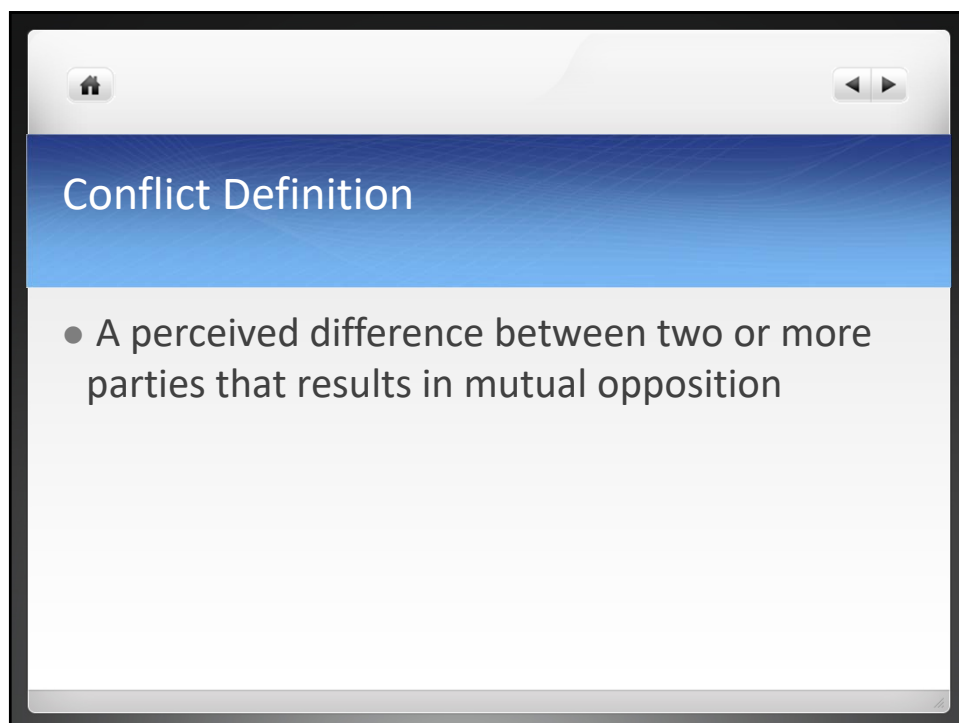




“Mom and Dad want to do what with our land?”

Antoin Diamond, Director of Land Acquisition and Management  
Christopher Baines, Principal, C.A. Baines Mediation

