



Conservation Land Securement Strategy

2014

This report was produced by Orland Conservation for the City of Vaughan.

For over 10 years, Orland Conservation has been dedicated to creating legacies of conservation and sustainability. Based in Guelph, Ontario, we provide environmental project services and land conservation expertise to promote ecological health in urban and rural communities. Specializing in land conservation, Orland Conservation has extensive experience in development and implementation of conservation land securement initiatives. Working with municipalities, conservation authorities, land trusts and landowners across Ontario, Orland Conservation has assisted with the protection of nearly 5,000 acres of environmentally significant land.

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City of Vaughan
Conservation Land Securement Strategy
Public Consultation Document for Review

1) INTRODUCTION

Located in York Region in Central Ontario's Greater Toronto Area, the City of Vaughan ("the City") is one of the fastest-growing municipalities in Canada. Formerly described as "The City Above Toronto," Vaughan is a multicultural city made up of the growing communities of Concord, Kleinburg, Maple, Thornhill and Woodbridge covering an area of 27,352 hectares with over 313,490 residents (City of Vaughan, 2013). It is the fifth-largest city in the Greater Toronto Area, and the 17th largest city in Canada.

Vaughan residents have inherited a rich natural legacy that includes diverse ecosystems, flora and fauna, and areas of spectacular beauty. Parts of Vaughan are located within the Oak Ridges Moraine and Ontario's Greenbelt, the landscape is also characterized by the upper portions of the Humber and Don River watersheds and the sub-watershed of Black Creek, a tributary of the Humber River that is also the site of Black Creek Pioneer Village, an open-air historic museum. Among the City's key natural areas are the 237-acre Boyd Conservation Area located along the Humber River Valley and the 800-acre Kortright Centre for Conservation, both owned and operated by Toronto and Region Conservation Authority (TRCA). The City also features a number of significant valley systems, the largest formed by the Humber and East Humber Rivers in the western portions of the City, and the Don River in the east.

This Conservation Land Securement Strategy ("the Strategy") is a comprehensive land securement planning document, which outlines methods for the creation of an informed and effective land securement initiative for the purposes of long-term natural heritage land protection in Vaughan. The Strategy will be used by Vaughan as a framework for the long-term protection, maintenance and, where possible, improvement of the NHN.

2) CONSERVATION LAND SECUREMENT

In Ontario, conservation-based government policy and legislation combined with land-use regulation have traditionally been relied upon to protect ecologically significant land such as forests, wetlands, grasslands, and valley lands. While generally effective in the short-term, existing legal structures cannot provide for permanent protection of natural areas as policy and regulation will invariably be subject to periodical review and amendment. . In addition, anyone may apply to develop lands intended to be protected by the City's Official Plan (OP) or its policies and the appeal the City's decision to the Ontario Municipal Board (OMB). Defense of a City decision to the OMB can be time consuming and expensive.

As political landscapes change, any policies and regulations in place to conserve natural heritage lands remain unstable and only reliable within short-term conservation planning. This is ultimately not a sustainable methodology for a city-wide conservation vision. Therefore, 'land securement' should be prioritized as the most effective approach to protection and conservation of natural heritage lands in the City. Specifically, the term 'conservation land securement' refers to the legal acquisition of natural areas or natural heritage lands through a range of securement methods to facilitate permanent protection of land 'in perpetuity.' Land securement requires both a willing seller/donor and

buyer/recipient. Once secured, such lands are generally held in public or non-profit ownership with the goal to maintain, and ideally protect, restore, and enhance the natural features and their contribution to a larger ecological system. These lands typically result in the formation of parks, trails, conservation areas and nature reserves. Because the goal of land securement is permanent protection, it differs from 'land procurement,' which is the acquisition of land that may at some point be deemed a 'disposable' asset by the public or non-profit funding partner, or land donor/seller.

There are a range of land securement methods available to the City, its partners and landowners, which can be applied to land conservation projects on a case-by-case basis. The adaptability of land securement approaches can offer win-win solutions that are attractive and beneficial to all parties.

Conservation land securement can be pursued by any organization where conservation focus is primarily on land protection and conservation (i.e., a land trust) or larger conservation issues at a watershed level (i.e., a conservation authority). It can also be integrated as a component of a larger, public benefit mission (i.e., a municipality or provincial government), provided that the government body commits to the long-term protection of such properties. Land securement can also be facilitated on an ad-hoc basis; however, this is not an efficient use of limited resources within an organization as implementation of a conservation land securement strategy can take several years to foster relationships with landowners and coordinate the work necessary to initiate each securement project. Further, considering the diverse range of conservation land securement tools and processes, an experienced staff member or consultant is typically required to oversee implementation of a strategy.

Table 1 below, outlines the basic steps of a conservation land securement project.

Table 1: Basic Outline of a Conservation Land Securement Project

1. Develop a Conservation Land Securement Strategy to Set Direction and Establish Goals
Regional Context
Developing conservation land securement criteria
Identifying the conservation land securement Tools
2. Implementation of Conservation Land Securement Strategy
Contacting the Landowners
Education about securement options tailored to audience
3. Working with Individual Landowners (Not all of these items are covered in this Strategy because they are Implementation Plan document)
Meeting with owner/agent on property to discuss securement options with aerial photo of property to be marked up if necessary
Follow up call to continue discussions, and establish perceived land value and all decision makers in transfer of property (or easement) to the City
If both parties find expectations to be reasonable , revise options (if applicable) and draft budget
Commission appraisal by a third party Accredited Appraiser Canadian Institute (AACI) (in most cases)
If an ecological gift, submit application with Letter of Intent to donate
Agree to value and draft applicable Agreement(s)
If an ecological gift, submit application of appraised value determination
Applications for funding (if applicable)
Commence Phase 1 Environmental Assessment and/or staff environmental site assessment
Retain surveyor (if necessary)
City lawyer to perform title search and close transaction
Communicating success
Managing the new land

3) LAND SECUREMENT METHODS

Land securement tools can be adapted to best suit the needs of the original landowner and the recipient to create win-win scenarios. Each tool has advantages and disadvantages associated with each depending on the specific case and goals of each party. For example fee simple purchase usually requires the most money paid by the recipient (and its partners) to secure the parcel; however, the purchase often requires a less complicated transactional process. Typically, donation and split receipts are favoured as the most preferred tool

Each of the tools mentioned below can be either donated or purchase (or both) unless otherwise stated. See Table 2 for a brief overview on the donation / purchase potential for each tool.

The City should encourage donations of land or property rights (e.g., fee simple or conservation easement agreements). At appraised value, these gifts may qualify as charitable donations under the Federal Income Tax Act through the Ecogifts Program. In pursuing donations of land or property rights, the Region works with municipalities and non-profit organizations as well as other potential funding partners in order to secure environmentally significant and/or sensitive lands.

Several changes by the Canadian Revenue Agency (CRA) have provided more tax incentives to landowners willing to donate ecologically sensitive lands. The 1995 federal budget provided for amendments to the Income Tax Act to increase the 20% limitation in respect of charitable donations to 100% for donations made after February 27, 1995. This increase applied to Canadian municipalities and registered charities designated by the Minister of the Environment with land certified by the Ministry to be important to the preservation of Canada's environmental heritage. In May 2006, an announcement was made that all donations of ecologically sensitive lands through the federal Ecological Gifts Program (Ecogifts) 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. In addition, as part of the Ecogifts Program, all appraisals are reviewed by an expert panel of appraisers, providing assurance to the Region and landowners that the appraisal is accurate and legitimate. The Region is eligible to accept donations through the Ecogifts Program.

TABLE 2: DONATION AND PURCHASE POSSIBILITIES FOR SECUREMENT TOOLS

Securement Tool	Donation or Purchase Preferred Option	Donation Possibility	Purchase Possibility	Split Receipt Possibility
Gratuitous Dedication	Donation	Y	N	N
Fee Simple	Either	Y	Y	Y
Partial Taking / Direct Conveyance	Either	Y	Y	Y
Bequest	Donation	Y	N	N
Life Interest Agreement	Either	Y	Y	N
Trade Lands	N/A	N/A	N/A	N
Exchanges	N/A	N/A	N/A	N
Option to Purchase	Either	Y	Y	N
Conservation Easement	Donation	Y	Y	N

Land Securement Tools

Gratuitous Dedication

In this instance, a developer dedicates land within a development proposal as a condition of approval of the application. This will usually result in a dedication of valley lands already in the floodplain with minimal tablelands. The City is most familiar with this method as it pertains to protecting environmental lands. It is also reactionary because it results from the City’s approval of a development proposal. Strategic land securement proactively makes contact with landowners owning lands of key importance prior to any applications for land subdivision and development, and uses one of the following land securement tools.

Fee Simple (Donation or Purchase)

Fee simple is the transfer of the total interest in a property and is the most effective method of natural area protection. In this scenario, the recipient acquires complete control of management and rights to the property by holding title. Property can be acquired either by purchasing or receiving as a donation.

Partial Taking/Direct Conveyance

This is an acquisition of only part of a property. For example, if a landowner has a residence he/she may be willing to dispose of the majority of the property while retaining the residence and amenity area. 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. For example, a landowner could retain a residential lot and acreage around their residence, and retain the majority of the value of the property. The land severed is then owned and managed by the recipient and the landowner benefits from living adjacent to publicly owned lands, for which they no longer have to manage or be 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. Further, a landowner may also retain a Life Interest Agreement to use the severed portion (e.g., for hiking) for a specified term. See below for more information on Life Interest Agreements.

In some cases, landowners will want to donate or sell the entire parcel to the recipient. In the case of a sale, the recipient may want to recover some of the purchase price by severing and selling off a portion of the developable property. It is advisable to negotiate a long closing date to have sufficient time to market the developable lot and aim for a simultaneously closing.

As described in Section 3, municipalities and conservation authorities can execute a direct conveyance, while land trusts must apply for a severance to the Committee of Adjustment as per Planning Act requirement.

