

April 4, 2025

**City of Niagara Falls**

Planning and Development Department  
4310 Queen Street  
Niagara Falls, L2E 6X5

**Attention: Kira Dolch, General Manager of Planning, Building, and Development**

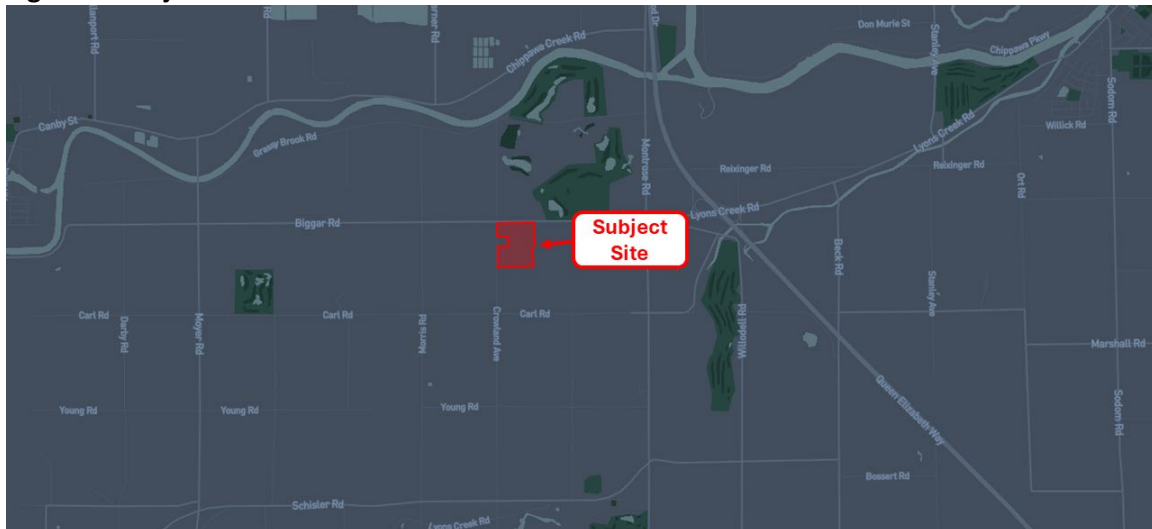
**Dear Ms. Dolch,**

**RE: Zoning By-law Amendment Rationale  
8598 Biggar Road, Niagara Falls, ON  
TBG Project No. 25284**

## INTRODUCTION

The Biglieri Group has been retained by Willbon Group on behalf of the owners Maria and Benito DiDomenico to submit a Zoning By-law Amendment (ZBLA) for a portion of the lands municipally known as 8598 Biggar Road in the City of Niagara Falls. The portion of the lands proposed to be rezoned will be referred to as the “Site” or “Subject Site” (**Figure 1**). The Subject Site is located southeast of the intersection of Biggar Road and Crowland Avenue. The portion of the property the subject of this Zoning By-law Amendment is approximately 18.7 hectares (46.2 ac) in size and is irregularly shaped with frontage onto both Biggar Road and Crowland Avenue. The remainder of the

**Figure 1: Subject Site**



Source: VuMaps, 2025

property is approximately 21.6 hectares (53.4 acres), is not subject to this application and there are no

changes proposed to the existing zoning. The Site is currently being used for agricultural purposes (cash cropping) and does not contain any buildings or structures.

The Subject Site was given provisional consent by the City of Niagara Falls Committee of Adjustment on November 18, 2023 to sever the lands along the future urban boundary line. The severance was undertaken because the portion of land forming the Site was brought into Niagara Region's *Urban Area Boundary* under the 2022 Niagara Region Official Plan. The Site has also since been brought into the City of Niagara Falls' *Urban Area Boundary*, however it has not yet been designated for urban uses, as a secondary plan for the area will be developed. A condition of the Severance per the Decision of the Committee of Adjustment that was issued by the City of Niagara Falls (dated November 18<sup>th</sup>, 2023) requires that the applicant submit a rezoning application for the Site with a Holding provision.

