



PROTECTING PRINCE  
EDWARD COUNTY'S  
**CULTURAL  
HERITAGE  
LANDSCAPES**

*Friends of  
South Shore*

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# INTRODUCTION

There is no place quite like Prince Edward County. It is an intricate mosaic of cultural and natural heritage resources that have been shaped by people over centuries. Its sprawling agricultural fields, limestone shores, winding roads, and expansive collection of built heritage all give the County an indescribable sense of place. These Cultural Heritage Landscapes - geographical areas that have been modified by people and have perceived heritage value – are critical to the County's identity, community spirit, economy, tourism, and environment, and yet they are under threat of disappearing.

Cultural Heritage Landscapes contribute to our understanding of the history of a place, an event, an individual, and a community. They represent current, past and future generations, and hold their values and stories. Using a Cultural Heritage Landscape approach to view and explore a place allows for a more holistic understanding of how the place and its peoples have evolved over time, and recognizes that a landscape is greater than the sum of its parts. An understanding of a place is rarely formed by one individual property, but

instead on a number of different elements which together interact and frame our understanding.

At the core of Cultural Heritage Landscapes is the deep connection of nature and people. Landscapes are a collision of people and nature coming together and evolving over time. As a community's needs and values change, so too will the landscape. Take, for instance, one of many rural farmsteads in the County. As you gaze across the landscape it is difficult to tell where the natural elements stop and the cultural elements begin as they are so deeply intertwined with one another. The natural field has been cultivated and changed by cultural forces, such as agricultural practices and lot patterns. While the built heritage has been constructed using natural elements, such as limestone and maple trees.

Cultural Heritage Landscapes are not in opposition to change. They have survived due to their ability to adapt and meet new needs. However, change needs to be carefully managed and the heritage attributes that make a landscape unique need to be conserved. Examples of thoughtful Cultural Heritage Landscape development can be seen throughout the County with the many wineries repurposing agricultural fields to grow grapes and using the barns as gathering spaces. These spaces respect the natural and cultural attributes that have shaped the landscape while applying new, modern practices and growing the County's tourism industry.

It is difficult to deny that Prince Edward County is experiencing higher than ever development pressures. From new subdivisions to boutique spas, the landscapes of the County are changing rapidly. Yet these pressures are in part due to the current landscapes of the County – from the towns, to the villages, to the rural fields – that pull people in, but which will be lost if development is not managed and mitigated when needed. The unique character of the County is what makes it



Photo: Farm along Royal Road, L. Parsons



Photo: Field in Waupoos, L Parsons

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“The cultural landscape, then, is always about the past and the future – what has happened, how places were built and molded, what will happen next week, next season, next year, or next century, and what it will mean to future generations” -- (R. Melnick, 2016, p. 300)

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attractive to both locals and visitors. In the County, numerous community organizations, landowners and conservation agencies have been working tirelessly to protect the unique and dynamic landscapes. But more work still needs to be done. We have an opportunity to protect the County’s Cultural Heritage Landscapes for us and future generations, but we must act fast.

This report can act as a beginner’s guide to Cultural Heritage Landscapes. It provides information about what they are, examples in

the County, and how they are approached in a planning context. Most importantly, this report provides examples of best practices in Ontario of Cultural Heritage Landscape protection and the many tools that can be used to conserve them – both by the municipality and community members.

We all have a role to play in the protection and conservation of the County’s Cultural Heritage Landscapes.

Let’s get started, together.

# WHAT ARE CULTURAL HERITAGE LANDSCAPES?

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“[Cultural Heritage Landscapes] extends the idea of conserving important individual properties to include the broader context within which single properties exist and from which they derive much of their character and heritage significance.” -- (Bray Heritage, South Shore Report, 2018, p. 2)

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Heritage is often viewed as artifacts in a museum, monuments and statues, and most commonly, historic buildings. Although these can all hold important stories, heritage is so much more than these single objects. Since the mid-twentieth century, there has been growing recognition that heritage expands far beyond the built fabric of a place and includes tangible, intangible and natural elements. The term Cultural Heritage has come to encompass this idea.

Cultural heritage includes languages, traditions, oral histories, ecosystems, and land that have been passed down from generation to generation. Cultural heritage is an active process where communities decide what heritage they wish to value, celebrate and conserve. There has been an abundance of research noting the important link between Cultural Heritage and the creation of a community's identity and sense of place. What would Prince Edward County be without its expansive farmsteads, winding roads, historic main streets, and unique natural features? Through cultural heritage, people can communicate their past in the present.