Bequests

Landowners may elect to provide for a gift of land in their Will – perhaps as a personal or family legacy. The main benefit of arranging a bequest is that there is no cost during the landowner’s lifetime. A bequest can be cost effective from a tax perspective against the estate. (Note: Donation only)

Life Interest Agreement/Lease Back Arrangement

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. 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.

Split Receipt

A split receipt can be viewed as either a donation of land (or easement) with cash consideration back to the donor, or a purchase of land with a donation of land value in cash back to the purchaser. Essentially, the vendor agrees to sell the property at less than market value. Through the Ecogifts Program, the donated portion must be a minimum of 20% of the appraised value to qualify for a split receipt. Conversely, the landowner cannot receive more than 80% in cash.

Trade Lands

Trade lands are similar to donations where a landowner wishes to donate or bequeath their property to the municipality; however, in these instances the property does not contain any significant environmental features. Where the Region or a partner is willing to accept such a donation, the property would be sold with the proceeds being directed into land securement of ecologically significant lands or other land conservation areas as directed by the donor.

Exchanges

Landowners who own property within a valley system, flood plain, or environmentally sensitive feature may exchange their parcel with a less environmentally sensitive area, usually within the higher, drier tableland. These arrangements may bring funds, 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.

Transfers

Public landholding agencies such as the Ontario Realty Corporation (ORC), municipalities, conservation organizations or land trusts could decide to transfer environmentally sensitive lands or ask an organization to be a backup holder for their lands if the agency were to cease to exist in the future. These lands could either be fee-simple title or partial interest (e.g., conservation easement agreement). These types of transfers could only occur if the recipient organization is willing to accept the lands, and the lands meet the organization's criteria. The agency looking to transfer title may require the recipient organization to sign a landholding agreement or transfer agreement to ensure that the lands are properly managed in perpetuity. It would be prudent for the recipient of transferred lands, or contingency holder, to only accept the land if the agency transferring can offer complete and accurate files and stewardship funds available as part of the transfer.

Option to Purchase and Right of First Refusal

An 'option to purchase' is a contract that allows the recipient to buy a property at a set price for a stipulated period. It is a written contract by the landowner to sell the property and not withdraw this offer during the identified term. The recipient pays a fee for this option. This mechanism is often used by a conservation group as a means of 'buying time' in an attempt to acquire a specific piece of land – presenting an ideal opportunity to fundraise for the purchase costs. This is an agreement between a landowner and the recipient, or other prospective buyer, which gives the recipient an opportunity to match any third party offer to buy a property. It sets out the conditions of sale and is registered on title. This method is considered an interim measure and can be an effective tool to use when negotiations have been halted (e.g., unacceptable appraised value). It can also afford time for the recipient to purchase a property that already has a conservation easement agreement in cases where the recipient decides they would rather hold title than enter into a conservation easement agreement.

The 'right of first refusal' is another method used to discourage competing potential buyers (e.g., developers). The holder of the first rights has priority and therefore maintains some leverage against other potential buyers. There is a fee associated with this method.

Conservation Easement Agreements

Conservation easement agreements or conservation agreements, are legally binding agreements registered on title whereby the landowner transfers specific rights, such as the ability to create building lots or cut trees, to an easement holder. Depending on how the agreement is composed, the easement holder may have the right and responsibility to monitor the property (thus the term “easement”) and ensure landowner compliance with the terms of the conservation agreement. If no easement is granted under the agreement, the agreement can be simply referred to as a restrictive covenant.

Conservation agreements can be an effective tool for protecting the ecological and cultural values of a property because they utilize restrictive covenants. The purpose is to prevent the destruction or exploitation of a property feature or resource in perpetuity. Property usage rights (e.g., subdivision rights, development rights, and tree cutting rights) can be donated or purchased from the landowner; however, it is more common for conservation easements to be donated. Conservation easements can provide for the protection of a specific feature or value such as a rare species, ecosystem, trail, restoration site or heritage building.

In 1994, the provincial government passed Bill 175 amending the Statutes of Ontario including the Conservation Land Act. This amendment allows landowners to grant easements for the protection and conservation of land. A landowner may grant an easement or enter into a covenant with a ‘conservation body’ (such as the crown, conservation authority, municipality, band, or registered charity), which are registered on title and bind all future landowners. A further amendment to the Conservation Land Act was passed in 2006 called Bill 16, which introduced the following new requirements:

- 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.

Further, 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 with regard to drafting, negotiating, budgeting, and preparing required Baseline Documentation Reports (BDRs), and monitoring and defending agreements. Publications on the standards and practices related to conservation agreements include Best Practices and Performance Measures (BPPM) for Conservation Easement Programs (Environment Canada, 2005), Greening Your Title (WCELRF, 2005), and The Conservation Easement Handbook (LTA, 2005). These publications are an excellent resource for any conservation organization to utilize. Knowledge of conservation agreements as a conservation tool is continually evolving. Conservation agreements are complex, expensive to negotiate and manage, and are not always effectively interpreted or acknowledged by future

landowners. Therefore, easement holders need to practice and enforce due diligence and establish a robust conservation agreement program in order to uphold these agreements in perpetuity.

One of the starting points in developing a strong conservation agreement program is to negotiate from a legally robust agreement template.

4) MAKING CONSERVATION LAND SECUREMENT SUCCESSFUL

After outlining the basics of conservation land securement and its tools, it is important to understand what makes conservation land securement successful.

- partners;
- expanding existing secured land; and
- reliable funding sources.

Partners make conservation land securement work because they provide support (financial, technical, human resources, etc.) and opportunities. Using public land as nodes for landowner receptivity, friendliness but also expanding the protection of existing natural features within those existing public lands is efficient for resources spent. While creative solutions can be found, funding and support to complete the conservation land securement project is also important.

a) City of Vaughan Conservation Land Securement Partners

Including securement partners is essential in implementing a Strategy. The City is fortunate to benefit from a number of committed and well-resourced partners working on conservation land securement in the Region. The City recognizes this in the Vaughan Official Plan (2010, p. 49):

Environmental management is a multi-jurisdictional effort. Vaughan must work in consultation with the Toronto and Region Conservation Authority, whose mandate it is to further the conservation and restoration of the Humber and Don watersheds in Vaughan. York Region is also a significant partner as together the City and Region are responsible for various components of environmental management. Finally the Province has a major role to play. Numerous Provincial regulations and requirements are incorporated into the policies of this Plan. Additionally, the Provincial Greenbelt Plan and Oak Ridges Moraine Conservation Plan establish specific policies for large areas of Vaughan.

Federal Government

Before the turn of the century, the federal government partnered with NCC for the Canada Millennium Partnership Program. As part of this program, a country-wide land and conservation easement donation program called Natural Legacy 2000 was created. Soon after the millennium, the program ended. Currently, unless the lands being acquired are of National Significance or contribute to a National Park,

the federal government as a landowner has little involvement; however, it does provide funding to local partners for conservation land securement activities.

Provincial Government

Some properties at a level of provincial status may be candidates for acquisition by Ontario Parks (OP). For example, the NCC has transferred title to several OP reserves in other areas of the province. This has almost always involved leveraged funds rather than full funding. In the reverse scenario, provincial agencies like the Ontario Realty Corporation (ORC) may transfer surplus environmentally sensitive lands to local municipalities like the City.

Historically, the province provided matching funding programs through the Ministry of Natural Resources (MNR), for provincially significant lands. At the time of writing this report, the Greenlands Program has not renewed its funds for acquisition for the last three years; however, MNR staff has yet to declare the program defunct. Funds have been available for land securement related to Species at Risk protection (see section 2c).

The Ontario Heritage Trust (OHT) is the province's lead heritage agency dedicated to identifying, protecting, renewing and promoting Ontario's rich and diverse built, cultural and natural heritage for the benefit of present and future generations. OHT previously received MNR funding under the Natural Spaces Land Acquisition and Stewardship Program to assist with the securement and stewardship of natural heritage lands in the province. All funding has been allocated and program renewal is not anticipated.

Upper Tier Municipal Government

The Regional Municipality of York has administered a land securement program since 1999. The City can be a recipient of up to 50% funding of the Region's securement funding pot for projects that meet the Region's criteria. Strong emphasis influencing weighting of such criteria are centered around enhancing York Greenspaces, connectivity, donation potential, tree coverage and planting opportunities.

Land Trusts and Non-Government Organizations

A number of land trusts and non-government organizations are located in York Region whose primary mandate is to secure natural heritage lands and protect significant ecological features, or farmland. They are as follows:

- Ducks Unlimited Canada
- Nature Conservancy of Canada
- Oak Ridges Moraine Land Trust
- Ontario Farmland Trust
- Ontario Heritage Trust
- Ontario Nature

Based on the current focus of each of these groups and their ability to contribute raised funds or other support, the City's two main securement partners are expected to be:

- Oak Ridges Moraine Land Trust
- Ontario Farmland Trust

See Table 3 for local examples. In the table, partners are organized by their securement focus.

