



**PORT COLBORNE**

**City of Port Colborne  
Council Meeting Agenda**

**Date:** Tuesday, February 25, 2025  
**Time:** 6:30 pm  
**Location:** Council Chambers, 3rd Floor, City Hall  
66 Charlotte Street, Port Colborne

**Pages**

**1. Call to Order**

**2. National Anthem**

**3. Land Acknowledgement**

The Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The City of Port Colborne stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

**4. Adoption of Agenda**

**5. Disclosures of Interest**

**6. Proclamations**

**7. Presentations**

**8. Delegations**

In order to speak at a Council meeting, individuals must register no later than 12 noon on the date of the scheduled meeting. To register, complete the online application at [www.portcolborne.ca/delegation](http://www.portcolborne.ca/delegation), email [deputyclerk@portcolborne.ca](mailto:deputyclerk@portcolborne.ca) or phone 905-228-8118.

**9. Mayor's Report**

**10. Regional Councillor's Report**

## 11. Consent Agenda

All items listed in the Consent Agenda are subject to a single motion that is not debatable. A Member may make a brief comment or ask a question regarding a Consent Item prior to the consideration of the motion, however, if an item requires further discussion, debate, or an amendment it must be removed from the Consent Agenda and dealt with under Items Requiring Separate Discussion.

### 11.1 Approval of Minutes

- a. Regular Council Meeting - February 11, 2025 1

### 11.2 Receipt of Minutes of Boards & Committees

### 11.3 Staff Reports

- a. Removal of a Holding Provision Application – Vacant Lots on Killaly Street East (File No. D14-10-24) - 2025-32 14
- b. Nickel Beach Report - 2025-06 20

### 11.4 Receipt of Correspondence Items

- a. Town of Fort Erie - Provincial Election Health Care Advocacy 27
- b. City of St. Catharines, Town of Hanover, Town of Parry Sound, Township of Val Rita-Harty, Re: United States Imposition of Tariffs on Canada 53
- c. Town of Fort Frances - Sovereignty of Canada 61
- d. Township of McGarry - Ontario Building Code 62

## 12. Items Requiring Separate Discussion

- 12.1 Lodging House Licensing By-law - 2025-40 64
- 12.2 Backyard Chickens in the Urban Boundary - 2025-43 119
- 12.3 Status of Marina Dredging - 2025-12 174

## 13. Staff Remarks

## 14. Councillors' Remarks

## 15. Motions

**16. Notice of Motions**

**17. By-laws**

17.1	By-Law No. 7321/12/25 - Respecting the Removal of the Holding Symbol from lands known as Two Vacant Lots on Killaly Street East	186
17.2	By-law No. 7322/13/25 - By-law to License, Regulate and Govern Lodging Houses in the City of Port Colborne	188
17.3	By-Law No. 7323/14/25 - By-law to Amend By-law 4323/159/02 Bed and Breakfast Establishments	201
17.4	By-law No. 7324/15/25 - By-law to Amend By-law No. 7297/119/24 Fees and Charges for Various Services - Licensing of Lodging Houses	202
17.5	By-Law No. 7325/16/25 - By-law to Amend By-law No. 6902/50/21 Administrative Penalties for Non-Parking Offences - Lodging Houses	204

**18. Closed Session**

18.1 Approval of the Minutes

- a. Regular Council Meeting (Closed Session) - February 11, 2025

18.2 Staff Reports

- a. Confidential Public Works Report - 2025-46

Confidential Public Works Report - 2025-46 pursuant to the *Municipal Act, 2001*, subsection 239(2)(e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and subsection 239(2)(f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- b. Confidential Office of the Chief Administrative Officer Report - 2025-41

Confidential Office of the Chief Administrative Officer Report - 2025-41 pursuant to the *Municipal Act, 2001*, subsection 239(2)(d) labour relations or employee negotiations.

- c. Confidential Office of the Chief Administrative Officer Report - 2025-45

Confidential Office of the Chief Administrative Officer Report - 2025-45 pursuant to the *Municipal Act, 2001*, subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees and subsection 239(2)(d) labour relations or employee negotiations.

**19. Back to Open Session**

**20. Procedural Motions**

**21. Confirmatory By-law**

- 21.1 By-Law No. 7326/17/25 - By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne

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**22. Adjournment**



## City of Port Colborne Council Meeting Minutes

**Date:** Tuesday, February 11, 2025  
**Time:** 6:30 pm  
**Location:** Council Chambers, 3rd Floor, City Hall  
66 Charlotte Street, Port Colborne

**Members Present:** M. Aquilina, Councillor  
M. Bagu, Councillor  
E. Beauregard, Councillor  
R. Bodner, Deputy Mayor (presiding officer)  
G. Bruno, Councillor  
D. Elliott, Councillor  
T. Hoyle, Councillor

**Member(s) Absent:** F. Danch, Councillor  
W. Steele, Mayor

**Staff Present:** J. Beaupre, Deputy Clerk  
B. Boles, Chief Administrative Officer (Virtual)  
C. Dray, Road and Park Operations Manager  
G. Long, Director of Development and Government Relations /  
Acting CAO  
O. Loeffen, Business Community and Events Ambassador  
C. Madden, City Clerk  
M. Pilon, Senior Project Manager, Strategic Projects  
S. Shypowskyj, Director of Public Works (Virtual)  
G. Zwiep, Manager of Recreation and Tourism

**1. Call to Order**

Deputy Mayor Bodner called the meeting to order at 6:30 p.m.

**2. National Anthem**

Everyone stood for the National Anthem.

**3. Land Acknowledgement**

The Land Acknowledgement was read:

The Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The City of Port Colborne stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

**4. Adoption of Agenda**

**C-25-021**

Moved by Councillor T. Hoyle  
Seconded by Councillor D. Elliott

That the Council agenda dated February 11, 2025, be confirmed, as amended.

Carried

**5. Disclosures of Interest**

There were no disclosures of interest.

**6. Proclamations**

**6.1 Heritage Week - February 17-23, 2025**

**C-25-022**

Moved by Councillor E. Beauregard  
Seconded by Councillor M. Aquilina

WHEREAS the third week of February marks Heritage Week, in which we celebrate Heritage in all its forms (cultural and natural, architectural, archaeological, and collections) and its diverse traditions and cultural expressions; and

WHEREAS Heritage Week provides a wonderful opportunity for individuals and communities to reflect on their contributions to Ontario; and

WHEREAS how heritage is conserved, promoted, and commemorated, and how they might shape the future; and

WHEREAS During Heritage Week 2025, the Port Colborne Historical & Marine Museum will be celebrating the theme of 'Click and Connect' by

highlighting the different ways history can be digitized. Join us all week to explore online exhibitions, access new databases, and watch new heritage videos on local history.

NOW THEREFORE I, Deputy Mayor Ron Bodner, do hereby proclaim February 17th – 23rd, 2025 as “Heritage Week” in Port Colborne.

Carried

**7. Presentations**

**7.1 Canal Days 2024 Recap and Updates**

Olga Loeffen, Business Community and Events Ambassador, presented a recap of the 2024 Canal Days event to Council.

**8. Delegations**

There were no delegations.

**9. Mayor's Report**

A copy of the Deputy Mayor's report is attached.

**10. Regional Councillor's Report**

There was no Regional Councillor's report.

**11. Consent Agenda**

**C-25-023**

Moved by Councillor D. Elliott

Seconded by Councillor G. Bruno

That Council hereby approves the listed consent items on the February 11, 2025 Council agenda; and

That the consent items be approved on the recommendations as contained therein.

Carried

**11.1 Approval of Minutes**

**a. Regular Council Meeting - January 28, 2025**

**b. Special Council Meeting (5 p.m.) - February 4, 2025**

- c. **Special Council Meeting (6:30 p.m.) - February 4, 2025**

**11.2 Receipt of Minutes of Boards & Committees**

- a. **Port Colborne Senior Citizens Advisory Committee Minutes - December 17, 2024**

**11.3 Staff Reports**

- a. **2025 Watermain Replacement Program Update, 2025-34**

**11.4 Receipt of Correspondence Items**

- a. **Niagara Region - Motion Respecting Use of the Notwithstanding Clause to Remove Encampments**
- b. **City of Niagara Falls - Governance Review for the Niagara Region**
- c. **Niagara Transit - Niagara Transit Master Plan Public Engagement**

Councillor Beauregard spoke to the Niagara Transit Master Plan and encouraged residents to take part in the public engagement plan.

- d. **Niagara Peninsula Conservation - Report No. FA-65-24 Re: Public Advisory Committee Member Recruitment**
- e. **Town of Aylmer - Opposition to Provincial Legislation on Cycling Lanes and Support for Municipal Authority in Transportation Planning**
- f. **City of Peterborough - Bill 242, Safer Municipalities Act, 2024**

**12. Items Requiring Separate Discussion**

**12.1 Grain Terminal Update and Public Engagement Plan, 2025-30  
C-25-024**

Moved by Councillor M. Aquilina  
Seconded by Councillor D. Elliott

That Development and Government Relations Report 2025-30 regarding the City's Grain Terminal Update and Public Engagement Plan be received; and



That the Director of Development and Government Relations be directed to implement the proposed public engagement plan outlined in this report.

Carried

## **12.2 West Street Electrical Improvements, 2025-38**

### **C-25-025**

Moved by Councillor T. Hoyle

Seconded by Councillor E. Beauregard

That Public Works Department Report 2025-38 be received; and

That Council approve the reallocation of \$375,000 from capital account 23C-PW-R09 Pleasant Beach Retaining Wall Remediation to 23C-PW-R10 West Street Hydro Lines.

Carried

## **13. Staff Remarks**

**Bryan Boles, Chief Administrative Officer**, noted he was in attendance at the Federation of Canadian Municipalities Sustainability Conference with other City staff, where they have been meeting with granting agencies about energy audits and what they can do to bring energy costs down at the Vale Health and Wellness Centre. He also noted they attended a session on accessibility, and lastly, he thanked everyone who participated in the Polar Plunge event.

**Steve Shypowskyj, Director of Public Works**, also noted he was in attendance at the Federation of Canadian Municipalities Sustainability Conference. He updated Council on the waterfront road allowance project; staff have been working with an environmental consultant to review the feedback, and they are looking to bring the report back to Council in April.

**Gary Long, Director of Development and Government Relations**, explained that the donation window is still open for the Polar Plunge event; so far, approximately \$25,000 has been raised. He also explained that two surveys, the Future of Healthcare in Port Colborne and Expanded Licensed Childcare in Port Colborne, are live on the City's website, and paper copies of the surveys are also available at City facilities. He also noted that ensuring adequate power supply for future growth and development in the City is on staff's radar, and they recently met with Canadian National Power to discuss the matter.

**Greg Zwiep, Manager of Recreation and Tourism**, thanked Luke Rowe and Olga Loeffen for their efforts in event coordination for Sportsfest weekend. He also highlighted that it is a busy time at the arena with tournaments and playoffs, and he encouraged the community to come support the different sports teams.

**Curtis Dray, Road and Park Operations Manager**, explained that there are several weather advisories, and that crews are ready to respond as needed. Staff will continue to monitor the advisories and respond accordingly.

#### 14. **Councillors' Remarks**

**Councillor Aquilina** noted that both the healthcare and childcare surveys can be filled out online, in paper, or by calling customer service for assistance to fill them out over the phone. She also congratulated the Sports Wall of Fame inductees and thanked staff and volunteers for Sportsfest weekend.

**Councillor Beauregard** congratulated staff on their work for organizing Sportsfest, and he noted he also participated on team Port Colborne.

**Councillor Bagu** thanked everyone for participating in Sportsfest. He also thanked staff for community engagement efforts.

**Councillor Bruno** thanked everyone involved in Sportsfest. He also inquired about the Sports Wall of Fame nomination process.

**Councillor Elliott** noted that there is no parking on the road during snow events; doing so could result in receiving a by-law infraction ticket. He also inquired if Council could receive an activity update report from the By-law Division.

**Councillor Hoyle** explained that he attended Sportsfest this past weekend and handed out several awards, and he thanked staff for their efforts during the event. He encouraged residents to attend the healthcare open house and to do the survey. He also noted that there will be an upcoming women's hockey tournament, and encouraged everyone to come support the teams.

**Deputy Mayor Bodner** thanked Greg Zwiep on behalf of Sherkston Community Center for his support.

#### 15. **Motions**

There were no motions.

#### 16. **Notice of Motions**

There were no notices of motions.

**17. By-laws**

**C-25-026**

Moved by Councillor G. Bruno  
Seconded by Councillor M. Bagu

That the following by-laws be passed and enacted, as presented:

- By-law No. 7316/07/25
- By-law No. 7317/08/25
- By-law No. 7318/09/25
- By-law No. 7319/10/25

Carried

**17.1 By-Law No. 7316/07/25 Page Street Stop Up and Close and Surplus Declaration**

**17.2 By-Law No. 7317/08/25 Appoint a Fire Chief (Stan Double)**

**17.3 By-law No. 7318/09/25 - Appoint a Deputy Fire Chief (Mark Middleton)**

**17.4 By-law No. 7319/10/25 - Appoint a Chief Administrative Officer (Bryan Boles)**

**18. Closed Session**

**C-25-027**

Moved by Councillor E. Beauregard  
Seconded by Councillor T. Hoyle

That Council do now proceed to meet in Closed Session at 8:22 p.m. under section 239(2)(c) of the *Municipal Act, 2001*, where a closed meeting is held if the subject matter being considered is a proposed or pending acquisition or disposition of land by the municipality or local board.

Carried

**18.1 Approval of the Minutes**

- a. **Regular Council Meeting - January 28, 2025**
- b. **Special Council Meeting (5 p.m.) - February 4, 2025**

- c. **Special Council Meeting (6:30 p.m.) - February 4, 2025**

**18.2 Staff Reports**

- a. **Confidential Development and Government Relations Report 2025-04**

**19. Back to Open Session**

**C-25-028**

Moved by Councillor G. Bruno  
Seconded by Councillor T. Hoyle

That Council does now rise and reconvene from Closed Session at 8:39 p.m.  
with report:

Item 18.1 Approval of the Minutes

That the following Closed Session Minutes be approved, as presented:

- a. Regular Council Meeting - January 28, 2025
- b. Special Council Meeting (5 p.m.) - February 4, 2025
- c. Special Council Meeting (6:30 p.m.) - February 4, 2025

Item 18.2 Staff Reports

- a. That Council authorize staff to proceed as directed in Closed Session.

Carried

**20. Procedural Motions**

There were no procedural motions.

**21. Confirmatory By-law**

**21.1 By-law No. 7320/11/25 - Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne**

**C-25-029**

Moved by Councillor D. Elliott  
Seconded by Councillor E. Beauregard

That the By-law to Adopt, Ratify and Confirm the Proceedings of the Council of the Corporation of the City of Port Colborne, dated February 11, 2025, be enacted and passed, as presented.

Carried

**22. Adjournment**

Deputy Mayor Bodner adjourned the meeting at 8:41 p.m.

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Ron Bodner, Deputy Mayor

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Charlotte Madden, City Clerk



## **PORT COLBORNE**

### **DEPUTY MAYOR'S REPORT TO COUNCIL**

Tuesday, Feb. 11, 2025

It is my honour and pleasure to be here tonight, serving the city as Deputy Mayor while our mayor is on an unpaid leave of absence until the end of the month. Council, I thank you for your confidence in me, appointing me as captain of our ship, if only temporarily. It's good to be back in all your company, as we carry on the business of our city. We certainly have a lot going on!

#### **SUPER SPORTSFEST WEEKEND**

There sure was a lot going on all weekend. Our 26th annual winter celebration of Sportsfest drew great crowds at venues across the city. Dozens of businesses and community groups coordinated events for the whole family, starting Friday afternoon and wrapping up Sunday afternoon with the Polar Plunge at the marina.

There were just as many spectators as there were Polar Plungers at the Sugarloaf Harbour Marina boat ramp Sunday. It is gratifying to see this event grow every year, and equally gratifying to see more money raised for Special Olympics every year. Almost \$25,000 was raised by 600 donors. Fantastic!

More than 100 brave souls registered to plunge themselves in the frigid waters of Lake Erie. Some did it on their own, with a friend or relative. Others plunged in teams. The West Niagara Minions joined us again this year, and with their incredible costumes and community spirit, they raised an incredible \$7,500. We thank them so much! I was proud to learn our Port COOLborne team raised \$2500.

The city team had members from almost every department. In addition to CAO Bryan Boles and Fire Chief Stan Double, we had Doug Hunt from Communications, Andrea Hawkins from Customer Service, Mary Murray and her son Magnus and Annie Beck from Human Resources, Rachel Tkachuk from the Library, Meghan Chamberland from the Museum, Curtis Collard from IT, and Eliza Durant from Public Works. Isn't that great? Way to go, Team Port COOLborne. I make special mention of six volunteers who handled all the registration: Gord Foster, David McKay, Bonnie Schneider, Kim Comfort, Paul Faris, and Zach Ricci. Our business and community ambassador Olga Loeffen tells me our event is impossible to run without these volunteers. On behalf of the city, thank you!

Thank you also to our Marina and Public Works crews, who spent a week breaking through the ice and prepping the site for all the brave souls. Thanks to our Firefighters, for being on-site and in the icy water to serve as first responders. We are always grateful for your presence. It really does take an army of staff and volunteers --- and staff who also volunteer --- to make these events incredible. We are grateful for each of you, and for all the Port Colborne business owners and employees who coordinated Sportsfest events and ran Sportsfest specials.

### SPORTSFEST MAYOR'S CUP

Our Port Colborne hockey team had players from almost every department, too. We had a win, a loss and a tie, not enough to get into the Mayor's Cup playoffs, but enough to make us proud of our players. Councillor Bagu was at the Vale Health and Wellness Centre to cheer on the men and women of our team, and their rival teams from across the region. Councillor Beauregard crashed into the boards Saturday morning, but scored a goal on his way, so that was worth it, right Councillor? On behalf of the city, congratulations to the winners of each of four divisions. Councillor Hoyle was at centre ice Sunday to present the trophies and plaques.

Niagara Region won 3-2 over St. Catharines to claim the D division. Beamsville Firefighters won 6-2 over Welland to conquer the C division. Niagara Falls won 6-5 over West Lincoln to clinch the B division. And the Mayor's Cup champions for 2025 are Port Frontenac, winning 6-0 over Grimsby. It is the sixth consecutive Mayor's Cup championship for the Frontenac team. They are invincible! Congratulations to all.

### SPORTS WALL OF FAME INDUCTION CEREMONY

One of the highlights of Sportsfest is the annual Sports Wall of Fame ceremony. On Saturday evening, the Golden Puck Room at the Vale Centre was full of talent, achievement, home-town pride, memories, and heart. A lot of heart.

The 2025 inductees are:

- Don Murdoch, for almost a lifetime of playing and coaching hockey, baseball, golf, and bowling. His love of sport showed in his exceptional abilities and continued in leadership roles long after he stopped playing.
- Lloyd and Pat Goss were awarded posthumously for their achievements in and contributions to football, badminton, baseball, Comettes softball, and their steadfast voluntarism with Sea Cadets and Port Colborne Operatic Society. The Gosses were an incredible couple, who did so much, and who were loved by so many.
- Ron Favero was inducted to the Sports Wall of Fame for 40 years of Special Olympic achievements in swimming, track and field, bowling, and bocce at provincial and national levels.

The juvenile women's softball team from Port Colborne won the provincial B championship in 1970. Team members from the Charuk's Woodworking softball team shared their stories as they all took part in unveiling the plaque for the Sports Wall of Fame. Likewise for the Sugarloaf Esso Bantams: the 1980 All-Ontario C division champs joined coach Jimmy Edwards, who flew all the way from Calgary to be part of the induction ceremony. The ceremony Saturday evening was live streamed on Facebook for people unable to attend. You can watch it again on Facebook, or on the city's Youtube channel. Thank you, Mayor Steele, MP Vance Badawey, and the former and current sports and recreation managers -- Tom Lannan and Greg Zweip -- for an impressive ceremony to honour the 2025 inductees to Port Colborne Sports Wall of Fame.

### ECONOMIC DEVELOPMENT LEADERSHIP AWARD

Mayor Steele accepted the Hazel McCallion Leadership Award last Thursday evening at the annual gathering of the Economic Development Council in Toronto. He accepted it on behalf of our entire team here at the City of Port Colborne, for all the work done to secure several major multi-million-dollar projects to our city, including the AK plant currently under construction. Congratulations to economic development officer Bram Cotton, director of development and government relations Gary Long, and CAO Bryan Boles and their teams.

### PORT COLBORNE AT INVICTUS GAMES

Jeana Provias is the niece of Christine Tice, who has been an assistant librarian for 25 years at Port Colborne Library. Jeana is in Vancouver and Whistler BC this week competing with 56 athletes on Canada's national team in the Invictus Games. Jeana grew up in Port Colborne, the daughter of Tony and Pat Harrington. She's a pharmacist officer stationed at 4 Wing Cold Lake, Alberta. She served aboard HMCS Athabaskan and HMCS Algonquin as a marine engineering technician. She's also served in Latvia, part of a multi-national clinic with 10 other NATO countries.

Jeana's parents left Ontario for BC last week with a bag full of Port Colborne pins to trade with parents of athletes from 23 countries. I wonder if they met Prince Harry during Sunday's opening ceremonies in BC Place. Jeana competes in skeleton, biathlon, sitting volleyball, and indoor rowing. The Invictus Games run all this week, with closing ceremonies next Sunday.

### TOUCH-A-TRUCK BOOK WINS INNOVATION AWARD

Every year, Public Works staff invites children and their families to the Operations Centre for the Touch-a-Truck event, which also includes Fire Safety Week demonstrations by our Fire Department. All the city equipment is featured on pages for children to write about and to colour. The children's work was published in The Touch-A



-Truck Book last fall, and that book earned the Minister's Award for Innovation presented by Ontario's Minister of Tourism and Culture. That's a real collaborative achievement by our creative teams at the library, museum, and public works. Congratulations to all of you.

### MUSEUM CELEBRATES 50 YEARS

2025 marks the 50th anniversary of the Port Colborne Historical and Marine Museum. Staff and volunteers have a big year of events planned for us. On Friday, for example, which is a Professional Development Day for teachers, children (and adults) are invited to go to the L.R. Wilson Archives on King Street and make a Victorian Valentine's Day card. Drop in any time between 10:30 and noon. Did you know you can be part of the museum by joining as a member? Many of us here on Council are Life Members. Becoming a member or giving a membership as a gift this year will be a great way to celebrate 50 years of local heritage preservation.

### FAMILY DAY

Council and I wish Happy Family Day to all of you here, and to those of you watching via live stream. Monday, Feb. 17 is Family Day in Ontario, to reflect on the importance of families and to celebrate with loved ones. There are lots of activities planned at the Vale Health and Wellness Centre. Please visit the city's website or social media. Monday is also Heritage Day in Ontario, the first day of Heritage Week, which was designated by the province in 1985. That concludes my report to you as Deputy Mayor. Thank you.

**Subject: Removal of a Holding Provision Application – Vacant Lots on Killaly Street East (File No. D14-10-24)**

**To: Council**

**From: Development and Government Relations Department**

Report Number: 2025-32

Meeting Date: February 25, 2025

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**Recommendation:**

That Development and Government Relations Department 2025-32 be received; and

That Council approve the by-law attached as Appendix A to this report, being a by-law to remove the holding provision for the subject lands legally known as Lots 52 and 53, Plan 871, in the City of Port Colborne, Regional Municipality of Niagara.

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**Purpose:**

The purpose of this report is to recommend that Council permit the removal of the holding provisions applied to the subject lands, following the submission of a Record of Site Condition (RSC) for the lands legally known as Lots 52 and 53, Plan 871, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as two vacant lots on Killaly Street East.

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**Background:**

When Zoning By-law 6575/30/18 was passed, the subject lands became zoned Second Density Residential with a Conversion Holding provision (R2-CH). Section 4.4.2 of Zoning By-law 6575/30/18 provides:

- a) *Where a zone symbol contains the suffix “CH” with or without a special provision (e.g. R1-CH or R1-1-CH), the zoning shall not take effect until the prescribed conditions are met including obtaining a Record of Site Condition from the Ministry of the Environment.*

On June 13, 2024, the Ministry of the Environment, Conservation and Parks (MECP) acknowledged that RSC number **B-403-2288465249** was filed. An electronic copy of this RSC can be viewed and downloaded on the Environmental Site Registry available on the MECP website.

The application to remove the CH from the subject lands was received by Planning staff on December 2, 2024. Notice of the application was circulated on February 4, 2025, in accordance with the *Planning Act*. The notice is attached as Appendix B to this report.

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### **Discussion:**

The application proposes to remove the CH provision from the subject lands for the intended Second Density Residential (R2) zoning to take place. The Conversion Holding (CH) provision was added to recognize the past commercial use on the property and to ensure the safe transition to a residential property. Planning staff are satisfied that the prescribed requirements for removing the CH provision from the subject lands have been met.

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### **Internal Consultations:**

Planning staff have consulted with the Building Division as the applicant intends on constructing a new dwelling upon the removal of the CH provision.

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### **Financial Implications:**

The applicant paid the prescribed application fee.

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### **Public Engagement:**

Notice of the intention to remove a holding provision was circulated on February 4, 2025, to property owners in the area, in accordance with the *Planning Act*.

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### **Strategic Plan Alignment:**

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Environment and Climate Change

- Welcoming, Livable, Healthy Community
  - Increased Housing Options
- 

### **Conclusion:**

An RSC was filed for the subject lands to support the application to remove the CH provision to allow the construction of a new dwelling. The MECP has issued their acknowledgement of the filing of the RSC, thus the subject lands are eligible to have the holding provision removed.

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### **Appendices:**

- a. By-law for the Removal of the Holding Provision
- b. Notice of Intention to Remove a Holding Provision

Respectfully submitted,

Diana Vasu  
Planner  
905-228-8120  
[diana.vasu@portcolborne.ca](mailto:diana.vasu@portcolborne.ca)

David Schulz  
Manager of Planning  
905-228-8117  
[david.schulz@portcolborne.ca](mailto:david.schulz@portcolborne.ca)

### **Report Approval:**

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

**The Corporation of the City of Port Colborne**

**By-law No. \_\_\_\_\_**

**Being a by-law to amend Zoning By-law 6575/30/18 respecting the removal of the holding symbol from lands legally described as Lots 52 and 53, Plan 871, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as two vacant lots on Killaly Street East**

Whereas By-law 6575/30/18 is a by-law of The Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures; and

Whereas the Council of The Corporation of the City of Port Colborne is desirous to amend said by-law to remove the Holding Symbol (CH) from the whole or any part of the area covered by a Zoning By-law passed under section 34 of the *Planning Act*,

**Now therefore**, and pursuant to the provisions of section 36 of the *Planning Act*, R.S.O. 1990, The Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A6" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Second Density Residential with Conversion Holding (R2-CH) to Second Density Residential (R2).
3. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.
4. The City Clerk is hereby authorized and directed to proceed with giving notice of the passing of this by-law, in accordance with the *Planning Act*.

Enacted and passed this 25th day of February, 2025.

\_\_\_\_\_  
Ron Bodner  
Deputy Mayor

\_\_\_\_\_  
Charlotte Madden  
City Clerk



## Notice of Intention to Remove a Holding Symbol

Pursuant to Section 36 of the *Planning Act*

File: D14-10-24

Address: Vacant Lots on Killaly Street East

Owner/Applicant: Luke Carleton

**Take Notice** that the Council of the Corporation of the City of Port Colborne proposes to pass a By-law to permit the removal of a holding symbol no earlier than **February 25, 2025, at 6:30 p.m.**, under section 36 of the *Planning Act, R.S.O., 1990*, for the lands legally known as Lots 52 and 53, Plan 871, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as two vacant lots on Killaly Street East. The subject lands are shown on the back of this notice.

### Effect of the Removal of the Holding Symbol

Zoning By-law 6575/30/18 was passed on April 23, 2018, which set the zoning of the subject lands to Second Density Residential with a Conversion Holding provision (R2-CH) to ensure the safe transition of the subject lands from a commercial use to a residential use.

The intended zoning of the subject parcel cannot be established until the Holding provision is lifted in accordance with section 36 of the *Planning Act*. The Conversion Holding provision is permitted to be lifted once the following condition has been cleared:

- 1) Where a zone symbol contains the suffix "CH" with or without a special provision (e.g. R1-CH or R1-1-CH), the zoning shall not take effect until the prescribed conditions are met including obtaining a Record of Site Condition from the Ministry of the Environment.

The City has received written notice that a Record of Site Condition has been filed under Ontario Regulation 153/04. The owner has requested the removal of the Conversion Holding provision from the subject lands as the required condition has been cleared.

Please note that in accordance with the provisions of section 36 of the *Planning Act, R.S.O., 1990*, the passing of the proposed By-law is not subject to appeal to the Ontario Land Tribunal.

For any questions or for more information about this matter, please contact:

### Diana Vasu

Planner

City of Port Colborne

66 Charlotte Street

Port Colborne, ON L3K 3C8

Phone: (905) 228-8120

Email:

File Number: D14-10-24

Dated at the City of Port Colborne this 5<sup>th</sup> day of February, 2025.

Location Map



= Subject Lands



North



**Subject: Nickel Beach Report**  
**To: Council**  
**From: Corporate Services Department**

Report Number: 2025-06

Meeting Date: February 25, 2025

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**Recommendation:**

That Corporate Services Department Report 2025-06 be received;

That Recreation staff be directed to move forward with the environmental projects involving removal of invasive phragmites, installation of dune fencing; and

That Recreation staff be directed to conduct a trial of vendors at Nickel Beach during the 2025 season.

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**Purpose:**

The purpose of this report is to provide an overview of the 2024 beach season, highlighting key trends, challenges, and successes observed throughout the year. This report will also provide an outlook for the 2025 season, including planned improvements and strategies to enhance the overall beach experience for residents and visitors.

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**Background:**

The 2025 beach season in Port Colborne will mark the third year without beach front parking. Throughout this period, staff have consistently made operational adjustments aimed at enhancing the experience for both residents and visitors. Feedback has been gathered from staff, councillors, residents, and beachgoers to inform these improvements.

In accordance with Section 27.0.2 of Ontario Regulation 832/21, Nickel Beach is designated as protected habitat for the Fowler's Toad, a species listed as endangered under the provincial *Endangered Species Act* (ESA). This designation provides automatic protection for the toad's habitat. As such, the City of Port Colborne has



developed an official Operations Manual for Nickel Beach, which has been guided and approved by the Ministry of the Environment, Conservation, and Parks (MECP). The manual outlines specific timelines and procedures for any work conducted in the area to ensure the protection of the Fowler's Toad and its habitat and must be strictly adhered to.

In accordance with the Operations Manual, the accumulation of algae or seaweed in the water or wet/damp algae or seaweed along shoreline is not to be disturbed. However, dried algae or seaweed on the shoreline may be removed and relocated to an alternative site on the property. During the removal process, staff are required to inspect the area for the presence of Fowler's Toads and toadlets. If any toads are found, work must cease immediately. The piled dried seaweed/algae should only be removed from the site once per week, after ensuring that no toads are present.

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## **Discussion:**

### **2024 Highlights and 2025 Enhancements**

In 2024, Recreation staff presented a request to Council to modify the Zone 1 parking area in response to safety concerns raised by numerous beachgoers in 2023, which had led to a significant number of refund requests. As a result of this modification, the 26 parking spaces along Lake Road were redesignated as a "No Parking Zone." Council approved the expenditure to repurpose this area, creating a walkway from the Zone 2 parking lot to Nickel Beach. The walkway was marked with line painting and the installation of flexible bollards. As a result of this project, Recreation staff received zero complaints from beachgoers expressing concern for their safety while walking from the Zone 2 parking lot to Nickel Beach. Notably, there was \$7,080 less in refunds processed in 2024 compared to 2023.

Nickel Beach has many amenities and programming for beachgoers to enjoy, including:

- Splashtown Niagara.
- Becoming a leashed dog friendly beach.
- Dog days of summer event.
- Pop-up vendor appearances.
- Washroom facilities.
- First-aid trailer.
- Beach lounge rental program.
- Take a toy leave a toy bin.
- Mobi-Chair (beach wheelchair).
- Mobi-Mat (beach accessibility mat).
- Installation of Security Cameras.
- Beach Mural, painted by Lakeshore Catholic High School class.

- Beach season extended to Thanksgiving weekend.

Feedback received from the public during the 2024 beach season identified positive feedback regarding the service from beach staff, the cleanliness and maintenance of washroom facilities, and the overall quality of the beach environment.

Respondents have noted the price of parking and the accumulation of seaweed and algae along the shoreline as areas for review.

In response to the feedback received, staff are collaborating with the Communications Department to develop a “Seaweed Report,” which will be posted on the City’s website and on-site at Nickel Beach. This report will provide up-to-date information on seaweed and algae accumulation at the beach, offering beachgoers greater awareness of current conditions prior to arriving at Nickel Beach. Additionally, the “Seaweed Report” will include information educating the public on the challenges and limitations associated with seaweed removal from both the water and shoreline, as previously noted in this report.

To address concerns regarding parking pricing, staff have proposed, and City Council approved during the 2025 User Fees and Charges Report 2024-183, a hybrid pricing model that incorporates hourly parking rates. This adjustment is intended to enhance accessibility for individuals who visit the beach for activities such as walking, running, site seeing, walking their dog or visiting after work. The detailed pricing matrix that was approved by Council can be found in Appendix "A" for reference purposes.

Based on data collected from beach staff during weekdays, the number of beachgoers utilizing a PORTicipate pass varied between 5 and 40 individuals per day. On weekends, this range increased, with daily usage of the pass varying between 15 and 50 beachgoers. The Zone 2 parking lot exceeded parking capacity, with beachgoers spilling into Zone 3 residential parking areas on every weekend from July 7<sup>th</sup> to August 11<sup>th</sup>.

Recreation staff have outlined several operational changes and initiatives for the 2025 beach season. These will include new programming designed to enhance the overall beach experience at Nickel Beach, as well as projects focused on protecting and preserving the natural environment of the beach.

At the conclusion of the 2024 beach season, Splashtown Niagara expressed interest in extending the term of their current agreement, which is set to conclude in November 2025. In response, staff are drafting a new licensing agreement with Splashtown Niagara, which will extend the term of the agreement through to 2029. Splashtown Niagara has positively contributed to providing an enjoyable recreation experience for beachgoers.

Recreation staff are planning to introduce food vendors at Nickel Beach on weekends during the peak of the 2025 season as a trial initiative. The trial will offer vending opportunities to the vendors awarded space at H.H. Knoll Lakeview Parkette. Should

this pilot be successful, staff will develop a formal process to offer food vending opportunities at Nickel Beach on weekends during peak times starting in 2026.

Survey responses will be collected throughout the entire 2025 season to receive feedback from beachgoers and create a net promoter score that can be reported back to council in 2026. Beach staff will also collect daily statistics throughout the season on weather conditions, seaweed conditions, parking lot and beach attendance tracking at different intervals of the day and number of PORTicipate passes in lots.

Recreation staff have engaged with several key environmental agencies, including the Ministry of the Environment, Conservation and Parks (MECP), LCA Environmental, and the Niagara Peninsula Conservation Authority, to discuss potential initiatives aimed at enhancing the natural environment of Nickel Beach.

### **Invasive Species Control – Phragmites Removal**

Phragmites, an invasive species, are damaging Ontario's biodiversity, wetlands, and beaches. A section of the beachfront at Nickel Beach has been identified where invasive phragmites are spreading, leading to the loss of beachfront area on the western end of the public beach. In response, the City has submitted a request to the MECP for approval to remove these plants, aiming to mitigate their impact on the environment.

### **Dune Fencing Project**

The dune fencing project will be implemented in tandem with the phragmites removal. Once the invasive plants are removed, dune fencing will be installed to help rebuild the sand dunes in the affected area. This process will facilitate the accumulation of more sand, creating an environment that is less conducive to the growth of plants on the beachfront and further supporting the restoration of the dunes.

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### **Internal Consultations:**

Communications staff will launch a robust communications and marketing strategy to profile the unique features of Nickel Beach and encourage area residents to visit the beach this coming summer. At a high level, the strategy will include a digital component with geo-targeted digital ads to residents in Port Colborne and neighbouring municipalities, radio advertising, updated website, and social media content. Staff will also work with local media to support sharing Nickel Beach messaging through traditional media channels as well.

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### **Financial Implications:**

The City is addressing the issue of invasive phragmites, a highly aggressive plant species, which requires removal to protect local ecosystems and maintain public

spaces. Staff have received quotes ranging for \$2,500-\$3,500 to remove. Additionally, staff have identified a grant through the Invasive Phragmites Control Fund, this grant could result in financial assistance for this project.

Nickel Beach's operational funding model has shifted from being entirely self-sustaining to a hybrid approach. The revised model now covers two-thirds of its operational costs through user-generated revenues, while the remaining one-third will be funded through the municipal levy.

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### **Public Engagement:**

Recreation staff will have a survey for Nickel Beach available online and on-site for beachgoers to provide feedback about their experience.

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### **Strategic Plan Alignment:**

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Environment and Climate Change
  - Welcoming, Livable, Healthy Community
  - Sustainable and Resilient Infrastructure
- 

### **Conclusion:**

This report on the 2024 beach season highlighted new programs, operational changes, and feedback from beachgoers. It also outlined plans for the 2025 season, with the goal of enhancing the beach experience for residents and visitors through various programming changes and initiatives.

### **Appendices:**

- a. Parking Rates

Respectfully submitted,

Luke Rowe  
Recreation Supervisor  
905-228-8037  
[Luke.Rowe@portcolborne.ca](mailto:Luke.Rowe@portcolborne.ca)

Greg Zwiép  
Manager, Recreation and Tourism  
905-228-8044  
[Greg.Zwiep@portcolborne.ca](mailto:Greg.Zwiep@portcolborne.ca)

Blair Holinaty  
Marina Supervisor  
905-228-8036  
[Blair.Holinaty@portcolborne.ca](mailto:Blair.Holinaty@portcolborne.ca)

### **Report Approval:**

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

### Parking Rates

Nickel Beach					
Pass/Permit Type	Classification	2024 Fee (plus HST as applicable)	2025 Proposed Fee (plus HST as applicable)	Percentage Change	Notes
Zone 1 Reserved Daily Pass per vehicle : Prime Season	Weekday (Monday-Thursday)	\$40.00	\$40.00	0%	Hourly Fees based off market rates with regional beaches
	Weekend (Friday-Sunday)	\$50.00	\$50.00	0%	
Zone 2 Hourly Fee per vehicle: Prime Season	Weekday (Monday-Thursday) - Available all day	NA	\$4.00		
	Weekend (Friday-Sunday) - Option starts After 4pm	NA	\$5.00		
Zone 2 Daily Pass per vehicle: Prime Season	Weekday (Monday-Thursday)	\$20.00	\$20.00	0%	
	Weekend (Friday-Sunday)	\$30.00	\$30.00	0%	
Zone 1 and 2 Hourly Fee per vehicle: Off Season, Free with Port Pass	Hourly	NA	\$2.00		
Zone 3 Overflow Daily Pass per vehicle: Prime Season	Weekday (Monday-Thursday)	\$20.00	\$20.00	0%	
	Weekend (Friday-Sunday)	\$30.00	\$30.00	0%	
Zone 3 Overflow Hourly Fee per vehicle: Prime Season	Weekday (Monday-Thursday) - Available all day	NA	\$4.00		
	Weekend (Friday-Sunday) Option starts after 4pm	NA	\$5.00		
Season Passes	PORTicipate Pass (Port Colborne Residents Only)	FREE	FREE		
	-Zones 2 and 3 all year				
	-PS: Zone 1, Sunrise to 8:30 AM*				
	Gold Pass: -Mon - Thurs: Zones 2 and 3, Sunrise to Dusk -Fri - Sun: Zones 2 and 3, 4 PM to Dusk -PS: Zone 1 Sunrise to 8:30 AM* -OS: All Zones, Sunrise to Dusk** Morning Leisure Pass: Zone 1, Sunrise to 9 AM	\$150.00	\$200.00	33%	
		N/A	\$120.00		

Prime Season\*: Defined as between Victoria Day and Thanksgiving.  
Off Season\*\*: All other Days of the year. Beach parking lots not maintained through winter.



