



The Corporation of the Town of Tecumseh

Development Services

To: Mayor and Members of Council

From: Brian Hillman, Director Development Services

Date to Council: November 26, 2024

Report Number: DS-2024-39

Subject: Deferred Town Contribution to ERCA Land Acquisition Program
Clean Water~Green Spaces Program
OUR FILE: D03 ERCA Transition Plan

Recommendations

It is recommended:

That Report DS-2024-39, titled “Deferred Town Contribution to ERCA Land Acquisition Program: Clean Water~Green Spaces Program” **be received;**

And that direction be given to Administration **to engage** with ERCA **to evaluate** its new Land Acquisition Program, and **to review alternatives** for ecological stewardship or similar programs with a report to Council prior to deliberations for the 2026 operating budget;

And further that Council **defer** the Town’s 2025 estimated contribution of \$50,115 to ERCA’s Land Acquisition Program;

And further that the deferred commitments for both 2024 and 2025 **be transferred** to a designated Reserve.

Background

Based on the recommendation of Report [CAO-2023-08](#), Council passed Motion RCM-331/23 at the December 12, 2023 Regular Council Meeting, which included the following:

“That direction be given to Administration to evaluate the ERCA Land Acquisition Program and review alternatives for ecological stewardship initiatives in 2024 with a report out to Council prior to deliberations for the 2025 operating budget;

And further that By-law No. 2023-118, being a by-law to amend By-law No. 2023-111, to authorize the execution of a revised Cost Apportioning Agreement between the Corporation of the Town of Tecumseh and Essex Region Conservation Authority for a reduced funding contribution for non-mandatory ERCA programs and services as provided in Report CAO-2023-08 **be given consideration** for first, second, third and final reading.”

The by-law authorizing execution of the revised Cost Apportioning Agreement was passed and ultimately executed by the Mayor and Clerk. The effect of the revised Cost Apportioning Agreement was that the Town’s contribution towards the Essex Region Conservation Authority (ERCA) Land Acquisition Program, totalling \$47,728, was paused to permit an evaluation of the past performance of the program.

To evaluate the ERCA Land Acquisition Program, commonly referred to as the Clean Water~Green Spaces Program, Administration requested detailed information from ERCA early in 2024, including:

- 1) The period over which the program has been in effect;
- 2) A listing of land holdings purchased during the program period, including size, location, purchase price and reasons for the acquisition; and
- 3) The amount of contributions to this fund by each municipality over the program period.

Although some of the preceding information was provided by ERCA this past fall, it was limited in terms of the detail provided. At a meeting between senior Town Administration and Tim Byrne, CAO/Secretary Treasurer of ERCA, it was acknowledged that records of this nature had not been kept over the life of the program and that for the program to continue, greater transparency and more detailed reporting to the member municipalities would be beneficial.

At the November 14, 2024 ERCA Board meeting, Report BD27/24, authored by Mr. Byrne and titled “Clean Water~Green Spaces (CW~GS), 20 Year Environmental

Investment Summary,” (See Attachment 1) was approved by the Board and included the following recommendations:

“That ERCA Administration continue discussions with municipal administrators on renewing participation in the land acquisition component of the municipal Cost Apportioning Agreements; and

That ERCA Administration redefine the land acquisition component of the historical CW~GS program to provide for additional accountability, clarity and transparency requested by regional municipal Administrators.”

Comments

Information provided by ERCA indicates that, prior to the CW~GS program, from 1973 to 2003, 2,975.5 acres was acquired throughout Windsor and Essex County, 52.1 acres in the Town of Tecumseh. These lands were acquired with funding primarily from the Provincial government and non-government sources. As outlined in the ERCA report, this funding diminished over time and consequently, the CW~GS program was developed to provide base funding for land acquisition as well as tree planting and water quality and agricultural stewardship programs on private lands.

Under the CW~GS program, from 2004 to 2023, 1,528.7 acres were acquired by ERCA throughout Windsor and Essex County, with 69.0 acres in Tecumseh corresponding to the acquisition of the CASO Rail Line. The CASO line acquisition was funded through the CW~GS program, federal grant funding and funding from the municipalities of Lakeshore, Essex and Tecumseh. The Town’s share was \$43,983 in 2022.

During this period, the CW~GS program also contributed funds for the Town of Kingsville to acquire 173.2 acres and the City of Windsor to acquire 233.4 acres (Spring Gardens), both acquisitions being for conservation purposes. Specific monetary values for these acquisitions are not available although Administration was informed that the first 10 years of all contributions to the CW~GS program was put toward the \$4.78M purchase of Spring Gardens.

As outlined in the ERCA report, there is a remaining balance in the CW~GS program of \$1.8M in funding for future acquisition and/or programming support. The report indicates that a new Category 3 (non-mandatory) land acquisition fund is being partially funded through agreements with five of the area municipalities and is distinct from the CW~GS program. ERCA Administration plans to return to the Board in December 2024 with an updated policy framework to address land securement and acquisition. Said document will be subject to municipal and public consultation.

In light of the foregoing, it is recommended that the Town once again pause its 2025 financial contribution to the ERCA land acquisition program. This will allow time for a

full assessment of the new program, and how it might be better implemented, with greater transparency. Administration will also consider whether an alternative ecological land stewardship or similar program might be preferable to the ERCA program for the Town. This work will be undertaken in 2025 with a planned report to Council prior to the 2026 budget deliberations.

Consultations

Chief Administrative Officer
Financial Services
ERCA

Financial Implications

The financial commitment under the cost-apportioning agreement with ERCA for the Clean Water~Green Spaces program for 2024 was \$47,728, which was deferred by Council in accordance with Motion RCM-331/23.

The 2025 financial commitment towards this program is estimated to be \$50,115, which is also recommended to be deferred.

Administration recommends that the deferred commitments for both 2024 and 2025 be transferred to a designated Reserve. Council is advised that the Town's contributions to the other Category 3 non-mandatory programs totaled \$25,901 in 2024 and it is anticipated that the Town will continue to fund these in 2025.

Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input checked="" type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input checked="" type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Brian Hillman, MA, MCIP, RPP
Director Development Services

Reviewed by:

Tom Kitsos, CPA, CMA, BComm
Director Financial Services & Chief Financial Officer

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Essex Region Conservation Authority Report BD27/24, Clean Water~Green Spaces (CW~GS), 20 Year Environmental Investment Summary, November 6, 2024