OLTA Fall Gathering – Oct '18

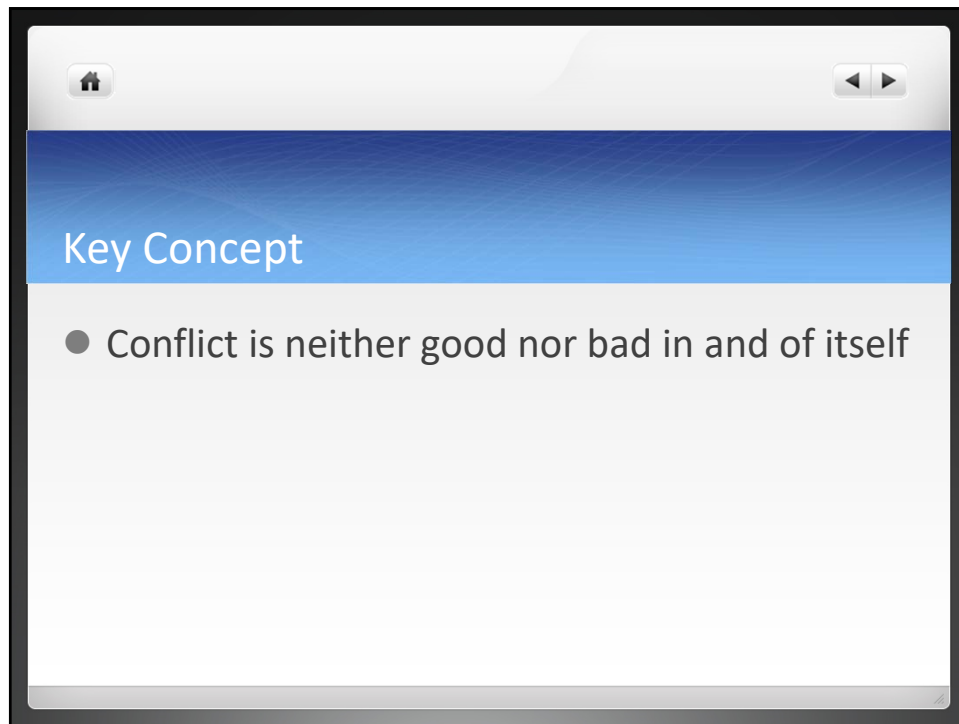


## Conflict Definition

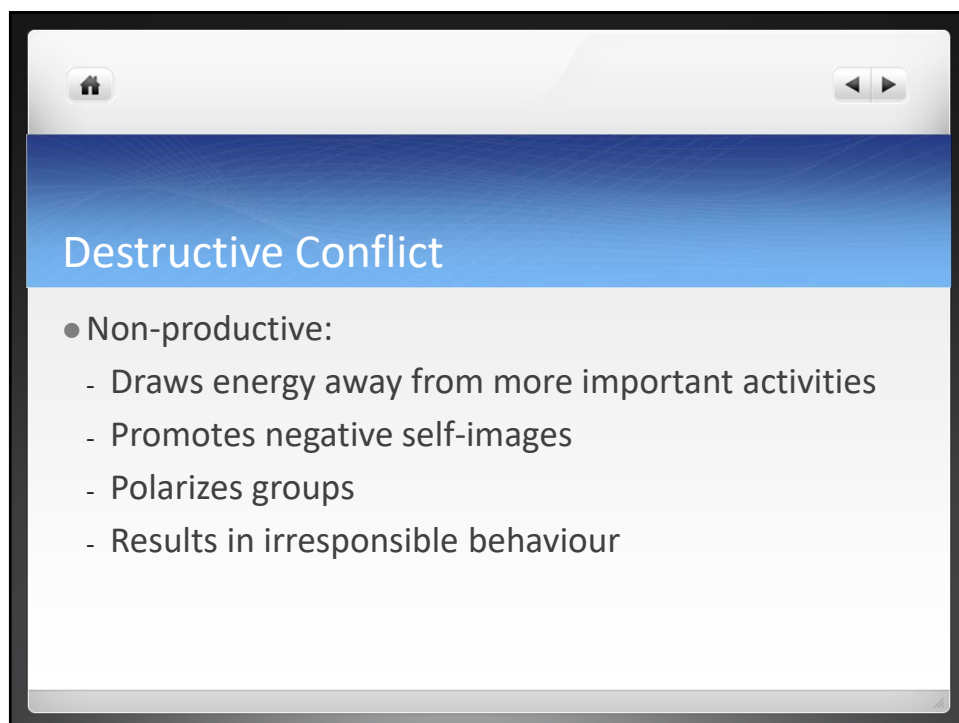
- A perceived difference between two or more parties that results in mutual opposition

A presentation slide with a white header bar containing a home icon on the left and navigation arrows on the right. Below the header is a blue gradient bar with the title "Mediation Definition" in white text. The main content area is white and contains a single bullet point: "● An intervention in a dispute in order to resolve it".

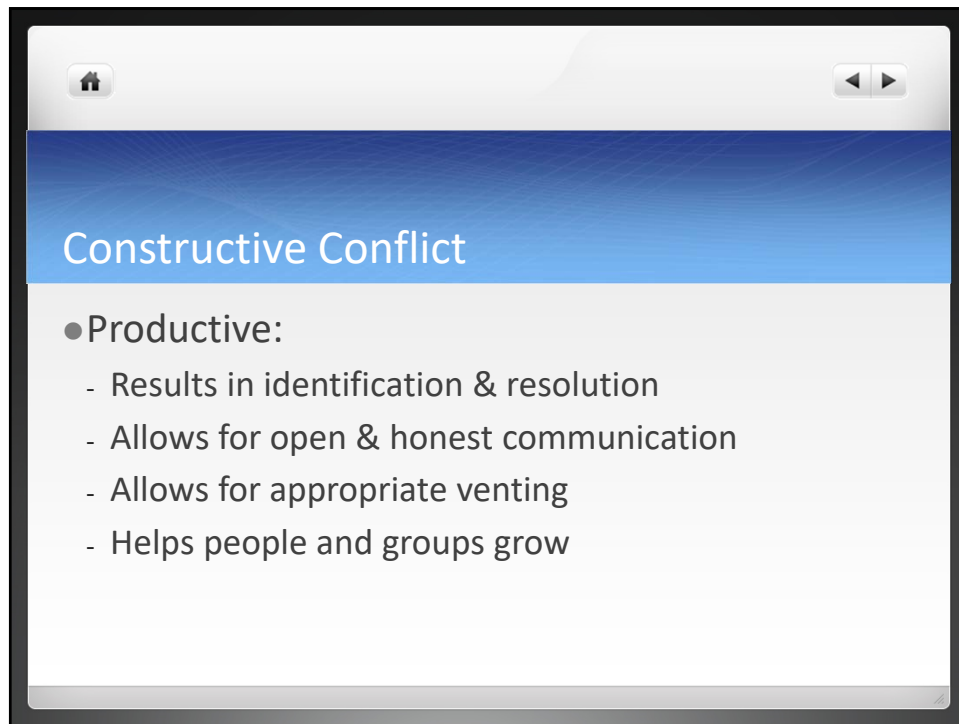
A presentation slide with a white header bar containing a home icon on the left and navigation arrows on the right. Below the header is a blue gradient bar with the title "Negotiation" in white text. The main content area is white and contains a single bullet point: "● A process of discussion aimed at reaching an agreement".



