

Section III – Items for the Information of the Board

TO: Chair and Members of the Executive Committee
Friday October 7, 2022 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **GREENSPACE SECUREMENT AND MANAGEMENT PLAN**

KEY ISSUE

Summary report on the Toronto and Region Conservation Authority (TRCA) Greenspace Securement Management Plan.

RECOMMENDATION:

IT IS RECOMMENDED THAT this summary report on the Greenspace Securement Management Plan be received.

BACKGROUND

The Greenspace Securement & Management Plan (GSMP) is an aspect of the overall Greenspace Acquisition Project (GAP). The purpose is to identify lands for securement through a systematic approach, provide transparent rationale as to why properties are to be acquired, and identify how those lands will be managed in support of TRCA programs and services.

A new initiative for the GAP 2021-2030 is to identify properties through a criteria-based analysis, and then further refine those results with site-level input from staff. This in-turn will be presented to Senior Leadership Team as high-priority securement targets.

The GSMP was initially approved at Board of Directors Meeting #3/20, and a full report was received at Board of Directors #02/21.

The criteria for securement within GSMP are derived from TRCA's Greenspace Strategy, Valley and Stream Corridor Management Program, Terrestrial Natural Heritage System Strategy, and various integrated watershed management plans. Other criteria for securement include Provincial plans such as the Niagara Escarpment Plan, Oak Ridges Moraine Conservation Plan, Greenbelt Plan and Clean Water Act.

TRCA currently manages approximately 16,139ha (39,881 acres) of lands within its jurisdiction, both through ownership and management agreements with various stakeholders. Through the development of the GSMP, Property, Assets, and Risk Management (PARM) staff have collaborated with numerous internal departments to identify criteria for consideration of TRCA management/protection in conjunction with its mandate. The following criteria have been selected for consideration for protection by the TRCA:

1. Flood control, flood vulnerable, erosion control and reservoir project lands, and associated access lands;
2. Valley and stream corridors;
3. Lake Ontario waterfront;
4. Environmentally Significant Areas;
5. Life Science Areas of Natural and Scientific Interest;
6. Wetlands;

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7. Kettle lake or wetland features;
8. Highly Vulnerable Aquifers;
9. Carolinian forest;
10. Important woodland/vegetation/habitat linkages;
11. Interior forest areas, and/or lands which contribute to the expansion of interior forest habitats;
12. Riparian habitat zones;
13. Habitat for aquatic and terrestrial species of concern and sensitive species, including those listed under the Species at Risk Act and the Endangered Species Act;
14. Lands identified for the target system in TRCA's watershed plans and Terrestrial Natural Heritage System Strategy and municipal natural heritage systems;
15. Significant Groundwater Recharge Areas;
16. Landform Conservation Areas Categories 1 and 2 on the Oak Ridges Moraine;
17. Lands identified in the Niagara Escarpment Plan, especially Escarpment Natural Areas and Escarpment Protection Areas;
18. Lands that provide terrestrial and aquatic habitat restoration opportunities, including lands identified as priority for ecosystem restoration;
19. Links for a regional trail system;
20. Links to greenspace systems in neighbouring conservation authorities;
21. Lands that are identified by TRCA in cooperation with its member municipalities and/or the Province of Ontario as being complementary to the TRCA greenspace system;
22. Lands that provide access to lands secured by TRCA;
23. Lands that provide a buffer from surrounding land uses to the aforementioned areas; and,
24. Lands to be used in support of conservation efforts.

RATIONALE

Staff have utilized the above criteria in assessing 1,015,267 land parcels within TRCA's jurisdiction and have prioritized parcels through the creation of a heat map (see Attachment 1: Greenspace Securement and Management Plan). The results compile and intersect a series of data layers (listed above) into a map of potential areas of interest for Greenspace securement for each region in the TRCA jurisdiction (York, Peel, Toronto, Durham, Mono, & Adjala-Tosorontio). The map indicates, on a priority basis, 16,860 parcels that contain the above criteria. Parcels that are highlighted red indicate that they contain 12+ criteria.

With the Map in place, TRCA will be able to better identify and target priority acquisition areas within each of the watersheds that our jurisdiction encompasses. PARM staff will identify priority parcels to create a list of potential acquisitions in each municipality to explore financing opportunities.

This process will require 1) investigation and refinement of targeted parcels to identify the sub-parcel elements in need of protection, 2) the formation and application of an acquisition strategy, and 3) coordination with a land management strategy for the ongoing management of lands acquired. Staff will update the acquisition mapping if/when any datasets used in its creation are updated.

