

Halton Region Greenlands Securement Strategy

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EXECUTIVE SUMMARY

The Regional Municipality of Halton (“*Region*”) covers over 93,887 hectares (232,000 acres) of land (967 square kilometres) and is home to 439,256 residents (2006 Census). In addition to the prominent Niagara Escarpment and Lake Ontario shoreline, the Region is characterized by 18,500 ha (45,695 ac) of forests, wetlands, river and stream corridors and other natural features designated as the Regional Greenlands System (“*Greenlands System*”) within its Official Plan, which may be termed Natural Heritage System (NHS). There are currently 5,494 ha (13,577 ac) or approximately 30% of the Greenlands System secured in public ownership by the Region’s partners. However, on a total land mass basis only 6.3% of the Region has achieved environmental long term protection. The Greenlands Securement Strategy (“*Strategy*”) is intended to bring to the table land securement partners (“*Halton Partners*”), funding partners and other available resources within the Region to work cooperatively towards complimentary goals of securing further greenlands. In order to meet a minimum recommended target of 12% of protected areas over the entire Region, this strategy sets an achievable goal of the addition of 5,355 ha (13,233 ac) over the next 15 years. This equates to the permanent securement of 357 ha (882 ac) per year based on the assumption that properties in the Region have an average parcel size of 14 ha (35 ac). Meaning that on average, 25 properties will need to be secured per year, over a 15-year period to meet this goal. The securement or acquisition of greenlands will be achieved through fee simple donations first (full value or split-receipt), followed by conservation agreements and purchase last.

The concept of a Strategy for the Region was introduced in the 2002 Official Plan Review Directions Report – The Greening of Halton – Smart Growth, Smart Choices which was a background report to Regional Official Plan Amendment #25 (ROPA 25), a comprehensive plan review. The Strategy is intended to complement existing programs by conservation authorities and other agencies involved in land securement for permanent natural heritage protection in support of the policies of the Greenlands System. To support the Strategy, Regional Council authorized the establishment of a Halton Green Fund to be used, in part, to fund land securement. In order to stretch limited available funds, the Greenlands Securement Program (“*Program*”) proposed in the Strategy will be focused on donations of land or purchases of land through leveraged partnership funds or split-receipt options. The Program is intended to assist partners with securement projects while keeping costs at a minimum.

Regional Council advocates the principle of ‘land stewardship’ that all landowners are entitled to reasonable use and enjoyment of their land but are also stewards of the land and should give proper regard to the long term environmental interests in proposing any land use change to their property. With this in mind, a primary goal of the Program is to educate landowners with significant landholdings within the Region about various long-term conservation options that are available. This will be achieved through a strategic landowner education and awareness program which includes proactive landowner contact as well as organized landowner workshops.

The Strategy is the first step in the development and implementation of the Program for the Region and its prospective Halton Partners. It was developed through consultation with potential Halton Partners. By strategically targeting specific properties and providing leveraged funding, the Region can assist Halton Partners with maximizing time, effort and resources in the securement of ecologically significant natural areas and agricultural land within the Greenlands System. The Strategy supports existing land securement strategies and programs already in place by Halton Partners that are complimentary to the protection of the Greenlands System. The Strategy does not imply that the Region will be the title holder for future securement of

these lands, unless the Region feels it is necessary to do so (e.g. to expand on already existing Halton Regional Forests).

This Strategy recommends that the Region move forward in adopting the following recommendations:

1. Adopt and implement a Greenlands Securement Program in the Region;
2. Continue to strengthen and foster partnerships with partners who share complimentary greenlands securement goals and objectives;
3. Assist partners through leveraged funding opportunities for land securement projects;
4. Ensure adequate resources are in place to represent the broad and combined conservation interests of all applicable partners through strategic and coordinated landowner outreach and education initiatives as well as Program support; and
5. Report annually on the successes of the Program.

1.0 INTRODUCTION

Halton Region, located within the Greater Toronto Area of Ontario and the nation's economic heartland, is one of Canada's most dynamic and fastest growing areas. The Region covers over 93,887 hectares (232,000 acres) of land (967 square kilometres) and is home to 439,256 residents (2006 Census). The municipalities of the City of Burlington, the Town of Oakville, the Town of Milton and Town of Halton Hills comprise the Region (Map 1). Projected by the *Provincial Places to Grow Plan* to expand to approximately 780,000 residents by the year 2031, the Region is on a course for unprecedented growth.

Map 1: Watersheds & Surroundings



Halton residents have inherited a rich and diverse natural legacy that includes a wide range of plants and animals, unique ecosystems and areas of spectacular beauty (Maps 2 and 2a). The Niagara Escarpment, a scenic rocky ridge 725 km (450 miles) long, winds its way from Queenston near Niagara Falls, travels through the centre of Halton, and ends in Tobermory at the tip of the Bruce Peninsula. The Escarpment began over 450 million years ago, as the bed of a tropical sea known as the Michigan Basin. As years passed, sediments were compressed into limestone and shale. The action of glaciers, water flow, winds and other elements caused the more resilient limestone to weather at different rates than the remaining stone. This resulted in dramatic landforms including caves, deep valleys, scenic waterfalls, rugged hills and spectacular cliffs.

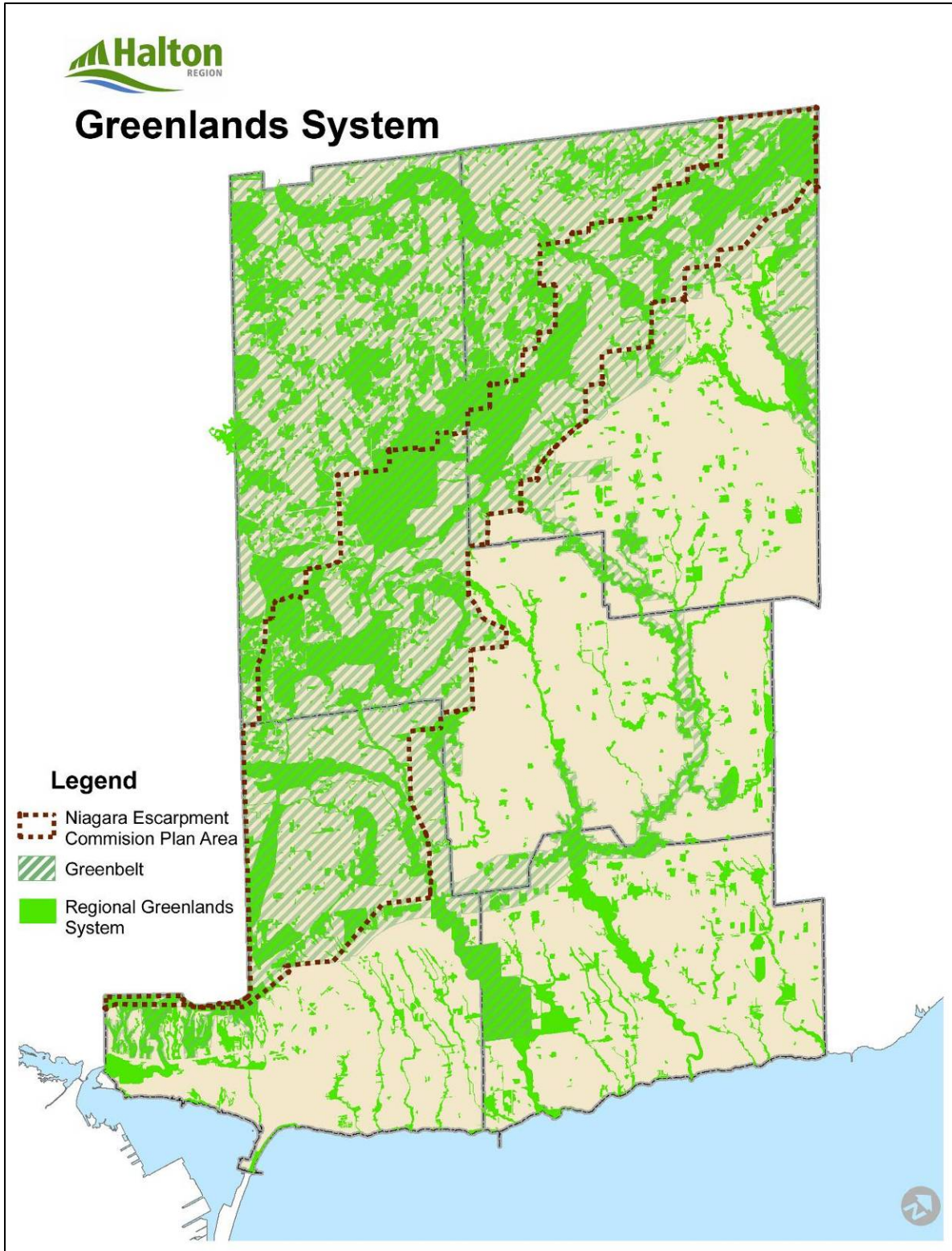
Two million years ago large glaciers carved and shaped the surface left behind by the sea.

Twelve thousand years ago, as the ice age came to an end; ice sheets receded, deposited a fertile soil layer and created the present drainage system. Halton is drained by two major stream basins - Bronte Creek and Sixteen Mile Creek. These begin above the Niagara Escarpment and drain southeast into Lake Ontario. Until the building of mill dams in the 1850s, both streams were rich salmon fisheries.

