

1

GREENING SECUREMENT PARTNERSHIP AGREEMENTS

(Regional Council at its meeting on December 16, 2009 amended this report as follows:

that staff report back on the ownership interests regarding the purchases that were made.)

The Transportation Services Committee recommends the adoption of the recommendations contained in the following report dated November 20, 2009, from the Commissioner of Transportation Services and Commissioner of Planning and Development Services.

1. RECOMMENDATIONS

It is recommended that:

1. The Region enter into a three-year agreement with the Nature Conservancy of Canada ("NCC") to provide for contributions to a maximum of \$100,000 per year in support of the Region's Greening and Securement Strategies.
2. The Region enter into a three-year agreement with the Oak Ridges Moraine Land Trust to provide for contributions to a maximum of \$40,000 per year in support of the Region's Greening and Securement Strategies.
3. The Regional Chair and Clerk be authorized to sign the necessary agreements, subject to terms and conditions acceptable to the Commissioner of Transportation Services and approval of Legal Services as to form and content.

2. PURPOSE

This report recommends the continuation of successful partnership through renewed agreements with the Nature Conservancy of Canada (NCC) and the Oak Ridges Moraine Land Trust (Land Trust). These agreements support the Region's Greening and Securement Strategies by enabling the NCC and the Land Trust to assist the Region in securing conservation lands through title, rights on title or other interests in land.

3. BACKGROUND

Successful agreements have been in place with NCC and the Land Trust since 2001 and 2002 respectively

One component of sustainability is protecting a healthy and diverse natural heritage system. Securing environmental lands is a key Greening Strategy tool to achieving this objective. In 2000, Regional Council requested staff pursue land securement agreements with the NCC and other partners (e.g. the Land Trust). In 2001, Regional Council approved funding (\$100,000) and an agreement with NCC, and supported the funding of other securement partnerships as part of the long term endorsement of the Greenlands Property Securement Strategy. In January 2002, the Region entered into the first agreements with the Oak Ridges Moraine Land Trust. Regional funding contributions are recognized as seed money to leverage other funding and resources for the effective securement of conservation lands. To date these agreements have resulted in the securement of 21 properties (564 ha). Regional contributions through the agreements of \$904,500 (\$700,000 to the NCC and \$204,500 to the Land Trust) have resulted in the securement of over \$30 million worth of land, \$20.8M by NCC and \$9.5M by the Land Trust. These agreements and their associated deliverables have a proven track record of significant on the ground achievements. After several years of successful implementation, the agreements were renewed in early 2006 for three years and further extended for a year to include 2009. Renewed new three-year agreements with both partners are recommended for the term of 2010 to 2012.

The Nature Conservancy of Canada agreement includes substantial deliverables based on number of properties, area of land and/or value of land secured

The Nature Conservancy of Canada (NCC) is Canada's only national registered charity dedicated to preserving ecologically significant areas through outright purchase, donations and conservation easements. In 2001, York Region entered into a three-year agreement with the NCC. The terms of the original agreement between the NCC and York Region included an annual financial contribution from the Region of \$100,000 to be matched with an annual contribution of \$40,000 from the NCC. In actuality, NCC contributes close to \$70,000 per year (on average). York Region funding was to be used to annually secure environmentally sensitive or significant lands with an appraised value of not less than \$600,000 per year. The last three year agreement introduced an 'options' approach to deliverables as follows:

- Six (6) or more properties.
- Three (3) or more properties cumulatively valued at a minimum of \$1.8 million
- A combination of properties totalling over 180 hectares (~450 acres).

A total of fourteen properties have been secured during the period when agreements have been in place between York Region and NCC

Since 2001, fourteen properties have been secured by the NCC through our agreement (Table 1). In total, the Region has provided the NCC with \$700,000 under the terms of these agreements. The total appraised value of the 297 hectares secured is in excess of \$20,000,000.

