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**REPORT TO CAPITAL REGIONAL DISTRICT BOARD
MEETING OF WEDNESDAY, NOVEMBER 13, 2024**

SUBJECT AAP Requirements for Bylaw No. 4602 – Foodlands Access Service Establishment Bylaw No. 1, 2024

ISSUE SUMMARY

The CRD Board must establish the process for conducting an alternative approval process (AAP) by establishing the total number of electors, approving the deadline to receive elector responses, approving a synopsis for the bylaw, the statutory notice, and the elector response form.

BACKGROUND

At its meeting held September 11, 2024, the Capital Regional District (CRD) Board gave third reading to Bylaw No. 4602, *“Foodlands Access Service Establishment Bylaw No. 1, 2024”* (Appendix A).

The purpose of Bylaw No. 4602 is to establish a new regional service for the purpose of coordinating preservation and access to farmland for agricultural use, and to promote regional food security. The service will purchase, lease, or otherwise acquire land to be used for agricultural and agricultural-related activities. In addition, the service will fund capital improvements to agricultural land, provide operational funding for service delivery, allow the CRD to enter agreements with third parties for service delivery and operation, provide grants or financial assistance to support agricultural initiatives, and undertake promotional activities.

Prior to adopting a new service establishment bylaw, participating area approval is required and will be obtained by regional alternative approval process. The service area applies to all municipalities and electoral areas of the CRD, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, View Royal, and the Electoral Areas of Juan de Fuca, Salt Spring Island, and Southern Gulf Islands.

The following documents have been prepared in accordance with the applicable sections of the *Local Government Act* and the *Community Charter* and must be approved by the CRD Board:

- Synopsis of Bylaw No. 4602 (Appendix B)
- Notice of AAP for Bylaw No. 4602 (Appendix C)
- Elector Response Form for Bylaw No. 4602 (Appendix D)

With an AAP, the Board may proceed with adopting the bylaw if less than 10% of electors submit a signed Elector Response Form indicating that the Board must obtain the assent of the electors by way of assent voting (referendum). The total number of electors in the Foodlands Access Service (i.e. Capital Regional District) is determined to be 331,937 of which 10% is 33,194 electors. The AAP Elector Response Form will be available when the statutory Notice of AAP is published on November 21, 2024 and due by 4:30 pm on January 15, 2025. Staff have expanded the response period beyond the statutory minimum to account for the holiday season.

For additional information, please refer to the previous staff report dated September 11, 2024 (Appendix E).

ALTERNATIVES

Alternative 1

1. That in accordance with section 86(3) of the *Community Charter*, the date of January 15, 2025 be confirmed as the deadline by which elector responses, under the regional alternative approval process for CRD Bylaw No. 4602, must be submitted to the Capital Regional District by qualified electors within the Capital Regional District;
2. That the attached Synopsis of Bylaw No. 4602 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix F) be approved; and
3. That the total number of registered electors within the service area is 331,937 and that 10% of that number is 33,194 electors.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Alignment with Board & Corporate Priorities

CRD Corporate Plan initiative 8b-1 is to consider establishment of a new Foodlands Access Service.

Alignment with Existing Plans & Strategies

Development of a new Foodlands Access Service responds to direction from the CRD Food and Agriculture Strategy (2016) and the Regional Growth Strategy (RGS). Initial service design has been informed by the CRD Regional Foodlands Access Program Feasibility Study (2019) and the Kwantlen Polytechnic University's Foodlands Trust Business Case (2022).

Financial & Service Delivery Implications

The maximum amount that can be requisitioned for the service is \$1,000,000 per year (or an amount equal to the amount that could be raised by a property value tax rate of \$0.00543 per \$1,000 to the net taxable value of the land and improvements within the service area). The financial impact in the first year for implementation of the Foodlands Access Service is anticipated to be \$320,000.

Communication Channels

The AAP notification for Bylaw 4602 will launch on November 21, 2024. The purpose of the communication approach is to inform residents in the region about the Foodlands Access Service bylaw and provide electors the opportunity and the deadline to submit response forms to the bylaw and address questions that may arise during the process. The AAP communication channels is attached for Board approval as Appendix F.

CONCLUSION

The CRD Board had previously approved obtaining participating area approval for the entire service area by regional alternative approval process for Bylaw No. 4602, “*Foodlands Access Service Establishment Bylaw No. 1, 2024*”. Prior to conducting the alternative approval process, the Board must confirm the deadline to receive elector responses as January 15, 2025, establish the number of eligible electors, and approve the Synopsis of Bylaw No. 4602 (Appendix B), Notice of Alternative Approval Process (Appendix C), and the Elector Response Form (Appendix D) in accordance with the applicable provincial legislation.

