

Attachment 2 Park Land Implications

PARK LAND DEDICATION

Requirements

As park land or cash-in-lieu of park land has not previously been provided through subdivision and the proposed subdivision will create more than three new parcels less than 2.0 hectares in size, the applicant is required to provide land for park and/or cash-in-lieu of park land pursuant to Section 510 of the *Local Government Act*. “Regional District of Nanaimo Electoral Area ‘G’ Official Community Plan Bylaw No. 1540, 2008” establishes that the Regional District shall determine whether the owner of land being subdivided shall:

- a) provide, without compensation, useable park land equivalent to 5% of the parcel size and in a location acceptable to the RDN; or
- b) pay to the RDN an amount that equals 5% of the market value of the land being subdivided; or
- c) provide a combination of park land and cash to the satisfaction of the Regional Board.

Proposed Waiver of Park Dedication

The applicant is requesting that the Electoral Area services Committee recommend that the Board waive the park dedication requirements in lieu of donating proposed Lot D, 29.2 hectares of land, to the NTBC and provide \$350,000 to the NTBC as a Land Endowment Fund for the management and maintenance of the lands in perpetuity.

As the proposal does not meet the requirements of Section 510 of the *Local Government Act* or the OCP, the applicant is requested to protect the natural state of Lot D in a number of agreements. Staff believe that the intent of the policies and regulations will be met by donating Lot D (29.2 hectares) to the NTBC and protecting the lands as follows:

1. Through a restrictive covenant (no buildings or structures to be erected or placed unless incidental to the conservation of the lands and no further subdivision.
2. By protecting existing trail networks by registering a Statutory Right-of-way to permit public use and maintenance of existing trails in perpetuity.

(see Attachment 3 – Schedule 2 - Draft Development Permit with Variances).

Public Information Meeting

As there was no proposed park land as part of this application, a Public Information Meeting was not held.

Electoral Area G Parks and Open Space Advisory Committee

The proposal was referred to the Electoral Area G Parks and Open Space Advisory Committee (POSAC) at its meeting on September 11, 2020. The Committee had no concerns and expressed support of the proposal.