



## DISTRICT OF NORTH SAANICH

### COUNCIL POLICY

<b>TITLE: DISTRICT CONTROLLED LANDS - ENCROACHMENTS</b>	<b>NO. COU-114</b>
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*"ENCROACHMENT"* is defined as any use, public or private, which limits in any way public use of or access to lands under the control of the District, whether or not the encroachment has been approved by the District. (98, 99 and 150/96)

1. Due to budgetary limitations, no active program will be carried out to identify existing encroachments. Enforcement will be undertaken by staff on a complaint basis or staff observation basis only.
2. When the District receives complaint of an encroachment, which has not been approved, staff is directed to advise, in writing, the property owner responsible for the encroachment as to what action may be required.
3. While continuing with the policy of encouraging property owners to maintain the boulevards adjacent to their property, future such improvements without benefit of permit shall be limited to surface treatments that do not alter the elevation of the property, such as lawns, mulching, etc.
4. Construction permits are required for any other works including excavating or the placing of fill material, and where necessary, encroachment agreements must be authorized by council prior to commencement of the works.
5. Installation of private irrigation systems on municipal boulevards require prior approval in accordance with the policy entitled *"Installation of Private Irrigation Systems in Municipal Boulevards"* (Policy 7005.2)
6. Due to budgetary restraints, no active program will be carried out to identify existing encroachments, and enforcement will be undertaken by way of letter, on a complaint basis, or where staff has identified that such an encroachment is deemed:
  - a) Dangerous;
  - b) To represent a fire hazard;

<b>EFFECTIVE DATE:</b> 2001	<b>APPROVED BY:</b> COUNCIL	<b>LAST AMENDMENT:</b> 2011	<b>REF:</b>	<b>PAGE 1 of 2</b>
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- c) To interfere with existing utilities;
- d) To interfere with scheduled or potential municipal or other public utility work;
- e) To represent a potential liability to the District;
- f) To impede access for an approved or potential future use; or
- g) To interfere with visibility or safe traffic sight distances.

- 7) No property owner or resident with the Dean Park Estates Community is allowed to:
- a) Build any structure on the municipal boulevard. This includes fences, walls, retaining walls and rockeries. Special circumstances may be allowed subject to issuance of a permit;
  - b) Plant any tree, hedge, bush or shrub on a municipal boulevard which, when fully grown, will or is likely to grow a height taller than 0.91 m (3 ft.) or likely to partially or wholly obstruct access to any road or prevent or inhibit the safe use of the road by vehicle, pedestrian or cycle traffic;
  - c) Plant any tree, hedge, bush or shrub that inhibits access to utility access points such as meter boxes, manholes, junction boxes and inspection chambers or may be deemed a threat to underground or overhead utilities based on their proximity to the utility. (316/02)

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