

# KEEPING IT GREEN:

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Evergreen is a national non-profit environmental organization with a mandate to bring nature to our cities through naturalization projects.

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## INTRODUCTION

Urban natural areas – sites of learning and adventure for children, places of solitude and refuge for adults, and crucial habitats for wildlife – sustain our cities and towns and ensure a healthy future for the next generation.

### What is stewardship?

Environmental stewardship is the care and enhancement of the land for the benefit of the environment and of future generations. This usually includes maintenance and restoration of habitat, biodiversity and ecosystem health.

Too often, urban development is achieved by draining wetlands, polluting waterways and paving over important natural areas. The result is that people often feel disconnected from the natural systems that sustain us. Increasingly, though, urban citizens are playing a greater role in ensuring that spaces of importance to them remain protected for the education and enjoyment of all. Across Canada, individuals and community groups are taking action – working to preserve woodlands and other natural areas in their cities by getting involved in the planning process and partnering with municipalities on stewardship and ecological restoration projects.

## PURPOSE AND SCOPE OF THIS MANUAL

This manual is a practical guide for citizens and community groups whose vision of Canada's cities and towns includes healthy natural areas. It will guide you through the land use planning process and the opportunities it provides to make your organization's voice heard. It also offers an overview of other land protection options as well as advice on how to manage your organization and galvanize your efforts into a successful community movement.

The manual focuses on land protection issues in urban and urbanizing areas. It specifically addresses the challenges of land protection in the complex, multi-stakeholder urban context, emphasizing partnership-based approaches. The need for this manual emerged from the many calls for assistance that Evergreen receives from local groups and individuals looking for ways to protect threatened urban green spaces. Evergreen recognizes that these spaces, regardless of their size or condition, are often integral to the fabric of a community for social, aesthetic or historical reasons. Through community-based efforts, even degraded areas of local significance such as vacant lots can be transformed into thriving natural areas.

To help groups plan and carry out successful community naturalization projects, Evergreen has also developed a practical, step-by-step guidebook called *No Plot Is Too Small: A Community's Guide to Urban Naturalization* (available from Evergreen).





### **How do I find information?**

1. Your local municipal clerk and planning department can help you access documents such as the official plan or zoning bylaws, or

### **Building Alliances**

Protecting threatened green space in your community cannot be achieved on your own. Building alliances with other groups will strengthen your efforts and lend greater weight to your argument for protection. Garnering support within the community – including neighbours, businesses, local ratepayers' associations and other community groups – is the first place to start. Second, organizations already involved in land use and environmental issues are obvious allies. For example, if there is a local land trust, naturalists' club or other conservation group in your area, it may be interested in taking on the project itself or establishing a partnership to further your cause. If the land you aim to protect is environmentally significant, larger environmental organizations may be interested in your case. Appendix A lists a number of national and provincial-level umbrella organizations and networks whose membership includes many groups involved in land protection issues.





It is also important to build alliances with government agencies. Depending on the significance of the land you want to protect, your local Member of Provincial Parliament (MPP) or Member of the Legislative Assembly (MLA) may decide to become involved. Approach your mayor and local councillor(s) – they may be interested in adopting your project as a special cause, especially if there is widespread community support. In addition, supportive staff at City Hall – for example, in the planning, parks and recreation, or economic development and tourism departments – can be invaluable allies, with much to offer in terms of information and advice.

### **Developing an Action Plan: What You Need to Know**

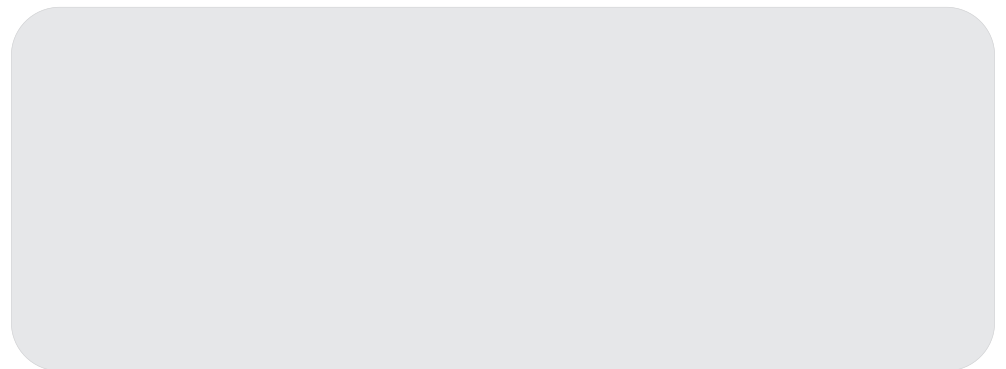
Your project needs to be carefully planned to make the most effective use of your group's time and to increase the likelihood of success. But what does a land protection action plan actually include?

#### *P o l m s i t i o n*

Start with a description of the site in question and the threat that it faces. Protecting the natural features of a site may also require you to look beyond its boundaries. For example, natural buffers that extend onto adjacent properties may be required to sustain a wetland's ecological features and functions. This is where the services of a professional ecologist may be necessary.

#### *Goals and Objectives*

In the early stages of your project, your goals and objectives should be clear and specific. For example, your goal might be to protect a wetland's ecological features.







## Chapter 1 : A GUIDE TO LAND USE PLANNING

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Those aiming to protect land in an urban area will likely become involved in the land use planning process – the means by which local governments plan and regulate the use and development of land according to municipal policies and community needs.

Whether the site you are trying to protect is under public or private ownership, it is subject to specific zoning designations, planning policies and development restrictions set out by your local government as part of the land use planning process. This chapter is a primer on that process, providing a general overview of how it works, the roles of key stakeholders and decision-makers, and ways in which citizens and community organizations can get involved.

### **ROLES AND RESPONSIBILITIES IN THE LAND USE PLANNING PROCESS: WHO DOES WHAT?**

#### **Provincial and Territorial Governments**

##### *Provincial Planning Legislation*

Canada's provincial and territorial governments set the ground rules for local land use planning through statutes that define the roles and responsibilities of municipalities. This legislation – usually under the Ministry of Municipal Affairs (or equivalent) – gives municipalities the statutory authority to manage land use and development issues within their boundaries. In all provinces and territories, municipal authority includes the ability to protect natural areas and to require developers to set aside a portion of their lands for park purposes. By empowering local governments to protect open space in these and other ways, the provinces and territories set the framework for land protection.

The planning tools described later in this chapter (see Land Use Controls) are enabled by provincial legislation. While most of them exist in all parts of the country, the specifics of how they work differ from province to province. Becoming familiar with the key provisions of your province's planning legislation will serve you well in your efforts to protect land. Usually you can access this legislation on-line at the web site of the relevant ministry. Because these statutes are written in complex legal language, some provinces have assembled summary documents or guides to provincial planning legislation (see Table 1).





### Provincial Interest in Local Planning Matters

In addition to setting the legislative framework for local planning, provincial governments also ensure that matters of provincial interest are taken into account by municipalities and other local planning authorities. This is generally achieved through provincial policies that guide local land use decisions. Specific areas of provincial interest vary from province to province; however, they often include issues such as the protection of significant natural features, urban growth management, infrastructure and affordable housing. In some cases, provincial governments also play a direct role in the planning process by reviewing and approving local official plans and development applications.

Here is a brief summary of how it works in each province:

In **Yukon Territory** and the **Northwest Territories** all official plans are submitted to the minister responsible for review, approval or amendment.

In **Nunavut** a number of territorial planning principles, policies, priorities and objectives are stated in the *territorial Administration Act* itself. In addition, the Nunavut Planning Commission, which is appointed by the Minister of Indian Affairs and Northern Development, establishes broad planning policies, objectives and goals for the territory.

In **British Columbia** local planning is left largely to municipal authorities, with comparatively little direction from the province except what is provided for in the *Local Government Act*. The minister responsible can object to a bylaw or plan initiated at the local level, and can ultimately order that it be altered. British Columbia's Community Charter also provides municipalities with a framework for local services and activities.

In **Alberta**, the *Local Government Act* also provides municipalities with a framework for local services and activities.

In **Quebec** the

### **Municipal Governments**

The web site of the Association of Municipalities of Ontario provides a good summary of the roles and responsibilities of municipal government in Ontario. It can be found at [www.yourlocalgovernment.com](http://www.yourlocalgovernment.com)

While the framework for land use planning is set by the provinces and territories, it is at the local level that land use plans are developed and implemented. The

The Meewasin Valley Authority (MVA) in Saskatoon plays an important role in the land use planning process by reviewing development applications to ensure that riverbank lands within its jurisdiction will not be adversely affected. Each review is conducted according to the MVA's Development Review Policy, which sets out guidelines for such issues as slope stability and drainage, river channel improvement and natural resource protection.

A third example is The River Valleys Committee, a non-profit group that is formally aligned with the Parks Foundation, Calgary. It evaluates development proposals from an ecological perspective, and participates in the development of appropriate municipal policies and plans to ensure that the city's networks of waterways are protected for the enjoyment of all.

## **GETTING INVOLVED IN THE LAND USE PLANNING PROCESS**

### **Planning Staff**

Meet with staff from your local planning department to learn how the planning process works in your community. Speak directly to the planner(s) involved in the review of any development applications you're concerned about, and become familiar with the details. Ask staff for their perspective based on their professional opinions. Presenting your concerns early in the planning process provides more opportunity for staff to take them into account.

Some municipalities also have environmental planners, ecologists or other staff members specifically responsible for the protection and management of ecological features. Their duties include commenting on development applications for ecologically sensitive sites, mapping and creating inventories of local natural features, and developing environmental plans and policies. If you think that the land you're aiming to protect may have ecological significance, arrange to meet with these staff members as well.

### **The federal role**

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### Your Local Councillor

One of the keys to effective participation in the planning process is talking directly to the people who make decisions, and your local councillor is a great place to start. If he or she supports you, the councillor is in a position to champion your cause among other council members. The following steps will help you cultivate a positive relationship.