RECOMMENDATION

1. That in accordance with section 86(3) of the *Community Charter*, the date of January 15, 2025 be confirmed as the deadline by which elector responses, under the regional alternative approval process for CRD Bylaw No. 4602, must be submitted to the Capital Regional District by qualified electors within the Capital Regional District;
2. That the attached Synopsis of Bylaw No. 4602 (Appendix B), Notice of Alternative Approval Process (Appendix C), Elector Response Form (Appendix D), and AAP communication channels (Appendix F) be approved; and
3. That the total number of registered electors within the service area is 331,937 and that 10% of that number is 33,194 electors.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT(S)

- Appendix A: Bylaw No. 4602 at Third Reading
- Appendix B: Synopsis of Bylaw No. 4602
- Appendix C: Notice of AAP for Bylaw No. 4602
- Appendix D: Elector Response Form for Bylaw No. 4602
- Appendix E: Previous Staff Report dated September 11, 2024
- Appendix F: AAP Communication Channels for Bylaw No. 4602

CAPITAL REGIONAL DISTRICT
BYLAW NO. 4602

A BYLAW TO ESTABLISH A SERVICE FOR THE PURPOSE OF
FOODLANDS ACCESS

WHEREAS:

- A. The Board of the Capital Regional District wishes to establish a regional Foodlands Access Service (the "Service") to address the decline of productive farmland in the Capital Regional District; and
- B. Participating area approval is required and elector approval has been obtained for the entire service area by alternative approval process, pursuant to s. 342(4) of the *Local Government Act*; and,
- C. The approval of the Inspector of Municipalities has been obtained under s. 342(1)(a) of the *Local Government Act*.

NOW THEREFORE the Board of the Capital Regional District, in open meeting assembled, enacts as follows:

Service

- 1. The service being established and to be operated is a service to preserve and coordinate preservation and access to farmland for agricultural use, and to promote regional food security, including, without limiting the foregoing:
 - a) purchasing, leasing or otherwise acquiring land to be used for agriculture and agricultural-related activities;
 - b) providing capital funding for improvements to agricultural land, and operational funding for delivery of service programs on agricultural land;
 - c) entering into agreements with third parties for service delivery and operation of programs in support of the service;
 - d) providing grants or financial assistance to support agricultural initiatives that promote beneficial and sustainable agricultural practices and regional food security; and
 - e) delivering the service and achieving the service goals through education, outreach, and other promotional activities.

Boundaries

- 2. The boundaries of the service area are coterminous with the boundaries of the Capital Regional District.

Participating Areas

- 3. All municipalities and electoral areas within the Capital Regional District are the participating areas for this service.

Cost Recovery

4. As provided in Section 378 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:
 - a) property value taxes imposed in accordance with Division 3 of Part 11 of the *Local Government Act*;
 - b) fees and charges imposed under Section 397 of the *Local Government Act*;
 - c) revenues raised by other means authorized by the *Local Government Act* or another Act;
 - d) revenues received by way of agreement, enterprise, gift, grant or otherwise.

Cost Apportionment

5.
 - a) The annual costs for the service, net of grants and other revenues, shall be apportioned among the participating areas, as follows:
 - i. Fifty (50) percent of the costs shall be recovered on the basis of the population of the participating areas; and
 - ii. Fifty (50) percent on the converted value of land and improvements in the participating areas.
 - b) Population, for the purpose of this section, is the population estimate as determined annually by the Regional Planning department of the Capital Regional District.

Maximum Requisition

6. In accordance with Section 339(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:
 - a) One million (\$1,000,000); or
 - b) An amount equal to the amount that could be raised by a property value tax rate of \$0.00543 per one thousand dollars (\$1,000) that, when applied to the net taxable value of the land and improvements within the Service Area, will yield the maximum amount that may be requisitioned for the Service.

Citation

7. This Bylaw may be cited as the "Foodlands Access Service Establishment Bylaw No. 1, 2024".

READ A FIRST TIME THIS 11th day of September, 2024

READ A SECOND TIME THIS 11th day of September, 2024

READ A THIRD TIME THIS 11th day of September, 2024

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS 6th day of November, 2024

RECEIVED PARTICIPATING AREA APPROVAL UNDER SECTION 342(4) OF THE LOCAL GOVERNMENT ACT THIS _____ day of _____, 2024

ADOPTED THIS _____ day of _____, 2024

CHAIR

CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS _____ day of _____

Synopsis of Bylaw No. 4602, “Foodlands Access Service Establishment Bylaw No. 1, 2024”

The purpose of Bylaw No. 4602 is to establish a new regional service for the purpose of coordinating preservation and access to farmland for agricultural use, and to promote regional food security. The service will purchase, lease, or otherwise acquire land to be used for agricultural and agricultural-related activities. In addition, the service will fund capital improvements to agricultural land, provide operational funding for service delivery, allow the CRD to enter agreements with third parties for service delivery and operation, provide grants or financial assistance to support agricultural initiatives, and undertake promotional activities.

The maximum amount that can be requisitioned for the service is one million dollars (\$1,000,000) or an amount equal to the amount that could be raised by a property value tax rate of \$0.00543 per one thousand dollars (\$1,000.00) to the net taxable value of the land and improvements within the service area.

The proposed service area applies to all municipalities and electoral areas of the Capital Regional District, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, View Royal, and the Electoral Areas of Juan de Fuca, Salt Spring Island, and Southern Gulf Islands. Participating area consent will be obtained by conducting a region wide alternative approval process.

