



DISTRICT OF SICAMOUS

446 Main Street, P.O. Box 219,
Sicamous, B.C. V0E 2V0
Telephone: (250) 836-2477 Fax: (250) 836-4314
www.sicamous.ca

November 3, 2011

File : 01 0890 20 06

Front Counter BC
Ministry of Natural Resource Operations
441 Columbia Street
Kamloops BC V2C 2T3

Attention : Bernadette Aura, Natural Resource Officer

Dear Ms. Aura

Re: License of Occupation Application by the District of Sicamous for a Public Beach and swim area.

Further to direction from Jason Ladyman, Lands Officer of the Ministry of Forests, Land and Natural Resource Operations, the District of Sicamous is applying under the Community /Institutional Land Use Program Area for a License of Occupation. This application is made for a Public Beach and swim area on the foreshore of Mara Lake at the south end of the District of Sicamous.

Background

The upland property is currently under application for land use development with the District of Sicamous. The owners have also made application to the Province for tenure for a marina located on a portion of the foreshore of the upland property. One of the conditions of the Province approval of the marina is that the District of Sicamous apply for a License of Occupation for the Public Beach. Through the Environmental Impact Assessment for the marina application, sensitive fish habitat and riparian values were noted within the upland property and the foreshore area. It is felt that in order to best protect those values, the foreshore area be within the jurisdiction of local government. Through the land use development process, the District will be acquiring parkland adjacent to Mara Lake and with the acquisition of a License of Occupation over the foreshore, be able to provide public access to Mara Lake as well as protect the environmental values.

The timing of the various approvals from both the Province and District of Sicamous is critical and as follows. The District currently has a Zoning Bylaw amendment waiting to be adopted and upon adoption the developer will be making a significant monetary contribution to the District sanitary sewer program which is of major importance to this community. Once the developer has assurance from the Province that the marina tenure is approved the Zoning Bylaw amendment may be adopted. As noted earlier, a condition of the Province approval of the marina is this License of Occupation application by the District. Once the Zoning Bylaw amendment has been adopted a subdivision of the property can occur which will dedicate parkland to the District. At the time of parkland dedication a Covenant will be registered to prohibit the use of parkland for any use other than public park, to recognize that the upland property has rights to construct a dock and to use the foreshore in accordance with any lease or license granted by the Province.

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A Parkland Provision Agreement will also be registered to acknowledge that the District will be granted parkland and to require the District to maintain the Beach Management Area, including fencing.

Application

In support of the District of Sicamous application for a License of Occupation please find enclosed :

1. Application form duly completed,
2. District of Sicamous cheque in the amount of \$280.00, being the fee,
3. District of Sicamous Council Resolution,
4. 3 maps showing the subject area,
5. Map of the License of Occupation,
6. Copy of Riparian Area Regulation Assessment Report showing the UTM and latitude and longitude of the upland property,
7. Copy of Environmental Assessment showing Fish Sensitive Area
8. Copy of proposed Park Covenant,
9. Copy of proposed Parkland Provision Agreement (including Beach Management Plan),
10. Copy of proposed Statutory Right of Way for public pathway,
11. Copy of Title Search of upland property,
12. Photo showing general site conditions.

Proposed Use

Upon completion of the above described process, the District of Sicamous will have acquired the parkland as well as the responsibility to use the parkland as described in the Covenant, the Parkland Provision Agreement and the Statutory Right of Way. This will allow the District to construct a public pathway adjacent to the parkland, to provide public access to the parkland and beach/swim area and to construct fencing to protect the environmentally sensitive area identified. The District will also construct swim buoys around the perimeter of the License of Occupation and additional buoys will be placed to prohibit watercraft and swim access to the fish sensitive area that is within the License of Occupation area. All construction and vegetative control measure will be strictly controlled by the previously accepted Environmental Impact Assessment, Covenants and Best Management Practices.

If you require further information, please do not hesitate to contact the undersigned, Alan Harris, Chief Administrative Officer of the District of Sicamous or Jason Ladyman, Lands Officer, MFLNRO.

Yours truly



Steve Noakes
Community Planner
/srn

Enclosures



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CERTIFIED RESOLUTION

It was moved and seconded:

THAT Council direct staff to apply for a Community Application for a Licence of Occupation for the swim area at the end of Tecumseh Road on Mara Lake fronting both Tecumseh Road and that parcel legally described as LS12, Sec. 19 containing 38.30 acres more or less, TP 21, Rge. 7, W6M, KDYD, except thereout and therefrom the land covered by the waters of Mara Lake, except Plan H741.

Certified a true and correct copy of a resolution endorsed by the Council of the District of Sicamous at its Regular Council Meeting held on October 26th, 2011.

Dated this 28th day of October, 2011.

Alan L. Harris, C.A.
Director of Corporate Administration Services

ALH:mag