

# CITY OF PRINCE RUPERT

## PARK DEDICATION REMOVAL AND DISPOSAL BYLAW NO. 3379, 2015

### A BYLAW TO REMOVE THE DEDICATION OF A PORTION OF LANDS DEDICATED AS PARK (OFF GRAHAM AVENUE)

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**WHEREAS** the Council of the City of Prince Rupert (“**Council**”) has the authority under Section 27 of the *Community Charter* to remove the dedication of lands as park lands and to exchange or dispose of such lands;

**AND WHEREAS** Council considers it desirable to remove the dedication of that portion of lands currently dedicated as park and shown as the hatched area on the Plan EPP58925, prepared by Shauna C. Goertzen, B.C.L.S and certified correct on the 7<sup>th</sup> day of July, 2016, having the control number 146-835-8520, a reduced copy of which is attached, herto as Schedule A (“Closed Park Lands”), originally dedicated by subdivision, for the purpose of disposing of the lands to the owner of adjoining property, Bryton Group Oceanview Condominiums Ltd. (Inc. No. BC1039709) for consolidation with Lot 4 (PID 019-074-271) and Lot 5 (PID 019-074-280) following the publication of notice of disposition, for the appraised value of \$21,000.00 to be deposited into the City’s parkland acquisition reserve fund;

**AND WHEREAS** as required by Section 86 of the *Community Charter*, Council has sought the approval of the electors by way of the alternative approval process and has approved the notice and elector response form for this process;

**AND WHEREAS** Council has determined that this Bylaw may proceed to adoption by Council unless 866 eligible electors in the City oppose the Bylaw by completing and submitting an Elector Response Form by 4:30 p.m. on Friday, June 3<sup>rd</sup>, 2016;

**NOW THEREFORE THE COUNCIL** of the City of Prince Rupert enacts as follows:

1. This Bylaw may be cited for all purposes as "**Park Dedication Removal and Disposal Bylaw No. 3379, 2015**".
2. That the dedication of the Closed Park Lands is hereby removed.
3. The Mayor and the Corporate Administrator are hereby authorized to execute such transfers, deeds of land, survey plans, land title applications and other documents, and to affix the Corporate Seal of the City of Prince Rupert thereto, as may be necessary to effect the removal of the park dedication to the Closed Park Lands.
4. Schedule "A" attached hereto forms part of this Bylaw.

Read a First time this 25<sup>th</sup> day of July, 2016.

Read a Second time this 25<sup>th</sup> day of July, 2016.

Read a Third time this 25<sup>th</sup> day of July, 2016.

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 being less than 10% of the electors of the City of Prince Rupert on the 3<sup>rd</sup> day of June, 2016.

Final Consideration and Adopted this 23<sup>rd</sup> day of May, 2017.

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MAYOR

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CORPORATE ADMINISTRATOR

REFERENCE PLAN TO ACCOMPANY  
DISPOSAL AND EXCHANGE BYLAW NUMBER  
3379,2015 (PRINCE RUPERT) TO CLOSE PART  
OF PARK DEDICATED ON PLAN PRP14231,  
DISTRICT LOT 1992, RANGE 5, COAST  
DISTRICT.

PLAN EPP58925

Schedule "A"

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT  
AND SECTION 27 OF THE COMMUNITY CHARTER  
FOR THE PURPOSE OF PARK CLOSURE  
BCGS 103J.029

SCALE 1 : 500



THE INTENDED PLOT SIZE OF THIS PLAN IS 432 mm IN WIDTH BY  
580 mm IN HEIGHT (C-SIZE) WHEN PLOTTED AT A SCALE OF 1:500

GRID BEARINGS ARE DERIVED FROM DIFFERENTIAL DUAL FREQUENCY GNSS  
OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM  
ZONE 8 (12° WEST LONGITUDE)

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES, UNLESS  
OTHERWISE SPECIFIED, TO COMPUTE GRID DISTANCES, MULTIPLY  
GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF  
0.999910. THE AVERAGE COMBINED FACTOR HAS BEEN DETERMINED BASED  
ON AN ELLIPSOIDAL ELEVATION OF 32.5 METRES

