
MEETING TYPE: Regular Council Meeting
MEETING DATE: March 5, 2024
AUTHOR: Matt Vader, Director Parks, Recreation and Culture
DEPARTMENT: Parks, Recreation and Culture
ITEM TITLE: Crown Land Tenure and Section 11 Application for Waterside Park
DESCRIPTION: Crown Land Tenure – Waterside Park

PURPOSE

To amend a previously applied for Crown Land Tenure to allow for the installation of swim buoys and ropes.

RECOMMENDATION

THAT staff be directed to apply for a Crown Land Tenure/Licence of Occupation for the area of foreshore, known as Waterside Park located at 1787 B Lakestone Drive, inclusive of the footprint of the public dock and swim bay, extending into Okanagan Lake for an area of 40 m² fronting District-owned land for the purposes of community recreation.

EXECUTIVE SUMMARY

In 2019 the District applied for a Crown Land Tenure and a Section 11 permit for the area fronting Waterside Park that would allow for the reconstruction of the dock that was damaged in the flood of 2017. The District is still waiting for the approval of this Crown Land Tenure, but did receive approval for the Section 11 permit and the work to replace the dock was completed. Subsequent to the installation of the new dock, there has been an increase in usage of Waterside Park for swimming, as the dock is the only reasonable access to the water as the shore is composed of large and difficult to traverse rocks. Signage was also installed that identified there to be no boat access to the dock but there are now 9 mooring buoys in the bay and the dock has been used for loading and unloading, both recreationally and commercially, which creates a safety concern for swimming and the continued safe use of the water.

In 2023, the District is collaboration with MacDonald Lakeshore Properties Ltd and the Lakestone Community Amenities Association has acquired the services of Ecoscape Environmental to define the swim bay and apply for the Section 11 permit to authorize the installation of the swim buoys and ropes. Staff at Front Counter BC have requested that the District apply for an amendment to the original Crown Land Tenure application that would encompass the swim bay as well as the originally applied for dock. This would allow for the District to operate and maintain the swim bay.

DISCUSSION/ANALYSIS

The following resolution was adopted by Council at its Regular Council Meeting held on August 20, 2019:
19.08.244

THAT staff be directed to apply for a Crown Land Tenure/Licence of Occupation for the area of foreshore, known as Waterside Park located at 1787 B Lakestone Drive, inclusive of the footprint of the public dock located extending into Okanagan Lake for an area 20 meters by 10 meters fronting District-owned land for the purposes of community recreation.

The following resolution was adopted by Council at its Regular Council Meeting held on November 7, 2023:
Resolution 2023-11-188

THAT the Community Engagement Grant request in the amount of \$5,000 from the Lakestone Community

Amenities Association for the procurement of an environmental report to support the installation of a swim bay at Waterside Park be approved.

APPLICABLE LEGISLATION, BYLAWS AND POLICY

Council has previously provided direction through resolutions 19.08.244 and 2023-11-188.

IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY (if applicable)

There are no additional impacts.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

There are no additional financial implications in amending the Crown Land Tenure. Council has already provided a financial contribution of \$5,000 through the Community Engagement Grant. If tenure is granted and the Section 11 permit authorized, a discussion of financial contributions will be had between the participating partners.

CONSULTATION (Internal referrals, External Agencies, Committees, Stakeholders)

The Parks, Recreation and Culture team has been collaborating with the Lakestone Amenities Association as well as MacDonald Lakeshore Properties Ltd.

COMMUNICATIONS (if applicable)

There are no additional communications planned or required for the submission of the Crown Land Tenure or the associated Section 11 permit.

ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES

- Create and Support Opportunities for a Healthy, Active and Inclusive Community
- Create Infrastructure That Meets Community Needs
- Encourage Growth of the Downtown Core
- Ensure Sustainable Water Service Delivery for the Community
- Explore Opportunities to Engage With Regional Local Governments for the Betterment of the Community
- Honour Reconciliation by Strengthening Relationships and Inclusiveness With Our Indigenous Partners
- Identify and support improvements to the Development Process
- Implement the Agricultural Plan
- Preserve, Protect and Enhance Our Natural Environment
- Secure long term wastewater service delivery for our community
- Support Opportunities to Diversify Lake Country's Tax Base

ALIGNMENT WITH MASTER PLANS

- | | |
|------------------------------------------------------------------------|----------------------------------------------------------------------------|
| <input type="checkbox"/> Agricultural Plan | <input type="checkbox"/> Official Community Plan |
| <input type="checkbox"/> Climate Action Charter | <input checked="" type="checkbox"/> Parks & Recreation Master Plan 2019 |
| <input type="checkbox"/> Housing Needs Report | <input type="checkbox"/> Sanitary Sewer System Map |
| <input type="checkbox"/> Liquid Waste Management Plan Stage 1/2 Report | <input type="checkbox"/> Transit Future Plan-Central Okanagan Region-DRAFT |
| <input type="checkbox"/> McCoubrey Plateau Area Structure Plan | <input type="checkbox"/> Transportation for Tomorrow |
| <input type="checkbox"/> Mobility Master Plan | <input type="checkbox"/> Water Master Plan |

OPTIONS

- A. THAT staff be directed to apply for a Crown Land Tenure/Licence of Occupation for the area of foreshore, known as Waterside Park located at 1787 B Lakestone Drive, inclusive of the footprint of the public dock and swim bay, extending into Okanagan Lake for an area of 40 m² fronting District-owned land for the purposes of community recreation.
- B. THAT staff be directed to not continue with the Provincial Application for a Crown Land Tenure for the purpose of community recreation, and the file be closed.

Respectfully Submitted,
Matt Vader, Director Parks, Recreation and Culture

Report Approval Details

Document Title:	Waterside Park - Crown Land Tenure and Section 11.docx
Attachments:	
Final Approval Date:	Feb 28, 2024

This report and all of its attachments were approved and signed as outlined below:

Paul Gipps, Chief Administrative Officer - Feb 28, 2024 - 12:56 PM