

From: [Hugh R. Whiteley](#)
To: [niska](#)
Subject: Confirmation of receipt of submissions on Niska Lands Management Plan
Date: Monday, September 11, 2023 6:19:32 PM
Attachments: [HISTORY OF THE ACQUISITION OF THE NISKA LANDS AS A NATURE RESERVE 2.pdf](#)
[2020 Lawson communication URGENT REQUEST FOR CORRECTIONS FOR NISKA LANDS WEBSITE.pdf](#)
[EXHIBIT D 1977 MERCURY STORY.pdf](#)
[GRCA factsheet Property.pdf](#)
[1968 hanlon creek report-pages 38-39.pdf](#)
[1975 HCCA Interim Planning Study- pages 19-21.pdf](#)
[1982 GRCA Hanlon Creek Conservation Area Master Plan pages 91-93.pdf](#)

Greetings:

I request that the GRCA provide an acknowledgement of the receipt of the numerous submissions I have made, beginning in January 2019, concerning major factual errors and omissions in the GRCA Niska Lands website.

I further request that all of the documents I attach to this email be distributed to the GRCA Board in advance of the meeting of September 22 2023 to allow Board Members to make an informed decision on the validity of my objections to proceeding to a decision on the Niska Lands Management Plan without correcting the factual errors and omission of information contained in the process to date.

The major factual error in the Niska Website is the assertion that the Niska Lands were purchased by the GRCA to support the Hespeler Reservoir as a flood control project. As clearly stated in the GRCA Minutes the purpose for the purchase of Niska Lands was always, from the initiation of the Guelph Valleylands Project in 1970, to assemble land for the Hanlon Creek Conservation Area.

The Board resolution authorizing consideration of the purchase of the Kortright Waterfowl Park explicitly stated the purchase was for the Guelph Valleylands Project. The City of Guelph motion calling for the purchase was in furtherance of the Guelph Valleylands Project. The press announcement of the purchase in 1977 confirms the purpose as being for the HCCA. A GRCA factsheet in 2015 reaffirms the purchase as being for the HCCA.

The major omission in the history of the Niska Lands as presented in the GRCA website is the existence of an approved land use plan for the Niska Lands. This plan was a component of the approved (by the GRCA and the City of Guelph) of the Hanlon Creek Conservation Area Master Plan.

The approved land use plan for the Niska Lands was for the land to become a wildlife nature reserve that provided contact with nature for the benefit of urban dwellers. This concept was first put forward in the 1968 Preliminary report on the Hanlon Creek watershed, was retained in the Preliminary Planning Report of 1975 and in the final Master Plan for the Hanlon Creek

Conservation Area in 1978.

The concept of preserving representative natural areas to provide urban dwellers with contact with nature was somewhat novel as a planning principle in 1968 when first proposed. It is now a well recognized beneficial activity in Ontario and across Canada. The provincial government is in the process of adding 13 additional urban river valleys to the Greenbelt. Parks Canada is studying additional urban parks to provide contact with nature, building on the success of the Rouge River Urban Park.

The development of a land use management plan for the Niska Lands must be based on a true history of the reasons for the lands being assembled. The concept of a wildlife nature reserve, the original purpose for the purchase, has great merit in 2023. No final decision on the Niska Lands should be made until the viability of this option has been fully explored.

I ask for assurance that this critique of the current Land Use Management Plan be presented to the Board.

Hugh Whiteley

FROM Hugh Whiteley
TO GRCA General Membership Meeting
DATE September 22 2023
RE **Report Number GM-08-23-58 – Niska Land Holdings 2023 Draft Management Plan**

Introduction

I commend the GRCA in taking the initiative in reviving the process which will lead to the development of a revised Management Plan for the Niska Lands. The general direction of the recommendations contained in report 08-23-58 are correct and, with amendment, should be supported. Unfortunately, however, report 08-23-58 is premised on a factual error as to the intended purpose for the Niska Lands at the time of purchase which compromises the integrity of the subsequent evaluation of current and future potential for beneficial use of the property. This error must be corrected before the Report is acceptable to be received.

A second major flaw in the Report is the absence of any mention of, or evaluation of, the Management Plan for the Niska Lands which was the basis for the decision to purchase the Niska Lands. The Management Plan for the Niska Lands, set out in the 1975 Interim Planning Study for the Hanlon Creek Conservation Area and confirmed in the 1982 Master Plan for the Hanlon Creek Conservation Area, specifies that the Niska Lands are to transition from a waterfowl research station to a wildlife nature reserve. The Management Plan explicitly identifies the role of upland agricultural fields, such as the 8-ha portion of the Niska Lands identified as surplus in Recommendation 3 of the Report, in providing landscape diversity to aid biodiversity in the intended nature reserve. This major error of omission must also be corrected before the Report is acceptable to be received.

Background

“In the rapid growth of urbanization, which increasingly takes man out of harmony with nature, the opportunity for frequent return to a more natural environment is most important, particularly for children and for elderly persons. Looking to the future of a city filling the present boundaries and possibly extending beyond these boundaries, the lands that are reserved and preserved in our time will be beyond price.” Fred Woods City Administrator City of Guelph report to Council January 15 1970.

The purchase of the Niska Lands was the culmination of an extraordinarily farsighted collaboration between the City of Guelph and the GRCA. City and GRCA staff recognized the important role access to greenspace would come to have in sustaining the physical mental and spiritual health of urban dwellers. To provide future generations with health-giving contact with nature the City adopted an Open Space Master Plan in 1973 with its river valleys as the framework of the open-space system connecting three Conservation Areas at Guelph Lake, Arkell Hills and Hanlon Creek. The Guelph Lake Conservation Area was already being planned

and required no special arrangements to proceed. However, the two other intended Conservation Areas at Arkell Hills and Hanlon Creek were not conventional sites with a multi-use reservoir as the central feature. Innovation was needed if they were to proceed.

To secure land for these two additional Conservation Areas the City of Guelph requested, by a resolution of Council in January 1970, that the GRCA form a Guelph Valleylands Project to purchase river valley lands including lands for the two Conservation Areas. Under the terms of the Guelph Valleylands Project the City of Guelph agreed to pay 40 % of the cost of lands acquired. The first three purchases under the Guelph Valleylands Project were the Smith Property on the Eramosa River, the Starkey Hills property and a portion of the Hanlon Estate next to the Kortright Waterfowl Park.

