



**Official Plan Amendment and Zoning By-law Amendment
Applications**

**Music City Hotel – 4873 & 4898 Kitchener Street
Niagara Falls**

For: 1000052392 Ontario Inc.

By: NPG Planning Solutions Inc.
4999 Victoria Avenue
Niagara Falls, ON L2E 4C9
T: 905 321 6743

Date: March 27, 2026

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1.0 Introduction

NPG Planning Solutions Inc. serves as the planning consultant for 1000052392 Ontario Inc. (the “Owner”), who owns approximately 1,472.28 m² (0.147 ha) of land located at 4898 Kitchener Street in the City of Niagara Falls. The lands at 4873 Kitchener Street are owned by the City of Niagara Falls, comprising approximately 6,449.9 m² (0.645 hectares). Together, both properties hereby represent the “Subject Lands”.

NPG has been retained to provide professional planning advice in the form of a Planning Justification Report (PJR) in relation to concurrent applications for an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA). The applications seek to facilitate the development of the Music City Hotel, proposed as a 50-storey hotel to attach to the existing church at 4898 Kitchener Street, which is proposed to be repurposed as a music venue. The proposal also includes the construction of a 4-storey parking structure at 4873 Kitchener Street.

This PJR provides an analysis of the proposed development and evaluates the appropriateness of applications for OPA and ZBA when assessed against policies in the *Planning Act*, the Provincial Planning Statement (PPS), Niagara Official Plan (NOP), Niagara Falls Official Plan (City OP), and the Niagara Falls Zoning By-law No. 79-200.

Section 5.1 of this PJR provides an analysis of the applications when assessed in relation to requirements under the Planning Act. Sections 5.2 and 5.3 of this PJR reviews the applications for consistency and conformity with provincial and regional planning policies. Section 5.4 of this PJR discusses the proposal’s conformance with the general intent and objectives of the City OP while Sections 6.0 & 7.0 provide justification for approval of the applications for OPA and ZBA.

In summary, the applications satisfy the requirements of the *Planning Act*, are consistent with the PPS, and conform with the NOP. In addition, the proposed OPA aligns with the general policy direction of the City OP. Subject to the approval of the OPA, the proposed ZBA will conform to the City OP.

2.0 Description of Subject Lands and Surrounding Area

The Subject Lands, illustrated in *Figure 1 – Aerial Context*, comprise two (2) separate properties, being 4873 Kitchener Street and 4898 Kitchener Street in the City of Niagara Falls.

Photos were taken of the Subject Lands and surrounding uses on September 2nd, 2025, and are included in Section 2.3 of this PJR. A description of each individual property is as follows:

2.1 Description of Subject Lands

2.1.1 4898 Kitchener Street

The 4898 Kitchener Street site is a triangular-shaped lot with an area of approximately 1,450 m² (0.15 hectares). It features approximately 50 metres of frontage along

Kitchener Street and 77 metres along Hunter Street. The property has a lot depth of approximately 62 metres.

The property is identified on the Municipal Heritage Register as a listed property and contains two (2) existing buildings: a church, previously occupied by the Korean Presbyterian Church, and a residential dwelling (**refer to Photos 1-3**) which historically functioned as a manse. Historical documentation confirms the church was originally constructed in 1918. In 1954, a church gymnasium was added to the east side of the original church footprint.

The property directly abuts a paved parking lot to the east, which separates the existing church building from the adjacent commercial, retail, and institutional uses along Victoria Avenue.

Existing detached residential dwellings are located west and north of the Subject Lands, across Hunter Street and Kitchener Street, respectively.

2.1.2 4873 Kitchener Street

The 4873 Kitchener Street site is an irregularly shaped parcel with an area of 6,449.9 m² (0.64 hectares). It features approximately 45 metres of frontage along Victoria Avenue and 123 metres along Kitchener Street and a lot depth of roughly 171 metres. It is located directly south of the Falls Avenue exit onto Victoria Avenue. The subject property currently functions as a municipally owned and operated parking lot with a grassed area located on the eastern portion of the property adjacent to Victoria Avenue (**refer to Photos 4-5**). The property is owned and operated by the City of Niagara Falls. The parking lot has two (2) points of access from Kitchener Street and an additional ~18.5 metres of frontage along Second Avenue. There is currently no curb cut along Second Avenue, and this portion is not currently accessible to support vehicular traffic (**refer to Photos 6-8**).

There are existing detached residential dwellings are located directly west of the Subject Lands.

2.2 Surrounding Context

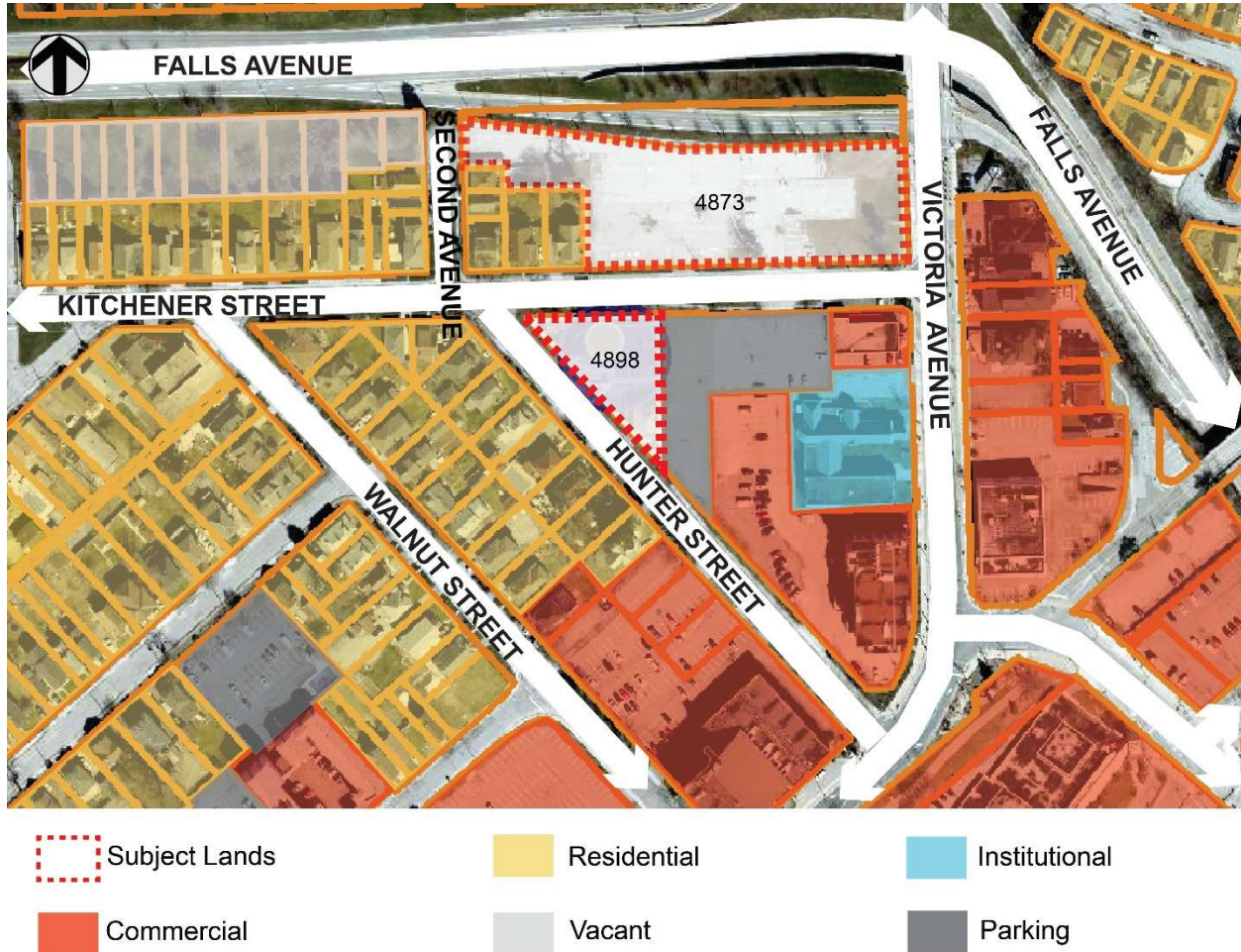
The Subject Lands are located within a Tourist Commercial land use designation of the City's OP.

To the east of the Subject Lands, Victoria Avenue is characterized by a mix of retail, commercial, and restaurant uses as well as a vacant institutional property (**refer to Photos 9–11**).

To the west of the Subject Lands, there are a number of low-density single detached dwellings (**refer to Photo 12**). These dwellings are also located within the Tourist Commercial land use designation.

Figure 1 – Aerial Context illustrates the surrounding land uses.

Figure 1 - Aerial Context Map



Tourist amenities and active transportation facilities within a 500-metre and 1-kilometre radius of the Subject Lands are shown in **Figure 2 – Tourist Amenity Map**.

The Subject Lands are located within the Clifton Hill Tourism Subdistrict, which is envisioned as the long-term commercial and entertainment hub of the city. This area is intended to accommodate a wide range of commercial and entertainment uses, including, but not limited to, tourist retail, hotels, restaurants, cafés, nightclubs, museums, art galleries, theatres, and other tourist-oriented establishments.

The Subject Lands are located within 500-metres of Clifton Hill Casino Niagara, and Queen Victoria and are approximately 1.5 kilometres from the Fallsview Casino Resort. Several hotels are also located within 500 metres of the Subject Lands, demonstrating that the area is an established and appropriate location for hotel uses, as illustrated on Figure 2.