As such, the proposed ZBLA is requested to rezone the Subject Site from the *Rural - Agricultural (RA)* Zone to Development *Holding (DH)* Zone to permit for future development, once the City implements a secondary plan for the Site and the surrounding area. The proposed ZBLA would bring the Site into conformity with the current Regional and Local Official Plans and will meet the above noted condition as required to complete the Severance.

#### **SUBJECT SITE AND EMERGING CONTEXT**

The Subject Site is located southeast of the intersection of Biggar Road and Crowland Avenue. It is 18.7 hectares (46.2 ac) in size and is irregularly shaped with a cutout for a property that fronts onto Crowland Avenue (**Figure 2**). The Site has 413.7 metres of frontage along Biggar Road and 402.2 metres of frontage along Crowland Avenue.

**Figure 2: Subject Site**

Source: VuMaps, 2025

Presently, uses surrounding the Site are generally rural and agricultural in nature and consist of the following (**Figure 2**):

**North:** Immediately north of the Site is Biggar Road. On the north side of the Biggar Road there are rural residential dwellings, agricultural uses, and Grassy Brooke Golf Course which is slated for redevelopment.

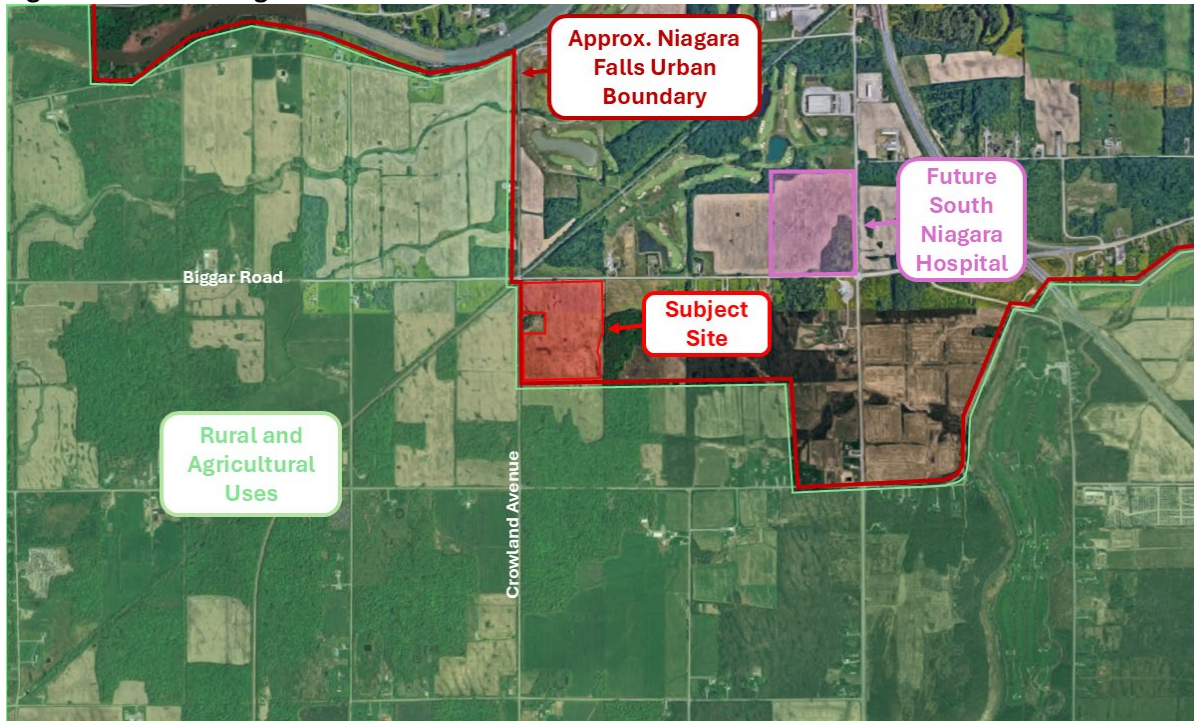
**East:** Immediately east of the Site are a row of rural residential dwellings. Further east is the new South Niagara Hospital on the north side of Biggar Road, which is currently under construction.