The next step will be to create an acquisition strategy utilizing the GSMP application. The acquisition analysis will be guided by the following strategy:

Strategy:

1. *Development Process Acquisitions*

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In reviewing proposed plans for development (e.g., plans of subdivision, rezoning applications, official plan amendments and severances), TRCA determines whether there are areas that should be protected as part of their legislated mandate. These may include valley and stream corridors, Environmentally Significant Areas or waterfront corridors that should be set aside for conveyance at a nominal cost to TRCA, or for acquisition of a limited interest by TRCA. Where planning applicants own land within the target Terrestrial Natural Heritage System, TRCA will, as part of its plan review, recommend that applicants convey their target system lands to the appropriate public agency and have those lands protected through appropriate zoning. The majority of TRCA securements are achieved through the planning process.

2. *Tax donations & Federal Ecological Gifts Program*

TRCA encourages donations of land or property rights and often works with The Living City Foundation in pursuing such donations. Under the federal Ecological Gifts Program (“Eco-gift”), owners of land which is certified by the Minister of the Environment as important to the preservation of Canada's environmental heritage receive a favourable federal tax credit for the full value of the land, easement or covenant and a reduction in the taxable capital gain realized upon the disposition of the property when they donate land to TRCA, The Living City Foundation or another organization designated by the Minister. This approach has led to the identification of parcels that could be utilized as donations to TRCA to further assist in private party tax & estate planning processes. TRCA may accept gifts “in fee” or gifts with life estates remainders. The Eco-gift process allows for the carry forward of tax receipts for a maximum of 10 years, while normal tax donations have a maximum carry forward of 5 years.

3. *Maximizing TRCA value of existing assets*

Owners of land in a valley or stream corridor adjacent to TRCA property may seek to trade their restricted land for parcels of land which are surplus to TRCA's requirements but have higher development potential and lower ecological value/function. Such trades may increase the available lands secured by TRCA for ecological protection. In addition, TRCA may proactively identify parcels within TRCA's portfolio that have low conservation or ecological value/function but have high development potential. The determination of potential surplus and sale/trade of these parcels may contribute to open market acquisitions. While these transactions traditionally consist of the exchange of fee simple interests, they can consist of any combination of property interests. All of the above actions typically require Board and Ministerial approval. Furthermore, this year the GSMP application was utilized to strategically identify high value target parcels in land compensation discussions with Metrolinx.

4. *Joint acquisition with member municipalities & other levels of government*

TRCA may secure property interests in municipal lands at a nominal cost when they are located within the boundaries of approved TRCA land securement projects. These securements may be through Erosion Risk Management Programs with member municipalities to reduce/eliminate erosion risks within the watershed. Additionally, acquisition through

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partnership with member municipalities for parkland acquisition and management are available through management agreements and Service Level Agreements.

5. *Open Market Acquisitions*

TRCA's land securement projects may require acquisitions through open the open market, which requires a willing buyer and a willing seller. This option is dependent on obtaining funding within programs and the budget process.

6. *Leverage TRCA's ability to sever parcels*

TRCA can sever private parcels of land when land is being acquired for the purposes of flood control, erosion control, bank stabilization, shoreline management works or the preservation of environmentally sensitive lands under the GSMP.

7. *Leases, agreements, restrictive covenants, and conservation easements*

Areas may be protected through agreements or through TRCA obtaining other property rights/restrictions. These include lands owned by a public agency or non-government organization that are managed or leased by TRCA under an agreement; obtaining easements or restrictive covenants to aid in the protection of natural elements; and obtaining rights of first refusal or options on lands that may be desirable in the future to obtain.

8. *Provincial/Federal Grants*

TRCA continues to identify and apply for grants that benefit the securement and protection of lands.

9. *Provincial (Section 39) Funds Historically*

Historically, TRCA may have acquired lands utilizing Provincial funds. When TRCA disposes of surplus lands, generally the revenues from the dispositions are repayable to the Province. With approval of the Province, TRCA may be allowed to retain the revenues in trust within a Capital Reserve Account for purchase of alternative lands identified under the Greenspace Acquisition Project (GAP). Therefore, with Ministerial approval, the Capital Reserve Account is a source of funds that may be utilized in support of the GAP acquisitions.

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

Strategy 2 – Manage our regional water resources for current and future generations

Strategy 3 – Rethink greenspace to maximize its value

Strategy 4 – Create complete communities that integrate nature and the built environment

Strategy 7 – Build partnerships and new business models

Strategy 12 – Facilitate a region-wide approach to sustainability

FINANCIAL DETAILS

Lands that are under consideration of acquisition for low service require approximately \$465/ha (\$188/acre) into perpetuity for ongoing management costs and taxes, annually adjusted to inflation. Any additional services or desired improvements (erosion infrastructure, recreational trails, additional services) will increase this amount.

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DETAILS OF WORK TO BE DONE

Determine priority parcels based on heat mapping within each Region to pursue funding opportunities for acquisition and to inform TRCA's land compensation discussions that may be part of infrastructure and development processes across TRCA's jurisdiction.

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Attachments: 1

Attachment 1: Greenspace Securement and Management Plan