

Date:	July 10, 2023	
То:	Council	
From:	City Manager	
Subject:	Crown Tenure Manhattan Drive Foreshore - License of Occupati	ion
Department:	Real Estate	

## **Recommendation:**

THAT Council receive, for information, the Crown Tenure Manhattan Drive Foreshore – License of Occupation report from the Real Estate Department dated July 10, 2023;

AND THAT Council agrees to acquire the License of Occupation as presented, for a term of fifteen (15) years, from the Province, over the land consisting of all that unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting on Lot 1 District 9, Osoyoos Division of Yale District, Plan 16501 and containing 0.0838 hectares, more or less, for the purpose of public dock and breakwater;

AND THAT the Mayor and City Clerk be authorized to execute the License of Occupation;

AND FURTHER THAT Council authorizes staff to execute any future License of Occupation with the Province in relation to the subject lands, on similar terms and conditions.

## Purpose:

To secure an interest on behalf of the City over those lands identified in the attached License of Occupation for a portion of the foreshore adjacent to the City-owned property located at 900 Manhattan Drive.

On June 6, 2008 the City and the Province of British Columbia (the "Province") entered into a License of Occupation for Crown lands legally described as:

"All that unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting on Lot 1 of District 9, Osoyoos Division of Yale District, Plan 16501 and containing 0.0838 hectares, more or less,"

in relation to certain property that makes up a portion of the foreshore adjacent to the City-owned property located at 900 Manhattan Drive (the "Lands"). The 2008 License of Occupation had a term of ten (10) years and expired June 6, 2018.

Council Report July 10, 2023 Page **2** of **2** 

The Province has offered the City a new License of Occupation over the Lands for a term of fifteen (15) years, commencing June 6, 2018, a copy of which is attached as Schedule A.

## Discussion:

The License of Occupation would enable the City to continue to explore options on the development of the Lands and adjacent City-owned property at 900 Manhattan Drive for future Park purposes.

The Province requires Council to pass a resolution agreeing to enter into the 2018 License of Occupation.

Internal Circulation: Parks

Considerations not applicable to this report:

Legal/Statutory Authority Legal/Statutory Procedural Requirements Existing Policy External Agency/Public Comments

Submitted by: J. Buck, Manager, Property Management

Approved for inclusion: J. Säufferer, Department Manager, Real Estate

Attachments: Schedule A – License of Occupation, Manhattan Drive Foreshore Schedule B – PowerPoint