A growing phenomenon in the Cultural Heritage field is the notion of Cultural Heritage Landscapes (CHLs). CHLs are geographical areas that have been modified by people and have perceived heritage value. Unlike artifacts in a museum, CHLs are expected to evolve over time and represent both the past and present of a community. CHLs can be many things, including farmsteads, viewsapes, roads, archaeological sites, or historic districts. These landscapes

represent the intimate relationship between people and the natural environment, and how we have shaped one another throughout history. These are the spaces where stories are transferred from one generation to another and where cultural narratives are kept alive. It is not only about conserving the physical buildings and natural aspects of these landscapes, but also the stories that they hold. They act as a reservoir of memories for a community.

CHLs also take a much more holistic view of heritage and examine the many interconnected pieces of a landscape, revealing rich stories. Take for instance a farmstead, which represents a crucial piece of the County's agricultural history. The historic farm house is usually quick to be recognized as valuable heritage often due to its architectural features or connection to certain families. However, we learn so much more about the past and the present when we expand our view to look at the other buildings, pathways, hedge rows, and lot patterns that exist within the landscape. The interconnectedness of all these aspects reveals a much richer history of socio-cultural processes in the County than just the farmhouse alone.

Finding examples of Cultural Heritage Landscapes in Prince Edward County is not a difficult task. The County as a whole is a web of resources – both cultural and natural – that support one another and have evolved over time to meet the needs of the communities that call it home.

# Candidate Cultural Heritage Landscapes in the County

## Maypul Layn Road

Maypul Layn Road in South Marysburgh is an idyllic rural road. It runs between Bond Road and Royal Road through a pastoral landscape. A section of the road was planted with Maple Trees over 100 years ago by residents and continues to provide an imposing canopy. The road is narrow with no shoulders and provides spectacular views of agricultural fields and dotted along the edges of the road are historic barn complexes. These lots appear on the 1863 Termaine Atlas along with Maypul Layn Road.

When speaking with County locals about this road, each had a unique story they shared about it – whether that be how it got its name, why the trees were planted along it, or the strong fight to save it from the White Pines Wind Project. That fight alone – the communities strong will to save the road – demonstrates the deep significance the road holds to the community. Not only does the road provide information about the cultural heritage of the County through the homes and those who lived there, but it also highlights the spectacular natural elements through the trees, agricultural landscapes and viewsapes.

## Milford and the Mill Pond

Settled in the early 1800s, the Village of Milford is a snapshot of an early settlement in the County. Also inspired by the White Pines Wind Project, local heritage advocates compiled a list of 23 built structures in Milford that could be considered



Image (top): Maypul Layn Road, L Parsons; Image (bottom): Scott's Mill, Harold Stiver

significant, from the Milford Bridge to the Old Clapp Cemetery.

Milford's landscape also reveals how a community has evolved over time and how intertwined humans and nature are. Scott's Mill, for example, was built to support the needs of a booming timber milling centre, using natural resources to support economic growth. During World War II, the mill was used as a grist and saw mill. It would soon after close as the timber industry shifted to a larger-scale and away from Milford. The mill is now owned by the Prince Edward Region Conservation Authority and functions as a museum.

Although the mill alone tells an interesting story, that story is strongly impacted by the natural landscape and people around. The community shaped the mill and the mill helped shape the community.

# THE PLANNING CONTEXT

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“There exist a great variety of Landscapes that are representative of the different regions of the world. Combined works of nature and humankind, they express a long and intimate relationship between peoples and their natural environment” – UNESCO

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## THE INTERNATIONAL CONTEXT

While a fairly new idea in Ontario’s planning framework, Cultural Heritage Landscapes have been widely accepted in the international framework for nearly 50 years. In 1972, the United Nations Education, Scientific and Cultural Organization (UNESCO) adopted a ‘Recommendation Concerning the Safeguarding of the Beauty of Character of Landscapes and Sites’, which called for the protection of both cultural and natural heritage landscapes.

In 1992, UNESCO amended the World Heritage Convention to include the first legal instrument for recognizing and protecting CHLs. This instrument is the inclusion of CHLs on the World Heritage List. To date, there are 114 cultural landscapes included on the World Heritage List, three of which are located in Canada.

The World Heritage Convention has been a leader in defining CHLs, and have developed three identifying categories. These categories are used widely in Ontario in the CHL identifying and evaluation process. The three categories are:

*Designed:* These are areas or regions created intentionally by human design and can include gardens, parkland, and may include religious or other monumental buildings and human made elements.

*Organically Evolved:* These landscapes are the

result of social, economic, administrative, and/or religious sites which have evolved to their present form in a manner responsive to and as a result of their natural environment. These fall into two separate sub-groups:

*Relict or Fossil Landscape:* One which ceased to evolve or change at some point in the past while leaving its distinguishing features still visible

*Continuing Landscape:* One which actively retains its social role but which is associated with traditional life or practices. While the evolutionary process is active and continuing, a significant part of the evidence of its evolution is retained. This category of landscape may be the most common in the County as much of the landscape has been shaped by people and nature over time.

*Associative Cultural Landscape:* These sites have powerful religious, artistic, or cultural associations with nature. Material cultural evidence may be absent. This is a particularly important category for recognizing Indigenous Cultural Heritage Landscapes in Canada.