A presentation slide with a white header bar containing a home icon on the left and navigation arrows on the right. Below the header is a blue gradient bar with the text "Key Concept" in white. The main content area is white and contains a single bullet point: "● Conflict is neither good nor bad in and of itself".



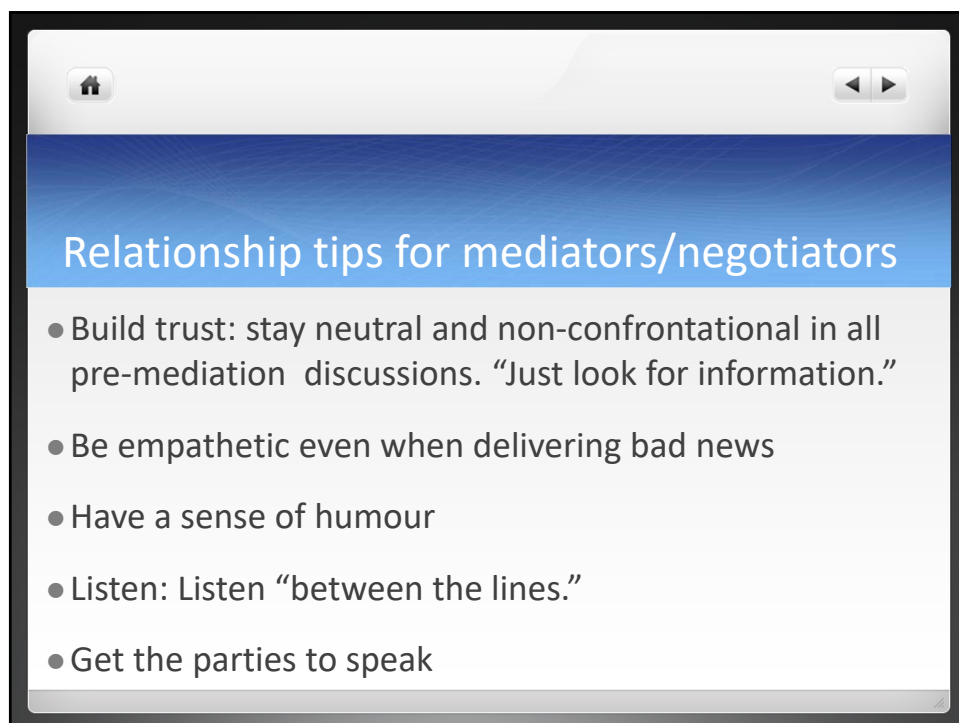
A presentation slide with a white header bar containing a home icon on the left and navigation arrows on the right. Below the header is a blue gradient bar with the text "Destructive Conflict" in white. The main content area is white and contains a bullet point: "● Non-productive:" followed by a list of four sub-points: "- Draws energy away from more important activities", "- Promotes negative self-images", "- Polarizes groups", and "- Results in irresponsible behaviour".



The slide features a white header with a home icon on the left and navigation arrows on the right. Below the header is a blue gradient bar containing the title 'Constructive Conflict'. The main content area is white and contains a bulleted list.

## Constructive Conflict

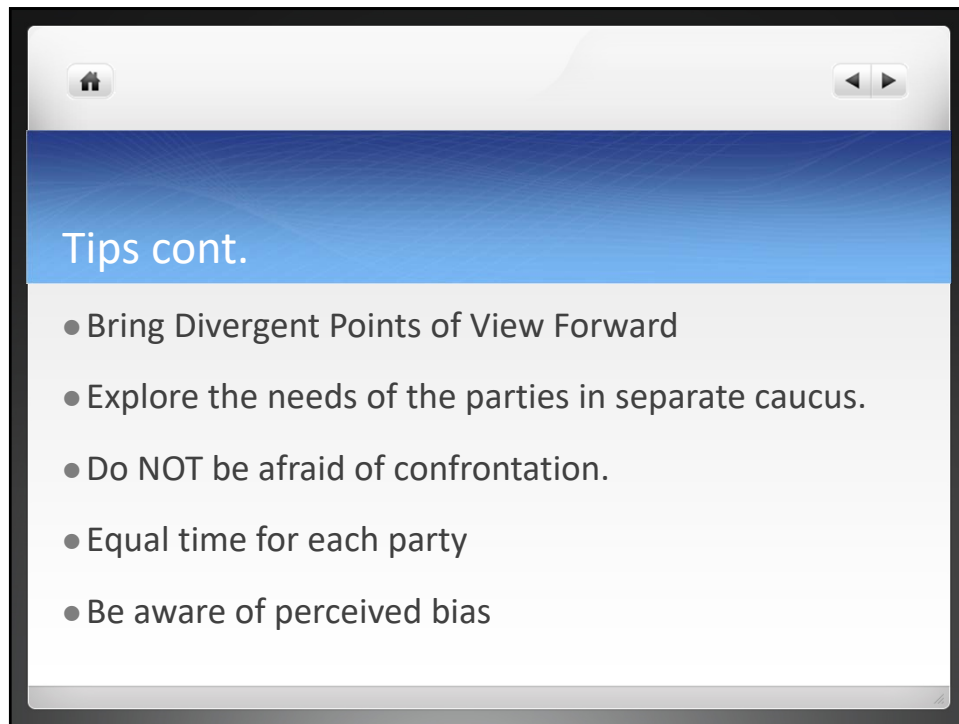
- Productive:
  - Results in identification & resolution
  - Allows for open & honest communication
  - Allows for appropriate venting
  - Helps people and groups grow



