

Learning from Ontario's First Farmland Conservation Easements



Ontario Land Trust Alliance
October 23, 2015

Ontario Farmland Trust

OFT has a unique province-wide mandate and mission that is strategically focused to promote and protect Ontario farmlands.



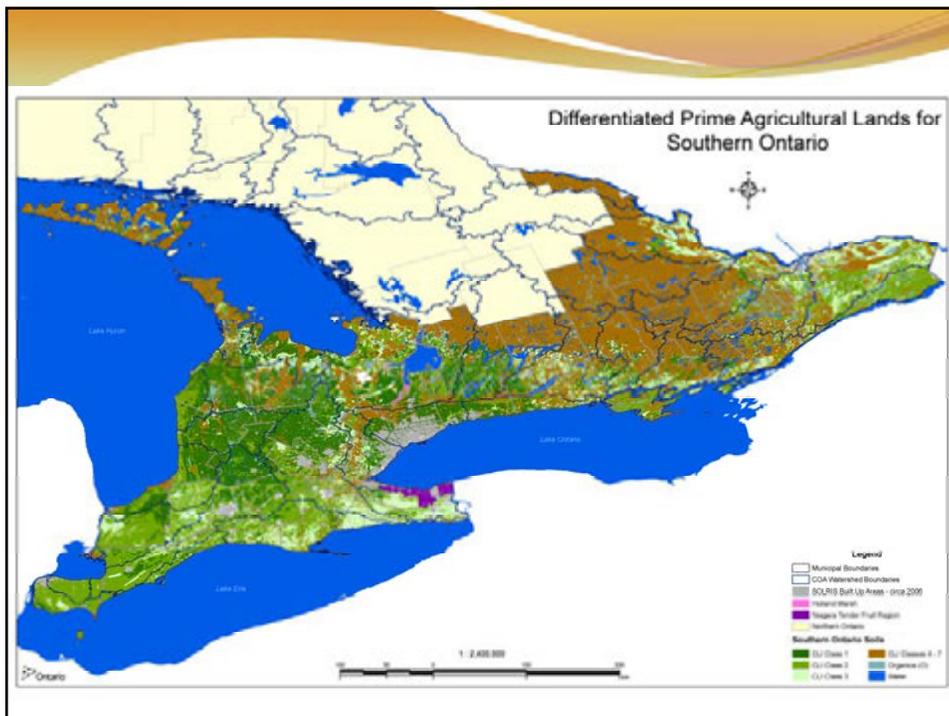
Why Protect Farmland?

We are losing over 350 acres of farmland every day to urbanization and other land use changes in Ontario.

- *Census of Agriculture, 2011*

This is not sustainable.

We must do more to protect farmland forever.



Ontario Farmland Trust Roles

Farmland protection education and outreach

- Annual Farmland Forum

Research/monitoring farmland loss

- University of Guelph partnership/OMAFRA liaison

Policy analysis and development

- Submissions on Provincial Policy Statement, Greenbelt, Aggregate Resources Act, Development Charges Act, etc.

Direct land protection (land securement)

- Pioneering farmland protection easements
- Enabling new land protection tools and partnerships

Multiple Securement Objectives

- Permanently protecting Ontario farmland
- Protecting ecological features/functions
- Encouraging good private land stewardship
- Reinforcing & enhancing good public policy
- Fostering new partnerships & collaboration
- Supporting long-term farm viability
- Supporting existing & new farmers
- Sharing experience with other conservation groups to expand support for ag land securement

What is a Farmland Easement?

- Legally binding agreement between landowner and conservation organization
- Enabled by Ontario's Conservation Land Act (since 2005)
- Farm owner voluntarily approaches land trust
- Agreement is negotiated to restrict current and future land use to permit only agriculture and conservation
- Registered on property title for perpetuity
- Land ownership stays with existing owner; minimal to no impact on farm practices or farm business management

What is an Farmland Easement?

