

**Turkstra Mazza**

Hamilton London Toronto

15 Bold Street  
Hamilton Ontario Canada L8P 1T3  
Receptionist 905 529 3476 (905 LAW-FIRM)  
Facsimile 905 529 3663  
nsmith@tmalaw.ca

**VIA EMAIL**

June 22, 2022

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

Attn: Ann-Marie Norio, Regional Clerk

Dear Chair and Council Members:

**Re: Niagara Official Plan**  
**8970 and 9015 Stanley Avenue and Lands on the South Side of Lyons Creek Road**

We represent 2610832 Ontario Inc. ("**261**"), owners of lands municipally known as 8970 and 9015 Stanley Avenue, Niagara Falls.

We have reviewed Staff Report PED 17-2022 ("**Report**") that went to Committee on June 15, 2022 and Appendix 4, the response table for written submissions received during statutory consultation ("**Chart**"). We made two submissions to the Region as part of its consultation:

1. Robyn Brown's email attaching a letter to the City of Niagara Falls dated January 26, 2022 ("**Submission 1**") - attached;
2. A letter to Niagara Official Plan Team dated March 4, 2022. ("**Submission 2**") – attached.

Neither Submission 1 nor Submission 2 is referenced in the Chart.

Please consider 261's input before your final decision at your Council Meeting on June 23, 2022 at 6:30 p.m.

Yours truly,



Nancy Smith  
ns/l

**From:** [Robyn Brown](#)  
**To:** [Nancy Smith](#); [Brenda Khes](#)  
**Cc:** [Jennifer Ricci \(riccilaw2008@gmail.com\)](#)  
**Subject:** FW: Niagara Falls LNA  
**Date:** June 22, 2022 12:11:27 PM  
**Attachments:** [Letter to Mayor and Members of Council - Jan 26 2022.pdf](#)

---

---

**From:** Robyn Brown  
**Sent:** Friday, March 25, 2022 10:59 AM  
**To:** Bowie, Greg <Greg.Bowie@niagararegion.ca>  
**Subject:** Niagara Falls LNA

Hi Greg,

As I mentioned in my previous email, I have been retained by some landowners in Niagara Falls to review Employment LNA which has been completed by the City and Watson. We have met with the municipality and Watson to discuss some of the assumptions which underpin their analysis, including ones that seem to contradict the Regional work. For your reference I have attached our submission to the City.

I was hoping to schedule a call to discuss how these two documents relate to one another, and how some of the different assumptions, in particular the assumption of 25 jobs/ha and the 20% land vacancy will impact the Region's findings.

I know you had said to include Diane on the email, however you didn't copy her so I do not have her email address. Please forward this email, or copy her on the reply.

If you could let me know some times you are free to chat next week I would really appreciate it.

Have a good weekend,

Robyn

**Robyn Brown MA, MPL**

Director - Sr. Practice Lead, Planning

Explore IBI's global Placemaking practice: <https://www.ibigroup.com/ibi-services/placemaking/>

**IBI GROUP**

7th Floor - 55 St. Clair Avenue West  
Toronto ON M4V 2Y7 Canada  
tel +1 416 596 1930 ext 61410



**Turkstra Mazza**

Hamilton London Toronto

**Nancy Smith**

15 Bold Street

Hamilton Ontario Canada L8P 1T3

Receptionist 905 529 3476 (905 LAW-FIRM)

Facsimile 905 529 3663

nsmith@tmalaw.ca

**VIA EMAIL**

January 26, 2022

Mayor and Members of Council  
City of Niagara Falls  
City Hall  
4310 Queen Street  
Niagara Falls ON L2E 6X5

Dear Mayor Diodati and Members of Council:

**Re: 8970 and 9015 Stanley Avenue  
2610832 Ontario Inc.  
REQUEST FOR A MEETING**

---

**INTRODUCTION**

We represent 2610832 Ontario Inc. ("**261**"), owners of lands municipally known as 8970 and 9015 Stanley Avenue, Niagara Falls ("**Subject Lands**"). The portion of the Subject Lands west of Stanley Avenue were formerly used as a trailer park ("**Former Trailer Park Lands**") while the portion east of Stanley Avenue were formerly used as a golf course ("**Former Golf Course Lands**"). Our retainer is focused on assisting 261 in realizing the development potential of the Subject Lands in accordance with the applicable policy regime.

**OUR VISION**

The present official plan policy vision for the lands is dated: Resort Commercial and Open Space. The uses no longer exist. 261 envisions land uses that respond to provincial policy intensification and environmental protection objectives: Residential, Commercial and Environmental Protection Area. To this end, 261 submitted an Official Plan Amendment application on July 11, 2021 with supporting studies. Additional supporting studies were submitted on November 4, 2021. An open house was held on January 10, 2022. An implementing Zoning By-law Amendment application with more studies will be submitted shortly. We look forward to sharing our Vision with you in more detail as this process unfolds.

## EMPLOYMENT LAND STRATEGY

As you know, 261 has been working with the City for approximately three (3) years to realize its Vision for the Subject Lands. Needless to say, we were surprised to learn in June/July of 2021 that the City consultants, Watson and Associates, were looking to the Former Trailer Park Lands as potential Employment Lands.

We retained Robyn Brown of IBI Group in Toronto, land use planner and land economist, to assist us in understanding the City's interest in looking to the Former Trailer Park Lands as potential Employment Lands. I am attaching Ms. Brown's CV for your perusal. Please read it. My client and the City are fortunate to have Ms. Brown's perspective to inform decision-making moving forward.

Not only is Ms. Brown participating in the growth management exercises in virtually all major centres in Ontario, you will see that she served on the technical working group for the Province's 2020 Land Needs Assessment Methodology. Her work on that team informed the methodology to be used by all GTHA municipalities when completing their Municipal Comprehensive Reviews ("**MCR**") to determine future land need. To be clear, the 2020 Lands Needs Methodology recommended by Ms. Brown's working group is currently being used by Ontario municipalities including Niagara Region in its MCR.

On December 7, 2021, you resolved "that Council receive the Niagara Falls Employment Lands Strategy Phase 3 report [{"**Watson Report**"}] for information." Ms. Brown reviewed the Watson Report. I am attaching her January 20, 2022 Memorandum ("**IBI Peer Review**"). Please read it. Ms. Brown concludes in the IBI Peer Review that:

Overall, the City and the Region have taken different approaches to the land needs assessment, they have used different densities, identified different vacant areas, which has led to significantly different findings. It is IBI Group's opinion, that the City's work is premature and needs to incorporate the land needs assessment that the Region of Niagara is currently completing as part of their MCR.

## OUR PROCESS APPROACHES ALIGN

On December 7, 2021, you resolved "that Council direct staff to prepare draft Official Plan and Zoning By-law amendment for additional stakeholder consultation and for consideration and adoption at a later Council session; and to only extend to Stanley Avenue, not go east beyond Stanley Avenue."

261 appreciates the focus on "additional stakeholder consultation". As mentioned, we look forward to sharing our Vision for the Subject Lands as part of the planning process. Given the Watson Report, this by necessity includes discussing the basis for you approaching your land needs assessment differently than the Region. It is unclear to us why you are not waiting for and incorporating the Region's land needs assessment.