Please note that this synopsis of Bylaw No. 4602 is not intended to be or understood as an interpretation of the bylaw. A copy of the complete bylaw and this notice may be viewed at Capital Regional District office located at 625 Fisgard Street, Victoria, BC from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays). The bylaw may also be viewed at www.crd.bc.ca/foodlands-aap

**NOTICE TO ELECTORS
WITHIN THE CAPITAL REGIONAL DISTRICT**

Alternative approval process for Bylaw No. 4602 to authorize the establishment of a new regional service for the purpose of coordinating preservation and access to farmland for agricultural use, and to promote regional food security.

Notice is hereby given that the Board of Directors of the Capital Regional District ("CRD") proposes to adopt Bylaw No. 4602, *"Foodlands Access Service Establishment Bylaw No. 1, 2024"*. The service area applies to all municipalities and electoral areas of the CRD.

The purpose of Bylaw No. 4602 is to establish a new regional service for the purpose of coordinating preservation and access to farmland for agricultural use, and to promote regional food security. The service will purchase, lease, or otherwise acquire land to be used for agricultural and agricultural-related activities. In addition, the service will fund capital improvements to agricultural land, provide operational funding for service delivery, allow the CRD to enter agreements with third parties for service delivery and operation, provide grants or financial assistance to support agricultural initiatives, and undertake promotional activities.

The maximum amount that can be requisitioned for the service is one million dollars (\$1,000,000) or an amount equal to the amount that could be raised by a property value tax rate of \$0.00543 per one thousand dollars (\$1,000.00) to the net taxable value of the land and improvements within the service area.

The proposed service area applies to all municipalities and electoral areas of the Capital Regional District, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, View Royal, and the Electoral Areas of Juan de Fuca, Salt Spring Island, and Southern Gulf Islands. Participating area consent will be obtained by conducting a region wide alternative approval process.

Please note that this synopsis of Bylaw No. 4602 is not intended to be or understood as an interpretation of the bylaw. A copy of the complete bylaw and this notice may be viewed at Capital Regional District office located at 625 Fisgard Street, Victoria, BC from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays). The bylaw may also be viewed at www.crd.bc.ca/foodlands-aap.

Take further notice that the CRD may proceed with Bylaw No. 4602 unless at least 33,194 electors (constituting 10% of eligible electors) within the Capital Regional District indicate, by signing the elector response form, that the Board must obtain the assent of the electors by way of an assent vote (referendum) before proceeding to adopt Bylaw No. 4602.

The elector response must be in the form as established by the CRD and is available from the CRD on request or from the CRD website at www.crd.bc.ca/foodlands-aap. The only persons entitled to sign elector response forms are electors of the area to which the alternative approval process opportunity applies. The alternative approval process applies to all municipalities and electoral areas of the CRD, including Central Saanich, Colwood, Esquimalt, Highlands, Langford,

Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, View Royal, and the Electoral Areas of Juan de Fuca, Salt Spring Island, and Southern Gulf Islands.

The deadline for submitting signed elector response forms, in relation to Bylaw No. 4602, to the CRD is **4:30 pm on Wednesday, January 15, 2025**. Forms must be received by the deadline to be counted.

A copy of the elector response form may be downloaded from: www.crd.bc.ca/foodlands-aap

To obtain an elector response form, or for questions about the alternative approval process, contact Legislative Services, 625 Fisgard Street, Victoria, BC, V8W 1R7, email legserv@crd.bc.ca, telephone 250.360.3024 or toll free 1.800.663.4425 from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays).

Questions regarding Bylaw No. 4602 may be directed to Patrick Klassen, Senior Manager Regional Planning, 625 Fisgard Street, Victoria, BC, 250.360.3244, pklassen@crd.bc.ca, from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays) from the date of this notice until January 15, 2025.

Qualifications for Resident and Non-Resident Property Electors

Resident Elector: You are entitled to submit an elector response form as a Resident Elector if you are 18 years or older on the date of submission of the elector response form, are a Canadian citizen, have resided in British Columbia for at least 6 months and currently reside in the Capital Regional District prior to signing the elector response form.

Non-Resident Property Elector: You may submit an elector response form as a Non-Resident Property Elector if you are 18 years or older on the date of submission of the elector response form, are a Canadian citizen, have resided in British Columbia for 6 months, have owned and held registered title to property in the Capital Regional District for 30 days and do NOT qualify as a Resident Elector. If there is more than one registered owner of the property (either as joint tenants or tenants in common) only one individual may, with the written consent of the majority, submit an elector response form.

Elector response forms, a copy of Bylaw No. 4602, and a copy of this Notice may be inspected during regular office hours, 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays) from the date of this notice until **4:30 pm on Wednesday, January 15, 2025** at the following CRD locations:

- CRD headquarters, 625 Fisgard Street, Victoria
- on the CRD website: www.crd.bc.ca/foodlands-aap

Given under my hand at Victoria, BC this 21st day of November 2024.

Kristen Morley
Corporate Officer



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ELECTOR RESPONSE FORM

Appendix D

Alternative Approval Process for Bylaw No. 4602

By completing this elector response form I **oppose** the Capital Regional District's intention to adopt **Bylaw No. 4602, "Foodlands Access Service Establishment Bylaw No. 1, 2024,"** to authorize the establishment of a new regional service for the purpose of coordinating preservation and access to farmland for agricultural use, and to promote regional food security, unless a vote is held.