The Subject Lands are strategically located at the intersection of Victoria Avenue and Falls Avenue, with Falls Avenue being a four-lane arterial road and a continuation of Ontario Highway 420. Falls Avenue is identified as an Entry Corridor by the City’s OP, serving as a main point of access for visitors to the Tourist Area, and providing an

opportunity for high-quality development to enhance this important public realm. The Subject Lands are located on a regional transit route serving the 104 and 204 lines along Victoria Avenue with bus stops near the Subject Lands. The Subject Lands are also located on a WEGO transit line, a year-round transportation system that connects Niagara Parks locations to major attractions and hotels in the Niagara Falls tourist area.

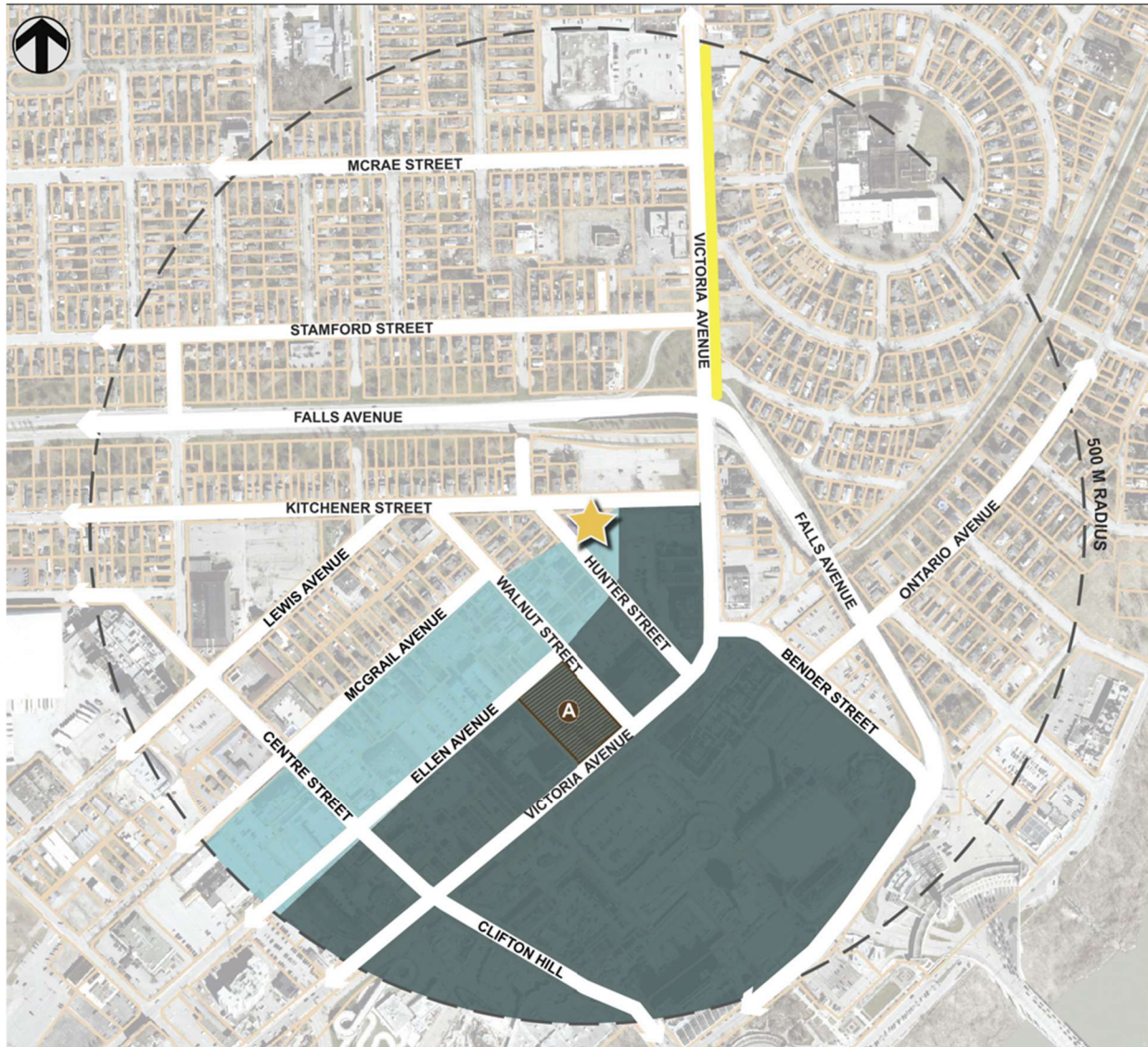
Figure 2 – Tourism Amenity Map



Building heights within the Tourist Area, including the Clifton Hill Tourism Subdistrict, are generally limited to four (4) storeys in with the City’s Zoning By-law 79-200. However, increased building heights may be considered on a site-specific basis by Niagara Falls City Council in accordance with the City’s height strategy for the Tourist District. **Figure 3** illustrates the City’s Height Strategy derived from the City’s OP, while

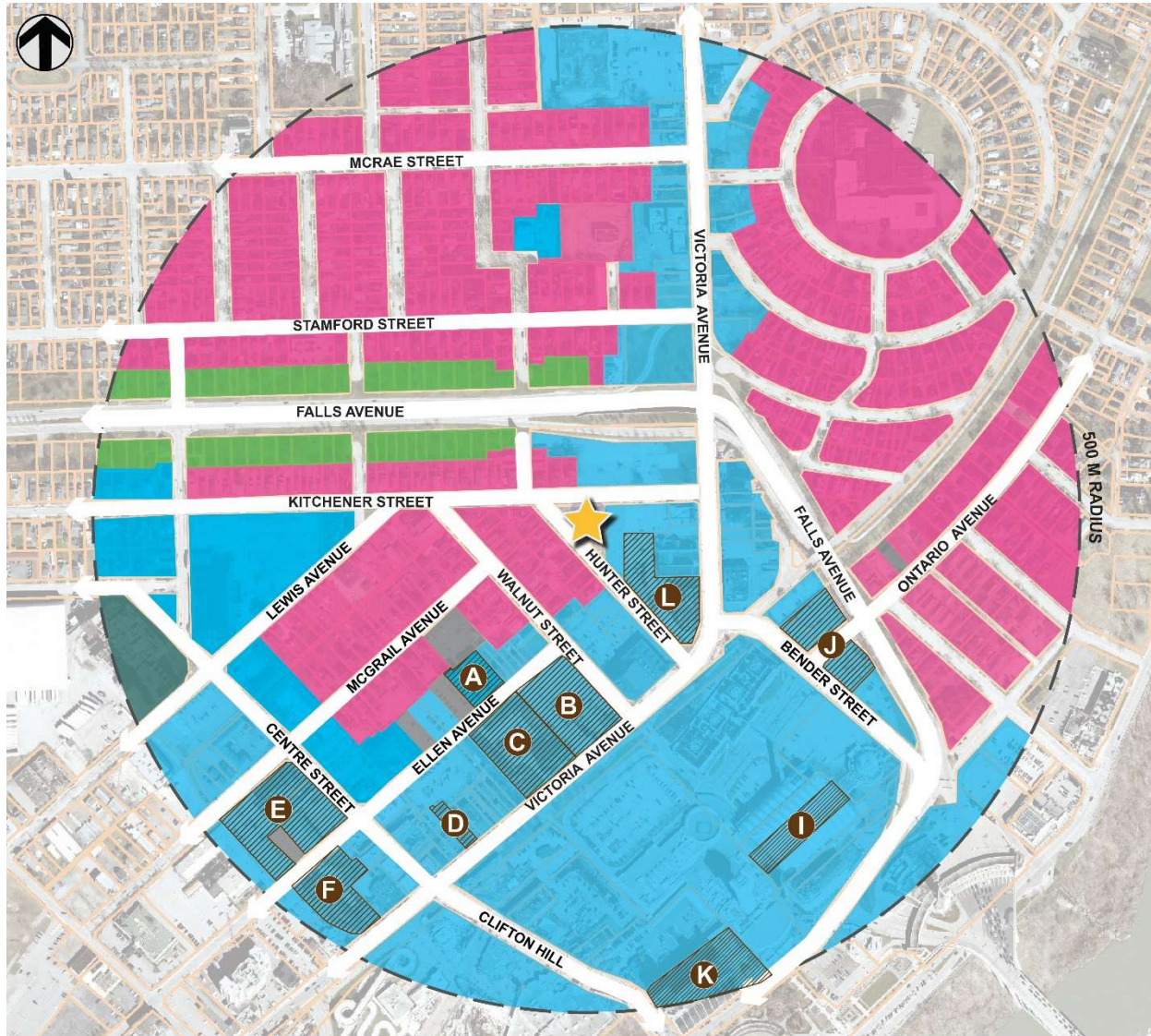
Figure 4 identifies locations where zoning approvals for increased building heights have been approved.
















