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December 14, 2018

Via Email Only To: [clarmour@notl.org](mailto:clarmour@notl.org)

Town of Niagara-on-the-Lake  
1593 Four Mile Creek Road  
P.O. Box 100  
Virgil, ON, L0S 1T0

Attention: Craig Larmour

Dear Sir:

**Re: TWO SISTERS RESORTS CORP.  
Application to the Town of Niagara-on-the-lake  
For Zoning Bylaw Amendment  
144 and 176 John Street East, NOTL  
HLAM File No.: 718015**

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We act as counsel to SORE Association. We are writing to advise Staff and Council that we consider the above-noted application and the associated site plan application to be materially deficient for the reasons set out below.

Both the original plans and the revised plans filed with the Town clearly show the emergency vehicle access for the hotel development proposed by Two Sisters is entirely situated on 200 John Street. The Lea Consulting Traffic Impact Study filed in support of the application further confirms (p 32) that 200 John will provide two-way access for the hotel. Finally, Mr. Marotta indicated in the "Good Friday" video of the meeting with members of SORE earlier this year, which can be viewed on the SORE website ([sorenottl.ca](http://sorenottl.ca)) that he had deliberately moved the emergency vehicle access route from 144/176 John Street East to 200 John Street East to minimize impacts on the prominent Dunington-Grubb designed landscape on those two properties.

It is therefore clear that the 200 John Street East property needs to be and should have been included in the hotel and convention centre related applications. That property should have been identified in the public notices, but was not, which makes those notices materially deficient and defective. It further follows that the necessary supporting studies including the 200 John Street East property - defining the dimensions of the access road,

William E. Heelis

H.A. Patrick Little

James D. Almas

Bryce W.B. Murray

Ross A. Wilson Q.C.  
(1911 - 2011)

assessing the noise and visual impact, outlining the adverse effect on the Dunington-Grubb landscape on 200 John Street East, providing an Environmental Impact Study (EIS) regarding One Mile Creek that runs through 200 John Street East - should have accompanied the applications and been available for public and agency review and comment.

Similarly, if 588 Charlotte Street is to be used as rear access to the hotel, these lands need to be included in new public notices, appropriate studies done and the public and agencies consulted.

Finally, if the 200 John Street East property is to be included in the application, the proper limit of the urban boundary needs to be identified in any plans filed for consideration.

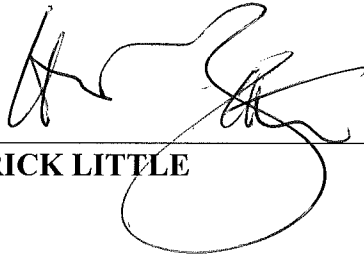
We are sure you would agree that not only does the law require the matters noted above to be properly addressed by the applications, the community (including SORE) and the relevant agencies are both required and entitled to examine and comment on a complete application. We had raised these matters with the Applicant in correspondence earlier this year without success and are now turning to the Town for action.

We therefore request that the applications be either voluntarily withdrawn until these deficiencies are addressed and proper applications submitted or that the Town notify the proponent and the LPAT that the applications are materially deficient and are being returned to the Applicant so that fresh and proper applications can be resubmitted.

Yours sincerely,

**HEELIS, LITTLE, ALMAS & MURRAY LLP**

**per**



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**H. A. PATRICK LITTLE**

HAPL:amd  
Encl.

cc Sullivan Mahoney LLP  
Attention: Thomas Richardson

cc Lord Mayor Betty Disero and  
Members of Council via email

cc Scott Snider

cc Callum Shedden