



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: April 7, 2026

FROM: Planning and Development Department

DATE: April 7, 2026

SUBJECT: Recommendation Report – Seasonal Commercial Patios on Private Property

LOCATION: Town-wide

WARD: Town-wide

Page 1

RECOMMENDATION

1. That staff be authorized to reinstate the seasonal patios on private property component of the former Commercial Recovery Initiative (2020 to 2023) for the 2026 patio season by exempting the provision of required parking under section 40 of the *Planning Act* granted at nominal value to accommodate patio installations on private property.
2. That the application fee for requisite approvals associated with permitting seasonal patio installations on private property be waived for 2026.
3. That authority to implement requests for seasonal patios on private property in 2026 be delegated to the Commissioner of Community Development.
4. That staff develop a Seasonal Commercial Patio Program for Private Property to launch for the 2027 patio season.

KEY FACTS

The following are key points for consideration with respect to this report:

- At the March 2, 2026 Planning and Development Council meeting, staff presented proposed amendments to two zoning by-laws to permit and regulate seasonal commercial patios on private property ([Item 7.1](#)).

- While considering the issues raised by Council related to adjudicating supply/demand of on-site parking spaces and providing broader flexibility, staff concluded the amended regulations cannot adequately address the variability in parking demand, unique site configurations, rotating tenant mix, or seasonal operational challenges that arise on commercial plazas and restaurant sites.
- Staff recommend that a program-based approach will be the most effective way to meet the objectives identified by Council; that is, an equitable, consistent, low-burden, and cost-effective process that supports safe seasonal patio installations.
- Staff will develop a permanent town-wide program, administered by Municipal Enforcement Services, supported by design and technical reviews from relevant departments, with the intent of establishing a permit-based process that offers flexibility, consistency, and predictable requirements for installing and operating a seasonal patio on private property.
- Staff will return to Council to present a full program framework, including a stand-alone Patio By-law and proposed fee structure. The latter will be considered as part of the 2027 budget process.
- For the 2026 patio season, staff recommend reinstating the seasonal patio on private property permissions from the former Commercial Recovery Initiative.
- Through the development of a seasonal commercial patio program for private property, Council and staff can provide opportunities for seasonal patios town-wide and continue to foster a vibrant patio culture for residents and visitors while supporting the local business community.

BACKGROUND

Patios and bistros activate commercial districts throughout Oakville, add vibrancy to local commercial sites, and provide highly sought after outdoor dining opportunities. Over the last decade, in response to local and global economic challenges, Town Council and staff provided substantial support for outdoor dining by way of localized pilot projects, pandemic-related initiatives and, more recently, a permanent seasonal patio program for installations on public land.

While most of the progress has created opportunities for patios on public land, permitting seasonal patios on private property remains problematic due to the zoning requirement for on-site parking associated with patio installations and the absence of a seasonal option within the zoning framework. As a result,

restauranters seeking to install seasonal patios face the same regulatory obligations for permanent installations despite the intended temporary use.

At the March 2, 2026 [Planning and Development Council \(item 7.1\)](#) meeting, Council hosted a statutory public meeting and staff presented proposed Zoning By-law Amendments (ZBA) to Zoning By-laws 2014-014 and 2009-189 intending to achieve clarity of the existing patio regulations, to differentiate between permanent and seasonal patio installations, and to establish consistency in the definitions and regulations town-wide. Questions and feedback from Members of Council reflected their interest in maintaining greater control over the total number, distribution and assignment of parking spaces for seasonal patio installations, while also incorporating greater flexibility in operating timelines and removals.

COMMENTS

ZBAs were initially explored to allow seasonal patio installations on private property; however, considering the issues raised by Council and practical realities, some locations would still require a costly planning process to enable temporary seasonal installations.

In considering Council's concerns, staff determined the zoning by-law regulations are limiting as the overall zoning framework relies on fixed rates, absolute standards, and no capacity to tailor requirements to site-specific conditions. As a result, ZBAs alone may not adequately address the variability in parking demand, unique site configurations, rotating tenant mix, or seasonal operational challenges that arise across commercial plazas and restaurant sites.

Given these complexities, staff determined that a program-based approach will be the most effective way to meet the objectives identified by Council; that is, an equitable, consistent, low-burden, and cost-effective process that supports safe seasonal patio installations. Developing a program-based framework – similar to the [Seasonal Commercial Patio Program \(SCPP\) for public land](#) – will allow staff to apply professional judgment, assess sites individually, and adapt requirements based on operational realities while ensuring public safety. This approach also achieves lower-cost and lower-effort outcomes – for the Town and restauranters – by offering seasonal opportunities without the administrative burden of planning applications or site-specific zoning relief.

With this change in direction, staff will pause the ZBA work in 2026 and pivot towards creating a seasonal commercial patio program for private property to launch in 2027. As an interim measure, staff recommend re-establishing the seasonal patio on private property component of the former Commercial Recovery Initiative (CRI) for the 2026 patio season.

Reinstating the CRI on private property for 2026 Patio Season

The CRI was established during the early pandemic period as a rapid response mechanism to support local businesses in part by enabling temporary outdoor dining opportunities through a streamlined, low-burden process. Refer to [Council Decisions May 25, 2020](#) (under New Business see resolution for “Commercial Recovery Initiative” starting on page 4). This Initiative successfully facilitated both public land and private property patio installations at a time when indoor dining was prohibited. It remained an effective tool until the initiative formally concluded at the end of 2023.