The IBI Peer Review poses the following questions (“**IBI Peer Review Questions**’):

1. What is the status of the proposed employment land conversions? Has the Region reviewed these applications and incorporated them in the MCR?
2. Will the conversions still be accommodating jobs on site? If so, how were these jobs considered in the analysis?
3. How was the 20% land vacancy determined?
4. How does the employment land inventory align with the Region of Niagara’s current work?
5. How does the assessment of employment land intensification opportunities factor into the supply? How does the 10% job allocation relate to the total hectares of land identified for potential intensification?
6. Is the City intending on updating the supply to reflect 2021 so that it aligns with the demand forecast?
7. How did the City establish the density assumption? The City has included a variety of densities across existing employment areas – was a weighted average used?
8. How is the City considering the Region’s work, their employment density assumption of 35 hectares?

Answers to these important questions will assist 261 in engaging in the stakeholder consultation you directed.

### **INTERIM CONTROL BY-LAW (“ICB”)**

On December 7, 2021, you resolved to “defer interim control by-law”. I was pleased to see this. I had advised my client of my legal concerns in proceeding with an ICB in the circumstances of this case. Given your resolution, I need not share those concerns in this letter. If your approach in using an ICB in this case changes, I respectfully request notice so that I may make submissions to you on behalf of 261.

### **OUR ASK**

We request written answers to IBI Peer Review Questions and a meeting to discuss them as part of your “additional stakeholder consultation”. Please direct your staff in this regard.

Yours truly,



Nancy Smith  
ns/l

cc. Jason Burgess, Chief Administrative Officer  
Kira Dolch, Director of Planning, Building and Development

## **Robyn Brown** MA, MPL, PLE Director – Sr. Practice Lead, Planning

Ms. Robyn Brown, MA, MPI, is a senior land use planner and professional land economist in the Real Estate, Economics and Planning division at IBI Group. Robyn brings her experience in commercial real estate, including an extensive understand of the GTA ICI and land market. At IBI Group, she leads a team of planners, economists and GIS specialists on growth management exercises, highest and best use studies, economic and market impact assessments across Canada. Robyn helps her clients make strategic decisions about their real estate assets.

Previously, Ms. Brown worked as a sales representative at DTZ Barnicke, a nationally represented commercial real estate brokerage. Focused on land acquisition and leasing, Ms. Brown helped in the disposition of over 500 acres of development land across the GTA, along with portfolio analysis and disposition strategies.

Specialties: Growth Management, Economic Development, Transit Oriented Communities, Financial and Economic Feasibility Studies, Market Analysis, Site Selection, Employment Land Conversions and Land Needs Analysis

She is the former co-chair of ULI's Women's Leadership Initiative (2018 - 2020), is currently on the Board of Directors for Toronto CREW (Commercial Real Estate Women) and a member of the Ontario Professional Planning Institute, a member of the Association of Ontario Land Economists (PLE) and Lambda Alpha International (Land Economics Society).

Robyn has served on the technical working group for the Province's 2020 Land Needs Assessment Methodology, the 2021 work on the revised Projection Guidelines, and has been a stakeholder on various other Provincial Initiatives including the 2020 Growth Plan.

## **Representative Experience**

### **Land Needs and Growth Management**

**City of Winnipeg Residential Growth Study** – IBI Group was retained to complete a residential growth strategy to accommodate approximately 200,000 new residents to 2040. Ms. Brown is the project manager on this file and dealt with day to day communications, stakeholder outreach and sub-consultants. A three phased approach which with a. develop a weighted criterion to measure growth opportunities b. using the weighted criteria to examine identified areas for growth and c. allocating the growth to various areas based on results of the evaluation.

**Welland Employment Lands Re-designation – Empire Communities** – IBI Group was retained by Empire Communities to work with the City of Welland and the Region of Niagara to review the re-designation of two parcels of former industrial land, one the former John Deere plant to mixed use. This study looks at the potential number of jobs and space which will need to be retained on the site, and how the re-designation of

## **Education**

Master of Planning (MPI Urban Development, Planning), Ryerson University, 2012

Master of Arts (MA, History), University of Toronto, 2002

Bachelor of Arts (Honours, History & Political Science), University of Toronto, 2001

## **Experience**

### **2012–Present**

IBI Group, Toronto, ON

Director – Senior Practice Lead, Planning

Land Use Planner/Land Economist

### **2011**

City of Toronto, Policy and Planning Department, Intern

### **2005–2011**

DTZ Barnicke Limited, Real Estate Sales Person, Industrial Coordinator

## **Awards and Publications**

Paper: "Barriers to Midrise Development in Toronto", Ryerson University (2012)

Thesis: "Them: the Role of the Scientist in Fifties Science Fiction Films". An analysis of the changing nature of authority and science as reflected in science fiction films of the fifties. University of Toronto (2002)

Fast Company – Transit Oriented Communities (2021)

Land Economist Journal – Future of the Mall (2022)

2015 WLI Championship Team

2019 ULI Prologis Award Winner

## **Organizations**

Urban Land Institute (Toronto)

WLI – Women's Leadership Initiative (ULI)

Toronto CREW (Commercial Real Estate Women) – Board of Directors

BILD

OPPI (Ontario Professional Planners Institute)

Lambda Alpha International

Association of Ontario Land Economists (Board Member)

the sites will impact the City of Welland's ability to accommodate future employment growth. (ongoing)

**450 Dufferin Employment Land Conversion – Hullmark Developments**– IBI Group was retained by Hullmark Developments, a predominantly non-residential developer, to assist in supporting their conversion of an employment land site near Liberty Village, in the City of Toronto, through the City's Municipal Comprehensive Review. IBI Group worked with designers and planners to assess the potential employment yields for the non-residential component of a proposed mixed-use development. IBI Group assessed the City of Toronto's employment forecasts, the existing employment area, information from the City of Toronto's Employment Survey to address local changes in employment and considered the provincial and city-specific employment land conversion criteria. Ms Brown is the Project Manager and Director on this file. (ongoing)

**Ottawa Land Needs Assessment –Mattamy/ Minto Communities** – IBI Group was retained by two major developers in the City of Ottawa to review and complete an analysis of the City of Ottawa's land needs assessment to 2041. IBI Group reviewed the impact of employment land conversions, servicing, available land and intensification to determine if the City had sufficient land to accommodate the forecasted residential growth to the planning horizon.

**City of Toronto Employment Land Conversion** – IBI Group was retained to assess the feasibility of submitting three privately owned employment sites for conversion during the recent City of Toronto's Official Plan Review. Ms. Brown was responsible for review of the current planning status of the site and employment projections across the City using the City of Toronto Employment Survey and information on the construction and availability of current industrial product across the Greater Toronto Area. These studies were used to augment the conversion applications.

**Halton Residential Land Needs – South Georgetown Landowners Group** – IBI Group was retained to monitor and participate in the Halton Region Municipal Comprehensive Review by the South Georgetown Landowners Group, who have lands outside of the current settlement boundary. The assignment includes analysis on the housing forecast, employment land and residential land needs assessment. Ms. Brown is the Project Director on this file. (ongoing)

**Vaughan Employment Lands Review** – IBI Group was retained by a landowner group in the City of Vaughan to complete an employment land inventory in support of a land use conversion. Ms. Brown was the project manager in charge of creating an employment land inventory and assessment, along with a review of the City of Vaughan's employment forecasts and an assessment of the ability to accommodate future growth.

**Bolton Residential Expansion Areas** – IBI Group was retained by one of the landowners in the potential Bolton Residential Expansion Areas to represent their lands as part of the assessment of the expansion areas. IBI Group was responsible for the land needs assessment, monitoring the Peel 2041+ growth forecasts and the fiscal impact assessment of the different options. Ms. Brown was the project manager on this file, and coordinated with the different consultants, and managed day to day activity on the file.

