

# Staff Report



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To	<b>Committee of the Whole</b>
Service Area	Public Services
Date	Tuesday, September 7, 2021
Subject	<b>Third Party Trail Agreements</b>

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## Recommendation

1. That staff be authorized to enter into a three-party license agreement between the City of Guelph, Guelph Hiking Trail Club and Grand River Conservation Authority as outlined in the Public Services Report 2021-249 dated September 7, 2021, subject to the form and content being satisfactory to the Deputy Chief Administrative Officer of Public Services and the City Solicitor.
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## Executive Summary

### Purpose of Report

To outline the benefits of a proposed three-party license agreement with Guelph Hiking Trail Club (GHTC) and Grand River Conservation Authority (GRCA) for the purpose of continuing to implement the Council-approved Guelph Trail Master Plan.

### Key Findings

The Guelph Trail Master Plan (GTMP) supports community led, city supported trail projects. The GHTC proposal provides an opportunity to expand the trail network utilizing community partners and expertise in a manner that benefits both the GHTC and City of Guelph residents.

The proposed foot trails support the desire of Guelph residents for unstructured recreational opportunities and access to the scenic views along the Speed River. The agreement will outline overall use and maintenance expectations. Residents will benefit from additional trail use opportunities that will not create additional operating impacts for city staff.

GHTC currently manages approximately 80 kilometers of hiking trails in and around Guelph with the help of club members.

### Financial Implications

Staff will install information signage at all trail access points. The capital costs involving design and installation of the trail information signage have been estimated at approximately \$15,000. Capital account PK0002 – New Trail Construction will be used to fund the capital cost of the signage. There will be no further operating cost to the signs. The agreement will provide residents with additional trail opportunities without trail maintenance costs; therefore, no operating budget is required for the maintenance of the trail segments.

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# Report

## Background

The GHTC is a local incorporated charitable organization with approximately 400 members and volunteers. The club manages approximately 80 kilometers of informal trails centered on Guelph, linking the City with Cambridge, West Montrose, and the Niagara Escarpment. The Club creates and maintains trails which are typically unsurfaced routes used mainly for hiking and secured by agreements with landowners and covered by the Club's liability insurance.

## Existing informal trails

GHTC is currently managing the following trails on City-owned lands:

- A section along north bank of Speed River in the vicinity of the City Wastewater Treatment Plant which extends from the westerly Wastewater boundary to the former Guelph Humane Society building in accordance with a license agreement between GHTC and the City executed in 2007.
- "The O.R." Side trail along east bank of Eramosa River with access point at Stone Road on City-owned lands within Guelph Innovation District in accordance with a license agreement between GHTC and the City executed in 2011.
- Arkell Spring Grounds trail.

## Proposed trail routes

GHTC wishes to formalize and manage the following trail routes:

### Rapids Side Trail

An informal 1.5 kilometer worn footpath located along the west bank of the Speed River, east of the Trans Canada Trail (TCT), over lands owned by the City, Armtec, the Province of Ontario and the GRCA. The proposed trail begins approximately 300 metres south of Speedvale Avenue at the end of Mac Ave and ends at Herb Markle Park, near the junction of the TCT and Goldie Mill Park. **(Attachment-1)**

1. GHTC presented a proposal to formalize the Rapids Side Trail to River Systems Advisory Committee on May 15, 2013. The committee considered the proposal and unanimously passed the following motion:
2. "That the River Systems Advisory Committee support the Rapids Trail proposal as presented while suggesting that the southern Goldie Mill entrance be developed when feasible."

### Marianne Park Trail **(Attachment-2)**

An informal 200 metres long worn footpath located at Marianne Park owned by GRCA and maintained by City under an agreement.

### Speed River Trail (Edinburgh Road to Ronald Street) **(Attachment-3)**

A 330 metres long footpath along north of Speed River located at Silvercreek Park. The trail starts at the parking lot and ends at the pedestrian crossing across Wellington Street W. A potential trail extension to the west of Roland Street will be addressed through a staff report as directed by Council in June, 2021 at the time of approval of the GTMP.

## **Proposed management of informal trails**

GHTC aim to formalize and align the existing informal (ad hoc) routes or worn footpaths that have developed over time. GHTC proposes to accept liability and full responsibility to manage and maintain these informal trail routes on an ongoing basis on behalf of the various landowners. They will be responsible for signage along the route and wayfinding blazes and would be included in the GHTC trail guidebook and will maintain liability insurance as a condition of the proposed agreement.

The current proposal from GHTC doesn't involve any construction or need for fill placement. Any improvements or modification to these trails will be subject to staff approval and will not involve any substantial changes to the existing slopes or removal of material.

