



# SEASONAL PATIO PROGRAM

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2024 USER GUIDE





# About this guide

The Town of Oakville's Seasonal Commercial Patio Program provides an opportunity for businesses to operate a temporary patio or bistro on municipal property, including on municipal sidewalks and within on-street parking spaces. All patios, bistros, and outdoor displays must have a valid Town of Oakville permit/patio agreement prior to installation and operation.

This guide is intended to clearly outline the processes, minimum standards, and operational requirements for patios for the 2024 season. This guide does not apply to patios located on private property or in public parks.

This guide is intended to be a starting point and will help you determine whether a patio on municipal property may be feasible for your business. Please review these guidelines carefully.

The town reserves the right to review applications and installations on municipal property on a case-by-case basis taking into consideration factors such as limited frontage or on-street parking spaces, past complaints, and non-compliance with the program.

Contact [patios@oakville.ca](mailto:patios@oakville.ca) if you have any questions or to submit your application.



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# What's **new** in 2024?

The following changes have been made for the 2024 patio season.

## Seasonal Commercial Patio Program is now a permanent program

The Seasonal Commercial Patio Program is now a permanent, annual program.

## 2024 patio fees

User fees, including permit fees and parking space rentals, will be implemented in 2024. Fees are based on the type of patio and outlined in the table below. For more information on patio types, visit the “Requirements by Patio Type” section of this guide.

	Application fee
Bistro Patio	\$201
Sidewalk or Boulevard Patio with enclosure	\$414
On-Street Patio	\$414 + \$562 per parking space
Outdoor merchandising display	\$54



## Earlier application period for On-Street Patios

There will be an earlier application period for on-street patios in 2024. This will allow for comprehensive planning and coordination in assigning on-street parking spaces.

**On-Street Patios:** Applications can be submitted between **February 26** and **March 22**. Applications submitted after **March 22** will be considered, however the desired location/layout may not be available. Applicants are encouraged to apply during the initial application period.

**All other types of patios:** All other patio applications can be submitted starting **March 22**.

## New temporary traffic calming measures

For 2024, the town will be implementing new temporary traffic calming/safety measures. This includes new edge-line treatments on streets with an on-street patio, new road signs to inform motorists of upcoming patios, and vertical centre line treatments (in-street flexible signs). These new measures are intended to improve the overall experience and safety for both drivers and diners.

## Temporary liquor licence extension

If you are planning to serve liquor on your patio, you must apply for consideration and approval of a temporary liquor licence extension through the Clerk's department.

# How to apply for a Seasonal Commercial Patio Permit

All patios and merchandising displays must have a valid Town of Oakville permit/patio agreement prior to installation and operation. Information on how to apply is included below.

1. Review this guide and visit the [Patio Permit webpage](#) for the most up to date program information.
2. New and returning program participants can apply for a 2024 patio permit by submitting the following materials to [patios@oakville.ca](mailto:patios@oakville.ca) with your business name and address in the email subject line:
  - [Application for patio, bistro, outdoor display on public lands \(pdf\)](#) for installations on the municipal sidewalk, boulevard, and on-street parking spaces.
  - A copy of a valid General Liability Insurance Certificate – with a minimum coverage of \$2,000,000 and with the Town of Oakville named as additional insured.
  - A plan/drawing of the requested area for the patio, bistro or merchandising display. Include dimensions and other key elements (trees, poles, etc.) for context.
  - The drawing may be handmade or computer generated but must show a clear unobstructed view of the site. If a satellite view is used it must not show trees or objects blocking the site.
3. Once approval has been received, pay applicable permit and parking fees.
4. All patios, bistros and merchandising displays must have a valid Town of Oakville permit/patio agreement prior to installation and operation. Approved patios/bistros can operate from **May 1 to November 1, 2024.**

## **Certificate of General Liability Insurance:**

- A copy of commercial general liability insurance coverage in the minimum amount of \$2 million (\$2,000,000.00) and naming the Town of Oakville as an additional insured.
- Insurance must be non-cancellable by the insurance company with at least 30 days written notice to the town.
- The coverage must be valid throughout the 2024 commercial patio season.

