

Memorandum

Date: February 11, 2025
Submitted by: Community Development Department – Development Planning Division
Subject: Discharge of Restrictive Covenants – 622 Foresthill Drive

Background

When the legal documentation required to facilitate the subdivision of the property at 622 Foresthill Drive was submitted to the Land Title and Survey Authority (LTSA), staff were advised that the filing was deemed defected due to the existence of two old restrictive covenants, registered in August 1986, which had not been referenced on the submitted documents.

Covenants

Both covenant documents (**Attachments 1 and 2**) relate to the subdivision and development of the subject Lands by a former owner, Barbican Developments Ltd., and the design of the exterior of the proposed buildings and building setbacks in connection with the natural water courses on or near the Lands. These requirements have been superseded and replaced with the recently authorized development variance permit and minor development permit requirements and the associated legal documents, including a building scheme.

The attachments to each covenant also reference certain works and services for the lands which were to be installed by the then owner and/or the City and it appears that the City obtained a loan from the Province for those works to be repaid by Barbican. It appears the debt was cancelled subject to the completion of a land exchange. As the development of the lands is now directed by other legal documents, these covenants are now obsolete and must be discharged from title to enable the legal document package to be registered. To discharge the restrictive covenants, Council approval is required.

THAT the memo dated February 11, 2025, from the Community Development Department – Development Planning Division regarding Discharge of Restrictive Covenants – 622 Foresthill Drive be received for information;

AND THAT Restrictive Covenants Z154593 and Z154595 be discharged;

AND THAT the Mayor and Corporate Officer be authorized to execute all documentation required to facilitate the discharge of the covenants.

Attachments

1. Restrictive Covenant Z154593.
2. Restrictive Covenant Z154595.

Report Approval Details

Document Title:	Discharge of Restrictive Covenants – 622 Foresthill Drive.docx
Attachments:	- Attachment 1 - Restrictive Covenant Z154593.pdf - Attachment 2 - Restrictive Covenant Z154595.pdf
Final Approval Date:	Jan 30, 2025

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

Tracey Takahashi, Deputy Corporate Officer - Jan 27, 2025

Michael Olubiyi, Manager of Development Planning - Jan 27, 2025

Kate Zanon, General Manager of Corporate Services - Jan 27, 2025

Stephanie Lam, City Clerk and Manager of Legislative Services - Jan 28, 2025

Lindsay Todd, Manager of Communications and Engagement - Jan 28, 2025

Paul Rockwood, General Manager of Finance and Technology - Jan 29, 2025

Paul Rockwood, General Manager of Finance and Technology, for Anna Mathewson, City Manager - Jan 30, 2025