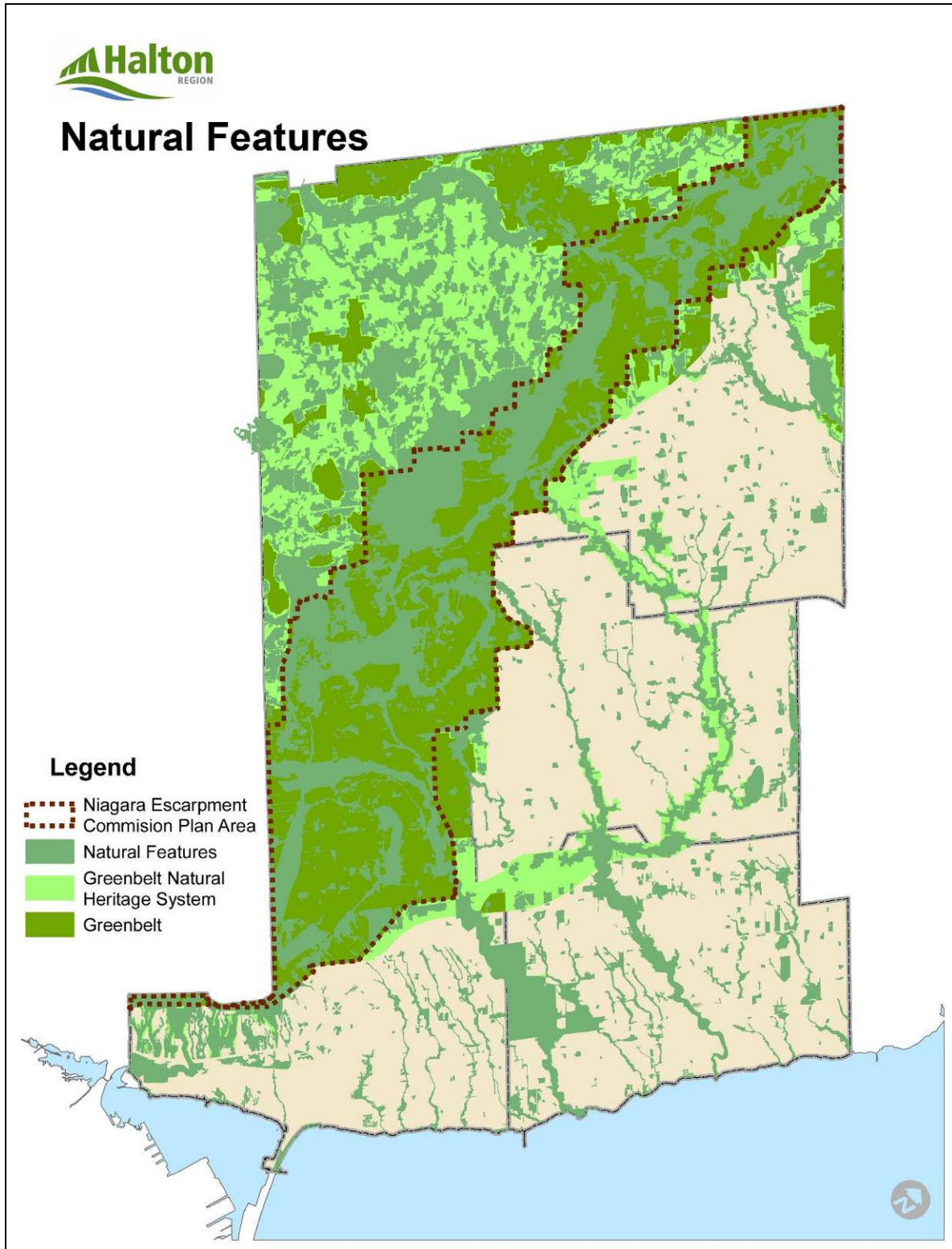
Halton possesses a rich biodiversity due to its unique geography, spanning across two distinct regional ecosystems, the deciduous or Carolinian zone south of the Escarpment and the Great-Lakes St. Lawrence ecosystem region to the north. The recently completed Halton Natural Areas Inventory confirmed a rich biodiversity in the Region with over 1445 species of flora; 351 bird species, 88 species of butterflies, and 37 species of reptiles and amphibians. Inventories of historical and present fish and mammal species are also provided although exact numbers are not readily known due to their more extensive ranges and unconfirmed sightings, such as the black bear. However, many of these plant and animal species are non-native introduced species which negatively impact native species and their habitats, particularly for rare species. Several species designated *endangered* or *threatened* are known to occur in the Region including the Henslow's Sparrow (*Ammodramus henslowii*), Jefferson Salamander (*Ambystoma jeffersonianum*), Blanding's Turtle (*Emydoidea blandingii*), Redside Dace minnow (*Clinostomus elongatus*), and the Bald Eagle (*Haliaeetus leucocephalus*).

In addition to the prominent Niagara Escarpment and Lake Ontario shoreline, the Region has a wealth of forests, wetlands, river and stream corridors, farmland and other natural features that create the mosaic of the Greenlands System (Map 2). Interspersed between its urban and natural settings, the Region is home to an active and vibrant farming industry that includes a wide range of farming types, including livestock operations, cash crops, fruit and vegetable growers, horse farms, nurseries and others.

Map 2: Greenlands System



Map 2a: Natural Features



2.0 VISION & KEY PRINCIPLES

2.1 Vision

The Regional Official Plan (2006) outlines a long term vision for the Region's physical form and community character. It gives clear direction as to how physical development should take place in the Region to meet the current and future needs of its people. It is also intended to reflect collective aims and aspirations, as to the character of the landscape and the quality of life to be preserved and fostered. To pursue that vision, it sets forth goals and objectives, describes an urban structure for accommodating growth, while ensuring a proper balance among the following factors: protecting the natural environment, enhancing economic competitiveness, and fostering a healthy, equitable society.

Regional Council supports the notion of sustainable development, which "meets the need of the present without compromising the ability of future generations to meet their own needs." (Our Common Future, The World Commission on Environment and Development, 1987). To maintain the Region as a desirable and identifiable place for this and future generations, certain landforms must be preserved permanently. This concept of landform permanence represents the Region's fundamental value in land use planning and will guide its decisions and actions on proposed land use changes accordingly.

On the above basis, a significant number of policies in the Regional Official Plan are devoted to the protection, maintenance and enhancement of the Greenlands System. The goal of the Greenlands System is to maintain as a permanent landform, an interconnected system of natural areas and open space that will preserve areas of significant ecological value while providing, where appropriate, some opportunities for recreation. Under this premise, the Official Plan recognizes that implementation of the Greenlands System is to be a cooperative effort among the province, the Region, local municipalities and the three conservation authorities (Conservation Halton, Credit Valley Conservation and the Grand River Conservation Authority).

Although the most permanent means of preserving landforms is by public ownership, the Region believes that given limited funding, protection of key landforms should be a shared value among the Region's residents, landowners, business sector, development industry and government agencies. Regional Council advocates the principle of 'land stewardship' that all landowners are entitled to reasonable use and enjoyment of their land but are also land stewards that should give proper regard to long term environmental interests when proposing any land use changes.

The designation of lands in the Greenlands System does not imply that they are open to the public or that they will necessarily be purchased by a public agency. Rather, the Regional Official Plan outlines the philosophy, obligation and responsibility of protecting the Greenlands System by all stakeholders. In particular, it is the policy of the Region to:

- 118(7) *Obtain, or encourage the local municipalities, conservation authorities and other public agencies to obtain, through the development approval process and as permitted by legislation, parts of the Greenlands System and adjacent areas, the latter for the purpose of protecting the greenlands System from incompatible uses.*

- 118(8) *Promote the concept and functions of the Greenlands System and encourage landowners and local residents to participate in its identification, protection, enhancement, and maintenance.*
- 118(9) *Promote, in conjunction with other public agencies and through stewardship programs, the donation of privately owned lands in the Greenlands System to public agencies or charitable organizations, or the transfer of the protection of the ecological functions and features on such lands to a public agency or charitable organization.*
- 118(10) *Support the interconnection of the Greenlands System with those in the Greater Toronto Area and neighbouring municipalities.*

Section 118, Regional Official Plan, August 17.2006 Consolidation

This Strategy supports the Region's Greenlands System policies, and directly responds to policy 118(9) described above.

2.2 Key Principles

The concept of a Greenlands Securement Program for the Region was introduced in the 2002 Official Plan Review Directions Report – The Greening of Halton – Smart Growth, Smart Choices which was a background report to Regional Official Plan Amendment #25 (ROPA 25), a comprehensive Official Plan review. The prime objective of the Program is to secure ownership or permanent stewardship of lands that will contribute to the overall quality of the Region's natural environment. These lands include:

- *Critical areas in the Greenlands System which are in danger of losing their ecological functions or features unless placed under public ownership or management;*
- *Areas that will significantly enhance the ecological functioning in parts of the Greenlands System;*
- *Essential linkages to provide a system of connected open space accessible by the public, including the concept for a Regional Trail System; and*
- *Other areas of a strategic nature that will enhance the Region's overall environmental quality including farmland or significantly disturbed areas that can only be rehabilitated properly under public ownership or management.*

The Program is intended to complement existing programs by conservation authorities and other agencies involved in land securement for permanent natural heritage protection in support of the policies of the Greenlands System. The term 'land securement' in this Strategy refers to the acquisition of land, or the acquisition of an interest in land, through a variety of methods including, but not limited to, conservation agreements, donations, split receipts and fee-simple purchases, as described in Section 4.0. Examples of potential partners who may choose to participate in the Program include, but are not limited to:

Conservation Authorities & Foundations

Local Municipalities

Niagara Escarpment Commission

Ministry of Natural Resources

Nature Conservancy of Canada

Ontario Nature

Ontario Heritage Trust

Trillium Foundation

Escarpment Biosphere Conservancy

Bruce Trail Conservancy

Head of the Lake Land Trust

Ontario Farmland Trust

Greenbelt Foundation

Ducks Unlimited

To support the Strategy, Regional Council authorized the establishment of a Halton Green Fund to be used, in part, to fund land securement as detailed in Policies 203 to 205 in the Regional Official Plan, as follows:

Halton Green Fund

203. *Regional Council will allocate funding on an annual basis towards a Halton Green Fund to support the continuous enhancement of the environmental quality in Halton.*
204. *Projects eligible for funding under the Halton Green Fund include, but are not necessarily limited to:*
 - (1) Regional Waterfront Park developments;*
 - (2) Green pilot projects;*
 - (3) Stewardship programs; and*
 - (4) Land acquisitions under the Strategy.*
205. *Expenditure of the Halton Green Fund will be subject to approval by specific resolution of Council or through the annual budget process.*

Section 203-205, Regional Official Plan, August 17.2006 Consolidation

Each Halton Partner or conservation organization may have individual goals for securement based on the needs of the organization, financial staffing and stewardship capabilities. This Strategy allows for leveraged financial assistance for Halton Partners to achieve complimentary securement goals.

Through consultations with key stakeholders, this Strategy has been developed under the following key principles:

- *Promote the full suite of securement tools available, including planning policy and private land stewardship. A key component of the Strategy will be to promote existing incentive*

programs (e.g.: MFTIP, CLTIP, and Ecogifts) and to educate and support landowners who wish to take advantage of these existing programs.

- *Identify and develop eligibility criteria and an evaluation process for securement or acquisition activities that prioritize Regional interests and will complement related Regional initiatives and programs (e.g. Sustainable Halton Plan).*
- *Operate on a multi-agency and multi-stakeholder basis and provide a source of leveraged funds that will complement partner agency contributions and/or grants.*
- *Distribute potential land securement or acquisition projects among all interested stakeholders, including relevant Regional Citizen Advisory Committees (e.g. Ecological and Environmental Advisory Committee (EEAC), Halton Agricultural Advisory Committee (HAAC)), and administer on a consistent and equitable basis.*
- *Complement existing land securement activities by Halton Partner agencies including conservation authorities, local municipalities and non-government organizations operating in the Region.*

3.0 ELIGIBLE LANDS

The Region and its Halton Partners have mapped many components of the natural features within the Region's jurisdiction. This includes Provincially Significant Wetlands (PSWs), other wetlands, Earth Science and Life Science Areas of Natural and Scientific Interest (ES-ANSIs or LS-ANSIs), watercourses (including coldwater streams) and shoreline features. These are important components to include in land securement criteria for the Strategy and Guidelines as they allow for additional tax incentives to donors of land and conservation agreements for lands which would not meet these criteria.

