

Deborah Liske

Subject: FW: Letter from CRD Board Chair RE: Regional foodland access program
Attachments: image001.jpg; ATT00001.htm; 2019-04-24-EsquimaltCRDFoodlandsLetter.pdf; ATT00002.htm; 2019-04-24-RegionalFoodlandAccessProgramQuestions.pdf; ATT00003.htm

From: Regional Planning <regionalplanning@crd.bc.ca>

Date: April 24, 2019 at 3:51:35 PM PDT

To: "mayorandcouncil@esquimalt.ca" <mayorandcouncil@esquimalt.ca>

Cc: Kevin Lorette <klorette@crd.bc.ca>, Kristen Morley <kmorley@crd.bc.ca>, Robert Lapham <rlapham@crd.bc.ca>, CRD Chair <crdchair@crd.bc.ca>, "Anja.Nurvo@esquimalt.ca" <Anja.Nurvo@esquimalt.ca>

Subject: Letter from CRD Board Chair RE: Regional foodland access program

Please find attached a letter and Q&A from CRD Board Chair, Colin Plant regarding the assessment of local government interest in a regional foodland access program.

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CORPORATION OF THE TOWNSHIP OF ESQUIMALT		
For Information:		
<input type="checkbox"/> CAO	<input type="checkbox"/> Mayor/Council	
<input type="checkbox"/>		
RECEIVED: APR 25 2019		
Referred: <i>Anja</i>		
<input type="checkbox"/> For Action	<input checked="" type="checkbox"/> For Response	<input type="checkbox"/> COTW
<input type="checkbox"/> For Report	<input checked="" type="checkbox"/> Council Agenda	<input type="checkbox"/> IC

April 24, 2019

File: 6500-20

Esquimalt Mayor and Council
1229 Esquimalt Rd
Victoria, BC V9A 3P1
Via email: mayorandcouncil@esquimalt.ca

Dear Mayor and Council:

RE: ASSESSMENT OF LOCAL GOVERNMENT INTEREST IN A REGIONAL FOODLAND ACCESS PROGRAM

The Capital Regional District (CRD) recently completed a Foodlands Access Program Feasibility Study ('the Study'). Completion of the Study was recommended in the Regional Food and Agriculture Strategy.

The purpose of the Study was to determine the best way to increase farmers' access to land. With input from new and established farmers, non-profits, existing incubator farm programs, local farmland trusts and local/provincial government representatives, the Study examined seven land access tools.

The Study recommends that the CRD partner with a non-profit organization to operate a foodlands trust to manage inactive local government-owned land formerly used for agriculture.

On April 10, 2019 the Capital Regional District (CRD) Board passed the following motion:

1. That the Foodlands Access Program Feasibility Study be received for information;
- 2a. 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;
- 2b. Whether any municipal lands could be made available for inclusion in a trust; and
3. That staff, upon receiving municipal feedback (due May 31, 2019), report back to the Planning and Protective Services Committee.

This letter is being sent further to the above-noted Committee direction.

It would be appreciated if you could reply with an indication of support by **May 31, 2019** in the following (as outlined on the attached form):

- a) CRD operation of a foodlands trust in partnership with a non-profit organization; and
- b) Adding Esquimalt lands to a CRD-operated foodlands trust.

Staff will report municipal feedback to an upcoming meeting of the Planning and Protective Services Committee.

To assist you with providing feedback, please reference the information provided in the March 20, 2019 Staff Report and January 24, 2018 Staff Report.

For convenience, a Question/Answer sheet is also attached. If you have additional questions or require more information please contact Jeff Weightman (250-360-7668; jweightman@crd.bc.ca)

Sincerely,



Colin Plant
Chair, Capital Regional District Board

Attachment

cc: Corporate Officer, Anja Nurvo
Robert Lapham, Chief Administrative Officer
Kristen Morley, Corporate Officer
Kevin Lorette, General Manager, Planning & Protective Services

Regional Foodland Access Program Questions/Answers

- 1. Have any municipalities expressed interest in having the CRD operate a foodland trust?**
Central Saanich, North Saanich, Saanich and Sidney drafted letters in support of a CRD-initiated foodlands trust between 2014 and 2017. Confirmation is being sought to ascertain whether there is still support.
- 2. What is the cost of participating in a CRD-operated foodland trust?**
It is anticipated that the costs will be between \$127,500 and \$143,500 per year. Costs per participating municipality would depend on the number of municipalities participating; the number and type of properties included in the trust; achieved lease revenues; and the availability of grants.

