

Subject: [Fwd: Encroachment – 2688 / 2694 Panorama Drive]

Date: Mon, 10 Mar 2003 17:16:34 -0800

From: Brian Platts <bplatts@shaw.ca>

To: Corrie Kost <kost@triumf.ca>

----- Original Message -----

Subject: Encroachment – 2688 / 2694 Panorama Drive

Date: Mon, 10 Mar 2003 16:28:41 -0800

From: Brian Platts <bplatts@shaw.ca>

To: 'Co Mayor Don Bell' <don_bell@dnv.org>, 'Councillor Alan Nixon DNV' <anixon@dnv.org>, Ernie Crist <ernie_crist@dnv.org>, Janice Harris <janice_harris@dnv.org>, Lisa Muri <lisa_muri@dnv.org>, Maureen McKeon Holmes <maureen_mckeeonholmes@dnv.org>, richard_walton@dnv.org, NVD Council <dnvcouncil@dnv.org>, FONVCA <fonvca@fonvca.org>

Mayor & Council,

I would have liked to speak to the above-mentioned agenda item during Public Input, but unfortunately I have both a broken-down car and wheelchair and thus I am unable to attend the meeting.

With respect to the item, I urge Council to adopt Option #1 and charge a rent of \$5,544 per annum based on the total area being encroached upon area including garden.

The Staff Report notes that "[public land] *is enclosed by the fence and hedge, the actual utility is greater than just the patios, stairs and decks.*" This enclosed area provides the adjacent homeowner with exclusive use of what is publicly-owned land. Normally, a homeowner will pay rent for an encroachment of a structure because he has the exclusive use of that portion of the land upon which the structure sits. The public still has access up to and around the structure -- usually a garage or carport. The intent of the policy is quite clear: If you occupy public land for your own exclusive use then you should pay a rent commensurate with the value of the land you occupy.

If the new owners feel that the area fenced off is not worth the rent (as outlined in preferred Option #1), then he will likely redevelop sooner rather than later, in which case all the existing encroachments will be removed.

Sincerely,
Brian Platts