Table 3: City of Vaughan Partners

Partner Name	Main Focus Securement Conservation	Area of Focus	Area of Focus (Content)	Lands in Vaughan	Relevancy to Securement Strategy	General Conservation land securement Goals
Federal Government of Canada	No	Canada	Governance of Canada	Not Known	Ecogifts Program	Natural Areas Conservation Program: partners secure ecologically sensitive lands ; Ecogifts Program
Ontario Heritage Trust	Yes	Province	Cultural and Natural Heritage Preservation	Glassco Park (managed by TRCA)	Natural Heritage Conservation	Helps partners secure ecologically significant natural areas
Ministry of Natural Resources	No	Province	Natural Resource provincial affairs	Maple Nature Reserve now in City ownership	Technical expertise	Interested in protection of provincially significant areas
York Region	No	York Region	Municipal Governance (Greening Strategy and Securement as part)	No Regional Forest in Vaughan	Funding	Secure areas that will increase natural cover percentage.
Toronto and Region Conservation Authority	Yes	Water-shed	Securement; Private and public land stewardship	Boyd, Kortright, Baker's Woods	Technical expertise	Secure ecologically significant natural areas through purchases, donations, conservation agreements
Nature Conservancy of Canada	Yes	Federal (King Township)	Securement; Stewardship of their own lands	MacMillan Nature Reserve	Land Trust; Funding	Secure ecologically significant natural areas through purchases, donations, conservation agreements
Oak Ridges Moraine Land Trust	Yes	Oak Ridges Moraine	Securement; Stewardship of their own lands	Not Known	Land Trust	Secure ecologically significant natural areas in ORM Natural Core, Natural Linkage or valley systems originating on the ORM
Ontario Farmland Trust	Yes	Ontario	Agricultural preservation	None	Land Trust	Protects farmlands and associated agricultural, natural and cultural features primarily through conservation easements

It is important for the City to work with area partners to avoid duplication of effort and to ensure all natural heritage lands are provided with the maximum sustainable protection. As it is very common to have multiple partners involved in the securement of a particular property, it is essential to develop and expand on partnerships with these and other organizations involved in holding title or providing funding for the acquisition of ecologically sensitive and significant lands.

Sometimes additional partners are needed for funding purposes or expertise (e.g., negotiating, leverage) to help secure a property. In some cases, the landowner may prefer the property to be secured by a partner of their choosing. Or a partner group may be a better suited recipient than the original group involved in protection of the property. These circumstances will depend on the unique characteristics of the property, the type of securement method involved, and the requests of the landowner.

Further, any partnership involvement that the City has in the securement of a property within its jurisdiction should be viewed as a securement success. This is also referred to as an 'assist'. An assist can include the involvement of City staff time, resources, technical expertise or funding towards the securement of a particular property. Even if the City does not end up holding title, an interest in title or even managing a particular property, any contribution by the City should be recognized by City Council and staff, and certainly by the securement partner. After all, the end goal is to secure these key properties as is feasible and protect them in perpetuity for the betterment of the City.

b) Existing Secured Land

Secured lands are those held in ownership by a public body or non-profit organization with the purpose of conservation or long term management for natural heritage protection. These lands were established to conserve important watershed resources such as floodplains, valley lands, wetlands, and forest regeneration areas. They also serve as important nodes for future conservation land securement activity, building on existing secured lands that are publicly visible and well known in the area. Conservation land securement activities may also be accepted by the public more easily if they are based around areas already viewed by the public as 'natural' and 'protected' areas.

Table 4: Public or Protected Conservation Land Holdings by Landowner Type

Partner Type	Area (ha)
Municipal Government: City of Vaughan Park Land	517
Municipal Government: City of Vaughan Conservation Land (not including Parks)	607
Upper Tier Municipal Government: York Regional Forest Lands ³	0
Toronto and Region Conservation Authority Lands	1,890
Ontario Heritage Trust (Glassco Park managed by TRCA)	192
Total	3,206
City Total Area	27,435
Percent of Land Mass in Conservation Land	12%

City of Vaughan Lands

The City owns 3,173 hectares of land. Approximately one-third (1,124 hectares) of that land is either in park land, open space, water, woodlot, or valley land. The largest block is the Avondale Lands Park at 66 hectares. The category of lands documented as ‘open space’ by the City includes a variety of parcels from small vista blocks to true conservation lands, such as the Woodland Acres Open Space associated with the Natural Linkage designation of the Oak Ridges Moraine Conservation Plan area.

Toronto and Region Conservation Authority (TRCA)

The Conservation Authority has the responsibility of to ensure the conservation and restoration of Ontario’s natural resources. The TRCA owns the 237-acre Boyd Conservation Area located along the Humber River Valley and the 800-acre Kortright Centre for Conservation along with other properties.

Nature Conservancy of Canada (NCC)

NCC is a national charitable land trust that started in 1962 and has several holdings across Ontario. Current land holdings in the City include the MacMillan Nature Reserve at 49 hectares.

Ontario Heritage Trust (OHT)

OHT has land holdings across Ontario and has been involved in conservation land securement since 1967. OHT manages a portfolio of more than 140 natural heritage properties. Glassco Park managed by TRCA is the only OHT property in the City at this time.

Ontario Farmland Trust (OFT)

OFT is a non-government, non-profit, charitable organization that was established to work with farmers, rural communities and other interested parties to promote the protection of farmland in Ontario. They currently have no land holdings in the City, but are open to partnering on securement of land that is wholly, or in part, farmed.

c) Conservation Land Securement Funding

The following list outlines the City's major potential funding partners as of May 2014. More detail surrounding the financial scope of a conservation land securement project is discussed later in this Strategy.

York Region

York Region provides land securement funding under the Environmental Land Protection and Preservation Program. As a lower tier municipality within York Region, the City would have access to these funds for projects that meet the Region's criteria.

Land Sale Funding

A donated property, which was not prioritized for land securement, could be sold and the proceeds used to purchase environmentally significant land. Another method could include the City disposing of surplus lands or rental properties by doing a direct conveyance and retaining the conservation lands (or lands that have rehabilitation potential) and disposing of the non-conservation lands. The City would need to evaluate the benefits of this scenario on a case-by-case basis. If current properties are generating on-going positive revenue for the organization with minimal staffing costs, then this approach may not be necessary. In the case of trade lands, properties that do not contain environmental features would typically be sold with the proceeds being directed to the conservation land securement program.

In addition to funding acquired through land sales, there are potential funding partners such as mentioned above. With partner assistance, it is anticipated that the solicitation of donations of money and land can be significantly increased in the City.

Ecological Gifts Program

Ecological gifts (ecogifts) are qualified charitable land donations that generate enhanced income tax benefits. Donations of fee simple title and partial interests, including conservation easements, are eligible. To qualify as 'ecologically sensitive,' land must satisfy at least one criterion from a list of Specific

Categories of Qualified Lands, and one or more from a list of General Criteria for Other Ecologically Sensitive Lands.

Gift recipients include land trusts and other conservation charities, and government agencies chosen by donors and approved by the federal government. Donors of ecogifts receive a donation receipt for the fair market value of the gift. Ecological gifts receive tax treatment that is superior to most other charitable gifts. Ecogift tax advantages include:

- Eliminated taxable capital gain on the disposition of the property
- No income limit for calculating the tax credit/deduction
- Donation value certified by the Government of Canada
- Tax liability for donees that do not protect the gifted land

Species at Risk Funds

Relatively new Species at Risk legislation states that should Species at Risk be identified on a property proposed for development, the developer can choose to provide funds towards the protection and/or restoration of habitat. These funds can be allocated to land securement and stewardship of equal or better habitat than what will be destroyed by their approved development. It is up to the discretion of MNR staff to determine if a prospective property meets that objective.

Project Campaigns

When a potentially popular acquisition can be made, the City, with partner support, can launch a fundraising campaign for the securement of that property. In such a case, a long closing date would be negotiated with the seller to allow sufficient time to fundraise.

5) CONSERVATION LAND SECUREMENT IN VAUGHAN: BUILDING THE CONTEXT

a) Conservation Land Securement within Natural Heritage Network Project

In keeping with the protection and enhancement of the natural environment, the City commissioned a Natural Heritage Network (NHN) study comprising of the following phases:

- Phase 1: GIS analysis of a NHN with ideal ecosystem targets
- Phase 2: Field Investigations and ground truthing of Phase 1
- Phase 3: Providing Recommendations on a NHN
- Phase 4: Land Securement Strategy to identify areas to acquire to protect in perpetuity the natural heritage features identified in Phases 1 – 3.

The effort through the NHN Study has provided a more complete inventory of natural features based on available information and additional field studies. The detailed inventory and criteria defining a network of Core Features and Enhancement Areas (Phase 1-3) provides critical support for the long term protection and management of the NHN as a legacy for future generations (Phase 4).

This Strategy will showcase existing natural features within the NHN in a conservation land securement context, outlines recommended conservation land securement tools, and identifies criteria where conservation land securement should occur to protect the key natural heritage features as identified in the NHN.

b) The City of Vaughan Planning in a Conservation Land Securement Context

Vaughan Vision 2020, the City of Vaughan's Strategic Plan (2011) projects that the City's rising population is expected to increase to 430,000 by 2031. Identifying that "the next 25 years will see Vaughan beginning the transition from a growing suburban municipality to a fully urban space", Vaughan's Strategic Plan developed the following vision to guide this historical period of growth: A city of choice that promotes diversity, innovation and opportunity for all citizens, fostering a vibrant community life that is inclusive, progressive, environmentally responsible and sustainable

Further, Vaughan's Strategic Plan (2011) outlines a set of Strategic Goals and Themes, which includes the following environment and sustainability statement:

Lead & Promote Environmental Sustainability:

Committed to protecting and enhancing the natural and built environments through the efficient use of resources.

Planning and Guiding Studies

The following reports produced by the City since 2009 provide a foundation of themes and studies that will inform and guide this Strategy:

Vaughan Official Plan (VOP, 2010): The Official Plan details policies on land use within the City of Vaughan's jurisdiction. Within this Plan, the following policies will affect conservation land securement

3.2.3.1. To protect and enhance the Natural Heritage Network, as identified on Schedule 2, by:

- securing new natural and open space linkages for improved connectivity of the Natural Heritage Network through the development approvals process, conservation easements, donations or purchases

Green Directions Vaughan (2009): Green Directions builds upon the existing body of work and strategic directions in Vaughan Vision 2020 to help guide the City towards sustainable decisions and actions.

- Action item 2.2.3: "Continue to develop a Parkland/Open Space Acquisition Strategy." While land acquisition for parkland refers to areas for active and passive recreation, rather than

natural areas, City staff involved in land securement and stewardship activities to improve the NHN should look for opportunities to complement the parkland acquisition efforts.