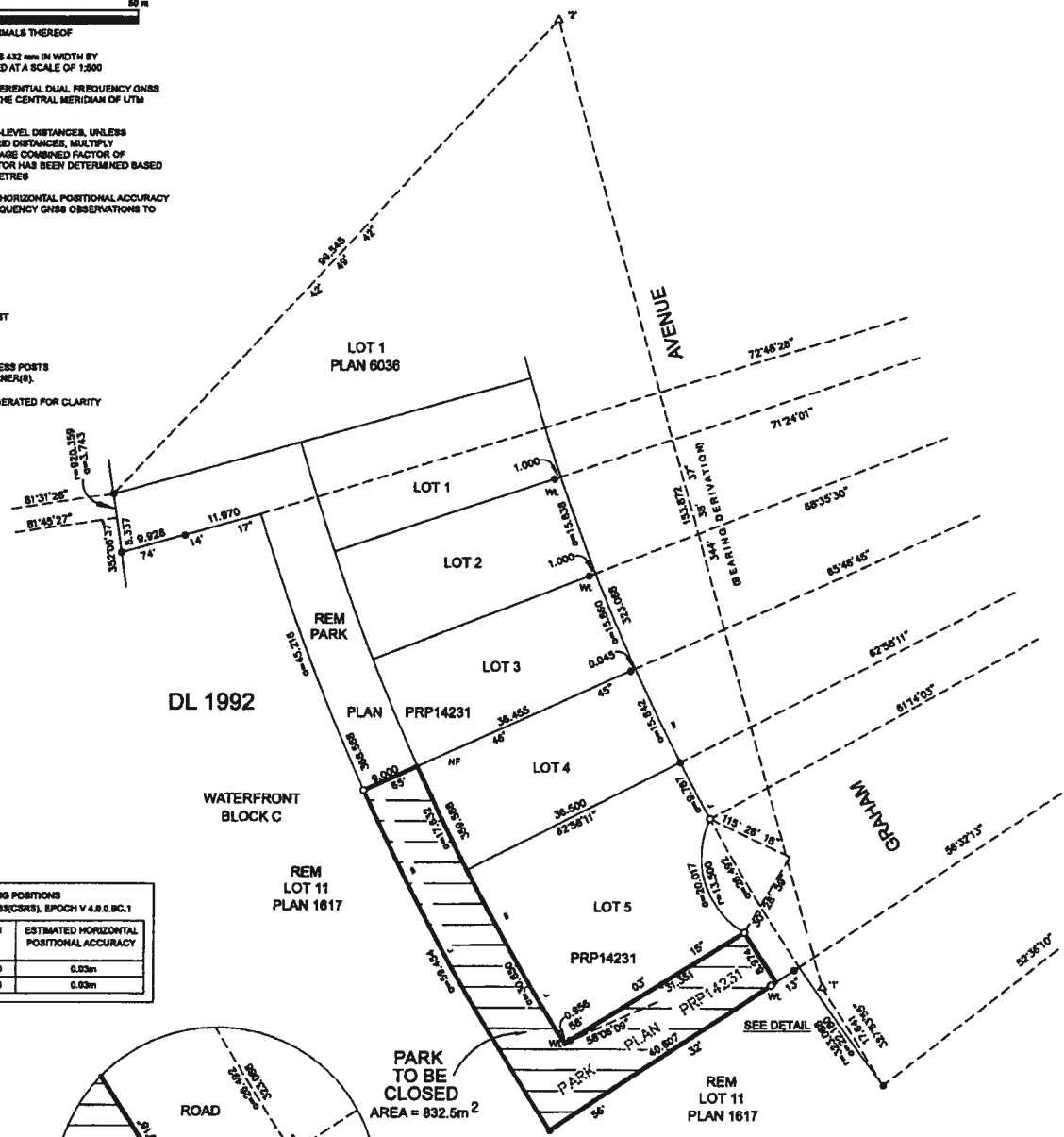
THE UTM COORDINATES AND ESTIMATED HORIZONTAL POSITIONAL ACCURACY  
ACHIEVED ARE DERIVED FROM DUAL FREQUENCY GNSS OBSERVATIONS TO  
PRINCE RUPERT ACP 63722

LEGEND:

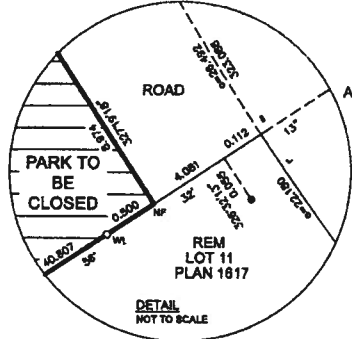
SYMBOLS	DESCRIPTION
○	STANDARD IRON POST
△	TRAVERSE HUB

NOTE:  
THIS PLAN SHOWS ONE OR MORE WITNESS POSTS  
WHICH ARE NOT SET ON THE TRUE CORNER(S).

SOME POSTS AND LINES MAY BE EXAGGERATED FOR CLARITY



GEOREFERENCING POSITIONS			
UTM COORDINATES, ZONE 8, NAD83(CRS), EPOCH V 4.8.0, BC.1			
STATION	NORTHING	EASTING	ESTIMATED HORIZONTAL POSITIONAL ACCURACY
TH1	6017377.61	412099.20	0.03m
TH2	6017628.84	412098.88	0.03m



THIS PLAN LIES WITHIN THE JURISDICTION OF THE  
APPROVING OFFICER FOR THE CITY OF PRINCE RUPERT

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED  
ON THE 31st DAY OF DECEMBER, 2014  
SHALINA C. GOERTZEN, BCLS 798

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF SKEENA-QUEEN CHARLOTTE

**McElhanney**  
MCELHANNAY ASSOCIATES  
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File No. 2341-2383-PC