



Corporation of the Municipality of Temagami

Memorandum to Council

Memo No.
MEMO-M-167

☒ **Staff
Committee**

Subject:	Implementation and enforcement of an Encroachment By-law 19-1485, as amended, to address concerns throughout the Municipality with individuals using the municipal property for personal storage.
Agenda Date:	10-17-19
Attachments:	Encroachment By-law 19-1485, as amended

RECOMMENDATION

BE IT RESOLVED THAT Council receive Memo 2019-M-167;

AND FURTHER THAT Council direct Staff to prepare an Encroachment By-law for Council's consideration at the next meeting of Council to address enforcement and manage encroachments of personal property on Municipal lands;

AND FURTHER THAT Council consider approving a non-refundable fee \$50.00 for each Encroachment Agreement which will be valid for 1 year from the date of issuance.

INFORMATION

Staff have inspected the municipal lots at all lake accesses and found concerns with the unorganized storage. The storage on the municipal properties includes but not limited to trailers, ice fishing huts, abandoned vehicles, equipment and various other materials. Some of the personal property stored on the municipal property has evidence that it has been in the area for lengthy periods of time possibly years without being moved or maintained. The clean-up and maintenance of the lake access lots is a costly endeavor requiring works crews to dedicate time and resources. The cost of both time and expenses take a toll on budgets and schedules.

Staff recommend implementing an Encroachment Bylaw 19-1485, as amended, as a tool to bring organization to the various municipal properties and address the problems of abandoned personal property. The by-law has two parts, first the ability to set standards and have everything that will be stored on the municipal property registered with complete details of the personal property to be stored on the municipal land including the person's home address and contact information. By going in this direction we take the financial burden from the tax payer and place it on the individuals using the land. The second part is the tools needed to address concerns with abandoned property.

The Municipal Act provides the municipality the ability to maintain lands which they own and /or occupy including charging fees to offset the cost of maintenance of the said lands. While this is intended to address the concerns at all the lake access in the municipality it does also provide a tool to address concerns that may occur in other places such as along highways and road allowances which occasionally occur causing sight line issues and may pose a safety concern.

Furthermore staff recommend that an annual Encroachment Agreement fee of \$50.00 be implemented to cover the cost of staffing for registering of the agreements maintaining the records, monitoring of the lots for compliance and enforcement in the event of non-compliance. This will be an annual fee renewable 1 year from the date of approval.

Respectfully Submitted:
Daryl Bell,