## **Plan or drawing:**

- A plan or drawing of the proposed area for the patio, bistro or outdoor merchandising display.
- Include dimensions of the proposed area and dimensions to nearby building(s), light standard, street furniture, curb, etc.
- Returning patio program participants can include photo(s) of previous installation(s) if there are no proposed changes to the 2024 request. This is not in lieu of a plan or drawing, but it will help provide information/context for staff when reviewing your application.

# What to expect after you've applied

Oakville's patio team will review the submission and begin processing the application.

This includes:

1. Staff will send a confirmation email that the request has been received and will identify if there is incomplete information or if additional materials are required to start the process.
  - For new requests, staff will require and arrange an on-site visit to discuss the proposal and make any necessary modifications in consultation with the applicant.
2. Staff will prepare a patio agreement that will be emailed to the applicant to review and have signed by the applicant/business operator and the property owner.
  - If the property owner is unable to sign the patio agreement, the applicant can submit a letter/email from the owner granting their permission to make the application and acknowledging the 'Operating Conditions' outlined in the patio agreement.
3. The signed patio agreement must be emailed back to staff, along with the required permit fee and parking space rental fee, if applicable.
4. Once the signed patio agreement and the permit fee and parking rental fee (if applicable) have been received, staff will execute the patio agreement and email the final copy to the applicant and property owner.

The executed patio agreement is the 2024 permit. With a 2024 permit in hand, applicants can begin installing their temporary patios **May 1** at the earliest.

Applications for on-street patios can be submitted between **February 26** and **March 22**. Applications submitted after **March 22** will be considered, however the desired location/layout may not be available. Applicants are encouraged to apply during the initial application period. All other patio applications can be submitted starting **March 22**.



## Liquor licences and public health

The town will communicate and coordinate during the permitting process. While town permits will be issued for the use of the space, applicants must comply with municipal, provincial, and regional directives and regulations, including but not limited to:

- If you have a valid liquor licence for your establishment and you intend to serve liquor on your patio, you must apply for consideration and approval of a temporary liquor licence extension through the Clerk's department, which is separate from the patio permit process. Once you have received your patio permit, this can be used to apply for your temporary liquor licence extension. Please visit the Town of Oakville's [Liquor Licence webpage](#) for more information about temporary extensions.
- If you do not have a valid liquor licence please contact the [Alcohol and Gaming Commission \(AGCO\)](#) for more information on how to obtain a liquor licence.
- [Region of Halton Public Health](#): Learn more about requirements when supplying food.

# Program fees

The following permit fees and on-street parking fees will apply for the 2024 patio season:

	<b>Application fee</b>
<b>Bistro Patio</b>	\$201
<b>Sidewalk or Boulevard Patio with enclosure</b>	\$414
<b>On-Street Patio</b>	\$414 + \$562 per parking space
<b>Outdoor merchandising display</b>	\$54

Permit fees and parking rental fees (if applicable) are required to apply and participate in the Seasonal Commercial Patio Program.

Staff will confirm applicable fees with the applicant. Fees are due when the signed patio agreement is emailed back to staff.

Note: some patios will be located in a parking space and extend onto the boulevard/sidewalk. In this situation, applicants will be charged the permit fee for an On-Street Patio.





# Requirements by patio type

The Seasonal Commercial Patio Program offers three types of patios: bistro patios, patio with an enclosure on the boulevard and/or sidewalk, and patios in on-street parking spaces. Selecting the appropriate patio type for your location is key to ensuring that the patio can meet the requirements of the program, operate safely and maintain an accessible, clear path for pedestrians. For all patio types, the permit holder is responsible for maintaining the patio area and adjacent sidewalk.

