



IFile No.: 6500-20  
(Denman Farm Regulations  
Review)

DATE OF MEETING: September 7, 2021  
TO: Denman Island Local Trust Committee  
FROM: Marnie Eggen, Island Planner  
Northern Team  
COPY: Heather Kauer, Regional Planning Manager  
SUBJECT: Denman Island Farming Regulations Review Project

## RECOMMENDATION

1. That the Denman Island Local Trust Committee endorse the Denman Island Farming Regulations Review Project Charter dated September 7, 2021.

## REPORT SUMMARY

The purpose of this report is to advise the Denman Local Trust Committee (LTC) of project funding securement for the Denman Farm Regulations Review Project (formerly the Denman Farm Plan Implementation Project), and to provide a revised project charter (Attachment 1) for their endorsement.

## BACKGROUND

The LTC passed the following resolution without meeting on April 20, 2021 regarding this project:

### **DE-RWM-2021.3**

**It was MOVED and SECONDED,**

That the Denman Island Local Trust Committee request staff to prepare and submit an application for the 'Local Government Partnership Program – Investment Agriculture Foundation' by the May 17, 2021 deadline, to implement the 'Denman Farm Plan project.'

**CARRIED**

Since then, an application to BC Investment Agriculture Foundation (IAF) was submitted by staff. On July 21, 2021 final approval was granted in the amount of \$18,000.00 as a 50% contribution towards the project. See Analysis below for more detail on the award.

## ANALYSIS

### Issues and Opportunities

#### ***BC Investment Agriculture Foundation (IAF) Funding Grant***

Islands Trust was recently awarded a 50% contribution grant of \$18,000.00 from IAF towards this Denman LTC project to be utilized by August 1, 2022. A Contribution Agreement is now signed between the parties committing Islands Trust to delivering the project as described in the application. The main commitments of Islands Trust are:

- to support this project with a 50% contribution: \$8,000.00 from budget sources and \$10,000.00 in kind staff support (contribution spans 2021-2022 and 2022-2023 fiscal years);
- to hire a land use planning consultant as the lead planner to undertake research, analysis, engagement, bylaw drafting and provide report recommendations;
- to update the inventory of Agricultural Land Reserve land and activities;
- that staff manage the project, review draft recommendations from the consultant, and provide support in respect of mapping/data and general meeting and website administration;
- that funding acknowledgement requirements are met;
- to include 3-4 Advisory Planning Commission meetings, 2 in person or electronic community information meetings; and
- that staff provide a progress report to IAF on April 1, 2022 and a final report on September 30, 2022.

### ***Revised Project Charter***

Staff have provided a revised draft project charter (Attachment 1) for LTC consideration, based on the original Farm Plan Implementation Project Charter (Attachment 2). Staff is recommending to advance this project:

- from where the Farm Plan Implementation Project essentially left off, because of the substantial amount of work that has already been completed, including the following: both bylaws were given first reading and were presented at a community information meeting (August 2, 2018) and a facilitated community workshop (April 24, 2019). Extensive referral responses from the Advisory Planning Commission and Growers and Producers Alliance have been received and incorporated into the bylaws; and
- to incorporate the conditions and timeframe of the funding agreement.

The Purpose remains the same as the previous project charter and the Background is revised to recognise the most recent changes that have led to the current status of this project.

### Objectives and Scope

Objectives remain the same as previous, with the addition of building upon the past work of the Denman Farm Plan Implementation Project. In Scope is revised to include activities as outlined in the conditions of the funding agreement. Out of Scope remains the same as previous.

### Workplan and Deliverables

The revised project charter is divided into three phases and anticipates a completion date by 2023. The three phases are as follows:

#### *Phase 1: Project Initiation - Fall 2021 to Winter 2021/22*

During this phase, once the consultant is hired, the main activities will be to develop a community engagement plan, review the Farm Plan project work, review relevant legislation/regulation/standards, and to conduct a community questionnaire/survey. The LTC will consider endorsement of a draft engagement plan and draft survey/questionnaire before they are executed.