## Legal and Legislative Services

February 12, 2025

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1  
[premier@ontario.ca](mailto:premier@ontario.ca)

The Honourable Sylvia Jones,  
Minister of Health  
5<sup>th</sup> floor, 777 Bay Street  
Toronto, ON M7A 2J3  
[Sylvia.Jones@pc.ola.org](mailto:Sylvia.Jones@pc.ola.org)

Honourable and Dear Sir and Madam:

**Re: Provincial Election Health Care Advocacy**

The Municipal Council of the Town of Fort Erie at its Special Council meeting of February 11, 2025 passed the following resolution:

**Whereas** the Town of Fort Erie submitted a letter to the Minister of Health dated August 7, 2024, advocating for the continuation of the Douglas Memorial Urgent Care Centre as a primary care safety net in the community, which has not received a response, and

**Whereas** the Province of Ontario has appointed Dr. Philpott as the Chair of the New Primary Care Action Team to develop a strategy to address the shortage of primary care physicians with a mandate to attach all Ontarians to primary care in the next five years (2030), and

**Whereas** the Town of Fort Erie has a population of 36,000 residents, with over 8,000 who are unattached to a primary care physician, demonstrating a need for a primary care safety net locally, and

**Whereas** the Douglas Memorial Urgent Care Centre provides a first point of contact with our health care system for Niagara residents without a primary care physician, which will continue beyond the opening of the South Niagara Hospital in 2028, and

**Whereas** the Council for the Town of Fort Erie passed a resolution on October 21, 2024 requesting a continuation of funding for Douglas Memorial operations, without reduction of any funding to Niagara Health for construction and operation of the new South Niagara Hospital, and that the Premier support that resolution, and

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Mailing Address:

The Corporation of the Town of Fort Erie

1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 4:30 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: [www.forterrie.ca](http://www.forterrie.ca)

**Now, therefore, be it resolved,**

**That:** The Town of Fort Erie Mayor and Council requests a response from the Premier of Ontario and the Minister of Health regarding submissions by the Town of Fort Erie, including letter dated August 7, 2024, the Town of Fort Erie Rural Ontario Municipalities Association presentation to the Ministry of Health, Parliamentary Assistant, Anthony Leardi, the resolution passed by the Town Council on October 21, 2024, and the Niagara Health resolution that the Town of Fort Erie presented to the Niagara Health Board on January 28, 2025, and

**That:** The Town of Fort Erie Mayor and Council requests that the Province of Ontario put a moratorium on the closure of urgent care centres and the implicit removal of primary care health services from the Town of Fort Erie and all small and rural communities in Ontario until Dr. Philpott's mandate is complete to ensure that all Ontarians are attached to a primary care physician, and;

**That:** This resolution and the information it references be forwarded to Niagara's local MPPs and all candidates seeking election in Niagara and circulated to the Rural Ontario Municipal Association and all Ontario municipalities.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Kind regards,



Ashlea Carter,  
Acting Manager, Legislative Services/Town Clerk

[acarter@forterie.ca](mailto:acarter@forterie.ca)

AC:dlk

c.c: Niagara Region MPP's [wgates-co@ndp.on.ca](mailto:wgates-co@ndp.on.ca) ; [JStevens-CO@ndp.on.ca](mailto:JStevens-CO@ndp.on.ca) ; [JBurch-QP@ndp.on.ca](mailto:JBurch-QP@ndp.on.ca) ; [sam.oosterhoff@pc.ola.org](mailto:sam.oosterhoff@pc.ola.org)

Candidates Seeking an Election in Niagara [info@niagaratinting.com](mailto:info@niagaratinting.com); [dumelie.gary@gmail.com](mailto:dumelie.gary@gmail.com);  
[shafolikapur@ontarioliberal.ca](mailto:shafolikapur@ontarioliberal.ca); [wayne.gates@ontariondp.ca](mailto:wayne.gates@ontariondp.ca); [contact@ruth-ann.ca](mailto:contact@ruth-ann.ca); [greenteam@gpo.ca](mailto:greenteam@gpo.ca)  
Rural Ontario Municipal Association [roma@roma.on.ca](mailto:roma@roma.on.ca)  
All Ontario Municipalities

Attachments:

The Honourable Sylvia Jones, Minister of Health Letter – August 7, 2024  
The Honourable Doug Ford, Premier and The Honourable Sylvia Jones, Minister of Health Letter – October 22, 2024  
Rural Ontario Municipalities Association presentation to the Ministry of Health, Parliamentary Assistant, Anthony Leardi –  
January 21, 2024  
NH Board Resolution – January 28, 2024





Office of the Mayor  
WAYNE H. REDEKOP

August 7, 2024

The Honourable Sylvia Jones,  
Minister of Health  
5<sup>th</sup> floor, 777 Bay Street  
Toronto, ON M7A 2J3  
[Sylvia.Jones@pc.ola.org](mailto:Sylvia.Jones@pc.ola.org)

Honourable and Dear Madam:

**Re: Urgent Care Centre, Fort Erie**

I appreciate the challenges that you and your Ministry face as you endeavour to ensure that every resident of Ontario has timely, effective and meaningful access to primary health care. I also appreciate the interest that you have taken in the specific issues that challenge us in Fort Erie as we attempt to establish a model that will address the need of our residents to access primary care.

The Town of Fort Erie Council recently passed a resolution calling on you and Niagara Health for a commitment to continue the operation of the Urgent Care Centre at Douglas Memorial, in Fort Erie, following the opening of the South Niagara Hospital as our primary care safety net until a viable and sustainable alternative is in place in the community. I attach a copy of that resolution. This resolution has also been supported by the City of Niagara Falls, the City of Port Colborne and the Niagara Region.

The Town administration has been working with local family physicians, other health care providers, Bridges (the local Community Health Centre), the Indigenous community, Niagara Health, the Niagara Ontario Health Team and Ontario Health West to identify the specific service needs of our residents, the resources that we can rely on to meet our residents' needs and establish the model that will ensure that the primary health care, diagnostic and associated services are in place for the long term. As the community continues to grow, the Town is taking necessary steps to ensure that all residents will be rostered with a family physician, including continued support for a local Physician Recruitment Incentive program. As you can imagine, this is a significant investment and a moving target that is elusive for municipalities across Ontario. Fort Erie estimates that over 7,000 residents are unattached to a primary care physician and all of our 34,000 residents rely on the Urgent Care for primary care health issues. Hence the absolute importance of the Urgent Care Centre at Douglas Memorial continue its operation as our primary care safety net.

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Mailing Address:

The Corporation of the Town of Fort Erie  
1 Municipal Centre Drive, Fort Erie ON L2A 2S6  
Office Hours 8:30 a.m. to 4:30 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022 Web-site: [www.forterie.ca](http://www.forterie.ca)

In July 2023, Niagara Health reduced the hours of operation of the UCC in Fort Erie (and Port Colborne) from 24 hours to essentially 10 hours (10 a.m. to 8 p.m.). This has jeopardized the access to primary care not only of unrostered patients, but for all residents of our community after available family physician working hours. The implications seem predictable: greater pressure on the Emergency Departments in Niagara Falls and Welland, lower acuity health issues using Emergency and EMS as a first point of contact, greater demand on Emergency Medical Services and offload delay pressures, delayed medical attention by those with transportation or other logistical challenges which make it difficult to seek medical service at a distance. All of these have financial impacts that erode the ability of the hospital system to provide the services required by residents. I believe that it is unlikely that the new South Niagara hospital will eliminate these concerns.

Insofar as Niagara Health is responsible for the operation of our UCC at Douglas Memorial, we understand the need to maintain a fruitful working relationship with it. Accordingly, NH has participated in our Community Health Care Services Committee and in meetings with other health care providers as we search for the model for primary care that will meet our community's needs. Regretfully, NH has recently decided that it will no longer participate in the committee or any meetings in which the Town of Fort Erie is represented for reasons best known to it. Furthermore, it removed the invitation to Fort Erie's Chief Administrative Officer and Health Services Coordinator to attend a recent meeting (Aug 2<sup>nd</sup>) with Ministry representatives, Ontario Health West, Niagara Health, the Niagara OHT and other health service partners, without an explanation to the attendees. This was very embarrassing and concerning to us and brings into question NH's ability to gain public trust and confidence as our publicly funded hospital, but more significantly, it raises community concern about its ability to understand the dynamic between operation of the UCC and our quest to find a long-term primary care solution for our residents.

We look forward to your consideration to commit to the continuation of the Urgent Care Centre beyond 2028, as our primary care safety net or until a viable and sustainable alternative is in place.

Yours very truly,



Wayne H. Redekop  
Mayor

WHR:dlk  
Attach  
c.c C. McQueen, Chief Administrative Officer

**Town of Fort Erie - Resolutions  
Regular Council**

**Agenda Number:** 16.2.  
**Resolution No.** 14  
**Title:** Councillor McDermott  
**Date:** Monday, May 27, 2024

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**Moved by:** Councillor McDermott  
**Seconded by:** Councillor Christensen

**Whereas** Niagara Health has received approval from the Provincial Government to build a new South Niagara Hospital in Niagara Falls that will provide a range of emergency and acute care services, and

**Whereas** the shortage of primary care physicians in Fort Erie results in over 7,000 residents being unattached (unrostered) to a family physician, and

**Whereas** the Fort Erie Urgent Care Centre at Niagara Health's Douglas Memorial site provides a primary care "safety net" for the community and serves as a first point of health care contact for both attached and unattached residents who cannot receive time-sensitive primary health care, and

**Whereas** the Provincial Government is attempting to reduce EMS offload delays and eliminate hallway medicine arising from low acuity patients who would be better served by primary care physicians or an Urgent Care Centre providing access to the primary care "safety net", and

**Whereas** the viability of the health care and hospital systems in Niagara are dependent on all residents having time-sensitive access to primary health care;

**Now therefore be it resolved,**

**That:** The Town of Fort Erie advocate to the Minister of Health and Niagara Health for a commitment to continue the operation of Urgent Care Centre at Douglas Memorial in Fort Erie following the opening of the South Niagara Hospital as the primary care safety net until a viable and sustainable alternative is in place in the community, and further

**That:** This resolution be sent to the Niagara Region and Niagara's local area municipalities for their support and endorsement.

**Carried**



# Legal and Legislative Services

October 22, 2024

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1  
[premier@ontario.ca](mailto:premier@ontario.ca)

The Honourable Sylvia Jones,  
Minister of Health  
5<sup>th</sup> floor, 777 Bay Street  
Toronto, ON M7A 2J3  
[Sylvia.Jones@pc.ola.org](mailto:Sylvia.Jones@pc.ola.org)

Honourable and Dear Sir and Madam:

**Re: Request Provincial Funding Remain Available to Support Fort Erie’s Primary Care Initiative**

The Municipal Council of the Town of Fort Erie at its Council meeting of October 21, 2024 unanimously passed the following resolution:

**Whereas** the Douglas Memorial Hospital was built primarily with funds left by the estate of William Douglas on his death in 1929; and

**Whereas** the Douglas Memorial Hospital (“the Hospital”) opened for operation in 1931; and

**Whereas** the Hospital operated in the black during all of its years of operation (1931- 1998) as a full-service hospital under the management and guidance of its own Board of Trustees; and

**Whereas** the Health Services Restructuring Commission (“HSRC”) recommended in 1998 that Douglas Memorial continue operation as a hospital within the new Niagara Health System (“NHS”), with acute and chronic care beds, emergency and ambulatory services and a range of diagnostics; and

**Whereas** despite the creation of a standing committee of the NHS Board for Fort Erie, pursuant to recommendation of the HSRC, to assure local input into Board decision making and that no decision to eliminate any inpatient or emergency services would be made unless approved by such standing committee, the NHS embarked on a systematic reduction or elimination of various services at the Hospital until the adoption by the NHS of its “Hospital Improvement Plan” (“HIP”) in 2008; and

**Whereas** pursuant to the HIP the NHS eliminated emergency and all other health care services at the Hospital in 2009, with the exception of a 24-hour Urgent Care Centre (“UCC”), chronic care beds, palliative care beds and some diagnostics, without the approval of the Hospital standing committee; and

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Mailing Address:

The Corporation of the Town of Fort Erie

1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 4:30 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: [www.forterrie.ca](http://www.forterrie.ca)

**Whereas** in July 2023 Niagara Health (“NH”), as it is now designated, reduced the hours of operation of the Hospital UCC to 12 hours, although the public only has access to the UCC from 10 a.m. to 8 p.m. daily; and

**Whereas** NH has recently adopted a 3 hospital model for the future of hospital services in Niagara that intends to completely close the Hospital, resulting in no urgent, chronic or palliative or diagnostic services in Fort Erie once the new South Niagara Hospital is opened in or about 2028; and

**Whereas** the most recent population data available indicates that Fort Erie’s current population is 36,200, far greater than projected during deliberations with respect to Niagara Region’s new Official Plan, adopted in July 2022; and

**Whereas** the Niagara Region’s population is growing at a rate far greater than anticipated by the Province or NH, particularly when projections were being made for the hospital needs of South Niagara when planning for the new South Niagara Hospital; and

**Whereas** there are over 7,000 Fort Erie residents unattached to a primary care physician, necessitating a primary care “safety net”, such as a UCC or alternative to avoid first point of health care contact at local emergency departments; and

**Whereas** the UCC at Douglas Memorial forms that primary health care “safety net” in the absence of sufficient primary care physicians or service providers in Fort Erie; and  
**Whereas** the removal of UCC services, chronic care beds, palliative care beds and diagnostics from the Hospital will result in an unreasonable and unnecessary hardship for current and future residents of Fort Erie and will foreclose the use of the Hospital as a safety valve for NH patients anywhere in Niagara in the event the new South Niagara Hospital is unable to meet the demands that the increasing population of Niagara will place on it; and  
**Whereas** a prudent approach to managing the hospital and health care needs of Niagara, particularly South Niagara and Fort Erie, would recognize the value of retaining a fully-operational UCC, with diagnostics and clinics, as well as chronic care and palliative care beds at the Hospital; and

**Whereas** there is no indication that NH has any intention of changing course on its 3 hospital model for Niagara despite requests by the Town of Fort Erie to continue the services available at the Hospital; and

**Whereas** the residents of Fort Erie need and deserve equitable primary health care services, including 24-hour Urgent Care and associated services;

Now therefore be it resolved,

1. **That** the Council for the Town of Fort Erie requests that the Minister of Health commit to funding all necessary services at the new South Niagara hospital without the removal or reallocation of operational funding from the Douglas Memorial for the UCC and other current health services, and further

.../3

2. **That** the Council for the Town of Fort Erie requests that the Minister of Health direct any and all funding from the Province of Ontario for the operation of the UCC (primary care), chronic care beds and palliative care beds, and all diagnostic and associated services at Douglas Memorial remain in Fort Erie for use by Niagara Health as part of a revised hospital model for Niagara or an alternative model operated by a qualified designated health care services entity working in collaboration with the Town of Fort Erie should NH close Douglas Memorial as a hospital site, either before or following the completion and opening of the new South Niagara Hospital, and further

3. **That:** the Mayor and Town of Fort Erie staff enter into discussions with the Minister of Health and Niagara Health and such other health care providers as deemed appropriate to ensure the continued operation of primary care and other current services at Douglas Memorial, with or without the involvement of NH, and further

4. **That:** the Premier of Ontario, the Honourable Doug Ford, be requested to support this initiative, and further

5. **That:** a copy of this Resolution be provided to the Premier of Ontario, the Honourable Doug Ford; the Ontario Minister of Health, Sylvia Jones; the Prime Minister of Canada, the Honourable Justin Trudeau; the federal Minister of Health, Mark Holland; the four MPPs and MPs who represent Niagara; the Niagara Region and the other 11 local area municipalities in Niagara for support.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Peter Todd,  
Manager, Legislative Services / Town Clerk

[ptodd@forterie.ca](mailto:ptodd@forterie.ca)

PT:dlk

cc: The Honourable Justin Trudeau, Premier of Ontario [Justin.trudeau@parl.gc.ca](mailto:Justin.trudeau@parl.gc.ca)  
The Honourable Mark Holland, Federal Minister of Health [mark.holland@parl.gc.ca](mailto:mark.holland@parl.gc.ca)  
Lynn Guerriero, President and CEO, Niagara Health, [Lynn.Guerriero@niagarahealth.on.ca](mailto:Lynn.Guerriero@niagarahealth.on.ca)  
Niagara Region MPP's [wgates-co@ndp.on.ca](mailto:wgates-co@ndp.on.ca); [JStevens-CO@ndp.on.ca](mailto:JStevens-CO@ndp.on.ca); [JBurch-QP@ndp.on.ca](mailto:JBurch-QP@ndp.on.ca);  
[sam.oosterhoff@pc.ola.org](mailto:sam.oosterhoff@pc.ola.org)  
Niagara Region MP's [Vance.Badawey@parl.gc.ca](mailto:Vance.Badawey@parl.gc.ca); [tony.baldinelli@parl.gc.ca](mailto:tony.baldinelli@parl.gc.ca); [Chris.Bittle@parl.gc.ca](mailto:Chris.Bittle@parl.gc.ca);  
[dean.allison@parl.gc.ca](mailto:dean.allison@parl.gc.ca)  
Niagara Region  
Local Area Municipalities



**Presentation to:  
Anthony Leardi, Parliamentary Assistant  
to the Minister of Health  
January 21, 2025**



## Overview

- A leader in community Health Care
- Investing in our community
- Community profile
- Our Issue
- Our Challenges
- Current Impacts on access
- How the Province can help
- Progress with Niagara Health
- Indigenous Health Services





# A Leader in Community Health Care

## Community Collaboration

- Creation of a Community Health Care Services Committee with representation from Regional Public Health, Niagara Health System, Primary Care Physicians, Fort Erie Native Friendship Centre (initially established in 2003, first of its kind in Ontario)
- Conversion of former fire hall into medical clinic (underway)

## Physician Recruitment

- Promoted establishment of family group practice in clinics
- Secured 4 new physicians in past 5 years – 2 new physicians in 2022/23
- 1 new physician recruitment pending
- Recent policy changes allowing streamlining and credentialing for certified physicians is removing barriers to repatriate or relocate practices to Canada.
- Attended UK/Ireland repatriation recruitment with Niagara Region



## Physician Retention

- Facilitating a local family physicians network (Community of Practice)
- For over 20 years have provided physician retention incentives to address planned retirements



## Education

- Partnership funding – Rural Medicine Week, Student Assistance Programs, Clerkships

## Programs

- Nurse Practitioner, Mental Health, Memory Clinic
- Mobile clinics – Cancer Screening, Dental Services, REACH Mobile Bus



## ■ Investing in our Community

- Community Health and Wellness has been a Council priority since 1999/2000 and took on critical importance in 2008 when Douglas Memorial Hospital was converted to an Urgent Care Centre.
- Council's 2023 – 2026 Corporate Strategic Plan was unanimously supported with an enhanced focus to secure and enhance essential health care services in Fort Erie when new South Niagara Hospital opens (2028).
- Since 2012, the Town has invested over **\$2.7 million** in health- related services, as well as contributions to the Community Health & Wellness Reserve (**since 2019 - \$885,000**).
- Council committed **\$3 million** to the South Niagara Hospital and **\$150,000** toward Hospice Niagara's 10 bed hospice residence to be built in Fort Erie.



## ■ A Growing, Diverse Community



- Fort Erie has a population of approximately 36,000 persons. It has the perfect mix of rural and urban settings – a lot of green space but within close proximity to international airports and larger city centres.
  - Approximately 5% of our population identifies as Indigenous (First Nations, Metis, Inuit).
  - Over 156 new businesses have opened since the start of the pandemic (March 2020)
  - Strategically situated on the Canada/USA border, from a trade standpoint, Fort Erie is important as one of North America’s busiest gateways. Presently about 14% of all Canada-US trade crosses at Fort Erie with access to a U.S. population of over 44 million within a daily trucking distance, including 9 marine ports of entry/exit.
- From an immigration standpoint, Fort Erie plays an important role in welcoming newcomers, working with many service providers and the Fort Erie Multicultural Centre in providing settlement programs and services.
- Thousands of visitors are attracted to the beautiful sandy beaches in Fort Erie. Our Bay Beach Master Plan improvements make the experience at our most popular beaches even better and accessible. More than 86,000 annual visitors come to the beach and tens of thousands of others come for the boating, fishing, bird-watching and cycling opportunities.
- Fort Erie continues to be identified as a strategic location for investment by Invest Ontario and Niagara Economic Development.



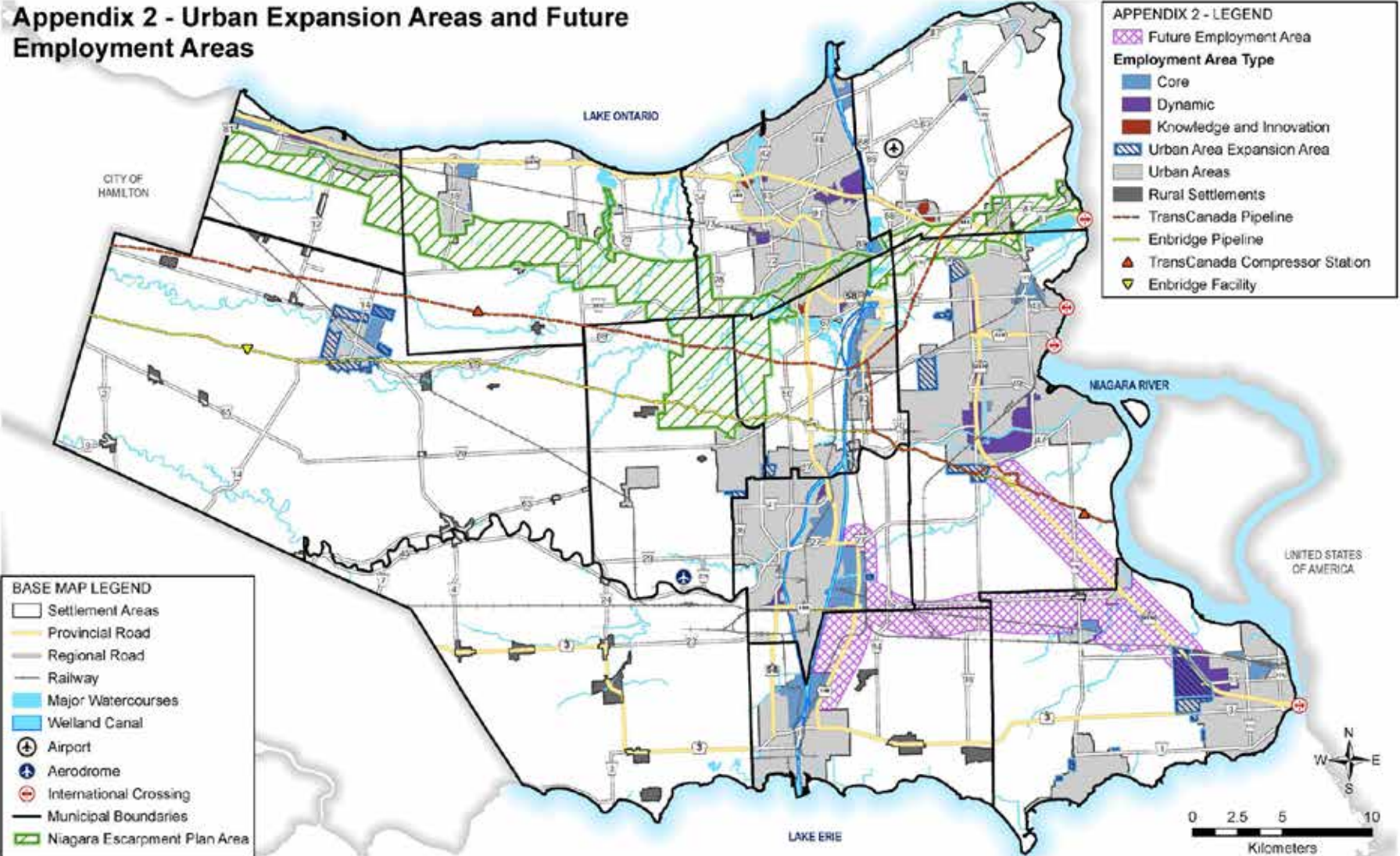
# Our Issue:

- Currently, 8,000 Fort Erie residents are not rostered to a family physician in Fort Erie or not receiving care at all. \*
- First point of care for unattached and many attached residents is Fort Erie Urgent Care Centre; however, service hours were reduced from 24 hour care to 10 hour care (10 a.m. to 8 p.m.), effective July 5, 2023.
- Fort Erie Urgent Care has served the community as appropriate first point of contact for lower acuity health issues (for both attached and unattached residents - 36,000) and it is considered a primary health care “**safety net**”.
- Niagara Health plans to close the Fort Erie Urgent Care in 2028, with the opening of the new South Niagara Hospital. Without a first point of contact “safety net” for low acuity health conditions, residents will go to the emergency department or call EMS.
- Primary Care was identified as a priority by the province, leading to the appointment of Dr.Philpott to address this issue.

\*Ministry of Health Statistics, 2024



## Appendix 2 - Urban Expansion Areas and Future Employment Areas



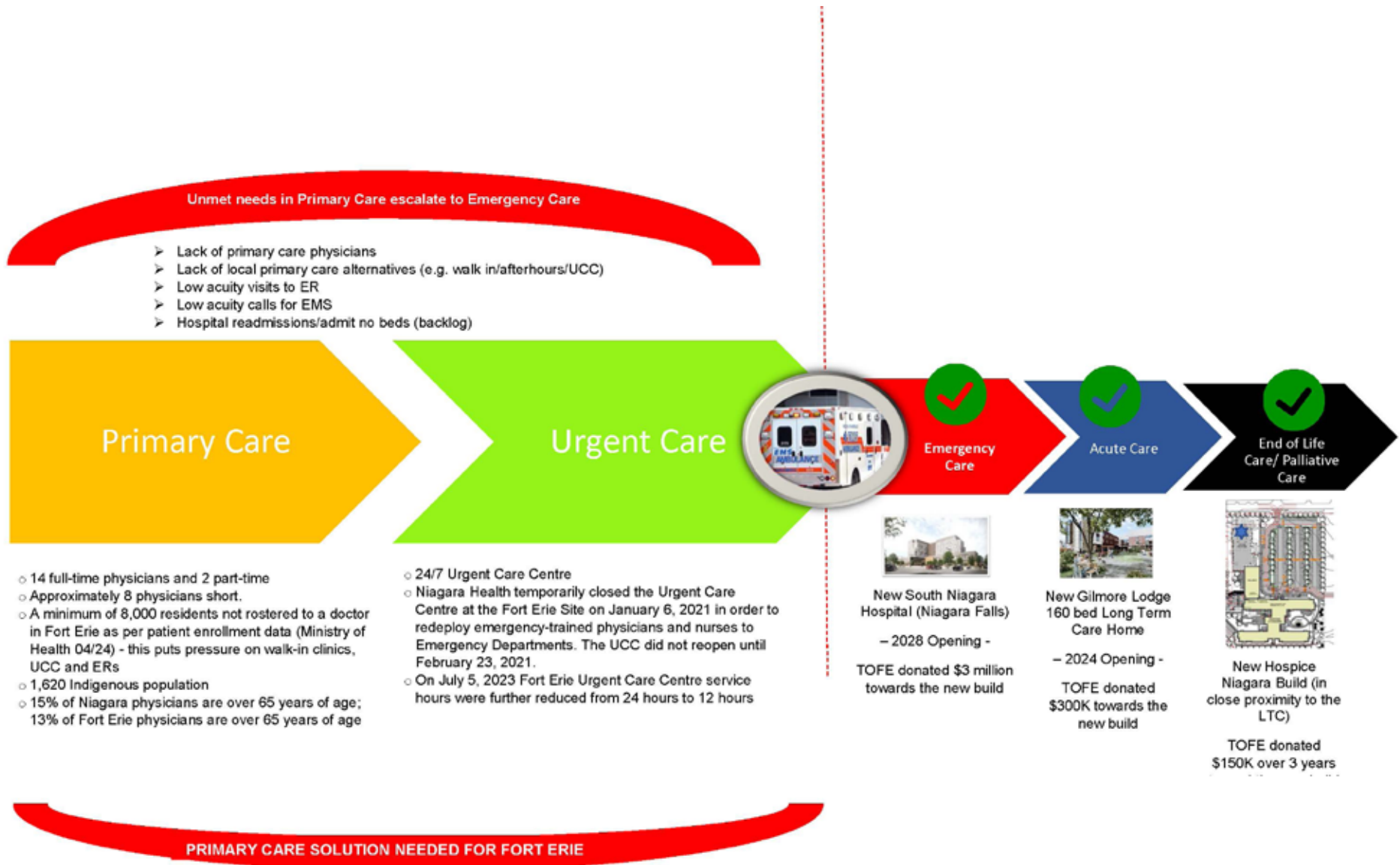
© 2021 Niagara Region and its suppliers. Projection: UTM Zone 18N CSRS, NAD83. This map was compiled from various data sources. The Niagara Region makes no representation or warranty, either expressed or implied, as to the accuracy, completeness, reliability, accuracy or otherwise of the information shown on this map.

## ■ Our Challenge:

- **Douglas Memorial Urgent Care Centre (UCC) needs to be available 24/7 post 2028 (when South Niagara Hospital opens) OR until an alternate plan to secure primary care services is in place for our growing community.**
- Town is working with local health service partners, Niagara Ontario Health Team, local family physicians and Community Health Centre (CHC) to collaborate on an EOI Interdisciplinary Care Team (ICT) submission as an interim measure to address primary care physician shortages. Fort Erie UCC remains as a critical primary care “safety net” to avoid emergency room crowding.
- Fort Erie is prepared to support Niagara Health as a credible and sustainable health care provider to oversee a local health service solution after 2028. Such a solution breaks down health care silos, facilitates continuity of care, and reduces pressures on hospitals (e.g. ED overcrowding; EMC offload delays) by addressing primary care access in the community.



# Current Impacts on Access



## ■ Statement by the Minister

- The release of the “Your Health: a Plan for Connected and Convenient Care” includes a statement by the Minister of Health, as follows:



**“Our goal is to make health care more convenient for Ontarians by connecting you to care closer to home ... we will continue to prioritize making it easier for you and your family to connect to the care you need... we are focused on connecting you to the care you need, when and where you need it.”**

With the recent appointment of Dr. Philpott, the Minister also added

**“There’s no one I trust more than Dr. Philpott with her considerable experience to keep moving us forward and get us across the finish line of connecting everyone in the province to more convenient primary health care within the next five years. Doing so will have enormous benefits for people’s health and wellbeing, as well as the province’s health care system by reducing pressures on emergency departments.”**



## ■ Progress with Niagara Health:

- Niagara Health publicly stated that they are not in the primary care business.
- They confirmed plans to cease operations of the Fort Erie Urgent Care Centre upon the opening of the South Niagara Hospital.
- They plan to allocate primary care spending dollars from Fort Erie Urgent Care Centre to operations at South Niagara Hospital.
- Niagara Health has excluded town staff from local health services discussions and has withdrawn their participation on the Fort Erie Health Services Committee.



## ■ How the Province can help:

- Request that Niagara Health restore and continue Urgent Care hours/operations in order to provide continued services to our residents and with consideration to meet the primary and incidental health care needs for the growth that our community continues to experience.
- Provide Niagara Health with the required operational funding for the new South Niagara Hospital so that current primary care funding for the UCC remains in our community to address primary care needs.
- Work with Town, Niagara Health, the Indigenous community and local physicians to develop a funded Fort Erie Health Services Model that will provide essential, sustainable and reliable first point of contact primary care health services to all residents (attached and unattached) beyond 2028.



## ■ How the Province can help:

- Continue to review/update the new practice agreement for family physicians to remove barriers that would discourage a collaborative primary care facility model (e.g. distance between members/clinics, funding caps) and increase incentives or create attractive conditions for family physicians to work after hours at UCCs.
- Address health care as “one envelope” of funding vs. fractured health funding envelopes (primary care, hospitals, EMS, public health, home and community care, etc.)
- Continue to advocate for additional seats on health and medical professional training programs - opportunities for post-secondary training in Fort Erie (FEIA/ Sheridan/Niagara College).



# Indigenous Health Services

## Challenges:

- Indigenous community and clients already experience access to care issues. The potential closure of the Douglas Memorial Hospital and access to urgent care present more barriers to access.
- Mainstream and conventional models of health services offered through Niagara Health System (NHS) and the Ministry of Health (MOH) do not meet specific needs of Indigenous community and clients.
- Lack of physicians especially those familiar with holistic medicines.
- Lack of addiction services/harm reduction services that align to Indigenous healing journey.
- Child care pressures.
- Housing pressures.
- Transportation accessing programs out of Town is a barrier for many.



# Indigenous Health Services

## Success with Indigenous-led Services:

- Wellbriety -12 week program based on Medicine Wheel Teachings that connects addiction and recovery services offered at the Fort Erie Native Friendship Centre facilitation in circles that begin the healing journey using a holistic approach with a mental health component (Niagara Health System does not provide support for this model). While main stream addiction services is well-intentioned, it can be more dangerous for Indigenous people to participate in these programs and lead to additional health crises.
- Under the Rainbow Childcare Centre is open to all Fort Erie residents and currently has a large wait list due to its popular programming.
- Fort Erie Native Friendship Centre has undertaken training their own ECE workers to compliment the Childcare Centre and Head Start program.
- Fort Erie Native Friendship Centre is represented on the Town's Community Health Care Services Committee and other municipal committees, and brings thoughts and ideas that help plan for the future of the community and Indigenous Health Services.



# What the Province can do to help

- Support the Town's request to continue operation of the Urgent Care Centre (UCC) beyond 2028 as a local primary care access for the Indigenous community as part of Fort Erie's primary health care "safety net". The Town's request has also been supported by the Niagara Region, City of Niagara Falls, and City of Port Colborne.
- Encourage the inclusion of the Ministry of Health and Niagara Health System in facilitating health services specific to Indigenous Health.
- Encourage the acceptance of addiction services/harm reduction with more of an Indigenous lens that will assist with the healing journey.
- Consider support for the expansion of child care services at Under the Rainbow, provided through the Fort Erie Native Friendship Centre.



Thank you for providing us with this opportunity to share with you the commitment that the Town continues to make in addressing community health care needs and discuss with you the importance of all Fort Erie residents having equitable access to comprehensive, community-based, innovative health care.

**Mayor Wayne H. Redekop**  
**Councillor Joan Christensen**  
**Councillor George McDermott**  
**Chris McQueen, Chief Administrative Officer**





## Proposed Resolution for the Niagara Health Board of Directors

**Whereas**, the Town of Fort Erie has clearly stated its position that the community requires a primary health care “safety net”, currently provided at the Douglas Memorial Urgent Care Centre, that should responsibly continue operation in Fort Erie until a viable alternative is in place.

**Now, therefore, be it resolved that,**

**That** the Niagara Health Board of Directors instruct Niagara Health representatives to re-engage with the Town of Fort Erie Health Services Committee to assist with local health and community service discussions; and

**That** Niagara Health commit to include the Town of Fort Erie Mayor, Chief Administrative Officer, Community Health Services Coordinator and/or Director of Community Services in all discussions regarding local health services that impact the Town of Fort Erie; and

**That** the Niagara Health Board of Directors advocate to the Minister of Health to commit to the operational funding for all necessary services at the new South Niagara hospital without the removal or reallocation of operational funding from Douglas Memorial Urgent Care Centre (primary care services) to allow the continuation of the UCC and other current health services beyond 2028 or until a sustainable alternative is established; and

**That** the Niagara Health Board of Directors advocate to the Ministry of Health to direct all existing provincial funding for the operation of the Douglas Memorial UCC (primary care), chronic care beds and palliative care beds, and all diagnostic and associated services to remain in Fort Erie for use by Niagara Health as part of a revised hospital model for Niagara or an alternative model operated by a qualified designated health care services entity working in collaboration with the Town of Fort Erie should Niagara Health close Douglas Memorial as a hospital site, either before or following the completion and opening of the new South Niagara Hospital; and

**That** the Niagara Health Board notify the Town of Fort Erie of its decisions with respect to the above resolutions.



February 19, 2025

The Right Honourable Justin Trudeau  
Prime Minister of Canada  
House of Commons  
Ottawa, ON K1A 0A6

Sent via email: [justin.trudeau@parl.gc.ca](mailto:justin.trudeau@parl.gc.ca)

**Re: Tariffs  
Our File 35.11.2**

Dear Prime Minister Trudeau,

At its meeting held on February 10, 2025, St. Catharines City Council approved the following motion:

WHEREAS at the Niagara borders, 9.1 million people crossed into the US from Canada, and 9.3 million people crossed from the US into Canada; and

WHEREAS a total of \$119.5 billion in goods transited the borders in Niagara: \$57.8 billion were exports to the US, and \$61.6 billion were imports to Canada; and

WHEREAS Niagara borders with the US accounted for 11.4% of total goods traded between Canada and the US; and

WHEREAS Premier Doug Ford has stated the proposed tariffs could cost Ontario 500,000 jobs; and

WHEREAS Ontario's upcoming Fortress Am-Can plan aims to bolster trade between Ontario and the U.S., highlighting key priorities such as national security, creating integrated and secure electricity grids, developing critical mineral supply chains, and advancing manufacturing supply chains and increased employment opportunities; and

WHEREAS the federal government has created the Canada-US Relations Council to assist in addressing potential U.S. tariffs, with representatives from the auto sector, unions, industry, and agriculture included; and

WHEREAS in 2023, 532 businesses in Niagara exported \$5.9 billion in goods to the US, and the US market accounts for 72% of total exports from Niagara

businesses, and in the City of St. Catharines, over 250 exporters and nearly 9,000 jobs; and

WHEREAS the City of St. Catharines is a member of the Great lakes St. Lawrence Cities Initiative, a growing coalition of more than 250 bi-national mayors, who continues to demonstrate how vital the marine economy to our city's, our region and our province; and

WHEREAS municipalities have traditionally been restricted by trade agreements from giving preference to "Buy Canadian" initiatives; and

WHEREAS the City of St. Catharines is actively working with local businesses and the Niagara Region to assess the potential impacts of the proposed U.S. tariffs and to develop strategies aimed at strengthening the local economy;

THEREFORE BE IT RESOLVED that St. Catharines City Council calls on the provincial and federal governments to continue to work together on a response that protects the Canadian economy through measures such as financial aid programs for businesses impacted by tariffs, expanding export opportunities outside of the US market, push for exemptions and tariff reductions via diplomatic channels, and support domestic investment by increasing incentives for domestic automotive and EV production to preserve Ontario's competitive edge; and

BE IT FURTHER RESOLVED that Council endorses and supports the Ontario government's Fortress Am-Can and request that all municipal organizations and mayors across the province also support this initiative; and

BE IT FURTHER RESOLVED that Council asks the federal and provincial governments to remove any impediments to municipalities preferentially procuring from Canadian companies for capital projects and supplies; and

BE IT FURTHER RESOLVED that copies of this motion be sent to:

- The Right Honourable Justin Trudeau, Prime Minister of Canada
- The Honourable Doug Ford, Premier of Ontario
- The Honourable Melanie Joly, Minister of Foreign Affairs
- The Honourable Vic Fedeli, Minister of Economic Development, Job Creation and Trade
- The Honourable Nate Erskine-Smith, Minister of Housing, Infrastructure and Communities
- The Honourable Paul Calandra, Minister of Municipal Affairs and Housing
- Josh Morgan, Chair, Big City Mayors' Caucus and Mayor of London
- Marianne Mead Ward, Chair, Ontario Big City Mayors and Mayor of Burlington
- Robin Jones, President, AMO and Mayor of Westport

- Karen Redman, Chair, MARCO and Chair, Regional Municipality of Waterloo
- Niagara Region Municipalities
- Niagara Region MPPs
- Niagara Region MPs

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Donna Delvecchio, Acting City Clerk  
Legal and Clerks Services, Office of the City Clerk  
:av

cc: Premier of Ontario, the Honourable Doug Ford  
Minister of Foreign Affairs, the Honourable Melanie Joly  
Minister of Economic Development, Job Creation and Trade, the Honourable Vic Fedeli  
Minister of Housing, Infrastructure and Communities, the Honourable Nate Erskine-Smith  
Minister of Municipal Affairs and Housing, the Honourable Paul Calandra  
Chair, Big City Mayors' Caucus and Mayor of London, Josh Morgan  
Chair, Ontario Big City Mayors and Mayor of Burlington, Marianne Mead Ward  
President, AMO and Mayor of Westport, Robin Jones  
Chair, MARCO and Chair, Regional Municipality of Waterloo, Karen Redman  
Niagara Region Municipalities  
Niagara Region MPPs  
Niagara Region MPs

February 6, 2025

The Right Honourable Justin Trudeau  
Prime Minister of Canada  
80 Wellington Street  
Ottawa, ON K1A 0A2  
Via fax

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1  
Via email

Robin Jones, President, AMO  
Association of Municipalities of Ontario  
155 University Avenue, Suite 800  
Toronto, ON M5H 3B7  
Via email

Rebecca Bligh, President, FCM  
Federation of Canadian Municipalities  
24 Clarence Street  
Ottawa, ON K1N 5P3  
Via email

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**Re: United States Imposition of Tariffs on Canada**

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Please be advised that the Council of the Town of Hanover, at their regular meeting of February 3, 2025, adopted the following resolution with respect to the above noted matter:

“Whereas United States President Donald Trump, issued executive orders to impose tariffs on imports from Canada effective February 4, 2025; and

Whereas these tariffs will have a significant detrimental impact on the economic stability in both countries; and

Whereas federal and provincial leaders are encouraging Canadians to buy Canadian; and

Whereas municipalities have significant purchasing power through capital and infrastructure programs; and

Whereas according to data from the Association of Municipalities of Ontario, Ontario municipalities are expected to spend \$250 to \$290 billion on infrastructure in the next 10 years; and

Whereas municipalities have traditionally been prevented by trade agreements and legislation from giving preference to the purchase of Canadian products and services; and

Whereas municipalities can assist in the effort to combat tariffs and support businesses in the procurement for capital and infrastructure programs;

Now therefore be it resolved that the Council of the Town of Hanover endorse the federal and provincial call to action to buy Canadian where and when possible; and

That the federal and provincial governments work with municipalities on measures to protect Canadian consumers and businesses; and

That council call on the federal and provincial government to remove any impediments to municipalities preferring to engage Canadian companies for capital projects and supplies when appropriate and feasible; and

That this resolution be forwarded to the Prime Minister Justin Trudeau, Premier Doug Ford, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities and all Ontario municipalities.

