

# Grand River Conservation Authority

**Report number:** GM-09-23-64

**Date:** September 22, 2023

**To:** Members of the Grand River Conservation Authority

**Subject:** Niska Land Holdings 2023 Draft Management Plan

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## **Recommendation:**

THAT Report Number GM-08-23-58 – Niska Land Holdings 2023 Draft Management Plan be received as information.

## **Summary:**

A Draft Management Plan for GRCA's Niska Land Holdings (Niska) was released for public comment on May 11, 2023. Public comments were received over a 45 day period which ended on June 25, 2023. Three land management recommendations were included in the draft plan. The main objectives behind the recommendations focus on opportunities for community use and conservation of Niska's natural areas through partnerships with the City of Guelph or other third parties and opportunities to declare lands as surplus, where appropriate.

## **Report:**

The Niska Land Holdings consists of four parcels of land; three are located within the City of Guelph, and one is in the Township of Puslinch (see Appendix A – Niska Map ). The properties comprise 64.75 hectares (160 acres) of forests, wetlands, meadows and agricultural fields. The lands are located at the confluence of Hanlon Creek and the Speed River, adjacent to Niska Road.

The Draft Management Plan summarizes Niska's history and natural heritage characterization and proposes several land management recommendations. Niska contains approximately 47.5 hectares (117 acres) of forest and open woodland, 2 hectares (5 acres) of marsh, 3 hectares (7.5 acres) of meadow and 12.5 hectares (31 acres) of agricultural fields. Hanlon Creek, a cold-water stream, crosses the property and flows into the Speed River. A significant portion of the properties' natural areas, 32 hectares (79 acres), are part of the Speed River Provincially Significant Wetland Complex. Virtually all of the land holdings' natural areas within the City of Guelph are designated as Significant Natural Areas in the City's Official Plan. There are two agricultural fields within Niska: Agricultural Field A - 4.75 hectare (11.7 acres) field, which is part of the larger parcel north of Niska Road and, Agricultural Field B - a 7.7 hectare (19 acres) field on the 8 hectare (20 acre) parcel south of Niska Road. Both fields have been in agricultural use for more than 70 years.

In 1971, a report titled Review of Planning for the Grand River Watershed recommended that the Grand River Conservation Authority (GRCA) acquire lands for a potential Hespeler Reservoir. In 1971, the GRCA purchased 17.4 hectares (43 acres) of land on Niska Road in Guelph. The GRCA purchased an additional 47 hectares (116 acres) in 1977 from the Ontario Waterfowl Research Foundation (OWRF). In 1977, the GRCA entered into a commercial lease with the Niska Wildlife Foundation (NWF) to manage and operate the Kortright Waterfowl Park. The NWF was a charitable non-profit corporation formed by interested citizens that took over the operation of the waterfowl park in 1976 when the OWRF could no longer afford to operate it. In 2014, the GRCA terminated the commercial lease with the NWF and took possession of the lands in 2015. In 2016, the GRCA demolished six (6) buildings and removed yard debris, waste,

fencing, pens and shelters. No trespassing signs were erected around the properties to ensure that the public was aware that the properties were and remain closed to the public. Additional clean-up of the lands is required.

In late 2013, the City of Guelph received a Notice of Appeal for the City of Guelph Official Plan Amendment No. 48. Included in this Notice of Appeal was the re-designation from Open Space to Low Density Residential and Medium Density Residential of the 8 hectare (20 acre) agricultural parcel south of Niska Road ('Agricultural Field B' – Appendix A Niska Map). On March 14, 2018, the appeal was withdrawn due to Minutes of Settlement (MOS) between Dr. Hugh Whiteley, the Corporation of the City of Guelph and the GRCA. The MOS provided for enhanced public notification regarding the pending management plan for the entire 65 hectares (160 acres) of GRCA lands and any subsequent land management decisions related to the 8 hectare parcel covered under the appeal.