Staff recommend that the public participation level for this project should be “consult” on the International Association for Public Participation (IAP2) spectrum (Attachment 3). “Consult” in the IAP2 framework is implemented with the following intent:

Public Participation Goal:

“To obtain public feedback on analysis, alternatives and/or decision.”

Promise to the Public:

“We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.”

*Phase 2: Consultation and Bylaw Development - Winter 2021/22 to August 1, 2022*

During this phase, engagement will be executed in accordance with the engagement plan along with re-development of bylaws to draft stage. August 1, 2022 is the date in which draft bylaws must be completed as established in the IAF funding agreement.

*Phase 3: Legislative Process and Implementation - Summer 2022 to 2023*

The third and last phase of the project will see the draft bylaws through readings, any further engagement, referrals, public hearing, approvals, adoption and final communications regarding the bylaw amendment.

Budget

Current budget sources for Phase 1 (within 2021-2022 fiscal year) are as follows:

- \$3,500.00 – Denman LTC Project funds
- \$9,000.00 – BC IAF

Proposed budget sources for Phase 2 and Phase 3 (within 2022-2023 fiscal year) are as follows:

- \$4,750.00 – Denman LTC Project funds
- \$9,000.00 – BC IAF

Denman LTC Project funds would total \$8,070.00, which would ensure the \$8,000.00 contribution to the project from Islands Trust. BC IAF is contributing \$9,000.00 this fiscal and the remaining \$9,000.00 next fiscal.

Note: that as a part of the funding agreement with IAF, Islands Trust has committed to \$10,000.00 in kind staff support over the course of the project. Staff support (or staff wages) are typically not included in project charter budgets.

Staff do not anticipate a need for further Project funds other than the \$3,500.00 already allotted to cover costs for this fiscal year. For the 2022-2023 fiscal year, staff estimate that \$4,750.00 of LTC Project funds will be needed to cover remaining costs of the project. The need for further Project funds can be re-assessed and addressed closer to the close of Phase 2.

***Advisory Planning Commission***

Staff suggest that either an Agricultural Advisory Planning Commission is established or that the current Denman Advisory Planning Commission (APC) is utilized so as to assist the consultant with engagement plan development during Phase 1, and to be referred draft bylaws during Phase 2. Staff recommend that utilizing the current APC is easier since it is already established and the given the time constraint to have the engagement plan completed by winter 2021/22. Efforts to establish an Agricultural APC may add delay the project’s progress, which could compromise the funding agreement and funding with IAF. If utilizing the APC, staff would plan to invite targeted participation in engagement activities with the Denman Growers and Producers Alliance and other relevant stakeholders.

## Rationale for Recommendation

Staff recommend LTC endorsement of the revised the project charter for the Denman Island Farm Review Project following the funding contribution award from the BC IAF. Refer to the formal recommendation, included on Page 1 of the report.

## ALTERNATIVES

### 1. Amend the Project Charter

The LTC may want to amend the revised project charter. Implications of making changes to the project charter are the following:

- If the amendments are minor and can be made at the meeting, then the charter can be endorsed at as amended.
- If the amendments are major, staff would return to a subsequent meeting with an amended charter for endorsement.

Recommended wording for the resolution is as follows:

*That the Denman Island Local Trust Committee requires staff to amend the Denman Island Farming Review Project Charter by [insert requested changes].*

## NEXT STEPS

Should the LTC endorse the revised project charter, staff will undertake the following next steps:

- Staff will continue to proceed with the process to retain a land use planning consultant to undertake research, analysis, community engagement, bylaw drafting and report recommendations.
- Further to the status update on the bylaws in the March 16, 2021 Memorandum to the LTC, staff will work with the consultant and legislative clerk to evaluate how to best proceed with proposed Bylaw Nos. 228 and 229.

