



## COUNCIL REPORT

To: Mayor and Council

Date: March 25, 2025

From: Ron Bowles, Chief Administrative Officer

Subject: **Waterfront Licenses of Occupation**

Report Prepared by: Mark Roberts, Parks Manager

---

### **RECOMMENDATION** to Consider and Resolve:

**THAT** Council agree to acquire a License of Occupation for a term of 30 years for the purposes of public swimming and a boat ramp for the following properties:

- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 487, Osoyoos Division Yale District, shown as Park and Road on Plan 35335, containing 0.150 hectares, more or less (Pebble Beach Park);
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 487, Osoyoos Division Yale District, shown as Park on Plan 18840, containing 0.30 hectares, more or less (Marina Park);
- All the unsurveyed Crown Foreshore being part of the bed of Okanagan Lake and fronting on that part of DL434, shown as Road on Plan 16444, ODYD, containing 0.70ha, more or less (Pritchard Park);
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 485, Osoyoos Division Yale District, shown as Park and Road on Plan 42401, containing 0.13 hectares, more or less (Casa Rio Park);
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on District Lots 521 and 485, Osoyoos Division Yale District, containing 0.23 hectares, more or less (Casa Loma Beach, Dupuis Boat Launch, Casa Loma Dock and Casa Loma Waterfront Access).

**AND THAT** Council agree to acquire a License of Occupation for a term of 30 years for public recreation and park purposes for the lands located at:

- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on Gellatly Bay, Osoyoos Division Yale District, containing 47.90 hectares, more or less (Gellatly Bay).

## **STRATEGIC AREA(S) OF FOCUS**

**Invest in Infrastructure** – We will invest in building, improving and maintaining infrastructure to meet the needs of, and to provide a high quality of life for, current and future generations.

## **BACKGROUND**

On September 2, 2021 the License of Occupation granted from the Province, for use of the following areas for public recreation and park purposes or swimming areas and boat ramp purposes, expired:

- Gellatly Bay from Rotary Dog Park south to Powers Point
- Pebble Beach
- Marina Park
- Pritchard Park
- Casa Rio Park
- Casa Loma Beach
- Dupuis Boat Launch
- Casa Loma Dock
- Casa Loma Waterfront Access

Since 2021 City staff have been working with Provincial authorities to renew these Licenses, however they are experiencing significant delays due to insufficient staffing and resources and have placed our application in an 'Overholding Position', which in the meantime grants the same rights and responsibilities as the original tenure.

Once our application has been processed, the City will receive an offer letter with a request for signatures which the City will then send back for the Province's representative signature. The Replacement Tenure will then be backdated to the expiry of the original tenure agreement.

The Parks Department have recently reached out to obtain an update on these applications and are waiting on a response.

## **DISCUSSION**

As part of the 2024 Capital Budget, Council approved the replacement of the dock at Casa Loma Dock Park. This is required as the dock has passed its recommended usable lifespan, and the piles are showing signs of risk of failure.

An application was made in early 2024 to the Province for that replacement, and staff and their biological consultant have been working with those authorities to obtain approval. On March 5<sup>th</sup>, 2025 the City was informed that in the absence of an up-to-date tenure, a resolution from Council stating that they agree to acquire the License from the Province for a term of 30 years for the purposes of public swimming and a boat ramp:

- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 487, Osoyoos Division Yale District, shown as Park and Road on Plan 35335, containing 0.150 hectares, more or less (Pebble Beach Park)
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 487, Osoyoos Division Yale District, shown as Park on Plan 18840, containing 0.30 hectares, more or less (Marina Park)
- All the unsurveyed Crown Foreshore being part of the bed of Okanagan Lake and fronting on that part of DL434, shown as Road on Plan 16444, ODYD, containing 0.70ha, more or less (Pritchard Park)
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on that part of District Lot 485, Osoyoos Division Yale District, shown as Park and Road on Plan 42401, containing 0.13 hectares, more or less (Casa Rio Park)
- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on District Lots 521 and 485, Osoyoos Division Yale District, containing 0.23 hectares, more or less (Casa Loma Beach, Dupuis Boat Launch, Casa Loma Dock and Casa Loma Waterfront Access)

While it hasn't been requested by the Province yet, as a precautionary measure for future work in Gellatly Bay (i.e. dredging Gellatly Boat Launch), and before License of Occupation approval is granted by the Province, it's recommended that Council provide resolution for the area in Gellatly Bay for public recreation and park purposes for the lands located at:

- All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake fronting on Gellatly Bay, Osoyoos Division Yale District, containing 47.90 hectares, more or less, except those parts of the land that, on the Commencement Date, consist of highways (as defined in the Transportation Act).

## FINANCIAL IMPLICATIONS

No new costs however, Council is committing to the ongoing costs of maintenance and operations at each of those Waterfront Parks for the next 30 years.

## COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
N/A	N/A	N/A

**REVIEWED BY**

Trevor Seibel, Deputy CAO/Deputy Corporate Officer

**APPROVED FOR THE AGENDA BY**

Ron Bowles, Chief Administrative Officer

PowerPoint: Yes ☐ No ☒

Attachments:

Attachment 1: Location Maps

Attachment 2: Gellatly Bay