**Clarington Official Plan Update – Tribute Communities** – IBI Group was retained to assist a developer with lands in the Courtice area, to understand and advise on the impact of the draft Official Plan policies on their land holdings. Ms. Brown as project manager reviewed the proposed policies, attended public meetings and assessed the future residential lands proposed by the by-law. This study included a residential land needs assessment.

**Brantford/Brant County Employment Accommodation – Walton Development and Management LP** – IBI Group was retained by Walton Development to examine the current inventory of employment and residential lands in the City of Brantford and Brant Country to assess the need for additional lands to accommodate forecasted growth. Ms. Brown conducted a high-level overview of employment lands across the Greater Golden Horseshoe, including availability, competitiveness and local employment lands market.

**Burlington Employment Lands Review – Paletta Developments** – IBI Group was retained by the developer to review the Phase 1 and Phase 2 Employment Lands Study including the key assumptions in the land budget and employment forecasts. Ms. Brown assisted in the analysis of the vacant Burlington Employment Lands, including development potential, servicing constraints, market appeal and timing of market absorption.

**Kitchener/Waterloo Land Needs Assessment – Schlegel Villages** – IBI Group to monitor and participate in the Region of Waterloo's Municipal Comprehensive Review process in order to assist Schlegel in understanding the potential inclusion of their lands in the urban settlement area. This work included reviewing land supply and demand assumptions. (Ongoing)

### **Development Charges and Municipal Finance Work**

**City of Toronto Development Charge Background Study** – IBI Group has been retained by BILD (Building Industry Land Development) to monitor and participate in the City of Toronto's development charges review which will implement the new development charge to collect for growth related capital. IBI Group is a stakeholder in this process and will review the capital allocations, infrastructure and other assumptions which underpin the charge. Robyn is the Project Director on this file. (ongoing)

**Burlington Parkland Cash-In-Lieu Study – Brookfield Homes** -IBI Group was retained by Brookfield Homes and their development partners to assess the City's Cash-in-Lieu charge calculated for high-density development in their Urban Growth Centre. IBI Group assessed cash-in-lieu policies from various other municipalities and created an alternative charge option for ongoing negotiations with the City. Robyn was the Project Director on this file. (ongoing)

**Peel & Halton Region – Non- Residential Development Charges – Orlando Corporation** – IBI Group was retained by Orlando Corporation, one of the largest non-residential developers in North America to assist them in assessing the validity of the proposed development charges in Peel and Halton Region along with their respective municipalities. IBI Group's work considered the anticipated non-residential development, trends in employment land employment related development and floor space per worker assumptions which underpinned the charge.

**Community Benefit Charge Impacts – Homestead Homes** – IBI Group was retained by Homestead to understand the potential magnitude of the proposed new charge on "soft" services, replacing Development Charges, Parkland contributions and Section 37. IBI Group compared the current charges in multiple municipalities on a proposed development with the proposed charges to understand the magnitude of the charge. This work was used to draft a letter to the province.

**Devonleigh Homes – Community Benefit Charges/Development Charge Monitoring** – Devonshire Homes has nearly 2,000 units in six different municipalities, and has retained IBI Group to monitor and review proposed changes to the charges, along with Community Benefit Charge Strategy Studies and Parkland studies across the various municipalities to keep Devonleigh Homes appraised of any changes, their impacts and to represent Devonleigh Homes in discussions/negotiations with the municipalities and their consultants. (ongoing)

**McMaster University – Development Charges – Student Housing** – IBI Group has been retained by McMaster University to represent them in a hearing regarding the City of Hamilton's decision to no longer allow exemptions for the University space and student housing. (ongoing)

**South East Courtice Secondary Plan – Fiscal Impact Assessment** – IBI Group represents the SE Courtice Landowners Group (LOG) in the Secondary Plan process. IBI Group, in submission to the Town of Clarington and its consultants has assessed the operating impacts on the City's finances of various land use concepts proposed throughout the process to assist in assessing one of the criteria used in assessing the concepts.

**28 Bathurst Street -- Build Toronto** -- IBI Group was retained to conduct a residual land value analysis to illustrate how the remediation costs influence the financial viability of residential, office



and industrial redevelopment options. The analysis was informed by the market for these three asset classes, the job potential by asset class, and the impact of the development on the success of the area. The review helped Build Toronto select a financially viable development option aligned with stakeholder interests.

**Tourist Train Extension Feasibility Study – Albany, NY** – IBI Group was part of a multi-disciplinary team looking at the feasibility of extending an existing tourist train route through Warren County to Albany and New York City. Ms. Brown was the project manager on the economic and demographic component of this study. She looked at current tourism spending in the area, conducted case study research of other tourist trains and ridership across North America, and looked at trends in North American Tourism to inform the market and ridership feasibility component of this study.

**Hotel/Office Feasibility Study – Vaughan, ON** – IBI Group was retained by a developer who had a parcel of land, planned to develop with office and hotel facilities to undertake a feasibility study to support changes to the permitted size and design. Ms. Brown, as project manager on this file, directed the research into the Vaughan and York Region office market, including supply and demand assessments. Hotels and banquet facilities, along with neighbouring tourist attractions were mapped, in order to develop an understanding of the competitive environment. Finally, a review of trends in GTA hotels and hospitality informed the opportunities for increased hotel space. **Market, Financial and Economic Studies**

**Waterfront LRT Funding Model Assessment – Toronto, ON** – IBI Group was retained by the Waterfront BIA to determine how the Waterfront LRT may be accelerated through different financing models. IBI Group used parametric design to determine the magnitude of development which could be accommodated along the proposed route and examined various revenue tools which could be used to fund infrastructure, including land value capture, tax increment financing and development levies. Robyn was the Project Director and Project Manager on this file.

**Milton Mobility Hub -Market Peer Review** – IBI Group represents a majority landowner in the proposed Milton Mobility Hub. Planned for densities in excess of 150 people and jobs per hectare and supported by the implementation of high-order rail, the Town of Milton and Metrolinx the Regional transit provider are seeking to create a master plan which will transform a suburban community to transit supportive densities. IBI Group has been retained to review and comment on the plans. Specifically, Ms. Brown has been retained to assess the market fundamentals, financial assumptions and feasibility of the planned development.

**County of Leduc – Economic Impact Assessment** – IBI Group was retained by Leduc County to complete an Economic Impact Study (“EIS”) for the proposed expansion of the Nisku Spine Road in Leduc County, Alberta. The purpose of the EIS was to assess and quantify the short and long-term economic impacts of the proposed Spine Road expansion and to provide support and input for the County’s Western Economic Diversification Canada grant application for the Canadian Coal Transition Initiative. The EIS assessed whether future lands which could develop and contribute to the County’s tax base, and an economic impact assessment, based on the

construction of the Spine Road and the build out of the vacant lands. The findings of the report were used by the County in their grant application.

**Economic Development Strategy – Duke Heights BIA** – IBI Group was retained by the BIA to assist this employment area with their economic development strategy and re-branding. The existing employment area was looking to capitalize on recent transportation infrastructure investments, including a new subway stop and future LRT investments. IBI Group completed an employment SWOT which looked at existing typologies, transit infrastructure, employment clusters and local institutions. In concert with local business stakeholders, IBI Group helped create a vision for the future of the BIA, along with recommendations for fiscal and planning policies to allow the area to capitalize on new infrastructure and growing employment sectors.