Submitted By:	Marnie Eggen, RPP, MCIP Island Planner	August 26, 2021
Concurrence:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	August 27, 2021

## ATTACHMENTS

1. Revised Project Charter, dated September 7, 2021
2. Project Charter, dated February 7, 2019
3. International Association for Public Participation (IAP2) spectrum

# Denman Island Farming Regulations Review – Project Charter

Denman Local Trust Committee

Date: September 7, 2021

**Purpose:** *The purpose of this project is to implement actions under recommendations 11, 13, 14 of the Denman Island Farm Plan to inform the development of bylaws to amend the Denman Island Official Community Plan and Land Use Bylaw.*

**Background:** *This top priority project, originally named the Farm Plan Implementation Project, was put on hold in May 2019 due to re-prioritizing of staff resources. The project is now reinvigorated after receipt of a 50% contribution of \$18,000.00 in grant funding of from British Columbia Investment Agriculture Fund, to be utilized for the development of draft bylaws amendments.*

## Objectives

- To prepare bylaws to amend the Denman Island Official Community Plan and Land Use Bylaw, which implement Farm Plan Recommendations 11, 13, 14 and which align with the ALC Act and Regulation.
- To amend the LUB definition of agriculture, intensive agriculture, feedlot and establish appropriate LUB setbacks for intensive agriculture and feedlots.
- To engage community members, the Advisory Planning Commission (APC), Growers and Producers Alliance (GPA) and other stakeholders in the development of policies and regulations to implement the farm plan.
- Review and build on past work undertaken during the Denman Farm Plan Implementation Project.

## In Scope

- Update inventory of ALR land & activities data.
- Regulatory review of changes & updates to the Agricultural Land Commission (ALC) Act and Regulations, & other relevant legislation, regulations and standards.

## Out of Scope

- Farm Plan recommendations not related to LTC authority.
- Creation of an Agricultural Enterprise Zone.
- Designation of new DPAs.
- Review or amendment of existing DPAs.
- Consideration of landscape or screening requirements.
- Water issues management.
- Cannabis regulations.

## Workplan Overview

Phase 1: Project Initiation	Date
LTC endorses project charter	Sept. 7, 2021
Retain land use planning consultant to undertake engagement planning and activities, bylaw drafting	Early Fall 2021
Establish an Agricultural Advisory Planning Commission (APC) or utilize current APC	Sept./Nov. 2021
Review Farm Plan Implementation Project work, including proposed bylaws; review changes and updates to relevant legislation, regulation and standards etc.	Early Fall – Winter 2021/22
Update inventory of ALR land and activities data	Early Fall – Winter 2021/22
Consultant to develop a community engagement plan to be endorsed by the LTC	Early Fall – Winter 2021/22
Conduct a community questionnaire/survey	Winter 2021/22
Phase 2: Consultation and Bylaw Development	Date
Community engagement as per plan	Winter 2021/22 – June 2022
Development of draft bylaws	Winter 2021/22 – early summer 2022
Completion of draft bylaws	August 1, 2022
Phase 3: Legislative Process and Implementation	Date
Public engagement as per Plan – cont.	Summer 2022 – Winter 2022/23
Bylaw readings, public hearing, approvals, adoption	2022-2023
Bylaw consolidation, post bylaw adoption communications	2022-2023

Project Team	
Island Planner	Project Manager
Regional Planning Manager	Project Sponsor
Land Use Planning Consultant	Research, analysis, engagement, bylaw drafting
GIS Technician	Mapping support
Office Administrative Assistant, Planning Team Assistant, Legislative Clerk	Administrative and legislative support
<b>RPM Approval:</b> Heather Kauer <b>Date:</b> 2021-08-26	<b>LTC Endorsement:</b> Resolution #: <b>Date:</b> xxx