- Action item 2.2.4: “Develop a comprehensive Natural Heritage Strategy that examines the City’s natural capital and diversity and how best to enhance and connect it.”

Active Together Master Plan (2013): The City of Vaughan lacks a comprehensive strategy to identify parkland acquisition priorities and opportunities. The Active Together Master Plan is helpful in identifying system-wide issues, but a more detailed acquisition strategy is needed in the short-term before opportunities are lost (7.1 j). If/when a parkland acquisition strategy is completed; it will differ from the Conservation Land Securement Strategy as a parkland strategy will include sites for active recreation (such as soccer fields and playgrounds) as well as passive recreation. “Active parkland” is referred to as all lands owned, leased, and/or managed by the City and classified as Regional Parks, District Parks, Neighbourhood Parks, and Parkettes/Public Squares. Active parkland typically consists of tableland suitable for the development or installation of built recreational amenities (such as sports fields, playgrounds, courts, etc.) that may be used for both organized and unorganized activities. “Open space” lands, which have no to low development potential and are primarily designated for purposes such as environmental protection/conservation, stormwater management, buffers, etc. are outside of the scope of the Active Together Master Plan, but can complement a conservation land securement strategy.

TRCA Greenland Acquisition Report (2011): Toronto and Region Conservation Authority (TRCA) has recently completed the Greenland Acquisition Report for 2011 – 2015. It does not specifically identify Vaughan or parts thereof for conservation land acquisition; however, it does identify the criteria in which it would be interested in participating in a greenlands acquisition project. It should be considered a guiding document because TRCA is a leading partner in greenlands acquisition in the GTA.

York Region Greening Strategy (2012): In the same capacity as the TRCA document, the Region’s Greening Strategy (and associated sub-documents) should also be a guiding document as the Region could be a significant funder of land securement activities in Vaughan.

c) The City of Vaughan Natural Heritage in a Conservation Land Securement Context

While the action item in Green Directions Vaughan regarding parkland acquisition includes passive and active recreation areas, the purpose of land securement in association with the NHN study is for natural heritage feature and system protection. The City has significant natural features within their municipal jurisdiction. Vaughan residents have inherited a rich natural legacy that includes diverse ecosystems, flora and fauna, and areas of spectacular beauty. Located on the Oak Ridges Moraine and Ontario’s Greenbelt, approximately 40% of Vaughan can be interpreted to be protected in natural areas and agricultural lands as Green/Open Space: Natural Areas and Countryside. Core Features of the NHN cover

about 20% of Vaughan. Vaughan's landscape is characterized by the upper portions of the Humber and Don River watersheds and the sub-watershed of Black Creek, a tributary of the Humber River that is also the site of Black Creek Pioneer Village, an open-air historic museum.

Among the City's key natural areas are the 237-acre Boyd Conservation Area located along the Humber River Valley and the 800-acre Kortright Centre for Conservation, both owned and operated by TRCA. Agriculture will remain a productive activity in Vaughan through protected agricultural lands (City of Vaughan et al, 2012; City of Vaughan, 2011). The City contains a number of significant valley systems. The largest are formed by the Humber and East Humber Rivers in the western portions of the City, and the Don River in the eastern portion of the City. Many of the City's wetlands are in the headwaters of the Humber and Don Rivers, feeding the small tributaries that in turn feed these large river systems. They also occur along the floodplains of watercourses and in "kettles" once occupied by trapped blocks of glacial ice. The woodlands on table lands are smaller and disconnected, but provide important ecological functions that will be preserved. The variety of available woodland resources influences the range of native biodiversity in the City.

The Oak Ridges Moraine is a landform that crosses a portion of the Greater Golden Horseshoe. The area of the Moraine known as the Maple Spur is located in north eastern Vaughan. It is notable for its unique geological characteristics, its important groundwater recharge and discharge functions, the coldwater streams that originate within it, its high quality and extensive natural areas, and its landform characteristics. The Moraine provides a number of significant vistas and panoramic views to the south of the City. The Moraine includes the Maple Upland and Kettle Wetlands Regionally Significant Life Science ANSI and Oak Ridges Moraine Maple Spur Earth Science ANSI as well as the McGill ESA (City of Vaughan et al, 2012).

d) Vaughan Conservation Land Securement Challenges

Conservation land securement activities, in any area, will have to address challenges and advantages that become apparent on the landscape. It is the responsibility of the Strategy implementers to ensure that disadvantages are either mitigated or removed. Addressing disadvantages is an ongoing aspect of land securement as landowner contact and community consultation continues. Advantages should be used and promoted wherever possible.

Conservation land securement is a long term and often highly individualized process. It requires both a willing seller/donor, an efficient use of tax dollars, the right property and a willing buyer/recipient. Many outside factors can influence the successfulness of a Conservation Land Securement Program/Strategy.

Urbanizing Environment

The historical pattern of growth and current urban structure has created a number of significant issues that the City, and other suburban municipalities must begin to address. These include, among many others: car dependence, traffic congestion and increasing commuting times; low-density, single-use areas that do not allow for the efficient provision of transit; a limited range of housing options; and, a significant loss of agricultural and natural areas (City of Vaughan, 2011).

Like many urbanizing landscapes in Southern Ontario, the City must find a delicate balance between development, infrastructure, the economy, agriculture and the natural environment. As noted above, the Strategy should consider securing existing natural features. Considerations should also be given to potential restoration sites to expand and increase the current natural heritage condition

Table 4: Vaughan's Natural Environment Compared to Ideal Ecosystem Targets

Ideal Ecosystem Target	Vaughan Conditions
30% forest cover	11%
10% wetland	1.9%
75% of streams with forest cover within 3 m of stream banks cover	30 %

This challenge can be viewed as an advantage: By having a low current natural heritage condition, it results in fewer properties to consider for securement of existing features. However, it does give flexibility because determining restoration potential could be very dependent on available land. For example, restoration to connect two existing natural features could be viewed in multiple ways depending on willingness of the landowner (see Figure 1 below).

In fulfilling the City's objective to preserve natural heritage lands, it is important to recognize that the City has been rapidly urbanizing, therefore facing tremendous environmental challenges. With depleting natural areas, there is a greater urgency to secure and restore these remaining lands. To effectively utilize resources to acquire existing natural areas, the City has established data sets (i.e., mapping, databases) which can be used to strategically build the proposed conservation land securement program. Keeping in line with work done by other municipalities, the City's Natural Heritage Network mapping have proven immensely useful in the production of this Strategy as they identify and qualify priority natural areas as well as other ecologically significant lands that demonstrate potential for restoration.

FIGURE 1: POTENTIAL PROPERTY CONNECTIONS BETWEEN 2 EXISTING NATURAL FEATURES



Conflicting Land Uses

Another conservation barrier facing the City is competing priorities between agriculture, urban and conservation land uses. Since the time of European settlement, much of the original natural resources of the City have either been removed or altered as a direct or indirect result of clearing and drainage for timber, agriculture, and urban development¹. The result is a highly fragmented and ‘patchwork’ landscape. Most landowners tend to view their land as a commodity, which contributes, to livelihood. Agriculture is a social and economic necessity. The best approach would be to provide securement options to willing rural non-agricultural landowners and for those not interested in securement to encourage the use of beneficial management practices on farms. Farmers in this area may be more interested in a farm preservation easement, full purchase or split donation/purchase to offset any decrease in income due to loss of land. Alternatively, the rural non-farm landowners may be more willing to consider conservation easements, full donation or split receipt as their livelihood is not tied as directly to the land. Having a wide range of securement tools available for discussion with all landowners would allow the City to accommodate different needs for different landowners.

This challenge can be viewed as an advantage: Different land uses and landowner motivations mean a wide variety of conservation land securement tools can be applied.

Lack of Strategic Parkland Acquisition Strategy

Conservation Land can be classified in a number of different ways: parks, natural areas, conservation reserves, green space, natural hazard lands, etc. Parks implies a user / experience element, which can require specific criteria (including size, access and safety) that differ from a nature reserve or flood plain hazard land. The Conservation Land Securement Strategy does not focus on the acquisition of parks specifically, but instead has a focus on acquiring land that has a conservation value. Some of these lands may be suitable for use as parks but it is not the intent of this Strategy to determine the end use of conservation land.

Fundraising

To date, the City has supported the creation of this Conservation Land Securement Strategy as part of the NHN work. However, no funds have been set aside for acquisition costs keeping in mind that even donations have costs associated with transaction.

However, while the City has no funds, it does have two strong securement partners with potential matching dollars in the Region and the Conservation Authority. The York Region Environmental Land Preservation and Protection program has an annual budget to help partners with conservation land securement projects that meet established criteria. The Conservation Authority may be able to apply to foundations etc that the municipality would not be eligible to submit an application.

Determining the Appropriate Conservation Landowner

What a great challenge to have! Because of the strong and committed conservation partners in the City of Vaughan, determining which organization to take ownership of a property may be a challenge initially. Any involvement by the City on a securement project should be considered a 'win' even if the City does not hold title.

e) Vaughan Conservation Land Securement Advantages

NHN and other Complementary Strategies

The City has already mapped out the key natural heritage network (NHN) data, which includes the key significant existing natural features. Having this mapping is key to the identification of where to focus conservation land securement efforts but also essential to conducting a fast but efficient preliminary analysis using GIS instead of relying solely on ground truthing and field investigation. In addition to the NHN data, the TRCA has terrestrial natural heritage system mapping which can help identify potential restoration areas.

Existing Protection

As 40% of Vaughan is protected as Green/Open Space: Natural Areas and Countryside, environmental feature/land through legislation; It can be effective in the short-term; however changing political will can put once-protected natural areas at risk again. Existing legislation that protects environmental features works in favour of conservation land securement activities as people are more willing to divest of land that can't be developed. Ultimately, it is imperative to acknowledge that the conservation land securement movement does not consider land under existing legislation to be permanently protected.