**Champagne Centre – Toronto, ON** - IBI Group was retained to complete a market and economic impact assessment of the Champagne Centre, a 270,000 sf former Ginger Ale bottling plant. The building had recently been purchased by a medical company looking to develop a health facility which was proposed to include extended supportive uses such as restaurants, retail, a long-term stay hotel and other wellness activities. IBI Group was retained to assist in demonstrating the positive economic impact of the proposed uses to the local and regional economy. As part of this study IBI Group completed a high-level market study which reviewed trends in medical office, hotel and recreational industries in order to inform the optimal mix of tenancies and create a synergistic environment which would support the local economy.

**Canada Lands Corporation (CLC) – Due Diligence/Highest and Best Use Studies** – IBI Group, along with EY and Golder has been retained to complete businesses cases for redundant federal properties to inform CLC whether they should retain these sites for redevelopment. Ms. Brown is the project manager on the Real Estate and Highest and Best Use component of these studies reviewing policy and market information to determine the potential on the site for added value. (ongoing)

**Economic Impact & Economic Development Study - St. Paul's Hospital, Vancouver, ON** – Robyn was the project manager on this economic impact study, looking at the relocation of the St. Paul's hospital in downtown Vancouver. As part of this three-phased project, was an analysis of the localized impact on businesses and real estate, for the existing and new site. In addition, this study included an economic development strategy for a health innovation district. Using case study work in Canada and the United States, policies, tools and cluster analysis informed the planning and marketing of the 1 million sf of ancillary medical office, retail and research.

**Racetrack Redevelopment Feasibility Study – Fort Erie, ON** – IBI Group was retained by the owners of a defunct racetrack in Fort Erie to test the market feasibility of developing a mixed use community featuring residential, retail and tourist attraction. IBI Group worked to assess the market for different housing typologies, retail and tourism opportunities to inform a master plan along with phasing. Ms. Brown is the Project Director on the market component. (ongoing)

**Delta Bingo – OPA & Land Use Conversion – Sequoia Grove Homes – Toronto, ON** – IBI Group was retained to assist Sequoia Homes in their land use conversion of a site located in the newly designated Keele and St. Clair Major Transit Station Area in the City of Toronto. Robyn Brown lead the Community Services and Facilities Study, Affordable Housing and Employment Land Conversion components of the study in support of an OPA which would re-designate the lands from employment land to mixed use and support a high-density residential development. (ongoing)

**Retail Impact and Fiscal Impact Assessment - Glen Abbey Golf Course --** IBI Group is part of a larger consultant group retained in relation to the proposed redevelopment of the historic Glen Abbey Golf course to a mixed-use community. IBI Group was retained to prepare a fiscal and retail impact study for the proposed development in 2016, along with updates to the reports and additional Community Services and Facilities Study in 2021. Ms. Brown is the project manager on this file and was the main liaison with the consultant group and the client.

**Uptown Belgrade – Economic and Market Peer Review** – IBI Group was retained to peer review the AECOM/McKinsey background work for the Master Plan for Uptown Belgrade, a 2,400-hectare greenfield site adjacent to New Belgrade, Serbia. The site was being master planned as a mixed-use community anchored by five themes; education, IT; Health and Wellness Tourism, Sports and Tourism. IBI Group was retained to review the urban design, master planning, market and economic assumptions to determine the feasibility of the scale and scope of development. Ms. Brown leads the market and economic component. (ongoing)

**Milton Mobility Hub -Market Peer Review** – IBI Group represents a majority landowner in the proposed Milton Mobility Hub. Planned for densities in excess of 150 people and jobs per hectare and supported by the implementation of high-order rail, the Town of Milton and Metrolinx the Regional transit provider are seeking to create a master plan which will transform a suburban community to transit supportive densities. IBI Group has been retained to review and comment on

the plans. Specifically, Ms. Brown has been retained to assess the market fundamentals, financial assumptions and feasibility of the planned development.

**Plains Road, Retail Needs Assessment – Burlington, ON** – IBI Group was retained to assist a developer who was intended to redevelop an older strip-mall along Plains Road to a mixed-use building with residential and ground floor retail. The study was intended to help the client assess the amount of new retail which could be supported by the development, along with address neighbourhood concerns regarding the loss of the existing retail space in the community. This study looked at the Burlington retail hierarchy, reviewed the policy environment, conducted a high-level inventory of the Plain Road retail corridor, looked at residential and non-residential growth projections, and suggested potential tenants and unit sizes to maximize market supported retail opportunities.

**Airport Road, Retail Needs Assessment – Caledon ON** – IBI Group was retained to complete a retail needs assessment to support an Official Plan Amendment to convert a historic house to retail, adding an additional 14,000 sf along Airport Road in Caledon East. The study reviewed the current retail hierarchy, pending developments (residential and non-residential) in the community, the policy environment, growth projections, and completed a high level retail space per capita assessment to support the development. Ms. Brown acted as the project manager on this file.

**Burnaby Mixed Use Development Feasibility Study** – IBI Group was retained to complete a three part study to i) test the Burnaby residential, office and retail market ii) design a mixed use building for an infill site and iii) test the financial feasibility of the project. Ms. Brown was the project manager on the market and financial feasibility of this project. Ms. Brown reviewed the current supply and demand for residential and office space in Burnaby, with a focus on the Edmonds Town Centre to inform the future design. After a draft of the building was circulated, Ms. Brown tested the financial feasibility of the opportunity to inform the clients on whether to move forward with the development.

**Winnipeg Eastern Corridor Route Selection – Winnipeg, MB** – IBI Group was retained a sub-consultant by the City of Winnipeg to aid in undertaking a transit study to establish a plan for Rapid Transit within the eastern area of Winnipeg. The transit route has the potential to provide access to important destinations within the city, and strengthen connections between residents, employment, institutions, and cultural nodes. IBI Group lead the City Building stream of the study, encouraging the route selection and concept design to be used as a means for creating more vibrant mixed-use neighbourhoods with active pedestrian realms. Ms. Brown was responsible for the cost-benefit analysis component of this study.

**Hotel/Residential Development Assessment – Trivat, Montenegro** – IBI Group was retained to design a potential residential long-term stay/hotel seaside development in Trivat. Ms. Brown was the project manager on the market and financial feasibility component, which determined the opportunities for the two types of development. Analysis included construction costs, operational costs, property tax implications, occupancy and overall annual revenues.

#### **Other Studies**

**Durham-Scarborough Bus Rapid Socio-Economic and Land Use Study** \_ Metrolinx– IBI Group was awarded a contract by Metrolinx to develop a preliminary design and conduct an environmental assessment for the Durham-Scarborough BRT corridor. The Real Estate, Economics and Planning team will complete a socio-economic and land use review to determine the potential impact that the project would have on these environments, and will put forward a collection of mitigation and monitoring measures to address potential adverse impacts. Robyn is the project manager on this task, and this work will support the overall corridor assessment and will inform the mitigation and monitoring measures. (Ongoing)

**Peel Housing Corporation Feasibility Assessment** – IBI Group was retained by Peel Housing Corporation to analyze nine affordable housing sites and identify which sites are most appropriate for infill and redevelopment opportunities. The Real Estate, Economics and Planning team completed a Market Demand Assessment to understand the current market conditions and determine rental

demand looking forward. Robyn was the project manager of the demographic and market demand assessment to give an insight into the local rental market in Brampton and Mississauga.

