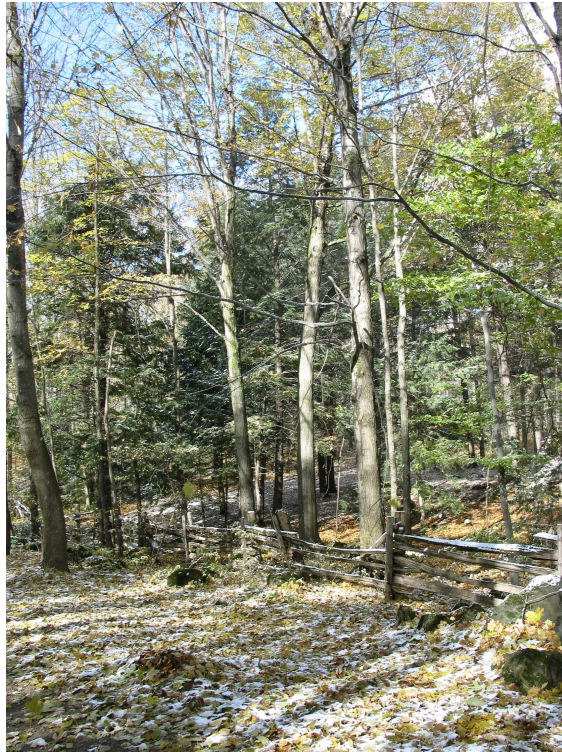


LAND SECUREMENT AND DISPOSITION POLICIES



Credit Valley Conservation

1255 Old Derry Road, Mississauga, ON, L5N 6R4

(905) 670-1615 Fax: (905) 670-2210 Toll Free: 1-800-668-5557

e-mail: cvc@creditvalleycons.com www.creditvalleycons.com

APPROVING RESOLUTION FROM AUTHORITY



RESOLUTION NO. 102/04

RESOLVED THAT *the report on the Credit Valley Conservation Land Securement and Disposition Policies be received and appended to the minutes of this meeting as Schedule 'F'; and*

THAT *the Credit Valley Conservation Land Securement and Disposition Policies be approved; and*

THAT *staff be directed to follow these administrative policies and guidelines for the securement of new properties and the disposal of surplus lands within the Credit River watershed.*

November 12, 2004



CREDIT VALLEY CONSERVATION LAND SECUREMENT AND DISPOSITION POLICIES



1. INTRODUCTION

Credit Valley Conservation has a mandate to protect the quantity and quality of water and ecosystems in the Credit River watershed. CVC assists municipalities within the watershed and has private land stewardship programs to encourage protection. CVC's conservation areas system represents a cross section of the significant natural landscapes that characterize the watershed (greenlands). CVC owns and manages approximately 2,400 hectares (almost 6,000 acres) of public open space land, firstly to protect the Credit River watershed's significant representative ecosystems, and secondly to offer sustainable natural heritage appreciation and recreational benefits to its residents and visitors. However, in circumstances where the land is not publicly owned and there are issues regarding public access or the protection of significant ecosystems, securement offers advantages over relying on provincial/municipal zoning regulations or stewardship and education. In this context, it is important to have a strategic approach including a rationale for identifying Priority Greenlands for Securement; a program to implement the Greenlands Securement Strategy; and financial resources to capitalize on opportunities when they appear.

For 50 years, CVC has acquired properties for conservation purposes, without the benefit of a strategic land securement program. Land securement within the Credit River valley and on the Niagara Escarpment was, in part, a response to Provincial funding opportunities. Since 1958, CVC has secured over 1200 hectares of land on the Niagara Escarpment. In 1970, the Department of Energy and Resources Management established the first grant request funding program for Niagara Escarpment Land Acquisition. The program provided Provincial funds towards 75% of the cost of acquisition. Throughout the years, this funding has resulted in the establishment of Terra Cotta Conservation Area, Silver Creek Conservation Area, Belfountain Conservation Area, Limehouse Conservation Area and Ken Whillans Resource Management Area.

In 1986, the Ontario Ministry of Natural Resources approved CVC's Credit River Valley Land Acquisition Program for the Town of Caledon which is in effect until the year 2006. The goal of the plan is to acquire approximately 210 hectares (520 acres) of privately owned lands adjacent to the Credit River from Regional Road 24, north to Sideroad No. 20, south of the Village of Alton. This securement work was supported in the 1994 by the Conservation Areas Strategy for the Credit River Watershed, which noted a priority should be placed on acquiring upper watershed valley lands. To date CVC has ownership of approximately 74.9 hectares (185 acres) of protected public open space along this reach of the Credit River and is currently negotiating the purchase of another key valley property within this program.