The Region recognizes the importance of protecting the Greenlands System. The Official Plan for the Region and various municipal official plans have recognized the vital role the environment plays in the quality of life in the Region and have adopted various policies that identify and protect the natural heritage/open space system. It is common for significant natural lands to have multiple designations in the Official Plan, the Niagara Escarpment Plan, Greenbelt Plan and/or other designations from detailed evaluations, such as watershed and subwatershed plans or detailed environmental impact studies. Currently, the Region is developing a Natural Heritage System (NHS) which may replace the Greenlands System as part of the 2009 Official Plan update.

To be eligible for funding under the Program, a property must contain at least one of the following land designations/attributes referred to as "Primary Criteria":

Primary Criteria

- Lands within the Greenlands System, which may be termed the Natural Heritage System (NHS), including lands which are identified as follows:
 - Regulatory Floodplains (and associated valley and stream corridors as determined by the conservation authorities);

- Lake Ontario and Burlington Bay shoreline outside Regional Waterfront Parks;
- Provincially Significant Wetlands;
- Significant Portions of the habitat of endangered and threatened species;
- Environmentally Sensitive Areas;
- Public Open Space as identified in The Parkway Belt West Plan;
- Regionally Significant Wetlands;
- Provincially and Regionally Significant Areas of Natural and Scientific Interest;
- Significant Woodlands;
- Carolinian Canada Sites;
- Halton Regional Forests; and
- Environmental Protection Areas identified in the North Aldershot Inter-Agency Review Final Report (May 1994).
- Lands designated as Niagara Escarpment Plan “Escarpment Natural Area”;
- Lands designated as Greenbelt Plan “Natural Heritage System”; and
- Lands identified as a priority within a strategy by a conservation authority or other partner agency.

Secondary Criteria

Additional preference for funding eligibility is also given to properties that meet Secondary Criteria. These include:

- Lands contiguous to the Halton Regional Forest, Conservation Areas or other public and/or protected lands;
- Lands identified as Niagara Escarpment Plan “Escarpment Protection Area”;
- Lands identified as Greenbelt Plan “Protected Countryside”;
- Priority Areas for protection and/or restoration (e.g. as identified within a Watershed, Subwatershed or ESA Study and agricultural lands);
- Significant cultural/historical resource (e.g. archaeological site);
- Significant water resources (e.g. floodplain, streams, headwater area, source water area, non-evaluated wetland, estuaries);
- Trail corridor/linkage (e.g. Bruce Trail Optimum Route);
- Significant wildlife habitat;
- Regionally rare communities;
- Agricultural lands offered for:
 - donation
 - significantly leveraged by funding partners
 - or agricultural easements;
- Lands which provide opportunity/potential for enhanced connectivity between any of the above features;
- Unopened road allowances (e.g. for conservation, trail purposes);
- Rehabilitated aggregate pits and quarries offered for donation; and
- Designated Wellhead Protection Area.

The Secondary Criteria were developed to complement the prioritization of eligible lands. These include lands which have the opportunity to contribute to the goals and objectives of other regional programs, such as those within a municipal wellhead protection area. For example, The City of Toronto has been contributing to land securement north of its jurisdiction for the last several years because they recognize that the Humber, Don and Rouge Rivers begin flowing from the north into the City. To clean up these rivers, they agreed to assist with protection of the source.



4.0 GREENLANDS SECUREMENT METHODS

Greenlands securement by the Halton Partners is only one of many options used to protect the Region's sensitive greenlands. As reflected in the Regional Official Plan, the Region will pursue and consider the role of planning, policy and private land stewardship as the most cost effective methods to support securement opportunities while acknowledging that securing an interest in the title of key properties is sometimes the most appropriate.

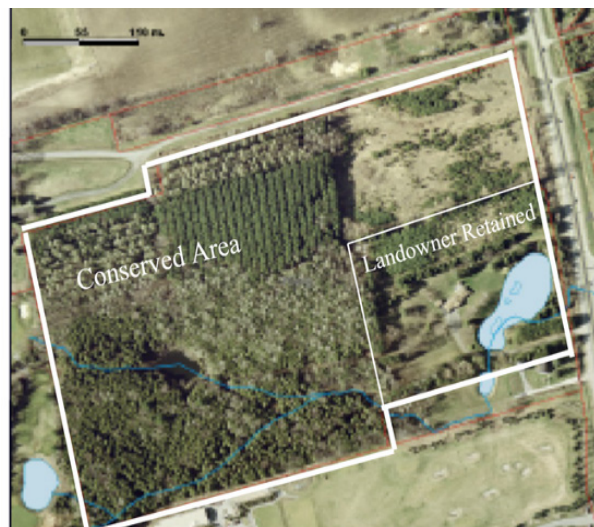
For securement of key properties there are many methods which can be employed by the Halton Partners to secure an interest in title of key environmentally sensitive or significant lands (Table 1). These methods need to be clearly communicated to landowners through various media and publications or by direct landowner contact. In order to maximize available resources, the Strategy recommends an emphasis on using the method of outright donation of title first, followed by split-receipts and purchase as a last option.

In some cases, two or more securement methods can be in use at the same time to secure land. The preferred securement method depends on many factors including: the sensitivity of the feature of interest, permanence needed, public access or use, planning policies or regulations that apply, availability of funding, perceived threats, opportunity, and urgency. A case by case assessment should be undertaken to determine the quality and significance of the resources or function of each property. Based on the individual property assessment and resources available, each Halton Partner shall determine the most appropriate type of securement method to use to ensure the protection of the features and functions of the land. The benefits and considerations for using each of these methods are summarized in Table 2.

4.1 Key Greenlands Securement Methods

4.1.1 Fee- Simple

This securement method acquires the total interest in a property and is the most effective way for the protection of sensitive greenlands. Fee-simple securement can be obtained through a donation or purchase of land. In some instances only a portion of the land is acquired (e.g. sensitive natural features), leaving behind the developed or developable area with the landowner. This is known as a partial taking. In this example, the landowner would retain the residential area while donating or selling the conserved area to the conservation organization. Acquiring fee-simple title to a property allows the purchaser or recipient (e.g. land trust, municipality or conservation authority) total control of the stewardship and rights of the property.



4.1.2 Conservation Agreements

Conservation agreements, also known as conservation easements, are legally binding agreements registered on title and running in perpetuity, whereby the landowner transfers specific rights, such as the ability to create building lots or cut trees, to an agreement holder such as a land trust, local municipality or conservation authority. Depending on how the agreement is set up, the agreement holder usually has the right and responsibility to monitor the property and ensure that the terms of the conservation agreement are being upheld.

Conservation agreements can be an effective method for protecting the conservation values of a property because they contain covenants or restrictions on activities or land uses. Covenants are often referred to as “restrictions” in conservation agreements and are listed in a separate schedule for ease of registration within Ontario. The purpose of including covenants to restrict activities and land uses is to protect the natural features on the property by eliminating threats to those natural features. Covenants must therefore be tailored individually for each property. By restricting uses on a property, landowners are giving up certain rights. The rights to the uses of a property (e.g. subdivision rights, development rights, tree cutting rights) can be donated or purchased from the landowner; however it is more common to have a conservation agreement donated. Conservation agreements can provide for the protection of an ecological feature, resource, trail, construction and maintenance of rehabilitation works, and protection of local food production potential. For further information on conservation agreements and recent changes to conservation easement legislation please refer to Appendix 2.

Table 1: Summary of Greenlands Securement Methods

Type of Method and Description	Additional Comments
Donations of Land or Conservation Agreements	
<p>Donations Donations of land or property rights (e.g. fee simple or conservation agreements). Gifts, at appraised value, may qualify as charitable donations under the Federal Income Tax Act through the Ecological Gifts Program which is administered by Environment Canada (Appendix 2).</p>	<p>All donations of ecologically sensitive lands through the Federal Ecological Gifts Program are subject to 0% capital gains tax as opposed to the previous amount of 25%. All lands donated outside of this program are still subject to 50% capital gains. As part of the Ecogifts Program, all appraisals are reviewed by an expert panel of appraisers, therefore landowners and eligible Ecogift recipients can be assured that the appraisal is accurate and legitimate.</p>
<p>Bequests Landowners may elect to provide for a gift to a conservation organization or land holding agency in their Will – perhaps a gift of property.</p>	<p>The biggest advantage of making a bequest is that it costs nothing during the landowner’s lifetime, while they can be cost effective from a tax perspective against the estate and create a legacy for the donor and their family.</p>
<p>Trade Lands Trade lands are similar to donations where a landowner wishes to donate or bequeath their property to a Halton Partner. However, in these instances the property does not contain any significant environmental features.</p>	<p>Where a Halton Partner accepts these donations, these properties would be sold with the proceeds being directed into land securement of ecologically significant lands or other program areas as directed by the donor. It is recommended that all Halton Partners develop a trade lands policy.</p>
<p>Partial Takings/Direct Conveyance This is an acquisition of part of a property by either a fee simple purchase or donation scenario. For example, if a landowner has a residence he/she may be willing to dispose of</p>	<p>The advantage to this method is that usually the part of the property severed for conservation purposes does not include the bulk of the value of the property. Therefore landowners can retain a residential lot and acreage around their residence, and maintain the</p>

Type of Method and Description	Additional Comments
<p>the majority of the property while retaining the residence and amenity area.</p>	<p>majority of the value of the property. The land severed is then owned and managed by the Halton Partner (or another Halton Partner) and the landowner then resides adjacent to publicly owned lands that they are no longer liable for. In addition, if the landowner wants to sell the property in the future, they have a much more manageable property to sell and will have ultimately increased the number of potential buyers. Lastly, if the landowner wishes they can retain a life interest agreement to use the severed portion (e.g. for hiking) for a specified term. It is recommended that each conservation authority submit a proposal to MNR based on this securement strategy and the areas outlined as Priority Areas for land securement. Once approved by MNR, it would permit the direct conveyance (partial taking) of lands containing environmentally significant features such as wetlands by a Halton Partner, as allowed under Section 50 (3)(e) of the Planning Act.</p>
<p>Split Receipt This can be viewed as either a donation of land or conservation agreement with cash consideration back to the donor or a purchase of land with a donation of land value in cash back to the purchaser.</p>	<p>Once the land value is determined by a qualified appraiser, the percentage of the fair market value of the land to be donated versus be accepted in cash will be negotiated. Through the Ecogifts Program, the donated portion must be a minimum of 20% of the value to qualify for a split receipt. Conversely, the landowner cannot receive more than 80% cash for the appraised value.</p>
<p>Purchases of Land</p>	
<p>Property Purchase The most commonly used method of land securement is fee-simple purchase.</p>	<p>Purchase of full title and rights to a property, these are typically situations with a willing buyer and a willing seller. Below are some different scenarios using this approach.</p>
<p>Option to Purchase An Option to Purchase is a contract that allows a Halton Partner to buy a property at a set price for a stipulated period of time.</p>	<p>It is a written contract by the landowner to sell the property and not to withdraw this offer during the stipulated period of time. The Halton Partner pays a fee for this option. This mechanism is often used by a conservation group as a means of “buying time” in its attempts to acquire a specific piece of land and is the perfect time to fundraise for the purchase costs.</p>
<p>Right of First Refusal This is an agreement between a landowner and a Halton Partner, or other prospective buyer that gives the Halton Partner a chance to match any third party offer to buy a specific piece of property.</p>	<p>It sets out the conditions of sale and is registered on title to the property. It is an interim measure, allowing the Halton Partner to acquire a key property some time in the future. It can be a good tool to use if negotiations have been halted e.g. unacceptable appraised value. Or it can be registered on title, to allow the Halton Partner to buy a property that already has a conservation agreement in cases where the Halton Partner decides they would rather own title than be the agreement holder. Right of First Refusal is also a means by which to discourage other potential buyers (perhaps developers) as they will know they have competition and the holder of the first rights has priority. There is a fee associated with the Right of First Refusal.</p>