Please print using BLOCK LETTERS

Full name of elector: _____
(one form per person)

Signature: _____
A person must not sign more than one elector response form

Residential Address: _____
Street Name Municipality/Electoral Area Postal Code

Choose one (see next page for eligibility requirements):

- I am a resident elector
- I am a non-resident property elector in the Capital Regional District who lives in another community in **British Columbia** and owns property at the below address*:

The deadline for submitting this elector response form to the **Capital Regional District** is: **4:30 p.m. on Wednesday, January 15, 2025.**

Address: c/o Legislative Services, CRD, 625 Fisgard Street, Victoria, BC, V8W 1R7
Phone: 250.360.3024
E-mail: LegServ@crd.bc.ca (please scan a legible signed copy as PDF)

The Capital Regional District may obtain Electoral Area approval for Bylaw No. 4602, "Foodlands Access Service Establishment Bylaw No. 1, 2024" unless at least 33,194 electors sign and submit a completed copy of this elector response form to the Capital Regional District by the deadline.

Additional information can be found on the next page of this form about the subject of this alternative approval process as well as the elector qualifications.

*Notes for non-resident property elector(s):

- Section 86(7) of the Community Charter requires the elector's full name and residential address or the address of the property in relation to which the person is entitled to register as a non-resident property elector in order for this response form to be counted.
- Only one non-resident property elector may sign an elector response form per property, regardless of how many people own the property; and, that owner must have the written consent of a majority of the other property owner(s) to sign the response form on their behalf. Property owned in whole or in part by a corporation does not qualify under the non-resident property elector provisions.

Personal information collected by this form is authorized under the *Freedom of Information and Protection of Privacy Act* sections 26(a) and 26(c) and will be used only for the purpose of conducting an alternative approval process pursuant to Section 86 of the *Community Charter*. If you have any questions about the collection and use of this information, please contact Marlene Lagoa, Deputy Corporate Officer, Capital Regional District, 625 Fisgard Street, Victoria, 250.360.3127 OR LegServ@crd.bc.ca.

Bylaw No. 4602 – AAP Information Sheet

The proposed Foodlands Access Service is the culmination of more than a decade of work by CRD staff and community agriculture advocates working towards the establishment of an agricultural land trust to support farmers and protect farmland in the CRD. The creation of the Foodlands Access Service will be the CRD's first service focused on agriculture and is a significant step toward that long-term goal.

Therefore, the Capital Regional District (CRD) intends to adopt **Bylaw No. 4602, "Foodlands Access Service Establishment Bylaw No. 1, 2024"**. The purpose of Bylaw No. 4602 is to establish a new regional service for the purpose of coordinating preservation and access to farmland for agricultural use, and to promote regional food security. The service will purchase, lease, or otherwise acquire land to be used for agricultural and agricultural-related activities. In addition, the service will fund capital improvements to agricultural land, provide operational funding for service delivery, allow the CRD to enter agreements with third parties for service delivery and operation, provide grants or financial assistance to support agricultural initiatives, and undertake promotional activities.

The maximum amount that can be requisitioned for the service is one million dollars (\$1,000,000) or an amount equal to the amount that could be raised by a property value tax rate of \$0.00543 per one thousand dollars (\$1,000.00) to the net taxable value of the land and improvements within the service area.

The proposed service area applies to all municipalities and electoral areas of the Capital Regional District, including Central Saanich, Colwood, Esquimalt, Highlands, Langford, Metchosin, North Saanich, Oak Bay, Saanich, Sidney, Sooke, Victoria, View Royal, and the Electoral Areas of Juan de Fuca, Salt Spring Island, and Southern Gulf Islands. Participating area consent will be obtained by conducting a region wide alternative approval process.

Please note that this synopsis of Bylaw No. 4602 is not intended to be or understood as an interpretation of the bylaw. A copy of the complete bylaw and this notice may be viewed at Capital Regional District office located at 625 Fisgard Street, Victoria, BC from 8:30 am to 4:30 pm, Monday to Friday (excluding statutory holidays). The bylaw may also be viewed at www.crd.bc.ca/foodlands-aap

Additional Information About Elector Eligibility

In order to sign an elector response form, a person must either be a resident elector or a non-resident property elector.

A **resident elector** is an individual who is entitled to sign an elector response form during an AAP by virtue of living within that jurisdiction. *When signing an elector response form*, a resident elector must:

- be 18 years of age or older;
- be a Canadian citizen;
- have been a resident of British Columbia for at least six months;
- be a resident of the jurisdiction (e.g., municipality or electoral area);
- live in the area defined for the AAP (i.e. Capital Regional District); and,
- not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election or be otherwise disqualified by law.

A **non-resident property elector*** is an individual that does not live in a jurisdiction and who is entitled to sign an elector response form during an AAP by virtue of owning property in that jurisdiction. *When signing an elector response form*, a non-resident property elector must:

- be at least 18 years of age;
- be a Canadian citizen;
- have been a resident in British Columbia for at least six months;
- be a registered owner of property in the area defined for the AAP (i.e. Capital Regional District); for at least 30 days; and,
- not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election or be otherwise disqualified by law.



