

**City of Port Colborne  
Council Meeting Addendum**

**Date:** Tuesday, June 28, 2022  
**Time:** 6:30 pm  
**Location:** Council Chambers, 3rd Floor, City Hall  
66 Charlotte Street, Port Colborne

**Pages**

**8. Staff Reports**

**8.7. Sherkston Shores Golf Cart Access, 2022-144**

- |     |  |   |
|-----|--|---|
| *a. | Written Delegation material from Carol Domenicucci-Resident      | 1 |
| *b. | Written Delegation material from Darren Boltz-Resident           | 3 |
| *c. | Verbal Delegation from Ingrid Copland and Jay Cardwell-Residents | 4 |
| *d. | Written Delegation material from McCreadie family-Residents      | 5 |

**17. Motions**

**17.1. Motion to request a Temporary Moratorium on all Aggregate Extraction license applications**

- |     |  |    |
|-----|--|----|
| *a. | Delegation Material from Mr. Doug Tripp, Reform Gravel Mining Coalition                      | 7  |
| *b. | Verbal Delegation in favour from Cindy Mitchell President, Niagara Water Protection Alliance | 13 |

**From:** [carol domeniccucci](#)  
**To:** [Deputy Clerk](#)  
**Subject:** Trailer Park  
**Date:** June 24, 2022 8:14:36 AM

---

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please forward my concerns to city council members for Tuesday June 28 meeting, regarding the issue of access to the trailer park.

On May 7th residents of L0S1R0 met in a backyard, where Regional Councillor Butters took notes, and Scott Luey spoke. That meeting was called to address "Sherkston Shores stopping L0S1R0 residents from accessing the shoreline with a vehicle".

At your May 10 meeting Barb Butters made an impassioned plea on our behalf, to council.

Harry Wells formulated the motion.

This is the motion verbatim.

Motion to move that staff be directed to obtain legal advice and interpretation of the 2018 agreement and provide a legal position with regards to that. And, that staff contact former and current municipal representatives that were involved in establishing that agreement to provide input and historical perspectives on the agreement for the intent. Also, ask that the City approach Sherkston Shores Resort and request that entrance to the park be allowed as it has in the past until these matters are resolved.

Not once did either Harry or Barb use the words "golf cart", yet the report before you tonight is titled "Sherkston Shores Golf Cart Access".

This wrecks of a different agenda. I am appalled at how this has progressed to date. I am not alone.

Around May 16, residents heard via the grapevine, that Harry had heard Mr Luey's meeting with the Resort was official, and we were denied vehicle access. We could only walk in via the front gates. There has been zero communication with that backyard full of your residents, with a very legitimate concern for our quality of life !! How are we supposed to feel??

Next, Harry sends a quick email, to a single person, saying he didnt expect to hear anything at your June 14 meeting, and maybe, maybe there would be something to know by the end of June.

Two full months have now gone by. Your citizens have been experiencing the impact in different ways. Some have managed to find loopholes, and have managed to get their golf carts stickered, so security doesnt see them as trespassers.

Some have made friends and have gotten in using owner passwords. They even have swipe cards for the owner gate. Others have been stopped at the shore, by security, and been told they cannot 'go around' the fence via the water at Pleasant Beach. Incredibly, they are told they have to walk in via the front gate, carrying their beach chairs, and walk to the spot they want to sit on.

Social media comments have been mocking us residents, with comments such as "pay the funds and you can sun your buns, is my motto". That comment has been said to come from the Head of Security's wife, I can't confirm. Also, the comment continued, with us not being denied access, we were just being denied being able to park our carts and take up space on "their" beach. That shows the true motivation. There are also those who feel there is an element of "payback" to this decision on the part of the new head of security, which has sordid reference to Covid and those who are staunch anti-vaxers. I have no first hand experience of this, but I as a resident am feeling the repercussions, and if indeed there is that element of payback for believing in vaccinations, I find that reprehensible. There are some who have suffered medical emergencies as a result of the razor sharp granite boulders that are installed as a barrier on Wyldewood. Those boulders are in the water, and someone will be severely injured should a wave take them head-on into them.

