

Encroachment Application



The Corporation of the City of Vaughan
City Clerk's Department, Licensing Div.
2141 Major Mackenzie Drive Vaughan,
ON L6A 1T1

905 832-8504
www.vaughan.ca

Please take the time to review the information on the front of this page before completing the application on the back/next page.

The examples listed in the section below are encroachment examples **not permitted**:

Fencing, Large Boulders, Driveway Curbing, Garden Compositors, Pillars or Ornaments, Replacing Sod with River Run Rock, Illegal Driveways in the Sight Triangle, Unauthorized Paved or Unpaved Pathways, Underground Sprinklers (irrigation systems), Unauthorized Culvert/ Piping or Grading or Filling, Driveway Light Posts & Associated Electrical Works, Vehicles Parked on Public Land Offered for Retail sale, Pool Drains or Rain Water Leaders with Holes in Curb, Garden Plots in Existing Developed Parks or Woodlands, Garden Shed or Building Materials (wood, bricks, blocks, etc.), Decks, Stairs, Railings, Patios, Insect Zappers, Pools, Hot tub, Deck Footings, etc., Play Structures Including Sand Boxes, Gyms, Playhouses, Swings, Slides and Tree Houses, Trailers, Campers, Boats or recreational Structures: (volleyball nets or basketball nets, etc.)

Encroachment Permits Or Encroachment Agreements

Simple encroachment means a minor encroachment as determined by the City and if approved, must execute and pay all expenses for an **Encroachment Permit** from the City, whereas a **Complex encroachment** means a major encroachment as determined by the City and if approved, must execute and pay all expenses for a detailed **Encroachment Agreement** from the City which may require registration against title in the land registry office.

The examples listed in the section below are Pre-existing Encroachment examples that will be considered for an encroachment Permit:

Simple Encroachment

Vegetation
Garden Plot
Fence of Open Construction

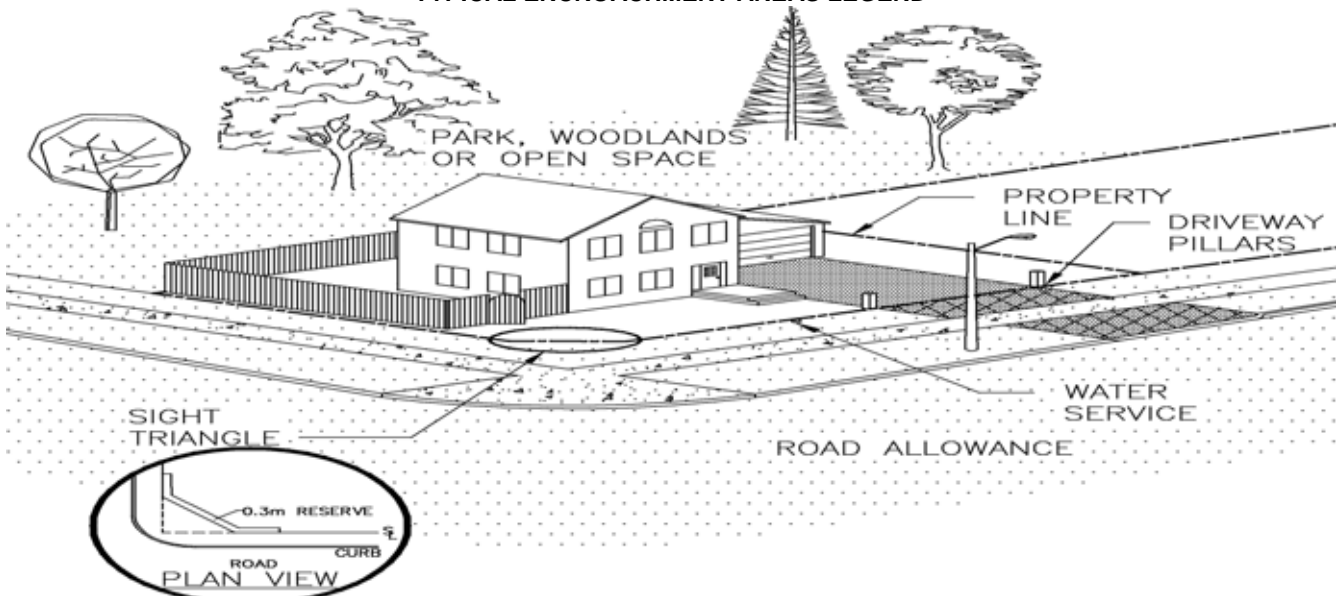
Complex Encroachment

Inground Pool
Retaining Wall
Permanent Deck
Permanent Garden Sheds

Application Checklist: The following must be submitted in person to the City of Vaughan Clerks Department.
(Items are required before application can be accepted and circulated)