- Do your homework before approaching councillors. Find out how they have voted on similar issues in the past and where they stand on issues such as growth management and environmental protection. Check your municipality's web site – it may provide a profile and contact information for each councillor.
- Arrange a meeting to discuss your concerns and your position. Ask questions about the councillor's knowledge of, and opinions on, the issue, and suggest next steps such as a further brief meeting or a walking tour of the site.
- Keep the councillor informed about your group's activities and progress. As a key ally, he or she should be informed of – and invited to attend – any community meetings you are planning to hold. Also let him or her know if you are planning to issue grows.o0eti0Tas-1.272u8(ocess ivA9)18(ess/3 TD[



## **Public Meetings**

In every province, the planning legislation specifies the minimum number of public meetings that must be held for different types of planning applications. In addition to these meetings, planning staff, the local councillor or the landowner may decide to host voluntary community consultations (over and above those required by law) to seek public input and resolve potential conflicts early on in the process. These meetings provide important opportunities to make your views heard and to identify mutually acceptable solutions.

## **Presentations to Council**

Meetings of council, and of council committees, provide key opportunities for public input. Making a deputation in person at one of these meetings is one way to ensure that your voice is heard. Before the meeting, contact the clerk's office to find out how deputations are handled in your municipality. You may need to pre-register, and there are often specific procedures to follow, including time limits. Your communication to council can also take the form of letters or petitions. Ontario Nature has produced an excellent fact sheet on this subject as part of its citizen's tool kit, available at [www.ontarionature.org/pdf/council%20delegations.pdf](http://www.ontarionature.org/pdf/council%20delegations.pdf).

## **Citizen Advisory Committees**

In many municipalities, citizen advisory committees provide input and advice to municipal council on issues relating to their area of focus. These committees are made up of citizen volunteers who in some cases are chosen by the local council. They may also include elected officials, municipal staff and representatives from other agencies who bring expertise, specialized knowledge or a unique perspective. One of the most common such committees is the environmental advisory committee (EAC), which provides advice and assistance to council on issues such as the development of environmental policies, designation of ecologically significant sites, and public education. Some EACs also provide input on specific development proposals, serving as a voice for community concerns about land use planning decisions.<sup>3</sup> Other types of committees include heritage advisory, recreation advisory and waters advisory committees. One of the key strengths of these committees is that they can work within City Hall towards consensus-based resolution of community concerns, before they escalate into conflict.

## **Environmental Non-profit Organizations**

Local conservation organizations can play a significant role in the planning process as green-space stakeholders. In many cases their voice is heard at public meetings, deputations to council and other forums for public participation. However, non-profit groups also have the potential to take a more proactive role in the planning process by working collaboratively with local governments. In an effort to provide green space more efficiently to growing populations, many municipalities have developed partnerships with non-profits for the acquisition or stewardship of land. Non-profit groups have much to offer to these partnerships. They can provide specialized expertise on environmental issues, they can flag potential opportunities for green-space acquisition before the land is under threat, and they can mobilize community volunteers to help ensure that green spaces are secured and taken care of over the long term.

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<sup>3</sup> Ontario Nature has created an excellent guidebook called *Protecting Nature Close to Home: A Guide to Municipal and Provincial Advisory Committees in Ontario*. Although written for an Ontario audience, much of the information is applicable across Canada.



## LAND USE CONTROLS

Land protection organizations should be familiar with the full range of municipal land use planning tools employed in their communities, and how they operate. By working with local government, environmental groups and citizens can help ensure that these tools are used to make sound land use decisions that yield the greatest public benefit – including the protection of important green space.

Information about the land use planning tools used by your municipality, and about the opportunities for public participation associated with them, is available to citizens and community groups. You can find out about the land use planning process in your area by contacting the planning department or by checking your municipality's web site.

### Official Community Plans: The Vision and Strategy

Official plans (OPs) articulate a municipality's vision and strategy for long-term growth and for the use of land according to community needs. OPs are municipal governments' primary strategic planning documents, and they reflect the specific needs and priorities of a community as well as the interests of the province or territory. They contain goals, objectives, policies and implementation strategies to manage a municipality's physical development as it relates to social, economic and environmental matters. Typically, official plans address issues such as:

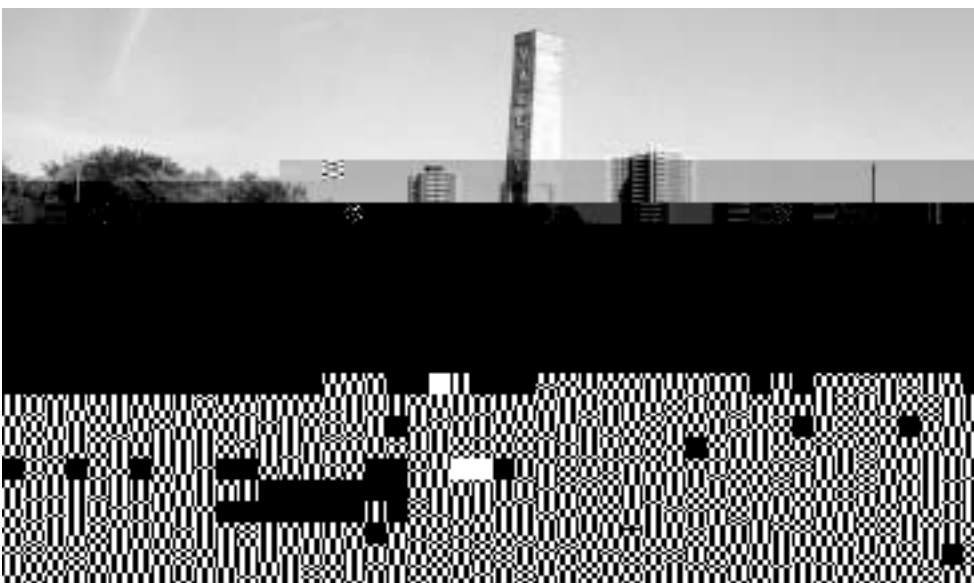
- the location and distribution of new housing, commercial and industrial development, and public facilities such as schools, parks, waste treatment sites, etc.
- the location and phasing of major services such as water, sewers and roads
- areas of environmental significance and hazardous lands

### A note on terminology

In general, municipalities across the country use a similar set of tools and strategies to plan and control the use of land. However, tools that are the same in principle may be referred to differently from province to province. In this manual, the most common terminology is used, and jurisdictional variations are noted wherever possible.

### What are hazardous lands?

Hazardous lands are those that are dangerous to build on, and include land that is prone to flooding or erosion. Examples include flood plains, shorelines and the tops and slopes of valleys.



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When it comes to protecting a specific site, referring to supportive policies in your municipal OP will help you build and substantiate your case, so familiarity with the plan is a definite asset. For example, many municipalities' OPs identify lands that are desirable for acquisition in order to complete a greenbelt, path system or network of natural areas. If you're working to protect such lands, the OP would certainly strengthen your case. However, as OP policies and land designations can be amended, and because official plans work in conjunction with zoning bylaws, the OP by itself is usually not enough to ensure that a site remains protected in perpetuity.

### Plan Hierarchy

The municipal planning process involves different levels of plans that contain varying degrees of detail. Upper-level plans – such as official plans – are broad policy documents that address land use issues in general terms. Lower-level plans (sometimes called area plans, neighbourhood plans, district plans or special study areas) are more detailed and generally cover a smaller area, addressing issues such as permitted land uses and the exact location of planned services and infrastructure. As the higher-level plans guide the development of the lower-level ones, it is important that conservation concerns are addressed by, and incorporated into, the upper-level plans. Once more detailed plans have been developed for a specific area or site, protecting it becomes more difficult because decisions about its future use have already been made.

### Zoning Bylaws: Putting the Official Plan into Action

Zoning bylaws – also sometimes called land use bylaws – put the official plan into effect. A zoning bylaw translates the principles and strategies laid out in the OP into a set of regulations, land controls and development requirements. The bylaw specifies permitted uses of land in any given zoning category, as well as other provisions, such as:

- maximum building height (and other building dimensions)
- minimum distances between buildings and lot lines or natural features (often called setbacks)
- minimum lot size
- parking requirements

Many municipalities have a comprehensive zoning bylaw that divides all land into different land use zones, and maps the zoning of each property. Other types of special zoning bylaws that may be used in your area include:

- holding bylaws, which delay development until certain conditions have been met
- interim control bylaws, which temporarily restrict development while the municipality is studying or reviewing its planning policies
- temporary use bylaws, which permit certain types of uses for a specified period of time (in Ontario, the maximum time permitted is three years)



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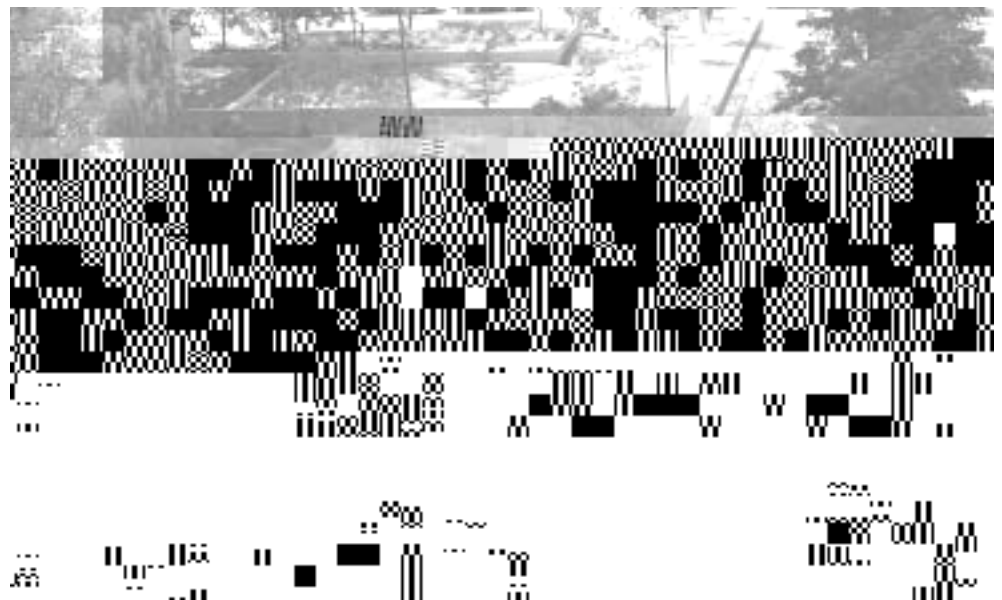
Some municipalities use a development permit system to control development. This system is similar to the zoning process and is often used by municipalities that do not have a comprehensive zoning bylaw in place. Check with your local authorities to find out how the process works in your community.

