



**REPORT TO COUNCIL**

**August 31, 2011**

**REPORT TO: F. C. MANSON, CHIEF ADMINISTRATIVE OFFICER**  
**FROM: DEBBIE COMIS, DIRECTOR OF ADMINISTRATIVE SERVICES**  
**SUBJECT: PARKLAND EXCHANGE**

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**ISSUE:**

Many years ago the land where the Parksville and District Visitor Center/Chamber of Commerce is currently located was dedicated to the City of Parksville as parkland. In order to renew the lease between the City and the Chamber it is necessary to remove the park designation and create a fee simple lot in its place.

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek Council authorization to undertake an exchange of park land to allow renewal of the lease between the City and the Parksville and District Chamber. To ensure the City does not lose any of its park land staff are suggesting an exchange be made between the currently designated park and the land where the Craig Heritage Museum is located. In effect; the land on which the Visitor Center/Chamber building resides will become a fee simple lot and the land on which the Craig Heritage Museum resides will be park. The two pieces of land are almost identical in size.

**REFERENCES:**

Schedule A – Existing Parcels showing two parcels of land; one as Park and one as REM. LOT 8, PLAN 33339 BLOCK 564, DISTRICT LOT 40, a copy of which is attached to this report.

Schedule B – Proposed Parcels showing the proposed Park Site; Fee-Simple Lot and remaining Parkland, a copy of which is attached to this report.

Community Charter Act of B.C. Section 27

**BACKGROUND:**

Many years ago the City of Parksville received land dedicated as park through subdivision from the Craig Bay Development. Subsequently the City of Parksville entered into a lease agreement for the land with the Parksville & District Chamber of Commerce. Adjacent to this site is a fee simple lot of approximately the same size, leased to the Parksville and District Historical Society for operation of the Craig Heritage Park, Museum and Archives.

In order to renew the lease with the Chamber of Commerce it is necessary to remove the park dedication from their site. In order to ensure the City of Parksville retains its current complement of parkland, staff is proposing to exchange the park designation with the adjacent site. In effect this would mean the land leased to the Chamber of Commerce would become a fee simple lot and the land leased to the Parksville and District Historical Society would become parkland. The Rotary Peace Park will remain unaffected by these changes.

It is important to note this would have absolutely no impact on the current operation of either facility and would not have any effect on tax rates for the City of Parksville taxpayers. This is essentially completion of an outstanding procedural issue to ensure lease agreements meet current legal requirements.

Section 27 of the Community Charter Act of BC authorizes the City to, by bylaw, exchange land dedicated for park with other land suitable for a park or public square. The subject properties meet this requirement. Section 27 also requires the City obtain the approval of the electorate in order to proceed with the land exchange.

To this end, appearing elsewhere on the agenda is a proposed bylaw for three readings to allow the exchange of parkland for other land to be dedicated as park. In addition, Council is required to approve a question to be put before the voters at the Local Government Election to be held on Saturday, November 19, 2011.

Staff submit the following question for Council's approval:

*"Are you in favour of the City of Parksville adopting Parkland Disposal and Exchange Bylaw No.1475, 2011 to remove park dedication from the property at 1275 Island Highway East known as Parksville and District Visitor Center, in exchange for dedicating new parkland at 1245 Island Highway East known as the Craig Heritage Park, Museum and Archives."*

YES                      NO

**OPTIONS:**

1. Council authorize a bylaw to exchange parkland for other land to be dedicated as park and forward to the Local Government Election to be held on Saturday, November 19, 2011 in order to obtain authorization from the electorate to proceed with the land exchange.

2. Council retain the lands in their current designations and discontinue the lease agreement with the Parksville and District Chamber of Commerce.
3. Council direct staff to continue to research the matter to seek an alternative resolution.

**ANALYSIS:**

Currently the City of Parksville is unable to renew its lease with the Chamber of Commerce because a business oriented facility is not an acceptable use of parkland under British Columbia common law. In order to rectify the situation staff is recommending Council approve the steps necessary to exchange the parkland with an adjacent property that already includes a suitable park use (the Heritage Park and Museum). This is strictly a procedural matter. The City retains its current allotment of parkland and there is no financial impact for the tax payers, it is merely a method of ensuring all City leases comply with current legislation.

Should the electorate support this initiative, the result will be the Craig Heritage Park, Museum, and Archives will be on parkland; the Parksville and District Visitor Center/Chamber of Commerce will be on a fee simple lot and the Rotary Peace Park will remain on parkland.

**SUSTAINABILITY IMPLICATIONS / ENVIRONMENTAL IMPLICATIONS:**

There are no sustainability or environmental implications to this proposal.

**FINANCIAL:**

There are no financial implications to this proposal

**RECOMMENDATIONS:**

**THAT** the report from the Director of Administrative Services dated August 31, 2011 entitled "ParkLand Exchange" be received;

**AND THAT** Council authorize the preparation of a bylaw to exchange parkland as outlined on Plan VIP 60816 for other land known as REM. LOT 8, PLAN 33339, BLOCK 564, DISTRICT LOT 40 to be dedicated as park.

