



# Committee Report

<b>Date of Report:</b>	September 9, 2021
<b>Date &amp; Type of Meeting:</b>	September 22, 2021, Rural Affairs Committee
<b>Author:</b>	Dana Hawkins, Planner
<b>Subject:</b>	AGRICULTURAL POLICY REVIEW
<b>File:</b>	10/5200/20/AG Agricultural Policy Review
<b>Electoral Area/Municipality:</b>	All Electoral Areas

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to present to the Rural Affairs Committee an update and proposed engagement plan for the Agricultural Policy Review Phase Two. The project will consider current legislation, existing plans and best management documents as well as input from farmers, technical advisors and the public to amend Official Community Plans and Zoning Bylaws with the goal of supporting farming and protecting farmland in the Regional District.

The project has been on hold and recently updated to include changes to the Agricultural Land Commission's regulations regarding secondary residences in the Agricultural Land Reserve and recent reports completed by the Central Kootenay Food Policy Council including the Evidence-Based Policy Development Project and Central Kootenay Food Security Action Plan.

Staff recommends that the Board approve the proposed engagement plan outlined in Section 2.5 of this report.

## SECTION 2: BACKGROUND/ANALYSIS

### 2.1 Project Definition Statement

The project will consider current legislation, existing plans and best management documents as well as input from farmers, technical advisors and the public to amend RDCK land use regulations with the goal of supporting farming and protecting farmland in the RDCK.

### 2.2 Project Overview

Significant changes have occurred in the past few years related to food systems and agriculture in the RDCK:

- Amendments to the Agricultural Land Commission (ALC) Act and associated regulations were made in 2015-2017 and have been adopted into only some Electoral Areas Land Use Bylaws (Phase One – Electoral Areas A, B & C). Additional sweeping regulations, Bill 15 and Bill 52, were passed in 2019. Further changes have been announced allowing secondary residences in the Agricultural Land Reserve (ALR) which come into force December 31, 2021.
- Implementation of the Agricultural Area Plan has been ongoing since Board endorsement in 2011.
- In 2017, the Regional District received the Agricultural Land Use Inventory and Agriculture Water Demand Model for the region, which portray a snapshot of current agricultural activities and lands suitable for agriculture and estimate the current water and irrigation demands and projected needs under varying climate scenarios.

- The Central Kootenay Food Policy Council (CKFPC) was formed with RDCK support and is now a society independent of the RDCK. CKFPC has recently completed an Evidence-Based Food Policy Development Project and Food Security Action Plan which include recommendations for land use policy and regulations.
- Rural areas have identified land use challenges for farmworker housing and farm product processing. Local groups have created reports such as ‘Overview of Agriculture in the Slocan Valley’ and ‘Columbia Basin Agriculture Forum Summary Report’.
- The BC Ministry of Agriculture revised the ‘Guide for Bylaw Development in Farming Areas’ in 2015. The guide provides best practices for a supporting farming and protecting farmland. Other best management documents at a Provincial level include: ‘Ministry of Agriculture Guide to Edge Planning’, ‘Kootenay Boundary Region for the Climate Action Initiative by the Ministry of Agriculture’ and ‘BC Food Systems Network Food Policy Toolkit’.
- Kootenay and Boundary Farm Advisors, a tri-regional RDCK, RDEK, RDKB & CBT partnership, supports producers to improve agricultural production and efficiency by helping find solutions to farm-specific production issues, coordinating educational events and connecting producers to information.
- Staff has noted inconsistencies in the agricultural zones under current zoning bylaws and opportunities to improve clarity.

### 2.3 Background

As a first phase Zoning Bylaw amendments for Electoral Areas A, B and C were adopted in January 17, 2019. Although this phase has been completed, additional amendments are required to comply with the recent ALC regulation changes. Staff proposed a second phase focusing on the remaining Electoral Areas. The project charter was approved by the Board at the June 19, 2019 Regular Board meeting. Anticipating that further amendments to ALC regulations would be brought forward requiring additional amendments to RDCK’s land use bylaws, the project was placed on hold by staff. Now with the final pieces complete with the ALC’s announcement of allowing secondary residences in the ALR and CKFPC recently completed projects, staff are bringing an amended work plan forward to complete Phase Two.