## Bistro Patio

A café-style patio is a simple, unenclosed patio consisting only of a few tables and chairs. It is located on the sidewalk along the frontage of the restaurant/café.

### Location:

On the sidewalk along the frontage of the restaurant/café. The width of the sidewalk must be sufficient to accommodate a small amount of seating, while maintaining an accessible and clear path for pedestrians.

### Additional considerations:

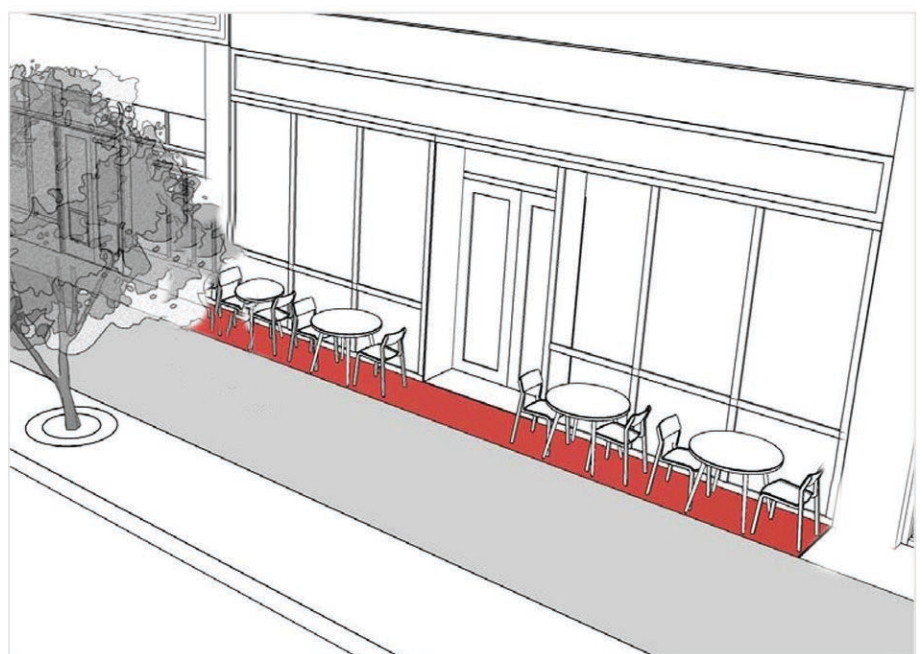
All tables, chairs, and umbrellas must be removed from the sidewalk at the end of each business day and may only be placed on the sidewalk at the start of your business hours.

### Size and alignment:

- Limited to the width of the frontage of your business.
- Must maintain a minimum two-metre pedestrian clear path of travel, including offsets from streetscape elements such as fire hydrants and waste receptacles.

### Perimeter treatment:

No enclosure is required. However, patio furniture must remain within the approved area.



