

Proposed Encroachment By-law & Clean Yards By-law Amendment



March 22, 2022

Presentation Overview

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Background – Current Encroachment Challenges

- Current Traffic By-law prohibits all encroachments – very restrictive and no options for property owners.
- Volume of complaints regarding these types of issues have increased.
- Many encroachments have no negative impact from an operational or safety perspective and improve streetscapes and overall community benefit.

Proposed Encroachment By-law

- Will be more permissive than restrictive.
- Provides property owners with an ability to have specific types of encroachments to remain or be installed.
- All minor encroachments will be permitted without needing to obtain a permit.
- Any encroachment that is not minor will require a permit.

Minor Encroachments

- Soft landscaping which includes:
 1. planting of flowers (e.g., pollinator gardens).
 2. low growing shrubs and hedges.
 3. placing mulch around boulevard trees.



Minor Encroachments

- Tree ring edging at the base of boulevard trees will also be considered a minor encroachment.



Encroachment Permit

- Any 'major encroachment' requires a permit.
- Applications for permits will be required to be accompanied with site plans/drawings and a permit fee of \$500.00
- Applications are reviewed by both Operations and Engineering staff.
- Upon approval of the proposed work then property owners would be required to submit proof of insurance, provide necessary security deposits and in certain instances enter into an Encroach agreement that would be registered on title.

Encroachment Permit Fees

Service	Fee
Encroachment Application	\$500 (non-refundable)
Encroachment Agreement	\$1681.18
Registering Agreement on Title	\$701.89

Background – Current Clean Yards By-law Challenges

- Currently no rules requiring home-owners to maintain boulevard grass.
- Clean Yards By-law only applies to properties less than 0.4 Hectares (1 acre) in size, thus grass complaints for larger properties are enforced under Property Standards By-law which includes an appeal process, this results in a longer turnaround time for compliance and utilizes more staff resources.
- Majority of residents already do voluntarily maintain the municipal boulevard. However, there have been instances where property owners including vacant development properties have not maintained the grassed boulevard.

Clean Yards Proposed Amendments

- Property owners will be responsible to maintain the grass portion of boulevards that are immediately adjacent to their property excluding rural/agricultural properties.
- Operations will continue to maintain boulevards already maintained as part of their current maintenance practices.
- Removal of 0.4 Hectare (1 acre size) limitation from the By-law will enable more effective and responsive enforcement.

Next Steps

- Compile results from online survey and a summary of the feedback received from Open House held on March 3
- Bring forward report recommending the proposed By-laws to the April 19, 2022 Council meeting.
- Upon approval update Town website to ensure residents are informed of changes and new processes for the Encroachment Permit are clearly identified.