The slide features a white header with a home icon on the left and navigation arrows on the right. Below the header is a blue gradient bar containing the title 'Relationship tips for mediators/negotiators'. The main content area is white and contains a bulleted list.

## Relationship tips for mediators/negotiators

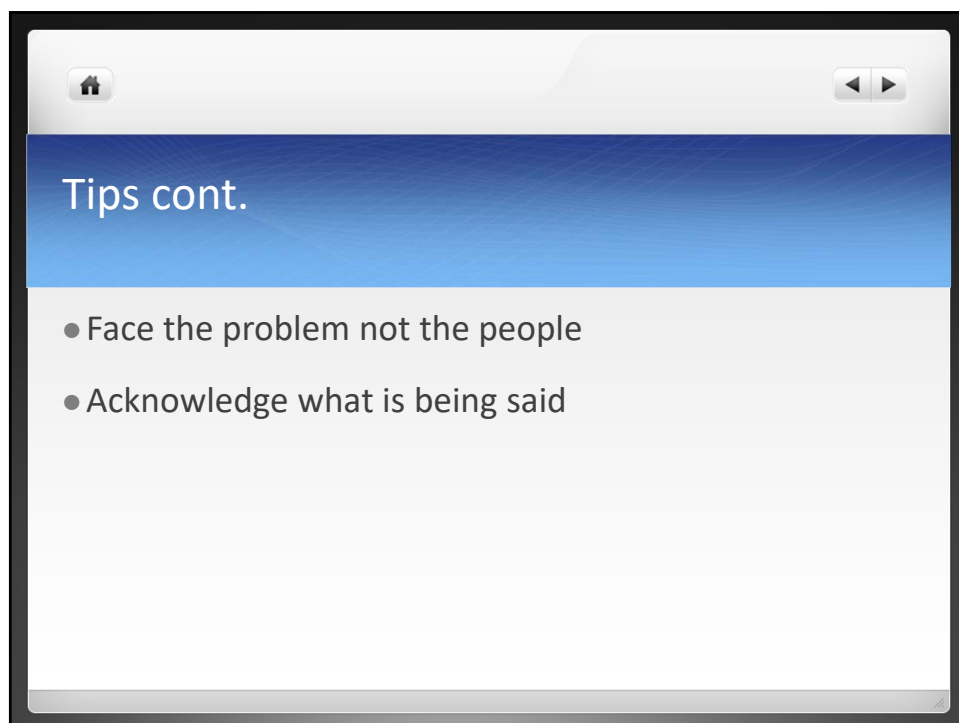
- Build trust: stay neutral and non-confrontational in all pre-mediation discussions. "Just look for information."
- Be empathetic even when delivering bad news
- Have a sense of humour
- Listen: Listen "between the lines."
- Get the parties to speak



A presentation slide with a white header bar containing a home icon on the left and navigation arrows on the right. Below the header is a blue gradient bar with the text "Tips cont." in white. The main content area is white and contains a bulleted list of five items.

Tips cont.