#### *o yla s o*

Zoning bylaws are passed by your municipal council after consultation with the public and with interested agencies. Once passed, the bylaw specifies the kind of development allowed on a given piece of land, the permits required before construction can begin, and the standards the development must conform to. Zoning bylaws are not written in stone; they are subject to both amendments and minor variances. However, they control the development of a community by regulating land use, ensuring that it is appropriate for the site and compatible with the use of adjacent lands and the character of the neighbourhood. Zoning bylaws can also help to protect natural features or hazardous lands deemed unsuitable for development.

#### **Regina: Strengthening Zoning Tools for Smart Growth**

With a population of just over 190,000, the City of Regina is expecting modest growth in coming years. It is using existing zoning tools to ensure that green spaces are an integral part of all development as the city expands. In 2002, the municipality undertook an amendment of its zoning bylaw, rewriting the buffer and landscape regulations for new developments to make them consistent with a vision for the city's future as a liveable, green and economically viable urban municipality. Key elements of the rewritten regulations include requirements for landscaping on traffic islands, larger permeable surface areas for each tree, and more planting of shrubs. By inviting the development community to the review table and listening to their concerns, the City was able to garner support for this progressive zoning bylaw amendment, which will help mitigate the negative impacts of sprawl-type development.



### *Important Things to Know*

- Public consultation is required before a zoning bylaw is passed by council, and members of the public are entitled to appeal the passing of a bylaw, usually within a set number of days after the bylaw is passed.
- If a proposed development conforms to all of the site's zoning provisions, an application to amend the zoning bylaw is not required and the development would normally be allowed "as of right." However, other approvals might still be required, such as site-plan approval or permission to remove trees (if the municipality has a tree bylaw in effect that applies to private lands).
- Landowners are entitled to apply for a zoning amendment to use their land in a way that is not allowed by the current bylaw. Council cannot pass such applications for rezoning if the change is not allowed by the official plan. In such a case, the owner would also have to apply for an amendment to the property's designation in the OP.
- Landowners are entitled to apply for a minor variance to use their land in a way that is generally consistent with the zoning bylaw but does not conform exactly.
- Open spaces and natural areas are described in zoning bylaws using a range of designations, including natural reserve, hazard lands, green belt, open space and parkland, among others. If you aim to protect open space in your city in a systematic way, it is worth becoming familiar with the zoning designations used in your city's bylaw, the development restrictions that apply to each, and how they relate to the official plan.

### *Opportunities and Potential*

Zoning bylaws shape the development of a community, including the protection of its green space. However, because they are subject to amendments and variances, zoning bylaws by themselves do not ensure that a site will always remain protected. This means that even if a site is zoned as a natural area with no development permitted, the owner of the land could apply for rezoning that would allow previously restricted uses.

### **Plans of Subdivision**

A plan of subdivision is a legal document that divides a piece of land into smaller surveyed lots, which can be sold individually and

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## Land Use Changes: Application and Approval Processes

When a landowner applies for an official plan amendment, a zoning bylaw amendment or subdivision approval, municipalities follow a review and approval process. To find out exactly how the process works in your area, contact your local planning department. Generally speaking, these are the steps:

### Step 1: Consultation with the Planning Department

Before submitting a subdivision application or other proposal for a change in land use, landowners meet with planning staff to discuss the suitability of the proposed application and whether an amendment to the official plan and/or zoning bylaw will be required.

### Step 2: Application

The landowner submits the completed application (including drawings and plans of the proposed development) along with the processing fees charged by the municipality. The applicant may also be required to include supporting studies such as environmental impact studies and/or environmental assessments – undertaken by a qualified consultant – demonstrating that the development will not adversely affect the site. Other studies such as traffic impact and servicing reports may also be required to show that the proposed development can be accommodated and is appropriate for the site. Generally, once the formal application has been submitted it is considered public information, and any interested party can review it.

### Step 3: Community Consultation

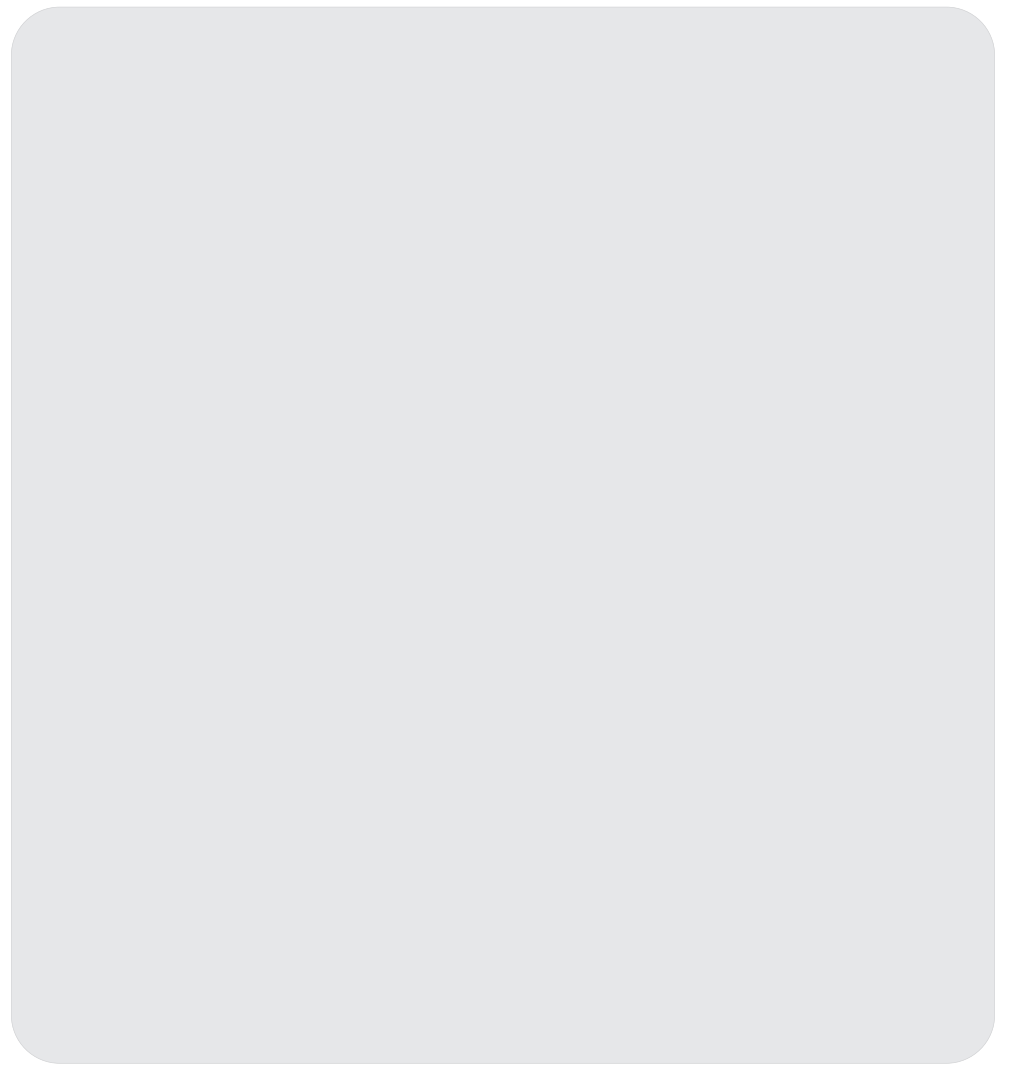
At least one statutory public meeting is held by the planning department to solicit community input. The local councillor or the developer may decide to hold additional community meetings.

### Step 4: Review

In all provinces the approval authority has a set number of days in which to consider the application, conduct public consultation and make a decision. During that time the planning department circulates the application to other municipal departments and to stakeholder groups such as the local environmental advisory committee, provincial ministries and local ratepayers' associations. The application is also circulated to other agencies or provincial ministries whose approval may be required. Each of these organizations has an opportunity to comment on the proposal and may recommend revisions, set conditions of approval or require further permits.

## What are greenfields?

This term generally refers to lands where no prior development has taken place, which are usually located on the outer fringes of growing urban centres. They often include farmland, woodlands or natural areas that may be threatened by rapid sprawl development.

**Site Plan Control**

Some provinces also have a process called site plan control (Ontario), otherwise known as direct control (Alberta) or site plan approval (Nova Scotia). This tool

### o Site Plan Control o s

In provinces where site plan control is used, any municipality wishing to use it must allow for it in the official plan. The OP must also describe the specific areas or types of development that are subject to site plan control, and exactly which aspects of a development are subject to approval. For example, in Oshawa, Ontario, the site plan control process applies to all areas of the city but does not apply to farm buildings or temporary buildings.

The site plan control process differs from other types of planning applications. In some provinces, site plan applications are not reviewed and approved by planning committees and/or councils. Instead, the decision may be made by the planning department, a site plan review committee, or a development officer. Also, the process does not require statutory public consultation; however, community concerns can usually be expressed through the local councillor.

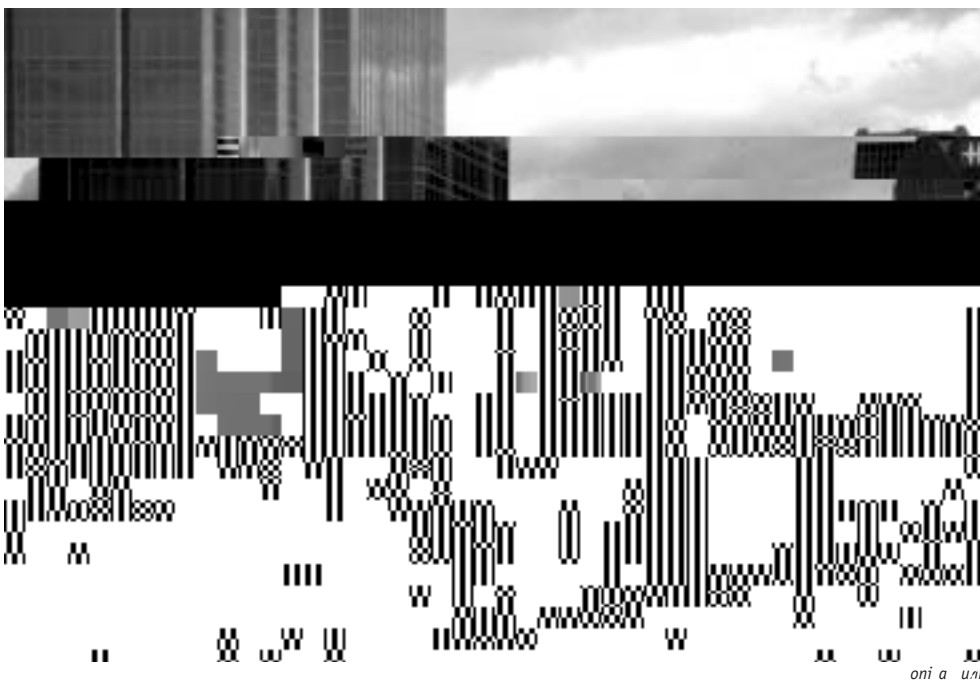
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Contact your local planning department to find out:

- if site plan control is used in your municipality
- the types of development that are subject to it
- whether it can be used to address environmental concerns. For example, a municipality that is trying to control invasive plant species could require that all new landscaping include only native plants.

