



Regional Board Report

TO: Regional Board

FROM: Murray Kopp
Director of Parks Services

DATE: February 17, 2021

SUBJECT: Provincial Crown Land Lease Renewal File 3401834 – Mission Creek Regional Park

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

Purpose: To seek approval to renew the Provincial Crown Land Lease for Mission Creek Regional Park.

Executive Summary:

Mission Creek Regional Park is a prominent natural park located on Springfield Road in the City of Kelowna. A portion of this park is subject to a Provincial Crown Land Lease which expired in 2017 and is currently operating on a month-to-month basis. During this time, the Province has adopted a policy of renewing all Provincial Crown tenures with a 30-year term where possible.

As such, the Province of BC is now preparing a renewal Crown Land Lease for Mission Creek Regional Park under the same terms and conditions as the previous lease, with a 30-year term, for the Board's consideration. In order to complete the preparation of this renewal document, the Province of BC is requesting Regional Board approval of the recommendation below.

RECOMMENDATION:

THAT the Regional Board agrees to acquire a 30-Year Provincial Crown Lease with the Province of British Columbia for Mission Creek Regional Park over the land identified as that part of Parcel A (Plan H12895) of the Fractional Southeast 1/4 of Section 21, Township 26, Osoyoos Division Yale District except Plan KAP56718 and containing 11.15 hectares, for community park purposes.

Respectfully Submitted:

Murray Kopp, Director of Parks Services

Approved for Board's Consideration

Brian Reardon

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

Implications of Recommendation:

Strategic Plan:	The operation of the Regional Parks 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 operates a number of parks wholly or partially under provincial Crown land tenures, either as a lease or licence 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 Central Okanagan West Electoral Area community parks and 2 Central Okanagan 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. We are expecting to see a total of ten 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 Regional Park is a 92-hectare natural area park located on Springfield Road located in the City of Kelowna. The park provides access to natural areas, interpretive information, playground, picnic shelter, and hiking through a network of trails to ponds and the spawning channel. The renewal of the lease at Mission Creek Regional Park is critical for park operations and access to the natural amenities of the park, including the spawning channel, hiking trails, and education and interpretational programs. The bulk of the parks developed and passive turf space is located within this tenured area including the EECO, washrooms, parking areas, playground and operational yard.

The Crown land Lease for Mission Creek Regional Park is ready for renewal and the Province of BC requires Regional Board approval to renew the Lease 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 Mission Creek Regional Park Lease 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, Central Okanagan East Electoral Area and Central Okanagan West Electoral Area community parks services are maintained.

Alternative Recommendation:

THAT the Regional Board does not approve entering into a Lease for the term of 30 years from the Province over the land all that part of Parcel A (Plan H12895) of the Fractional Southeast 1/4 of Section 21, Township 26, Osoyoos Division Yale District except Plan KAP56718 and containing 11.15 hectares, for Community Park purposes.

Considerations not applicable to this report:

- *General*
- *Organizational*

Attachment(s):

- Map of Mission Creek Regional Park
- Existing Lease 332310 File 3401834