Table 1
NCC Securement Achievements

Property Name	Year Secured	Property Size	Securement Mechanism
Izzard Property (Township of King)	2001	9ha	Donation to NCC
Tasker Property (Township of King)	2002	8ha	Purchase by NCC
Tasker Property (Township of King)	2002	6ha	Conservation Easement Donation to NCC
Barnett Property (Township of King)	2003	32ha	Conservation Easement Donation to NCC
MacMillan Nature Reserve (City of Vaughan)	2004	51ha	Donation to NCC
Battilana-Spizzeri (Township of King)	2004	20ha	NCC Purchase
Peggy's Wood Nature Reserve (Town of Newmarket)	2006	17ha	Donation to York Region
Creed Property (Township of King)	2006	12ha	Donation to NCC
Collings (Town of East Gwillimbury)	2006	8ha	Donation to LSRCA
Brozic (Town of Georgina)	2007	8ha	Acquisition by LSRCA
Roches Point –Gibbons (Town of Georgina)	2008	27ha	Conservation Easement donation to LSRCA
Roches Point – Mathews (Town of Georgina)	2008	55ha	Conservation Easement donation to LSRCA
Fradkin – Property (Township of King)	2008	15ha	Acquisition by NCC
Klady Forest (Township of King)	2009	29ha	Acquisition by NCC
Total Area Secured through NCC Agreements		297ha	

Agreements with the Oak Ridge Moraine Land Trust provide funds on a project-by-project basis within the term of the agreement

The Oak Ridges Moraine Land Trust (Land Trust) is a non-government charitable conservation organization established to identify, protect, conserve and restore the integrity of the natural environment and heritage sites of the Oak Ridges Moraine. In 2002, York Region entered into the first agreement with the Land Trust to secure significant lands within York Region. The Land Trust works on a property-by-property basis with individual land owners over extended periods of time. This process develops a foundation of trust on which to encourage donations or the placement of Conservation Easements to protect lands for future generations. The terms of the original agreement with the Oak Ridges Moraine Land Trust allowed for financial contributions to the Land Trust assessed on a case-by-case basis. This funding covered administrative costs associated with either land donations or with the establishment of Conservation Easements. The agreement did not specify funding allocations and limits and there were no leveraging requirements or deliverables.

In 2006, the Region entered into an updated three-year agreement (2006 – 2008) which provided more detail and accountability on the use of funds provided by the Region. This agreement was subsequently extended to include 2009. The updated agreements allowed for the advancing of York Region funds on active files in order to assist the Land Trust with some of the up-front costs of securement. This flexibility is supported with full reporting which allows this creative partnership to effectively meet both parties' conservation objectives. The agreement allows for a maximum annual York Region contribution of \$40,000, subject to the following terms:

- Up to \$5,000. may be used to cover stewardship and general administration.
- A maximum per property contribution of \$15,000 or 50% of the total securement costs (the lesser of the two).

The agreement does not require any specific number of properties to be finalized (i.e. registered on title) in a given year.

A total of seven properties have been secured during the period when agreements have been in place between York Region and the Oak Ridges Moraine Land Trust

Since early 2002 seven properties have been secured by the Land Trust through our agreement (Table 2). In total, the Region has provided the Land Trust with \$204,500 under the terms of these agreements. The total appraised value of the 267 hectares secured was in excess of \$9,500,000.