Purchase of the Kortright Waterfowl Park in 1977

In the planning for establishing the Hanlon Creek Conservation Area the importance of the lands occupied by the Kortright Waterfowl Park had been recognized from the start of planning in 1968. The 1968 GRCA: Preliminary Report on the Hanlon's Creek Basin had an extensive discussion of the future of the Kortright Waterfowl Park and recommended a transition to a general wildlife nature reserve. The 1970 request from the City of Guelph to the GRCA to set up the Guelph Valleylands Project included a request that the location of the Ontario Waterfowl Research premises at the lower end of the watershed be recognized. The January 1975 GRCA Hanlon Creek Interim Planning Study had the following entry: *The future of the Kortright Waterfowl Park is of a major concern of a major concern to the Authority at this time. Located at the confluence of Hanlon Creek and the Speed River its function is very important with regard to other activities planned for this watershed*".

In 1975 the Ontario Waterfowl Research Foundation informed the City of Guelph and the GRCA that the OWRF could no longer afford to operate the Kortright Waterfowl Park and offered the property for sale. The City of Guelph established a committee to consider what action to take regarding the Kortright Waterfowl Park and invited the GRCA to participate in the first meeting of the Kortright Committee. The GRCA not only agreed to participate but established the Kortright Committee as part of the GRCA committee structure. In August 1975 the GRCA Executive adopted a resolution *That the Authority investigate the possibility of acquiring Kortright Waterfowl Park property as an integral part of the Hanlon's Creek Valleyland Acquisition Project.*

In April 1976 the Kortright Committee recommended to the GRCA Executive that no action be taken on acquisition of the Kortright Waterfowl Park until the Citizen's Committee (Kortright Foundation) was formally established and could present the Authority with operating plans for the Park. In September 1976 Mayor Jary of the City of Guelph addressed a meeting of the GRCA Board. The mayor requesting the Authority to acquire the Kortright Waterfowl Park property as a vital part of part of the Hanlon's Creek Conservation Area Project and outlined the City's willingness, as stated in a Resolution of Guelph City Council, to fund its 40 %share of the cost (\$128,000) under the terms of the Guelph Valleylands Project.

At a subsequent meeting of the GRCA Executive Mack Coutts, GRCA General Manager, reported to the GRCA Executive that the 116-acre Kortright Waterfowl Park was within the boundaries of the Hanlon Creek Land Acquisition Project; that the City of Guelph had requested purchase of the Park; that Guelph City Council had approved an expenditure of \$128,000 as the City's share of the purchase price; that the Niska Wildlife Foundation has received its charter, elected a Board of Management and was now operating the Kortright Waterfowl Park. With these assurances the GRCA Executive Committee approved the purchase of the Kortright Waterfowl property and authorized the Kortright Committee to negotiate a lease agreement with the Niska Wildlife Foundation.

The Guelph Mercury on Feb 2 1977, under a headline GRCA PURCHASING KORTRIGHT – 160,000 Gov't Grant, reported that the Grand River Conservation Authority (GRCA) will complete purchase of the Kortright Waterfowl Park in a few days after receiving a \$160,000 grant from the Ontario Ministry of Natural Resources. The Grant covers province's 50% share of the \$320,000 purchase price for the 116-acre park and its buildings. City of Guelph pays 40 per cent (\$128,000) while the GRCA picks up the remaining 10 per cent under a GRCA purchase formula. Mayor Norm Jary was quoted as saying "as I told them (GRCA officials) last fall this (Kortright Park) was a key parcel of land for the protection of the Hanlon watershed since it was at the junction of river and creek".

The Chairman of the GRCA subsequently reported to the Executive Committee that approval had been received from the Ministry of Natural Resources for the purchase of the Kortright area in the Hanlon's Creek and the purchase has been made. An agreement of lease has been negotiated and is ready for signature with the Niska Wildlife Foundation who are to carry on the waterfowl/wildlife refuge at the area under lease from the Authority.

In December 2014 the GRCA published a background briefing factsheet on landholdings sales and purchases. This statement appears in the factsheet *"land was acquired at the request of the municipality prior to 1996 when the GRCA had access to provincial grants for land acquisition. Notable examples include the Hanlon Conservation Area in Guelph."*

Review of Management Plan for Niska Lands at the Time of Purchase

Report GM-08-23-58 asserts that the Niska Lands were purchased to *"support the Hespeler Reservoir as a flood control project"*. To be consistent with this stated purpose for the purchase the Report completely ignores not only the true purpose for the purchase – to include the Kortright Waterfowl Park within the Hanlon Creek Conservation Area – but also the Management Plan that accompanied the purchase. The Management Plan for the Kortright Waterfowl Park property is outlined on pages 91-93 of the 1978 (revised 1982) Hanlon Creek Conservation Area Master Plan. The HCCA Master Plan proposed that *"the area come under a new concept for its use and management. The concept envisioned is one of a zoological park. The natural features of the area range from cedar swamps to cultivated upland fields. Due to this variety in landscape and vegetation, it is quite conceivable to establish and maintain an area that would function with a greater variety of species than now exist"*.

In 1977 the proposed use for the Kortright Waterfowl Park as a managed wildlife refuge providing contact with nature for urban dwellers was an unusual option. To-day there is much more

attention and support for the role of green spaces in providing for the physical, mental and spiritual health of urban dwellers. The World Health Organization has just published Green and Blue Spaces and Mental Health an outline of the health benefits of contact with nature and water. The Convention on Biological Diversity recently proposed a biodiversity framework that includes as Target 12 *“Significantly increase the area and quality and connectivity of, access to, and benefits from green and blue spaces in urban and densely populated areas sustainably, by mainstreaming the conservation and sustainable use of biodiversity, and ensure biodiversity-inclusive urban planning, enhancing native biodiversity, ecological conductivity and integrity, and improving human health and well-being and connection to nature and contributing to inclusive and sustainable urbanization and the provision of ecosystem services and functions.*

In Ontario Parks Canada is planning a second National Urban Park in Windsor to provide Green and Blue Space benefits, building on the success of the first Urban National Park -Rouge River. The Provincial government is adding thirteen additional urban river valleys to the Green Belt to augment urban contact with nature. The citizen submissions made on GM-08-23 show how widespread community support for access to nature is in Guelph. It is not acceptable for the GM-08-23 Report to ignore the Master Plan management concept for the Niska Lands that was the justification for the purchase of these lands in 1977.

