

Shirley Bond

From: "Brian Henry" <bhenry@golden.net>
To: <info@tswpanel.ca>
Sent: September 23, 2007 6:47 PM
Subject: Submission to the TSW Panel

Submission to The Panel on the Future of The Trent Severn Waterway

Thank you for allowing the public to provide input on the future of the Trent Severn Waterway (TSW). From what I can see the panel has laid a good foundation for a meaningful discussion of the waterway.

My wife and I own a cottage on the Severn River just below Lock 42. The cottage sits on property owned and managed by the TSW. We hold a License of Occupation for the lot on which our cottage sits. I understand that there are about 195 properties like this on the system. On the river between Lock 42 and Sparrow Lake there are about 24 similar lots on leased land. We pay a yearly fee for the use of the property. The TSW provides nothing in return. We are fully responsible for all maintenance on the land and for municipal taxes. The land lease fee is payable within thirty days of the yearly invoice being issued.

In September 2006 my neighbours and I were shocked to receive notices that our lease rates would be more than doubling over the course of the next 3 years. After making enquiries, we learned that lease rates were based on a calculation of 8% of the value of the land and they were recalculated every 5 years. This was the first we had heard of this calculation. We later learned from management at the TSW that this calculation had intentionally been omitted from any paperwork we ever received on the advice of their legal department. We also learned that provincial legislation provided no protection because the land was federal property. Research through the internet turned up legislation that protected cottagers in other National Parks from similar drastic rental increases. It appears there is no such legislation that protects those who use leased land on the TSW. We have also been told repeatedly by the TSW that should they decide, we can be asked to vacate the property with reasonable notice.

When traveling the river between Lock 42 and Sparrow Lake, it becomes evident that those cottagers on leased land are reluctant to invest in the property, waterfront and buildings in the same way that cottagers do on owned property. In speaking with those on leased land, most have a clear explanation. With the uncertainty of rent increases and the uncertainty of even remaining on the land, they are reluctant to invest too much. How does this affect the waterway and the community?

First of all, some of the waterfronts are slowly washing into the river, degrading the water quality and the water depth. Weeds in the channel are increasing in density yearly. We often see boaters, especially those in large boats, quickly cut their engines as they encounter the weeds. Some of the breakwalls are old, crumbling and constructed of materials that should not be along the shoreline. Why would the cottagers on leased land spend the money to refurbish the shoreline on property they don't own? Finally, the local community would benefit greatly if the cottagers on leased land were more prepared to maintain or even upgrade their cottages. Building centers, hardware and furniture stores would see more spending by these cottagers.

How do we solve the problem?

1. Provide the cottagers with an opportunity to purchase their lots if they choose. Rather than collecting about \$1 million in rent yearly the TSW could see a cash influx of around \$20 million as the lots are purchased. Does the TSW need to be in the land rental business?
2. Provide some regulations or legislation that would temper the size of rent increases so that cottagers on leased land would better be able to predict and budget for the increases. With some stability those same cottagers would be able to budget and then may spend more money on the properties.
3. Provide better information to cottagers on leased land about the calculation of rental increases. Also provide them with an interest free method of paying the leases on a quarterly basis in the same way municipalities collect their taxes.
3. Assist the cottagers on leased land in refurbishing their waterfronts to better protect the quality of the water and depth of the channel. If the waterway owns the land, should they not take some responsibility for its

maintenance?

Respectfully,
 Brian Henry

24/09/2007