## THE NATIONAL CONTEXT

The guiding document for CHL planning at the national level in Canada is the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada, and it defines a cultural landscape as “any geographical area that

has been modified, influenced, or given special cultural meaning by people” (Parks Canada, 2010, p. 253). The Standards and Guideline follows the categories outlined by UNESCO to identify CHLs. It provides practical information and direction to guide heritage stewardship throughout the country.

Additionally, at the national level, CHLs can be designated as National Historic Sites and Registered Heritage Districts. From a Newfoundland fishing village to an Ontario agricultural landscape, these sites are recognized for their important role in Canadian history and the many stories that the layered landscapes hold.

## THE PROVINCIAL CONTEXT

In Canada, the Provincial planning framework has the most impact on what municipalities can and cannot do. Mainly, the Provincial Policy Statement – the guiding planning document for the Province – and the Ontario Heritage Act guide the protection of CHLs in Ontario. CHLs became something of note in a 1996 amendment to the Provincial Policy Statement and have been expanded on since that time. The most recent version of the Provincial Policy Statement (updated in 2020) notes that significant cultural heritage landscapes shall be conserved by a municipality, and defines CHLs as “a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.” (p. 42).

The Ontario Heritage Act provides the tools that can be used to conserve CHLs, mostly through designation processes.

## THE LOCAL CONTEXT

At the local level, a municipality is guided by its Official Plan. An Official Plan is a tool to guide long-term growth, ensuring development in the municipality meets the specific needs of the community, both presently and in the future. Prince Edward County undertook a large-scale review of their 1993 Official Plan, and Council adopted a new Official Plan in 2021. The new Official Plan went into effect on July 8, 2021.

Under the new Official Plan, ‘the County shall identify cultural heritage resources [which include CHLs] while ensuring their conservation, restoration, maintenance and enhancement as part of the community’s ongoing evolution’ (p. 52). As such, the protection of CHLs is aligned with the County’s future growth and sustainability.

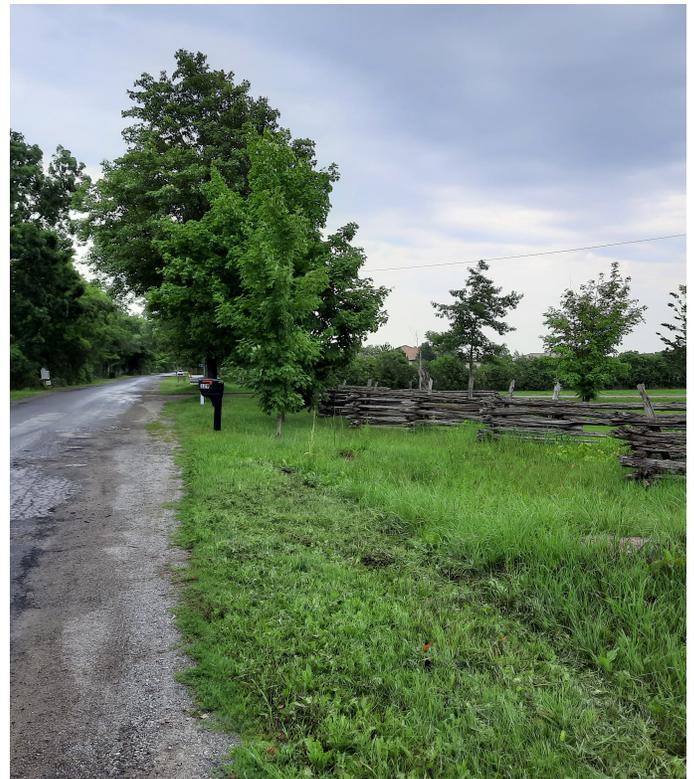


Image: Snake rail fence along road, L Parsons

## ***Changes to the Ontario Heritage Act***

In May of 2019, the Government of Ontario passed the More Homes, More Choices Act, also known as Bill 108, which brought with it a number of substantial changes to the Ontario Heritage Act for the first time since 2005. The amendments came into effect on July 1st, 2021.

The most notable amendments (and the one which may have the greatest impact on CHLs) are changes to the heritage designation appeals process. A municipality has the authority to designate a property or CHL under Part IV or V of the Ontario Heritage Act. Under the previous Act, anyone could appeal a designation and would be heard by the Conservation Review Board- a tribunal of members with heritage conservation background and experience, and a deep understanding of cultural heritage. However, the municipality would still have the final say over the designation.

Under Bill 108, the final decision regarding local heritage conservation is now in the hands of the Ontario Municipal Board – a Provincially appointed tribunal that has a less than friendly track record with heritage conservation and has few (if any) members with heritage expertise.

The conservation of local heritage no longer sits fully with the local community. It is critical, now more than ever, that the Prince Edward County community work together to conserve its heritage before it's too late.