Summary

The Report GM-08-23 is not acceptable for receipt by the General Membership Meeting because of the two major errors it contains. The purpose for the purchase of the Niska Lands is incorrect. The absence of evaluation of the continued validity of the original management plan for the property – to form a wildlife nature reserve providing contact with nature- is a second fatal flaw. The report should be returned to GRCA staff for revision and resubmission.

If General Membership chooses to receive the Report, Recommendation 3 in the Report should be removed as it is premature to reach a decision on whether or not any portion of the property is surplus without having a correct statement on the original intended purpose for the purchase of the property and without giving proper attention to the original master plan for the property. Of particular note is the special role given to the upland agricultural portions of the property in this master plan – a factor that must be considered before any portion of the property is considered surplus.

9. KORTRIGHT PARK

Much consideration has been given to the possibility of Kortright Waterfowl Park continuing operations as a Waterfowl Sanctuary and Research Station. This park has developed considerably over the last few years and performs an important function in waterfowl conservation.

Under the channelization scheme it would be extremely difficult to continue operations as a waterfowl research centre, because Hanlon's Creek would no longer be a reliable source of water supply and an alternative supply using ground water in the vicinity would have to be developed. It is not considered feasible to use the water from the Speed River because the quality is not entirely suitable for waterfowl operations.

Under the conservation scheme the waterfowl park could continue operations for a number of years with the construction of certain remedial measures. As urbanization takes place within the basin a small dam and reservoir, costing an estimated \$40,000, could be constructed to assist in minimum flow maintenance and the control of minor floods. To control major flood flows, such as a 50-year flood and also to divert water during periods of lower water quality a diversion channel around the park can be constructed. This channel would cost approximately \$15,000. At full development within the basin it may also be necessary to develop a ground water supply within the vicinity of the park, either by means of a well or a ground water collector system along the banks of the Speed River.

The most critical factor in determining the length of time which this park can operate in its present form, will be the creation of the

of the Hespeler Reservoir. As may be seen from Plate IX, the regulated water level of the proposed reservoir will considerably reduce the effective area for the waterfowl operations within the park.

With full development of the basin and with the Hespeler Reservoir in existence, the economics of investing funds for the survival of a waterfowl station reduced in size would require serious consideration. However, the operations in this park could be modified, from being a purely waterfowl park to a general nature or zoological park. These operations could be associated with operations in the larger conservation zone proposed in the central portion of the basin. This would provide the city of Guelph and its suburbs with excellent facilities for recreation and the appreciation of nature.

The initial capital investment for these areas should be kept to a minimum and designed in such a way as to enable their conversion to day-use areas at a future time.

The facilities described thus far are accessible by the automobile and this should be the maximum of vehicular movement in the area.

Four areas have been identified as walk-in picnic areas with overnight camping at two of the sites. These sites are located generally in forest clearings or semi-enclosed spaces in the interior of the central woodlands. Services for sites should be simple and maintenance-free. (i.e.) vault-toilets, picnic tables, firepits and simple shelters of indigenous materials.

The future of Kortright Waterfowl Park is of a major concern to the Conservation Authority at this time. Located at the confluence of Hanlon Creek and the Speed River its function is very important with regard to other activities planned for the watershed.

The objectives of Kortright Park and the research facilities located there are admirable in their own right, however the actual physical facilities as well as the current financial situation of the waterfowl foundation leave something to be desired. There is no question as to the value of such a facility to the municipality in terms of both education and recreation.

Except for the water resources in the area it cannot be stated that it is an ideal habitat for waterfowl propagation. In terms of ideal habitats, the area is poor or fair at best. Recognizing these facts, it is proposed that the area come under a new concept for its use and management. The concept envisioned is one of a zoological park. The natural features in the area range from cedar swamps to cultivated upland fields. Due to this variety in landscape and vegetation, it is quite conceivable to establish and maintain an area that would function with a greater variety of species than now exists.

The City of Guelph may or may not see a zoo as part of their recreational and cultural activities, however, if the proposal is adopted in principle, the "zoological park" idea should be maintained and limited to species that are relatively native to Ontario.

Furthermore, such a facility should be designed to ensure a "naturalistic" setting for both wildlife and people. Many of the features embodied in the Metro Toronto Zoo could be applied on a mini-scale to this site.

As stated previously, waterfowl propagation is an admirable endeavour, however, the provision of adequate habitat is much closer to the natural scheme of things. Given this, an area has been designated as waterfowl habitat in the open marshy area east of the central woodlands. The area is envisioned only as a migratory stopover point which would be used by waterfowl to feed and rest in the spring and fall. At least 2 ponds exist in the area now and others could be dug which would not be part of the Hanlon Creek system. In addition, adjacent areas can be planted in lure crops each year and this would be the extent of any management programs.

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cedar swamps to cultivated upland fields. Due to this variety in landscape and vegetation, it is quite conceivable to establish and maintain an area that would function with a greater variety of species than now exists.

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the area now and others could be dug which would not be part of the Hanlon Creek system. In addition, adjacent areas can be planted in lure crops each year and this would be the extent of any management programs.

The area north of Kortright Road which includes the golf-course lands, and the esker and kettle formations has been designated as municipal parkland. This area provides a logical transition zone between the existing built-up areas and the university lands and the conservation area. Its existing semi-manicured state will allow for easy development as parkland and in addition, the glacial formations in the area, if properly used, can be a tremendous visual asset. At the northern end of this section there is a natural amphitheatre formed by the eskers in that area. This feature could be taken advantage of with the creation of an outdoor theatre for various cultural events including films, live theatre, and concerts. This type of activity, along with activities designed especially for young people falls into the "unmet needs" category as a result of the 1971 survey. In addition, portions of this area are suitable for use by greater numbers of people than much of the conservation zone.

URGENT REQUEST FOR CORRECTIONS FOR NISKA LANDS WEBSITE

3 attachments

Hugh R Whiteley

To: slawson@grandriver.ca
Fri 9/4/2020 2:29 PM

Greetings **Samantha**:

Thank you very much for your prompt acknowledgement.

I am very hopeful that the difficulties I have had with the historical accuracy of presentations on the Niska Lands will soon be resolved.

The development of a Management Plan for the Niska Lands presents exciting opportunities for renewed partnership between the GRCA and the City of Guelph.

