

June 23, 2022

**By E-Mail Only to *clerk@niagararegion.ca***

Regional Chair Jim Bradley and Members of Council  
Niagara Region  
1815 Sir Isaac Brock Way  
P.O. Box 1042  
Thorold, ON L2V 4T7

Regional Chair Bradley and Members of Council:

**Re: Request for Re-Inclusion in Settlement Area  
SABR ID: 1151 – Lands located on Garrison Road between Rosehill Road  
and Municipal Centre Drive, Town of Fort Erie  
June 23, 2022 Council Meeting  
Agenda Item 10.4 PEDC Minutes June 15, 2022  
PDS 17-2022 Niagara Official Plan: Recommendation Report for Adoption**

We are counsel to Mega Canada Ltd., the owner of approximately 19.7 hectares of land located on Garrison Road between Rosehill Road and Municipal Centre Drive in the Town of Fort Erie (the “**Subject Lands**”). The Subject Lands have been identified as SABR ID: 1151 in the Region’s Settlement Area Boundary Review (“**SABR**”) process.

On behalf of our client, we previously filed correspondence, which was received at the Planning and Economic Development Committee (“**PEDC**”) on June 15, 2022, and our client’s planning consultant Mr. Maurizio Rogato of Blackthorn Development Corp. made a delegation at that meeting. A copy of our prior correspondence identified as PDS-C 44-2022 is included in the Council Agenda as part of Item 10.4.

For the reasons outlined in detail in our prior correspondence, our client requests that a 10 hectare portion of the Subject Lands be re-included in the Settlement Area boundary in the proposed Niagara Official Plan. The Subject Lands were recommended for inclusion in the Settlement Area by the Town of Fort Erie (“**Town**”) Council on February 22, 2021 and initially, by Regional Staff in their December 8, 2021 SABR report PDS 41-2021.

The reasons why the Subject Lands were subsequently recommended for removal from the Settlement Area in March, 2022 have since been addressed by our client’s proposal to include only the developable area of the Subject Lands (approximately 10 hectares) in

the Settlement Area, excluding identified environmental features and their buffers, and through future servicing studies which are already required for lands in this area.

Although not ultimately recommended by PEDC, our client re-iterates its request for re-inclusion of the Subject Lands in the Settlement Area for all of the reasons set out in our correspondence. We respectfully request that, prior to adoption, Council modify the Niagara Official Plan to include the 10 hectare developable area of the Subject Lands.

We request notice of any decision made by Council in respect of this matter.

Yours truly,  
**DAVIES HOWE LLP**



Meaghan McDermid

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copy: Client  
Mr. Maurizio Rogato, Blackthorn Development Corp.