



Regional Board Report

TO: Regional Board

FROM: Wayne Darlington
Manager of Park Planning

DATE: November 4, 2021

SUBJECT: Johns Family Nature Conservancy Regional Park Crown Land Tenure Renewal –
File 3409050

Voting Entitlement: *All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208*

Purpose: To seek approval to renew the provincial Crown Land Licence of Occupation for Johns Family Nature Conservancy Regional Park.

Executive Summary:

This Crown land tenure renewal is the original Crown land tenure over the former Cedar Mountain Regional Park lands. It forms part of the over 404 hectare Johns Family Nature Conservancy Regional Park. In 2018, 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 Licence of Occupation Agreement for Johns Family 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 with the Province of British Columbia for Johns Family Nature Conservancy Regional Park over the land; That Southwest $\frac{1}{4}$ of Section 14 together with the remainder of the Southeast $\frac{1}{4}$ of Section 14, all of Township 28, Similkameen Division Yale District, containing 80.0 hectares, more or less for regional park purposes.

Respectfully Submitted:

A handwritten signature in black ink that reads "Wayne Darlington".

Wayne Darlington – Manager – Park Planning

Approved for Board's Consideration

A handwritten signature in black ink that reads "Brian Reardon".

Brian Reardon, CAO

Prepared by: Beverley Krakau, Administrative Assistant

Attachment(s):

- Map of Johns Family Nature Conservancy Regional Park
- Johns Family Existing License 344746 File 3409050

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: Ensure Asset, Service and Financial Sustainability; Nurture Responsible Growth and Development; Protect and Promote Our Environment and Lifestyle; and Champion Communications and Engagement.
Financial:	No additional financial requirement as this is a 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. The Province has experienced a back log of renewals as a result of the two flood years of 2017 and 2018, and an ongoing pandemic, where provincial staff and resources have been stretched in dealing with outcomes of these situations.

The original Crown land tenure agreement date back to 1998 for the former Cedar Mountain Regional Park. In 2012, the Johns Family Nature Conservancy Regional Park came into existence as a result of a 323 hectare land gift by brother and sister Alfred and Nancy Johns to the Central Okanagan Land Trust, with the purpose to provide a natural area for wildlife. The gifted lands were combined with the former Cedar Mountain Regional Park lands to form the over 404 hectares Johns Family Nature Conservancy Regional Park. The Park is classified as Conservation. This natural park has a network of designated trails, with trail wayfinding signs, parking and washroom facilities, interpretive signage, and park benches. A park management plan has been completed for the park.

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 of June 1st, 2018, the tenure has continued on a month-to-month basis as per the tenure agreement. It is critical to work with the province to renew the tenure as the province prepares the tenure for renewal, to ensure that the parks services are maintained.

Alternative Recommendation:

THAT the Regional Board does not agree to acquire a 30-Year License of Occupation with the Province of British Columbia for Johns Family Nature Conservancy Regional Park over the land; That Southwest $\frac{1}{4}$ of Section 14 together with the remainder of the Southeast $\frac{1}{4}$ of Section 14, all of Township 28, Similkameen Division Yale District, containing 80.0 hectares, more or less for regional park purposes.

Considerations not applicable to this report:

- *General*
- *Organizational*