



How to complete the **CONTENT ANALYSIS: LEGISLATION**

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Strengthening Farmland Protection Assessment Toolkit

Purpose

This assessment tool is to be used to assess the breadth and quality of the **Legislation** documents of legislative framework. Use the documents you listed in the Local-Legislation and Regional-Legislation cells of the Legislative Framework for your area. The instructions are divided into two parts:

- Part A: Contents of documents
This part of the analysis is concerned with the general content of the documents covering background information; vision, goals, and objectives; legislative context; regulations (enforceable policies, procedures); and maps.
- Part B: Breadth and depth of legislative context
This part is a more detailed analysis of the legislative context.

Notes:

- a) The tables that appear within the instructions are re-produced as templates at the end of this document. Use the templates to complete the assessment.
- b) The instructions for analysing the contents of legislation documents are very similar to the instructions for policy documents. There are only minor differences.

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Criteria for evaluating level of detail

In Parts A and B, you are required to assess the level of detail for different areas of content of the documents. The level of detail is indicated by checkmarks, as follows, and described in the table below.

- ✓ - Minimum level of detail included ✓✓ - Moderate level of detail provided ✓✓✓ - High level of detail provided
 [blank] - Not included

	Legislative Context (Provincial)	Background	Vision, Goals, Objectives	Local Policy	Maps
0	None	None	None	None	None
✓	Brief statements that include at least one reference to the main provincial legislation or policy related to agricultural land use planning. Little to no context provided other than perhaps a statement that acknowledges the local governments duty to uphold these acts and policies.	Very brief description of agriculture background. This may include a minimal section or statistics on historical context, background and issues, and demographics on agriculture/farming.	Includes a vision, goal, or objective for agriculture but with minimal explanation or rationale.	One or two brief statements about agricultural land use policies, perhaps with little context.	Provides at least one (1) general land use map(s) with agricultural land use shown.
✓✓	Expanded statements that references more than one of the main and policies and provides added context to the above. Multiple statements that outline how provincial legislation and policies “fit” in the local context.	Includes multiple sections dedicated to information and statistics about agricultural background. May also reference an agricultural plan or report.	Includes a goof presentation of vision, goal, and objective for agriculture with a statement of explanation, a few recommendation items, and some action items.	Several statements (three to five) about agricultural land use policy presented within local context. May also reference an agricultural plan.	Provides at least one (1) general land use map(s) showing agricultural land uses and at least one (1) agriculture specific map showing designated agricultural land.
✓✓✓	Comprehensive that outlines how provincial legislation and policies “fit” in the local context.. May include diagrams to help establish thread of consistency among different levels of government.	Comprehensive account of agricultural background. May also reference an agricultural plan or report.	Includes a detailed section on vision, goals, and objectives for agriculture with an extensive and detailed list of recommendations and/or action items.	Detailed section of agricultural land use policy statements (more than five) or agricultural sub-area plan adopted as by-law. May also reference an agricultural plan.	Provides two (2) or more agricultural land use maps including a map showing designated agricultural land. May also include Other maps to illustrate specific issues or policies (future areas of study, development permit areas, current land tenure).

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Part A. Contents of documents

The aim of this part of the assessment is to assess the range of contents of **legislation** documents that is directly relevant to agricultural land and farmland protection. The results provide insights to the legislative context that guides agricultural land use decisions. Although the details of actual documents will vary, you will use a common set of key considerations (see below) when assessing the document contents.

Instructions:

1. Use the CONTENTS OF DOCUMENTS template.
2. List the **legislation** agricultural land use planning document(s) listed in the Local-Legislation cell of the Legislative Framework table for your area. Include the date the document was completed/published. This list might include two levels of government (e.g., local and regional). Include only the documents formally adopted by local council or board. Do not include provincial documents.
3. Analyse the content of the documents under the headings provided. A brief description of each heading is provided below.
4. Assess the relative detail of the content of the document under each heading as per the following criteria.
 - ✓ - Minimum level of detail included ✓✓ - Moderate level of detail provided ✓✓✓ - High level of detail provided
 - [blank] - Not included

Contents of documents

Name of document	Legislative Context	Background	Vision, Goals, Objectives	Regulations (enforceable policies, procedures)	Maps

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Descriptions of content areas

Drawing from Smith¹, use the following content areas when assessing each document.

