

**City of Port Colborne  
Regular Committee of the Whole Meeting 19-19  
Minutes**

- Date:** July 8, 2019
- Time:** 6:30 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** M. Bagu, Councillor  
E. Beauregard, Councillor  
R. Bodner, Councillor  
G. Bruno, Councillor  
F. Danch, Councillor  
A. Desmarais, Councillor  
D. Kalailieff, Councillor  
W. Steele, Mayor (presiding officer)  
H. Wells, Councillor
- Staff Present:** D. Aquilina, Director of Planning and Development  
C. Cooper, By-law Intake Officer  
B. Garrett, Director of Corporate Services  
A. Grigg, Director of Community and Economic Development  
A. LaPointe, Manager of Legislative Services/City Clerk  
N. Halasz, Manager of Parks and Recreation  
S. Hanson, Manager of By-law Services  
C. Lee, Director of Engineering and Operations  
S. Luey, Chief Administrative Officer  
C. McIntosh, Deputy Clerk (minutes)

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

**1. Call to Order:**

Mayor Steele called the meeting to order.

**2. National Anthem:**

Those in attendance stood for O Canada.

**3. Introduction of Addendum Items:**

Nil.

**4. Confirmation of Agenda:**

Moved by Councillor H. Wells  
Seconded by Councillor R. Bodner

That the agenda dated July 24, 2019 be confirmed, as circulated or as amended.  
CARRIED.

**5. Disclosures of Interest:**

Councillor Beauregard declared a pecuniary interest regarding item 2 as he is employed by Sullivan Mahoney and the firm has provided legal advice with respect to hunting in Gravelly Bay. Councillor Beauregard left the Council Chambers during discussion about item 2 and refrained from discussing or voting on this item.

**6. Adoption of Minutes:****(a) Regular meeting of Committee of the Whole 18-19, held on June 24, 2019.**

Moved by Councillor E. Beauregard  
Seconded by Councillor A. Desmarais

- (a) That the minutes of the regular meeting of the Committee of the Whole 18-19, held on June 24, 2019, be approved as presented.

CARRIED.

**7. Determination of Items Requiring Separate Discussion:**

The following items were identified for separate discussion:

Items 1, 2, 5, and 6.

**8. Approval of Items Not Requiring Separate Discussion:**

Moved by Councillor A. Desmarais  
Seconded by Councillor G. Bruno

That items 1 to 10 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

**Items:****3. Community and Economic Development Department, Parks and Recreation Division, Report 2019-109, Subject: 41st Annual Canal Days Marine Heritage Festival – Additional Request for Road Closures**

Committee of the Whole recommends:

1. That the closure to street parking and through traffic be approved and authorized for following roads beginning at 2:00 p.m. to 12:00 a.m. on Sunday, August 4, 2019 for the purpose of hosting the Canal Days concerts:
  - Steele Street, from the southern limit of Steele Street at Sugarloaf Street;
  - Steele Street, from the eastern limit at Steele Street at Sugarloaf Street;

- Isabel Street, from the southern limit of Isabel Street at Sugarloaf Street;
- Fielden Avenue, from the northern limit of Fielden Avenue at Sugarloaf Street;
- Fielden Avenue, from the southern limit at Sugarloaf Street;
- Lighthouse Lane, from the southern limit at Sugarloaf Street;
- Elm Street, from the southern limit of Elm Street at Sugarloaf;
- Elm Street, from the western limit of Elm Street at Sugarloaf Street;
- H.H. Knoll Lakeview Park parking lot, south of Dawg's Burgers and Fries to Fielden Avenue.

**4. Community and Economic Development Department, Parks and Recreation Division, Report 2019-110, Subject: Thirty Ninth Annual Terry Fox Run**

Committee of the Whole recommends:

That the request to host the thirty ninth annual Terry Fox Run on September 15, 2019 at 1:00 p.m., and the thirteenth annual head shave at 12:30 p.m. at the H.H. Knoll Lakeview Park bandshell, be approved; and

That the permit fee for the use of the H.H. Knoll Lakeview Park bandshell and hydro be waived; and

That the advertising fee be waived for information being posted on the West Side Road sign, the Library sign, and the Vale Health & Wellness Centre Pylon Sign from September 4 to September 15, 2019, be waived; and

That the request for the Terry Fox Run flag to be raised over City Hall the week of August 26, 2019, be approved and referred to the Mayor's office for response; and

That the request for a 10' x'10' stall at the Port Colborne Farmers' Market on August 23 and 30, 2019 and September 6 and 13, 2019 to sell licensed Terry Fox t-shirts and distribute pledge forms, be approved and referred to the Market Clerk for response; and

That the Event Organizer file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, in advance of the event.