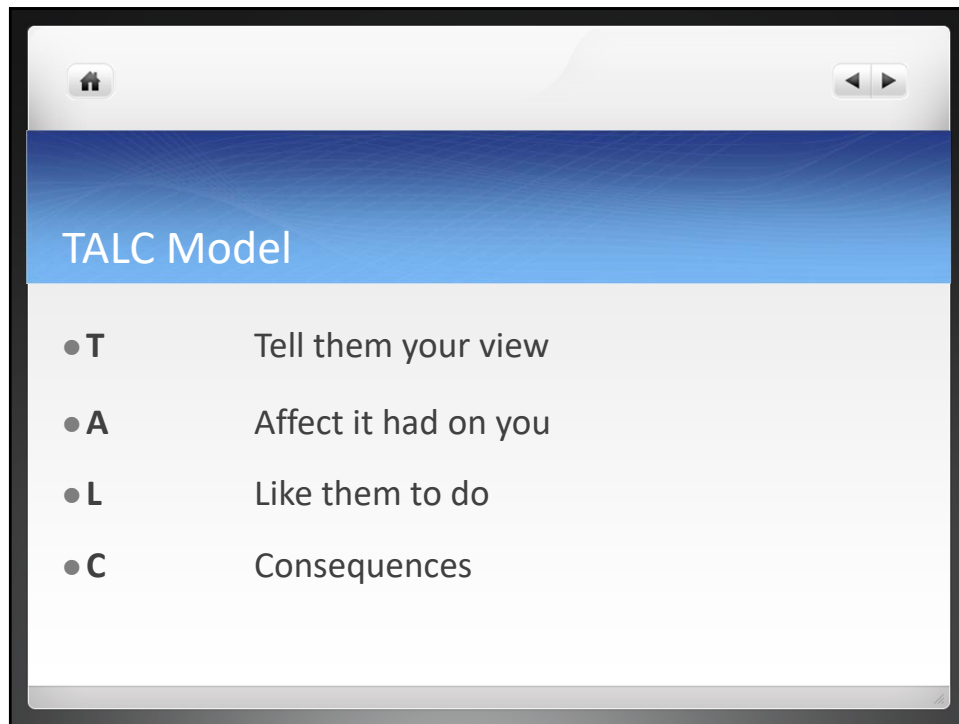
- Bring Divergent Points of View Forward
- Explore the needs of the parties in separate caucus.
- Do NOT be afraid of confrontation.
- Equal time for each party
- Be aware of perceived bias



A presentation slide with a white header bar containing a home icon on the left and navigation arrows on the right. Below the header is a blue gradient bar with the text "Tips cont." in white. The main content area is white and contains a bulleted list of two items.

Tips cont.

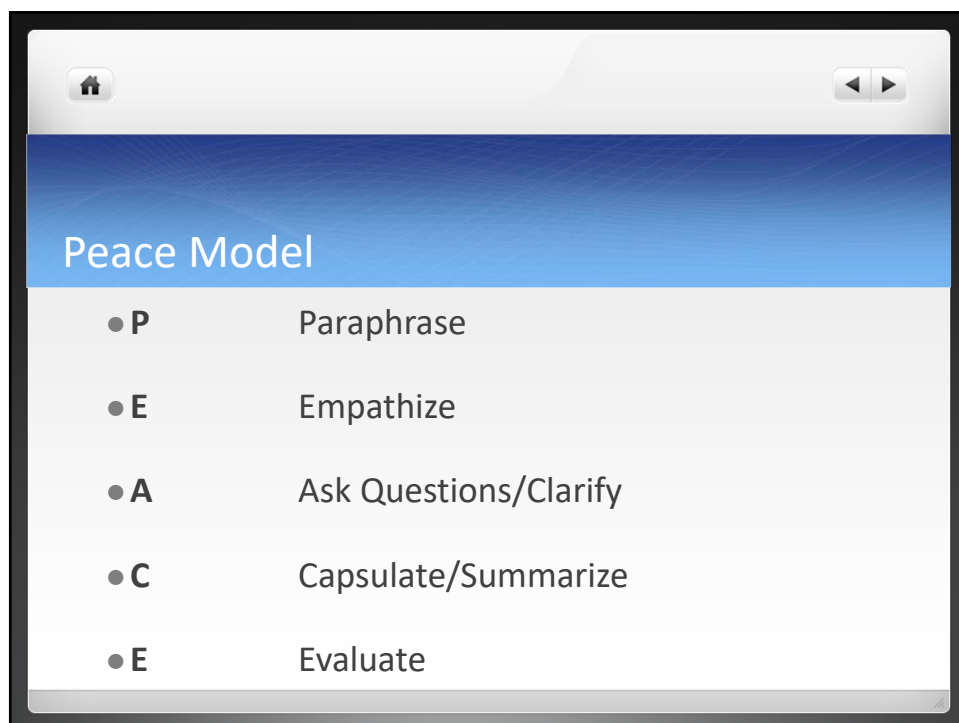
- Face the problem not the people
- Acknowledge what is being said



A presentation slide titled "TALC Model" with a blue header. The slide lists four bullet points: T (Tell them your view), A (Affect it had on you), L (Like them to do), and C (Consequences). The slide has a home icon and navigation arrows in the top left and right corners.