**AND FURTHER, THAT** after being given three readings, the bylaw be forwarded to the Local Government Election to be held on Saturday, November 19, 2011.

**AND FURTHER THAT** Council approve the Question to be put before the electorate on Saturday, November 19, 2011 being:

*“Are you in favour of the City of Parksville adopting Parkland Disposal and Exchange Bylaw No. 1475, 2011 to remove park dedication from the property at 1275 Island Highway East known as Parksville and District Visitor Center, in exchange for dedicating new parkland at 1245 Island Highway East known as the Craig Heritage Park, Museum and Archives.”*

YES                      NO

**AND FINALLY THAT** Staff be authorized to undertake a public information program and prepare information materials to ensure City of Parksville voters are fully informed with respect to the proposed Other Voting question.

Respectfully submitted,



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DEBBIE COMIS  
DIRECTOR OF ADMINISTRATIVE SERVICES

**CHIEF ADMINISTRATIVE OFFICER COMMENTS:**

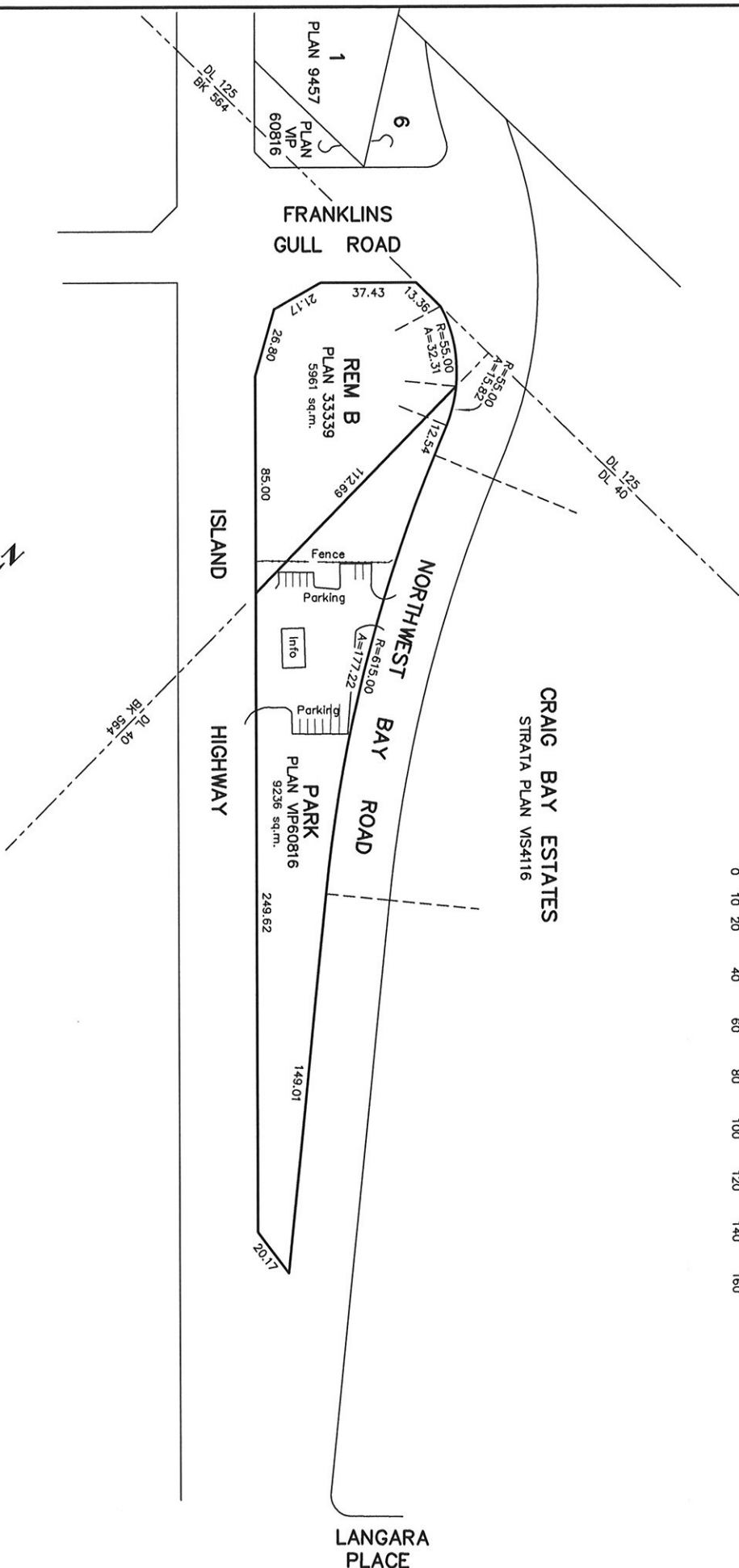
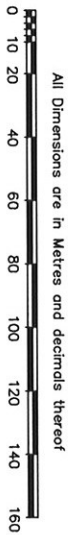