**7. Memorandum from the Accessibility Advisory Committee Re: The Honourable David Onley's Recommendations**

Committee of the Whole recommends:

That Council supports the recommendation of the Accessibility Advisory Committee as follows;

That the recommendation from the Accessibility Advisory Panel of the City of Greater Sudbury to the Honourable Raymond Cho, Minister for Seniors and Accessibility, to adopt the recommendations of David Onley in his review of the Accessibility for Ontarians with Disabilities Act and commit to the implementation of new standards for the build environment, stronger enforcement of the act, accessibility for design professions, and an assurance that public money is never again used to create new accessibility barriers, be supported.

**8. Region of Niagara Re: Notice of Passing of By-law to Amend By-law 112-2013 being a By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-Hand Smoke – Triple Majority Requirement PHD 09-2019, June 11, 2019**

Committee of the Whole recommends:

That the Council of The City of Port Colborne consents to the passage of By-law No. 2019-52 of The Regional Municipality of Niagara, being a by-law to amend By-law 112-2013 - A Regional By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-hand Smoke.

**9. Region of Niagara Re: Joint Canadian Urban Transit Association Reporting Memorandum of Understanding (PW 30-2019)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Joint Urban Transit Association Reporting Memorandum of Understanding (PW 30-2019), be received for information.

**10. Region of Niagara Re: 2018 End of Year Growth Report (PDS 21-2019)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: 2018 End of Year Growth Report (PDS 21-2019), be received for information.

CARRIED.

**9. Presentations:**

Nil.

**10. Delegations:**

To be heard under Section 14 "Items Requiring Separate Discussion", Item 2, Planning and Development Department, By-law Enforcement Division, Report 2019-05, Subject: Hunting in Gravelly Bay Complaints.

**11. Mayor's Report:**

A copy of the Mayor's Report is attached.

**12. Regional Councillor's Report:**

Nil.

**13. Councillors' Items:****(a) Centennial - Cedar Bay Park and Beach (Wells)**

In response to concerns expressed by Councillor Wells, the Manager of Parks and Recreation advised that she will work with staff to review maintenance and patrol schedules and procedures for the park and the beach.

In response to an inquiry by Councillor Bodner, the Director of Community and Economic Development advised that funds were allocated for parking lot repairs and furniture replacement. Councillor Bodner expressed concern with staffing resources dedicated to the park and beach and the Chief Administrative Officer advised that he will work with staff to address any service level concerns.

**(b) Pleasant Beach Road (Wells)**

Councillor Wells advised that parking issues have been alleviated at Pleasant Beach as there is a property owner allowing vehicles to park at the property for a fee. In response to an inquiry by Councillor Wells, the Director of Planning and Development advised that the use of the property for parking may be contrary to the zoning by-law.

**(c) Paint spray markings on City sidewalks (Bagu)**

In response to an inquiry by Councillor Bagu, the Director of Engineering and Operations advised that City staff is paint spray marking sidewalks as part of the minimum maintenance standards program to determine hazards and an order for repair.

**(d) Community beautification (Bruno)**

The Director of Engineering and Operations advised that staff have started removing commercial signage from hydro polls and this has been added to staff's regular road patrol duties. The Director also advised that staff will contact Fortis to remove signage that staff is unable to reach.

**(e) Storm sewer charge (Bruno)**

Councillor Bruno requested clarification with respect to properties that are within the urban area that are assessed with a storm sewer charge although their storm sewers or their properties feed into a drain. The Director of Engineering and Operations advised that if a property has contributed to the Storm Sewer

Reserve Fund through the new formula adopted by Council and they are also within a municipal drain watershed, when a report on a drain specifies an amount that the property is required to pay under the assessment schedule of the drainage report for works undertaken on the drain, the costs/amount, as detailed by the drainage report, would be taken from the Storm Sewer Reserve Fund to pay that amount as detailed/calculated by the drainage report and its assessment schedule.