## TALC Model

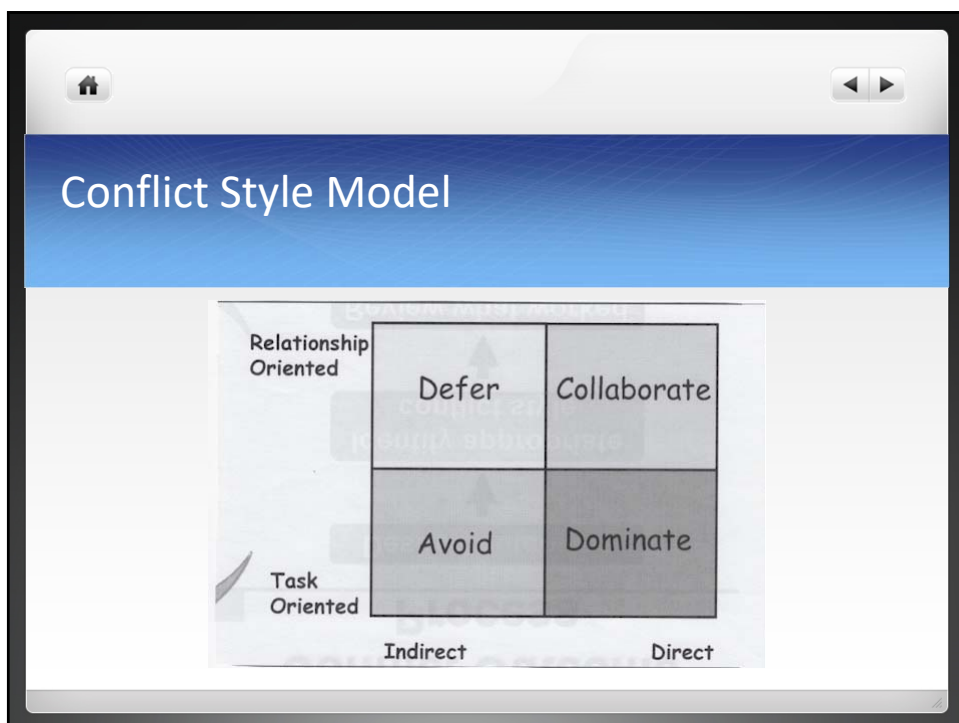
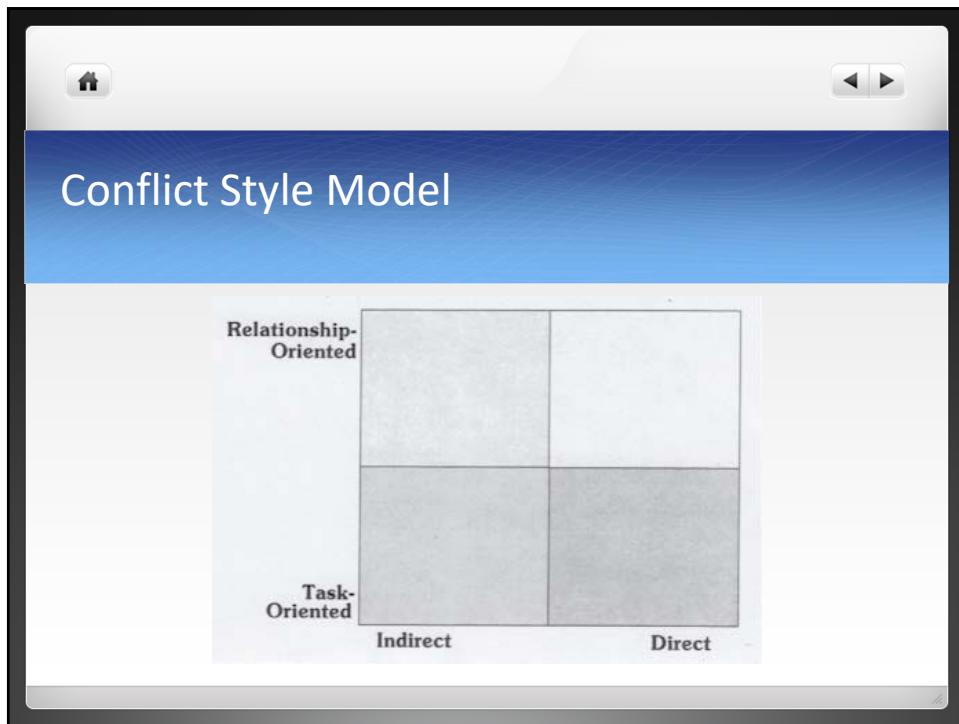
- **T** Tell them your view
- **A** Affect it had on you
- **L** Like them to do
- **C** Consequences