Type of Method and Description	Additional Comments
<p>Life Interest Agreement/Lease Back Arrangements When the vendor/donor wishes to retain an interest in the property they can enter into either a life interest agreement or a lease back arrangement.</p>	In either case, the land can be donated, purchased or split-receipted. The value of the retained interest would be determined by a qualified appraiser. The agreement would specify a set term or would continue as long as the vendor resides on the subject property.
<p>Exchanges Landowners who own property within a valley system, flood plain or environmentally sensitive feature may exchange their parcels of surplus tableland owned by a Halton Partner.</p>	These arrangements may bring funds to the Halton Partner which can be used to acquire additional conservation lands. While these transactions traditionally consist of the exchange of fee simple interests, they can consist of any combination of property interests. Note that land exchanges are not necessarily acre for acre. Any exchange would be based on appraised value as valley lands would not be valued the same as developable tableland.
<p>Project Requirements When lands become part of an approved Halton Partner project, they may be purchased outright or a limited interest obtained directly from the owner at market value.</p>	Where the project is mutually beneficial, e.g. erosion work on all or part of which is on private land, landowners may be required to deed property rights to the Halton Partner for a nominal amount to ensure access for future maintenance.
<p>Municipal Lands A conservation authority may acquire property interests in municipal lands, at a nominal cost, when they are located within the boundaries of approved conservation authority acquisition projects.</p>	Examples of these types of municipally owned lands include unopened road allowances, riparian areas and floodplain.

Table 2: Benefits of Greenlands Securement Methods

Land Securement Method	Main Benefit	Additional Considerations
Fee-Simple Transactions		
<p>Fee-Simple Donation (from landowner or developer through the planning process e.g. gratuitous dedication)</p>	<ul style="list-style-type: none"> Halton Partner gets donated title to lands 	<ul style="list-style-type: none"> Halton Partner has full management responsibility unless another group is chosen to steward the property Halton Partner has full property liability Halton Partner has to pay property taxes If donation was an Ecogift, property is subject to provisions of the Canada Income Tax Act
<p>Fee-Simple Donation with Life Interest Agreement</p>	<ul style="list-style-type: none"> Same as above but in addition the landowner has the benefit of a retained interest for a defined term 	<ul style="list-style-type: none"> Same as above

Land Securement Method	Main Benefit	Additional Considerations
Fee-Simple Donation as a Bequest	<ul style="list-style-type: none"> • Same as Fee-Simple Donation but donated title occurs at a later date. 	<ul style="list-style-type: none"> • Same as above but additional disadvantage is that the bequest can be changed at any time with or without notice to the conservation organization.
Fee-Simple Donation with Split Receipt Option	<ul style="list-style-type: none"> • Halton Partner gets title to lands at a reduced price 	<ul style="list-style-type: none"> • Same as above but money must be raised for purchase • Halton Partner has full management responsibility unless another group is chosen to steward the property • Halton Partner has full property liability • Halton Partner has to pay property taxes
Fee-Simple Purchase	<ul style="list-style-type: none"> • Halton Partner gets title to lands • Can chose to do an option to purchase (longer closing-date) 	<ul style="list-style-type: none"> • Money must be raised for purchase • Halton Partner has full management responsibility unless another group is chosen to steward the property • Halton Partner has full property liability • Halton Partner has to pay property taxes
Exchanges	<ul style="list-style-type: none"> • Exchange developable land for an equal value of conservation land 	<ul style="list-style-type: none"> • Need to determine difference in acreage between developable and conservation land values
Trade Lands	<ul style="list-style-type: none"> • Money used from sale can be used to purchase other ecologically significant lands 	<ul style="list-style-type: none"> • Halton Partner is subject to perception issues from public and must obey wishes of landowner if it was a donation
Conservation Agreement Transactions		
Conservation Agreement - Donation	<ul style="list-style-type: none"> • Halton Partner gets donated rights via restrictive covenants • Agreement is registered on title in perpetuity • The property could be purchased at a later date by the conservation organization and the agreement dissolved • Could incorporate Right of First Refusal into Agreement • Amendments or Releases are subject to consent of MNR 	<ul style="list-style-type: none"> • Halton Partner has very significant responsibilities of monitoring and enforcing the conservation agreement • Halton Partner does not have to pay property taxes, the landowner does • If donation was an Ecogift, property is subject to provisions of the Canada Income Tax Act

Land Securement Method	Main Benefit	Additional Considerations
Conservation Agreement - Purchase	<ul style="list-style-type: none"> • Halton Partner purchases rights via restrictive covenants • Agreement is registered on title in perpetuity • The property could be purchased at a later date by the conservation organization and the agreement dissolved • Could incorporate Right of First Refusal into Agreement • Amendments or Releases are subject to consent of MNR 	<ul style="list-style-type: none"> • Halton Partner has very significant responsibilities of monitoring and enforcing the conservation agreement • Halton Partner does not have to pay property taxes, the landowner does
Land Protection Tools		
The Planning Process	<ul style="list-style-type: none"> • An economical way to protect large areas of ecologically sensitive land 	<ul style="list-style-type: none"> • Zoning is subject to periodic review and amendment • May not be permanent • Planning decisions can be appealed
Stewardship Agreements	<ul style="list-style-type: none"> • Easy to get participation compared to more permanent securement options • Stewardship programs are available to help landowners with planning and implementation • CLTIP and MFTIP programs are available to help with property taxes 	<ul style="list-style-type: none"> • Stewardship work is generally reversible by landowners • Handshake agreement which is not legally enforceable

4.2 Land Protection Tools

4.2.1 The Planning Process

As part of a local municipality's or conservation authority's involvement in the planning process under the Planning Act, (e.g. Official Plan Amendments, Draft Plans of Subdivision, re-zoning and land severance applications) environmentally significant areas may be identified through supporting studies and where appropriate designated open space, environmental protection or other designation that would restrict future development. The opportunity to acquire some of these lands may arise from time to time. This process is reactionary as it only occurs once a landowner makes an application. In order to receive approvals, the proponent must convey land or a conservation agreement for conservation or parkland. The result is not always an ideal amount or configuration of protected land, but a compromise. Nevertheless, this is a worthwhile conservation practice to continue.

The statutory authority for municipalities to acquire land to meet the objectives of a Greenlands Plan come from the Planning Act, R.S.O. 1990, c. P.13, s. 25 (1); 1994, c. 23, s. 17; 1996, c. 4, s. 15. In addition, any local municipality may contribute towards the cost of acquiring land under section R.S.O. 1990, c. P.13, s. 25 (2). For conservation authorities, the statutory authority to acquire land comes from the Conservation Authorities Act R.S.O. 1990, CHAPTER C.27. The

Act also provides conservation authorities with the ability to perform direct conveyances or partial takings of land for conservation purposes. Thus giving flexibility to how the securement of a property can occur.

4.2.2 Stewardship Agreements

Where the securement of a parcel of land or an interest in land is unable to be negotiated between a Halton Partner and a landowner, there is an option to continue to work with an interested landowner to foster land stewardship as an alternative non-binding approach to natural heritage protection. This could be achieved through a stewardship agreement with the landowner.

A stewardship agreement is a hand-shake agreement which is not enforceable and does not confer any rights to a conservation organization or land holding agency. In this instance, the owner would agree to protect the significant lands within their property or undertake rehabilitation initiatives (e.g. tree planting, livestock fencing). This usually involves consultation and technical assistance from conservation authority staff. The agreement usually includes a request of the owner to contact a conservation authority prior to a change of use or proposed sale of the property in an attempt to continue protecting a specific resource. This method has been used by conservation authorities to cultivate relationships with landowners and protect lands that are under development pressures. While this does not confer any rights to a conservation authority, it is an important tool for resource protection.

The Hamilton-Halton Watershed Stewardship Program (HHWSP) has been working with landowners since 1994 towards the protection of natural features through stewardship agreements. The Halton and Hamilton Conservation Authorities jointly fund the program and over 4000 landowners have been contacted. One of the trademarks of the program is the stewardship signs that landowners display signifying that they are good stewards of their lands. Both conservation authorities host annual stewardship award programs to recognize new landowners that have agreed to protect and preserve their property.

Since these are friendly arrangements, stewardship agreements can be the transitional step towards land securement negotiations. A good experience between a conservation authority and a landowner may lead to a donation of land or a conservation agreement in the future.

4.2.3 Stewardship and Property Tax Incentive Programs

Several stewardship programs in Ontario offer property tax incentives for landowners who agree to steward their property for the protection of natural heritage features. These programs are listed below.

4.2.3.1 The Managed Forest Tax Incentive Program (MFTIP)

This program is an entirely voluntary program for landowners with Managed Forest areas larger than four hectares (9.88 acres). Landowners need to submit a Managed Forest Plan to apply for eligibility status. The property of interest can include up to 10% forest openings or abandoned farm fields. The forest plan period is 10 years with a 5 year progress report requirement. Eligible land is taxed at 25% of the municipal tax rate set for residential properties. This program is administered by the Ontario Woodlot Association (OWA) and the Ontario Forestry Association (OFA). More information can be found about this program at the following websites: www.ont-woodlot-assoc.org and www.oforest.on.ca

4.2.3.2 Conservation Lands Tax Incentive Program (CLTIP)

Landowners are solicited for this program based on mapping of eligible lands (>0.5 ac). The program is currently run by the Ministry of Natural Resources. Eligible lands include: PSWs, Provincial ANSIs, habitat of endangered species, lands designated as Escarpment Natural Area (NEP) and community conservation lands. Landowners need to apply every year and agree to not carry out activities which would degrade, destroy or result in the loss of natural values of the site. Eligible lands placed under CLTIP are 100% property tax exempt. More information can be found about this program at the following website: www.mnr.gov.on.ca/MNR/cltip



5.0 COMPLIMENTARY PROGRAMS

Conservation lands in public ownership are important to many residents as they provide opportunities for recreation, education, environmental conservation, and protection. Publicly owned conservation lands also provide important habitat for many diverse ecosystems. In some cases the habitat protects federally recognized species of conservation concern.

