



City of Kelowna
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Council Policy

Execution of Standard Land Title Office Documents

APPROVED November 23, 1976

RESOLUTION: R375/10/04/26

REPLACING: R529/05/05/30; R323/04/03/29; I584/01/07/30; R222/00/03/13; R1184/94/11/21; R-76/11/23

DATE OF LAST REVIEW: April 2010

THAT approval of all documents necessary to complete the noted land title office transaction be assigned to the following City staff positions:

STANDARD LAND REGISTRY DOCUMENT	Approving Position
(a) All right-of-way agreements required by the City to protect any City utility, or that are required by the City to grant approval for any other utility to use City owned property and are either obtained at a nominal cost or the acquisition has been provided in an annual budget approved by City Council.	Utility Manager
(b) Quit Claim of all utility right-of-way agreements that are no longer required by the City's Utilities or that are no longer required on City land by other utilities.	Utility Manager
(c) Quit Claim of all Highway Reserve Agreements from any lands remaining after the ultimate width road right-of-way has been dedicated from the lands.	Development Engineer
(d) The granting of restrictive covenants concerning matters relating to septic disposal, dry sewerage, restrictions to development pending construction of sanitary sewer, ALR buffers, landscaping and landscaping maintenance agreements, phased strata development and strata title consolidation, no access, reciprocal access and parking agreements.	Approving Officer
(e) The modification and Quit Claiming of all restrictive covenants relating to matters identified in clause (d) above to accommodate development of the subject properties that has been approved by City Council.	Approving Officer
(f) The granting, modification and/or quit claiming of all private access easements that are required for the approval of any development.	Approving Officer
(g) The securing of road rights of way by either dedication on a plan of subdivision or registration against title of a highway reserve agreement where the acquisition cost does not exceed Council policy, the road need is as a result of development and there is funding in the current year's budget.	Land Agent
(h) The securing of road rights of way by either dedication on a plan of subdivision or registration against title of a highway reserve agreement where the road need is as a result of a City initiated street project, the acquisition cost does not exceed the budgeted land acquisition cost for the capital project, and there is funding in the current years budget.	Land Agent
(i) The sale of road rights-of-way that have been declared excess to the City's transportation needs, where the closure is an exchange for an equal or greater area of land to be dedicated as road on a plan of subdivision and the acquisition cost of any excess area of road being dedicated does not exceed Council policy.	Land Agent

AND THAT the Mayor and City Clerk be authorized, on behalf of the City, to execute all necessary documents that have been approved by the authorized City staff position.

REASON FOR POLICY

To assign approval authority for execution of standard land registry documents to City staff positions.

LEGISLATIVE AUTHORITY

Sec. 176, Local Government Act

PROCEDURE FOR IMPLEMENTATION

PROCEDURE FOR IMPLEMENTATION: Documents