



**CONSIDERATION OF CASH-IN-LIEU OF PARK LAND DEDICATION IN CONJUNCTION WITH
SUBDIVISION APPLICATION NO. PL2021-109, ELECTORAL AREA A**

RECOMMENDATION

That five percent (5%) cash-in-lieu of park land dedication be accepted in conjunction with Subdivision Application No. PL2021-109.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from J.E. Anderson & Associates on behalf of Cedar Village Holdings Inc., No. BC1146860 for a 4-lot bare land strata subdivision of the subject property. The subject property is legally described as Lot 1, Section 13, Range 2, Cedar District, Plan 40406 Except Parts in Plans VIP58338 and VIP62139 and is approximately 1.22 hectares. The property is zoned Residential 2 (RS2), Subdivision District 'M', pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" (see Attachment 1 – Subject Property Map). The property is currently vacant and is surrounded by Woobank Road and developed residential parcels to the west, developed residential parcels to the north and the former Woodbank Elementary School and current Cedar Farmer's Market site to the south.

Parkland dedication or cash-in-lieu is required, pursuant to Section 510 of the *Local Government Act*. Under the policies of the "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011" (OCP), the RDN shall determine if the developer is to provide park in a location acceptable to the local government, cash-in-lieu representing five percent value of the parent parcel, or a combination of land and cash-in-lieu. In this case, the applicant proposes to provide cash-in-lieu of park land dedication. In addition, cash-in-lieu of park land was previously accepted by the RDN Board on June 11, 2002 for a previous subdivision of this property that was not completed. At the time, the previous applicants proposed to provide a combination of parkland and cash-in-lieu, however, the Board requested that only cash-in-lieu be accepted as per the following motion:

That the request, submitted by JE Anderson & Associates, on behalf of Terrance Peterson and Sandra Strote to provide a combination of park land with the balance to be provided as cash in lieu of park land, be denied and the applicant be required to provide 5% cash in lieu of park dedication.

Park Implications

The RDN Parks Department has reviewed the potential for a park at the property and has determined that the subject property has a low value as a community park or trail and recommends accepting the proposed cash-in lieu proposal. RDN Parks staff reviewed Electoral Area A OCP *Section 10 - Enhancing and Maintaining Park Land, Green Space and Natural Areas, Recreational Opportunities and Culture*, and determined that the subject property does not provide any opportunities for a community park and/or community trail and recommends accepting the

proposed cash-in-lieu of park land dedication proposal. RDN parks staff used the preferred park criteria from the OCP in Section 10.2.3 – Acquisition of Park Land, Green Space and Natural Area and provided the following evaluation:

- The subject property does not provide opportunity to provide access or improve access to the waterfront and is not identified as a significant area on *OCP Map 4 - Parkland, Greenspace, Natural Areas, Crown Land, Institutional, Schools, and Cultural Facilities*.
- The subject property is not identified as potential park or conservation area on any RDN parks and trails plan or active transportation plan.
- The subject property does not provide connection to any existing or planned park, conservation area, or trail on any RDN parks and trails plan or active transportation plan.
- The site does not contain any locally significant environmentally sensitive features and is not identified as an environmentally sensitive area on *OCP Map No.1 - Environmentally Sensitive Features and Natural Hazard Areas*. The site does not have any identified heritage or archaeological features.
- The site does not have any viewpoints or opportunities for nature appreciation. While the site is located within the Cedar Growth Containment Boundary, it does not provide any opportunities for a small focal feature or green space.
- The proposal is for cash in-lieu-of park land dedication therefore the preference for a single contiguous parcel is not applicable.
- If parkland was dedicated, the required 5% would amount to 0.061 ha which is too small to provide opportunities for outdoor recreation or for a carbon sequestration project.
- The subject property does not contain a locally or regionally significant feature or ecosystem.
- If parkland was dedicated, the required 5% would amount to 0.061 ha which is too small to provide opportunities for passive or active outdoor recreation (such as sports fields, sports courts, playgrounds).
- The site is not identified as a significant area on *OCP Map 4 - Parkland, Greenspace, Natural Areas, Crown Land, Institutional, Schools, and Cultural Facilities* and does not meet any other criterial outlined in this policy.

The evaluation concludes that the subject property does not provide the opportunity for suitable park land or trail connections. See attachment 3 and 4 for the full evaluation by RDN Parks staff including the Parkland Suitability Criteria Review (adapted from Area A OCP) and Community Parkland and Trails Evaluation Checklist (adapted from RDN Community Parks and Trails Strategic Plan, 3.5 Community Parkland Acquisition Criteria).

Consistent with Section 510 of the *Local Government Act* and “RDN Board Policy C1.2 Cash-in-lieu of Parkland”, the five percent cash-in-lieu of park land would be calculated by an independent appraisal of the undeveloped land value. If accepted by the RDN Board, the appraisal will be jointly paid for the by the applicant and the RDN. Under the requirements of the *Local Government Act*, if cash-in-lieu of park land is accepted it may only be used for park land acquisition within Electoral Area A.

The Electoral Area A Parks, Recreation and Culture Commission (PRCC) received the correspondence from Planning and Parks staff for information at its November 24, 2021 meeting, and agreed with the planning referral to accept cash-in-lieu of park land in conjunction with the proposed subdivision. It is recommended that the Board accept cash-in-lieu of park land in relation to the proposed subdivision.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2022-2026 Financial Plan except for the opportunity to purchase park land in a future year with the cash-in-lieu.

STRATEGIC PLAN ALIGNMENT

The proposed development has been reviewed and has no implications for the 2019 – 2022 Board Strategic Plan.

REVIEWED BY:

G. Keller, Acting Manager of Current Planning
P. Thompson, Acting General Manager of Planning and Development
D. Holmes, Chief Administrative Officer

ATTACHMENTS:

1. Subject Property Map
2. Proposed Plan of Subdivision
3. Community Parkland and Trails Evaluation Checklist
4. Parkland Suitability Criteria Review