- Land trust takes on an 'interest' in the property; easement 'interest' value is established by an appraisal and treated as a charitable donation to the land trust
- Farm owners are free to sell the property - future owners must honour the agreement
- Land trust is responsible for maintaining relationship with future owners, monitoring conditions of the easement and defending easement if violated
- Most permanent land protection option available to property owners who want to continue holding title

How are Farmland Easements Different?

- Explicit protection of agricultural areas, farm fields, soils
- Encouragement of perpetual agricultural activities
- Clearly delineated agricultural, natural and residential/farmstead areas within easement, different restrictions for each area
- Flexibility for evolving farm practices, range of farm types, expansion of farm buildings
 - Positive covenants are difficult to enforce and should be avoided (eg. requirement to farm, organic farming only, etc.)
- Easement stewardship and monitoring requires different approaches, given active agricultural use of property

Belain Farm, Caledon



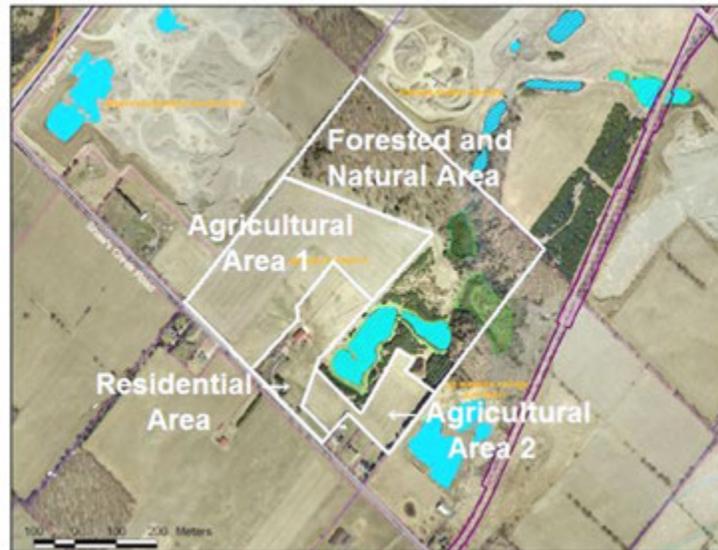
Belain Farm, Caledon



Belain Farm, Caledon



Belain Farm, Caledon



Farm Easements as 'Ecological Gifts'

- Many OFT easements are registered with Environment Canada's Ecological Gifts Program
 - Farm properties often have significant ecological features/values that qualify them for the program
 - Provides tax advantages to easement donors which make the deal financially feasible
 - Eco-Gift certificate and is issued for the entire property, including agricultural areas under easement
 - Appraisal, tax receipt and tax benefits apply to the entire easement protected area as well
- Farm easements outside Eco-Gifts must carefully consider financial impact to donor

Little Rock Farm, Simcoe County



Little Rock Farm, Simcoe County



Little Rock Farm, Simcoe County



Little Rock Farm, Simcoe County



In partnership with:



OAK RIDGES MORaine LAND TRUST

Tiny Township Protected Farms

(Site 41)

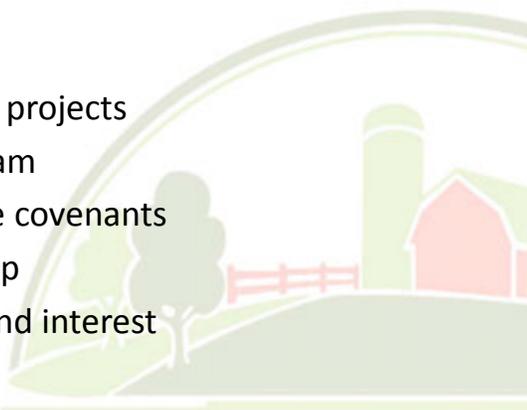
Rehabilitation from this  back to agriculture



 Groundbreaking municipal partnership
3 Farms; 350 acres

OFT Experience with Easements

- Support from the farm community
- Farmers vs. other farm owners
- Donor demographics
- Donor motivation
- Location of easement projects
- Ecological Gifts program
- Restrictive vs. positive covenants
- Long-term stewardship
- Growing awareness and interest
- Partnerships are key





OFT Land Securement Partners

OLTA
ONTARIO LAND TRUST ALLIANCE

Farms at WORK

CVC
CREDIT VALLEY CONSERVATION

NOTTAWASAGA VALLEY CONSERVATION AUTHORITY

MANITOWISH VALLEY CONSERVATION AUTHORITY

FARMSTART
supporting a new generation of farmers

County of SIMCOE

Halton REGION

FarmLINK.net
Connecting farmers for our future.

