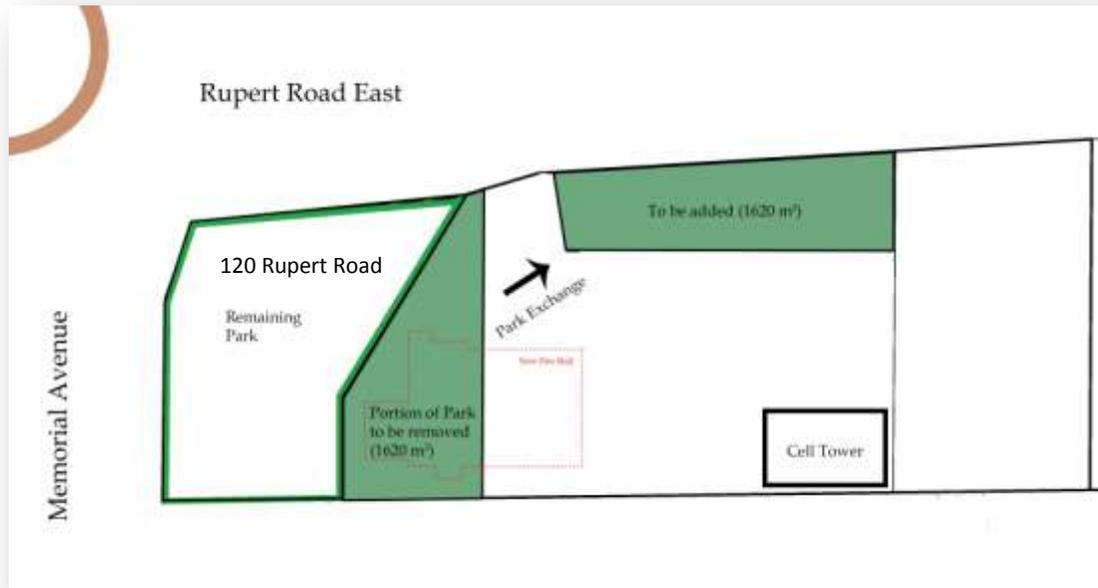




INFORMATION PACKAGE

Park Land Exchange Process for the Qualicum Beach Fire Hall Project



The parcel located south-east of the roundabout and west of the water reservoir on Rupert Road (120 Rupert Road) is dedicated as “park” in the provincial land title registry.

- 120 Rupert Road East is dedicated as “park” on the *legal* plan (in the land title registry) because during the subdivision that created the estate properties along Rupert Road in 2007, the developer dedicated the land as park to fulfill their subdivision requirements. Prior to subdivision in 2007, the land was privately-owned.
- 120 Rupert Road is not identified for park use in the Official Community Plan (OCP).
- 120 Rupert Road is not zoned for park use by the Town in the zoning bylaw.
- 120 Rupert Road has not been used or developed as park.
- The proposed location of the fire hall building is partially on the parcel at 120 Rupert Road, so the Town will remove the “park” legal dedication from a portion of the parcel (1620 m²) before construction begins.
- Early design concepts for the fire hall recognized that the park dedication on 120 Rupert Road would need to be changed.
- A firm building footprint has been established and it is now possible to advance with a park land reconfiguration. Changing the park land dedication of a portion of 120 Rupert Road is one step in the overall process.
- The fire hall could have been designed to completely avoid the park dedication. However, re-configuring a portion of the park will allow for an improved fire hall design that makes the best use of the site.

Frequently Asked Questions

1. *Why is the Town exchanging park land?*

The proposed location of the fire hall building is partially on the parcel at 120 Rupert Road, so the Town will exchange the “park” dedication with an equivalent amount of land nearby. This must be completed before construction begins.

2. *How much park land is being exchanged?*

1,620m² (.4 acres) of park land, roughly equivalent in size to two residential parcels, will be exchanged with an equivalent portion of what is now the adjacent parcel, also owned by the Town.

3. *How will the Town go about changing the park land dedication on the portion of 120 Rupert Road?*

The Town will remove the parkland dedication from a portion of 120 Rupert Road and simultaneously dedicate an equivalent amount of park on what is now the adjacent parcel.

4. *What is the process required to make the park land exchange?*

There are two options to close or exchange park land:

1. Option A: Cancellation of plans by the registrar at the Land Titles Office, as permitted by S. 122 of the Land Title Act; or
2. Option B: “Alternative Approvals Process” to close or exchange parkland, which is enacted through a bylaw including a 30-day notice and elector response period.

5. *What is the current status of the process?*

Early this year, the Town applied for cancellation of the park dedication by the registrar at the Land Titles Office, as permitted by S.122 of the *Land Title Act (Option A)*. This option was recommended as the most cost-effective and efficient process. However, the town is now pursuing Option B due to potential delays with Option A.

The Land Titles Office accepted the Town’s application to cancel the current legal dedication of ‘park’ (Option A). However, there is reason to believe that a legal challenge will be initiated if this process is approved. As such, due to the anticipated legal costs and project delays even if there is no basis for the legal challenge, the Town is now pursuing Option B, the “Alternative Approvals Process (AAP) bylaw for park land exchange.”

