

Municipality of the District of Lunenburg

Policy Details	
Name	Land Conservation Policy
Number	100
Legislative Authority	Municipal Government Act s. 24, 50, 143, 144
Effective Date	February 25, 2025

Purpose

1. The Municipality's Land Conservation Policy aims to increase conserved land within its boundaries, foster connections between people and nature, enhance community resilience, and ensure responsible stewardship for future generations.

Goal

2. To conserve 20% of land and watersheds within the Municipality by 2030, as outlined in the Local Climate Change Action Plan 2030. This includes municipally, provincially, and federally protected lands, as well as lands conserved by other organizations with legal mechanisms for perpetual protection.

Overview

3. **The Land Conservation Policy outlines the Municipality's conservation values and assessment process.** It ensures municipal lands are evaluated for conservation before being declared surplus, requires staff to regularly review tax sale properties for alignment with conservation values prior to auction or public tender, and provides a framework for assessing external requests to conserve land or support conservation efforts within the Municipality.

Definitions

4. (1) In this Policy
 - a) **Conservation Easement** means a legally binding agreement between a landowner and a conservation organization or government entity that restricts certain development and land use to align with conservation values. The landowner retains ownership but must adhere to the easement's terms, ensuring perpetual preservation of the land's natural, ecological, and cultural features.
 - b) **Conservation Land** means land permanently protected to preserve biodiversity, ecological integrity, and natural features. These areas are managed to safeguard ecosystems, wildlife habitats, and cultural values while supporting low-impact recreation, such as hiking and birdwatching, with minimal environmental disturbance. Protection is provided through legal mechanisms, including

- conservation easements, partnerships with land trusts, or government designations, ensuring long-term stewardship for future generations.
- c) **Municipality** means the Municipality of the District of Lunenburg.
 - d) **Proponent** means an individual or organization, such as a non-governmental organization (NGO) or land trust, requesting the Municipality to support the conservation of land within its boundaries.
 - e) **Species at Risk** means species facing significant threats to survival, classified as endangered, threatened, or vulnerable under provincial or federal designations.
 - f) **Stewardship** means responsible management, care, and monitoring of land to ensure its natural, ecological, and cultural values are preserved or enhanced over time.
 - g) **Surplus Land** means land declared surplus by the Council and no longer required for municipal purposes.
 - h) **Tax Sale** means the sale of property by public auction or tender to recover unpaid taxes.
 - i) **Zoning** means the classification of land that regulates its use, development, and building standards within the Municipality.

Conservation Values

- 5. (1) **Protection of Biodiversity** - Conserving natural systems to support diverse species and maintain ecological balance. Key priorities include:
 - a) Intact Natural Areas: Preserving landscapes with minimal human disturbance to maintain their ecological integrity.
 - b) Habitat Restoration: Restoring degraded habitats to support species recovery and improve ecological resilience.
 - c) Species at Risk: Prioritizing conservation efforts for habitats that support at-risk species identified under provincial or federal designations.
 - d) Critical Ecosystems and Richness: Protecting ecosystems that are essential for biodiversity and support areas with high species diversity or ecological significance.
- (2) **Enhancing Resilience and Reducing Risks** - Conserving land to protect communities and ecosystems from environmental pressures and promote long-term sustainability. Key priorities include:

- a) Flood and Storm Protection: Preserving wetlands and coastal buffers to reduce the impacts of flooding, storm surges, and erosion.
- b) Temperature Regulation: Protecting forests and natural areas to moderate local temperatures, provide shade, and reduce the impacts of extreme heat.
- c) Wildlife Adaptation: Conserving connected landscapes and critical habitats that allow wildlife to move freely, find resources, and adjust to environmental changes.
- d) Water Security: Safeguarding wetlands and watersheds that ensure clean water and help prevent droughts.