**South:** South of the Site are forested lands and agricultural uses.

**West:** Immediately West of the Site is Crowland Avenue. Further west is a rail line as well as rural residential and agricultural uses.

As noted above, construction has begun for the new Niagara South hospital, which will be located approximately 1025 metres east of the Site, northeast of the intersection of Montrose Road and Biggar Road. As such, the area is beginning to see new development and urbanizing uses which will continue to evolve given the Regional expansion of the *Urban Area Boundary*.

**Figure 3: Surrounding Uses**



Source: VuMaps, 2025

## PLANNING ACT

The *Planning Act* is the provincial legislation that outlines land use planning permissions in Ontario. The purposes of the *Planning Act* are outlined in Section 1.1 and include the following: promoting sustainable economic development in a healthy natural environment; providing for a land use planning system led by provincial policy; integrating matters of provincial interest in provincial and municipal planning decisions; providing for planning processes that are fair; encouraging co-operation and co-ordination among various interests; and recognizing the decision-making authority and accountability of municipal councils in planning. Section 2 of the *Planning Act* outlines matters of Provincial interest. In preparation of this application for a ZBLA, we have reviewed the matters of Provincial interest and determined that the application has appropriate consideration for these matters.

## PROVINCIAL PLANNING STATEMENT

The Provincial Planning Statement (“PPS”) (2024) provides provincial direction on matters related to land use planning including growth, housing supply, economic development, and the protection of natural and cultural heritage resources. PPS Policy 2.1.3 directs that at the time of creating a new official plan and official plan update, planning authorities shall ensure that a sufficient land supply be

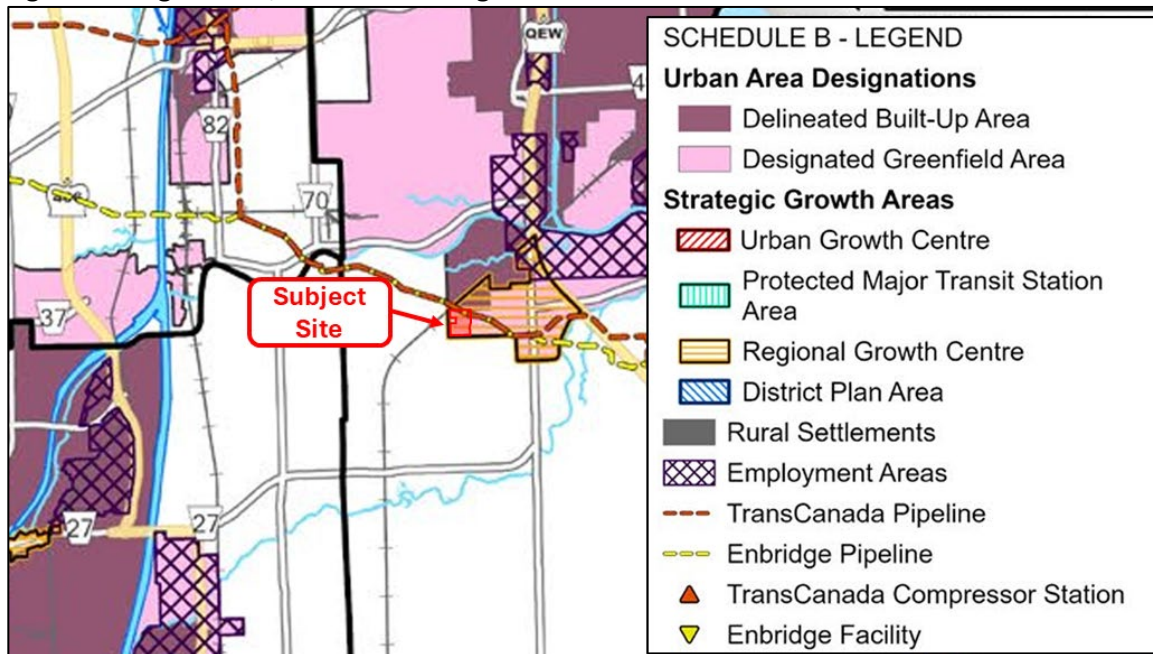
made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years. Further to this, Policy 2.3.1.1 directs that *Settlement Areas* are intended to be where the focus of growth and development occur. Per the above policies, the Subject Site has been brought into the *Urban Area Boundary* under both the Niagara ROP and the Niagara Falls OP. The proposed ZBLA will rezone the lands to support their future development pending the implementation of a secondary plan for the Site and surrounding area. As such, the proposed ZBLA helps the Region and the City to meet directives for maintaining a supply of land to accommodate future growth and development, and by directing future growth and development into the *Settlement Area* boundary. The proposed zoning to a Development with Holding will ensure that the development of this property does not proceed prior to the completion of the Secondary Plan, ensuring that development occurs in a logical and orderly manner.

