

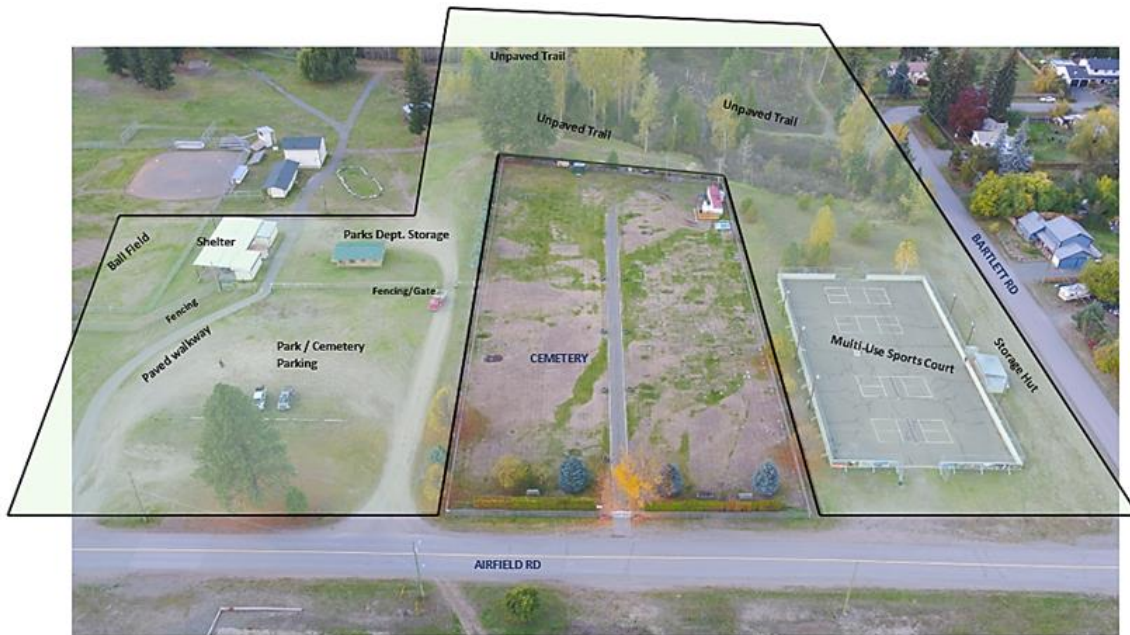
District of Barriere

REPORT TO COUNCIL

Date: April 3, 2023	File: 530.20/Rpts
To: Council	From: T. Buchanan, Corporate Officer
Re: Application for long term Crown tenure # 344821 re: <i>That part of Lot 46, District Lot 1483, KDYD, Plan 1746, except 2.06 acre portion as described in Order in Council 2634/57 and containing 3.492 hectares, more or less</i>	

Background: In the summer of 2019, the District's Crown Land Transfer Application (initially started in 2013), was finalized. The land that was transferred into District of Barriere ownership, was the parkland on the east side of Airfield Rd. that houses Fadar Park from No Name Rd. (Bandshell, Oval, Playground, Splash Pad, Skatepark, Community Garden, both Ball Fields) to Gray Place.

One portion of Crown Land remained as a long term (10 year) Tenure over Crown Land, which is legally described as: "***That part of Lot 46, District Lot 1483, KDYD, Plan 1746, except 2.06 acre portion as described in Order in Council 2634/57 and containing 3.492 hectares, more or less.***" which is a parcel that surrounds the Barriere Cemetery as shown in the illustration below:



This long term tenure was up for renewal in 2019 but wasn't discovered by the Province until recently. A formal renewal agreement is now required should the District wish to continue to occupy the parcel for its current, outdoor recreation use.

Discussion: The term for this Licence of Occupation has been changed from 10 years to 30 years but the date that this Licence will commence (should it be approved) is back-dated to January 9, 2019 and the fee for the term is \$1.00.

The land is currently being used for outdoor recreation purposes with the following improvements located on the parcel:

- Portion of a ball field
- Fencing
- One gate
- One paved walkway
- Park & Cemetery Parking
- Three unpaved trails
- Multi-Use Sports Court
- Storage/Warming Hut Building
- Parks Department storage building (Old Caretaker's shack)
- Shelter Building

Any future improvements or changes to its use from what is noted above, will require approval from the Province. This generally isn't an issue and has been done in the past with previous parkland tenures (Bandshell & oval path construction for examples) as long as it/they are consistent with the outdoor, public recreation use of the current agreement.

Other restrictions include ensuring reasonable precautions to avoid disturbance or damage to any archaeological material found on or under the Land, and to notify the Ministry responsible for administering the *Heritage Conservation Act*, as well as to contact the Thompson Rivers Natural Resource District before cutting down any timber within the tenure area.

The deadline for this renewal submission is May 23, 2023. In order to proceed, the following resolution of Council is required:

Recommendation: That Council agrees to acquire a Licence for the term of 30 years from the Province over the land That part of Lot 46, District Lot 1483, KDYD, Plan 1746, except 2.06 acre portion as described in Order in Council 2634/57 and containing 3.492 hectares, more or less, for the purposes of community outdoor recreation.

Prepared by: T. Buchanan, Corporate Officer
Reviewed by: B. Payette, CAO

Attachment: Notice of Final Review, Ministry of Forests, dated March 22, 2023



Ministry of Forests
441 Columbia Street
Kamloops, BC V2C 2T3

Telephone No: 778-362-4855
Facsimile No: 250-828-4442

GST Registration No: R107864738

MAR 24 2023
RECEIVED

Your contact is: Samantha Finden

Our file: 0170383

NOTICE OF FINAL REVIEW

March 22, 2023

DISTRICT OF BARRIERE
Box 219
4936 Barriere Towne Rd
Barriere, BC V0E 1E0

Attention: Tasha Buchanan, CMC

Re: Your Application for a Tenure over Crown Land

The review of your application for a Licence for community outdoor recreation purposes over:

That part of Lot 46, District Lot 1483, Kamloops Division of Yale District, Plan 1746, except 2.06 acre portion as described in Order in Council 2634/57, and containing 3.492 hectares, more or less

(the "Land") has reached the stage where we anticipate making our final decision once the various matters described in this letter have been completed.

This is to replace Licence No. 344821 which expired on January 9, 2019.

1. Deadline for Completion of Requirements

We ask that you complete the requirements described below by May 23, 2023.

Please complete the Response to Notice of Final Review page attached, indicating whether you will **or** will not proceed with the application and sign and return that page to us for our records.