

POLICY**ENCUMBRANCES ON CSRD OWNED LAND**PREAMBLE

The Columbia Shuswap Regional District receives requests from local governments, corporations, and private landowners for permission to obtain an interest in CSRD owned land by way of agreements including easement, rights-of-ways, etc.

POLICY

Columbia Shuswap Regional District (CSRD) owned lands will not be encumbered by: tenancies; statutory rights of way; easements; contracts, leases or licenses, or any other interest in land which could expose the CSRD to liability and limit its ability to manage, plan or develop its lands.

Notwithstanding the foregoing, the CSRD and the Regional District of North Okanagan have purchased the CP rail corridor lands (rail corridor lands) from Sicamous to Armstrong; these lands were previously encumbered with a variety of agreements including: tenancies; statutory rights of way; easements; leases; licenses; and upland consent for docks. For the rail corridor lands only, these encumbrances may be recognized and renewed, and new agreements negotiated, until such time as they are terminated and discharged.

Additionally, where it is discovered that individuals have constructed objects and structures in trespass on the rail corridor lands, or on the water adjacent to these lands without the necessary upland consent and/or provincial approval, the CSRD and RDNO may enter into agreements once the necessary approvals are in place, or until such time that the owners have removed such structures and objects and the associated liability exposure is eliminated. The cost of preparing the agreements will be borne by the requestor.

April 1991

July 18, 2019