



Regional Board Report

TO: Regional Board

FROM: Murray Kopp
Director – Parks Services Department

DATE: February 3, 2020

SUBJECT: Regional Park Provincial Crown Tenure Agreement Renewal Report

Voting Entitlement: *All Directors – Stakeholder Weighted Vote - Simple Majority - LGA 209.1*

Purpose: To seek approval to renew the provincial Crown land License of Occupation for the Mission Creek Greenway Regional Park.

Executive Summary:

The Mission Creek Greenway Regional Park lands are comprised of a number of different tenures, permits, rights of ways, easements, and fee simple lands. In 2017, the License of Occupation for the Mission Creek Greenway expired and is currently on a month-to-month basis with the Province while they find the resources to renew the tenure for the Greenway and many other park tenures for the Regional District. As a result, in order to renew the provincial Crown land License of Occupation for the Mission Creek Greenway, the Province is requesting Regional Board approval to renew the tenure.

RECOMMENDATION:

THAT the Regional Board approves renewing the Mission Creek Greenway Regional Park Provincial Crown Land License of Occupation number 342858, provincial file number 3408741, for up to a 30-year term.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Murray Kopp".

Murray Kopp,
Director – Parks Services

Approved for Board's Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon".

Brian Reardon, CAO

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

Implications of Recommendation:

Strategic Plan:	The operation of the Regional Park Service and West Electoral Area Service over Crown lands assists in delivering critical park access 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 existing provincial Crown tenure agreement. On-going operational and capital funding is considered through the development of annual financial plans.
Policy:	Bylaw #884 Official Regional Parks Plan and the Regional Parks and Greenways Plan for the Central Okanagan (2008-2020) provides 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's Regional Parks Service, Electoral Area East and Electoral Area West Community Parks Services operate a number of parks wholly or partially under provincial Crown land tenures, either as a lease or license of occupation agreement for both foreshore and upland portions of the parks. In total the Regional District has 20 tenure agreements with the province of BC, located in 29 parks (21 Regional Parks, 6 West Electoral Area Community Parks and 2 East Electoral Area Community Parks).

Each provincial Crown tenure has a different term, however in the past a Province of BC Crown tenure term was typically 10 years. The Province is looking to extend these terms on the renewals of all the provincial Crown tenures to 30 years where possible. In 2020, we are expecting to see nine provincial Crown land tenures renewed. The Province has experienced a back log of renewals as a result of the two flood years of 2017 and 2018 where provincial staff and resources were temporarily reallocated in dealing with outcomes of the flood situation.

The Mission Creek Greenway Regional Park is a 16.5 kilometre linear greenway trail that goes from Lakeshore Road to Field Road and on to Phase 3a covering 16.5km. The greenway has key access points at McCulloch Road, Field Road, Hollywood Road South, Mission Creek Regional Park, KLO Road, Casorso Road, Mission Sportsfields, and Truswell Road. The park is arguably the busiest and most visited park in the Regional Park system; in 2018 we estimated that 140,000 residents accessed the greenway over that year. The park provides opportunities for walking, bicycling, horseback riding, and connecting to nature through its self-guided interpretation program. Mission Creek Greenway Regional Park has been strongly supported by our partners, the Friends of Mission Creek, since 1996.

The Crown land license of occupation for the Mission Creek Greenway Regional Park is ready for renewal, license number 342858. The Mission Creek Greenway Regional Park consists of a number of different land tenures, fee simple, Crown land license of occupation, right of ways, easements, permits and agreements. In order to maintain the integrity of Mission Creek Greenway Regional Park as a linear greenway park, this Province of BC License of Occupation requires consideration for renewal as per the terms of the tenure agreement.

In order to proceed forward with this and all future provincial Crown land tenure renewals, the Province requires that the Regional Board provide approval for renewing each agreement. Therefore, it is requested that the Regional Board provides approval to renew the Mission Creek Greenway Regional Park provincial Crown land license of occupation as identified in the recommendation.

External Implications:

Since the expiry date for each of these provincial Crown tenures, of October 27th, 2017, each tenure has been continued on a month to month basis as per the tenure agreements. It is critical to work with the province to renew each tenure as the province finds the time and resources to prepare each tenure for renewal, in order to ensure that the Regional Parks, Electoral Area East and Electoral Area West Community Parks Services are maintained.

