



Regional Board Report

TO: Regional Board

FROM: Murray Kopp
Director – Parks Services

DATE: August 4, 2020

SUBJECT: Killiney Beach Community Park Provincial Foreshore Crown License of Occupation Agreement Renewal

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

Purpose: To seek approval to renew the provincial Crown Land Foreshore License of Occupation for Killiney Beach Community Park.

Executive Summary:

Killiney Beach Community Park is a waterfront park at the end of Hodges Road in the Central Okanagan West Electoral Area community of Killiney Beach. In 2017, the Foreshore License of Occupation for the Killiney Beach Community Park expired and is currently operating on a month-to-month basis with the Province of BC. The Province has now prepared a renewal Foreshore License of Occupation Agreement for a 30-year term. In order to complete and issue the replacement license, the Province requires Regional Board approval.

RECOMMENDATION:

THAT the Regional Board approves acquiring the Licence of Occupation for the term of 30 years from the Province of BC over all that unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting on Lot 186 of District Lot 2197, Osoyoos Division Yale District, Plan 11592 and Hodges Road, containing 4.25 hectares, more or less, for boat launch and public recreation purposes.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Murray 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 "Marilyn Rilkoff", written over a light blue grid background.

Marilyn Rilkoff, Deputy CAO

*Prepared by: Beverley Krakau, Administrative Assistant;
Wayne Darlington, Manager – Park Planning & Capital Projects*

Implications of Recommendation:

Strategic Plan:	The operation of the Regional Park Service and Central Okanagan 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:	<i>Local Government Act</i> 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 Killiney Beach Community Park is a 5 hectare (including foreshore) waterfront park on Okanagan Lake, located at the end of Hodges Road in the Central Okanagan West Electoral Area community of Killiney Beach. The park provides opportunities for boating and swimming, as well as a dog beach. The renewal of the license at Killiney Beach Community Park is critical for permitting the Regional District the ability to operate the dock, boat launch and swim area delineation buoys effectively and within provincial and federal requirements.

The Crown land license of occupation for Killiney Beach Community Park is ready for renewal and the Province of BC requires Regional Board approval to renew the license of occupation as per the terms of the tenure agreement. As a result, and in conclusion, staff request that the Regional Board approve the renewal of the Killiney Beach Community Park Foreshore License of Occupation for a term of 30 years for the lands 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 Licence for the term of 30 years from the Province over all that unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting on Lot 186 of District Lot 2197, Osoyoos Division Yale District, Plan 11592 and Hodges Road, containing 4.25 hectares, more or less, for boat launch, safe harbour and public recreation purposes.

Considerations not applicable to this report:

- *General*
- *Organizational*

Attachment(s):

- Map of Killiney Beach Community Park
- Existing Killiney Beach Foreshore License File 3408066 License No 342020