

10.0 Enhancing and Maintaining Park Land, Green Space, Natural Areas, Recreational Opportunities and Culture

Unlike other areas of the province, the eastern side of Vancouver Island, including Electoral Area 'A', lacks large tracts of Crown land. This is primarily a result of the E&N Land Grants of 1884-1925 which has resulted in much of the land in Electoral Area 'A' being under private ownership.

Area residents wish to see parks which reflect the rural nature of their community which includes the opportunity to use parkland for a range of rural uses including horseback riding, nature appreciation, and community gardens. Cooperation between all levels of government is required to achieve this vision.

The focus of this section is to establish a strategy for Electoral Area 'A' to enhance recreation and culture.



Sustainability Implications

RDN's Role

The RDN's role is to assist the community in achieving its recreational and environmental protection goals through the use of a range of tools including policies that apply at the time of rezoning, DPA's, advocacy policies, and through the subdivision process.

Environmental Implications

Preserving a range of interconnected and intact functioning natural ecosystems is critical in maintaining and supporting the lifecycle requirements of countless plant and animal species within the plan area. One of the key ways in which ecosystems can be protected is through preservation of green space and natural areas. Other than parks (provincial, regional and community) and a limited amount of other lands which have been protected through the years by covenant or other agreement, most of Electoral Area 'A's environmentally sensitive lands are not formally protected.

Social and Cultural Implications

Adequate and appropriately located park land, trails, green space, and opportunities for recreation and culture are important contributors to the quality of life for area residents. They are also important determinants in the ability to build and maintain diversity in the community. Facilities such as the Cedar Hall, the Cedar Heritage Centre, and the South Wellington Hall are an important part of the community's history and culture. Therefore they must be maintained or new facilities constructed to meet the needs of both existing and future residents.

The plan area contains a number of archaeological sites. The Province protects these sites, whether known or unrecorded, through the [Heritage Conservation Act](#). This protection applies to both private and Crown land and a provincial heritage permit is required prior to altering or developing within an archaeological site.



Strategic Direction and Goals

Section 10.0 helps achieve the Community Vision by contributing towards community goals 6, 7, 8, 9, 10, 12, 13, 15, and 18. Please refer to Section 3.3 for a list of community goals.

10.1 Creating Opportunities for Parks, Trails, Outdoor Recreation and Culture

Parks and open space are fundamental to the health and wellness of the residents in a community. Parks may take on a range of functional uses such as passive recreational opportunities including hiking and walking, protection of wildlife habitat, sports fields and children’s playgrounds, or for transportation linkages. The OCP identifies the integration of community, regional, and provincial parks through a network of trails to provide alternative routes and links within the community.

Currently there are twelve community parks dispersed throughout Electoral Area ‘A’ that comprise approximately 36 ha. The Nanaimo River Regional Park comprises approximately 54 ha and is the only regional park in the plan area. The Land is owned by The Land Conservancy (TLC) of Canada who entered into a long term lease with the RDN to manage it as a regional park and conservation area.



There are also three provincial parks within the plan area including Morden Colliery, Hemer, and Roberts Memorial that cover a combined area of about 102 ha. The [Regional Parks and Trails Plan 2005-2015](#), supports an extension of the Morden Colliery Regional Trail to connect the Morden Colliery Provincial Park and Hemer Provincial Park by a bridge across the Nanaimo River and trail development from the Nanaimo River through to Boat Harbour.

In 2005, a detailed community trails study of Area ‘A’ was prepared to identify potential parkland acquisitions and connections with existing park amenities, resource lands, natural areas, or Crown lands. The study provided essential information for the *Regional Parks and Trails Plan*.

The purpose of this section is to incorporate the recommendations of the 2005 Community Trails Study as well as the current wishes of Electoral Area ‘A’ residents. In addition, this section seeks to assist the Electoral Area ‘A’ Parks, Recreation, and Culture Commission in determining the suitability of lands for public use should an opportunity become available.

Objectives and Policies

Section 10.1	Policy/Objective
Objective 10.1.1	Provide improved parks and outdoor recreational opportunities by increasing the amount, location, and variety of park land for a range of outdoor activities.
Policy 10.1.1	Lands designated Park Land/Green Space/ Natural Areas are shown on Map No. 3