Should you have any questions or concerns, please contact the undersigned.

Sincerely,

A handwritten signature in blue ink that reads "Vicki McDonald".

Vicki McDonald  
Clerk

/tp

cc: Honourable Rick Byers, MPP Bruce-Grey-Owen Sound  
All Ontario Municipalities



THE CORPORATION OF THE TOWN OF PARRY SOUND  
RESOLUTION IN COUNCIL

NO. 2025 - 018

DIVISION LIST                                      YES    NO                                      DATE: February 18, 2025

Councillor	<b>G. ASHFORD</b>	_____	_____
Councillor	<b>J. BELESKEY</b>	_____	_____
Councillor	<b>P. BORNEMAN</b>	_____	_____
Councillor	<b>B. KEITH</b>	_____	_____
Councillor	<b>D. McCANN</b>	_____	_____
Councillor	<b>C. McDONALD</b>	_____	_____
Mayor	<b>J. McGARVEY</b>	_____	_____

MOVED BY:

SECONDED BY:

CARRIED:     DEFEATED:     Postponed to: \_\_\_\_\_

Whereas United States President Donald Trump, issued executive orders to impose tariffs on imports from Canada effective March 12, 2025; and

Whereas these tariffs will have a significant detrimental impact on the economic stability in both countries; and

Whereas federal and provincial leaders are encouraging Canadians to buy Canadian; and

Whereas municipalities have significant purchasing power through capital and infrastructure programs; and

Whereas according to data from the Association of Municipalities of Ontario, Ontario municipalities are expected to spend \$250 to \$290 billion on infrastructure in the next 10 years; and

Whereas municipalities have traditionally been prevented by trade agreements and legislation from giving preference to the purchase of Canadian products and services; and

Whereas municipalities can assist in the effort to combat tariffs and support businesses in the procurement for capital and infrastructure programs;

Now therefore be it resolved that the Council of the Town of Parry Sound endorse the federal and provincial call to action to buy Canadian where and when possible; and

That the federal and provincial governments work with municipalities on measures to protect Canadian consumers and businesses; and

That Council call on the federal and provincial government to remove any impediments to municipalities preferring to engage Canadian companies for capital projects and supplies when appropriate and feasible; and

That this resolution be forwarded to Prime Minister Justin Trudeau, Premier Doug Ford, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities and all Ontario municipalities.

\_\_\_\_\_  
Page 58 of 67 Mayor Jamie McGarvey



# CORPORATION DE LA MUNICIPALITÉ / OF THE TOWNSHIP OF VAL RITA - HARTY

TEL: (705) 335-6146  
FAX: (705) 337-6292

106 GOVERNMENT ROAD W  
VAL RITA, ON, POL 2G0

WWW.VALHARTY.CA  
ADMINISTRATION@VALHARTY.CA

February 18, 2025

## **Re: Proposed U.S. tariffs on Canadian Goods**

Please note at their Regular Meeting held February 18, 2025, the Township of Val Rita-Harty Council passed the following resolution: 25-008

Moved by Councillor Roger Lachance  
Second by Councillor Alain Tremblay

Whereas the federal government is currently in negotiations with the U.S. government on their proposed 25% tariffs on Canadian goods exported to the U.S.; and

Whereas Premier Doug Ford has outlined several plans to combat the impact the proposed tariffs would have on Ontario including Fortress Am-Can which focus on strengthening trade between Ontario and the U.S. while bringing good jobs back home for workers on both sides of the border; and

Whereas the federal government has also outlined several ways to address the current relationship with the U.S. including establishing the Council on Canada-U.S. relations to support the federal government as it negotiates with the U.S on tariffs; and

Whereas trade between Ontario and the United States is very important to our residents and local economies and requires all levels of government to work together in the best interest of those residents; and

Whereas according to data from the Association of Municipalities of Ontario, across Ontario municipalities are expected to spend between \$250 and \$290 billion on infrastructure in the next 10 years; and.

Whereas municipalities have traditionally treated all procurements from trade partners equally and fairly; and

Whereas municipalities can assist in the Team Canada effort to combat tariffs and support businesses in our procurement for capital and infrastructure programs; and

Whereas there are trade barriers between Canadian provinces.



# CORPORATION DE LA MUNICIPALITÉ / OF THE TOWNSHIP OF VAL RITA - HARTY

TEL: (705) 335-6146  
FAX: (705) 337-6292

106 GOVERNMENT ROAD W  
VAL RITA, ON, POL 2G0

WWW.VALHARTY.CA  
ADMINISTRATION@VALHARTY.CA

Therefore, be it resolved that, the Township of Val Rita-Harty supports the provincial and federal governments on the measures they have put in place in response to the proposed U.S. tariffs on Canadian goods and ask that they take any and all measures to protect the interests of Ontario in any upcoming trade negotiations;

And that federal and provincial governments remove any impediments to municipalities preferring Canadian companies and services for capital projects and other supplies;

And that the provincial and federal governments take action to remove trade barriers between provinces as a response to US tariffs and support Canadian businesses.

Be it further resolved that copies of this motion be sent to:

- The Right Hon. Justin Trudeau, Prime Minister of Canada
- The Hon. Doug Ford, Premier of Ontario
- The Hon. Melanie Joly, Minister of Foreign Affairs
- The Hon. Vic Fedeli, Minister of Economic Development, Job Creation and Trade
- The Hon. Nate Erskine-Smith, Minister of Housing, Infrastructure and Communities
- The Hon. Paul Calandra, Minister of Municipal Affairs and Housing
- Rebecca Bligh, President, FCM and Councillor, City of Vancouver
- Robin Jones, President, AMO and Mayor of Westport
- Bonnie Clark, Chair, Eastern Ontario Wardens' Caucus
- Jeff Leal, Chair, Eastern Ontario Leadership Council
- John Beddows, Chair, Eastern Ontario Mayors' Caucus
- All provincial and territorial Premiers.
- All local MPs and MPPs
- All Ontario Municipalities for their support.

**CARRIED**

**Vickie Boudreau**  
Clerk/Treasurer





FORTFRANCES

## RESOLUTION OF COUNCIL

Monday, February 10, 2025

Oral Motion

**“THAT Council supports the Town of Halton Hills Resolution No. 2025-0010 regarding the Sovereignty of Canada.”**

*Moved by Wendy Brunetta, Seconded by Steven Maki, Motion Carried by Council.*

WHEREAS President Trump has suggested that with the use of “economic force” such as tariffs, Canada should become the 51st state of the United States, and further he suggests that many Canadians would agree;

AND WHEREAS Canada is a sovereign nation with a peaceful history of self-governance dating to its Confederation in 1867;

AND WHEREAS the Canadian identity is marked by a deep-rooted pride in its heritage and culture founded by French and British settlement, enriched by Indigenous culture and traditions, and by more than a century and a half of multicultural immigration;

AND WHEREAS Canada has significant global standing, consistently supporting its allies, including the United States, in global conflicts such as two world wars, and wars in Korea and Afghanistan; and in international coalitions and in being consistently recognized as among the top countries in the world for quality of life;

AND WHEREAS the shared history of the United States and Canada has been one of friendship, respect, and neighbourly relations;

NOW THEREFORE be it resolved that the Council of the Town of Fort Frances categorically rejects any efforts by incoming President Trump or any others to undermine the sovereignty of Canada. We stand united with our Ontario Premier Doug Fort and our Canadian Prime Minister Justin Trudeau for a Canada that remains strong, free, independent, and characterized by peace, order, and good government.

AND FURTHER THAT the Mayor prepare correspondence containing this resolution for circulation to the office of the American president through our Canadian diplomatic channels with copies to The Right Honourable Justin Trudeau, Prime Minister, The Honourable Melanie Joly, Minister of Foreign Affairs, MP Michael Chong, Premier Doug Ford, The Honourable Vic Fedeli, Minister of Economic Development, Job Creation and Trade of Ontario, MPP Ted Arnott, Leaders of the Opposition Parties, AMO, FCM, and all municipalities in Ontario.



**THE CORPORATION OF THE TOWNSHIP OF MCGARRY**  
**P.O. BOX 99**  
**VIRGINIATOWN, ON. P0K 1X0**  
**705-634-2145, Fax 705-634-2700**

**MOVED BY COUNCILLOR:**  
 \_\_\_\_\_  Louanne Caza  
 \_\_\_\_\_  Elaine Fic  
 \_\_\_\_\_  Annie Keft  
 \_\_\_\_\_  Francine Plante  
 \_\_\_\_\_  Mayor Culhane

**SECONDED BY COUNCILLOR:**  
 \_\_\_\_\_  Louanne Caza  
 \_\_\_\_\_  Elaine Fic  
 \_\_\_\_\_  Annie Keft  
 \_\_\_\_\_  Francine Plante  
 \_\_\_\_\_  Mayor Culhane

**RESOLUTION #** 47/2025  
**DATE :** February <sup>18</sup> 2025

**WHEREAS** Ontario is facing a significant affordable housing crisis, with many residents struggling to secure safe and affordable living accommodations;

**AND WHEREAS** the crisis of homelessness in Ontario continues to affect thousands of individuals and families, necessitating urgent and effective housing solutions;

**AND WHEREAS** the current Ontario Building Code contains regulations that may inadvertently hinder the development of affordable housing by imposing excessive costs and barriers on individuals and developers;

**AND WHEREAS** current building code regulations may restrict the development of innovative housing solutions designed to address the needs of homeless individuals and families;

**AND WHEREAS** an increase in affordable housing units is essential to promote economic stability, community well-being, and social equity within Ontario;

**AND WHEREAS** providing pre-approved affordable housing plans can streamline the construction process, reduce costs, and facilitate quicker access to housing for those in need;

**THAT** the Council of the Township of McGarry hereby calls on the Ontario government to amend the Ontario Building Code to include provisions for pre-approved affordable housing plans specifically aimed at supporting low income and homeless individuals, including:

1. **Standardized Designs:** Creating a set of pre-approved housing designs that meet safety and quality standards while being cost-effective and quick to construct.
2. **Flexible Design Standards:** Allowing for innovative building designs and materials that meet affordability criteria while ensuring safety and livability.
3. **Community Integration:** Ensuring that these housing designs can be integrated into existing neighborhoods in a way that respects community character and promotes acceptance.
4. **Support for Diverse Models** Including options for various types of housing, such as tiny homes, modular units, and converted shipping containers, to cater to different needs and preferences.

**AND FURHTER** the Council of the Township of McGarry encourages the Ontario government to engage with stakeholders, including architects, housing advocates, and service providers, to develop these pre-approved plans that effectively address the needs of low income and homeless individuals;

**AND FURTHER THAT** this resolution be provided to Hon. Doug Ford, Premier of Ontario, Hon. Paul Calandra, Minister of Municipal Affairs and Housing, Hon. Micheal Parsa, Minister of Children, Community and Social Services, Hon. Victor Fedeli, Chair of Cabinet, Minister of Economic Development, Job Creation and Trade, Association of Ontario, Ontario Building Officials Association, Municipalities of Ontario.

Recorded vote requested by \_\_\_\_\_

	For	Against
Councillor Louanne Caza		
Councillor Elaine Fic		
Councillor Annie Keft		
Councillor Francine Plante		
Mayor Bonita Culhane		

<i>Disclosure of Pecuniary Interest *</i>

I declare this motion

<input checked="" type="checkbox"/> Carried
<input type="checkbox"/> Lost / Defeated
<input type="checkbox"/> Deferred to: _____ (enter date)
Because:
<input type="checkbox"/> Referred to: _____ (enter body)
Expected response: _____ (enter date)

Signature of Chair:



*\*Disclosed his/her (their) interest(s), abstained from discussion and did not vote on this question.*



**Subject: Lodging House Licensing By-law**  
**To: Council**  
**From: Office of the Chief Administrative Officer**

Report Number: 2025-40

Meeting Date: February 25, 2025

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**Recommendation:**

That Office of the Chief Administrative Officer Report 2025-40 be received;

That the Lodging House Licensing By-law attached hereto as Appendix A be approved;

That the Clerk be directed to contact the Niagara Region and request that they assume responsibility for regulating Lodging Houses in Niagara and additionally request that the Councils of each municipality in the Niagara Region request the same of the Niagara Region;

That the amending by-law to By-law 4323/159/02, Being a By-law to License, Regulate, and Govern Lodging Houses and the Keepers of Lodging Houses, be approved in order to facilitate a name change of that by-law to “Being a By-law to License, Regulate and Govern Bed & Breakfast Establishments”, attached hereto as Appendix B;

That the amending by-law to By-law 7297/119/24, Being a By-law to Establish Fees and Charges for Various Services and to Repeal By-law 7155/97/23 and any amendments thereto, attached hereto as Appendix C, be approved to include the Lodging House licensing fee structure as outlined in this report; and

That the amending by-law to By-law 6902/50/21, Being a by-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne, attached hereto as Appendix D, be approved to include administrative penalties associated with the Lodging House Licensing By-law.

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**Purpose:**

The purpose of this report is to recommend to Council the enactment of the Lodging House Licensing By-law, attached as Appendix A.

The enactment of the Lodging House Licensing By-law would then trigger the following series of companion amendments:

1. A by-law to amend By-law 4322/159/02, attached as Appendix B to facilitate a name change of that by-law to “Being a By-law to License, Regulate and Govern Bed & Breakfast Establishments”;
2. An update to the Fees and Charges By-law, attached as Appendix C to add Lodging House Licensing fees; and
3. An update to the City’s Non-Parking Administrative Monetary Penalties by-law, attached as Appendix D to add administrative penalties associated with the Lodging House Licensing By-law.

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## Background:

Lodging Houses are defined in the City’s Comprehensive Zoning By-law 6575/30/18 as:

Boarding or Lodging House: Means a dwelling in which the proprietor supplies, for gain lodging, with or without meals, to more than four persons, but does not include a group home, hotel, hospital, or other establishment otherwise classified or defined in this By-law.

In many instances, Lodging Houses are operating as supportive living homes. Supportive living homes often provide housing for low-income seniors and people with disabilities who need assistance to live on their own.

Staff are aware of several lodging houses that have operated in Port Colborne in the past, and one that continues to operate at present. In the past, staff have received complaints about the conditions within Lodging Houses; however, the City has no enforcement tools to address these complaints because there is minimal regulation of lodging houses at the City level. In the absence of provincial, regional, or municipal regulation, staff have little to no authority to enforce unsatisfactory conditions in these facilities.

On April 26, 2021, Council approved Report 2021-116, which defined three options for regulating lodging houses: provincial legislation, a Regional By-law, or a City By-law. At the time, a Private Members Bill was before the Provincial legislature that would have provided provincial regulation, but this Bill did not pass in the legislature before the end of the session. Based on the failed provincial option, staff went on to request the Niagara Region undertake the licensing of Lodging Houses. The Region considered the request, but ultimately advised City staff that, under the *Municipal Act, 2001*, a by-law of this type was the responsibility of the local area municipalities rather than the regional municipality and that the Region would not pursue the Regional by-law option.

Since these two options of the recommendation of Report 2021-116 were both unsuccessful, staff continued with the third recommendation of the report: to pursue a Lodging House Licensing By-law at the City level.

Staff brought forward a draft copy of the Lodging House Licensing By-law on May 14, 2024, to obtain feedback from Council and members of the public. All comments received were then considered by staff and legal counsel and in many cases addressed, which led to further changes being incorporated into the draft by-law.

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## **Discussion:**

Over the past several years, City staff have worked with Regional staff and the City Solicitor to create a Lodging House Licensing By-law. The proposed Lodging House Licensing By-law is attached as Appendix A to this report.

The proposed by-law creates a licencing requirement and establishes the authority of municipal staff to enforce the by-law. The proposed by-law also provides regulations over living conditions in Lodging Houses including the accommodation, sanitary conditions, nutrition requirements, and the distribution and administration of medication to lodgers.

Staff recommend that Council approve the proposed Lodging House Licensing By-law to provide a licencing framework for Lodging Houses and to provide enforcement tools to municipal staff.

## **Neighbouring Municipalities**

At regularly scheduled quarterly meetings between the Chief Administrative Officers of the local area municipalities in Niagara, the subject of the by-law was discussed and there was general agreement that the staff from other municipalities would propose a version of the Lodging House Licensing By-law to their respective local councils. Once the Lodging House Licensing By-law is enacted, the City's Chief Administrative Officer will provide a copy to each municipality in Niagara.

## **Regional By-law**

The Region of Niagara has a licencing division that licences many business types in Niagara including taxis, wrecking yards, and adult entertainment. Staff believe that licencing Lodging Houses at the regional level would benefit all of Niagara because it would provide consistent rules and enforcement across the region. Staff are aware that Lodging Houses exist in other local area municipalities in Niagara and are sometimes owned by the same operators. A regional by-law would ensure uniformity across Niagara.

Regional staff have stated that the *Municipal Act, 2001* restricts the licencing of Lodging Houses to the lower-tier municipalities. This has been the subject of Area Administrators meetings, and the Chief Administrative Officers of all municipalities in Niagara have shown support for a process that would see local area municipal councils vote to 'upload' the responsibility for licencing to the Region – similar to the process that was followed in recent years to upload transit to the Region from the local area municipalities.

Staff recommend proceeding with the adoption of a City by-law and commencing this process as a separate action. This will ensure that regulation of Lodging Houses is in place in a timelier manner.

### **Existing Bed & Breakfast By-law**

In 2002, the City passed By-law No. 4323/159/02 Being a By-law to License, Regulate, and Govern Lodging Houses and the Keepers of Lodging Houses and to Revoke any Such License. Staff feel that the name of the existing by-law – which is in fact a by-law that regulates bed and breakfast type accommodations – could create confusion with the by-law proposed in this report.

Staff recommend amending By-law No. 4323/159/02 to change the name to something that more accurately reflects the purpose of the by-law and does not create confusion with the by-law proposed in this report. Staff propose changing the name to “By-law to License, Regulate and Govern Bed & Breakfast Establishments”.

In addition, minor administrative changes will also be needed to properly reflect the definition of a Bed & Breakfast Establishment and eliminate all references to Lodging Houses.

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### **Internal Consultations:**

The proposed Lodging House Licensing By-law is a product of work from various City divisions, including the Fire Department, By-Law Services, Building Division, Planning Division, Clerks Division, Chief Administrative Office, and the City Solicitor.

Additionally, the City's Social Determinants of Health Committee has reviewed and considered the draft Lodging House Licensing By-law at several meetings and provided feedback that was instrumental in the creation of the final product. The draft was most recently presented to the Committee at their meeting on February 6, 2025 where it was endorsed to be brought forward for Council's final approval following a few suggested changes. The Committee looks forward to this by-law being put in place.

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## **Financial Implications:**

If Council approves the proposed Lodging House Licencing By-law, an amendment to the 2025 User Fees and Charges by-law will be required. Staff are proposing a cost recovery licensing fee that incorporates inspection fees and staff's time spent reviewing/processing the licence application. Staff have identified that lodging house licensing fees are vastly varied across Ontario municipalities.

A proposed fee structure is recommended as follows:

- Lodging House Licensing Fee (up to 3000 Sq.Ft.) - \$1,100.00
- Lodging House Licensing Fee (3001-6000 Sq.Ft.) - \$1,250.00
- Lodging House Licensing Fee (6001-9000 Sq.Ft.) - \$1,400.00

The above-noted fees would fully recover the costs associated with the administration of the Lodging House Licensing By-law.

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## **Public Engagement:**

Although public notice is not required, City staff have advised operators of known lodging houses that the draft by-law will be considered by Council and provided instructions on registering to speak as a delegate on the matter before Council.

The City's Communications department also provided public notice of the staff report being presented to Council to ensure that any potential operators that were not notified would be aware of the draft by-law being considered by Council.

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## **Strategic Plan Alignment:**

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Welcoming, Livable, Healthy Community
  - Increased Housing Options
- 

## **Conclusion:**

Lodging Houses are an unregulated operation in Port Colborne. Staff believe that the existence of a by-law to regulate these operations would provide a benefit to residents of Lodging Houses and the community. Staff are presenting the proposed Lodging House Licensing By-law for Council's consideration in order to provide regulation.

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## Appendices:

- a. Lodging House Licensing By-law
- b. Amending by-law to By-law 4323/159/02 to facilitate a name change of that by-law to “By-law to License, Regulate and Govern Bed & Breakfast Establishments”
- c. Amending By-law to Current User Fees and Charges By-law
- d. Amending By-law to Non-Parking AMPS By-law

Respectfully submitted,

Charlotte Madden  
City Clerk/Manager of Legislative Services  
905-228-8031  
[charlotte.madden@portcolborne.ca](mailto:charlotte.madden@portcolborne.ca)

Sherry Hanson  
Manager of By-law Services  
905-228-8077  
[sherry.Hanson@portcolborne.ca](mailto:sherry.Hanson@portcolborne.ca)

Bryan Boles, CPA, CA, MBA  
Chief Administrative Officer  
905-228-8018  
[bryan.boles@portcolborne.ca](mailto:bryan.boles@portcolborne.ca)

## Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

**The Corporation of the City of Port Colborne**

**By-law No. \_\_\_\_\_**

**Being a By-law to license, regulate and govern Lodging Houses in the City of Port Colborne**

Whereas section 11 of the *Municipal Act, 2001*. S.O. 2001, c.25 as amended (the "Municipal Act") provides that a lower-tier municipality has the authority to pass by-laws respecting the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons and the protection of persons and property; and

Whereas section 11 of the *Municipal Act* further provides that a lower tier municipality may pass by-laws respecting business licensing; and

Whereas section 151 of the *Municipal Act* authorizes a municipality to provide for a system of licences with respect to a business or any activity, matter or thing for which a by-law may be passed under section 9 or 11 of the statute; and

Whereas section 436 of the *Municipal Act* authorizes a municipality to pass by-laws providing that the municipality may enter onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law, direction, order or condition of a licence; and

Whereas the Council of The Corporation of the City of Port Colborne deems it necessary and desirable to licence, regulate and govern Lodging Houses;

**Now therefore** the Council of The Corporation of the City of Port Colborne enacts as follows:

**1. Purpose**

- 1.1. The purpose of this By-law is to regulate Lodging Houses within the City of Port Colborne to protect the health and safety of Lodgers and to promote the well-being of the City and its inhabitants.

**2. Definitions**

- 2.1. For the purposes of this By-law:

**"Appeals Committee"** means a committee appointed by Council to conduct appeal hearings under this By-law;

**"Applicable Law"** means all applicable by-laws of the City and Niagara Region and all applicable provincial and federal statutes and regulations;

**"Applicant"** means the Person applying for a Licence or renewal of a Licence under this By-law;

**"Building Code"** means Ontario Regulation 332/12, as amended, established under the Building Code Act;

**"Building Code Act"** means the Building Code Act, 1992, S.O. 1992, c. 23, as amended;

**"By-law"** means this Lodging House Licensing By-law;

**"City"** means the Corporation of the City of Port Colborne;

“**Clerk**” means the Clerk of the City or his or her delegate;

“**Council**” means the Council of the City of Port Colborne;

“**Fees and Charges By-law**” means current in force Fees and Charges By-law;

“**Fire Code**” means Ontario Regulation 213/07 established under the *Fire Protection and Prevention Act*, as amended;

“**Fire Protection and Prevention Act**” means the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended

“**Guardian**” means the person(s) appointed as the attorney for property, Guardian of the property, Guardian of the person or attorney for personal care of a Lodger under the Substitute Decisions Act, 1992, S.O. 1992, c. 30.;

“**Health Protection and Promotion Act**” means the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7, as amended;

“**Licence**” means a Licence issued under this By-law;

“**Licensee**” means a Person licensed under this By-law to operate a Lodging House;

“**Lodger**” means an individual who has a right to occupy a Private Room in a Lodging House and has access to all common areas of the Lodging House pursuant to a Lodging Agreement;

“**Lodging Agreement**” means a written agreement between a Licensee and a Lodger in relation to accommodation in a Lodging House that sets out the duration of the accommodation, identifies the Private Room to be occupied by the Lodger, prescribes the terms and conditions of the accommodation and confirms payment details including the amount(s) payable by to the Lodger to the Licensee and the frequency and method of payment;

“**Lodging House**” means a building or portion thereof in which four (4) or more Lodgers are lodged for hire, but does not include a hotel, bed and breakfast tourist establishment or short-term rental unit, a hospital or any provincially-regulated long-term care home, retirement home, nursing home, group home or similar facility;

“**Niagara Region**” means the Regional Municipality of Niagara.

“**Officer**” means any person appointed by Council as a Municipal Law Enforcement Officer;

“**Order**” means an order issued under this By-law;

“**Operator**” means the person operating a Lodging House;

“**Owner**” means the registered owner of a Property where a Lodging House is situated;

“**Person**” means an individual, corporation, association or partnership;

“**Plan for Fire Safety**” means the Plan setting out the layout of the interior of the building with the location of all smoke alarms, carbon monoxide alarms, fire extinguishers and exits;

“**Private Room**” means a self-contained room in a Lodging House that is used or intended to be used for residential accommodation by no more than two (2) Lodgers;

“**Property**” means any land or premises within the City;

“**Residential Tenancies Act**” means the *Residential Tenancies Act, 2006*, S.O. 2006, c. 17, as amended;

“**Sanitary Facility**” means a self-contained room that contains not less than one (1) toilet, one (1) wash basin or sink and one (1) bathtub or shower.

### **3. General Prohibitions**

- 3.1. No Person shall operate a Lodging House without holding a current and valid Licence issued in accordance with this By-law.
- 3.2. No Person shall operate a Lodging House except in accordance with the provisions of this By-law and all other Applicable Law.
- 3.3. No Licensee shall advertise, operate or carry on such business under any name other than the name endorsed upon the Licence.
- 3.4. No Person shall contravene or fail to comply with a term or condition of a Licence issued in accordance with this By-law.
- 3.5. No Person shall fail to comply with an Order issued under this By-law.

### **4. Administration**

- 4.1. This By-law shall be administered by the Clerk who shall perform all administrative functions set out in this By-law including but not limited to:
  - 4.1.1. Receipt and processing of all applications for Licences and renewal of Licences;
  - 4.1.2. Issuing Licences in accordance with this By-law;
  - 4.1.3. Imposing terms and/or conditions on Licences in accordance with this By-law; and
  - 4.1.4. Refusing to issue or renew a Licence, revoking a Licence or suspending a Licence in accordance with this By-law.
- 4.2. The Clerk shall keep a Licence Register in which shall be recorded the full name and address of each Licensee, the address of the licensed Lodging House, the number and date of the issue of the licence, the amount of the licence fee paid therefore, the date of expiry of the licence, the type of licence issued and other particulars or remarks pertaining to the same which are useful or necessary.

### **5. Delegation of Authority to Appeals Committee**

- 5.1. The Powers and authority to conduct appeal hearings under this By-law are hereby delegated to the Appeals Committee.
- 5.2. Where any person is authorized to take any action pursuant to this By-law, such actions may be taken by that person's designate.

## **6. Applications for Licence and Renewal**

- 6.1. The following two (2) types of Licence applications may be made:
  - 6.1.1 An original Licence; and
  - 6.1.2 The renewal of a Licence.
- 6.2. The requirement to obtain a Licence under this By-law is in addition to and not in substitution for any other requirement to obtain a licence or approval under any Applicable Law.
- 6.3. Each Lodging House shall be individually licensed under this By-law.
- 6.4. Every application for a Licence or a renewal of a Licence shall be submitted in accordance with this By-law and shall be accompanied by the Licence fee set out in the Fees and Charges By-law.
- 6.5. The Applicant for a Licence or a renewal of a Licence shall be the Operator (s) of the Lodging House.
- 6.6. In the case of Lodging House operated by a partnership, one partner shall submit the application package on behalf of every other partner. In the case of a Lodging House operated by a corporation, an officer of the corporation shall submit the application package.
- 6.7. In respect of an application for an original Licence:
  - 6.7.1 The application shall be completed on the forms found on the application portal on the City of Port Colborne website or by filing a hard copy and shall include the following information:
    - 6.7.1.1 The municipal address and legal description of the location of the Lodging House;
    - 6.7.1.2 The name and contact particulars for each applicant for the Lodging House including address, telephone number and email address;
    - 6.7.1.3 The names of the Lodging House's staff members;
    - 6.7.1.4 If a Lodging House is to be operated by a corporation:
      - 6.7.1.4.1 A copy of the incorporating document(s);
      - 6.7.1.4.2 A copy of the most recent corporate filing with the Ministry of Government and Consumer Services listing all directors and officers and the head office address of the corporation;
      - 6.7.1.4.3 A letter indicating resolution of the directors of the corporation authorizing the application for a Licence; and
      - 6.7.1.4.4 The name and contact particulars of every Person having responsibility for the operation of the Lodging

House;

6.7.1.4.5 Its annual return under the Corporations Information Act, R.O., 1990, c.C39, and business name document, if applicable; and

6.7.1.5 A declaration from each Operator, and in the case of a Lodging House to be operated by a corporation, from each director and officer, certifying the accuracy, truthfulness and completeness of the application.

6.7.2 The application shall be accompanied by the following documentation and material:

6.7.2.1 Proof of insurance for use as a Lodging House with liability limits of not less than five million dollars (\$5,000,000) for personal injury and property damage;

6.7.2.2 A floor plan of the premises including dimensions and the proposed use of each room;

6.7.2.3 Confirmation in writing that the Owner consents to the use of the Property as a Lodging House to the satisfaction of the Clerk;

6.7.2.4 Plan for Fire Safety showing the exits and life safety items in the building to the satisfaction of the Fire Chief.

6.8 In respect of an application for a renewal of Licence:

6.8.1 The application shall include the information set out in paragraph 6.7.1;

6.8.2 The application shall be accompanied by the proof of insurance set out in section 6.7.2.1 and any documentation referred to elsewhere in section 6.7.2 if any information has changed, or and additional information as required by the Clerk.

6.9 Every application for Licence or renewal of Licence shall be accompanied by the non-refundable prescribed application fee, which may be paid for by cash, debit, cheque or credit card.

6.10 Every Applicant for a new Licence or the renewal of a Licence shall, within four (4) business days of any change to information submitted to the City in support of the application notify the Clerk in writing of such change and provide full written disclosure to the Clerk of all relevant information existing after such change.

6.11 An application for the renewal of a Licence shall be filed at least sixty (60) days prior to a Licence expiring. Where a Licensee fails to submit an application to renew a Licence at least sixty (60) days prior to its expiration, the application to renew the Licence shall be processed as a new application.

## **7. Review of Application**

7.1. Upon receipt of a complete application under section 6.7 or 6.8, the Clerk shall cause the application to be circulated to the City's Planning Services, Building Services and Fire Services and to the Medical Officer of Health for the Niagara Region for any comments or objections. The Clerk shall further determine if all necessary inspections or approvals have been completed and if all lawful requirements have been met.

7.2. Where the Clerk receives one or more objections to an application or determines that any necessary inspection, approval or other lawful requirement has not been completed, the Clerk shall return the application to the Applicant to undertake any action necessary to address the objection(s) and/or outstanding requirement(s).

## **8. Issuance of Licence**

8.1. Upon completion of the process set out in subsections 7.1 and 7.2, the Clerk shall issue or renew a Licence provided the following conditions have been met:

8.1.1. The applicant has complied with all applicable requirements set out in section 6;

8.1.2. The circulation of the application referred to in section 7.1 does not result in any objection to the Application which has not been cleared under section 7.2;

8.1.3. The inspections do not indicate non-compliance with any Applicable Laws; and

8.1.4. The Clerk determines that there are no grounds as described in Section 9 to refuse a licence

8.2. Notwithstanding subsection 8.1, the Clerk may impose such terms or conditions on a Licence as the Clerk considers appropriate. A Licensee who is dissatisfied with any such term or condition may appeal to the Appeals and Property Standards Committee.

8.3. All Licences issued or renewed pursuant to this By-law shall be valid for a period of one (1) year from the date of issuance or renewal, unless otherwise suspended or revoked.

8.4. Licences issued or renewed under this By-law are not transferable. Subject to section 8.5, an otherwise valid Licence shall expire automatically upon a change in ownership or operation of the Lodging House.

8.5. Every Licensee shall notify the Clerk in writing of any pending change with respect to the ownership or operation of a Lodging House or control of a corporation that owns or operates a Lodging House at least thirty (30) days prior to such change taking effect. The prospective Operator(s) or controlling shareholder(s) shall submit an application for a new Licence that will be processed by the Clerk in accordance with this By-law.

8.6. In addition to the items set out in section 11, it is a condition of every Licence issued or renewed under this By-law that the Licensee shall comply with the provisions of this By-law, all Applicable Law and any other terms or conditions imposed on the Licence and shall ensure such compliance by any other Person(s) involved in the operation of the Lodging House.

## **9. Refusal, Suspension or Revocation of a Licence**

9.1. The powers and authority to refuse to issue or renew a licence, to cancel, revoke or suspend a licence or impose terms and conditions on a licence are hereby delegated to the Clerk.

9.2. The Clerk may refuse to issue a new Licence or renew a Licence where:

9.2.1. The Applicant has been convicted of an offence under this By-law or any other by-law relating to licences within the previous five (5) years;

9.2.2. A Licence issued to the Applicant or the Lodging House under this By-law

was suspended or revoked within the previous two (2) years;

- 9.2.3. The Applicant owes any fine or fee to the City in relation to the Lodging House;
- 9.2.4. The Clerk reasonably believes that an application or document submitted by the Applicant contains false information; or
- 9.2.5. The Clerk reasonably believes that issuing the Licence may pose a threat to the health and safety of persons or property or is otherwise not in the public interest.

9.3. The Clerk may suspend or revoke a Licence at any time where:

- 9.3.1. The Licence was issued or renewed in error;
- 9.3.2. The Clerk becomes aware of any fact or facts which, if known at the time of the application, would have resulted in the Clerk refusing to issue or renew the Licence;
- 9.3.3. The Licensee fails to comply with this By-law, all Applicable Law or any terms or conditions of the Licence, including those set out in subsection 8.6 and section 11 of this By-law;
- 9.3.4. The past conduct of the Licensee or any employee affords reasonable grounds for belief that the applicant will not operate the Lodging House in accordance with Applicable Law, proper management or honesty and integrity;
- 9.3.5. The Licensee contravenes the provisions of this By-law; or
- 9.3.6. Where to do so is in the public interest.

## **10. Notice of Appeal**

- 10.1. Where the Clerk refuses to issue or renew a Licence, imposes terms or conditions on a Licence, suspends a Licence or revokes a Licence, the Clerk shall provide written notice to the Applicant or Licensee of the decision, the reasons for the decision and the right to appeal.
- 10.2. An Applicant or Licensee whose Licence has been refused, suspended or revoked or who objects to any terms or conditions imposed on the Licence may, within fourteen (14) days of being notified of the decision, submit a written appeal to the Clerk for a hearing before the Appeals Committee a review of the decision.
- 10.3. Where no application for an appeal hearing is submitted within the prescribed period, the decision of the Clerk shall be final.
- 10.4. Upon receipt of a notice of appeal, the Appeals and Property Standards Committee shall hold a hearing on the date and time set out in a notice from the Clerk.
- 10.5. The Appeals Committee may affirm, vary or reverse the decision of the Clerk and may direct the Clerk to issue, renew or reinstate a Licence, with or without conditions. Appeals Committee shall provide written reasons for its decision, which shall be final.
- 10.6. Matters arising during the course of an appeal that are not provided for in this By-law shall be governed by the Statutory Powers Procedure Act, R.S.O. 1990, c. S.22.