Public Ownership

It is widely accepted in the conservation community that natural heritage features can be expertly stewarded in a private land ownership scenario. In fact, it is ideal from the City's perspective because it translates into less liability through land management. However, model private land stewards are the exception, not the general rule. Poor private land stewardship often stems from lack of knowledge rather than malicious intent. Therefore, many significant natural heritage features should ideally be stewarded and maintained in perpetuity by a public owner (i.e., The City, TRCA, etc) or a land trust.

The City has 13% of its land in public or secured ownership, which is an excellent starting point in setting the framework for long-term securement and stewardship; however, this should not imply that the City's work is complete and/or that all of the most important natural features are protected. It does also not identify the quality of those holdings and the connectivity of the natural heritage features within them.

Ecological Gems

Among the City's key natural areas are the 237-acre Boyd Conservation Area located along the Humber River Valley and the 800-acre Kortright Centre for Conservation, both owned and operated by Toronto and Region Conservation.

Partner Buy-in

Another asset to conservation land securement within the City is the buy-in from partners who have realized the need to significantly increase the extent and quality of remaining natural habitats as well as the partner recognition of the importance of this area. Such partners can be the City's securement partners, or foundations and other environmental NGO's to drum up support.

Existing Stewardship Programs

Securing lands is the main focus of this Strategy, however long-term stewardship and management of both public and private land holdings is also central to the protection of natural features at a landscape level. Unfortunately, conservation land donation projects usually take years from initial contact to completion. In the interim or while deciding to move forward on a conservation land securement

project, landowners have several land stewardship options offered to them by the Province, TRCA and the City (e.g. tree planting, CLTIP, MFTIP and stream rehabilitation). After making use of such programs, landowners can become more inquisitive and accepting of land securement options to protect their land in perpetuity.

Some of these programs include:

Public Spaces

- (Vaughan) Dazzle Me! Challenge: projects that will enhance and beautify a local public space.
- (Vaughan) Adopt-A-Park Program offers interested and responsible citizens a chance to beautify and enhance their neighbourhood park. three planned park activities which would include; litter cleanup, tree plantings, flower plantings and shrub bed maintenance

Private Spaces:

- (TRCA) Healthy Yards: The Healthy Yards Program provides watershed residents with the inspiration, information and tools required to create naturally beautiful lawns and gardens.
- (TRCA) Rural Clean Water Program - York Region: provides free technical assistance and financial incentive to support the voluntary implementation of environmental and agricultural Beneficial Management Practice (BMP) projects on private land.
- (TRCA) TRCA Forestry Services: prepare and implement a Forest Management & Stewardship Plan for your property, manage your forest plantation to restore a mixed hardwood forest, identify & control invasive species, prepare a Sustainable Harvest Plan for hardwood forests and conifer plantations including Tree Marking by Provincially Certified Tree Markers
- (TRCA) Managed Forest Tax Incentive Program (MFTIP) Planning Services
- (York Region) York Region Backyard Tree Planting Program: offer a full-service subsidized program

The City's Parks & Forestry department is currently looking to introduce the LEAF Backyard Planting Program in Vaughan

These programs offer another way for the City and its partners to establish positive relationships with landowners wanting to employ a good conservation land use ethic on their property and could lead to conservation land securement projects down the road. Completing management plans, either with partner resources or using ready-made resources like Guide to Stewardship Planning for Natural Areas (Ministry of Natural Resources), Rural Landowner Stewardship Guide (Caldwell), and/or the Environmental Farm Plan Program (and/or just the workbook) with private landowners may help cultivate long term relationships and encourage discussions about long-term securement options to *permanently* protect the stewarded features on the property. Other programs to assist landowners to build a long term relationship include programs like the Managed Forest Tax Incentive Plan (MFTIP) or Conservation Land Tax Incentive Plan (CLTIP).

Strategic Land Acquisition

The most important conservation land securement advantage is having a Strategy to set direction and guide implementation of securement activities. Future conservation land securement activities will have this Strategy to provide objective justification and prioritization of activities to the City Council, staff, the public and potential funders.

f) Vaughan Conservation Land Securement Risks

Obtaining new parcels means taking on all of the requirements of being a landowner.

Liability

Taking on new conservation land would include the same type of liability of owning other public land such as parks or recreation lands.

This risk can be mitigated by using the current operating standards for liability as used for existing City owned public spaces

Maintenance

Depending on the nature of the conservation land and its intended use, the maintenance requirements could be minimal. If the new conservation land has significant natural features that are best left without public use, the maintenance could be as little as some periodic mowing and fence repair. If there is a high amount of public use, more maintenance will be required.

This risk can be mitigated by acquiring high public use pieces of land adjacent to other high public use public land parcels to at least increase maintenance efficiencies and reduce drive time between parcels.

Illegal Use

Bush parties, hunting, dumping, poaching, and ATV riding are examples of prohibited uses unless otherwise permitted by the City. Among existing lands secured for natural heritage protection, any of these prohibited activities would likely be incongruent with the ecological sensitivity of the land; thus, should be considered illegal. If there is evidence of such activities on properties to be secured, the City would need to employ methods of discouragement such as signage, erecting barriers and regular monitoring.

Reduction in Property Tax Revenue

Changing ownership from private to public will mean a reduction in annual property taxes. This reduction would be outweighed by the environmental and social benefit of the community. This

reduction can be mitigated by charging user fees or parking fees to high traffic areas are one way to help offset the reduction.

Management Plans & Signage

Deciding the future intentions of the newly acquired conservation land can be a huge time investment, dependent on the size and intended use of the property.

This risk can be mitigated by including the technical and human resources of TRCA as well as providing strategic and efficient use of management resources for the property over the long term.

g) Vaughan Conservation Land Securement Rewards

To the municipality, the rewards for acquiring conservation land are numerous. Studies suggest that access to green space can have mental and physical health well-being benefits to the residents of the City. Having flood plain and/or hazard conservation land in public ownership can help mitigate damage caused to personal property by the occurrence of these naturally occurring processes like flooding. Conservation land can provide critical connecting corridors and linkages to existing trail systems and passive recreation activities

To individual residents, landowners can be surrounded by greenspace without the liability or maintenance. Property values are typically higher when surrounded by a green space. They can see tax benefits of donation and/or cash in hand for fair market value of the green space portion of their property. They can split the green space portion of the property to make a large property more attractive to potential buyers.

6) CREATING FOCUS FOR LAND SECUREMENT IN VAUGHAN

Knowing the context for conservation land securement in the City is important. Equally important is identifying what types of lands will be considered. There are 94,079 parcels within the City of Vaughan. Excluding those that are already secured for conservation purposes, there is no need or funds to acquire every parcel. For this exercise, only parcels greater than 2 acres are considered for securement as parcels smaller may not be cost efficient to pursue. However, the urbanizing landscape in Vaughan makes it necessary to consider this size of parcels; other municipalities with less urbanization can consider a larger threshold because they have larger parcel opportunities.

a) Developing Criteria

Prioritization of land securement within the City's jurisdiction must happen to ensure efficient use of the conservation land securement resources. In developing the Conservation Land Securement Priority Criteria (CLSPC) of the watershed, three key questions to consider include:

- What are the conservation land securement objectives of the City and other partners?
- What types of land does the City want to protect?
- How much land does the City want to protect to meet its goals?

Conservation Land Securement Objectives of the City & Other Partners

In considering CLSPCs, it is important to consider the conservation land securement objectives of not only the City but other conservation partners. Other partners could assist the City in leveraging funds, supporting decisions to Council, technical knowledge, management and stewardship agreements and long term maintenance of acquired properties. The City's objectives would be of foremost importance but the other partners are worth a consideration, especially when prioritizing between CLSPCs.

City of Vaughan

The City of Vaughan would like to secure lands that fall within the Natural Heritage Network (NHN). This NHN includes lands that:

- Enhance areas that are not currently forested, and in many cases these areas will develop forest vegetation over time contributing to the total forest cover of Vaughan
- Increase the amount of interior forest by reducing the edge to interior ratio of forests,
- Connect closely spaced clusters of smaller forest patches, that collectively can provide much larger forest patches with substantial interior forest and, where possible, a large contiguous forest >200 ha in size and/or functionally connect through landscape management
- Include an appropriate wetland buffer
- Link to adjacent upland habitat which collectively can contribute to increased protection of a wetland's function
- Serves a hydrological linkage to Redside Dace habitat and/or importance for downstream flood control
- Includes a buffer around streams which may over time be managed to restore native vegetation to achieve greater cover along streams and within buffer areas adjacent to streams

Ideally, the highest priority lands would be those that meet one or more of the criteria mentioned above.

In addition to considering the NHN data, consideration will also be given to parkland and the parkland acquisition strategy (not yet written). Important to note here that this Conservation Land Securement Strategy and the associated Priority Areas will not be focused on parkland however some land that will

be included may be suitable for park uses and/or may overlap the parkland acquisition strategy once written.

York Region

York Region's Land Securement Criteria are important to consider because of the potential for leveraging funds. As previously noted, the City does not have a conservation land acquisition budget so the potential for leveraging funds for fundraising opportunities and adoption by City Council to support the project is key.

The Region's criteria include:

- Connecting Greenland Core Areas
- North South linkages
- East West Linkages
- Strengthen existing green nodes
- Protecting core natural heritage features and functions and/or
- Forest rehabilitation

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority has a strong land securement program. They have a guiding document (noted above) that outlines the ecological criteria that they would use to identify conservation land securement opportunities. At the present time, they currently do not have any physical priority areas within the City but would be willing to consider properties that meet their ecological criteria for acquisition on a case-by-case basis. Having TRCA as a partner will not only potentially assist with leveraged funding but also assistance (either technical knowledge and/or actual field work) in the stewardship plan and long term maintenance.

Oak Ridges Moraine Land Trust (ORMLT)

The Oak Ridges Moraine Land Trust would be interested in anything on the Oak Ridges Moraine, preferably in Natural Core and/or Natural Linkage Areas. The ORMLT in the past has predominantly used conservation easements as a method of securement.