**(f) Meadow Heights Phase 2 (Bruno)**

Councillor Bruno advised that staff is working to organize a community meeting at City Hall on July 23 from 4-6 p.m. with respect to Meadow Heights Phase 2.

**(g) Celebrate Ontario funding (Beauregard)**

Councillor Beauregard thanked staff for applying for and receiving the Celebrate Ontario grant for Canal Days and thanked staff for introducing country music to the festival's entertainment line up.

**(h) Centennial – Cedar Bay Beach (Bodner)**

Councillor Bodner expressed concern with a fence that has been placed to the waters edge at Centennial-Cedar Bay Beach. The Chief Administrative Officer advised that staff will investigate the legalities of the lot owners as some properties are deeded up to the water.

Councillor Bodner also expressed concern with contractors blocking parking at the beach. The Director of Community and Economic Development advised that staff will request the contractors park further from the City's parking lot.

**Staff responses to Councillors' enquiries:**

**(a) Association of Municipal Managers, Clerks, Treasurers of Ontario (LaPointe)**

The City Clerk advised that she attended the annual AMCTO conference, June 9-12, and seminar topics included records management, customer service, and internet voting.

**14. Consideration of Items Requiring Separate Discussion:**

**1. Port Colborne Transit Advisory Committee Requires Councillor Appointment**

Moved by Councillor G. Bruno  
Seconded by Councillor E. Beauregard

That the request for a Councillor to be appointed representative on the Port Colborne Transit Advisory Committee be received for information.  
CARRIED.

**2. Planning and Development Department By-law Enforcement Division, Report 2019-05, Subject: Hunting in Gravelly Bay Complaints**

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Blake Schmirler, Regional Director of Delta Waterfowl Niagara Chapter, spoke in support of hunting in Gravelly Bay. A copy of the letter of support is attached.

Alfred Marinelli, 292 Stanley Street, Port Colborne, spoke in support of hunting in Gravelly Bay, noting that he has been hunting in the Bay since the 1950s and that the hunters abide by safe hunting practices and legislation.

Jason Clarke, Chair of the Gravelly Bay Duck Hunters Association, spoke in support of hunting in Gravelly Bay. A copy of his presentation is attached.

Moved by Councillor A. Desmarais  
Seconded by Councillor G. Bruno

The rules respecting delegations, as outlined under Section 10 of the Procedural By-law, were suspended in order permit unregistered members of the public to speak regarding Hunting in Gravelly Bay.

CARRIED.

Felix Barbetti, Past Chair of the Ontario Federation of Hunters and Anglers spoke in support of hunting in Gravelly Bay. A copy of the letter of support is attached.

Moved by Councillor D. Kalailieff  
Seconded by Councillor M. Bagu

That By-law Enforcement Services staff be directed to add an additional 150 feet to the 600 feet no hunting zone from the shoreline in Gravelly Bay, pending approval from the St. Lawrence Seaway Management Corporation.

Moved in amendment by A. Desmarais  
Seconded by M. Bagu

That the main motion be amended by adding thereto the following:

That the Chief Administrative Officer be directed to work with the Gravelly Bay Duck Hunters Association, the Ontario Federation of Anglers and Hunters, Delta Waterfowl Association, and the Port Colborne and District Conservation Club to develop educational material for the public as well as signage to be located on the shoreline of Gravelly Bay; and

That the Chief Administrative Officer be directed to investigate into the placement of buoys in Gravelly Bay.

CARRIED.

The vote was then taken on the main motion, as amended, as follows:

That By-law Enforcement Services staff be directed to add an additional 150 feet to the 600 feet no hunting zone from the shoreline in Gravelly Bay, pending approval from the St. Lawrence Seaway Management Corporation; and

That the Chief Administrative Officer be directed to work with the Gravelly Bay Duck Hunters Association, the Ontario Federation of Anglers and Hunters, Delta Waterfowl Association, and the Port Colborne and District Conservation Club to develop educational material for the public as well as signage to be located on the shoreline of Gravelly Bay; and

That the Chief Administrative Officer be directed to investigate into the placement of buoys in Gravelly Bay.