Figure 3 – Official Plan Height Strategy



- High Rise - 13 to 30 storeys
- Medium Rise - 9 to 12 storeys
- Downtown Node - 4 storeys height restriction
- A 4.6.11 (h) Council may pass a zoning by-law to permit the development of two towers for dwelling and tourist commercial uses abutting Ellen and Victoria Avenues on the lands. The development shall have a maximum height of 35 and 36 storeys and 116 metres

Figure 4 – Zoning Approvals for Increased Height



	10 Metres		A One three-storey motel One five-storey motel		F Maximum of 19.6 metres or 5 storeys
	12 Metres		B Building A-113 metres or 35 storeys Building B-116 metres or 36 storeys		I 54 metres
	20 Metres		C 7 storeys or 23 metres		J 71.5 metres or 18 storeys
	Open Space		D 23 metres		K 22 storeys
	Parking		E 10 storeys or 37 metres		L 71.5 metres or 18 storeys

2.3 Site Photos

Photo 1 – Church Building looking South from Kitchener Street



Photo 2 - Church Building looking East from Kitchener Street / Hunter Street



Photo 3 – Church Building (background) and Mance Building (foreground)



Photo 4 – Municipal Parking Lot, located at 4873 Kitchener Street



Photo 5 – Grassed Area, located at 4873 Kitchener Street, looking west from Victoria Avenue



Photo 6 – Driveway #1 to Municipal Parking Lot from Kitchener Street



Photo 7 – Driveway #2 to Municipal Parking Lot from Kitchener Street



Photo 8 – Parking Lot Frontage looking east from Second Avenue



Photo 9 – Retail / Commercial Uses along Victoria Avenue



Photo 10 – Institutional / Commercial Uses along Victoria Avenue



Photo 11 – Country Inn & Suites, Victoria Avenue



Photo 12 – Single-Detached Dwellings Located West of Subject Lands



3.0 Proposed Development

An Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) are required to facilitate the construction of the Music City Hotel, a 50-storey hotel development proposed at 4898 Kitchener Street. The 50-storey hotel will be constructed along the eastern elevation of the original 1918 church building, replacing the 1954 gymnasium addition. The original church building constructed in 1918 will be retained and re-purposed into a music venue. A raised patio is proposed directly adjacent to the music venue. The existing residential dwelling which is located on 4898 Kitchener Street will be demolished in favour of the 50-storey hotel.

The proposal also includes a four (4) storey parking structure with one (1) underground level located at 4873 Kitchener Street. Commercial space is proposed at grade of the parking structure building. The existing 95 municipal parking spaces on-site will be replaced within the parking structure or as surface spaces and maintained for public use, while the remainder will serve as spaces for the hotel and the music venue.

Sections 3.1 and 3.2 provide a breakdown of the proposed hotel and music venue, as well as the parking garage development:

The concept site plan is provided for reference in **Appendix A**.

3.1 Hotel / Music venue

As part of the proposed development, a 50-storey hotel is planned to replace the 1954 church gymnasium addition and manse. The existing auditorium within the original 1918 church building will be preserved and converted into an intimate music venue with seating for 500 guests, providing a setting and platform for artists.

The vision for the Music City Hotel is to create an integrated music venue and hotel, along with production related uses. This vision aligns with the *Niagara Falls Music City Strategy* by supporting the diversification of the tourism sector, strengthening the local music ecosystem, and repurposing underutilized spaces for music related uses. The hotel could also offer combined music and accommodation packages, being a destination for entertainment and lodging.

The proposed music venue represents the adaptive re-use of the currently underutilized church auditorium, which features an amphitheatre style interior layout that historically accommodated musical performances as part of church services. Given this distinctive configuration, the proposed use is perfectly suited to the existing space, as it allows the auditorium to be utilized without compromising the character or integrity of the original building.

The proposed hotel consists of 52 levels above grade, with the following program breakdown:

Table 1- Music City Hotel Programming Breakdown

Level	Rooms	Programming
Level 0	Kitchen, Utility, Housekeeping, etc. (Hotel Basement) Service, Washrooms, Artist Green Room, etc. (Music venue Basement)	Hotel Service Music venue Service
Level 1	Auditorium, Café, Hotel Lobby	Music venue, Hotel Lobby
Level 2	Staff Offices, Breakroom, etc.	Hotel Staffing
Level 3	Fitness Centre, Treatment Rooms, Yoga Studio, etc.	Hotel Amenity
Level 4	Event Space, Pre-Function / Foyer, Green Room, Catering Kitchen, etc.	Hotel Events
Level 5	Office(s), Recording / Listening Room, Open Work Area(s), Lounge / Coffee Bar, Meeting Room(s), etc.	Office and Meeting Rooms
Level 6	Artist Green Room, Studio(s), Studios Reception / Lounge, Instrument Storage, etc.	Recording Studios
Level 7-49	Standard Room(s), Suite(s)	Hotel Rooms for Guests
Level 50	Bar / Lounge, Dining Room, etc.	Restaurant / Bar Area
Level 51-52	Mechanical	Mechanical Penthouse

While the overarching vision of the hotel is to provide a holistic music-focused experience, it also accommodates guests seeking a more traditional hotel stay.

Guest accommodation is provided on Levels 7 to 49, comprising a total of 412 rooms, with a range of room types and sizes to meet varying guest needs. The hotel also includes a variety of amenities, such as a fitness and wellness area on Level 3 with a fitness studio, yoga studio, and treatment rooms. A café/bar/lounge is located on the first floor, and a high-end dine-in restaurant is envisioned on the 50th floor. In addition, rentable event space is provided on Level 4.

In support of its broader vision, the hotel includes dedicated office and production spaces for artists and/or production-related music companies, providing synergies for the local music ecosystem. These uses are focused on Levels 5 and 6. Level 5 includes open work areas, private offices, meeting rooms, and other work amenities such as a lounge and coffee bar. Level 6 includes two recording studios, artist green rooms, and other support services such as equipment repair and storage. These spaces are intended to complement the music venue and support the project's objective of fostering

musicians and strengthening the local music industry, in line with the City of Niagara Falls Music City Strategy.

The City of Niagara Falls Music City Strategy, approved by Council in May 2024, is intended to serve as a roadmap to grow the music ecosystem in Niagara Falls. Two key recommendations from the Music City Strategy are relevant to this proposal:

3. Partner with hotels and the casino to bundle music and hotel packages

- *Form a partnership between the City of Niagara Falls, and the city's hotels, entertainment providers and the casino to offer packages that combine music and entertainment events with accommodation for a fixed price*

5. Repurposes unexpected an underutilized spaces for music

- *Take advantage of underutilized spaces by repurposing existing spaces to facilitate music events*

3.2 Parking Garage

A 4-storey parking garage with accessory retail uses at grade is proposed to be constructed on the site of the existing municipal parking lot at 4873 Kitchener Street. All existing municipal parking spaces will be preserved and incorporated into the new structure or maintained as surface parking. As there is no parking proposed on 4898 Kitchener Street, all required parking for the hotel and its accessory uses will be accommodated within the parking garage and surface level parking.

The proposed parking structure will consist of six (6) levels, including one (1) level below grade and one (1) on the rooftop, and will provide a total of 447 parking spaces. An additional 38 parking spaces will be provided as surface parking for a total of 485 parking spaces. The development includes 1,022 m² of commercial retail space fronting Victoria Avenue and Kitchener Street.

A landscaped amenity area is proposed east of the parking garage, featuring trees, plantings and seating for use by the general public, improving the public realm. This is conceptually envisioned as the "Music City Park".

Official Plan Amendment

The Subject Lands are designated Tourist Commercial in the City's OP and are located within the Clifton Hill Subdistrict of the Central Tourist District.

An amendment to the City's OP is required to increase the maximum height of the permitted hotel to 50 storeys.

Building heights within Tourist Districts are generally limited to four (4) storeys in accordance with Policy 4.4.2. However, the City's OP permits increased building heights which outlines general parameters for taller buildings in specific areas. Figure 4 of the City's OP (**refer to Section 5.4.5 of this PJR**) identifies lands within the Tourist Districts partially including 4898 Kitchener Street as suitable for medium-rise development, with building heights generally envisioned to range from 9 to 12 storeys.

Notably, the property immediately adjacent to 4898 Kitchener Street is identified for high-rise development, with buildings generally envisioned between 13 to 30 storeys.

Notwithstanding the policies contained in Part 2, Section 4, Subsection 4.4.3, a hotel not exceeding 50 storeys is proposed on the lands at 4898 Kitchener Street. A draft OPA has been prepared and is included as Appendix B of this PJR.

Zoning By-law Amendment

The Subject Lands currently have multiple zone categories. 4898 Kitchener Street is zoned Deferred Tourist Commercial. 4873 Kitchener Street has split zoning as follows:

- Partially zoned Tourist Commercial (TC-75 and TC-213), through site-specific amendments including By-laws 1989-052, 2012-060, and 2012-061
- Partially zoned Deferred Tourist Commercial (DTC), also through By-law 2012-060
- Partially zoned Parking (P-213), through By-laws 1989-052 and 2012-060

The applicant is proposing to rezone the land municipally known as 4873 Kitchener Street to support retail use, in addition to a parking garage which will provide off-site parking for the hotel and music venue proposed at 4898 Kitchener Street. The 4898 Kitchener Street site is also proposed to permit off-site parking and will have site-specific Tourist Commercial (TC-XX) zoning permitting the 50-storey hotel and music venue. A draft ZBA has been prepared and is included in Appendix C of this PJR.