### o tuniti s o n S a Pot tion

Although site plan control is not used to protect large natural areas or to create new parkland, it can be a means to ensure that new developments include green design elements such as buffer zones, greenways, natural landscaping and shade trees. As part of site plan approval, a municipality can also require protection of existing trees on the site.



## Other Planning Tools

### Parkland Dedication

All municipalities in Canada can require developers to convey a portion of the land to be developed so that it can be set aside for parkland or other recreational purposes. This process, called parkland dedication in most provinces, is enabled by provincial planning legislation that specifies the maximum allowable percentage of land a municipality can require from the developer.

### Options for Land Dedication

Most provinces and territories allow municipalities some flexibility in the application of parkland dedication requirements, including:

- cash payments in lieu of land dedication in cases where dedication is deemed less preferable. Each province provides details of how the land value should be determined and what percentage of the value may be required as “cash in lieu.” Some provincial legislation also specifies how these funds may be used. In some cases, for example, the use of cash-in-lieu funds is restricted to the acquisition of future parkland, while other provinces allow municipalities to use cash in lieu to finance recreational or other municipal programs.
- parkland dedication transfers. In some provinces, such as New Brunswick, Saskatchewan and Alberta<sup>4</sup>, dedicated land can be transferred from one subdivision to another, allowing a developer who owns multiple sites to provide more land on one site in exchange for providing less on another. The municipality can use this tool to balance its parkland supply between areas with an abundance and those with a deficit.



<sup>4</sup> In Alberta this tool is called deferred reserve caveats.

### *Important notes*

Provincial parkland dedication rates in Canada vary from 2 percent to 10 percent. Legislation in all but four provinces allows municipalities to require a parkland dedication of up to 10 percent of the area to be developed.

- In Nova Scotia, the standard dedication of 5 percent can be increased to 10 percent if the requirement is provided for in a municipal planning strategy.
- In Manitoba, parkland dedication is determined at a rate of 40 square metres for every occupant of the subdivision.
- In British Columbia and Ontario, the dedication can be up to only 5 percent (or 2 percent for industrial and commercial developments in Ontario)<sup>5</sup>.
- In Alberta, the dedication is up to 10 percent; however, this includes lands for school as well as park purposes.

Keep in mind that these rates reflect maximum statutory dedications. Municipalities are not obliged to require the maximum, and may in some cases decide to require less than the full amount, opting for cash in lieu to account for the remainder. On the other hand, through effective negotiation, municipalities can sometimes acquire additional lands in return for offering concessions to developers.

This general summary of parkland dedication rates is only a rough indicator of the situation in your community.<sup>6</sup> To get information on the parkland dedication allowances and regulations applying to your municipality, refer to your provincial planning legislation (see Table 1). You will need to know:

- the parkland dedication rate in your province for each type of development
- additional restrictions or contingencies placed on parkland dedication in your province. For example, in Saskatchewan, if the density of a development exceeds fifty units per hectare, additional lands can be requested over and above the 10 percent normally required.
- how much flexibility your municipality is allowed vis-à-vis cash in lieu, transfers and spending of cash-in-lieu funds. Also, find out about your municipality's decision-making process to determine when to accept cash instead of land.
- whether your municipality is in a position to use cash-in-lieu funds from previous developments to purchase important green-space sites.

### *Options for implementation*

Parkland dedication helps ensure that new communities have adequate parkland. It is not usually used as a tool for protection of natural areas. In fact, many municipalities will not allow developers to include undevelopable lands, such as protected natural features and hazard lands, as part of their parkland dedication requirements. Cash-in-lieu funds from previous developments can usually be used by the municipality to finance the purchase of additional parkland sites.



<sup>5</sup> Evergreen, *Final Report on the Status of Parkland Dedication in Canada's Major Cities* (Toronto: Evergreen, 2004).

<sup>6</sup> Evergreen's report *Final Report on the Status of Parkland Dedication in Canada* provides a description of parkland dedication rates and policies across the country.

### Density Bonuses and Transfers

Density bonuses, where they are enabled by provincial legislation, allow municipalities to authorize increases in development height and density in exchange for concessions from developers, such as the dedication of additional parkland. For example, in Ontario, a municipality might allow a developer to build more units per hectare than would otherwise be permitted on a given site, in exchange for more land than the standard 5 percent parkland dedication amount.

With density transfers – also called transfer of development rights, or TDR – the municipality authorizes higher-density development on one site in exchange for protection of natural features on another site (where the same developer owns both sites). Density transfers therefore allow the municipality to direct development to areas where it makes the most sense and away from areas that need protection.

### Maximum Density Bonuses and Transfers

The maximum density allowed on a site is usually specified in the municipality's official plan and zoning bylaw. Both density bonuses and density transfers use density as a bargaining tool to negotiate more parkland dedication. For developers in areas where development pressures are high, additional density enables them to include more units, thereby reducing per-unit construction costs. For municipalities, this can be an economical way to acquire additional parkland, compared to purchasing lands outright at market rates. It can also give them more control over which sites are intensely developed and which receive greater protection.

### Important Considerations

The disadvantage of this approach is that it permits the development standards set out in the official plan and zoning bylaw to be negotiated on a case-by-case basis, resulting in a piecemeal approach to community planning. A second consideration is that, in the case of density transfers, the community receiving the higher density pays the price of this arrangement, often without receiving any of the benefits. Not surprisingly, the community receiving higher densities and less parkland is often not supportive of the transfers.

#### **Gross-Density Zoning Protects Woodlands in Surrey, BC**

The City of Surrey's zoning bylaw enables gross-density zoning to be considered in areas where the municipality would like to set aside more than the standard 5 percent parkland dedication. This mechanism allows Surrey to protect up to 15 percent of the land for parks and natural areas, while developers benefit from higher densities and an adjacent green-space amenity.

“Serious developers in particular can see the benefit of having green areas and parks close to their development project; parks and open space can

*o t u n i t i s o n s a o t t i o n*



## Chapter 2 : REAL ESTATE TOOLS FOR LAND SECUREMENT

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Protecting land by using real estate tools involves acquiring a vested interest in the land so that your organization has at least some legal control over it. While the planning tools discussed in Chapter 1 control how lands are used, real estate tools are related to land acquisition and ownership, whether by a non-profit organization or by a private citizen or company. The tools described in this chapter are some of the most commonly used, and the most effective, for land protection.

### ACQUIRING OWNERSHIP OF LAND

#### What is fee simple purchase?

Fee simple purchase means buying a property so that you then hold full title to the land. Usually, "fee simple" is used to distinguish a straightforward purchase of property from a land transaction involving a donation, partial rights, options, etc.

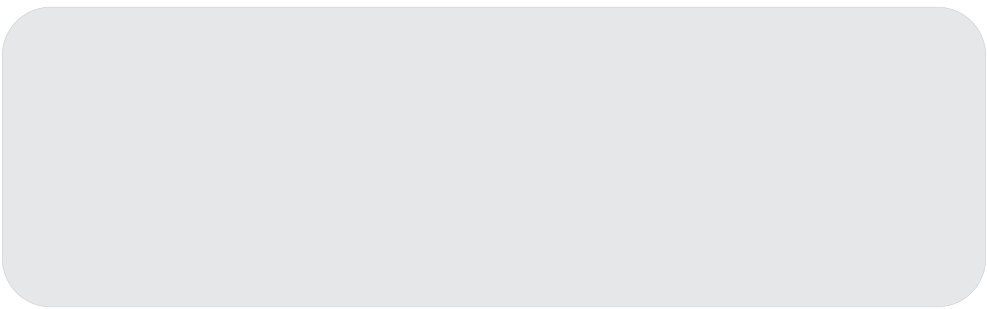
One of the simplest ways to protect land is to own it outright, through fee simple purchase. Owning land gives you control over how it is used, protected and stewarded. In rural areas, land conservation organizations often achieve their aims by gaining title to the land, either by fundraising to buy it or by having part or all of the land donated.

If your group is considering ownership as a land protection option, be sure that you have fully considered the long-term responsibilities that ownership entails. In urban areas in particular, high land values and the costs of stewardship, liability insurance and land taxes can be onerous for a small organization.

#### Purchase

Full market-value purchase of land is not usually a preferred option for conservation organizations working in an urban context. This is largely because land in cities tends to be very expensive. Whether or not purchase is a feasible option in your case will depend on your fundraising capacity, and on the level of public and political support you have been able to achieve. For example, the Winnipeg group Save Our Seine was able to raise money to protect an 80-acre urban forest by securing a commitment from the City of Winnipeg to match, dollar for dollar, whatever the organization could fundraise, up to a maximum of \$600,000. Purchase may also become a feasible option if the landowner is willing to sell the land at a price below its appraised market value (see Split-Receipting later in this section).







### **Split-Receipting**

Split-receipting is essentially a combination of purchase and donation, where a conservation organization pays the landowner for a portion of the market value of the land, and the landowner receives a charitable tax receipt for the difference. The actual market value of the land must be determined by a qualified land appraiser. Split-receipting can be an effective tool to encourage donations of land, because it offers the landowner an alternative to outright donation, but does not require the conservation organization to fundraise for the full market value of the property.

### **ACQUIRING A PARTIAL INTEREST IN LAND**

#### **Conservation Easements / Covenants**

If buying a property or having it donated is not an option for your organization, you may want to consider gaining a partial interest in the land through a conservation easement (in Ontario and the eastern provinces) or covenant (in western Canada). An easement is a legally binding agreement between a landowner and a conservation organization that restricts the landowner's rights to use the land in certain ways, but doesn't require him or her to give up ownership. For example, the easement may prevent the owner from developing the land, removing trees or demolishing heritage buildings. Although easements are usually used to protect natural features in rural areas, urban conservation easements are becoming more common.