CARRIED.

**5. Engineering and Operations Department, Engineering Division, Report 2019-84, Subject: Project 2019-03, Annual Sewer Flushing and CCTV Inspection – City Wide – 2 Year Duration**

Moved by Councillor H. Wells

Seconded by Councillor A. Desmarais

That Project 2019-03 Annual Sewer Flushing and CCTV Inspection, for a two (2) Year Duration, be awarded to Wessuc Inc. of Brantford, Ontario, for the total tendered price of \$121,186.00 plus applicable taxes. Staff is directed to utilize the bid items as listed within the awarded Tender Documents, in such a manner as to complete all required works, all the while keeping within the annual budget allocations of Council; and

That funding for Project 2019-03 Annual Sewer Flushing and CCTV Inspection be financed under Account: 7-590-76250-3328 Extraneous Flows; and

That a by-law, in which the City enters into a Contract Agreement with the Contractor be prepared, upon final budget approval.

CARRIED.

**6. Planning and Development Department, Planning Division, Report 2019-108, Subject: Request for Extension of Draft Plan of Subdivision Approval (File No. D12-H58) Rosedale Plan of Subdivision**

The rules respecting delegations, as outlined under Section 10 of the Procedural By-law, were suspended in order permit the development consultant to speak with respect to the extension of draft plan of subdivision approval.

Craig Rohe, Senior Planner with Upper Canada Consultants answered inquiries by Councillors with respect to the requirements that need to be fulfilled to move the development forward.

Moved by Councillor G. Bruno

Seconded by Councillor D. Kalailieff



That the Draft Plan Approval for the Rosedale Draft Plan of Subdivision be extended to August 12, 2020; and

That the conditions of draft approval be updated by deleting conditions 47, 48 and 49 and that ministry names be updated in conditions 13, 35, 38 and 40; and

That Upper Canada Consultants be notified accordingly.

Moved in amendment by Councillor A. Desmarais  
Seconded by Councillor H. Wells

That the main motion be amended by striking "August 12, 2020" from the first paragraph and replacing it with "February 12, 2020".

LOST.

The vote was then taken on the main motion.

That the Draft Plan Approval for the Rosedale Draft Plan of Subdivision be extended to August 12, 2020; and

That the conditions of draft approval be updated by deleting conditions 47, 48 and 49 and that ministry names be updated in conditions 13, 35, 38 and 40; and

That Upper Canada Consultants be notified accordingly.

CARRIED.

**15. Notice of Motion:**

Councillor Wells provided notice of motion of his intention to introduce a motion at a future Committee of the Whole/Council meeting with respect to addressing explosive targets in the firearm discharge and noise by-laws.

Councillor Wells provided notice of motion of his intention to introduce a motion at a future Committee of the Whole/Council meeting with respect to amending by-law 5528/125/10, Being a By-Law to Prohibit or Regulate the Removal of Topsoil, the Placing or Dumping of Fill and the Alteration of the Grade of Land within the City of Port Colborne (Site Alteration By-law).

**16. Adjournment:**

Moved by Councillor F. Danch  
Seconded by Councillor E. Beauregard

That the Committee of the Whole meeting be adjourned at approximately 8:30 p.m.

CARRIED.



## MAYOR'S REPORT – JULY 8, 2019

### **HIGH SCHOOL SCHOLARSHIPS**

I had the privilege of attending Port Colborne High School and Lakeshore Catholic High School graduation ceremonies during the last week of June.

The City presented scholarships recognizing excellence in Community Service to Jacobi Oskam and Hannah Traynor.

We also presented scholarships for students entering the health sciences field.

The recipients were Emily Richard who is entering Brock University's Medical Science Program and Hannah Traynor who is entering the University of Guelph's Biomedical Science Program.

Congratulations to each recipient and best wishes with your future studies.

## **CANADA DAY**

Mother Nature finally cooperated with us and hundreds of residents showed up at H. H. Knoll Lakeview Park on July 1<sup>st</sup> to PORTicipate in the Optimist Club Canada Day in the Park.