In January 2018, the GRCA Board passed a Motion (No.18-03) directing staff to complete a management plan for the entire Niska Land Holdings prior to any of those lands being declared surplus. The Niska Land Holdings Draft Management Plan and Appendices were made available to the public on May 11, 2023. Public comments were received over a 45 day period, which ended on June 25, 2023. The draft Plan was circulated to representatives of Six Nations of the Grand River and Mississaugas of the Credit First Nation. A summary and full copies of comments received from First Nations and the public are found in Appendices D and E. Some minor changes were made to the draft management plan following the comments received. An updated version, with track changes, is found in Appendix B.

The following are the three land management recommendations proposed in the Draft Management Plan:

**Recommendation 1: Engage with the City of Guelph and other third parties to explore opportunities to enter into a maintenance agreement for parcels of land that can provide recreational or conservation opportunities.**

There are suitable conditions at Niska for a recreational maintenance agreement. There are existing City recreational trails immediately adjacent to the properties, informal walking trails historically used by the public on the properties, and the GRCA has a strong working relationship with the City. The City and the GRCA currently have a maintenance agreement for GRCA lands at Preservation Park and other GRCA lands throughout the City. As per the Ontario Municipal Board 2018 Minutes of Settlement, if this management plan is approved, the GRCA and the City of Guelph will establish a joint working group, which shall include members of the public, to consider the implementation of a trails system at Niska. This trail system would be maintained and managed through a recreational maintenance agreement with the City.

**Recommendation 2: Continue to advocate and promote partnership opportunities to manage and monitor the biodiversity and ecological systems within Niska.**

Natural areas found at Niska, especially the Hanlon Creek and the Speed River provincially significant wetland, provide ecological values to the regional environment. These areas should be managed, where possible, using best practices to conserve and/or enhance those ecological values. Future projects and research may be completed by GRCA staff and/or in partnership with the City, academic researchers, or groups with the relevant expertise. Opportunities include, but are not limited to, naturalization plantings, invasive plant species control, water temperature monitoring, and measures to improve stream connectivity.

**Recommendation 3: Dispose of the parcel of land south of Niska Road that is associated with the agricultural lease (Agricultural Field B). Identify other lands in the Niska Land Holdings that may be suitable for disposition.**

GRCA staff routinely review land holdings to ensure they align with the mandate of the GRCA, mainly: flood control, protection of people and property, and conservation and management of ecologically sensitive lands. Lands that fall outside the scope of these objectives may be considered for disposition by the GRCA.

Through the management plan process, GRCA staff concluded that the 8-hectare agricultural field south of Niska Road (Agricultural Field B – parcel subject to March 2018 MOS) does not align with the mandate of the GRCA and meets the criteria for declaring the property surplus, including:

- the land was acquired for the Hespeler Reservoir flood control project, which was later removed as a project;
- the land does not contain any provincially significant wetlands;
- the land is not part of a Management or Agreement Forest; and
- the land does not contain any regulated features under Ontario Regulation 150/06

The disposition of land follows a separate process that requires approval of the GRCA Board and may also require that additional notification is provided to other agencies and the public. The management plan recommends that the GRCA proceed with its process for declaring the parcel of land above as surplus and disposing of the property.

During the course of preparing the draft management plan it was identified that there is another portion of land, specifically open areas north of Niska Road ('Agricultural Field A' – Appendix A Niska Map) that may meet the GRCA's criteria for declaring land surplus. However, there is more investigation that is required and all regulatory requirements would need to be met in order for the GRCA to declare any additional lands surplus.

### **Financial Implications:**

No additional costs, beyond staff time and resources, were incurred in the preparation of the draft management plan.

### **Other Department Considerations:**

Staff from the Land Management and Water Management Divisions along with staff from Strategic Communications have provided content and reviewed the Draft Management Plan and would be involved in the implementation of the plan's recommendations.

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