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GREENING SECUREMENT PARTNERSHIP AGREEMENTS

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, March 24, 2006, from the Commissioner of Transportation and Works and the 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 review and approval of Legal Services.

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) that support the Region’s Greening and Securement Strategies to enable the NCC and the Land Trust to assist the Region in securing conservation lands through title or rights on title acquisition or other interests in land.

3. BACKGROUND

One component of sustainability is protecting a healthy and diverse natural heritage system. Securing environmental lands is a key tool to achieving this objective. In April 2001 and January 2002, the Region entered into agreements with the NCC and the Oak Ridges Moraine Land Trust (respectively). After several years of successful implementation, as outlined in Sections 3.1.1 and 3.2.1 of this report, the parties have revisited the original terms of the agreements, revised them to reflect current objectives of the parties, and are proposing to enter into new three-year agreements with the Region.

3.1 Nature Conservancy of Canada

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. York Region funding was to be used to annually secure, in either party's name, environmentally sensitive or significant lands with an appraised value of not less than \$600,000 per year.

3.1.1 Nature Conservancy of Canada Agreement Achievements

The NCC agreement was in effect from July 2001 to July 2004 with the intent of securing a minimum of \$1.8 million of environmentally sensitive lands with a total Regional contribution of \$300,000. Since 2004, NCC has pursued securement opportunities in the spirit of the Joint Venture agreement with York Region. Over the duration of the agreement between the NCC and York Region, the four properties listed in Table 1 were secured. The total appraised value of the 109 hectares secured was in excess of \$20,000,000.

Table 1
NCC Securement Achievements

Property Name	Property Size	Securement Mechanism
Izzard Property (Township of King)	9ha	Donation to NCC
Happy Valley Property (Township of King)	32ha	Conservation Easement Donation to NCC
MacMillan Nature Reserve (City of Vaughan)	48ha	Donation to NCC
Battilana-Spizzeri (Township of King)	20ha	NCC Purchase

Early in the agreement implementation, it was determined that the terms of the agreement dealing with annual deliverables were problematic. The agreement has been extremely successful when considering the total value of properties secured over the three-year term of the agreement, but the requirement for securement achievements within each year of the agreement is problematic in light of the lengthy process required to secure property (ranging from 18 months to several years). In light of this, the deliverables under the agreement are proposed to be changed in the new agreement (see section 4.1.1).

3.2 Oak Ridges Moraine Land Trust

The Oak Ridges Moraine Land Trust (ORMLT) is a non-governmental 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 an agreement with the land trust to secure significant lands within York Region. The terms of the original agreement with the Oak Ridges Moraine Land Trust (Land Trust) allowed for a Regional financial contribution to the Land Trust to cover administrative costs associated with donations or easements on a case-by-case basis. The agreement 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 land securement.

The agreement did not require any specific number of securement properties to be finalized (i.e. registered on title) in a given year. As a result, finalization of a number of the securement opportunities that York Region has contributed to under this agreement will occur in 2006 or 2007. York Region's continued support of the Land Trust will help secure environmentally significant lands on the Oak Ridges Moraine in York Region.

3.2.1 Oak Ridges Moraine Land Trust Agreement Achievements

The Land Trust agreement was in effect from early 2002 to December 2005. The total Region contribution over the three-year term was \$44,500. The Oak Ridges Moraine Land Trust is a relatively young organization with a focus that is substantially different than that of the NCC. While the NCC frequently uses fee simple acquisition to secure properties of National significance, including York Region's Happy Valley, the Land Trust relies primarily on land and conservation easement donations.

As a result of both their program development in the land securement business, and their focus on charitable gestures by landowners, the time it takes for the Oak Ridges Moraine Land Trust to secure properties is lengthy. The proposed agreement reflects this time lag in securing properties and provides for advanced funding to pursue securement opportunities. For the same reason a number of properties, advanced over the first three years of the partnership with the Land Trust, will be finalized in the near future.

Six securement opportunities are currently under consideration within the donation process and are expected to be finalized in the next couple of years. In addition to the six properties currently in negotiation, the Land Trust has a long list of opportunities for securement that they will continue to pursue through this agreement. Over the duration of the agreement between the Land Trust and York Region the following properties were secured:

Table 2
Oak Ridges Moraine Land Trust Securement Achievements

Property Name	Securement Mechanism	Land Area
Harper Property (Township of King)	Bequest	7 hectares
Calandra Property (Town of Whitchurch-Stouffville)	Conservation Easement	24 hectares

The two properties highlighted in Table 2 were supported by a combined Regional financial contribution of \$17,500. An additional \$3,000 was provided by the Region for support with promotion and education. An additional \$24,000 has been provided by the Region and is being used to cover the administrative costs (land owner contact, appraisals etc.) to advance securement opportunities that will likely close in 2006 or 2007.

