



**REPORT TO PLANNING AND PROTECTIVE SERVICES COMMITTEE
MEETING OF WEDNESDAY, FEBRUARY 20, 2019**

SUBJECT **Regional Foodlands Access Program Feasibility Study**

ISSUE

To receive the completed Regional Foodlands Access Program Feasibility Study (the Study) and obtain direction on next steps.

BACKGROUND

On April 12, 2017, the CRD Board directed that the Regional Food and Agriculture Task Force (RFATF) “continue to examine a range of options for assisting agriculture in the region together with the potential costs and report back for the Planning and Protective Services Committee’s decision.”

On September 13, 2017, the Board approved a \$30,000 budget to fund a 2018 regional foodlands access study. On February 10, 2018 the Board approved terms of reference and a contract was subsequently awarded to Uplands Consulting Ltd.

DISCUSSION

Over the course of 2018, the consultant examined seven land access tools used by government and non-governmental organizations (NGOs).

1. Land trusts
2. Land banks
3. Land connecting services
4. Incubator farms
5. Farm tax policies
6. Farmland ownership restrictions
7. Regulation of farm leases

These tools were assessed based on:

- Relative Cost: amount of sustained support required
- Lead Agency: organizational leadership required
- Timeframe: short (1–3 years), medium (3–5 years), or long term (>5 years)
- Level of Effort: local government capacity
- Level of Impact: relative amount of land and/or farmers that will benefit

Following background research and discussion with new and established farmers, staff involved with non-profits, existing incubator farm programs, local farmland trusts and local/provincial government representatives, the consultant recommends that the CRD partner with a non-profit organization to operate a foodlands trust that manages inactive local government-owned land formerly used for agriculture.

The study ranks the land trust and land bank tools first and second respectively for the greatest potential impact to improve long term land access. The study's assessment of the potential tools finds that a trust will functionally achieve the objectives for land access in a way that a land bank would not. A partnership between the CRD and a non-profit organization will also improve grant funding opportunities and effective program delivery according to the study.

Foodland Trust Model

Foodlands trusts operate as organizations that maintain land for agricultural and food provisioning activities in perpetuity. Trusts can be led by government or NGOs, or as a partnership between both and can include publicly-owned and/or privately-owned lands. A land trust is a legal term that describes an agreement whereby one party (the trustee) agrees to hold ownership of a piece of property for the benefit of another party (the beneficiary), usually for a specific use.

Through partnerships and programming, these trusts facilitate and enable foodlands protection while promoting environmentally sensitive farm practices, supporting new farmers in accessing land, securing long-term farm use on agricultural land, and retaining farmers. Foodlands Trust's typically acquire lands by way of gift (donation), transfer of property rights, or direct purchase and land use is restricted by the trust organization to activities that encourage (or require) farming.

The study's recommendation is that a foodland trust is best managed within a legal trust held by local government, who would also be the trustee. A government-led trust would have a more stable base of long-term funding. Also, unlike land use zoning, which may change based on political direction, land held in a trust by a government is maintained in perpetuity. The trust would hold title to the land and make it available to a beneficiary (or several beneficiaries), such as a farmer or community group, through long-term leases.

Using a CRD led and NGO supported hybrid trust model would ensure that the CRD's role in the trust remains limited to policy development, property/lease management, and overall administration (e.g., overseeing the legal aspects of the land trust, coordinating land use agreements with municipalities for publically-owned parcels). The NGO would take control of the operational needs, program management, and oversee the administration of a Program Advisory Committee. The NGO role would further include program development, farmer recruitment and education. The hybrid model presents significant cost efficiencies over and above several municipalities embarking on their own land trust initiatives. Local governments could remain involved as the owners of public land included in a regional trust and could retain control of infrastructure, such as drainage.

The consultant indicates that a foodlands trust would help secure the future of regional agricultural production/food security by providing an opportunity for new/younger farmers to enter the industry and learn from established farmers. The consultant's research and recommendations are captured in attached executive summary (Appendix A). The full feasibility study is linked in Appendix B.

On December 14, 2018 the RFATF approved the following motion:

As farmland preservation and access has been identified as a significant challenge and a regional priority to CRD residents and local governments, the Regional Food and Agriculture Task Force forwards the Regional Foodlands Access Study and Business Case to the Planning and Protective Services Committee with support.

ALTERNATIVES

Alternative 1:

- a) That the Foodlands Access Program Feasibility Study be received for information;
- b) That staff be directed to canvas all municipalities to assess whether there is a desire to have the CRD operate a foodlands trust in partnership with a non-profit organization and whether any municipal lands could be made available for inclusion in a trust; and
- c) That staff, upon receiving municipal feedback (due April 12, 2019), report back to the Planning and Protective Services Committee.

Alternative 2:

- a) That the Foodlands Access Program Feasibility Study be received for information.

IMPLICATIONS

Strategic Implications

The recommendation relates to the Board's 2019-2022 Climate Action and Environmental Stewardship priority which reads *"The CRD Board will encourage and implement bold action on climate change by enhancing its natural and built assets to achieve environmental resilience, food security and continued wellbeing of our current and future residents."*

The CRD's 2018 Regional Growth Strategy targets increasing land in food production by 5,000 ha by 2038.

The feasibility study was completed as per recommendations in the CRD's Regional Food and Agriculture Strategy.

Municipal Implications

Four municipalities (Central Saanich, North Saanich, Saanich and Sidney) over the 2014-2016 period asked the CRD to help address farmland access and increase local food production. These requests in part prompted completion of the Study.

Should the Board so direct, staff would canvas (by letter) all municipalities to assess whether there is a desire to have the CRD operate a foodlands trust in partnership with a non-profit organization and whether any municipal lands can be made available for inclusion in a trust. Upon receiving feedback, staff would report back to the Planning and Protective Services Committee.

Financial Implications

The Study suggests that parcels formerly used for agricultural production that are currently inactive and owned by local government could be used to start a trust. This approach will minimize capital costs.

Net operating costs will depend on soil quality, crop types, amount of land being managed, availability of grants and in-kind support. The executive summary (Appendix A) condenses several hypothetical scenarios, which are fully explained in the study (Appendix B). A more full cost assessment would require more detailed analysis of specific subject sites. Regardless of site-specifics, a foodlands trust will require ongoing operational subsidies.

A CRD role could best be rationalized if multiple municipalities offer land for the trust and wish to co-fund operation of a foodlands trust.

A foodlands trust would require secure, long-term core funding. Most foodlands access programs are run, at least in part, by a NGO. This involvement can provide more fundraising opportunities (through foundations and other granting agencies). Several farmland trust societies exist within the southern Vancouver Island region and have indicated an interest and willingness to participate in a regional trust model.

CONCLUSION

Uplands Consulting Ltd. has completed the Foodlands Access Program Feasibility Study. Agriculture sector stakeholders, local and provincial government staff, First Nations communities and non-profit organizations were consulted. The key short-term recommendation is to establish a foodlands trust in partnership with a not-for-profit organization. The first step towards establishing a land trust would be to determine the extent of municipal support for a CRD role.

RECOMMENDATION

- a) That the Foodlands Access Program Feasibility Study be received for information;
- b) That staff be directed to canvas all municipalities to assess whether there is a desire to have the CRD operate a foodlands trust in partnership with a non-profit organization and whether any municipal lands could be made available for inclusion in a trust; and
- c) That staff, upon receiving municipal feedback (due April 12, 2019), report back to the Planning and Protective Services Committee.

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Attachments: Appendix A – Regional Foodlands Access Improvement Feasibility Study Executive Summary
Appendix B – Regional Foodlands Access Improvement Feasibility Study