Securement within the urbanizing portions of the watershed have been, for the most part, either through gratuitous dedication as a condition of development proposals or ad hoc, and took place when opportunities appeared and staff time and funding were

available. One exception has been in the City of Mississauga, where the majority of valley land purchases since the mid 1980s have been in partnership between the City, CVC and the Province of Ontario. Today, the pressures of development, competition for resources, and the scale of this land securement challenge mean that a pro-active and strategic approach is needed. CVC is committed to securing and managing greenlands within an interconnected *Conservation Areas System* through its newly established Greenlands Securement Strategy.

2. GREENLANDS SECUREMENT STRATEGY

The Greenlands Securement Strategy (under separate cover) was approved by the CVC Board under Resolution Number 87/04, October 8, 2004. It provides a strategic approach to identify lands of conservation importance and to identify those that could enhance existing features and functions, given current limited funding opportunities. "Land securement" within the CVC Greenlands Securement Strategy refers to attainment of interest in land title for conservation purposes. It encompasses the tools of donation, gratuitous dedication, conservation easements, and fee-simple purchase. This *CVC Land Securement and Disposition Policy* will provide the CVC staff with the administrative guidance required to achieve, with watershed partners, the Greenlands Securement Strategy goal to secure an additional 5,670 hectares (14,000 acres) of greenlands over the next 20 years.

The Greenlands Securement Strategy provides a science-driven, criteria-based process to identify lands of conservation importance and to identify those that could enhance existing features and functions. 'Greenlands' is an often-used term that refers to terrestrial and aquatic natural features (i.e. forests, wetlands and stream, corridors) and functions (e.g. groundwater recharge) within the Credit River Watershed, that when secured, would provide a connected system intended to provide natural heritage protection, appreciation and recreational benefits for a healthy ecosystem and healthy communities.

The goal statement for the Greenlands Securement Strategy is to protect the Credit River watershed's significant and representative terrestrial, aquatic and groundwater ecosystems through securement of greenlands, whether by donation, conservation easement, management agreement or fee-simple purchase, while at the same time offering opportunities for natural heritage appreciation, and compatible recreational activities to its residents and visitors.

The Greenlands Securement Strategy is designed to complement the regulatory and voluntary programs of Credit Valley Conservation, and support the "greenlands" policies of Regional governments and area municipalities. In particular, this Strategy will provide practical implementation of the land securement portion of regional and area municipal greenlands policies within the Credit River watershed.

Greenlands securement is an essential tool in protecting the land and water of the Credit watershed. In so doing, it will help protect the quantity and quality of water for citizens both upstream and downstream, provide natural heritage benefits to present and future generations, facilitate new fishing and recreational opportunities and protect

the scenic vistas of valleys, forests and hills that are characteristic of the watershed. In addition to these important contributions, the Greenlands Securement Strategy will facilitate development of a regional trail network and connections between urban communities.

3. POLICY DOCUMENT INTENT

This policy provides an up-to-date administrative framework under which land securement of key properties by the Conservation Authority can be achieved as well as guidance for the disposal of surplus lands. It sets out specific policies related to securement, appraisal, survey, environmental audit and disposal. It should be noted that the description of the legislative and procedural Provincial statements included in this policy document are for convenience only. A copy of the relevant legislation and procedures should be obtained to determine the exact requirements. The specific content of the appendices are not considered part of the formal policy, as they may be updated and/or amended from time to time, provided that these changes are consistent with the original intent.

4. CONSERVATION AUTHORITY LAND SECUREMENT LEGISLATION

Section 20 (1) of the Conservation Authorities Act outlines the objects of a Conservation Authority which are “to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals. R.S.O. 1990, c. C.27, s. 20”.

Section 21 (1) of the Conservation Authorities Act outlines the powers of authorities for the purposes of accomplishing its objects.

Subsection 21 (1) (c) states that an Authority has the power “to acquire by purchase, lease or otherwise and to expropriate any land that it may require, and, subject to subsection (2), to sell, lease or otherwise dispose of land so acquired”.

Subsection 21 (1) (d) gives the Authority the power, “despite subsection (2), to lease for a term of five years or less land acquired by the authority.”

Subsection 21 (1) (e) gives the authority power “to purchase or acquire any personal property that it may require and sell or otherwise deal therewith.”

Subsection (1) (g) gives the authority power “to enter into agreements with owners of private lands to facilitate the due carrying out of any project.”

Subsection 21 (1) (n) gives the Authority power “to collaborate and enter into agreements with ministries and agencies of government, municipal councils and local boards and other organizations.”

