



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

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## **Lions Bay Encroachment Policy**

**The following Encroachment Policy was approved by Council on January 21, 2008.**

### **RATIONALE:**

The policy is defined to create a long term solution, for encroachment of driveways on Municipal lands and to create conformity and clarity for our residents.

### **DEFINITIONS:**

Encroachments for the purpose of this policy includes access driveways where they cross roads and municipal rights of way that are owned, occupied or under the jurisdiction of the Municipality, and includes all highways, boulevards and esplanades.

### **Policy:**

The Municipality recognizes the need for residents to access their property and that often this access must cross Municipally owned lands.

Where a drive way less than 6m in width and 3 m in length crosses Municipal property, directly in front of the accessed property, no encroachment agreement is required until the property is sold or the driveway relocated.

Where a driveway is more than 6m wide and 3 m in length or where the encroachment is not totally in the front of the access property, and encroachment agreement is required. Existing driveways are grandfathered until such time as the property changes hands or the driveway is reconstructed or relocated.

All legal requirements to develop and register such and agreement, including but not limited to survey costs, are the responsibility of the property owner. Council reserves the right to examine each application on its merits. Where an encroachment is front of any lot other than the owner, the affected owner shall be notified of the impending agreement and be given an opportunity to comment.

Decisions of Council with regard to encroachments are final.

Dated at Lions Bay BC the 21 day of January 2008