### 2.4 Revised Project Work Plan

A revised work plan is outlined in Table 1. Staff acknowledge the quick timeline due to the incoming ALC regulation on December 31, 2021 and wish to balance this deadline with including meaningful engagement opportunities.

Table 1: Project Work Plan

Task	Description	Date
Research and Material Prep	<ul style="list-style-type: none"> <li>- Review of RDCK plans and regulations, ALC regulations, and best management practices documents</li> <li>- Create project materials such as website, work book and survey</li> </ul>	Late August & Early September
Board Endorsement	<ul style="list-style-type: none"> <li>- Staff report to Rural Affairs Committee</li> </ul>	September 23, 2021

Interviews and/or Focus Groups	- Group or individual interviews with farming organizations and RDCK Commissions	Late September
Public Survey	- Survey of options directed at farmers, ranchers, ALR land owners, and general public	Late September & Early October
Draft Amendments	- Compile engagement results and draft proposed bylaw amendments	October 2021
Referral	- Refer proposed bylaw amendments to internal departments and external agencies	October to November
Open Houses	- Public presentations of the proposed bylaw amendments	November 2021
Refinement	- Incorporate comments received and make any changes	November 2021
1 <sup>st</sup> and 2 <sup>nd</sup> Reading	- Board consideration of proposed bylaw amendments and receipt of engagement results	December 9, 2021
Public Hearing	- Formal public hearing	January 2022
3 <sup>rd</sup> Reading and Adoption	- Board consideration of adoption of bylaw amendments	February 2022

## 2.5 Proposed Engagement Activities

Staff will be working with the Executive Director of the CKFPC and a student from Royal Roads University to support engagement activities. The following engagement activities are proposed:

### Interviews and/or Focus Groups

Targeted interviews are proposed with individuals or groups representing farming organizations in the RDCK. Staff intends to invite participation from: Creston Valley Agricultural Advisory Commission, Electoral Areas C, D, E, G, I & J Advisory Planning Commissions, CKFPC, Kootenay and Boundary Farm Advisors, Young Agrarians, Yaqaan Nukiy, and water providers to agricultural areas. Focus groups with local farming and food organizations are to be planned geographically recognizing different areas will have different agricultural needs. Groups are proposed to be divided into: 1) Electoral Areas A, B & C; 2) Electoral Areas E, F, I, J & G; and 3) Electoral Areas D, H & K.

Discussion themes will include alignment with ALC regulation, keeping of farm animals, farm income diversification, farm product processing, food security, protecting farmland, lot sizes, and secondary residential uses.

#### Public Survey

A survey available in hard copy and online will be directed at farmers, ranchers, ALR land owners, farm and food organizations that did not participate in the interviews, and general public. The survey will seek feedback on some proposed options similar to the themes discussed in the interviews. The survey will be advertised through RDCK channels and media and shared through farm organization channels. Staff note that fall harvest is a very busy time for farmers, and the flexible and short time commitment of an online survey will hopefully allow those interested to participate.

#### Referral

A formal referral of the proposed bylaw amendments will be sent for comment to: affected RDCK departments, Electoral Area Directors, Creston Valley Agricultural Advisory Commission, all Advisory Planning Commissions, all Municipalities within RDCK, Agricultural Land Commission, Interior Health Authority, Front Counter BC, Ministry of Agriculture, Ministry of Transportation and Infrastructure, Ministry of Environment, First Nations including and not limited to Ktunaxa Nation Council, Okanagan Nation Alliance, Shuswap Nation Tribal Council, and affected Irrigation/Improvement Districts.

#### Open Houses

Open houses will be held remotely on the Webex platform to inform the public of the proposed bylaw amendments, to answer questions, and to seek early feedback before the formal public hearing.

#### Public Hearing

A public hearing will be advertised and held remotely to meet *Local Government Act* requirements.

### **SECTION 3: DETAILED ANALYSIS**

#### **3.1 Financial Considerations – Cost and Resource Allocations:**

**Included in Financial Plan:**  Yes  No      **Financial Plan Amendment:**  Yes  No  
**Debt Bylaw Required:**  Yes  No      **Public/Gov't Approvals Required:**  Yes  No

The project budget includes funds for advertising engagement opportunities, and will be paid through Planning Service 104.

