

Policy & Procedure Manual: Town of Ingersoll			
<b>Policy No:</b>		<b>Review Frequency:</b>	<b>As needed</b>
<b>Section:</b>		<b>Approved By:</b>	<b>Council</b>
<b>Approved Date:</b>	<b>July 14, 2025</b>		
<b>Policy Title:</b>	<b>Temporary Patio Program (Private Property)</b>		

### Purpose

This program outlines the approval process, eligibility, and operational criteria for temporary patios located on private property within the Town of Ingersoll. The intention of this policy is to support local economic activity while ensuring compliance with public safety, zoning, and accessibility standards. This program is only applicable to requests for temporary patios to be erected on private property. Patios requested for temporary establishment on public property will comply with the Town of Ingersoll’s ‘Temporary Patio Encroachment Program’.

### Background

Effective January 1, 2023, the Alcohol and Gaming Commission of Ontario (AGCO) no longer approves temporary patio extensions for liquor-licensed premises on private property in municipalities. Municipalities now have the authority to approve such extensions for up to eight (8) months in total per calendar year.

### Eligibility

To be eligible, applicants must:

1. Hold a valid Liquor Sales License from the AGCO.
2. Propose a temporary patio adjacent to and an accessory to the licensed establishment.
3. Submit a complete application and receive municipal approval prior to submitting AGCO notification.
4. Ensure the patio is located on private property and does not encroach onto public lands or easements.

### General Requirements

1. The lands proposed for a temporary outdoor patio must comply with all applicable zoning regulations and operate in accordance with all relevant municipal, provincial, and federal legislation, including but not limited to smoking laws and noise by-laws.
2. The patio must not involve any grade alterations or the installation of permanent structures or fixtures, such as decks, stages, roofs, or electrical components.
3. The patio area must be clearly delineated using temporary barriers such as fencing, planters, or stanchions. All features must be removable at the end of the operating period.
4. The establishment associated with the proposed temporary outdoor patio must ensure adequate public washroom facilities as per the requirements of the Ontario Building Code.
5. Patios may only be installed in locations that do not obstruct access to public utilities, service connections, or emergency vehicles, and must be capable of being removed if emergency access is required.
6. The patio must comply with Accessibility for Ontarians with Disabilities Act (AODA) requirements and maintain barrier-free access and walkways of at least 1.5 metres in width. Patio entrances must be at least 1.1 meters wide.
7. Patios must not obstruct fire routes, hydrants, or exits. A fire extinguisher (minimum 2A-10BC) must be within 15.2 metres (50 ft) of any point on the patio. Heaters must be CSA-certified and placed a minimum of 3 metres (10 ft) from flammable materials.
8. Patios must comply with the Town's Noise By-law. Signage must follow the Town's Sign By-law. No amplified sound is permitted.
9. Patios may operate for up to 8 months per calendar year.

### **Application Requirements**

To allow sufficient time for review, applicants must submit their temporary patio application at least thirty (30) days prior to the requested approval date. The application must include the following:

1. Completed application form.
2. Site plan showing:

- a. Patio dimensions, layout, and features (e.g., tables, fencing).
  - b. Distances to property lines, hydrants, parking, sidewalks, and structures.
  - c. Existing building access points and emergency routes.
  - d. Licensed seating capacity of the main establishment.
  - e. Seating capacity for the proposed patio.
  - f. Existing washroom counts (male, female, barrier-free).
3. Proof of valid AGCO Liquor Sales License.
  4. Letter of authorization from the property owner (if applicant is a tenant).
  5. Proof of Commercial General Liability Insurance with a minimum coverage of \$5 million, naming the Town of Ingersoll as an additional insured.
  6. Any other materials as required by staff (e.g., Fire Safety Plan, photos).

### Approval Process

1. Submit Application to the Clerk's Office with all required materials.
2. Staff Review for completeness, zoning compliance, safety, and accessibility.
3. Revisions (if needed) based on comments from the Town.
4. Issuance of Approval Letter by the Town.
5. Applicant to notify AGCO through the iAGCO portal using the approval letter.
6. Construct Patio and schedule inspection, if required.
7. Final Approval granted upon compliance confirmation.

### Conditions of Approval

The Town reserves the right to impose site-specific conditions. Failure to comply with the approved plan or conditions may result in permit revocation. Patios must be fully removed at the end of the approved period.