

# Conservation of the Ross Properties

A 20 year Odyssey



## Geographic Context




## 15+ Million within 3 hours Development Pressure





## Center of A2A Corridor Migratory Pathways



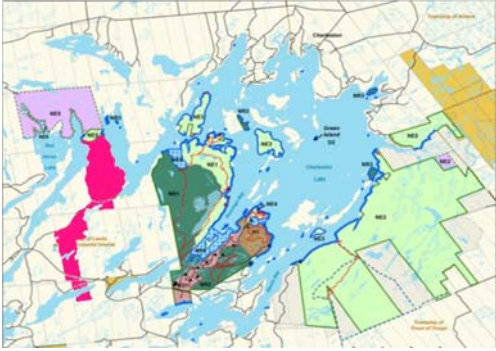



## Frontenac Arch Biosphere

Frontenac Axis/PreCambrian Shield





## Charleston Lake Provincial Park


## Family History

- Family arrives in Athens, Ontario in the 1860's from Scotland.
- Donald Ross grew up in Toronto spending his summers in Charleston Village with his maternal grandparents.
- He and his cousin spent their days exploring the western waters of Charleston Lake by canoe and row boat, escaping the protective eyes of their respective mothers.
- Donald met Rhoda at the University of Toronto. He introduced her to the Charleston Environs. Rhoda replaced the cousin on lake escapes.
- Starting in 1960, together they purchased the multiple properties controlling the western shoreline of Donaldson Bay and eastern shores of Red Horse Lake.





*•James Ross on White Sheep Point, Charleston Lake (1895)*


*•8<sup>th</sup> Ross generation enjoy the lake today*

## The Scope


- Approximately 1000 Acres
- 1.25 mile of shoreline on Redhorse Lake
- 1.5 miles of shoreline on Donaldson's Bay, Charleston Lake



## The Goal


- To preserve the look and feel of the lake and land, that they enjoyed from childhood to present day.
- To pass the properties to the next generations
- To have the properties be an asset in preserving close family ties within and between the generations




## The Complexity

### Cross Border / Large Family

- Donald and Rhoda are Canadian Citizens living in the US as Permanent Residents (Green Cards)
- Donald maintained an active medical practice in Canada
- D&R file both Canadian and US tax returns
- Exposure to US and Canadian Capital Gains tax
- 5 children, 20 grand children, 11 great grand children living in the US, Canada and beyond.


## 12 years of “Can’t be Done”

- Legal/Tax investigations report no way to successfully navigate the tax law disparities.
- Tax treaties in process but the final details had not been completed.
- Worked with local Members of Parliament to change this situation.



## Choosing a Partner

- National Organization 
- Regional Organization 
- Provincial Park 
- Local Land Trust 




## Choosing a Partner

1979 & 2017  
*Thousand Islands Watershed  
Land Trust*

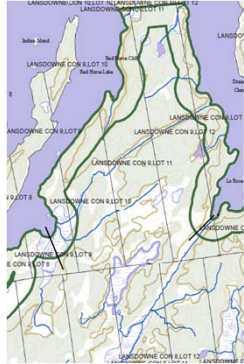
Land Trust Advantages:

- Local vs. Regional or National
- Present, visible and available
- LT Local Goals-> LT Motivation -> Persistence!
- Flexibility to achieve landowner goals
- Knowledge of the local landscape
- Local relationships and referrals
- Known Personalities = Comfort



## The Plan

- Protect the Properties
  - Define a 600 ft riparian zone along the lakeshore to preserve the riparian health of the lake, the visual appeal of the lakeshore and the aural experience when on the lake.
  - Create restrictions on the inner land to preserve the PreCambrian Canadian Shield agricultural/woodland environment.




## The Plan

- Pass the land/Preserve Family Harmony
  - Provide shared access to all
  - Remove any economic gain from the sale of the properties
    - Eliminate division
      - Those who use the property
      - Those who don't ... want to unlock the value





## The Mechanics

- Ontario Non-Stock Corporation (NSC)
  - There is no economic value to membership
  - No deemed dispositions
- Bi-laws that restrict sale of property
  - Property can only be gifted to the Charleston Lake Provincial Park or conservation successor







## The Mechanics

- Thousand Islands Watershed Land Trust
  - Selected: Local, Quality of People, Mission
  - Gift of Easements
- Canada Eco-Gifts Program
  - Recognition of Gifted Value
  - Canadian Tax Credits
- US Gift Tax Return Claiming US Gift Exemptions



## Lessons Learned


- I Enjoyed the creative design of Conservation Projects
- 20 years is now 6-24 months for Cross border transactions through AFoCLT.
- Creativity is key to achieving Owner goals
- Appraisal value is in protecting lakeshore
- “Ecologically Significant” Land creates momentum
- A deadline creates focus on desired outcome




## Building Capacity

One Project at a time

- Conservation is Persistence!...It is sales/trust building... 10 – 15 Touches to engage
- The Conservation Process educates the Owner
- Creates a conservation relationship with the LT
- Projects can convert Owner ->
  - Volunteer,
  - \$\$ Donor
  - Recruiter/Testimonial
  - Speaker
  - Reference
  - Mentor
  - Media Story





## Conservation Success

- Build Rolodex of “A” Team professionals
- Create a priority list of “Properties of Interest”
  - Canadian Owned
  - US Owned
- Prepare for Easements or Fee Simple to achieve goal
  - It is hard to be successful with only one tool
- Look for Partners to carry the stewardship burden – Immediately or in future
- Don’t be afraid of Cross Border Complexity
  - US Owned
  - Joint ownership (Can/US Owners) situations



## Conservation Success

- Reach out to owners of your “Priority Properties”
- Educate, Guide, Connect
- Communicate the significant value your land trust brings to the table.
- DON'T be afraid to ask for financial participation by owner(s)
  - There is significant financial and emotional value for the owner
  - Financial contributions do not erode this significantly
- Creative project design is what wins projects

Conservation success is an outcome of helping the owner achieve THEIR goals



## Questions?



**American Friends of  
Canadian Land Trusts**

John Ross