**CN Intermodal Federal Hearing, Milton ON** - IBI Group was retained as part of the larger consulting group to represent CN in a federal Environmental Assessment Hearing regarding their proposed intermodal located on approximately 1,000 acres in south-west Milton, Ontario. The hearing sought to understand the impacts of the potential intermodal on the environment, finances, economy, real estate and traffic operations for the Town of Milton and the Region of Halton. IBI Group was retained specifically to understand the municipal financial impact, and impact on the Region to achieve employment growth targets to 2031. Ms. Brown was responsible for the growth management component and establishing the primary assumptions contemplated within the modeling relate to absorption, assessment value, capital costs, operating costs, user fees and development charges.

**Community Services and Facilities Studies** – Ms. Brown has worked on a number of community services and facilities (CS&F) studies in the City of Toronto and beyond to assess the impact of new development on existing community facilities and services. This work includes an assessment of area demographics, a development pipeline assessment including the forecasting of future residents and employment densities, CS&F inventories and gaps, 10-year service standard assessments and implementation strategies. Service delivery models include the review of the feasibility of community hubs.

Studies include:

- King Spadina Community Services and Facilities Update for the City of Toronto
- 87 Ethel, Toronto
- East Liberty Street, Toronto
- 2799-1683 Kingston Road, Toronto
- 1683 Bloor Street West, Toronto
- 180 Finch Avenue West, Toronto
- Glen Abbey Redevelopment, Oakville

**Urban School Accommodation – City of Toronto** – IBI Group was retained by Tribute Communities to review school capacity and accommodation opportunities at an important transit hub. Ms. Brown was the project manager on this file, and considered current school capacities, redevelopment opportunities, reviewing case studies and demographics to inform the future school needs.

**Office Accommodation Study – Region of Peel** – IBI Group was retained by the Region of Peel to conduct a review of their existing offices, renovation and retrofitting costs, and market alternatives. As member of the IBI Team, Ms. Brown, assisted in the review of existing office accommodation, office alternatives and redevelopment options for surplus properties for the Region of Peel. Included in her work was a review of the current Peel Region and GTA West Office and land market, an inventory of potential lease, purchase and design build options to meet various timing and space needs for expansion and/or relocation.

**Toll Plaza Facilities Reuse Study – Los Angeles** – Ms. Brown was part of a study to explore the adaptive reuse and potential repurposing of 10 toll facilities and adjacent acreage. As part of this analysis, an inventory and assessment model was developed to evaluate the feasibility of the reuse proposals. Criteria included cost-benefit analysis, environmental sustainability, market desirability and site configuration for adaptive uses.

**Railside Drive, Brampton Ontario** – IBI Group was retained to assess the opportunity for a joint venture development of a site adjacent to the Brampton Go Station. Ms. Brown assisted in conducting the market analysis and residual land value analysis.

**Glendale District Plan – Region of Niagara** – IBI Group was retained by the Region of Niagara to complete the Second Phase of their Glendale District Plan. Ms. Brown was responsible for the commercial needs assessment component of this study, looking at future commercial demand in light of population growth, in order to ensure the community had sufficient local retail services.

**O’Connor Drive Streetscape Masterplan – Toronto, ON** – IBI Group was retained to establish a vision, layout and detailed specifications for the implementation of a co-ordinated and high quality public/private streetscape. As part of this project, Ms. Brown completed a high level retail and development inventory, along with looking at trends and opportunities in street front retail. Demographic analysis complimented this assessment.

## **Parking Studies**

**Shared Parking Feasibility Study – Regional Municipality of Wood Buffalo** – In concert with IBI Group’s Transportation Group, Ms. Brown assisted in a study on the feasibility of constructing civic shared parking in the downtown core in order to encourage new civic amenities and residential development in the downtown. Ms. Brown looked at case studies of parking authority models across North America and conducted a high level financial assessment.

**St. Catharines – Downtown Parking Strategy** – IBI Group was retained by the City of St. Catharines to develop a set of parking policies and strategies that would support the Garden City Plan and builds upon the existing parking system. As part of this study, Ms. Brown participated in the residential and employment growth forecasts, along with the financial model. Ms. Brown reviewed other municipalities to understand operating and financing systems, and did an analysis of the operating fund, rate structure, cash-in-lieu and the parking management model

**Town of Whitby – Downtown Parking Accommodation Site Evaluation** – Ms. Brown, as part of a larger parking strategy, assessed the potential for accommodating additional stalls within locations in the downtown. Phasing and redevelopment options were considered as part of this high level assessment.

Other Parking Studies:

- City of Oshawa
- City of Barrie
- City of Hamilton

# Memorandum

<b>To/Attention</b>	Nancy Smith	<b>Date</b>	January 20, 2022
<b>From</b>	IBI Group	<b>Project No</b>	135603
<b>cc</b>	Angelo Butera; Frank Ianniello; Jennifer Ricci; Louise Sudac; Craig Rohe		
<b>Subject</b>	<b>Niagara Falls Employment Land Strategy Phase 3 Report</b>		

Dear Ms. Smith,

IBI Group ("IBI") was retained to assist the owners of 9015 Stanley Avenue in Niagara Falls to review and assess the City of Niagara Falls Employment Land Studies completed as part of their employment lands strategy. IBI Group has reviewed the two previous employment land reports, along with a review of the Region of Niagara's recent employment land needs assessment work.

Overall, the City and the Region have taken different approaches to the land needs assessment, they have used different densities, identified different vacant areas, which has led to significantly different findings. It is IBI Group's opinion, that the City's work is premature, and needs to incorporate the land needs assessment that the Region of Niagara is currently completing as part of their MCR.

**The City of Niagara Falls established that there is a shortfall of 76 hectares of Employment Land in the City of Niagara Falls, whereas, the Region of Niagara's draft Land Needs Assessment has determined that there is a shortfall of 35 hectares.**

The following differences in the assumptions which underpin the two-analysis lead to the different conclusions. This memo is themed by the various components of the land needs assessment, including:

- Employment Land Supply;
- Employment Land Demand;
- Land Needs Assessment; and

## **Employment Land Supply**

- The City has identified a total employment land supply of 1088 gross hectares with 79 hectares vacant. This was further adjusted to 78 hectares based on infrastructure.

Figure 4-2 of Niagara

## City of Niagara Falls - Vacant Employment Lands - Figure 4-2

	Gross <sup>1</sup>	Net <sup>2</sup>	Gross <sup>1</sup>	Net <sup>3</sup>	Net of Internal Infrastructure <sup>4</sup>	Gross	Net
	A	B	C	D	E	F = A + C	G = B + D
Montrose Road Industrial Area	136	133	1	1	1	147	145
Q.E.W. Centre Employment Area	29	27	0	0	0	29	27
North Niagara Falls Secure Storage Employment	112	112	43	43	41	155	155
Stanley Avenue Business Park	123	12	5	5	5	128	126
Highway 405 Employment Area	16	16	0	0	0	16	16
Q.E.W./420 Employment Area	55	54	0	0	0	55	54
Dorchester Road Employment Area	1	1	0	0	0	1	1
Outside Employment Areas	528	522	21	21	21	549	543
<b>Total</b>	<b>1,008</b>	<b>997</b>	<b>79</b>	<b>79</b>	<b>78</b>	<b>1,088</b>	<b>1,076</b>

Source: Watson &amp; Associates Economists Ltd., 2020.

1. Gross (columns A and C) has been calculated in accordance with the Growth Plan, 2019. Take-outs include environmental features, major roads and hydro corridors.