I wanted to extend our appreciation to all of the volunteers with the Port Colborne Optimist Club for the fun activities they put together this year to help us celebrate Canada Day at the park.

There were smiles all around.

A special thank you to Grant and Carrie at Sobey's for their generous contribution to the cake, which we all enjoyed.

## **CANAL DAYS**

We're just four weeks away from Canal Days.

If you're looking for an opportunity to volunteer, please contact Luke Rowe at extension 566.

We were successful in receiving a Celebrate Ontario grant which will bring new activities to Canal Days including the return of a Sunday evening concert.

We will be catering to our country music fans starting at 7 p.m. on Sunday with Madeline Merlo followed by Doc Walker. The concert will end just before fireworks start at 10 p.m.

There is a new walleye fishing tournament and don't be surprised if you run into some wandering nautical themed characters throughout the festival grounds. Make sure you have your cameras ready to post pictures taken with our new Instagram photo booth props.

Check out our website ([www.portcolborne.ca](http://www.portcolborne.ca)) for further details.

## **HYDRO ONE ANNOUNCEMENT**

On Friday, officials from Hydro One and Canadian Niagara Power were in town to announce a collaboration to strengthen electricity infrastructure and improve reliability for the Port Colborne area.

I will read to you from Friday's news release.



CANADIAN NIAGARA POWER INC.  
A FORTIS ONTARIO  
Company

## news release

### Hydro One and Canadian Niagara Power collaborate to strengthen electricity infrastructure and improve reliability for the Port Colborne area

PORT COLBORNE, ON, July 5, 2019 – Today, Hydro One, Ontario's largest electricity transmission and distribution company, announced plans to invest approximately \$30 million to advance the refurbishment of the Port Colborne Transmission Station to improve reliability for the City of Port Colborne. In the interim, Hydro One will move forward to energize a second source of power to enable a reduction in the duration of power interruptions. In the case that an outage impacts Hydro One equipment, the City will now have an alternate source to provide the region with safe and reliable power.

Upgrades and enhancements to infrastructure will include:

- Advancing the refurbishment of the Port Colborne Transmission Station, with a planned 2022 completion date.
- Once complete, the station refurbishment and upgrades will provide a second source of power to the Port Colborne area to improve long-term reliability.
- Moving forward with interim plans to energize a second source of power to be remotely switched in service by Hydro One's Ontario Grid Control Center, a central hub that oversees daily operations.

"A loss of power grinds life to a halt, impacting businesses, families and productivity, which is why Hydro One is taking immediate steps to build a stronger, safer electricity source for the Port Colborne area," said Imran Merali, Vice President, Customer Service, Hydro One. "Through this collaboration with the community and Canadian Niagara Power, Hydro One will be able to replace aging infrastructure, improve reliability and upgrade the system to provide short and long-term benefits to our customers."

"Canadian Niagara Power has and will continue to invest substantially into its Port Colborne service territory infrastructure," says Don Gilbert, Regional Manager of CNPI. "Areas of focus include: system refurbishment, distribution automation and enhancements to protection and control. Canadian Niagara Power also remains committed to vegetation management, system inspection and maintenance. We would like to recognize the efforts made by Hydro One to enhance reliability from the source provider."

"We would like to thank Hydro One for hearing not only the concerns of council but of our residents and businesses, making the commitment to adjust their delivery dates for renovations to the Davis Street Sub-Station and to re-activate the second line, C1P, coming into Port Colborne to ensure reliable service to our ratepayers," commented Mayor Bill Steele. "Partnerships are important to this administration and the recent collaborations between Hydro One, Canadian Niagara Power and the City of Port Colborne are proving to be in the best interests of our residents and businesses."



July 3, 2019

Sherry Hanson, Supervisor, By-Law Enforcement Division, City of Colbourne  
66 Charlotte Street  
Port Colbourne, ON L3K 3C8  
*Via email*

Re. Hunting in Gravelly Bay

Delta Waterfowl remains fully supportive of continued hunting in Gravelly Bay. This letter follows past support, including our October 1<sup>st</sup>, 2018 letter to that effect..

Duck hunting remains a long-standing tradition across Ontario and throughout Canada. It connects people with nature in a way that provides an appreciation for and understanding of the outdoor world. Additionally, wild duck meat is a very healthy source of lean, iron rich protein. Finally, all waterfowl are harvested within a sustainable harvest management framework through federal and provincial regulations which are informed by sound science which tracks population status.