- *Legislative backdrop*
The main legislative elements of the agricultural land use planning framework should be clearly stated to ensure that local policies are presented in the context of broader local and regional objectives. For example, the contents might include references to provincial acts and a local government's comprehensive land use plan (e.g., Official Community Plan in BC). A legislative backdrop provides a thread of consistency among different levels of government.
- *Background*
A background report is often completed as part of an agricultural planning process. This might include a historical overview, a general description of the physical area, the state of agriculture, and a summary of key issues. Not all of this information needs to be included in every policy document. For example, it may be more appropriate to include a summary of a background report in a strategic development plan. If a background report was completed and referenced in the policy then this should be regarded as a high level of detail (as if the report was included in the policy document).
- *Vision, goals, objectives, and recommendations*
The goals, objectives, and recommendations of the local agricultural sector, including an expression of a vision for agriculture, provide a sense of the breadth and depth of the policy document. These elements should be focussed on agriculture but also document relations with other land uses and local priorities. A recommendation to adopt a regulation fits here.
- *Regulations*
Policy documents can include regulations (e.g., rules, procedures, policies) that, if adopted, must be enforced by the local government. The regulatory statements should be directly related to issues and opportunities that were identified in the policy document. Possible regulations include: land use designations and policy, minimal parcel sizes, environmental considerations, transportation, farm bylaws, and references to other jurisdictional issues and policies. This also includes agricultural land use planning tools such as development permit areas, agricultural impact assessments, and covenants.
- *Mapping*
Maps of the agricultural area relevant to the policy document should be included. Other maps as required to illustrate specific issues might also be included, such as land status and tenure; current land uses; floodplains; key resources; development permit areas; transportation networks, and future study areas. A large number of maps is not required; many of these are more likely to be included in background reports.

¹ Smith (1998), *Planning for Agriculture*, pp. 7-29 to 7-34.

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Part B. Breadth and depth of legislative context

The aim of this part of the assessment is to (a) assess the breadth and extent of the legislative context and (b) assess the level of vertical integration. Within agricultural legislative frameworks it is important for local governments to include direct references to upper-tier, regional, and provincial governments, as applicable. A range of statements is necessary in order to create a legislative context that vertically integrates public priorities across jurisdictions.

Instructions

1. Use the BREADTH AND DEPTH of LEGISLATIVE CONTEXT table template.
2. List the same documents used for Part A.
3. In the column headings:
 - a. Legislative context: list the names (or abbreviations) of the most important provincial agricultural land use policies and legislation for your area. These policies and legislation will be listed in the Province-Policy and Province-Legislation cells in your completed Legislative Framework table. You may also include here additional (secondary) policies and legislation that are relevant. For example, perhaps a water act or nutrient management act was not included in the legislative framework but should be included here. Add columns as needed.
 - b. Agricultural land use planning tools: list any tools (e.g., agricultural impact assessment tool, development permit area policies, covenants) that are identified in the local/regional legislative framework.
 - c. Governance (last column): List the name of the body responsible for governing the use and protection of agricultural lands, if one exists. This body will be listed in the Province-Governance cell in your completed Legislative Framework table. For example, in BC there is an Agricultural Advisory Committee (AAC) in most areas.
4. For each **legislation** document:
 - a. Under each heading, assess the detail of the legislative content as per the following criteria.
 - ✓ - Minimum level of detail included ✓✓ - Moderate level of detail provided ✓✓✓ - High level of detail provided
 - [blank] - Not included

Name of document	Legislative context (legislation and policies)						Land use planning tools				Gov.

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CONTENT ANALYSIS TEMPLATES

Legend: ✓ - Minimum level of detail included ✓✓ - Moderate level of detail provided ✓✓✓ - High level of detail provided [] - Not included

CENTENTS of DOCUMENTS

Name of document	Legislative Context	Background	Vision, Goals, Objectives	Regulations (enforceable policies, procedures)	Maps

BREADTH AND DEPTH of LEGISLATIVE CONTEXT

Name of document	Legislative context (legislation and policies)						Land use planning tools				Gov.	