Nature Conservancy of Canada (NCC)

While in the past the Nature Conservancy of Canada has typically worked in King Township and Northumberland County, it did partner with the City of Vaughan on the MacMillian Farm as the surrounding lands were donated to the NCC by the MacMillan family and recognized by the City as a nature reserve. The properties would have to have at least provincial importance for this federal organization to participate.

Ducks Unlimited Canada (DUC)

DUC no longer has a proactive acquisition program but if would be interested in a case by case basis if a property had a provincially significant wetland (PSW) accommodating significant waterfowl habitat.

Ontario Farmland Trust (OFT)

The Ontario Farmland Trust works with conservation land on existing active agricultural lands.

How Much Land?

This is not an easy question to answer. What is needed is a secondary priority of what percentage of that natural cover should be within public ownership.

Additional considerations should be considered about taking ownership of additional land. Costs associated with ownership of new lands should be consulted with the Finance, Real Estate and Parks Departments to understand the implications of taking on ownership of new conservation lands.

b) Exceptions

Although this Strategy will guide conservation land securement, there may be individual properties that arise that only meet some of the criteria. These properties could be considered for acquisition by the City on a case-by-case basis as it creates an early success story on which to build momentum for the program.

c) Developing Conservation Land Securement Criteria

Conservation Land Securement Criteria (CLSC) are developed to establish where conservation land securement and related landowner contact activities should occur within the City. It is important to note that landowners who approach the City of Vaughan about land donation should always be considered, regardless of their ranking of criteria. Furthermore, all lands that meet these criteria are not necessarily acquisition priorities. Building envelope placement, access and infrastructure concerns may exempt a property from being considered. Alternatively, some individual properties located outside of priority areas, but which have natural heritage values, may be considered for acquisition if opportunities arise. The CLSC were developed by looking at the Natural Heritage Network (NHN) data. In combination with the NHN data, other factors were considered. See Table 6 for a full breakdown

TABLE 5: CONSERVATION LAND SECUREMENT CRITERIA

Criteria Ref. No.	Land Securement Considerations	Rationale
1	Natural Heritage Network	Determining ecological significant
5	Adjacent to Secured Land	Expand/add to existing secured parcels
5	No Road Access	Parcels with no road access are land locked
5	Parcel Size	Larger parcels are more cost efficient to secure
5	Connecting Public Lands	Expand two parcels of secured land into one parcel

		(where the parcels are only separated by one non secured parcel)
5	Filling in Holes	Rounding out edges provides better habitat features, providing better access to enable recreation/use, filling in missing parcels in middle
1,2	York Region	Selects parcels that will contribute to increasing natural (forest) cover
1,2,3	TRCA	Interested in ecological significant parcels
1,2	Oak Ridges Moraine Land Trust	Interested in ORMCP Natural Core, ORMCP Natural Linkage or any valley originating on ORM
3	York Region	Potential Funder where parcel contributes to increasing natural (forest) cover
2,3	Environment Canada Ecological Gifts Program	Potential Funder ecological significant properties
4	Development	Pressure for development

Criteria 1 – Natural Heritage Related

Natural Heritage criteria should be the most important criteria in a Conservation Land Securement Strategy.

Criteria 2 – Areas with Stakeholder Buy-in

It is much easier to protect land and garner support (both emotionally and financially) from the community where stakeholders (e.g., the landowners, local businesses) are conservation minded and appreciate the need for conserving local ecologically sensitive lands. Those landowners already involved in a stewardship program (e.g., TRCA’s forestry program) may be excellent candidates for this.

Criteria 3 – Areas with Funding Opportunities & Partnerships

There are numerous areas within the City where established funding opportunities and partners exist. It is best to start with these areas in order to achieve faster successes which can then be used to demonstrate that more support is needed in other parts of the watershed which are equally as important in terms of conservation, but may be weaker in terms of funding and partnership opportunities. It is also easier to fundraise when leveraged funds are already committed by partners.

Criteria 4 – Areas with High Development Pressure & Urgency of Securement

The whole municipality has urgency because of urbanization. Sometimes, these areas are already in the hands of speculators and developers as numbered companies; however, other times there are landowners who have been ‘holding out’ because they want to preserve their land and way of life. Once in the hands of a developer and identified for urban development in the Official Plan, most likely the

only way to protect some natural features would be through land dedication or conservation easements as part of the planning process. However, if the lands are still with a conservation minded landowner, there is greater opportunity for securement. In addition, the urgency in protecting these properties adds to the 'call for action' and can sometimes bring an overwhelming response for the community in terms of fundraising support (this is discussed more in section 4).

Criteria 5 – Areas with Reasonably-Priced Land

Again, the principle idea here is to strategically protect as much ecologically sensitive land as possible and priority areas which make it feasible to do so as parcels are often larger in these areas.

Some landowners only want to sell their land, and will not consider donation. The cost of land in some areas and types can significantly less expensive compared to others. The result is that more land ends up being secured, at less cost. It may be strategically beneficial to be able to announce an impressive amount of acreage secured to foster more fundraising. Success excites potential cash donors and breeds more success. From data collected from across the Greater Toronto Area in similar landscapes, conservation land will still be relatively expensive, ranging from approximately \$5,000 - \$500,000/ac. Proximity to Toronto can often see prices on the high side of that range.

Criteria 6 – Secured Land as Nodes & Efficiencies of Scale

As noted before, existing secured conservation land should be included as an important criterion because of the existing infrastructure and recognition of the protection of natural features in the community within a given secured land parcel(s). It is practical to add land to existing secured lands for expanding the protected habitat of the feature, connectivity and stewardship ease.

7) LANDOWNER CONTACT

A primary goal of the Conservation Land Securement program is to educate landowners with significant landholdings in the City about the various long-term conservation options that are available to them. Most landowners only know about two options when it comes to disposition of their land:

- Sell it; or
- Leave it to family

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 the various conservation options available to them at this time, the landowner now has 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 approaches listed below involve proactive landowner contact; however, the possibilities are good that some landowners will take the lead in contacting City to discuss the donation or sale of their land. This is particularly likely if City or its partners are active in the area, have a good reputation with landowners and the community, and have provided good communication regarding conservation land securement programs and tax incentives to landowners. Being associate members of the Ontario Land Trust Alliance also encourages City to follow its guiding principles in dealing with landowners and conducting conservation land securement business. These principles, from the Canada Land Trust Alliance Standards and Practices (2005) which OLTA follows include:

- Integrity - maintaining and enforcing high standards of conduct;
- Perpetual Responsibility - obligation to protect the lands and properties that they care for in perpetuity;
- Excellence - strive to provide the best service possible; and
- Good Governance – making good, transparent, fair and defensible decisions.

The initial steps associated with landowner contact include developing a landowner contact list, preparing landowner packages and property mapping. These activities can be undertaken by City staff or by an experienced third-party contractor. The landowner contact program will include the elements described in the sections below. These elements are based on years of experience in implementing these programs on the ground with landowners but regional factors also come into play.

The basic approach as listed below includes the following elements:

- Developing a landowner contact list
- Mailing a package of information to the landowner
- Following up with a phone call(s)
- Schedule a property visit to discuss options with interested landowners

Approaches that are more personal should be applied where relationships or connections with landowners on the list already exist. For example, encouraging local councilors, City staff and/or other members of the community to initiate contact with known landowners through a phone call or quick drop in is sometimes all it takes to initiate conservation land securement discussions. These initiations through a known and trusted source usually get the best results. For properties where the landowner is not known through City contacts, mailing a package first so the call and/or drop in is not completely unannounced is a better way of establishing contact with landowners and lets them review background materials in advance of contact. This also allows the landowner to ask questions when you call and reduces the amount of follow up later on. Additionally, using mailings to follow up with landowners where relationships have been initiated are a good way to keep and maintain the relationship, especially if the landowner is not able to participate in a conservation land securement project at the present moment but may in the future. Other methods include holding 'neighbour to neighbour' kitchen table meetings (i.e., through City, a friendly landowner hosts a meeting and invites other neighbours to learn new information and discuss topics relating to securement and stewardship) or holding community workshops on securement or related topics to establish landowner leads (this will also bring in a wider audience than the specific landowner list unless it is by invite only).

a) Developing a Landowner Contact List

Using the recommended CLSPC, a landowner list is developed for each priority area. Landowner contact information needs to be collected (e.g., mailing address, phone number) so that packages can be mailed and followed-up on. For areas where partners are directly involved in landowner contact (e.g., TRCA or the ORMLT), these landowners can be included on the list, but the contact can be left to the partner organization, therefore reducing duplicate efforts. This is why communication between partner conservation organizations is so important. Staff should screen the list to be sure to have an understanding of the history and current level of contact that exists with the identified landowners. Any contact initiative must be coordinated with ongoing programs in the watershed. Other staff must be consulted to see if they are aware of landowners interested in discussing acquisition options.

b) Mailing

This will involve sending out an introductory letter, a brochure outlining the various long-term securement options, an optional photo mosaic map of the subject property (potentially showing ecological features), Ecogifts Program brochures and if appropriate, and City program brochures. The goal here is to introduce the landowner to the material and 'break the ice' so that a telephone call can be made several weeks later (see Telephone Contact below), following up on the material provided.

c) Telephone Contact

This step involves calling identified landowners to introduce them to the program, identify other program information they may be interested in and attempt to arrange a meeting with the appointed conservation land securement representative to discuss the program and landowner options. It is highly recommended that this step follow the 'mailing' step so that the telephone call is not a 'cold call'. If the landowner is not interested in any long-term securement options at this time, then the conservation land securement representative can offer to educate them on stewardship programs that may be of interest.

d) Drop-Ins

On occasion, drive to priority areas and drop in on properties for sale or properties that are ecologically significant to engage the landowner in the securement or stewardship program. This is a necessary action for landowners who are unreachable via the telephone or who have unlisted contact information.

e) Scheduled Site Visits

Once a contacted landowner expresses interest in the program, a landowner visit can be scheduled and a Property Evaluation Form filled out. This may include a site visit of the property or a detailed discussion of the initial landowner package that was sent to them. At this time, more information can be provided to the landowner about the potential conservation options available to them. It is always emphasized to the landowner that they need to seek professional legal and financial advice before making any decisions.

f) Landowner Leads

This involves following up on leads from various community individuals, organizations and municipalities. These will be followed up after discussion with the referring agency on the appropriate next steps.

g) Timelines & Expectations

It is recommended that in Year 1 of implementing this Strategy, 100-150 landowners be contacted in increments of 50 landowners at a time to allow for adequate follow up. The first landowners to be contacted are those that have expressed positive past experience with the City (e.g., landowners with past participation in stewardship projects, volunteers). Even if the results bring about several interested landowners, landowner contact, with a focus on land donations can continue.

