

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 _____