

Report

City of Merritt
REGULAR Council Meeting
December 17, 2019

File Number: 2360.19

To: Scott Hildebrand, Chief Administrative Officer
From: Sean Smith, Director of Corporate Services
Date: December 12, 2019
Subject: North Bench Lands – Crown Land Tenure Application

RECOMMENDATION:

THAT Council direct staff to consult with the Ministry of Forests, Lands and Natural Resource Operations, as well as First Nations, regarding potential Crown Land Tenure applications for the Crown lands north of Mountain Drive in the Bench area (the “North Bench Lands”).

And

THAT Council direct staff to prepare budgetary information regarding the creation of a North Bench Lands Neighbourhood Development Plan, as indicated in the Official Community Plan.

Background:

The North Bench Lands, as shown on the Bench Sector Map attached as Schedule “A”, are comprised of approximately 358 acres of Crown land, split between three parcels. The official community plan indicates that the lower 100 acres of the North Bench Lands are suitable for residential development or technical park development.

Between the years of 1996-2000, the Province had an initiative whereby it actively looked to develop Crown land for industrial, commercial or residential purposes. The North Bench Lands were a target of interest for the Province, but before development could commence, the Province shut down this initiative in 2002.

In 2011, the City of Merritt commenced a Crown Land Tenure Application process for an ~78 acre parcel of the North Bench Lands, to use the property for a technical park (call centre) use. However, the application was never considered by the Province, as the City of Merritt did not submit the development plan necessary to support the application, nor did it undergo sufficient First Nations consultation. This application was formally closed by the Province in 2019.

In recent months, City staff have had preliminary discussions with the Ministry of Forests, Lands and Natural Resource Operations – Crown Land Tenure division about the feasibility of making a new Crown Land Tenure application for the North Bench Lands, to utilize those lands for residential, public trail and recreation purposes, which could include a Disc Golf course. From these discussions, staff understands that the City is in a good position to make an application for some or all of these lands, dependent on the plan proposed.

The purpose of this report is to determine Council's interest in pursuing a potential Crown Land Tenure application for the North Bench Lands, or whether Council would like to prioritize other projects and revisit this opportunity in future years.

Official Community Plan Support

The Official Community Plan offers significant support for a Crown Land Tenure application for the North Bench Lands. A list of relevant excerpts is attached to this report as Schedule "B".

Notably, the OCP discusses the creation of a North Bench Lands Neighbourhood Development Plan (5.4.1.2.10, Page 44) or a comprehensive development plan for the area. Staff recommends that Council direct staff to prepare budgetary information that would allow Council to consider the inclusion the of a North Bench Neighbourhood Development Plan as part of the 2020 Budget.

The only potential obstacle from the OCP is that it encourages the development of existing vacant parcels within the serviced areas of the Bench before expanding into areas that are not currently serviced. This issue could likely be addressed by phasing land tenure applications and the development generally, to ensure that those lands best suited for residential development are reserved for the future, while allowing the City to proceed with development of the portions that would best be used for trail and park purposes. This approach would be fully evaluated in the proposed Neighbourhood Development Plan.

North Bench Lands Neighbourhood Development Plan

The North Bench Lands Neighbourhood Development Plan would cover the entire 358 acres of land and set out a master plan that would establish densities, infrastructure requirements, optimal land uses, transportation, and potential form and character requirements, all with an emphasis of creating a trail network linking open spaces and parks that highlight the existing habitat and vegetation in the area.

In the creation of this plan, the City would engage in meaningful consultation with First Nations communities, to listen to and implement their ideas and vision for the lands wherever possible. We will also explore potential partnerships that could be formed with First Nations to ensure direct involvement and input into the development of these lands.

We would also seek Council's feedback, along with that of the public, School District No. 58 and staff from Crown Lands in the creation of this plan.

Application Process

From discussions with the Crown Land Section Head, the City maximizes its chance of success in the Crown Land Tenure application process by making separate, distinct crown land tenure applications in phases.

The first phase of application, if consistent with the findings of the Neighbourhood Development Plan, would likely be for approximately 30 acres of land required to develop a disc golf course and trailhead markers to support hiking and mountain biking (located approximately in the area identified on Schedule "A" as Phase 1). For this application, the City would go through a modified Community and Institutional Crown Land Tenure process, where the City would be required to seek "Ministry Sponsorship" in order to acquire the tenure over the Phase 1 lands for no cost or below market value, or alternatively, the Crown may choose to grant the lands in fee simple. The City anticipates that from the date of application for Phase one, the process to acquire the lands will take between 12-18 months if all parties are aligned with the proposed plan.

Latter phases would include residential development to the South, and expansion of the trail network to the North. Any portions of the land needed for residential development would go through a different land tenure application process and lands would need to be acquired at fair market value.

Options / discussion

1. THAT Council direct staff to consult with the Ministry of Forests, Lands and Natural Resource Operations, as well as First Nations, regarding potential Crown Land Tenure applications for the Crown lands north of Mountain Drive in the Bench area (the "North Bench Lands").

AND THAT Council direct staff to bring budgetary information regarding the creation of a North Bench Lands Neighbourhood Development Plan, as indicated in the Official Community Plan.

2. THAT Council defer decision on this report until a later date, to allow staff to advance other priorities.

3. THAT Council receive this report for information.

Financial / Risk Implications:

The City has received \$20,000 in grant funding to be used in 2020 towards a recreation project. At the December 10, 2019 Committee of the Whole meeting, the Recreation and Facilities department recommended using these funds towards planning work and purchase of equipment necessary to facilitate a Disc Golf Course in the North Bench area.

Others Consulted:

Ministry of Forests, Lands and Natural Resource Operations – Crown Land Tenures

Attachments:

Schedule “A” - Bench Sector Map
Schedule “B” – OCP Excerpts

Respectfully submitted,

Sean Smith
Deputy CAO/Director of Corporate Services