4.0 Supporting Studies

Pre-consultation meetings were held on November 21, 2024. As per the Pre-Consultation Agreement, the following items were deemed necessary for the OPA & ZBA Applications:

1. Planning Justification Report (PJR) including a Housing Impact Statement
2. Draft Official Plan Amendment and Zoning By-law Amendment
3. Urban Design Brief
4. Heritage Impact Assessment (a Cultural Heritage Evaluation Report was also completed)
5. Architectural Plans including Site Plan, Building Elevations, Floor Plans and Renderings
6. Sun / Shadow Study
7. Stage 1-2 Archaeological Assessment
8. Functional Servicing Report & Stormwater Management Report
9. Municipal Servicing Study (Infrastructure Modeling)
10. Traffic Impact Study (a Parking Study was also completed)
11. Tree Inventory and Preservation Plan
12. Landscape Plan
13. Quantitative Wind Study

A summary of the supporting studies identified through the pre-consultation process is provided below.

4.1 Archaeological Assessment

A Stage 1–2 Archaeological Assessment dated November 19, 2025, was prepared by Archaeological Consultants Canada (ACC) for the properties at 4873 and 4898 Kitchener Street, Niagara Falls.

The subject properties, totalling 0.84 ha have been substantially altered, with approximately 0.70 ha (84%) previously disturbed by the construction of a private dwelling, a church, and asphalt parking areas. The remaining 0.14 ha retained archaeological potential and was recommended for Stage 2 assessment. Stage 2 fieldwork consisted of a test-pit survey at 5 m intervals in accordance with Section 2.1.2 of the *Standards and Guidelines for Consultant Archaeologists*. Each test pit was hand-excavated, measured 30 cm in diameter, and was dug to at least 5 cm into the subsoil or to a depth sufficient to confirm deep disturbance where subsoil was not preserved.

No artifacts or other archaeological resources were identified during the Stage 2 assessment.

4.2 Architectural Plans

Matthew Schmid Architecture has prepared two (2) separate conceptual design packages: one (1) illustrating the Music City Hotel development at 4898 Kitchener Street, dated March 20, 2026, and the other depicting the parking garage and landscaping improvements at 4873 Kitchener Street, dated March 20, 2026. The architectural plans for each development include conceptual floor plans, parking layouts (if applicable), and building elevations. Renderings are also provided to supplement the architectural drawing packages.

The Site Plan included in the 4898 Kitchener Street package illustrates the relationship between the Music City Hotel development and the parking garage, as well as conceptual improvements to the Kitchener Street right-of-way as a woonerf, including landscaped boulevards, on-street parking, and a pedestrian crossing. The Kitchener Street design would enable the temporary and partial closure of the street to vehicles for special events.

4.3 Sun Shadow Study

Matthew Schmid Architecture prepared a Shadow Stud, dated March 6, 2026, as required for the redevelopment of the land municipally known as 4898 Kitchener Street. The report has been prepared to demonstrate the potential shadow impacts of the proposed 50-storey hotel development on the subject site and surrounding properties.

Referencing the Niagara Falls Terms of Reference, the analysis focused on four key dates: April 21st (Daylight Saving Time), June 21st summer solstice (Daylight Saving Time), September 21st fall equinox (Daylight Saving Time), and December 21st winter solstice. These dates are commonly selected for sun shadow studies due to their

alignment with the equinoxes, representing the seasonal averages, and the solstices, representing the Sun's highest and lowest point in the sky.

The City of Niagara Falls Terms of Reference recommend that adjacent residential amenity areas receive a minimum of six (6) hours of sunlight between 10:00 a.m. and 6:00 p.m., particularly between April 21 and September 21, to minimize the impact of new development on neighbouring properties.

For Public Outdoor Amenity Spaces, the combined shadows cast by existing and proposed buildings should allow for a minimum of five (5) hours of sunlight between 10:00 a.m. and 6:00 p.m.

To minimize potential impacts on nearby low-density residential properties, the proposed shape and orientation of the 50-storey hotel tower have been carefully considered. The Shadow Study demonstrates that the proposal meets the required sunlight thresholds for adjacent private residential amenity areas, public outdoor amenity spaces, school yards, children's play areas, and surrounding parks and open spaces.

This outcome is achieved through the proposed building form. The tower floorplate is designed as a long, narrow form oriented along the north-south axis, which minimizes shadow impacts associated with the predominant southern sun path. The tall and slender tower form creates a narrower shadow profile that moves more quickly across surrounding areas, thereby reducing the duration and overall extent of shadow impacts compared to a lower, wider building with an equivalent gross floor area. In addition, podium and tower setbacks have been maximized to reduce shadow encroachment on adjacent properties and reduce shadowing within the surrounding area.

As such, the proposed development complies with the shadow performance criteria established in the City of Niagara Falls Shadow Study Terms of Reference.

4.4 Cultural Heritage Evaluation Report and Heritage Impact Assessment

A Cultural Heritage Evaluation Report (CHER) dated March 2026, and a Heritage Impact Assessment (HIA) dated March 2026 were prepared by NPG Planning Solutions Inc. (NPG) for 4898 Kitchener Street. The property is identified as a listed, non-designated property on the City's Municipal Heritage Register.

A summary of each report is provided below:

4.4.1 Cultural Heritage Evaluation Report (CHER)

The purpose of the CHER is to evaluate the property for cultural heritage value or interest (CHVI), applying the processes and requirements of the Ontario Heritage Act (OHA). The criteria for designation, as set out in Ontario Regulation 9/06, were used to assess the property, with a detailed rationale for how each criterion is met or not.

The CHER concludes that the property, and particularly the original 1918 church building, meets 5 of the 9 criteria:

Table 2 - Assessment of Cultural Heritage Value Criteria under Ontario Regulation 9/06

Criterion	Criteria Description
1	The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
4	The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
6	The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
8	The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9	The property has contextual value because it is a landmark.

A Draft Statement of CHVI and Heritage Attributes is included in the CHER.

Summary of Findings

Criterion 1 – Design/Physical Value

The 1918 church demonstrates physical and design value as a relatively unique example in Niagara Falls of an amphitheatre-style religious building emphasizing music and congregational focus on the pulpit. Interior features referencing the number seven reflect Methodist symbolism. While the church includes Gothic detailing, these elements are common in other local churches. Alternatively, neither the 1954 church gymnasium addition nor the manse has any design or physical value, as neither are rare, unique or representative or early example of a style, type, expression, material or construction method.

Criterion 4 – Historical/Associative Value

The property has historical and associative value through its connection to Methodism in Niagara Falls and the Kitchener Street Union Church, later the Kitchener Street United Church in 1925 which used the building from 1918 to 1992. More recently the building was used by the Korean Presbyterian Church until approximately 2022–2023.

Criterion 6 – Associative Value

The 1918 church has associative value as it was designed by William Nichols, a prominent local architect responsible for several notable buildings in Niagara Falls. The 1954 church gymnasium, designed by Norman Mann, has limited associative value, as

his work primarily involved alterations, and the building has been modified from its original design.

Criterion 8 – Contextual Value

The property has contextual value due to its historical connection to the gore (triangular piece of land) at Kitchener Street and Hunter Street, originally intended as a park and later developed with the church on the narrowest portion of the site.

Criterion 9 – Contextual Value as a Landmark

The 1918 church is a neighbourhood landmark, prominently located on a gore, with Gothic-influenced features including its tower, crenellations, buttresses, hood moulds, arched windows, and stained-glass windows.

In conclusion, it is NPG's professional opinion that the property at 4898 Kitchener Street meets five (5) of the nine (9) criteria for designation in O. Reg. 9/06 of the OHA and thus would be eligible for OHA designation.

4.4.2 Heritage Impact Assessment (HIA)

The purpose of the Heritage Impact Assessment (HIA) is to evaluate potential impacts to the Cultural Heritage Value and Interest (CHVI) of the subject property located at 4898 Kitchener Street (the subject property) in the urban area of the City of Niagara Falls.

The HIA provides an overview of heritage conservation principles and evaluates potential impacts to the CHVI and heritage attributes of the subject properties associated with the proposed development. The proposed development carries potential negative impacts on the heritage attributes of the 1918 church; therefore, several mitigation measures are proposed prior to any demolition or removal, including:

- Prepare an Addendum to the Heritage Impact Assessment at Site Plan Control Stage
- Prepare a Conservation Plan & Temporary Protection Plan
- Prior to demolition, take Photographs of the Church building to become part of the public record.
- Prior to construction, implement vibration monitoring to ensure that potential negative impacts to the 1918 church building are monitored, mitigated and minimized, before and throughout construction activities.
- During construction, salvage and store bricks removed from the east wall of the 1918 church building in preparation for future repairs, or to be integrated within the new hotel development.

The HIA also includes several recommendations so that heritage attributes can be conserved or better conserved, which include the following:

- Remove the raised patio proposed to be added to the 1918 church building which will result in negative impacts to the heritage attributes.
- Lighten the colour of the proposed terra cotta panels on the 1918 church building.
- Add more glazing to the first four (4) levels of the proposed hotel to reduce the appearance of its massing beside the 1918 church building.

It is the author's opinion that any potential negative impacts associated with the proposed development, as presented in the Official Plan Amendment and Zoning By-law Amendment applications, can be appropriately mitigated. Alternative design recommendations have been identified to reduce potential impacts on the heritage attributes of the property. With these measures in place, the proposed development at 4898 Kitchener Street can proceed in a manner that conserves the identified heritage value and heritage attributes.

The author also recognizes potential positive outcomes associated with the proposal. The adaptive re-use of the church auditorium as a music venue represents a compatible use that retains the building's heritage attributes. In addition, the proposed development has the potential to reinforce the property's role as a local landmark while conserving its heritage value and heritage attributes.

