



#### **Parks Services**

1450 K.L.O. Road  
Kelowna, B.C. V1W 3Z4

Telephone: (250) 469-6232  
Fax: (250) 868-0012  
[www.regionaldistrict.com](http://www.regionaldistrict.com)

December 4, 2009

### **Application by the City of Kelowna for a Free Crown Grant over Lands Adjacent Mission Creek and Hollywood Road South to Form Part of Mission Creek Greenway Regional Park Operated by the Regional District of Central Okanagan**

#### **DEVELOPMENT PLAN**

#### **Background**

The Regional District of Central Okanagan includes the two unincorporated Electoral Areas of Central Okanagan East and the newly created Central Okanagan West, along with the member municipalities of the City of Kelowna, the District of Lake Country, the District of Peachland and the District of West Kelowna. The mission of the Regional District is to help protect the quality of life for all citizens by planning for the future, while delivering regional services in an efficient and cost effective manner. Services that are provided by the Regional District include water, planning and solid waste management to the Electoral Areas. As well, the District provides region wide services such as dog control, recycling, 9-1-1, and Regional Parks for the Central Okanagan.

The Regional District Board of Directors is made up of 12 elected and appointed representatives from the Electoral Areas and the participating municipal government partners.

Since 1974, the Central Okanagan Regional Parks and Greenways service program has evolved into a system of 28 regional parks and greenways totaling over 1100 Ha which are now considered integral to contributing to the quality of life and sustainability interests expressed by residents within the Central Okanagan. Our mandate is to provide a network of regional parks and trails that represent a complete range of ecosystems and regionally significant natural and human heritage features for residents of and visitors to the Central Okanagan.

The Mission Creek Greenway has become the backbone of the Regional Parks Service over the past number of years. A large portion of Central Okanagan residents as well as tourists to the area use the Mission Creek Greenway for recreating, commuting, interacting with nature, and learning about nature. The Regional District along with the City of Kelowna and the Friends of Mission Creek were instrumental in the success of implementing the first 2 phases of the greenway.

The first phase of the greenway was completed in 1998 and covered 7.3km of trail starting at Lakeshore Road in Kelowna. The trail follows the top of the dyke which protect area residents from seasonal flooding. This section of the greenway provides a wide flat trail tread that is suitable for the majority of users. There are also many significant areas of high ecological integrity that have been preserved as a result of the greenway which is home to many species.

The second phase of the greenway was completed in 2005 and covers approximately 9km of trail from Mission Creek Regional Park to Scenic Canyon. This phase of the greenway continues upstream of the dyke system and enters into what is known as the Scenic Canyon area. The trail is generally much narrower than phase 1, has some steeper sections and requires numerous bridged creek crossings and elevated boardwalks. Phase 2 is abundant with species and is a critical migratory zone. The outstanding element left to complete Phase 2 involves the crown land that is bounded by Mission Creek on the West, City of Kelowna properties to the East and South, and Regional District property to the North all located near Hollywood Road South in the City of Kelowna.

The remaining crown land parcel near Hollywood Road South that the City of Kelowna is applying for is a critical component in completing and formalizing this phase of the greenway. The current use of this crown land is unsanctioned and uncoordinated where the public utilize existing trails to connect the two sections of the phase 2 greenway. In addition some public build stunts, jumps, and trails related to mountain biking which are not enforceable by either the Regional District or City of Kelowna. By formalizing this crown land through the city's application the Regional District will operate the area on behalf of the city as part of Mission Creek Greenway Regional Park and be able to manage and enforce the land by way of Regional Park policies and bylaws.



## **Proposed Improvements**

The Regional District proposes the following improvements (see attached map):

- Construct 300 meters of trail using existing trails to connect the existing northern and southern greenway sections. The trail will be rerouted where appropriate away from the creek and critical cottonwood forest habitat. The exception is that 50m of new trail will be created to achieve the required alignment.
- Restore disturbed areas using ecologically sound science to improve site conditions and reduce or eliminate invasive species.
- Construct approximately 350 meters of 3 rail fencing on the crown land and park property to the south to protect the riparian area and support restoration efforts.
- Surface the 1.8m wide constructed trail with 100mm of crushed gravel.
- At this point in time there are no suitable locations for the provision of benches or picnic tables.

## **Rationale for Free Crown Grant**

This crown land parcel is the only gap in the phase 2 section of the Mission Creek Greenway Regional Park in order to make a continuous linear recreation trail from Lakeshore Road near Okanagan Lake to Scenic Canyon. The crown area is already being utilized by trail users in an unsanctioned manner and some believe that it is already part of the greenway.

In addition, the City of Kelowna has strategically acquired the back portions of the properties to the east along Hollywood Road South in an effort to gain accretion rights to the crown land. The city attempted to accrete the crown land but was unsuccessful due to complications surrounding the identification of the crown land through land survey. The final determination guided the city to apply for the crown lands through the free crown grant process.

Also, the Mission Creek Greenway Regional Park is a major draw and attraction to residents of the Central Okanagan and tourists to the area. It is estimated that more than 1,000 people per day utilize the greenway for recreation, commuting, and nature watching.