Section 21 (2) states that “if the Minister has made a grant to an authority under section 39 in respect of land, the authority shall not sell, lease or otherwise dispose of the land under clause (1) (c) without the approval of the Minister. 1996, c. 1, Sched. M, s. 44 (3)”.

Section 21 (3) states that “the Minister may impose terms and conditions on an approval given under subsection (2), including a condition that the authority pay a specified share of the proceeds of the disposition to the Minister. 1996, c. 1, Sched. M, s. 44 (3)”.

Section 31 of the Conservation Authorities Act states that “the Expropriations Act applies where land is expropriated by an authority or where land is injuriously affected by an authority in the exercise of its statutory powers. R.S.O. 1990, c. C.27, s. 31.”

5. SECUREMENT POLICIES

- 5.1. For the purposes of this policy, land securement means to obtain from a willing landowner interest in land title for conservation purposes and includes such securement tools as land dedication, land trading, donation, bequest, conservation easement, long term management agreement 25 years or greater, and fee simple purchase.
- 5.2. CVC will secure lands found within the Credit River watershed to achieve the goal of the Greenlands Securement Strategy.
- 5.3. For a property to be considered for securement, it must be identified as a *Priority Greenland Identified for Securement* within the approved CVC Greenlands Securement Strategy or a priority confirmed by the CVC Board of Directors.
- 5.4. CVC may partner to secure Priority lands from time to time, with member municipalities and other conservation agencies such as the CVC Foundation, Ontario Ministry of Natural Resources, Nature Conservancy of Canada, and Oak Ridges Moraine Foundation. Such partnerships may require additional policies or requirements to be considered by CVC on a case-by-case basis. CVC will adhere to the guidelines set out for acquisition by each individual program provided that they meet or exceed CVC policies.
- 5.5. Securement of any property interest must be approved through a Resolution from the CVC Board of Directors.
- 5.6. CVC will secure lands within the Credit River watershed only on a willing-buyer, willing-seller basis, unless otherwise authorized by the CVC Board of Directors.
- 5.7. Staff can negotiate attainment of securement interest (e.g. Agreement of Purchase and Sale), conditional on approval by the CVC Board of Directors. The Agreement of Purchase and Sale will list the price to secure the property based on a completed peer reviewed appraisal, or conditional on a peer reviewed appraisal, subject to the approval of the CVC Board of Directors, attainment of funding, title search with no liens, successful environmental audit and registered plan of survey.
- 5.8. CVC will consult on a confidential basis with staff from the municipalities in which the subject property is located to reduce duplication, identify and resolve any municipal concerns, and examine opportunities to secure the property through the development approval process.

- 5.9. A search of Land Title for a subject property will be completed on a confidential basis prior to securement to ensure the property is free of any and all encumbrances, restrictions and easements.
- 5.10. If partial securement of a property is preferred, and the landowner is only willing to dispose of the entire land holding, arrangements for the disposal of surplus lands acquired through this land transaction are to be established prior to the securement of the property. Disposal of surplus lands will follow the disposal policies as outline in Section 9.

6. APPRAISAL POLICIES:

- 6.1. A proposal to secure a property with a fair market value estimate greater than \$10,000 must be supported by an appraisal that is signed by an appraiser who is accredited AACI (Accredited Appraiser Canadian Institute) in accordance with the Canadian “Standards” (Canadian Uniform Standards of Professional Appraisal Practice) of the Appraisal Institute of Canada.
- 6.2. A second appraisal for a property with a fair market value estimate greater than \$10,000 will be required, if requested by the CVC Board of Directors. It may also be considered at the vendor’s request, or if the property is complex with many historical land uses.
- 6.3. Each appraisal shall be written in accordance with the Terms of Reference as set out in Appendix B, or as may be amended from time to time.
- 6.4. A third party review of each appraisal will be sought by an accredited AACI appraiser who has no interest in the property.

7. SURVEY POLICY:

- 7.1. Prior to finalizing any property securement, a Registered Plan of Survey must be received from a registered Ontario Land Surveyor in accordance with the Surveys Act, the Surveyors Act and the Land Titles Act and their regulations.

8. ENVIRONMENTAL AUDIT POLICIES:

- 8.1. (Note: not an audit of assets but liabilities.) Securement of any property interest is conditional on CVC being satisfied as to the environmental condition of the property. In this regard, an Initial Environmental Audit will be recorded by a qualified staff member, or consultant as appropriate. An Initial Environmental Audit consists of objectively obtaining and evaluating information about the potential environmental effects of activities that are taking place or have taken place on the property being audited (see Appendix D).