#### **3.2 Legislative Considerations (Applicable Policies and/or Bylaws):**

The project will result in a review and amendments to the following RDCK Zoning Bylaws:

- Area A Comprehensive Land Use Bylaw No. 2315, 2013;
- Area B Comprehensive Land Use Bylaw No. 2316, 2016;
- Area C Comprehensive Land Use Bylaw No. 2317, 2016;
- Zoning Bylaw No. 1675, 2004 (Electoral Areas F, I, J, K); and,
- Area G Land Use Bylaw No. 2452, 2018.

The comprehensive policy and regulatory review will include Official Community Plan (OCP) objectives, policies and development permit areas relating to Agriculture and Zoning Bylaw agricultural zones, specific use regulations and definitions. Therefore amendments to other Electoral Area's land use bylaws may be proposed if changes to any OCP policy are proposed.

### **3.3 Environmental Considerations**

Agriculture depends on ecosystem services (the ecological goods and services provided by natural ecosystems) and involves the cycling of water and nutrients, pollination and natural pest control. Farmland may complement ecosystem services by protecting habitat and supporting biodiversity. Related environmental challenges include the increasing demand and competition for land and water associated with development, and adapting to climate change.

### **3.4 Social Considerations:**

The goal of this project is to work towards protecting agriculture and farmland, supporting farmers in earning a living and enabling local food supply.

### **3.5 Economic Considerations:**

Agriculture is an important economic driver in the RDCK. Agriculture is considered to have high multiplier effects relative to other sectors – recycling spending in the local economy and stimulating additional local business activity.

### **3.6 Communication Considerations:**

Engagement of local farming organizations, residents, communities, First Nations and public agencies are central to the project. Opportunities for participation are outlined in Section 2.5.

### **3.7 Staffing/Departmental Workplace Considerations:**

The project will be led by the Planner 2. Due to time constraints of the ALC legislation coming into effect December 31, 2021, this project will be a priority for the Planner.

### **3.8 Board Strategic Plan/Priorities Considerations:**

Share sub-regional experiences and create Official Community Plans (OCP) using consistent language and terminology.

## **SECTION 4: OPTIONS & PROS / CONS**

### **4.1 Planning Discussion**

Following up from Phase One completed early 2019, the Agriculture Policy Review Phase Two will consider current legislation, existing plans and best management documents as well as input from farmers, technical advisors and the public to amend RDCK land use regulations with the goal of supporting farming and protecting farmland in the Regional District. A review of RDCK land use bylaws policies and regulations will enable the Board to define its role and interests in planning for agriculture over the long term and take further steps to implement the Agricultural Area Plan. The project is also anticipated to improve the regulatory environment for agriculture by being responsive to the needs and concerns of farmers, residents and backyard gardeners. Alignment of RDCK bylaws with existing ALC regulations will offer clarity and better service to the public.

The project has been on hold and recently updated to include changes to the ALC's regulations regarding secondary residences in the ALR and recent reports completed by the CKFPC including the Evidence-Based Policy Development Project and Central Kootenay Food Security Action Plan. Staff recommend that the Board proceed with Phase Two of the Agriculture Policy Review and approve the proposed engagement plan outlined in Section 2.5 of this report.

### **4.2 Options**

#### Option 1

That the Board DIRECT staff to undertake the Agriculture Policy Review Phase Two as described in the Committee Report – Agriculture Policy Review Phase Two dated September 9, 2021.

#### Option 2

That NO FURTHER ACTION be taken with respect to the Agriculture Policy Review Phase Two as described in the Committee Report – Agriculture Policy Review Phase Two dated September 9, 2021.

#### Option 3

That further consideration of the Agriculture Policy Review Phase Two as described in the Agriculture Policy Review Phase Two as described in the Committee Report – Agriculture Policy Review Phase 2 dated September 9, 2021. BE REFERRED to the [date] Rural Affairs Committee meeting.

### **SECTION 5: RECOMMENDATIONS**

That the Board DIRECT staff to undertake the Agriculture Policy Review Phase Two as described in the Committee Report – Agriculture Policy Review Phase Two dated September 9, 2021.

Respectfully submitted,

Dana Hawkins, MCIP, RPP

### **CONCURRENCE**

Planning Manager – Digitally approved by Nelson Wiaht.

General Manager of Development and Community Sustainability – Digitally approved by Sangita Sudan.

Chief Administrative Officer – Digitally approved by Stuart Horn.