York Region

Region of Peel

Ontario

Environment Canada

OAK RIDGES MORAINÉ LAND TRUST

Are Farmland Easements the Right Tool?

- What are you trying to achieve?
- How does this support your mission?
- What does your relationship with the farm community look like? Are other partners needed?
- Does your land trust have the expertise and capacity to provide farm stewardship recommendations and conduct annual easement monitoring?



New Farmland Easement Resources

- OFT-York Region Ontario Farmland Conservation Case Studies publication
- New factsheets, web and print resources for farmers, farm advisors and land trusts – video early 2016
- Network of professional advisors who understand agricultural easements
- Linking Land Protection & Stewardship report
- Contact Ontario Farmland Trust



www.ontariofarmlandtrust.ca

Protecting Farmland Forever

ONTARIO FARMLAND TRUST

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Farmland Forever
Help Make it Happen!

Support our \$1 million fundraising campaign

Support our Farmland Forever Campaign >

How to protect your farm >

HOME NEWS > ABOUT US > PROGRAMS > PROTECT YOUR FARM > GET INVOLVED > SUPPORT US > CONTACT US DONATE NOW!

HOW TO PROTECT YOUR FARM

The Ontario Farmland Trust (OFT) works directly with farmers and other farmland owners to ensure their land is permanently protected and remains available for agricultural uses in the long-term.

Why Should I Protect My Farm?

- Protect your investments in the land
- Honour your farm's and family's history
- Sustain farming in your community
- Support the next generation of farmers on your farm
- Create tax benefits, farm succession and estate planning advantages

What Can I Do to Protect My Farm?

Sit down with your family and talk about farm succession to determine how your farm will stay a farm after you sell it or pass it on. Create a long-term plan for ownership of the land and its continued use for farming. This may include:

- Working with a new or experienced farmer to create a plan for transfer of the land or business; and/or
- Working with a land trust to permanently protect your farm.



Farmland Easement Agreements



Donations of Land

PROGRAMS

- Farmland Protection
- How to Protect your Farm
- Donations of Farmland
- Farmland Easement Agreements
- Information for Advisors
- Protected Farms
- Farmland Policy Development
- Research & Education

ONTARIO FARMLAND TRUST *Protecting Farmland Forever* [Donate Now ▶](#)

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FARMLAND EASEMENT AGREEMENTS

The most common way OFF works with farmers and other farmland owners to protect land is through farmland easement agreements, or agricultural easements.

The Ontario Farmland Trust has partnered with farm owners since 2004, helping to ensure the long-term protection of more than 1,000 acres of farmland.

These webpages will help you navigate the farmland easement agreement process and make informed choices about farmland protection as part of your farm business, succession and estate planning.

Questions? Ready to put your farmland protection vision into action? Contact us at 519-824-4120 ext. 52654.

The Basics: Understanding Farmland Easement Agreements

Frequently Asked Questions

PROGRAMS

- Farmland Protection
 - How to Protect your Farm
 - Donations of Farmland
 - Farmland Easement Agreements
 - The Basics
 - Tax Benefits and Implications
 - Frequently Asked Questions
 - Step-by-Step Process
- Information for Advisors
- Protected Farms
- Farmland Policy Development
- Research & Education

Linking Land Protection & Stewardship

- 2013 [Linking Land Protection & Stewardship](#) project and report:
 - 80 conservation, agriculture and municipal organizations, and 160 community leaders across 11 regions
 - Generated over 100 ideas for enhanced collaboration
 - Demonstrated strong interest in building greater synergies between land securement and stewardship, and the protection of natural heritage and agriculture

Ontario Trillium Foundation

Fondation Trillium de l'Ontario

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Farmland Forever

Help Make it Happen!



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