



Town of South Bruce Peninsula
PO Box 310, 315 George Street, Wiarton ON N0H 2T0
Phone 519-534-1400 Toll Free 1-877-534-1400 Fax 519-534-4862

Encroachment Agreement Request

Please submit a complete application including the request form, fee and any supplemental documentation. This request form is for both existing and new encroachments.

A. Owner Information

Legal Owner(s) Name	
Mailing Address	
Email Address	
Phone Number(s)	

B. Applicant/Agent Information (if different from the owner)

Applicant/Agent Name	
Mailing Address	
Email Address	
Phone Number(s)	

C. Location of Benefitting Property of Existing or Proposed Encroachment

Municipal Address	
Legal Description	
Roll Number	
Use of Property (cottage, residence, vacant, business, etc.)	

D. Existing Encroachment

Please complete this section if the encroachment already exists.

Previous Encroachment Agreement	Yes (attach copy of agreement) <div>No</div>
Detailed Description of Encroachment (include all items, buildings, etc. which are part of the encroachment)	
Length of Time Encroachment Has Existed	

In the space below, explain why the request to permit the encroachment to remain is being made and explain the consequence if the encroachment is not approved to remain.

E. Proposed Encroachment

Please complete this section if you are proposing a new encroachment.

Detailed Description of Proposed Encroachment (include all items, buildings, etc. which would be part of the encroachment)	
Length of Time Encroachment Would Be Proposed to Remain	
Proposed Users of Encroachment	
Who You Have Consulted and Their Response (neighbours, contractors, agencies, First Nations, etc.)	

In the space below, explain why the request to permit the encroachment is being made and explain the consequence if the encroachment is not approved.

F. Site Plan

Note 1: This site plan does not need to be to scale.

Note 2: This site plan will not replace a survey and is for the purpose of consideration of the encroachment. A recent survey will be required should the Town decide to enter into an encroachment agreement with the owner(s)

Note 3: Please ensure that the items below appear on the site plan. Additional detail may be supplied on a separate sheet of paper if required.

- Width of road allowance or municipal property upon which the encroachment already exists or is proposed to exist
- Name of street or address of municipal property
- Frontage of benefitting owner's property on the street or municipal property
- Depth of benefitting owner's property
- All dimensions if benefitting owner's property is an irregular shape
- Location and type of encroachment
- North to be indicated

G. Disclaimer

The applicant/owner understands that this application is being made in accordance with the Town's Delegation of Authority to Enter into Encroachment Agreement by-law.

There is no guarantee that the Town will enter into an Encroachment Agreement with the applicant/owner.

The Town is under no legal obligation to enter into any Agreement. The Town is also under no legal obligation to permit any existing encroachment to continue nor to permit any new encroachment.

The Town reserves the right to impose any restrictions, requirements, obligations, etc. on the applicant/owner as is deemed appropriate by the Town, including but not being limited to the requirement to obtain permission/clearances/certifications from agencies, neighbours, First Nations and licensed professionals.

The applicant/owner will be fully and legally responsible for all costs associated with the application and any subsequent Encroachment Agreement, should the Town decide to enter into an Encroachment Agreement.

The application fee is non-refundable and all owners must sign this application. Applications which are missing signatures will not be considered.

The Town makes no guarantee regarding the length of time it will take to consider this application and make any decision.

H. Privacy

Any agency or person may request to view or to receive a copy of this application and any attachments. The information included in and with this application is/are subject to the provisions contained in the *Municipal Freedom of Information and Protection of Privacy Act*. Any information which the applicant/owner would not like to be made public must be clearly identified and detail must be provided explaining why the information is to be private. Please use the space below and/or attach a separate page.

I. Declaration of Registered Owner(s)

I/we _____ do hereby
(print owner(s) name(s))
make oath and say that the information contained in this application for an
encroachment agreement is true to the best of my/our knowledge.

Date

Signature of Owner

Date

Signature of Owner

Date

Signature of Owner

I. Declaration of Owner and Applicant/Agent (if an agent is appointed)

I/we _____ do hereby
(print owner(s) name(s))
make oath and say that I/we have appointed _____
(print applicant/agent(s) name(s))
to act as an applicant/agent on my/our behalf with respect to this application for an
encroachment agreement. I/we acknowledge that the Town will correspond with the
appointed person(s) named above with respect to this application however the
encroachment agreement, if granted will be signed by the owner.

Date

Signature of Owner

Date

Signature of Owner

Date

Signature of Owner

I/we _____ do hereby
(print applicant/agent(s) name(s))
make oath and say that I/we act on behalf of the registered owner(s) with respect to this
application for an encroachment agreement. I/we acknowledge that the Town will
correspond with me/us with respect to this application. I/we acknowledge that the Town
reserves the right to make contact with the registered owner(s) at any time with respect
to this application.

Date

Signature of Applicant/Agent

Date

Signature of Applicant/Agent