

## **STAFF REPORT**

### **REPORT FROM THE ACTING DIRECTOR OF PUBLIC WORKS**

#### **DESCRIPTION**

Re: Spine Road Cross-Country Ski Trail MOU 2023

#### **RECOMMENDATION**

**THAT** the report from the Acting Director of Public Works be received;

**AND THAT** the draft Memorandum of Understanding between the City, Elliot Lake Retirement Living and the XC Ski & Bike Club Inc. be forwarded to council for consideration and adoption.

## **BACKGROUND**

There is a cross-country ski trail located to the West of Spine Beach. Most of this established trail runs over property owned by Retirement Living. The City owns land where a relatively small section of trail passes towards the far end and there is part of a loop at the very end that passes over some Crown land.

In the past, the City entered into an MOU with Retirement Living that grants access to their land for the purposes of providing access to the trail and to indemnify them from any liability that could arise as a result. The City effectively ran the trail and was responsible for it by supporting various non profit clubs.

Also in the past, there was an dedicated XC ski club that worked with the City to run this trail. But this former club is now essentially defunct – the listed directors on the board have either passed or have demonstrated limited interest in continuing an active role.

Because of this, Jack Peterson of Jack's Ski and Bike Shack, Paul Eldon of 108 Lifestyle and Sports and past President of the former club Margaret Dean have worked together to form a new club as the Elliot Lake XC Ski & Bike Club. The organization has just incorporated and insured itself in November and December of 2022. The Club, Elliot Lake Retirement Living (ELRL) and City Staff met in the weeks leading up to the Holiday Season to discuss the specifics of how the three parties can work together to support Cross-Country Skiing in Elliot Lake.

## **ANALYSIS**

Attached is an MOU that has been prepared by staff that represents a tripartite agreement between the new XC Ski club, ELRL and the City. There is also a map of the trail attached to that agreement as Schedule A.

Retirement Living, the XC Ski Club and City Staff have all reviewed draft versions of this document. ELRL has had this document reviewed by their legal counsel, and it is staff's understanding that ELRL and the XC Ski Club are amenable to signing.

Retirement Living is supportive of the idea of an XC Ski Trail being on the property and is willing to grant access to the property for this use, but does not want to incur liability for operating the trail. The new XC Ski Club seeks to groom and maintain this trail for the 2023 season. It has put insurance in place through IMBA Canada (the International Mountain Bike Association) to assume liability for this purpose.

Staff's rationale for this way forward is to turn over care and control of the trail to the XC Ski & Bike Club, as the Club's insurance policy is in place to respond to claims from the Club's members as well as the general public.

## **FINANCIAL IMPACT**

Staff does not anticipate a significant financial impact to operating the Spine Beach Cross-Country ski trail on this basis.

## **LINKS TO STRATEGIC PLAN**

This project directly relates to the following key section of the strategic plan:

- Health and Community Wellness: Provide activities and promote healthy lifestyles through recreation for all age groups.
- Environmental Stewardship: Support additional development and maintenance of trails.

## **SUMMARY**

Staff recommends that the Recreation and Culture Standing Committee forward this report in the associated MOU to council for consideration at the January 9, 2023 and that council enter into an agreement with both ELRL and the XC Ski & Bike Club to operate a cross country ski trail located West of Spine Beach for the 2023 season.