

# License Agreement for 60th Street Storm Pond

## ISSUE

This report provides an overview of the terms of a license agreement with the Saskatoon Water Ski Club for the recreational use of the 60<sup>th</sup> Street Storm Pond, for a five-year term, with renewal option.

## RECOMMENDATION

That the Standing Policy Committee on Finance recommend to City Council:

1. That the City enter into a license agreement with the Saskatoon Water Ski Club for the recreational use of the 60th Street Storm Pond, in accordance with the terms set out in this report; and
2. That the City Solicitor be requested to prepare the appropriate agreement and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal.

## BACKGROUND

The Saskatoon Water Ski Club (Ski Club) has been operating at the North Industrial Pond, located south of 58<sup>th</sup> Street in the Hudson Bay Industrial Area, for over 25 years. The City of Saskatoon (City) has a current agreement with the Ski Club for the use of this pond to provide water skiing, wakeboarding and other water sport training and competition activities for its members from May through September. The Ski Club also maintains a seasonal sub license from December through March, with the Saskatoon Track and Trail Ice Racing Club which utilizes the pond for motocross races on a close-circuit ice track. A map of the pond can be found in Appendix 1.

Since 2016, the Ski Club has made significant improvements to the North Industrial Pond and is planning future improvements including construction of a new clubhouse with accessible change rooms for adaptive athletes. These improvements are necessary to address the considerable growth in membership for the Ski Club over the past few years. The Ski Club's enhancement to the 58<sup>th</sup> Street Pond increased their eligibility to bid on premier water ski events. These higher profile events create greater awareness in the community and surrounding areas, which drives demand for further programming.

## DISCUSSION/ANALYSIS

The addition of the 60<sup>th</sup> Street Storm Pond will allow the Ski Club to increase its operational capacity for adaptive and able-bodied athletes, enhanced programming and training, and ability to host competitions. The following outlines the intended uses of the 60<sup>th</sup> Street Pond:

- Installation of a cable system, allowing adaptive and able-bodied athletes access to water skiing and wakeboarding without use of motorized watercraft;

- Installation of a temporary boat launch and floating dock, to allow for launching and pick up of boats for larger scale events, as well as basic to advanced boat safety training; and
- The Ski Club is responsible for executing approximately 60% of classic water ski programming, on behalf of Water Ski and Wakeboard Saskatchewan. An expansion, which includes the 60<sup>th</sup> Street Storm Pond with cable towed capabilities, would increase this to approximately 85%.

Recreation and Community Development has reviewed this plan with Saskatoon Water on the recreational use of the 60<sup>th</sup> Street Storm Pond and obtained required administrative approvals, which would allow the Ski Club to utilize and develop on this site. Saskatoon Water stated they will continue to actively monitor water conditions and surrounding area in the event of a requirement to modify or limit use of the site in the future.

### 60<sup>th</sup> Street Storm Pond Terms of Agreement

The City and the Ski Club would like to enter into a license agreement for recreational use of the 60<sup>th</sup> Street Storm Pond. The key terms and conditions reflect the City's standard agreement with the following terms:

- The City and the Ski Club would enter into a seasonal use license;
- The City agrees to allow the Ski Club to use the pond for five years, with a renewal option for two additional five-year terms, for the purpose of providing water-skiing, wakeboarding, boat safety training and other water sport training and competition activities to its members;
- All improvements and renovations shall be at the expense of the Ski Club and require written consent of the City prior to implementation;
- The Ski Club must sublicense the use of the site to others where Administration has approved the said sublicensee;
- The Ski Club shall use its best efforts to restrict use of the pond and the installations to its members only;
- The Ski Club will carry the necessary insurance, naming the City as an additional insured;
- The Ski Club is responsible to maintain the land in a clean, sanitary and safe condition during the term;
- The Ski Club would agree to indemnify the City;
- The Ski Club, or event organizers acting with the consent of the Ski Club, would need to make an application to the City for permission to hold any special events at or around the 60th Street Storm Pond; and
- The Ski Club acknowledges the pond's primary purpose is for storm water management, and that the purpose cannot be compromised by any use of or alterations to the pond.

## **OTHER IMPLICATIONS**

Public notice, pursuant to Section 3 of [Council Policy C01-021, Public Notice Policy](#), is required before City Council considers licensing land for less than fair market value and without a public offering. A copy of the Public Notice for this matter can be found under Appendix 2. Further, should Committee recommend approval to City Council, Administration would provide additional Public Notice in advance of the April 26, 2023 Public Hearing meeting.

There are no financial, privacy, legal, social or environmental implications identified.

## **NEXT STEPS**

Pending review of the request to license at less than fair market value by the Standing Policy Committee on Finance, the license agreement will be considered by City Council at its meeting scheduled for April 26, 2023. Should the request to license be approved, the City Solicitor will prepare a formal license agreement with the Ski Club for use of the 60<sup>th</sup> Street Storm Pond.

## **APPENDICES**

1. Storm Pond Locations
2. Public Notice

## **REPORT APPROVAL**

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