This partnership has already provided great benefits and has the potential of creating many more great and lasting benefits - for citizens of Guelph most directly and also for all residents of the Grand watershed and others.

I look forward with great interest to the outcomes of the planning process.

Best regards

Hugh Whiteley

Reply

Forward

S
slawson@grandriver.ca

To: Hugh R Whiteley
Cc:
Beth Brown <bbrown@grandriver.ca>
Thu 9/3/2020 2:37 PM

Dr. Whiteley,

Hope you are doing well and staying safe during the pandemic.

I am acknowledging receipt of your email and correspondence. We will provide a response in the coming weeks.

Beth Brown is now the Manager of Property for the GRCA.

Sincerely,
Samantha



To: Lawson, Samanta (slawson@grandriver.ca)
Thu 9/3/2020 11:37 AM

New Background.docx
16 KB

1975 HCCA Interim Planning Study-01102015153549.pdf
3 MB

GRCA_factsheet_Property.pdf
289 KB

3 attachments (3 MB) Save all to OneDrive - University of Guelph Download all

Greetings Samantha:

During the last twenty months I have repeatedly pointed out to you that the GRCA website

<https://www.grandriver.ca/en/who-we-are/niska-land-holdings.aspx>

contains the false and misleading statement that the purchase by the GRCA of valley land along Hanlon Creek comprising 43 acres of the Hanlon Estate and the 116-acre Kortright Waterfowl Park was made *“to support the Hespeler Reservoir as a flood control project”*.

I have documented in three previous submissions that these two properties were acquired as part of the joint effort by the City of Guelph and the GRCA to develop the Hanlon Creek Conservation Area. In the words of the GRCA publication *Background Briefing: Land holdings sales and purchases* (December 2014):

“land was acquired at the request of the municipality prior to 1996 when the GRCA had access to provincial grants for land acquisition. Notable examples include the Hanlon Creek Conservation Area in Guelph, Scott Park in New Hamburg and Stanley Park in Kitchener”.

It appears from your lack of response that you do not acknowledge the important role the GRCA had in assisting municipalities to acquire valley land for recreation and conservation purposes. To refresh your knowledge, I provide the following history.

The Province of Ontario responded to the devastating floods created by Hurricane Hazel in 1954 by adding new provincial policy initiatives aimed at reducing flood risk and flood damage. One such

initiative was an amendment of the Conservation Authorities Act that enabled Conservation Authorities to acquire valley lands for recreation and conservation purposes and thus reduce flood risk.

To encourage acquisition of valley land for recreation and conservation purposes the Province provided 50% cost sharing. Provincial cost sharing for valley-land acquisition continued until 1996. Many Conservation Authorities engaged in valley-land acquisition projects. By 1987 Conservation Authorities in Ontario had acquired 37,000 ha of land for Conservation and Recreation (27 % of total land holdings). This compares with 97,000 ha acquired for Water Management. (Review of the Conservation Authorities Program December 1987)

The Grand River Conservation Authority entered into Valley Land Acquisition Projects with several municipalities during the period 1955 – 1996, the period when provincial cost-sharing was available. In 1970 the GRCA adopted the Hanlon's Creek Watershed Development Project (aka Guelph Valley Lands Project) in partnership with the City of Guelph. The GRCA was already conducting Valley Land Acquisition Projects in Caledonia, in partnership with the Town of Caledonia, and in Kitchener-Waterloo in partnership with the Cities of Kitchener and Waterloo, the Village of Bridgeport, and the Townships of Waterloo and Woolwich. In 1976 the GRCA adopted the Paris Valley Land Acquisition project in partnership with the City of Paris.

The Hanlon Creek Valley Land Acquisition Project was the most extensive valley-land acquisition project conducted by the GRCA. Valley land was acquired along the Speed and Eramosa Rivers as well as along Hanlon Creek. Among the first properties acquired was the 200-acre Starkey Hill property (now Starkey Hill Conservation Area) purchased by the GRCA in June 1972 *"on behalf of the City of Guelph for protection of the underlying groundwater"*. (Starkey Hill Brochure GRCA)

Among the last purchases made under the Project was the 1992 purchase on behalf of the City of Guelph of 176 Gordon Street on the south bank of the Speed River. This property is now Marianne Park. In the May 2015 issue of Currents, the GRCA acknowledged that the Authority has extensive land holdings along the Speed and Eramosa Rivers in Guelph and in the Hanlon Creek Conservation Area. Much of this land was *"purchased by the GRCA at the request of the municipality with provincial grants for land acquisition that are no longer available."*

The capsule history of the City of Guelph's and the GRCA's interest in acquiring the Kortright Waterfowl Park is as follows:

- 1948-1950 Horace Mack establishes Niska Game Farm on 116 acres along Niska Road
- 1959 OWRF buys Niska Game Farm from Mack estate and establishes Kortright Waterfowl Park
- 1965 City of Guelph extends annexation area to include Waterfowl Park
- 1968 Preliminary Report on Hanlon Creek Basin (GRCA Feb 1968) recommends redevelopment of the Waterfowl Park as a zoological park within an 845-acre conservation zone
- 1970 City of Guelph and GRCA begin land acquisition for Hanlon Creek Conservation Area (HCCA)
- 1973 City's Open Space Master Plan designates Waterfowl Park as major Open Space
- 1975 Interim Planning Study for HCCA identifies future of Kortright Waterfowl Park as major concern for the GRCA owing to importance of its function to the HCCA

- 1975 At the City of Guelph's request, GRCA Executive Committee directs" **THAT the Authority investigate the possibility of acquiring Kortright Waterfowl Park property as an integral part of the Hanlon's Creek Valley Land Acquisition project"**
- 1976 **Mayor Jary of the City of Guelph addressed a meeting of the GRCA Board requesting the Authority to acquire the Kortright Waterfowl Park property as part of the Hanlon's Creek Project.**
- 1976 **The GRCA Executive Committee approves the purchase of the Kortright Waterfowl property and authorized the Kortright Committee to negotiate a lease agreement with the Niska Wildlife Foundation.**
- 1977 **The Chairman of the GRCA reports to the Executive Committee that approval had been received from the Ministry of Natural Resources for the purchase of the Kortright area in the Hanlon's Creek and the purchase has been made. An agreement of lease has been negotiated and is ready for signature with the Niska Wildlife Foundation who are to carry on the waterfowl/wildlife refuge at the area under lease from the Authority.**

The GRCA is preparing a management plan for the entire Niska Land Holdings prior to any of those lands being declared surplus. To declare land surplus there must be a determination that the lands are no longer required **for the project they were acquired for.**

The GRCA's Vision Mission and Values includes a committed to clear and respectful communication with members of the public. The Niska Lands website is required to present to members of the public a truthful overview of the process leading up to the drafting of the Management Plan for the Niska Lands.