9. DISPOSAL POLICIES:

- 9.1. Disposal, leasing of lands and the sale of surplus lands will (if required) be in accordance with the Ministry of Natural Resources Policies and Procedures and Section 21 (2) of the Conservation Authorities Act R.S.O. 1990, Chapter C.27 as amended.
- 9.2. In instances where CVC is not required to follow the policies and procedures outlined in Policy 9.1, they will still be used as a guideline for land disposal.
- 9.3. CVC will not transfer title to all or part of any CVC property without first obtaining all required approvals from the CVC Board of Directors and the Ministry of Natural Resources (if required).

10. IMPLEMENTATION

Procedure for submitting a securement request to the CVC Board of Directors:

- 1) CVC staff to discuss with landowner different options for securement of property. All securement tools found in Appendix A may be considered. A cost benefit analysis of all tools used to protect greenlands can be found in Appendix C.
- 2) CVC staff will consult on a confidential basis with the area municipality in which the subject property is located in order to confirm that the property is not already being sought for municipal purposes.
- 3) CVC staff may consult on a confidential basis with the CVC Board members who represent the area in which the subject property is located.
- 4) CVC staff to obtain an estimation of the costs associated with the securement of the property including, acquisition, legal, survey and appraisal. Establish which agencies share similar securement objectives and whether any funding partnerships can be sought.
- 5) CVC staff to complete and submit a business case to the General Manager outlining the environmental significance of the property for securement, the preferred method of securement and associated costs, liabilities and constraints (i.e. any fixtures on the property), as well as an estimate of management costs once secured. This document will include a site plan/map depicting property boundary, ecological features, surrounding land uses and other nearby protected areas.
- 6) Prepare verbal or written "In-Camera" Report to CVC Board of Directors with the recommendation to proceed with obtaining detailed information to allow for the future securement of property. Permission of Board obtained to proceed with preliminary agreement of purchase and sale. No purchase to be finalized without completion of appraisal(s), survey, title search, initial environmental audit, obtaining funding, and subsequent Board resolution.

- 7) If permission is granted by CVC Board of Directors to proceed with the future securement of the property the following steps will be taken:
 - i. Obtain completed Narrative Appraisal by an appraiser accredited AACI (Appendix B);
 - ii. Third party review of appraisal by an appraiser accredited AACI who has no interest in property;
 - iii. Obtain Registered Plan of Survey from a registered Ontario Land Surveyor in accordance with the Surveys Act, the Surveyors Act and the Land Titles Act and their regulations;
 - iv. Complete title search of property. Provide information on existing encumbrances, restrictions and easements.
 - v. Undertake Initial Environmental Audit (Appendix D);
 - vi. Obtain final funding for property securement;
- 8) Prepare a written "In-Camera" Report to CVC Board of Directors requesting direction to finalize the securement of the subject property by way of a formal resolution.
- 9) If a partial securement of property is sought, disposal, leasing, or sale of surplus lands will be in accordance with the Ontario Ministry of Natural Resources Policies and Procedures for Disposition of Authority Property and Section 21 (2) of the Conservation Authorities Act R.S.O. 1990, Chapter C.27 as amended.

APPENDIX A – SECUREMENT TOOLBOX

When approaching land securement, it is essential to consider a wide range of tools that balance the needs of the seller, the requirements of CVC, the characteristics of the land, and funding issues. In cases where the lands are within a development proposal, a gratuitous dedication or a conservation easement should be required as a condition of approval. In other cases, the landowner will share CVC’s interest in protecting water, wetlands, forest cover, or some other aspect of the land, and is willing to make a donation. The landowner may be motivated by the opportunity of a tax benefit arising from a donation. Also, there could be other occasions when the land owner may wish to stay on his/her land, but will forgo development and make a legally binding agreement to protect the forest cover or wetland that is CVC’s primary interest. Other circumstances may result in the outright purchase of a property. In order to achieve the public purpose of securement at the lowest cost with greatest benefit, CVC needs to employ a wide range of securement tools.

CVC has compiled its securement tools in the table below titled Securement Tool Box. In some cases two or more tools can be used at the same time to secure land. The preferred securement tool depends on many factors including: the sensitivity of the feature or attribute of interest, permanence needed, public access or use, regulations that apply, availability of funding, perceived threats, opportunity, and urgency.