#### **Alex Wilson Community Garden, Toronto**

Nestled between two tall buildings in the heart of downtown Toronto, the Alex Wilson Community Garden was created and named in memory of the late landscape designer, community activist and writer. Because the owners of the site agreed to have an easement registered on it, this small urban oasis will be protected in perpetuity as a community garden.

An easement may be either purchased by the conservation organization or donated by the landowner. Since conservation easements reduce the market value of the land (because they reduce its development potential), landowners who donate easements are entitled to an income tax receipt for the amount of the reduction.

An easement can be a powerful land protection tool because its terms are registered against the title of the land, binding both current and future landowners. The land trust movement in the U.S. and Canada is based on the use of easements as a key means of protecting land. Many municipal planning departments in Canada and the U.S. are also starting to consider easements as a strategy for green-space protection.

Once an organization holds an easement, it needs to monitor the land to ensure that the terms of the agreement are being adhered to. A number of organizations have produced comprehensive publications on conservation easements and the responsibilities associated with holding them, including the The Ontario Land Trust Alliance Land Securement Manual. The Land Trust Alliance of British Columbia has also published a variety of resources on this issue. Contact information for these and other organizations are provided at the end of this chapter.

### **Remainder and Undivided Interests**

Remainder and undivided interests in property are ways for an organization to gain some rights to a piece of land without actually owning it. Both tools have complex legal and tax implications, and require expert advice.

A remainder interest (also sometimes called a life estate) is essentially a deferred donation of land. The landowner makes a full donation of the property but retains most of the rights to the land for his or her lifetime. This arrangement allows the landowner to use the property however he or she wishes, while ensuring that the land will subsequently be protected in perpetuity by the conservation organization.

Gaining an undivided interest in property is like having co-ownership; the organization and the landowner are both entitled to exercise ownership rights to the land. For example, the original landowner may hold a 20 percent undivided interest, while the organization may hold an 80 percent undivided interest. Both owners are entitled to exercise all ownership rights in the property, and they usually enter into an agreement to set out the details. A landowner who donates an undivided portion of a property is entitled to a tax deduction for the fair market value of that portion.

### **Conservation easements and cluster development**

An emerging use of easements is in cases where land development has been approved but significant ecological, heritage or community values need to be protected. In such a case the developer may cluster buildings on one part of the site and donate a conservation easement on the significant area. This is especially effective where public access to the protected land is restricted to shared and clearly designated areas.

## OTHER TOOLS

### **The Hyla Park Lease Agreement**

In February 1995, Fredericton citizens brought to the attention of City Council the environmental importance of an abandoned piece of City property. Local naturalists had noticed that the degraded site supported a population



## ADDITIONAL RESOURCES

### ***Giving Nature Its Due: Tax Treatment of Environmental Philanthropic Investments, Examining Barriers and Current Opportunities***

(Issues Paper No. 2003-1), by Mark Denhez. (Ottawa: North American Wetlands Conservation Council [Canada], 2003). A great resource for any group considering accepting donations of land or easements. Denhez traces the growth of the land trust movement in Canada and addresses the current tax treatment of environmental gifts, not only in the country as a whole, but for each province. This document can be downloaded for free at [www.terreshumidescanada.org/givingnature.pdf](http://www.terreshumidescanada.org/givingnature.pdf).

**Land Trust Alliance of British Columbia.** The web site of the Land Trust Alliance of BC includes a wealth of information on land trusts and campaigns in British Columbia, as well as information about conservation options and how to start a land trust. The LTABC also has a number of research reports available for free download.

Land Trust Alliance of British Columbia  
 204-338 Lower Ganges Road  
 Saltspring Island, BC V8K 2V3  
 Phone: (250) 538-0112  
 Fax: (250) 538-0172  
 E-mail: [info@landtrustalliance.bc.ca](mailto:info@landtrustalliance.bc.ca)  
 Web: [www.landtrustalliance.bc.ca](http://www.landtrustalliance.bc.ca)

**The Ontario Land Trust Alliance Land Securement Manual** (Smiths Falls, ON: OLTA, 1999). This comprehensive and authoritative guide is intended to help land trusts in Ontario protect and steward green space. The manual covers basic real estate principles, options for land securement, the process of securing land, land valuation and taxation, and land use planning issues. It also includes a directory of experts on a broad range of subjects relevant to land protection groups. While the material in the manual is based on Ontario tax and real estate legislation, it is broadly applicable to land

**West Coast Environmental Law** provides citizens and organizations with knowledge, legal advice, education and advocacy to help protect the environment and build sustainability. Its web site's Publications section offers extensive resources on a range of topics, including several reports and guidebooks on conservation covenants.

West Coast Environmental Law  
1001–207 West Hastings Street  
Vancouver, BC V6B 1H7  
Phone: (604) 684-7378  
Toll-free in BC: 1-800-330-WCEL (9235)

This section is about how to structure your land protection group and how to operate as a non-profit agency. In short, it's about how to get organized for land protection in the long term. Some of the governance issues addressed here are quite complex, and a detailed discussion of them is beyond the scope of this manual. However, this chapter will explain some of the terms and concepts you need to know and will refer you to authoritative sources of in-depth information.

### **BECOMING INCORPORATED AS A NON-PROFIT ORGANIZATION**

If your group has grown to include many people, if you plan to own property, or if you have been operating in an ad hoc manner for some time, you may want to consider incorporating as a non-profit. A non-profit corporation is one that uses any profit it makes to further its goals – legally called its objects of the corporation – rather than to pay dividends to shareholders or members. Such organizations are also sometimes called not-for-profit organizations, voluntary organizations or volunteer organizations.

#### **Why Incorporate?**

Applying to become in





### *un aisin Ca a ity*

Incorporated non-profits may be more likely to receive funding or grants from government sources or philanthropic foundations. Also, you must be incorporated in order to participate in some government programs such as the federal Ecogift program.

### *ia ility*

Individual members and officers of an incorporated non-profit are not personally liable for the organization's debts.

### *Cost*

Whether you are incorporating federally or provincially, the government charges a filing fee for the process. In addition, if you become federally incorporated, the province in which your office is located usually also requires a registration fee. Fees vary widely from province to province and change slightly over time. As of 2005, the federal fee is \$200 and provincial fees vary from only \$35 to \$175. In addition, you should keep in mind that incorporation will involve administrative costs and the potential cost of engaging a legal consultant to help you prepare and submit the documentation.

### *onsi ility*

Once your organization is incorporated, it has to adhere to the formalities of corporate conduct. This includes holding annual meetings of directors and members, passing bylaws, and filing annual financial statements.

### **What are corporate objects?**

When you incorporate, you must develop and document the basic goals of your organization — your reason for existing. These are referred to as corporate objects, articles of incorporation or memoranda of incorporation.

### **How Do We Incorporate?**

The basic steps to becoming incorporated are to choose and reserve a name, develop your corporate objects, and submit these, along with other required documentation, to the appropriate government department. You may want to enlist an experienced lawyer to assist you. A lawyer who is sympathetic to your cause may offer his or her services on a pro bono basis or for a minimal fee. For information on how to become federally incorporated, go to the Corporations Canada web site at <http://corporationscanada.ic.gc.ca>. There you can find more information about the process and you can download or order an information kit, including sample documentation. The mailing address is:

Information Unit, Corporations Canada  
Industry Canada  
9th Floor, Jean Edmonds Tower South  
365 Laurier Avenue West  
Ottawa, ON K1A 0C8  
Phone: (613) 941-9042  
Toll-free: 1-866-333-5556  
E-mail: [corporationscanada@ic.gc.ca](mailto:corporationscanada@ic.gc.ca)

Information about incorporating at the provincial level can be found by going to <http://bsa.cbasc.org/gol/bsa/interface.nsf/engdoc/0.html> and selecting “Choosing a Business Type” as a start-up topic. Follow the links for non-profits.

### **Setting Corporate Objects**

Your corporate objects are concise statements about the ultimate purpose of your organization. For example, the objects of a land conservation organization might include:

- The establishment and operation of an environmental organization for the purpose of:
- (a) acquiring, securing and managing lands of natural, environmental, heritage, cultural, educational or recreational interest for public benefit in the Shallow River watershed;
  - (b) collaborating with and supporting individuals, organizations, businesses and others having similar aims and encouraging them in the protection, restoration and stewardship of the natural environment in the Shallow River watershed; and
  - (c) conducting environmental research and education activities related to the protection and stewardship of the natural environment in the Shallow River watershed.



## **OBTAINING CHARITABLE STATUS**

A charity is a particular kind of non-profit organization that is granted special tax status by the Canada Customs and Revenue Agency (CCRA). The nature of





**ADDITIONAL RESOURCES**

## Chapter 4: FUNDRAISING TO PROTECT GREEN SPACE

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This chapter will introduce you to some of the basic principles of fundraising and typical sources of cash and in-kind donations. To help you take the next step, it also provides a list of other resources and organizations that can offer advice.

### FUNDRAISING BASICS

There is no magic formula for successful fundraising. No matter how experienced you are, fundraising requires time, hard work and a positive attitude. Before we delve into the details of where to look for support, here are a few basic fundraising principles to keep in mind.

#### Know What You Need

Fundraising is never easy, but groups that have actively reached out to the community will find themselves with a good resource base to tap into for funding. Before you can ask for assistance, though, you need to know what your project will cost and what resources are needed. Developing a project budget will help you create a strong fundraising strategy.

Your budget should include a list of all the costs and potential sources of support for each stage of your project, as well as a timeline so that you can anticipate when funds will be needed. Be sure to include all costs associated with your project or program, including the essential – though not particularly exciting – cost of office space, salaries, utilities and administration. These should be incorporated into the budget of every project, so that each funded project contributes its fair share to the overall cost of running your organization.

#### Do Your Homework

In the world of fundraising, there is no substitute for good old-fashioned research. Reference libraries and directories of funders are great places to start researching prospects. You may also want to find out how other organizations – including universities, health care facilities and other non-profit groups – are funded. A quick scan of their web sites should yield a list of supporters. Find out all you can about prospective funders, including their mandate, which organizations or projects they've funded in the past, how much they can likely offer and who sits on their board of directors.