At first we were told to park in employee parking. Now we are being told there is no room, too many employees.  
Now what ??

I am extending the invite to each of you, to come “walk a mile (or 2.5) in my shoes”.....I will bring you to the gate, we will walk carrying my beach chairs, bring your grandchildren, or your aging parents, but please no one with any sort of disability, as there is no accommodation for an accessibility device.

Walk with your citizens. Your agreement says that is what we must do.

Then I invite you to re-think this whole mess, stand with your residents and their quality of life, and initiate legal action on our behalf, to re-negotiate this agreement towards its initial intent.

No one person with some sort of personal vendetta and now in a position of power should be allowed to negatively impact an entire neighbourhood; a neighbourhood that puts up with a lot.

As for the title, and purpose of this report, I also expect that it be rejected for the misappropriated purpose as stated.

This is not a golf cart issue.

Who made it a golf cart issue ??

What, if any, consultation was made, as per Harry’s motion, with former staff and councillors from 2018? We know who they are.

Start over.

You got it wrong. Your citizens are suffering and we deserve better than this report offers.

I am asking Council to take the next step, engage legal counsel again, and re-negotiate the 2018 agreement as intended, when golf carts weren't even a thing for most.

Carol Domenicucci

Wyldeewood Road

(no allegations are being made, only my opinions)

Sent from my iPhone

**From:** [Darren Boltz](#)  
**To:** [Deputy Clerk](#)  
**Subject:** Sherkston shores access  
**Date:** June 24, 2022 10:56:07 AM

---

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Day,

I must say the city should be ashamed of the way it has handled things so far. By not pushing back at the resort it has affected all of our house's values into the millions. Our taxes are based on water access and now we must walk miles to enjoy a beach that is everyone's. I would expect more from my city. It will certainly be remembered by everyone of us that call Sherkston home. Many of us are elderly and don't deserve to degrade our selves by having to arrange special circumstances from the park to get to the beach and can't rely on having to wait for someone to come and pick us up at the beach if we fall ill. This is a disgrace !

Kind regards,

**Darren Boltz** [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**DISCLAIMER AND NOTICE OF CONFIDENTIAL MATERIAL PLEASE READ** This message and any attachments or other files transmitted with it are CONFIDENTIAL and intended solely for the use of the individual or entity to whom or to which they are addressed. If you are not the intended recipient, or believe you have received this email in error, please do not read, copy, use or disclose this communication to others; also please notify the sender by replying to this message, and then delete it and all accompanying files from your system. Please verify that you will delete the e-mail in your reply. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Westpier or its affiliated companies. Neither WestPier nor any of its affiliated companies accepts any liability for any damage caused by any virus transmitted by this email or its attachments.

**From:** [Copland, Ingrid](#)  
**To:** [Deputy Clerk](#)  
**Cc:** [bill.steele@niagararegion.ca](mailto:bill.steele@niagararegion.ca); [Barbara Butters](#); [Harry Wells](#); [William C. Steele](#); [Copland, Ingrid](#)  
**Subject:** Meeting - June 28th - Sherkston Shores residents LOS 1R0 access to beach  
**Date:** June 27, 2022 11:07:29 AM

---

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern,


Re: Sherkston Shores residents (LOS 1R0) access to the beach.

This is in regards to the topic being discussed at council meeting on Tuesday, June 28, 2022. Please note that Jay Cardwell and I attended the council meeting where the motion to move that staff be directed to obtain legal advice and interpretation of the 2018 agreement and provide a legal position with regards to that. And, that staff contact former and current municipal representatives that were involved in establishing that agreement to provide input and historical perspectives on the agreement for the intent. Also, the motion was the city approach Sherkston Shores Resort and request that entrance to the park be allowed as it has in the past until these matters were resolved.

From the latest correspondence we have just seen by Scott Luey this has not happened. As far as I can read Scott Luey turned this into a golf cart issue. No where in Harry Well's motion or in Barbara Butter's impassioned plea to help the residents of LOS 1R0 was the mention of golf carts.

I request as a resident of LOS 1R0 (two properties), to follow through on the original motion (contact former municipal representatives that were originally involved in the agreement wording) and to have our right to access the beach protected, by our current council, through legal action against SUN. If this means changing the wording of the agreement then this should be done.