6. *Does removing the parkland dedication in the land title registry require a referendum?*

Removing the park dedication through Option A does not require a referendum.

7. *Does proceeding with the Park Land Exchange Bylaw (Option B) require a referendum?*

Elector Approval is required, and it is common to obtain this approval through an ‘Alternative Approvals Process’. If 10% or more of the electors of the Town of Qualicum Beach sign an elector response form, Council may not proceed with adoption of the Park Land Exchange Bylaw without first receiving elector approval by referendum.

If 10% or more of the electors of the Town of Qualicum Beach do not sign an elector response form, the park land exchange bylaw can be adopted and the Town can proceed with the fire hall project as scheduled.

8. *What are the potential legal costs and delays of the fire hall project?*

If a legal challenge is initiated by a third party after the Option A process, the project would likely be delayed for a year while the court reviews the case. Legal costs would be significant. Alternatively, a legal challenge to the Park Land Exchange Bylaw is extremely unlikely.

9. *What are the approximate costs of holding a referendum?*

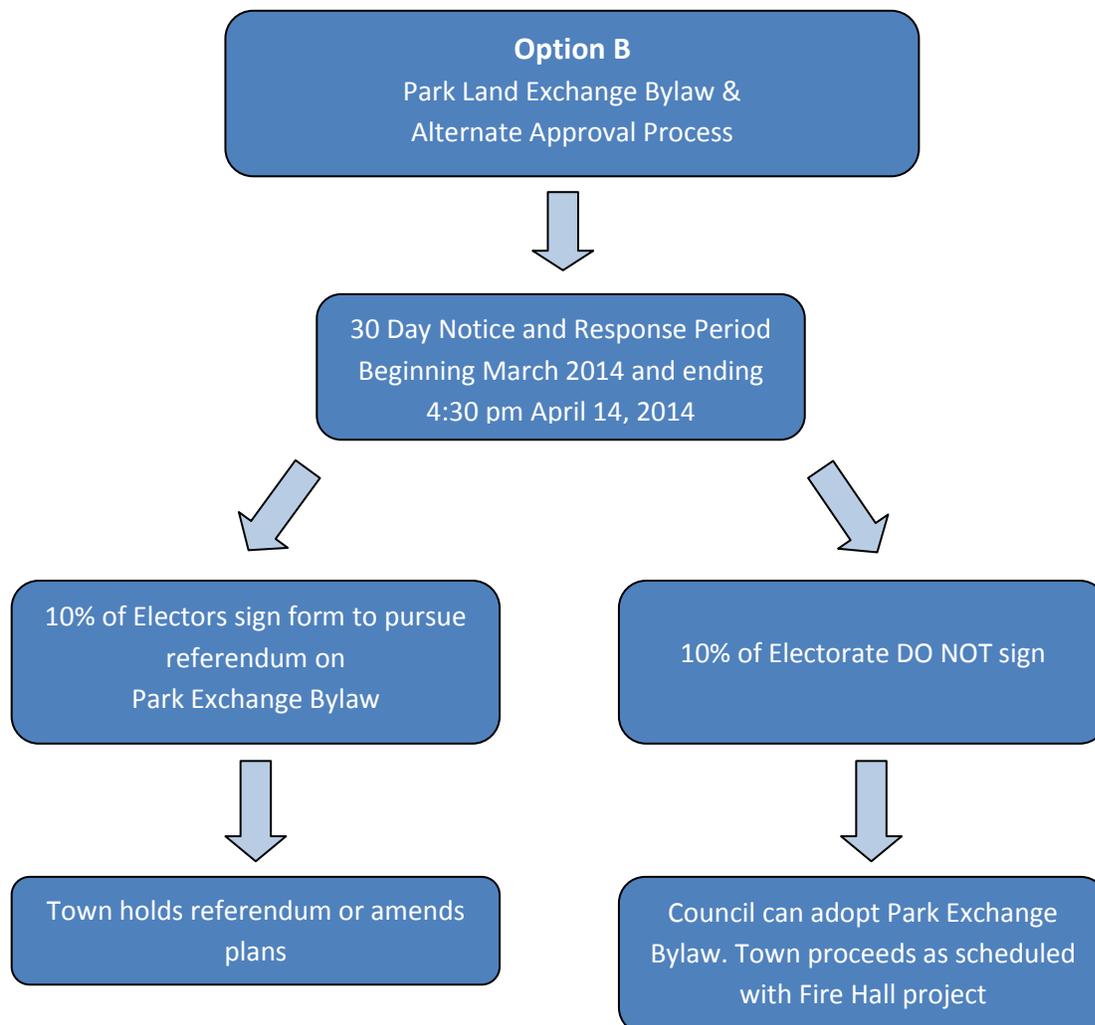
A general approximation for holding a referendum is \$20,000 for the Town's electorate. Alternatively, a redesign of the fire hall to avoid the park land would be much more expensive.

