

2022 CANADIAN LAND TRUST SUMMIT

SOMMET NATIONAL DES ORGANISMES DE CONSERVATION 2022

October 24 to 26 | Ottawa | 24 au 26 octobre

Thanks to our sponsors!

This project was undertaken with the financial support of:
Ce projet a été réalisé avec l'appui financier de :



Environment and
Climate Change Canada

Environnement et
Changement climatique Canada



Investing in Canada – Investing in Nature



Fondation de la faune du Québec



Alliance of Canadian
Land Trusts



Alliance canadienne des
organismes de conservation



Réseau
de milieux
naturels protégés



ONTARIO LAND TRUST ALLIANCE



Land Trust Alliance of British Columbia

1997-2022

A scenic landscape with rolling hills, a farm with a silo, and a cloudy sky. The foreground is a green field with a fence. The middle ground shows a farm with a silo and a field. The background features rolling hills with trees and a cloudy sky.

Conservation Agreements: History and Challenges

Ian Attridge
Land Trust Summit
October 2022
Algonquin Unceded Territory

Introduction

- Session outline
 - Ian Attridge: CA history and challenges
 - Mélanie Lelièvre: personal servitudes
 - Aline Grenon: L'isle Verte experience
 - Questions, discussion





CA Legal Basis

- “Conservation Agreements”:
 - Civil law: servitudes
 - Common law: covenants, easements
- Legal limitations
- Statutes/Acts
 - Purposes, holders, mechanisms
 - Others: taxes, registration, planning, etc.
- CLTSP – Standard 11 + others



CA Legal History

- British common law
- U.S. land trusts and law
- Canada:
 - Heritage legislation – 1970s-1980s
 - Conservation legislation – 1990s
 - Evolution of purposes, holders
- Innovations:
 - Indigenous, tax, registration, cross-border
 - New directions?



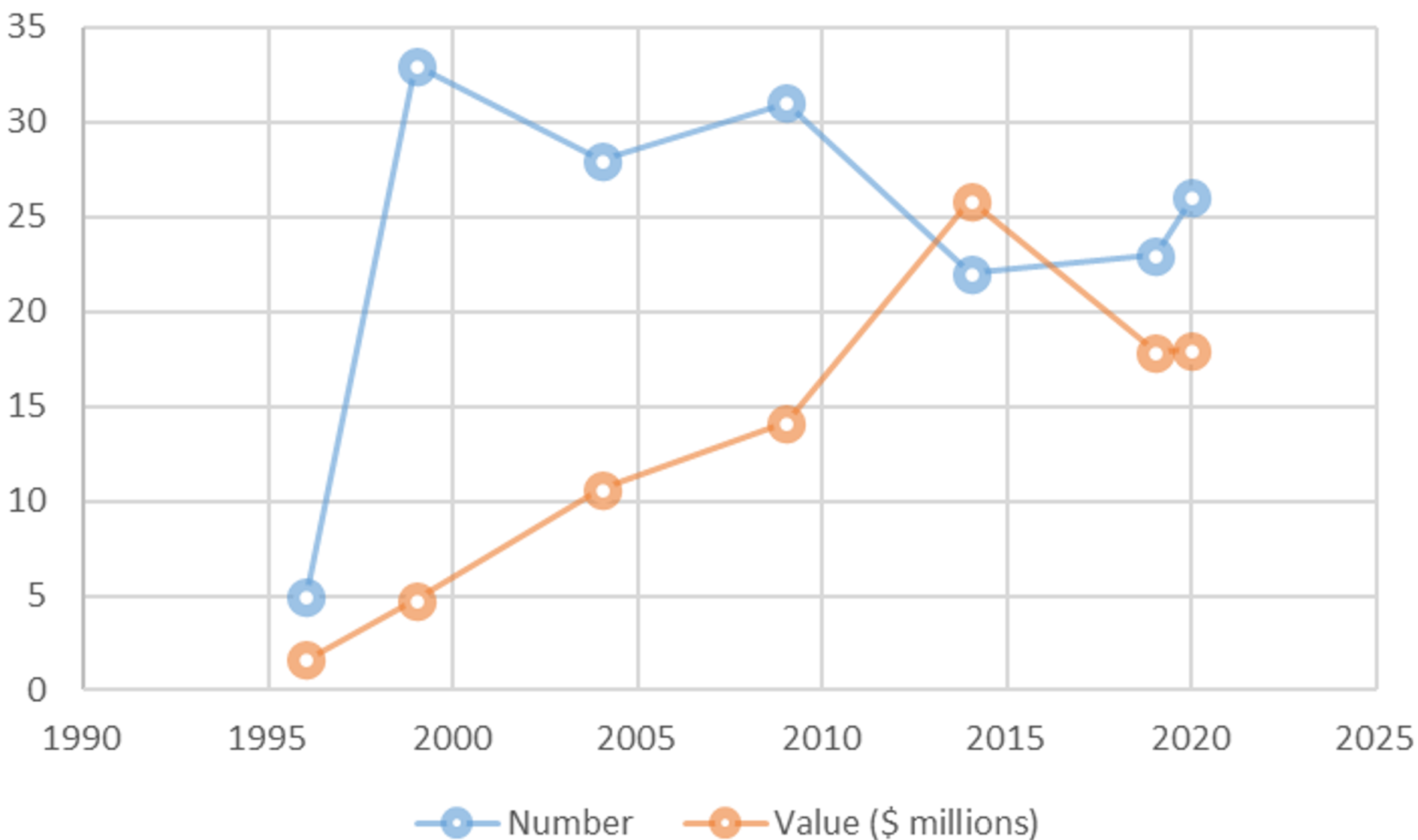


CA Legal History

JURDN	ACT	DATE
BC	Land Title	1994
AB	Environmental Protection and Enhancement	1996
SK	Conservation Easement	1996
MB	Conservation Agreements	1998
YT	Environment	1991
NT	Historical Resources	1988
NU	NT Historical Resources	1988
ON	Conservation Land	1994
PQ	Civil Code; Natural Heritage Conservation	2021
NB	Conservation Easements	1998
PE	Natural Areas Protection	1988
NS	Conservation Easement	1992
NL	Historic Resources	1985



Partial Interest Ecological Gifts by Year





CA Challenges

- Applications for Indigenous communities
- Registration processes
- Property taxation
- Funding priorities (funders, guardians)
- Links to land use planning
- Enforcement and defence
- Others?



Indigenous Land Trusts

- Organization of people
- Indigenous-led
- Lift up Indigenous practices, rights
- Community purposes (conservation, cultural, access, etc.)
- Hold and care for lands
- CA:
 - drafting
 - partnerships
 - enable access and uses



Land transfer,
SISCENEM Island



Discussion

What CA challenges are you facing?

How could CA practices be improved?

What CA research would be helpful?

Would a national CA circle/conversation be useful? on what topics?