(3) **Protecting Ecosystem Services** - Maintaining the natural processes that provide essential benefits to communities, wildlife, and the environment. Key priorities include:

- a) Pollination Support: Conserving habitats that support pollinators is essential for food production and ecosystem health.
- b) Carbon Capture: Protecting forests, wetlands, and grasslands that absorb and store carbon naturally.
- c) Soil and Erosion Control: Preserving landscapes that prevent soil degradation and maintain land stability.
- d) Air and Water Filtration: Protecting ecosystems that naturally clean air and filter water.

(4) **Social and Community Benefits** - Conservation of land that reduces hazard-related risks to communities (e.g., flooding, wildfire, extreme heat). Enhancing community well-being through equitable access to conserved lands and collaboration. Key priorities include:

- a) Low-Impact Recreation: Conserving lands that support activities like hiking and birdwatching while protecting natural ecosystems.
- b) Equity and Inclusion: Prioritizing conservation efforts that benefit equity-deserving groups, including Mi'kmaq communities and African Nova Scotians, and ensuring green spaces are distributed equitably across all communities in the Municipality.
- c) Collaborative Partnerships: Working with land trusts, NGOs, First Nations, and other stakeholders to conserve and steward land.
- d) Health and Well-being: Improving quality of life through access to natural spaces that support physical and mental health.

Principles

- 6. (1) The Municipality is committed to treating all proponents with fairness and respect throughout the land conservation process, ensuring transparent and equitable interactions during assessments and acquisitions. The Municipality strives to ensure the land conservation process is inclusive and accessible to all.

- (2) Situated on unceded Mi'kmaw territory, the Municipality prioritizes partnerships with Mi'kmaq communities, recognizing their sovereignty and essential role as stewards of the land.
- (3) The Municipality values the rich history of African Nova Scotian communities and prioritizes requests from these groups, honouring their deep and significant connections to the land.

Land Conservation Mechanisms

7. (1) **Municipally Owned Lands**

- a) **Reallocation of Municipal Property:** The Municipality may designate existing municipal property to conservation land if it aligns with conservation values. The Municipality will evaluate properties for conservation potential before declaring them surplus, including their ability to protect natural areas, support wildlife, enhance resilience, and preserve ecosystem services.
- b) **Trading Land:** The Municipality may consider trading surplus land for property with higher conservation value.
- c) **Donations:** The Municipality may accept land donations, either in full or as a partial donation, for conservation purposes.
- d) **Purchase:** The Municipality may purchase land for conservation purposes. This includes:
 - (i) **Tax Sale Properties:** Staff will regularly review tax sale properties prior to auction or public tender to assess their alignment with conservation values. If deemed appropriate, the Municipality may bid on and acquire these properties to support conservation goals, as permitted under Sections 143 and 144 of the Municipal Government Act.
 - (ii) **Co-ownership and Joint Purchases:** The Municipality may collaborate with partners such as land trusts, NGOs, cultural institutions, or the Province to co-own or jointly purchase property for conservation purposes. In such arrangements, any party may hold the property title, depending on the terms of the agreement. The Municipality may contribute a portion of the total funds and work with the titleholder to ensure the land remains protected for conservation. Roles and responsibilities, including management and stewardship, will be clearly defined in a legal agreement between all parties to ensure effective protection and long-term conservation of the property.

(2) **Externally Owned Conservation Lands**

- a) **Conservation Easements:** The Municipality may enter into conservation easements with private landowners to ensure long-term protection of ecologically significant areas.

- b) **Donation to Other Entities:** The Municipality may donate land it owns to other entities, such as NGOs or land trusts, for conservation purposes.
- c) **Support for External Conservation Efforts:** The Municipality may provide financial or other forms of support to entities seeking to acquire and conserve land within municipal boundaries.
- d) **Zoning for Conservation:** The Municipality may re-zone conserved areas, upon request by conservation entities, to formalize their status and apply appropriate land-use restrictions.

Land Conservation Process

Initiation of Process

8. (1) The Land Conservation Process can be initiated internally or externally. Externally, it begins when a proponent requests the Municipality to conserve or assist in conserving land within its boundaries along with submission of a completed application. Internally, it is initiated through the annual assessment of tax sale properties, or identification of high conservation value Municipal properties.