SECUREMENT TOOL BOX

Tool	Definition	Security	Protection
<i>Long-Term Agreement</i>			
<i>Right-Of-First-Refusal</i>	A landowner expresses the desire to sell their land at some point in the future. It is a chance to match an offer on the property before proceeding with a sale.	High	Legally Binding
<i>Lease</i>	Can be long term, lease-to-own, lease-for-life, and leaseback agreements in which land can be protected for a specific time period. This is an option if the landowner is unwilling to sell, if the purchase price is too high, or as an interim measure while raising funds to purchase the property.	Medium	Legally Binding
<i>Management Agreement</i>	Wide variety ranging from informal to more formal and legally binding license agreements. In most cases CVC would provide the technical and financial assistance while the landowner agrees to follow certain restrictions for use of the land. Can be in the form of fishery, wetland and forestry agreements.	Low-High	Legally and Non-Legally Binding
<i>Easement or Donation</i>			
<i>Private Dedication</i>	A private landowner dedicates land in perpetuity for conservation purposes. Could result in tax benefits.	High	Legally Binding
<i>Gratuitous Dedication</i>	A developer dedicates land within a development proposal area in exchange for approval of the	High	Legally Binding

Tool	Definition	Security	Protection
	application.		
<i>Restrictive Covenant</i>	Places restrictions on those properties residing adjacent to owned public land. Can be donated or purchased. If lands are donated then there is a possibility for tax benefits.	Medium	Legally Binding
<i>Conservation Easement</i>	A landowner retains ownership of the property but allows restrictions to be placed on the deed to the property thereby establishing long-term protection for the ecological functions of the property. Conservation easements can be purchased or donated and can result in tax credits to the property owner.	Medium	Legally Binding
<i>Will Bequest</i>	A bequest of land to a conservation foundation written up in a legal will. Tax laws favour bequests.	Medium	Legally Binding
<i>Donation</i>	A gift of land to a conservation organization (i.e. CVC Foundation). May receive tax benefits for the market value of 'ecologically sensitive land' (Managed Forest Tax Incentive Program, Ontario Ecogifts Program, Conservation Land Tax Incentive Program).	High	Legally Binding
<i>Purchase</i>			
<i>Option to Purchase</i>	Interested buyer legally commits to purchasing the property and a small payment is made (property purchasing period may be up to 2 years).	High	Legally Binding
<i>Purchase/Sale Back</i>	Purchase of an entire property on the open market to protect the ecological function located on the piece of land. Significant sections are severed as public land, and remaining lands are resold.	High	Legally Binding
<i>Land Trading</i>	Lands that no longer fulfill current objectives and priorities are traded or exchanged for more desirable lands.	High	Legally Binding
<i>Life Estate</i>	A landowner donates or sells their land, yet retains entitlement to use of the land within the restrictions of the life-estate agreement. An estimate is made of the value of use of the property and subtracted from the fair market value of the property. The net amount is the purchase price for the property.	High	Legally Binding
<i>Split Receipting</i>	The property is sold to a conservation organization at a reduced price with the remainder of the fair market value of the property resulting in a charitable gift to the organization.	High	Legally Binding
<i>Fee-simple Estate</i>	Outright purchase of a property and transfer of land title to the purchaser	High	Legally Binding

APPENDIX B – APPRAISAL TERMS OF REFERENCE

APPRAISAL TERMS OF REFERENCE

[INSERT LEGAL PROPERTY DESCRIPTION]

The Appraiser is instructed to undertake a “Narrative” Appraisal Report in accordance with the Canadian “Standards” (Canadian Uniform Standards of Professional Appraisal Practice) of the Appraisal Institute of Canada.

The purpose of the Appraisal is to estimate the Fair Market Value of the lands located on [INSERT PROPERTY DESCRIPTION] for the purpose of determining fair compensation for the purchase of this property by the CVC (see attached location map).

The Appraisal will be signed by an AACI in a complete capacity or on a review basis provided that the AACI has inspected the property.

The effective date of the appraisal will be the current date of inspection.

The Market Value is “The most probable price which a property should bring in a competitive and open market as of the specified date under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus.” (Appraisal Standards Board, Canadian Uniform Standards of Professional Practice 01/01/2003, 47).

The Narrative Appraisal shall contain:

1. The report shall contain an analysis and opinion of the highest and best use of the real estate. This opinion shall be based on relevant legal, physical and economic factors including official plan zoning and restrictions.
2. Comparable sales/listing data sheets with detailed descriptions and at least one photo.
3. The appraiser is to determine a point value and range value of the “fair market value” of the lands, unencumbered.
4. Comparable sales/listing chart with unit rates and any adjustments.
5. A sales map with the location of sales and listings plotted accurately.
6. Current Curriculum Vitae of all appraisers involved with the appraisal, maximum two pages each.
7. These “Terms of Reference” will be included in the Addenda of the report.
8. The “Terms of Reference” are to be adhered to. Any omission or deviation must be obtained in writing from CVC.