Until the website presents to the public a complete and accurate description of the project for which the Niska Lands were acquired the GRCA is acting contrary to its Values. Clear and respectful communication must be founded on complete and truthful information; making false and misleading statements invalidates the decision-making process and must be corrected before the process proceeds.

The mistakes currently present in the Niska Lands website can be remedied by replacing the existing Background statement with a complete and accurate description of the project for which the Niska Lands were acquired. I attach a draft version of a complete and accurate statement. All the facts in this description, and the phrasing of descriptions, are taken from City and GRCA documents.

I expect to have an immediate acknowledgment you have received this email and I expect your response to this request for corrections to the Niska Lands website before the end of September.

I remind you that I have made the same request on what I regard as a major issue repeatedly since January 2019.

Best Regards

Hugh Whiteley
2422 115 Cherry Blossom Circle
Guelph ON N1G 0A3

EXHIBIT D

The Daily Mercury

Service to Guelph, Fergus, Elora, Arthur, Mount Forest, Rockwood, Halton Hills, Erin, Hillsburgh and Districts

The Daily Mercury, Guelph, Wednesday, February 2, 1977

15c PER COPY 50c per week
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AREA WEATHER

Snow tonight, clearing Thursday. The low tonight will be -8 degrees with a high of -6 expected tomorrow. Detailed forecast on page two.

34 Pages

GRCA PURCHASING KORTRIGHT

\$160,000 Gov't Grant

By WAYNE CAMPBELL
Staff Writer
Grand River Conservation Authority (GRCA) will complete purchase of Kortright Waterfowl Park within a few days after receiving a \$160,000 grant from Ontario ministry of natural resources.

The grant covers province's 50 per cent share of a \$320,000 purchase price for the 116-acre park and its buildings.

City of Guelph pays 40 per cent (\$128,000) while the GRCA picks up the remaining 10 per cent (\$32,000) under a GRCA purchase formula.

The park at Hanlon Creek and Speed River in the southwest corner of the city is owned by Ontario Waterfowl Research Foundation (OWRF).

LONG STRUGGLE
This week's transfer of ownership will bring to an end almost two years of struggling negotiations.

In 1975 OWRF announced it wanted to sell Kortright Park by the end of the year. Foundation trustees said they could no longer afford to operate the bird sanctuary.

City aldermen said they wanted the parkland kept in public use but didn't want to spend tax dollars attempting to run a waterfowl operation. City council appealed to GRCA to buy the land last spring and GRCA formally approved purchase last September.

Meanwhile a citizens' group, Niska Wildlife Foundation, was formed to operate and maintain the waterfowl operation which OWRF was abandoning along with the lands.

Niska will continue as tenants of the GRCA.

through a severely cold winter of smashing ice and caring for sick birds, the purchase finalization is a ray of sunshine.

"I'm very happy. I think it's going to be an amicable arrangement," said Eileen Hammill, the park's general manager, about the change of landlords.

Everyone concerned with the bird sanctuary, and the land, felt the GRCA ownership was the best solution for the community, she added.

Mayor Norm Jary said today he was "very pleased" to have the matter completed. He and city council support GRCA's plans to protect the Hanlon Creek watershed.

"And as I told them (GRCA officials) at a meeting last fall this (Kortright Park) was a key parcel of land for the protection of the Hanlon watershed, since it was at the junction of the river and creek," he said today.

He praised Dr. John Roff and Prof. Ted Heeg, Guelph's GRCA representatives, for their work on the Hanlon watershed matter.

Years Count For Pensions

OTTAWA (CP) — Legislation changing the eligibility rules for federal old-age pensions may be in force before the end of the year if it encounters no serious obstacles in Parliament, government officials say.

A bill introduced in the Commons this week by Welfare Minister Marc Lalonde proposes a system under which the amounts collected under the

By THE CANADIAN PRESS
Relief and rescue operations continue in the wake of a winter storm earlier this week, but Environment Canada warns that another storm is expected to move into Ontario late today or early Thursday.

The storm is expected to dump another five to eight centimetres of snow on areas still digging out from the earlier storm. The snowfall will not be accompanied by the high winds and blowing snow which caused havoc in much of the province this week. Temperatures will be milder, approaching the normal for this time of year.

The weather office said the new storm is not expected to be as fierce as the earlier one that blocked roads, closed schools, stranded motorists and resulted in the death of a Fergus man.

That storm ended Tuesday, although much of the province is still feeling the effects of drifted snow, sub-zero tempera-

tures and winds with gusts up to 60 km.p.h.

Environment Canada predicted that clear skies across the southern part of the province today would aid work crews trying to clear parts of nine highways still closed Tuesday night.

A convoy of 12 to 14 oil tanker trucks and road-clearing equipment planned to push through snow-blocked Highway 4 from London today in an attempt to relieve fuel shortages in Lake Huron communities.

Escorted by provincial police, the convoy was to head for Exeter, Clinton, Goderich, Wingham and Kincardine with about \$1 million in supplies.

SOME SCHOOLS REOPEN

Many schools, closed Friday when the storm began, reopened Tuesday or today, although many in rural areas remain closed.

Meanwhile, Premier William

Davis announced that the province is setting up a special cabinet committee to look into the plight of regions hardest hit by the storm, including the Niagara Peninsula and Prince Edward County, south of Belleville.

He said the committee will study logistical problems faced by the two regions and assess the need for provincial assistance in such emergency situations. But he did not commit the province to meeting requests from various towns in the regions for financial assistance.

In Ottawa, the Commons unanimously approved a proposal by Roger Young, Liberal member of Parliament for Niagara Falls, that the federal government consider defraying the cost of relief operations.

The Commons also commended the work of the Royal Canadian Regiment in London for its relief work this week.

Rescue crews had better access to many areas isolated by the storm as snowsquall warnings around the Great Lakes were cancelled Tuesday.

Two Toronto men and two children, missing since Saturday near a Georgian Bay island about 35 miles northwest of Barrie, were rescued Tuesday by a provincial police helicopter.