Preliminary Review and Report to Council

- (2) Staff will review the proposed property and application (if applicable) to assess alignment with the Municipality's conservation values, stewardship capacity, and protection options, such as land purchase, designation, zoning, or other legal mechanisms. Based on this review, staff will prepare a report for Council outlining their findings and providing a preliminary recommendation on whether to proceed with the land acquisition or conservation process.

Council Decision

- (3) The Council may choose to either decline further pursuit of the conservation request or direct staff to conduct a detailed site assessment before making a final decision.

Detailed Site Assessment

- (4) If directed, staff will oversee a detailed site assessment and present their findings to Council to determine whether the Municipality will acquire the property. A detailed site assessment may include:
- a) Appraisal
 - b) Ecological site assessment
 - c) Financial review
 - d) Hazard assessment
 - e) Legal review
 - f) Protected area designation and zoning considerations
 - g) Public Engagement
 - h) Site visit
 - i) Species at risk assessment
 - j) Stewardship considerations

Funding and Incentives for Land Conservation

9. (1) The Municipality will support the Land Conservation Policy through strategic budgeting, external funding opportunities, and contributions from municipal resources, partnerships, and proponents, while recognizing that support may vary based on available resources and priorities.

Prioritization of Land Acquisition Proposals

- (2) The Municipality may prioritize land acquisition proposals from proponents who:
 - a) Contribute matching funds or a portion of acquisition costs, determined on a case-by-case basis.
 - b) Contribute matching funds or a portion of the costs for required studies, such as ecological assessments, species-at-risk evaluations, environmental impact studies, climate adaptation assessments, or cultural heritage reviews.
 - c) Secure external funding, confirmed grants, or partnerships to help cover acquisition, required studies, or long-term management costs.

Tax Exemptions for Conservation Easements

- (3) The Municipality encourages landowners with conservation easement agreements to explore tax exemption eligibility under the Nova Scotia Conservation Property Tax Exemption Act. Landowners should contact Nova Scotia Environment to determine if their property qualifies. These exemptions are subject to approval by the Minister of Environment.

Protective Measures Review for Municipal Properties

10. Planning staff will evaluate newly acquired and existing municipal properties to determine if they require rezoning under the Municipal-wide Planning Strategy and Land Use Bylaw or other protective measures, such as conservation easements. The Council will determine the most suitable zoning or legal protections based on the property's conservation values.

Stewardship of Municipal Conservation Lands

Lands Managed with a Partner

11. (1) The Municipality prioritizes acquiring conservation land where management responsibilities are shared with or handled by a partner. Partnering with organizations brings additional expertise and resources, ensuring effective and sustainable stewardship.

Lands Managed by the Municipality

- (2) The Municipality may independently manage conservation lands if staff possess the required technical expertise and capacity to fulfill stewardship responsibilities.

Long-term Protection of Conservation Lands

(3) Conservation lands recognized under the Land Conservation Policy are protected in perpetuity, with restrictions remaining permanent and irrevocable. If the Municipality, a co-owner, or a land management partner is no longer able to manage the property, it may be transferred to another qualified entity. The receiving entity must uphold all existing restrictions and assume full conservation responsibilities.

Review and Revision

12. The Municipality will review the Land Conservation Policy every five (5) years to ensure it remains relevant, effective, and aligned with current conservation practices and community needs. Reviews of the Land Conservation Policy will include input from stakeholders, such as the public, landowners, and conservation partners, and will consider changes in environmental regulations, land management practices, and conservation science. Revisions will be made as needed to address new challenges and opportunities in land conservation and stewardship.

Policy Adoption	
Date of Original Passage	February 25, 2025
Date of Notice of Intent to Consider	February 18, 2025
Date of Council Approval	February 25, 2025
Date of Effective Date (if different from approval date)	
I certify that this Policy 100 Land Conservation Policy was adopted by Municipal Council as indicated above.	
Signature of Acting Municipal Clerk 	Date February 25, 2025

Version	Amendment Description	Approval Date
Original V1	Land Conservation Policy	Feb 25, 2025