As our populations grow and as we see more people choosing to live in more rural areas, sometimes there are exposures to a rural way of life which many people are unfamiliar with. Hunting is one of our traditional activities that can be misunderstood when urban folks move to the country. Hunting in Gravelly Bay is a perfect example of a safe and sustainable activity that provides an opportunity for local people to enjoy a day in the outdoors as part of a healthy rural lifestyle. Most Canadians enjoy time outdoors and we all need to be respectful of the various pursuits we have. We want others to respect our personal choice as hunters.

Along with the fantastic food and time spent outdoors with family and friends, waterfowl hunting provides economic, ecological and recreational benefits to the residents of Ontario. Unfortunately, the number of Ontario residents that hunt waterfowl (and elsewhere in Canada) is declining and access issues similar to this are partially to blame. Waterfowl hunting along Lake Erie's shoreline has a particularly long history and is a traditional and sustainable use of a renewable wildlife resource. Retaining places to hunt, like Gravelly Bay, is paramount to providing access and thereby opportunities for Ontario residents. Such places are treasured by local hunters and provide opportunities for longlasting memories of time spent with family and friends in the outdoors.

Hunters continue to follow safe hunting practices including hunting beyond 500 feet from shore, as required, and within legal shooting hours (a half hour prior to sunrise to a half hour after sunset). This maintains a safe distance for shotgun pellets and minimizes sound disturbances. There are many other areas on the Great Lakes where there's a long-standing tradition of hunting being conducted safely and in similar proximity to both urban, suburban and rural populations.

As a duck hunting organization, we realize the importance of such places for local residents to enjoy time outdoors and to carry on these longstanding pursuits. These areas are important to keep open for all uses, including duck hunting.

Thank you for the opportunity to continue to be a part of a respectful dialogue between all parties. We want to ensure that hunting opportunities continue in Gravelly Bay.

Respectfully,

Jim Fisher

Cc Delta Waterfowl Board of Directors and staff  
Cc Ontario Federation of Anglers and Hunters Board of Directors and staff  
Cc Colbourne Town Council  
Cc MPP Jeff Burch  
Cc MP Vance Badawey

**Mission:** To produce ducks and secure the future of waterfowl hunting.

**Vision:** Abundant waterfowl and endless opportunities for hunters.

# Gravelly Bay duck hunters put hold on start of hunt season

PORT COLBORNE/Tribune Staff

Even though duck hunting season has started, members of Gravelly Bay Duck Hunters Association won't be out on the water for a while — until October 13.

"We wait until after Thanksgiving before we start to hunt in the bay," said Jake Clarke, president of the Duck Hunters Association.

He said the hunters decided to start later in the season a few years ago, after concerns were raised over hunters and boaters being the lake at the same time.

"The boating season is usually wrapped up by Thanksgiving."

The Duck Hunters Association were the ones that came up with the idea of starting the season a little later on the bay.

"It makes everyone happy this way."

Clarke said the ducks the hunters are looking for usually don't come down to Lake Erie until late October or early November.

The duck hunters on Gravelly Bay are restricted to having only 10 blinds in the bay, with five on the inside of the bay and five just off of the break-wall.

The number of blinds are regulated by the St. Lawrence Seaway Authority.

"We only have eight blinds out in the bay this year," said Clarke.

He said for someone to get into a

blind, they have to buy into a partnership with someone who already has a blind or it has to have been passed down.

With the blinds on the inside of the bay, Clarke said that there is a 150 to 200 metre no-hunting zone just off shore.

## Duck hunt delayed until Oct. 14

PORT COLBORNE/Tribune Staff

The Gravelly Bay Duck Hunters Association is postponing its duck hunting season until the middle of October, in what association chairman Jake Clarke calls "a co-operative agreement between ourselves, the city and Seaway." The duck hunting season officially opens Thursday. This is the second year in a row the

local association has postponed its hunting practices for the safety of boaters still enjoying the local marina and waters of Gravelly Bay and Lake Erie.

"We decided for safety's sake to oblige and not start hunting until Oct. 14," said Clarke.