4.5 Urban Design Brief

An Urban Design Brief (UDB), dated March 2026 and prepared by NPG, demonstrates how the proposed 50-storey hotel tower achieves compatibility with its surroundings while implementing relevant urban design policies, including the Region's Model Urban Design Guidelines, the City's OP, and the Tourism Policy Review Implementation Handbook (TPRIH).

Although the tower exceeds the height of nearby buildings, its slender profile reduces visual bulk, mitigates shadow and wind impacts, and avoids a "wall effect" along the Niagara Falls skyline. Regular and dynamic setbacks further minimize its visual impact, improving compatibility with the surrounding context.

The UDB concludes that the proposed development represents a thoughtful and comprehensive approach to urban design, consistent with the objectives of the City's OP, TPRIH, Streetscape Master Plan, and the Region's MUDG.

4.6 Functional Servicing Report and Stormwater Management

A Functional Servicing Brief (FSB), prepared by Hallex Engineering Ltd. and dated March 11, 2026, is provided in support of the proposed development application. The FSB evaluates the functional sizing of storm, sanitary, and water services, which are required to assess the impact of post-development flows on existing municipal infrastructure.

Stormwater Management

Stormwater from the hotel property will discharge to the existing 525mm municipal storm sewer on Hunter Street, while stormwater from the parking garage property will discharge to the 525mm sewer at the Kitchener Street and former Union Avenue intersection. Stormwater quantity control will be achieved through cast-in-place stormwater management tanks on each property, equipped with orifice plates to control flow rates before discharge.

Post-development stormwater runoff for the site is expected to increase by 5.0 L/s during a five-year storm and 8.0 L/s during a one-hundred-year storm, exceeding the maximum allowable discharge. To mitigate this, stormwater detention will be required. Flow quantity control can be achieved through the installation of an orifice plate within the cast-in-place stormwater management tank on the hotel property, prior to discharge to the existing 525mm sewer along Hunter Street, and within the stormwater tank at the parking garage property, prior to discharge to the existing 525mm sewer at the intersection of Kitchener Street and former Union Avenue. The cast-in-place stormwater management tank at the hotel property will be sized to accommodate a 9.0 m³ volume for the five-year storm event and a 13.0 m³ volume for the one-hundred-year storm event. Similarly, the stormwater management tank at the parking garage property will be sized to store a 20.0 m³ volume for the five-year storm event and a 28.0 m³ volume for the one-hundred-year storm event.

In addition, the overall impervious area across both sites will be reduced as a result of the development, improving stormwater quality. As such, no additional water quality controls are required.

Sanitary Sewer System

New sanitary laterals will connect both the hotel and parking garage buildings to the existing 250mm municipal sanitary sewer on Kitchener Street. Similarly, new water service connections will be made to the existing 200mm municipal watermain, also on Kitchener Street.

New water service connections will also be provided from both the 50-storey hotel and the 4-storey parking garage to the existing 200mm municipal PVC watermain on Kitchener Street.

Water Distribution System

As both properties are to be redeveloped, all existing water services will be located, capped, and abandoned at the municipal watermain as required. Hallex recommends that a new 150mm water service and two 200mm fire water services be installed to provide service to the proposed 50-storey hotel and 4-storey parking garage, connected to the existing 200mm municipal PVC watermain on Kitchener Street.

4.7 Infrastructure Modeling

The City of Niagara Falls has retained GEI Consultants Canada Ltd. to assess the impacts of a proposed development on the City's existing wastewater system. Their analysis concluded that pressures within the local water system remain within the acceptable 40 to 100 psi range at the development boundary and throughout the study area under both average-day and peak-hour demand conditions. The proposed development is not expected to create significant impacts on system performance under existing or 2051 conditions, with pressures remaining stable in the required range. The required fire flow of 300 L/s can be met under both existing and 2051 buildout scenarios when supplied by the existing 200 mm watermain on Kitchener Street, and no notable impacts to fire flow availability in the surrounding study area are anticipated.

The downstream sewer system between the development's connection point on Kitchener Street and the Bender Hill Sewage Pumping Station experiences surcharging above the 2.1 m basement flood-protection freeboard during the 2-, 5-, and 10-year storm events, both with and without the proposed development flows. This surcharging is attributed to insufficient pipe capacity and elevated wet-weather inflows from upstream combined-sewer catchments that exceed the Region's design allowances. The City is currently advancing system wide and localized solutions, including a sewer separation strategy and localized flow monitoring. The outcome of these prospective servicing measures, together with the Region's 2021 MSPU sewage pumping station upgrade recommendations, is expected to further alleviate sewer surcharging. It is recommended that the applicant consult the Region regarding the development's flow contribution to the Region-owned pumping station.

4.8 Landscape and Tree Inventory and Preservation Plan

Adesso Design Inc. has prepared a tree inventory preservation plan and a conceptual landscaping plan.

The tree inventory documented a total of 27 trees situated on subject properties, and within 6 metres of the property boundary. The results of the impact assessment indicate that the removal of six (6) trees will be required to accommodate the proposed development. Three (3) of the 6 trees identified for removal are located on the Subject Lands while the rest are located on the neighbouring properties. Appropriate tree protection measures shall be installed prior to any demolition.

A conceptual landscape plan was included to illustrate the overall context and design intent. More detailed landscape plans will be prepared during future Site Plan Control stages.

4.9 Traffic Impact and Parking Study

A Traffic Impact and Parking Study was prepared by Paradigm Transportation Solutions Limited (Paradigm), dated February 2026 to conduct this Traffic Impact Study (TIS) and Parking Study for the proposed development.

The purpose of the study is to assess how the proposed development will affect traffic and parking in the surrounding area by evaluating trip generation, parking demand, and overall network conditions. Through this study, the following eleven intersections were reviewed:

- Kitchener Street at Victoria Avenue (unsignalized)
- Kitchener Street at Hunter Street/Second Avenue (unsignalized);
- Kitchener Street at MacDonald Avenue (unsignalized);
- Victoria Avenue at Hunter Street (unsignalized)
- Victoria Avenue at Bender Street (signalized);
- Victoria Avenue at Falls Avenue Eastbound Ramp (signalized);
- Victoria Avenue at Falls Avenue Westbound Off-Ramp (unsignalized);
- Victoria Avenue at Falls Avenue Westbound On-Ramp (unsignalized);
- Victoria Avenue at Walnut Street (signalized);
- Falls Avenue at MacDonald Avenue (signalized); and
- Two site driveways along Kitchener Street connecting to the proposed parking area.

The assessment of future traffic conditions considers two horizon years: the anticipated opening year of 2028, and 2033, representing five years following full build-out and occupancy.

Paradigm evaluated traffic operations over that time span both with and without background development. The projected background development includes a proposed 402-bedroom hotel anticipated to be constructed in 2028 at 4709 Bender Street, located southeast of the Subject Lands, as well as a mixed-use development at 5613 Victoria Avenue, situated south of the Subject Lands. The latter is planned to include a 404-bedroom hotel, 462 high-rise condominium units, seven townhouse units, and approximately 687 m² of commercial space. It is assumed that the Victoria Avenue development will not reach full build-out until 2033.

Paradigm has concluded that the Subject Lands at full build-out are expected to generate approximately 192 trips in the weekday AM peak hour, 559 trips in the weekday PM peak hour, and 449 trips in the Saturday peak hour.

Under both opening year and five-year future conditions, with and without background developments, Paradigm concludes that the surrounding road network are expected to operate at an overall satisfactory level; however, certain individual turning movements are forecast to experience localized congestion, longer queues, and occasional peak-period spillback. Several road improvement options were reviewed to address localized peak-period constraints, many of which appear to be possible through line painting without widening the roadway.

A sensitivity analysis was completed for the five-year future traffic scenario, including projected background development. The analysis indicates that the identified mitigation measures would not fully resolve all projected critical movements, and that certain operational limitations are expected to remain regardless of the proposed development.

As such, the forecasted capacity constraints are not solely associated with the proposed development. While roadway widening could theoretically increase vehicular capacity in some locations, opportunities to expand the right of way are limited due to existing built form. In addition, roadway widening would reduce the space available for active transportation, particularly within the pedestrian realm. Maintaining pedestrian comfort and mobility within the tourist area is a key objective of the City's OP.

Parking Study

The City of Niagara Falls Zoning By-law requires a total of 448 parking spaces for the proposed development. The applications propose a total of 485 spaces; however, 95 of these spaces are required to be maintained to preserve the existing municipal parking supply, and four (4) are required to serve as valet parking spaces. As a result, only 386 off-street parking spaces are available to support the proposed uses, resulting in a deficiency of 62 spaces relative to the Zoning By-law requirement.

However, a shared parking analysis undertaken for the various components of the development forecasts a maximum parking demand of 360 spaces across all uses. Based on the proposed off-street supply of 386 parking spaces, the development would provide a surplus of 26 spaces under peak shared parking demand conditions. Additionally, the 95 spaces allocated to the municipal parking supply can be used by persons visiting the subject site or the surrounding area. With the municipal parking spaces included, there is a forecast parking surplus of 121 spaces.

Pedestrian Crossing

A Type D Level 2 pedestrian crossover is recommended for the proposed midblock crossing over Kitchener Street, connecting the hotel building to the parking garage. To enhance pedestrian safety, the report also recommends additional traffic calming measures along Kitchener Street and that the crossing be designed as a raised crosswalk to improve visibility and assist pedestrians moving between the hotel's main entrance and the parking garage.

