



# Regional Board Report

**TO:** Regional Board

**FROM:** Murray Kopp  
Director of Parks Services

**DATE:** February 16, 2021

**SUBJECT:** Provincial Crown Land License of Occupation Renewal File 3406009 – Rose Valley Regional Park

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

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**Purpose:** To seek approval to renew the provincial Crown Land License of Occupation for Rose Valley Regional Park.

## **Executive Summary:**

Rose Valley Regional Park is a conservation park in the City of West Kelowna. In 2017, the License of Occupation expired and is currently operating on a month-to-month basis with the Province of BC. 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 Foreshore License of Occupation Agreement for Rose Valley Regional Park under the same terms and conditions as the previous agreement with a 30-year term. 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 License of Occupation Lease with the Province of British Columbia for Rose Valley Regional Park over all that unsurveyed Crown land in the vicinity of District Lot 1979 together with those parts of District Lots 4183, 1979, 4090 and 1119, all of Osoyoos Division Yale District, containing 230.3245 hectares, more or less for community park purposes.

Respectfully Submitted:

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

Murray Kopp, Director of 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 & Facilities*

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**Implications of Recommendation:**

Strategic Plan:	The operation of the Regional Parks Service and Central Okanagan West Electoral Area parks 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).

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**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. 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.

Rose Valley Regional Park is 230.3245 hectares in size. The park is classified as a Conservation Park. This natural park has approximately 8 km of designated trails, including trail wayfinding signs, interpretive pedestals, washroom facilities, kiosks, and park benches.

The Crown land Licence of Occupation is ready for renewal and the Province of BC requires Regional Board approval to renew the Licence 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 Crown Land Licence 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 27<sup>th</sup>, 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 West Electoral Area and the Central Okanagan East 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 unsurveyed Crown land in the vicinity of District Lot 1979 together with those parts of District Lots 4183, 1979, 4090 and 1119, all of Osoyoos Division Yale District, containing 230.3245 hectares, more or less for public park purposes.

***Considerations not applicable to this report:***

- General
- Organizational

## Attachment(s):

- Map of Rose Valley Regional Park
- Existing Licence No. 343500 File 3406009