The duck hunting season officially runs from Sept. 25 until Dec. 20. The goose hunting season also opens Thursday and closes New Year's Eve.

8/18/82 - JBS

Good evening Mr. Mayor, honourable councillors, ladies and gentleman

Thank you for allowing me the opportunity to speak.

My name is Jason Clarke and I have been a resident of Port Colborne for my entire life. I am also an avid hunter and I've been hunting waterfowl on Gravelly Bay for 33 years. Additionally, I am the chairman of the Gravelly Bay Duck Hunters Association (GBDHA) and have owned one of the floating duck blinds, that are out there, for almost 30 years...I'm out on that bay almost every Saturday, from October to December.

Hunting on Gravelly Bay has long been a recreational activity for people of Port Colborne and the surrounding areas and hunting on the bay was happening decades before many of our complainants lived on or near the lake. People who buy in the area need to realize that hunting is a huge part of Port Colborne's heritage, and it's unfortunate that we are addressing complaints, after the fact, about the sounds associated with a safe and legal pastime. It is not unlike buying a house in the country and then complaining about the smell of manure from a nearby farmers field or buying near an active rail line and complaining about the train whistles.

As we are all aware, waterfowl hunting is legally permitted by Federal law and all hunters have taken provincially mandated safety training classes that teach us about safe hunting and the safe handling of firearms. In addition, those operating boats also have taken their Safe Boating Course. I can proudly say that, to my knowledge, there has **never been a hunting accident on Gravelly Bay**. It goes without saying that hunters who break Provincial/Federal laws should be reported to the authorities (Niagara Regional Police and/or MNR Conservation Officer Tips Line 1-877-TIPS-MNR). The "safeness" of hunting on Gravelly Bay is on par with any of the other recreational hobbies associated with the bay...fishing, boating, windsurfing, kayaking etc. Recently, an image of a kayaker/hunter interaction has been circulated which has fueled the some of the concern over safety. What many people don't realize is that the kayaker is expected to steer clear of the hunter and is not permitted to harass the hunter because under Section 13 (1) of the Fish and Wildlife Conservation Act, 1997 it clearly states that it is illegal to interfere with anyone who is engaged in lawful **hunting**, trapping or fishing.

The concern over the level of noise needs to be put into perspective. We are only hunting in the area for 3 months of the year. It's not a year-long activity and the noise is intermittent, not sustained. Granted, sometimes the noise can be loud/startling to some, but I imagine that, to some, so are our city's fantastic fireworks events. The volume and frequency of the noise is also truly dependent on the wind direction/speed and weather conditions. On calm bluebird days the sound will carry a long way. That being said, those are generally slow days on the bay. There have been countless times over the years where we have had a great day on the bay and neither my parents who live on Tennessee Avenue or my grandmother on Lakeshore Road have not even realized that we were out due to the prevailing southwest winds carrying the sound away. Some of the sounds that our residents hear could be coming from hunters using the Wainfleet Wetlands (Clay Pits) and/or from those hunting further to the east/west along the lake. As for the noise frightening children...a comment that was made at last year's meeting...I would like to point out that I work as a vice principal at a school of over 500 students in Vineland where the surrounding vineyards use propane fired cannons to keep birds away. They produce a sound similar to that of a shotgun report and we hear them constantly going off during the growing season. I have yet to have any of my students from K-8 voice any anxiety over the persistent noise.



The members of the GBDHA follow a strict set of rules and expectations that include blind construction, locations, no-shooting zones, safe shooting directions, etc. At one time there was an informational sign at the boat ramp that outlined some of these hunting expectations.

We have always collaborated with the City of Port Colborne. Back in the mid 90's we agreed to delay putting out our blinds until the Thanksgiving weekend. We also agreed to not hunt Gravelly Bay until the Tuesday after Thanksgiving...something we still adhere to. This was to accommodate the extended boating season and support fisherman, boaters and people using the bay on the fall long weekend.

That being said, there are many hunters who use Gravelly Bay and who are not members of the GBDHA. These people would definitely be aware of all of the federal and provincial regulations surrounding safe waterfowl hunting but would not necessarily be informed of the additional shared usage agreements by which our group operates. As chairperson I have, on occasion, had conversations to educate the hunters about these agreements. We feel that a sign, similar to the one that used to be posted at the ramp, with some guidelines/expectations and a map would truly help to educate the public, clear up misunderstandings and continue to promote Port Colborne as a welcoming recreational destination for sportsman.