4.10 Quantitative Wind Study

A Pedestrian Wind Study completed by RWDI (dated March 3, 2026), assessed two massing variants of the proposed development.

The initial analysis found elevated wind activity around the tower's eastern corners and the adjacent surface parking area to the east, with conditions generally suitable for pedestrian use in summer but uncomfortable in winter. While most areas met wind safety criteria, localized exceedances occurred near the tower's eastern corners at grade.

A second design variant developed based on the findings of the initial analysis, incorporating mitigation measures such as chamfered or rounded corners, stepped massing, an overhead trellis at Level 1, and wind resistant landscaping and screening. The second variant resulted in improved overall performance. Summer conditions are suitable for general pedestrian use. During the winter months, uncomfortable conditions are reduced in both extent and frequency compared to the initial analysis. While wind

conditions near most entrances are improved, the north entrance to the church building still experiences higher-than-desired and seasonally uncomfortable conditions.

Overall, wind safety criteria are satisfied at most locations, with one remaining exception in the southeast portion of the surface parking area, which is expected to be alleviated through future design process.

Wind Control Recommendation

The proposed development plan has been tested by RWDI and is a more wind-responsive design than the first variants. The proposed development shows a significant improvement compared to the earlier design and has eliminated most of the high wind gust issues near the proposed hotel tower. Most of the remaining conditions in the vicinity of the project site are only marginally exceeding the comfort criteria during the colder months.

Per the Wind Study, local interventions have proven to be an effective method of wind control. It is proposed that as the building design evolves at the Site Plan Control and Building Permit stages, further mitigation measures will be considered such as additional tall wind screens, planters and evergreen landscaping near the building corners, near the church building entrance and along the sidewalks where high wind activity is predicted. Wind conditions at the Level 3 terrace can be improved by tall railings (at least 1.8 m tall). The RWDI Study concludes that such local interventions should be further considered at later stages.

4.11 Housing Impact Statement

The pre-consultation summary identified the need for a Housing Impact Statement in response to the proposed removal of a residential dwelling on 4898 Kitchener Street. Although the reduction in housing supply is negligible, the proposed development is anticipated to generate employment opportunities, which is more aligned with the objectives of the City's OP within the Tourist Commercial land use designation. Furthermore, the proposed hotel contributes to the development of a complete community, a priority shared by the Province, the Region, and the City.

5.0 Planning Policies

5.1 Planning Act

The *Planning Act*, R.S.O. 1990, Chapter P.13, provides provincial legislation that establishes the requirements for land use planning in Ontario. The Act describes how land uses may be controlled, and who may control them.

Section 2 of the *Planning Act* ("the Act") outlines the matters of provincial interest that the council of a municipality, a planning board and the Ontario Land Tribunal shall have regard for in carrying out their responsibilities under the Act.

Table 3 below provides a summary of the provincial interests, along with an analysis as it relates to the proposed development and the Applications.

Table 3 - Analysis of Provincial Interest – Section 2 of Ontario Planning Act

SECTION	PROVINCIAL INTEREST	ANALYSIS
a)	<i>the protection of ecological systems, including natural areas, features and functions</i>	There are no ecological systems, natural areas, or ecological features and functions located on the Subject Lands.
b)	<i>the protection of the agricultural resources of the Province</i>	The Subject Lands are within an Urban Area Boundary. Facilitating development inside of the Urban Area Boundary reduces pressure to urbanize agricultural areas.
c)	<i>the conservation and management of natural resources and the mineral resource base</i>	This policy is not applicable, as there are no known aggregate or mineral resources on the Subject Lands.
d)	<i>the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest</i>	<p>The CHER submitted with these applications concludes that the 4898 Kitchener Street property and the existing 1918 church has cultural heritage value. The 1954 church gymnasium addition and the manse do not meet the OHA criteria and as such does not require preservation.</p> <p>Furthermore, an HIA has been prepared that provides design recommendations and outlines mitigation measures to be implemented prior to and during construction to protect the heritage attributes of the</p>

SECTION	PROVINCIAL INTEREST	ANALYSIS
		<p>1918 building. The HIA concludes that the proposed development at 4898 Kitchener Street can proceed in a manner that conserves the identified heritage value and heritage attributes.</p> <p>A Stage 1-2 Archaeological Assessment determined that no artifacts or other archaeological resources were identified during the Stage 2 investigation of the Subject Lands.</p>
e)	<i>the supply, efficient use and conservation of energy and water</i>	The proposed development is an energy efficient form of development as it provides for a compact built-form where available municipal services exist.
f)	<i>the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems</i>	The proposed development would optimize the use of existing municipal services.
g)	<i>the minimization of waste</i>	The proposed development is an adaptive reuse of the existing building, reducing materials sent to landfill.
h)	<i>the orderly development of safe and healthy communities</i>	The Subject Lands are located within a Delineated Built-Up Area as identified in the NOP and within a Tourist Commercial Area as defined in the City's OP. The proposed development represents a logical and orderly extension of urban growth, supporting the creation of a safe and healthy community in Niagara Falls.

SECTION	PROVINCIAL INTEREST	ANALYSIS
h.1)	<i>the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies</i>	The building designs will be analyzed against the <i>Ontarians with Disabilities Act</i> (AODA) requirements.
i)	<i>the adequate provision and distribution of educational, health, social, cultural and recreational facilities</i>	The proposed music venue contributes to the City's cultural facilities. The City's Music City Strategy identifies that underutilized spaces should be considered for music events.
j)	<i>the adequate provision of a full range of housing, including affordable housing</i>	The removal of one dwelling unit within a Tourist Commercial designation does not impact the City's ability to provide a full range of housing.
k)	<i>the adequate provision of employment opportunities</i>	The proposed development will contribute to the adequate provision of employment opportunities in the City of Niagara Falls by generating a range of jobs during both the construction and operational phases. Upon completion, the hotel, restaurant, music venue, and retail will support ongoing employment in the tourism and hospitality sectors, consistent with the City's economic development goals and the City's Music City Strategy.
l)	<i>the protection of the financial and economic well-being of the Province and its municipalities</i>	The proposal maintains public parking which generates revenue to the City.
m)	<i>the co-ordination of planning activities of public bodies</i>	The planning applications will be circulated for review among internal departments of the City of Niagara Falls, including Transportation and Municipal Services, as well as third-party commenting agencies such as Enbridge, Bell, and Canada Post. This

SECTION	PROVINCIAL INTEREST	ANALYSIS
		coordinated review process ensures collaboration and input from all relevant public bodies in accordance with provincial planning requirements.
n)	<i>the resolution of planning conflicts involving public and private interests</i>	The applications are subject to the notice, consultation, and approval process prescribed by the <i>Planning Act</i> .
o)	<i>the protection of public health and safety</i>	The proposed development is not expected to negatively affect public health or safety.
p)	<i>the appropriate location of growth and development</i>	The Subject Lands are located within a designated Settlement Area, which is intended to be the focus of growth and development under provincial and municipal policy frameworks. More specifically, the lands are situated within a Central Tourist District of Niagara Falls, an area identified for accommodating significant intensification, including high-rise development.
q)	<i>the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians</i>	The Subject Lands are located on an existing bus transit route (Niagara Region Transit) and a tourist transit route (WEGO). The proposed development will support the on-going use of both transit systems. This supports sustainable development principles by encouraging transit use, reducing reliance on personal vehicles, and enhancing pedestrian-oriented connectivity.
r)	<i>the promotion of built form that: i.) is well-designed</i>	The proposed development demonstrates attractive built form, that is compatible with its surrounding

SECTION	PROVINCIAL INTEREST	ANALYSIS
	ii.) <i>encourages a sense of place</i> iii.) <i>provides for public spaces that are of high quality, safe, accessible, attractive and vibrant</i>	environment. Please refer to the Urban Design Brief and Architectural drawing sets for more detailed information regarding the built form. The applicant proposes to enhance Kitchener Street to create a unique sense of place.
s)	<i>the mitigation of greenhouse gas emissions and adaptation to a changing climate</i>	The compact built form and mix of land uses is anticipated to reduce automobile dependence, and consequently the necessity to consume fossil fuels. The Subject Lands are located on the Niagara Region Cycling Network, and the WEGO and Niagara Region transit routes, providing more environmentally friendly transit options for both residents and tourists by reducing single occupancy car trips.

Subsection 3(5) of the Planning Act requires that decisions of Council shall be consistent with provincial policy statements and shall conform with provincial plans that are in effect.

Subsection 14.7(3) of the Planning Act requires a municipality to prepare and adopt an official plan. Section 22 of the Planning Act permits a person or public body to request an amendment to the official plan.

Subsection 24(1) of the Planning Act requires that by-laws passed by Council shall conform to official plans that are in effect.

Section 34 of the Planning Act permits councils of local municipalities to pass and/or amend zoning by-laws for such purposes as may be set out in the by-law, and for regulating construction and land use within the municipality.

SUMMARY

In summary, the proposed development and implementing Applications have regard for matters of provincial interest.

Consistency and conformity with Provincial, Regional and City policies are discussed in depth in the subsequent sections of this report. Subject to the analysis provided in the following sections of this report, the Applications are considered to comply with the provisions of the *Planning Act*.

5.2 Provincial Planning Statement (2024)

The Provincial Planning Statement (2024), hereinafter referred to as the PPS, is a province-wide land use planning framework and set of policies that went into effect on October 20, 2024. It replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both.