Image: 94 Walmsley Road, South Shore Joint Initiative

# PROTECTING CULTURAL HERITAGE LANDSCAPES

“The landscapes we inherit are not simply composed of sums of objects, but rather of multiple landscape systems. They are not just a set of points, lines and areas, but rather a system of interconnections, among these being visual, spatial and symbolic relations, as well as functional and environmental relations. These systems must be understood, planned and managed as wholes.” -- (L. Scazzosi, 2004, p. 339)

Cultural Heritage Landscapes hold the stories of our past and our present. We are deeply connected to the landscapes through the food that they provide, the memories and stories they hold, the identities they represent, and the countless ecological benefits that they provide. We are intimately intertwined with CHLs as they are both a part of us and we a part of them.

Protecting and conserving Prince Edward County’s CHLs will contribute greatly to the quality of life of the people that call the County home and those who come for a visit. Heritage resources provide economic, environmental, social and cultural benefits through aesthetic, ecological, recreational and educational opportunities. Conserving these resources will only support the County’s vision for the future of being a healthy, livable and sustainable community. As the County’s Official Plan notes, “what is most valuable and worth protecting, will always lead back to our roots, set deep into the physical elements that shape this island” (2021, p. 9).

Protecting Prince Edward County’s heritage is not a new phenomenon. Between 1978 and 1982, the Historical Architectural Survey of Prince Edward (HASPE) was undertaken to document built heritage resources, such as houses and churches. Over 300 built heritage resources were identified through the Survey, many of which continue to exist without heritage protection

today. This Survey led to the publication of *The Settler’s Dream: A Pictorial History of the Older Buildings of Prince Edward County* in 1984. Even at this time, alarm was being raised about the rapid change occurring in the County with the author noting “no longer are the regional and community characteristics so well represented in current work, nor is the individuality of the County’s earlier builders and artisans respected in the inevitable search for something up to date. The process is not new to the County, but it is not home-grown anymore” (Cruickshank, 1984, p. 11).

This concern (and readiness to fight for the County’s heritage resources) is continued on through the countless community-based organizations that have been fighting to conserve the cultural and natural elements of the County over the years.



Image: Morrison Point Road, Burkinshaw's Farm



Image: Lake on the Mountain, L Parsons

## THE CRITICAL FIRST STEP: IDENTIFYING WHAT YOU HAVE

We cannot protect the heritage resources that we do not know we have. Since CHLs were added to the Provincial Policy Statement (PPS) through amendment in 1996 (and more pointedly in the 2005 updated PPS), a number of rural and urban municipalities throughout Ontario have proactively undertaken a CHL study. The purpose of a CHL study is to identify, evaluate and inventory significant CHLs within a municipality. It is the first step in the conservation process of these landscapes.

While a CHL study does not provide protection to the site, it does provide recommendations for future conservation efforts, fosters greater public awareness of these landscapes, and can promote more informed decision making when it comes to new developments and planning. It is also a starting point for municipalities to undertake more technical studies that can lead to the designation of these landscapes under the

Ontario Heritage Act, which would then provide them with protections.

Although the County has a built heritage register (supplemented by The Settler's Dream), there has been little done to capture the County's unique and vast landscapes. Fortunately, a number of best practices for CHL studies have been developed in Ontario and are presented on the next page.

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## BEST PRACTICES

### ***Region of Waterloo: Laying the Groundwork***

The Region of Waterloo was quick to respond to the inclusion of CHLs in the Provincial Policy Statement. The first document to be released by the Region was the Cultural Heritage Resource Landscape Resource Document (Shipley, 2006), which outlined existing literature, policy examples and best practices. This in turn led to a report entitled Cultural Heritage Landscapes in Waterloo Region: A Framework for Inventory, Assessment and Policy Development (Regional Municipality of Waterloo, 2006), which included detailed criteria and guidelines for CHL identification. These documents guided CHL conservation in Ontario and inspired other municipalities to conduct inventories.

In 2013, the Region of Waterloo released the Regional Implementation Guideline for Cultural Heritage Landscape Conservation. This document has been central to more recent CHL studies mainly due to the development of a three-pronged approach to evaluate the significance of a CHL based on related criteria in the Provincial Policy Statement. The three-pronged approach includes assessing for:

*Cultural heritage value or interest:* Landscapes that are associated with the history of the area, have design value and/or have contextual value

*Historical Integrity:* Landscapes that have functional continuity and/or physically reflect the past

*Community Value:* Landscapes that are valued by a community.

This document further provides a detailed step-by-step guide to the CHL conservation process, beginning with identifying candidate CHLs and ending their conservation through land use and infrastructure planning tools. It builds a process focused on historical research, visual surveys and community engagement. These processes continue to be used and built upon today.