We are so disappointed with the City of Port Colborne.

Kind regards,  
Ingrid Copland & Jay Cardwell  
237 Firelane 26 and 5520 Firelane 27  


---

**PHRI DISCLAIMER** This information is directed in confidence solely to the person named above and may not otherwise be distributed, copied or disclosed. Therefore, this information should be considered strictly confidential. If you have received this email in error, please notify the sender immediately via a return email for further direction. Thank you for your assistance.

**From:** [REDACTED]  
**To:** [Deputy Clerk](#)  
**Subject:** Delegation Letter - Council Meeting June 28, 2022  
**Date:** June 28, 2022 10:47:44 AM

---

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please accept the below email to be added for public record for the June 28, 2022 City Council meeting regarding item 8.7.

We own a home within the Sherkston hamlet of LOS 1R0. We feel strongly and see clearly how unjust it is that Sherkston Shores (SS) is arbitrarily discontinuing accessible access in perpetuity to those living within the hamlet and that our City elected representatives are failing to positively and effectively collaborate with SS an outcome that is just and fair. One that follows AODA and Human Rights principles that state to NOT create new barriers but rather eliminate them.

This is the motion verbatim as read by Councillor Wells and unanimously carried by council at their May 10, 2022 meeting.

“Motion to move that staff be directed to obtain legal advice and interpretation of the 2018 agreement and provide a legal position with regards to that. And, that staff contact former and current municipal representatives that were involved in establishing that agreement to provide input and historical perspectives on the agreement for the intent. Also, ask that the City approach Sherkston Shores Resort and request that entrance to the park be allowed as it has in the past until these matters are resolved.”

As you can see Report 2022-144 does not reflect that motions directives clearly or completely.

A few clarifications/questions:

- It has been said repeatedly by park management that the issue that caused the change of access was capacity - not safety - as is claimed in report 2022-144
- Since the report now claims it is about golf cart access and a safety issue, please clarify what that safety issue is? And how safety is an issue now that was not all those years before? Also, if hamlet residents access is a safety issue within the park, then would it not be an equal safety issue for the trailer owners within the park? As Hamlet residents have done in the past, they would sign waivers or show required documentation to SS head office.
- Safety outside the park is a personal choice, responsibility, with its own lawful penalties and of no issue/concern to the park or the city
- Report 2022-144 claims that the park is eager to accommodate hamlet residents with mobility limitations. Residents have tried to make these arrangements on numerous occasions and were told there was no such arrangement to be made, staff were puzzled by the request, and other times residents were flatly turned away.
- Residents have also experienced that there was no available parking within the parks staff parking lot that we were instructed was the only parking lot we are allowed to use.

The trailer park management has now completely closed the Wyldewood road allowance shoreline end with massive rock boulders and cement blocks that extend into the water. Where there was once an opening for walking through (that the trailer park created this past spring) is now completely closed off. Any possibility for residents that have the physical ability to get to SS's shoreline requires a swimsuit or a dry set of clothes afterward. They also present a risk of injury, especially the boulders in the water, to swimmers and walkers coming from SS, or the road allowance

About the agreement of sale of the road allowances to SS from the City.....

It was, and is, abundantly clear that it was not the intent to have residents access those road allowance shorelines on foot (pedestrian only). That is physically impossible for so many and for obvious humane reasons is not debatable. The wording used in the agreement may not aptly spell that out because who would ever think it would have to. Who would imagine that it would be challenged and taken so literally and simplistically. Everywhere in the world accessibility is a first consideration but SS is using the "wording" to deny equal accessible access - it is baffling, backwards and so wrong. As we understand it, from what we've learned was the City's perspective at the time of the agreement, it was never to disadvantage the residents. Since the agreement of 2018, SS has provided cart and car access until now, precedence. And, prior to that for decades, again precedence. Thus proving that Sherkston Shores management have always known what the agreements intent was and is. Sherkston Shores is blatantly abusing the agreement they have with the City and it's known intent.