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REPORT TO PLANNING AND PROTECTIVE SERVICES COMMITTEE MEETING OF WEDNESDAY, JULY 17, 2024

SUBJECT **Bylaw No. 4602: Foodlands Access Service**

ISSUE SUMMARY

To approve the establishment of the Foodlands Access Service for the purpose of facilitating access to productive farmland in the Capital Regional District (CRD).

BACKGROUND

On November 8, 2023, the CRD Board directed that staff bring forward a Foodlands Access Service Bylaw with options for bylaw approval.

The CRD needs new service authorities and funding to deliver this work. Specifically, the new service must be able to acquire, hold, and manage land through lease agreements, enter into contracts with service providers, administer grants and raise and spend funds to pay for operating and capital expenses. The decision-point for new service establishment is to identify these general authorities and set a requisition limit that caps how much money the service can raise. Staff would develop detailed program direction at the operational level and seek Board approval through the annual service and financial planning process.

Staff have drafted a new establishment bylaw (Appendix A) and a proposed program budget (Appendix B) for consideration.

History

The proposed Foodlands Access Service is the culmination of more than a decade of work by CRD staff and community agriculture advocates working towards the establishment of an agricultural land trust to support farmers and protect farmland in the CRD. The creation of the Foodlands Access Service will be the CRD's first service focused on agriculture and is a significant step toward that long-term goal.

From the development of the Regional Food and Agriculture Strategy (2016) to the integration of agriculture goals into the Regional Growth Strategy (RGS) (2018), the CRD's focus was to support local agriculture through new regional policy direction. With well-established policy, the next step explored new service delivery with completion of the Regional Foodlands Access Program Feasibility Study (2019) and the Foodlands Trust Business Case (2022).

Proposed Service and Program Delivery

In July 2023, the CRD Board received an update on the proposed service. CRD staff indicated that operational requirements would be delivered through two programs of work: surplus land conversion to agricultural use and land matching grants. At this meeting, the CRD Board also gave conditional approval for the use of the eastern portion of Bear Hill Regional Park as a trial site for the surplus land conversion program. The goal will be to test activating the currently underutilized site for agriculture and to explore how this and other surplus lands can be converted to productive use. See Appendix C for a location map. If a new service is approved, the proposed program on the Bear Hill site would be facilitated through a license agreement with CRD Regional Parks, similar in nature to the current agreement with the City of Victoria that lasts until 2035. The program would be evaluated at the end of the agreement term and consideration given to the ongoing use of the lands for this program.

The second proposed program to operate under the Foodlands Access Service is a grant program to encourage participation and provide support to farmers in the BC Land Matching Program. This provincial program brings together landowners and prospective farmers to enter into land leases for farming on privately held lands. The program has proven successful in parts of the province but has not seen a high degree of uptake within the CRD. By promoting the program and providing startup grant funding support, the goal is to encourage more land matching agreements that will bring additional farmland into production while supporting new and expanding farmers who participate.

In the future, the Foodlands Access Service will have the capacity to expand to additional agriculture related programming with approval by the CRD Board. A long-term goal of the service is the eventual establishment of a farmland trust that will hold, protect, and facilitate access to farmland in the region for generations to come. The proposed service and program offerings are a first step to prove viability of the concept that can take on an increasing role in farmland protection and farmer support in the region.

Based on these policy directions and program analyses, as well as ongoing engagement with the agricultural community in 2022-2024, CRD staff have identified operational requirements, service participants and a funding strategy needed to establish a service.

ALTERNATIVES

Alternative 1

The Planning and Protective Services Committee recommends to the Capital Regional District Board:

- 1) That Bylaw No. 4602, "Foodlands Access Service Establishing Bylaw No. 1, 2024", be introduced and read a first, second and third time;
- 2) That participating area approval be obtained by regional alternative approval process; and
- 3) That Bylaw No. 4602, be forwarded to the Inspector of Municipalities for approval.

Alternative 2

That this report be referred back to staff for additional information based on Planning and Protective Services Committee direction.

IMPLICATIONS

Alignment with Board & Corporate Priorities

CRD Corporate Plan initiative 8b-1 is to consider establishment of a new Foodlands Access Service.

Alignment with Existing Plans & Strategies

Development of a new Foodlands Access Service responds to direction from the *CRD Food and Agriculture Strategy* (2016) and the RGS. Initial service design has been informed by the *CRD Regional Foodlands Access Program Feasibility Study* (2019) and the *Kwantlen Polytechnic University's Foodlands Trust Business Case* (2022).

Financial Implications

Staff have proposed potential costs for this regional service be cost-shared based on population (50%) and converted assessment (50%) for the participating partners. The proposed program budget for the participating partners for 2025 is presented in Appendix B.

The proposed requisition limit for the service is \$1,000,000, which will allow for program expansion to bring additional farm sites into the service over the next five to ten years.

Program costs will be identified and approved as part of the service and financial planning processes. Costs associated with scoping and planning for implementation are available in 2025. If approved, the first year of program spending will be 2026.

