

CITY OF NANAIMO

BYLAW NO. 7225

A BYLAW TO REMOVE THE PARK DEDICATION AND AUTHORIZE THE DISPOSAL OF A PORTION OF BEAUFORT PARK

WHEREAS Section 27(2) of the *Community Charter* authorizes a City to, via bylaw, exchange parkland for other land to be dedicated as park;

AND WHEREAS pursuant to the deposit of subdivision plan VIP18936 as shown on Schedule A to this Bylaw, those lands having a municipal address of 69 Lorne Place and commonly known as “Beaufort Park” were dedicated to the public for the purpose of park and vested in the City of Nanaimo for that purpose;

AND WHEREAS Council of the City of Nanaimo now wishes to remove the park dedication from that 82.7 m² portion of Beaufort Park shown on the location plan attached to this Bylaw as Schedule B (the “Closed Park Area”) and to dispose of the Closed Park Area to the registered owner of those lands having a municipal address of 1515 Dufferin Crescent and legally described as Lot A, District Lot 97G, Newcastle Reserve, Section 1, Nanaimo District, Plan EPP59668 (Lot A) in exchange for an equal portion of Beaufort Park shown on the location plan attached to this Bylaw as Schedule B (the “New Park Area”);

AND WHEREAS, pursuant to section 30(3) of the *Community Charter*, a bylaw that removes a reservation or dedication referred to in 30(2) may only be adopted with the approval of the electors;

NOW THEREFORE the Municipal Council of the City of Nanaimo in open meeting assembled enacts as follows:

1. The City of Nanaimo hereby removes the park dedication from the Closed Park Area.
2. The City of Nanaimo hereby authorizes the disposition of the Closed Park Area to the registered owner of Lot A in exchange for the transfer of the New Park Area to the City.
3. The Mayor and Corporate Officer are authorized to execute all documents necessary to carry out the completion of the park exchange authorized by this bylaw.
4. This Bylaw shall come into full force and effect on the date of adoption.
5. This Bylaw may be cited as “Beaufort Park Dedication Removal and Disposal Bylaw 2016 No. 7225”.

PASSED FIRST READING 2016-MAR-07
PASSED SECOND READING 2016-MAR-07
PASSED THIRD READING 2016-MAR-07

An alternative approval process in relation to this Bylaw was provided in accordance with the requirements of section 86 of the *Community Charter* and the elector response was certified as not having exceeded 10% of the electors of the City of Nanaimo on the 25th day of April, 2016.