Image: Maypul Layn Road, Eric Schenkman

### ***City of Kitchener: Successful Implementation***

In 2014, the City of Kitchener published its first Cultural Heritage Landscape Report to great acclaim. The study utilized and applied the tools developed by the Region of Waterloo, and would go on to win a National Award of Excellence from the Canadian Society of Landscape Architects and a National Award of Merit from the Canadian Association of Heritage Professionals, both noting the study's ambitious scale, innovative practices and precedent setting execution.

Overall, the study identified 55 Cultural Heritage Landscapes in the City of Kitchener.

### ***Townships of Wellesley and Woolwich: Community Focused***

During the summer of 2017 the University of Waterloo's Heritage Resource Centre, the Region of Waterloo, the townships of Woolwich and Wellesley, the Woolwich Heritage Committee, the Wellesley Heritage and Historical Society and the North Waterloo branch of the Architectural Conservancy of Ontario worked collaboratively to identify potential CHLs. Collaboration between the municipalities and community partners was key for this project.

A key piece of the three-pronged approach developed by the Region of Waterloo is that a CHLs' value to the community can be demonstrated. This specific project took a slightly different approach to others and conducted what the report terms a "ground-up" approach. Here, the community was positioned as the

identifiers and community engagement was key to the process. The project included one-on-one interviews, focus groups, an online survey, and photo-voice (participants capture and share photographs of areas they deem valuable). Through this work, the research team identified 10 CHLs.

The report notes that “it is also our hope that this report will demonstrate that the identification of candidate cultural landscapes can be done from the ground up, and that more participatory approaches to landscape planning are not only achievable but also lead to a more comprehensive account of what it means to exist within the landscape” (DeGeer and Drescher, 2018, p. 4). Community members hold rich stories and a deep understanding of places that those living outside the area do not hold and may not understand. Therefore, it is critical that CHL studies strongly include the voices of the community.

### ***City of Mississauga: A Living Document***

In Ontario, the City of Mississauga was one of the earliest municipalities to conduct a Cultural Heritage Landscape study completing the study in 2005. The comprehensive study resulted in 39 identified cultural landscapes and 22 cultural features. In order to protect these heritage resources, the City of Mississauga listed all identified resources on the city’s Heritage Register. Sixteen years later, the City of Mississauga has hired a cultural heritage consulting firm to update its inventory, recognizing that the identified resources may no longer reflect the values of the city’s residents. A main concern of the current review is examining tools to effectively manage change within and around these landscapes as development pressure increases.

As part of the review, they have asked for community participation, noting on the Cultural Heritage Landscape Project’s website, “your participation and input is critical in identifying what places are unique and valuable to you, and what makes these places important. Please share your memories, opinions, drawings, images and ideas about what makes any and all of these

places important and special.”

A CHL study and inventory is a living document that should be reviewed and updated when possible. New heritage resources will present themselves as municipalities evolve over time, and the inventory should be reviewed to ensure that it remains relevant to the community and up to date.

### ***Township of Centre Wellington: Indigenous Engagement***

The Indigenous engagement program for this Cultural Heritage Landscape study followed the approach of separate and direct engagement with rights-bearing Indigenous communities or organizations. Six communities were identified who a) had established or potential Aboriginal or Treaty rights within the study area, or b) who have an established interest in the region. Communication was opened early on with the identified communities and the consultants running the project offered to meet early and address any questions/comments/concerns about the study. The communities were also kept informed of and invited to all other community engagement opportunities, such as an online survey and focus groups.

Once a draft of the final report with recommendations was complete, the consultants circulated it to the six communities for review. One of the six communities had concerns with the presentation of material in the report and as such the consultants met with them to address these concerns and make revisions.



Image: Soup Harbour, L Parsons



# TOOLS FOR PROTECTING CULTURAL HERITAGE LANDSCAPES

Although a Cultural Heritage Landscape study is a crucial first step in the CHL conservation process, as noted above, the inventory itself does not provide the landscape with any protection. In Ontario, there are a range of tools that can be used to conserve CHLs that are both municipally regulated and non-regulated. To date, Prince Edward County has examples of both successful regulated and non-regulated conservation tools in place for a number of CHLs. The tools will be discussed in more detail below.

It is important to note that the conservation of CHLs does not (and cannot) just fall on the shoulders of the municipality. Although the

municipality has a number of tools in its toolbox to conserve CHLs, it is not always feasible to use them or the municipality may not be motivated to use them. Community action and partnerships are essential for the conservation of Prince Edward County's unique and dynamic landscapes. Examples of the potential power of citizens, community-based organizations and non-profits will also be demonstrated below.



Image: Cluster of farm buildings, South Shore Joint Initiative

# REGULATORY TOOLS FOR PROTECTING CULTURAL HERITAGE LANDSCAPES

These tools are protection and conservation tools that are regulated under the Ontario Heritage Act and Planning Acts, and are enacted by the municipality.

