



REQUEST FOR DECISION

To: Mayor & Members of Council

Title: Manager of Planning and Building – Request to Discharge Covenant/Easement for Lot 4, Township 20, Range 10, W6M, Plan KAP60045, KDYD (250 Harbourfront Drive NE)

Date: October 27, 2025

Motion for Consideration:

THAT: Council authorize the discharge of Easement Document KD035033 from Lot 4, Township 20, Range 10, W6M, Plan KAP60045, KDYD (250 Harbourfront Drive NE).

Background:

In early 1990, a series of subdivisions were finalized for the development of lands around Harbourfront Drive NE. The subdivisions resulted in a number of development parcels which are largely developed upon at this point, while 250 Harbourfront Drive NE remains undeveloped (Appendix 1). At the time of those subdivisions, it was a more common practice to register nuisance easements or covenants at land titles to act as a notification to potential landowners of a possible or perceived nuisance. In this instance, the subject easement related to the potential for odors from the Water Pollution Control Centre (WPCC) located 121 Narcisse Street NW (Appendix 2). Although the owner at the time of the subdivision entered into the easement agreement with the City the easement “runs with the land”, meaning that all subsequent landowners are also entered into the same agreement.

The current owners of the subject property, 250 Harbourfront Holdings Ltd. (Inc. Co. BC1149413), are requesting Council support to discharge the Easement Document KD035033 from the title. The document is a dated means of providing notice to potential purchasers that the site is in proximity to the City’s Water Pollution Control Centre (WPCC). In the 1980s and 1990s this was a common legal tool used to alert potential land purchasers. In present context, this is a dated legal tool and would not be used in current development approval processes. Costs associated with the discharge of an easement is primarily in the application fees to the Land Title Office and would be the responsibility of the landowner. A letter submitted by a representative of the landowner is enclosed as Appendix 3. At the time of registering the easement the document had to be signed by the Mayor; therefore, a Council resolution is needed to allow the Mayor and staff to execute the discharge paperwork.

Given that registering such easements is no longer a standard practice and that City has made significant improvements to the Water Pollution Control Centre (WPCC) resulting in less odors, staff are supportive of discharging the easement from the subject property.

Noting that there are other lands in proximity to the Water Pollution Control Centre (WPCC) with similar easements, should Council be supportive of discharging the subject easement on the subject property Council could provide staff with direction to discharge the easements on a case-by-case basis by way of a bylaw detailing the process and delegating the authority to execute the discharge documents to staff.

Legislative authority / plans / reports:

	Official Community Plan		Master Plan
	Community Charter/LGA		Other
	Bylaw/Policy		Corporate Strategic Plan
	Zoning Bylaw		2025-2029 Financial Plan
			Long Term Financial Plan

Financial Considerations:

The landowner requesting to discharge the easement must complete registration and would submit application fees to the Land Title Office.

Alternatives & Implications:

Council may not support the discharge of the easement document from the title, in which case, the easement would remain on title.

Communication:

None proposed, other than to communicate Councils decision to the landowner.

Prepared by: Manager of Planning and Building
 Reviewed by: Director of Planning and Community Services
 Approved by: Chief Administrative Officer

Attachments:

- Appendix 1 - Ortho Map
- Appendix 2 - Easement Document KD35033
- Appendix 3 - Letter Request For Discharge