on the circumstances, those requirements may include satisfying applicable Canadian ownership and control requirements, holding the necessary Canadian aviation document and maintaining prescribed liability insurance coverage. Businesses should assess the licensing implications before offering drone delivery services. A compliant RPAS operation is not necessarily a licensed air service, and holding an air service licence does not authorize an otherwise non-compliant flight.
Privacy and local laws	Is compliance with Transport Canada's rules enough?	**No**. Compliance with aviation requirements does not determine whether a business is entitled to collect, use, retain or disclose images, audio, geolocation data or other information captured by a drone. Depending on the operator, province, sector and activity, federal or provincial privacy legislation may apply, including to information relating to identifiable individuals. This may include photographs and video recordings, audio recordings, licence plates, addresses, geolocation information, employee activity, information about neighbouring properties and other data collected during drone operations. Before deployment, businesses should identify the purposes for which information is being collected, determine whether consent or another lawful authority is required, minimize incidental collection, implement appropriate retention and access controls, secure collected information and assess any third-party service providers involved in its processing or storage. In some circumstances, including operations involving recurring collection, sensitive locations or systematic monitoring, a privacy impact assessment may be appropriate.

		Businesses should also consider property, land-use and location-specific restrictions. Additional permissions or approvals may be required for takeoff or landing in certain locations, including under applicable provincial, regional or municipal requirements. For example, Parks Canada generally prohibits recreational drone use in national parks and other Parks Canada-administered locations, while certain non-recreational operations may be permitted only with authorization from the applicable Field Unit Superintendent and compliance with Transport Canada requirements.
Operational compliance	What procedures should businesses implement?	Businesses should establish appropriate compliance procedures governing pilot qualifications, aircraft registration, operational planning, maintenance and record-keeping. Before commencing an operation, operators should verify that the RPAS is serviceable, that any required maintenance or mandatory actions have been completed, and that all required equipment is installed and functioning properly. The RPAS operating manuals should be readily available and the aircraft should be operated in accordance with those manuals. Operators should also assess the suitability of the operating environment and confirm that all regulatory requirements and necessary authorizations have been satisfied. Section 901.27 of the CARs requires pilots to determine whether the site is suitable for flight, including through consideration of factors such as airspace restrictions, NOTAMs, planned flight routes, nearby aircraft operations, aerodromes, obstacles, weather conditions and the proximity of uninvolved persons. For BVLOS operations, additional considerations may apply, including applicable distances from populated areas. That assessment should be revisited whenever there is a material change to the aircraft, payload or proposed operation.

For businesses seeking to deploy drone technology in Canada, the regulatory analysis should begin before the first flight. The applicable requirements depend on the drone's weight and technical capabilities, the airspace and operating environment, and whether the business is providing a transportation service. Companies should assess Transport Canada aviation requirements, applicable CTA air licensing requirements and privacy and local law considerations as part of a co-ordinated compliance plan.

Have more questions about doing business in Canada? Please click here or scan the QR code to access Aird & Berlis LLP's Market Expansion Dashboard, your one-stop-shop for market expansion resources.

Disclaimer: This article offers general comments on legal developments of concern to business organizations and individuals and is not intended to provide legal advice. Readers should seek professional legal advice on the particular issues that concern them.

Contact



Fiona Brown

Partner

T 416.865.3078

E fbrown@airdberlis.com

Fiona has extensive experience advising international businesses entering the Canadian market. To date, she has advised more than 100 companies expanding into Canada. Fiona advises clients in this space all day, every day. She has been practising for more than a decade and is a regular speaker and writer on market expansion matters. Fiona is proud to have been recognized by *The Best Lawyers in Canada, The Canadian Legal Lexpert Directory* and *Benchmark Canada.*

A proactive and comprehensive approach is required to succeed in a new market. Fiona manages teams of other lawyers and patent agents to provide her clients with a full range of legal services to help their businesses grow. She acts as project manager to ensure her clients receive seamless legal services in all relevant areas.

Fiona takes great care to understand her clients' businesses and deliver advice that is tailored to meeting their specific needs. Her responsiveness, dedication to clear communication and hands-on approach show that she is personally invested in the success of her clients.

Fiona is pleased to offer a multitude of resources answering often- asked questions about expanding into Canada, including this video and this one-page guide.



Sonali Ravi

Articling Student

Sonali summered at the firm in 2024 and 2025. She recently graduated from the Henry N.R. Jackman Faculty of Law at the University of Toronto, where she received accolades for academic excellence, including the Course Unique Best Student prizes in Legal Profession and Psychoanalysis and Law. At law school, Sonali served as the Co-President of the Privacy and Cyber Security Law Group. She also served as a board member of the Business Law Society and of Women and the Law.