APPENDIX C - COST BENEFIT ANALYSIS PROTECTION OF GREENLANDS

Securement Tools	Best Used When...	Associated Costs	Benefits	Challenges
STEWARDSHIP				
<p>Education:</p> <p>Educating local landowners, businesses and corporations, community oriented groups and local students and youth to help them voluntarily manage and protect environmental features and functions.</p>	<ul style="list-style-type: none"> - To encourage and support landowners to participate in natural resources stewardship. - To create awareness within the community about the need for environmental protection and enhancement. - To begin nurturing partnerships with landowners to allow for stronger protection of environmentally sensitive lands in the future. 	<ul style="list-style-type: none"> • Staff resources associated with research, and preparation of education and communication materials. • Public workshops. • Monitoring and evaluation. • Brochures and landowner guides. • Conservation planning. 	<ul style="list-style-type: none"> - Empowers land owners to make decisions on the use of natural heritage resources found within the community and on their properties. - Builds relationships with land owners for future land securement programs and initiatives. - Allows a public body to promote land protection programs for citizens and land owners. 	<ul style="list-style-type: none"> - Resources must be committed to developing, implementing, and maintaining an education and outreach strategy and program.
<p>Short-term Agreement:</p> <p>Most often, the informal and voluntary management or protection of environmental features and functions through an agreement for less than 25 years.</p>	<ul style="list-style-type: none"> - To allow for the short-term protection of natural heritage lands without purchasing the lands from the landowner. - To secure lands that contribute to the function and connection of the overall natural heritage system. - To build relationships with land owners for future long-term agreements. 	<ul style="list-style-type: none"> • Staff resources associated with research, site visit, technical feedback and preparation of agreement. • Legal review of a document may be required if a more formal agreement is decided upon - ~\$1,500-\$2,500. • Monitoring and evaluation. 	<ul style="list-style-type: none"> - Least expensive method. - Maintains good relations with landowner. - Active property manager on property (landowner). - Landowner monitors progress. 	<ul style="list-style-type: none"> - Usually informal. - Not legally binding. - Requires trust between parties to ensure they both honour the agreement.
<p>Incentive:</p> <p>The land owner receives a monetary or other type of incentive for the informal and voluntary management or protection of environmental features and functions. Examples include property</p>	<ul style="list-style-type: none"> - To encourage and support landowners to participate in natural resources stewardship. - To begin nurturing partnerships with landowners to allow for stronger protection of environmentally sensitive lands in the future. 	<ul style="list-style-type: none"> • Staff resources associated with research, site visit, technical feedback and preparation of agreement. • Application fees for tax incentive program. • Charitable Status. • Landowner may be required to have a resource management plan undertaken by a professional (i.e. Registered Forester prepares Managed Forest Plan). • Monitoring and evaluation. • Shared cost programs with landowners (i.e. cattle fencing, tree planting). 	<ul style="list-style-type: none"> - Builds relationships with land owners to manage and protect exceptional and representative ecosystems that are found on private land. - Encourages land owner to provide protection of the land through securement tools. - Allows for partnerships between land owner and academic institutions to document and analyze natural heritage features and functions, and recommend management 	<ul style="list-style-type: none"> - Can cause friction if incentives are cancelled. - Funding is required to provide the incentives. - Resources must be committed to landowner contact. - Eliciting participation from the community.

