



BOARD REPORT

TO:

Chair and Directors

File No: 6140 10 06

SUBJECT:

Sirvio Subdivision – Satisfaction of Parkland or Payment Deferral Agreement – Electoral Area E

DESCRIPTION:

Report from Ryan Nitchie, Team Leader, Community Services, dated July 14, 2017. Landowners have satisfied the conditions of the Parkland Deferral Agreement and the Section 219 Covenant (Land Title Act) can be discharged.

RECOMMENDATION #1:

THAT: the Board approve the discharge of Parkland Covenant CA2727941 modified by CA3248840 registered over Strata Lots 1-6 inclusive, Section 22, Township 22, Range 7, W6M, KDYD, Plan EPP8484.

RECOMMENDATION #2:

THAT: the Chief Administrative Officer be authorized to execute all related documents to affect the discharge of Parkland Covenant CA272941.

SHORT SUMMARY:

A Parkland Deferral Agreement was entered into by the Board and the property owner at the time of subdivision in 2010. A restrictive covenant was placed on title as a requirement of the deferral agreement. In June 2017, payment in the amount of \$16,250 was received from the law firm representing the owners. As the conditions of the Parkland Deferral Agreement have now been satisfied, the covenant can be discharged.

VOTING:

Unweighted
Corporate



LGA Part 14
(Unweighted)



Weighted
Corporate



Stakeholder
(Weighted)



BACKGROUND:

The subject property is located in the Cambie-Solsqua Road area of Electoral Area E. The Board agreed to enter into a Parkland Deferral Agreement as a condition of satisfying the parkland dedication in accordance with the *Local Government Act*. The recommendation of staff was to accept cash-in-lieu of parkland dedication. The agreement was entered into prior to adoption of Policy No. F-16 "Parkland Dedication Deferral Fees" and therefore no interest was charged to the owners.

POLICY:

Policy No. P-05 "Park Land Dedication as a Function of Subdivision" and Policy No. F-16 "Parkland Dedication Deferral Fees".

FINANCIAL:

\$16,250.00 was received and credited to the Electoral Area E Parkland Acquisition Reserve. All costs associated with releasing the covenant are the responsibility of the owner.

KEY ISSUES/CONCEPTS:

The conditions of the deferral agreement are satisfied and authorization to remove restrictive covenants is required.

IMPLEMENTATION:

The Chief Administrative Officer will authorize the Form C Release and provide same to owners to execute for filing with the Land Title Office.

COMMUNICATIONS:

Jonathan Jones or Tracy Wilton of Nixon Wenger LLP, acting as agents on behalf of the land owners, will be advised.

DESIRED OUTCOMES:

The Board approve the recommendations and the covenant be discharged.

BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Board Report October 6, 2010

Report Approval Details

Document Title:	2017_07_20_Sirvio_Parkland_Deferral_Covenant_Discharge.docx
Attachments:	
Final Approval Date:	Jul 18, 2017

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

No Signature - Task assigned to Corey Paiement was completed by workflow administrator Brad Payne

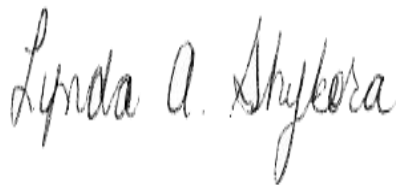
Corey Paiement - Jul 14, 2017 - 2:53 PM



Gerald Christie - Jul 18, 2017 - 7:54 AM



Jodi Pierce - Jul 18, 2017 - 8:21 AM



Lynda Shykora - Jul 18, 2017 - 9:24 AM

A handwritten signature in black ink, appearing to read "C. Hamilton". The signature is stylized with a large initial "C" and a long, sweeping horizontal stroke at the end.

Charles Hamilton - Jul 18, 2017 - 4:08 PM