The GHTC proposes to manage these trail routes through the following measures:

- Removal of deadfall trees
- Removal of standing or wind-thrown hazard or dead trees and branches
- Clearing of vegetation from 1m wide trail corridor
- Removal of buckthorn and Japanese Knotweed
- Removal of litter, debris and campfire rings
- Removal of trip hazards
- Placement of stepping stones in areas of pooling/poor drainage

## **Natural Heritage System:**

The proposed trail routes are located within City's natural heritage system and in order to protect the natural heritage the trail would meet the following criteria:

- The trail be maintained as a passive recreational trail, consistent with the Official Plan definition of "passive recreational activities";
- That the trail alignments shown on Attachments-1, 2 and 3 be maintained;
- That the trail be maintained as a natural surface or wood mulch, minimize the footprint and impacts to the natural heritage system and abate management issues, such as erosion and the ponding of water;
- That the City's Tree By-law and Tree Technical Manual be followed, as appropriate;
- That any trail improvements involving the placement or removal of fill be approved by GRCA and City of Guelph staff prior to implementation.

Staff are supportive of the GHTC proposal as it will be beneficial for the general public to have access to the natural area and scenic views. City policy encourages partnerships with community groups for provision of recreational items and staff believes that it would be beneficial for City to allow the GHTC to proceed with the management of the proposed tertiary trails. However, to protect the City's and GRCA's interests, the partnership should be subject to the execution of a three-party license agreement prior to the establishment of trails similar to the existing license agreements between City and GHTC.

The proposed agreement would only apply to City and GRCA owned lands that are maintained by the City. GHTC would be solely responsible to seek permissions from other landowners who own lands along the proposed routes and the City would not be party to or accept any responsibilities for trails in those areas.

Information signage will be installed at all trail access points on the subject lands to inform public that the trails are not maintained by the City of Guelph to the City's trail standards and are being maintained by GHTC. The trail signage would also include information about the length, type of surface, width and average and maximum slopes of the trail. The signs allow users to make informed choice of using these trails and is aligned with the intentions for signage outlined in the Accessibility for Ontarians with Disabilities Act (AODA).

As a component of the continuous improvement of services for residents, provision could be made to add future GHTC managed trails on City lands as schedules, the terms and conditions of which would set out in one comprehensive agreement.

### **Accessibility**

Where the environment and topography will accommodate it, accessible alternatives to the recreational trails proposed are provided as is the case in the Speed River Trail segment. Where the sensitivity of the environment, the topography and the trail location do not allow for accessible routes, signage will be provided that clearly identifies the nature of the surface, width and slope of the trails. This is aligned with the AODA and how best to communicate information to users before they enter the trail.

### **Financial Implications**

Staff will install information signage at all trail access points. The capital costs involving design and installation of the trail information signage have been estimated at approximately \$15,000. Capital account PK0002 – New Trail Construction will be used to fund the capital cost of the signage. There will be no further operating cost to the signs. The agreement will provide residents with additional trail opportunities without trail maintenance costs; therefore, no operating budget is required for the maintenance of the trail segments.

### **Consultations**

Leah Lefler, Environmental Planner, Planning and Building Services

Dwain Manning, Risk Management Specialist, Legal, Realty and Court Services

Leanne Warren, Accessibility Project Specialist, Facilities and Energy Management

Greg Clark, Manager, Financial Strategy and Long-Term Planning, Finance

### **External**

Grand River Conservation Authority

Guelph Hiking Trail Club

### **Strategic Plan Alignment**

The proposal aligns with the City's 'Sustaining our Future', 'Working Together for our Future' and 'Building our Future' strategic priorities.

Sustaining our future by protecting the green infrastructure provided by woodlands, wetlands, watercourses and other elements of Guelph's natural heritage system.

Working together for our future by developing strategic partnerships with stakeholders to improve service delivery.

Building our future by working to enhance community well-being and safety through direct service and program delivery.

### **Attachments**

Attachment-1 Location Map - Rapids Side Trail

Attachment-2 Location Map – Marianne Park Trail

Attachment-3 Location Map – Speed River Trail (Edinburgh Road to Roland Street)

Attachment-4 GHTC Proposal

### **Departmental Approval**

Luke Jefferson, Manager, Park and Trail Development, Parks

Krista Walkey, General Manager, Planning and Building Services

Allison Thornton, Associate Solicitor, Legal, Realty and Court Service

### **Report Author**

Jyoti Pathak, Park Planner, Parks

### **This report was approved by:**

Gene Matthews

General Manager, Parks

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### **This report was recommended by:**

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