



Front Yard Landscaping

By Brian Madigan

Where is your front yard? Sometimes, this can be a problem. You want to landscape, but you are not quite sure where to put the brick lamppost and the blue spruce.

There are a few things to consider. First of all, the municipal road is 66 feet in width. The paved portion of the road is about 22 feet in width, and to make matters worse, it's not always in the middle of the 66 foot road allowance.

In most subdivisions, you will find a boulevard and frequently a sidewalk adjacent to the paved portion of the road. Technically, this is still part of the municipal 66 foot wide road. You will find various municipal services located under this area.

Next, we come to your property line. You might find the municipal water valve to your property a few inches away from your property line, but still on municipal land. Now, the next 10 to 15 feet of your property may be subject to an easement for utilities. This means that you cannot place anything there that will obstruct or interfere with the services located within the easement. If you do, they can be removed at your expense and the utility is not under any legal obligation to replace them.

Truly, the only proper way to be sure is to have a copy of your survey in hand. Start with the building and measure out to the property line. Be sure to locate any utility easements. If you find the survey stakes that's great. Otherwise, you will have to use your best judgment.

In terms of planting large trees, you will need to place them so that the roots don't interfere with the services in the easement. A mature blue spruce will occupy a 24 foot diameter at its base. So, it should be set back at least 12 feet from the easement. If you have any concerns, you should consult an arborist.

Once you have measured everything out, particularly if you have a small lot, you may find that the potential safe placement simply looks ridiculous.

So, if the lamppost is too far up the driveway and far too close to the house, then you should contact the municipality and enter into an encroachment agreement so that the lamppost can be properly located on the easement. This agreement will ordinarily be in the form of a licence for a period of 20 years or less.

When it comes to the tree, it would be wise to do the same. If the roots interfere with the municipal services, then the municipality may dig up the tree and remove it at your expense. And, if you just sold your house, the purchaser can insist on the cost of a replacement tree.

To avoid these problems, all it takes is a few minutes with your survey and a measuring tape.

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