

REPORT

REPORT TO: Chair and Members of Planning, Public Works & Transportation Committee

REPORT FROM: Romaine Scott, Legal Coordinator
Planning & Sustainability

DATE: May 8, 2018

REPORT NO.: PLS-2018-0041

RE: Authorization to allow Encroachment onto Victoria Street
Address: 24 John Street, Halton Hills
File No: D16 JO

RECOMMENDATION:

THAT Report PLS-2018-0041 dated May 8, 2018 regarding the continuation of the encroachment of a house at 24 John Street, Halton Hills (Georgetown) onto the untraveled portion of Victoria Street, be received.

AND FURTHER THAT the appropriate by-law be enacted to authorize the Mayor and Clerk to execute an encroachment agreement with the owner of 24 John Street to permit the encroachment of the house onto the untraveled portion of Victoria Street to continue.

BACKGROUND:

The house at 24 John Street extends approximately 1.42 m (4.67 ft) onto the untraveled portion of Victoria Street. The last encroachment agreement with a previous owner has expired and the current owner is required to legalize the longstanding encroachment by entering into an encroachment agreement with the Town. The extent of the encroachment is shown on the drawing attached as Appendix "1" to this Report.

The location of the property is illustrated on the attached Appendix "2".

COMMENTS:

In the past, staff has routinely recommended that encroachments be continued for the earlier of 10 years or the date upon which the encroachment is removed. The agreement also contemplates that in the event that the property is sold prior to the end of the term set out in the encroachment agreement, the new owner would be required to either assume the existing encroachment agreement or enter into a new agreement approved by Council. The owner has requested a term of 20 years.

Transportation & Public Works staff has no objection to the encroachment continuing for a term of 20 years, subject to the conditions set out in the encroachment agreement. The owner of the property will be required to indemnify the Town and provide the appropriate certificate of insurance showing that the Town has been added to its insurance policy and an additional insured.

RELATIONSHIP TO STRATEGIC PLAN:

This Report is operational and has no bearing on the Town's Strategic Plan.

FINANCIAL IMPACT:

The Town's costs associated with this matter are covered by the administration fee allowed for in the Town's Rates and Service Charges By-law. There is no annual license fee for the encroachment.

CONSULTATION:

The Town's Manager of Transportation and Superintendent of Public Works were consulted with respect to this Report.

PUBLIC ENGAGEMENT:

There is no public engagement with respect to this Report.

SUSTAINABILITY IMPLICATIONS:

There is no sustainability implication with respect to this Report.

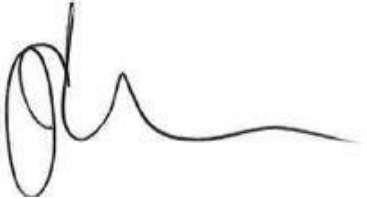
COMMUNICATIONS:

There is no communications implication with respect to this Report.

CONCLUSION:

The encroachment is entirely on the untraveled portion of the road and does not impede the current operation of the roadway. Staff therefore recommends that Council passes the necessary by-law to authorize the Mayor and Clerk to sign the encroachment agreement to allow the encroachment to continue as discussed herein.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to be 'John Linhardt', with a stylized initial 'J' and a long horizontal stroke at the end.

John Linhardt, Commissioner of Planning and Sustainability

A handwritten signature in black ink, appearing to be 'Brent Marshall', with a stylized 'B' and 'M'.

Brent Marshall, CAO