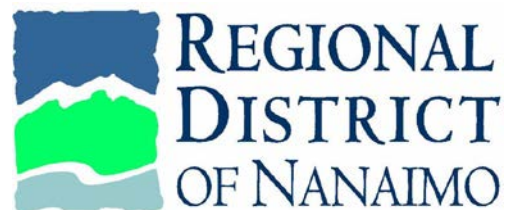




Regional District of Nanaimo Agricultural Area Plan Implementation Project 1: Bylaw and Policy Updates Terms of Reference



May 2014



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Background

In the months following the Agricultural Area Plan (AAP) adoption, the Agricultural Advisory Committee (AAC) reviewed the AAP's 128 recommended Action Items with the intent of identifying those which were of highest priority to consider within the first work plan. The result of the AAC review was a list of 68 priority Action Items to be considered within the first work plan. Staff then consolidated the 68 priority Action Items into an Implementation Plan that was received and endorsed by the Board at its November 26th, 2013 meeting.

The intent of this Terms of Reference is to establish a process and timeline for Project 1 – *Bylaw and Policy Updates* as identified in the 2014-2016 Action Plan. This project addresses 14 Action Items identified in the AAP and essentially involves a comprehensive review of all Regional District of Nanaimo (RDN) policies and bylaws as they relate to agriculture (see Attachment 1 for a list of Action Items addressed by this project).

Strategic Direction

The AAP is a regional plan that contains a number of recommended actions intended to encourage and facilitate positive change and investment within the agricultural and aquaculture industries across the region. This project represents a major initiative to implement some of the recommendations of the AAP focusing on Action Items that the RDN has direct influence over that could have positive long-lasting effects. Implementation of the AAP is in keeping with the Board's Strategic Plan which supports implementation of regional plans with action on-the-ground. Implementation of the AAP is consistent with the Strategic Plan Economic Viability Objective which states *"to strengthen the local agricultural economy so that local food systems are productive and viable, and contribute to the cultural identity of the region"*. Taking action on the Agricultural Area Plan would also help the Board seek out opportunities to advance sustainable approaches to the agriculture and aquaculture industries.

Scope and Project Objectives

Although the AAP applies to all of the RDN, including its member municipalities, it includes actions that can be implemented on a regional scale, a community scale, or at the neighborhood level. This project applies to Electoral Areas A, C, E, F, G, and H where the RDN provides community planning services. The results of this project, may be useful for municipalities and the Islands Trust.

The primary objectives of this project are to review the existing RDN Regional Growth Strategy (RGS), Official Community Plans (OCPs), and regulatory bylaws to:

- i. ensure consistency between policies and regulations;
- ii. remove regulatory barriers and obstacles that hinder agriculture and aquaculture;
- iii. promote sustainable practices that support agricultural production and preserve farm land; and,
- iv. protect against the impacts of non-farm use.

Amendments to bylaws such as the RGS, OCPs, Zoning Bylaws, and Sign Bylaws are contemplated within the scope of this project.

Desired Outcome

The desired outcome of this project will be a planning document that addresses the 14 Action Items identified in the 2014-2016 Implementation Plan and:

- i. identifies obstacles and barriers that are a result of RDN polices and bylaws that negatively affect agriculture in the RDN;
- ii. presents options for addressing any obstacles and barriers; and,
- iii. provides recommendations on potential amendments to RDN policies and bylaws for the Board's consideration.

Public Consultation Strategy

The Bylaw and Policy Updates project is a comprehensive region-wide review of all RDN policies and bylaws that could affect agriculture. In response, it is proposed that region-wide public consultation occur during key times throughout the project.

The AAC will play a key role in assisting with the review of RDN policies and bylaws as well as developing options and proposals for consideration by the Board. The AAC's input is intended to compliment, but not replace broad community input.

In addition to public consultation and input from the AAC, a number of external stakeholders have been identified. This list will evolve as the RDN becomes aware of who is interested/affected by the project. As part of the project, staff will be engaging external stakeholders and encouraging their involvement.

External Stakeholders

City of Nanaimo	Agricultural and Aquacultural Organizations
City of Parksville	Ministry of Agriculture
Town of Lantzville	Agricultural Land Commission
Town of Qualicum Beach	First Nations (Snuneymuxw, K'omox, Snaw-naw-as, Stz'uminus, and Qualicum)
Cowichan Valley Regional District	Electoral Area Residents
Alberni-Clayoquot Regional District	The Construction Industry
Comox Valley Regional District	Real Estate Industry
Community and Neighbourhood Groups	
Ministry of Transportation and Infrastructure	

Proposed Process and Work Schedule

The Bylaw and Policy Updates project includes four-phases as shown in the diagram below.



The following is a brief description of each phase of the project.

Phase 1: Research

Phase 1 involves gaining a baseline understanding of the issues and actions identified in the 2014-2016 Action Plan and raising awareness of the project. The main objective of this phase is a staff-level review (with assistance from the Ministry of Agriculture) of all RDN policies and Bylaws that could affect agriculture to identify inconsistencies between the RGS, OCPs, and Regulatory bylaws.