Alternative Recommendation:

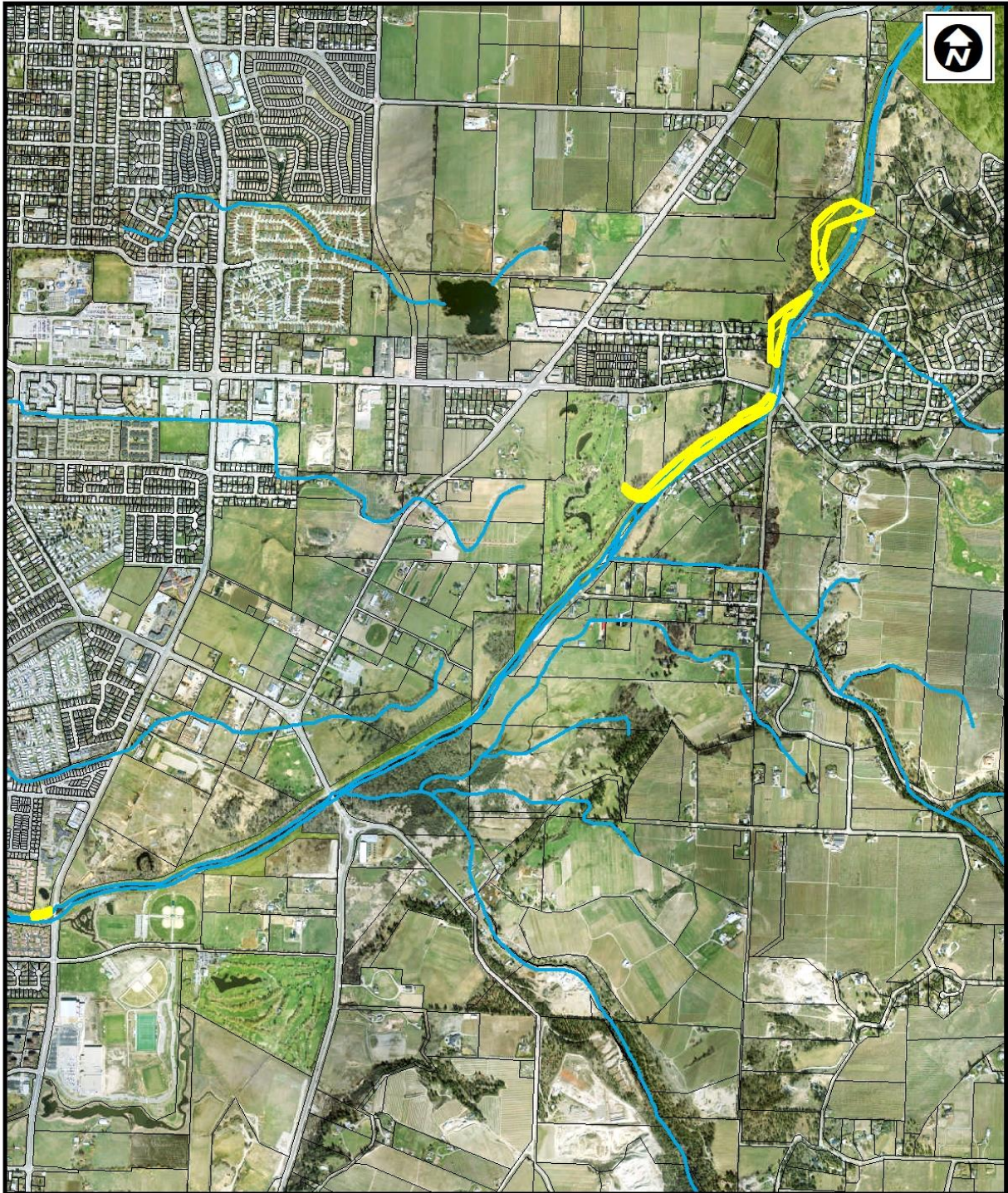
THAT the Regional Board does not approve renewing the Mission Creek Greenway Regional Park Provincial Crown Land License of Occupation number 342858, provincial file number 3408741, for up to a 30-year term.

Considerations not applicable to this report:

- *General*
- *Organizational*

Attachment(s):

- Map of Mission Creek Greenway Regional Park Provincial Crown Tenure Lands
- Provincial License 342858 Mission Creek Greenway to October 27 2017



**MISSION CREEK GREENWAY REGIONAL PARK
CROWN TENURE RENEWAL
LICENCE 342858 / FILE 3408741**

 Crown Land Tenure Area

