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SENT BY FAX and REGULAR MAIL

August 3, 2022

Regional Director, Central Region
Ministry of Municipal Affairs and Housing
777 Bay Street, 13th Floor
Toronto, ON
M7A 2J3

Dear Sir/Madam:

Re: **Region of Niagara Official Plan
Cytec Canada Inc.
9061 Garner Road
City of Niagara Falls
Regional Municipality of Niagara
Our File 050846**

We are the solicitors for Cytec Canada Inc. (“Cytec”), part of the Solvay Group.

Council of the Regional Municipality of Niagara recently adopted the new Niagara Official Plan (“NOP”) on June 23, 2022, and we received a notice of the adoption on June 29, 2022. On behalf of Cytec, we submitted the attached letter dated June 13, 2022, to Chair Huson of the Planning and Economic Development Committee outlining our client’s concerns with the proposed NOP. These concerns remain outstanding.

Background

Cytec is a major chemical manufacturing company located in the City of Niagara Falls comprising of approximately 1,000 acres located north of the Welland River fronting on Garner Road. Provincial and local planning policies require that heavy industrial uses are adequately separated from sensitive land uses (e.g., residential uses). To address this requirement, the City implemented in their Official Plan a 2 km separation distance/arc that restricts the development of sensitive land uses within a 2 km radius of the Cytec site. The purpose of the separation is to minimize adverse impacts on public health and safety.

The adopted NOP only designates certain employment lands, however, it neglects to identify existing locally designated employment lands. These lands include Cytec and the surrounding employment lands, and lands located within the 2 km separation distance (i.e., 9304 McLeod Road). The lands at 9304 McLeod Road have been recommended for inclusion within the urban boundary. The absence of locally designated employment lands on the NOP schedules leaves lands, especially those within the 2 km separation, vulnerable to employment conversion. In fact, the lands at 9304 McLeod Road are presently the subject of a conversion request. Cytec is strongly opposed to employment conversions that introduce sensitive land uses in close proximity to its industrial operations.

Request of Province

We are requesting that the Ministry modify the NOP so that the Cytec lands and surrounding employment precinct, including the lands located at 9304 McLeod Road be designated employment lands within the NOP and mapped as such. This will serve to protect these lands for long-term employment use, consistent with the Provincial Policy Statement, 2020 (“PPS”) and in conformity with the Growth Plan. Such designations will provide the necessary assurance to Cytec that the Province is committed to ensuring the long-standing protection of the Cytec operation together with potential future expansion.

Cytec and its advisors request a meeting with the Ministry to outline its concerns in greater detail.

We respectfully request notice of the decision with respect to the NOP. Notice should be forwarded to the attention of the writer, together with a copy to Cytec’s Planning Consultant. The addresses follow:

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513 Locust Street, Unit B,
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We thank you for your consideration of this letter including consideration of Cytec's modification request.

Yours very truly,



Jeffrey J. Wilker
JJW

Sent By Email

- cc: Michelle Sergi, Commissioner Planning and Development Services, Niagara Region
- cc: David Heyworth, Manager of Long Range Planning, Niagara Region
- cc: Ann-Marie Norio, Regional Clerk, Niagara Region
- cc: Kira Dolch, Director of Planning, Building and Development, City of Niagara Falls
- cc: Brad Campbell, Site Director, Cytec
- cc: Ken Milo, Environmental Rehabilitation Officer, Cytec
- cc: Glenn Wellings, Wellings Planning Consultants