Intergovernmental Implications

Throughout scoping and development of the proposed service, ongoing updates and feedback have been provided to local governments through the Development Planning Advisory Committee (DPAC) and to agricultural groups through the Peninsula and Area Agricultural Commission (PAAC). The input provided by these groups has been invaluable in refining the service concept.

Regional Growth Strategy Implications

The proposed service supports implementation of RGS objective 6.1, which is focused on fostering a resilient food and agriculture system. It strives to protect the region's food and farmlands, enhances local food security, expands food system economic opportunities, and provides opportunities for expanding farmers to gain access to productive agricultural lands.

Service Delivery Implications

The new service seeks to activate surplus CRD owned lands as a pilot project to build organizational capacity. The focus is on developing experience in managing farmland leasing and agriculture support services. This pilot is intended to prove viability of the approach and, in future years, expand to additional regional and municipal properties that can be converted into productive farming spaces. If the program proves to be viable, the CRD would canvas municipalities to explore potential sites that could be used in this service. As well, a grant program is proposed that will support successful land matches made through the BC Land Matching Program.

The proposed Foodlands Access Service would introduce a new service level to the Regional Planning Division. A key service delivery assumption is that farm site management is provided by a qualified farm site operator. A qualified farm site operator can only be retained once a service is established. The farm site operator will be responsible for providing a detailed budget for site preparation, equipment and contract service costs.

Legal Implications

A regional district may operate any service it deems desirable, provided that on establishment of the service by way of service establishing bylaw, it received participating area approval. There are three options to obtain participating area approval for Bylaw No. 4602: regional alternative approval process; municipal consent on behalf with alternative approval process (AAP) in the electoral areas; and referendum/elector assent.

As a regional service focused on agriculture is most effective if all municipalities and electoral areas participate, a regional AAP is advised. This would put the responsibility of objecting to the service on the electors, who, if 10% were not in favour, could determine not to proceed. Should an AAP approach be selected, a detailed communications plan will be developed to inform the public about the proposed new service prior to the AAP process. Given an AAP is already required in the Electoral Areas, it is recommended a regional AAP be pursued.

An alternative is the municipal consent process, which would permit any municipality or electoral area to effectively veto the creation of the service if they were not in favour of its establishment. Finally, the referendum approach would give voters a direct say on the service, but it would be significantly more costly and have a longer timeline than the other options.

CONCLUSION

Local farming and overall food security has long been a concern in the capital region, as the cost of farmland and an aging farmer population have continued to rise. To address this, CRD staff from Regional Planning have prepared Bylaw No. 4602, “Foodlands Access Service”, to establish a service focused on facilitating affordable access to productive farmland for new and expanding farmers. The service will start with a test site to establish viability on a portion of Bear Hill Regional Park, with the goal of expanding to additional sites in the future. This work will be done in partnership with an experienced qualified farm site operator who will manage daily operations at the site. The service authorities being proposed are required to undertake this pilot project but have also been drafted broadly to allow for other agriculture supporting programs to be proposed in the future.

RECOMMENDATION

The Planning and Protective Services Committee recommends to the Capital Regional District Board:

- 1) That Bylaw No. 4602, “Foodlands Access Service Establishing Bylaw No. 1, 2024”, be introduced and read a first, second and third time;
- 2) That participating area approval be obtained by regional alternative approval process; and
- 3) That Bylaw No. 4602, be forwarded to the Inspector of Municipalities for approval.

Submitted by:	Kevin Lorette, P. Eng., MBA, General Manager, Planning & Protective Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENTS

- Appendix A: Draft Bylaw No. 4602, “Foodlands Access Service Establishing Bylaw No. 1, 2024”
- Appendix B: Proposed Program Budget
- Appendix C: Bear Hill Farm Site Map

CAPITAL REGIONAL DISTRICT
BYLAW NO. 4602

A BYLAW TO ESTABLISH A SERVICE FOR THE PURPOSE OF
FOODLANDS ACCESS

WHEREAS:

- A. The Board of the Capital Regional District wishes to establish a regional Foodlands Access Service (the “Service”) to address the decline of productive farmland in the Capital Regional District; and
- B. Participating area approval is required and elector approval has been obtained for the entire service area by alternative approval process, pursuant to s. 342(4) of the *Local Government Act*; and,
- C. The approval of the Inspector of Municipalities has been obtained under s. 342(1)(a) of the *Local Government Act*.

NOW THEREFORE the Board of the Capital Regional District, in open meeting assembled, enacts as follows:

Service

- 1. The service being established and to be operated is a service to preserve and coordinate preservation and access to farmland for agricultural use, and to promote regional food security, including, without limiting the foregoing:
 - a) purchasing, leasing or otherwise acquiring land to be used for agriculture and agricultural-related activities;
 - b) providing capital funding for improvements to agricultural land, and operational funding for delivery of service programs on agricultural land;
 - c) entering into agreements with third parties for service delivery and operation of programs in support of the service;
 - d) providing grants or financial assistance to support agricultural initiatives that promote beneficial and sustainable agricultural practices and regional food security; and
 - e) delivering the service and achieving the service goals through education, outreach, and other promotional activities.