## INDIVIDUAL PROPERTY DESIGNATION

Individual properties identified as having significant cultural heritage value can be designated under Part IV of the Ontario Heritage Act. Designation under Part IV allows for the protection of identified heritage values and attributes within a property as defined in a designation by-law and regulated development on properties adjacent to designated heritage properties.

This can be an effective tool in designating CHLs, and has had some success in the County already. The farm complexes at 904 Royal Road and 94 Walmsley Road have both been designated under Part IV, with both built and natural features being included in the described heritage values and attributes.

Important to note is that Heritage Roads that have a distinctive character may be designated by the County under Part IV, falling under the category of CHLs (think Maypul Layn Road or Morrison Point Road). As the new Official Plan states “on lands adjacent to a Heritage Road that is designated as a Cultural Heritage Landscape, all development, road allowance changes or Class Environment Assessments associated with proposed road improvements shall be reviewed by the County, giving a high priority to the appropriate conservation of the scenic, natural and cultural amenities in proximity.” (p. 54).

## HERITAGE CONSERVATION DISTRICTS

Heritage Conservation Districts (HCD) are defined as “areas whose cultural heritage value contributes to a sense of place extending beyond their individual buildings, structures and landscapes”

(Ministry of Heritage, Sport, Tourism and Culture Industries). Designation of an area under Part V of the Ontario Heritage Act applies to all properties within a defined HCD boundary in relation to the district’s objectives, goals, statement of cultural heritage value, and identified attributes as set out in an HCD plan.

The town of Picton was designated an HCD in 2015, with Picton Harbour being designated as a Cultural Heritage Landscape within the district demonstrating the many layers of heritage that can exist in one area. Wellington is also currently undergoing an HCD study.

When speaking with local community members for this report, a number of them raised the idea of applying the HCD designation to more rural areas of the County – something that has yet to be done. Royal Road in the South Shore, for instance, can be viewed as an interconnected linear village which may merit HCD designation.

## DESIGNATION IN THE OFFICIAL PLAN

Cultural Heritage Landscape designation in an Official Plan regulates all properties within a defined boundary in relation to the cultural heritage landscape’s defining heritage values and attributes as documented in the municipal Official Plan.

Although a designation in the Official Plan does not provide the same level of protection as designation under the Ontario Heritage Act, it is an important step in recognizing a landscape for its value to the community and can lead to more informed decision making regarding new developments. It is a simple yet effective tool that can be applied through an amendment to the Official Plan.

### ADDITIONAL REGULATORY TOOLS

- Scenic Road or Corridor Designation
- Special Policy Areas and Character Area Policies
- Design Guidelines
- Protected Views and View Corridors
- Tree Protection By-Laws

# NON-REGULATORY TOOLS FOR PROTECTING CULTURAL HERITAGE LANDSCAPES

These are protection and conservation tools that fall outside of the traditional planning framework and are not regulated by the municipality. These tools are often driven by engaged community members, conservation authorities and various non-profit organizations that are eager to protect the cultural and natural elements of Ontario. These are tools that local people can use to protect their land and contribute to a more sustainable Prince Edward County. They empower landowners to take an active role in protecting cultural heritage landscapes.

## LAND TRUSTS

Land trusts exist to protect and conserve land for the benefit of current and future generations. They are non-profit organizations that often focus on the acquisition of land or interests in land for the purpose of conservation, and they are often local in scope. There are currently 33 local land trusts operating throughout Ontario that are working towards the conservation of the land. Land trusts offer three main routes for protecting land:

### *Land Donation or Purchase*

Landowners who wish to conserve their land may donate land to a local land trust or allow the land trust to purchase their property outright. If a landowner chooses to donate their land, they may continue to live on it with the development of an agreement with the land trust.

Purchasing land often requires a land trust to partner with conservation agencies to raise the funds needed to purchase the land.

### *Conservation Easement Agreement*

A Conservation Easement Agreement (CEA) is an enforced legal contract between a landowner and land trust that is registered on the title of a

property. CEAs determine guidelines for what may and may not occur on the land by current and future owners. These limits are designed through a negotiation process between the land trust and the landowner. The goal is to protect the natural features of the land, while also respecting the traditional uses of the land, such as farming and hunting. Every CEA may be different and reflect the specific property they are covering.

The landowner continues to own the land and the land trust is able to achieve land conservation goals. CEAs offer a creative strategy for landowners to conserve their land while continuing to use and enjoy it. Additionally, as the CEA is registered on the title of the property, the land trust can continue to enforce the guidelines in perpetuity.

### *Ecological Gifts Program*

The Ecological Gifts Program offers a way for landowners with ecologically sensitive land to protect its natural elements and ensure that the land's biodiversity and environmental heritage are conserved in perpetuity. It exists under the Income Tax Act of Canada and provides tax benefits to donors of ecologically sensitive lands. This Program is a partnership between landowners, conservation agencies and the federal government, and has been successful in the conservation of threatened habitats and biodiversity. Since its inception in 1995, the Ecological Gift Program has protected over 211,000 hectares of wildlife habitat.