## SOURCES OF SUPPORT

**Universities and Colleges**

Students enrolled in environmental studies, science, landscape architecture, education, urban planning and geography programs may be willing to donate their time and expertise as a way of gaining practical experience.

**Service Clubs**

Groups such as the Lions, Rotary and Kiwanis clubs can be a good source of support. They often have funding programs for community projects, and they may be able to help organize fundraising or other publicity events.

**Community and Private Foundations**

Numerous philanthropic foundations across Canada fund specific types of projects. For a comprehensive list of foundations, see the Canadian Directory to Foundations and Grants, published annually by Imagine Canada (formerly the Canadian Centre for Philanthropy) and available at the Imagine Canada web site and in most libraries.

## ADDITIONAL RESOURCES

There are so many sources of information on fundraising that it's sometimes difficult to know where to look for advice that's suited to your needs. Here is a list of some basic, easy-to-access resources that should put you on the right track.

**Canada Customs and Revenue Agency's** web site, at [www.cra-arc.gc.ca](http://www.cra-arc.gc.ca), includes the Charities Directorate. There, you can find resources and information to help registered charities comply with the Income Tax Act.

**Canadian Association of Gift Planners.** This professional organization aims to foster the development of gift planning in the non-profit sector. The CAGP offers courses and symposia on planned giving. While some areas of the web site are restricted to members, non-members can access information about the association's educational offerings. The site also features a useful list of links to other fundraising organizations at [www.cagp-acpdp.org](http://www.cagp-acpdp.org).

*Creating Effective Partnerships with Business: A Guide for Charities and Nonprofits in Canada* (Toronto: Imagine Canada / Canadian Centre for Philanthropy, 1996). This resource offers specific advice on successful corporate fundraising and partnership building for charities and non-profits.

***Grassroots Grants: An Activist's Guide to Grantseeking*** (second edition), by Andy Robinson (San Francisco: Jossey-Bass, 2004). This resource provides extensive and down-to-earth guidance for non-profit grant-seekers, including worksheets, exercises, templates and examples. Many of these exercises and worksheets are also available on-line at [www.josseybass.com/go/grassrootsgrants](http://www.josseybass.com/go/grassrootsgrants).

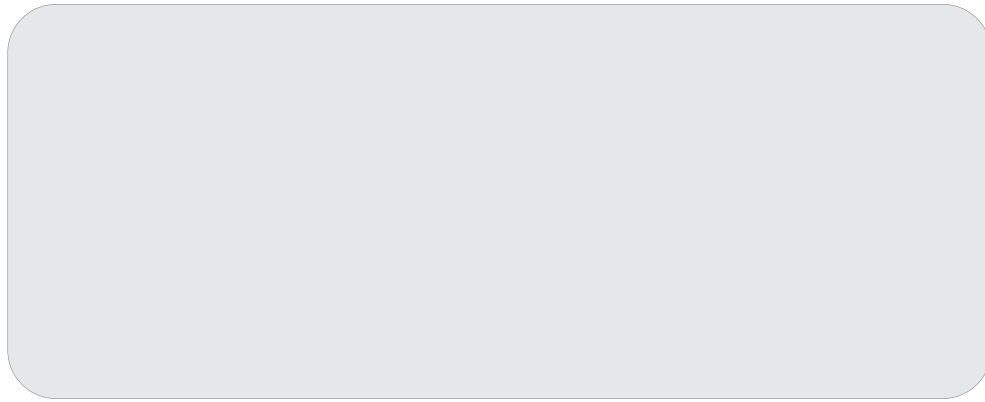
***Guide to Special Events Fundraising*** (Toronto: Ken Wyman and Associates Inc., 1990). This guide presents the basic principles of special events as a fundraising strategy and describes how to maximize your returns. Available for download on the Department of Canadian Heritage web site at [www.canadianheritage.gc.ca](http://www.canadianheritage.gc.ca). Go to Publications, and then to the Community Partnerships section.

**Imagine Canada** is an organization that was formed by joining the

A well considered communications strategy is a critical component of any successful green-space protection initiative. If you take the time to hone your message and target your outreach, your cause will be stronger, more compelling, and likely to reach the ears of people who can really help. This chapter will discuss some of the basics of communications and media relations, and will refer you to other resources to help you tailor your strategy to meet your needs.

#### **MAKING YOUR CASE AND TELLING YOUR STORY**

The first step in an outreach strategy is to clearly articulate the message you want to communicate. This may sound simple, but it is often the most significant stumbling block to effective outreach. Work as a group to come up with clear statements about what you want to achieve. Some groups develop a positioning statement, which is a concise expression of the organization's niche and reason for being. It is largely for internal use, to ensure that all group members have a consistent idea of what your organization does, how it's done, how you want it to be perceived and possibly the geographic focus of your work. If you already



Some groups also develop a communications brief that builds on their positioning statement. It documents exactly how you want your message to be conveyed, whom you're trying to reach and what you'd like to achieve by communicating it. It also helps ensure that your group's core messages are being conveyed in a consistent manner by all of its members. Communications briefs form the basis of press releases, newspaper articles and other outreach materials by addressing the following questions:

- What is the specific problem that you are addressing? Describe the current situation, how it came to be and why you'd like to improve or address it.
- What specific action are you asking people to take? Do you simply want to raise public awareness about your cause, or are you asking people to take actions such as calling their local councillor, writing a cheque or talking to their neighbours? You may also want to ask yourselves, "How will we know if we have a successful communications strategy?"
- Who is your target audience? Describe the different types of groups and individuals that you'd like to reach. If possible, consider their current attitudes about environmental issues, their demographic profile and the kinds of causes they currently support.
- What are your core messages?

## GETTING THE WORD OUT: LOW-COST IDEAS

### No-cost communications

Local businesses may be interested in donating time or resources to help you spread the word about your cause.

The Winnipeg land protection group

Save Our Seine used a postcard campaign to seek support from the provincial government. Thanks to the generosity of local photographers, printers and graphic designers, Save

Our Seine was able to produce professional-looking postcards at no cost to the organization.

When you're ready to start spreading the word about your project or cause, a targeted approach is usually best. Here are a few low-cost ideas.

- Post flyers and posters in areas that get a lot of foot traffic, such as community centres, libraries, recreation and health centres and even local grocery stores.
- Produce a newsletter to be delivered by hand, by post or electronically.
- Tap into other organizations' existing networks. Groups that send out regular updates and newsletters include professional associations, service clubs and private clubs, alumni associations, faith groups, ratepayers' or residents' associations and parent-teacher groups. Many municipal councillors also distribute newsletters to their constituents and may be willing to include an announcement about your project.
- If resources and technology permit, develop a web page for your project or organization. Some internet providers offer free or low-cost web space, and if funds are scarce you may be able to recruit a volunteer webmaster as an interim measure.
- Write articles for community newspapers.
- Produce press releases for the media, and use media lists strategically. For example, you may want to target a particular local radio program or newspaper columnist.
- Develop a free-standing display that can be set up at community events, symposia, shopping malls, libraries and festivals.
- Assemble a media kit that can be tailored to your various audiences. Media kits are usually packaged in folders, binders or portfolios, and contain one-page briefs on various elements of your organization. Other organizations' media kits are usually available on request. Obtaining kits from several other groups will give you an idea of what you might want to include in your own.



### Tips for Writing a Great Press Release

Press releases are an effective way to communicate information about a recent development or to announce an event and invite the press to cover it. Here are a few key principles to ensure that your press releases get noticed.

- Use a headline that immediately conveys why the news is important.
- Emphasize in the opening paragraph why the story is of interest to the community.
- Provide details in the second paragraph to develop the ideas presented in the opening paragraph.
- Include quotes and statistics in the third paragraph and background information in the fourth and fifth.
- Avoid the use of jargon.
- Provide the name and telephone number of a project contact who is readily available to answer questions.
- Keep the press release short. It should be no longer than one page.
- Identify and try to build relationships with the most appropriate media contacts in your community. Reporters often appreciate a telephone call before you send the press release, so the release doesn't get lost in a pile of faxes. Alternatively, send your press release to your contacts and follow up with a phone call the next day.

— from *No Plot Is Too Small: A Community's Guide to Restoring Public Landscapes* (Evergreen, 2000)

Your Letterhead FOR IMMEDIATE RELEASE	Date
Your Headline	
City/Town	
_____	
_____	
_____	
_____	
_____	
_____	
_____	
-30-	
For further information: (contact name, phone and e-mail, etc.)	

A basic press release template



## ADDITIONAL RESOURCES

**The Canadian Public Relations Society**, at [www.cprs.ca](http://www.cprs.ca), is the professional association for Canadian public relations specialists. Some of the resources found here are available only to members, but many of the region- or city-specific associations offer articles, web links and other resources that are not member-restricted.

**Charity Village**, at [www.charityvillage.ca](http://www.charityvillage.ca), is a great place to look for further resources on communications. Start by looking under Communications in the QuickGuides menu. From there you can choose to browse lists of publications, books, print periodicals, organizations, educational programs and many other communications and public relations resources.

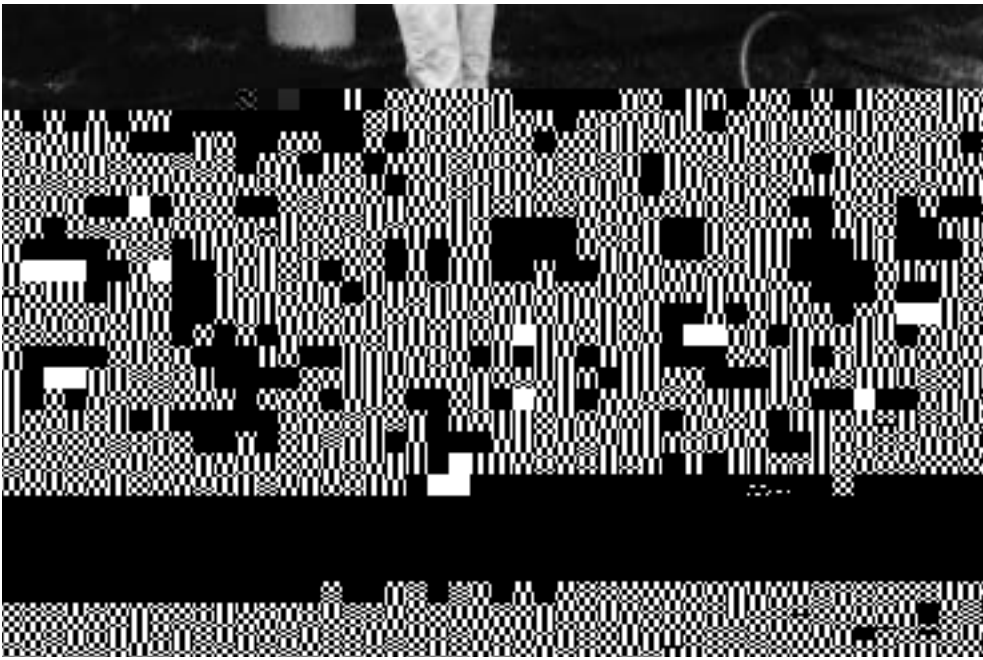
**Getting the Message out: A Step by Step Communications Guide for Environmentalists** (Sustainability Network). Order a PDF copy of this book for \$10 from the Sustainability Network at [www.sustain.web.ca](http://www.sustain.web.ca). **A Basic Guide to the Media & Media Lists** is available from the same site.

