



Request for Decision

Council Meeting: January 14, 2020

8.17 Request for Encroachment Agreement on Lot 10PUL (Public Utility Lot), Block 7, Plan 8121231

Request

The owner of Lot 9, Block 7, Plan 8121231 is requesting that County Council consider entering into an encroachment agreement for the portion of the retaining wall that encroaches on Lot 10PUL, Block 7, Plan 8121231. The landowner had a retaining wall installed and is suggesting that his property pin was removed after the County fixed a waterline break. The landowner was unaware until the survey was completed (Nov. 2019) that the retaining wall encroaches 0.74 meters onto County owned Public Utility Lot.

There is also a moveable shed that encroaches on Lot 38ER, Block 7, Plan 8121231.

Budget/Financial - \$1,200.00 (approximate cost of the Encroachment Agreement creation)

Legislation/Bylaw/Policy Consideration –

Portable Shed:
Reserve Land Management Policy DEV-93
Land Use Bylaw, section 3.3(1)
MGA, section 671 (1)

Alternatives

To enter into an Encroachment Agreement with the landowner for the portion of the retaining wall that encroaches on Lot 10PUL, Block 7, Plan 8121231. All costs of the encroachment agreement creation will be that of the landowner.

To uphold the Reserve Land Management Policy, Land Use Bylaw, section 3.3(1) and MGA 671 (1) and deny the request for an encroachment agreement.

Council directs administration to have the landowner remove the moveable shed from Lot 38ER, Block 7, Plan 8121231.



Recommendation

Administration is recommending that Council uphold the Reserve Land Management Policy, Land Use Bylaw, section 3.3(1) and MGA 671 (1) and deny the request for an encroachment agreement.

Administration is recommending that the landowner be directed to remove the shed from Lot 38ER, Block 7, Plan 8121231.

Submitted by: Crystal St. Arnault, Taxation and Assessment Technician