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May 15, 2012

14.09240.001.P01

Richard F. Brady MA, MCIP, RPP  
Director of Community and Development Services  
1 Municipal Centre Drive  
For Erie, ON L2A 2S6

Dear Mr. Brady

Subject: **Applications for Official Plan and Zoning By-law Amendment  
Nyon Oil Inc. Energy Park  
Part Lots 23, 24 and 25, Concession 4, Part Lots 16 to 20, Concession 5, Port  
Colborne**

MMM Group Limited, on behalf of Nyon Oil Inc., is pleased to submit the following agreed upon supporting studies for the Energy Park development, within the City of Port Colborne.

The purpose of this application is to permit the development of the site for an Energy Park consisting of a petroleum tank farm and distribution facility, a solar energy facility and future green industries. The Subject Property is presently designated Deferred Industrial, Private Open Space and Agricultural under the Official Plan of the City of Port Colborne. The application would redesignate the site to Heavy Industrial, Light Industrial and Environmental Protection. The rezoning of the Subject Property from Agricultural (A) and Environmental Protection (EP) to Heavy Industrial (HI), Light Industrial Exception (LI-X) and Environmental Protection (EP) is appropriate to permit the proposed uses. A holding symbol shall be applied to the entire Subject Property to ensure that no use shall be permitted until such time that a Site Plan has been submitted and approved by the City.

The following items are enclosed with this submission:

- Concept Plan dated May 13, 2012 (10 full size copies and one reduced (8 ½ x 11") copy);
- Planning Rationale Report Update dated May 2012 (10 copies);
- Noise Impact Study dated May 11, 2012 (10 copies);
- Air Emissions Compliance Assessment Update dated May 2012 (10 copies);
- Traffic Impact Study dated May 2012 (10 copies);
- Hydrogeological Consultation Report Update dated May 11, 2012 (10 copies);
- Functional Servicing Report dated May 2012 (10 copies);

- Groundwater Impact and Environmental (Contaminant) Management Plan dated May 2012 (10 copies);
- Implementation Plan dated May 11, 2012 (10 copies);
- Floodplain Analysis Report dated March 2012 (1 copy); and,
- Digital copies of the above (1 CD).

Please note that a Stage 1 Archeological Assessment was previously submitted to the City and the Ministry in April 2012, and as such as not been included in this submission. Further, the Floodplain Analysis Report has already been submitted to the Niagara Peninsula Conservation Authority (NPCA), and is currently under review. A copy has been provided for your files.

Additionally, a Geotechnical Investigation is currently being undertaken by Peto MacCallum Ltd. and will be submitted to the City by the end of June 2012. MMM is also preparing a comprehensive Environmental Impact Study in support of this application, which was agreed would be submitted at a future date due to the seasonal requirements of the study. A Terms of Reference has been prepared and sent to the Region and NPCA for approval.

We appreciate your assistance in expediting approval of this application. Please contact us should you have any questions or comments in regard to this application or related matters.

Yours truly,

**MMM GROUP LIMITED**



Kristy Shortall, MCIP, RPP, LEED Green Associate  
Senior Planner  
Associate

cc. Cecil Vincent – City of Port Colborne  
cc. Gord Baker, Q.C. – Nyon Oil Inc.  
cc. James Ayres – Nyon Legal Counsel

KRS/

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