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F. C. MANSON, CGA  
Chief Administrative Officer

**SCHEDULE A - EXISTING PARCELS**

**PLAN TO ACCOMPANY CITY OF PARKSVILLE PARK LAND DISPOSAL AND EXCHANGE  
BYLAW 2011, NO. 1475, SHOWING PARK DEDICATED BY THE DEPOSIT OF PLAN  
VP60816, DISTRICT LOT 40, NANOOSE DISTRICT; AND LOT B, BLOCK 564,  
NANOOSE DISTRICT, PLAN 33339 (EXCEPT PART IN PLAN VP60816 AND VP62488.**

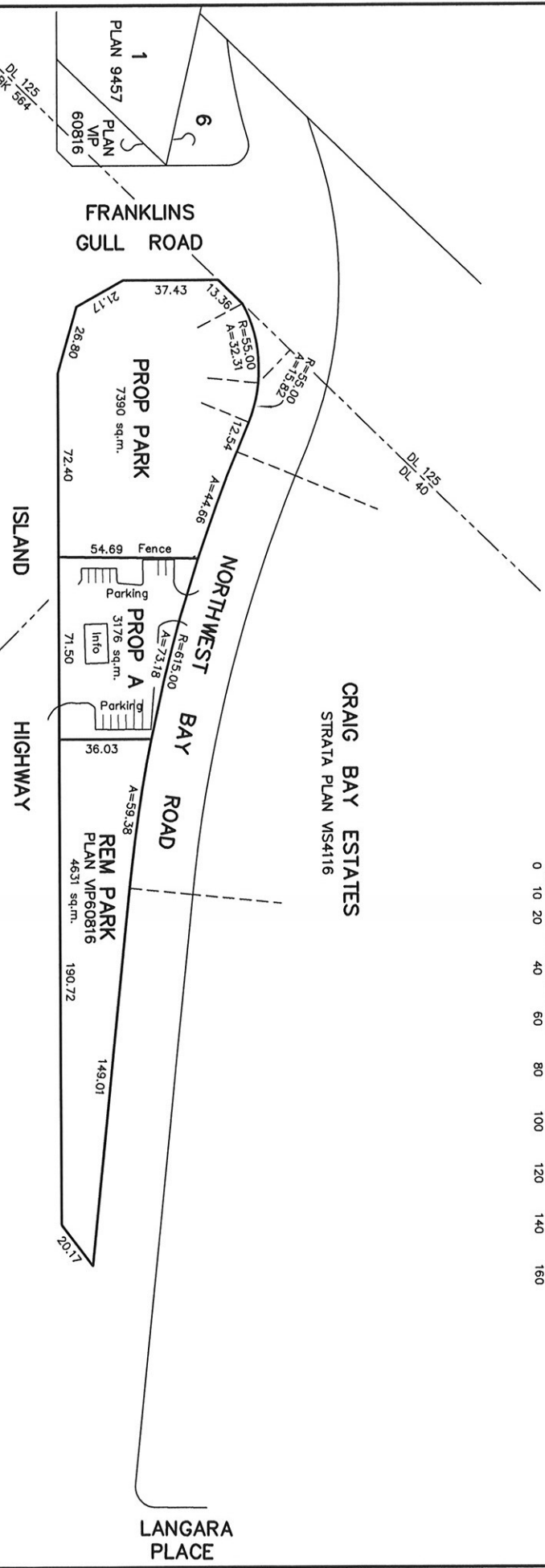


**TABLE OF AREAS**

DESCRIPTION	AREA
EXISTING PARK, PLAN VP60816	9236 sq.m.
REM LOT B, PLAN 33339	5961 sq.m.

J.E. ANDERSON & ASSOCIATES  
 B.C. Land Surveyors & Consulting Engineers  
 # 203  
 177 Weld St. PO Box 247  
 Parksville, BC V9P 2C4  
 250-248-5755 parksville@jeanderson.com  
 File : 60589-1

**SCHEDULE B - PROPOSED PARCELS**  
**PLAN TO ACCOMPANY CITY OF PARKSVILLE PARK LAND DISPOSAL AND EXCHANGE**  
**BYLAW 2011, NO. 1475, SHOWING PROPOSED PARK AND PROPOSED LOT A, DISTRICT**  
**LOT 40 AND BLOCK 564, NANOOSE DISTRICT.**



**TABLE OF AREAS**

DESCRIPTION	AREA
REM PARK PLAN VP60819	4631 sq.m.
PROPOSED PARK	7390 sq.m.
TOTAL PARK	12021 sq.m.
PROPOSED LOT A	3176 sq.m.

J.E. ANDERSON & ASSOCIATES  
 B.C. Land Surveyors & Consulting Engineers  
 # 203 - 1777 Weld St., P.O. Box 247  
 Parksville, BC V9P 2G4  
 250-248-5755 parksville@jeanderson.com  
 File : 60589-2