For the 2026 patio season, reinstating the CRI permissions serves as a bridge by providing restaurateurs with a simplified approval pathway grounded in an agreement-based model rather than zoning permissions. Council must temporarily exempt the provision of required parking under section 40 of the *Planning Act* to accommodate patio installations on private property and collect a nominal fee. The Town and applicant must enter into an agreement that outlines operational requirements and insurance obligations, along with property-owner authorization. This tested approach (2020 to 2023) provides a feasible, low-cost option that can be administered within existing staff resources.

If approved to proceed, the proposed 2026 approach will maintain the May 1 to November 1 timeframe for installation, operation, and removal. To extend beyond the timeframe, an extension request must be approved to permit installation until December 31, 2026. Staff also recommend waiving an application fee during the transition. However, should Council determine a processing fee is required to offset administrative costs, staff recommend collecting \$442.00, which is the 2026 fee applied to enclosed patios on public lands.

Developing the Seasonal Commercial Patio Program for Private Property

The development of a Seasonal Commercial Patio Program (SCPP) for private property is intended to provide a long-term, predictable, and flexible framework for managing temporary patio installations town-wide. This program will establish consistent expectations for operators, ensure safety and compliance, and deliver an equitable process that responds to the operational realities of seasonal patios.

Program development will occur in 2026 for implementation in 2027. The program will be developed by staff representing key departments with technical expertise and administrative capacity. The program development team will prepare and present recommendations for Council consideration and approval through the 2027 Budget Committee and a future Council meeting.

Staff propose the development of a dedicated Seasonal Commercial Patio By-law to regulate the location, configuration, design criteria, and operational practices. It is

anticipated that a stand-alone by-law, like the Sign By-law, can effectively address unique aspects of permitting patios and incorporate thresholds for site-specific variations that can be delegated to staff. Should a request exceed the by-law permissions and parameters for delegated variation, the matter could be brought before the Appeals Committee to render a decision.

While the bespoke patio by-law will incorporate best practice approaches and lessons learned during the CRI, staff will seek synergies with the existing SCPP (public lands) for consistency, streamlining processes, and potential resource sharing, such as application intake, user guidelines and resources, program promotion, and communications.

The program will be administered by Municipal Enforcement Services (MES) through Business Licensing. This is a natural fit given its ongoing interaction with businesses and established administrative processes. At this time, no additional staffing resources are required, although demand levels and permit volumes will be monitored and reassessed through future budget cycles should additional staffing be required. Design and technical reviews will be completed by Planning and Development, Transportation and Engineering, and other departments as needed.

The program will operate on an annual permit basis. Each permit will outline the operator's obligations and staff will retain authority to modify or revoke a permit if non-compliance. The application process will be simple and standardized, with automation supported through integration with the AMANDA system for database management, tracking, and enforcement. An online portal, shared with the SCPP for public land, will offer centralized access to applications, guidelines, and resources.

A fee structure will be developed based on cost recovery and brought forward through the 2027 budget process. Staff will consider a tiered model that ensures fees correspond to the level of staff effort, for example, an initial application fee would cover staff time for site visits, permit preparation, and inspections, while the annual fee for a returning participant could be just a percentage of the initial fee.

CONSIDERATIONS

(A) PUBLIC

While notification for this meeting is not legislatively required, staff provided information and notice of this agenda item by direct emails to resident associations, BIAs, the Chamber of Commerce, past CRI program participants, and restaurant operators interested in installing seasonal patios on private property in 2026.

During the development of the Seasonal Commercial Patio Program for private property, staff will engage restaurant operators, property owners/managers, interest holders and the public to gather input and feedback to shape components of the program.

(B) FINANCIAL

There are no financial implications to Town departments to implement the 2026 relaunched patio component of the former CRI as processing applications and monitoring installations can be undertaken utilizing existing staff and resources.

There are no anticipated financial implications to Town departments associated with the development of a permanent seasonal commercial patio program for private property. To deliver this new patio program in 2027 and beyond, staff time will be recuperated through a permit fee(s) for processing applications and inspecting patio installations. The application/permit fees will be presented to the 2027 Budget Committee.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

There are minimal impacts on Town departments when implementing the 2026 relaunched patio component of the former CRI and in developing the new patio program as considerable research, best practice assessment, and internal consultations have been undertaken. Any impacts on departments and users related to the implementation of the new patio program on private property will be brought forward in a future staff report.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council's strategic priorities of community belonging, environmental sustainability, and accountable government.

(E) CLIMATE CHANGE/ACTION

The proposed amendments conform with the Town's Official Plans' climate change policies.

CONCLUSION

Zoning By-law Amendments were initially explored to allow for seasonal patio installations on private property; however, in considering the issues raised by Council and practical realities, the amended regulations may not adequately address the variability in parking demand, unique site configurations, rotating tenant mix, or seasonal operational challenges that arise on commercial plazas and restaurant sites.

Staff propose a program-based approach – like the SCPP for public land – will be the most effective way to meet the objectives identified by Council; that is, an equitable, consistent, low-burden, and cost-effective process that supports safe seasonal patio installations.

Reinstating the patios on private property component of the former CRI for 2026 provides a practical and efficient means of supporting local businesses during the transition period while the new program is under development.

Developing a seasonal commercial patio program for private property will enable staff to evaluate installations on a case-by-case basis and ensure site constraints, local sensitivities, and mitigation needs are appropriately addressed. This approach provides a pathway to success for restaurateurs while maintaining adequate oversight and public safety.

Prepared and recommended by:

Christina Tizzard, MCIP, RPP
Manager, Urban Design

Submitted by:

Gabe Charles, MCIP, RPP
Director, Planning & Development