



ARNPRIOR

# Application for Request for Encroachment

Information Sheet for Applicant

An encroachment is an item that is placed, erected or built on the public right-of-way for private use. Common encroachments include parking, fences, underground piping, porches, canopies and signs. Permission from the Town is required for items that encroach. The municipality may authorize the use of portions of the public highway for such encroachments by enacting an Encroachment By-law.

This information sheet is to assist persons in completing the application. Please contact the [Community Services Branch](#) should you require clarification on the application.

A pre-application meeting with staff is encouraged prior to the submission of an application.

## What is an Encroachment By-law?

An encroachment by-law refers to an approval from a municipal corporation (Town of Arnprior) and any conditions thereof.

## Will I Automatically be Granted an Encroachment By-Law?

Once an application is made for permission to encroach, the application will be circulated for comment to Town departments and related agencies, where applicable. The encroachment will be assessed for safety, accessibility, sight lines, etc. Submitting an application does not mean an encroachment by-law will be adopted or approved by Council.

## Application Fee

The application fee of \$325.00 is to be paid at the time of application, by cash, cheque or debit to the "Town of Arnprior".

## Completion of Application

Every application must be completed in full. All applicable information requested on the application form must be provided before the application will be considered by staff and/or Council.

You should discuss your proposal with staff before submitting an application. Your application package will include:

- A site plan or survey clearly illustrating the encroachment request;
- Required fee;
- Insurance documentation
- Any additional supporting documents.

## Application Submission

The submission of this application must be accompanied with the technical drawing(s), supporting information, and required fee. The owner of the land, or the applicant, shall complete the following application form and the owner's authorization/declaration and submit along with the necessary documents to: Community Services Branch, Town of Arnprior, 105 Elgin Street West, Arnprior, ON K7S 0A8 Phone: (613) 623-4231 ext. 1816 or Email: [planning@arnprior.ca](mailto:planning@arnprior.ca)

## **Appeal**

There are no formal appeal procedures in the event that the Town does not approve your application.

## **Insurance Requirements**

The applicant/property owner shall provide within 28 calendar days of approval of the application:

1. For the life of the encroachment, the Applicant will provide a Certificate of Insurance in the Applicant's legal name confirming the Applicant has in force insurance coverage. The Certificate of Insurance must be satisfactory in form and content to the Town of Arnprior.
  - a. Residential Properties – A Certificate of Insurance with proof of General Liability Insurance in the amount of at least \$2,000,000.00 per occurrence, containing an endorsement naming “The Corporation of the Town of Arnprior” as an additional insured, and containing a 30-day cancellation notice requirement.
  - b. Commercial Properties – A Certificate of Insurance with proof of same coverage as Residential Properties (see a) above) but must also include proof of a cross-liability clause.
2. The insurance requirements may increase or change from the basic requirements set out above
  - a. at the outset of the encroachment or any time throughout the encroachment, at the discretion of the Town's Solicitor or designate.

**No permit shall be issued by any municipal department until such time as the by-law has been adopted and all requirements listed above have been completed.**

## **Collection of Information**

Personal information on the following forms is collected under the authority of the Planning Act and Municipal Act and will be used by the Town of Arnprior Community Development Branch in the processing of applications for consent. The information may be used by other departments and agencies for the purpose of assessing the proposed development and for preparing comments to the Community Development Branch. This information may also be released to the public. Questions about the collection of this information should be directed to the Clerk's Department.



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# Application for Lifting 0.3m Reserve

## Part 1 – Contact Information

### 1. Applicant/Property Owner Information

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

### 2. Agent Information

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

### 3. Solicitor Information

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Correspondence should be sent to:

Property Owner

Agent

Solicitor

### 4. Description of the Subject Land

Street Address: \_\_\_\_\_

Roll Number: \_\_\_\_\_

Municipality: \_\_\_\_\_

Geographic Twp: \_\_\_\_\_

Concession: \_\_\_\_\_

Lot: \_\_\_\_\_

Registered Plan Number: \_\_\_\_\_

Block or Lot Numbers in Plan: \_\_\_\_\_

Reference Plan Number: \_\_\_\_\_

Part Number(s): \_\_\_\_\_

## Part 2 – Details of the Application

1. Reason for encroachment:

2. Plan(s) submitted with application:

Legal survey identifying encroachments (if existing)

Site plan indicating structures and proposed encroachments

## Part 3 – Authorization and Declaration

1. **Authorization for Agent** (if applicable)

I/We, the undersigned, being the registered property owners of the subject land, authorize an agent for the purpose of submitting an application and acting on my/our behalf in relation to said application.

Name of authorized agent:

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Signature of Property Owner(s) Date

2. **Permission to Enter Subject Land**

For the purposes of this application, the Owner/Applicant/Agent grants permission to the members of the Council and relevant staff to enter upon the said property for inspection purposes, during normal and reasonable working hours. The Owner will not be held responsible or liable if any accident or injury occurs.

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Signature of Property Owner/Agent Date

**4. Declaration of Prescribed Information** (must be signed in the presence of a Commissioner)

I/We, \_\_\_\_\_, of the \_\_\_\_\_ do solemnly declare that all of the above statements contained in the application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under Oath and by virtue of the *Canada Evidence Act*.

Sworn (or declared) before me at the \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_.

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Signature of Property Owner/Agent

Signature of Commissioner of Oaths

**5. Agreement to Indemnify** (must be signed in the presence of a Commissioner)

The applicant hereby agrees to indemnify and save harmless The Corporation of the Town of Arnprior (“the Municipality”) from all costs and expenses that the Municipality may incur in connection with the processing of the Application for approval under the Planning Act.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the Application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Local Planning Appeal Tribunal from any decision of the Council or Committee of Adjustment, as the case may be, approving the applicant’s Application.

The Owner/Applicant/Agent further agrees to provide the municipality, upon request and in cases where an application has been appealed to the Local Planning Appeal Tribunal, with a deposit (over and above the normal application fee), from which the Municipality may, from time to time charge any fees and expenses incurred by the Municipality in order to process the application. If such appeal expenses exceed the deposit, the Owner/Applicant shall pay the difference forthwith upon being billed by the municipality, with interest at the rate on accounts overdue more than 30 days.

The applicant acknowledges and agrees that if any amount owing to the Municipality in respect of the Application is not paid when due, the Municipality will not be required to process or to continue processing the Application, or to appear before the Local Planning Appeal Tribunal in support of a decision approving the Application until the amount has been paid in full.

The applicant further acknowledges and agrees that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.

Sworn (or declared) before me at the \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_.

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Signature of Property Owner/Agent

Signature of Commissioner of Oaths