

CITY OF NANAIMO

BYLAW NO. 7219

A BYLAW TO REMOVE THE PARK DEDICATION AND AUTHORIZE THE DISPOSAL OF
A PORTION OF LINLEY VALLEY COTTLE LAKE PARK

WHEREAS, pursuant to Section 30(1) of the *Community Charter*, a council may, by bylaw, reserve or dedicate for a particular municipal or other public purpose real property owned by the municipality, and pursuant to section 30(2) of the *Community Charter*, a bylaw that reserves or dedicates property as a park may only be adopted by an affirmative vote of at least 2/3 of all the members of council;

AND WHEREAS, by way of "Park Dedication Bylaw 2011 No. 7137", Council for the City of Nanaimo dedicated as park that parcel of land legally described as PID: 009-432-485, Section 13, Wellington District, Except the West 4 Chains of the South 25 Chains Thereof and Except that Part in Plan 30110, commonly known as "Linley Valley (Cottle Lake) Park";

AND WHEREAS Council of the City of Nanaimo now wishes to remove the park dedication from that 0.2 hectares (0.5 acres) portion of Linley Valley (Cottle Lake) Park shown on the location plan attached to this Bylaw as Schedule "A" (the "Closed Park Area") and to dispose of the Closed Park Area to the registered owner of that land legally described as PID: 000-011-673, Lot 1, Section 13, Wellington District, Plan 30110 ("Lot 1") in exchange for an equal portion of Lot 1 shown on the location plan attached to this Bylaw as Schedule "A" (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 1 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 “Linley Valley Cottle Lake Park Dedication Removal and Disposal Bylaw 2015 No. 7219”.

PASSED FIRST READING 2015-OCT-05
PASSED SECOND READING 2015-OCT-05
PASSED THIRD READING 2015-OCT-05

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 November, 2015.

ADOPTED 2015-DEC-07

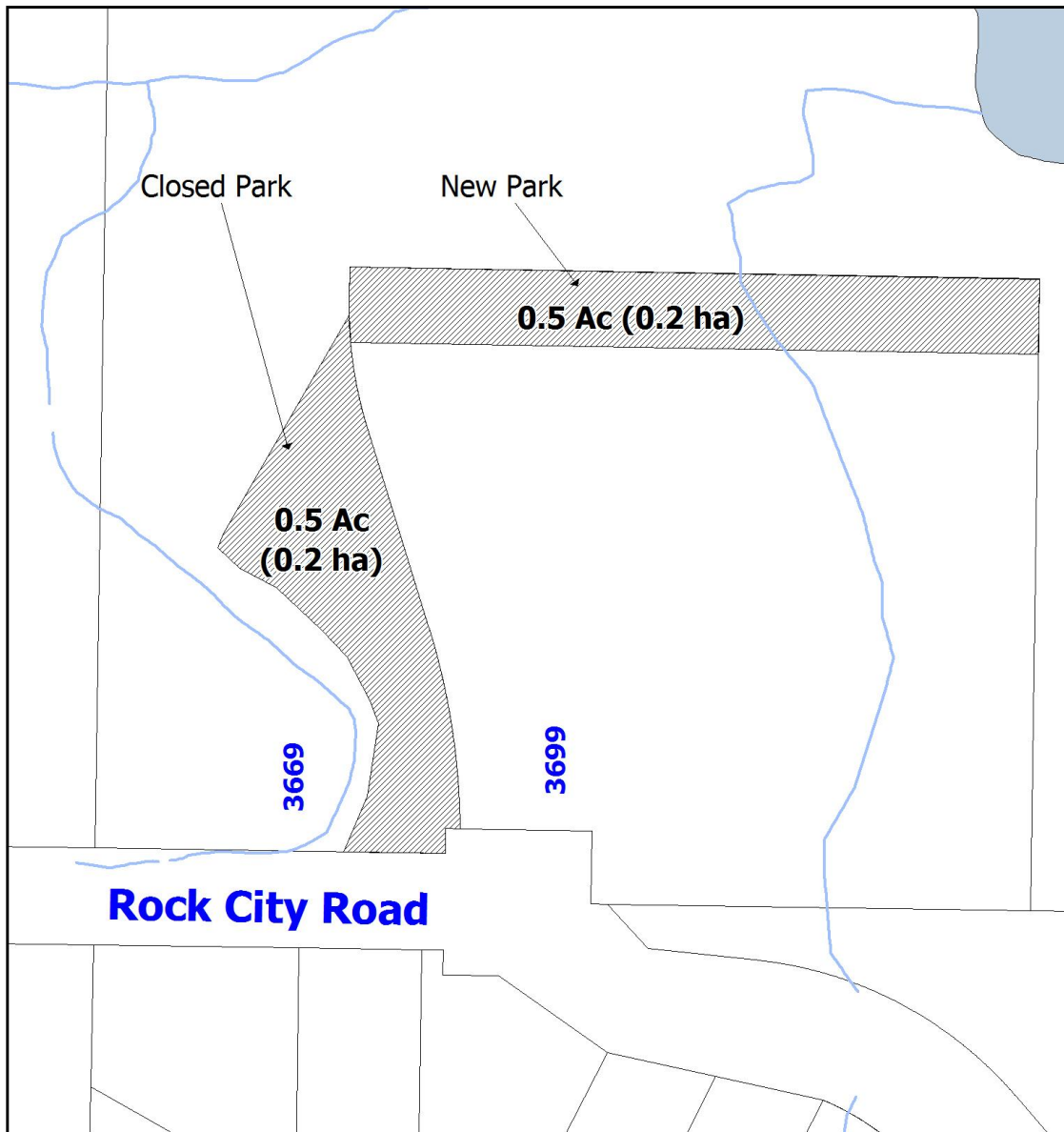
W.B. MCKAY

MAYOR

C. JACKSON

CORPORATE OFFICER

Schedule "A"



Location Plan

Civic: 3669 and 3699 Rock City Road