APPENDIX C - COST BENEFIT ANALYSIS PROTECTION OF GREENLANDS

Securement Tools	Best Used When...	Associated Costs	Benefits	Challenges
management services, and tax incentives.		<ul style="list-style-type: none"> Conservation Planning Services. 	options.	
REGULATION/POLICY				
<p>Provincial/Municipal Policy & Zoning:</p> <p>Entails influencing private resource use through legislation including zoning, provincial policy, official plans, statutes, regulations or by-laws.</p>	<ul style="list-style-type: none"> - To protect exceptional and representative ecosystems including significant woodlands, Provincially and locally significant wetlands, species at risk habitat, and wildlife habitat. - To protect natural heritage areas, features and functions of Provincial interest. - To restrict development in Hazard Lands. - To provide for the sustainable use and protection of recreational and open-space lands. - To support healthy communities through natural processes such as carbon sequestering, hydrological cycle, supply of oxygen, and production of natural resources. 	<ul style="list-style-type: none"> Staff resources associated with research, and preparation for official plan or zoning by-law amendments. Statutory public meetings. Monitoring and evaluation. Consultant fees. Advertising costs. Public relations. 	<ul style="list-style-type: none"> - Municipal Official Plans can provide policy support for conservation authorities and their securement activities, encouraging creative approaches to conservation. - Can provide information on the location of sensitive areas or lands the conservation authorities may want to target for securement. - Designation of environmentally sensitive lands in an Official Plan can be important to the qualification of land under the ecological gifts provisions of the Income Tax Act. - Provides specific guidance to decisions made on planning matters that relate to the protection and enhancement of natural heritage features, functions, and areas. - Designating lands in an appropriate conservation category may assist in future down-zoning of securement target properties which could reduce property costs and permit less development. 	<ul style="list-style-type: none"> - Takes time to amend planning legislation and regulations as per the Planning Act. - Political will to change planning policy and regulation. - Resource intensive for municipalities to undertake frequent Official Plan updates. Most municipalities review their Official Plans every five years.
ACQUISITION				
<p>Easement:</p> <p>A landowner retains ownership of the property but allows restrictions to be placed on the deed to</p>	<ul style="list-style-type: none"> - To allow for protection of natural heritage lands in perpetuity without purchasing the lands from the landowner. - To maintain lands in private ownership, with 	<p>For a 100 acre parcel:</p> <ul style="list-style-type: none"> <i>Registered Plan of Survey</i> - ~ \$10,000 depending on complexity of property <i>Appraisal</i> – ~ \$3-\$6,000 <i>Consideration for Land*</i> – 75% of fair market value if purchasing easement. <i>Legal</i> (title search, agreement of 	<ul style="list-style-type: none"> - Less expensive than fee simple. - Tailored to the protection requirements of the landowner and the property, and the desire of the landowner. - Landowner retains ownership 	<ul style="list-style-type: none"> - Public access may not be provided. - Easement must be enforced. - Restricted use may lower resale value.

APPENDIX C - COST BENEFIT ANALYSIS PROTECTION OF GREENLANDS

Securement Tools	Best Used When...	Associated Costs	Benefits	Challenges
<p>the property thereby establishing long-term protection for the ecological functions of the property. Conservation easements can be purchased or donated and can result in tax credits to the property owner.</p>	<p>restricted public access. - To allow for education and monitoring on private lands when it is agreed upon.</p>	<p>purchase and sale, land registration, etc.) - ~\$1,500-\$2,500</p> <ul style="list-style-type: none"> • <i>Staff Time</i> (baseline work) - ~ \$1,000 - \$10,000 <p style="text-align: center;">General overall cost \$6-10,000 for donated easement on a property where survey not required.</p> <p style="text-align: center;">General overall cost \$20-30,000 for donated easement where survey required.</p> <p style="text-align: center;">Additional cost of up to 75% of fair market value for land on top of general overall cost for those easements purchased.</p> <p>Items to consider:</p> <ul style="list-style-type: none"> • 95% of easements are donated to an organization that may be able to issue a tax receipt to the landowner for up to 50% of the fair market value of the land. • Survey required for properties where easement covers partial area of land parcel. • War Chest – legal defence fund set aside in case landowner contests easement. • Monitoring – annual visit to property to meet with landowner and evaluate the effectiveness of the agreement. • Land Care – approximately \$125 per acre if CVC is going to be the managing body. 	<p>and property remains on the tax rolls, often at a lower rate because of restricted use.</p> <ul style="list-style-type: none"> - Potential income and estate tax benefits from donation. - More permanent and often more restrictive than land use regulations, which are susceptible to amendments. 	
<p>Long-term Agreement:</p> <p>Formal and legally binding agreements for more than 25 years. In most cases CVC would provide</p>	<ul style="list-style-type: none"> - Allows for the long-term protection of natural heritage lands without purchasing the lands from the landowner. - Allows for a landowner to maintain ownership of the lands, but gives 	<p>For a 100 acre parcel:</p> <ul style="list-style-type: none"> • <i>Registered Plan of Survey</i> - ~ \$5-\$10,000 depending on complexity of property • <i>Legal</i> (draw up agreement) - ~\$500-\$1,000 • <i>Staff Time</i> (baseline work) - ~ \$1,000 - \$10,000 	<ul style="list-style-type: none"> - Landowner has the benefit of the expertise and presence of CVC to help manage the lands. - It can be tailor-made to the circumstances of the land, its owner and manager, and can specify precisely what should be done. 	<ul style="list-style-type: none"> - Will not prevent the disposal of the land or control use of the land once it is transferred. - Building consensus between parties as to their roles and responsibilities in land

