

Grand River Conservation Authority

Report number: GM-06-22-58

Date: August 26, 2022

To: Members of the Grand River Conservation Authority

Subject: Township of Wilmot – Maintenance Agreement

Recommendation:

THAT the Grand River Conservation Authority enter into a maintenance agreement with the Township of Woolwich to permit municipal use of Grand River Conservation Authority lands for recreational activities.

Summary:

The Grand River Conservation Authority (GRCA) owns approximately 19,400 hectares (48,000 acres) of land within the watershed. Approximately 1,400 acres of urban parkland is owned by the GRCA but maintained by watershed municipalities, typically as part of their portfolio of parklands. This municipal/GRCA relationship is often formalized through a maintenance agreement that identifies the role and responsibility of both parties.

The GRCA and the Township of Wilmot entered into maintenance agreement in 1978. The GRCA has been collaborating with the Township to revise the maintenance agreement to encompass all GRCA properties currently utilized by the Township.

Report:

The GRCA owns 19,400 hectares (48,000 acres) of land within the watershed. Approximately 1,400 acres of urban parkland is owned by the GRCA but maintained by watershed municipalities, typically as part of their portfolio of parklands. Many of these passive parcels were acquired for flood control purposes. In other cases, land was acquired at the request of the municipality prior to 1996 when the GRCA had access to provincial grants for land acquisition.

The GRCA has approximately 23 maintenance agreements with municipal partners governing the use and maintenance of these properties. Many of these agreements have terms of thirty to fifty years, however, a number of these agreements have expired and several more are on the cusp of expiring or are in need of updating. The majority of GRCA lands subject to these agreements have remained as passive parkland, however, some have become more actively used municipal parks and developed with sports fields, playgrounds and extensive trail systems.

The GRCA has one agreement with the Township for the maintenance of WJ Scott Park which was executed in 1978. The area originally known as WJ Scott Conservation Area is comprised of 3 parcels on either side of the New Hamburg Dam. The lands to the south of the dam are now known as William Scott Park and are shown in Figure 1 and the land to the north is Kirkpatrick Park and is shown on Figure 2. This area represents approximately 24 acres of riverfront manicured parkland, trails and parking in downtown New Hamburg.

Within William Scott Park is a wooden waterwheel. The Township has expressed desire in formally assuming ownership of this wheel in order to facilitate a growing public interest in its refurbishment or replacement. The maintenance agreement will identify the waterwheel as a municipal asset and the wheel (and all associated improvements, maintenance and costs) will be the responsibility of the Township.

Two parcels, totaling less than 1 acre of land, immediately north of the New Dundee dam at the Main Street and Alderside Drive intersection as shown on Figure 3 have also been included in this maintenance agreement. The lands, while in close proximity to the dam, are being utilized as part of Optimist Park and associated parking.

The New Hamburg Dam and weirs and the New Dundee Dam are identified as water infrastructure under the responsibility of the GRCA. However, as the Township's fire department utilizes the New Dundee Dam reservoir as a fire suppression pond, the dry hydrants installed on the New Dundee Dam will continue to be maintained by the Township. The maintenance agreement will not impede or otherwise obstruct the GRCA from accessing, operating or maintaining flood control works on the properties contemplated under this agreement.

The maintenance agreement would grant the Township exclusive use of GRCA lands, which are subject to the agreement for a ten year term, which will automatically renew for a further ten year term unless the agreement is terminated.

Listed below is a high-level summary of the Township's obligations under the proposed agreement:

- responsibility for all taxes, assessments, charges and rates;
- ownership and maintenance responsibilities for the New Hamburg waterwheel
- all responsibility for maintenance, cleanliness and general appearance of the lands;
- unless authorized by the GRCA, not to permit any use other than those that are in keeping with outdoor recreation;
- to indemnify the GRCA from all liabilities associated with the recreational use and maintenance of GRCA's lands

Financial Implications:

Not applicable

Other Department Considerations:

The Engineering Division provided input and participated in the formulation of the maintenance agreement.

Prepared by:

Rob Anderson
Property Analyst

Beth Brown
Manager of Property

Approved by:

Lisa Keys
Director of Land Management

Figure 1 – William Scott Park, New Hamburg



Figure 2 – Kirkpatrick Park, New Hamburg



Figure 3 – Optimist Park, New Dundee