Including Halton Region Forests, Bronte Creek Provincial Park, conservation authority lands and lands owned by non-profit organizations and land trusts, as well as conservation agreements, there are 5,911 hectares (14607 acres) of protected lands within the Region (Table 3). The Region has an area of 93,887 hectares (232,000 acres) therefore the amount of lands publicly protected within the Region are approximately 6.3% (Map 3).

Of the 5,911 hectares (14,607 acres) of protected lands within the Region identified on Map 3, 5,494 hectares (13,577 acres) or 93% of these protected lands fall within the Greenlands System. The total area of the Greenlands System is 18,500 hectares (45,695 acres) which means that 5,494 hectares (13,577 acres) or 30% of the Greenlands System is currently under protection by the various Halton Partners.

Table 3: Secured Conservation Lands in Halton

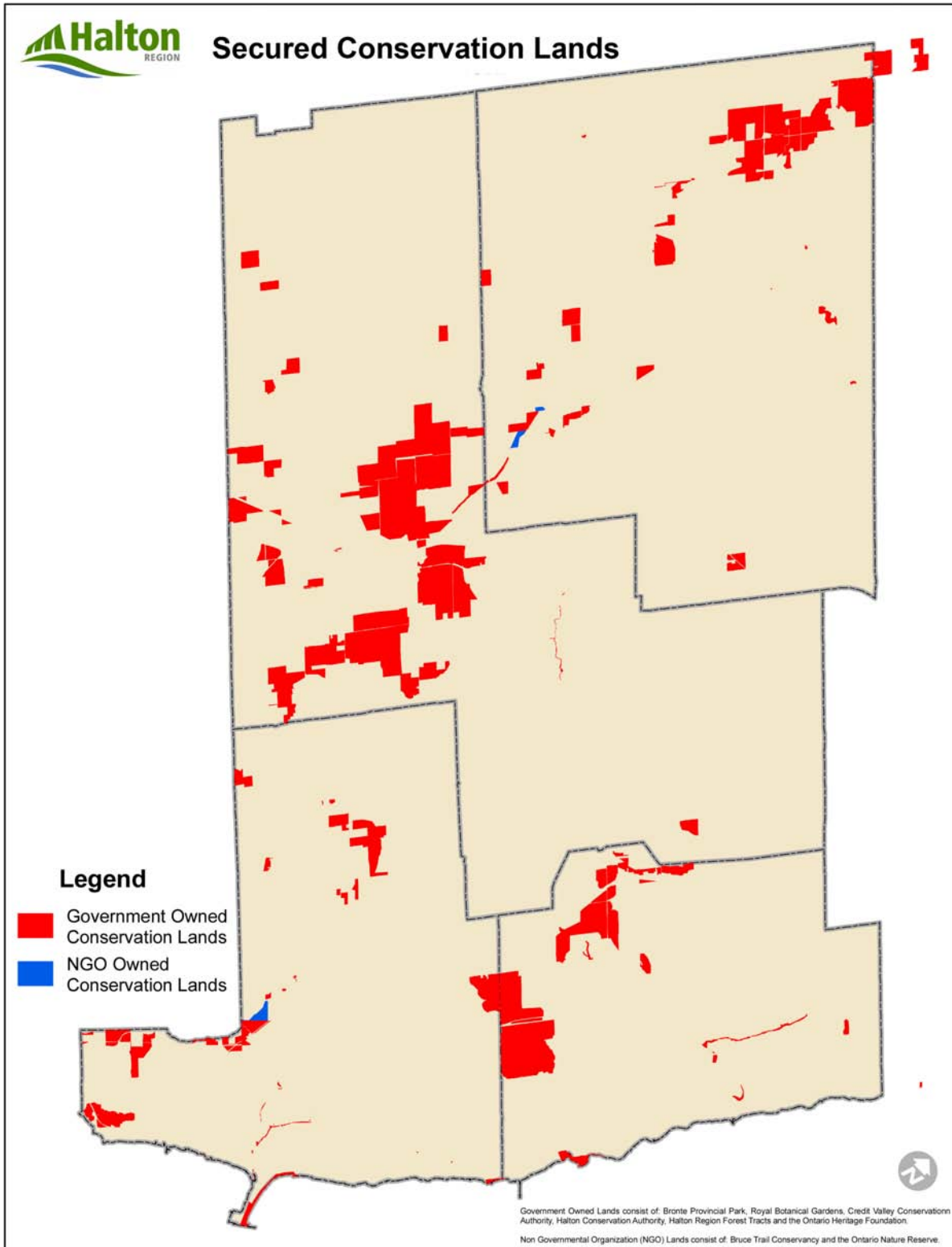
Conservation Organization	Hectares	Acres
Conservation Halton	3,185.86	7,871.89
Credit Valley Conservation	787	1,946
Grand River Conservation Authority	0	0
Halton Forests	665	1,645
Halton Regional Waterfront Parks	71.26	176.10
Bronte Creek Provincial Park	682	1,684
Ministry of Natural Resources	81	200
Ontario Heritage Trust	302	744
Royal Botanical Gardens	100	247
NGOs/Land Trusts	1.6	4
Total Owned Lands	5,875.72	14,517.99
Bruce Trail Conservancy (Easements)	36	89
Total Protected Lands	5,911.72	14,606.99

It is common to have several land securement partners involved in the securement of a particular property. Sometimes additional partners are needed for funding purposes or for expertise (e.g. negotiating leverage) in order to assist in the securement of a property. In some cases, a partner group may be a better suited recipient to take title or an interest in title for a particular property. In other cases, one partner over another may be a better suited recipient of the land for property tax purposes, funding requirements, or a landowner requests that there be involvement from a specific group. These circumstances will depend on the unique characteristics of the property, the type of securement method involved and the requests of the landowner (depending on whether it's a donation or purchase).

Any partnership involvement in a project should be viewed as a securement success. This is also referred to as an 'assist.' An assist can include the involvement of a Halton Partner's staff time, resources, technical expertise or funding towards the securement of a particular property

even if the Halton Partner does not end up holding title, an interest in title or even managing a particular property. All contributions should be recognized by the Halton Partner's Board and staff. For example, the Bruce Trail Conservancy (BTC) secured approximately two dozen properties from 2005-2006, most of which were not registered on title under BTC ownership. Partners such as the Ontario Heritage Trust, Conservation Halton and Ontario Parks acquired title to the properties on behalf of the BTC. Nevertheless, BTC played a lead role in negotiating and processing each deal, and thus, claimed each as a success. The results demonstrate BTC's success in developing fundraising partnerships and will serve them well for ongoing and future acquisitions.

Map 3: Secured Conservation Lands



The following sections describe a summary of existing programs and potential partners for land securement within the Region. Further explanation as well as known protected landholding in the Region can be found in Appendix 1. These partners may currently be involved in land securement efforts or have potential to become involved.

5.1 Federal Government

Just prior to the year 2000, the federal government partnered with the Nature Conservancy of Canada (NCC) for the Canada Millennium Partnership Program (CMPP). As part of this program, there was a countrywide land and conservation agreement donation program called Natural Legacy 2000. Soon after the turn of the century the program ended. Currently the federal government is mainly interested in acquiring lands of national significance that would contribute to a National Park. The federal government may have little involvement in the land holding aspect of lands acquired through the Strategy as well as little buy-in to the contribution of funding. Possible funding for land securement is currently available from the federal government in flood-prone areas. In addition, the federal government has supported securement through the tax incentives offered by the Ecological Gifts Program.

5.2 Provincial Government

At a provincial level there are various government groups operating in the Region that have the mandate to hold conservation lands. These include the Ministry of Natural Resources (MNR), Ontario Heritage Trust (OHT), Management Board Secretariat (MBS), Ontario Realty Corporation (ORC) and Ontario Parks (OP). Within the Region there are several sites that may qualify at a provincial level for funding or be of interest as a candidate site for OP. For example, NCC has transferred title to several Ontario Parks provincial reserves involving leveraged funds rather than full funding. The provincial partner that will most likely be readily involved in the Region is the MNR. Over the past number of years they have transferred monies to both OHT and the NCC in order to set up land securement funding programs. The OHT is currently operating a land securement funding program entitled the Natural Spaces Land Acquisition and Stewardship Program. More information on OHT can be found in Appendix 2.

5.3 Local Municipal Government

Local municipalities (Town of Milton, Town of Oakville, City of Burlington and Town of Halton Hills) can be excellent partners in land acquisition. The municipalities may have an interest in holding title to properties for conservation purposes but they would have to be approached on a case by case basis as this is not always a focus for them. The statutory authority for municipalities to acquire land to meet the objectives of a Greenlands Plan come from the Planning Act, R.S.O. 1990, c. P.13, s. 25 (1); 1994, c. 23, s. 17; 1996, c. 4, s. 15. In addition, any local municipality may contribute towards the cost of acquiring land under section R.S.O. 1990, c. P.13, s. 25 (2).

5.4 Conservation Authorities

There are three conservation authorities whose watershed jurisdictions fall within the borders of the Region. These include the Credit Valley Conservation (CVC), Conservation Halton (CH)

and Grand River Conservation Authority (GRCA). The watershed boundary for each authority is illustrated in Map 1. CH has the largest coverage in the Region followed by CVC and GRCA. All three conservation authorities are currently involved in land securement projects within the Region. If conservation authorities have securement strategies or plans that have been approved by the Minister of Natural Resources, they can expeditiously execute direct conveyances or partial takings of land for conservation purposes. If they don't have such blanket approval on such a plan, they should obtain approval on a case by case basis which can take many months. Detailed background information about these conservation authorities and their individual securement programs is described in Appendix 1.

Furthermore, as previously mentioned, the Hamilton-Halton Watershed Stewardship Program, administered by CH and Hamilton Conservation Authority, offers stewardship agreements and advice to landowners in managing their natural lands and provides information regarding donating or selling their lands. A considerable history has been developed regarding individual properties and the willingness of particular landowners to enter into conservation agreements or donate or sell their property. Coordination through CH staff should be done to compliment all securement activities.

5.5 Land Trusts and Non-Government Organizations (NGOs)

A number of land trusts and non-government organizations (NGOs) have been formed to secure natural heritage lands and to protect significant ecological features and are currently working in the Region. Land trusts and NGOs are incorporated under Part III of the Corporations Act R.S.O. 1990, CHAPTER C.38 or Part II of the Canada Corporations Act (1970, c. C-32) and are registered charities under the Income Tax Act (Canada) (1985, c. 1 (5th Supp.)). These groups have the ability to hold land or conservation agreements and issue tax receipts if land or conservation agreements are donated to them. Land trusts and NGOs in the Region include Bruce Trail Conservancy (BTC), Escarpment Biosphere Conservancy (EBC), Head of the Lake Land Trust (HLT), Nature Conservancy of Canada (NCC), Ontario Farmland Trust (OFT), Ontario Nature (ON) and Ducks Unlimited (DU). Detailed background information about these partners and their securement programs is described in Appendix 1. With so many different groups operating within the Region it is important that each group's efforts are well communicated and coordinated, especially when it comes to landowner contact. By doing so, it will avoid duplication of effort and ensure all natural heritage lands are provided with the maximum sustainable protection. A part of this Strategy provides opportunities for stakeholder meetings and strategic planning to develop and expand on partnerships with these and other organizations involved in holding title to or providing funding for the acquisition of ecologically significant lands.