APPENDIX C - COST BENEFIT ANALYSIS PROTECTION OF GREENLANDS

Securement Tools	Best Used When...	Associated Costs	Benefits	Challenges
<p>the technical and financial assistance while the landowner agrees to follow certain restrictions for use of the land. Can be in the form of fishery, wetland and forestry restoration agreements.</p>	<p>management and particular use of lands to a public body for the long-term through a mutual agreement.</p> <ul style="list-style-type: none"> - Best used for species at risk habitat, public well-head areas, community amenities, and education/scientific resource lands. 	<p>General overall cost \$2-10,000 for agreement on a property where survey not required.</p> <p>General overall cost \$10-20,000 for agreement on a property where survey required.</p> <p>Items to Consider:</p> <ul style="list-style-type: none"> • Survey required for properties where agreement covers partial area of land parcel. • Monitoring – annual visit to property to meet with landowner and evaluate the effectiveness of the agreement. • Land Care – approximately \$125 per acre if CVC is to be managing body. 	<ul style="list-style-type: none"> - May lead to a heightened sharing and awareness of conservation principles between the parties. 	<p>management.</p>
<p>Fee-Simple Purchase:</p> <p>Outright purchase of a property and transfer of land title to the purchaser.</p>	<ul style="list-style-type: none"> - To secure significant natural features existing on the property which require protection in perpetuity. - To secure natural heritage lands that are located in areas experiencing high levels of development pressure or are outside the municipal natural heritage policy area. - To secure a key property important to gaining public access to natural heritage areas for education, monitoring, compatible recreation, and maintenance. - To secure a connected corridor of greenspace, including Core Greenlands and well-head protection areas. 	<p>For a 100 acre parcel:</p> <ul style="list-style-type: none"> • <i>Registered Plan of Survey</i> - ~ \$10,000 depending on complexity of property • <i>Appraisal</i> – ~ \$3-\$6,000 • <i>Cost of Land</i> – fair market value of property • <i>Legal</i> (title search, agreement of purchase and sale, land registration, etc.) - ~\$1,500-\$2,500 • <i>Staff Time</i> (baseline work) - ~ \$1,000 - \$10,000 <p>General overall cost \$20-30,000 for survey, appraisal and legal on top of cost of land</p> <p>Items to consider:</p> <ul style="list-style-type: none"> • Land with building envelope is generally 2.5 times more expensive than non-developable conservation land. • Cost of land is greater in south watershed than north watershed. • Land Care – approximately \$125 per acre. 	<ul style="list-style-type: none"> - Gives CVC full control of the land. - Provides full access to the property for ecologically compatible recreation. - Guarantees permanent protection. 	<ul style="list-style-type: none"> - Expensive, and thus, requires funding to cover costs necessitated by the purchase. - Usually removes land from the tax base. - Ownership responsibility includes liability and maintenance.

APPENDIX D – PROPERTY INSPECTION AND ENVIRONMENTAL AUDIT

INITIAL ENVIRONMENTAL AUDIT

Vendor Name: _____

Property Description:

Region/County: _____

Area Municipality: _____

Lot(s): _____

Concession(s): _____

Conservation Area: _____

Agency to take title: _____

Agency to manage property: _____

.....
Visual Inspection date: _____

Inspected by: _____ Job Title: _____

Is the property...?:

Vacant Land; or

Improved Land

If the property has been improved (Yes/No/NA):

- Is there a residence on the property?: _____
- Is a house inspection required?: _____
- Are there tenants in the residence?: _____

Present Land Use(s): _____

Proposed Land Use(s): _____

Is there visual evidence on land or in buildings of any of the following: ("Y" for Yes, "N" for No, "U" for Uncertain)

- Incineration?: _____
- Fill added? _____
- Leaking or unprotected underground or above-ground fuel storage tanks?: _____
- Stained surfaces?: _____
- Oily sheen on water?: _____

APPENDIX D – PROPERTY INSPECTION AND ENVIRONMENTAL AUDIT

- Unprotected industrial drums?: _____
- Human burials?: _____
- PCB ballasts/transformers?: _____
- Vegetation damage?: _____
- Discarded batteries?: _____
- Pesticide/herbicide containers?: _____
- Chlorofluorocarbons, refrigerants not in use?: _____
- Current or past use for storage, vehicle repair garage, printing, dry cleaning, photo lab, waste processing, etc.?: _____
- Landfill/garbage dump/waste disposal?: _____
- Contaminated water or soil?: _____
- Abandoned well?: _____
- Abandoned structure?: _____

In your opinion, does site contain evidence of contamination? ___Yes ___No

[A "Yes" or "Uncertain" answer is warranted if there is question of the nature or extent of liability, contamination, or the use of hazardous substances. If "Yes", or "Uncertain" recommend further environmental site assessment (e.g. contaminant assessment be done)]

Additional comments and recommendations (attach additional sheets if necessary):

SIGN-OFF DECLARATION

"I hereby certify to the best of my knowledge at this date, that the above description of the site is correct"

SIGNATURE OF INSPECTOR

DATE