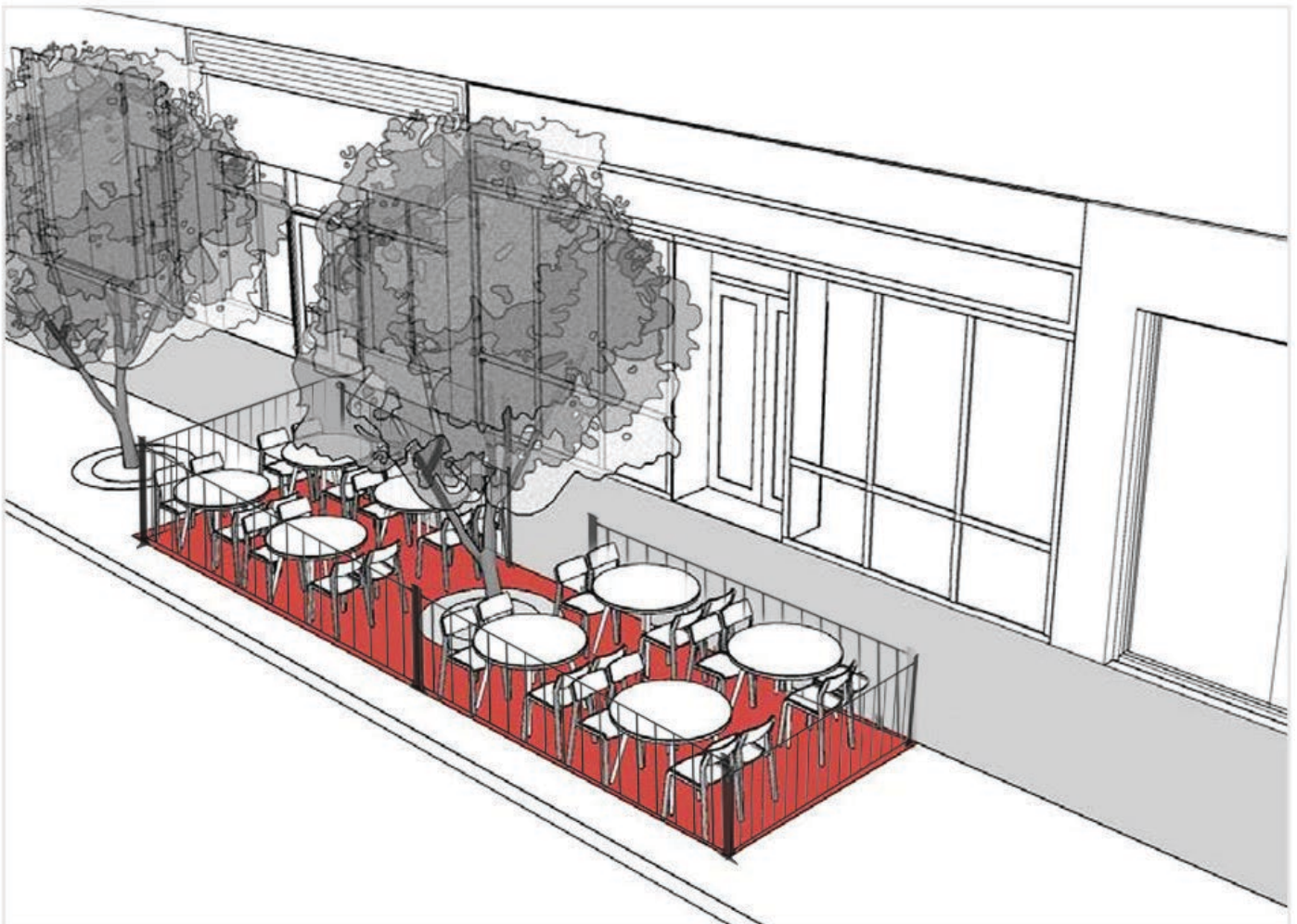
■ Dining Area ■ Pedestrian Clear Zone

## Patio with enclosure on the sidewalk and/or boulevard

This type of patio is located on the sidewalk along the frontage of the building, or on the boulevard along the roadway, but in line with the frontage of the restaurant/café. Sidewalk and boulevard patios have a stable enclosure that delineates the patio area from the streetscape. This type of patio may consist of railings, tables, chairs, umbrellas, host stands, plants, solar lights, and/or other patio furnishings.

### Location:

On the sidewalk along the frontage of the restaurant/café or on the boulevard along the roadway in line with the frontage of the restaurant/café. The width of the sidewalk and/or boulevard must be sufficient to accommodate the enclosed patio area, without conflicting with streetscape elements and while maintaining an accessible and clear path for pedestrians.