ADOPTED 2016-MAY-02

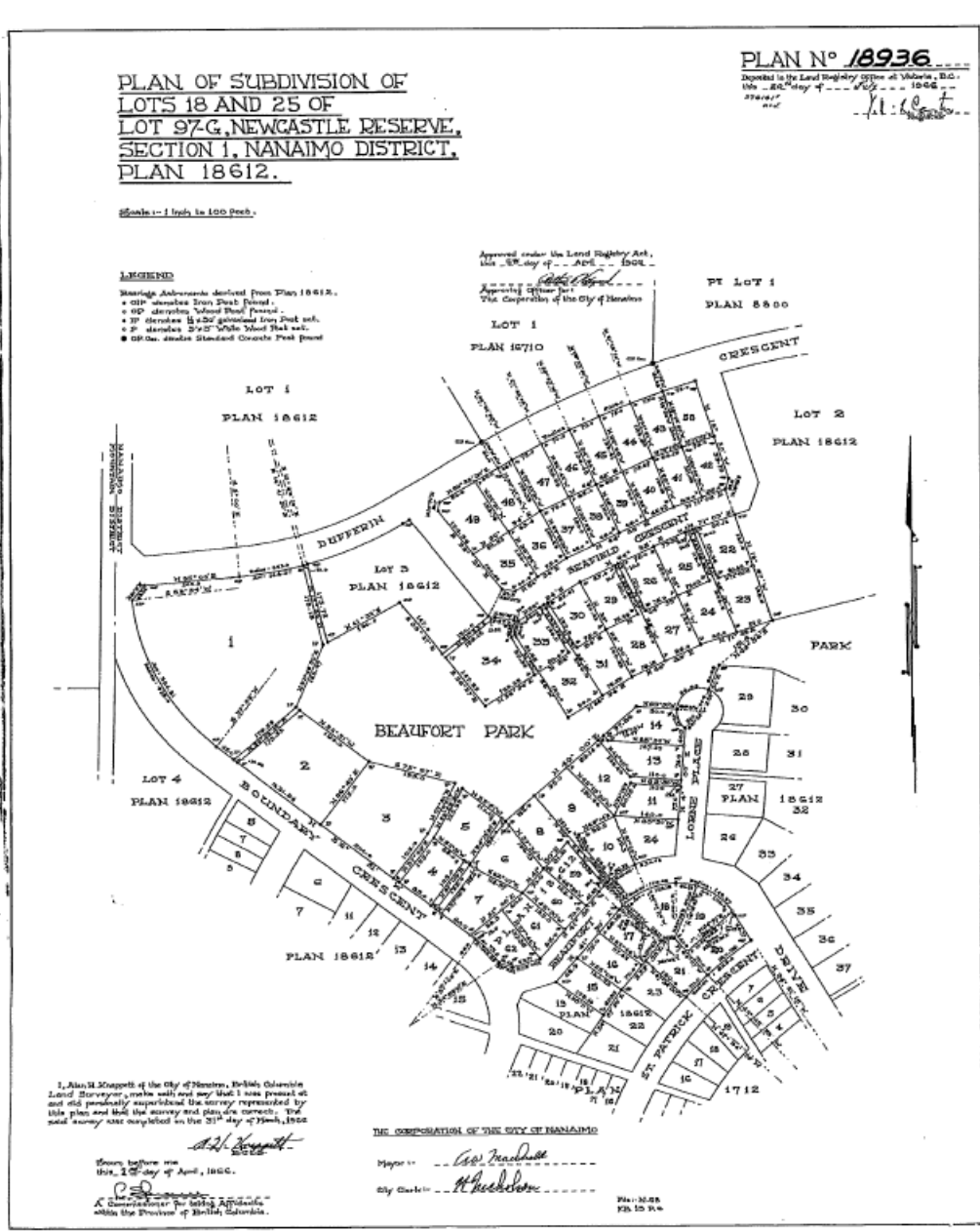
W.B. MCKAY

MAYOR

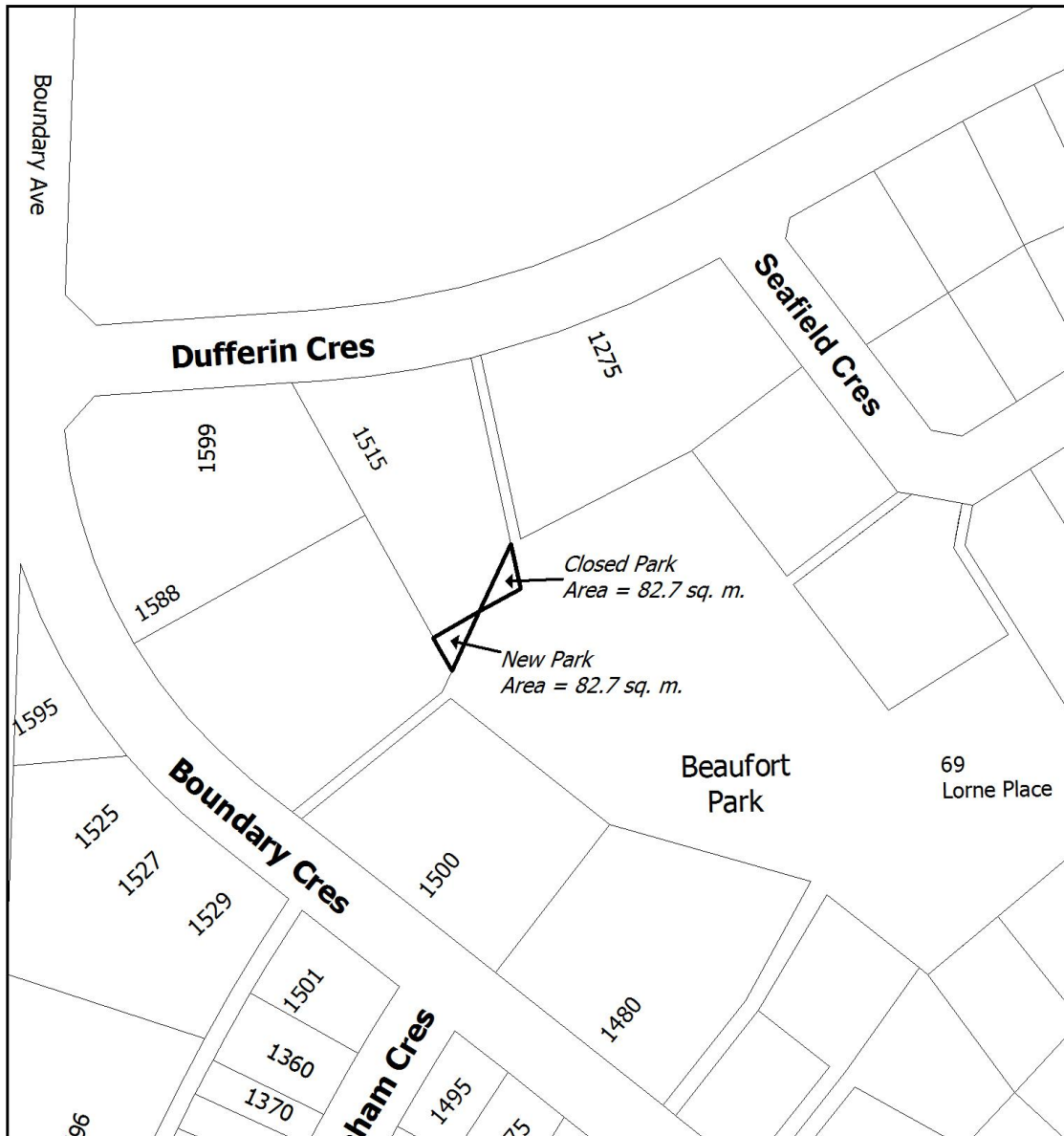
D. SMITH

DEPUTY CORPORATE OFFICER

SCHEDULE A



Schedule B



LOCATION PLAN

Civic: 1515 Dufferin Crescent
and 69 Lorne Place

Park Land Exchange