Section 10.1	Policy/Objective
Policy 10.1.2	Existing and proposed park land and trail network are shown on Map No.8.
Policy 10.1.3	Park land and trails shall be permitted and encouraged in all land use designations.
Policy 10.1.4	Residents of Electoral Area ‘A’ have stated a need for additional park land to: <ul style="list-style-type: none"> a. Provide access or improve existing access to the waterfront, including the sea and all streams, including the Nanaimo River; b. Provide opportunities for horseback riding, community gardens, and demonstration of agricultural practices; c. Provide waterfront park land; d. Provide opportunities for water based recreation (i.e. children’s water park); e. Provide trail linkages or future trail linkages or the expansion of existing parks forming interconnected natural corridors, heritage ways, or trail ways such as historical railways and logging roads and unconstructed dedicated road or easement rights-of-way between the waterfront, existing parks and community land uses such as schools; f. Provide sites for the protection of locally significant environmentally sensitive features; g. Provide sites for active or passive outdoor recreation activities including sports fields with lighting for night time use, and playgrounds; h. Preserve sites with heritage values such as petroglyphs; i. Provide viewpoints or opportunities for nature appreciation; and j. Create focal features such as a small green space within the Cedar GCB.
Policy 10.1.5	The RDN will continue to develop the regional trail system along the former Morden Colliery right-of-way to connect the Morden Colliery Historic Provincial Park across the Nanaimo River and beyond to Boat Harbour. The dedication of park land will be required at time of subdivision for those properties, which provide trail connections to the Morden Colliery Regional Trail.
Policy 10.1.6	At the time of subdivision of land adjacent to the ocean or a watercourse, the RDN shall recommend to the Approving Officer that full access to all water bodies be required and where more than one access to a water body is a requirement of subdivision, the RDN shall support the consolidation of accesses to create a larger access for a wider variety of uses.
Policy 10.1.7	The RDN will support and encourage obtaining lands for park and trail purposes along the Nanaimo River where it can be shown that the construction of a trail and public use would not have a negative environmental impact.



Section 10.1	Policy/Objective
Policy 10.1.8	The RDN should, when the opportunity for park land is minimal in terms of size or of low benefit or value to the immediate neighbourhood, consider taking cash in lieu of land to contribute towards the purchase of larger parcels of land which can be enjoyed by community.
Policy 10.1.9	The RDN should work towards the establishment of a comprehensive trail system linking the GCB's with the surrounding residential and industrial communities and which also provide greenway linkages to existing and future parks.
Policy 10.1.10	Recreational facilities and activities should be focused on lands inside the GCB's. However, outdoor recreational uses may be supported outside the GCB's where the surrounding landscape, natural amenities, and scale of development serves the community.
Policy 10.1.11	Although park land is supported for the protection of locally-significant environmentally sensitive features, protection of these features should be in addition to the minimum five percent park land dedication in the Local Government Act .
Policy 10.1.12	Park land proposals must provide a benefit for the community and those lands with little or no benefit to the community should not be accepted.
Policy 10.1.13	Land being considered for park land must be maintained in its natural state and should not be cleared or otherwise disturbed. Cleared and disturbed lands should only be accepted where the proposed park land is to be used for recreational uses which require cleared lands or where there are verifiable opportunities for carbon sequestration projects
Advocacy Policy 10.1.14	Where dedication of park land is desired, developers are encouraged to dedicate greater than five percent park land.
Policy 10.1.15	The RDN shall encourage and support volunteer assistance in the development and management of community parks and trails.
Policy 10.1.16	The RDN recognizes that public involvement early in the planning process, during acquisition, and throughout the development of Community Parks, is essential for the success of parks, recreation, and cultural services in the plan area.
Policy 10.1.17	This plan supports the establishment of a Development Cost Charge Bylaw for community parks purposes.
Policy 10.1.18	The Regional District shall evaluate the suitability of park land proposals and may also consider parks and publicly accessible open space provision through means other than subdivision approval in accordance with Section 10.2 of this plan.
Policy 10.1.19	The RDN should consider zoning parks for their intended use.
Policy 10.1.20	All trails proposed on lands located within the ALR shall require approval from the Agricultural Land Commission and should be developed and used in accordance with the Ministry of Agriculture publication titled " A Guide to Using and Developing Trails in Farm and Ranch Areas ".



Section 10.1	Policy/Objective
Advocacy Policy 10.1.21	The City of Nanaimo and the Cowichan Valley Regional District are encouraged to work with the RDN to create integrated parks and trail systems network that spans jurisdictional boundaries.
Policy 10.1.22	The RDN shall not support encroachment permits, issued by the MOTI, to private individuals to occupy road ends adjacent to the ocean or a watercourse unless the encroachment existed prior to the adoption of this plan and where such encroachment does not compromise the potential for future public use in the road rights-of-way.
Policy 10.1.23	This plan supports the recommendations identified in the RDN Electoral Area 'A' Community Trails Study.
Policy 10.1.24	This plan supports the recommendations identified in the RDN Electoral Area 'A' Recreation and Cultural Services Master Plan.
Policy 10.1.25	The RDN shall consider the creation of an invasive plant management policy for all RDN community parks where invasive plant species are an identified concern.
Policy 10.1.26	This plan recognizes that the existing community meeting and recreation facilities such as the South Wellington Hall, the Cedar Heritage Centre, and the Cedar Community Hall are highly valued by the community and as such the RDN should work with the Cedar Community Association and other appropriate agencies and groups to consider and identify opportunities for partnership on building upgrades and maintenance to ensure that these facilities remain available for public use.