■ Dining Area    ■ Pedestrian Clear Zone

### Size and alignment:

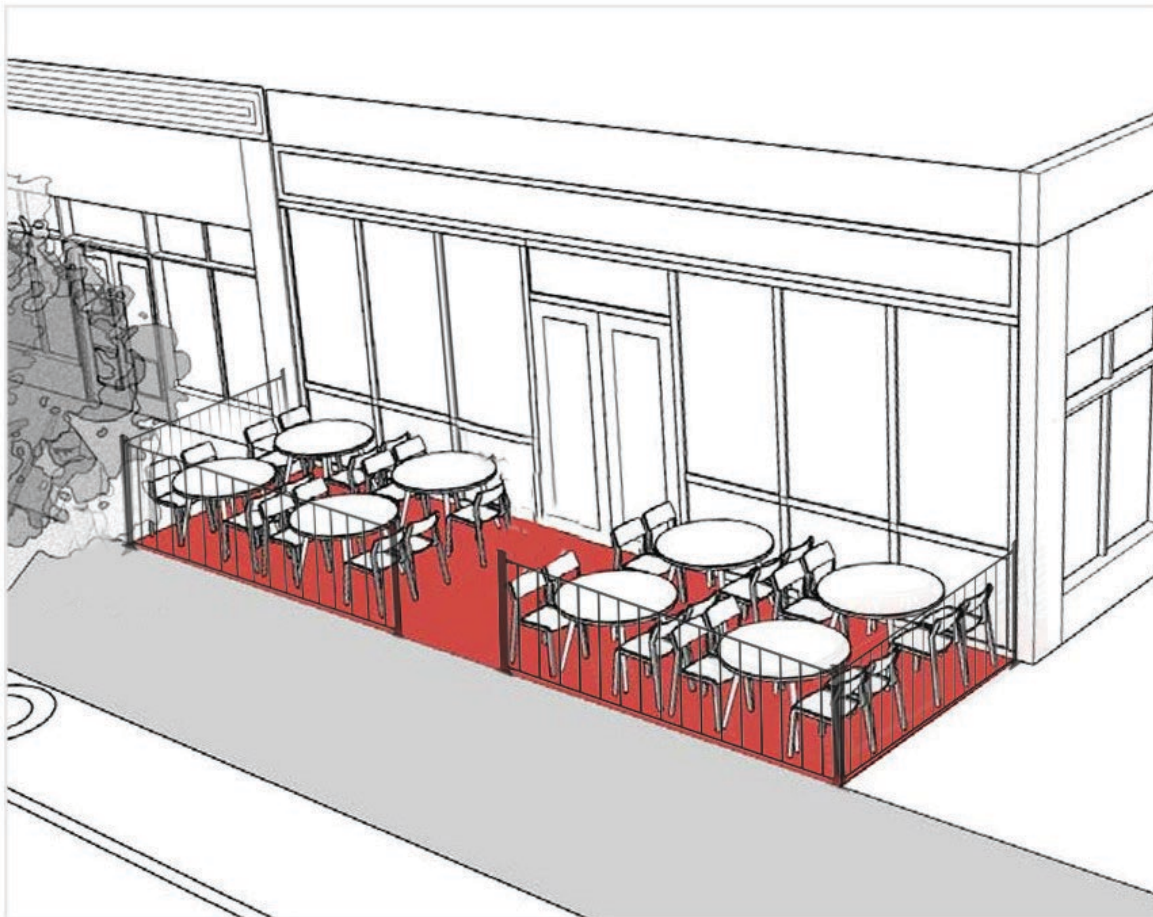
- Limited to the width of the frontage of your business.
- Must maintain a minimum two-metre pedestrian clear path of travel, including offsets from streetscape elements such as fire hydrants and waste receptacles.
- Must retain unobstructed access to the building and adjacent establishments.
- Align the patio entrance with the main entrance of your business where possible.

### Perimeter treatment:

Enclosed by a stable, secure enclosure that delineates the patio area from the streetscape.

