

Conserving or Profiting?

By Gloria Hildebrandt

When I die, or if I have to sell this property and move, I would like it to remain a nature preserve, as my father always thought of it and wanted it to remain. I can protect it in perpetuity through a conservation easement, which is “a legal agreement between a landowner and a land trust or government agency that permanently limits uses of the land in order to protect its conservation values on it through a recognized conservancy organization.”

I've been studying a contract for a conservation agreement, and there are a lot of details to think about, more than I ever imagined. I can prevent any structure from ever being built on the protected land, but I've been thinking about installing a heritage sign with the history of the property on it, and possibly a “bunkie” or nature-viewing blind in the forest. And I can deny a dock or diving board at the pond, but I thought a dock might be good at the water's edge. No scrap metal is to be stored anywhere for longer than three months, but at the moment, we have a bent metal shelving unit waiting to go for recycling, so three months is too short a time. The contract says there should be no livestock animals in the protected zone, but what about a goat to graze back the grapevines and invasive species? Cats and dogs are supposed to be kept on a leash in the protected area, but while I don't have cats, I like to let dogs run free when we walk through the woods.

Fortunately, I can alter all

parts of the agreement, but I don't know exactly what I want and what's fair for future residents here, which could be my younger relatives. Trying to think of the future, I imagine the property being surrounded by residential development, big houses on relatively small lots of land.

Farmland Development

I remember some years ago we had a change of provincial government and newly appointed Niagara Escarpment Commissioners were favourably disposed to development near the Escarpment, with the result that in my rural area, a subdivision was approved for former farmland. Should that happen again, my property taxes could leap and I could be on a pseudo Bridle Path of costly, although small, properties.

What's to prevent my neighbours from carving up their own large parcels and getting huge cash windfalls? Part of my property is close to the road but some distance from my house. People could trespass and do damage there before I could notice. It could become a problem.

Then I had an evil thought: maybe I could wait for the inevitable change of government and be one of those who benefit from favourable development plans. If this whole area is being developed anyway, maybe I could sell that troublesome corner for a good chunk of change. If nobody else cares about preserving and protecting land, why should I?

I dwelled on these thoughts for a few days, especially when walking around my property. It would be nice not to have to worry about that far end of land. An extra \$100,000 or more would be a

great addition to my savings. I would have less land to work, and more money. Maybe I should just hold off on that conservation easement for a few years and see how the political winds blow.

Land or Money?

While walking the paths of the property one day, I asked myself whether I really cared that much about more money. How did I feel about losing that corner of land? As I walked on the low-lying area near the swamp, a little away from the corner in question, I had a very strong feeling that I wanted to keep that land, that I would miss it if it were lost to me, that I would resent

having people live on it, that I like it very much just as it is, another few acres to walk around and tend, watching its trees grow, taking the dead ones for firewood, getting rid of the Buckthorn, watching for the fungi to appear in the fall, gathering pine cones before Christmas, and including its paths on my rides around with the tractor mower. Money is great but it never gives me as much happiness as being outside on my land, among the birds and the bugs and the breezes and the blooms.

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