Implementation Actions	Timing (Immediate, Short Term, Long Term, Ongoing)
Amend ‘RDN Land Use and Subdivision Bylaw No. 500, 1987’ by creating zoning designations for all parks in the plan area.	Short Term
Update the Electoral Area 'A' Community Trails Study.	Long Term

10.2 Acquisition of Park Land, Green Space, and Natural Area

Park land, green space, and natural areas can be acquired through various means such through the rezoning process, land dedication through subdivision, private donation, eco-gifting, or through purchase by the RDN or a private land holding entity such as a land trust or other conservation-based organization.

The RDN Board currently supports the policy of “*Availability for Acquisition*”. This means that the RDN will only consider sites for public use where there is a willing seller or donor of land, access, tenure, or covenant. In accordance with Section 877 of the [Local Government Act](#), this OCP identifies the approximate location, amount, and type of present and proposed recreational land uses. In the case of proposed or potential park and trail, it must be noted that an agreement with property owners affected must be reached prior to any land being considered for public use.



The following objectives and policies work towards the plan area resident’s desire to maintain and enhance park land, green space, and natural areas within Electoral Area ‘A’.

Objectives and Policies

Section 10.2	Policy/Objective
Objective 10.2.1	Support an innovative and multi-faceted approach to the acquisition of park land, green space and natural areas.
Policy 10.2.1	Pursuant to the Local Government Act , at the time of subdivision, the Regional District shall determine whether the owner of land being subdivided shall: <ul style="list-style-type: none"> a. Provide, without compensation, useable park land equivalent to 5% of the parcel size and in a location acceptable to the Regional District of Nanaimo; or b. Pay to the RDN an amount that equals 5% of the market value of all of the land being subdivided; or c. Provide a combination of land and cash to the satisfaction of the Regional Board.
Policy 10.2.2	Notwithstanding Policy 10.2.1 above, the RDN may accept a greater amount of land and/or cash if it is voluntarily offered and agreed to between the RDN and applicant of subdivision.
Policy 10.2.3	The RDN may consider accepting park land at the time of subdivision or rezoning on any lands within the plan area where there is an opportunity for park dedication to meet one or more of the following preferred park criteria: <ul style="list-style-type: none"> a. The land improves access to water including the ocean and any other watercourse; b. The land is identified for park land, trail, or conservation area by this plan or any other RDN parks and trails plan; c. The land connects parks and natural areas, contributing to an interconnected greenways network that links neighbourhoods to parks, schools, and cultural resources; d. The land includes areas for the protection of environmentally sensitive lands to be retained in a natural undisturbed state, or archaeological features to be protected. Generally, as environmentally sensitive lands cannot be developed, the protection of these lands should be in addition to the minimum park land dedication requirements pursuant to the Local Government Act; e. The land includes viewpoints and opportunities for nature appreciation and/or focal features such as a public square or community gathering space in rural villages; f. Land that is a single contiguous parcel(s) is preferred; g. Lands that provide opportunities for both outdoor recreation and a verifiable carbon sequestration project; h. The subject property contains a locally or regionally significant feature or ecosystem that if preserved or managed would result in a net benefit to the community; i. Notwithstanding lands deemed appropriate for environmental protection by a qualified environmental professional, the land in question must be useable for both passive and active recreational uses and be suitable for a



Section 10.2	Policy/Objective
	<p>uses such as baseball diamonds, tennis courts, children’s tot lots, basketball courts; and,</p> <p>j. Preference shall be given to the acquisition of those lands identified on Map No. 4 and 8 for future community and regional parks, trails, corridors, and natural areas. However, other lands may be considered in accordance with the criteria outlined in this policy.</p>
Policy 10.2.4	This plan supports the acquisition of lands along the Nanaimo River and associated upland riparian areas as opportunities arise due to their environmental sensitivity, their importance to the plan area, and in order to preserve intact riparian corridors, which may also provide opportunities for low impact walking and/or multi-use trails.
Policy 10.2.5	The RDN shall, when considering a rezoning application, consider requiring dedication of land for the purpose of park land, green space, and/or natural areas as part of a community amenity contribution secured through amenity zoning or other means. Park land acceptance should be in accordance with Policy 10.2.3 above.
Policy 10.2.6	Innovative and multi-faceted approaches to the acquisition of park land, green space, and natural areas may be supported which may include, but are not limited to, eco-gifting, private public partnerships, private land donation, conservation covenants, and density transfer.
Advocacy Policy 10.2.7	Non-government agencies and conservation-based organizations are encouraged to continue to work with the RDN and with the private sector to acquire and manage lands suitable for conservation.
Advocacy Policy 10.2.8	Non-government agencies and conservation-based organizations are encouraged to hold and enforce conservation-based covenants on behalf of plan area residents and the RDN.

