

APPLICATION FORM FOR
ENCROACHMENT CONSENT LETTER
(SCHEDULE A)

Date: _____

Applicant File No.: _____
(If applicable)Municipal Property Address (subject property):
_____☐ I/we, _____ is/are the registered
(print full name)

owner(s) of _____ (Property Address). I/we agree that if the City approves of the encroachment(s), I agree to the terms and conditions of the Encroachment Consent Letter (page 2).

Please read and initial the terms and conditions of the Encroachment Consent Letter and return with this application

Signature(s): _____

Survey company name:**Date of survey:**Applicant name: (Law Firm/Realtor/Survey Company acting on behalf of the Property Owner or Homeowner):
_____Mailing address:

City:

Province:

Postal code:

Phone (home):

(work):

(cell):
_____Email address:
_____**REQUIRED DOCUMENTS:**

1. Signed Application Form (page 1 must be signed and page 2 terms and conditions must be initialed)
2. Original Real Property Report (RPR) **with Compliance** or Development Permit Stamp
3. Current copy of Title
4. Payment ([Online Payment](#) CityOnline account required)

The maximum size of email cannot be more than 10MB***Application will not be processed if any of the required documents are missing***



Dear property owner(s):

Terms and Conditions of Encroachment Consent Letter

The City of Calgary (the "City") consents to the encroachment(s) into the City's road right of way, utility right of way ("URW") and overland drainage right of way ("ODRW"), subject to the terms and conditions below:

The Encroachment Consent Letter only approves of the encroachment(s), as shown on the Real Property Report ("RPR") included with this application onto the City's road right of way, URW and/or ODRW and any encroachment(s) shown on the RPR onto private lands cannot be approved by the City. The owner is not permitted to add to, rebuild or structurally alter the encroachment(s) except: (i) as may be necessary to remove the encroachment(s); or (ii) as may be necessary for the routine maintenance of the encroachment(s). The owner must also comply with the City's Encroachment Guidelines, which can be located at calgary.ca/encroachments.

Pursuant to the Drainage Bylaw 37M2005 (the "Drainage Bylaw"), you are expected to comply with the terms and conditions of any easement, utility right-of-way, caveat, restrictive covenant, or any other document that has been registered on the title of the Property to protect the Storm Drainage System, which includes a drainage structure, swale, ditch or other Surface Drainage Facility, or the stability of a slope (Storm Drainage System and Surface Drainage Facility are both defined in the Drainage Bylaw).

This Encroachment Consent Letter does not restrict or limit the City or utility provider's right to construct, install, replace, remove, repair or maintain any utilities, roads, sidewalks or other City or utility provider improvements, and does not relieve the owner of the encroachment(s) from any liability arising from the encroachment(s). The owner is responsible for any and all costs resulting from any required modification, relocation and/or removal of the City or utility provider's improvements as a result of the encroachment(s). The City or utility provider shall not be liable for any damage whatsoever to the encroachment(s) arising from the City's or utility provider's use of or operations in relation to the road right of way and utility right of way.

The owner shall indemnify, defend and save harmless the City from any and all claims, actions, damages, liabilities, costs (including legal fees on a solicitor-client basis) and expenses by whomsoever made, brought or prosecuted in connection with any loss, damage or injury arising from the encroachment(s) on the City's road right of way, URW and/or the ODRW.

This Encroachment Consent Letter is only valid for the RPR included with this application and shall terminate at such time as the encroachment(s) are removed from the road right of way, URW and/or ODRW or at such time that the City requests removal of the encroachment(s) upon thirty (30) days' notice to the owner.

If you require further information in regards to this matter, please contact Real Estate & Development Services at encroachments@calgary.ca.

Yours Truly,
Encroachment Administrator
Real Estate & Development Services
Encroachments@calgary.ca

Initials:

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ISC: Confidential

The City of Calgary | P.O. Box 2100 Stn. M | Calgary, AB, Canada T2P 2M5 | calgary.ca