6.0 PROPOSED IMPLEMENTATION STRATEGY

Given the vast area of ecological features identified on Maps 2 and 2a, it is important to identify which of these lands can be protected through policy/planning and stewardship, and which should be secured by public agencies or land trusts. With existing funding levels and the ability to locate willing parties, only the most suitable lands may be considered by the Region for securement.

When assessing the suitability of land for securement consideration will be given to the cost of acquiring the property as well as the ongoing long term associated land care costs such as taxes, stewardship and annual maintenance. Where it is desirable to have a local municipality or a local non-governmental organization (NGO) help manage a property, arrangements are to be made in advance with the respective local municipality to have an agreement in principle in place at the time of property closing.

The primary cost associated with any land securement program is hiring dedicated securement staff or retaining an experienced contractor to establish the land securement program (e.g. someone whose time is solely dedicated to landowner contact and the entire land securement process from start to finish). In order to stretch limited available funds, the Program will focus on donations of land or purchases of land through leveraged partnership funds or split-receipt options to keep costs at a minimum. In addition, monies will be raised through various securement programs in order to cover costs associated with legal, appraisal, survey, environmental site assessment, demolition, clean up, G.S.T., land transfer tax, interest charges, fencing, administration, and other related costs. These expenditures will be based on the funding provided to date and the opportunities for various programs and partnerships outlined below.

The Implementation Guidelines (“*Guidelines*”) accompany this Strategy and further describe the operational elements of the Program.

6.1 Proposed Program Funding

Lands acquired under this Strategy will be secured using the full array of securement methods outlined in Section 4. Program funds will be provided over the project term by the Halton Green Fund. They are to be used to leverage funding from other available sources. This will require Halton Partners to build strong partnerships with others undertaking securement projects within the Region. Costs will vary from year to year and by property to property. In some cases, several levels of government and partners may be involved. It is anticipated that leveraged funding for land securement projects will come from federal and provincial government programs, lower-tier municipal governments, foundations (e.g. conservation authority foundations), land trusts and NGOs, and private and corporate donations.

6.1.1 Cost Projections

It is not possible to know in advance the exact cost associated with implementation of this Strategy. Furthermore, different securement tools have different costs. Purchase price for a property will vary depending on location within the Region as well as features of the property. A property with existing development or the potential for development will have a greater cost than a vacant property with no development potential. In many instances, there may be no purchase

price for a donation of a property but the Halton Partner will still incur ancillary costs associated with the securement. One fee-simple land donation of a conservation agreement could potentially incur the following approximate ancillary securement costs:

- Appraisal \$3,000 - \$6,000
- Legal \$1,500 - \$2,500
- Survey \$2,500 - \$7,000
- Phase 1 Environmental Site Assessment \$5,000 - \$7,000
- Baseline Documentation Report (BDR) \$5,000 - \$10,000
(for conservation agreements)

Some of the above costs can be recovered through available funding programs. It is therefore prudent to budget at least \$30,000 per securement project for ancillary land securement costs on top of the purchase price.

Rural and low intensity use properties such as those to be secured under this Strategy require annual inspection, fence repairs, clean-up, signage, resource management, taxes, insurance and general care. The cost of land care for new properties will vary somewhat over time and will depend on location and proposed use. With this in mind, monies should also be detailed in a budget for initial stewardship costs such as fencing and signage (approximately \$10,000 - \$15,000) as well as long term maintenance and stewardship costs.

It is the Region's intention to achieve the securement budget through partnerships and shared cost initiatives.

6.1.2 Stewardship Endowment Funds

In order to provide adequate resources in perpetuity for properties and stewardship related activities, it is highly recommended that a detailing of stewardship costs should be developed for each new property that is to be acquired (both fee-simple and conservation agreement properties). Costs should include both infrequent and short-term costs (e.g. tree planting, fencing) and repetitive and long-term costs (e.g. property taxes, insurance, clean-up, monitoring, etc.). The costs can be categorized as those that are administrative (category A below), or conservation stewardship related (category B below). Examples of stewardship costs are listed below as well as their likelihood for fundraising.

A. Land Administration - Carrying Charges

- For Halton Partner owned properties: taxes, risk management, insurance, access, perimeter signage, fencing for neighbours or trespass (note: may be difficult to fundraise for and more reliant on endowment funding).

B. Conservation Stewardship - Managing Sites based on the Halton Partner's Mission

- Halton Partner owned properties: conservation fencing, prescribed burning, restoration, removal of invasive species, interpretive signage, partner/volunteer support and community relations.
- Both owned and conservation agreement properties: inventories and site monitoring (note: may have higher likelihood of fundraising for projects but also the object of endowment fundraising).

Once the Halton Partner has a detailed understanding of stewardship costs, a strategy for managing these in perpetuity can be developed. Depending on the budgeting structure of the

Halton Partner, one highly recommended approach is to develop a stewardship endowment fund. The fund is generally managed and set up as a separate fund, with income (e.g. interest) allocated for stewardship purposes. Up to 5% of income in any one year is allocated for stewardship purposes. Income above 5% remains in the fund to offset annual inflation, grow the fund and to protect the purchasing power of the endowment over time. This type of fund would ensure that funding for most stewardship activities or land related costs are secure. For special projects that may be periodic and require additional funding (e.g. restoration), further fundraising would be required. The amount required in the fund would be determined from the projected stewardship costs and would change over time as the Halton Partner property portfolio changes.

For donated lands it is recommended to ask the donor whether they would like to contribute to a stewardship endowment fund. Who better to see the property protected and stewarded in perpetuity than the person who has nurtured the lands for so long?

6.1.3 Enforcement or Legal Defence Funds

In addition to having a stewardship endowment fund, it is important to consider having a legal defence fund for partner conservation agreement properties. For example, in the event where a conservation agreement has been violated, the partner will take every measure possible to mitigate the situation with the landowner in a friendly and benign way. However, this approach may not always be successful and may require the support of legal counsel, or involvement in legal proceedings. The cost of defending an easement could range from thousands to hundreds of thousands of dollars per property depending on the situation. By having a separate legal defence fund, these funds could be properly allocated, tracked and managed to ensure that they are in place when needed. The determination of the amount for the fund could be based on the number of partner conservation agreements and the likelihood of risk to these easements. By establishing a sound conservation agreement program (e.g. well written agreements, strong landowner relationships, consistent and effective monitoring) the partner could reduce those risks substantially.

It is the responsibility of each partner to uphold their conservation agreements and set a precedent for other landowners, other conservation groups and the community. Therefore, by having a legal defence fund, it shows the community and future conservation agreement landowners that the partner is serious about enforcing its conservation agreements and protecting the natural features the agreement is in place to protect.

6.2 Proposed Program Implementation

A primary goal of the Region's land securement program is to educate landowners with significant landholdings (e.g. > 10 acres or 4 hectares) about various long-term conservation methods. When considering estate planning, most landowners only have knowledge of two options for their land:

- 1) Sell it; or
- 2) Leave it to their children.

Deciding to protect one's property for the long-term is a big decision that can take a landowner several years to make. Even if a landowner doesn't express interest in land conservation at this

time, the landowners now have increased awareness about conservation options should they change their mind in the future. As in fundraising, approaching people for land donations also requires patient cultivation. Building relationships is the key.

The initial steps associated with landowner contact include developing a landowner contact list based on securement criteria and preparing landowner packages and property mapping. All landowner contact will be done in consultation with the Halton Partner. The contact program will include:

- a. Developing a landowner contact list based on Priority Areas and priority properties;
- b. Mailing landowner packages with information regarding available options and programs;
- c. Telephone solicitation to answer any questions and set up a site visit;
- d. Drop-in on properties for sale or properties that are ecologically significant to engage the landowner in securement and/or stewardship programs;
- e. Scheduled site visits to have further discussion on items included in the landowner package, and to walk the property and acquire more information about the landowner's interests;
- f. Landowner leads will become available from time to time and will require follow up and possible hand off to the appropriate Halton Partner; and
- g. Organize free landowner workshops sponsored by the Region to engage and educate residents who own environmentally significant land on land conservation and stewardship options.

Once initial contact has been made, the Halton Partner to take title to the donation or easement will be contacted and brought into the securement process.

In addition to mailing packages, another way of communicating land securement information to landowners is to add this information to Halton Partner websites. This will allow landowners to review donation information posted on the site, and contact the Halton Partners proactively if they are interested. Also, the Halton Partners are encouraged to give presentations to the various groups and service clubs in their jurisdiction as another means of educating the public and landowners about conservation options and tax benefits.

An advantage to landowner contact for landowner's uninterested in long-term protection is the education they'll receive on various stewardship options available that can provide them with funding to enhance their property through tree-planting, wetland improvement, etc.

Some landowners who are considering long-term options for the protection of their property can be very sceptical of whether or not they will have a guarantee that the land they donate would never be sold or used for development in the future. The long-term protection of their property is definitely a concern from the landowner's perspective. The Halton Partners will need to consider how to communicate key messaging and policies relating to long-term protection and securement in order to alleviate any concerns landowners may have.

6.3 Greenlands Securement Success and Promotion

The term 'success breeds success' is highly applicable to the securement of ecologically sensitive lands. Unless the securement of the land is confidential, once there is the 'success' of securing a property within a given area, the Halton Partners should give close consideration to the messaging and leveraging of this success to create even more success. Whether the property was purchased or donated, a single success can be used to generate local, regional or even provincial attention which in turn can lead to increased funding, an increase in interested landowners and an increase in partnership support. Especially in the case of land donations, this may encourage other landowners to do the same. The landowner who donated their property can be invited to the community celebration to act as a champion in their neighbourhood for similar donations.

6.3.1 Recommendations for a successful Community Greenland Securement Celebration

- 1) Ensure all partners involved in securement of a property are given proper recognition.
- 2) Invite local, regional and provincial politicians to the event (federal if Ecogifts donation).
- 3) Ensure that the event or success is covered by all forms of local and regional media (e.g. newspaper, television, radio).
- 4) Ensure that the event is communicated through internal media like newsletters, websites, email, etc.
- 5) Use media articles, newsletters, signage or other internal communications to send to interested partners, neighbouring landowners, etc.

6.3.2 Indicators and Measures of Success

Once Halton Partners begin achieving land securement successes as a result of the Program, it will be important to start tracking useful indicators and measures of success. This will enable the Region to compare levels of success from one year to the next and report these successes in a qualitative way to Regional staff, councillors and the public. Examples of these types of measures could include the following:

- 1) Acreage of Land Secured (grouped by securement method);
- 2) Acreage of Land Secured (grouped by type of natural feature);
- 3) Acreage of Land Secured (grouped by Priority Area);
- 4) Total Funding Required by the Region;
- 5) Total Funding Matched by partners; and
- 6) Number of Landowners Contacted for Outreach and Education.