### NIAGARA REGION OFFICIAL PLAN (2022)

The Niagara Region Official Plan (“Niagara ROP”) was adopted by Niagara Regional Council in June of 2022 and approved by the Minister of Municipal Affairs and Housing with modifications in November of 2022. As of March 31, 2025 the Niagara Region no longer has planning authority and the ROP is now implemented by the lower tier municipalities in the Region. The policies continue to apply until such time as the local municipality updates their plans to modify or replace the policies in the ROP. The Niagara ROP provides a long-term policy framework for decision-making on all planning matters. It sets the basis for providing Regional services in an efficient and effective manner, and identifies how the Region will comply with the Province’s policy framework. On Schedule B of the Niagara ROP, the Subject Site is designated as *Designated Greenfield Area* and as *Regional Growth Centre* (**Figure 4**). Also per Schedule B, the TransCanada Pipeline appears to crosscut the northeastern corner of the Subject Site.

Chapter Two of the Niagara ROP provides policy direction on how and where the Region will grow and develop. Policies in this chapter are underpinned by the growth forecasts for the Region and its local municipalities which are set out in Table 2-1. Per Table 2-1, the City of Niagara Falls has a growth forecast of 141,650 people and 58,110 jobs by 2051. Per Policy 2.2.2.11 *Strategic Growth Areas*, including *Regional Growth Centres*, are the highest priority for development and intensification. Policy 2.2.2.13 also specifically identifies that *Strategic Growth Areas* be planned by secondary plan. As per the above policies, the proposed Zoning By-law Amendment will bring the Subject Site into conformance with the Niagara ROP by rezoning it from the *Rural – Agricultural* zone to the *Development Holding* zone. The Holding provision will remain in place until a Secondary Plan is implemented for the lands surrounding the Subject Site, at which point development options for the Site will be explored.



