

PURCHASE OF THE NISKA LANDS - THE TRUTHFUL HISTORY

Prepared by Hugh Whiteley July 2025

In preparation of a new management plan for the Niska Lands in Guelph the GRCA has made the following false and misleading statements:

- That the Niska Lands, composed of two purchases, the first, in 1971, being the Hanlon Estate purchase, and the second, in 1977, being the purchase of the Kortright Waterfowl Park, were acquired “to support the Hespeler Reservoir as a flood control project”;
- That the Niska Lands were not purchased at the request of the City of Guelph with the City providing the major-benefitting-municipality portion of the purchase price and retaining, as major benefitting municipality, control over the future use of the Niska Lands.
- That the Niska Lands were not acquired as core properties of the Hanlon Creek Conservation Area;
- That the Master Plan for the Hanlon Creek Conservation Area, as adopted by the City of Guelph and by the GRCA, did not specify the intended future use of all of the Niska Lands, including cultivated fields, as the site of a zoological park for native Ontario wildlife;

The true history of the purchase of the Niska Lands is as follows:

- In 1966, recognizing the importance of retaining contact with nature for inhabitants of an expanding city, the City of Guelph requested the GRCA to prepare a watershed plan for the newly annexed Hanlon’s Creek Basin that would protect the natural functioning of Hanlon’s Creek. The City requested special attention be given in the plan to actions needed to protect the future of the Kortright Waterfowl Park that was within the annexed area.
- The resulting Preliminary Report on the Hanlon’s Creek Basin (Kilborn Engineering Limited 1968) recommended permanent protection of an 845-acre Conservation Zone comprising the entire length of the valley of Hanlon’s Creek. This Conservation Zone included the Kortright Waterfowl Park. Creation of the Conservation Zone allowed the continuing functioning of the Kortright Waterfowl Park.

- The stated purpose of the Conservation Zone was to provide residents of Guelph and visitors with “excellent facilities for recreation and the appreciation of nature” (p39). The Kortright Waterfowl Park was to become a “general nature or zoological park” (p 39) with “the emphasis on the overall relationship between wildlife and its environment” (p 32). Access to nature was to be provided by “many nature trails. scattered throughout the wooded areas” (p 31).
- In 1970 the City of Guelph adopted, as a City Project, the objective of establishing the 845-acre Hanlon Creek Conservation Area as described in the 1968 Report. As part of an implementation strategy for the Project the City petitioned the GRCA to form a Guelph Valley Lands Project to acquire land for the Hanlon Creek Conservation Area.
- The GRCA agreed to form the Guelph Valley Land Project in February 1970. The terms of the Guelph Valley Lands Project partnership for the purchase of land were that the City of Guelph, as major benefitting municipality, would pay 40 % of the purchase price of land, the GRCA would pay 10% and the GRCA would apply for the available Provincial Grant for the remaining 50%.
- The first purchase of land for the Hanlon Creek Conservation Area made under the Guelph Valley Land Project was the purchase in 1971 of 42.4 acres of land along Hanlon Creek from the Hanlon Estate. This is the first of the two purchases that comprise the Niska Lands.
- At the request of the City the GRCA prepared an Interim Planning Study for the Hanlon Creek Conservation Area to provide guidance for creation and implementation of a management system for operation of the HCCA. The Interim Study was sent to the City for comment in February 1975.
- The Interim Study focused on the importance of the Kortright Waterfowl Park to the activities planned for the Hanlon Creek Conservation Area. The study called for the objectives of the Kortright Park to be altered to a zoological park providing experience of indigenous Ontario wildlife in a natural setting.
- The Interim Study made specific mention of the need to include the upland cultivated fields within the Niska Lands to provide the variety in landscape and vegetation needed to support biodiversity in the future zoological park.

- The Interim Study, (February 1975) stated that the current financial situation of the Waterfowl Park under the ownership of the Ontario Waterfowl Research Foundation gives rise to concern. In May 1975 this concern was confirmed by the OWRF in an announcement directed to the City of Guelph and the GRCA that the OWRF could no longer operate the Kortright Waterfowl Park. The OWRF expressed the hope that the Kortright Waterfowl Park could be purchased by the GRCA and continue in operation.
- On receipt of the communication from the OWRF regarding the future of the Kortright Waterfowl Park the City of Guelph requested the GRCA to form a joint committee with the City to consider purchase of the Kortright Waterfowl Park property under the provisions of the Guelph Valley Land project.
- The GRCA agreed to form the Kortright Committee in September 1975. The Kortright Committee was directed to investigate the possibility of acquiring Kortright Waterfowl Park property as an integral part of the Hanlon's Creek Valley Lands Acquisition project.
- There followed a series of meetings of the Kortright Committee at which it was confirmed by the Deputy Minister of the MNR that funding of the purchase through the Guelph Valley Lands Project would be approved by the MNR. It was decided that purchase of the Kortright Waterfowl Park could only proceed if and when a legally-constituted citizen's organization had been formed and had demonstrated financial capability to operate the Kortright Park.
- In April 1976 the City of Guelph passed the following resolution

