



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: Todd Cashin, Director of Community Services

Date: April 14, 2022

Subject: FrontCounter BC Referral Application (Reference File No. 415737)
RDCO File: CL-22-01
The Corporation of the District of Peachland (applicant)
Central Okanagan West Electoral Area

Voting Entitlement: *All Directors – Unweighted Corporate Vote – Simple Majority (LGA s.208)*

Purpose: To consider a FrontCounter BC referral application for a Crown land tenure to permit the construction, rehabilitation, or maintenance of a trail at Pincushion Mountain.

Executive Summary:

Although not formally designated, Pincushion Mountain trail has been used by Okanagan residents for many years. This multi-use trail has grown in popularity, mainly used by hikers and trail runners. The subject trail is located within the Central Okanagan West Electoral Area, adjacent to the District of Peachland boundary. The trail is currently accessed from Ponderosa Road via Highway 97.

The District of Peachland is proposing to construct, rehabilitate, and/or maintain a trail or recreation facility, and to legally designate unsurveyed public land under section 56 of the *Forest Range Practices Act* for a recreation area known as Pincushion Mountain trail. The purpose of this application is to relocate and formally designate the proposed parking lot and trailhead as a Parks and Recreation Facility to ensure proper maintenance and enforcement of Provincial regulations.

The Province of BC has jurisdiction over Crown land referrals and is the decision-making authority for the application.

Recommendation(s):

THAT the Regional Board support the District of Peachland FrontCounter BC referral application No. 415737 for Crown land tenure to permit the construction, rehabilitation, or maintenance of a trail at Pincushion Mountain subject to the following conditions:

- Trail to be limited exclusively to non-motorized use;
- Post signage at the site to include information on Provincial Best Management Practices and reminders to leave the area litter-free; to identify trail direction and locations relative to public and private land, and to identify the area as non-motorized use; and,

- Any proposed construction, repair, and/or maintenance of the recreation site that falls within the scope of the B.C. Building Code requires a building permit from the Regional District of Central Okanagan.

Respectfully Submitted:



Todd Cashin
Director of Community Services

Prepared by: Brittany Nichols, Environmental Planner

Attachment(s):

- Aerial Context Map and Proposed Trailhead Map
- FrontCounter BC Application
- Additional Information
- RDCO Presentation Slides

Strategic Plan Alignment:

Priorities: Sustainable Communities, Economic Development

Values: Collaboration, Relationships

Proposal:

The District of Peachland is proposing to construct, rehabilitate, and maintain a trail or recreation facility on Crown land, and to legally designate Provincial land under section 56 of the *Forest Range Practices Act* (FRPA) for a recreation trail or recreation site known as Pincushion Mountain Trail (REC265469).

The purpose of the application is to designate the proposed parking lot and trailhead as a Parks and Recreation Facility to ensure proper maintenance and enforcement of Provincial regulations. The proposal will also result in moving the current access point and parking lot away from privately owned land to designated Crown land. This realignment will result in a new trailhead, adding approximately 2km of trail length as well as a recycled asphalt parking lot that will connect to the existing trail system. The proposed disturbance footprint will result in the removal of approximately two (2) mature trees.

Additional facilities will include seasonal portable washrooms, trail signage, a picnic area, and garbage disposal to be maintained by the District of Peachland. The existing parking lot and trailhead will be decommissioned. Currently, minor maintenance of the trails will be provided by the Peachland Outdoors Club and the proposed parking lot and facilities maintenance will be provided by the District of Peachland.

Regional Growth Strategy:

The RDCO adopted Regional Growth Strategy (RGS) Bylaw No. 1336 on June 23, 2014. The RGS is a long-range planning tool that assists local governments to plan a coordinated future for their communities while dealing with regional issues and decisions that cross local political boundaries. The RGS is also a collective vision from the regional partners for the future to create a region that promotes growth that is economically, environmentally, and socially healthy over a twenty (20) year time horizon. The following policies of the RGS support the proposal:

Our Land

- Encourage access to and opportunity for development of Crown resources and rural land that provide economic opportunities that contribute revenues to support community social, health, education and transportation services for the citizens of the Central Okanagan while having minimal impacts to the land, wildlife, and sensitive environmental areas.

Our Health

- Actively promote and support physical activity, sense of place, social interaction and neighbourliness as these encourage the growth of the Region as a place that is safe, diverse and inclusive.
- Promote community health and safety through investments in education, recreation, health, community development, social support, civic design, environmental design, maintenance, and economic development.

Our Ecosystems

- The Region's natural ecosystems will continue to face development pressures and it will be important for the Region to manage growth to balance the human need for resources, recreation, enjoyment, and aesthetics with the need to protect, conserve, and restore natural areas and biodiversity.

Our Governance

- Support the assessment of the social and economic benefits of arts, culture, tourism, and recreation amenities in decisions on land use.

Additional Information:

The subject area is not located within an Official Community Plan and therefore the proposed recreation site is not within any Development Permit areas.

Applicant:	The Corporation of the District of Peachland
Legal Description:	All that unsurveyed Crown land adjacent to District Lot 2897, together with that part of District Lot 2897, ODYD and containing 149.097 hectares, more or less
Area Affected:	+/- .16 hectares (.395 acres)
Existing Use:	Crown land, recreation
Surrounding Uses:	North: Crown land South: Residential (District of Peachland) East: Residential (District of Peachland) West: Crown land
ALR:	Outside of the ALR
Fire Protection:	Not within a Fire Protection Area

RDCO TECHNICAL COMMENTS:

Parks Services is supportive of the District of Peachland's application for Crown land tenure over the Pincushion Mountain trail. The objectives and policies contained in the neighbouring Brent Road and Trepanier Official Community Plan supports future opportunities and partnerships to provide recreational trail connectivity to existing regional parks, municipal community parks, and surrounding Provincial lands. Parks Services staff further note they wish to meet with District of Peachland staff to discuss mutual interests at Pincushion Mountain for recreational trail connectivity.

Unaffected internal departments include Inspection Services, Engineering Services, and Fire Services.

AGENCY REFERRAL COMMENTS:

Unaffected agencies include the Ministry of Environment, Interior Health Authority, Telus, BC Hydro, Shaw Cable, Fortis BC, City of Kelowna, City of West Kelowna, and the District of Lake Country.

Considerations:

Legal/Statutory Authority:

- Jurisdiction for approving the application lies with FrontCounter BC.

Alternate Recommendation:

THAT the Regional Board does not support FrontCounter BC application No. 415737 for Crown land tenure to permit the construction, rehabilitation, or maintenance of a trail at Pincushion Mountain.

Considerations not applicable:

- Organizational
 - Financial
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