6.3.3 Land Securement Targets

The Region and its securement partners have protected 5,911 hectares (14,607 acres) of natural area (Map 3). This accounts for approximately 6.3% of the Region's 93,887 hectare (232,000 acre) land mass in environmental long term protection. In terms of defining how much land to target for securement there are different ways of looking at the solution. Many sources focus on minimum targets for habitat types. For example, a minimum target of 30% is recommended for forest cover, and for wetlands a minimum of 10% is recommended (Environment Canada, 2004). Other scientific research sets a target for biodiversity protection at 30% based on the needs of protection of wildlife with larger habitat needs (Cox et al., 1994). Some sources go as high as recommending 50% (Noss, 1991; Odum and Odum, 1972) and others are even much higher (Ryti, 1992). In addition, there are other studies that cite GIS analysis of conservation targets based on habitat representation such as MNR's Big Picture and the Nature Conservancy of Canada's Ecoregional Planning. However, for simplicity we will focus on a percentage of total land mass for land securement targeting.

Perhaps the most famous target was presented in 1987, when the report of the World Commission on Environment and Development recommended tripling the amount of protected areas throughout the world. In 1987 they were at approximately 4%. This target of 12% was based on a previous target of 10% set in 1982 by Kenton Miller (Miller, 1982). The 10% target was set to represent a balance between political considerations and biological criteria. Many countries, including Canada, adopted the 12% figure as a minimum target for protected space even despite the fact that many other sources have much higher recommendations. Canada has instituted a Protected Areas Strategy (PAS) based on this 12% land area target. The goal is to protect critical wildlife habitat, as well as a part of each of Canada's ecosystems, which will add up to about 12%. Although some may argue that this target is outdated and not purely scientifically based, it does set an achievable goal, especially for those jurisdictions that are well below this benchmark. Today about 8.3% of Canada has some degree of protection. This includes all federal, provincial and territorial locations with an environmental conservation purpose, as well as lands held by private organizations.

For the purposes of this Strategy, the minimum percentage target is set at 12%. Even though this target might be considered low in relation to other targets, it sets an achievable benchmark that the Region can work towards and measure success from. It is recommended that this target be revisited at a later date with consideration for increasing it. To meet the minimum 12% target within the Region, there would need to be a total of approximately 11,266 hectares (27,840 acres) secured by all conservation partners. This is an approximate addition of 5,355 hectares (13,233 acres) of land to the already existing total amount of protected lands which is 5,911 hectares (14,607 acres). To achieve this, all Halton Partners would have to be fully committed to this goal and working in partnership with one another. The Region currently has approximately 5,494 hectares (13,577 acres) equating to roughly 30% of the approximate 18,500 hectare (45,695 acre) Greenlands System secured. The Greenlands System is made up of waterfront natural areas, greenlands identified within the Region's Official Plan and Niagara Escarpment Natural Areas.

Securing an average of 357 hectares (882 acres) per year over 15 years is required to meet the target of an additional 5,355 hectares (13,233 acres) of land. This is based on the assumption that an average parcel size targeted for securement will be 14 hectares (35 acres). An annual average of 25 properties will need to be secured to meet this goal. This would be reliant on effective partnerships with securement partners and an active landowner contact initiative. With ever increasing population and development pressures in the Region and the population

expected to increase from 439,256 residents (2006 Census) to 780,000 residents by the year 2031, the 15 year timeline is imperative. Any program that takes longer than 15 years could be detrimental to the program reaching its goal of 12% protection as there could be lost opportunities for securement.

The securement or acquisition of an additional 357 hectares (882 acres) of greenlands per year will be targeting the largest key parcels first and with a priority on fee simple donations (full value or split-receipt), followed by conservation agreements and leveraged purchase last. The quality of future secured lands is as important as the amount of land acquired by Halton Partners each year. Implementation of this Strategy will allow for Halton Partners to effectively target securement opportunities that clearly meet the selection criteria set forth.

6.4 Timelines and Expectations

The Region will target landowner contact of 250 landowners within the first year of the Program and aim to successfully organize and hold a free landowner workshop sponsored by the Region to engage and educate residents who own environmentally significant land on land conservation and stewardship. Based on other landowner contact programs, there is an expected response rate of 10-20% of landowners who are interested in learning more about conservation. Of these, a smaller percentage will be interested in detailed securement discussions. In year 2, the Region will target landowner contact of 200 new landowners and continue to follow up and build relationships with year one contacts, and hold another educational landowner workshop. Landowner contact will be extremely important over the 15 year implementation of this Strategy and in meeting the 5,355 hectare (13,233 ac) target. It is not uncommon for it to take several years to cultivate a relationship with a landowner thereby earning their trust and allowing them the time to make a decision to permanently protect their land. The process is repeated every year, with new contacts being established, and relationship building with those who express interest in the Program.

7.0 CONCLUSIONS & RECOMMENDATIONS

This Strategy is the first step in the development and implementation of the Program for the Region and its prospective Halton Partners. It was developed through consultation with potential Halton Partners. By strategically targeting specific landowners and by providing leveraged funding, the Region can assist Halton Partners with maximizing time, effort and resources in the securement of ecologically significant natural areas and farmland within the Greenlands System.

This Strategy is intended to bring to the table Halton Partners, funding partners and other available resources within the Region to work cooperatively towards complimentary goals. The Region will help its Halton Partners secure more lands by providing leveraged funding, and landowner contact/land securement support. The goal is to keep costs at a minimum by emphasizing the donation of land first, with fee-simple purchase of lands as a last method only for key properties.

This Strategy recommends that the Region move forward in adopting the following recommendations:

1. Adopt and implement a Greenlands Securement Program in the Region;

2. Continue to strengthen and foster partnerships with partners who share complimentary greenlands securement goals and objectives;
3. Assist partners through leveraged funding opportunities for land securement projects;
4. Ensure adequate resources are in place to represent the broad and combined conservation interests of all applicable partners through strategic and coordinated landowner outreach and education initiatives as well as Program support; and
5. Report annually on the successes of the Program.

To meet the goals of the Strategy, it is imperative that the implementation of the Program begin immediately following formal adoption. The Guidelines that accompany this Strategy, describe the operational elements of the Program.



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9.0 DEFINITIONS

“**Application**” is an application under the Program.

“**Greenlands System**” is the Regional Greenlands System of the Official Plan, which may be termed the Natural Heritage System (NHS).

“**Guidelines**” is the Strategy Implementation Guidelines which are protocols and standards intended to guide the PPW Committee and Halton Partners in preparing, receiving, reviewing and making recommendations regarding property identification and Applications submitted to the Region. The PPW Committee will review the Guidelines annually and may amend them as necessary, subject to approval by Regional Council.

“**Halton Green Fund**” is the capital account for the Program; withdrawals from the Halton Green Fund are subject to the recommendation of Regional Staff, the PPW Committee and approval of either the Regional Commissioner of Legislative and Planning Services and Corporate Counsel or Regional Council.

“**Halton Partner**” is an official land securement partner participating in the Program. These partners include conservation authorities, local municipalities, land trusts and NGO’s whose mandate is to protect ecologically significant and/or agricultural lands for conservation purposes. Halton Partners have specific roles and responsibilities as outlined in the Guidelines. The word “partner” is used to refer to the generic meaning of partner or to refer to other partners involved in the program such as funding partners.

“**land acquisition**” means the attainment of interest in land title for conservation purposes. It encompasses, without limitation, the tools of donation, conservation agreements, and fee-simple purchase.

“**land securement**” means the protection of key natural heritage features, functions and attributes using a range of tools, including but not limited to planning policy; stewardship; monitoring; and land acquisition.

“**local municipality**” means a lower-tier municipality within the Region, consisting of the City of Burlington, Town of Halton Hills, Town of Milton and Town of Oakville.

“**PPW Committee**” is the Planning and Public Works Committee of Regional Council established to review, analyze and provide recommendations to Council on property identification and Applications.

“**Primary Criteria**” is a set of land designations/attributes used to determine if a property is eligible for funding under the Program. A property must meet at least one of the designated criteria to be eligible for funding.

“**Priority Area**” means an area of land targeted for securement by the Region and its partners.

“**Program**” is the Greenlands Securement Program to protect valuable greenlands in the Region proposed for implementation and adoption in the Strategy.

“Region” means the geographic area within the jurisdiction of the Regional Municipality of Halton.

“Regional Council” is the governing body over the Regional Municipality of Halton.

“Secondary Criteria” is the second tier of requirements under the Program following Primary Criteria. Additional preference for funding eligibility is considered when properties meet any of the identified Secondary Criteria designations and attributes.

“Strategy” is the Greenlands Securement Strategy which sets out the intention to establish the Program and bring together land securement partners, funding partners and other available resources within the Region to work cooperatively towards complimentary goals of securing additional greenlands.

“SWG” is the Stakeholder Working Group comprising staff from the Region and the Halton Partners involved in land securement, funding, stewardship etc. The SWG discusses and establishes Priority Areas and priority properties for securement in the Region and makes recommendations to the PPW Committee.

10.0 APPENDICES

APPENDIX 1

OVERVIEW OF POTENTIAL HALTON REGION PARTNERS

Conservation Authorities

Conservation areas are owned and managed by conservation authorities. These lands are established to conserve important watershed resources such as floodplains, valley lands, wetlands, forest regeneration areas, and water management structures. Conservation authorities are acquired for their environmental significance and recreational uses. The following paragraphs discuss each conservation authority in the Region and their current land holdings.

Grand River Conservation Authority (GRCA)

Currently the GRCA has no land holdings or conservation agreements in the Region.

Conservation Halton (CH)

Conservation Halton currently owns 3,185.86 hectares (7,871.89 acres) of land in the Region comprised of Conservation Areas, Resource Management Areas, Floodplains, Channels, Waterfront Lands and Miscellaneous Lands. Resource Management Area is a term CH has given to land holdings that are not active Conservation Areas, but rather more remote smaller natural areas that are for the most part all under forest cover with trails provided for forest management and passive recreation such as hiking and cross country skiing. CH also manages 88 hectares (217 acres) owned by the Ontario Heritage Trust that have long term management leases. CH currently also has a few conservation agreements in the Region.

CH Land Holdings in the Region

Name	Municipality	Hectares	Acres
Burns	Milton	31.00	76.59
Campbellville	Milton	1.49	3.68
Crawford Lake	Milton	222.66	550.20
Glenorchy Conservation Area	Oakville	400.61	989.95
Hilton Falls	Milton	648.52	1,602.48
Kelso	Milton	458.05	1,131.84
Mount Nemo	Burlington	189.70	468.75
Mountsberg	Milton	79.17	195.62
Rattlesnake Point	Milton	294.30	727.22
Subtotal 1		2,325.50	5,746.33

Resource Management Areas		Hectares	Acres
Total		742.78	1,835.37

Flood Plain Areas		Hectares	Acres
Total		30.84	76.19
Channel Areas		Hectares	Acres
Total		70.56	174.36
Waterfront Areas		Hectares	Acres
Total		12.99	32.09
Miscellaneous Areas		Hectares	Acres
Total		3.19	7.92
Subtotal 2		860.36	2,125.56

Total (Subtotal 1 and 2)		3,185.86	7,871.89
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Credit Valley Conservation (CVC)

Credit Valley Conservation currently owns 787 hectares (1946 acres) of land in the Region.