### Additional considerations:

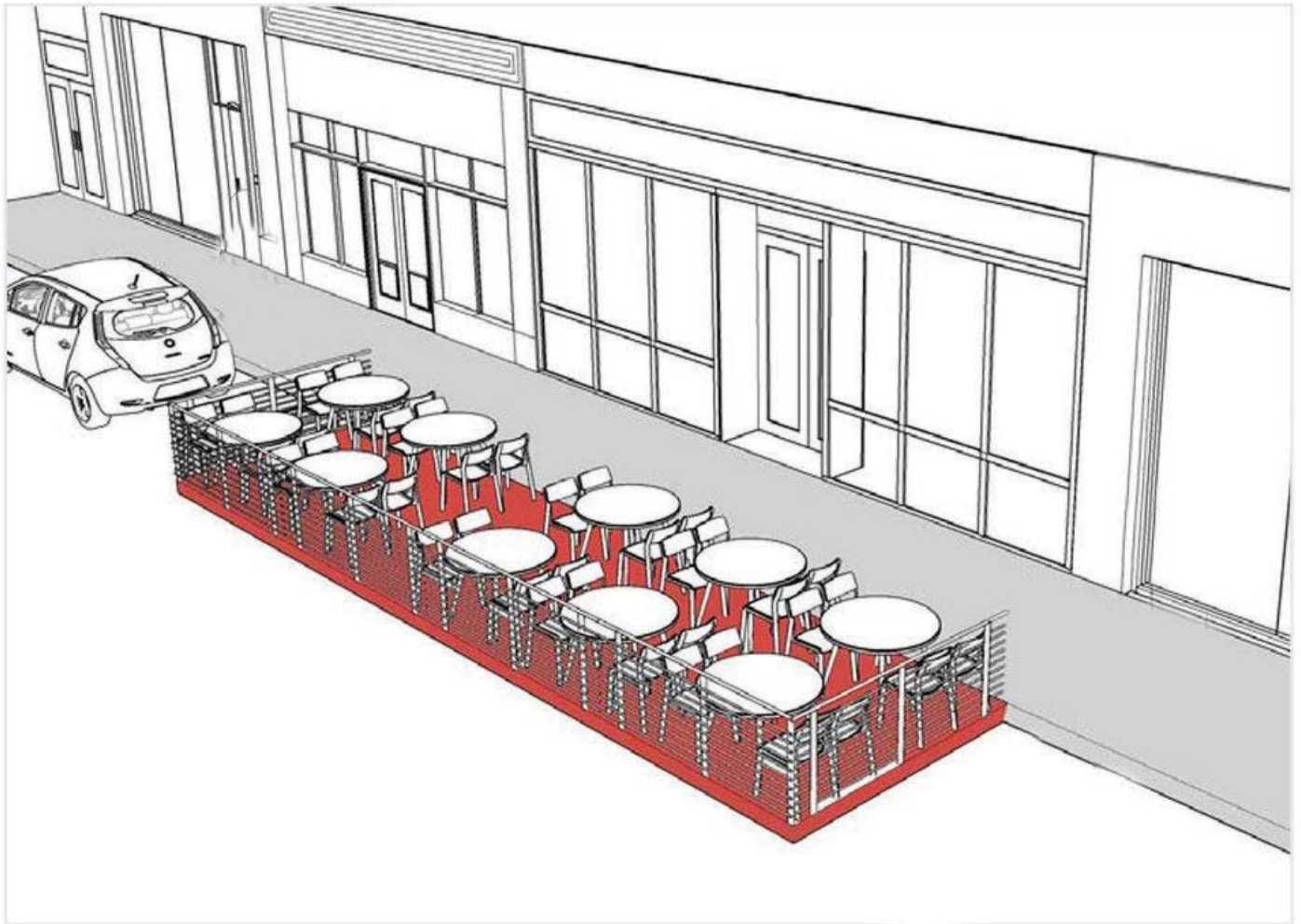
- A raised platform patio will not be allowed on a flat surface in the sidewalk or boulevard. A platform may be used to provide a level patio surface where a slope is present, subject to additional requirements and approvals.
- Patios near corners and intersections may have additional requirements to ensure the increased activity will not interfere with pedestrian flow and safety.