Boundaries

- 2. The boundaries of the service area are coterminous with the boundaries of the Capital Regional District.

Participating Areas

- 3. All municipalities and electoral areas within the Capital Regional District are the participating areas for this service.

Cost Recovery

4. As provided in Section 378 of the *Local Government Act*, the annual cost of providing the Service shall be recovered by one or more of the following:
 - a) property value taxes imposed in accordance with Division 3 of Part 11 of the *Local Government Act*;
 - b) fees and charges imposed under Section 397 of the *Local Government Act*;
 - c) revenues raised by other means authorized by the *Local Government Act* or another Act;
 - d) revenues received by way of agreement, enterprise, gift, grant or otherwise.

Cost Apportionment

5.
 - a) The annual costs for the service, net of grants and other revenues, shall be apportioned among the participating areas, as follows:
 - i. Fifty (50) percent of the costs shall be recovered on the basis of the population of the participating areas; and
 - ii. Fifty (50) percent on the converted value of land and improvements in the participating areas.
 - b) Population, for the purpose of this section, is the population estimate as determined annually by the Regional Planning department of the Capital Regional District.

Maximum Requisition

6. In accordance with Section 339(1)(e) of the *Local Government Act*, the maximum amount that may be requisitioned annually for the cost of the Service is the greater of:
 - a) One million (\$1,000,000); or
 - b) An amount equal to the amount that could be raised by a property value tax rate of \$0.00543 per one thousand dollars (\$1,000) that, when applied to the net taxable value of the land and improvements within the Service Area, will yield the maximum amount that may be requisitioned for the Service.

Citation

7. This Bylaw may be cited as the "Foodlands Access Service Establishment Bylaw No. 1, 2024".

READ A FIRST TIME THIS _____ day of _____, 2024

READ A SECOND TIME THIS _____ day of _____, 2024

READ A THIRD TIME THIS _____ day of _____, 2024

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS _____ day of _____, 2024

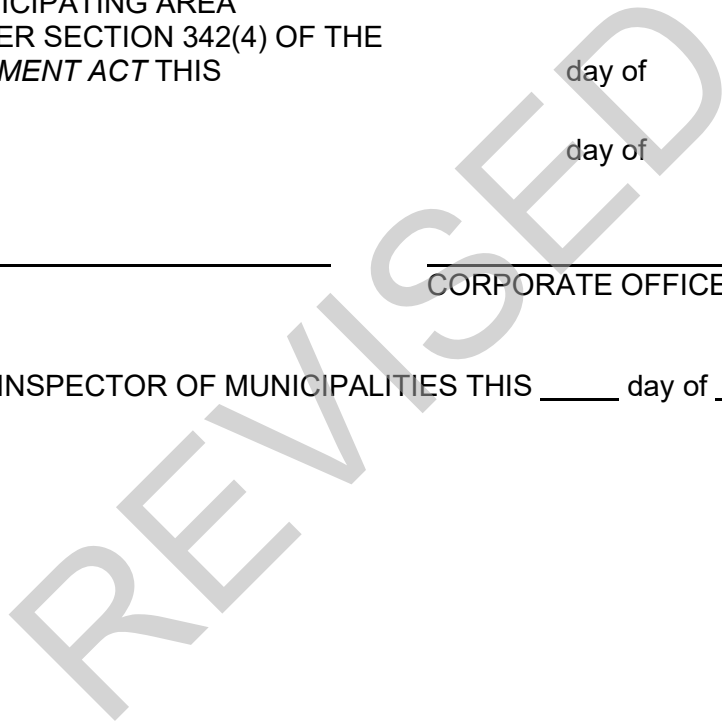
RECEIVED PARTICIPATING AREA APPROVAL UNDER SECTION 342(4) OF THE LOCAL GOVERNMENT ACT THIS _____ day of _____, 2024

ADOPTED THIS _____ day of _____, 2024

CHAIR

CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS _____ day of _____



**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4602**

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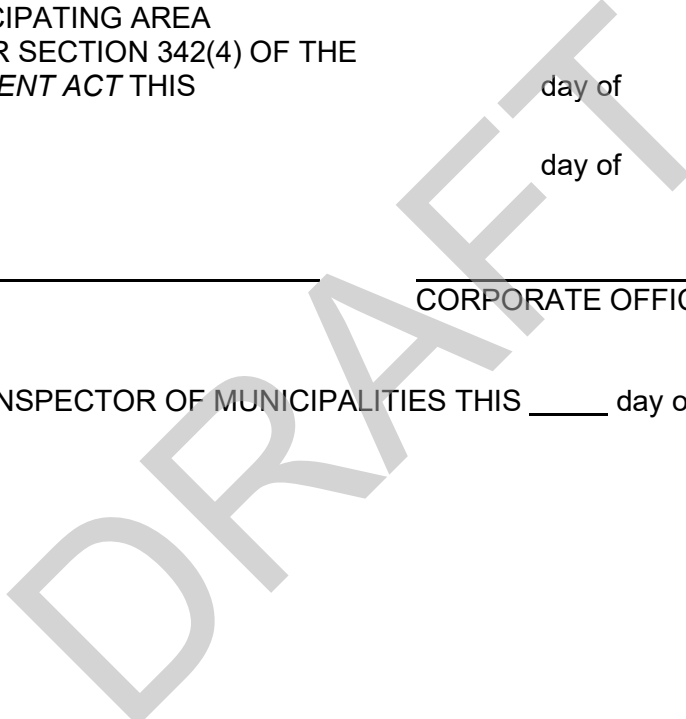
APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS _____ day of _____, 2024