**Grantmakers Communications Manual**, by Christopher McNamara (Washington, DC: Council on Foundations, 1998). Though written for grant makers rather than grant recipients, this communications guide covers a broad range of communications issues, including human resources, internal communications, media relations, government relations, publications, public service announcements and electronic communications. This book can be ordered from the Council on Foundations web site at [www.cof.org](http://www.cof.org). Go to the Media Relations section.

**The Ontario Trillium Foundation Public Relations Toolkit** This 44-page toolkit is designed specifically for Ontario Trillium Foundation grant recipients, but it is full of generic advice and information on creating a successful public relations program, as well as sample press releases, media advisories and event planning checklists, among other resources. The toolkit is available under Grantee Info at [www.trilliumfoundation.org](http://www.trilliumfoundation.org).

**"Writing a News Release"** (Ontario Nature). This fact sheet is available, along with numerous other useful publications, on Ontario Nature's web site, [www.ontarionature.org](http://www.ontarionature.org).

**Tips for Communicating our Project**



## Chapter 6: **PARTNERSHIPS FOR LAND PROTECTION**

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### **WHY CREATE A PARTNERSHIP?**

Partnerships for the protection of green space can take many forms, from one-off collaborations with other organizations to long-standing formal agreements with a municipality. When managed well, partnerships have the potential to yield a significant return on your investment of time and effort – in the form of efficiency, community empowerment and green-space protection. Involving a range of partners in your work can help raise your organization’s public profile and lend greater credibility to a project.

When you consider forming a partnership, keep in mind that, as a non-profit agency, you bring many assets to the table. Increasingly, urban municipalities in Canada are seeking partnerships with non-profit groups because they offer skills and capacities that complement those of local government. For example, community groups are well positioned to:

- leverage funds for public green-space protection and stewardship through charitable foundations and corporate philanthropy
- contribute specialized expertise, particularly in fields such as urban ecology, habitat restoration, monitoring and volunteer management
- mobilize communities and volunteers for urban greening
- identify new opportunities for green-space protection and enhancement
- champion natural urban green space as a key municipal policy issue

You also have much to gain by partnering with local governments. Municipalities can offer access to public land, administrative support, technical assistance and a broader level of green-space planning than many community groups are capable of. Partnerships with your municipality can also help ensure that your land protection efforts are proactive. They can prevent conflict by allowing you to get involved in the land use planning process at the planning level, rather than continually reacting to emerging threats.

### **PARTNERSHIP MODELS AND BEST PRACTICE**

#### **Initiating and Sustaining Partnerships**

There is no one-size-fits-all model for successful partnerships. Keeping a few key principles in mind, however, will help to create a true “win-win” situation for all partners.

### *Partnerships as a way of organizing*

Partnerships can be achieved with greater ease, and are ultimately more successful, when there is a high degree of support for them throughout your organization, and a clear understanding of what they entail. If you have to reinvent the wheel every time you create a new partnership, the process is likely to be cumbersome. For example, you may want to develop a broadly applicable framework or set of guidelines for working with partners. That way, each new partnership requires less research and time spent developing a memorandum of understanding than when they are undertaken on an ad hoc basis.

### *Communication*

A working partnership is built on clear and consistent communication among all partners. As the partnership is being developed, this means being very clear about your organization's expectations, as well as what you intend to contribute (e.g., time, human resources, cash or in-kind support, etc.). Once the partnership is established, regularly scheduled meetings can help ensure that all partners are aware of progress, new developments and changing commitments or capacities.

### *Clear expectations*

Establishing clear expectations for each partner in a green-space project helps to reduce the chance of conflict or miscommunication among parties in the long term. Most commonly, these expectations are formalized in a memorandum or letter of understanding, which is signed by all partners. This document is used to specify the agreed-upon rights, responsibilities, assumption of risk and general contribution of each party. For small-scale partnerships, this agreement may be a simple letter (an example can be found in Appendix C). A larger partnership will require a more elaborate memorandum of understanding, which may include an outline of the expected results of the collaboration, a timeline, a budget and payment schedule and a description of the decision-making structure and communication protocols among partners.



*photo credit*



### **Partnership for Green Space in Surrey, BC**

In the city of Surrey, BC, Evergreen works in partnership with the municipality on an urban naturalization project. As a non-profit group, Evergreen brings expertise in community animation, volunteer management and event coordination to the partnership. For its part, the City provides access to the naturalization sites and in-kind contributions of staff time, equipment, signage and native plant material. Evergreen's Alyssa Semczyszyn, who works with City of Surrey staff on the project, says that the partnership allows Evergreen to achieve more than they would have been able to do on their own. "They really work with us to make sure that the work we're doing is integrated with the City's larger-picture strategy for natural areas, and they value our input and expertise in ecological restoration," she says. "They also offer a high level of detailed implementation, such as installing logs into a steep slope so that volunteers can access the area."

Formalized in a brief letter of agreement, the partnership between Evergreen and the City of Surrey is a true "win-win" situation. Greg Ward, manager of Urban Forestry and Environmental Programs for the City, notes that "creating partnerships reduces service delivery costs. However, just as important is that green space stewardship is enhanced by community involvement, and that communities and neighbourhoods are enhanced by people working together."

## **STAKEHOLDERS AND PARTNERS**

Public agencies and other environmental groups are perhaps the most obvious potential partners for green-space protection. However, it's important to keep an open mind about partnerships with other groups, such as social service agencies, private companies, cultural societies and social clubs or faith-based groups. Such organizations are often looking for new activities to participate in, and may be able to help you reach out to new audiences or bring an innovative idea to life. Ask yourself these questions as you consider a potential partner:

- Do their assets and expertise complement ours? Generally, the best partner is one that can offer complementary, rather than overlapping, expertise. For example, a non-profit can often tap into the volunteer base of a community in ways that a municipality is unable to, while a municipal partner can provide administrative and staff support.
- Can they add value to the project? Be sure to find out what a potential partner can bring to the table, whether in terms of funds, human resources, in-kind contributions or even prestige. Ideally you should be confident that the partnership is making your work more successful than it would otherwise be.

### **A Partnership in Whitehorse, YT**

In July 2002, the City of Whitehorse opened the Millennium Trail, a 5-kilometre fully accessible trail serving the entire community, including elderly and disabled people. This project was the result of a three-way partnership among the City of Whitehorse, the Yukon Council on Disability and the Yukon Energy Corporation. The partnership has since expanded to include the local Rotary Club.

This partnership, formalized in a memorandum of understanding among the parties, enabled the City to embark on a more ambitious public green-space project than it could have managed on its own, and to provide access to riverfront land that would otherwise have been outside the City's jurisdiction. The benefits of such a diverse partnership went beyond the financial. Having a range of community stakeholders and key partners from the non-profit and private sectors involved lent credibility to the project in the community's eyes.

### **ADDITIONAL RESOURCES**

*The Partnership Handbook* (Ottawa: Human Resources Development Canada, 2000). Web site: <http://www.sdc.gc.ca/en/epb/sid/cia/partnership/partnerhb%5fe.pdf>

*Partnerships: The Good, the Bad, and the Ugly* (Caledon Institute of Social Policy, 1998). Web site: <http://www.caledoninst.org>

## **GLOSSARY**

**brownfields** – former commercial or industrial sites in settled areas that are abandoned or underused. Advocates of smart growth argue that remediation and redevelopment of brownfields offers an efficient alternative to new development on agricultural lands and other greenfields.

**charity** – “A legally incorporated nonprofit organization that operates for the public benefit and has federally registered charitable status. Charitable status allows an organization to issue tax receipts for donations, and involves rules and regulations about governance, advocacy and operations that may provide a higher level of accountability than non-charities.” (from Voluntary Sector Forum, “Glossary of Terms,” at

[h](#)



**greenfields** – lands where no prior development has taken place, usually located on the outer fringes of growing urban centres. They often include farmland, woodlands or natural areas that may be threatened by rapid sprawl development.

**land trust** – a private, non-profit organization organized to preserve and protect the natural and/or built environment by, among other techniques, creating conservation easements that restrict the use of real property.

**land use planning** – activity, generally conducted by a local government, that provides public and private land use recommendations consistent with community policies and is generally used to guide decisions on zoning (from Virtually Toronto, “Real Estate,” [www.virtuallytoronto.on.ca/l1.html](http://www.virtuallytoronto.on.ca/l1.html), March 12, 2004).

**life estate:** an interest in real or personal property that is limited in duration to the lifetime of its owner. For example, a landowner may give a remainder interest to a conservation organization, which would allow that person to live on, and use, the land for his or her lifetime (i.e., to retain a life estate), after which the property would be owned by the organization.

**memorandum of understanding (MOU)** – a written contract between two or more parties specifying the nature of the agreement and the roles and responsibilities of the parties.

**natural heritage** – natural areas and resources, whether privately or publicly held, that have value to the public at large. Natural heritage may include indigenous species, habitats and ecosystems, and geological and physiographical elements, features and systems.

**parkland dedication** – in Canada, the maximum amount of land that a municipality can require of a developer for park and related purposes, as dictated by provincial planning legislation and municipal planning strategies.