Resolution: THAT the Grand River Conservation Authority be advised that the Council of the City of Guelph supports the acquisition by the Authority of approximately 116 acres of land, including buildings and equipment, from the Ontario Waterfowl Research Foundation, on the basis of the City paying \$124,000. \$60,000 of the City funds to be made available by December 15 1976 and the balance of City support funds to be available over a four-year period.

- This resolution was presented to the GRCA Executive Committee by Mayor Norm Jary of Guelph on September 10 1976. The Mayor requested that the GRCA proceed with the acquisition of the Kortright Park as part of the Hanlon's Creek project.

- On September 24 1976 the Executive Committee adopted the motion from the Kortright Committee that the Authority purchase the Kortright Waterfowl Park property according to the terms and conditions set out in a letter from the Ontario Waterfowl Research Foundation of February 3 1976 and that the Kortright Committee be authorized to negotiate a lease agreement between the Grand River Conservation Authority and the Niska Wildlife Foundation and report to the Executive Committee.
- The Chair's Report to the GRCA Executive Committee on February 4 1977 stated that Approval has been received from the Ministry of Natural Resources for the purchase of the Kortright area in 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 with the Authority.
- Res. No. 49-77 THAT the lease with the Niska Wildlife Foundation for use of the Kortright area be executed by the officers of the Authority was approved.
- A Master Plan for the Hanlon Creek Conservation Area was completed in 1978, adopted by the City of Guelph and the GRCA and submitted to the Ministry of Natural Resources for approval. This Master Plan with some revisions was resubmitted in 1982 and again in 1985. The Master Plan had as its major focus the conversion of the Kortright Waterfowl Park Lands to a zoological nature reserve of Ontario wildlife.
- On January 6 1986 Ronald Fox, Secretary-Treasurer of the GRCA, wrote to J.J. McFadden, Regional Conservation Authorities Programme Co-ordinator of the MNR regarding the Hanlon's Creek Master Plan. Mr. Fox noted that this project had "a long-standing high priority with the City of Guelph", and "we are most anxious to have you proceed with obtaining a Master Plan approval". The approval of the Master Plan needed for securing MNR funding for implementation of the Master Plan was never obtained from the MNR. Provincial funding of land acquisition and implementation costs for Conservation Areas was discontinued in 1996.
- The Hanlon Creek Conservation Area was prominently featured in the Southview District 8 Secondary Plan portion of the 1975 Official Plan and in the subsequent 1997 Greenway Vision and Plan adopted by City Council

and incorporated in the Official Plan until the passage of OPA 48. In recent years I have not found documentation of recognition by the City or the GRCA of their joint commitment to complete the establishment of the Hanlon Creek Conservation Area.

CURRENT NEEDS

If we fast forward 55 years from 1970 to 2025 how does the initiative of the City and GRCA to acquire and preserve land for experiencing nature stack up against current identification of need?

- The World Health Organization recognizes the importance of access to urban blue/green spaces in determining human and ecosystem health.
- The International Biodiversity Framework calls for significant increase in access to green and blue spaces in urban areas to improve human health and well-being and connection to nature.
- Parks Canada is developing urban parks to conserve nature, connect people with nature and advance reconciliation with Indigenous Peoples,
- Ontario Ministry of Environment Conservation and Parks opens first Urban Provincial Park in Uxbridge to connect people with nature.

Footnote:

The statement by the GRCA that the purpose for the purchase of both portions of the Niska Lands was “to support the Hespeler Reservoir as a flood-control project” is obviously false for the following reasons:

1. The Minutes of GRCA and City of Guelph meetings contain a full record of the steps leading to the purchase of both portions of the Niska Lands by the GRCA at the request of the City of Guelph for the Hanlon Creek Conservation Area. Nowhere in these Minutes is there any mention of the purchases being made to support the Hespeler Reservoir project. For the 1977 purchase of the Kortright Waterfowl Park the approval letter from the

Minister of Natural Resources specifies that the Waterfowl Park was purchased to form part of the Hanlon Creek Conservation Area.