Under this program, a landowner may choose to donate the land outright or may choose to donate partial interest with a conservation easement, therefore maintaining the connection to the land while restricting potential uses of the land in favour of conservation.

Donating land does not mean severing connections with the land owner. Here, a landowner can work with a local land trust to place a conservation easement on the property and make arrangements that suit their particular needs.



Image: Hudson Farm, Ontario Farmland Trust

## EXAMPLES FROM THE COUNTY

### ***Land Purchase***

The Hastings Prince Edward Land Trust (HPELT) owns ten properties in its catchment area and protects nearly 850 acres of land in the County. In 2012, HPELT worked with the Miller Family to purchase a 490 acre block of land in South Marysburg (now known as the Miller Family Nature Reserve). HPELT received donations and funds from the Nature Conservancy of Canada, the Ontario Heritage Trust and the local community to make the purchase possible. The Reserve includes provincially significant wetland, and sensitive alvar and oak savanna vegetation, both of which are rare in Canada. It also supports a wide range of species habitats.

The goal for this property is to protect it and allow it to return to its natural state. Little will be done to the property and a detailed stewardship plan has been developed to care for it well into the future.

### ***Conservation Easement Agreement***

While HPELT focuses on the conservation of natural areas, the Ontario Farmland Trust (OFT) has its attention turned to protecting Ontario's quickly disappearing farmland. The OFT recently entered into its first conservation easement agreement in the County with the protection of the Hudson's 210 acre property near Black Creek. The farm will now be protected in perpetuity for sustainable agriculture. The Hudson's farm also holds a great deal of biodiversity that provides habitats for animals, including the at risk Blanding Turtle.

### ***Ecological Gift Program***

The Nature Conservancy of Canada is working with a local landowner who donated the McMahon Bluff (241 acres) to the NCC to make the property an Ecological Gift. An agreement will be reached between the landowner and the NCC to protect this unique piece of land that holds important natural features.

## CONSERVATION AGENCIES

### *Nature Conservancy of Canada*

The Nature Conservancy of Canada (NCC) is Canada's leading land conservation organization and has protected 35 million acres of land since 1962. The NCC's vision is "a world in which Canadian's conserve nature in all its diversity, safeguard the lands and waters that sustain life". At the core of the NCC's success is its ability to partner with local organizations, such as land trusts, to secure land for conservation.

The NCC has worked with partners to protect over 2,200 acres in Prince Edward County, and that number is only growing. The NCC has made the South Shore a conservation priority as pressure to develop continues to increase. Similar to land trusts, there are a number of ways the NCC can acquire land, and will work with landowners in the County to ensure their land is conserved for future generations.

### *Ontario Nature*

Since its inception in 1931, Ontario Nature has been working to conserve Ontario's natural elements for future generations. Ontario Nature runs a number of programs to support their goals, including conserving land through conservation easements, ecological gift program, and donations or title transfers of land.

Although they do not hold land in the County, they have been vocal about conservation issues here, particularly in the South Shore.



## *Innovative Initiatives Outside the County*

ALUS is a program that helps farmers and ranchers build nature based solutions on their land to sustain agriculture and biodiversity. ALUS provides direct financial and technical support to farmers who deliver ecosystem services in their communities, such as clean water, wildlife habitat and pollinator support, and floor mitigation. This is done by restoring wetlands, reforestation, and establishing other ecologically beneficial projects. Through this work, ALUS turns marginal farmland into productive ecosystems and builds upon Canada's natural heritage system.

ALUS operates across six provinces and has 8 currently operating programs across Ontario, with the Norfolk County program being the longest running in Canada. ALUS Canada is a national charity that partners with community organizations across Canada to deliver the ALUS program in local communities. ALUS Canada provides a robust core program that is flexible enough to meet local environmental priorities, as determined by a local committee made up of farmers, ranchers, environmental specialists and local leaders.



Image: Hudgins-Rose Cabin, South Shore Joint Initiative

## ***Protection Through Collaboration***

In 2019, 76 acres of the South Shore were protected through strong collaboration and partnerships in the County. The Hudgin-Rose property holds a unique collection of alvar, grassland and wetlands, and is an important animal habitat. The land was settled by the Moses Hudgin family, who built a log cabin on the property in 1865. This property is an important Cultural Heritage Landscape, highlighting the human and natural history of the County.

In order to protect these lands, the Nature Conservancy of Canada (NCC) worked closely with the Hastings Prince Edward Land Trust to raise funds and awareness. The partnership was successful and the land became part of the NCC's portfolio.

