



Regional Board Report

TO: Regional Board

FROM: Murray Kopp
Director of Parks Services

DATE: February 16, 2021

SUBJECT: Provincial Foreshore Crown License of Occupation File 3403599 – Pine Point, Raymer Bay, and Traders Cove

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

Purpose: To seek approval to renew the provincial Crown Land Foreshore Licence of Occupation for Pine Point Community Park, Raymer Bay and Traders Cove Regional Parks.

Executive Summary:

Pine Point Community Park is a waterfront park on Westside Road North in the Central Okanagan West Electoral Area. Raymer Bay Regional Park is a waterfront park at 605 Westside Road in the City of West Kelowna. Traders Cove Regional Park is a waterfront park at 411 Westside Road North in the Central Okanagan West Electoral Area. In 2017, the Foreshore License of Occupation applicable to all three parks expired and is currently operating on a month-to-month basis with the Province of BC.

The Province of BC is now preparing a renewal Foreshore License of Occupation Agreement under the same terms and conditions as the previous agreement, 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 approves entering into a 30-Year License of Occupation with the Province of British Columbia over the lands identified as:

- All that unsurveyed Crown foreshore of Pine Point Community Park being part of the bed of Okanagan Lake and fronting on that part of District Lot 3746, Osoyoos Division Yale District, show as Park on Plan KAP50774, containing 0.127 hectares, more or less, for moorage and park purposes;
- That part of District Lot 5200 together with all that unsurveyed Crown foreshore of Traders Cove Regional Park being part of the bed of Okanagan Lake and fronting on Lot 3, District Lot 2926, Plan 7923 except Plans 12716, 32731 and 40407 all of Osoyoos Division Yale District, containing .351 hectares, more or less, for moorage and park purposes; AND

- All that unsurveyed Crown foreshore of Raymer Bay Regional Park being part of the bed of Okanagan Lake and fronting on District Lot 2924, Osoyoos Division Yale District except the North 80 Chains thereof and Plans 23790 and 42332, containing 0.512 hectares, more or less, for moorage and 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 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).

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 parks and 2 Central Okanagan East Electoral Area 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 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.

Pine Point Park located on Westside Road in the Central Okanagan West Electoral Area is 0.483 hectares in size and located on Okanagan Lake and is classified as a Waterfront Community Park as part of the West Electoral Area Community Parks Service.

Traders Cove Regional Park located at 411 Westside Road is a 13.741-hectare regional park located on Okanagan Lake. The park is classified as a Recreation/Cultural/Waterfront Park with natural areas, playground, picnic shelter, washroom, beach access and swim area.

Raymer Bay Regional Park located at 605 Westside Road is a 7.432-hectare regional park on Okanagan Lake. The park is classified as a Recreation/Cultural/Waterfront Park with turf areas, playground, picnic shelter, washroom, beach access and swim area.

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 Foreshore 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 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 West Electoral Area and the Central Okanagan East Electoral Area community parks services are maintained.

Alternative Recommendation:

THAT the Regional Board does not agree to acquire the Licence for the term of 30 years from the Province over the land identified as:

All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting on that part of District Lot 3746, Osoyoos Division Yale District, shown as Park on Plan KAP50774, containing 0.127 hectares, more or less;

That part of District Lot 5200 together with all that unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting on Lot 3, District Lot 2926, Plan 7923 except Plans 12716, 32731, and 40407 all of Osoyoos Division Yale District, containing .351 hectares, more or less;

All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting on District Lot 2924, Osoyoos Division Yale District except the North 80 Chains thereof and Plans 23790 and 42332, containing 0.512 hectares, more or less, for moorage and park purposes.

Considerations not applicable to this report:

- General
- Organizational

Attachment(s):

- Maps of Pine Point Community Park, Raymer Bay Regional Park, Traders Cove Regional Park
- Existing Licence 342672 File 3403599