Budget		
<b>Budget Sources:</b>		
<b>2021-2022:</b> DE LTC Farm Plan: \$3,500.00; BC IAF: \$9,000.00		
<b>2022-2023:</b> DE LTC Farm Plan: \$4,750.00*; BC IAF: \$9,000.00 <span style="float: right;">*pending</span>		
Fiscal	Item	Cost
2021-2022	Phase 1: Project Initiation <ul style="list-style-type: none"> <li>Research, analysis, development of engagement plan</li> <li>Update inventory of ALR land and activities data</li> </ul>	9,000.00
2022-2023	Phase 2: Consultation and Bylaw Development <ul style="list-style-type: none"> <li>Undertake engagement plan</li> <li>Draft bylaws</li> </ul>	12,250.00
2022-2023	Phase 3: Legislative Process <ul style="list-style-type: none"> <li>Engagement cont., referrals</li> <li>Legal review</li> <li>public hearing</li> <li>Bylaw amendment communications</li> </ul>	4,750.00
	Total	26,000.00
Note: the Islands Trust in-kind contribution of staff support, agreed to in the IAF funding agreement in the amount \$10,000, is not reflected in the budget.		

# Denman Island Farm Plan Implementation Project - Charter v.4.3 Draft

Date: February 7 2019

**Purpose** *The purpose of this project is to implement actions under recommendations 11, 13 and 14 of the Denman Island Farm Plan to inform the development of bylaws to amend the Denman Island Official Community Plan and Land Use Bylaw.*

**Background** *The process of developing the Denman Island Farm Plan began in of 2009 and the Plan was endorsed by the Denman Island Local Trust Committee in June 2012. In January 2016, Farm Plan Implementation was added to the LTC Top Priorities List. In June 2016, consideration of new agriculture-related definitions and regulations was added to the Farm Plan Implementation project.*

## Objectives

- To prepare bylaws to amend the Denman Island Official Community Plan and Land Use Bylaw, which implement Farm Plan Recommendations 11, 13, 14 and which align with the ALC Act and Regulation.
- To amend the LUB definitions of agriculture, intensive agriculture, feedlot and establish appropriate LUB setbacks for intensive agriculture and feedlots.
- To engage community members, the Advisory Planning Commission (APC), Grower and Producers Alliance (GPA), and other stakeholders in the development of policies and regulations to implement the Farm Plan.

## In Scope

- Referral to Denman GPA and APC
- Community information meeting prior to second reading or public hearing of bylaws
- Project webpage maintenance

## Out of Scope

- Farm Plan recommendations not related to LTC authority
- Creation of an Agricultural Enterprise Zone
- Review or amendment of existing DPAs
- Designation of new DPAs
- Consideration of landscape or screening requirements
- Water issues management
- Cannabis regulations

## Workplan Overview

Deliverable/Milestone	Date
Adoption of Initial Project charter	Completed November 15, 2016
Referral of proposed OCP/LUB amendments to APC and GPA	Completed 2016 and 2017
LTC consideration of APC/GPA input and staff analysis/recommendations	Completed 2017 and 2018
Development of draft OCP/LUB bylaws and First Reading/Early Referrals	Completed 2018
Community information meeting (OCP and LUB)	Completed 2018
Community Consultation Event (LUB amendments)	Spring 2019
LTC consideration of revisions/further readings of proposed OCP/LUB bylaws	Spring 2019
Public Hearing, consideration of Third Reading, Forward to Executive Committee of the Islands Trust and the Minister of Municipal Affairs and Housing	Spring—Summer 2019
Consideration of Final Reading (adoption)	Summer– Fall 2019

## Project Team

Island Planner	Project Manager
Regional Planning Manager	Project Sponsor
Island Planner/Planner 2	Project Support

### RPM Approval:

Ann Kjerulf

### Date:

### LTC Endorsement (amended):

Resolution #: DE-2019-011

Date: 7 February 2019

## Budget

### Budget Source: Denman Farm Plan Implementation Project

Fiscal	Item	Cost
2018-2019	Community consultation event; advertising, legal review	\$3600
2019-2020	Public hearing	\$1,000
	<b>Total</b>	<b>\$4,600<sup>47</sup></b>

# IAP2 spectrum

developed by the international association for public participation

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decision.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.