



# Regional Board Report

## Request for Decision

Approved for Board Consideration

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

Brian Reardon, CAO

**To:** Regional Board  
**From:** Wayne Darlington, Manager – Park Planning & Capital Projects  
**Date:** January 13, 2022  
**Subject:** Antlers Beach & Hardy Falls Regional Parks Crown Land Tenure Renewal – File 3406084

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

**Purpose:** To seek Regional Board approval to renew the crown land tenure at Antlers Beach and Hardy Falls Regional Parks.

### Executive Summary:

The Antlers Beach and Hardy Falls Regional Park Crown Land License of Occupation Tenure is due for renewal. The existing 10 (ten) year license tenure came due on March 25, 2017. Those portions of both parks under this tenure have been operating on a month-to-month basis as per the existing agreement. To renew the tenure, the Regional Board is requested to approve entering into a new 30 Year Term License of Occupation Tenure with the province.

### Recommendation(s):

**THAT** the Regional Board agrees to acquire a 30-Year License of Occupation with the Province of British Columbia for Antlers Beach and Hardy Falls Regional Parks, over the land identified as; Lot 19, District Lot 221, Plan 177 and that part of District Lot 2533 lying east of Highway 97 together with all that unsurveyed Crown foreshore being part of the bed of Okanagan lake and fronting on District Lot 2533, all of Osoyoos Division of Yale District, containing 8.0 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 & Capital Projects

Attachment(s):

1. Map of Antlers Beach and Hardy Falls Regional Parks
2. Antlers Beach and Hardy Falls Regional Parks Existing License File 3406084 License No 342952
3. 2022-01-13 Antlers Beach and Hardy Falls Regional Parks Crown Land Tenure Renewal Presentation

**Strategic Plan Alignment:**

Priorities: Environment, Sustainable Communities

Values: Good Governance, Resiliency, Regional Perspective, Relationships, Collaboration

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**Background:**

Antlers Beach and Hardy Falls Regional Parks are located at the south end of the regional district on the southern boundary of the District of Peachland. The combined area of both parks is 18.25 hectares, Antlers Beach covers 6.98 hectares of Crown Foreshore east of Highway 97, and Hardy Falls covers 8 hectares of Crown Land west of Highway 97 and 3.27 hectares of fee simple lands further into the park. Hardy Falls was acquired in 1982, through a combination of fee simple lands and Crown Tenure, and Antlers Beach was acquired in 1992, entirely comprised of Crown Foreshore Tenure.

Antlers Beach is a waterfront park that is highly popular and well used during the warmer months for swimming and picnicking and has the basic amenities such as parking, picnic tables, and washrooms. Hardy Falls is an upland park that has a short 600m long trail with 8 bridges leading to a viewing platform overlooking a waterfall. It is a well-known park for viewing spawning Kokanee in the fall and provides good access for a wide range of users.

Both Antlers Beach and Hardy Falls Regional Parks have a portion of the parks as part of a Crown Land License of Occupation Tenure. The existing tenure for the parks was renewed in 2007 for a 10 (ten) year term and expired on March 25, 2017. As a result of floods, wildfires, and now a pandemic, the provinces resources were stretched, and renewals of these tenures were deferred until resources became available. Over the time since the spring of 2017, the parks continued to operate on a month-to-month basis as outlined within the tenure agreement.

As a result of provincial resource availability, the tenure is now available for renewal. The province is proposing a new 30 (thirty) year Crown Land License of Occupation Tenure, replacing the existing 10 (ten) year license. To move forward with completing this new (renewal) tenure agreement, the province requires the Regional Board to approve entering into a 30 (thirty) year term tenure agreement with the Province of BC.

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**Considerations:**

Legal/Statutory Authority:

Local Government Act Section 191; Regional Parks and Regional Trails Regulation (B.C. Reg. 361/2004, O.C. 772/2004).

Considerations not applicable:

- Organizational/External
  - Financial
  - Alternate recommendation
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