Gordon Plummer, 40, his daughter Tanya, 9, Donald Nichol, 44, and his son Kenneth, 15, said they survived by huddling together in a four-foot hole they scooped out of a snow-drift.

The four, declared missing after they left by snowmobile to visit cottages on Christian Island, were treated for mild exposure in Midland. Tanya was transferred to hospital in Toronto for observation and treatment for frostbite to her arms.



Background Briefing

Land holdings, sales and purchases

December 2014

The GRCA owns about 19,400 hectares (48,000) acres of land in 430 parcels, representing about 2.8 per cent of the land of the watershed. In total, there have been 696 individual acquisitions.

The Property Department has a leading role in the purchase, sale and management of much of the property.

Land acquisition started when the former Grand River Conservation Commission began work on the Shand Dam, which was completed in 1942. Over the years, land has been acquired for several reasons:

- to build infrastructure such as dams and dikes
- to create recreational areas e.g. conservation areas, rail-trails
- to protect natural areas and habitat

Land acquisition methods

The GRCA has acquired land in a variety of ways.

- **Purchase:** The most common way is through a negotiated agreement with the seller. In these cases, the GRCA is like other buyer, using the services of real estate agents, appraisers, etc.
- **Donation:** Some parcels of land have been donated to the GRCA either by private landowners or by other governments or agencies. Some municipalities have donated wetlands and other natural areas they have acquired by one means or another.
- **Expropriation:** In a small number of cases, land required for dam, dike and other projects was expropriated in accordance with provincial laws and regulations

Current land use

The current land holdings of the GRCA fit into five broad categories:

- Land for infrastructure such as dikes and dams
- Active use conservation areas
- Rental properties under exclusive use agreements
- Natural areas
- Lands under municipal maintenance agreements



Laurel Creek Park in Waterloo

Land for infrastructure

The GRCA holds land used for infrastructure projects such as dikes and dams. That includes the seven major dams and reservoirs which reduce flood damages and provide water for low flow augmentation. The GRCA and municipalities own about 25 km of dikes protecting Kitchener (Bridgeport), Cambridge (Galt) and Brantford.

Parks (Active use conservation areas)

The GRCA operates 11 Conservation Areas. They provide a wide range of recreational opportunities such as camping, hiking, swimming, fishing and picnicking. Operating costs of these parks are covered by admission and camping fees. (More information is in the background briefing on Conservation Areas.)

Rental properties

The GRCA will enter into agreements with individuals or groups to use GRCA land. These agreements can take the form of commercial leases, licence agreements or residential leases.

In many cases, these agreements involve land that was originally acquired for a project such as a dike or dam. For example, the GRCA might acquire a large parcel of rural land for a reservoir project, but only need a portion of it for

the project. Some of the remainder can be rented out.

Examples of rental properties:

- **Cottage lots:** Following construction of the Shand Dam-Belwood Lake reservoir (1942) and Conestogo dam and reservoir (1958), cottage lots were created around them. There are 398 lots at Conestogo and 335 at Belwood. These lots are leased to tenants who build their own cottages. These properties fall under the Residential Tenancies Act, 2006.
- **Residences:** In some cases, residences were acquired during acquisition of land for dam construction or other projects. At present, about 45 residences are available for rent. Given the cost of operating and maintaining these properties, some may be sold in the future.
- **Agricultural properties:** Similar to the residential properties, the GRCA acquired these lands when building reservoirs. About 3,000 acres are rented to farmers through about 65 leases. Some of these lands may be retired in the future and restored as natural habitat.
- **Service clubs and not-for-profit organizations:** There are 22 agreements to lease land to non-profit agencies for activities consistent with the GRCA's objectives such as children's camps and boating clubs on reservoirs. A notable example is the Chicopee Ski Club, which operates a not-for-profit ski hill in Kitchener.
- **Commercial leases:** Land is leased for acceptable commercial use at market rates, e.g. barns, billboards, communication towers. There are about 30 commercial leases.

Natural areas

Natural areas range from parcels of wetlands with no public access, up to passive conservation areas open for a variety of public uses. The GRCA owns about 12,000 hectares (29,000 acres) of natural land.

Notable natural areas include:

- The Luther Marsh Wildlife Management Area of about



6,000 (14,000 acres) hectares of land, reservoir (Luther Lake), wetlands and woodlands.

- Wetlands and swamps such as the Keldon source area, Beverly Swamp, Roseville Swamp and Dunnville Marsh
- 75 km of rail-trails including the Cambridge-Paris-Brantford-Hamilton trails and the Elora-Cataract Trailway
- Passive conservation areas such as Dumfries (Cambridge), Starkey Hill (Guelph), Dickson (Cambridge), Chesney (Drumbo), Taquanyah (Cayuga)

Land under maintenance agreement

About 1,400 acres of urban parkland is owned by the GRCA but maintained by watershed municipalities, typically as part of their portfolio of parklands. Some of the land was 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. Notable examples include the Hanlon Creek Conservation Area in Guelph, Scott Park in New Hamburg and Stanley Park in Kitchener.

In Brantford, Cambridge and Kitchener the GRCA has agreements with the municipalities to maintain GRCA-built dikes.

Land Acquisition Policy

A Land Acquisition Policy approved in 2009 sets priorities for acquisition candidates. Recent land acquisitions have focused on protecting natural features in priority areas and increasing existing landholdings to expand habitat areas. Areas with the highest priority for land acquisition include Keldon source area, Amaranth source area, Luther Marsh, Roseville Swamp, Oakland Swamp, Beverly Swamp and the Dunnville Marsh.

Land sales

The GRCA disposes of portions of properties, or entire properties, when they are deemed to be surplus to the needs of the authority. For example, a parcel of land acquired for an infrastructure project may be severed and the unneeded portion sold. In other cases, the GRCA may acquire a large block of land in order to protect a part of it that is environmentally significant, such as wetland or floodplain, but may sell the remainder.

Land sales require the approval of the GRCA board and usually the approval of the Ministry of Natural Resources. Ministry rules also govern how the proceeds of the sale can be used; generally, the money is put into a special reserve account to be used to finance future land purchases. Land sales can generate conflict with adjacent landowners.

