



Regional Board Report

TO: Regional Board

FROM: Murray Kopp,
Director – Parks Services

DATE: December 21, 2020

SUBJECT: Scenic Canyon Regional Park - Parkland Exchange Bylaw No. 1473, 2021

Voting Entitlement: *All Directors – Weighted Stakeholder Vote – Majority – LGA 209*

Purpose: To present the proposed bylaw titled 'Regional District of Central Okanagan Scenic Canyon Parkland Exchange Bylaw No. 1473, 2021' for Board consideration.

Executive Summary:

In 2020, the Regional Board approved and authorized its signing officers to enter into a purchase and sale (exchange) agreement with Mr. David Geen, subject to the successful adoption of a Regional District of Central Okanagan Parkland Exchange Bylaw. The land exchange would see the Regional District acquire an estimated 10.0 hectares of new park land and receive an estimated 0.86 hectares of Statutory Right of Way for Scenic Canyon Regional Park from the Mr. David Geen. In exchange, the Regional District will transfer 8.67 hectares of parkland from Scenic Canyon Regional Park which will become the property of Mr. David Geen. The exchanged lands will provide for future trail and park connectivity between Scenic Canyon Regional Park, Mission Creek Greenway, and to City of Kelowna parks and trails. Bylaw No. 1473, 2021 attached to this report will formalize this agreement. Staff are recommending first three readings be given at this time followed. Final approval of the bylaw is subject to obtaining the approval of the electors by Alternative Approval Process.

RECOMMENDATION:

THAT Regional District of Central Okanagan Scenic Canyon Parkland Exchange Bylaw No. 1473, 2021 be given first, second and third readings.

Respectfully Submitted:

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

Murray Kopp, Director – Parks Services

Prepared by: Sandy Mah, Parks Planner

Approved for Board's Consideration

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

Brian Reardon, CAO

Implications of Recommendation:

Strategic Plan:	The proposed land exchange meets the following Regional Board strategic priorities: Environment – protection of significant ecological and visual features of our region. Transportation and Mobility – providing critical connections to other parks and access points. Economic Development – making our region more liveable and attractive to business through provision of quality parks and recreation and through supporting of local business.
General:	The completion of the proposed land exchange will provide improved trail and park connectivity. This will provide future opportunities for new connections through neighbouring residential developments, City of Kelowna parks and trail network and to other Regional Parks.
Financial:	If the proposed parkland exchange bylaw is approved by the Regional Board and the Alternative Approval Process is successful, an estimated \$454,000 of sale proceeds will be transferred to the Regional District and placed in a capital reserve fund for future park land acquisitions.
Policy:	Bylaw No: 884, Official Regional Park Plan
Legal/Statutory Authority:	BC Local Government Act, Section 280, Disposition of Regional Parks and Trails. Community Charter, Section 86.

Background:

In 2018, an adjacent neighbouring property owner, Mr. David Geen, approached the Regional District regarding interests in a potential land exchange involving Scenic Canyon Regional Park and a portion of their land, located at 2975 Gallagher Road.

The land exchange would provide the following benefits:

1. Connectivity from Scenic Canyon (Mantle Court) to the Parent Park as part of Scenic Canyon Regional Park. This would include the ability to connect a trail from Mantle Court over to the historical suspension bridge location or to a lower crossing at creek level.
2. Connectivity between Scenic Canyon and the future City of Kelowna Park as part of the Kirschner Mountain development. This would be a critical connection through this development and the Gopher Creek trail systems to connect to Black Mountain-sntsk'il'nten Regional Park.
3. Protection of a regionally significant and iconic monolithic feature, Layer Cake Mountain, and provision of the ability to place destination viewpoints with some of the most dramatic views in the Central Okanagan.
4. Protection of important ecological habitat. The type of habitat that the regional district would receive is of significant ecological importance and prime wildlife habitat.

The detailed land exchange proposal would include the following:

1. Mr. David Geen would receive an estimated 8.67 hectares of park land from the Part SW $\frac{1}{4}$, Section 12, Township 26, Osoyoos Division Yale District, except Plan 1380 B6800 2506 (4.91 hectares from the Mantle Court Scenic Canyon property to the east) and Lot A, Section 7, Township 27, Osoyoos Division Yale District, Plan KAP79441 (3.76 hectares from the Walburn Road Scenic Canyon property to the west).
2. The Regional District would receive an estimated 10 hectares of new park land from Lot A, Section 12, Township 26, Osoyoos Division Yale District, Plan EPP71625 (9.47 hectares from the southwest corner, 0.45 hectares from the southeast corner, and 0.01 hectares from the northwest corner of Mr. David Geen's property).
3. The Regional District would receive 0.86 hectares of Statutory Right of Way for operational and construction access.
4. And, the Regional District would receive an estimated \$480,000 in compensation for land valuation differential (less legal, surveying and LTO registration fees, net compensation of approximately \$454,000). These funds would be placed into capital reserves for future acquisitions.

The Regional Board, at the December 7, 2020 In-Camera meeting, approved entering into the purchase and sale (exchange) agreement with Mr. David Geen and authorized staff to prepare a parkland exchange bylaw.

In conclusion, Parks Services staff recommends the Regional Board consider giving first, second and third reading to the bylaw titled 'Regional District of Central Okanagan Scenic Canyon Parkland Exchange Bylaw No. 1473, 2021', with final approval subject to obtaining a successful outcome from the Alternative Approval Process.

Alternative Recommendation:

No alternative recommendation provided.

Considerations not applicable to this report:

- *Organizational*

Attachment(s):

- Map - RDCO Scenic Canyon Regional Park-Geen Land Exchange Boundaries and SRW-Final Concept October202020
- Regional District of Central Okanagan Scenic Canyon Parkland Exchange Bylaw No. 1473, 2021