Wherever the wrong falls it must be made right. The residents of L0S1R0 deserve nothing less. This "mistake", "abuse", "negligence" or whatever it is named on behalf of SS or the City is NOT the cause or blame of the residents. Yet it significantly and negatively impacts our way of life, property values and rights as residents in L0S1R0 - to have accessible access to those shorelines in perpetuity.

It is now in the hands of the residents elected City Councillors and Mayor to sort this out and make this wrong a right again, collaboratively work together with SS, or get legal to renegotiate if need be, do whatever it takes. Be fair, be just, to your residents of the Sherkston hamlet.

For additional information and reference see <http://www.ontario.ca/page/accessibility-in-ontario>

Always,  
Marsha and Mike McCreadie & family  
*"Create a Great Day"*





# Support the Moratorium

---

[www.reformgravelmining.ca](http://www.reformgravelmining.ca)

[campaign@reformgravelmining.ca](mailto:campaign@reformgravelmining.ca)

 **Reform  
Gravel Mining  
Coalition**



# THE ISSUE

## Gravel Mining

- Is not a benign activity
- Destroys the environment and damages communities
- Feeds highways, sprawl and climate change
- Ignores the rights of Indigenous Nations

Municipalities are caught in the middle, with things getting worse, not better

- MPAC assessments, levies, below the water table zoning restrictions, excess soil dumping, etc.

13x

MORE GRAVEL LICENSED  
THAN USED ANNUALLY IN  
ONTARIO

5,000

ACRES OF LAND LOST PER  
YEAR TO THE INDUSTRY

67%

MORE LAND DISTURBED  
OVER THE LAST TWO  
DECADES







# THE SOLUTION

---

**1** IMPOSE AN IMMEDIATE MORATORIUM ON ALL NEW GRAVEL MINING APPROVALS

**2** CONVENE AN INDEPENDENT PANEL

**3** USE FINDINGS TO CHART A NEW PATH FORWARD

## A MORATORIUM WILL:

- Directly respond to urgent requests from municipalities and communities across Ontario
- Provide an opportunity to update policies & regulations

## A MORATORIUM WILL NOT IMPACT:

- The current supply of gravel in Ontario
- Operator rights with current gravel mining operations
- Current employment provided by the gravel mining industry

# CURRENT SUPPORT

## 19 MUNICIPALITIES

1

FOUNDING COALITION –  
ENVIRONMENTAL DEFENCE, THE  
WILDERNESS COMMITTEE, COUNCIL OF

2

CANADIANS, WATER WATCHERS  
MORE THAN 40 COMMUNITY GROUPS  
AND NGOs ARE MEMBERS OF THE

3

COALITION  
MORE THAN 6,000 SIGNATORIES TO THE  
PETITION

4

GREEN, NDP AND LIBERAL PROVINCIAL  
PARTIES SUPPORT CALL FOR  
MORATORIUM

- RAMARA
- MULMUR
- ORO-MEDONTE
- BROCK
- GREY
- HIGHLANDS
- GUELPH-  
ERAMOSA
- MELANCTHON
- AMARANTH
- ZORRA
- WILMOT
- CALEDON
- WOOLWICH
- PEEL REGION
- CITY OF  
CAMBRIDGE
- TOWN OF  
MILTON
- PUSLINCH
- NORTH  
DUMERIES



# PROTECTING ONTARIO'S FUTURE

---

THE GRAVEL MINING INDUSTRY IN ONTARIO IS BROKEN.  
WE NEED TO TAKE A PAUSE SO WE CAN FIX IT.

Protect Ontario from  
unnecessary gravel mining.

Support the Resolution  
for a Moratorium.

## Demand **A Moratorium Now!**

**From:** [Cindy Cosby](#)  
**To:** [Saima Tufail](#)  
**Cc:** [Cindy Cosby](#)  
**Subject:** Moratorium delegate, June 28 2022 Council Meeting  
**Date:** June 27, 2022 4:59:47 PM

---

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

Please add me as a delegate to speak in regards to the motion requesting a temporary moratorium on aggregate mining extensions and new licenses in the province of Ontario.

I will most likely appear virtually so please connect me via my email [REDACTED]

Thank you  
Cindy Mitchell

Sent from my iPhone