HISTORY OF THE ACQUISITION OF THE NISKA LANDS AS A NATURE RESERVE

Hugh Whiteley August 2023

GRCA VERSION (as presented in the Niska Land Holdings 2023 Draft Management Plan)

In 1971, through a report titled Review of Planning for the Grand River Watershed, it was recommended that the Grand River Conservation Authority (GRCA) acquire lands to support the Hespeler Reservoir as a flood control project. In 1971, the GRCA purchased approximately 17.4 hectares of land on Niska Road in Guelph. Subsequent to that, in 1977, the GRCA purchased an additional 47 hectares from the Ontario Waterfowl Research Foundation (OWRF) in support of the same project.

TRUE VERSION (as recorded in meeting minutes and reports of the City of Guelph and GRCA)

In February 1977 the GRCA purchased the 116-acre Kortright Waterfowl Park from the Ontario Waterfowl Research Foundation. The purchase of the Waterfowl Park by the GRCA was the culmination of twelve years of joint planning, by the city of Guelph and the GRCA, of an 845-acre Hanlon Creek Conservation Area. The Kortright Waterfowl Park was identified in the Master Plan for the HCCA as the keystone property (see attached detailed timeline). The purpose of the 1977 purchase was to acquire this key parcel of land as headquarters for the Conservation Area. The HCCA Master Plan, adopted by the GRCA and the City of Guelph, called for the transition of the Waterfowl Park from a waterfowl research centre to a more general nature reserve. The purchase was contingent on formation of a locally-based foundation being established to operate the Park under lease. Once the Niska Wildlife Foundation was formed for this purpose the purchase was made and a lease of the land to the Foundation was completed.

DETAILED TIMELINE REGARDING ACQUISITION OF KORTRIGHT WATERFOWL PARK

1965

In 1965, during the process of determining the boundary of land to be annexed from the Township of Puslinch by the City, the City of Guelph choose to expand the boundary, beyond that initially proposed, to include the Kortright Waterfowl Park in order to give the City of Guelph planning authority over the future use of these lands. The Kortright Waterfowl Park was, at the time of annexation, an internationally recognized centre for studies of migratory wildfowl and a Federal Migratory Bird Sanctuary. The Park attracted over 10,000 visitors per year of whom 40 % were from Guelph.

1966

In 1966, acting on a specific request of the City of Guelph, the GRCA commissioned a study of Hanlon Creek Basin to determine a pattern of urbanization that would preserve as much as possible the natural hydrology and water quality of Hanlon Creek. The terms of reference for this study called for delineation of the “extent of valley lands that should be retained as conservation lands”. Special attention was directed to “minimum interference with water quality and possible existing use of conservation lands by the Ontario Waterfowl Research Foundation” be preserved.

1968

The resulting report, Preliminary Report on Hanlon’s Creek Basin, prepared by Kilborn Engineering Ltd., was published In 1968. The report recommended creation of an 845-acre open-space conservation area containing all valley lands within the 50-y flood line of Hanlon Creek and the adjacent valley slopes to preserve the character of the valley. The designated 845-acre area included 30 acres of the Kortright Waterfowl park. It was noted that while the Kortright Park and Niska Waterfowl Research Station currently served a very useful function for conservation and waterfowl management its future viability was doubtful with full urbanization in adjacent portions of the watershed. An additional concern is that construction of the Hespeler Reservoir would considerably reduce the effective area for waterfowl operations. In view of these barriers to continued waterfowl propagation activities the report recommended Kortright Park be maintained but undergo a transition to become a more general nature reserve.

1970

In 1970 the City of Guelph and the GRCA adopted the recommendation for preserving an 845-acre conservation area in the Hanlon Creek watershed. To acquire this land the City of Guelph proposed, and the GRCA agreed, to set up a Guelph Valleylands Project. The purpose of the project was for the GRCA to acquire valley land using a Ministry of Natural Resources programme under which the Ministry supplied 50% of the purchase price, the City of Guelph funded 40% of the purchase price as major benefiting municipality, and the general budget of

the GRCA, funded by all the municipalities of the Grand River watershed, supplied the remaining 10 %.

1971

Land purchases under the Guelph Valleylands Project began in 1971. The first property purchased was the 156-acre David Smith property on the Eramosa River. The second was the purchase from the Hanlon Estate of 43 acres, part of lots 14 and 15 Concession 6, of Hanlon Creek valleyland adjacent to the Kortright Waterfowl Park. In 1972 the 91-acre Starkey property at Arkell was purchased.

Also, in 1971 the City of Guelph and the GRCA commissioned an Ecological Study of the Hanlon Creek Watershed to be used in the development of secondary land use plans for the area. The focus of the Ecological Study was to identify a form of development that would, as much as possible, preserve the natural features of the Hanlon creek watershed as an asset to the community.

1972

The Hanlon Creek Ecological Study (Phase B 1972) concluded that the Kortright Waterfowl Park “performs an important recreational service for Guelph.” Visitors to the Park were surveyed on nine days of July 1971. 337 questionnaires were obtained from the 1059 visitors entering the Park on these days. There was high satisfaction with their visitor experience expressed by the visitors. 97 % of the questionnaires supported the preservation of the park, unspoiled, to advance learning about nature. The Ecological Study recommended retention and preservation of the Park.

1973

In 1973 City Council adopted the city’s first Parks and Open Space Master Plan. The natural drainage system of the Speed River and its tributaries formed the framework of the Plan. The objective of the plan was preservation of the natural base of the valleylands and increased accessibility to the riverbanks. The basic elements of the plan were three linear (river) spines radiating from the confluence of the Speed and Eramosa Rivers and terminating at three major open-space areas – (1) The Hanlon Creek Conservation Area; (2) The Guelph Dam Conservation Area and (3) The Arkell Conservation Area. The Kortright Waterfowl Parks was identified as the central feature of the Hanlon Creek Conservation Area.

1975

The City of Guelph added the Southview Planning District 8 secondary plan to the Official Plan. The District 8 Plan was structured on the creation of a Hanlon Creek Conservation Area comprising the valleylands of Hanlon Creek. The Kortright Waterfowl Park was designated as an Open Space component of the Hanlon Creek Conservation Area.

In January 1975 the GRCA completed an Interim Planning Study of Hanlon Creek as requested by the City of Guelph. The Interim Study set out a general conceptual plan for the proposed Hanlon Creek Conservation Area, using the findings of the 1972 Hanlon Creek Ecological study as a basis. In August 1975 the GRCA Executive adopted in principle the Hanlon Creek Conservation Authority Development Plan as set out in the Interim study.