2. Net developed land area (Column B) has been calculated based on parcel fabric (excludes local roads, parks and other non-developable features).

3. Net vacant land area (Column D) is calculated based on parcel fabric (excludes roads, parks and other non-developable features).

4. Net of internal infrastructure (Column E) has been calculated based on parcel fabric (excludes local roads, parks and other non-developable features) and a downward adjustment to large parcels (greater than 10 ha/25 acres) of 10% for internal infrastructure.

- 74% of these lands are in Employment Areas, with 21 hectares outside.
- The City further refined these lands by their “shovel-ready” status – selecting those with services to the lot line, and along arterial and collector roads. This resulted in a supply of 49 vacant hectares.
- Analysis of existing employment lands identified 63 sites, a total of 76 hectares which could accommodate intensification. Only 10 of these sites are more than 2 hectares. The analysis further refined those with high potential, including 16 sites and a total of 19 net hectares.
- In Section 4 – the vacant supply is further identified as 82 gross hectares
- Finally, the assessment then further decreases the vacant supply to accommodate potential employment land conversion, and an additional 20% for land vacancy, resulting in only 48 hectares of vacant employment areas.

**Employment Land Demand**

- The City of Niagara Falls is estimating that the City’s employment lands will need to accommodate 3,450 jobs between 2020 and 2051.
- This aligns with the Region of Niagara’s forecast of 3,500 jobs, however the overall job number appears to be lower to the Region’s total employment growth.

**City of Niagara Falls Employment Growth on Employment Areas, 2020 to 2051 (Figure 6-6)**

Employment Type	City of Niagara Falls Employment Growth by Type	City of Niagara Falls Employment Growth in Employment Areas	% in Employment Areas
	2020-2051	2020-2051	
Major Office	1,170	-	0%
Population Related	14,740	720	5%
Employment Land	2,730	2,730	100%
Rural Area	840	-	0%
<b>Total Employment</b>	<b>19,480</b>	<b>3,450</b>	<b>18%</b>

Source: Derived from Hemson Consulting Ltd. Niagara Region Municipal Comprehensive Review – Growth Allocation

### Land Needs Assessment

- In reconciling the forecasted demand with the current supply, the City's analysis uses a density of 25 jobs per hectare to determine a future land need of 124 hectares.
- The City is estimating that 10% of growth (345 jobs) will be accommodated through intensification in existing employment areas.

**Figure 6-7**

City of Niagara Falls						
Growth Period	Employment Growth in Employment Area			Employment Density (Jobs per gross ha)	Total Employment Area Land Demand (Gross ha)	Average Annual Employment Area Land Demand (Gross ha)
	Total Employment in Employment Areas	Intensification in Employment Areas - 10%	Total Employment in Employment Areas Adjusted for Intensificati on			
	A	B	C = A - B	D	E = C / D	F
2020-2026	670	67	603	25	24	4
2020-2031	990	99	891	25	36	3
2020-2036	1,440	144	1,296	25	52	3
2020-2041	2,000	200	1,800	25	72	3
2020-2046	2,700	270	2,430	25	97	4
<b>2020-2051</b>	<b>3,450</b>	<b>345</b>	<b>3,105</b>	<b>25</b>	<b>124</b>	<b>4</b>

Source: Derived from Hemson Consulting Ltd. Niagara Region Municipal Comprehensive Review – Growth Allocation Update to 2051 Memorandum, April 5, 2021,  
by Miron & Associates Economists Ltd. 2021

The Region of Niagara is also completing their land needs assessment, and the most recent assessment indicates a higher density assumption (35 jobs per hectare) which results in a lower land need of 35 hectares.



**Table 12** provides a summary of the Employment Area Land Needs.

Table 12: Employment Area Land Need, by Municipality, 2021 to

Employment Area Land Need by Municipality, 2021-2051			
Municipality	Unaccommodated Employment Growth	Vacant Employment Area Density Target (Jobs/ha)	Employment Area Land Need (ha)*
Fort Erie	1,940	15	130
Grimsby	40	50	0
Lincoln	740	45	15
Niagara Falls	(1,300)	35	(35)
Niagara-on-the-Lake	(2,220)	95	(25)
Pelham	0	0	0
Port Colborne	(3,625)	30	(120)
St. Catharines	1,450	50	30
Thorold	(1,690)	30	(55)
Wainfleet	0	0	0
Welland	(175)	20	(10)
West Lincoln	1,165	25	50
<b>Niagara Region</b>	<b>(3,670)</b>	<b>30</b>	<b>(20)</b>

Note: Above numbers have been rounded to the nearest 5.

- In reconciling the land needs the City assumes that there is a shortfall of 76 hectares to 2051. This is based on a vacant supply of 60 hectares, with an additional deduction of 20% for land vacancy – resulting a total supply of 48 hectares.

Figure 6-9

City of Niagara Falls Employment		Land Need
Employment Growth	A	3,105
Employment Area Demand at 2051	B	124
Employment Density (Jobs per gross ha)	$C = A / B$	25
Vacant Employment Area (gross ha)	D	60
Land Vacancy Adjustment (20%)	$E = D * 20\%$	12
Vacant Developable Employment Area (gross ha)	$F = D - E$	48
Employment Area Surplus/Shortfall at 2051	$G = F - B$	(76)

Source: Watson & Associates Economists Ltd., 2021.

**Questions:**

1. What is status of the proposed employment land conversions? Has the Region reviewed these applications and incorporated them in the MCR?
2. Will the conversions still be accommodating jobs on site? If so, how were these jobs considered in the analysis?
3. How was the 20% land vacancy determined?
4. How does the employment land inventory align with the Region of Niagara's current work?
5. How does the assessment of employment land intensification opportunities factor into the supply? How does the 10% job allocation relate to the total hectares of land identified for potential intensification?
6. Is the City intending on updating the supply to reflect 2021 so that it aligns with the demand forecast?
7. How did the City establish the density assumption? The City has included a variety of densities across existing employment areas – was a weighted average used?
8. How is the City considering the Region's work, their employment density assumption of 35 hectares?

[https://ibigroup.sharepoint.com/sites/Projects1/135603/Internal Documents/6.0\\_Technical/6.17\\_Planning/03\\_Tech-Reports/PTM\\_Niagara\\_ELE\\_Phase\\_3-2021-12-14.docx](https://ibigroup.sharepoint.com/sites/Projects1/135603/Internal Documents/6.0_Technical/6.17_Planning/03_Tech-Reports/PTM_Niagara_ELE_Phase_3-2021-12-14.docx)2022-01-26\RB

**Turkstra Mazza**

Hamilton London Toronto

**Nancy Smith**

15 Bold Street

Hamilton Ontario Canada L8P 1T3

Receptionist 905 529 3476 (905 LAW-FIRM)

Facsimile 905 529 3663

nsmith@tmalaw.ca

**VIA EMAIL**

March 4, 2022

Niagara Official Plan Team  
[makingourmark@niagararegion.ca](mailto:makingourmark@niagararegion.ca)  
1815 Sir Isaac Brock Way  
Thorold, ON L2V 4T7

Dear Sirs and Madam:

**Re: Draft Regional Official Plan  
8970 and 9015 Stanley Avenue and Lands on the South Side of Lyons Creek Road**

We represent 2610832 Ontario Inc., owners of lands municipally known as 8970 and 9015 Stanley Avenue, Niagara Falls ("**Subject Lands**"). The Subject Lands are shown within the yellow boundary in Figure 1 below. The portion of the Subject Lands west of Stanley Avenue were formerly used as a trailer park while the portion east of Stanley Avenue were formerly used as a golf course. Our retainer is focused on assisting 261 in realizing the development potential of the Subject Lands in accordance with the applicable policy regime.