The number of landowners contacted in subsequent years can be adjusted based on landowner response from previous years, however 100-150 landowners per year is a general recommended number. Based on other landowner contact programs, there is an expected response rate of 10-20% from landowners who are interested in learning more about conservation. Of these, a smaller percentage will be interested in detailed securement discussions. The focus of Year 2's work not only involves contacting new landowners, but also requires continual follow-up with contacts previously established in Year 1. Sometimes it can take several years to cultivate a relationship with a landowner to earn trust before they will make a decision involving their land. The process is repeated every year, with new contacts established, and continued relationship-building with those who express interest in the program.

h) Other Items of Discussion

The main goal of having a landowner contact program is to secure more ecologically sensitive lands. However, there are also two other advantages to having this program which the City can directly benefit from. Even if a landowner decides not to become involved in permanently conserving their land, they may decide to support the City and its mission through a financial contribution. By assisting the City secure other surrounding lands, the landowner can enhance private personal enjoyment of their property while increasing their property value.

Another advantage to this landowner contact program is the spin off message about the long-term stewardship options available to landowners.

Besides mailing packages as described above, another method of communicating long-term securement information to landowners is to add this information to the City website. This will allow landowners to review donation information posted on the site and contact the City proactively if interested. In addition, the City is encouraged to give presentations to the various groups and clubs (e.g., Rotary Club) in the area, as another means of educating the public and landowners about conservation options and tax benefits.

Some landowners who are considering long-term options for the protection of their property can be very skeptical of whether or not they will have a guarantee that the land they donate would never be sold, or the natural heritage features altered, in the future. The long-term protection of their properties is definitely a concern from the landowner's perspective. The City will need to consider its key messaging and policies relating to long-term protection and securement, in order to communicate this to landowners and alleviate any concerns they may have.

The above steps recommend using a staff person from the City, a contractor, or third-party agency. One advantage to using a third-party agency for initial landowner contact is that the landowner is contacted by someone at arm's length with the City; representing the consortium of conservation partners, therefore minimizing any preconceived notions that the landowner may have about the City. As a result, the contact person may have a better chance of getting the securement message across and keeping the lines of communication open with the landowner.

8) PROTECTING LAND THROUGH OTHER MEANS

In the broadest sense, conservation land securement aimed at protecting ecosystem features and functions requires a range of tools including planning policy, voluntary stewardship and acquisition. These tools vary in their protective functions. The preferred securement method depends on many factors including the sensitivity of the feature, permanence needed, public access or use, applicable

planning policies or regulations, funding availability, perceived threats, opportunity and urgency. A case-by-case assessment should be undertaken to determine the quality and significance of the natural resources or functions of each property. Land held in public ownership by a government agency or non-profit land trust is viewed as the most secure means of protecting the landscape and is the only reliable means of providing opportunities for the public to experience natural areas through direct interaction. Because not every landowner of natural heritage lands will consider a land securement option, other land conservation tools are also important and each has a role to play in protecting natural lands within the City.

a) Development Controls through the Planning Process

As part of the City'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 to restrict future development exists. The opportunity to acquire some of these lands may arise from time to time. City staff will review these opportunities as they arise. This process is reactionary as it only occurs once a landowner makes a Planning Act application. Further, the landowner is possibly less open to negotiation at the point of anticipating a permit.

In order to receive approvals, the proponent must convey land or an easement 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.

In addition, the City should continue to encourage landowners to re-designate and re-zone lands that have undergone ecological restoration. This change in zoning from the original use to a conservation zoning would ensure future protection of the environmental feature(s) and possibly a change in property taxes if the changes make the province's conservation lands or managed forest tax programs accessible.

9) COMPLETING LAND SECUREMENT PROJECTS

After a landowner shows interest and they have had some time to contemplate the options, staff will have to evaluate the methods of securing the property. Presumably, the property is one that City is interested in pursuing. In the early stages, there may be some 'quick win' properties that are secured quickly because they were already in the negotiation stage. However, situations may arise where multiple projects and/or limited funds necessitate evaluating and prioritizing individual projects against each other. Then there are the questions surrounding just what will this cost for the project itself but also the long term management of the new property. This section addresses all of those concerns.

a) Prioritizing Multiple Projects

In order to evaluate potential securement opportunities in an efficient manner, it is recommended that a Conservation Land Securement Committee (CLSC) be established consisting of staff. The purpose of the CLSC is to screen potential conservation land securement initiatives to focus time and resources on the most ecologically significant securement opportunities. The CLSC would consist of internal staff members who may include but are not limited to a project manager, staff familiar with asset management and real estate transactions, ecologist, planner, landscape architect, and a private landowner stewardship contact person. The CLSC would typically meet monthly or less depending on securement opportunities.

It is recommended that the CLSC will work to develop two property securement lists. List one would outline 'active' properties for securement, and list two would identify 'potential' properties for securement. The list of potential securement opportunities is developed first and will include those new properties that have been brought to the attention of the conservation land securement representative, whether this person is staff or contractor, and warrant further consideration. Once a candidate property has been identified, a property evaluation involving desk top analysis and where necessary, field investigation will be undertaken. This will provide an assessment of the ecological significance of the property in the context of the priority areas identified. Further, the desire of the City to acquire the property and the landowner's interest in working with the City to develop a mutually acceptable transaction will need to be assessed. This could take the form of a fee-simple purchase, donation, or easement. Depending on the property history and preliminary site evaluation, additional environmental studies may also be required (e.g., Phase 1 and 2 Environmental Assessments).

Properties that have been moved on to the active list will then be pursued for securement upon review and recommendation by the C.A.O. and approval of City Council. To prioritize how important any given property would be, an evaluation matrix could be used. This will involve identifying the funding source or program to secure the property whether it is a purchase, easement or donation). Once the funding is determined, the field representative will proceed to secure the property (e.g., negotiate agreement, obtain appraisal, commission survey, etc.).

When assessing the suitability of land for securement, consideration will be given to the cost of taxes and long-term maintenance of the property when being secured by one of the City's partners. An agreement in principle to include the land under a management agreement between the City and its securement partner can alleviate this concern.

b) Disposition Policy

The City should document necessary steps for purchasing land including provisions for the appraisal process and bidding in a Conservation Land Securement and Disposition Policy. This type of policy is important because it will set out the necessary steps for purchasing land including provisions for the appraisal process, bidding and conflict of interest. For any land purchases involving the Ecogifts Program, appraisals must be done in accordance with their Terms of Reference as well.

If the City decides to sell land, (without a CEA on title), the sale requires the same degree of consideration be applied to the appraisal process and conflict of interest. Further, if a property is being registered through the Ecogifts Program there are additional considerations, which must be discussed before a sale can occur. When pursuing both land and conservation agreements, MNR must be involved. It is recommended that these policies and procedures be stated in the Conservation land securement and Disposition Policy and offer separate provisions for Sales, Transfers and Exchanges. Public perception is a big part of land conservation but especially those involving sale of lands. Clear communication to the public should be part of the conservation land securement approach so that the City's reputation as a conservation organization is not hindered.

During the process of securing ownership of lands through purchase, donation or bequest, the City may receive lands that contain only portions of ecologically significant features or none at all. Generally, the sale of public lands containing provincially significant features is not endorsed. Through the development and refinement of the natural heritage system reports for City's areas of focus, lands may be identified as surplus due to limited or no ecological significance and low habitat restoration potential. The funds from these surplus land sales can be used to fund the securement of other ecologically sensitive lands.

The City has to decide whether they have interest in exchanging land or transferring land (other than upon dissolution). The City should evaluate other potential conservation owners in its area and discuss the potential to transfer conservation lands should it ever become unable to carry out its ownership responsibilities. It is ideal to have land stewardship and maintenance funds available to transfer to a new conservation owner. Where the land still warrants protection but the City determines that another conservation group would be better suited to manage the property, such lands can be transferred with a land holding agreement to ensure it remains protected.

c) Due Diligence Considerations

Once a landowner of a target property has expressed interest to work with the City or a securement partner to conserve or sell the land, there should be additional assessment and due diligence components to employ and review:

- confirm ownership to ensure the correct representative is negotiating. This can be done in a preliminary title search
- appraisal to determine fair market value to Ecogift standards if it is a donation or fair price if it is a sales, legal fees,. There can be an exception with purchases if there is a high degree of confidence in values of comparable sales
- survey by an Ontario Land Surveyor (OLS) if boundaries are in questions, reports, etc. These are outlined below:
- site inspection during a time of no snow cover and if deemed necessary from that inspection, a Phase 1 Environmental Assessment may be done

d) Appraisals

While the City is not a member of the Ontario Land Trust Alliance, which follows the Canadian Land Trust Alliance (CLTA) Standards and Practices, it would be beneficial to follow the standards for Conservation Land Securement. Operating to such high standards demonstrates transparency and credibility in spending tax dollars. The CLTA Standards and Practices (2005) state in Standard 9 (j), “When the land trust buys land, conservation agreements or other real property, it obtains a qualified independent appraisal to justify the purchase price,” and in Standard 10 (b) that, “the donor/land trust should use an independent qualified appraiser who is certified by the Appraisal Institute of Canada and who follows the Canadian Uniform Standards of Professional Appraisal Practice.”