- 1. Completed Application form, signed and dated.
- 2. Affidavit or agent authorization letter- If the applicant does not own the property to benefit from the encroachment, the applicant must enclose an affidavit (1 original copy) signed by the registered property owner attesting to the fact that the applicant is authorized to represent the property owner;
- 3. Photocopy of Deed to property
- 4. Articles of Incorporation or Letters Patent -.If the owner is a Corporation, please enclose a copy of the Articles of Incorporation (or Letters Patent);
- 5. Partnership Registration Form - .If the owner is a Partnership, please enclose a copy of the partnership registration from the Province of Ontario;
- 6. Five (5) Ontario Legal Surveyor professional quality copies (8.5 x 14 paper) of a detail drawing depicting your property boundaries, the City's property boundaries and the size and location of the item(s) encroaching onto the City's property as per the attached example.(Legible & dimensioned hand-drawn renderings on original survey copy are acceptable for Encroachment Permits)
- 7. Insurance Certificate - The owner will be required to obtain and maintain an insurance policy in the minimum amount of \$2,000,000.00 naming the City as an additional named insured party.
- 8. Photos of Encroachment
- 9. Current Property Parcel Registered for the property from the Land Registry Office (for Encroachment Agreement Only)
- 10. Depending on the nature and extent of the encroachment involved, City Staff may require that you enclose a written contractor's estimate detailing the costs to be incurred if removal of the encroachment is necessary;
- 11. If the applicant's property is subject to any other notices, citations, orders or permits issued by the City of Vaughan, Region of York or any other government agencies or bodies having jurisdiction, please enclose complete copies including any corresponding application numbers. If this application is being submitted as a result of a Notice received from the City's Enforcement Services Department, please enclose copies of all correspondence relating to that Notice;
- 12. Payment of Non-refundable application fee of \$204.00

TYPICAL ENCROACHMENT AREAS LEGEND



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The personal information of this form is collected under authority of the Municipal Act, 2001, S.O. 2001, c. 25 and is protected under the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 c. M.56. The information will only be used to evaluate applications for Encroachment Permits or Agreements. Questions about the collection of personal information should be directed to the City Clerk's Department.

Application for Permit or Agreement

Date of Application:		Permit Request: <input type="checkbox"/> Agreement Request: <input type="checkbox"/>	
Full Name of Owner:		Last Name:	First Name & Initials:
Name of Applicant: <i>if different from owner</i>		Last Name:	First Name & Initials:
Municipal Address of Property:			
Mailing Address: <i>if different from above</i>			
Telephone No.:	Cell No.:	Fax No.:	Email Address:
Brief Legal Description of Owner's Property: <i>Please attach copy of Deed and/ or Property Parcel Register from the Land Registry Office.</i>			
Description of Encroachment(s): (Example: fence, retaining wall, garden plot, storage of materials, etc.)			
Reason/ need of Encroachment: (Example: slope stability, recreational, etc.) if required attach letter			
Applicant's General Comments: (Explain any extenuating circumstances & attach any other notices, etc.) if required attach letter			

Warranties By Applicant/ Owner:

All the information submitted with this application is complete, accurate, without omission and I have read the back of this form;

Acknowledgement By The Applicant/ Owner:

- *Applicant/ Owner accepts all liability resulting from inaccuracies or omissions made herein;
- *Applicant/ Owner are familiar with the City's Encroachment By-law;
- *The application fee is non-refundable;
- *Applicant is responsible for all expenses associated with the application;
- *Subsequent inspections or amendments made to submitted applications shall result in additional inspection costs and fees as per the City's Encroachment By-law;
- *If the inspection requires removal, all unauthorized encroachments must be removed immediately;
- *Applicant/ Owner accepts responsibility for any other necessary applications/ approvals with the City of Vaughan, Region of York or other government agencies or bodies;
- *The City of Vaughan does not make any assurances regarding the length of time necessary to process this inspection/ application;
- *Acceptance of this application shall not fetter the City's authority under the Municipal Act or the Planning Act;
- *Survey quality sketch illustrating the encroachment must be submitted if an Encroachment Permit or Agreement is approved;
- *The City of Vaughan may revoke any Encroachment Permit or Encroachment Agreement that has been issued as a result of false or misleading statements, or undertakings, in the application, or has failed to submit an updated insurance certificate, or has been issued in error;
- *All incomplete applications will be returned unprocessed.

Applicant's Signature	Date:
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City of Vaughan Use Only

Application circulated to following Departments for Comments/Action. Comments must be received within Ten (10) business days of sent date:

<input type="checkbox"/> Public Works	<input type="checkbox"/> Planning	<input type="checkbox"/> City Manager	<input type="checkbox"/> Other _____	Date Sent: _____
<input type="checkbox"/> Parks	<input type="checkbox"/> Enforcement	<input type="checkbox"/> Real Estate	<input type="checkbox"/> Other _____	Staff's Signature:
<input type="checkbox"/> Engineering	<input type="checkbox"/> Local Councillor _____	<input type="checkbox"/> Other _____	_____	

Clerk's Department Notes:
