

December 7, 2021

By E-Mail

Regional Municipality of Niagara
Planning and Economic Development Committee
1815 Sir Isaac Bock Way
Thorold, ON L2V 4T7

Dear : Councillor Huson and Committee Members

**Re: 171 Gorham Road, Ridgeway (Fort Erie)
Niagara Official Plan Settlement Area Review-Urban Recommendations
Report No. PDS 41-2021
Planning Committee Meeting December 8, 2021**

We are writing to request that the lands at 171 Gorham Road be included in the Settlement Area expansion being explored by Niagara Region as part of the Municipal Comprehensive Review exercise.

We act for 2779103 Ontario Limited and 2779347 Ontario Inc., the owners of the 20.2 hectare parcel of land located at the north-west quadrant of the intersection of Gorham Road and Farr Avenue, within the Town of Fort Erie. The municipal address is 171 Gorham Road.

Our clients have requested that this land be included within the Region's and Town's Settlement areas. Over the course of the Region's Municipal Comprehensive Review and Town's background planning, we have offered technical input to support this request.

Town has Identified the Site as a Priority Area for Settlement Area Expansion

The Town of Fort Erie ranked this site highly for inclusion in the settlement area. Fort Erie Planning Report PDS -41-2021, which was before Town Council on May 31, 2021, included the recommendation of the independent consultant retained by the Town which ranked our Client's land as the second most preferred location within the Town for urban expansion.

Site has Favourable Attributes to be Included in Community Area

The favourable recommendation was based upon the land being partially included within the existing Settlement Area, being abutted by existing residential, commercial and institutional uses, its flat topography, ease of servicing and being relatively unconstrained by natural features.

The Planning Report before the Region's Planning and Economic Development Committee (Report No. PDS-41-2021) has identified areas for settlement area expansion within Fort Erie. However, our client's land was not selected as a preferred site for expansion. It is our continued view that our Client's land possess superior locational attributes and that the Town's direction to rank this land highly should be given considerable weight in this process.

Region has Considerable Flexibility to Add Settlement Area Under the Growth Plan Policies

We also observe that recent changes in the Growth Plan policies treat the population forecasts in Schedule 3 as **MINIMUMS**. No request to the Ministry is required for alternative targets. The policies specifically identify the ability to exceed the forecasts to ensure an adequate supply of housing at a time of a growing housing supply crisis.

New Land Needs Assessment Methodology Includes New Flexibility, and a Focus on a Market-Based Supply of Housing

In addition, the new Land Needs Assessment Methodology includes much new flexibility. The former rigid approach of treating the population forecasts as hard caps under the Land Needs Assessment Methodology is no longer applicable. For example, minor adjustments upwards, when they make sense because of local on-the-ground planning considerations are contemplated.

In addition, there is a clear direction for municipalities to properly provide a market-based supply of housing to meet the needs for housing in the growing population.

Inclusion of 171 Gorham Can be Accommodated Under Provincial Policies

The inclusion of the relatively modest land in question here, reflecting the local Municipality's recommendations, is appropriate.

During the commenting period associated with this process, we will continue to work with Local and Regional Staff to highlight the locational qualities of the this property with the aim of having these lands included within the Region's Settlement Area.

In particular, we would be pleased to assist in establishing that the inclusion of the 171 Gorham Road lands as part of the proposed settlement area expansion would be in conformity with the policies of the Growth Plan and consistent with the policies found in the Provincial Policy Statement to meet the "projected market-based and affordable housing needs of current and future residents of the regional market area".

Yours truly,

AIRD & BERLIS LLP



Hon. Peter Van Loan
Partner

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