APPLICATION FOR ENCROACHMENT AGREEMENT

Fee: **$300.00** (GL 1-61-52104)
Receipt: _____

Print Form

Applicant: _____ Tel. No.: _____

Mailing Address: _____

Registered Owner of Land: _____ Tel. No.: _____

Mailing Address: _____

Interest of Applicant, if not the Owner: _____

Encroachment Required For: ☐ Fence ☐ Garage ☐ Shed ☐ Other _____

☐ Written acknowledgements from the utility service providers (Alberta Transportation, Atco Gas, Fortis Alberta, Shaw Cable, Supernet, TELUS, Town of Edson-Public Works, Yellowhead Gas, etc.) indicating that they have no objections to allowing the encroachment.

Details of Encroachment: You must attach the following responses and indicate preliminary response:

Alberta Transportation	☐ Objections	☐ No objections
ATCO Gas	☐ Objections	☐ No objections
Axia Netmedia (Supernet)	☐ Objections	☐ No objections
FortisAlberta	☐ Objections	☐ No objections
Shaw Cable	☐ Objections	☐ No objections
Telus	☐ Objections	☐ No objections
Town of Edson	☐ Objections	☐ No objections
Yellowhead Gas	☐ Objections	☐ No objections

Legal Description: Plan: _____ Block: _____ Lot: _____

ANY PERSONAL INFORMATION THAT YOU PROVIDE TO OUR OFFICE IS BEING COLLECTED FOR THE PURPOSE OF PROVIDING A MUNICIPAL SERVICE AS SPECIFIED IN THE MUNICIPAL GOVERNMENT ACT AND WILL BE USED ONLY IN ACCORDANCE WITH THAT ACT.

For Office Use Only

Meeting date for Committee of the Whole: _____ ☐ Approved ☐ Refused

Meeting date for Council: _____ ☐ Approved ☐ Refused

Approval Process

4 signed Agreements and 4 signed Affidavits to Applicant on: _____

Received back 4 Agreements & Affidavits on: _____

Sent 3 signed & sealed Agreements with Affidavits, & Caveat with Affidavit on: _____

Gave 1 original Agreement to be filed in Finance vault on: _____

Must be registered with Land Titles by: _____

Received confirmation Agreement registed on title: _____

Refusal Process

Letter sent to Applicant on: _____ advising Encroachment refused and must removed by _____

Date Confirmed encroachment has been removed: _____

Date Stamp Received

Encroachment Agreement Information

An Encroachment Agreement often is required when a structure such as a fence, shed, house, garage, etc. is constructed beyond your property line(s) or over an easement or right-of-way. Encroachments are usually discovered when a property is surveyed or sometimes when a Certificate of Compliance is requested.

An Encroachment Agreement is a formal acknowledgement by the Town to allow the structure to remain as is.

How to obtain an Agreement for Structures Encroaching onto Town Lands

1. If you have a structure (for example a fence, shed, house, garage, etc.), as shown on a recent Real Property Report, that encroaches over Town Lands (street, avenue, lane, road right of way, utility right of way, municipal reserve, etc.) an Encroachment Agreement is usually required or the item(s) is/are required to be removed.
2. An application form (on the reverse side) is required to be filled out.
3. You or your lawyer must obtain written acknowledgements from the utility service providers (Alberta Transportation, Atco Gas, Fortis Alberta, Shaw Cable, Supernet, TELUS, Town of Edson - Public Works, Yellowhead Gas, etc.) indicating that they have no objections to allow the encroachment. Contact name and numbers are below.

Utility Service Provider	Contact Person	Phone No.	Fax No.	Email
Alberta Transportation	Nazhat Butt	780-723-8213	780-723-8387	nazhat.butt@gov.ab.ca
ATCO Gas	Claudia Rinzema	780-420-4135	780-420-5649	encroachments@atcogas.com
Axia Netmedia Supernet	David Lynn	403-463-5506	403-538-4100	david.lynn@axia.com
Fortis Alberta	Jay Brar	403-514-4119	403-514-4411	landserv@fortisalberta.com
Shaw Cable	Chris Bourret	403-340-6436	403-340-6414	chris.bourret@srjb.ca
TELUS	Bonnie MacMillian	780-508-2456		rightofwayab@telus.com
Town of Edson	Darin Borysko	780-723-6461	780-723-7188	darinb@edson.ca
Yellowhead Gas	Susan Robinson	780-723-4214	780-723-7994	yellowga@telusplanet.net

4. Once you receive written acknowledgement of "no objection" to the encroaching structure(s), you can submit your completed application form, all of the written acknowledgements, and the application fee of $300 to the Town for review and referral to Town Council.
5. If your application is approved, the Town will provide you or your lawyer four copies of the Encroachment Agreement for you to review and for you and your witness to sign. Your witness must also sign an affidavit. You must return the Agreements to the Town once signed.
6. The Town will then sign and seal the Agreements and return three copies to you or your lawyer, with a Caveat, who must register the agreement on the Land Title within 30 days. The Town will keep the fourth copy for its records.
7. Once the agreement is registered on the Land Title, you or your lawyer will provide the Town with a copy of the land title showing the registration of the Agreement.
8. If your application is rejected, you or your lawyer will receive a letter advising when you must remove the encroaching structure(s). The application fee is non refundable.

***NOTE**: The Town does not require agreements for structures that are encroaching over private lands.*