

Conservation Land Donation 101

I want to protect my land forever. Where do I start?

Read this document then call Muskoka Conservancy, our staff and volunteers are here to answer your questions. We can assist you in determining whether your site has important natural heritage values, and also show you how to protect your land in a way that meets your interests.

What is Muskoka Conservancy?

Muskoka Conservancy is the nature conservancy of Muskoka, a local land trust that currently protects more than 2,700 acres, over 50,000 feet of sensitive shoreline, and 500 acres of wetland. These 43 properties are protected through direct conservancy ownership or through legally binding agreements with landowners, known as “conservation easements”. Muskoka Conservancy is a registered charity offering numerous tax benefits to donors of land. MC abides by Canadian Land Trust Standards and Practices and is a member of the Ontario Land Trust Alliance (OLTA). Muskoka Conservancy also offers environmental leadership through community conservation activities, including our Nature Quest guided hikes, annual Native Plant Sale, and Little Sprouts Eco Club.

What is a Land Trust?

A land trust is a non-profit, charitable organization that acquires land and/or conservation easements for the purpose of nature conservation. Land trusts are mandated to protect these sites in perpetuity.

Does Muskoka Conservancy accept any land donation?

The short answer is no. The land donations we seek are sizeable properties (usually larger than 20ha/50 acres) that enlarge an existing protected area or are recognized for their own natural heritage values, including:

- Areas of Natural and Scientific Interest (ANSI) designated by Ministry of Natural Resources and Forestry (MNRF)
- Wetlands designated as provincially significant by MNRF
- Municipally designated Environmentally Significant/Sensitive Areas (ESAs)
- Presence of species that are endangered, threatened, or of special concern

What are the costs of donating my land?

The costs associated with a land donation are not much different than what you’d expect in a typical real estate transaction. These include but are not limited to legal fees and survey costs. In order to qualify for tax incentives, the cost of an appraisal is often significantly higher than typical. Because Muskoka Conservancy is obligated to protect and manage properties in perpetuity, the organization must be steady and strong. Therefore, we are compelled to discuss provisions to fund the ongoing management expenses of the property early in the donation process. This would normally be in the form of a financial contribution or fundraising commitment from the donor.

What are the benefits of donating my land?

Peace of mind knowing the land you love will be protected forever is a wonderful thing. There are also significant tax benefits.

Ecological Gifts: a Federal program that means qualified land donations receive superior tax benefits to most other charitable gifts:

- a charitable receipt for the full market value of qualified donated land can be applied against an individual's net annual taxable income (corporate donors deduct the amount directly)
- a ten year period to apply the receipt to income
- no tax on capital gains for capital gifts
- no limit on the total value eligible for deduction/credit in any one year

American land owner?

Muskoka Conservancy is a partner with American Friends of Canadian Conservation, offering tax benefits to American land owners who wish to protect their ecologically significant land in Canada.

Every case is different – seek professional advice!

Muskoka Conservancy advises the donor to seek independent legal and financial advice, especially with respect to any tax implications of the exchange. Muskoka Conservancy shall also secure appropriate, independent advice on all property acquisitions.

Links to additional information:

Muskoka Conservancy: www.muskokaconservancy.org

Ontario Land Trust Alliance: www.olta.ca

Ecological Gifts Program: <https://www.canada.ca/en/environment-climate-change/services/environmental-funding/ecological-gifts-program/overview.html>

American Friends of Canadian Conservation: <https://conservecanada.org/>

Have questions?

Contact Scott Young, Muskoka Conservancy Executive Director

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