## **11. Licence Conditions and Requirements**



- 11.1. The conditions set out in subsections 11.2 to 11.31 to of this By-law are attached to every Licence issued under this By-law.
- 11.2. Every licensee shall ensure that any updates or changes to the information or documentation required under this By-law to be provided as part of an application for licence or renewal thereof, is submitted within 5 business days to the application-update portal on the City of Port Colborne website or by filing a hard copy with the Clerk.
- 11.3. Without limiting section 11.2 above, every licensee shall provide an updated proof of Insurance as required by section 6.2.7.1. within 5 business days of any changes to the terms of the insurance policy including, but not limited to, subsequent policy renewals or changes in insurance status.
- 11.4. Every licensee shall provide notice of cancellation of its insurance policy required by section 6.2.7.1 to the City within 48 hours of receipt of such notice. Updates shall be submitted to the application-update portal on the City of Port Colborne website or by filing a hard copy with the Clerk.
- 11.5. The Licensee shall provide a copy of this By-law to each Lodger.
- 11.6. The Licensee shall post the Licence issued for a Lodging House in a conspicuous location inside the Lodging House and shall ensure that it remains posted and legible throughout the currency of the Licence.
- 11.7. The Licensee shall enter into a Lodging Agreement with each Lodger.
- 11.8. The Licensee shall maintain a list of current Lodgers, which shall list their first and last names in alphabetical order and shall identify the date on which each Lodger began residing at the Lodging House.
- 11.9. The Licensee shall, during the occupation by a lodger and for 12 months after a Lodger ceases to reside at the Lodging House, maintain a file for each Lodger that includes the following documents and information as applicable:
  - 11.9.1. First and last name of the Lodger;
  - 11.9.2. Date on which the Lodger began residing at the Lodging House;
  - 11.9.3. Date on which the Lodger ceased residing at the Lodging House;
  - 11.9.4. A copy of the Lodging Agreement
  - 11.9.5. Name and contact particulars of one or more emergency contact persons identified by the Lodger; and
  - 11.9.6. Where the Lodging House provides meals, a list of the Lodger's nutritional needs and any allergies.
- 11.10. The Licensee shall ensure that the Lodging House is kept in a good state of repair that is free of hazards and fit for human habitation and shall further ensure that the condition of the Lodging House complies with all Applicable Law.
- 11.11. The Licensee shall ensure that all common areas and amenities of the Lodging House made available for use by Lodgers including but not limited to appliances, furnishings, laundry facilities, elevators, interior and exterior recreational areas, parking areas and garbage facilities are maintained in a clean, hazard-free, and good working condition.

- 11.12. Where a Lodging Agreement provides that a Licensee will provide one or more meals to a Lodger, the Licensee shall ensure the following:
- 11.12.1. If the Licensee is the sole provider of meals for the Lodger, that the Lodger is offered:
    - 11.12.1.1. At least three (3) meals per day at reasonable and regular meal hours;
    - 11.12.1.2. A beverage between the morning and midday meals;
    - 11.12.1.3. A snack and a beverage between the midday and evening meals; and
    - 11.12.1.4. A snack and a beverage after the evening meal;
  - 11.12.2. That the Lodging House menus are consistent with the Canada Food Guide published by the Government of Canada;
  - 11.12.3. That the Lodger is informed of daily and weekly menu options with menus posted in one or more common areas of the Lodging House and that a record of each weekly menu be maintained for 30 days;
  - 11.12.4. That Lodgers are given sufficient time to eat at their own pace and accommodated if they are unable to eat during a regular meal period;
  - 11.12.5. That any Lodging House staff assisting the Lodger are aware of the Lodger's nutritional needs and any allergies; and
  - 11.12.6. That Lodging House staff monitor Lodgers during meal periods.
- 11.13. Every Licensee shall ensure that all areas of the Lodging House where food is prepared, processed, packaged, stored or served complies with the Health Protection and Promotion Act and its regulations and all other Applicable Law.
- 11.14. A Licensee shall ensure potable water is available for Lodgers at all times.
- 11.15. The Licensee shall provide a common dining room or rooms in the Lodging House with a minimum aggregate floor area that meets or exceeds the minimum requirements for dining rooms prescribed by the Building Code.
- 11.16. The Licensee shall provide a common sitting room or rooms in the Lodging House with a minimum aggregate floor area that meets or exceeds the minimum requirements for sitting rooms prescribed by the Building Code.
- 11.17. The Licensee shall provide Sanitary Facilities that are not adjacent or open to any dining room, kitchen, food preparation or service area or food storage room.
- 11.18. The Licensee shall provide at least one (1) Sanitary Facility for every four (4) Lodgers and shall ensure that the number of Sanitary Facilities in the Lodging House meets or exceeds the minimum requirements prescribed by the Building Code.
- 11.19. The Licensee shall provide an adequate supply of clean towels and customary toilet supplies for each Lodger and shall ensure that such items are provided without extra charge.
- 11.20. Every Private Room shall have a minimum area of not less than seven (7) square metres for a single occupancy and a minimum area of not less than four point six (4.6) square metres per person for a double occupancy but in

no case shall the minimum area be less than the minimum requirements for sleeping room sizes prescribed by the Building Code.

- 11.21. The Licensee shall ensure that every Private Room in the Lodging House meets the following requirements:
  - 11.21.1. Every window and exterior door that is capable of being opened and that is accessible from outside the Private Room shall be equipped so that it can be secured from the inside;
  - 11.21.2. All doors to the Private Room shall be capable of being secured;
  - 11.21.3. At least one door to the Private Room shall be capable of being locked by the Lodger from outside the Private Room; and
  - 11.21.4. The Lodger(s) occupying the Private Room shall be provided with a key to any lock(s) used to secure the Private Room.
- 11.22. Where the Residential Tenancies Act applies to a Lodging House, the Licensee shall comply with the responsibilities of landlords as set out in the statute and each Lodger shall be entitled to the protections provided to tenants under the statute.
- 11.23. The Licensee shall not interfere with the provision of any medical care or service to a Lodger or obstruct any Health and Support Worker or Health Care Professional providing services to a Lodger.
- 11.24. The Licensee shall establish policies and procedures for the distribution of medication to Lodgers by Lodging House staff, which shall comply with Applicable Law, and shall ensure that staff do not distribute medication except in accordance with those policies and procedures and all Applicable Law.
- 11.25. The Licensee and any other Person(s) involved in the operation of the Lodging House shall not interfere with the reasonable enjoyment of the Lodging House by a Lodger in respect of guests and shall not:
  - 11.25.1. Restrict, harass or interfere with short-term visitors or non-frequent guests;
  - 11.25.2. Impose visiting hours;
  - 11.25.3. Require a Lodger to notify the Licensee or any other Person(s) involved in the operation of the Lodging House of guests or request permission to have guests; or
  - 11.25.4. Charge a Lodger any fee or change amounts otherwise payable by the Lodger for short-term visitors or non-frequent guests.
- 11.26. No Licensee or any staff of the Licensee or the Lodging House shall act as the Guardian for any Lodger.
- 11.27. The Licensee shall keep a record of any complaint made by a Lodger, the Guardian of a Lodger or any other Person in relation to any matter regulated under this By-law, which shall document the date, time and subject matter of the complaint, the identity of the complainant and the action taken by the Licensee in response to the complaint.
- 11.28. The Licensee shall maintain complaint records for not less than three (3) years and shall produce them to the City upon request.
- 11.29. Every Licensee shall provide and display a Plan for Fire Safety on the back of

the door or visibly adjacent to the door/exit of every door in the facility.

11.30. Every Licensee shall mount all fire extinguishers in a visible, open location and not within any cupboard, cabinet, closet or other enclosure.

11.31. Every Licensee shall ensure that smoke alarms be installed in every bedroom and sleeping area.

## **12. Inspection Powers**

12.1. An Officer is hereby authorized to enter, at any reasonable time, the premises in respect of which a licence has been issued, other than a Private Room, for the purposes of carrying out an inspection to determine whether or not the following are being complied with:

12.1.1. This by-law;

12.1.2. A direction or order made under this By-law;

12.1.3. A condition of a Licence issued under this By-law; and

12.1.4. Order made under the Municipal Act.

12.2. Notwithstanding subsection 12.1, an Officer may enter a Private Room with the permission of the Lodger(s) identified in the Lodging Agreement for that Private Room.

12.3. For the purposes of an inspection under subsection 12.1 or 12.2, an Officer may:

12.3.1. Require the production for inspection of documents or things relevant to the inspection;

12.3.2. Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;

12.3.3. Along or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection; and

12.3.4. Require information from any persons concerning a matter relevant to the inspection

12.4. No person shall obstruct or hinder, or attempt to obstruct or hinder, an Officer in carrying out an inspection for the purposes of enforcing this By-law or in carrying out any work necessary to bring a Lodging House into compliance with this By-law.

## **13. Orders**

13.1. Where an Officer believes on reasonable grounds that this By-law or a condition of a Licence is not being complied with, the Officer may make an Order requiring the Licensee to address the contravention(s) and bring the Lodging House into compliance within the time limits specified in the Order.

13.2. An Order made under subsection 13.1 of this By-law shall be posted in a prominent location at the Lodging House and shall further be sent by registered mail or e-mail to the address of the Licensee on file with the City. The Order shall be deemed served five (5) days after it is sent.

13.3. Where an Order made under subsection 13.1 of this By-law may result in the loss of housing for one (1) or more Lodgers, the Clerk or an Officer

shall notify Niagara Region Community Services of the Order so that Niagara Region Community Services may take any action it deems necessary in respect of the potential loss of housing.

- 13.4. Where a Licensee fails to comply with an Order issued under this By-law within the time prescribed in the Order, the City may carry out any work necessary to bring the Lodging House into compliance with the Order, which work shall be done at the expense of the Licensee.
- 13.5. Where any action is taken to bring a Lodging House into compliance with this By-law or where any items, materials or things are removed from any Lodging House pursuant to this By-law, the City shall not be liable to compensate the Licensee, Lodger(s) or any other Person by reason of anything done by or on behalf of the City in the reasonable exercise of its powers under this By-law.

#### **14. Offences and Penalties**

- 14.1. Every Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to such penalties as provided for in the Municipal Act, 2001 and the Provincial Offences Act.
- 14.2. This By-law is designated as a by-law to which the Administrative (Non-Parking) Penalty By-law applies.
- 14.3. Any person who contravenes any of the provisions of this By-law, when given a Penalty Notice in accordance with the City's Administrative (Non-Parking) Penalty By-Law, is liable to pay the City an administrative penalty in the amount specified in the City's Administrative (Non-Parking) Penalty By-Law, as amended from time-to-time.

#### **15. General**

- 15.1. The short title of this By-law is the "Lodging House Licensing By-law".
- 15.2. If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 15.3. If there is a conflict between a provision of this By-law and a provision of any other By-law of the City, the provision that establishes the higher standard shall prevail.
- 15.4. This By-law shall be read with all changes in number or gender as are required by context.
- 15.5. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.
- 15.6. The Clerk is hereby authorized to affect any minor modifications or corrections of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

**16. Effective Date**

16.1. This By-law shall come into force on the date that it is enacted.

Enacted and passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Ron Bodner  
Deputy Mayor

\_\_\_\_\_  
Charlotte Madden  
City Clerk

The Corporation of the City of Port Colborne

By-law No. \_\_\_\_\_

Being a By-law to Amend By-law 4323/159/02,  
Being a By-law to License, Regulate and  
Govern Lodging Houses and the Keepers of  
Lodging Houses and to Revoke Any Such License  
(Bed and Breakfast Establishments)

Whereas at its meeting of May 14, 2024, the Council of The Corporation of the City of Port Colborne approved the recommendations of Chief Administrative Office Report 2024-63, Subject: Draft Lodging House By-law; and

Whereas the Council of The Corporation of the City of Port Colborne enacted By-law 4323/159/02 on December 16, 2002; and

Whereas the Council of The Corporation of the City of Port Colborne deems it necessary and desirable to amend By-law 4323/159/02 to eliminate any confusion between the new Lodging House By-law and By-law 4323/159/02 which governs Bed and Breakfast Establishments;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That By-law 4323/159/02 is amended as follows:
  - a) The by-law is renamed "Being a By-law to License, Regulate and Govern Bed and Breakfast Establishments" effective upon passage of this by-law.
  - b) Section 1(a) is repealed in its entirety and replaced with the following:

"(a) "bed and breakfast establishment" means a home occupation that provides guest rooms and may provide breakfast to the travelling and vacationing public."
  - c) All references to "lodging house" are repealed and replaced with "bed and breakfast establishment".
  - d) Sections "3" and "4" are renumbered "4" and "5" respectively.
  - e) The following Sections are inserted after Section 5:
    - "6. The short title of this by-law shall be known as the "Bed and Breakfast By-law".
    7. In the event of a conflict between a provision of this By-law and a provision of any other City By-law, the provisions of this By-law shall prevail.
    8. The Clerk is authorized to affect any minor modifications, corrections, or omissions, solely of an administrative, numerical, grammatical, semantical, or descriptive nature to this by-law or its schedules after the passage of this by-law."

Enacted and passed this 25th day of February, 2025.

\_\_\_\_\_  
Ron Bodner  
Deputy Mayor

\_\_\_\_\_  
Charlotte Madden  
City Clerk

The Corporation of the City of Port Colborne

By-law No. \_\_\_\_\_

Being a By-law to Amend By-law No. 7297/119/24  
Being a by-law to establish fees and charges for various services  
(Licensing of Lodging Houses)

Whereas section 391 (1) of the *Municipal Act* S.O. 2001, c. 25, as amended authorizes a municipality to impose fees or charges on persons for services or activities, for costs payable for services or activities and for the use of property including property under its control; and

And whereas the Council of The Corporation of the City of Port Colborne at its meeting of November 26, 2024, passed By-law 7297/119/24 to establish fees and charges for various services; and

Whereas at its meeting of May 14, 2024, the Council of The Corporation of the City of Port Colborne approved the recommendations of Chief Administrative Office Report 2024-63, and Supplemental Report 2025-40 on February 25, 2025 Subject: Lodging House Licensing By-law; and

And whereas the Council of The Corporation of the City of Port Colborne considers it desirable to amend the of the Fees and Charges By-law 7297/119/24;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That By-law 7297/119/24 is amended by repealing Schedule “J” thereto and replacing it with Schedule “J” attached hereto and forming part of this by-law, and the fee contained therein is authorized, approved and effective upon passage of this by-law.
2. That the Clerk of the City is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or description nature to this by-law or its schedules after the passage of the by-law.

Enacted and passed this 25th day of February, 2025.

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Ron Bodner  
Deputy Mayor

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Charlotte Madden  
City Clerk



## Schedule J: Corporate Services and Clerks

Service	2024 Fee (plus HST as applicable)	2025 Proposed Fee (plus HST as applicable)
Tax Arrears Certificate (includes water arrears)	\$52.00	\$60.00
Drainage balance certificate (add-on to Tax Arrears Certificate)	\$26.00	\$30.00
Paper Copy - Tax Inquiry / Water Inquiry Returned	\$7.00	\$8.00
Cheque Charge	\$35.00	\$40.00
New Account Fee - Ownership Change	\$52.00	\$55.00
New Account Fee - New Roll Creation	\$52.00	\$55.00
New Account Fee - Water	\$52.00	\$55.00
Transfers to Tax for Over Due Accounts	\$52.00	\$55.00
POA Add to Tax Administration Fee	\$52.00	\$55.00
Administration Fee Accounts Sent to Collections	\$52.00	\$55.00
Marriage License	\$130.00	\$140.00
Civil Ceremony at City Hall for Port Colborne resident <sup>^</sup>	\$250.00	\$325.00
Civil Ceremony at City Hall for non-resident <sup>^</sup>	N/A	\$650.00
Civil Ceremony held at location other than City Hall* Port Colborne resident <sup>^</sup>	\$365.00	\$425.00
Civil Ceremony held at location other than City Hall* non-resident <sup>^</sup>	N/A	\$850.00
Lodging House Licensing Fee (up to 3000 Sq.Ft.)	N/A	\$1,100.00
Lodging House Licensing Fee (3001-6000 Sq.Ft.)	N/A	\$1,250.00
Lodging House Licensing Fee (6001-9000 Sq.Ft.)	N/A	\$1,400.00
Commissioner for Taking Affidavits (including HST)**	\$20.00	\$25.00
Death Registrations	\$25.00	\$30.00
Photocopying (per page)	\$0.25	\$0.30

\* \$100.00 non-refundable fee due upon initial consultation with the officiant

\*\* per oath or declaration (City business and pensions exempt)

<sup>^</sup> After hours ceremony requests, to be considered on a case by case basis and subject to additional fees

The Corporation of the City of Port Colborne

By-law No. \_\_\_\_/\_\_/25

Being a By-law to Amend By-law No. 6902/50/21, Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne (Lodging Houses)

Whereas the City of Port Colborne passed By-law No. 6902/50/21 on June 14, 2021, Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne; and

Whereas at its meeting of February 25, 2025, the Council of The Corporation of the City of Port Colborne approved the recommendations of the Office of the Chief Administrative Officer Report No. 2025-40 Subject: Lodging House Licensing By-law; and

Whereas the City of Port Colborne considers it desirable and necessary to amend By-law No. 6902/50/21 Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne to include penalties relating to Lodging Houses licensed by the City;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That By-law No. 6902/50/21 Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne, is amended by repealing Schedule “B” thereto and replacing it with Schedule “B” to and forming part of this by-law, effective upon passage of this by-law.
2. That the Clerk is authorized to affect any minor modifications, corrections, or omissions, solely of an administrative, numerical, grammatical, semantical, or descriptive nature to this by-law or its schedules after the passage of this by-law.

Enacted and passed this 25th day of February, 2025.

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Ron Bodner  
Deputy Mayor

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Charlotte Madden  
City Clerk

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
BOULEVARD & SNOW REMOVAL BY-LAW NO. 7008/46/22**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3.1	Owner/Person permit objects or materials on boulevard	\$250	\$500	\$1000
2.	Section 3.2	Owner/Person permit objects or materials on boulevard that restricts sight lines	\$250	\$500	\$1000
3.	Section 3.3	Owner/Person permit snow deposited obstruct fire hydrant, waterbox or mailbox	\$250	\$500	\$1000
4.	Section 3.4	Object material within 0.45m to sidewalk	\$250	\$500	\$1000

Schedule "B"

5.	Section 3.5	Fail to maintain grass on boulevard	\$250	\$500	\$1000
6.	Section 3.6	Alter boulevard	\$250	\$500	\$1000
7.	Section 3.10	Damage/construct/re-construct a sidewalk/curb/apron driveway/boulevard/culvert/ditch/signage	\$250	\$500	\$1000
8.	Section 4.1	Fail to clear snow or ice off a sidewalk	\$200	\$400	\$800
9.	Section 4.2	Fail to address slippery sidewalk	\$200	\$400	\$800
10.	Section 4.3	Fail to remove snow or ice from a roof	\$200	\$400	\$800
11.	Section 4.4 (b)	Place snow on a highway	\$200	\$400	\$800
12.	Section 4.4 (c)	Obstruct drainage to a catch basin	\$200	\$400	\$800
13.	Section 4.5 (a)	Damage a sidewalk/boulevard	\$200	\$400	\$800
14.	Section 4.5 (b)	Allow use of vehicle to plow wider than sidewalk being plowed	\$200	\$400	\$800

Schedule “B”

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
 (NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
 CONTROL OF CATS BY-LAW NO. 4949/5/07**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b><u>ITEM</u></b>	<b><u>COLUMN 1</u></b>	<b><u>COLUMN 2</u></b>	<b><u>COLUMN 3</u></b>	<b><u>COLUMN 4</u></b>	<b><u>COLUMN 5</u></b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1	Section 3	Allow/Permit Cat to be at large	\$300	\$600	\$1200
2	Section 4 (1)(a)	Allow/Permit cat to defecate on private property	\$300	\$600	\$1200
3	Section 4 (1)(a)	Allow/Permit cat to defecate in any public place	\$300	\$600	\$1200

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
DISCHARGE OF FIREARMS BY-LAW NO. 7026/63/22**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b><u>ITEM</u></b>	<b><u>COLUMN 1</u></b>	<b><u>COLUMN 2</u></b>	<b><u>COLUMN 3</u></b>	<b><u>COLUMN 4</u></b>	<b><u>COLUMN 5</u></b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1	Section 8	Discharge a firearm or bow not in accordance with the By-law	\$300	\$600	\$1200
2	Section 9	Discharge a Firearm within the Defined Area	\$300	\$600	\$1200
3	Section 9.1	Discharge a Bow within the Defined Area without established safety measures	\$300	\$600	\$1200
4	Section 10	Discharge a Firearm outside the defined area without owner's permission	\$300	\$600	\$1200
5	Section 10 a	Discharge a Firearm greater than a No 2 lead shot	\$300	\$600	\$1200

Schedule “B”

6	Section 10 b	Discharge a bullet/shot/bolt/arrow/quarrel over property boundary	\$300	\$600	\$1200
7	Section 10.1	Discharge High Calibre Rifle with The City	\$300	\$600	\$1200
8	Section 10.2	Discharge for purposes of detonating a Reactive Shooting Target	\$300	\$600	\$1200
9	Section 11 a	Discharge within a 150m of a dwelling	\$300	\$600	\$1200
10	Section 11 b	Discharge in a private or public park or public open space	\$300	\$600	\$1200
11	Section 11 c	Discharge on premises of Educational property or religious institution	\$300	\$600	\$1200
12	Section 11 d	Discharge on all areas fronting Lake Erie measured from waters edge	\$300	\$600	\$1200

Schedule “B”

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
DOG CONTROL BY-LAW NO. 4930/155/06**

- 1.6 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.7 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.8 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.9 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.10 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b><u>ITEM</u></b>	<b><u>COLUMN 1</u></b>	<b><u>COLUMN 2</u></b>	<b><u>COLUMN 3</u></b>	<b><u>COLUMN 4</u></b>	<b><u>COLUMN 5</u></b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3(a)(vi)	Fail to provide sufficient shelter for an animal	\$325	\$650	\$1300
2.	Section 4(a)	Fail to keep dog in sanitary conditions	\$325	\$650	\$1300
3.	Section 5(a)	Permit dog to bark/howl excessively	\$325	\$650	\$1300
4.	Section 5(b)(i)	Fail to keep dog from chasing/biting/attacking any person	\$455	\$910	\$1820



Schedule "B"

5.	Section 5(b)(ii)	Fail to keep dog from chasing/biting/attacking any domestic animal	\$455	\$910	\$1820
6.	Section 5(b)(ii)	Fail to keep dog from fighting with another dog	\$455	\$910	\$1820
7.	Section 5(b)(iii)	Permit dog to damage public property	\$325	\$650	\$1300
8.	Section 5(b)(iv)	Permit dog to trespass on private property	\$260	\$520	\$1040
9.	Section 6(h)	Transfer dog licence	\$130	\$260	\$520
10.	Section 6(i)	Fail to keep dog license fixed on dog	\$98	\$196	\$392
11.	Section 6(l)	Fail to obtain dog license	\$130	\$260	\$520
12.	Section 7(a)	Permit dog to run at large	\$325	\$650	\$1300
13.	Section 8(a)	Fail to leash dog	\$325	\$650	\$1300
14.	Section 10 (a)	Use of leghold trap	\$260	\$520	\$1040
15.	Section 11(c)(i)(A)	Fail to keep vicious dog leashed	\$520	\$1040	\$2080
16.	Section 11(c)(i)(B)	Fail to keep vicious dog muzzled	\$650	\$1300	\$2600
17.	Section 11(c)(ii)	Fail to keep vicious dog confined	\$520	\$1040	\$2080
18.	Section 11(c)(iii)	Fail to display vicious dog sign	\$130	\$260	\$520
19.	Section 11(d)	Fail to microchip vicious dog	\$260	\$520	\$1040

Schedule "B"

20.	Section 14(a)	Fail to remove dog feces	\$195	\$390	\$780
21.	Section 15(a)	Fail to allow officer to inspect	\$130	\$260	\$520
22.	Section 16(a)	Did keep more than three dogs	\$325	\$650	\$1300

Schedule “B”

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
 (NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
 ENCROACHMENT BY-LAW NO. 6665/29/19**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b><u>ITEM</u></b>	<b><u>COLUMN 1</u></b>	<b><u>COLUMN 2</u></b>	<b><u>COLUMN 3</u></b>	<b><u>COLUMN 4</u></b>	<b><u>COLUMN 5</u></b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 6 (a)	Place encroachment on municipal property without consent	\$364	\$728	\$1456
2.	Section 6 (b)	Place encroachment on municipal property contrary to terms and conditions	\$364	\$728	\$1456

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
FENCE BY-LAW NO. 5510/107/10**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b><u>COLUMN 1</u></b>	<b><u>COLUMN 2</u></b>	<b><u>COLUMN 3</u></b>	<b><u>COLUMN 4</u></b>	<b><u>COLUMN 5</u></b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3.1	Construct fence prohibited by By-law	\$224	\$448	\$896
2.	Section 3.1	Permit to be constructed fence prohibited by By-law	\$224	\$448	\$896
3.	Section 3.1	Maintain fence prohibited by By-law	\$224	\$448	\$896
4.	Section 3.2(i)	Construct closed fence higher than 0.75m within sight triangle	\$186	\$372	\$744
5.	Section 3.2(i)	Permit to be constructed closed fence higher than 0.75m within sight triangle	\$186	\$372	\$744

Schedule “B”

6.	Section 3.2(i)	Maintain closed fence higher than 0.75m within sight triangle	\$186	\$372	\$744
7.	Section 3.2(ii)	Construct open fence higher than 1.0m within sight triangle	\$140	\$280	\$560
8.	Section 3.2(ii)	Permit to be constructed open fence higher than 1.0 within sight triangle	\$140	\$280	\$560
9.	Section 3.2(ii)	Maintain open fence higher than 1.0 within sight triangle	\$140	\$280	\$560
10.	Section 3.3.1(i)	Construct closed fence higher than 1.0m within front yard	\$186	\$372	\$744
11.	Section 3.3.1(i)	Permit to be constructed closed fence higher than 1.0m within front yard	\$186	\$372	\$744
12.	Section 3.3.1(i)	Maintain closed fence higher than 1.0m within front yard	\$186	\$372	\$744
13.	Section 3.3.1(ii)	Construct open fence higher than 1.25m within front yard	\$186	\$372	\$744
14.	Section 3.3.1(ii)	Permit open fence higher than 1.25m within front yard	\$186	\$372	\$744
15.	Section 3.3.1(ii)	Maintain open fence higher than 1.25m within front yard	\$186	\$372	\$744
16.	Section 4.1	Construct barbed wire fence in residential zone	\$196	\$392	\$784

Schedule "B"

17.	Section 4.1	Permit to be constructed barbed wire fence in residential zone	\$196	\$392	\$784
18.	Section 4.1	Maintain barbed wire fence in residential zone	\$196	\$392	\$784
19.	Section 4.2	Construct fence composed of tires	\$118	\$236	\$472
20.	Section 4.2	Permit to be constructed fence composed of tires	\$118	\$236	\$472
21.	Section 4.2	Maintain fence composed of tires	\$118	\$236	\$472
22.	Section 5.1	Construct privacy screen contrary to regulations	\$118	\$236	\$472
23.	Section 5.1	Permit to be constructed privacy screen contrary to regulations	\$118	\$236	\$472
24.	Section 5.1	Maintain privacy screen contrary to regulations	\$118	\$236	\$472
25.	Section 6.1	Construct fence not in good repair	\$118	\$236	\$472
26.	Section 6.1	Permit to be constructed fence not in good repair	\$118	\$236	\$472
27.	Section 6.1	Maintain fence not in good repair	\$118	\$236	\$472
28.	Section 6.1	Construct privacy screen not in good repair	\$118	\$236	\$472
29.	Section 6.1	Permit to be constructed privacy screen not in good repair	\$118	\$236	\$472

Schedule "B"

30.	Section 6.1	Maintain privacy screen not in good repair	\$118	\$236	\$472
31.	Section 6.1	Construct privacy screen not in good repair	\$118	\$236	\$472
32.	Section 6.1	Permit to be constructed privacy screen not in good repair	\$118	\$236	\$472
33.	Section 6.1	Maintain privacy screen not in good repair	\$118	\$236	\$472
34.	Section 6.2	Construct fence not using suitable materials	\$118	\$236	\$472
35.	Section 6.2	Permit to be constructed fence not using suitable materials	\$118	\$236	\$472
36.	Section 6.2	Maintain fence not using suitable materials	\$118	\$236	\$472
37.	Section 6.3	Construct electric fence not in Agriculture or rural zone	\$286	\$572	\$1144
38.	Section 6.3	Permit to be constructed electric fence not in Agricultural or rural zone	\$286	\$572	\$1144
39.	Section 6.3	Maintain electric fence not in Agricultural or rural zone	\$286	\$572	\$1144
40.	Section 9.2	Obstruct Officer	\$280	\$572	\$1144

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
FIREWORKS BY-LAW NO. 6613/68/18**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 1</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 4.1	Store Fireworks contrary to By-law	\$352	\$704	\$1408
2.	Section 4.1	Sell Fireworks contrary to By-law	\$352	\$704	\$1408
3.	Section 4.2	Store prohibited Fireworks	\$384	\$768	\$1536
4.	Section 4.2	Sell prohibited Fireworks	\$384	\$768	\$1536



Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
FOULING OF ROADS BY- LAW NO. 7242/64/24**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

Section	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
4.1 (a)	Cause or permit the Fouling, obstructing, encumbering or injuring any City Road or drain, ditch or culvert.	\$500	\$1000	\$2000
4.1 (b)	Cause or permit the erecting, installing, placing or maintaining any item wholly or partly upon, in, under or over a City Road.	\$500	\$1000	\$2000
4.1 (c)	Cause or permit the hanging or maintaining of any gate, door, or other thing in such a manner as to allow it to swing over any part of a City Road	\$500	\$1000	\$2000
4.1 (d)	Place or expose, or cause or permit to be placed or exposed, any merchandise or articles of any kind upon a City road	\$500	\$1000	\$2000

Schedule “B”

4.2 (a)	Owner of Property transport, drive, guide or operate any animal, any type of Vehicle or equipment in a manner that Fouls, obstructs, encumbers or otherwise injures a City Road	\$500	\$1000	\$2000
4.2 (b)	Owner of Property cause or permit any animal, any type of Vehicle or equipment to Foul, obstruct, encumber or otherwise injure a City Road	\$500	\$1000	\$2000
5.2	Fail to comply with an Order	\$500	\$1000	\$2000
5.4	Fail to forthwith remove or cause to be removed any Deposit from a City Road and remedy Fouling	\$500	\$1000	\$2000
5.5	Fail to forthwith remedy injury to a City Road	\$500	\$1000	\$2000
5.7	Hinder or obstruct, or attempt to hinder or obstruct, any authorized employee or agent authorized to enforce this By-law	\$500	\$1000	\$2000

Schedule “B”

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
 (NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
 LODGING HOUSE BY-LAW NO. \_\_\_\_\_ / \_\_\_\_ /24**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b><u>ITEM</u></b>	<b><u>COLUMN 1</u></b>	<b><u>COLUMN 2</u></b>	<b><u>COLUMN 3</u></b>	<b><u>COLUMN 4</u></b>	<b><u>COLUMN 5</u></b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3.1	Operate Lodging House without a valid license	\$750	\$1500	\$3000
2.	Section 3.2	Operate a Lodging House, not in compliance with applicable law	\$750	\$1500	\$3000
3.	Section 3.3	Advertise, operate or carry on business under name not on license	\$750	\$1500	\$3000

Schedule "B"

4.	Section 3.4	Fail to comply with term or condition of license	\$750	\$1500	\$3000
5.	Section 3.5	Fail to comply with Order	\$750	\$1500	\$3000
6.	Section 12.4	Hinder or obstruct, or attempt to hinder or obstruct, any authorized employee or agent authorized to enforce this By-law	\$750	\$1500	\$3000

Schedule “B”

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
LOT MAINTENANCE BY-LAW NO. 7193/16/24**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3.1	Permit/have refuse on land	\$400	\$800.00	\$1600.00
2.	Section 3.2	Fail to enclose excavation with temporary barrier (122cm / 48 inches) high	\$400	\$800.00	\$1600.00
3.	Section 3.3	Fail to drain accumulated water over (30 cm / 12 inches) deep	\$400	\$800.00	\$1600.00
4.	Section 3.4	Deposit refuse on private property	\$400	\$800.00	\$1600.00
5.	Section 3.5	Deposit refuse on City property	\$400	\$800.00	\$1600.00

Schedule "B"

6.	Section 3.6	Fail to locate refuse containers in accordance with by-law	\$400	\$800	\$1600
7.	Section 3.7	Fail to maintain water in swimming pool in accordance with by-law	\$400	\$800	\$1600
8.	Section 3.8	Fail to maintain water in hot tub/water feature/artificial pond in accordance with by-law	\$400	\$800	\$1600
9.	Section 3.9	Fail to clear land of refuse when required by City	\$400	\$800	\$1600
10.	Section 3.10	Fail to clear buffer strip	\$400	\$800	\$1600
11.	Section 3.11	Fail to clear grass in excess of 15cm	\$400	\$800	\$1600
12.	Section 3.12	Fail to clear/spray for poison ivy/poison oak	\$400	\$800	\$1600
13.	Section 3.17	Fail to comply with Work Order	\$400	\$800	\$1600
14.	Section 3.18	Fail to park/store/house a vehicle /boat trailer/ recreation vehicle/ conveyance on an improved surface	\$400	\$800	\$1600
15.	Section 3.19	Store items in Partially Enclosed Structure may deteriorate due to weather	\$400	\$800	\$1600

**Schedule “B”**

16.	Section 3.19	Store items in Partially Enclosed Structure may create environment for pests to gather/nest	\$400	\$800	\$1600
17.	Section 3.22	Fail to comply with firewood provisions	\$400	\$800	\$1600
18.	Section 3.23	Permit/allow grasses and weeds in contravention of By-law	\$400	\$800	\$1600

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
NOISE BY-LAW NO. 4588/119/04**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b> Designated Provision	<b>COLUMN 2</b> Short Form Wording	<b>COLUMN 3</b> Administrative Penalty Tier 1	<b>COLUMN 4</b> Administrative Penalty Tier 2	<b>COLUMN 5</b> Administrative Penalty Tier 3
1.	Section 4(3) Schedule 2 (2)	Emit noise from any electronic device for the amplification of sound, in a residential zone at any time	\$201	\$402	\$804
2.	Section 4(3) Schedule 2 (4)	Emit noise from operating any construction equipment in a residential area 7 p.m. to 7 a.m.	\$335	\$670	\$1340



Schedule "B"

3.	Section 4(3) Schedule 2 (10)	Permit persistent barking, whining or other persistent animal noises	\$168	\$336	\$672
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Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
PROPERTY STANDARDS BY-LAW NO. 7189/12/24**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same Person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same Person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 4.1	Fail to keep yard free and clean from dead/damaged/decayed/diseased/ tree (s)	\$750	\$1500	\$3000
2.	Section 6.1	Fail to keep vacant building clear of garbage, rubbish, and debris	\$1000	\$2000	\$4000
3.	Section 6.2	Fail to prevent unauthorized entrance to vacant building	\$1000	\$2000	\$4000
4.	Section 6.10	Fail to repair or demolish damaged building within the time frame	\$1000	\$2000	\$4000
5.	Section 6.12	Fail to prevent unauthorized entrance to damaged building	\$1000	\$2000	\$4000
6.	Section 6.14	Fail to keep building exterior walls free from of unsafe objects	\$1000	\$2000	\$4000

Schedule "B"

7.	Section 6.19	Fail to remove building of smoke damage/ other defacement and ensure surfaces refinished	\$1000	\$2000	\$4000
8.	Section 8.4.1	Fail to comply with by-law standards prescribed	\$1250	\$2500	\$5000
9.	Section 8.4.2	Fail to comply with final and binding order	\$1250	\$2500	\$5000
10.	Section 8.4.3	Fail to produce any documents or things required by an Officer	\$350	\$700	\$1400

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
 (NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
 SEWER AND DRAINAGE WORKS BY-LAW NO. 5228/134/08**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<u>ITEM</u>	<u>COLUMN 1</u> Designated Provision	<u>COLUMN 2</u> Short Form Wording	<u>COLUMN 3</u> Administrative Penalty Tier 1	<u>COLUMN 4</u> Administrative Penalty Tier 2	<u>COLUMN 5</u> Administrative Penalty Tier 3
1.	Section 6.2(12)	Failed to provide access for inspection, maintaining, repairing, modifying, or replacing a service connection.	\$400	\$800	\$1600
2.	Section 6.2(13)	Failed to provide access for inspection to ensure compliance with the By-law.	\$400	\$800	\$1600

Schedule "B"

3.	Section 6.2(14)	Hindered a Corporation Officer or Agent in the exercise of a power of duty under the By-law.	\$400	\$800	\$1600
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Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
SIGN BY-LAW NO. 4738/120/90**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3.1.1	Erect sign not in accordance with the by-law	\$500	\$1000	\$2000
2.	Section 3.1.1	Erect sign without obtaining a permit	\$500	\$1000	\$2000
3.	Section 3.1.1	Permit sign to be erected without obtaining a permit	\$500	\$1000	\$2000
4.	Section 3.1.7	Fail to maintain sign in proper state of repair	\$500	\$1000	\$2000
5.	Section 3.1.9	Fail to remove sign where directed by Chief Building Official	\$500	\$1000	\$2000

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
SWIMMING BY-LAW NO. 5339/94/09**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
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<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3.1.1	Erect swimming pool without obtaining a permit	\$202	\$404	\$808
2.	Section 3.1.1	Construct swimming pool without obtaining a permit	\$202	\$404	\$808
3.	Section 3.1.1	Install swimming pool without obtaining a permit	\$126	\$252	\$504
4.	Section 4.1.2 (i)	Fail to erect safe fence	\$189	\$378	\$756
5.	Section 4.1.2 (i)	Fail to maintain safe fence	\$189	\$378	\$756

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
 (NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
 TREE BY-LAW NO. 6175/01/15**

- 1.6 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.7 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.8 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.9 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
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<u>ITEM</u>	<u>COLUMN 1</u> Designated Provision	<u>COLUMN 2</u> Short Form Wording	<u>COLUMN 3</u> Administrative Penalty Tier 1	<u>COLUMN 4</u> Administrative Penalty Tier 2	<u>COLUMN 5</u> Administrative Penalty Tier 3
1.	Section 4 (1)(a)	Injure/destroy tree on City property	\$530	\$1060	\$2120
2.	Section 4 (1)(b)	Remove tree on City property	\$318	\$636	\$1272
3.	Section 4 (3)	Trim tree on City property without permission	\$212	\$424	\$848
4.	Section 5 (1)	Plant tree on City property	\$318	\$636	\$1272



Schedule “B”

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
 (NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS  
 VACANT BUILDING REGISTRY BY-LAW NO. 7192/15/24**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in column 1.
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<u>ITEM</u>	<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>	<u>COLUMN 4</u>	<u>COLUMN 5</u>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 8.1	Fail to Register Vacant Building	\$750	\$1500	\$3000
2.	Section 8.4	Fail to conduct and provide required inspections	\$750	\$1500	\$3000

Schedule “B”

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**Subject: Backyard Chickens in the Urban Boundary**

**To: Council**

**From: Office of the Chief Administrative Officer**

Report Number: 2025-43

Meeting Date: February 25, 2025

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**Recommendation:**

That Corporate Services Department Report 2025-43 be received; and

That Council direct staff to implement the public engagement plan regarding backyard Chickens in the Urban Boundary in Port Colborne.

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**Purpose:**

This report seeks Council's approval to engage with the community and determine if there is support for individuals having backyard chickens in the Urban Boundary (generally more highly populated residential areas) in Port Colborne.

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**Background:**

On October 8, 2024 Council received a delegation requesting changes to City bylaws to permit backyard chickens in the Urban Boundary in Port Colborne. See Appendix A – October 8 – City Council Delegation Speech – Backyard Chicken Bylaw Amendment attached.

Council directed the matter to Staff to review.

The City has the following bylaws/policies related to the keeping of animals:

- Appendix B 4086/81/01 – Respecting the Keeping of Animals
- Appendix C – Farm Animal Policy and Procedures
- Appendix D – 4620/2/05 – Respecting the Keeping of Animals Amendment

The Council of 2014 considered the keeping of chickens in the urban boundary, see Appendix E – 2014 Report on Chicken's in the Urban Boundary. The Council of 2014 voted to not allow Chicken's in the Urban Boundary.

