



## **APPLICATION GUIDELINES FOR THE TOWN OF INGERSOLL PATIO ENCROACHMENT PILOT PROGRAM**

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

### **QUESTIONS**

Please submit questions or inquiries to:

Town of Ingersoll  
Economic Development Officer  
130 Oxford Street, 2<sup>nd</sup> Floor  
Ingersoll, ON  
N5C 2V5

Attention: Curtis Tighe, Economic Development Officer  
Phone: 519-485-0120 Ext. 6225  
[curtis.tighe@ingersoll.ca](mailto:curtis.tighe@ingersoll.ca)

## **Patio Encroachment Pilot Program Guidelines**

The Town of Ingersoll's patio encroachment pilot 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.

The purpose of this program is to allow eating establishments and coffee shops to reopen as indicated in Stage 2 of the Provincial plan to reopening the province following the shut down due to COVID-19.

This pilot program will operate for the 2020 "patio" season (June 16<sup>th</sup> – October 1) and will be reviewed by staff after with recommendations for how to proceed in future years.

### **Location**

- Permitted only within the boundary area as defined as the core area in the Town of Ingersoll Zoning By-law 04-4160.
- Sidewalk patios will be permitted only where the pop-up installation can be located directly in front of the associated business (or as other was approved by the administrator of the guidelines).
- Sidewalk 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 to vehicle volumes, site lines and visibility to the satisfaction of the Town Engineer.
- Proposals will be assessed and approved in accordance to the Ontario Building Code and applicable by-laws by the Town Chief Building Official.
- Proposals will be assessed and approved in accordance to 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.

### **Design Standards**

- All parts of the deck, patio and sidewalk, including entrances, must adhere to Ontario Regulation 191/11 Integrated Accessibility Standards under 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 municipal road way.
- 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 and not obstruct the sidewalk or street.
- 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 as to be visible by 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 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 travelling public on the sidewalk or roadway or impact neighbouring businesses and residential units.
- 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.

### **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.
- 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, ect.)
- Promotional signage/banners/advertising is not permitted on any part of 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 previous 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 failure to comply with the -conditions described above or the agreement.

### **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 to

Town of Ingersoll  
Economic Development Office  
130 Oxford St, 2<sup>nd</sup> Floor  
Ingersoll, ON N5C 2V5  
[business@ingersoll.ca](mailto:business@ingersoll.ca)

Attention: Curtis Tighe  
Economic Development Officer

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

**Step 3-** Sign formal agreement for use of municipal space

**Step 4-** Clear conditions for approval

**Step 5-** Construct patio and sidewalk

**Step 6-** Contact Town staff for inspection

**Step 7-** Obtain final approval for use

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