Table 2
Oak Ridges Moraine Land Trust Securement Achievements

Property Name	Year Secured	Property Size	Securement Mechanism
Harper Property (Township of King)	2004	7ha	Bequest to the Land Trust
Calandra Property (Town of Whitchurch-Stouffville)	2005	24ha	Conservation Easement donation to the Land Trust
Glassco (–Township of King)	2006	111ha	Conservation Easement donation to the Land Trust
Slokker (Township of King)	2006	69ha	Conservation Easement donation to the Land Trust (subsequently purchased by TRCA with support from York Region and others)
McLeod (–Town of Aurora)	2006	16ha	Donation to the Town of Aurora
Douglas Groomsbridge ((Township of King)	2008	20ha	Conservation Easement donation to the Land Trust
Earl and Margaret Groomsbridge (Township of King)	2008	20ha	Conservation Easement donation to the Land Trust
Total Area Secured through ORMLT Agreements		267ha	

4. ANALYSIS AND OPTIONS

The existing agreements with the NCC and the Land Trust should be renewed for new three-year terms (2010-2012)

Given the success of these environmental partnerships to date, it is recommended that the Region enter into 2010 to 2012 agreements based on the same terms as the 2006-2008 agreements.

The agreement with the Nature Conservancy of Canada will continue to have a Regional annual contribution of \$100,000 matched by an NCC contribution of \$40,000 with three options for deliverables

Consistent with the 2006-2008 agreement with the NCC, the new agreement will include a \$100,000 annual York Region contribution to the partnership with a \$40,000 annual

contribution from the NCC. Deliverables under the agreement include an annual joint publicity event promoting the partnership and properties secured by the NCC within York Region in accordance with one of the following deliverables for the three-year term:

- Six (6) or more properties.
- Three (3) or more properties cumulatively valued at a minimum of \$1.8 million
- A combination of properties totalling over 180 hectares (~450 acres).

The agreement allows for purchases in addition to donations, bequests and conservation easements. The specific achievements will be reported to Regional Council annually.

The agreement with the Oak Ridges Moraine Land Trust will continue to have a maximum annual Regional contribution of \$40,000 provided to the Land Trust to negotiate securement opportunities

To reflect the need of the Land Trust for seed money to pursue donations of title or conservation easements, the agreement provides \$5,000 for stewardship, education and marketing in addition to property-specific funding for donations or conservation easements. Per property funding is limited to a maximum of 50% of the administrative costs required or \$15,000, the lesser of the two. The agreement includes an annual maximum York Region contribution of \$40,000. While the Land Trust is not required to finalize securement properties within a specific time frame, the agreement provides for full budget accounting on a property-by-property basis. This framework ensures that York Region funds are being used to advance priority securement opportunities, and provides clear documentation of projected finalization dates. Securement achievements/deliverables of the land trust are largely reliant on the charitable gestures of potential donors of land and/or conservation easements, since fee simple acquisition is not generally available to them. As such, specific achievements are reported to Regional Council annually.

The Natural Heritage Strategic Directions report includes action items that may warrant further consideration of these securement partnership agreements

In January 2008, Regional Council endorsed the Natural Heritage Strategic Directions report. This report supports the Region's Growth Management Strategy and included eight action items to ensure a comprehensive strategy for protecting and enhancing the Region's natural heritage. This strategy will be achieved through the development and implementation of an updated Regional Greenlands System in the new Regional Official Plan, and other strategic initiatives including the Greening Strategy.

The Natural Heritage Strategic Directions Report includes two specific action items relevant to the Region's Securement Partnership Agreements:

Action 1: Update Our Natural Heritage System

Action 4: Restore and Strengthen the Natural Heritage System

The objective of these two action items is to ensure that a defensible natural heritage system is identified and mechanisms are in place to see it protected, restored and strengthened. Action 1 specifically references the need to secure the system, and to do so with strategic partnerships. The work being undertaken to advance these action items may identify the need to modify agreements that the Region has with our partners including NCC, the Oak Ridges Moraine Land Trust, Conservation Authorities, and others. A report to the Planning and Development Services Committee in 2010 will present the results of work undertaken in support of these action items. In the event modifications to these agreements are recommended, staff will report back to Transportation Services Committee recommending the means to integrate this strategic direction through amendments to these agreements.