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## **Discussion:**

The Niagara Region and Public Health Ontario have the following materials on Backyard Chickens:

- Appendix F – Backyard Chickens – Niagara Region
- Appendix G – Reducing Health Risks Associated with Backyard Chickens

The appendices speak to the risk of illness and outbreaks linked to backyard chickens. The risks include salmonellosis and bird flu. Within the last month, staff can report, bird flu was identified in a goose within the City of Port Colborne boundary.

Both appendices provide owners with a lengthy list of measures to reduce risk of illness.

Staff have reviewed what neighbouring municipalities are doing with respect to Backyard Chickens. At the time of writing this report, the following has been identified:

- West Lincoln - reviewing
- Wainfleet – not permitted
- Grimsby – not permitted
- Pelham – provided for through licensing by-law

Staff propose a Public Engagement process as outlined in this report below to determine if there is support for individuals having backyard chickens in the Urban Boundary (generally more highly populated residential areas) in Port Colborne.

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## **Internal Consultations:**

This consultation is a collaborative effort between the CAO's Office, Communications, Planning and Development and By-law.

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## **Financial Implications:**

This report is focused primarily on the public engagement activities related to backyard chickens in Urban Boundary areas within Port Colborne. All costs related to the public engagement activities are captured in the 2025 operating budget.

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## Public Engagement:

To support Council's decision making going forward, staff have proposed a public engagement plan that would gather feedback from the community regarding having backyard chickens in the Urban Boundary in Port Colborne. The engagement plan has several high-level objectives, including:

- **Gather feedback:** Engage residents meaningfully through a variety of channels and mediums, both in-person and virtually, to gather input from community members if they support people having backyard chickens in the Urban Boundary in Port Colborne.
- **Identify concerns and opportunities:** Gather valuable feedback to highlight interest, support and/or concerns with having backyard chickens in the Urban Boundary in Port Colborne.
- **Inform the community:** Educate the community on backyard chickens, and ensure information is clear, transparent, and accessible.
- **Ensure transparency:** Share the collected feedback online in a clear and accessible format, allowing both Council and the community to see the input and understand how it informs decision-making.

At this stage, staff recommend an online and paper-based survey / feedback form as the primary means for conducting the community engagement project.

An online survey would launch on March 24, 2025, and would ask multiple-choice and open-ended questions to gauge community members' thoughts on having backyard chickens in the Urban Boundary in Port Colborne. Multiple-choice questions allow for easy collection and analysis of the feedback, while open-ended questions allow community members an opportunity to answer in their own words, offering additional qualitative insights. The survey would close on April 11, 2025.

Since not all community members have access to or are comfortable with answering an online survey, an identical version of the online survey would be distributed in a paper version at various City facilities (City Hall, Vale Health & Wellness Centre, Port Colborne Public Library). The surveys would be collected in a box and then gathered for analysis beginning April 11, 2025.

Successfully communicating about the survey opportunity would be a vital part of gathering enough meaningful feedback to support Council's decision-making process. The Corporate Communications team would launch a comprehensive communications campaign to promote the engagement opportunity, which would include (but not be limited to):

- Sharing information on the City's website
- Posting social media content and events on City channels
- Hard-copy posters with QR codes directed to the online survey shared in key community locations and with community special interest groups

- ...and more.

The backyard chicken engagement project would begin on Monday, March 24 and end on Friday, April 11, 2025. Once completed, results would be collected and analyzed, and will be provided to Council in a comprehensive summary report in May 2025.

This engagement plan ensures residents have a meaningful role in determining how to manage backyard chickens in the Urban Boundary in Port Colborne, fostering a collaborative approach to these important community decisions.

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### **Strategic Plan Alignment:**

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Welcoming, Livable, Healthy Community
- 

### **Conclusion:**

Staff are recommending that Council approve the proposed public engagement plan and that a report come back to open session in April 2025 that shares the findings.

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### **Appendices:**

- a. Appendix A – October 8 – City Council Delegation Speech – Backyard Chicken Bylaw Amendment
- b. Appendix B – 4086 8101 Respecting the Keeping of Animals Bylaw
- c. Appendix C – Farm Animal Policy and Procedure
- d. Appendix D – 4620 0205 Respecting the Keeping of Animals Bylaw Amendment
- e. Appendix E – 2014 Report on Chicken’s in the Urban Boundary
- f. Appendix F – Backyard Chickens – Niagara Region
- g. Appendix G – Reducing Health Risks Associated with Backyard Chickens

Respectfully submitted,

Jasmine Peazel-Graham  
Manager of Corporate Communications  
905-228-8067  
[Jasmine.Peazel-Graham@portcolborne.ca](mailto:Jasmine.Peazel-Graham@portcolborne.ca)

Bryan Boles, CPA, CA, MBA  
Chief Administrative Officer  
905-228-8018  
[Bryan.Boles@portcolborne.ca](mailto:Bryan.Boles@portcolborne.ca)

**Report Approval:**

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

Good evening members of council and to everyone else here this evening who assists with town council meetings. I am thankful to be here tonight to be provided an opportunity to share about something that means a lot to me personally. This topic has been gaining a lot of attention over the years and in our social climate of today something that I believe is more important than ever to consider in municipal policy development.

This is the practice of having backyard chickens. As of today having chickens is prohibited by **Bylaw 6575/30/18**. To be specific, as of today, keeping livestock is considered for agricultural use and only permitted in the agricultural, rural and agricultural purpose only zones. I am asking today that you might consider making an amendment to this bylaw to allow for a small number of hens on property that is zoned residential. I ask for each of you to keep an open mind while I dive deeper to explore the benefits that having backyard chickens offers, as you can imagine these benefits go beyond just getting fresh eggs. Please allow me to explain.

I'd like you to consider how this simple lifestyle change and change in policy can help your citizens meet some of our most fundamental needs—like the desire for autonomy, the drive for mastery, and our connection to nature.

First and foremost, let's talk about one of the most obvious benefits of raising backyard chickens: **access to fresh, nutritious eggs**. If you've ever tasted a freshly laid egg, you will know there really is no comparison to store-bought eggs. First: They last longer and they do not require refrigeration - which helps save on housing costs. Studies show that eggs from backyard chickens tend to be much more nutritious. Free-range eggs contain one-third less cholesterol, one-quarter less saturated fat, and have twice as many omega-3 fatty acids, three times more vitamin E, and seven times more beta-carotene than eggs from commercial sources. And in



addition, research shows that having access to eggs in your diet facilitates the incorporation of other fresh nutrient dense foods in a person's diet. Keeping chickens not only gives you delicious eggs, but you also get the peace of mind knowing you're feeding your family nutrient-dense food. Since you control what your chickens eat, you can ensure that the eggs they produce are free of harmful additives or antibiotics that may be found in commercially farmed eggs. It's a powerful way to take control of your nutrition and improve your overall health, while enjoying the simple joy of collecting eggs each day.

But the benefits go beyond eggs. Raising chickens can also **help reduce waste and promote more sustainable living - something that is essential in today's world**. Chickens are natural composters—they'll happily gobble up kitchen scraps like vegetable peels, leftover bread, and other food that would otherwise end up in the trash. According to research a small flock of chickens can significantly reduce the volume of organic waste you generate. In fact, A single chicken can consume around seven pounds of food scraps per month, which is a great way to reduce the amount of waste going to landfills and minimize your carbon footprint. This also reduces the draw on municipal services in more than one area.

Not only do chickens help with waste, but they also produce valuable manure that's rich in nutrients like nitrogen, phosphorus, and potassium. When properly composted, chicken manure becomes an excellent organic fertilizer for your garden, promoting lush, healthy plants without the need for chemical fertilizers. So, if you enjoy gardening, your chickens can provide you with a closed-loop system where nothing goes to waste. It's sustainable living at its best!

Now, let's talk about something many people don't expect from keeping chickens: **improved mental health and well-being**. It's well-documented that interacting with animals

can reduce stress and anxiety. One published study found that people who care for animals report feeling calmer and less anxious. Chickens, with their quirky, social behaviors, offer companionship and hours of entertainment. Whether they're pecking around the yard or following you for treats, chickens have a way of lifting your spirits.

Spending time outdoors, caring for chickens, and reconnecting with nature offers a simple, peaceful escape from the fast-paced, tech-heavy world we live in. This connection with animals and nature can foster a sense of responsibility, purpose, and calm—qualities that are known to improve overall mental health. Plus, I have to say that chickens really do make great pets that are low-maintenance yet engaging, offering the therapeutic benefits of animal care without requiring as much attention as dogs or cats.

Another key advantage of raising chickens is **food security**. In uncertain times, having control over part of your food supply is empowering. According to a report by the United Nations, small-scale backyard chicken farming plays an important role in ensuring local food security by providing a steady source of protein. This is particularly valuable during times of economic uncertainty, fluctuating food prices, or supply chain issues - which became abundantly clear during the recent pandemic.

Raising your own chickens means you're less reliant on grocery stores, and you'll never have to worry about egg shortages. You're in control, and that sense of self-sufficiency can give you peace of mind. In fact backyard chicken keepers experience heightened feelings of food sovereignty, which are strongly linked to life satisfaction and reduced stress.

**I ask you all, who couldn't use a little more of these benefits today?**

Beyond personal benefits, raising chickens can also help **build community and provide educational opportunities**. Chickens often bring people together—whether it's neighbors sharing eggs or advice, or local chicken-keeping groups that exchange knowledge. I have had the pleasure of experiencing this personally! Did you know a survey conducted by the poultry industry reported that 70% of backyard chicken owners say they enjoy sharing their experiences with others, which in turn helps build closer, more connected communities.

Chickens also offer great educational opportunities for both kids and adults. Children can learn about biology, animal care, and sustainable agriculture, all while gaining responsibility and empathy. I have the privilege of working closely with children in a school setting, and I can tell you that they are so interested to see the eggs I am eating and to explore some fun facts about chickens and chicken eggs with me. These lessons can inspire future generations to prioritize environmental stewardship. Whether it's in schools, foster homes, or even rehabilitation programs, caring for chickens can teach valuable life skills like responsibility, nurturing, and the importance of routine—especially beneficial for children and young adults who may have experienced trauma or instability. As a mental health worker I have also had the pleasure of witnessing how these animals can provide therapeutic benefit to people who are in desperate need.

In conclusion, raising backyard chickens offers a wealth of benefits. From the satisfaction of gathering fresh, nutritious eggs to reducing household waste, improving mental well-being, and even fostering stronger communities, chickens are a simple way to enhance your lifestyle. As we face challenges related to food security and sustainability, backyard chickens present a practical, effective way to make a positive impact on both your life and your community.

So, whether you're interested in reducing your carbon footprint, enjoying healthier food, or simply building a closer connection to nature, raising chickens could be the perfect choice for our community. And remember, chickens aren't just pets—they're partners in sustainable living, offering joy, fulfillment, and a little bit of feathered companionship along the way.

Thank you everyone for your time and consideration.

I hope that after hearing my evidence you will consider making a change to this bylaw to allow for a small flock of backyard hens.

## References

1. *Mother Earth News*. "Egg Testing Project." 2014.
2. *University of California Division of Agriculture and Natural Resources*. "Backyard Chickens and Waste Reduction," 2018.
3. Beetz, Andrea, et al. "Psychological Effects of Human-Animal Interaction: A Review of the Evidence." *Frontiers in Psychology*, 2017.
4. United Nations Food and Agriculture Organization (FAO). "Urban and Peri-Urban Agriculture: A New Approach to Ensuring Food Security," 2015.
5. *Poultry Science Association*. "Survey on Backyard Poultry Keeping," 2019.
6. Wright, Wynne. "Becoming Sovereign: The Role of Backyard Chickens in Strengthening Food Sovereignty." *Agriculture and Human Values*, 2016.
7. Ryan, R. M., & Deci, E. L. (2000). Self-Determination Theory and the Facilitation of Intrinsic Motivation, Social Development, and Well-Being. *American Psychologist*.
8. Csikszentmihalyi, Mihaly. *Flow: The Psychology of Optimal Experience*. Harper & Row, 2013.
9. Wilson, Edward O. *Biophilia*. Harvard University Press, 1984.
10. Robin Kortright & Sarah Wakefield. Edible backyards: a qualitative study of household food growing and its contributions to food security.
11. Gerda R. Wekerle & Michael Classens. Food production in the city: (re)negotiating land, food and property.

**CORPORATION OF THE CITY OF PORT COLBORNE**

**By-law No. 4086/81/01**

**A BY-LAW RESPECTING THE KEEPING  
OF ANIMALS**

**WHEREAS** paragraph 1, section 210 of the *Municipal Act* authorizes a municipality to pass by-laws for prohibiting or regulating the keeping of animals;

**WHEREAS** paragraph 4, section 210 of the *Municipal Act* authorizes a municipality to pass by-laws for prohibiting or regulating the being at large or trespassing of animals;

**WHEREAS** paragraph 7, section 210 of the *Municipal Act* authorizes a municipality to pass by-laws for determining the compensation to be allowed for services rendered in carrying out the provisions of any *Act* with respect to animals impounded or distrained and detained in the possession of the distrainer;

**AND WHEREAS** section 220.1 of the *Municipal Act* authorizes a municipality to pass by-laws imposing fees or charges on any class of persons;

The Council of the Corporation of the City of Port Colborne **HEREBY ENACTS** as follows:

**DEFINITIONS**

1. In this by-law, unless the context otherwise requires:
  - (1) **“animal”** includes birds and reptiles;
  - (2) **“domesticated animal”** means any animal that has traditionally been kept as a pet including those listed on Schedule E;
  - (3) **“endangered animal”** means any animal listed on the CITES #1 Endangered Species list;
  - (4) **“farm animal”** means any animal that has been generally kept as livestock on Canadian farms and includes agricultural animals listed on Schedule F;
  - (5) **“prohibited or dangerous animal”** means any animal that is or is deemed to be potentially harmful to humans by nature, aggression, venom, toxins or size and that require specifically designed, secure enclosures to ensure safekeeping including those animals listed on Schedule B;
  - (6) **“restricted animal”** means any animal that is or is deemed to be potentially harmful to humans by nature, aggression, venom, toxins or size including those animals listed on Schedule A;
  - (7) **“animal control officer”** means a person appointed as a Provincial Offences Officer by the City who shall have the ability to impound animals and enforce this by-law;
  - (8) **“at large”** includes the circumstances in which an animal is found in any place other than on lands owned or lawfully occupied by its owner and when not under the physical control or restraint of any person;

- (9) **“by-law enforcement officer”** means a person appointed as a Provincial Offences Officer by the City to enforce this by-law;
- (10) **“City”** means the Corporation of the City of Port Colborne and its geographical area, as the context may allow;
- (11) **“Council”** means the Council of the Corporation of the City of Port Colborne;
- (12) **“enclosure”** means any cage, container, or structure, to keep an animal confined for safekeeping and includes the descriptions and specifications set out in Schedule C;
- (13) **“identification”** means establishing through registration the legal name (Latin) and the common name as well as any brands, unique markings, colour, size and age of the animal;
- (14) **“keep”** means the act of having the care, custody, control or possession of an animal;
- (15) **“owner”** means the person who owns the animal and includes any person who keeps, harbors, or is in control of the animal within the City, and where the owner is a minor, the person responsible for the custody of the minor;
- (16) **“public property”** means any property owned by the City or any other local board as defined by the *Ontario Municipal Affairs Act* or any federal or provincial lands;
- (17) **“safekeeping”** means the provision for security in order to prevent any animal from attacking or injuring a person or domesticated animal or farm animal or exposing same to infection or disease.

## CARE OF ANIMALS

- 2. (1) Every person who keeps an animal within the City's boundaries shall provide the animal or cause it to be provided with adequate and appropriate care, food, water, shelter, exercise, attention and veterinary care as may be required to meet the needs of the species.
- (2) If an animal is customarily kept out of doors, the owner of the animal shall provide for the safekeeping of the animal including for its use at all times a structurally sufficient, weather-proofed and insulated enclosure of appropriate size and dimension.
- (3) No person shall keep any animal in the City tethered on a chain, rope or similar restraining device or less than three metres in length.
- (4) Every person who has tethered an animal shall ensure, at all times, that the animal has unrestricted movement within the range of the tether, and that the animal cannot suffer injury resulting from the tethering.
- (5) No person shall keep an animal within the City in an unsanitary condition.
- (6) For the purposes of subsection (5), an animal is kept in an unsanitary condition where the keeping of the animal results in an accumulation of faecal matter, an odour, insect infestation or rodent attractants which endanger the health of any person or animal, or which disturbs or is likely to disturb the enjoyment, comfort or convenience of any person.

- (7) Every owner of an animal is responsible for the safekeeping of such animal and shall provide an environment wherein the animal cannot be injured or infected by the enclosure and the enclosure shall not cause physiological or mental harm to the animal enclosed as determined, if required, by a veterinarian or expert with knowledge and experience related to the species.
3. No person shall permit any animal other than a dog, to run at large or to trespass within the City.

#### **PROHIBITED OR DANGEROUS ANIMALS**

4. (1) No person shall keep in the City, either on a temporary or permanent basis, any prohibited or dangerous animal.  
(2) For the purposes of subsection (1), prohibited and dangerous animal includes any animal listed in or falling within those classes of animals listed in Schedule B attached to and forming part of this by-law.
5. Despite section 4 of this by-law, any person who, on the date of the passage of this by-law, was lawfully keeping any prohibited or dangerous animal at their place of residence may keep that animal until the animal has died or has otherwise been disposed of, but only if,
  - (1) the animal has been registered with the City of Port Colborne by December 31<sup>st</sup>, 2001;
  - (2) the animal remains securely at the owner's place of residence, except for necessary visits to a veterinarian's office;
  - (3) the animal is not shown to, or displayed to the public;
  - (4) the animal is prohibited from breeding with other animals;
  - (5) the animal is kept in accordance with the regulations set out in section 9 of this by-law; and
  - (6) a licence for that animal has been obtained from the Council of the City of Port Colborne.
6. Despite section 4 of this by-law, any person who, on the date of the passage of this by-law, was lawfully keeping any prohibited or dangerous animal and allows that animal to be shown to or displayed to the public may keep that animal until the animal has died or has otherwise been disposed of, but only if,
  - (1) the animal has been registered with the City of Port Colborne by December 31<sup>st</sup>, 2001;
  - (2) the animal remains securely at the owner's place of residence or place of business if the premises used for the business are exclusively devoted to the display of such animals, except for necessary visits to a veterinarian's office;
  - (3) the animal is prohibited from breeding with other animals;
  - (4) the animal is kept in accordance with the regulations set out in section 10 of this by-law; and



- (5) an Exotic Animal Licence for that animal has been obtained from the Council of the City of Port Colborne.

#### **EXEMPT FACILITIES**

7. Section 4 of this by-law does not apply to prevent the keeping of animals at,
  - (1) the premises of a City facility used for keeping impounded animals;
  - (2) the premises of an affiliate or branch of the Ontario Society for the Prevention of Cruelty to animals;
  - (3) the premises of an accredited veterinary hospital under the care of a licensed veterinarian;
  - (4) the premises of facilities accredited by the *Canadian Association of Zoos and Aquariums*;
  - (5) premises registered as research facilities pursuant to the *Animals for Research Act*, R.S.O. 1990, c. A.22;
  - (6) premises licensed as slaughterhouses pursuant to the *Meat Inspection Act*, R.S.O. 1990, c. M 5;
  - (7) premises of the Niagara Regional Police Department; and
  - (8) premises or facilities with a recognized wildlife authorization from the Ministry of Natural Resource Ontario

#### **DOMESTICATED AND FARM ANIMALS**

8.
  - (1) Domesticated animals including any animal listed in or falling within those classes of animals listed in Schedule E are not subject to the registration and licencing requirements in Sections 12 and 13 of this by-law.
  - (2) Farm animals including any animal listed in or falling within those classes of animals listed in Schedule F, shall be kept on lands in the City zoned Agricultural, and are not subject to the registration and licencing requirements in Section 12 and 13 of this by-law.

#### **REGULATIONS FOR KEEPING PROHIBITED OR DANGEROUS ANIMALS**

9. The following regulations shall apply to the keeping of a prohibited or dangerous animal for the purposes of section 5(5) of this by-law:
  - (1) Venomous reptiles and constrictors shall be kept in an escape-proof enclosure or container, which complies with the requirements set out in Schedule C ;
  - (2) Any person who owns a venomous reptile anywhere within the geographic limits of the City shall be required to keep appropriate antitoxins, where feasible, at a local hospital or health centre and shall provide proof of compliance to the City Clerk;
  - (3) Felids shall be kept in an escape-proof enclosure or container, which complies with the requirements set out in Schedule C; and

- (4) All prohibited and dangerous animals shall be kept in an enclosure that is adequate and sufficient for their safekeeping.
10. The following regulations shall apply to the keeping of a prohibited or dangerous animal for the purposes of section 6(4) of this by-law;
- (1) Venomous reptiles and constrictors shall be kept in an escape-proof enclosure or container, which complies with the requirements set out in Schedule C;
  - (2) Any person who owns a venomous reptile anywhere within the geographic limits of the City shall be required to keep appropriate antitoxins, where feasible, at a local hospital or health centre and shall provide proof of compliance to the City Clerk;
  - (3) Felids shall be kept in an escape-proof enclosure or container, which complies with the requirements set out in Schedule E;
  - (4) Where prohibited or dangerous animals are to be shown or displayed to the public, there shall be no opportunity for physical contact between members of the public and the animals;
  - (5) An owner who shows or displays a prohibited or dangerous animal to the public shall take all reasonable steps to ensure that members of the public are safe from harm; and
  - (6) All prohibited and dangerous animals must be kept in an enclosure that is adequate and sufficient for their safekeeping.

#### **SEIZING IMPOUNDING AND SALE OR KILLING**

11. (1) Animals running at large within the City may be impounded by a designate of the City.
- (2) Animals which are impounded shall be kept by a person appointed or designated by the City with facilities to maintain impounded animals.
  - (3) All animals that are deemed on inspection to be improperly enclosed or cared for may be impounded.
  - (4) Any owner of an animal impounded pursuant to this by-law shall be liable to pay all the costs of impounding the animal, its care and upkeep and all other reasonable costs related thereto.
  - (5) Nothing in this by-law shall prevent an animal control officer, provincial offences officer, police officer or any designate of the City from exercising the right to kill any animal if it is deemed to be dangerous or potentially a danger to any person, domesticated animal, farm animal or property within the City or neighbouring cities or villages.
  - (6) Nothing in this by-law shall prevent an animal control officer, provincial offences officer, police officer or any designate of the City from exercising the right to kill any animal if the animal is injured or diseased.
  - (7) The person designated by the City to impound animals may euthanise any animal impounded and kept by him or her as is allowed by application of provincial and federal law.

## **REGISTRATION AND LICENSING**

### **Registration - Notification Only**

12. (1) An owner shall notify the Clerk of the City that any animal listed in or falling within the classes of animals listed in Schedule A - Restricted animals, is being kept within the municipality and upon notification the Clerk shall register the animal.
- (2) There shall be no charge for registering animals as defined in Schedule A - Restricted animals.

### **Registration - Licence**

13. (1) An owner shall obtain a Licence from the Clerk of the City to permit the keeping of any prohibited or dangerous animal.
- (2) An owner shall obtain an Exotic Animal Licence from the Clerk of the City to permit the showing or display of any prohibited or dangerous animal to the public.
- (3) A Licence shall not be issued pursuant to (1) and (2) until the owner has satisfied the City that the enclosures required for venomous reptiles, constrictors and felids comply with the specifications set out in Schedule C.
- (4) A Licence shall not be issued pursuant to (1) and (2) until the owner has satisfied the City that enclosures for any prohibited or dangerous animal, not specified in Schedule C, are adequate and sufficient for the safekeeping of such animal.
- (5) Prior to the issuance of a Licence pursuant to (1) and (2), the City may require that plans and specifications for any enclosure required by this by-law be submitted to the City for approval to ensure that they are adequate and the owner shall make any changes as required by the City.
- (6) Prior to the issuance of a Licence pursuant to (1) and (2), the City may inspect the enclosures to ensure that they are adequate and the owner shall make any changes as required by the City.
- (7) The Licence shall permit a provincial offences officer or an authorized inspector appointed by the City to inspect any enclosures from time to time.
- (8) The fee for licensing is set out on Schedule D and is based on the estimated costs of inspection and registration to the City.
- (9) A Licence is valid for two years from date of issue.
- (10) At the time of licensing and at each renewal thereafter, the owner is required to submit to the City Clerk an inventory of all prohibited or dangerous animals, including the identification of each animal, kept on the premises.
- (11) The owner shall display all Licences on the enclosure or in a prominent place near the enclosure.

- (12) All Licences shall be available to any by-law inspector, police officer or person designated to inspect by the City.
- (13) The Council may revoke any licence issued under this by-law and without limiting the generality and the foregoing, the Council may revoke any and all licences held by an owner for violation of any provision of this by-law.

**INSPECTIONS**

- 14. (1) The City or the Humane Society may authorize an inspection of the facilities and enclosures of the owner of any licensed animal from time to time.
- (2) If a complaint related to matters governed by this by-law is registered with the City, then an investigation, including inspection, may take place.

**OFFENCES**

- 15. Any person who contravenes any provision of this by-law is guilty of an offence.

**PENALTIES**

- 16. Any person or corporation convicted of a breach of any provision of this by-law shall be subject to such penalties or orders provided for under the *Provincial Offences Act*, as amended from time to time.

**CONFLICT**

- 17. Where this by-law conflicts with any other by-laws respecting animals, this by-law prevails to the extent of the conflict.

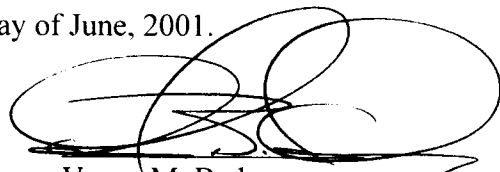
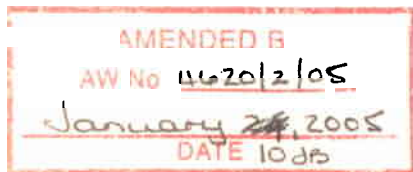
**SCHEDULES**

- 18. All schedules referred to in this by-law and attached to this by-law shall be deemed to be a part of the by-law.

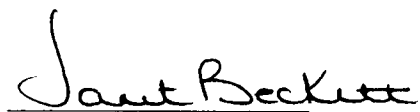
**VALIDITY**

- 19. If a court of competent jurisdiction declares any provisions or part of this by-law to be invalid or of no force and effect, it is the intention of the Council in enacting this by-law that each and every other provision of this by-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.
- 20. This by-law comes into force on June 25<sup>th</sup>, 2001 .

ENACTED AND PASSED this 25<sup>th</sup> day of June, 2001.



Vance M. Badawey  
Mayor



Janet Beckett  
Clerk

**SCHEDULE "A"**

**TO BY-LAW 4086/81/01**

**RESTRICTED ANIMALS**

Notification and registration with the City Clerk is required for these animals.

The following animals are permitted in the City subject to compliance with Section 12 of the by-law:

1. All domestic ferrets
2. All de-scented domestic skunks
3. All Arachnids ( including tarantulas)
4. All rodents kept domestically with the exception of hamsters white rats, gerbils guinea pigs, or mice.
5. All "exotic" pigs if the same is kept in a dwelling unit.

**SCHEDULE "B"**

**TO BY-LAW 4086/81/01**

**PROHIBITED OR DANGEROUS ANIMALS**

1. Animals on the list of the Convention on International Trade and Endangered Species (CITES #1 Endangered Species List).
2. Marsupials, including kangaroos and opossums, except the Sugar Glider (*Perauridae Breviceps*).
3. Non-human primates.
4. Felids, except the domestic cat.
5. Canids, except the domestic dog.
6. Mustelids, including weasels, otters, badgers and skunks, except domesticated ferrets and de-scented domestic skunks.
7. Ursids.
8. Artiodactylus Ungulates, except domesticated goats, sheep, pigs or cattle.
9. Procyonids, including racoons, coatis and cacomistles.
10. Hyaenas.
11. Perissodactylus Ungulates, except domesticated horses, donkeys or asses.
12. Elephants.
13. Pinnipeds, including seals, fur seals and walruses.
14. Venomous Reptiles, including snakes and lizards.
15. Ratite Birds, which includes Ostriches, Rheas and Cassowaries.
16. Raptors, which includes eagles, hawks and owls, whether diurnal or nocturnal.
17. Edentates, which includes Anteaters, Sloths and Armadillos.
18. Bats
19. Cockroaches.
20. Crocodilian, which includes alligators and crocodiles.
21. Viverids, which includes Mongooses, Civets and Genets.
22. Constrictors, which includes Pthonidia and Biodae, Rock Pythons, Burmese Pythons, Reticulated Pythons and Green Anaconda.

**SCHEDULE "C"**

**TO BY-LAW 4086/81/01**

**APPROVED ENCLOSURES REQUIREMENTS FOR  
PROHIBITED OR DANGEROUS ANIMALS**

**Enclosure for Venomous Reptiles**

1. Enclosures for venomous reptiles shall be kept indoors in a secure and locked area. All enclosures should be constructed of wood, fibreglass, ABS plastic or metal. Enclosures must be secure and key locked. All enclosures shall be kept within a secured (escape proofed) and locked area indoors. There shall be a sign displaying the words "**LIVE VENOMOUS ANIMALS, DO NOT TOUCH**", which shall be posted outside the secure and locked area and include a listing of emergency phone numbers.
2. The owner shall ensure that antitoxins are provided pursuant to Sections 9(2) and 10(2) of the by-law.
3. The owner of the venomous reptiles shall notify the local fire/ rescue department to the fact that venomous animals are being kept within the premises.

**Enclosures for Large Constrictors**

4. Enclosure for Phthorida (large Python) and Boidae (Boa) shall be constructed of solid wood, 1/2" thick of fibreglass, metal or PVC plastic of a size to allow movement of the animal. All enclosures must be kept indoors and shall be secure and key locked. All provisions for safekeeping and care and maintenance must be adhered to.

**Enclosures for Felids**

1. Enclosures for Felids (large cats) shall be no less than thirty (30) x forty (40) feet comprised of nine (9) gauge chain-linked fence, which fence is to be ten (10) feet high with an additional three (3) feet on an angle to a height of twelve (12) feet. The top of the enclosure must be enclosed and shall be comprised of nine (9) gauge chain-linked fence with the required trusses. Main corner posts are to be three (3) inch metal posts. There will be additional cross posts placed horizontally at three (3) feet and six (6) feet from the bottom of the fence. The bottom of the enclosure shall be anchored securely to the ground every two (2) feet. Four inch reinforced mesh shall be attached to the bottom of the enclosure and shall extend no less than three (3) feet into the enclosure and weighted down by rocks. Such enclosures shall provide an additional secured area attached to the main enclosure for the Felids when the enclosure is being cleaned. The access to the whole enclosure shall be through a double door entry system.
2. There is to be a second chain link fence six (6) feet out from the enclosure and at least four (4) feet high. Danger signs must be posted on the outer fence and visible to the public.

**SCHEDULE "D"**

**TO BY-LAW 4086/81/01**

**LICENCE FEES**

The licence fee is not an annual fee.

Fee are to be paid by the owner for licence, inspection, registration and identification of the animal(s) to the City Clerk.

For animals listed on Schedule D- prohibited or dangerous animals having defined enclosure specifications, the licence shall include the notation ENC.

- Payment of the required fees and compliance with any changes to enclosures as required by the City must be verified prior to the issuance of a licence.

	<b>FEE</b>
■ For the first animal of each species	\$20.00
■ For the second and third animal of each species	\$2.00
■ For each species the aggregate of which exceed three in number	\$1.00
Maximum Licencing fee*	\$5,000.00 in total

(\*regardless of the number of animals, animal species or sub-species held in a single location)



**SCHEDULE "E"**

**TO BY-LAW 4086/81/01**

**DOMESTICATED ANIMALS**

No registration under this by-law is required for these animals.

1. All tropical fish, marine fish and goldfish.
2. All hamsters, gerbils, guinea pigs, domestic rats, mice and rabbits.
3. All domestic parakeets, cockatiels, canaries, finches, lovebirds, parrots and macaws.
4. All non venomous lizards and turtles and snakes (excluding any listed on Schedule C - Restricted animals and Schedule D - prohibited or dangerous animals).
5. Dogs (licenced and regulated under by-law 2876/55/93, as may be amended from time to time)
6. Cats
7. Any other animal specifically exempted in any Schedule of this by-law.

Note: If an animal is not on this list, then provided it is not included in Schedule B of this by-law; it can only be kept within the City if it is first identified to the Clerk by the owner pursuant to Section 12 of this by-law.

**SCHEDULE "F"**

**TO BY-LAW 4086/81/01**

**FARM ANIMALS**

The following animals are permitted on lands zoned Agricultural within the City and are not subject to the licensing and registration requirements of this by-law.

<b>CLASS OF ANIMAL</b>	<b>COMMON NAMES</b> Set out in this column are <u>some</u> of the names of animals included in the classes of animals referred to in this schedule. The common names are provided for illustration purposes only and are not intended to limit the extent of the classes of animals referred to.
Anatids	ducks, swan
Anserins	goose
Domestic goat, sheep, pig, cattle, deer	
Gallus Domesticus	chicken, pheasant, turkey
Mustelids, except domestic ferrits	including chincilla and mink
Horse, mule, ass	
Ratites	cassawaries, emus, kiwis, ostriches, rheas
Domestic dogs	
Domestic cats	

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**SECTION:** Farm Animal Policy and Procedure  
**SUBJECT:** Keeping of Animals By-law, Temporary Exemption from the Provisions of By-law 4086/81/01.

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**PURPOSE:** The purpose of this policy and procedure is to establish consistent guidelines when residents wish to house farm animals on property that is zoned other than Agricultural within the City of Port Colborne.

**SCOPE:** The City Of Port Colborne Keeping of Animals By-law 4086/81/01.

**POLICY STATEMENT** The Keeping of Animals By-law provides for prohibiting and regulating animals within the City of Port Colborne

. The By-law addresses concerns such as:

- ◆ Care of Animals
- ◆ Prohibited or Dangerous Animals
- ◆ Domesticated and Farm Animals
- ◆ Seizing, Impounding and Sale or Killing of Animals
- ◆ Registration and Licensing of Animals

**PROCEDURE:** The following conditions and caveats must apply in respect of an application to Council to amend by-law number 4086/81/01 on a temporary basis, to permit the keeping of certain animals generally excluded in non-agricultural lands and includes a list of rules that must be adhered to if any owner of a property wishes to house farm animals on property not zoned Agricultural.

- ◆ Minimum lot size 1 acre or 0.39 ha
- ◆ Only an owner of a property can apply for this exemption.
- ◆ Only the animals listed in Schedule “F” of the Keeping of Animals By-law 4086/81/01 as amended qualifies for an exemption under this policy.
- ◆ All costs associated with an application and subsequent temporary exemption from by-law 4086/81/01 are the sole responsibility of the owner of the property and the owner shall enter into an agreement with the City that any and all costs incurred by the city shall be paid forthwith by the owner to the City and failing the payment of any costs, the amount unpaid shall be added to the tax roll and be collected as taxes. The following is a list of the types of costs to be paid by the owner as a condition of an exemption to by-law 4086/81/01:
  - ◆ costs incurred for legal fees, both those of the owner and all legal fees incurred by the City,
  - ◆ cost for production of and registration of easements or agreements,
  - ◆ costs incurred for subsequent removal and disposal of animals by the owner or by the City or its agents,

- ◆ fencing, screening or similar appurtenances despite the provisions of the Line Fences Act,
  - ◆ special features or facilities required as identified during the application stage to qualify for the temporary keeping of animals and exemption from the stated by-law, and
  - ◆ any incidentals or additional costs required by the City in order that the owner may have the privilege of having an exemption to the said by-law.
- ◆ The owner of the property must provide original written approvals of the application to the City, in wording described below, from all neighbours (both owners and tenants if not owner occupied) within 500 feet (152 metres) of the boundary of the applicant's property or lot lines. Written approval must include the date, neighbour's name (owner and tenant as the case may be), mailing address, telephone number and signatures. Wording to be agreed to by both owners and tenants, if tenant occupied:
- "I (insert names of the owners here) do hereby notify the City of Port Colborne, that I (we) are not opposed to the amendment of City By-law 4086/81/01 to permit (insert the name of the applicant) to keep the following farm animals: (list type/kind of animal including any names, markings or other identifiable features including photo(s) of the animal(s)) on their property located at (insert applicant's municipal address here) and further I grant this consent with the knowledge that I may withdraw such consent for any reason whatsoever and at any time by filing notice with the City of Port Colborne delivered to its corporate office at 66 Charlotte Street, Port Colborne, L3K 3C8."
- ◆ In the event an owner of land within 500 feet of the subject property sells the property, the applicant for exemption must obtain a new and revised letter of approval from the new owner/tenant and file same with the City.
  - ◆ The owner must provide complete and thorough details of the animal(s) which are the subject of the temporary exemption including name, photos, breed, sex, and any identifying marks or tattoos that would identify the animal from another.
  - ◆ Animals for consumption (resale) transfer/storage for or on behalf of any other person do not qualify for exemption from by-law number 4086/81/01. The intention of this policy is to temporarily provide for an exemption from the prohibition as set out in Schedule "F" to by-law 4086/81/01 for farm animals that the owner/applicant considers as pet(s).
  - ◆ For the purposes of this policy a copy of Schedule "F" to By-law 4086/81/01 is attached to this policy to specifically identify the types of animals that may be temporarily exempted from the by-law. Schedule "F" to By-law 4086/81/01 may be amended from time to time and shall be deemed to form part of this policy for illustrative purposes in a revised or amended form.

**AGREEMENT:**

An agreement between the owner/applicant and the City of Port Colborne is condition precedent to an amendment to the by-law 4086/81/01. The following minimum provisions must be included in an agreement:

- ◆ The owner must provide for unrestricted access to the City or its agents and accordingly will register on title an easement in favour of the City to access the property at any time. A copy of the registered/deposited easement shall be attached to the agreement and shall remain in force as long as the exemption to by-law 4086/81/01 remains in force.
- ◆ The agreement shall provide that the owner grants irrevocable permission to the City or its agents authorizing the City or its agents complete and unfettered access at any time to enter onto the property for the purpose of inspecting or removing the farm animals identified in this agreement.
- ◆ The owner must irrevocable indemnify the City or its agents from any damage or injury whatsoever claimed against the city or its agents in the exercise of any action arising from the application of this policy including the disposal of any animals, the cost of which is agreed that if unpaid by the owner will be added to the property taxes and collected as taxes.
- ◆ The agreement must provide that once the permitted animals as described in the application and exempted from by-law 4086/81/01 are deceased or cease for any reason whatsoever from remaining on the property, that the City be notified and the exemption to by-law 4086/81/01 will be revoked, and the owner/applicant may prepare appropriate documentation for the city's consideration to release the easement and cancel the agreement under this policy.
- ◆ On written notice mailed/served by the City on the owner/applicant based on the removal or withdrawal of any one or more letters of consent originally granted by any person within 500 feet (152 metres) of the boundary of the owner/applicant's property or lot lines in accordance with this policy, the owner/applicant shall within sixty (60) days remove the animals exempted from the provisions of by-law 4086/81/01
- ◆ In lieu of a letter of credit the owner must provide that any and all costs incurred by the City must be paid within 30days of notice from the city failing which the amount shall be added to the tax roll and collected as taxes.
- ◆ Annually, the owner/applicant shall supply a report on the condition and health of the animal(s) exempted from by-law 4086/81/01 or sooner should the condition of the animals change or should the animal(s) die or be removed from the property.

**THE CORPORATION OF THE CITY OF PORT COLBORNE**

**BY-LAW NO. 4620/2/05**

**BEING A BY-LAW TO AMEND BY-LAW 4086/81/01  
A BY-LAW RESPECTING THE KEEPING OF ANIMALS**

**WHEREAS** the Council of the Corporation of the City of Port Colborne enacted By-law 4086/81/01, A By-law Respecting the Keeping of Animals, on the 25th day of June 2001.

**AND WHEREAS** by adoption of Department of Community and Corporate Services, Clerk's Division, Director's Report No. 2004-45 on December 13, 2004, the Council of the Corporation of the City of Port Colborne approved an amendment to By-law 4086/81/01 to remove the fennec fox from the schedule of "prohibited or dangerous animals" and to add it to the schedule of "restricted animals" so as to allow the keeping of the fennec fox within the City of Port Colborne;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE ENACTS AS FOLLOWS:**

1. That Schedule "B" to By-law 4086/81/01 "Prohibited or Dangerous Animals" be amended by deleting therefrom the following: "5. Canids, except the domestic dog." and substituting therefor the following "5. Canids, except the domestic dog and the fennec fox."
2. That Schedule "A" to By-law 4086/81/01 "Restricted Animals" be amended by adding thereto the following: "6. All fennec foxes."
3. That this by-law shall come into force and take effect on the date of final passing.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 10<sup>TH</sup> DAY OF JANUARY, 2005.**



Ronald Bodner  
MAYOR



Janet Beckett  
CLERK



**Department: Planning and Development**

**Report Number: 2014-69**

**Date: November 10, 2014**

**SUBJECT: Request for Keeping of Chickens within the Urban Area**

**1) PURPOSE:**

The purpose of the report is in response to Council's August 11<sup>th</sup> direction regarding the keeping of chickens within the Urban Area in response to an email from Matthew Sorge and Leslie Butt.

**2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES**

On August 11, 2014, Council received the following email correspondence from Matthew Sorge and Leslie Butt:

To Whom It Mat Concern:

Hello, my name is Matthew Sorge and I live at 231 Charlotte Street, Port Colborne. We have been visited by the By-Law Officer with regards to our 4 chickens on our property. We have emailed both of our Ward Councillors (Bill Steele and Dave Elliott) with regards to this visit and request to have our chickens removed from our property.

My wife and I are willing to abide to the By-Law Officers request, but we would like to start the process of trying to amend the by-law that states that we cannot have chickens within the city limits. What steps should we take to amend this by-law? I am aware that Niagara Falls allows up to 10 chickens and Brampton allows up to 5. Both cities are far larger in mass and population, but have changed with the times much more progressively than Port Colborne, a town of 19,000 people and of which is surrounded by farm land.

Please let me know the steps to start the process of amending the by-law.

Thank you in advance,

Matthew Sorge & Leslie Butt

On August 11, 2014, Council also received a memorandum from Shannon Larocque, Planner, regarding chickens in the Urban Area and referred the matter to the Director of Planning and Development for a report.

**3) STAFF COMMENTS AND DISCUSSIONS**

The matter was brought forward to Council as a result of a complaint and resulting action from By-law Enforcement for compliance.

As Council is aware from Mrs. Larocque's memo (attached as Appendix C), keeping of chickens in the Urban Area is not permitted as per the Zoning By-law. In 2010, Council

did put in place a policy to allow farm animals on property not zoned agricultural in the Keeping of Animals' By-law provided many factors are complied with and did so to allow a horse and pony on Killaly Street East property (within the Urban Area) following application for a Minor Variance to the Committee of Adjustment.

The policy contains several requirements to be met (outlined in Appendix C). Some requirements are that a property needs to be a minimum of one acre in size, to have approval of all property owners within 500', an agreement, documentation of animals being kept and provisions on covering costs associated with keeping the animals.

Urban farming has become a bit of a trend in people wanting to produce and eat their own food on their own property. Backyard chickens in urban areas has been at the forefront along with community gardens. There have been lobbying groups formed pushing for backyard chickens approval. Upon research, municipalities across North America are split on keeping backyard chickens in the Urban Area. Some have allowed them with specific provisions to be met and others are not in favour of them for various reasons when debating the matter. Locally, the City of Niagara Falls allows them subject to provisions while the City of St. Catharines decided not to allow them at all.

In discussions with the City of Niagara Falls, they have stated allowing them was related to the fact they have a large immigrant population that live there and a number had kept chickens in their backyards. Their approved 2002 By-law allows a maximum of 10 chickens subject to setback requirements and it prohibits roosters. They indicate that the provisions have worked and generally receive one complaint a year, more so inquiring if their neighbour is allowed to keep chickens. The Niagara Falls By-law for backyard chickens is attached as Appendix A.

On the other hand, information from the City of St. Catharines and their decision not to allow them in 2011 were based on rat/rodent infestations, fly breeding ground due to improper disposal of chicken droppings and odour complaints, the fact that chicken waste was not acceptable for residential garbage collection and enforcement resources to handle complaints. St. Catharines also cited concerns from Niagara Region Public Health with the transmission of bird diseases such as Histoplasmosis, Cryptococcus and Cryptosporidia, transmission of Avian influenza and West Nile virus, transmission of enteric bacteria, such as E.coli and Salmonella.

Proponents however raise that backyard chickens kept properly and looked after do not pose any health or nuisance concerns and are an affordable choice for food. Others also say that permitted household pets such as a dog create far more nuisance related complaints.

Vancouver for example allows only 4 egg laying hens while Buffalo, New York allows 5 and Brampton 10. One thing that seems consistent with municipalities that allow them are setback provisions, minimum lot size and enclosure requirements, rooster and slaughter prohibition, owner registration, and some are required to pay a licensing fee. Toronto, Halifax and Ottawa are some that have banned them citing the same reasons generally as St. Catharines. The City of Edmonton is currently doing a pilot project on keeping of backyard chickens before they take a final position on them. The Egg Farmers Association of Ontario provided an information sheet to the Mayor's Office regarding the concerns of raising backyard hens in urban environments (See Appendix B).



In recent months, upon complaints received, By-law Enforcement has had to deal with chickens and a rooster running at large and crowing within Ward 3. Multiple complaints were related to noise and property damage. The matter required assistance from the Welland Humane Society for their capture. If Council directs a change to allow backyard chickens with conditions, By-law Enforcement time and resources will be increased to react accordingly for inspections and compliance.

The keeping of chickens in the City is defined as an agricultural use and permitted in the agricultural/rural area in the Zoning By-law. Depending on the size of the structure and number of chickens kept would be subject to setback requirements through Minimum Distance Separation (MDS) calculations. Presumably, structures that would house chickens for personal use would not be subject to MDS due to their limited sizes. Some municipalities that have allowed them have properly amended their zoning by-law in order to do so. Of note, and surprisingly, Niagara Falls staff were unsure when the by-law was created if zoning was taken into consideration as it is silent on the matter.

People that choose to live in agricultural/rural areas expect farming practices to be allowed and raising of chickens, sheep, horses or any other livestock is common practice. Introducing agricultural uses into urban residential areas create compatibility issues and why the two don't mix and are not presently allowed.

Those that choose to live in urban neighbourhoods do not expect agricultural type uses would be next door and create possible nuisances. Rhetorically, if chickens are allowed, why not a lamb for wool or rabbit farming for eating? In my opinion, if people would like to raise chickens for producing eggs, they have the option of moving to the rural/agricultural areas of the City to do so where they would be able to comply with City By-laws. Some municipalities that have allowed them are not afforded with agricultural lands as Port Colborne has while some municipalities that have do in fact have agricultural lands (Guelph). As evident, keeping of backyard chickens is split politically across North America.

Land use planning is in place to avoid conflicts and provide compatibility in any area. While allowing backyard chickens may create a convenient and efficient environment for some, others may find such as being unattractive, unhealthy and an inconvenience due to the issues that may arise with their location in a residential neighbourhood.

#### **4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

##### **a) Do nothing.**

This report is for information purposes and doing such would continue to not allow backyard chickens in the urban area.

#### **Other Options**

Option 1 - Council can direct that an amendment to the Keeping of Animals By-law or a change in the Farm Animal Policy and Procedure be made that would allow backyard chickens and put in place whatever controls they would like. If Council does directs so, a Zoning By-law amendment is required that would allow chickens in the urban area and a public meeting would be held that would gauge the public's interest on the matter

before any changes are made. If Council directs a change, then a subsequent report can be brought forward with control option provisions similar to municipalities that have permitted them.

Option 2 - Council can direct changes to the Keeping of Animals By-law, and depending on what requirements are put in place, require a successful minor variance application and all property owners within 60m would be notified and can voice their support or objection for consideration by the Committee of Adjustment. The property owner would also be required to meet all other requirements in the Farm Animal Policy and Procedure for whatever they may be. If Council directs a change, then a subsequent report can be brought forward with control option provisions similar to municipalities that have permitted them.

## 5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

N/A

## 6) ATTACHMENTS

Appendix A – City of Niagara Falls By-law on keeping of backyard chickens  
Appendix B – Information Sheet from the Egg Farmers of Ontario  
Appendix C – Memo from Mrs. Shannon Larocque with the City's Farm Animal Policy and Procedure.

## 7) RECOMMENDATION

1. **That Council receives this report for information purposes and that no further action be taken.**

Prepared on October 21, 2014 by:

Reviewed and Respectfully Submitted:



Dan Aquilina, MCIP, RPP, CPT  
Director of Planning and Development



Robert J. Heil  
Chief Administrative Officer

## **APPENDIX A – City of Niagara Falls Backyard Chicken By-law**

### **SCHEDULE “C” CHICKENS**

1. In this Schedule: "being at large" means to be found in any place other than the property of the owner of the chicken and "be at large" has a corresponding meaning.
2. No owner shall allow or permit his or her chicken to be at large.
3. No person shall keep a rooster are not permitted within the Urban Boundary.
4. The total number of chickens permitted within the Urban Boundary shall be as follows;
  - (a) On and after July 15, 2002: maximum 20 chickens
  - (b) On and after July 15, 2005: maximum 10 chickens
5. All chicken coops shall be located only in the rear yard and must fully enclose the chickens and prevent them from escaping.
6. The chicken coop shall be designed and constructed to ensure proper ventilation and sufficient space for the chickens and maintained in accordance with good animal husbandry practices and shall keep all vermin out.
7. All dead chickens must be disposed of immediately and in any event, within 24 hours.
8. There must be hygienic storage of and prompt removal of chicken feces.
9. The chicken's food supply must be protected against vermin.
10. All lots housing chickens must have:
  - (1) detached dwellings on them;
  - (2) a frontage of at least 40 feet; and,
  - (3) a depth of at least 100 feet.
11.
  - (1) The chicken coop shall be located at least 25 feet from the rear lot line of the lot on which the chicken coop is located.
  - (2) The chicken coop shall be located at least 15 feet from any side lot line of the lot on which the chicken coop is located.

Urban Egg Farmer:

# Top Ten List of Chores

There has been a growing interest in raising egg-laying hens in urban environments. Properly taking care of chickens requires some physical adaptations to a typical backyard, a daily time commitment to caring for the flock, a lot of preparation, and a great deal of expertise. If you are considering having a backyard flock of your own, here is an example of a chore list you should expect.

1. Chicken feed must be purchased from a specialized supplier. Pet food stores are not known to carry the feed hens need.
2. To be comfortable, hens need shade for hot days and a shelter with a heat source for cold days.
3. Be sure to lock up the chickens at night to keep them safe from skunks, rats, raccoons and neighbourhood pets who will prey on the hens and eat their feed.
4. Failing to provide fresh water and feed, a clean environment and proper lighting every day, can lead to hen infections, illness and poor production.
5. Eggs shells are porous and can absorb harmful bacteria if not handled properly.
6. Educate yourself on the warning signs that indicate a hen is ill. Hens require vaccinations and health care from a qualified veterinarian.
7. It is not appropriate to compost chicken manure due to the high level of minerals (especially phosphorus) in the manure, which can stop the composting process in typical backyard composters. Develop a plan for how to dispose of your chicken manure.
8. All livestock, including chickens, can be carriers of diseases which can be transmitted to humans who are in close contact with them including children. It is important to learn how to handle and care for hens without accidentally exposing yourself to an animal disease such as Avian Influenza, Salmonella or Campylobacter.
9. Hens can live to be 7 to 10 years old. An older hen needs to take a break from egg production periodically. Going out of production is termed "molting." It occurs naturally and is necessary for old hens to remain healthy.
10. Any area where animals live will become increasingly contaminated the longer animals are housed there. Plan to have 'down time' when no poultry live in the yard, which will give you a chance to decontaminate the area, and break the life cycle of the bacteria, intestinal roundworms and viruses.

## DID YOU KNOW:

- ▶ A hen excretes approximately 2 lbs of manure per week.
- ▶ A hen may appear healthy, but can be laying eggs to the detriment of their own health if not properly cared for.
- ▶ Laying hens need feed that is especially high in protein and calcium. The high calcium level that a hen needs in her diet would be toxic to household pets such as cats and dogs.

Being an Urban Egg Farmer can be a rewarding experience and a great source of pride. However, failing to do these daily chores can severely compromise hen health, hen welfare, egg quality, and consequently, human and environmental health.

**MEMORANDUM**

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**TO: City Council**

**FROM: Shannon Larocque, Planner**

**DATE: August 1, 2014**

**RE: Chickens in the Urban Area**

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At the request of the Chief Administrative Officer, this memo outlines the current restrictions relating to keeping chickens within the City's urban area.

According to the City of Port Colborne Zoning By-law 1150/97/81, as amended, the keeping of livestock is considered an agricultural use and is only permitted in an A (Agricultural) or RU (Rural) zone.

According to Section 31 of Zoning By-law 1150/97/81, as amended:

*"Livestock means farm animals including, but not so as to limit the generality of the foregoing, dairy and beef cattle, horses, swine, sheep, poultry, goats, fowl, mink, rabbits, fur bearing animals."*

and:

*"Agricultural use means a use of land, building or structure for the purpose of animal husbandry, keeping of livestock, bee-keeping, dairying, fallow, field crops, forestry, fruit farming, horticulture, market gardening, pasturage, nursery, poultry-keeping, farm greenhouses or any other farming use, and includes the growing, raising, packing, treating, storing and sale of produce and other similar uses customarily carried on in the field of general agriculture and which are not obnoxious."*

In addition to the restrictions in the Zoning By-law, Council also adopted Keeping of Animals By-law 4086/81/01 which regulates animals in the City of Port Colborne. Under this By-law, the City has established a policy to be followed for keeping farm animals on property zoned other than A – Agricultural (attached). The policy requires an application be made to the City to enter in to an agreement to permit farm animals on non-agricultural properties, notification and obtaining permission of neighbours, documentation of animals being kept on property and includes provisions on covering costs associated with keeping the animals.

A quick internet search indicates that municipalities have taken different approaches when addressing the issue of chickens within their urban areas. Toronto and Halifax have banned them while Vancouver, Victoria, London, Waterloo, Guelph and Niagara Falls have permitted them with restrictions.

Sincerely,

A handwritten signature in black ink that reads "S. Larocque". The signature is written in a cursive style with a large, stylized initial "S".

Shannon Larocque, RPP, MCIP  
Planner

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**SECTION:** Farm Animal Policy and Procedure  
**SUBJECT:** Keeping of Animals By-law, Temporary Exemption from the Provisions of By-law 4086/81/01.

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**PURPOSE:** The purpose of this policy and procedure is to establish consistent guidelines when residents wish to house farm animals on property that is zoned other than Agricultural within the City of Port Colborne.

**SCOPE:** The City Of Port Colborne Keeping of Animals By-law 4086/81/01.

**POLICY STATEMENT**

The Keeping of Animals By-law provides for prohibiting and regulating animals within the City of Port Colborne

. The By-law addresses concerns such as:

- ◆ Care of Animals
- ◆ Prohibited or Dangerous Animals
- ◆ Domesticated and Farm Animals
- ◆ Seizing, Impounding and Sale or Killing of Animals
- ◆ Registration and Licensing of Animals

**PROCEDURE:**

The following conditions and caveats must apply in respect of an application to Council to amend by-law number 4086/81/01 on a temporary basis, to permit the keeping of certain animals generally excluded in non-agricultural lands and includes a list of rules that must be adhered to if any owner of a property wishes to house farm animals on property not zoned Agricultural.

- ◆ Minimum lot size 1 acre or 0.39 ha
- ◆ Only an owner of a property can apply for this exemption.
- ◆ Only the animals listed in Schedule "F" of the Keeping of Animals By-law 4086/81/01 as amended qualifies for an exemption under this policy.
- ◆ All costs associated with an application and subsequent temporary exemption from by-law 4086/81/01 are the sole responsibility of the owner of the property and the owner shall enter into an agreement with the City that any and all costs incurred by the city shall be paid forthwith by the owner to the City and failing the payment of any costs, the amount unpaid shall be added to the tax roll and be collected as taxes. The following is a list of the types of costs to be paid by the owner as a condition of an exemption to by-law 4086/81/01:
  - ◆ costs incurred for legal fees, both those of the owner and all legal fees incurred by the City,
  - ◆ cost for production of and registration of easements or agreements,
  - ◆ costs incurred for subsequent removal and disposal of animals by the owner or by the City or its agents,

- ◆ fencing, screening or similar appurtenances despite the provisions of the Line Fences Act,
- ◆ special features or facilities required as identified during the application stage to qualify for the temporary keeping of animals and exemption from the stated by-law, and
- ◆ any incidentals or additional costs required by the City in order that the owner may have the privilege of having an exemption to the said by-law.
- ◆ The owner of the property must provide original written approvals of the application to the City, in wording described below, from all neighbours (both owners and tenants if not owner occupied) within 500 feet (152 metres) of the boundary of the applicant's property or lot lines. Written approval must include the date, neighbour's name (owner and tenant as the case may be), mailing address, telephone number and signatures. Wording to be agreed to by both owners and tenants, if tenant occupied:
 

"I (insert names of the owners here) do hereby notify the City of Port Colborne, that I (we) are not opposed to the amendment of City By-law 4086/81/01 to permit (insert the name of the applicant) to keep the following farm animals: (list type/kind of animal including any names, markings or other identifiable features including photo(s) of the animal(s)) on their property located at (insert applicant's municipal address here) and further I grant this consent with the knowledge that I may withdraw such consent for any reason whatsoever and at any time by filing notice with the City of Port Colborne delivered to its corporate office at 66 Charlotte Street, Port Colborne, L3K 3C8."
- ◆ In the event an owner of land within 500 feet of the subject property sells the property, the applicant for exemption must obtain a new and revised letter of approval from the new owner/tenant and file same with the City.
- ◆ The owner must provide complete and thorough details of the animal(s) which are the subject of the temporary exemption including name, photos, breed, sex, and any identifying marks or tattoos that would identify the animal from another.
- ◆ Animals for consumption (resale) transfer/storage for or on behalf of any other person do not qualify for exemption from by-law number 4086/81/01. The intention of this policy is to temporarily provide for an exemption from the prohibition as set out in Schedule "F" to by-law 4086/81/01 for farm animals that the owner/applicant considers as pet(s).
- ◆ For the purposes of this policy a copy of Schedule "F" to By-law 4086/81/01 is attached to this policy to specifically identify the types of animals that may be temporarily exempted from the by-law. Schedule "F" to By-law 4086/81/01 may be amended from time to time and shall be deemed to form part of this policy for illustrative purposes in a revised or amended form.



**AGREEMENT:**

An agreement between the owner/applicant and the City of Port Colborne is condition precedent to an amendment to the by-law 4086/81/01. The following minimum provisions must be included in an agreement:

- ◆ The owner must provide for unrestricted access to the City or its agents and accordingly will register on title an easement in favour of the City to access the property at any time. A copy of the registered/deposited easement shall be attached to the agreement and shall remain in force as long as the exemption to by-law 4086/81/01 remains in force.
  - ◆ The agreement shall provide that the owner grants irrevocable permission to the City or its agents authorizing the City or its agents complete and unfettered access at any time to enter onto the property for the purpose of inspecting or removing the farm animals identified in this agreement.
  - ◆ The owner must irrevocable indemnify the City or its agents from any damage or injury whatsoever claimed against the city or its agents in the exercise of any action arising from the application of this policy including the disposal of any animals, the cost of which is agreed that if unpaid by the owner will be added to the property taxes and collected as taxes.
  - ◆ The agreement must provide that once the permitted animals as described in the application and exempted from by-law 4086/81/01 are deceased or cease for any reason whatsoever from remaining on the property, that the City be notified and the exemption to by-law 4086/81/01 will be revoked, and the owner/applicant may prepare appropriate documentation for the city's consideration to release the easement and cancel the agreement under this policy.
  - ◆ On written notice mailed/served by the City on the owner/applicant based on the removal or withdrawal of any one or more letters of consent originally granted by any person within 500 feet (152 metres) of the boundary of the owner/applicant's property or lot lines in accordance with this policy, the owner/applicant shall within sixty (60) days remove the animals exempted from the provisions of by-law 4086/81/01
  - ◆ In lieu of a letter of credit the owner must provide that any and all costs incurred by the City must be paid within 30days of notice from the city failing which the amount shall be added to the tax roll and collected as taxes.
  - ◆ Annually, the owner/applicant shall supply a report on the condition and health of the animal(s) exempted from by-law 4086/81/01 or sooner should the condition of the animals change or should the animal(s) die or be removed from the property.
-

# Backyard Chickens

Certain municipalities have specific by-laws limiting the number of chickens homeowners can have on their property. There may also be rules on chicken coop construction, location, disposal of dead chickens and storage of feed.

Contact your city / town to find out what by-laws may be in place where you live.

## Public health recommendations

To reduce the risk of human infection related to backyard chickens, owners should:

- Wash hands after handling birds
- Wear dedicated shoes, gloves and clothing for cleaning the coops
- Provide appropriate housing for the flock; make sure it's easy to clean, secure from predators and other animals, has adequate space per bird and adequate ventilation
- Remove manure, bedding and feed regularly to reduce bacterial growth, flies, and a food source for rodents
- Get veterinary help when birds are ill or there's clusters of bird deaths
- Store poultry food in rodent-proof containers
- Not bring poultry inside of the house
- Compost poultry manure properly before using as fertilizer
- Dispose of dead birds promptly and not slaughter poultry in the home
- Clean and sanitize equipment often
- Refrain from kissing and snuggling live poultry, and not touching one's mouth, eating or drinking around the chickens

## Resources

- [Evidence brief - Reducing health risks associated with backyard chickens](#)

## EVIDENCE BRIEF

# Reducing Health Risks Associated with Backyard Chickens



2<sup>nd</sup> Edition: September 2023

## Key Messages

- Backyard chickens can be found in rural and urban residences in Ontario and elsewhere.
- Backyard chicken owners' awareness of illness risks such as salmonellosis, and biosecurity measures is limited.
- Human illnesses and outbreaks have been linked to exposure to backyard chickens.
- Backyard chicken owners can reduce their risk of illness through a variety of measures such as:
  - hand washing before and after handling chickens, feeding them, and cleaning chicken coops
  - wearing dedicated clothing and shoes to avoid cross-contamination
  - refraining from kissing and snuggling live chicken
  - maintaining cleanliness of the premises (e.g. sanitizing equipment, removing wet manure)
  - preventing contact between backyard chickens and wild birds/animals
  - reporting illnesses in chicken flocks and seeking veterinarian expertise

## Issue and Research Question

Chickens kept on residential property are commonly referred to as backyard chickens. Smith et al. define backyard chickens as domestic gallinaceous birds, excluding exotic pet birds, housed in urban, suburban or rural settings.<sup>1</sup>

Keeping backyard chickens in rural or urban residences is not a new concept. Early poultry production in the United States (US) in the 1800s usually consisted of backyard poultry.<sup>2</sup> Today, backyard chicken owners may also develop emotional attachments to their flocks, viewing them as pets and practicing closer contact in some cases.<sup>3</sup> A 2013 report from the United States Department of Agriculture (USDA) found a growing interest in ownership of backyard chickens in several US cities.<sup>4</sup> An issue brief from the University of Minnesota also reported that the number of households keeping chickens in urban backyards in the US appears to be increasing.<sup>3</sup>

Ontario public health units and Public Health Ontario (PHO) have received inquiries about health risks associated with backyard chickens. In addition, a report by Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) indicates that poultry is a popular choice for urban producers who want to raise livestock in Ontario.<sup>5</sup> Services to rent backyard chickens for private homes and long-term care homes are also available in Ontario.<sup>6</sup> If this is indeed a trend, concerns about backyard chickens as sources of zoonotic diseases to humans may also increase,<sup>7</sup> as well as the need for risk reduction strategies.

This Evidence Brief updates a previous review done in 2017 and focuses on the following questions:

- Are backyard chicken owners aware of the risk of infectious disease transmission from their flocks?
- What illnesses and outbreaks are associated with exposure to backyard chickens?
- What behaviours can increase the risk of illness from exposure to backyard chickens?
- What biosecurity measures can reduce the risk of human illness and outbreaks?

This Evidence Brief addresses questions regarding health risks from backyard chickens and ways to reduce those risks. It does not include noise, odour and the possible benefits of raising backyard chickens, which may be considerations for policy.

## Methods

For the 2017 review, a literature search was conducted by PHO Library Services using MEDLINE, Embase, Academic Search Premier, Food Science Source and Scopus databases. The search was limited to literature published in English from 1946 to July 3, 2017. Search terms included: urban chicken, backyard chicken, domestic chicken, transmission, monitoring, infections, illness, outbreak, disease, biosecurity, knowledge, practice, attitude, and risk. The search yielded 1635 citations after duplicate records were removed. Titles and abstracts were screened for relevance. Additional information was identified through cited reference searching of full-text articles and through an external reviewer.

A grey literature search was also performed using Google on July 5, 2017, and the first 100 results were reviewed. Search terms included backyard chicken OR backyard poultry OR urban chicken OR backyard hen OR neighborhood poultry OR hobby hen OR hobby chickens OR household poultry. Papers were selected if they identified illnesses or outbreaks associated with exposure to backyard chicken, backyard chicken owners' awareness of health risks and risk reduction measures.

In February 2023, an updated literature search was conducted by PHO Library Services to identify new evidence on the search terms listed above, including highly pathogenic avian influenza (HPAI) and other pathogens in backyard chickens and small poultry flocks. Environment Complete was searched in addition to the same databases above. The search was limited to literature published in English from 2017 to February 2023. The search yielded 699 citations after duplicate records were removed. Titles and abstracts were screened for relevance to HPAI and other pathogens in backyard chickens/poultry or small non-commercial flocks, human cases from exposure to backyard chickens/poultry or small non-commercial flocks, and biosecurity measures. A grey literature search was also performed using a custom Google search in March 2023, and the first 50 results were reviewed.

A total of 66 records are included in this report. A detailed search strategy is available upon request.

## Main Findings

### Owners Have Limited Awareness of the Human Risk of Infectious Disease Transmission from Backyard Chickens

In general, studies have found limited awareness of the association between infectious disease risk and live poultry contact, as well as a lack of biosecurity measures among flock owners.<sup>8-14</sup> New backyard chicken owners in Ontario may not be aware of these risks as information on enteric illnesses are not typically provided at point of selling in Ontario.<sup>6</sup> This search identified a number of US and international based studies; the following highlights provide details:

- US based studies have found:
  - Inconsistent or minimal biosecurity practices. For example, a cross-sectional study of Colorado backyard chicken owners (n=317) found minimal biosecurity measures and high human contact with flocks. About 79% of individuals surveyed did not change into separate clothes before contact with chickens and about 95% did not report disinfecting or scrubbing their flock shoes before and/or after contact.<sup>1</sup> Another survey of 41 backyard flock owners in Maryland concluded that biosecurity practices were highly variable among flock owners.<sup>7</sup>
  - Variable awareness of the connection between salmonellosis and poultry,<sup>9,13,15</sup> with one study finding that those who completed the survey in English (versus Spanish), sold or gave away eggs, and/or kept chickens for educational purposes for their children were more aware of the association between salmonellosis and poultry.<sup>9</sup>
  - One study showed a discordance between biosecurity measures stated to be used by backyard chicken owners versus what they actually practiced.<sup>13</sup>

Studies based in Europe (Finland, United Kingdom) have similarly found low awareness of the link between backyard chickens and human illness, and limited application of biosecurity measures.<sup>11,12</sup>

### Illnesses and Outbreaks Associated with Exposure to Backyard Chickens Have Been Reported

Infectious disease transmission is a known human health risk associated with backyard chickens. Salmonellosis and campylobacteriosis are the most frequent infections reported in relation to backyard chickens and live poultry exposure.<sup>3,13,16,17</sup> Poultry can carry *Salmonella* in their intestines or eggs without symptoms of illness, which can be transferred onto feathers and the surrounding environment.<sup>3</sup> Table 1 summarizes literature reviews of *Salmonella* outbreaks that were identified in our literature search.

**Table 1. Outbreaks of Salmonellosis Associated with Backyard Chickens, 1990 – 2023\***

Location	Year	Outbreaks (n)	Cases (n)	Details	Reference
US	1996 – 2012	45	>1581	Resulted in 221 hospitalizations, and five deaths.	Behravesh et al., 2014 <sup>16</sup>
US	1990 – 2014	45	2057	Literature review of publicly available data sources for human infectious disease outbreaks associated with backyard chicken exposure. Authors recommended manure management, proper slaughter and disposal, veterinary care, permitting and consumer education to reduce the infectious disease risk associated with backyard poultry ownership.	Tobin et al., 2015 <sup>18</sup>
US	1990 – 2014	53	2630	Literature review and search of multiple databases including PulseNet, the National Molecular Subtyping Network for Foodborne Disease Surveillance in the US, the Centers for Disease Control and Prevention’s (CDC) National Outbreak Reporting System. Keeping poultry inside households and kissing birds were some high risk practices reported.	Basler et al., 2016 <sup>8</sup>
US	2017	10	1120	In 2017, there were 10 separate multistate outbreaks. These outbreaks included cases from 28 states and the District of Columbia. They resulted in 249 hospitalizations and one death.	US, CDC <sup>19</sup>
US	2022	13	1230	In 2022, there were 13 separate multistate outbreaks. These outbreaks reported cases from 49 states, the District of Columbia, and Puerto Rico. Of 737 people interviewed, 59% had contact with backyard poultry prior to illness. Of 726 people with health outcome data available, there were 230 hospitalizations. Two deaths were reported (where data were available).	US, CDC <sup>20</sup>

\*The peer-reviewed studies reported in Table 1 are literature reviews and may include data from the same outbreaks.

Concerns about avian influenza have increased recently with the circulation in North America beginning in late 2021 of a genetic group of H5N1 avian influenza viruses, which are highly pathogenic to chickens and can be transmitted in rare cases to humans.<sup>21,22</sup> Currently, the likelihood of sustained human-to-human transmission of Influenza A(H5N1) remains low.<sup>23,24,25</sup> However, globally, human infections with both low and highly pathogenic avian influenza have been reported from exposure to backyard flocks. The following reports summarize transmission of various avian influenza subtypes to humans following exposure to poultry:

- From 2020 to December 21, 2022, the WHO reported six human infections of HPAI (H5N1, clade 2.3.4.4b) internationally, including one case from the US in 2020 in a worker culling poultry.<sup>25,26</sup>
- A recent World Health Organization (WHO) risk assessment reported three human cases of avian influenza (H5N1) from Cambodia (clade 2.3.2.1c) and China (clade 2.3.4.4b) and one case of avian influenza (H5N6) in China between January 27, 2023 to March 2, 2023.<sup>27,28</sup>
- Previous human outbreaks of HPAI (H5N1, clade 2.2.2) from backyard poultry were recorded in Vietnam in 2007 and Thailand from 2007 to 2010.<sup>29</sup> It was found that 96% of human exposure to HPAI during the outbreak in Vietnam was through backyard poultry.
- A study assessing transmission of low pathogenic avian influenza (LPAI) influenza A (H9N2) from birds to humans in the context of backyard poultry farms in Vietnam was conducted from 2013 – 2015.<sup>30</sup> There were at least five cases of asymptomatic human infections. The authors noted that two of the five human cases were from households that experienced respiratory illnesses that coincided with study timelines.
- In 2018, LPAI (H9N2) circulated on a farm in China, infecting backyard chickens, two humans, and a cat.<sup>31</sup> Reported symptoms among the two infected individuals included diarrhea, abdominal pain, and joint pain for one of the cases.
- According to the May 31, 2023 Public Health Agency of Canada’s emerging respiratory pathogen bulletin, nine cases of influenza A (H9N2) have been detected globally in 2023. However, no cases have been reported in Canada.<sup>24</sup>

A key concern is wild bird populations transmitting avian influenza to backyard flocks.<sup>32,33</sup> HPAI (H5N1) outbreaks in backyard flocks have been reported in the US and Canada (including southern Ontario) in 2022.<sup>22,34</sup> Owners can then potentially become infected through exposure to backyard flocks.

In addition to outbreaks and illnesses associated with backyard chickens, a number of studies have found pathogens in backyard chickens such as *Salmonella*<sup>17,35,36</sup>, *Listeria monocytogenes*<sup>37</sup>, *C. gallinacean* (a chlamydial species with zoonotic potential)<sup>39</sup>, and *T. infestans* (insect) infected with *T. cruzi* which can lead to Chagas disease<sup>40</sup>; as well as ectoparasites (lice, fleas, mites).<sup>38</sup> Moreover, antimicrobial resistance genes have been found in *E.coli* from backyard poultry feces.<sup>41</sup>

## Risk Reduction Measures may reduce the Risk of Zoonotic Infections in Humans

The above studies on human illnesses and outbreaks noted that human behaviour can increase the risk of infectious diseases and outbreaks. High risk behaviours include keeping poultry inside the house and having close contact such as holding or kissing poultry.<sup>3,8,18,34</sup> Additionally, *Salmonella* spp. can contaminate the environment and spread infection when poultry faeces is used as fertilizer.<sup>42</sup>

A recent study in Ontario showed that 8% of survey respondents with backyard chickens raised their chickens for meat.<sup>6</sup> Slaughtering infected birds, especially in household settings, was noted to be a likely risk factor for avian influenza by the WHO.<sup>43</sup> This risk was demonstrated by sampling air in a laboratory simulation of the process of slaughtering chicken, which found release of droplets (>4 µm) and aerosols (1-4 µm) and raised the possibility of transmission if nearby individuals are unprotected.<sup>44</sup>

Table 2 summarizes risk reduction (biosecurity) strategies backyard chicken owners may implement to reduce human infectious disease risk.

**Table 2. Biosecurity Measures for Backyard Flocks**

Biosecurity strategies	Biosecurity measures
Prevent contact with wild birds and other animals <sup>29,45-52</sup>	<ul style="list-style-type: none"> <li>• Store feeds in sealed and waterproof containers</li> <li>• Ensure living space of backyard chickens is clean of feed and standing water</li> <li>• Chickens should be kept in an enclosed space such as a shed or barn</li> <li>• Avoid installing bird feeders, perches near backyard chicken space</li> <li>• Appropriately place scare devices (to repel wild birds) and replace damaged ones to ensure effectiveness</li> <li>• Keep housing secure from predators and other animals</li> </ul>
Maintain cleanliness of the premises <sup>3,8,18,29,34,36,47,48,50,52-54</sup>	<ul style="list-style-type: none"> <li>• Wash hands before and after handling backyard chickens, feeding them, and cleaning the environment</li> <li>• Regularly clean feed and water containers, ensuring that animal waste such as wild bird droppings are not present</li> <li>• Prevent and control rodents</li> <li>• Equipment that can be reused and contaminated should be cleaned and disinfected, rinsed well, and dried</li> <li>• Regularly remove manure, bedding and feed to reduce bacterial growth and flies</li> <li>• Properly compost poultry manure prior to use as a fertilizer</li> <li>• Promptly dispose of dead birds</li> <li>• Clean nest boxes regularly and ensure there is sufficient number of nest boxes and space per hen</li> <li>• Collect eggs as they are produced to minimize contamination*</li> <li>• Discard all cracked and heavily soiled eggs*</li> </ul>



Biosecurity strategies	Biosecurity measures
Avoid cross-contamination <sup>3,8,12,18,29,34,36,45,47,52,53,55</sup>	<ul style="list-style-type: none"> <li>• Acquire chickens from a reliable source</li> <li>• Keep different species of birds apart as mixing can introduce new diseases</li> <li>• Do not share equipment with other bird owners</li> <li>• When entering the space, use dedicated clothing when interacting with the flock and their living space</li> <li>• Do not slaughter poultry in the house</li> <li>• Ensure chicken roosts are away from nesting boxes and feeding stations*</li> <li>• Restrict contact between backyard chickens and pets</li> </ul>
Avoid close contact with birds <sup>3,8,18</sup>	<ul style="list-style-type: none"> <li>• Do not bring poultry inside the house</li> <li>• Refrain from kissing and snuggling poultry</li> <li>• Refrain from touching one's mouth, eating, or drinking around chickens</li> </ul>
Segregate and monitor <sup>47,51</sup>	<ul style="list-style-type: none"> <li>• Quarantine sick birds until recovered</li> </ul>
Report illnesses and deaths <sup>12,18,47</sup>	<ul style="list-style-type: none"> <li>• Contact a veterinarian or the local CFIA office if there is suspected illness in backyard chickens</li> </ul>
System-level interventions <sup>18,34,56–58</sup>	<ul style="list-style-type: none"> <li>• Educate flock owners on quarantine and hygiene measures to limit the introduction of new diseases to backyard flocks</li> <li>• Provide health-related information to potential poultry buyers before point of sale</li> <li>• Register households with poultry to enable communication in the event of outbreaks</li> </ul>

\*Personal communication from D Schwartz, 2023; unreferenced

In addition to the biosecurity measures mentioned above, the Canadian Food Inspection Agency (CFIA), OMAFRA and the Canadian Wildlife Health Cooperative provide specific guidance for quarantine and control measures for HPAI and backyard chickens, including:<sup>47, 48,59,60</sup>

- Avoiding visiting backyard chickens for 14 days after visiting farms abroad and/or having contact with wild birds.
- New birds should be kept separate from the flock and monitored for 30 days.
- Birds that were present at shows or exhibits should be kept separate from the flock and monitored for 14 days.
- During an ongoing disease outbreak, avoid gatherings such as shows, sales, and swap meets.
- Dead wild birds on your property should be reported to the Canadian Wildlife Health Cooperative.

Bird owners should also stay vigilant and maintain hygiene measures while handling birds as it is possible to infect birds with viruses such as influenza and bacteria from humans.<sup>51</sup> If a member of the household becomes ill with symptoms such as fever, cough, or sore throat, they should seek medical advice and avoid direct contact with the backyard chickens.<sup>60</sup> Backyard chicken owners have also been recommended to obtain seasonal influenza vaccination.<sup>48</sup> Pets (e.g., cats, dogs) can also be infected with avian influenza, e.g., during hunting or scavenging. Concerns about avian influenza or illness in pets should be brought to a veterinarian.<sup>59,60</sup>

OMAFRA provides “Keeping Your Birds Healthy Resource Kits” for backyard chicken owners. It provides information on biosecurity, feed and water management, cleaning and disinfection, managing sick birds and disposal of sick birds.<sup>61</sup> In addition, [Family Food Program](#) at Chicken Farmers of Ontario (CFO) provides information for members on promotion of bird health and disease management.<sup>62</sup>

## Discussion and Conclusions

Backyard chickens can be found in urban and rural residences in Ontario. Pathogens such as *Salmonella* spp., *Campylobacter* spp., *Listeria monocytogenes*, and different strains of avian influenza A have been found in backyard chickens and linked to human exposure and infection.

