

BALTA Webinar Series

Scaling innovation in community land trusts for farmland access and affordable housing

April 9th, 2013

Q & A Round 2

Mike Lewis: In BC, additional covenants cannot be placed on the land. We also know that we have agricultural lands being gentrified in the Fraser Valley, there seems to be a real policy problem. Is this something that needs to be researched more? The very legislation that is protecting the land is also contributing to its gentrification.

Hannah: This has been one of the main activities of the Community Farms Network. This is an area where we are stuck; on one hand, we need a housing restriction to protect the land but on the other hand, this is not allowing for the right type of housing to be built to facilitate farms production. The whole issue of gentrification is a huge issue; there is no incentive for that to go away, because you can't put the agricultural conservation easement to require that land to be in production. You can't even put an easement for organic production. That is not allowed by ALR.

Mike Lewis: Has there been a major piece of work that has documented this?

Hannah: Environmental Law has done a report on protecting farmland that discusses all of these issues. They are actively working on some proposals to ALR around housing and zoning. This is definitely an area that needs a lot more research and some strategic synergy to connect. This needs to be scaled up and out throughout the province.

Mike Lewis: How do you transfer land in an agricultural setting from one generation to the next and keeping it affordable. In Ontario, a major Canadian multi-national has actually assembled all the rights to acquire farmland in some of the best areas in the world (all based on urban growth). Foreclosing options even for traditional food growing, never-mind finding ways for gaining access for a new generation that is affordable. Do you think this whole area has a potential for gaining momentum?

Hannah: The shift from previous farming movement is the connection with urban consumer; all of the sudden urban people are caring about protecting farmland in ways that they previously have not. Philanthropically, this is very interesting. People are willing to put their money on the line, to basically take the land out of the market to put a stop to this speculation. They are not seeing the zoning working, so they are saying "let's just get the land anyway we can and protect it for community benefits". How far that model can go, I am not sure. But there is a commitment to put out resources to land protection.

They are teaming up with consumers that are concerned with where this food is coming from. So you have the Two pronged land acquisition model: one is getting the land out of the market using a trust, (which is the innovation), but now you also have this idea of public trust of land that is getting traction as a result of the consumer movement and the food movement.

Michelle: We've seen here in the CRD, notwithstanding the initial bureaucratic resistance, at household consumer level, we are seeing a growing demand on the part of consumers for vehicles for them to transfer property and to co-locate with others and to share and find ways for preserving housing affordability. Much more openness to cooperation and get out their checkbooks and support that. There is a shift around private ownership towards collective.

Ron: There seems to be a very interesting connection from that to the conservation motivations. We've had different models that we have been talking about; housing, farmland, etc. All of these models are looking to organize shared access to larger land holdings for shared purposes. There seem to be very strong common interests between conservation motivations (backed by philanthropic motivations and farmland protection). Would covenants be an effective substitute for a public trust doctrine? Shared commitment to principals of the land use... not clear to me how you could have a covenant that forces a positive duty. There are interesting common strands that link the discussion so far.

Q: I have a question about the nature of philanthropic funding: are you aware of any non-philanthropic acquisition of farms?

Hannah: Because of institutional, a couple of these have been municipal funding. Some of this was grant money to allow for the purchase of the land initially. A few people mortgaged their own homes to buy the land and VanCity put some money in. Some of them have gotten organizational grants (there has definitely been institutional support).

There is an interesting case in the states where a company bought a piece of land with the intent of making it available to small farming and charging small lease fees. There is a potential for having a business model and having the mortgage paid by smaller scale lease fees. But you have to have someone willing to provide this in the first place. There are many ideas of application of this model that move away from just private ownership. The question is what can they learn from each other in terms of governance? It should be clear that a lot of these businesses operating on the land are for profit, they are making a living off of the land. The distinction is that the ownership of the land is not-for-profit.

Q: are farming trusts created under economic pressures (where the business model of the farm was in jeopardy) or was the farming wanted to preserve the long term benefit of the community. What are the motivational dynamics?

Hannah: Several of them are retirement scenarios, where the farmer wanted to retire, had a successful business but no one could afford to buy it from him. A successful farm but it was going to be purchased by a multi-national that was going to purchase the farm and turn it away from its traditional land use. The community came together to preserve the farm that was in the best interests of that community. Sometimes there is an inheritance succession issue. It is a case of getting the land price out of the business models. Farming in BC doesn't make sense given these land prices.