

# Wheatland County

## Request for Decision

Regular Council Meeting

October 6, 2020

Report prepared by: Robin Glasier - Land Agent



### Encroachment Agreement - Muirfield

#### **Recommendation from Administration**

That Wheatland County Council approve an Encroachment agreement for the placement of the improvements consisting of a roof overhang, a fence and a retaining wall with the owners of Roll #9456179, Condominium Plan 0710284; Unit 179 within Muirfield, based on the information as presented in the RFD.

#### **Chief Administrative Officer's Comments**

N/A

#### **Report**

##### **Division: Division 5**

The owners of Roll #9456179, Condominium Plan 0710284; Unit 179 within Muirfield had and RPR prepared, which shows there is a portion of a roof overhang, a fence and a retaining wall encroaching into a Utility Right Of Way under the direction, control and management of Wheatland County, registered as Plan 0710288 (the UROW), and caveated on the Title as registration #0171026550. There is a 450mm Storm line in the right of way. They have submitted a request for an Encroachment Agreement to permit the structures to remain in place for their useful life, or until the County requests in writing they be removed. The agreement would be registered on title and be binding on future owners.

#### **Relevant Policies, Practices, and Legislation**

N/A

#### **Alignment with the Strategic Plan**

N/A

#### **Response Options**

Option 1: THAT the proposed recommendation is accepted/approved.

Option 2: THAT the proposed recommendation is not accepted/approved.

Option 3: THAT an alternate recommendation is accepted/approved.

#### **Implications of Recommendation**

##### **General**

The Encroachment agreement permits the structures to remain in place while ensuring that, should removal be required, 30 days notice be given.

**Organizational**

The Land Agent has prepared the Encroachment Agreement. It has been signed by the Landowners and a caveat will be registered on the applicable title at Land Titles once the document has been signed and sealed on behalf of the County.

**Financial**

N/A

**Environmental, Staff, and Public Safety**

The encroaching structures are not creating safety or environmental concerns.

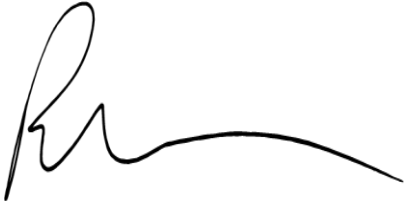
**Follow-up Action / Communications**

If approved, the agreement will be signed and forwarded onto the applicant.

## Report Approval Details

Document Title:	Encroachment Agreement - Muirfield.docx
Attachments:	- Encroachment Agreement 674 MUIRFIELD CRES HARNDEN.pdf
Final Approval Date:	Sep 25, 2020

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink, appearing to be 'Bryce Mackan', with a long horizontal flourish extending to the right.

Bryce Mackan

A handwritten signature in black ink, appearing to be 'Michael Ziehr', with a long horizontal flourish extending to the right.

Michael Ziehr

A handwritten signature in black ink, appearing to be 'Brian Henderson', with a long horizontal flourish extending to the right.

Brian Henderson