

## STAFF REPORT

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**DATE:** May 18, 2022 **FILE:** 0550-04 Board

**TO:** Chair and Directors,  
Regional Board

**FROM:** Dave Leitch  
Chief Administrative Officer

**RE:** TENURE APPLICATION – HOSKYN CHANNEL LANDING ACCESS ROAD AND PARKING LOT

### PURPOSE/PROBLEM

To consider a recommendation from the Electoral Areas Services Committee to obtain a legal opinion regarding the access road and parking lot expansion at Hoskyn Channel Landing located in Electoral Area C

### EXECUTIVE SUMMARY

The attached report was considered at the May 11, 2022 meeting of the Electoral Areas Services Committee at which time the following motion was made:

Leigh/Whalley: EASC 101/22

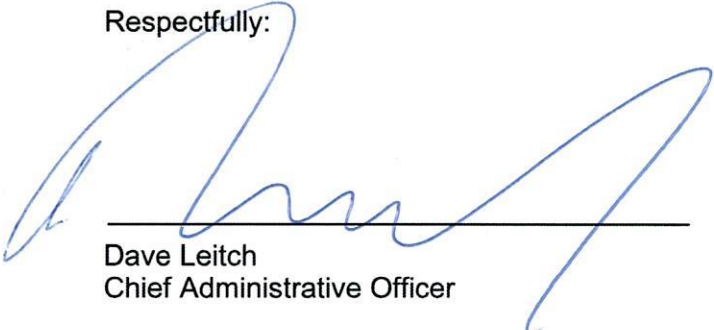
THAT staff seek legal opinion regarding the roadway and proposed parking lot expansion at Hoskyn Channel.

The actions outlined below are offered in support of the Committee's recommendation.

### RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT a legal opinion be obtained on the access roadway and proposed parking lot expansion at Hoskyn Channel.

Respectfully:



Dave Leitch  
Chief Administrative Officer

**Prepared by:** E. Watson, Senior Executive Assistant

Attachments: Copy of April 4, 2022 report to the Electoral Areas Services Committee.



## STAFF REPORT

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**DATE:** April 4, 2022

**FILE:** 0540-04 EASC

**TO:** Chair and Directors,  
Electoral Areas Services Committee

**FROM:** Dave Leitch  
Chief Administrative Officer

**RE:** TENURE APPLICATION - HOSKYN CHANNEL LANDING ACCESS ROAD & PARKING LOT

### PURPOSE

To consider a land tenure application over the parking area and access road at the Hoskyn Channel Landing wharf, for community park purposes.

### POLICY ANALYSIS

Order in Council No. 2170, approved by the Province of British Columbia on October 28, 1987, expanded the Regional District's supplementary letters patent to include the authority for the Regional District to acquire, develop, operate and maintain community parks. The Regional District subsequently adopted bylaws which established local service areas for community parks and established capital, future expenditure and parkland acquisition reserve funds.

Pursuant to Section 176 (Corporate Powers) of the *Local Government Act (LGA)*, the Regional District may make agreements respecting the provision of services and the management of, or an interest, in property.

The Strathcona Regional District operates a community parks service for Electoral Area 'C' (Discovery Islands – Mainland Inlets) under the authority of Bylaw No. 2097.

### EXECUTIVE SUMMARY

The current land tenure for Hoskyn Channel Landing consists of a License of Occupation for the purposes of public moorage and a boat launch. The license area and purpose does not include the upland parking area or access road at the end of Surge Narrows Road. The access road and parking area lie on Crown Land, within Woodlot W1970. The parking area is primarily along the shoulder of the access road, and there is a small parking area at the end of the access road. Users of the wharf have expressed concerns regarding the current capacity and safety of the parking area. These concerns were also brought forward to the woodlot licensee (Cape Mudge Forestry Ltd.) and Provincial agencies (MoTI and FLNRORD). SRD staff were subsequently approached by FLNRORD staff who indicated the SRD should apply for tenure over the access road and parking areas as these facilities are primarily used by wharf users. SRD records and communication from MoTI staff indicate the access road is an unsurveyed travelled road (UTR). A UTR classification means that the right of way is not dedicated to MoTI, nor do they own the land that the road is on. MoTI currently maintains only the road surface. Obtaining a License of Occupation over the access road and parking would secure the access road and parking area for continued public use and wharf access. The License of Occupation would also facilitate future expansion of the parking area to accommodate user needs.

### RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the Committee recommend that the Board authorize a License of Occupation application for access road and parking purposes for Hoskyn Channel Landing.

Respectfully:



Dave Leitch  
Chief Administrative Officer

#### **BACKGROUND/HISTORY**

The current land tenure for Hoskyn Channel Landing consists of a License of Occupation for the purposes of public moorage and a boat launch. The license area and purpose does not include the upland parking area or access road at the end of Surge Narrows Road.

The access road and parking area lie on Crown Land, within Woodlot W1970. The parking area is primarily along the shoulder of the access road, and there is a small parking area at the end of the access road. Users of the wharf have expressed concerns regarding the current capacity and safety of the parking area.

These concerns were also brought forward to the woodlot licensee (Cape Mudge Forestry Ltd.) and provincial agencies (MoTI and FLNRORD). SRD staff were subsequently approached by FLNRORD staff who indicated the SRD should apply for tenure over the access road and parking areas as the access road and parking area are primarily used by wharf users. The access road is also used as the trailhead for the Surge Narrows Trail, by Rec Sites and Trails BC.

SRD records and communication from MoTI staff indicate the access road is an un-surveyed travelled road (UTR). A UTR classification means that the right of way is not dedicated to MoTI, nor do they own the land that the road is on. MoTI currently maintains only the road surface. The section of UTR that accesses the wharf is located at the end of Surge Narrows Road and is approximately 270m long.

Obtaining a License of Occupation over the UTR access road and parking would secure the access road and parking area for continued public use and wharf access. The License of Occupation would also facilitate future expansion of the parking area to accommodate user needs. The SRD has also invested in signage along the UTR, obtaining the License of Occupation would enable formal authorization of the existing signage on Crown Land.

#### **FINANCIAL IMPLICATIONS**

Ongoing maintenance and park improvements associated with the Hoskyn Channel Landing wharf are budgeted through the Electoral Area C parks budget. The following operational and maintenance costs are expected if the SRD were to apply and obtain tenure over the parking area and access road.

- Cost for License of Occupation application - \$262.50
- Annual cost for road and parking area maintenance - \$2,500 - \$5,000

#### **LEGAL IMPLICATIONS**

There are no legal implications associated with this renewal.

**INTERGOVERNMENTAL/REGIONAL IMPLICATIONS**

Continued operation of the Hoskyn Channel Landing wharf and associated infrastructure will involve cooperation with the MoTI and FLNRORD.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS**

Obtaining the License of Occupation ensures continued public access and use of the lands.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS**

In addition to parks resources, the license process will require assistance from corporate services and financial services staff.

Submitted by:



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Aniko Nelson  
Parks and Planning Manager

***Prepared by:*** Jacob Blanchard, Parks Technician

COPY





Crown Lands  
File: 1409803

Hoskyn  
Channel  
Wharf

Approach

Gangway

Float

Ramp

Trail

Surge Narrows  
Trailhead

Parking

Roadway

W1970 2 SCHEDULE\_B  
CAPE MUDGE  
FORESTRY LTD.

Parking