**Figure 4: Niagara ROP, Schedule B – Regional Structure**

Source: VuMaps, 2025

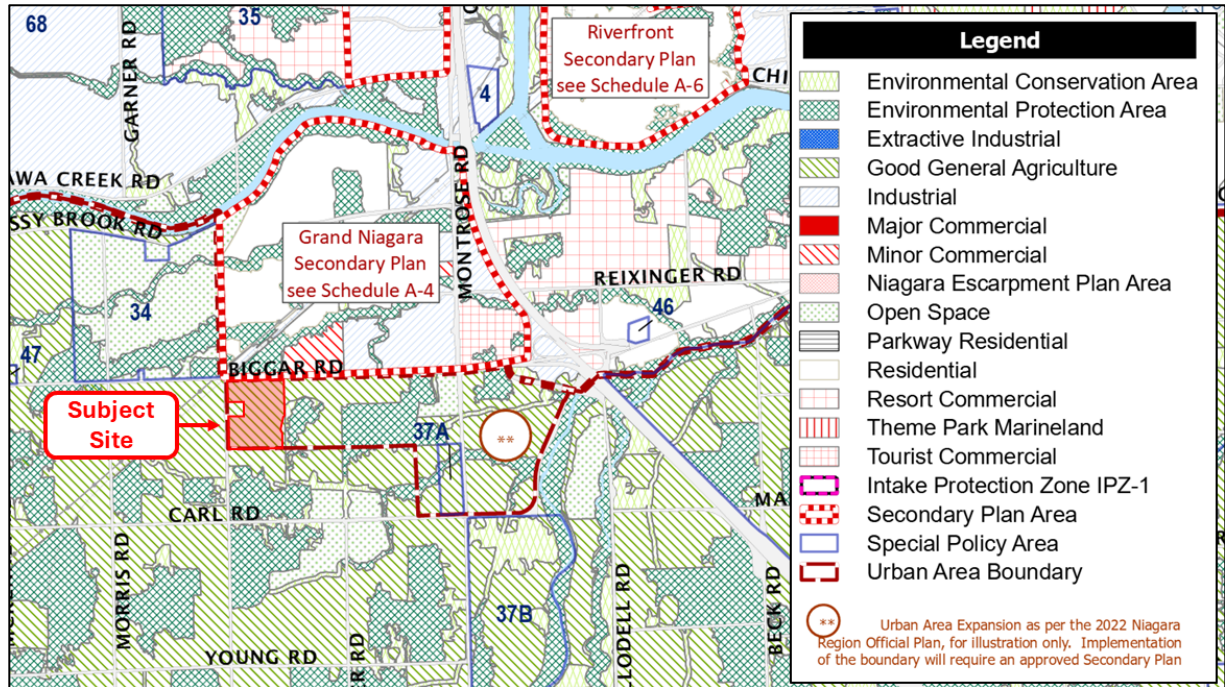
**CITY OF NIAGARA FALLS OFFICIAL PLAN (1993)**

The City of Niagara Falls Official Plan (“Niagara Falls OP”) was adopted on October 6, 1993. The most recent office consolidation of the Niagara Falls OP is from January 1<sup>st</sup>, 2024. The Niagara Falls OP is intended to guide growth and development for the City to the year 2031. The Plan directs for sustainable growth that creates compact, livable, and mixed-use communities and protects the City’s natural heritage and agricultural lands. In January 2024 the City began the process of updating the Niagara Falls OP to bring it into conformity with the Niagara ROP. Per Schedule A of the Niagara ROP, the Subject Site is currently designated as *Good General Agriculture*, however it has been brought into the *Urban Area Boundary* with a note regarding the *Urban Area Expansion* per the 2022 Niagara ROP (**Figure 5**). As such, the Niagara Falls OP is not yet in full conformity with the 2022 Niagara Region OP, however the Site is designated as being within the City’s *Urban Area Boundary*. The City’s website also identifies that a Secondary Plan for this area will be initiated sometime in 2025 to direct the growth and development of this area.

Part One Section Two of the Niagara Falls OP establishes policies that direct growth and development for the City. These policies are based on growth forecasts set out in Table 1 which projects that by 2031 the City will be home to 106,800 people and 53,640 jobs. Policy 2.3 states that, “[t]he City shall provide sufficient lands within the Urban Area Boundary to meet the projected housing, population and employment targets of Table 1”. With regard to the development of *Greenfield* lands, Policy 2.6 states that, “[t]he City shall utilize Secondary Plans wherever possible for development within its Greenfield areas to ensure the design of complete communities providing both employment and residential

opportunities". Per the above policies, the Subject Site will support the future growth and development needs of the City. The ZBLA proposes that the lands be rezoned as *Development Holding*

