

# Encroachment Application



The Corporation of the City of Vaughan  
Bylaw & Compliance, Licensing & Permit Serv.  
2141 Major Mackenzie Drive Vaughan,  
ON L6A 1T1

905 832-8505 [www.vaughan.ca](http://www.vaughan.ca)

Please 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.) or any encroachment on unassumed property. (\*Conditional Exceptions)

### **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** - In ground Pool, Retaining Wall, Permanent Deck / Garden Sheds

**Application Checklist:** The following must be submitted in person to the City of Vaughan Bylaw & Compliance, Licensing & Permit Services. (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. An Ontario Legal Surveyor professional quality copy (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 Bylaw & Compliance, Licensing & Permit Services, please enclose copies of all correspondence relating to that notice;
- ☐ 12. Payment of Non-refundable application fee of \$323.18 (\$ 286+ \$ 37.18 H.S.T.)

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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.

<b>Date of Application:</b>	<b>Permit Request:</b> <input type="checkbox"/> <b>Agreement:</b> <input type="checkbox"/>
<b>Last Name of Owner:</b>	<b>First Name &amp; Initials:</b>
<b>Last Name of Applicant:</b> <i>if different from owner</i>	<b>First Name &amp; Initials:</b>
<b>Municipal Address of property:</b>	
<b>Mailing Address:</b> <i>if different from above</i>	
<b>Telephone No.:</b>	<b>Cell No.:</b>
<b>Email Address:</b>	
<b>Description of Encroachment(s):</b>	
<b>Reason/ need of Encroachment:</b> (Example: slope stability, recreational, etc.) if required attach letter	
<b>Applicant's General Comments:</b> (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:

1. Applicant/ Owner accepts all liability resulting from inaccuracies or omissions made herein;
2. Applicant/ Owner are familiar with the City's Encroachment By-law;
3. The application fee is non-refundable;
4. Applicant is responsible for all expenses associated with the application;
5. Subsequent inspections or amendments made to submitted applications shall result in additional inspection costs and fees as per the City's Encroachment By-law;
6. If the inspection requires removal, all unauthorized encroachments must be removed immediately;
7. Applicant/ Owner accepts responsibility for any other necessary applications/ approvals with the City of Vaughan, Region of York or other government agencies or bodies;
8. The City of Vaughan does not make any assurances regarding the length of time necessary to process this inspection/ application;
9. Acceptance of this application shall not fetter the City's authority under the Municipal Act or the Planning Act;
10. Survey quality sketch illustrating the encroachment must be submitted if an Encroachment Permit or Agreement is approved;
11. 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;
12. All incomplete applications will be returned unprocessed.

**Applicant's Signature:**

**Date:**