

Report to Council



Date: November 20, 2023
To: Council
From: City Manager
Subject: Crown Tenure – License of Occupation
Department: Real Estate

Recommendation:

THAT Council receive, for information, the Crown Tenure - License of Occupation report from the Real Estate Department dated November 20, 2023;

THAT Council agrees to acquire the License of Occupation as presented, for a term of thirty (30) years, from the Province, over those parts fronting on Lot 1 District Lot 134 and Sections 6, Township 26, Osoyoos Division of Yale District, Plan EPP55101, containing 0.0272 hectares, more or less, for the purpose of a Pedestrian Walkway;

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

Purpose:

To secure an interest on behalf of the City over those lands identified in the attached License of Occupation for a portion of a waterfront walkway in front of the Manteo Resort.

Background:

On August 24, 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 District Lot 134 and section 6 Township 26, Osoyoos Division Yale District, Plan EPP55101 and containing 0.0272 hectares more or less,"

in relation to certain property that makes up a portion of the Manteo waterfront walkway (the "Lands"). The 2008 License of Occupation had a term of ten (10) years and expired August 24, 2018.

The City received correspondence from the Province dated September 18, 2023, offering a new License of Occupation over the Lands for a term of thirty (30) years, commencing August 24, 2018, a copy of which is attached as Schedule A.

Discussion:

The Lands constitute a portion of the Manteo waterfront walkway, which are subject to a Management Plan between the City and the Ministry of Forests, attached as Schedule B.

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:

Financial/Budgetary Considerations:

Consultation and Engagement:

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