A significant portion of the work required to complete this phase involves meeting with external stakeholders, the Agricultural Advisory Committee (AAC) (both as a group and as individuals), and preparing discussion papers on the identified action items. The discussion papers are intended to provide an analysis of each action item, provide baseline information about the issues being addressed, identify best practices for managing the issue, and provide options for further consideration.

The outcome of this phase of the project will be a series of draft discussion papers prepared by staff with input from the Ministry of Agriculture, AAC (both as a group and as individuals), and external stakeholders. The papers will include a range of potential options that the RDN could consider to address any barriers or obstacles identified.

Phase 2: Refining Options

Building on the work completed in Phase 1, this phase is intended to refine and obtain input on the options identified in Phase 1. The main objective of this phase is to determine which options are practical, feasible, and supportable.

This phase involves working with the AAC (primarily as individuals), external stakeholders, the Regional Board, and the general community to refine and present the discussion papers and options. This phase will also identify and discuss obstacles and barriers to agriculture in the region.

The outcome of this phase will be a refined series of recommendations and options for further consideration.

Phase 3: Recommended Actions

Phase 3 involves gauging the level of political and community support for each option identified in earlier phases. This will be accomplished by initiating region-wide community engagement, working with the Board, the AAC, and external stakeholders. Options that appear to have support will be further developed in the next phase, while options with little or no support may be abandoned.

The outcome of this phase will be a final list of recommendations that have enough political and community support to consider proceeding with further action.

Phase 4: Implementation

Phase 4 involves drafting appropriate bylaw and policy amendments for options that have general support. This phase also involves further community, AAC, Board, and external stakeholder input. The primary objective of this phase is to initiate and follow through with the appropriate bylaw adoption procedures or other supported actions.

The following provides a general overview of the tasks involved in each phase of the project. Please note it is intended that the process be flexible, and responsive to the needs of those involved.

Phase	Estimate Start Date	Task
Phase 1 Research	Spring 2014 Spring – Summer 2014	<u>Create a Project Website</u> Develop a project website to provide information and raise awareness of the project.

Phase	Estimate Start Date	Task
		<p><u>Raise Awareness on the Project</u></p> <p>In addition to the use of a project website, and tasks identified below the following will be considered to raise public awareness of the project:</p> <ul style="list-style-type: none"> • a media release; • social media; • word of mouth; • coffee table meetings; • attendance at key stakeholder group meetings; and, • attendance at community events related to agriculture.
		<p><u>Identify Subject Matter Experts</u></p> <p>As an ongoing action, for each of the tasks below, identify subject matter experts (local government, provincial ministries, or private sector) to advise on the project and to present at an AAC meeting.</p>
		<p><u>Policy and Bylaw Review</u></p> <p>General staff-level review of all policies and bylaws to identify obstacles and barriers to agriculture and consistency between the RGS, OCPs, and current zoning. Work with the Ministry of Agriculture where appropriate. Produce a general discussion paper outlining the issue(s), opportunities, and options for further consideration.</p>
		<p><u>Meet with Agricultural Organizations</u></p> <p>Arrange to meet with agricultural organizations to raise awareness of the project and obtain information on what issues affect agriculture in the region.</p>
		<p><u>Engage the Agricultural Advisory Committee</u></p> <p>Arrange a meeting with the Agricultural Advisory Committee to introduce the project and get the Committee thinking about the Action Items included in this project. Develop a means for AAC members to participate as individuals and provide feedback on items included in this project that interest them.</p>
		<p><u>Engage External Stakeholders</u></p> <p>Initiate contact with external stakeholders using a</p>

Phase	Estimate Start Date	Task
		<p>variety of methods to raise awareness of the project, and obtain feedback on issues that affect agriculture.</p>
		<p><u>Research Residential Siting Guidelines</u> Define the issue (impact within the RDN), identify best practices, and develop options for addressing issues. Report research findings in a discussion paper.</p>
		<p><u>Research on Agri-Tourism</u> Review policies and bylaws for anything that would prevent or discourage agri-tourism. Identify best practices and develop options that could be implemented to encourage agri-tourism.</p>
		<p><u>Research Farm Signage Requirements</u> Review RDN sign bylaws and all provincial guidelines or regulations pertaining to agricultural signage. Identify obstacles and barriers that could affect the ability to appropriately provide signage for an agricultural use. Identify any programs and processes that are currently established for providing farm signage such as ‘Wine Tour’ or ‘Circle Farm Tour’. Meet with the appropriate agencies and organizations to discuss what role the RDN could play in supporting agricultural signage. Develop a discussion paper that reports the findings and potential options to address the issues.</p>
		<p><u>Research Barriers to Agricultural Product Processing and Warehousing</u> Review OCPs and zoning bylaws to ensure that there are no barriers to the establishment of agricultural product processing or warehousing. Prepare a discussion paper outlining issue(s), opportunities, and options for further consideration.</p>
		<p><u>Research ‘No Net Loss’ policy</u> Research and identify if there is an issue with loss of ALR lands within the RDN. Develop options for further input.</p>
<p>Phase 2 Refining Options</p>	<p>Winter 2015</p>	<p><u>Agricultural Advisory Committee Meetings</u> Host a series of meetings with the AAC to discuss options. Invite subject matter experts to the meetings to provide information and answer questions. This may include working with individual AAC members to refine</p>