10. *Is a referendum required to borrow for the funding required for the fire hall?*

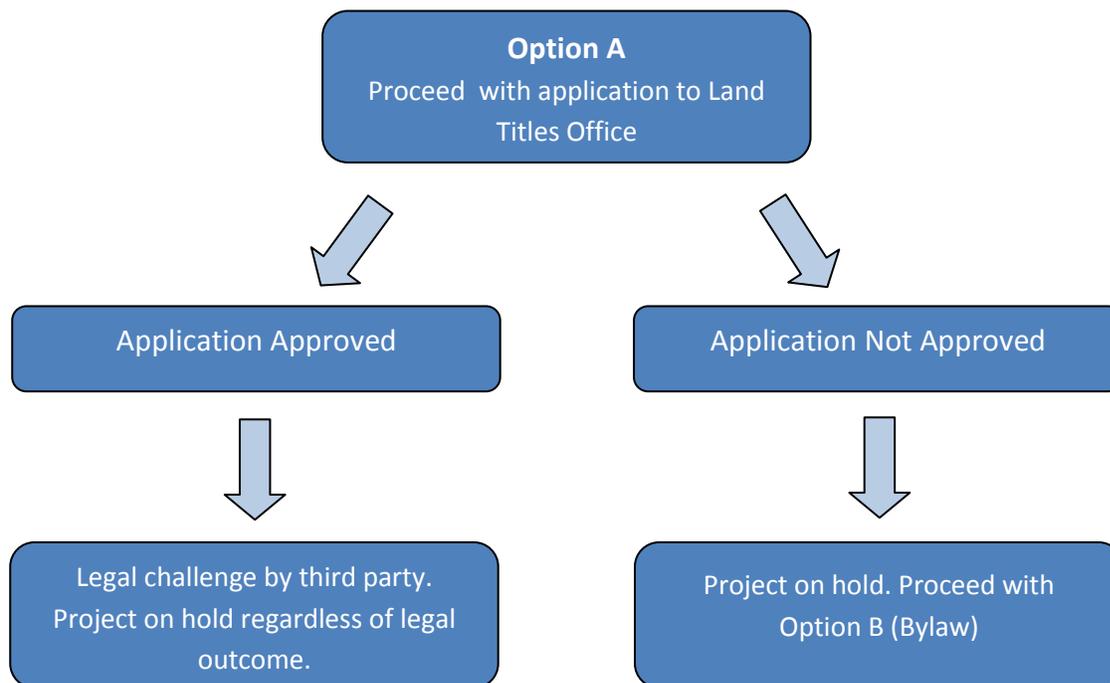
No. The Town does not require a referendum to borrow the funding required for the fire hall.

11. *How will the Town proceed at this juncture?*

The Town is proceeding with Option B.



12. *If the Town stays the course with Option A to see if the Land Titles Office approves the park land exchange, what are the potential risks?*



13. *How can I let Council and Town Hall know my thoughts on this process?*

Please attend the Public Information Meeting on March 20th, 2014.

It is the Town's goal that residents be accurately and fully informed on the park land exchange process. The Public Information Meeting on March 20th will allow the public to ask questions on Options A and B presented above. NOTE: the March 20th meeting is not a public hearing. It is an opportunity for discussion, and for Council and staff to listen to questions and concerns.

14. *Is the Town aware of any widespread opposition for this project?*

No. Public feedback on the fire hall development process has generally been very positive.

15. *Where do I go to stay informed on the outcome of the Town's decision to proceed with Option B?*

Residents are urged to go to the Fire Hall Info Page at www.qualicumbeach.com or to come in to the Town Hall front counter to view the Fire Hall Info Binder.

For further questions, please contact:

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Notice of Public Information Meeting Park Land Exchange Process for the Fire Hall Project March 20, 2014

Please join Town staff and Council for a Public Information Meeting to discuss the reconfiguration of a 1,620 m² (.4 acre) portion of park land on the site of the new fire hall project.

WHAT: The March 20, 2014 Public Information Meeting will include a staff presentation and plenty of time for questions and discussion. An information package, including a fact sheet, frequently asked questions, and resources for the Alternative Approvals Process (AAP), is available at the Town Hall and the Fire Hall Info Page on the Town's website.

WHEN: 7:00 pm, March 20, 2014.

WHERE: Qualicum Beach Civic Centre, 747 Jones Street, Qualicum Beach.

WHO: Everyone is welcome. The meeting will be facilitated by Town of Qualicum Beach staff.

WHY: The fire hall could have been designed to completely avoid the park exchange process. However, re-configuring a portion of the park will allow for an improved fire hall design that makes the best use of the site. Council is currently considering adoption of a Park Land Exchange Bylaw and the Alternative Approvals Process is underway.

This meeting is being organized to offer detailed and accurate information to residents on the park exchange process for the fire hall project. The meeting will provide the opportunity for residents to ask questions directly to staff. NOTE: this is not a Public Hearing.

**For more information on the
Fire Hall Project, contact:**

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Director of Planning
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**For information about the
Alternative Approvals Process, contact:**

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