



THE CORPORATION OF THE CITY OF QUINTE WEST Encroachment Procedure

A Natural Attraction

1. Criteria for Encroachment Request

- 1.1 All requests for encroachment shall conform to the procedures outlined herein.
- 1.2 All requests for encroachment shall be submitted to the Deputy City Clerk in the form attached hereto as Appendix A and shall contain a deposit payable to the City of Quinte West in the amount of \$600.00 PLUS a **non-refundable** administration fee as referenced in the Consolidated Fees and Charges By-Law.
- 1.3 The applicant shall be responsible for all legal costs associated with the encroachment.
- 1.4 The applicant may be required to submit funds in addition to the initial deposit indicated in Section 1.2 in order for the application process to continue and be finalized.

2. Review Process

- 2.1 City staff will circulate relevant documents and background information to affected departments and the City solicitor (if necessary) for comment. Staff comments will be forwarded to the applicant at this time with a request for the applicant to confirm in writing their wish to proceed or decline moving forward with the application.

3. Report to Corporate Finance Committee

- 3.1 Upon receipt of confirmation under 2.1 City staff will prepare a report outlining the request and the results of the review process will be submitted to the Corporate Finance Committee with a staff recommendation to either:
 - a) deny the request for encroachment; or
 - b) approve the request for encroachment
- 3.2 If the recommendation to deny the request is approved by Committee, the City will return the deposit, less the non-refundable administration fee, plus any additional expenses incurred, to the applicant.
- 3.3 If the recommendation to proceed is approved by Committee, the City will:

- a) prepare documentation for Council's approval of the application.

4. Completion of the Transaction

- 4.1 Following Council enactment of the By-law, City staff will forward all necessary documentation, the encroachment agreement, to the City solicitor to complete the transaction.
- 4.2 Upon completion of the transaction the solicitor will provide the City with a statement of their final costs and three copies of final registered documents.
- 4.3 After the transaction is finalized and all invoices have been paid from the applicant's initial deposit, should a balance remain in the account a refund of the balance will be made to the applicant. Additionally, any invoices in excess of the initial deposit are the responsibility of the applicant.



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**APPENDIX A
CORPORATION OF THE CITY OF QUINTE WEST
Request for Encroachment**

1. **Applicant** (must be a registered owner of property).

Name: _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

2. **Agent** (If applicable a separate Authorizing Agent Form is required).

Name: _____

Address: _____

Telephone: _____ Fax: _____ Email: _____

3. **Location of Encroachment:** Lot _____ Con _____ Ward _____

4. **Legal Description of Applicant's Property:**

5. **Reason for Request:** (attach letter if insufficient space)

6. **Required attachments:**

- Survey with enlarged detail showing encroachment specifics
- Proof of ownership of lands
- Authorization of Agent (if applicable)

- Deposit of \$600.00, payable to the City of Quinte West PLUS Non-refundable administration fee, as per Consolidated Fees and Charges By-Law

- Other (specify):

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I have read and understand the attached Encroachment Procedures/Criteria and I agree that I shall be responsible for all costs associated with the requested encroachment.

Dated this _____ day of _____, 20_____.

Signature of Applicant

Personal information on this form is collected under the authority of the Municipal Act, 2001 (c. 25 as amended) and will be used to process the applicant's request.

**Appointment of Authorized Agent
Request for Encroachment**

Please note that once you appoint an agent to act on your behalf, all correspondence, etc related to the application will be sent directly to the agent.

I _____ of _____
Applicant's name Place of Residence

Hereby appoint _____ to act
as agent

Agent's Name

on my behalf regarding a request for encroachment at

Lot, Concession, Ward

Declared before me at the City of
Quinte West, County of Hastings,
This _____ day of _____, 20_____.

Signature of Applicant

Signature of Commissioner of Oaths

Personal information on this form is collected under the authority of the Municipal Act, 2001 (c. 25 as amended) and will be used to process the applicant's request.