At an annual cost of \$130,000, per capita estimates for the municipalities that requested the CRD to provide a foodlands trust (Central Saanich, North Saanich, Saanich and Sidney) would be \$1.91, while the estimated annual per capita cost if all municipalities participated would be \$0.70.

It is expected that a regional approach will be more cost effective than having several municipalities manage their own land trust initiatives.
- 3. What happens if only some municipalities agree to participate in a CRD-operated foodland trust?**
Those municipalities that agree to participate can cost share the CRD-operated foodland trust. Agreements can be drafted to suit the needs of interested municipalities.
- 4. Can we have the CRD operate a foodland trust on municipal land and still retain ownership?**
Lands can be either donated to the trust or the use of the lands can be provided to the foodland trust for a minimum of 10 years. Local governments could remain involved as the owners of public land included in a regional trust and could retain control of infrastructure.
- 5. What would the CRD's role be versus the role of the partner non-profit?**
The CRD's role in the trust would be limited to policy development, property and 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, and providing a meeting space for the Peninsula and Area Agriculture Commission (PAAC). The NGO would be responsible for operational management (e.g., employing a full time Program Manager and a part time Farm Caretaker and overseeing the PAC).
- 6. If there is municipal support, how soon could a foodland trust be up and running?**
The setup time for a foodlands trust depends on the condition and infrastructure of the lands. The legal aspects of the trust could be set up within a year of Board direction and approval. If lands provided require remediation and infrastructure, then additional time would be required before land could be made available to farmers.
- 7. Why are you focusing on inactive local government-owned land formerly used for agriculture?**
The study recommends that a farmland trust program initially target existing lands that are municipally-owned so as to eliminate the need to acquire private lands. Throughout the development of the land access program study, a number of parcels were discussed that are currently owned and being managed by local governments that could be re-purposed for a foodlands trust.

- 8. What can we realistically expect the proposed foodlands trust to achieve?**
Benefits will vary depending on the amount of land and number of farmers that can operate on the parcels, however, the study anticipates the following: improved regional food security, partnerships with First Nations, preservation of natural asset services, job creation and spin-off enterprises, stimulation of support sector businesses, increased agri-tourism opportunities, new education and learning programs, protection of undeveloped green space, reduced need for ongoing maintenance (such as mowing, ditches, fence repairs).
 - 9. How can advocacy be used in addition to the proposed access program?**
Existing non-governmental organizations have laid important groundwork in seeing the fruition of a Regional Farmlands Trust. It will be important to continue to partner with these NGOs, as recommended in the report, in order to effectively promote and operate the trust. Other advocacy groups who would be natural partners for a regional farmlands trust include Indigenous Food Sovereignty proponents.
 - 10. How do we ensure that everyone benefits?**
The report explains some of the natural asset values that would be protected and maintained. These would benefit the wider community. Other spin-off opportunities include bringing more local foods to local markets and strengthening regional food security to become more resilient in the face of potential natural disasters both here and in other countries and regions which we currently rely on for food.
 - 11. Why can't taxation be used to accomplish the same objectives?**
The provincial tax policies are used as a carrot, not stick. In other words, there is no ability to tax a farmland owner for "not farming". Furthermore, the farmland taxation system is within the wheelhouse of the provincial government and outside the jurisdiction of local government.
 - 12. How could this work with other programs like parks?**
A farmland access program would work separately from the parks program system. While neither detracts from the other, a farmland trust would effectively mobilize land for food production while the parks program focuses more on conservation and recreation.
 - 13. What do farmers get out of the farmland trust?**
Farmers get more access to leased land at market prices. Currently, much privately-held farmland is owned by people who choose not to farm it or to lease it out to farmers. By using public lands that are viable for farming and offering the lands at fair agricultural lease rates, in line with other farmland lease rates in the region, more land can be mobilized for those wishing to start farming or who would like to expand their current farm operations but cannot find land to work on.
 - 14. What would the lease rate cover?**
Lease rates would reflect the value of *existing* infrastructure. New infrastructure could either be provided by the land-owner (with lease rate then increasing) or the farmer could provide the infrastructure and the value could subsequently be recouped (see below). Lease rates would also cover a portion of operational and administrative costs.
- 

