

## **Planning, Property & Buildings Department Internal Policy & Procedure**

---

- Policy:** Certificate of Title Policy
- Subject:** Expectations for when a Certificate of Title is required as part of a development application.
- Covers:** Planning, Property & Buildings Department
- Effective:** September 1, 2015
- Purpose:** The purpose of this Certificate of Title Policy is to provide direction on when a Certificate of Title is required as part of a submission for a development application. The review of a Certificate of Title allows administration to ensure that a development is in compliance with all caveats and easements registered on the title of the subject property. These instruments include, but are not limited to, utility easements, shared parking agreements, cross-access agreements and development agreements.

\*Where there is any conflict between the policies and procedures adopted by the City of Brandon and the policies and procedures set forth in a collect agreement adopted by the City of Brandon, or policies and procedures set forth in a statute of the Provincial or Federal Government, the collective agreement of the Provincial or Federal statute shall supersede such other policies or procedures.

**Policy:**

1. A copy of the Certificate of Title will be required for all development applications including, subdivision, rezoning, variance, conditional use, development and building permits.
2. Notwithstanding provision 1 above, a copy of the Certificate of Title will not be required for any building permit application not resulting in the expansion of a building or structure on a site, including but not limited to, interior renovations, occupancy permits and demolition permits.
3. All Certificate of Title must be issued no later than 30 days before the date of application.
4. An on-line printout of the Certificate of Title from the property registry is considered satisfactory to meet this requirement.
5. A copy of the Certificate of Title may be submitted by the applicant. If the applicant does not submit the certificate of title, a Community Planner will search and print a copy of the Certificate of Title.
6. When a Community Planner prints a copy of the Certificate of Title, the fee charged by The Property Registry will be invoiced to the applicant at the time the permit is issued.
7. The applicant is responsible to produce any documents relevant to the easements and caveats identified on the Certificate of Title.

## **Procedures/Responsibilities**

### **Employees**

- Community Planners are responsible for communicating the intent and procedure of the Certificate of Title Policy to the applicants at the time of applying for a development application.
- Community Planners are responsible for searching and printing the copy of the Certificate of Title.
- Community Planners are responsible for circulating the Certificate of Title to engineering.
- Community Planners are responsible to review the Certificate of Title, to verify ownerships and to request any documents relevant to the easements and caveats identified on the Certificate of Title.
- Community Planners are responsible for coordination with other internal departments to address any issues pertaining to the Certificate of Title.
- Administration is responsible for charging the fee associated with searching for the Certificate of Title at the time the permit is issued.

### **Supervisors**

- Ensure all employees are aware of the Certificate of Title Policy.
- Ensure the consistent application of the Certificate of Title Policy.
- Support employees in executing the Policy.
- Monitor the Policy and make changes to the Policy as necessary in order to improve upon process efficiency.

Policy No: GL11/2015

Created By: Ryan Nickel

Creation Date: 06/11/15

Authorized by: Louisa Garbo, Director  
Planning & Building Safety Department