



Regional Board Report

TO: Regional Board

FROM: Murray Kopp
Director - Parks Services Department

DATE: February 3, 2020

SUBJECT: Mission Creek Greenway Regional Park Operation and Maintenance Agreement

Voting Entitlement: *All Directors – Weighted Vote – Simple Majority – LGA 210.2*

Purpose: To seek approval from the Regional Board to renew the Mission Creek Greenway Regional Park Operation and Maintenance Agreement with the City of Kelowna for another 5-year term.

Executive Summary:

The Regional District operates the Mission Creek Greenway Regional Park on behalf of all residents of the Central Okanagan. The Greenway is made up of a varying mix of land tenures that are either owned or tenured to the Regional District and/or the City of Kelowna. Both parties view the Mission Creek Greenway as an amenity that benefits the greater region and as such the aggregation of these lands have been identified as a key RDCO Regional Park. Since 1999 the Regional District has operated the Mission Creek Greenway in concert with City of Kelowna tenured lands through the application of an operation and maintenance agreement. The Mission Creek Greenway Regional Park Operation and Maintenance Agreement has expired and requires a renewal for another 5-year term.

RECOMMENDATION:

THAT the Regional Board approve renewing the Mission Creek Greenway Regional Park Operation and Maintenance Agreement with the City of Kelowna for a 5-year term commencing April 1, 2019 and ending on March 31, 2024.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "M. Kopp", written over a light blue grid background.

Murray Kopp,
Director – Parks Services

Approved for Board's Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon", written over a light blue grid background.

Brian Reardon, CAO

Prepared by: Wayne Darlington, Manager – Park Planning & Capital Projects

Implications of Recommendation:

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| Strategic Plan: | The operation of the Mission Creek Greenway Regional Park through the partnership with the City of Kelowna assists to deliver this critical park to all residents of the Central Okanagan, and meets the strategic priorities of the Regional Board: Transportation and Mobility; Economic Development; and Environment. |
| Financial: | No additional financial requirement as this is the renewal of an on-going agreement to continue to operate the Mission Creek Greenway. On-going operational and capital funding is considered through the development of annual financial plans. |
| Policy: | Bylaw No. 884 Official Regional Parks Plan and the Regional Parks and Greenways Plan for the Central Okanagan (2008-2020) provide the overall general guidance for the delivery of Regional Parks. |
| Legal/Statutory Authority: | Local Government Act Section 191; Regional Parks and Regional Trails Regulation (B.C. Reg. 361/2004, O.C. 772/2004). |

Background:

The Regional District and the City of Kelowna along with the Friends of Mission Creek have had a long term partnership towards the creation of the Mission Creek Greenway from Lakeshore Road to Field Road and on to Phase 3a covering 16.5km. The City of Kelowna and the Regional District have jointly agreed that the Mission Creek Greenway serves the greater Central Okanagan region where residents from across the region can enjoy its recreational benefits.

The Mission Creek Greenway is a complex mixture of land ownership and tenure types, where both the City and Regional District own or have controlling tenure over lands along the greenway. The City of Kelowna greenway tenured lands have been managed by the Regional District under an operation and maintenance agreement since 1999. The Regional District and City have regularly renewed the agreement to ensure on-going operations and maintenance of the greenway, the agreement has expired and is in need of renewal, until renewal it continues on a month to month basis.

The operation and maintenance agreement with the City of Kelowna provides the Regional District the ability to manage those City of Kelowna controlled lands as part of the larger Mission Creek Greenway Regional Park. This agreement is required to maintain consistency on the delivery and level of service provided to the Central Okanagan community in the delivery of the Mission Creek Greenway.

For this renewal of the agreement with the City of Kelowna, there has been an addition of one property at 2130 KLO Road for a future parking area and the removal of crown land tenures that were transferred to the Regional District. Other changes included minor adjustments to property boundaries, corrections to any grammar or spelling errors or updates to the document structure to be consistent with current terminology, bylaws, acts, and legal requirements.

In conclusion, Regional District staff request that the Regional Board approves the renewal of the operation and maintenance agreement with the City of Kelowna for the operation of the Mission Creek Greenway Regional Park over City of Kelowna tenured lands.

External Implications:

The renewal of the agreement is required to maintain consistency in the delivery of service levels for the Mission Creek Greenway. In the event the agreement is not supported, the delivery of services for the Mission Creek Greenway may be affected.

Alternative Recommendation:

THAT the Regional Board does not approve renewing the Mission Creek Greenway Regional Park License of Occupation Agreement with the City of Kelowna for a 5-year term commencing on April 1st, 2019 and ending on March 31st, 2024.

Considerations not applicable to this report:

- *General*
- *Organizational*

Attachment(s):

- Mission Creek Greenway Management and Regulation Contract Agreement