5.2.1 Settlement Areas

Section 2.3 of the PPS outlines policies that guide future development with a focus on Settlement Areas.

POLICY

- 2.3.1.1 *Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*
- 2.3.1.2 *Land use patterns within settlement areas should be based on densities and a mix of land uses which:*
- a) *efficiently use land and resources;*
 - b) *optimize existing and planned infrastructure and public service facilities;*
 - c) *support active transportation;*
 - d) *are transit-supportive, as appropriate; and*
 - e) *are freight-supportive.*

ANALYSIS

The Subject Lands are located within the Urban Built-Up Area of Niagara Falls, which is identified as a Settlement Area under the PPS. The proposed development represents an efficient use of land and existing infrastructure and is located in proximity to existing public transit services. The proposal supports compact urban form and contributes to transit-supportive and resource-efficient land use patterns, consistent with Policy 2.3.1.2 of the PPS.

5.2.2 Employment

Section 2.8 of the PPS outlines policies that guide future development with a focus on Employment.

POLICY

- 2.8.1 *Planning authorities shall promote economic development and competitiveness by:*
- a) *providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*

- b) *providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- d) *encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and*
- e) *addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.*

ANALYSIS

The proposed development is anticipated to create new employment opportunities both during the construction phase and following completion, through the operation of a hotel, restaurant, music venue and retail uses. The proposed hotel and music venue is in line with the City's economic development goals, including specific recommendations from the City's Music City Strategy to repurpose underutilized spaces to facilitate music events, and to form partnerships with hotels and music venues to create combined offerings.

At full build-out, the proposed development is planned to accommodate approximately:

- 412 hotel rooms
- 508.3 m² of combined restaurant / café space
- 198.5 m² of music venue space
- 1,022 m² of commercial space

The diversity of commercial uses on site (hotel, restaurant, music venue, retail) will provide for a diverse range of jobs for residents in the area, in addition to construction sector opportunities.

The United Nations World Tourism Organization (UNWTO) states that globally there is an average of one employee for each hotel room¹. Based on the above the proposed development can be expected to generate approximately 412 jobs. The UNWTO also states that one job in the core tourism industry creates approximately 1.5 additional indirect jobs in the tourism related economy resulting in an additional approximate 618 jobs, for an estimated total of 1,030 jobs resulting from the proposed development.

5.2.3 Sewage, Water and Stormwater

Section 3.6 of the PPS outlines policies that guide future development with a focus on sewage, water and stormwater.

POLICY

¹ World Tourism Organization (UNWTO). (2014). *Measuring employment in the tourism industries: Guide with best practices* (Vol. 1). <https://doi.org/10.18111/9789284416158>

- 3.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.*
- 3.6.8 *Planning for stormwater management shall:*
- a) *be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;*
 - b) *minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;*
 - c) *minimize erosion and changes in water balance including through the use of green infrastructure;*
 - d) *mitigate risks to human health, safety, property and the environment;*
 - e) *maximize the extent and function of vegetative and pervious surfaces;*
 - f) *promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and*
 - g) *align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.*

ANALYSIS

A Functional Servicing Brief (FSB) has been prepared by Hallex Engineering Ltd. and submitted as part of the complete application for the OPA and ZBA. In accordance with the FSB recommendations, the proposed development will be serviced by municipal sewage and water systems and connected to existing public infrastructure with sufficient capacity to accommodate it, as confirmed by the city's third-party engineering consultant (GEI).

As part of the stormwater management strategy, post-development runoff is expected to increase by 5.0 L/s during a five-year storm and 8.0 L/s during a one-hundred-year storm, necessitating detention. Flow control will be achieved through an orifice plate installed within the stormwater management tanks on both the hotel and parking garage properties, regulating discharge to the allowable rates before entering the existing storm sewers.

The proposed development is therefore consistent with the policy direction outlined in Section 3.6 of the PPS.

5.2.4 Cultural Heritage and Archaeology

Section 4.6 of the PPS outlines policies that guide future development with a focus on protecting cultural heritage and archaeological resources.

POLICY

- 4.6.1 *Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.*
- 4.6.2 *Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.*
- 4.6.3 *Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.*
- 4.6.4 *Planning authorities are encouraged to develop and implement:*
 - a) *archaeological management plans for conserving archaeological resources; and*
 - b) *proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.*

ANALYSIS

The Cultural Heritage Evaluation Report submitted with the application concludes that the property at 4898 Kitchener Street holds cultural heritage value, primarily due to the 1918 church building, and would be eligible for designation under the Ontario Heritage Act. The HIA provides design recommendations to preserve the heritage attributes and identifies a series of mitigation measures to be implemented prior to and during construction to protect the heritage attributes of the 1918 church building from undue damage. The HIA concludes that the proposed development at 4898 Kitchener Street can be designed in a manner that conserves the identified heritage attributes of the property. Moreover, the proposed music venue is perfectly suited to the underutilized auditorium, as it enables the space to be used while protecting and conserving its unique heritage attributes. The use of the music venue can be accommodated without the removal or alteration of the heritage elements associated with the auditorium.

Further, A Stage 1–2 Archaeological Assessment prepared for the Subject Lands concluded that no artifacts or other archaeological resources were identified during the Stage 2 assessment.

SUMMARY

Based on the foregoing, the proposed development is consistent with the PPS (2024).

5.3 Niagara Official Plan (2022)

The Niagara Official Plan (NOP) was originally developed as the Regional Municipality of Niagara’s long-term strategic framework for managing growth across the region. As of March 31, 2025, the NOP is no longer a regional plan and is now considered as an Official Plan of the City of Niagara Falls. It will serve in this capacity until the City OP is updated to incorporate the policies of the NOP. The Plan provides direction for land use and development, shaping economic, environmental, and planning decisions through 2051 and beyond.

Table 4 below identifies the Regional Schedules pertaining to the Subject Lands. The maps referenced below are located in the Appendices of this report.

Table 4 - NOP Schedules

No.	Schedule	Land Use Designation
B	Regional Structure	<i>Urban Area – Built Up Area</i>
J1	Transportation Infrastructure	<i>Kitchener Street – Local Road Hunter Road – Local Road Victoria Avenue – Regional Road</i>
J2	Strategic Cycling Network	<i>Victoria Avenue – Part of Strategic Cycling Network</i>
K	Areas of Archaeological Potential	<i>4873 Kitchener Street is mapped as an area of archaeological potential</i>

5.3.1 Managing Growth

Section 2.2.1 of the NOP promotes integrated land use and infrastructure planning to manage forecasted growth.

POLICY & ANALYSIS

Table 5 below assesses the proposed development against Policy 2.2.1.1, which requires development in urban areas “*integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support*”:

Table 5 - Managing Growth

Section	Policy	Analysis
a)	<i>the intensification targets in Table 2-2 and density targets outlined in this Plan;</i>	The Subject Lands are located within a Delineated Built-up Area, as identified on Schedule B of the NOP. Built-up Areas are recognized by the Region as preferred locations for accommodating growth through

Section	Policy	Analysis
		intensification. The proposed development supports the Region's intensification strategy by directing growth to a serviced urban location and contributes toward the City of Niagara Falls achieving the 50% intensification target outlined in Table 2-2.
b)	<i>a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities;</i>	The proposed development represents a compact built form and includes a mix of land uses, including hospitality, restaurant, entertainment (music venue), and structured parking. The combination of uses contributes to the creation of a more complete and active community, in alignment with the policy objective of promoting mixed-use development and a vibrant public realm.
c)	<i>a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs;</i>	Not applicable. The proposed development includes commercial uses and does not contribute to the range and mix of housing types, unit sizes, or densities intended to address current and future market-based and affordable housing needs, as outlined in the policy.
d)	<i>social equity, public health and safety, and the overall quality of life for people of all ages, abilities, and incomes by expanding convenient access to:</i> <i>i. a range of transportation options, including public transit and active transportation;</i>	The proposed development is located near existing public transit lines along Victoria Avenue and will be transit supportive.

Section	Policy	Analysis
e)	<i>built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure to support the financial well-being of the Region and Local Area Municipalities;</i>	The proposed compact built form is located in an area where full municipal services exist and are available, as confirmed through the municipal servicing study conducted by GEI. The proposed development represents a more efficient use of existing water and wastewater infrastructure, supporting the optimization of municipal investments and the financial well-being of both the Region and the City.
f)	<i>opportunities for transit-supportive development pursuant to Policies 2.2.2.17, 2.2.2.18 and 2.2.2.19;</i>	This policy is not applicable as the Subject Lands are not located within a Protected Major Transit Station Area.
g)	<i>opportunities for intensification, including infill development, and the redevelopment of brownfields and greyfield sites;</i>	The proposed development represents an infill opportunity within the Delineated Urban Area of Niagara Falls. The Subject Lands comprise an underutilized site, including a vacant church and a vacant single detached dwelling, making the property well-suited for intensification in accordance with applicable policy objectives.
h)	<i>opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods;</i>	This policy is not applicable, as the proposed development does not include any residential units.
i)	<i>the development of a mix of residential built forms in appropriate locations, such as local growth centres, to ensure compatibility with established residential areas;</i>	The proposed development does not include any residential dwelling units.

