



STAFF REPORT

Title: Encroachment Agreement Request EA24-001 City Lane Adjacent to 516 10 Street (Lot 18, Block 3, Plan 515EO)

Meeting Date: September 10, 2024

Executive Summary:

Request from the owner of 516 10 Street (Lot 18, Block 3, Plan 515EO) to enter into an encroachment agreement respecting the City's adjacent lane to accommodate an existing concrete pad and fence.

Background:

Administration has received a request from the owner of 516 10 Street (Lot 18, Block 3, Plan 515EO) to enter into an encroachment agreement respecting the City's adjacent lane. The property includes an existing concrete pad and fence which encroaches on the adjacent City lane by 0.34m. The City's Encroachment Policy No. 228-DA-23 allows for encroachments of up to 0.30m without the requirement for a formal circulation and encroachment agreement.

Administration has circulated the encroachment request internally and the Public Works Roads Department recommends not entering into an encroachment agreement for the following reasons:

- may hinder lane drainage (current or future)
- liability for repairs to the concrete pad and fence if hit by City Equipment when conducting maintenance operations
- recommend that the concrete pad be cut off inside the property line to eliminate any future issues.

Based on the feedback from the internal referral, Administration recommends that decline the request to enter into an encroachment agreement with the owner of 516 10 Street. In the event that Council approves entering into an encroachment agreement, the agreement would have a term of three (3) years, with an option to renew for a further three (3) year term and carry an administrative fee of \$500 for each term. A draft agreement has been prepared if Council wishes to authorize an encroachment agreement with the owner of 516 10 Street.



Alternatives:

Council may consider the following alternatives:

- 1) Authorize Administration to enter into an Encroachment Agreement with the owner of 516 10 Street (Lot 18, Block 3, Plan 515EO) for a term of three (3) years.
- 2) Decline the request to enter into an Encroachment Agreement with the owner of 516 10 Street (Lot 18, Block 3, Plan 515EO) and require that the encroachment be removed.
- 3) Accept as information only.

Recommended Action:

Administration recommends that Council decline the request to enter into an Encroachment Agreement with the owner of 516 10 Street (Lot 18, Block 3, Plan 515EO) and require that the encroachment be removed.

Budget Implications (Yes or No):

No

Submitted by:

Kevin Nagoya, Chief Administrative Officer