



# Regional Board Report

**TO:** Regional Board

**FROM:** Todd Cashin  
Director of Community Services

**DATE:** July 18, 2019

**SUBJECT:** FrontCounter BC Referral Application – Sugarloaf Mountain Recreation Trail  
RDCO File: CL-19-03 / FrontCounter BC File: No. 272516

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

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**Purpose:** To consider a FrontCounter BC referral application for Crown land tenure to develop recreation facilities at Sugarloaf Mountain Recreation Trail.

## Executive Summary:

The Recreation Site and Trails Branch of the Ministry of Forests is proposing to construct, rehabilitate and maintain a recreation site and trails, and to legally designate Crown land as a recreation site at Sugarloaf Mountain with authorization under Sections 56 and 57 of the *Forest and Range Practices Act*. The site will include approximately 3.61km of hiking trails and is located adjacent to Westside Road and North of Killiney Beach in Electoral Area West.

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

## RECOMMENDATION:

**THAT** the Regional Board conditionally support FrontCounter BC referral application No. 272516 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 Sugarloaf Mountain subject to the following being met:

- Follow Best Management Practices to protect source water;
- Ensure that pit toilets comply with the *B.C. Sewerage System Regulation*; 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: Alex Costin, Environmental Planning Technician Student*

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## 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:	<p>Conditionally supporting the referral application complies with Regional Growth Strategy Bylaw No. 1336:</p> <ul style="list-style-type: none"> <li>• 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”;</li> <li>• 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,</li> <li>• 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”.</li> </ul>
Official Community Plan:	<p>Conditionally supporting the referral application is consistent with the following policies of the Rural Westside Official Community Plan Bylaw No. 1274:</p> <ul style="list-style-type: none"> <li>• 3.2.2 (5) Continue to advocate protection of Environmentally Sensitive Areas on Crown land through the Okanagan-Shuswap Land and Resource Management Plan process;</li> <li>• 3.2.2 (6) Continue to pursue the implementation of the wildlife strategies through the objectives and policies in the Westside Road Parks Preplan (1996).</li> </ul>

## 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 Sugarloaf Mountain Recreation Trail (REC169008) with Authorization under Sections 56 or 57 of the *Forest and Range Practices Act*.

Sugarloaf Mountain Recreation Trail is a popular 3.61km round-trip hike that offers views of Okanagan Lake and the surrounding area. The trail is located adjacent to Westside Road and is North of Killiney Beach in the Rural Westside. Furthermore, the Sugarloaf Mountain trail is in the immediate vicinity of Evelyn Recreation Site and campground. Trail users continue to access the site via Westside Road and 2.5 kilometres up Sugarloaf Mountain Forest Service Road.

### Proposal:

The purpose of this Crown land application is to designate the Sugarloaf Mountain Recreation Site (+/- 48 hectares / 3.61km of hiking trail) as Parks and Recreation Facilities to ensure proper maintenance of the existing use. The application indicates that there are no plans for further development or rehabilitation at this time; however, improvements may be made in the future such as installment of signage, kiosks, picnic tables, and outhouses to Provincial standard.

### 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:** Unsurveyed Crown land in the vicinity of District Lot 3789, ODYD  
**Area Size:** +/- 48 hectares (3.61km of hiking trail)  
**Future Designation:** Resource and Crown Lands  
**Existing Use:** Existing recreational uses (i.e. hiking 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.

**Parks Services** staff supports the referral application as this will formalize the existing recreation trail and provide opportunities for linear trail connectivity to adjacent Crown land recreational areas, parks, and trails in the vicinity. The proposal is in keeping with the policies of the Rural Westside Official Community Plan, the Westside Road Parks Preplan, and the Okanagan-Shuswap Land Resource Management Plan with regard to the protection of Sugarloaf Mountain.

**Inspections Services** staff advises that 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.

**AGENCY REFERRALS:**

**Interior Health Authority** staff advises the use of pit toilets must comply with the *B.C. Sewerage System Regulation*. 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., and the Ministry of Transportation and Infrastructure.

**Unaffected RDCO departments** include Engineering 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. 272516.

***Considerations not applicable to this report:***

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

**Attachment(s):**

- Appendix 'A' – Subject Area & General Location Maps
- Appendix 'B' – Sugarloaf Mountain Recreation Site Photos