Relationship to Vision 2026

Partnerships with the Nature Conservancy of Canada and the Oak Ridges Moraine Land Trust are a strong component of the Greenlands Property Securement Strategy which continues to support York Region's sustainable future through Vision 2026 and such key goal statements as:

"In 2026, York Region residents will continue to value and embrace the Region's unique natural heritage (land, air, water) and cultural heritage (sites and buildings important to our history, faiths and cultures).

In 2026, York Region will have grown at a pace that supports healthy communities, economic vitality, sustainable natural environment and effective human services."

These agreements, and the umbrella Greening and Securement Strategies, strengthen the Region's commitment to focus on Vision 2026 action areas including:

- Protecting sensitive features such as forests, watersheds, the Oak Ridges Moraine and Lake Simcoe.
- Promoting a permanent linked Greenlands system.
- Continuing to develop and build strategies for a green region, such as the York Regional Forest Management Plan, the Greening Strategy and the Greenlands Property Securement Strategy.
- Taking a leadership role in the development and implementation of environmental strategies and conservation activities.

5. FINANCIAL IMPLICATIONS

Funds to support these securement partnership agreements are available through the Greening and Securement Strategies annual budget allocation

These agreements help to leverage funds and in kind resources from our partners. They also facilitate improved access to funding available for securement and stewardship initiatives from organizations including the Conservation Authorities, the City of Toronto Source Water Acquisition Fund, and others.

As discussed in section 4, achievements/deliverables by the land trust are generally dependent on charitable actions by potential donors of land and/or conservation easements. Additionally, the agreement with the Land Trust permits access to Regional funding to negotiate potential donations which are not guaranteed to result in a securement achievement. As a result, the number of properties secured will vary greatly between years, and between agreement terms. Notwithstanding the aforementioned, Table 3 identifies the return on the Region's investments with these partners to date.

Table 3
Agreement Partnership Investment Versus Return

Partner	Regional Investment	Return in hectares (Property Value)	Cost per Ha to the Region
Nature Conservancy of Canada	\$700,000	297ha (>\$20.5M)	\$2,356/ha
Oak Ridges Moraine Land Trust	\$204,500	267ha (>\$9.5M)	\$765/ha

It should also be recognized that the NCC's principle focus is on the fee simple acquisition of key properties, whereas the focus of the land trust is Conservation Easements and donations. The variety of securement approaches utilized by our partners is cost effective. The Region's Securement Strategy identifies the importance of utilizing a variety of tools to secure lands

In April 2001, Regional Council approved the Greenlands Property Securement Strategy – A Legacy for our Future. To deliver the Greening and Securement Strategies, Council approved an annual contribution of \$1,400,000. This annual funding is utilized to administer all aspects of the Greening and Securement Strategies, including contributions to the Greenlands Property Securement Reserve. The current balance of the reserve is approximately \$1,600,000. The funds to support these agreements (combined total of \$140,000 annually) will be drawn from the annual Greening and Securement Strategy allocation.

6. LOCAL MUNICIPAL IMPACT

Local municipalities are important partners in implementing the Greening and Securement Strategies. As members of the Region's Land Securement Working Group, local municipalities are kept up to date on the Region's securement initiatives and are invited to partner in key securement properties. As greenlands are protected and enhanced through securement initiatives, local municipalities benefit from the multiple benefits to both their communities and the natural environment. The Land Securement Working Group will continue to provide an open forum for local municipalities to work with the Region within the existing program.

7. CONCLUSION

Renewed agreements with the Nature Conservancy of Canada and the Oak Ridges Moraine Land Trust present a significant opportunity to further Greening and Securement Strategy objectives. These agreements are examples of significant strategic partnerships that result in Regional funds leveraging additional funds from other groups, Greenlands being secured and public education and outreach. They demonstrate York Region's continuing commitment to protect and enhance the natural environment for future generations.

For more information on this report, please contact Ian Buchanan, Manager of Natural Heritage and Forestry Services at Ext. 5204.

The Senior Management Group has reviewed this report.