Complicating the matter, however, was the historic log cabin on the property. The NCC deals with the natural elements of a property, not built heritage. The South Shore Joint Initiative (SSJI) – a community-based group fighting to conserve the South Shore – partnered with NCC to conserve the log cabin. The SSJI leases the building from NCC and is now working to restore the cabin.

Strong partnerships and collaboration are essential for the protection of the County's cultural and natural landscapes. Here, the organizations involved played to their strengths to conserve a landscape that has deeply intertwined natural and cultural elements. This innovative model should and can be replicated throughout the County to ensure the protection of CHLs.

## INDIGENOUS PROTECTED AND CONSERVED AREAS

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“Reconciliation is not just needed between diverse elements of society, it is also needed between humanity and the environment.”

-- Eli Enns, Tla-o-qui-aht, Indigenous Circle of Experts Co-Chair

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In 2015, Canada’s federal government committed to protect at least 25% of Canada’s lands and ocean by 2025. A cornerstone of this conservation strategy is the establishment of Indigenous protected and conserved areas (IPCAs). This was developed by the Indigenous Circle of Experts – a federal committee of Indigenous and non-Indigenous citizens – to develop land protection where Indigenous Peoples had a primary role.

Since time immemorial, Indigenous Peoples have been the stewards of this land and hold a worldview that tightly intertwines them with it. Since its adoption in 2018, 27 IPCAs have been funded across Canada – from the Ha’uukmin Tribal Park in Tofino, BC to the Edézhzié Protected Area in Yellowknife.

Although each IPCA is unique, they generally share three essential elements:

- 1. IPCAs are Indigenous-led:** Indigenous governments have the primary role in determining the objectives, boundaries, management plans and governance structures for IPCAs as part of their exercise of self-determination
- 2. IPCAs represent a long-term commitment to conservation:** Indigenous Peoples take a multi-generational view of stewarding their territories. Therefore, an IPCA represents a long-term commitment to conserve lands and waters for future generations
- 3. IPCAs elevate Indigenous rights and responsibilities:** In IPCAs, Indigenous Peoples’ continued relationship with the land and water must be assured by acknowledging the authority

that Indigenous governments have to work with their people on how to use the land and water while achieving conservation and cultural objectives

IPCAs have been successful in protecting biodiversity and cultural heritage, creating more sustainable and resilient communities, contributing to reconciliation between Indigenous peoples and newcomer societies, and recognizing the critical role that Indigenous peoples play in protecting and caring for the land and water.

The diverse landscapes of the County have been shaped, used and valued by a number of Indigenous Nations well before the arrival of the United Empire Loyalists. The creation of an IPCA in the County would be transformative and could contribute greatly to the protection of biodiversity and cultural heritage.

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“IPCAs are lands and waters where Indigenous governments have the primary role in protecting and conserving ecosystems through Indigenous laws, governance and knowledge systems. Culture and language are the heart and soul of an IPCA” -- (We Rise Together, 2018, p. 5).

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Led by the Assembly of Nova Scotia Mi’kmaw Chiefs, the development of an IPCA was approved that spans over 12,000 acres of land and water that will now be protected. A key feature of this IPCA is the strong partnerships developed with the municipal government, the Nova Scotia Nature Trust, Nature Conservancy of Canada, and Ducks Unlimited. The County has an already established network of community groups and conservation agencies that can work together to support interested Indigenous Nations in the development of an IPCA. However, it must be emphasized that these projects be led by Indigenous governments.

In the Fall of 2021, the IISAAK OLAM Foundation and Conservation through Reconciliation Partnership will be releasing the Solutions Bundle website– a guide designed for Indigenous Nations, researchers and community organizations on how to establish IPCAs.

# WHAT'S NEEDED NOW

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“While we are stewards of the past, we are also responsible for the future”

-- (Melnick, 2016, p. 300)

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What makes a place special? It is the interconnected landscapes that show how people, place and nature have evolved together over time. Prince Edward County is profoundly lucky to hold such a rich tapestry of cultural and natural elements that give it such a unique sense of place. These landscapes require active protection from all those who live in and love the County before they disappear forever.

The benefits of cultural heritage landscapes are substantial. They contribute to a sense of identity and community spirit, they provide economic and tourism benefits, they hold the stories of past generations, and they provide countless ecological benefits. The integration of cultural heritage landscape conservation best practices and utilization – both from the municipality and community members – of the many protection tools is

urgently needed as development pressures and climate change impacts grow stronger.

The County’s newly updated Official Plan highlights the importance of conserving natural and cultural heritage, and now is the time to put words into actions. It is strongly recommended that the County undertake an extensive Cultural Heritage Landscape study, as the first step in the conservation process is identifying what you have. Community members should also recognize their power in the conservation of these landscapes and do what they can to ensure their enjoyment for current and future generations.

Together we can work towards the conservation of Prince Edward County’s unique, dynamic and loved Cultural Heritage Landscapes.



Images (left and right): L Parsons

# Friends of South Shore

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2021

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