Phase	Estimate Start Date	Task
		the options contained in the discussion papers.
		<p><u>Board Seminar</u></p> <p>Host a Board Seminar to update the Board on the project and present and obtain feedback on the draft options and to seek general direction to proceed with public engagement on the discussion papers.</p>
		<p><u>Region-wide Community Engagement</u></p> <p>Initiate region-wide community engagement. Focus on the options in the draft discussion papers with the intent of obtaining feedback to determine which options, if any, are practical, feasible, and supportable. This task also involves engaging with external stakeholders such as agricultural organizations, farmers, provincial ministries, and other local governments.</p>
		<p><u>Prepare a Report on Recommended Options</u></p> <p>Prepare a report to the AAC that includes a list of recommended options. Seek support from the AAC and the Board to proceed with select options to Phase 3 of the project.</p>
Phase 3 Recommended Actions	Spring 2015	<p><u>Develop and Refine Options and Proposals</u></p> <p>Based on supported options identify changes to bylaws.</p>
		<p><u>Region-wide Community Engagement</u></p> <p>The intent of this task is to gauge the level of community support for the options previously identified. A number of different tools and approaches will be considered to obtain feedback including, but not necessarily limited to:</p> <ul style="list-style-type: none"> • media release; • an online survey; • discussion forum; • social media; • a series of Open Houses; • focus group meetings; • word of mouth; • coffee table meetings; • attendance at key stakeholder group meetings; and, • attendance at community events related to

Phase	Estimate Start Date	Task
		agriculture.
		<p><u>Prepare Results Report</u></p> <p>Prepare a report that presents the results of the community engagement. The report will go to the AAC for comment and recommendation and then to the Board. The intent of the report will be to identify which options and proposals have community support and a recommendation on what actions and proposals should proceed to Phase 4.</p>
Phase 4 Implementation	Summer 2015	<p><u>Draft Bylaw and Policy Amendments</u></p> <p>Draft bylaw and policy amendments for any bylaw and policy amendments that have support from the Regional Board</p>
		<p><u>Initiate Region-Wide Community Consultation</u></p> <p>This task involves obtaining feedback on the proposed amendments prior to initiating the adoption procedures.</p>
		<p><u>Initiate Adoption Procedures</u></p> <p>Carry out the necessary amendment procedures.</p>

Timeframe

The Bylaw and Policy Update project is an ongoing project which is anticipated to be complete by the end of 2016. It is anticipated that bylaw amendments would be initiated in early 2015.

Roles and Responsibilities

The Bylaw and Policy Updates project requires a coordinated approach with involvement from a number of different RDN Departments. The following briefly outlines the roles and responsibilities in each of the Departments involved.

Department	Roles and Responsibilities
Long Range Planning	Overall project management and lead role.
Current Planning	Supporting role by assisting with research and public outreach.
GIS	Supporting role by providing GIS analysis and mapping.
Bylaw Services	Supporting role by assisting with review and recommendations on Animal Control, Noise, and any other bylaws administered by that

	department.
Water Services	Supporting role by assisting with research and actions related to water and groundwater protection.

Resources and Budget

All of the work required to undertake this project will be completed by RDN staff as outlined in the 2014 RDN Budget as well as in future budget years to be considered by the Board.

It should be noted that there is potential for community works funding to be used in this project to assist in data collection and analysis.

Monitoring Progress

The project will be considered successful if options and proposals for removing obstacles and barriers to agriculture are identified and considered by the Board.

Attachment 1
Action Items Addressed by This Project

Action Item
No Net Loss Policy <i>(Item 1.1.b)</i>
Residential Siting Guidelines <i>(Item 1.1.e)</i>
Agri-tourism Review <i>(Item 2.2.c)</i>
Water-related infrastructure zoning review <i>(Item 4.2.a)</i>
Aquifer Protection Review <i>(Item 7.1.d)</i>
Monitor ALC Policy <i>(Item 7.1.g)</i>
Agricultural Policy Review <i>(Item 7.2.a)</i>
Farmland Protection DPAs <i>(Item (7.2.d)</i>
RGS, OCP, Zoning Consistency <i>(Item 7.2.c)</i>
Sign Bylaw Review <i>(Item 7.3.f)</i>
Barriers to Agricultural product processing <i>(Item 7.3.c)</i>
Review policies to ensure agriculture is encouraged <i>(Item 7.3.d)</i>
Consider Agricultural Land Use Designation <i>(Item 7.4.a)</i>
Reduce Regulatory Barriers for Holding Tanks <i>(Item 7.4.d)</i>