Our client has reviewed the Region of Niagara's proposed Regional Official Plan and offer the following comments, which are provided in the context of a site-specific development application for the Subject Lands.



*Figure 1 - Subject Lands*

### EMPLOYMENT DESIGNATION

Schedule G of the Draft Regional Official Plan shows our client's lands partially designated as Dynamic Employment Area on the west side of Stanley Avenue, as per **Figure 2** below. Currently, the lands are designated as Urban Area and Built-up Area in the Regional Official Plan with no employment land or employment area designations.

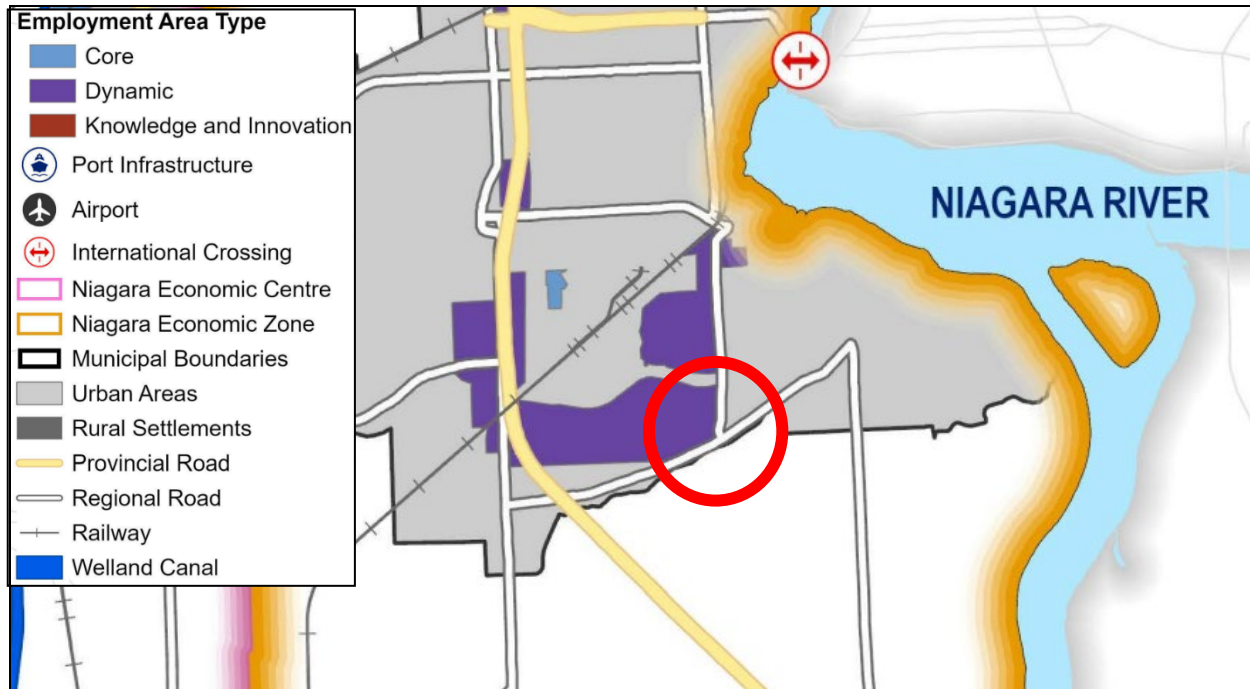


Figure 2 - Draft Schedule G of the Regional Official Plan - Affected Lands within Red Circle

Schedule G of the Draft Regional Official Plan illustrates a sizable swath of land south of the Chippewa Creek, along the north side of Lyon's Creek Road/Reixinger Road extending westerly from Stanley Avenue to the QEW/Montrose Road as a *Dynamic Employment Area* as noted in the Excerpt below.

*Excerpt from Schedule G – Employment Area*

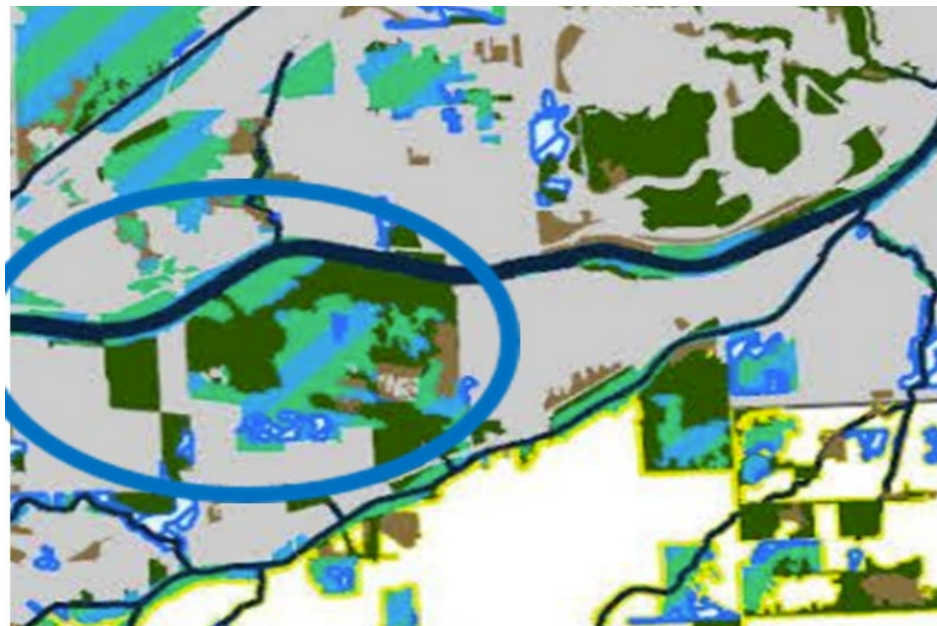




However, the eastern half of this land area is likely not developable due to the predominance of a *Natural Environment System Overlay*, including Significant woodlands, other woodlands, and provincially significant wetlands (refer to Excerpt from Schedule C1 and C2 below). The inclusion of the eastern half of this large area with nominal development potential as Employment land is not realistic and will result in a land area that is not readily available for development purposes. In turn, this will unreasonably inflate the total supply of Employment land within Niagara Falls.