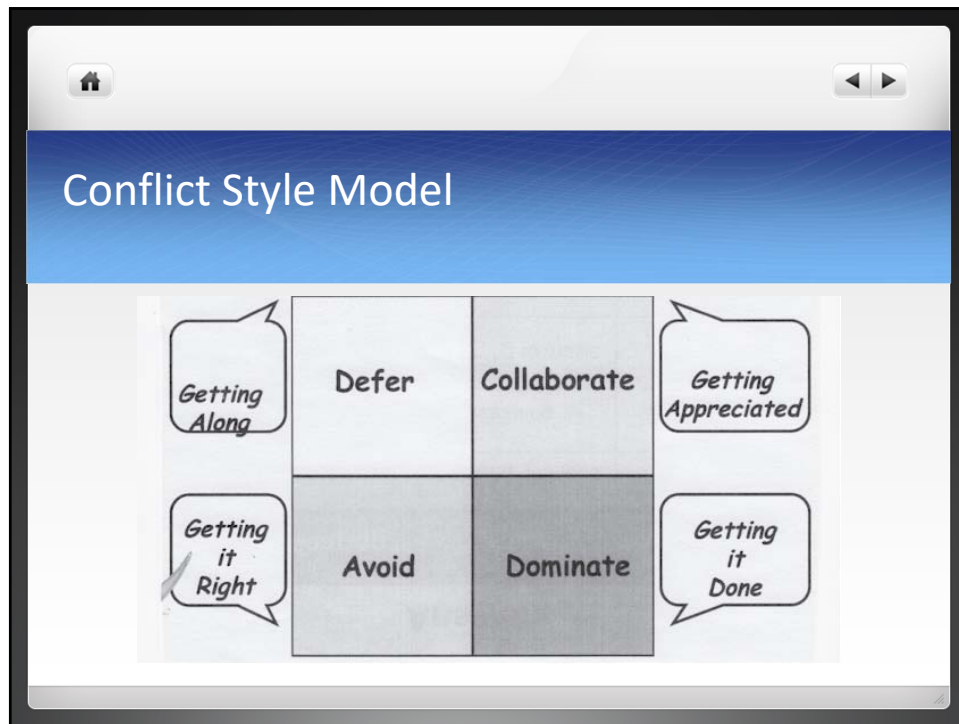


A presentation slide titled "Peace Model" with a blue header. The slide lists five bullet points: P (Paraphrase), E (Empathize), A (Ask Questions/Clarify), C (Capsulate/Summarize), and E (Evaluate). The slide has a home icon and navigation arrows in the top left and right corners.

## Peace Model

- **P** Paraphrase
- **E** Empathize
- **A** Ask Questions/Clarify
- **C** Capsulate/Summarize
- **E** Evaluate





The slide is titled 'Group Exercise' and contains a single bullet point. It is presented in a window-like frame with a home icon and navigation arrows.

### Group Exercise

- In your group practice identifying the different styles and the strategy to get you thinking about when might be a good time to use each. Work through the exercise in your small groups and be prepared to discuss your group's responses with the class.



Home icon | Navigation arrows

## Tax Benefits – Capital Gains and how this helps you negotiate with families

Ecological Gifts Program - Federal program that provides enhanced income tax benefits for donations of land or conservation easement that include:

- Capital gain tax exemption
- 100 per cent inclusion rate
- Roll forward unused credits up to 10 years
- Donation value certified by the Government of Canada
- Tax penalty for donees who don't protect the gift

Home icon | Navigation arrows

## Tax Benefits – Capital Gains and how this helps you negotiate with families

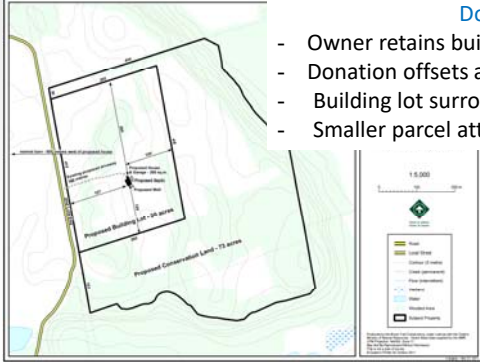
Non - ecogifts

- 50% of any capital gain on a second property is taxable, but the tax credit arising from the gift will exceed the tax on the capital gain, resulting in tax savings for the donor.
- Capital gains up to \$750,000 are exempt from tax when qualified farm property is donated.

Understanding cash benefits of donating land that even the kids will appreciate

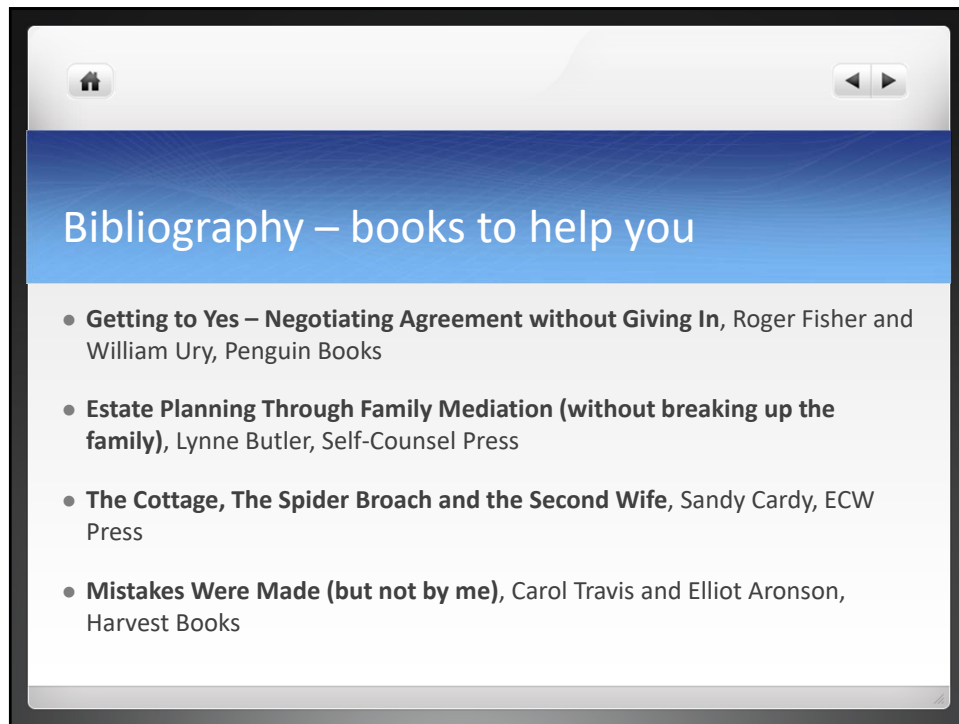
Donating a partial taking:

- Owner retains building lot & bulk of the lands value
- Donation offsets any capital gains tax on sale of building lot
- Building lot surrounded by park land, which boosts value
- Smaller parcel attracts more buyers



Understanding cash benefits of donating land that even the kids will appreciate

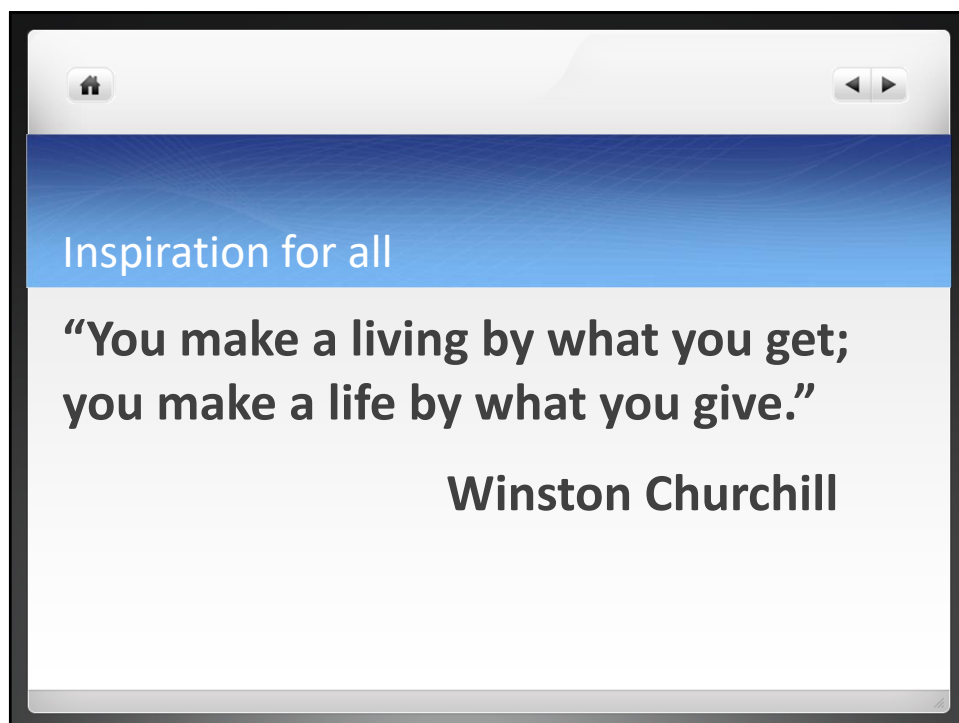
- Capital gains tax reduction or exemption
- No longer pay property taxes, maintenance or property management fees, insurance or other ongoing costs
- Have your cake and eat it - Kids can retain a land use agreement allowing them continued use of the property after its donated.



A presentation slide with a white header bar containing a home icon on the left and navigation arrows on the right. Below the header is a blue gradient bar with the title "Bibliography – books to help you" in white text. The main content area is white and contains a bulleted list of four books.

## Bibliography – books to help you

- **Getting to Yes – Negotiating Agreement without Giving In**, Roger Fisher and William Ury, Penguin Books
- **Estate Planning Through Family Mediation (without breaking up the family)**, Lynne Butler, Self-Counsel Press
- **The Cottage, The Spider Broach and the Second Wife**, Sandy Cardy, ECW Press
- **Mistakes Were Made (but not by me)**, Carol Travis and Elliot Aronson, Harvest Books



A presentation slide with a white header bar containing a home icon on the left and navigation arrows on the right. Below the header is a blue gradient bar with the title "Inspiration for all" in white text. The main content area is white and features a quote in bold black text, followed by the name "Winston Churchill" in bold black text.

## Inspiration for all

**“You make a living by what you get;  
you make a life by what you give.”**

**Winston Churchill**