2. The purchase record for each of the two parcels shows the City of Guelph paying the majority portion of the local share of purchase costs as major benefitting municipality. The GRCA, without exception, applies the rule that there is no major benefitting municipality for any flood control project – the cost of flood-control projects is shared among all municipalities. Therefore, the Niska Land purchases, each of which designated the City of Guelph as the major benefitting municipality, were not acquired for a flood control project.
3. With regard to the first purchase – the Hanlon Estate Purchase of 1971 – this property is not within the Hespeler Reservoir project area and could not be purchased for the purpose of furthering the Hespeler Reservoir project. Furthermore, the GRCA did not have authority to purchase land for the Hespeler reservoir in 1971. A motion authorizing the GRCA to purchase land for the Hespeler Reservoir was not passed by the GRCA Board until 1972. (As far as I can determine after a careful examination of GRCA meeting minutes the GRCA Board took action under this authorization and never purchased any land for the Hespeler Reservoir).
4. Although the Province retained the Hespeler Reservoir Project in a list of future projects for the Grand River until 1982 the GRCA had determined in 1972 that a Water Management Project for Hespeler comprising heightened dykes and channel enlargement was a better method for flood control in Hespeler than construction of the Hespeler Dam and Reservoir. The GRCA completed the Hespeler Water Management Project in 1975. The GRCA removed the Hespeler Dam and Reservoir from the GRCA list of future dams and reservoirs (GRCA Capital Forecast 1976). The GRCA had no interest in the Hespeler Reservoir project in 1977 at the time of the Kortright Waterfowl Park purchase.

MEMO TO: City Council
FROM: Hugh Whiteley
DATE: July 16 2025
RE: GAPS IN GRCA PRESENTATION OF STRATEGIC PLAN 2025-2029

Greetings:

As noted in the GRCA presentation, the GRCA Strategic Plan for 2025-2029 is directed to achieving four objectives. My comments are directed to the actions listed for Goal 3 “Connecting people with the environment through outdoor experiences”.

Goal 3- connecting people with nature – responds to a now well recognized benefit to physical, mental and spiritual health provided by easy access to natural beauty for residents of urban areas. Providing this access increases in both importance and difficulty as the density of human occupation of urban space increases.

The City of Guelph has recognized the need to increase easy access to the green and blue spaces that connect people with nature in recent planning documents.

In doing so the City is following guidance from a wide variety of sources and is acting in parallel with other levels of government. For example:

- The World Health Organization recognizes the importance of access to urban blue/green spaces in determining human and ecosystem health.
- The International Biodiversity Framework calls for significant increase in access to green and blue spaces in urban areas to improve human health and well-being and connection to nature.
- Parks Canada is developing urban parks to conserve nature, connect people with nature and advance reconciliation with Indigenous Peoples,
- Ontario Ministry of Environment Conservation and Parks in 2024 opened the first Urban Provincial Park in Uxbridge to connect people with nature.

The GRCA presentation of its 2025-2029 Action Plan correctly identifies the GRCA’s contribution to meeting the need of Guelph residents for access to green and blue spaces made through visits to the Guelph Lake CA. In addition, there are

“several maintenance agreements in place with City to ensure these lands are accessible to residents”.

However, what is missing from the GRCA presentation is the lack of a plan of action to give back to Guelph residents the access to nature provided by the former Kortright Waterfowl Park lost when this property, purchased in 1977 as the core property of the Hanlon Creek Conservation Area, was closed to the public in 2005 after 40 years of public access.

The GRCA fails to report on the lack of attention in GRCA plans for completing of the approved Master Plan for the Hanlon Creek Conservation Area for which over \$11 million (2024\$) in public funds (\$4.1 million of City of Guelph Funds) were expended between 1971 and 1986.

The City and the GRCA should be making plans to establish an Urban Nature Park headquartered in the Niska Lands using as a base the previously adopted Master Plan for the Hanlon Creek Conservation Area. Instead, the GRCA has developed a new Land Use Master Plan for the Niska Lands that denies the existence of a Master Plan for the HCCA headquartered in the Niska Lands and denies the City of Guelph’s role as initiator of the concept of a Hanlon Creek Urban Nature Park.

The appropriate way forward is for City Council to request a presentation of the GRCA’s new Master Plan for the Niska Lands to City Council. The purpose of the presentation is to ensure the final Master Plan for the Niska Lands recognizes and responds to the original City-led purpose for which the Niska Lands were purchased which was to be the headquarters of an 845-acre Urban Nature Park.

Best regards

Hugh Whiteley