



APPLICATION GUIDELINES FOR THE TOWN OF INGERSOLL PATIO ENCROACHMENT PROGRAM

These program guidelines outline the application requirements for the Patio Encroachment Program offered by the Town of Ingersoll.

QUESTIONS

Please submit questions or inquiries to:

Town of Ingersoll
Clerk's Department
130 Oxford Street, 2nd Floor
Ingersoll, ON
N5C 2V5

Attention: Clerk's Department
Phone: 519-485-0120 Ext. 6229
clerks@ingersoll.ca

Temporary Patio Encroachment Program Guidelines

The Town of Ingersoll's temporary patio encroachment program is geared to allow current eating establishments or coffee shops the ability to set up temporary seasonal patios by using the municipal sidewalks adjacent to their place of business and redirect the municipal sidewalk into a maximum of 2 parking spaces.

Patio Encroachments will be allowed annually for the duration of "patio" season (April 15th – October 15th).

Location

- Permitted only within the boundary area as defined as the CC zone in the Town of Ingersoll Zoning By-law 04-4160.
- Temporary patios will be permitted only where installation can be located directly in front of the associated business (or as otherwise approved by the administrator of the guidelines).
- Temporary patios must be located at least one (1) parking stall away or the equivalent in measurement away from the intersection.
- Proposals will be assessed and approved in accordance with vehicle volumes, site lines and visibility to the satisfaction of the Town Engineering Department.
- Proposals will be assessed and approved in accordance with the Ontario Building Code and applicable by-laws by the Town Chief Building Official.
- Proposals will be assessed and approved in accordance with the Ontario Fire Code and applicable by-laws by the Town Fire Chief.
- Proposals must not obstruct underground utility access, electrical transformer vault, utility boxes, loading zones, catch basins and any other infrastructure.
- Proposals for temporary patios to be erected on an Oxford County Road will be subject to County approval.

Design Standards

- All parts of the deck, patio and sidewalk, including entrances, must adhere to Ontario Regulation 191/11 Integrated Accessibility Standards under the Accessibility for Ontarians with Disabilities Act, 2005.
- The deck (sidewalk structure) must have a flush transition at the municipal sidewalk and curb to permit easy access and avoid tripping hazards.

- The sub-structure must accommodate the road surface and provide a level surface for the deck (floor structure). No damage is to be done to the municipal roadway or sidewalk.
- The deck must be constructed of a slip-resistant surface.
- The deck must be designed and maintained for a minimum load-bearing weight of 4.8kp (100psf)
- Any gates must swing into the patio space
- Where there are residential dwellings in the same building the patio must not interfere with the ability of first responders to access the building.
- The design is to include fencing/guards to define the space and be designed to comply with the Ontario Building Code.
- Proposals must have vertical elements that make them visible to traffic, such as flexible posts, bollards and include reflective elements so as to be visible to traffic at night.
- Railings and vertical elements should be a minimum of 0.91 meters (36") and no higher than 1.07 meters (42") in height.
- No umbrellas or other treatments can extend into the sidewalk or travelled portion of the sidewalk and/or roadway.
- Except for patio umbrellas, no overhead structures of any kind are permitted on any portion of the patio located on municipal property, including, but not limited to, any fabric roof coverings or trellis-type shade structures.
- Lighting will be subject to review and will be designed and installed in a way as to not create a visual or physical distraction to the travelling public on the sidewalk or roadway or impact neighbouring businesses and residential units.
- No structures are to be fastened to Town infrastructure (sidewalks, asphalt, etc.) without approval from the Town Engineering Department
- Compliance required with the Town of Ingersoll noise by-law 19-5060.
- Any necessary maintenance completed by the Town will be at the cost of staff time plus administration to the appropriate business owner.
- Encroachment in front of neighbouring properties will not be permitted.

- Provide a minimum sidewalk width of 2.4m where possible or a minimum width as approved by the Town or County and as stated in the agreement.
- Provide a minimum of 0.3m from the travelled portion of the roadway

Copy of Current Liability Insurance

General Liability Insurance from an insurer licensed in the province of Ontario for \$2 million per occurrence with an aggregate limit of no less than \$5 million to the Town of Ingersoll against any liability for property damage or personal injury, negligence including death which may arise from the applicants' operations under this agreement. The Town of Ingersoll must be included as an "additional insured". In addition, the commercial general liability shall contain cross liability and severability clause and products and completed operations coverage, including a standard contractual liability endorsement.

Additional Criteria

- Applicants must provide notice to adjacent business owners of their proposals.
- Applicants must enter into an encroachment agreement with the Town of Ingersoll upon approval of their Temporary Patio Encroachment application.
- Accept responsibility for any and all damages that occur to the platform or patio and associated fixtures and chattels.
- It is the applicant's responsibility to comply with all regulations (Provincial, AGCO, Public Health, AODA, ESA, etc.)
- Promotional signage/banners/advertising is not permitted on any part of the patio/sidewalk.
- Applicants are required to maintain the occupied space and pedestrian sidewalk free of litter and debris during the permitted timeframe of the patio and immediately after the removal of the structure.
- The applicant agrees to comply with prescribed hours of operation.
- Upon completion of any work, the applicant agrees to restore the property at their expense to the satisfaction of the Town of Ingersoll and remove all debris and rubbish.
- The Town of Ingersoll reserves the right to cancel the lease of any municipal space at any time for any reason.

- The applicant agrees to an inspection by Town staff to ensure compliance on an annual basis.

Application Requirements

- Prepare plans and drawings of the patio with dimensions in accordance with the stated criteria.

Note: plans and drawings must be prepared by a qualified design professional (BCIN designer, Engineer, Architect).

- Completed Application form.

Approval Process

Step 1 Submit your completed application and applicable application fee to:

Town of Ingersoll
Clerk's Department
130 Oxford St, 2nd Floor
Ingersoll, ON N5C 2V5
clerks@ingersoll.ca

Attention: Clerk's Department

Step 2 Revise the application in response to staff comments, if necessary

Step 3 Upon approval of the patio encroachment application, applicants will be required to obtain a building permit through the Town of Ingersoll's Building Department.

Step 4 Sign the formal encroachment agreement for the use of municipal space for each year of the patio's operation.

Step 5 Clear conditions for approval

Step 6 Construct patio and sidewalk

Step 7 Contact Town staff for inspection

Step 8 Obtain final approval for use

All applications submitted will be reviewed/approved by all appropriate departments.