**Figure 5: Niagara Falls OP, Schedule A – Future Land Use**

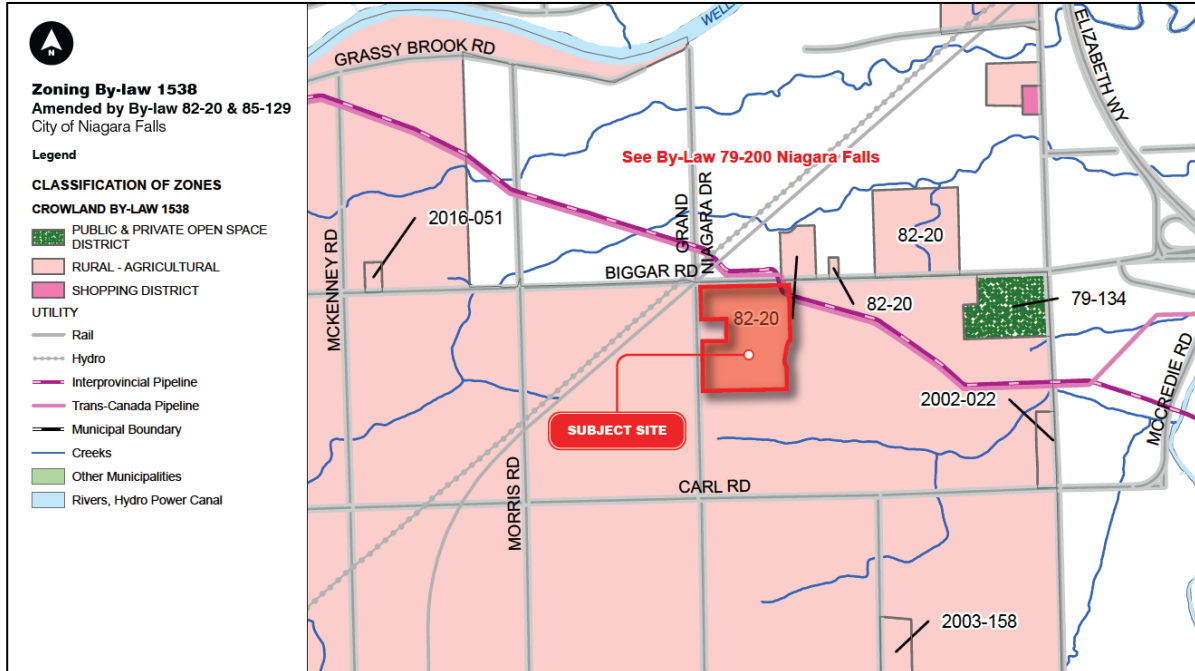


Source: City of Niagara Falls, Revised 2024

until a secondary plan is put in place at which point future development opportunities will be explored.

## ZONING

The Subject Site is currently zoned as *Rural Agricultural (RA)* Zone under the Township of Crowland Zoning By-law No. 1538 (1958). The proposed Zoning By-law Amendment will rezone the Subject Site to *Development Holding (DH)* Zone under Chippawa and Lands North of the Welland River Zoning By-law No. 79-200.

**Figure Six: Zoning By-Law Rural Agricultural Zone**

Source: Former Crowland Zoning By-law 1538

**CONCLUSION**

The proposed ZBLA has been reviewed and considered in the context of all applicable provincial and municipal planning policy documents and the context within which the Subject Site is located. The ZBLA is consistent with the Provincial Planning Statement and conforms to the Niagara Region Official Plan and the City of Niagara Falls Official Plan. For all the foregoing reasons, it is our professional opinion that the proposed ZBLA represents good planning and warrants the support of Staff and of Council.

If you should have any questions or concerns, please contact the undersigned at your earliest convenience.

Respectfully submitted,  
**THE BIGLIERI GROUP LTD.**

Rachelle Larocque, BES, M.Sc., MCIP, RPP  
Partner

Alex Walton, HBA, MPI  
Intermediate Planner