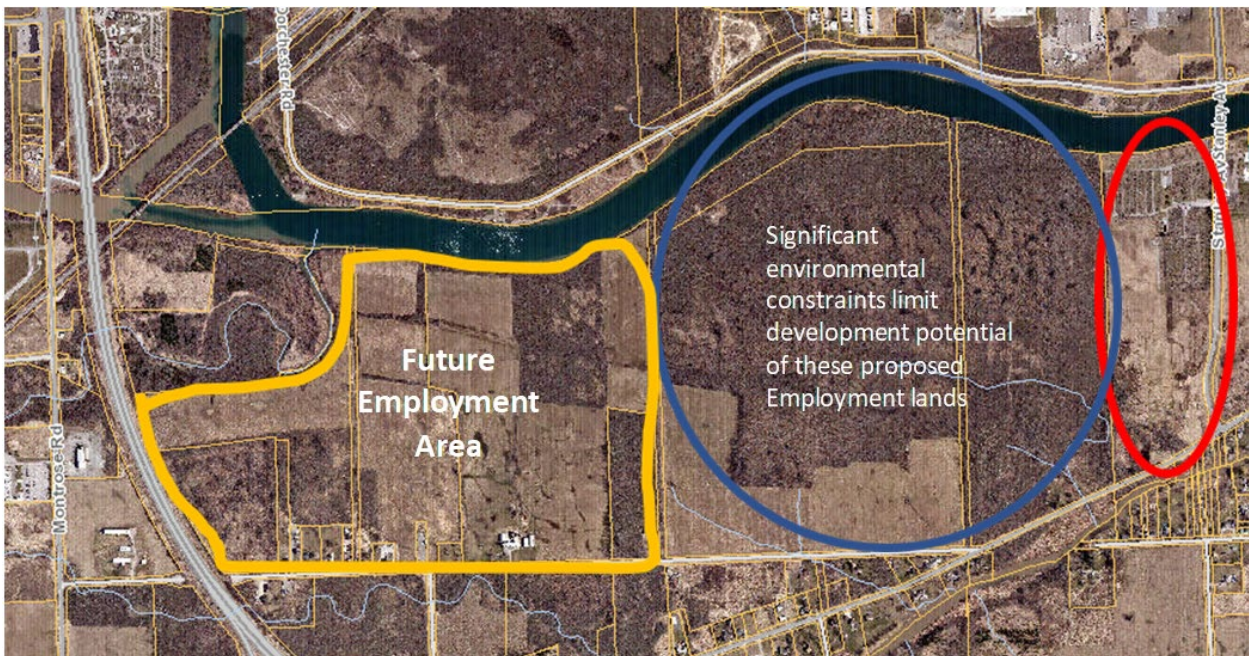
*Excerpt from Schedule C1 –  
Natural Environment System  
Overlay and Provincial  
Natural Heritage Systems*



*Excerpt from Schedule  
C2 – Natural  
Environment System  
Overlay: Individual  
Components and  
Features*

The 2018 air photo excerpt below, taken from the City of Niagara Falls Viewer mapping system illustrates how the lands fronting Stanley Avenue are clearly separate from the environmentally

sensitive lands to the west where significant woodland cover is evident. This environmental feature/woodland provides a reasonable buffer from potential employment lands further west that have development potential.



Accordingly, consideration should be given to remove the eastern half of the proposed Employment area from Schedule G – Employment Area.

Our clients currently have an active local Official Plan and Zoning By-law Amendment application before the City of Niagara Falls (City File AM-2021-016). The intent of this application is to change the land use designation on the properties from Resort Commercial and Open Space to Residential and Minor Commercial. On-site and adjacent natural heritage features have also been evaluated through a Regionally scoped Environmental Impact Study (“**EIS**”) and are to be designated for long term protection through this amendment. The submitted Zoning By-law Amendment application implements the Official Plan Application.

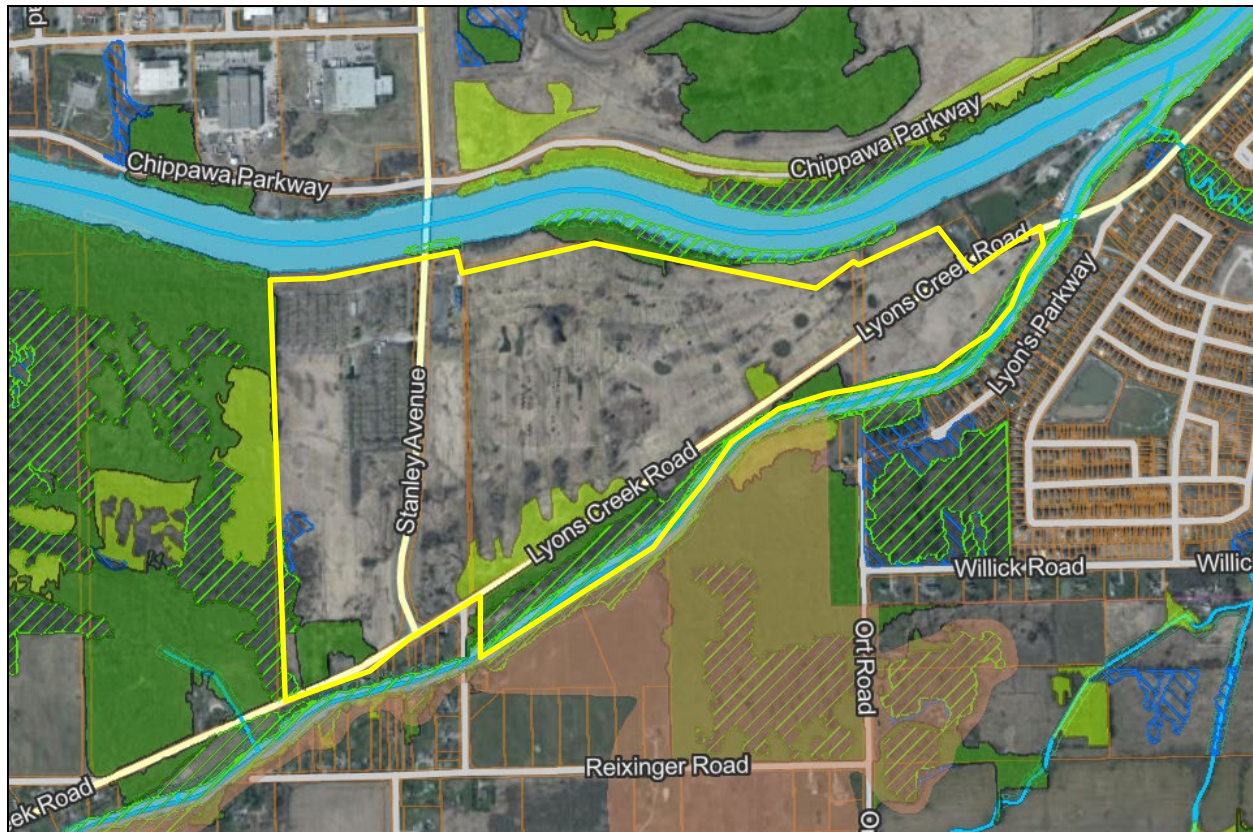
The City has deemed the Official Plan Amendment Application complete. The City has yet to deem the Application for Zoning By-law Amendment Application but has until March 10, 2022 to do so.

We respectfully request that the proposed change in land use designation to Dynamic Employment Area for these lands be deferred until such time the City has considered the Official Plan Amendment application.



### NATURAL HERITAGE DESIGNATION

The Region has provided a preliminary natural heritage mapping tool that shows proposed features on lands throughout the Region. This property is no exception, and does have a variety of natural heritage features shown on the property, as shown in **Figure 3** below.



*Figure 3 - Proposed Niagara Region Natural Heritage Mapping*

As noted, our client has submitted an EIS for the Subject Lands which has been scoped by Regional staff. It is our understanding that this report has been circulated to Niagara Region with the Official Plan Amendment for review and comment.

Given this circumstance, it is requested that the application of new natural heritage mapping to this property be deferred until such time that the EIS and amendment to implement the corresponding land use designations be approved.



Thank you in advance for your consideration of these submissions. We would be happy to meet with you to discuss our clients concerns in greater detail.

Yours truly,

A handwritten signature in black ink, reading "Jennifer Meader". The script is cursive and fluid, with the first name "Jennifer" written in a larger, more prominent hand than the last name "Meader".

Jennifer Meader

JM/my

For: Nancy Smith

Encl. (0)