In addition to the standards noted above, to qualify for the Ecogifts Program and potentially other funding programs, the City cannot do the appraisal itself. Instead, “all appraisals must be at arm’s length from the parties to the transaction [...] Similarly, appraisals done by the recipient are not acceptable” (Environment Canada, 2005, p. 2). Since a vast majority of the City’s securement projects would apply to one or more of these programs, the appraisal must be done by an independent contractor.

It is clear that periodically the City needs to engage the services of appraisers to place a value on conservation lands intended for securement and application for securement funding. Different appraisers may be retained for different property valuations, different areas, and different property complexities. This variation necessitates an appraisal policy to ensure that the appraisers are being hired and conducting the appraisals in a consistent fashion.

It may also be in the best interest of the City's time and resources to obtain a 'letter of interest' from the landowner about a potential securement project before spending the time and money on an appraisal. It should not be too strict in its wording to prevent alienating the landowner but it may be helpful in gauging a landowner's real interest.

e) Legal

In land transactions, the City retains their own legal advice from a lawyer or notary experienced with real estate law. It should also promote that the landowner(s) also involved in the transaction receive their own independent legal advice about the transaction, legal documentation and implications.

f) Survey

A survey should be conducted where financially feasible to clearly determine the exact boundaries of the new property lines (if a partial taking, split receipt or conservation easement) or the existing property lines (for a full purchase or donation). In some cases, a copy of the original survey may be enough to satisfy both parties.

g) Baseline Documentation Report (for Conservation Agreements)

A Baseline Documentation Report is created for conservation easements to document the existing conditions at the beginning of the easement. This enables baseline data to compare the condition of the property in the future. The Ontario Heritage Trust has a useful template for these reports.

h) Financing a Conservation Land Securement Program

The City has never had a formal pro-active Conservation Land Securement Strategy or Program.

Adequately budgeting for the full life cycle costs of properties is essential. The following sections outline the costs associated with acquisitions in the past few years, which is a reliable indication of projected costs over the coming years.

In order for the City to budget for securement projects, the following cost projections are provided for a property. Just one fee-simple land donation could have the following approximate securement costs associated with it:

TABLE 6: ESTIMATED PROJECT TRANSACTION COSTS FOR FEE SIMPLE LAND DONATION

Item	Estimated Cost	Description
Appraisal	\$4,000 - \$7,000	
Legal	\$1,500 - \$4,000	
Survey	\$2,500 - \$15,000	
Phase 1 Assessment	\$2,000 - \$4,000	
Baseline Documentation Report	\$8,000 - \$13,000	primarily for conservation easement agreements; a record of the ecological, physical and cultural features of a property at a point in time, need trained staff
Staff/contractor time	\$4,000 - \$9,000	Dedicated staff time to implement landowner contact, negotiations, etc
Total (incl. BDR)	\$22,000 - \$52,000	
Total (not incl. BDR)	\$16,000 - \$39,000	

In addition to the securement ‘transaction’ costs outlined above, the cost of the property itself must be budgeted. As part of the development of this Conservation Land Securement Strategy, numerous appraisals were reviewed, and the selling price of various properties was also researched. Land values in the region within 80 km of the City differ depending on location, property characteristics (vista, grade, soil type, drainage, etc.), and land use designation/zoning. Available data for agricultural and forested properties, without development potential suggest a value range of between \$15,000 and \$500,000 per acre. A number of factors influence the wide range such as access, utility, location and especially, size. For example, a parcel smaller than one acre may be strategic for acquisition, but because of the economy of scale, the dollar value per acre will be on the high side of the range.

Outright fee-simple purchase of properties is the most effective way to ensure protection of lands for conservation purposes in perpetuity. For fee-simple purchases and split receipts, long closing dates (6 to 12 months) should be negotiated to allow for fundraising. Furthermore, an escape clause can be established if funds raised are insufficient by a certain date, eliminating the risk to the City. Such a strategy has been proven successful in project-specific fundraising campaigns. A recent example was Bruce Trail Conservancy’s acquisition of Rush Cove on the Bruce Peninsula. This was a \$700,000 offer to purchase with nine months to close. The call to action of having a real deal created a very successful result with all the money raised for the purchase price, securement and stewardship costs.

As described above, an Option to Purchase scenario allows the City to buy a property at a set price for a stipulated period of time. This mechanism not only gives the City a means of ‘buying time’ in its attempts to acquire a specific piece of land but it also provides the perfect opportunity for fundraising. There is no greater success in the conservation land securement community than when a ‘call for support’ is expressed. The sense of urgency to raise funds for a key property is always a good recipe for success. Many conservation organizations have secured key properties this way by calling on individuals, partners, members and corporations to assist in buying and protecting a particular property. When this

type of campaign is done properly, the money is usually raised at the pre-determined goal, and is sometimes exceeded.

i) Loans & Mortgages

Though not desired, in some special circumstances, securing a loan may be appropriate as part of an acquisition process. Any type of loan to close on a property should be considered in only three cases:

- When there is income derived from the property that should provide a positive cash flow;
- When the loan is acting as short-term bridge financing; or
- When there is zero or low interest and there is sufficient time before the end term to raise the required amount

j) Stewardship & Endowment Funds

This Strategy is recommending the securement and ownership of more lands by the City as one component of the overall approach to manage, restore and improve the Natural Heritage Network. In order to provide adequate resources in perpetuity for properties to cover stewardship and maintenance related activities, a detailing of costs is necessary for each acquired property (both fee-simple and conservation easement 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 stewardship and maintenance related (Category B below). There is obviously more direct stewardship and maintenance required on City-owned land versus land under conservation easement agreement. Examples of costs are listed below as well as their likelihood for fundraising.

k) Land Administration – Carrying Charges

Typical ongoing costs of land securement include: taxes (for securement partners), drainage apportionments, risk management, insurance, access, perimeter signage, fencing for neighbours or trespass (note - difficult to fundraise for and more reliant on endowment funding).

l) Conservation Stewardship – Managing Sites based on City Mission

Typical costs to manage City-owned properties for conservation purposes include: conservation fencing, prescribed burns, habitat restoration, planting, removal of invasive species, Interpretive signage, trail maintenance, partner/volunteer support, community relations.

Typical costs to manage both City-owned and easement properties for conservation purposes include inventory and site monitoring (note – higher likelihood of fundraising for projects but also the object of endowment fundraising).

Once the City has a detailed understanding of long-term land costs, a strategy for managing these in perpetuity can be developed. In the event that the City increases the amount of land protected, it is recommended that the City establish a Stewardship Endowment Fund, based on current and future costs of its Conservation Land Securement Program (for both fee-simple and conservation easement agreements). An easy way to implement this fund is to have a policy whereby any new property secured must have a Stewardship Endowment Fund in place before the property closes and the amount required to generate 5% interest a year for budgeted stewardship activities is included in the overall fundraising costs. It can become part of the securement proposal. Sometimes the best person to ask to contribute to this fund is the landowner. Who better to see the property protected and stewarded in perpetuity than the person who has nurtured the lands for so long?

The fund is generally managed as a separate fund, with income (e.g., interest) allocated for stewardship and maintenance 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 protect the purchasing power of the endowment over time. This type of fund would ensure that funding for most maintenance and land-related costs is secure. For special projects that may be periodic and require additional funding (e.g., restoration), further fundraising may be required. The amount required in the fund would be determined from the projected stewardship costs and would change over time as the City property portfolio changes.

m) Enforcement or Legal Defense Funds

In addition to having a Stewardship Endowment Fund, it is important to consider having a Legal Defence Fund for the City's easement properties. For example, in the event where a conservation easement agreement has been violated, the City will take every measure possible to mitigate the situation with the landowner in a mutually agreeable fashion. 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 can be considerable. 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 conservation easements held by the City and the likelihood of risk to these easements.

It is the responsibility of the City to uphold its conservation easements and set a precedent for other landowners. Therefore, by having a Legal Defence Fund, it shows the community and future easement landowners that the City is serious about enforcing its easements and protecting the natural features of the watershed.

10) COMMUNICATING SUCCESS

The term ‘success breeds success’ is highly applicable to the securement of ecologically sensitive lands. Unless highly confidential for whatever reason, once there is the ‘success’ of securing a property within a given area, the City should give careful consideration to the messaging and leveraging of this accomplishment 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. This landowner can in turn be invited to act as a champion in their area of the watershed. Below are some recommendations for communicating success in the City.

Recommendations for Community Communications and promoting conservation land securement

- Ensure that all partners involved in the securement of a property are given proper Recognition;
- Invite local, regional, provincial and federal politicians to the event (as appropriate).
- Ensure that the event or success is covered by all forms of local and regional media (e.g., newspaper, television, radio);
- Ensure that the event is communicated through internal media like newsletters, websites, and landowner brochures outlining conservation options etc; and
- Use the media articles, newsletters, brochures or other internal communications to send to interested partners, landowners, etc.
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11) CONCLUSION

This Conservation Land Securement Strategy is a comprehensive land securement planning document, which outlines methods for the creation of an informed and effective land securement initiative for the purposes of long-term natural heritage land protection in Vaughan. The Strategy has illustrated initial recommendations to implement a conservation land securement program and has suggested criteria to consider when focusing conservation land securement efforts, including ways to engage landowners (landowner contact program), the full list of securement options, suggestions for preferred securement tools by audience, and finally, considerations for working with individual landowners.

This document is the foundation of a strategic conservation land securement program at the City. It will require dedicated, trained staff to implement the recommendations in the years to come. The Strategy

summarizes all the aspects for a successful program that should be implemented on the ground with willing landowners.

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