

Policy Brief

Farmland Conservation and Access Program

This Policy Brief proposes the establishment of a CRD Farmland Conservation and Access Program to permanently secure regional farmland for agricultural use and allow access to farmers at affordable rates.

The Challenge

Farmland is disappearing and becoming inaccessible to farmers due to the high price of land caused by population growth and urban development pressures in the CRD. While important and progressive, current public policy and land use planning tools are inadequate to address this challenge.

The Proposal

Aligned with recommendations coming out of the CRD Regional Sustainability Strategy consultations, CR-FAIR proposes to establish a CRD Farmland Conservation and Access Program to permanently secure farmland for agricultural use and ensure that it is being utilized for agricultural production, rather than being used for rural residential uses that do not produce food.

Context

In the last three decades the population of the CRD has more than doubled, and is expected to increase by another 30% in the next three decades. This has led to significant development pressure on the region's farmland. As a result of this development pressure, farmland in the region currently sells for \$70,000 to \$100,000 an acre, a market value which is equivalent to land used for residential and industrial uses. Farm businesses can rarely provide adequate returns to justify this investment. As a result, new farmers struggle to enter the industry, and the region's stock of farmland is gradually being lost to other non-agricultural uses. At the same time, British Columbians are increasingly concerned about local food security; a recent poll indicated that 91% of residents agree that "it is important that BC produce enough food so we don't have to depend on imports from other places".

The primary tool for farmland conservation in the CRD remains the provincially mandated and managed Agriculture Land Reserve (7% of land in the CRD is in the ALR). Over the last 15 years we have also seen many regional and local initiatives that demonstrate a shift in planning and policy by local governments related to farmland conservation and the encouragement of agricultural production.

A few examples in the Capital Region are:

- An Urban Containment Boundary has been implemented through the Regional Growth Strategy
- Rural CRD municipalities and electoral areas have Agriculture Area Plans and have either established Agriculture Advisory Committees or participate in the Peninsula Agriculture Committee



- The District of Saanich purchased Panama Flats in 2011 for agricultural purposes amongst other reasons. Public consultation will ensue.
- Central Saanich designated Newman Farm as a Heritage Farm and Park and is currently leasing it to a local NGO, 'The Farmland Trust' to develop.
- The City of Langford has amended its 'Affordable Housing, Parks and Amenity Contribution Policy' to require a developer to pay \$600, \$800 or \$1500 per residential unit and \$500 per 3000sqft into an ALR Acquisition Fund as a condition of density bonusing at the time of rezoning.

The District of Saanich purchased Haliburton Farm and leases the land to the Haliburton Community Organic Farm Society which manages the agricultural use of the land.

What is a Farmland Conservation and Access Program?



There are several possible models for establishing a Farmland Conservation and Access Program. Each model varies as they are tailored to suit local circumstances, however, they all share a common intent: to protect farmland for farming and ensure that it is being utilized for agricultural production.

Farmland Conservation and Access Programs share certain common features, whereby farmland is removed from the speculative real estate market and made available to farmers at affordable rates, on the condition that it continue to be farmed. Removing

farmland from the speculative real estate market is typically achieved by either transferring ownership to a third party entity (land trusts, cooperatives, non-profit societies, and public agencies) with a mandate to conserve farmland, or by placing restrictions (such as covenants and easements) on the land that preclude its use for any activity other than agricultural production. Making this newly protected farmland available to farmers at affordable rates is typically achieved by long-term leases which are priced according to the land's "agricultural value".

Land held within a Farmland Conservation and Access Program could also be used to support agriculture programs such as incubator farms for new farmers, community farms, urban grower development programs, community education programs, and research programs.

Key areas of difference include:

- The nature of the third party entity entrusted with ownership of the farmland;
- How ownership of the farmland is acquired by that entity;
- The terms of the sale or lease of the land to a farmer or agriculture organization;
- The extent and nature of any covenant, easement or other restriction on the use of the farmland;
- The nomenclature given to the Program.

The methods by which such farmland banks acquire farmland vary. Some farmers who are retiring and want their land to continue to be farmed may choose to donate or bequest their land, for example. In other cases funds can be raised to purchase farmland through community campaigns, private donations, or from foundations. Governments may also fund the acquisition of lands via tax levies, development/amenity fees, or out of general revenue, with any such funds potentially being placed in a

dedicated Farmland Conservation Fund or Agriculture Legacy Fund. As well, land acquisitions can be supported by issuing shares in the farmland bank, or via the lease and sale revenues generated by the Farmland Conservation and Access Program.