4. ANALYSIS AND OPTIONS

The past agreements with the NCC and the Oak Ridges Moraine Land Trust have proven the value and success of the partnerships in terms of the amount of land secured and the further promotion of York Region as a leader in partnership building and environmental protection and enhancement. After this first term of implementation, all partners (York Region, NCC and the Land Trust) have identified areas for improvement in terms of the agreements. Accordingly, staff is recommending that the partnerships continue in accordance with the amendments proposed in this report.

In addition to the existing benefits of these agreements, it is anticipated that these strategic partnerships will help leverage funds from other organizations. For example, the Friends of the Greenbelt Foundation have recently announced a \$25,000,000 endowment which is available for securement and stewardship initiatives which promote and sustain the Greenbelt.

4.1 Nature Conservancy of Canada 2005 – 2007 Agreement

It is recommended that York Region Council enter into another three-year agreement with the Nature Conservancy of Canada with the ability to extend for a subsequent three-year term with Council approval. It is also proposed that the new agreement reflect a 2005 start date to recognize the continuity in terms of the partnership and to acknowledge the ongoing work by the NCC in York Region.

4.1.1 Nature Conservancy of Canada Agreement Highlights

Consistent with the first three-year agreement with the NCC, the proposed agreement includes 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 or more properties.
- Three or more properties cumulatively valued at a minimum of one million eight hundred thousand dollars (\$1,800,000).
- A combination of properties totalling over 180 hectares (~450 acres).

Additionally, the agreement has been modified to allow for the consideration of York Region funding towards purchases in addition to donations, bequests and conservation easements. The previous agreement stated that York Region funds were only to be allocated to administrative costs associated with securing donations of lands or rights to land. Given the NCC's national focus and their significant use of acquisition through negotiated purchases staff feel that our interest is in seeing the deliverables achieved, leaving the strategic direction and approach to the NCC through their work program planning. The specific achievements will be reported to Regional Council annually.

To summarize, the changes proposed to the original agreement include introducing options for deliverables as articulated above, the inclusion of negotiated purchases as a securement tool eligible for partnership funding, and the requirement for a public event or media coverage each year during the agreement.

4.2 Oak Ridges Moraine Land Trust 2006 – 2008 Agreement

It is recommended that York Region Council enter into a three-year agreement with the Oak Ridges Moraine Land Trust with the ability to extend for a subsequent three-year term, subject to Council approval.

4.2.1 Oak Ridges Moraine Land Trust Agreement Highlights

To reflect the need of the Land Trust for seed money to pursue donations of title or conservation easements, the proposed agreement provides \$5,000 for stewardship, education and marketing in addition to property-specific York Region funding for donations or conservation easements to a maximum of 50% of the administrative costs required, with a per property maximum of \$15,000. It is proposed that the agreement include 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 to ensure that York Region funds are being used to advance securement opportunities, and document projected finalization dates. The specific achievements will be reported to Regional Council annually.

To summarize, the changes proposed to the original agreement include allowing for \$5,000 of York Region funding annually for stewardship, education and marketing, the introduction of property and annual York Region contribution limits and the requirement for a public event or media coverage each year during the term of the agreement.

4.3 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

These agreements help to leverage funds and in kind resources from our partners, and also facilitate improved access to funding available for securement and stewardship initiatives from organizations including the Greenbelt Foundation and the Oak Ridges Moraine Foundation.

In April 2001, Regional Council approved the Greenlands Property Securement Strategy – A Legacy for our Future. In support of the strategy, Council approved the establishment of a Capital Reserve with an annual contribution of \$1,400,000. This reserve is utilized to administer all aspects of the Greening and Securement Strategies. The current balance of the reserve is approximately \$4,600,000. Consistent with how the initial agreement was implemented, the funds to support these agreements (combined total of \$140,000 annually) will be drawn from the approved Greenlands Property Securement Reserve.

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 exciting 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.

The Senior Management Group has reviewed this report.