Close contact with backyard chickens may contribute to infectious disease transmission from birds to humans, even in the absence of illness in poultry.<sup>8,9,12,33,34</sup> Close contact with and slaughtering of backyard chickens poses health risks to owners; education for flock owners on proper slaughtering processes may reduce this risk.<sup>8–14,63</sup> Other biosecurity practices such as preventing contact between backyard chickens and wild birds/animals, maintaining cleanliness of the premises and hygiene (including hand hygiene), avoiding cross-contamination, segregating and monitoring sick birds, and reporting illnesses can reduce the risks of infection transmission to both birds and humans.<sup>27,36,47–55,60,64–66</sup>

## Implications for Practice

Human illness has been associated with backyard poultry, however, owner attention to biosecurity measures may reduce the risk. Informing potential backyard chicken owners of the risks and reinforcement of the importance of biosecurity measures can help to reduce risks for both owners, visitors and their flocks.

In considering backyard chicken policies, authorities may also consider noise, odour, community preferences, the risk of infection, and the possible benefits of backyard chickens.

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## Acknowledgements

Christine Navarro, Public Health Physician, Health Protection, PHO

Csaba Varga, DVM, MSc, DACVPM, Lead Veterinarian, Disease Prevention – Poultry, Ontario Ministry of Agriculture, Food and Rural Affairs

Dean Middleton, DVM, Epidemiologist Specialist, Chronic Disease and Injury Prevention, PHO

Richard Mather, Public Health Physician, Health Protection, PHO

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## Public Health Ontario

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**Subject: Status of Marina Dredging**  
**To: Council - Public Meeting**  
**From: Public Works Department**

Report Number: 2025-12

Meeting Date: February 25, 2025

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**Recommendation:**

That Public Works Department Report 2025-12 be received; and

That Council approve funding to dredge Sugarloaf Harbour Marina at an estimated cost of \$3,400,000; and

That Council direct staff to implement the proposed public engagement plan outlined in this report.

---

**Purpose:**

The purpose of this report is to obtain funding to complete a phased approach to dredging Sugarloaf Harbour Marina and gather public input on future development opportunities to enhance the waterfront and offset the cost of future dredging phases and Sugarloaf Harbour capital upgrades.

---

**Background:**

Sugarloaf Harbour Marina is one of the largest municipally owned and operated marinas in Ontario, providing 700 dock slips for both seasonal and transient boaters. Sugarloaf Harbour Marina's operations are inclusive of the public boat ramp, providing access to Lake Erie. Each season, the public boat ramp averages over 1200 day-use passes and 350 seasonal passes.

Like many marinas, the area within the break walls gradually collects sediment, silt, and sand over time. More recently at Sugarloaf Harbour Marina, sediment has accumulated to a point in which it is impacting the ability of boats to navigate throughout the harbour

from the public boat ramp. Additionally, some areas are not usable due to insufficient depths.

The majority of navigable water in the harbour, from the public boat ramp onward, typically maintains an average depth of 2-4 feet throughout the boating season. However, this depth can decrease further due to factors like offshore winds or low lake levels. Typically smaller motor boats have a draft of 1-2 feet, which is the depth it sits in the water. Larger boats and sailboats, with their keels, need greater depths up to 6 feet or deeper in some cases.

Dredging is the process of removing the sediment from the bottom of water bodies using specialized equipment such as dredgers or excavators equipped with a bucket, or a suction mechanism to extract the material from below the waterline.

The Sugarloaf Harbour Marina was constructed in the 1990s and has not been dredged to date.

Due to the growing accumulation of sediment in the Sugarloaf Harbour Marina, access to Lake Erie and safe navigation to the Marina's dock slips is limited for some of the larger boats. Staff have explored various solutions to maintain Sugarloaf Harbour Marina's full operational capacity.

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## **Discussion:**

Over the past year, staff have completed preliminary studies to estimate the volumes of dredged material (or dredgeate) from Sugarloaf Harbour Marina. Additional investigation work was completed to determine: a) preliminary costs for dredging, as well as dredgeate testing and handling, b) potential locations that can receive the dredgeate, and c) alternative designs to minimize project costs.

Based on the latest bathymetric survey completed in 2022, the total estimated volumes of dredgeate is 170,000 cubic meters, with the preliminary cost estimate to remove all this material totalling \$22,000,000.

Due to the substantial cost implications to fully restore Sugarloaf Harbour Marina to its original condition, staff have investigated alternative solutions that include a phased approach with an operational plan to mitigate the current restrictions in Sugarloaf Harbour Marina and reduce budget impacts when compared to the total estimated cost of \$22,000,000.

Recent investigations have indicated that the boat launch area has acquired the greatest impact of dredgeate buildup. Staff recommend that the dredging project be completed in a phased approach and focus on the boat launch area which requires about 17,000 cubic meters of dredging, or 1,700 triaxle (dump truck) loads.

Based on estimated costs obtained from subject matter experts, the dredging of only the boat launch area is approximately \$2,500,000. However, this estimate does not include additional design and other anticipated fees as outlined below.

In order to reduce dredgeate hauling and handling costs, which can be quite high due to new provincial regulations, staff recommends using the dredgeate to fill in the south limit of the Nickel Beach parking lot as shown as Location 1 in Appendix A. Since the City owns the property, there would be no fees associated with disposing the dredgeate in this location. Furthermore, utilizing this location could allow for the addition of new parking spaces at Nickel Beach.

At the time of writing this report, this option to expand Nickel Beach parking is still being reviewed. A conceptual plan suggests that the number of available parking spaces would increase from 134 to approximately 370. Costs for fencing, gravel, and landscaping to turn the dredging material to a productive use (parking) are estimated to be \$400,000. Staff highlight the additional parking would help support the long-term financial viability of Nickel Beach and help remove vehicles from the adjacent neighbourhood.

Further to removing the 17,000 cubic meters of material in the boat launch area, which would restore the area to its original condition, staff recommend that additional design work be completed to develop a comprehensive plan to dredge other areas of Sugarloaf Harbour Marina. The scope of this work includes retaining additional consulting services to provide solutions that mitigate the amount of settlement accruing in Sugarloaf Harbour Marina and potentially fill in a second proposed location as described below. These design services are estimated at \$500,000.

Staff have investigated the lagoon between H.H. Knoll Lakeview Park and Sugarloaf Harbour Marina as a second location that may be able to receive material subject to resident feedback and Council approval. This area would allow material to be left on site while filling in the lagoon area to the north of Sugarloaf Harbour Marina, as shown as Location 2 in Appendix B. Staff have estimated that this site will be able to receive about 54,000 cubic meters of material. Utilizing the lagoon could have significant cost savings.

Staff recognize the lagoon is used for fishing by some. Should the lagoon option be pursued alternative options could be reviewed for fishing. Staff have heard some Councillors and citizens comment that having a promenade along the rock wall that surrounds Sugarloaf Harbour Marina would be a preferred waterfront amenity. This could be something to investigate as an alternative to fishing in the lagoon.

To fill in the lagoon, additional engineering services will be required due to the storm sewers that outlet into it. The scope of work proposed in this report includes a preliminary design along with a Municipal Class EA (Environmental Assessment).

Filling in the lagoon does provide an additional cost saving benefit by eliminating future maintenance and upkeep of the embankments along its perimeter. In 2021, a portion of

the embankment along Marina Drive had eroded, threatening the potential collapse of the road into the lagoon. Although the immediate repair was completed, the estimated cost in today's dollars to make a similar repair along the remaining sloped areas of the lagoon could be approximately \$250,000. Additionally, the vertical block wall on the north side of the lagoon will also need to be considered in future replacement programs, should the lagoon not be filled in.

Additional benefits of filling in the lagoon include added opportunities for future development in the area that could result in new revenue streams, parking spaces, and an improved landscape to the area. Although this idea may seem new, during their report research, staff found previous newspaper articles dating back to 1988 that discussed the potential for development in Sugarloaf Harbour Marina area to help offset the projected maintenance costs of the future Sugarloaf Harbour Marina. Future development in the area could include a hotel, housing, and/or commercial amenities.

It is important to note that should this project move forward, and Sugarloaf Harbour Marina is dredged, sediment accumulation will continue to build up in Sugarloaf Harbour Marina, and dredging will be required in the future. While Sugarloaf Harbour Marina has lasted over 30 years without dredging, Staff cannot guarantee the same timeline should this project be completed. The amount of accumulation in Sugarloaf Harbour Marina varies year to year depending on the amount of severe weather events, whether the lake freezes, and the change in lake level. However, in speaking to operators of other Marinas, they have developed a strategy of routine maintenance, periodically assessing the accumulation of dredgeate and removing smaller amounts more frequently, as opposed to only, when necessary, which helps spread the financial cost over a continuous period. As part of the design services, a maintenance strategy will be created for recurring dredging maintenance programs. Any future maintenance programs will have a cost subject to future Council direction.

In addition to dredging, Sugarloaf Harbour Marina will need continuous capital improvements that exceed the current Marina's current revenue stream. The most prominent example of a capital improvement project will be a dock repair or replacement project. By way of illustration, the results of a level one dock condition assessment report completed in 2017 highlighted that dock systems 1-6 had an estimated residual lifespan varying from 4-8 years. Recent cost projections received by staff for dock replacement options range between \$2,000,000 to \$6,500,000. Staff highlight to Council that these preliminary cost estimates represent the option of new dock replacements, a more comprehensive report on the dock project will be brought to Council at an appropriate time, provisioning for various options and their respective costs.

Due to current needs and future operating programs, Sugarloaf Harbour Marina needs to seek additional and substantial revenue sources to avoid significant increases to the levy.

Staff have also considered other options, such as selling Sugarloaf Harbour Marina in its current state; however, obtaining sufficient interest could be complicated by the significant additional capital investment required to bring Sugarloaf Harbour Marina back to its fully functioning state. Additionally, Sugarloaf Harbour Marina's property provides all the residents of Port Colborne with additional walkable lakefront, and so selling Sugarloaf Harbour Marina to a private entity could eliminate this amenity.

## **Risks**

While staffs' investigations and progress to date have been pointed towards eliminating unknowns and decreasing the financial risk of the dredging project, there are some liabilities that cannot be eliminated until design work begins.

Staff have completed in-place sampling of the dredgeate, and the results have indicated that Location 1 – Nickel Beach Parking Lot is a compatible receiving site. However, in-place sampling is not an acceptable methodology to determine excess soil generating and receiving site compatibility. To determine compatibility, the material must be dredged, stockpiled, dried, and then sampled. There is a potential for the sampling results to change between in-place sampling and stockpile sampling, which may make Location 1 – Nickel Beach Parking Lot an incompatible site. If this were to occur, the material would need to find an alternative site, which would come with additional costs.

For both locations 1 and 2, additional permitting is required from the NPCA (Niagara Peninsula Conservation Authority) and DFO (Fisheries and Oceans Canada) to fill in these areas, as they are connected to the Lake Erie shoreline. As part of the design, the consultant will investigate the permitting process and determine if permits would be approved. Should these permits be denied, this material would need to find an alternative site, which, again, would come with additional costs

## **Dredging Plan**

Upon approval of staff's recommendation, staff will issue an RFP to retain professional engineering services to complete the following:

- Design and permitting requirements to dredge the 17,000 cubic meters of material surrounding the boat ramp;
- Design and permitting requirements to fill in the area south of the Location 1 - Nickel Beach Parking Lot, as shown in Appendix A;
- Develop solutions to mitigate the volume of sediment gathering in Sugarloaf Harbour Marina;
- A preliminary design to extend the storm sewer outlet located in the lagoon;
- A Municipal Class EA as required to move the storm sewer outlet location; and
- Develop a multi-year plan to dredge Sugarloaf Harbour Marina and an operational plan to complete minor dredging work annually.

Staff have been working with the regulatory bodies of which permits are required in order to complete dredging works. Ultimately, the Ministry of Natural Resources and Forestry (MNR) is the governing body that will issue the permit to complete this project. However, to issue the permit, they require letters of recommendation from the DFO and the Ministry of Environment, Conservation and Parks (MECP). To date, staff have obtained letters of recommendation from both the DFO and MECP, and a permit from the MNR is expected once the bathymetric survey, dredgeate characterization, and dredgeate management plans are complete. It is important to note that these permits are separate from the permits required to fill in either Location 1 or 2 with dredgeate.

Once a work permit has been obtained, in-water work is annually restricted by the DFO from March 15<sup>th</sup> to July 15<sup>th</sup> to protect the fish habitat. As such, staff will continue to work over the course of the spring and summer to finalize the design and permit requirements to begin dredging, and then follow up with in-water work in the off season, with the goal of addressing dredging priority areas before March 2026.

---

### Internal Consultations:

Discussions regarding the dredging of Sugarloaf Harbour Marina have involved Public Works, Recreation, Financial Services and Economic Development. Additionally, staff have also been working with consultants on the dredgeate sampling completed to date, as well as research regarding the feasibility of filling in the proposed Locations 1 and 2.

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### Financial Implications:

A financial summary of the recommendation in this report is as follows:

Marina Dredging - Financial Implications	
Dredging of 17000 m3 and disposing at Location 1	\$ 2,500,000.00
Design Services to complete Marina dredging	\$ 500,000.00
Nickel Beach Parking Lot Expansion to extract value / purpose from the dredged material	\$ 400,000.00
<b>Total</b>	<b>\$ 3,400,000.00</b>

Future financial considerations include:

- Additional dredging that will be required after this first phase
- Ongoing maintenance program
- Capital improvements, including docks

The Sugarloaf Harbour Marina is a self-sustaining operation that covers its operating and day-to-day capital requirements. This program would require funding in excess of what the current mix of boaters could pay through fees.

Staff propose this initial phase be funded through debenture financing to be funded through the 2026 Capital and related project budget. Approving this report will committee funding.

A 10-year loan at 5% will require an annual funding contribution of approximately \$435,000.

Alternative options for funding the proposed projects and future phases include a review of the property assets of Sugarloaf Harbour Marina and their potential development, which could include a hotel, housing and/or commercial amenities. The Public Engagement section below recommends a public engagement process to obtain comments from the community with respect to potentially developing Sugarloaf Harbour Marina.

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## Public Engagement:

Staff are proposing a public engagement plan that would gather feedback from the community regarding the tentative plan to fill in the lagoon located at Sugarloaf Harbour Marina and its potential for future development.

The engagement plan has several high-level objectives, including:

- **Inform the community:** Ensure the community has clear, transparent and accessible information about the proposed project.
- **Gather feedback:** Provide residents with a variety of in-person and virtual channels so they can freely share their thoughts and ideas.
- **Promote accessibility:** Offer multiple ways to participate to ensure individuals can choose the method that best suits their needs and preferences.
- **Identify concerns and opportunities:** Review feedback to highlight areas of alignment and identify potential improvements or alternatives to the proposal.
- **Ensure transparency:** Provide the community with access to the feedback collected to demonstrate how this information informs Council's decision-making.

The proposed engagement plan includes a three-pronged approach to ensure key audiences are aware of the opportunity to provide feedback and can do so in a way that works best for them. If approved, this plan would include:

1. Online survey/feedback form
2. Paper-based survey/feedback form
3. In-person open houses/drop-in sessions

Each item is discussed further below:



**1. Online survey / feedback form**

An online survey would launch on February 26, 2025, and would ask multiple-choice and open-ended questions for community members to offer their thoughts on the proposed Marina dredging project. Multiple-choice questions are an efficient option to collect and analyze feedback, while open-ended questions allow community members to provide qualitative insights in their own words. The survey would close on March 14, 2025.

**2. Paper-based survey / feedback form**

To accommodate community members without access to the online survey, an identical paper-version would be available at various city facilities (City Hall, Vale Health & Wellness Centre, Port Colborne Public Library). The surveys would be collected for analysis beginning March 14, 2025.

**3. In-person open houses / drop in sessions**

City staff would host two consecutive days of in-person drop-in style open houses on Wednesday, March 5 and Thursday, March 6. These open houses would collect feedback on both Sugarloaf Harbour Marina project and the future of the grain elevator location, if approved by Council. Daytime and evening sessions would allow residents to attend when it suits their schedule and talk with City staff to learn more about both projects.

Successfully communicating about the engagement opportunities will be a vital part of gathering enough meaningful feedback to support Council's decision-making process. The Corporate Communications team would launch a comprehensive communications campaign to promote the engagement opportunities, which would include (but not be limited to):

- Sharing information on the City's website
- Posting social media content and events on City channels
- Media outreach/promotion
- Outreach through Sugarloaf Harbour Marina's e-newsletter list

The engagement project would begin Wednesday, February 26 and end on Friday, March 14. Once completed, results would be collected, analyzed, and provided to Council in a comprehensive summary report in early April 2025.

This engagement plan ensures residents have a meaningful role in determining the direction of Sugarloaf Harbour Marina dredging project, fostering a collaborative approach to these important community decisions.

---

## **Strategic Plan Alignment:**

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Environment and Climate Change
  - Welcoming, Livable, Healthy Community
  - Economic Prosperity
  - Increased Housing Options
  - Sustainable and Resilient Infrastructure
- 

## **Conclusion:**

To maintain the operational use of Sugarloaf Harbour Marina, dredging is required to remove sediment for boats to navigate the waterway. Staff are currently working with consultants to complete the pre-construction requirements, including permits and approvals, sourcing receiving sites, and scheduling of proposed works.

Upon approval of this report, staff will release an RFP to complete design services to dredge Sugarloaf Harbour Marina. In addition, a comprehensive public engagement program will commence to receive feedback on the proposed plan.

---

## **Appendices:**

- a. Marina Dredging – Location 1
- b. Marina Dredging – Location 2

Respectfully submitted,

Mathew Pilon  
Senior Project Manager, Strategic Projects  
905-228-8134  
Mathew.Pilon@portcolborne.ca

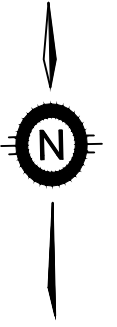
Greg Higginbotham  
Tourism Coordinator  
905-228-8064  
Greg.Higginbotham@portcolborne.ca

Blair Holinaty  
Marina Supervisor  
905-228-8036  
Blair.Holintay@portcolborne.ca

Bram Cotton  
Economic Development Officer  
905-228-8063  
Bram.Cotton@portcolborne.ca

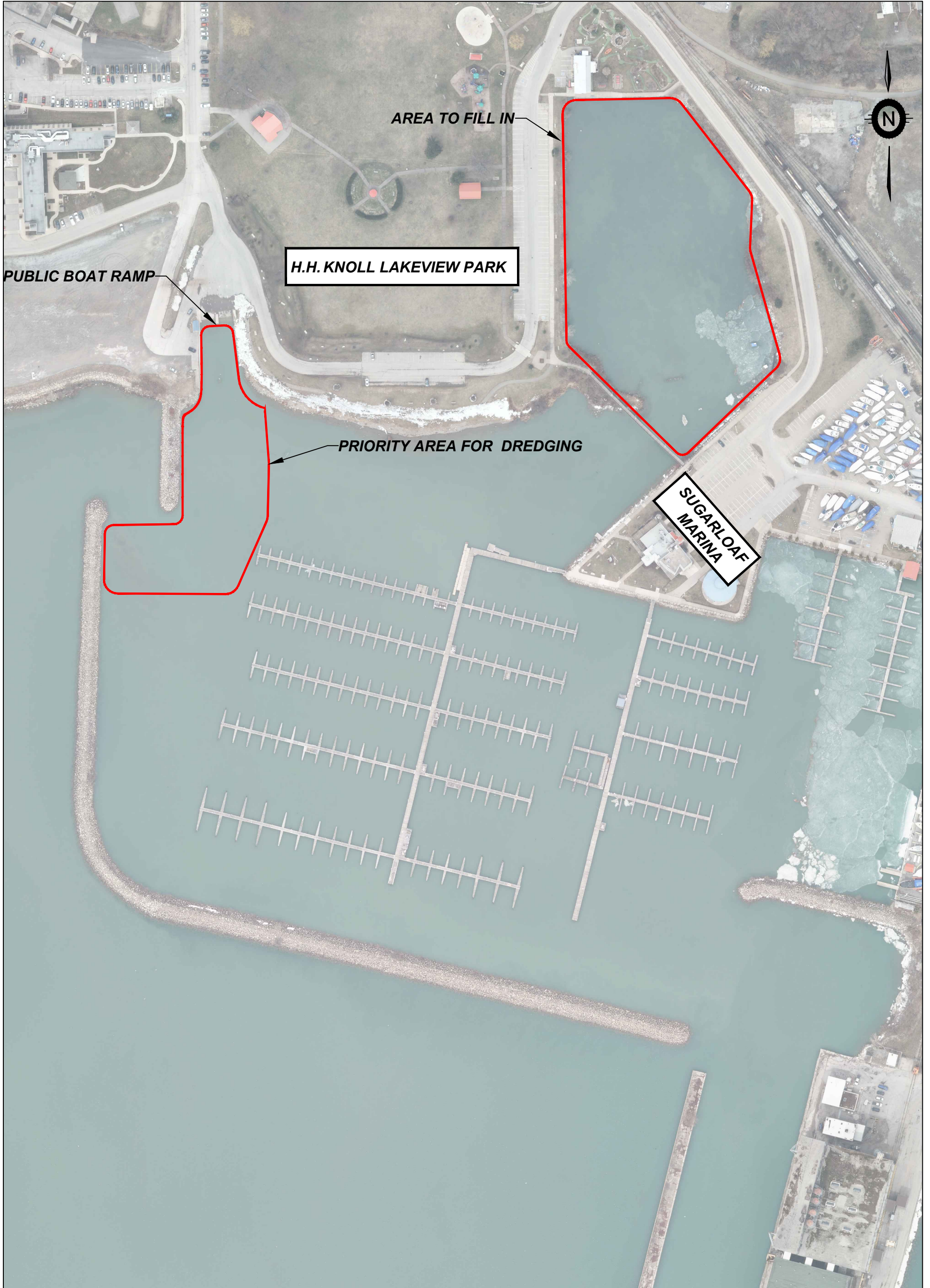
**Report Approval:**

All reports reviewed and approved by the Department Director and the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.



**THE CITY OF PORT COLBORNE  
SUGARLOAF MARINA DREDGING PROJECT**  
APPENDIX A - Location 1  
**PLAN VIEW**

DATE	2025-01-29
SCALE	NTS
REF. No.	
DWG No.	<b>D-01</b>



**THE CITY OF PORT COLBORNE  
SUGARLOAF MARINA DREDGING PROJECT**  
Appendix B - Location 2  
**PLAN VIEW**

DATE	2025-01-29
SCALE	NTS
REF. No.	
DWG No.	D-01

**The Corporation of the City of Port Colborne**

**By-law No. \_\_\_\_\_**

**Being a by-law to amend Zoning By-law 6575/30/18 respecting the removal of the holding symbol from lands legally described as Lots 52 and 53, Plan 871, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as two vacant lots on Killaly Street East**

Whereas By-law 6575/30/18 is a by-law of The Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures; and

Whereas the Council of The Corporation of the City of Port Colborne is desirous to amend said by-law to remove the Holding Symbol (CH) from the whole or any part of the area covered by a Zoning By-law passed under section 34 of the *Planning Act*,

**Now therefore**, and pursuant to the provisions of section 36 of the *Planning Act*, R.S.O. 1990, The Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A6" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Second Density Residential with Conversion Holding (R2-CH) to Second Density Residential (R2).
3. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.
4. The City Clerk is hereby authorized and directed to proceed with giving notice of the passing of this by-law, in accordance with the *Planning Act*.

Enacted and passed this 25th day of February, 2025.

\_\_\_\_\_  
Ron Bodner  
Deputy Mayor

\_\_\_\_\_  
Charlotte Madden  
City Clerk

Schedule A to By-law No. \_\_\_\_\_



= Subject Lands



North

**The Corporation of the City of Port Colborne**

**By-law No. \_\_\_\_\_**

**Being a By-law to license, regulate and govern Lodging Houses in the City of Port Colborne**

Whereas section 11 of the *Municipal Act, 2001*. S.O. 2001, c.25 as amended (the "Municipal Act") provides that a lower-tier municipality has the authority to pass by-laws respecting the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons and the protection of persons and property; and

Whereas section 11 of the *Municipal Act* further provides that a lower tier municipality may pass by-laws respecting business licensing; and

Whereas section 151 of the *Municipal Act* authorizes a municipality to provide for a system of licences with respect to a business or any activity, matter or thing for which a by-law may be passed under section 9 or 11 of the statute; and

Whereas section 436 of the *Municipal Act* authorizes a municipality to pass by-laws providing that the municipality may enter onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law, direction, order or condition of a licence; and

Whereas the Council of The Corporation of the City of Port Colborne deems it necessary and desirable to licence, regulate and govern Lodging Houses;

**Now therefore** the Council of The Corporation of the City of Port Colborne enacts as follows:

**1. Purpose**

- 1.1. The purpose of this By-law is to regulate Lodging Houses within the City of Port Colborne to protect the health and safety of Lodgers and to promote the well-being of the City and its inhabitants.

**2. Definitions**

- 2.1. For the purposes of this By-law:

**"Appeals Committee"** means a committee appointed by Council to conduct appeal hearings under this By-law;

**"Applicable Law"** means all applicable by-laws of the City and Niagara Region and all applicable provincial and federal statutes and regulations;

**"Applicant"** means the Person applying for a Licence or renewal of a Licence under this By-law;

**"Building Code"** means Ontario Regulation 332/12, as amended, established under the Building Code Act;

**"Building Code Act"** means the Building Code Act, 1992, S.O. 1992, c. 23, as amended;

**"By-law"** means this Lodging House Licensing By-law;

**"City"** means the Corporation of the City of Port Colborne;



“**Clerk**” means the Clerk of the City or his or her delegate;

“**Council**” means the Council of the City of Port Colborne;

“**Fees and Charges By-law**” means current in force Fees and Charges By-law;

“**Fire Code**” means Ontario Regulation 213/07 established under the *Fire Protection and Prevention Act*, as amended;

“**Fire Protection and Prevention Act**” means the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended

“**Guardian**” means the person(s) appointed as the attorney for property, Guardian of the property, Guardian of the person or attorney for personal care of a Lodger under the Substitute Decisions Act, 1992, S.O. 1992, c. 30.;

“**Health Protection and Promotion Act**” means the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7, as amended;

“**Licence**” means a Licence issued under this By-law;

“**Licensee**” means a Person licensed under this By-law to operate a Lodging House;

“**Lodger**” means an individual who has a right to occupy a Private Room in a Lodging House and has access to all common areas of the Lodging House pursuant to a Lodging Agreement;

“**Lodging Agreement**” means a written agreement between a Licensee and a Lodger in relation to accommodation in a Lodging House that sets out the duration of the accommodation, identifies the Private Room to be occupied by the Lodger, prescribes the terms and conditions of the accommodation and confirms payment details including the amount(s) payable by to the Lodger to the Licensee and the frequency and method of payment;

“**Lodging House**” means a building or portion thereof in which four (4) or more Lodgers are lodged for hire, but does not include a hotel, bed and breakfast tourist establishment or short-term rental unit, a hospital or any provincially-regulated long-term care home, retirement home, nursing home, group home or similar facility;

“**Niagara Region**” means the Regional Municipality of Niagara.

“**Officer**” means any person appointed by Council as a Municipal Law Enforcement Officer;

“**Order**” means an order issued under this By-law;

“**Operator**” means the person operating a Lodging House;

“**Owner**” means the registered owner of a Property where a Lodging House is situated;

“**Person**” means an individual, corporation, association or partnership;

“**Plan for Fire Safety**” means the Plan setting out the layout of the interior of the building with the location of all smoke alarms, carbon monoxide alarms, fire extinguishers and exits;

“**Private Room**” means a self-contained room in a Lodging House that is used or intended to be used for residential accommodation by no more than two (2) Lodgers;

“**Property**” means any land or premises within the City;

“**Residential Tenancies Act**” means the *Residential Tenancies Act, 2006*, S.O. 2006, c. 17, as amended;

“**Sanitary Facility**” means a self-contained room that contains not less than one (1) toilet, one (1) wash basin or sink and one (1) bathtub or shower.

### **3. General Prohibitions**

- 3.1. No Person shall operate a Lodging House without holding a current and valid Licence issued in accordance with this By-law.
- 3.2. No Person shall operate a Lodging House except in accordance with the provisions of this By-law and all other Applicable Law.
- 3.3. No Licensee shall advertise, operate or carry on such business under any name other than the name endorsed upon the Licence.
- 3.4. No Person shall contravene or fail to comply with a term or condition of a Licence issued in accordance with this By-law.
- 3.5. No Person shall fail to comply with an Order issued under this By-law.

### **4. Administration**

- 4.1. This By-law shall be administered by the Clerk who shall perform all administrative functions set out in this By-law including but not limited to:
  - 4.1.1. Receipt and processing of all applications for Licences and renewal of Licences;
  - 4.1.2. Issuing Licences in accordance with this By-law;
  - 4.1.3. Imposing terms and/or conditions on Licences in accordance with this By-law; and
  - 4.1.4. Refusing to issue or renew a Licence, revoking a Licence or suspending a Licence in accordance with this By-law.
- 4.2. The Clerk shall keep a Licence Register in which shall be recorded the full name and address of each Licensee, the address of the licensed Lodging House, the number and date of the issue of the licence, the amount of the licence fee paid therefore, the date of expiry of the licence, the type of licence issued and other particulars or remarks pertaining to the same which are useful or necessary.

### **5. Delegation of Authority to Appeals Committee**

- 5.1. The Powers and authority to conduct appeal hearings under this By-law are hereby delegated to the Appeals Committee.
- 5.2. Where any person is authorized to take any action pursuant to this By-law, such actions may be taken by that person's designate.

## **6. Applications for Licence and Renewal**

- 6.1. The following two (2) types of Licence applications may be made:
- 6.1.1 An original Licence; and
  - 6.1.2 The renewal of a Licence.
- 6.2. The requirement to obtain a Licence under this By-law is in addition to and not in substitution for any other requirement to obtain a licence or approval under any Applicable Law.
- 6.3. Each Lodging House shall be individually licensed under this By-law.
- 6.4. Every application for a Licence or a renewal of a Licence shall be submitted in accordance with this By-law and shall be accompanied by the Licence fee set out in the Fees and Charges By-law.
- 6.5. The Applicant for a Licence or a renewal of a Licence shall be the Operator (s) of the Lodging House.
- 6.6. In the case of Lodging House operated by a partnership, one partner shall submit the application package on behalf of every other partner. In the case of a Lodging House operated by a corporation, an officer of the corporation shall submit the application package.
- 6.7. In respect of an application for an original Licence:
- 6.7.1 The application shall be completed on the forms found on the application portal on the City of Port Colborne website or by filing a hard copy and shall include the following information:
    - 6.7.1.1 The municipal address and legal description of the location of the Lodging House;
    - 6.7.1.2 The name and contact particulars for each applicant for the Lodging House including address, telephone number and email address;
    - 6.7.1.3 The names of the Lodging House's staff members;
    - 6.7.1.4 If a Lodging House is to be operated by a corporation:
      - 6.7.1.4.1 A copy of the incorporating document(s);
      - 6.7.1.4.2 A copy of the most recent corporate filing with the Ministry of Government and Consumer Services listing all directors and officers and the head office address of the corporation;
      - 6.7.1.4.3 A letter indicating resolution of the directors of the corporation authorizing the application for a Licence; and
      - 6.7.1.4.4 The name and contact particulars of every Person having responsibility for the operation of the Lodging

House;

6.7.1.4.5 Its annual return under the Corporations Information Act, R.O., 1990, c.C39, and business name document, if applicable; and

6.7.1.5 A declaration from each Operator, and in the case of a Lodging House to be operated by a corporation, from each director and officer, certifying the accuracy, truthfulness and completeness of the application.

6.7.2 The application shall be accompanied by the following documentation and material:

6.7.2.1 Proof of insurance for use as a Lodging House with liability limits of not less than five million dollars (\$5,000,000) for personal injury and property damage;

6.7.2.2 A floor plan of the premises including dimensions and the proposed use of each room;

6.7.2.3 Confirmation in writing that the Owner consents to the use of the Property as a Lodging House to the satisfaction of the Clerk;

6.7.2.4 Plan for Fire Safety showing the exits and life safety items in the building to the satisfaction of the Fire Chief.

6.8 In respect of an application for a renewal of Licence:

6.8.1 The application shall include the information set out in paragraph 6.7.1;

6.8.2 The application shall be accompanied by the proof of insurance set out in section 6.7.2.1 and any documentation referred to elsewhere in section 6.7.2 if any information has changed, or and additional information as required by the Clerk.

6.9 Every application for Licence or renewal of Licence shall be accompanied by the non-refundable prescribed application fee, which may be paid for by cash, debit, cheque or credit card.

6.10 Every Applicant for a new Licence or the renewal of a Licence shall, within four (4) business days of any change to information submitted to the City in support of the application notify the Clerk in writing of such change and provide full written disclosure to the Clerk of all relevant information existing after such change.

6.11 An application for the renewal of a Licence shall be filed at least sixty (60) days prior to a Licence expiring. Where a Licensee fails to submit an application to renew a Licence at least sixty (60) days prior to its expiration, the application to renew the Licence shall be processed as a new application.

## **7. Review of Application**

7.1. Upon receipt of a complete application under section 6.7 or 6.8, the Clerk shall cause the application to be circulated to the City's Planning Services, Building Services and Fire Services and to the Medical Officer of Health for the Niagara Region for any comments or objections. The Clerk shall further determine if all necessary inspections or approvals have been completed and if all lawful requirements have been met.

7.2. Where the Clerk receives one or more objections to an application or determines that any necessary inspection, approval or other lawful requirement has not been completed, the Clerk shall return the application to the Applicant to undertake any action necessary to address the objection(s) and/or outstanding requirement(s).

## **8. Issuance of Licence**

8.1. Upon completion of the process set out in subsections 7.1 and 7.2, the Clerk shall issue or renew a Licence provided the following conditions have been met:

8.1.1. The applicant has complied with all applicable requirements set out in section 6;

8.1.2. The circulation of the application referred to in section 7.1 does not result in any objection to the Application which has not been cleared under section 7.2;

8.1.3. The inspections do not indicate non-compliance with any Applicable Laws; and

8.1.4. The Clerk determines that there are no grounds as described in Section 9 to refuse a licence

8.2. Notwithstanding subsection 8.1, the Clerk may impose such terms or conditions on a Licence as the Clerk considers appropriate. A Licensee who is dissatisfied with any such term or condition may appeal to the Appeals and Property Standards Committee.

8.3. All Licences issued or renewed pursuant to this By-law shall be valid for a period of one (1) year from the date of issuance or renewal, unless otherwise suspended or revoked.

8.4. Licences issued or renewed under this By-law are not transferable. Subject to section 8.5, an otherwise valid Licence shall expire automatically upon a change in ownership or operation of the Lodging House.

8.5. Every Licensee shall notify the Clerk in writing of any pending change with respect to the ownership or operation of a Lodging House or control of a corporation that owns or operates a Lodging House at least thirty (30) days prior to such change taking effect. The prospective Operator(s) or controlling shareholder(s) shall submit an application for a new Licence that will be processed by the Clerk in accordance with this By-law.

8.6. In addition to the items set out in section 11, it is a condition of every Licence issued or renewed under this By-law that the Licensee shall comply with the provisions of this By-law, all Applicable Law and any other terms or conditions imposed on the Licence and shall ensure such compliance by any other Person(s) involved in the operation of the Lodging House.

## **9. Refusal, Suspension or Revocation of a Licence**

9.1. The powers and authority to refuse to issue or renew a licence, to cancel, revoke or suspend a licence or impose terms and conditions on a licence are hereby delegated to the Clerk.

9.2. The Clerk may refuse to issue a new Licence or renew a Licence where:

9.2.1. The Applicant has been convicted of an offence under this By-law or any other by-law relating to licences within the previous five (5) years;

9.2.2. A Licence issued to the Applicant or the Lodging House under this By-law

was suspended or revoked within the previous two (2) years;

- 9.2.3. The Applicant owes any fine or fee to the City in relation to the Lodging House;
- 9.2.4. The Clerk reasonably believes that an application or document submitted by the Applicant contains false information; or
- 9.2.5. The Clerk reasonably believes that issuing the Licence may pose a threat to the health and safety of persons or property or is otherwise not in the public interest.

9.3. The Clerk may suspend or revoke a Licence at any time where:

- 9.3.1. The Licence was issued or renewed in error;
- 9.3.2. The Clerk becomes aware of any fact or facts which, if known at the time of the application, would have resulted in the Clerk refusing to issue or renew the Licence;
- 9.3.3. The Licensee fails to comply with this By-law, all Applicable Law or any terms or conditions of the Licence, including those set out in subsection 8.6 and section 11 of this By-law;
- 9.3.4. The past conduct of the Licensee or any employee affords reasonable grounds for belief that the applicant will not operate the Lodging House in accordance with Applicable Law, proper management or honesty and integrity;
- 9.3.5. The Licensee contravenes the provisions of this By-law; or
- 9.3.6. Where to do so is in the public interest.

## **10. Notice of Appeal**

- 10.1. Where the Clerk refuses to issue or renew a Licence, imposes terms or conditions on a Licence, suspends a Licence or revokes a Licence, the Clerk shall provide written notice to the Applicant or Licensee of the decision, the reasons for the decision and the right to appeal.
- 10.2. An Applicant or Licensee whose Licence has been refused, suspended or revoked or who objects to any terms or conditions imposed on the Licence may, within fourteen (14) days of being notified of the decision, submit a written appeal to the Clerk for a hearing before the Appeals Committee a review of the decision.
- 10.3. Where no application for an appeal hearing is submitted within the prescribed period, the decision of the Clerk shall be final.
- 10.4. Upon receipt of a notice of appeal, the Appeals and Property Standards Committee shall hold a hearing on the date and time set out in a notice from the Clerk.
- 10.5. The Appeals Committee may affirm, vary or reverse the decision of the Clerk and may direct the Clerk to issue, renew or reinstate a Licence, with or without conditions. Appeals Committee shall provide written reasons for its decision, which shall be final.
- 10.6. Matters arising during the course of an appeal that are not provided for in this By-law shall be governed by the Statutory Powers Procedure Act, R.S.O. 1990, c. S.22.

## **11. Licence Conditions and Requirements**

- 11.1. The conditions set out in subsections 11.2 to 11.31 to of this By-law are attached to every Licence issued under this By-law.
- 11.2. Every licensee shall ensure that any updates or changes to the information or documentation required under this By-law to be provided as part of an application for licence or renewal thereof, is submitted within 5 business days to the application-update portal on the City of Port Colborne website or by filing a hard copy with the Clerk.
- 11.3. Without limiting section 11.2 above, every licensee shall provide an updated proof of Insurance as required by section 6.2.7.1. within 5 business days of any changes to the terms of the insurance policy including, but not limited to, subsequent policy renewals or changes in insurance status.
- 11.4. Every licensee shall provide notice of cancellation of its insurance policy required by section 6.2.7.1 to the City within 48 hours of receipt of such notice. Updates shall be submitted to the application-update portal on the City of Port Colborne website or by filing a hard copy with the Clerk.
- 11.5. The Licensee shall provide a copy of this By-law to each Lodger.
- 11.6. The Licensee shall post the Licence issued for a Lodging House in a conspicuous location inside the Lodging House and shall ensure that it remains posted and legible throughout the currency of the Licence.
- 11.7. The Licensee shall enter into a Lodging Agreement with each Lodger.
- 11.8. The Licensee shall maintain a list of current Lodgers, which shall list their first and last names in alphabetical order and shall identify the date on which each Lodger began residing at the Lodging House.
- 11.9. The Licensee shall, during the occupation by a lodger and for 12 months after a Lodger ceases to reside at the Lodging House, maintain a file for each Lodger that includes the following documents and information as applicable:
  - 11.9.1. First and last name of the Lodger;
  - 11.9.2. Date on which the Lodger began residing at the Lodging House;
  - 11.9.3. Date on which the Lodger ceased residing at the Lodging House;
  - 11.9.4. A copy of the Lodging Agreement
  - 11.9.5. Name and contact particulars of one or more emergency contact persons identified by the Lodger; and
  - 11.9.6. Where the Lodging House provides meals, a list of the Lodger's nutritional needs and any allergies.
- 11.10. The Licensee shall ensure that the Lodging House is kept in a good state of repair that is free of hazards and fit for human habitation and shall further ensure that the condition of the Lodging House complies with all Applicable Law.
- 11.11. The Licensee shall ensure that all common areas and amenities of the Lodging House made available for use by Lodgers including but not limited to appliances, furnishings, laundry facilities, elevators, interior and exterior recreational areas, parking areas and garbage facilities are maintained in a clean, hazard-free, and good working condition.

