



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: April 29, 2019

SUBJECT: FrontCounter BC Referral Application
Our File: CL-19-02/FrontCounter BC File: No. 272596
Ministry of Forests, Lands, Natural Resource Operations, and Rural
Development – Applicant
Central Okanagan East Electoral Area

Voting Entitlement: *All Directors – Unweighted Corporate Vote – Simple Majority – LGA 208.1*

Purpose: To consider a FrontCounter BC referral application for Crown land tenure to develop recreation facilities at the Dog House Cabin and Priest Creek Cabin.

Executive Summary:

The Recreation Site and Trails Branch of the Ministry of Forests is proposing to construct, rehabilitate and maintain a recreation site or trail, and to legally designate Crown land as a recreation site at the Dog House Cabin Recreation Site and the Priest Creek Cabin Recreation Site with Authorization under Sections 56 or 57 of the *Forest and Range Practices Act*. The recreation site will cover approximately 2.0 hectares (or 5 acres) in the vicinity of Myra-Bellevue Park and the McCulloch Snowmobile Trails.

Jurisdiction for approving the application lies with the Province of BC. There is no formal RDCO public notification process required for Crown land referral applications.

RECOMMENDATION:

THAT the Regional Board conditionally support FrontCounter BC referral application No. 272596 for the issuance of an indefinite license for Crown land tenure to construct, rehabilitate, and/or maintain a recreation site or trail, and to legally designate Crown land as a recreation site at the Dog House Cabin and Priest Creek Cabin recreation sites subject to the following being addressed prior to issuance of, or applied as conditions to, approval:

- A management plan and maintenance agreement should be developed for the area in association with the existing trails to address concerns regarding environmental impacts such as litter, fuel disposal, disturbance and noise to local wildlife, fire risk from campfires, and abuse of off-road vehicles on environmental features such as wetlands;
- Follow Best Management Practices to protect source water;
- Ensure that pit toilets comply with the *B.C. Sewerage System Regulation*;
- Post signage at the site to include information on Provincial best management practices and reminders to leave the area litter-free; and,

- Any proposed construction, repair, and/or maintenance of the recreation site(s) that falls within the scope of the B.C. Building Code requires a building permit from the Regional District of Central Okanagan.

Respectfully Submitted:



Todd Cashin
Director of Community Services

Approved for Board's Consideration



Brian Reardon, CAO

Prepared by: *Brittany Lange, Planner*

Implications of Recommendation:

Strategic Plan: Conditionally supporting the referral application complies with 2015-2018 Strategic Priorities Plan, Strategic Priority 4: Promote responsible environmental protection.

Policy: Conditionally supporting the referral application complies with Regional Growth Strategy Bylaw No. 1336:

- Policy 3.2.4.5: "Promote community health and safety through investments in education, recreation, health, community development, social support, civic design, environmental design, maintenance and economic development";
 - Policy 3.2.8: "The Region's natural ecosystems will continue to face development pressures and it will be important for the Region to manage growth to balance the human need for resources, recreation, enjoyment and aesthetics with the need to protect, conserve and restore natural areas and biodiversity"; and,
 - Policy 3.2.10.7: "Support the assessment of the social and economic benefits of arts, culture, tourism, and recreation amenities in decision on land use".
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Background:

The Ministry of Forests, Lands, Natural Resource Operations, and Rural Development proposes to construct, rehabilitate, and/or maintain a recreation site or trail, and to legally designate Crown land as a recreation site at the Dog House Cabin Recreation Site (REC33097) and the Priest Creek Cabin Recreation Site (REC166352) with Authorization under Sections 56 or 57 of the *Forest and Range Practices Act*. A third recreation site included in this referral is proposed at Canyon Lakes Cabin, however, it is within the Regional District of Okanagan-Similkameen.

Each of the existing cabins contains outhouse facilities and is used for emergency shelter purposes within an extensive snowmobile trail network. Each of the cabins is located approximately 12-24km east of the City of Kelowna on the McCulloch Snowmobile Trail (REC16088).

Proposal

The purpose of this Crown land application is to designate the Dog House Cabin area (+/- 0.54 hectares) and the Priest Creek Cabin area (+/- 1.0 hectare) as Parks and Recreation Facilities to ensure proper maintenance of the existing use. There are no plans for further development or rehabilitation at this time, however, improvements may be made in the future.

Site Context:

The subject area is located outside of an Official Community Plan; therefore, Development Permit Area designations are not applicable.

Additional Information:

Applicant:	Ministry of Forests, Lands, Natural Resource Operations, and Rural Development (Recreation Sites and Trails Branch)
Legal:	Portion of District Lot 2712, and adjacent unsurveyed Crown land, Similkameen Division of Yale District
Area Size:	+/- 2.02 hectares (5.0 acres)
Future Designation:	Resource and Crown Lands
Existing Use:	Existing recreational uses (i.e. snowmobile trails)
Surrounding Uses:	Crown Land
A.L.R.:	Not within the A.L.R.
Fire Protection:	Not within an established Fire Protection Area

RDCO TECHNICAL COMMENTS:

Planning Services staff recommends support of the referral application as the recreation site intends to bring current uses into compliance with Provincial regulations. The proposed recreation site is located outside of RDCO prescribed development permit areas, as such; activities associated with the use of the recreation site should be monitored to ensure there are no negative environmental impacts.

Inspections Services staff advises that the cabin structures are considered existing non-conforming until such time that the use of the structures change (i.e. upgrades are made). Any future proposed construction, repair, and/or maintenance that falls within the scope of the B.C. Building Code will require a building permit from the Regional District of Central Okanagan.

RDCO Environmental Advisory Commission recommends support of the proposed referral application as presented.

Anecdotal Comments:

- A management plan and maintenance agreement should be developed for the sites in association with the existing trails to address litter, fuel disposal, and outhouse maintenance;
- The site and surrounding area would benefit from an annual spring clean-up; and,
- Signage should be posted at the sites to include information on best management practices and reminders to leave the area litter-free.

AGENCY REFERRALS:

Interior Health Authority staff advises the use of pit toilets must comply with the *B.C. Sewerage System Regulation*. While an outhouse or pit privy is outside of IHA jurisdiction, it must be constructed in a manner which does not cause a health hazard. IHA staff further recommends that the activities within the watershed minimize impact to drinking water and ensure that the proposal is in compliance with the *Drinking Water Protection Act*.

Unaffected Agencies include the District of Lake Country, District of Peachland, City of Kelowna, City of West Kelowna, BC Hydro, Shaw Cable, Telus, Fortis B.C., Black Mountain Irrigation District, South-east Kelowna Irrigation District, and the Ministry of Transportation and Infrastructure.

Unaffected RDCO departments include Engineering Services, Parks Services, and Fire Services.

External Implications:

Jurisdiction for approving the application lies with the Province of BC. FrontCounter BC did not advertise this application; it is noted that no formal RDCO notification process is required for Crown land referrals.

Alternative Recommendation:

THAT the Regional Board not support FrontCounter BC referral application No. 272596.

Considerations not applicable to this report:

- *General*
- *Organizational*
- *Financial*
- *Legal/Statutory Authority*

Attachment(s):

- Appendix 'A' – Subject Area & General Location Map
- Appendix 'B' – Dog House Cabin and Priest Creek Site photos