■ Dining Area    ■ Pedestrian Clear Zone

## On-Street Patio

An on-street patio is a patio located in an on-street parking space(s). It is required to have an enclosure and may consist of railings, tables, chairs, umbrellas, host stands, solar lights, plants, and/or other patio furnishings. A platform at-grade with the curb is required. Patios that extend from the on-street parking space on the boulevard/sidewalk are permitted where space allows.



■ Dining Area    ■ Pedestrian Clear Zone

### Location:

On-street parking space(s) within a parking layby or parking lane where the width of the sidewalk may be limited and on-street parking is available adjacent to the curb.

### Size and alignment:

- The patio must occupy a minimum of one and maximum of two parking spaces. Half spaces may be considered where they can be shared with a neighbouring patio.
- The adjacent sidewalk space must be maintained, with a minimum two-metre pedestrian clear path of travel located between the on-street patio and surrounding buildings.
- The patio may be extended onto the sidewalk to create a larger patio area if the minimum two-metre pedestrian clear path of travel can be maintained.
- The patio area may be extended beyond the width of the frontage of your business without permission from adjacent establishments if the patio is contained within the on-street parking space(s).
- The occupied parking should be as close to your business as possible and align the patio entrance with the main entrance of your business where possible.



### Perimeter treatment:

Enclosed by a stable, secure enclosure that delineates the patio area from the streetscape.

### Additional considerations:

- Platforms are required to create a flush condition with the boulevard for accessibility. Platforms remain the responsibility of the patio operator to provide to the satisfaction of the town.
- Additional safety equipment (e.g. planter boxes) may be required depending on the location of the on-street patios at the discretion of the town. Participants will be advised if additional safety equipment is required in their location. Patios will not be permitted in EV charging, accessible, quick stop, or loading spaces.
- Use of parking spaces is not guaranteed until an application is approved and the agreement executed.
- There is a parking space rental fee of \$562 per space for the 2024 patio season.

### Application window:

The application window for on-street patios is from **February 26 to March 22, 2024**. This advanced application period allows for comprehensive planning and coordination in assigning the on-street parking spaces. Applications submitted after **March 22** will still be considered, however the desired location/layout may not be available.

### Alternate configurations:

Additional configurations for patios could be considered in special circumstances where unique streetscape challenges or roadway configurations exist. The consideration and approval of these patios will be at the sole discretion of the Town of Oakville.

## Patio placement guidelines

The table below provides general guidelines for patio placement.

	Requirements	Considerations
<b>Patio Placement</b>	Patio to align with frontage of restaurant/café	For on-street patios: minimum of 1 and maximum of 2 spaces per restaurant and tied to premises frontage length
<b>Encroachments</b>	No encroachment into the pedestrian clearway/clear path of travel	This includes patio enclosures, décor, furniture, umbrellas, signage, etc.
<b>Street Furnishings</b>	No removal, blockage or relocation of street furnishings	This includes bike racks, benches, pay and display machines, etc.
<b>On-Street Parking Space Use</b>	Maximum of 2 spaces per restaurant where space permits	User fee applied. Cannot use EV charging, accessible, quick stop, or loading spaces
<b>Platforms</b>	Required for all on-street patios	Participants to provide and maintain at own cost
<b>Safety Equipment (e.g. Barriers)</b>	May be required in certain instances	This includes signage, centre line treatments, planter boxes, etc. Town to purchase and deploy in 2024.



# Design elements

## **General:**

- The Seasonal Commercial Patio Program is for a specific duration each year. Patios must be removed during the off-season. Removal of the patio is the responsibility of the applicant. The applicant/permit holder must not affix, anchor, drill or do anything that damages municipal property/lands when securing platforms, railing, enclosures, furnishings, etc. The location must be returned to its original condition.
- Alternative enclosures such as stanchions, planter boxes and fence base plates are encouraged.
- Patio furnishings and materials shall not interfere with the visibility of adjacent businesses.
- All objects associated with the patio must be contained within the approved patio area and must not interfere with the adjacent pedestrian clear path of travel or vehicle travel lane.
- Careful attention to storage (after hours) and installation is recommended.