**remainder interest** – the right to use and enjoy a property after the lifetime of one or more persons, or the expiration of a set term of years. When a donor contributes a remainder interest in property to a conservation group, he or she gives that group the right to own the property in the future (usually after the donor’s death or the death of another person) but retains the right to own and use the land until that time.

**riparian zone** – a stream or river and the land and vegetation along its banks, in the transition area between the water and the upland zone. The extent of this area varies widely and can be identified by specific types of plants and soils.

**smart growth** – a collection of urban development strategies to reduce sprawl, usually including efficient use of land and existing urban infrastructure, with the goals of minimizing dependence on auto transportation and reducing air pollution.

**split-receipting** – a situation in which a donee (recipient) may issue a tax receipt to a donor for the eligible amount of a gift, that is, the difference between the total value of the gift and the value of any payment the donor received in return for such gift.

**stewardship**

### **National Organizations**

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Phone: (613) 728-9810  
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E-mail: [info@cen-rce.org](mailto:info@cen-rce.org)  
Web: [www.cen-rce.org/](http://www.cen-rce.org/)

*Wild Ducks of Canada*  
P.O. Box 1160  
Stonewall, MB R0C 2Z0  
Toll-free: 1-800-665-DUCK (3825)  
Fax: (204) 467-9028  
E-mail: [webfoot@ducks.ca](mailto:webfoot@ducks.ca)  
Web: [www.ducks.ca](http://www.ducks.ca)

*Nature Conservancy of Canada NCC*  
110 Eglinton Avenue West, Suite 400  
Toronto, ON M4R 1A3  
Toll-free: 1-800-465-0029  
Phone: (416) 932-3202  
Fax: (416) 932-3208  
E-mail: [nature@natureconservancy.ca](mailto:nature@natureconservancy.ca)  
Web: [www.natureconservancy.ca](http://www.natureconservancy.ca)

*Sierra Club of Canada*  
412-1 Nicholas Street  
Ottawa, ON K1N 7B7  
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E-mail: [info@sierraclub.ca](mailto:info@sierraclub.ca)

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Fax: (709) 753-4110

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*Natu Tust*

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Toll-free: 1-877-753-2385

Phone: (709) 753-2385/2390

Fax: (709) 753-5347

Web: <http://legacynatur>

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*Nature Trust of New Brunswick*

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Fax: (506) 450-2137

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Web: [www.naturetrust.nb.ca](http://www.naturetrust.nb.ca)

*Nature Trust of New Brunswick Community and Trust*

180 St. John Street

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Phone: (506) 461-5521

Fax: (506) 458-1044

E-mail: [nbclt@nbnet.nb.ca](mailto:nbclt@nbnet.nb.ca)

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*Nature Trust of New Brunswick Environmental Network*

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E-mail: [nben@nbnet.nb.ca](mailto:nben@nbnet.nb.ca)

Web: [www.nben.ca](http://www.nben.ca)

## **Quebec**

*Quebec Environmental Foundation*

1255 Phillips Square, Suite 706

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Fax: (514) 849-0028

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Web: [www.fqe.qc.ca](http://www.fqe.qc.ca)

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**Manitoba**

*Manitoba Conservation*  
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 Phone: (204) 947-6511  
 Fax: (204) 989-8476  
 E-mail: mbeconet@mts.net  
 Web: [www.mbeconetwork.org](http://www.mbeconetwork.org)

*Manitoba Habitat Co-Operation*

200-1555 St. James Street  
 Winnipeg, MB R3H 1B5  
 Phone: (204) 784-4350  
 E-mail: mhhc@mhhc.mb.ca  
 Web: [www.mhhc.mb.ca](http://www.mhhc.mb.ca)

*Manitoba Naturalists' Society*

401-63 Albert Street  
 Winnipeg, MB R3B 1G4  
 Phone: (204) 943-9029  
 E-mail: mns1@mts.net  
 Web: [www.manitobanature.ca](http://www.manitobanature.ca)

*Manitoba Wildlife Foundation*

In  
 1770 Notre Dame Avenue  
 Winnipeg, MB R3E 3K2  
 Phone: (204) 633-5967  
 Fax: (204) 632-5200  
 Web: [www.mwf.mb.ca](http://www.mwf.mb.ca)

**Saskatchewan**

*Genesis Conservation*  
 Box 2800  
 Humboldt, SK S0K 2A0  
 Phone: (306) 683-2407  
 Web: [www.earthcare.ca/Genesis/index.html](http://www.earthcare.ca/Genesis/index.html)

*Nature Saskatchewan*  
 206-1860 Lorne Street  
 Regina, SK S4P 2L7  
 Toll-Free: 1-800-667-4668  
 Phone: (306) 780-9273  
 Fax: (306) 780-9263  
 Web: [www.naturesask.com/](http://www.naturesask.com/)

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 203-115 2nd Avenue N.  
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 Phone: (306) 652-1275  
 Fax: (306) 665-2128  
 E-mail: sen@link.ca  
 Web: [www.econet.sk.ca](http://www.econet.sk.ca)

*Saskatchewan Wildlife Foundation*

Box 788, 444 River Street West  
 Moose Jaw, SK S6H 6J6  
 Phone: (306) 692-8812  
 Fax: (306) 692-4370  
 Web: [www.swf.sk.ca](http://www.swf.sk.ca)

**Alberta**

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 Box 40027, Baker Centre Postal Outlet  
 Edmonton, AB T5J 4M9  
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 Phone: (780) 427-5192  
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 Web: [www.ab-conservation.com](http://www.ab-conservation.com)

*Alberta Trout Foundation*

810-1202 Centre Street SE  
 Calgary, AB T2G 5A5  
 Toll-free: 1-800-465-2147  
 Phone: (403) 209-2245  
 Fax: (403) 209-2086  
 Web: [www.albertaetrout.com](http://www.albertaetrout.com)

*Alberta Environmental Network*

1-6328A 104 Street  
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### **British Columbia**

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204–338 Lower Ganges Road  
Saltspring Island, BC V8K 2V3  
PhondstewarSaltsprin

## **APPENDIX B: FUNDING PROPOSAL TEMPLATE**

Many funding agencies provide either their own application form or specific application guidelines to be followed. If they do not, you may want to use this funding proposal outline.

**1. Title page.** Start with your organization's name and the name of your project. The title page should also include the name, telephone number, fax number and e-mail address of the primary contact person.

**2. Summary.** Limit your summary of the project to one page. Start with a statement of what you need. For example, "The Friends of Shady Grove Inc. is requesting funding in the amount of \$10,000 to support phase three of a new project, Shady Grove Community Gardens, which aims to restore the Shady Grove habitat and build community ties in the Shady Acres neighbourhood." Proceed by using simple, straightforward language to succinctly describe the project's goal, objectives, key activities, expected outcomes and timeline.

**3. Background information.** Describe the purpose of your organization and demonstrate a track record by outlining its accomplishments.

**4. Rationale.** Clearly state the goals and objectives of your project and the needs that they are addressing. Use relevant research and statistics to support your rationale where appropriate.

**5. Project description.** This section answers the question "How will you do it?" Describe how you will accomplish your objectives. Outline the specific tasks and indicate wh



## APPENDIX C: SAMPLE LETTER OF AGREEMENT / PARTNERSHIP

This is a simple template for a letter of agreement between a non-profit group and a municipality. Use it as a starting point for drafting your own letter, adapting the content and the details of the agreement to suit the specific needs and terms of your partnership.

**Re: Letter of Agreement between the Town of \_\_\_\_\_ and Friends of Shady Grove**

The Town of \*\*\*\* has identified three (3) sites for habitat restoration through the planting of native vegetation: Shady Grove Park, Grassy Green Park and Hillside Park. The Town of \*\*\*\* agrees to work with the Friends of Shady Grove on this restoration project according to the terms outlined below.

The project is a collaboration between Friends of Shady Grove and the Town of \*\*\*\*. This letter of agreement will identify roles and responsibilities. As the landowner, the Town of \*\*\*\* will have a de facto veto over every aspect of the project.

*Friends of Shady Grove's responsibilities:*

- Plan, coordinate and facilitate up to four (4) volunteer stewardship events at each of the three sites, to a maximum of twelve (12) events in total. These activities may include removal of invasive species, planting of native plants, weeding and maintenance.
- Recruit and manage volunteers to attend the stewardship events.
- Work with the Town of \*\*\*\* to coordinate the purchase of plant material and develop interpretive signage.

*Town of \*\*\*\*'s responsibilities:*

- Provide an in-kind contribution, valued at twenty thousand dollars (\$20,000), to include soil, mulch, signage, native plants, loan of tools/gloves and professional expertise.
- Provide a detailed planting plan for each site to Friends of Shady Grove.
- Perform site preparation needed prior to volunteer work at each site.

**Term**

- The term of this agreement will begin October 8, 2008, and will continue to June 30, 2009, or until such time as both parties are satisfied that the terms of this agreement have been fulfilled.
- At minimum, both parties will meet to review the initiative at monthly intervals.

Executive Director,  
Friends of Shady Grove \_\_\_\_\_

Manager of Parks,  
Town of \*\*\*\* \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

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Adaptations in Ontario* Don Mills: Federation of Ontario Naturalists,  
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Evergreen is a national non-profit environmental organization with a mandate to bring nature to our cities through naturalization projects. Evergreen motivates people to create and sustain healthy natural outdoor spaces, and gives them the practical tools to be successful through its three core programs: Learning Grounds (transforming school grounds), Common Grounds (protecting and preserving public open spaces) and Home Grounds (for the home landscape). We believe that local stewardship creates vibrant neighbourhoods, a healthy natural environment and a sustainable society for all.

#### **Evergreen's Common Grounds Program**

Common Grounds is a national service that conserves natural and cultural landscapes, restores degraded environments and protects open spaces for recreation, education and enjoyment in urban, suburban and urbanizing areas. The Common Grounds program works to ensure that Canada's urban common grounds grow sustainably and prosper through the twenty-first century and beyond.

#### **Evergreen Resources**

Evergreen's integrated collection of resources is designed to inspire, educate and guide students, teachers, planners, community groups and individuals through all stages of a school, community or home naturalization project. Our resources include guidebooks, instructional and inspirational videos, fact sheets, case studies, newsletters, research reports and an on-line project registry. For the latest information on Evergreen's resources, check out our web site at [www.evergreen.ca](http://www.evergreen.ca).

This project was made possible by the generous support of



**[www.evergreen.ca](http://www.evergreen.ca)**

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