Hunters are a proud group of individuals. We respect our right to access this natural resource, invest thousands of dollars as individuals to support it, are extremely passionate about our hunting heritage.

I welcome the opportunity to continue the conversation with council to help educate the public on hunting in Gravelly Bay.

Thank You

**ONTARIO FEDERATION OF ANGLERS AND HUNTERS**

SUBMISSION TO PORT COLBORNE COUNCIL REGARDING  
WATERFOWL HUNTING IN GRAVELLY BAY

JULY 8, 2019

MARK RYCKMAN  
OFAH MANAGER OF POLICY

The Ontario Federation of Anglers and Hunters (OFAH) is Ontario's largest non-profit, conservation-based organization representing 100,000 members, subscribers and supporters, and 740 member clubs. We appreciate the opportunity to address the concerns about waterfowl hunting in Gravelly Bay. We also appreciate the explicit recognition of the importance of our waterfowl hunting heritage in the Council Package.

Waterfowl hunters play a critical role in the management and conservation of Ontario's natural resources. The revenue from the Canadian Wildlife Habitat Conservation Stamp, that every waterfowl hunter must purchase, is directed to wetland conservation. This is in addition to the cost of a provincial small game licence that funds the Ministry of Natural Resources and Forestry's Special Purpose Account, which funds almost 70% of fish and wildlife management in the province. Many waterfowl hunters belong to conservation organizations that work towards the betterment of fish and wildlife habitat and populations. The benefits of these wetland improvements go well beyond increased habitat; it also supports water filtration, flood control, carbon sequestration, and the control of invasive species. As mentioned in the Council Package, there are also many indirect economic benefits that waterfowl hunters bring to the areas they are hunting including lodging, food, supplies, and general tourism.

Many of the complaints that are being presented to council seem to be regarding safety. Ontario waterfowl hunters must complete both the Ontario Hunter Education Program and the Canadian Firearms Safety Course. These total a minimum of 20 hours learning about wildlife management, hunting laws and regulations, hunter responsibilities, species identification and biology, firearms safety such as safe handling, carrying, and firing practices, and responsible hunting/shooting. Regulated hunting is proven to be a safe activity, with per capita injury rates that are far lower than many recreational sports that we enjoy such as golf and hockey.

It is highly unlikely that any steel shotgun pellets would travel across the existing 600 foot buffer, so safety is not a realistic concern. Therefore, the addition of 150 feet would be strictly administrative. An additional 150 feet would also have a negligible effect on noise. While 163 people who responded to the survey were concerned about hunting in Gravelly Bay, only 39 people have ever reported a safety concern to the authorities, and to our knowledge there have been no actual documented safety issues. This suggests that this is likely more of a perception issue rather than an actual safety issue.

Regardless of the above, any instance of unsafe hunting should be immediately reported to the appropriate authorities, in this case the MNRF or relevant police services. In our opinion, a by-law enforcement officer is not the appropriate person to be enforcing these laws.

To our knowledge, Port Colborne has no jurisdiction to regulate waterfowl hunting in the Bay – any change to the zone boundaries would require permission from the St. Lawrence Seaway Management Corporation on behalf of Transport Canada. In fact, we question how the existing No Hunting Zone has been established in the first place, given that ownership of the bed of a waterbody generally does not confer the right to prohibit or regulate activities on the surface. We would be interested to see any documentation that confirms Transport Canada's ability to restrict hunting in this way. We also note in the Council Package that City staff discussed their concerns with the Department of Fisheries and Oceans, which is not responsible for waterfowl hunting or migratory bird management. This responsibility falls on the Canadian Wildlife Service and the Ministry of Natural Resources and Forestry.

There are many places where waterfowl hunting coexists with other multi-use activities and landowners safely, Gravelly Bay should not be an exception. OFAH, along with other conservation partners like Delta Waterfowl, would like to maintain and enhance hunting opportunities for their economic, social, and environmental benefits.

Thank you for considering these comments.