## **Accessibility/Clear Path of Travel:**

All patios must maintain minimum AODA accessibility requirements that include providing an unobstructed sidewalk clearance zone, known as the 'clear path of travel'. Specific criteria are highlighted below:

- Minimum two-metre clear path of travel.
- Unobstructed access: ensure no obstructions are located within the clear path of travel such as street furniture, tree, signage, bus shelter, garbage receptacle and other physical obstructions.
- Patios cannot block pedestrian access along a street, walkway connection or entrance.
- No power cords or cable shall be permitted.

The minimum clear path of travel may be further amended during the season should the Province of Ontario alter its AODA recommendations, and the Town of Oakville reserves the right to cancel the patio agreement for any location that is unable to meet the AODA recommendations as amended.

## **Signage:**

Participants must abide by the town's sign bylaw. Advertising devices and signage are not permitted on patio railings/enclosures. A-frame signs may be permitted with the appropriate permit issued by the Town. In all cases, signage should not obstruct the clear path of travel and access to building or patio entrances. Third-party advertisements are not permitted on any furnishings or materials within the patio area.

## **Umbrellas:**

Umbrellas are encouraged within the patio subject to following criteria:

- Must be located within the patio area and not overhang on the roadway or block pedestrian traffic on the sidewalk.
- Not permitted along street or in any right of way.
- Umbrellas must be secured to a substantial anchor/umbrella base.

## **Landscaping:**

Landscaping of patios is encouraged and must be of a temporary design. Landscaping material may include planters, hanging baskets, etc. Materials over railings/enclosures must be contained within the patio area and shall not extend into the clear path of travel or roadway.

## **Noise and lighting:**

No music, power cords and cables shall be permitted on the patio. The only lights permitted on the patio are solar powered lights and such lights shall not be attached to the street furnishings, trees or other municipal property.

## **Setbacks:**

In some instances a setback may be required including:

- A 0.5 metre setback from on-street parking space to allow access.

## **Sight lines:**

Patios are not to be located within a driveway or roadway daylight corner measured three by three metres from the sidewalk intersection.

## **Seating:**

Accessible seating is encouraged. Tables should be accessible using mobility aids by having knee and toe clearance under the table.

## **Access:**

For safety and accessibility reasons, a patio must not block any access to a fire department connection, town sewer, gas valve or metre, building entrance (or exit), town street furniture (such as garbage container, public bench, bus shelter, bike rack) or other sidewalk access. Patio tables, chairs, and other amenities must not block the clear path of travel or access to building entrances.

## **Tents:**

Tents and fixed overhead canopies are not permitted as part of the Seasonal Commercial Patio Program.



# Additional operating conditions

## Hours of operation:

The patio permit shall not be used earlier than 7 a.m. nor later than 11 p.m. other than for special events where a separate event permit has been issued by the Town of Oakville.

## Patio maintenance expectations:

The following items are expected by all patio program participants:

- Patios are to be well maintained and kept in good working order and safe condition
- Each patio operator is responsible for maintaining their own furniture and equipment.
- Each patio operator is responsible for their own garbage. Town of Oakville garbage receptacles are not to be used for the patios.
- Patios are to be operated and maintained in accordance with Provincial and Public Health requirements.

Failure to comply with any of these requirements could result in the loss of the patio permit for the season.

## Heating devices:

Portable heating devices may be permitted on outdoor patios provided that town staff have approved the devices prior to installation and use. Heaters may be subject to inspection by the Oakville Fire Department to ensure safety. For more information on patio heater safety, please review the [TSSA Patio Heater Safety Guidelines](#) and the [Patio Heaters Safety Checklist for Restaurant Owners/Operators](#).

Contact [patios@oakville.ca](mailto:patios@oakville.ca) if you have any questions or to submit your application

# Contact us

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