CVC Land Holdings in the Region

Name	Status	Hectares	Acres
Armstrong Avenue Conservation Area	CVC owned & managed	20.99	51.84
Cedar Road Subdivision Conservation Area	CVC owned & managed	1.73	4.27
Glen Williams Park	CVC owned & municipally managed	1.17	2.89
Kviet Conservation Area	CVC owned & managed	0.13	0.31
Limehouse Conservation Area	CVC owned & managed	76.89	190
McEnery Conservation Easement	CVC owned & managed	0.72	1.78
North Halton Country Club Conservation Easement	CVC owned & managed	1.44	3.55
Silver Creek Conservation Area	CVC owned & managed	441.93	1091.56
Terra Cotta Conservation Area	CVC owned & managed	199.79	493.51

Name	Status	Hectares	Acres
Terra Cotta Forest Conservation Area	CVC owned & managed	40.87	101
Willow Park	CVC owned & municipally managed	2.45	6.06
Total		787	1,946

Parks and Public Open Space

Park lands are managed for the public by municipalities, the Ministry of Natural Resources (MNR) through Ontario Parks (OP), and Parks Canada. In the Region there is only one Provincial Park. It is Bronte Creek Provincial Park and is 682 hectares (1684 acres) in size and is an operating day use and camping park. Most small mammals common to southern Ontario live in the park, as well as some larger species such as White-tailed Deer, Red Fox, Coyote and Raccoon. Birds in the park include the Blue Jay, Blackbird, Red-tailed Hawk and several kinds of sparrows, as well as the occasional Pileated and Red-headed Woodpecker, Scarlet Tanager, Turkey Vulture and both Snowy and Short-eared Owls. As many as 20 species of amphibians and reptiles also make their home around Bronte Creek Provincial Park. More than 70 species of moths and butterflies have been identified in the park, as well as another 125 species of insects, including a rare Katydid.

Halton Region Forest Tracts and MNR Agreement Forests

The Niagara Escarpment, Lake Ontario Waterfront, River Valleys, Bruce Trail, and Halton Regional Forests are the Region's Crown Jewels that make the environment so attractive to residents. The Regional Forests are an important component in the Region's efforts to protect the natural heritage of Halton as many tracts are on the Niagara Escarpment and/or in Environmentally Sensitive Areas. A significant opportunity for public use and enjoyment of these areas is afforded by the existence of the Regional Forests. They are a way for the Region to demonstrate stewardship and set an example in preserving and enhancing natural heritage features and functions.

The Region owns 665.72 hectares (1,645 acres) of forest on 14 separate tracts of land. The tracts were purchased for forestry purposes, starting in 1939. Most of the forest stands are less than 70 years old, reflecting past land uses and management activities. Reforestation started in 1940 when 30,000 conifer seedlings were planted. Since that time 134 hectares (331 acres) have been reforested. These tracts of forest owned by the Region were previously managed by MNR under the Agreement Forests Program. A management plan was created for these forests in February 2005. There is also one additional tract still owned by the MNR. It is an 80.9 hectare (200 acre) tract located in Milton at Speyside. All of these forested tracts are part of the Greenlands System as listed in the Regional Official Plan (Part III, Section 113-136) and are subject to regulations. Early in 2005, Regional Council adopted the Halton Regional Forest Management Plan to guide management activities and uses within the Forest for the next 20 years. All 14 tracts of the Regional Forest are open to the public for passive recreational use.

There are access trails in all tracts although some are limited. Small parking areas are associated with most, but not all, of the forest tracts.

Nine of the 14 Forest tracts lie within either the Niagara Escarpment Plan or an Environmentally Sensitive Area. Most of the tracts are located above the escarpment brow on thin soils over limestone bedrock and are hydrogeologically sensitive. Half of the forested area is deciduous forest dominated by Sugar Maple and White Beech. White Pine and Red Pine plantations are the second most common vegetation community. About 23 per cent of the tracts are wetlands including deciduous swamps, marshes, and thickets. Scientific inventories indicate that 517 plant species have been identified in the forest tracts. Of these, 65 are considered rare or uncommon in either the Region or the GTA and three are provincially rare. Most rare plants were found in deciduous forests and wetlands. 95 bird species were recorded in 2001, including 35 species that need large areas of continuous habitat to thrive. The Halton Regional Forest is one of the premier habitats in Ontario for the Jefferson Salamander, which is listed as a threatened species. Two other salamander species and seven frog or toad species were also recorded in the Regional Forest.

Halton Region Forest Tracts

Forest Tract Name	Municipality	Hectares	Acres
Acton Tract	Halton Hills	22.03	54.44
Britton Tract	Milton	166.11	410.47
Conley Tract	Milton	21.72	53.67
Coulson Tract	Halton Hills	35.92	88.76
Cox Tract	Milton	40.85	100.94
Currie Tract	Milton	39.19	96.84
Elliot Tract	Milton	30.72	75.91
Finney Tract	Milton	19.67	48.61
Frank Tract	Milton	41.77	103.2
Laking Tract	Milton	12.84	31.73
Mahon Tract	Milton	49.07	121.25
Robertson Tract	Milton	87.36	215.87
Snyder Tract	Milton	57.77	142.75
Turner Tract	Milton	40.62	100.37
Total		665	1,645

Establishment of new Regional Forest sites is not intended. Holding of additional lands would be considered only when such an acquisition expands upon one of the existing Regional Forests.

Regional Waterfront Parks

The Region is fortunate to have direct access to the Lake Ontario Shoreline, which provides unique opportunities for recreation through waterfront parks and boating. The Regional Official Plan identifies several areas as Regional Waterfront Parks, which are intended to maximize public access to the waterfront by increasing the amount of well distributed public open space and to provide a variety of recreational, cultural and tourism opportunities. One of the results of the 2002 Official Plan Review was to recognize only Burlington Beach (34.53 ha/85.34 ac) Burloak Park (5.58 ha/13.79 ac) and Bronte Harbour (31.14 ha/76.96 ac) as Regional Waterfront Parks totalling 71.26 hectares (176.10 acres) of land.

Ontario Heritage Trust (OHT)

The OHT currently owns four properties in the Region which are listed in the table below. The total area of these properties is 302.64 hectares (743.95 acres). OHT currently has no conservation agreements in the Region.

OHT Land Holdings in the Region

Property Name	Local Municipality	Natural Heritage Features	Hectares	Acres
Little	City of Burlington	Greenbelt Protected Countryside, ESA, Species: SARA protected species	3.24	7.95
Scotsdale	Halton Hills	NE Park; Escarpment Natural ANSI (RS-ES) PSW Class 1, ESA #34; Species: G4 S3	215	531
Yaremko	Milton	NE Park, ESA	19.4	45
Yaremko/ Ridley	Milton	NE Park, Escarpment Natural ANSI (PS-LS), ANSI (RS-ES), PSW, ESA	65	160
Total			302.64	743.95

* Not including Bruce Trail properties and current as of July 2007

Non-Government Organizations and Land Trusts

There are several non-profit conservation groups and land trusts that own land in the Region.

Bruce Trail Conservancy (BTC)

Although the BTC currently does not hold title to any land in the Region except for one small 0.14 acre property, they manage 718 acres in Halton and 6399 acres total containing 75 km of Continuous Optimum Route through their network of land stewards and trail volunteers. The Trail crosses dozens of properties in the Region which are owned by CH, the City of Burlington, CVC, OHT or the Management Board Secretariat. OHT also holds trail easements to secure the Bruce Trail. Currently 60% of the Bruce trail is secured in the Region.

Ducks Unlimited Canada (DU)

DU currently holds no land or conservation agreements in the Region.

Escarpment Biosphere Conservancy (EBC)

EBC currently holds no land or conservation agreements in the Region.

Head of the Lake Land Trust (HLT)

HLT currently holds no land or conservation agreements in the Region.

Ontario Farmland Trust (OFT)

OFT currently holds no land, conservation agreements or farm easements in the Region.

Ontario Nature (ON)

Ontario Nature currently has 1 nature reserve within the Region named the William G. Crozier Nature reserve. It is a 1.62 hectare (4 acre) property near Milton and it is currently a part of the Bruce Trail.

Royal Botanical Gardens (RBG)

Royal Botanical Gardens, a registered charitable organization, is governed by a volunteer Board of Directors comprising community members and appointed representatives of four levels of government, and the Gardens' Auxiliary. RBG is the owner and steward of over 900 hectares (2,200 acres) of ecologically sensitive natural lands which includes a 30 kilometre trail system. These lands are on the border of the Region and the Region of Hamilton-Wentworth. RBG has five garden areas (RBG Centre, Hendrie Park, Laking Garden, Rock Garden, and Arboretum). The RBG also has four nature sanctuaries (Cootes Paradise, Hendrie Valley, Rock Chapel, and Berry Tract). Out of the four nature sanctuaries, the Hendrie Valley is the only nature sanctuary that is located officially in the Region. It is approximately 100 hectares (247 acres) in size. The other three nature sanctuaries are located in the City of Hamilton.

APPENDIX 2

CONSERVATION AGREEMENTS

In 1994 the provincial government passed Bill 175 amending the Statutes of Ontario including the Conservation Land Act R.S.O. 1990, CHAPTER C.28. This amendment allows landowners to grant easements or enter into covenants for the protection and conservation of land. The owners may grant easements or enter into covenants with conservation bodies (such as the Crown, Conservation Authorities, Municipal Councils, Bands, or registered charities) which may be registered on title and a binding on future purchasers. A further amendment to the Conservation Land Act was passed in 2006 called Bill 16 which introduced new requirements that:

- The owner of the land shall not amend an easement or covenant without the written consent of the Minister of Natural Resources;
- The conservation body cannot release the easement or covenant without the written consent of the Minister of Natural Resources; and
- No person shall commence legal proceedings to amend or release an easement or covenant without giving notice to the Minister.

Also, over the past few years, the land trust community in the United States and Canada has made the improvement of conservation easement programs a primary focus. Standards and practices relating to conservation agreements have been at the forefront of training and implementation especially when it comes to drafting, negotiating, budgeting, preparing Baseline Documentation Reports (BDRs), monitoring and defending these agreements. Several recent publications on the standards and practices related to conservation agreements (EC, 2005; WCELRF, 2005; LTA, 2005) are an excellent resource for any conservation organization to use as our knowledge of these agreements is continually evolving. These agreements are complex, expensive to negotiate and manage and are not always easily interpreted by future landowners. Therefore, agreement holders need to practice ultimate due diligence and have a robust conservation agreement program in order to support and effectively maintain these agreements in perpetuity.

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