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

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**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
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**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