- 11.12. Where a Lodging Agreement provides that a Licensee will provide one or more meals to a Lodger, the Licensee shall ensure the following:
- 11.12.1. If the Licensee is the sole provider of meals for the Lodger, that the Lodger is offered:
    - 11.12.1.1. At least three (3) meals per day at reasonable and regular meal hours;
    - 11.12.1.2. A beverage between the morning and midday meals;
    - 11.12.1.3. A snack and a beverage between the midday and evening meals; and
    - 11.12.1.4. A snack and a beverage after the evening meal;
  - 11.12.2. That the Lodging House menus are consistent with the Canada Food Guide published by the Government of Canada;
  - 11.12.3. That the Lodger is informed of daily and weekly menu options with menus posted in one or more common areas of the Lodging House and that a record of each weekly menu be maintained for 30 days;
  - 11.12.4. That Lodgers are given sufficient time to eat at their own pace and accommodated if they are unable to eat during a regular meal period;
  - 11.12.5. That any Lodging House staff assisting the Lodger are aware of the Lodger's nutritional needs and any allergies; and
  - 11.12.6. That Lodging House staff monitor Lodgers during meal periods.
- 11.13. Every Licensee shall ensure that all areas of the Lodging House where food is prepared, processed, packaged, stored or served complies with the Health Protection and Promotion Act and its regulations and all other Applicable Law.
- 11.14. A Licensee shall ensure potable water is available for Lodgers at all times.
- 11.15. The Licensee shall provide a common dining room or rooms in the Lodging House with a minimum aggregate floor area that meets or exceeds the minimum requirements for dining rooms prescribed by the Building Code.
- 11.16. The Licensee shall provide a common sitting room or rooms in the Lodging House with a minimum aggregate floor area that meets or exceeds the minimum requirements for sitting rooms prescribed by the Building Code.
- 11.17. The Licensee shall provide Sanitary Facilities that are not adjacent or open to any dining room, kitchen, food preparation or service area or food storage room.
- 11.18. The Licensee shall provide at least one (1) Sanitary Facility for every four (4) Lodgers and shall ensure that the number of Sanitary Facilities in the Lodging House meets or exceeds the minimum requirements prescribed by the Building Code.
- 11.19. The Licensee shall provide an adequate supply of clean towels and customary toilet supplies for each Lodger and shall ensure that such items are provided without extra charge.
- 11.20. Every Private Room shall have a minimum area of not less than seven (7) square metres for a single occupancy and a minimum area of not less than



four point six (4.6) square metres per person for a double occupancy but in no case shall the minimum area be less than the minimum requirements for sleeping room sizes prescribed by the Building Code.

- 11.21. The Licensee shall ensure that every Private Room in the Lodging House meets the following requirements:
  - 11.21.1. Every window and exterior door that is capable of being opened and that is accessible from outside the Private Room shall be equipped so that it can be secured from the inside;
  - 11.21.2. All doors to the Private Room shall be capable of being secured;
  - 11.21.3. At least one door to the Private Room shall be capable of being locked by the Lodger from outside the Private Room; and
  - 11.21.4. The Lodger(s) occupying the Private Room shall be provided with a key to any lock(s) used to secure the Private Room.
- 11.22. Where the Residential Tenancies Act applies to a Lodging House, the Licensee shall comply with the responsibilities of landlords as set out in the statute and each Lodger shall be entitled to the protections provided to tenants under the statute.
- 11.23. The Licensee shall not interfere with the provision of any medical care or service to a Lodger or obstruct any Health and Support Worker or Health Care Professional providing services to a Lodger.
- 11.24. The Licensee shall establish policies and procedures for the distribution of medication to Lodgers by Lodging House staff, which shall comply with Applicable Law, and shall ensure that staff do not distribute medication except in accordance with those policies and procedures and all Applicable Law.
- 11.25. The Licensee and any other Person(s) involved in the operation of the Lodging House shall not interfere with the reasonable enjoyment of the Lodging House by a Lodger in respect of guests and shall not:
  - 11.25.1. Restrict, harass or interfere with short-term visitors or non-frequent guests;
  - 11.25.2. Impose visiting hours;
  - 11.25.3. Require a Lodger to notify the Licensee or any other Person(s) involved in the operation of the Lodging House of guests or request permission to have guests; or
  - 11.25.4. Charge a Lodger any fee or change amounts otherwise payable by the Lodger for short-term visitors or non-frequent guests.
- 11.26. No Licensee or any staff of the Licensee or the Lodging House shall act as the Guardian for any Lodger.
- 11.27. The Licensee shall keep a record of any complaint made by a Lodger, the Guardian of a Lodger or any other Person in relation to any matter regulated under this By-law, which shall document the date, time and subject matter of the complaint, the identity of the complainant and the action taken by the Licensee in response to the complaint.
- 11.28. The Licensee shall maintain complaint records for not less than three (3) years and shall produce them to the City upon request.

- 11.29. Every Licensee shall provide and display a Plan for Fire Safety on the back of the door or visibly adjacent to the door/exit of every door in the facility.
- 11.30. Every Licensee shall mount all fire extinguishers in a visible, open location and not within any cupboard, cabinet, closet or other enclosure.
- 11.31. Every Licensee shall ensure that smoke alarms be installed in every bedroom and sleeping area.

## **12. Inspection Powers**

- 12.1. An Officer is hereby authorized to enter, at any reasonable time, the premises in respect of which a licence has been issued, other than a Private Room, for the purposes of carrying out an inspection to determine whether or not the following are being complied with:
  - 12.1.1. This by-law;
  - 12.1.2. A direction or order made under this By-law;
  - 12.1.3. A condition of a Licence issued under this By-law; and
  - 12.1.4. Order made under the Municipal Act.
- 12.2. Notwithstanding subsection 12.1, an Officer may enter a Private Room with the permission of the Lodger(s) identified in the Lodging Agreement for that Private Room.
- 12.3. For the purposes of an inspection under subsection 12.1 or 12.2, an Officer may:
  - 12.3.1. Require the production for inspection of documents or things relevant to the inspection;
  - 12.3.2. Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
  - 12.3.3. Along or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection; and
  - 12.3.4. Require information from any persons concerning a matter relevant to the inspection
- 12.4. No person shall obstruct or hinder, or attempt to obstruct or hinder, an Officer in carrying out an inspection for the purposes of enforcing this By-law or in carrying out any work necessary to bring a Lodging House into compliance with this By-law.

## **13. Orders**

- 13.1. Where an Officer believes on reasonable grounds that this By-law or a condition of a Licence is not being complied with, the Officer may make an Order requiring the Licensee to address the contravention(s) and bring the Lodging House into compliance within the time limits specified in the Order.
- 13.2. An Order made under subsection 13.1 of this By-law shall be posted in a prominent location at the Lodging House and shall further be sent by registered mail or e-mail to the address of the Licensee on file with the City. The Order shall be deemed served five (5) days after it is sent.
- 13.3. Where an Order made under subsection 13.1 of this By-law may result in

the loss of housing for one (1) or more Lodgers, the Clerk or an Officer shall notify Niagara Region Community Services of the Order so that Niagara Region Community Services may take any action it deems necessary in respect of the potential loss of housing.

- 13.4. Where a Licensee fails to comply with an Order issued under this By-law within the time prescribed in the Order, the City may carry out any work necessary to bring the Lodging House into compliance with the Order, which work shall be done at the expense of the Licensee.
- 13.5. Where any action is taken to bring a Lodging House into compliance with this By-law or where any items, materials or things are removed from any Lodging House pursuant to this By-law, the City shall not be liable to compensate the Licensee, Lodger(s) or any other Person by reason of anything done by or on behalf of the City in the reasonable exercise of its powers under this By-law.

#### **14. Offences and Penalties**

- 14.1. Every Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to such penalties as provided for in the Municipal Act, 2001 and the Provincial Offences Act.
- 14.2. This By-law is designated as a by-law to which the Administrative (Non-Parking) Penalty By-law applies.
- 14.3. Any person who contravenes any of the provisions of this By-law, when given a Penalty Notice in accordance with the City's Administrative (Non-Parking) Penalty By-Law, is liable to pay the City an administrative penalty in the amount specified in the City's Administrative (Non-Parking) Penalty By-Law, as amended from time-to-time.

#### **15. General**

- 15.1. The short title of this By-law is the "Lodging House Licensing By-law".
- 15.2. If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.
- 15.3. If there is a conflict between a provision of this By-law and a provision of any other By-law of the City, the provision that establishes the higher standard shall prevail.
- 15.4. This By-law shall be read with all changes in number or gender as are required by context.
- 15.5. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.
- 15.6. The Clerk is hereby authorized to affect any minor modifications or corrections of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

**16. Effective Date**

16.1. This By-law shall come into force on the date that it is enacted.

Enacted and passed this 25th day of February, 2025.

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Ron Bodner  
Deputy Mayor

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Charlotte Madden  
City Clerk

**The Corporation of the City of Port Colborne**

**By-law No. \_\_\_\_\_**

**Being a By-law to Amend By-law 4323/159/02, Being a By-law to License, Regulate and Govern Lodging Houses and the Keepers of Lodging Houses and to Revoke Any Such License (Bed and Breakfast Establishments)**

Whereas at its meeting of May 14, 2024, the Council of The Corporation of the City of Port Colborne approved the recommendations of Chief Administrative Office Report 2024-63, Subject: Draft Lodging House By-law; and

Whereas the Council of The Corporation of the City of Port Colborne enacted By-law 4323/159/02 on December 16, 2002; and

Whereas the Council of The Corporation of the City of Port Colborne deems it necessary and desirable to amend By-law 4323/159/02 to eliminate any confusion between the new Lodging House By-law and By-law 4323/159/02 which governs Bed and Breakfast Establishments;

**Now therefore** the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That By-law 4323/159/02 is amended as follows:
  - a) The by-law is renamed "Being a By-law to License, Regulate and Govern Bed and Breakfast Establishments" effective upon passage of this by-law.
  - b) Section 1(a) is repealed in its entirety and replaced with the following:

"(a) "bed and breakfast establishment" means a home occupation that provides guest rooms and may provide breakfast to the travelling and vacationing public."
  - c) All references to "lodging house" are repealed and replaced with "bed and breakfast establishment".
  - d) Sections "3" and "4" are renumbered "4" and "5" respectively.
  - e) The following Sections are inserted after Section 5:
    - "6. The short title of this by-law shall be known as the "Bed and Breakfast By-law".
7. In the event of a conflict between a provision of this By-law and a provision of any other City By-law, the provisions of this By-law shall prevail.
8. The Clerk is authorized to affect any minor modifications, corrections, or omissions, solely of an administrative, numerical, grammatical, semantical, or descriptive nature to this by-law or its schedules after the passage of this by-law."

Enacted and passed this 25th day of February, 2025.

\_\_\_\_\_  
Ron Bodner  
Deputy Mayor

\_\_\_\_\_  
Charlotte Madden  
City Clerk

**The Corporation of the City of Port Colborne**

**By-law No. \_\_\_\_\_**

**Being a By-law to Amend By-law No. 7297/119/24,  
Being a by-law to establish fees and charges for various  
services (Licensing of Lodging Houses)**

Whereas section 391 (1) of the *Municipal Act* S.O. 2001, c. 25, as amended authorizes a municipality to impose fees or charges on persons for services or activities, for costs payable for services or activities and for the use of property including property under its control; and

And whereas the Council of The Corporation of the City of Port Colborne at its meeting of November 26, 2024, passed By-law 7297/119/24 to establish fees and charges for various services; and

Whereas at its meeting of May 14, 2024, the Council of The Corporation of the City of Port Colborne approved the recommendations of Chief Administrative Office Report 2024-63, and Supplemental Report 2025-40 on February 25, 2025 Subject: Lodging House Licensing By-law; and

And whereas the Council of The Corporation of the City of Port Colborne considers it desirable to amend the of the Fees and Charges By-law 7297/119/24;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That By-law 7297/119/24 is amended by repealing Schedule “J” thereto and replacing it with Schedule “J” attached hereto and forming part of this by-law, and the fee contained therein is authorized, approved and effective upon passage of this by-law.
2. That the Clerk of the City is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or description nature to this by-law or its schedules after the passage of the by-law.

Enacted and passed this 25th day of February, 2025.

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Ron Bodner  
Deputy Mayor

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Charlotte Madden  
City Clerk

## Schedule J: Corporate Services and Clerks

Service	2024 Fee (plus HST as applicable)	2025 Proposed Fee (plus HST as applicable)
Tax Arrears Certificate (includes water arrears)	\$52.00	\$60.00
Drainage balance certificate (add-on to Tax Arrears Certificate)	\$26.00	\$30.00
Paper Copy - Tax Inquiry / Water Inquiry Returned	\$7.00	\$8.00
Cheque Charge	\$35.00	\$40.00
New Account Fee - Ownership Change	\$52.00	\$55.00
New Account Fee - New Roll Creation	\$52.00	\$55.00
New Account Fee - Water	\$52.00	\$55.00
Transfers to Tax for Over Due Accounts	\$52.00	\$55.00
POA Add to Tax Administration Fee	\$52.00	\$55.00
Administration Fee Accounts Sent to Collections	\$52.00	\$55.00
Marriage License	\$130.00	\$140.00
Civil Ceremony at City Hall for Port Colborne resident <sup>^</sup>	\$250.00	\$325.00
Civil Ceremony at City Hall for non-resident <sup>^</sup>	N/A	\$650.00
Civil Ceremony held at location other than City Hall* Port Colborne resident <sup>^</sup>	\$365.00	\$425.00
Civil Ceremony held at location other than City Hall* non-resident <sup>^</sup>	N/A	\$850.00
Lodging House Licensing Fee (up to 3000 Sq.Ft.)	N/A	\$1,100.00
Lodging House Licensing Fee (3001-6000 Sq.Ft.)	N/A	\$1,250.00
Lodging House Licensing Fee (6001-9000 Sq.Ft.)	N/A	\$1,400.00
Commissioner for Taking Affidavits (including HST)**	\$20.00	\$25.00
Death Registrations	\$25.00	\$30.00
Photocopying (per page)	\$0.25	\$0.30

\* \$100.00 non-refundable fee due upon initial consultation with the officiant

\*\* per oath or declaration (City business and pensions exempt)

<sup>^</sup> After hours ceremony requests, to be considered on a case by case basis and subject to additional fees

**The Corporation of the City of Port Colborne**

**By-law No. \_\_\_\_\_**

**Being a By-law to Amend By-law No. 6902/50/21, Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne (Lodging Houses)**

Whereas the City of Port Colborne passed By-law No. 6902/50/21 on June 14, 2021, Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne; and

Whereas at its meeting of February 25, 2025, the Council of The Corporation of the City of Port Colborne approved the recommendations of the Office of the Chief Administrative Officer Report No. 2025-40 Subject: Lodging House Licensing By-law; and

Whereas the City of Port Colborne considers it desirable and necessary to amend By-law No. 6902/50/21 Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne to include penalties relating to Lodging Houses licensed by the City;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That By-law No. 6902/50/21 Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne, is amended by repealing Schedule “B” thereto and replacing it with Schedule “B” to and forming part of this by-law, effective upon passage of this by-law.
2. That the Clerk is authorized to affect any minor modifications, corrections, or omissions, solely of an administrative, numerical, grammatical, semantical, or descriptive nature to this by-law or its schedules after the passage of this by-law.

Enacted and passed this 25th day of February, 2025.

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Ron Bodner  
Deputy Mayor

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Charlotte Madden  
City Clerk



Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
BOULEVARD & SNOW REMOVAL BY-LAW NO. 7008/46/22**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<u>ITEM</u>	<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>	<u>COLUMN 4</u>	<u>COLUMN 5</u>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3.1	Owner/Person permit objects or materials on boulevard	\$250	\$500	\$1000
2.	Section 3.2	Owner/Person permit objects or materials on boulevard that restricts sight lines	\$250	\$500	\$1000
3.	Section 3.3	Owner/Person permit snow deposited obstruct fire hydrant, waterbox or mailbox	\$250	\$500	\$1000
4.	Section 3.4	Object material within 0.45m to sidewalk	\$250	\$500	\$1000

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5.	Section 3.5	Fail to maintain grass on boulevard	\$250	\$500	\$1000
6.	Section 3.6	Alter boulevard	\$250	\$500	\$1000
7.	Section 3.10	Damage/construct/re-construct a sidewalk/curb/apron driveway/boulevard/culvert/ditch/signage	\$250	\$500	\$1000
8.	Section 4.1	Fail to clear snow or ice off a sidewalk	\$200	\$400	\$800
9.	Section 4.2	Fail to address slippery sidewalk	\$200	\$400	\$800
10.	Section 4.3	Fail to remove snow or ice from a roof	\$200	\$400	\$800
11.	Section 4.4 (b)	Place snow on a highway	\$200	\$400	\$800
12.	Section 4.4 (c)	Obstruct drainage to a catch basin	\$200	\$400	\$800
13.	Section 4.5 (a)	Damage a sidewalk/boulevard	\$200	\$400	\$800
14.	Section 4.5 (b)	Allow use of vehicle to plow wider than sidewalk being plowed	\$200	\$400	\$800

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**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
 (NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
 CONTROL OF CATS BY-LAW NO. 4949/5/07**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<u>ITEM</u>	<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>	<u>COLUMN 4</u>	<u>COLUMN 5</u>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1	Section 3	Allow/Permit Cat to be at large	\$300	\$600	\$1200
2	Section 4 (1)(a)	Allow/Permit cat to defecate on private property	\$300	\$600	\$1200
3	Section 4 (1)(a)	Allow/Permit cat to defecate in any public place	\$300	\$600	\$1200

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**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
DISCHARGE OF FIREARMS BY-LAW NO. 7026/63/22**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b><u>ITEM</u></b>	<b><u>COLUMN 1</u></b>	<b><u>COLUMN 2</u></b>	<b><u>COLUMN 3</u></b>	<b><u>COLUMN 4</u></b>	<b><u>COLUMN 5</u></b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1	Section 8	Discharge a firearm or bow not in accordance with the By-law	\$300	\$600	\$1200
2	Section 9	Discharge a Firearm within the Defined Area	\$300	\$600	\$1200
3	Section 9.1	Discharge a Bow within the Defined Area without established safety measures	\$300	\$600	\$1200
4	Section 10	Discharge a Firearm outside the defined area without owner's permission	\$300	\$600	\$1200
5	Section 10 a	Discharge a Firearm greater than a No 2 lead shot	\$300	\$600	\$1200

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6	Section 10 b	Discharge a bullet/shot/bolt/arrow/quarrel over property boundary	\$300	\$600	\$1200
7	Section 10.1	Discharge High Calibre Rifle with The City	\$300	\$600	\$1200
8	Section 10.2	Discharge for purposes of detonating a Reactive Shooting Target	\$300	\$600	\$1200
9	Section 11 a	Discharge within a 150m of a dwelling	\$300	\$600	\$1200
10	Section 11 b	Discharge in a private or public park or public open space	\$300	\$600	\$1200
11	Section 11 c	Discharge on premises of Educational property or religious institution	\$300	\$600	\$1200
12	Section 11 d	Discharge on all areas fronting Lake Erie measured from waters edge	\$300	\$600	\$1200

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**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
DOG CONTROL BY-LAW NO. 4930/155/06**

- 1.6 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.7 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.8 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.9 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.10 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b><u>ITEM</u></b>	<b><u>COLUMN 1</u></b>	<b><u>COLUMN 2</u></b>	<b><u>COLUMN 3</u></b>	<b><u>COLUMN 4</u></b>	<b><u>COLUMN 5</u></b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3(a)(vi)	Fail to provide sufficient shelter for an animal	\$325	\$650	\$1300
2.	Section 4(a)	Fail to keep dog in sanitary conditions	\$325	\$650	\$1300
3.	Section 5(a)	Permit dog to bark/howl excessively	\$325	\$650	\$1300
4.	Section 5(b)(i)	Fail to keep dog from chasing/biting/attacking any person	\$455	\$910	\$1820

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5.	Section 5(b)(ii)	Fail to keep dog from chasing/biting/attacking any domestic animal	\$455	\$910	\$1820
6.	Section 5(b)(ii)	Fail to keep dog from fighting with another dog	\$455	\$910	\$1820
7.	Section 5(b)(iii)	Permit dog to damage public property	\$325	\$650	\$1300
8.	Section 5(b)(iv)	Permit dog to trespass on private property	\$260	\$520	\$1040
9.	Section 6(h)	Transfer dog licence	\$130	\$260	\$520
10.	Section 6(i)	Fail to keep dog license fixed on dog	\$98	\$196	\$392
11.	Section 6(l)	Fail to obtain dog license	\$130	\$260	\$520
12.	Section 7(a)	Permit dog to run at large	\$325	\$650	\$1300
13.	Section 8(a)	Fail to leash dog	\$325	\$650	\$1300
14.	Section 10 (a)	Use of leghold trap	\$260	\$520	\$1040
15.	Section 11(c)(i)(A)	Fail to keep vicious dog leashed	\$520	\$1040	\$2080
16.	Section 11(c)(i)(B)	Fail to keep vicious dog muzzled	\$650	\$1300	\$2600
17.	Section 11(c)(ii)	Fail to keep vicious dog confined	\$520	\$1040	\$2080
18.	Section 11(c)(iii)	Fail to display vicious dog sign	\$130	\$260	\$520
19.	Section 11(d)	Fail to microchip vicious dog	\$260	\$520	\$1040

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20.	Section 14(a)	Fail to remove dog feces	\$195	\$390	\$780
21.	Section 15(a)	Fail to allow officer to inspect	\$130	\$260	\$520
22.	Section 16(a)	Did keep more than three dogs	\$325	\$650	\$1300



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**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
ENCROACHMENT BY-LAW NO. 6665/29/19**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b><u>ITEM</u></b>	<b><u>COLUMN 1</u></b>	<b><u>COLUMN 2</u></b>	<b><u>COLUMN 3</u></b>	<b><u>COLUMN 4</u></b>	<b><u>COLUMN 5</u></b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 6 (a)	Place encroachment on municipal property without consent	\$364	\$728	\$1456
2.	Section 6 (b)	Place encroachment on municipal property contrary to terms and conditions	\$364	\$728	\$1456

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**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
FENCE BY-LAW NO. 5510/107/10**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b><u>COLUMN 1</u></b> Designated Provision	<b><u>COLUMN 2</u></b> Short Form Wording	<b><u>COLUMN 3</u></b> Administrative Penalty Tier 1	<b><u>COLUMN 4</u></b> Administrative Penalty Tier 2	<b><u>COLUMN 5</u></b> Administrative Penalty Tier 3
1.	Section 3.1	Construct fence prohibited by By-law	\$224	\$448	\$896
2.	Section 3.1	Permit to be constructed fence prohibited by By-law	\$224	\$448	\$896
3.	Section 3.1	Maintain fence prohibited by By-law	\$224	\$448	\$896
4.	Section 3.2(i)	Construct closed fence higher than 0.75m within sight triangle	\$186	\$372	\$744
5.	Section 3.2(i)	Permit to be constructed closed fence higher than 0.75m within sight triangle	\$186	\$372	\$744

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6.	Section 3.2(i)	Maintain closed fence higher than 0.75m within sight triangle	\$186	\$372	\$744
7.	Section 3.2(ii)	Construct open fence higher than 1.0m within sight triangle	\$140	\$280	\$560
8.	Section 3.2(ii)	Permit to be constructed open fence higher than 1.0 within sight triangle	\$140	\$280	\$560
9.	Section 3.2(ii)	Maintain open fence higher than 1.0 within sight triangle	\$140	\$280	\$560
10.	Section 3.3.1(i)	Construct closed fence higher than 1.0m within front yard	\$186	\$372	\$744
11.	Section 3.3.1(i)	Permit to be constructed closed fence higher than 1.0m within front yard	\$186	\$372	\$744
12.	Section 3.3.1(i)	Maintain closed fence higher than 1.0m within front yard	\$186	\$372	\$744
13.	Section 3.3.1(ii)	Construct open fence higher than 1.25m within front yard	\$186	\$372	\$744
14.	Section 3.3.1(ii)	Permit open fence higher than 1.25m within front yard	\$186	\$372	\$744
15.	Section 3.3.1(ii)	Maintain open fence higher than 1.25m within front yard	\$186	\$372	\$744
16.	Section 4.1	Construct barbed wire fence in residential zone	\$196	\$392	\$784

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17.	Section 4.1	Permit to be constructed barbed wire fence in residential zone	\$196	\$392	\$784
18.	Section 4.1	Maintain barbed wire fence in residential zone	\$196	\$392	\$784
19.	Section 4.2	Construct fence composed of tires	\$118	\$236	\$472
20.	Section 4.2	Permit to be constructed fence composed of tires	\$118	\$236	\$472
21.	Section 4.2	Maintain fence composed of tires	\$118	\$236	\$472
22.	Section 5.1	Construct privacy screen contrary to regulations	\$118	\$236	\$472
23.	Section 5.1	Permit to be constructed privacy screen contrary to regulations	\$118	\$236	\$472
24.	Section 5.1	Maintain privacy screen contrary to regulations	\$118	\$236	\$472
25.	Section 6.1	Construct fence not in good repair	\$118	\$236	\$472
26.	Section 6.1	Permit to be constructed fence not in good repair	\$118	\$236	\$472
27.	Section 6.1	Maintain fence not in good repair	\$118	\$236	\$472
28.	Section 6.1	Construct privacy screen not in good repair	\$118	\$236	\$472
29.	Section 6.1	Permit to be constructed privacy screen not in good repair	\$118	\$236	\$472

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30.	Section 6.1	Maintain privacy screen not in good repair	\$118	\$236	\$472
31.	Section 6.1	Construct privacy screen not in good repair	\$118	\$236	\$472
32.	Section 6.1	Permit to be constructed privacy screen not in good repair	\$118	\$236	\$472
33.	Section 6.1	Maintain privacy screen not in good repair	\$118	\$236	\$472
34.	Section 6.2	Construct fence not using suitable materials	\$118	\$236	\$472
35.	Section 6.2	Permit to be constructed fence not using suitable materials	\$118	\$236	\$472
36.	Section 6.2	Maintain fence not using suitable materials	\$118	\$236	\$472
37.	Section 6.3	Construct electric fence not in Agriculture or rural zone	\$286	\$572	\$1144
38.	Section 6.3	Permit to be constructed electric fence not in Agricultural or rural zone	\$286	\$572	\$1144
39.	Section 6.3	Maintain electric fence not in Agricultural or rural zone	\$286	\$572	\$1144
40.	Section 9.2	Obstruct Officer	\$280	\$572	\$1144

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**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
FIREWORKS BY-LAW NO. 6613/68/18**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 1</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 4.1	Store Fireworks contrary to By-law	\$352	\$704	\$1408
2.	Section 4.1	Sell Fireworks contrary to By-law	\$352	\$704	\$1408
3.	Section 4.2	Store prohibited Fireworks	\$384	\$768	\$1536
4.	Section 4.2	Sell prohibited Fireworks	\$384	\$768	\$1536

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**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
FOULING OF ROADS BY- LAW NO. 7242/64/24**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

Section	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
4.1 (a)	Cause or permit the Fouling, obstructing, encumbering or injuring any City Road or drain, ditch or culvert.	\$500	\$1000	\$2000
4.1 (b)	Cause or permit the erecting, installing, placing or maintaining any item wholly or partly upon, in, under or over a City Road.	\$500	\$1000	\$2000
4.1 (c)	Cause or permit the hanging or maintaining of any gate, door, or other thing in such a manner as to allow it to swing over any part of a City Road	\$500	\$1000	\$2000
4.1 (d)	Place or expose, or cause or permit to be placed or exposed, any merchandise or articles of any kind upon a City road	\$500	\$1000	\$2000

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4.2 (a)	Owner of Property transport, drive, guide or operate any animal, any type of Vehicle or equipment in a manner that Fouls, obstructs, encumbers or otherwise injures a City Road	\$500	\$1000	\$2000
4.2 (b)	Owner of Property cause or permit any animal, any type of Vehicle or equipment to Foul, obstruct, encumber or otherwise injure a City Road	\$500	\$1000	\$2000
5.2	Fail to comply with an Order	\$500	\$1000	\$2000
5.4	Fail to forthwith remove or cause to be removed any Deposit from a City Road and remedy Fouling	\$500	\$1000	\$2000
5.5	Fail to forthwith remedy injury to a City Road	\$500	\$1000	\$2000
5.7	Hinder or obstruct, or attempt to hinder or obstruct, any authorized employee or agent authorized to enforce this By-law	\$500	\$1000	\$2000



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**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
 (NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
 LODGING HOUSE BY-LAW NO. \_\_\_\_ / \_\_\_\_ /24**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b><u>ITEM</u></b>	<b><u>COLUMN 1</u></b>	<b><u>COLUMN 2</u></b>	<b><u>COLUMN 3</u></b>	<b><u>COLUMN 4</u></b>	<b><u>COLUMN 5</u></b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3.1	Operate Lodging House without a valid license	\$750	\$1500	\$3000
2.	Section 3.2	Operate a Lodging House, not in compliance with applicable law	\$750	\$1500	\$3000
3.	Section 3.3	Advertise, operate or carry on business under name not on license	\$750	\$1500	\$3000

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4.	Section 3.4	Fail to comply with term or condition of license	\$750	\$1500	\$3000
5.	Section 3.5	Fail to comply with Order	\$750	\$1500	\$3000
6.	Section 12.4	Hinder or obstruct, or attempt to hinder or obstruct, any authorized employee or agent authorized to enforce this By-law	\$750	\$1500	\$3000

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**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
LOT MAINTENANCE BY-LAW NO. 7193/16/24**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3.1	Permit/have refuse on land	\$400	\$800.00	\$1600.00
2.	Section 3.2	Fail to enclose excavation with temporary barrier (122cm / 48 inches) high	\$400	\$800.00	\$1600.00
3.	Section 3.3	Fail to drain accumulated water over (30 cm / 12 inches) deep	\$400	\$800.00	\$1600.00
4.	Section 3.4	Deposit refuse on private property	\$400	\$800.00	\$1600.00
5.	Section 3.5	Deposit refuse on City property	\$400	\$800.00	\$1600.00

Schedule "B"

6.	Section 3.6	Fail to locate refuse containers in accordance with by-law	\$400	\$800	\$1600
7.	Section 3.7	Fail to maintain water in swimming pool in accordance with by-law	\$400	\$800	\$1600
8.	Section 3.8	Fail to maintain water in hot tub/water feature/artificial pond in accordance with by-law	\$400	\$800	\$1600
9.	Section 3.9	Fail to clear land of refuse when required by City	\$400	\$800	\$1600
10.	Section 3.10	Fail to clear buffer strip	\$400	\$800	\$1600
11.	Section 3.11	Fail to clear grass in excess of 15cm	\$400	\$800	\$1600
12.	Section 3.12	Fail to clear/spray for poison ivy/poison oak	\$400	\$800	\$1600
13.	Section 3.17	Fail to comply with Work Order	\$400	\$800	\$1600
14.	Section 3.18	Fail to park/store/house a vehicle /boat trailer/ recreation vehicle/ conveyance on an improved surface	\$400	\$800	\$1600
15.	Section 3.19	Store items in Partially Enclosed Structure may deteriorate due to weather	\$400	\$800	\$1600

**Schedule “B”**

16.	Section 3.19	Store items in Partially Enclosed Structure may create environment for pests to gather/nest	\$400	\$800	\$1600
17.	Section 3.22	Fail to comply with firewood provisions	\$400	\$800	\$1600
18.	Section 3.23	Permit/allow grasses and weeds in contravention of By-law	\$400	\$800	\$1600

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
NOISE BY-LAW NO. 4588/119/04**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b> Designated Provision	<b>COLUMN 2</b> Short Form Wording	<b>COLUMN 3</b> Administrative Penalty Tier 1	<b>COLUMN 4</b> Administrative Penalty Tier 2	<b>COLUMN 5</b> Administrative Penalty Tier 3
1.	Section 4(3) Schedule 2 (2)	Emit noise from any electronic device for the amplification of sound, in a residential zone at any time	\$201	\$402	\$804
2.	Section 4(3) Schedule 2 (4)	Emit noise from operating any construction equipment in a residential area 7 p.m. to 7 a.m.	\$335	\$670	\$1340

Schedule "B"

3.	Section 4(3) Schedule 2 (10)	Permit persistent barking, whining or other persistent animal noises	\$168	\$336	\$672
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Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
PROPERTY STANDARDS BY-LAW NO. 7189/12/24**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same Person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same Person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 4.1	Fail to keep yard free and clean from dead/damaged/decayed/diseased/ tree (s)	\$750	\$1500	\$3000
2.	Section 6.1	Fail to keep vacant building clear of garbage, rubbish, and debris	\$1000	\$2000	\$4000
3.	Section 6.2	Fail to prevent unauthorized entrance to vacant building	\$1000	\$2000	\$4000
4.	Section 6.10	Fail to repair or demolish damaged building within the time frame	\$1000	\$2000	\$4000
5.	Section 6.12	Fail to prevent unauthorized entrance to damaged building	\$1000	\$2000	\$4000
6.	Section 6.14	Fail to keep building exterior walls free from of unsafe objects	\$1000	\$2000	\$4000



Schedule "B"

7.	Section 6.19	Fail to remove building of smoke damage/ other defacement and ensure surfaces refinished	\$1000	\$2000	\$4000
8.	Section 8.4.1	Fail to comply with by-law standards prescribed	\$1250	\$2500	\$5000
9.	Section 8.4.2	Fail to comply with final and binding order	\$1250	\$2500	\$5000
10.	Section 8.4.3	Fail to produce any documents or things required by an Officer	\$350	\$700	\$1400

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
SEWER AND DRAINAGE WORKS BY-LAW NO. 5228/134/08**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b> Designated Provision	<b>COLUMN 2</b> Short Form Wording	<b>COLUMN 3</b> Administrative Penalty Tier 1	<b>COLUMN 4</b> Administrative Penalty Tier 2	<b>COLUMN 5</b> Administrative Penalty Tier 3
1.	Section 6.2(12)	Failed to provide access for inspection, maintaining, repairing, modifying, or replacing a service connection.	\$400	\$800	\$1600
2.	Section 6.2(13)	Failed to provide access for inspection to ensure compliance with the By-law.	\$400	\$800	\$1600

Schedule "B"

3.	Section 6.2(14)	Hindered a Corporation Officer or Agent in the exercise of a power of duty under the By-law.	\$400	\$800	\$1600
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Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
SIGN BY-LAW NO. 4738/120/90**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3.1.1	Erect sign not in accordance with the by-law	\$500	\$1000	\$2000
2.	Section 3.1.1	Erect sign without obtaining a permit	\$500	\$1000	\$2000
3.	Section 3.1.1	Permit sign to be erected without obtaining a permit	\$500	\$1000	\$2000
4.	Section 3.1.7	Fail to maintain sign in proper state of repair	\$500	\$1000	\$2000
5.	Section 3.1.9	Fail to remove sign where directed by Chief Building Official	\$500	\$1000	\$2000

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
(NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
SWIMMING BY-LAW NO. 5339/94/09**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.4 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.5 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<b>ITEM</b>	<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>	<b>COLUMN 5</b>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 3.1.1	Erect swimming pool without obtaining a permit	\$202	\$404	\$808
2.	Section 3.1.1	Construct swimming pool without obtaining a permit	\$202	\$404	\$808
3.	Section 3.1.1	Install swimming pool without obtaining a permit	\$126	\$252	\$504
4.	Section 4.1.2 (i)	Fail to erect safe fence	\$189	\$378	\$756
5.	Section 4.1.2 (i)	Fail to maintain safe fence	\$189	\$378	\$756

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
 (NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS -  
 TREE BY-LAW NO. 6175/01/15**

- 1.6 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.7 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 1.
- 1.8 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
- 1.9 Column 4 ("Administrative Penalty Tier 2") sets out the Administrative Monetary Penalty amounts that are payable for a second (2nd) contravention of the designated provisions listed in Column 1 by the same person(s) within a six (6) month period since the penalty notice was issued for the first (1<sup>st</sup>) contravention of the designated provision in Column 1.
- 1.10 Column 5 ("Administrative Penalty Tier 3") sets out the Administrative Monetary Penalty amounts that are payable for a third (3rd), or greater, contravention of the designated provisions listed in Column 1 by the same person(s) within a one (1) year period since the previous penalty notice was issued for the second (2<sup>nd</sup>) or greater, contravention of the of the designated provision in Column 1.

<u>ITEM</u>	<u>COLUMN 1</u> Designated Provision	<u>COLUMN 2</u> Short Form Wording	<u>COLUMN 3</u> Administrative Penalty Tier 1	<u>COLUMN 4</u> Administrative Penalty Tier 2	<u>COLUMN 5</u> Administrative Penalty Tier 3
1.	Section 4 (1)(a)	Injure/destroy tree on City property	\$530	\$1060	\$2120
2.	Section 4 (1)(b)	Remove tree on City property	\$318	\$636	\$1272
3.	Section 4 (3)	Trim tree on City property without permission	\$212	\$424	\$848
4.	Section 5 (1)	Plant tree on City property	\$318	\$636	\$1272

Schedule "B"

**CITY OF PORT COLBORNE ADMINISTRATIVE PENALTY  
 (NON-PARKING) BY-LAW – DESIGNATED BY-LAW PROVISIONS  
 VACANT BUILDING REGISTRY BY-LAW NO. 7192/15/24**

- 1.1 Column 1 in the following table lists the provisions in the corresponding by-law that are hereby designated for the purpose of establishing an administrative monetary penalties system.
- 1.2 Column 2 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in column 1.
- 1.3 Column 3 in the following table sets out the administrative penalty amounts that are payable for contraventions of the designated provisions listed in Column 1.
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<u>ITEM</u>	<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>	<u>COLUMN 4</u>	<u>COLUMN 5</u>
	Designated Provision	Short Form Wording	Administrative Penalty Tier 1	Administrative Penalty Tier 2	Administrative Penalty Tier 3
1.	Section 8.1	Fail to Register Vacant Building	\$750	\$1500	\$3000
2.	Section 8.4	Fail to conduct and provide required inspections	\$750	\$1500	\$3000

Schedule “B”

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**The Corporation of the City of Port Colborne**

**By-law No. \_\_\_\_\_**

**Being a by-law to Adopt, Ratify and Confirm the proceedings of  
the Council of The Corporation of the City of Port Colborne at its Regular  
Meeting of February 25, 2025**

Whereas Section 5(1) of the *Municipal Act, 2001*, provides that the powers of a municipality shall be exercised by its council; and

Whereas Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Regular Meeting of February 25, 2025, upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof.
2. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or with respect to the exercise of any powers by the Council, then this by-law is deemed for all purposes to be the by-law required for such authorization or exercise of any powers.
3. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.
4. That the Clerk is authorized to affect any minor modifications, corrections, or omissions, solely of an administrative, numerical, grammatical, semantical, or descriptive nature to this by-law or its schedules after the passage of this by-law.

Enacted and passed this 25<sup>th</sup> day of February 2025.

\_\_\_\_\_  
Ron Bodner  
Deputy Mayor

\_\_\_\_\_  
Charlotte Madden  
City Clerk