15. How do farmers' investments get transferred?

Once the term of the lease expires there are several options for transferring the value of on-site, farmer-paid investments:

- 1) The lessor (e.g., local government and/or NGO) can have the investments (and associated depreciations) assessed by a neutral third party and a lump-sum payment can be made to the farmer to buy them out. This payment can later be recouped by the lessor by charging a higher lease rate to the next farmer in acknowledgement of the increased value of the infrastructure available.
- 2) The outgoing farmer can sell the infrastructure directly to the incoming farmer.
- 3) The outgoing farmer can take the infrastructure with them to a new location.
- 4) A combination of the above may occur

In order for the investment transfer process to be completed smoothly, it is best if the farmer keeps detailed records and receipts of all land improvement investments. These investment transfer options should be addressed directly within the lease agreement.

16. What other models were explored? Why?

The land access study evolved from the Regional Food and Agriculture Strategy (RFAS), which contains 10 recommendations, generated through extensive farm/agricultural sector consultation, to reduce barriers to producing food. The study examined 7 tools to improve land access; land trusts, land banks, land connecting services, incubator farms, farm tax policy, restricted farmland ownership and regulation of farm leases. Land access was identified by stakeholders and the Regional Food and Agriculture Strategy Task Force as the number one barrier to farming and food production as compared to other recommendation from the RFAS.

17. Who was consulted? How?

The following stakeholders were contacted by the consultant by both email and phone for input into the study:

- ALM Farms
- BC Farm and Ranch Realty
- Close to Home Organics in Langley
- Capital Region Food and Agriculture Initiatives Roundtable (CRFAIR)
- District of Saanich
- Engineering Department, Central Saanich
- Engineering Department, Saanich
- Farm Credit Canada
- FarmFolk/CityFolk
- Fieldstone Garlic Farms
- Foodlands Cooperative of BC
- Gobind Farms
- Kwantlen Polytechnic University Richmond Farm School
- Kwantlen Polytechnic University Tsawwassen Farm School
- Lohbrunner Farm
- Metro Vancouver Planning
- Metro Vancouver Parks
- Peninsula and Area Agricultural Commission
- Sooke Farmland Trust
- Tsartlip First Nation
- UBC Farm
- University of the Fraser Valley
- Young Agrarians
- CRD Regional Food and Agriculture Strategy Task Force

Over the past few years, Central Saanich, North Saanich, Saanich and Sidney sent unsolicited letters of support to the CRD to find a farm land banking solution.

18. How would the service approvals process work?

A regional district may provide any service its participants determine is desirable for all or a portion of the regional district. A service establishing bylaw must be passed, which describes the purpose of the service, the areas the service will operate in, and how costs are to be recovered. The establishing bylaw must receive three readings and receive municipal council or electoral area director consent (if applicable). The bylaw then undergoes Provincial review and statutory approval by the Inspector of Municipalities (6-8 weeks), who may require approval of the electors (if applicable, 8-11 weeks). Once approved, the bylaw may be adopted by the Board. A Foodlands Trust would require a new service and an establishing bylaw for both a regional or sub-regional scale.

19. Will all local governments be responsible for contributing funds even if some don't participate?

No. Only participating areas pay for the services they are a part of. The services can be paid for by way of requisition, property value tax, fees and charges, and other methods, up to an annual maximum. A service may also be funded by grants, donations, and gifts. A regional district may provide charitable tax receipts for qualifying donations, such as those of land or estates.

