



Committee Report

To: Warden Mitch Twolan
Members of the Transportation & Environmental Services
Committee

From: Miguel Pelletier
Director of Transportation & Environmental Services

Date: July 9, 2020

Re: Temporary Waiver of Encroachment Permit Fee and Refundable
Deposit

Staff Recommendation:

That the County's Encroachment Permit fee and deposit requirement, specifically for restaurant/food service temporary patios encroaching onto the County's property, under the County of Bruce Fees and Charges By-law 2020-017, be temporarily waived effective immediately until November 19, 2020.

Background:

In the wake of businesses beginning to re-open which were initially closed because of the COVID-19 pandemic, the County has received requests from local municipalities on behalf of restaurant/food service businesses, to temporarily waive the encroachment fee and refundable deposit requirement to temporarily encroach onto the County's property, namely sidewalks and County road right-of-way. It is expected that the County will be receiving additional business requests to encroach on a County Road right of way to support the opening of businesses as COVID-19 restrictions are further lifted.

The main purpose of the attached encroachment permit is to confirm that the encroachment onto County property is safe and does not create additional liability to the County that cannot be mitigated. It is recommended that the existing approval process for encroachment permit applications remains in place as the requirement to request a permit is not onerous for the requestor and the County can process the permit within a short period of time (less than 10 working days) in most cases. The encroachment permit is normally for a fixed period over a short-term. A more permanent, longer-term arrangement for the encroachment onto County property usually requires a County by-law and the registration of the encroachment document.

The current \$100 permit fee covers the administration cost for the County to process the permit request and the \$300 refundable deposit is meant to hold the applicant accountable

for the property to be returned to the County's desired condition after the encroachment stops.

This encroachment permit fee waiver is aligned with the County's effort to support economic recovery from the COVID-19 pandemic. Once the economic recovery is under way, however the fee and refundable deposit should be reinstated.

It is recommended that the waiver be reviewed at the November 19, 2020 meeting of this Committee.

Financial/Staffing/Legal/IT Considerations:

There are administration costs to process the permits will not be recovered through fees and the County may need to absorb costs that would have been covered by the refundable deposit.

If necessary, there may be a requirement to engage legal services to recover County property damage costs.

There are no staffing or IT considerations associated with this report.

Interdepartmental Consultation:

Consultation with the Planning and Economic Development Department to confirm that this recommendation is aligned with the COVID-19 economic recovery strategy for the County.

Link to Strategic Goals and Elements:

COVID-19 pandemic economic recovery

Approved by:

A handwritten signature in black ink, appearing to read "Sandra Datars Bere". The signature is fluid and cursive, with the first name "Sandra" being the most prominent.

Sandra Datars Bere
Chief Administrative Officer