The Interim Study identified Kortright Waterfowl Park as a “very important” constituent part of the proposed Conservation Area. “The future of the Kortright Waterfowl Park is of a major concern to the Conservation Authority at this time”. The concern related to uncertain financing for the park’s operation and the less-than-ideal suitability of the park for waterfowl propagation. It was recommended that the park transition to becoming a general nature reserve. It was noted that the Park lands contained a wide variety of habitat ranging cedar swamp to cultivated upland fields. “The combination of agricultural lands adjacent to woodlands and water constitutes an ideal habitat for most wildlife species to be found in Ontario”.

In May 1975 the Ontario Waterfowl Research Foundation informed the City of Guelph and the Grand River Conservation Authority that it was not able to continue to support the operation of the Kortright Waterfowl Park. The OWRF requested that the City and the GRCA consider purchase of the Park. Responding to this request the City of Guelph requested the GRCA to participate in a joint committee set up to consider the future use and development of the Waterfowl Park. This joint Committee was established as the Kortright Committee.

In August 1975 the Kortright Committee recommended to the GRCA Executive **“THAT the Authority investigate the possibility of acquiring Kortright Waterfowl Park property as an integral part of the Hanlon’s Creek Valley Land Acquisition project”**. Following adoption of this motion by the Executive the Kortright Committee reported to the Executive in November that a Guelph Citizen’s Committee had been formed and applied for letters patent with the objective of operating the waterfowl park.

1976

In April 1976 the Kortright Committee recommended to the GRCA Executive that no action be taken on acquisition of the Kortright Waterfowl Park until the Citizen’s Committee (Kortright Foundation) was formally established and could present the Authority with operating plans for the Park. The Executive accepted this Recommendation.

In September 1976 Mayor Jary of the City of Guelph addressed a meeting of the GRCA Board. The mayor requesting the Authority to acquire the Kortright Waterfowl Park property as a vital part of part of the Hanlon’s Creek Conservation Area Project and outlined the City’s willingness to fund its share of the cost under the terms of the Guelph Valleylands Project.

At a subsequent meeting of the GRCA Executive Mack Coutts, GRCA General Manager, reported to the GRCA Executive that the 116-acre Kortright Waterfowl Park was within the boundaries of

the Hanlon Creek Land Acquisition Project that had, to date, purchased 440 acres of valleyland. "In addition, approximately one-half of the property is within the valley lands of the Speed River, which has been identified as the site of the Hespeler Reservoir". The GRCA had been in discussion with the City of Guelph, the Ontario Waterfowl Research Foundation and the Ministry of Natural Resources concerning the purchase of the Kortright Waterfowl Park. The newly Chartered Niska Wildlife Foundation has now taken over responsibility for the operation of the Waterfowl Park.

In September 1976 the GRCA Executive Committee approved the purchase of the Kortright Waterfowl property and authorized the Kortright Committee to negotiate a lease agreement with the Niska Wildlife Foundation.

1978

The Guelph Mercury on Feb 2 1977, under a headline GRCA PURCHASING KORTRIGHT – 160,000 Gov't Grant, reported that the Grand River Conservation Authority (GRCA) will complete purchase of the Kortright Waterfowl Park in a few days after receiving a \$160,000 grant from the Ontario Ministry of Natural Resources. The Grant covers province's 50% share of the \$320,000 purchase price for the 116-acre park and its buildings. City of Guelph pays 40 per cent (\$128,000) while the GRCA picks up the remaining 10 per cent under a GRCA purchase formula. Mayor Norm Jary was quoted as saying "as I told them (GRCA officials) last fall this (Kortright Park) was a key parcel of land for the protection of the Hanlon watershed since it was at the junction of river and creek".

The Chairman of the GRCA subsequently reported to the Executive Committee that approval had been received from the Ministry of Natural Resources for the purchase of the Kortright area in the Hanlon's Creek and the purchase has been made. An agreement of lease has been negotiated and is ready for signature with the Niska Wildlife Foundation who are to carry on the waterfowl/wildlife refuge at the area under lease from the Authority.

1978

The City of Guelph and the GRCA adopt a Master Plan for the Hanlon Creek Conservation Area. The Master Plan identifies the Kortright Waterfowl Park as the keystone property. "Located at the confluence of Hanlon Creek and the Speed River its function is very important with regard to other activities planned for the watershed." ... "it is proposed that the area come under a new concept for its use and management." The new concept was that of a zoological park featuring wildlife native to Ontario. "The natural features in the area range from cedar swamps to cultivated upland fields. Due to this variety in landscape and vegetation, it is quite conceivable to establish and maintain an area that would function with a greater variety of species than now exist."

1982

On behalf of the City of Guelph the GRCA applied to the Ministry of Natural Resources for counterpart funding to implement the Master Plan for the Hanlon Creek Conservation Area. Decision on the funding application was deferred.

1986

On behalf of the City of Guelph the GRCA requests the MNR to expedite the request for approval and implementation of the Hanlon Creek Master Plan as a “long-standing high priority” project of the City. The application to the MNR was not funded.

1997

City Council adopted a Greenspace Vision and Plan for the City of Guelph. The Plan retained the emphasis of earlier Master Plans on Kortright Waterfowl Park lands as a keystone open space in the Hanlon Creek Conservation Area.

2015

Minutes of Heritage Guelph Meeting November 9 2015

“THAT Heritage Guelph does not support the preliminary preferred alternative for the Niska Road Environmental Assessment presented to Heritage Guelph on April 13, 2015 by Engineering Staff and their consultant, and;

THAT Heritage Guelph recommends to Council that the Niska Road area bounded to the west by the Speed River, the north by the township line, to the eastern boundary of the GRCA lands, and the southern City boundary be designated under the OHA as a cultural heritage landscape and be preserved in such a form as to continue its sightlines and its current land use patterns, and;

THAT the area being recommended for designation include the existing Bailey bridge, stone abutments and existing road widths and graded shoulders.”

CARRIED

2015

Minutes of Guelph City Council meeting December 3 2015

11. Moved by Councillor Piper

Seconded by Councillor Allt

1. That staff be directed to refer the Heritage Guelph recommendation to designate the Niska Road/Hanlon Creek Conservation precinct as a cultural heritage landscape to the IDE Committee for consideration of bringing forward a notice of intent to designate.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED