

**City of Port Colborne
Special Council Meeting 13-18
Minutes**

Date: June 11, 2018

Time: 6:32 p.m.

Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: R. Bodner, Councillor
B. Butters, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
Y. Doucet, Councillor
D. Elliott, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Absent: Y. Doucet, Councillor (due to vacation)
J. Mayne, Councillor

Staff Present: D. Aquilina, Director of Planning and Development
C. McIntosh, Deputy Clerk
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
C. Vincent, Manager of Strategic Projects
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and YourTV.

1. Call to Order:

Mayor Maloney called the meeting to order.

2. National Anthem:

Joel Longfellow sang O Canada.

3. Confirmation of Agenda:

No. 80 Moved by Councillor Kenny
Seconded by Councillor Desmarais

That the agenda dated June 11, 2018 be confirmed, as circulated or as amended.
CARRIED.

4. Disclosures of Interest:

Councillor Bodner declared a pecuniary interest with regard to the Planning and Development Department, Planning Division Report 2018-72, Subject: Stopping Up and Closing a Part of Empire and Michael Roads as his business is located in Sherkston Shores. Councillor Bodner left the room during the Public Meeting and refrained from discussing or voting on that item.

5. Public Meeting Under the Municipal Act:

Proposed Road Closure for part of the Michael and Empire Road road allowances.

(i) Purpose of Meeting:

Mr. Aquilina advised that the purpose of this meeting, pursuant to the Municipal Act is to consider a proposed closing of a part of the Empire & Michael Road allowance.

(ii) Method of Notice

Mr. Aquilina advised that Notice of the Public Meeting was advertised in the Niagara this Week and placed on the City's website.

(iv) PRESENTATION OF REPORT 2018-72

Mr. Aquilina presented highlights of the Planning and Development Division Public Meeting Report 2018-37 through a PowerPoint presentation. Mr. Aquilina illustrated the proposed closures through a series of maps and surveys containing their legal descriptions.

Mr. Aquilina provided comments made by a letter received from Cindy Mitchell raising that Sherkston Shores has enjoyed the use of the roads for financial gain and unrestricted access while the community has not.

Mr. Aquilina advised that Mr. Vincent was in attendance as he has been involved on the matter and that Council will have the opportunity to ask any questions.

Councillor Butters requested Mr. Vincent's involvement and to provide information that can be shared. Mr. Vincent provided a history of his involvement with Sherkston Shores and with recent matters dealing with the potential road closures & land sale. Mr. Vincent indicated that any land sale would require Council approval and would include a requirement that residents within the L0s 1R0 postal code would have access in perpetuity to the beach. Mr. Vincent also informed that access to the cemetery would also be included.

Councillor Kenny raised that it appeared that structures were located on the road allowances. Mr. Vincent eluded to raising the existence of structures with the new owners of Sherkston Shores and Mr. Aquilina provided the history of the City's role in reviewing their location.

(vi) ORAL PRESENTATIONS AND/OR QUESTIONS BY PUBLIC

Cindy Mitchell of 974 Pleasant Beach Road addressed Council and highlighted the uncertainty of being able to enter into Sherkston Shores as it was inconsistent. Mrs. Mitchell mentioned Sherkston Shores being benefitted for using municipal land with no compensation. Mrs. Mitchell asked if there would be more public meetings on the matter to which Mr. Aquilina stated that the public would be made aware of Council's consideration if they filled in the sign-in sheet.

Rick Hesp and Mr. Brooks, lands west of Michael Road questioned the purpose of road closure and Sherkston Shores plans. Mr. Vincent provided the closure and sale to Sherkston Shores and Council would have to approve any use.

Mr. Hesp was provided the zoning of surrounding properties by Mr. Aquilina. Mr. Brooks inquired to the road closure limit, maintenance of the road and use by Sherkston Shores. Mr. Vincent responded that he has no knowledge and that development is restricted by the wetland on the property.

Paul Dockert, 4771 Michael Rod. Informed Council of the use of Michael Road being experienced and the restricted access to Sherkston Shores. Mr. Dockert was interested to know future use of the road.

Robert South, 789 Michael Road. Concerned for future use of Michael Road by Sherkston Shores.

Darrel Moore, 554 Empire Road. Provided a history of living at his residence and negative impacts experienced. Mr. Moore questioned the process involved in the purchase of the road. Mr. Vincent & Aquilina provided a response under the Municipal Act and disposal of land policy and Councils approval required first. Mr. Moore expressed concerns that Sherkston Shores would relocate its gate closer to his residence and that there has been use of City property by Sherkston Shores with no payment in return.

(viii) EXPLANATION OF FUTURE MEETINGS

Mr. Aquilina advised that this concludes the Public Meeting and will be placed on Council's agenda in the near future. Mr. Aquilina responded to Councillor Butters that the residents who signed the sheet would be made aware when Council would be considering the matter.

6. **Adjournment:**

No. 81 Moved by Councillor Desmarais
Seconded by Councillor Kenny

That the Council meeting be adjourned at approximately 7:27 p.m.
CARRIED.



John Maloney
Mayor



Carrie McIntosh
Deputy Clerk

Minutes prepared by the Department of Planning and Development.