Land within a CRD Farmland Conservation and Access Program could be held publicly, privately, by a land trust, by a society, or by a land cooperative. The management may be by a government, community organization, land trust or cooperative. Specific activities of a CRD Farmland Conservation and Access Program could include:

- Purchasing farmland and leasing it long-term to farmers;
- Registering covenants on properties as a third party;
- Registering covenants on farmland by private landowners;
- Purchasing farmland and decreasing its market value by registering covenants and other charges on its title (for example, purchased and sold at 60% of market value);
- Facilitating the purchase of farmland or the registration of covenants through amenity bonuses by municipalities; and
- Undertaking farmland conservation, agriculture enterprise incubation, and public education activities.

Why is a Farmland Conservation and Access program needed in the CRD?

Currently there are a number of public policies and strategies in play to protect farmland and ensure that this farmland is being utilized for agriculture purposes in the Capital Region. Provincially the ALR, regionally the Urban Containment Boundary instituted through the CRD Regional Growth Strategy, and municipally through OCPs, various zoning provisions, bylaws and Agriculture Area Plans. Non-Governmental Organizations also play an important role in conserving the region's farmland and encouraging its use for agricultural production, however NGOs are constantly challenged by funding and capacity issues.



Various governmental and non-governmental programs work together and have been critical in managing farmland conservation to date. However, these tools are proving inadequate in the face of the very considerable development pressure currently being felt on our region's farmland. This region needs a 'Farmland Bank' that has the ability to generate revenue to purchase farmland and allow affordable access to farmers.

How could a Regional Farmland Conservation and Access Program be funded?

If a Regional Farmland Conservation and Access Program were to be established in the CRD it would require some form of stable funding for land acquisition and operational activities. One option would be to establish a Farmland Conservation Fund (or Agriculture Legacy Fund). There are a number of ways that such a fund could be resourced:

- Gifting of land through bequests and donations
- Agriculture Levy
- Development Fees and Amenities
- Fundraising campaigns and events
- Grants
- Sponsorship
- Shared cost scenarios
- Program and lease revenues
- Expand the CRD Parks Acquisition Fund to include Farmland.



A Regional Farmland Conservation Fund or Agriculture Legacy Fund could be created to hold funds from a farmland preservation levy, development fees, grants and private donations. Having a dedicated, stable income would allow for a comprehensive approach to undertake long-term planning around land acquisition programs and priorities.

NEXT STEPS

To create a Regional Farmland Conservation and Access Program in the Capital Region a number of specific steps are recommended:

1. Secure a Policy Direction in the CRD's Regional Sustainability Strategy to develop a Regional Farmland Conservation and Access Program

Currently, the CRD has approved various policy directives to inform the process of adapting its RGS to become a RSS. One of these is:

“Investigate the feasibility of a range of initiatives that create better access to land for bona fide farmers, particularly new farmers, through such means as a farmland acquisition levy, farmland trusts, community farms, farm cooperatives and land lease services.”

This policy is an important component of the RSS that will address a variety of food security, regional sustainability, and farmland protection and access goals.

2. Secure the support of CRD member municipalities for the development of a Regional Farmland Conservation and Access Program

There needs to be broad support among the CRD member municipalities on the importance of this initiative. Discussions with each municipal council and the CRD board are necessary.

3. Have the CRD strike a multi-sectoral Task Force to evaluate the feasibility of a Regional Farmland Conservation and Access Program in the CRD

Once the CRD RSS has formally incorporated a policy and broad municipal support for establishing a regional Farmland Conservation and Access Program, it is recommended that the CRD strike a multi-sectoral committee to evaluate the feasibility of a Farmland Conservation and Access Program in the CRD. This may involve: investigating the most effective governance and organizational structure; best options for holding lands, assets, and funds; as well as evaluating ways of securing funding, including options such as a property tax levy or Agricultural Land Acquisition Fund.

What you can do:

- Get involved in the CRD Regional Sustainability Strategy public consultations and the development of the Food Strategy and support the creation of a Farmland Conservation Program.
- Send your questions, thoughts and comments to regional and local government staff
- Talk to farmers to better understand the challenges to accessing or buying land
- Support your local Farmland Trusts, and farmland access programs

To learn more about the CRD Sustainability Plan visit: www.sustainability.bc.ca

Acknowledgements

This brief is brought to you by CR-FAIR, the Capital Region Food and Agriculture Initiatives Roundtable. CR-FAIR, is a collaborative initiative of over 30 food and farm organizations formed in 1997 that is managed by the Community Social Planning Council. CR-FAIR's mission is to increase knowledge of and bring about positive change in the food and agriculture system. Thanks to the Real Estate Foundation of British Columbia, and the Environmental Law Center, at the University of Victoria for their generous support on this project.



References

This Policy Brief is a condensed version of a Policy Discussion Paper. More comprehensive information, examples of Farmland Conservation and Access Programs and references are found in this Policy Discussion Paper at www.communitycouncil/CRFAIR.

For more information please contact:
info@communitycouncil.ca