RECEIVED PARTICIPATING AREA APPROVAL UNDER SECTION 342(4) OF THE LOCAL GOVERNMENT ACT THIS _____ day of _____, 2024

ADOPTED THIS _____ day of _____, 2024

CHAIR CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS _____ day of _____



Proposed Program Budget

Table 1 provides a summary of anticipated costs over the first five years of the program. Costs reflect a Class C cost estimate (+/- 25-40%), based on information from the 2022 Foodlands Trust Business Case. Further cost refinements would be undertaken once a service is established, and a qualified farm site operator is selected.

Table 1: Projected Foodlands Access Service Five Year Financial Impacts (2024 estimate)

Description	2026	2027	2028	2029	2030
Staff	\$-	\$-	\$71,750	\$72,990	\$74,230
Contract services	\$125,000	\$127,500	\$130,000	\$132,500	\$135,000
Site preparation & equipment costs	\$175,000	\$-	\$-	\$300,000	\$-
Land matching grant program	\$20,000	\$100,000	\$100,000	\$100,000	\$100,000
Operating reserve contributions	\$-	\$20,000	\$20,000	\$20,000	\$20,000
TOTAL	\$320,000	\$247,500	\$321,750	\$625,490	\$329,230

Site Maps:



Bear Hill Farm Site – Existing Features



Supplemental: Participant Apportionment

FOODLANDS SERVICE

PARTICIPANT APPORTIONMENT SIMULATION

Service Participants	Basis of Apportionment		Percent of Total	Estimated 2026 Requisition (\$)	Cost Per Average Residential Assessment*
	50% Converted Assessments (2024)	50% Regional Planning Population (2023)			
Municipalities					
Central Saanich	940,613,176	19,215	4.4%	13,978	\$1.68
Colwood	826,945,685	21,759	4.4%	14,025	\$1.70
Esquimalt	687,695,262	19,639	3.8%	12,214	\$1.88
Highlands	133,874,982	2,690	0.6%	1,973	\$1.91
Langford	2,186,331,024	52,661	11.0%	35,343	\$1.54
Metchosin	228,180,080	5,242	1.1%	3,598	\$2.09
North Saanich	928,795,732	13,118	3.7%	11,714	\$2.01
Oak Bay	1,262,567,858	19,602	5.2%	16,555	\$2.43
Saanich	5,433,968,140	129,098	27.2%	87,205	\$1.89
Sidney	769,254,206	12,878	3.3%	10,420	\$1.25
Sooke	582,186,138	16,776	3.2%	10,393	\$1.43
Victoria	5,022,381,103	99,276	23.0%	73,451	\$1.55
View Royal	506,524,168	13,147	2.7%	8,526	\$1.80
	19,509,317,554	425,101	93.6%	299,395	
Electoral Areas					
Juan de Fuca	369,767,091	5,784	1.5%	4,864	\$1.20
Saltspring Island	695,133,309	12,075	3.0%	9,572	\$1.44
Southern Gulf Islands	550,966,010	5,598	1.9%	6,170	\$0.90
	1,615,866,410	23,457	6.4%	20,605	
Total	21,125,183,964	448,558	100.00%	320,000	

Prepared September 2024.

Assessment and population data is based on information used for 2024 Final Budget, subject to annual update.

** The cost per average residential assessment is a theoretical calculation that provides a directional indicator on impacts to residential rate payers only. It can be used as an approximation of cost for a residential household if a home's assessment value is at or near the 'Average Residential Assessed Value'*

TABLE: AAP Communication Channels for Bylaw No. 4602 (Foodlands)

Publication	Channel Type	Cost
Times Colonist	Print	\$1000
BlackPress <i>Additional Notice to visit crd.bc.ca to view Public Notice</i>	Print in 6 publications	\$2000
Salt Spring Exchange	Online	\$40
CRD website – Public Notice Page	Online	N/A
AAP launch email to Get Involved subscribers	Online	N/A
Facebook	Online	N/A
X (Twitter)	Online	N/A
Info bulletin/ Media Release	online distribution	N/A
Notice Boards - Juan de Fuca	<ul style="list-style-type: none"> ○ East Sooke Community Hall ○ Port Renfrew Community Hall ○ Willis Point Community Hall 	N/A
Notice Boards - Salt Spring Island	<ul style="list-style-type: none"> ○ Rainbow Recreation Centre ○ SIMS Community Centre ○ SSI Library 	N/A
Notice Boards - Southern Gulf Islands	<ul style="list-style-type: none"> ○ North Galiano Community Hall ○ Montague Marina ○ Corner Store, 61 Georgeson Bay ○ South Galiano Community Hall Foyer 	N/A
TOTAL (estimate)		\$3040