Section	Policy	Analysis
j)	<i>conservation or reuse of cultural heritage resources pursuant to Section 6.5;</i>	The Cultural Heritage Evaluation Report concludes that the property at 4898 Kitchener Street has cultural heritage value, primarily due to the 1918 church building, and would be eligible for designation under the Ontario Heritage Act. The HIA provides design recommendations and identifies a series of mitigation techniques to be implemented prior to and during construction to protect the heritage elements from undue damage. Overall, the HIA concludes that the proposed development at 4898 Kitchener Street can be designed in a manner that conserves and protects the identified heritage value and heritage attributes of the property.
k)	<i>orderly development in accordance with the availability and provision of infrastructure and public service facilities;</i>	The Subject Lands are located within the Delineated Built-up Area identified on Schedule B of the NOP. Their location within an established urban area ensures that development can occur in an orderly manner, supported by existing infrastructure and public service facilities.
l)	<i>mitigation and adaptation to the impacts of climate change by:</i> <i>i. protecting natural heritage features and areas, water resource systems, and other components of the Region's natural environment system pursuant to Section 3.1;</i> <i>ii. where possible, integrating green infrastructure and low impact development into the design and construction of</i>	This policy is achieved by: <ul style="list-style-type: none"> i. There are no natural heritage features on the Subject Lands, so this policy is not relevant. ii. Green infrastructure will be contemplated during the design / development stage of the project. iii. The proposed development represents a compact urban form. Its central location adjacent to the parking garage

Section	Policy	Analysis
	<p><i>public service facilities and private development; and</i> <i>iii. promoting built forms, land use patterns, and street configurations that improve community resilience and sustainability, reduce greenhouse gas emissions, and conserve biodiversity.</i></p>	<p>encourages active modes of transportation, including walking, cycling, and use of city transit, thereby helping to reduce greenhouse gas emissions.</p>

5.3.2 Multimodal Transportation System

Section 5.1 of the NOP provides policies for the provision of a multimodal transportation system that allows all users to travel in a safe, accessible, convenient, and affordable manner regardless of their chosen method of transportation. The following policies apply:

POLICY

- 5.1.1.4 *Local Area Municipalities shall consult with the Region and/or the Province to ensure decisions on development applications will not preclude or negatively affect the use of planned corridors for the purpose(s) for which it was identified.*

ANALYSIS

The TIS prepared by Paradigm indicates that, under both opening year and five-year future conditions, and with or without background developments, the surrounding road network is expected to operate at an overall satisfactory level. While certain individual turning movements are forecast to experience localized congestion, these constraints are primarily due to limited turn-lane storage lengths or higher traffic demands on specific approaches. Such issues can be addressed through revised pavement markings and minor lane reconfiguration, without the need for roadway widening.

5.3.3 Infrastructure

Section 5.2 of the NOP identifies policies related to infrastructure and public services within the Region. The following policies apply:

POLICY

- 5.2.1.1 *Infrastructure planning, development, and asset management shall be undertaken in support of the growth management policies of this Plan to promote sustainability and the achievement of complete communities.*
- 5.2.1.4 *Infrastructure investment shall be leveraged to direct and support growth and development within strategic growth areas as well as to*

achieve the minimum intensification and density targets identified in this Plan.

- 5.2.2.1 Adequate water supply and sewage collection shall be provided to meet the existing and future development needs in alignment with the growth management policies of this Plan, the Water and Wastewater Master Servicing Plan and the Region's capital budget process.*
- 5.2.2.2 Municipal water and wastewater systems/services are the required form of servicing for development in urban areas.*
- 5.2.2.4 Prior to approval of development, the municipality shall ensure that required water and wastewater services and servicing capacity is available to support the development.*

ANALYSIS

Water services, wastewater services, and stormwater management will be implemented in accordance with the recommendations of the Functional Servicing Brief prepared by Hallex Engineering, dated July 30, 2025. Infrastructure modeling prepared by GEI indicates that the City's water and wastewater systems have sufficient capacity to support the proposed hotel development.

5.3.4 Urban Design

Section 5.2 of the NOP identifies policies related to Urban Design within the Region. The Urban Design policies are analyzed in the Urban Design Brief, that is included with the OPA and ZBA application.

5.3.5 Archaeological Resources and Areas of Archaeological Potential

Section 6.4 of the NOP outlines policies aimed at safeguarding archaeological resources within the Region from potential impacts of development. The applicable policies are as follows:

POLICY

- 6.4.2.1 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province.*
- 6.4.2.7 When an archaeological assessment is required, the assessment will follow the applicable guidelines and processes as dictated by the Province, such as the Standards and Guidelines for Consulting Archaeologists, and an acknowledgement letter from the Province verifying this shall be required prior to any final approvals.*

ANALYSIS

A Stage 1–2 Archaeological Assessment prepared for the Subject Lands concluded that no artifacts or other archaeological resources were identified during the Stage 2 assessment.

5.3.6 Infrastructure

Section 5.2 of the NOP includes policies which ensure the Region’s existing and future development is supported by infrastructure that is planned, constructed, and managed in an integrated, efficient, and environmentally sustainable manner.

POLICY

Section 5.2.2 – Municipal Water and Wastewater Servicing within Urban Areas

5.2.2.2 *Municipal water and wastewater systems/services are the required form of servicing for development in urban areas.*

5.2.2.4 *Prior to approval of development, the municipality shall ensure that required water and wastewater services and servicing capacity is available to support the development.*

Section 5.2.5 - Stormwater Management and the Planning Process

5.2.5.1 *All new development and redevelopment in settlement areas must be provided with separate storm drainage systems or separate storm drainage connections.*

ANALYSIS

A Functional Servicing Brief by Hallex Engineering Ltd. confirms that the proposed development will be serviced by municipal water and wastewater systems and connected to existing infrastructure with sufficient capacity, in accordance with urban servicing requirements and municipal approval processes.

The proposed development is therefore consistent with the policy direction outlined in Section 5.2 of the NOP.

5.3.7 Built Form and Active Transportation

Sections 6.2 and 6.3 of the NOP include urban design and healthy community policies to be considered in planning matters.

The objectives of these sections are to commit to excellence in urban design, enhance the public realm and promote active transportation and identify and establish tools for urban design implementation.

ANALYSIS

Urban Design Policies are analyzed comprehensively in the Urban Design Brief that is included with this application.

5.3.8 Cultural Heritage

Section 6.5 of the NOP includes policies which support the conservation of cultural heritage resources in the Region. The following policies are applicable:

POLICY

- 6.5.1.1 *Significant cultural heritage resources shall be conserved in order to foster a sense of place and benefit communities...*
- 6.5.1.2 *The Region encourages Local Area Municipalities to designate properties of cultural heritage value or interest, either individually or as part of a larger area or Heritage Conservation District, under the Ontario Heritage Act.*
- 6.5.1.5 *Development and site alteration on protected heritage property or adjacent lands shall not be permitted, except where the proposed development and site alteration has been evaluated through a heritage impact assessment and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.*

ANALYSIS

4898 Kitchener Street is identified as a listed property in the Niagara Falls Municipal Heritage Register. The Cultural Heritage Evaluation Report submitted in support of these applications concludes that the 1918 church building has potential for designation under the Ontario Heritage Act.

In accordance with Policy 6.5.1.5, a Heritage Impact Assessment has been prepared providing design recommendations and identify appropriate mitigation measures prior to and during construction to support the conservation of the building's heritage attributes. The HIA concludes that the proposed development at 4898 Kitchener Street can be designed to conserve the identified heritage attributes of the property through the implementation of mitigation measures, and the consideration of specific design recommendations. The HIA also recognizes the potential positive impacts of the proposed development on the heritage attributes. In particular, the adaptive re-use of the church auditorium as a music venue would continue the historic tradition of music in the space and sustain its role as a community gathering place without compromising the unique heritage attributes of the auditorium. This is especially significant given that the distinctive amphitheatre layout of the 1918 church limits opportunities for adaptive re-use without affecting these heritage attributes.

SUMMARY

Based on the foregoing, the proposed development conforms with the policies of the NOP.

5.4 City of Niagara Falls Official Plan

The Niagara Falls Official Plan (City OP) outlines long term objectives and policies to guide growth and development to 2031. The intent of the Plan is to focus new growth to accommodate the increase in people and jobs expected in a sustainable fashion that makes for an orderly and effective use of land and infrastructure, creates compact and livable communities, and protects natural heritage and agricultural lands.

Table 6 below identifies the Official Plan Schedules pertaining to the Subject Lands:

Table 6 - Niagara Falls OP Schedules

No.	Schedule	Subject Land Designation
A	Land Use	Subject Lands are within the Urban Area Boundary and are designated Tourist Commercial
A2	Urban Structure	Built-up Area
B	Phasing	Existing Municipal Servicing Area
C	Roads	Kitchener Street and Hunter Street are Local Roads Victoria Avenue is a Collector Road
E	Tourism Map	Clifton Hill Central District

5.4.1 Growth Objectives and Policies

Part 1, Section 2 of the City OP provides objectives and policies related to the growth within the City. The following are relevant to the proposal:

POLICY

Growth Objectives

1. *To direct growth to the urban area and away from non-urban areas.*
3. *To support increased densities, where appropriate, and the efficient use of infrastructure within the Built-Up section of the urban area.*
6. *To accommodate growth in accordance with the household, population and employment forecasts of the Region's Comprehensive Review:*
9. *To encourage alternative forms of transportation such as walking, cycling and public transit.*
13. *To develop a transit and pedestrian friendly, sustainable and livable City through the use of urban design criteria and guidelines.*

ANALYSIS

The proposed development represents a compact built form that aligns with Urban Design criteria and is located within the Built-Up section of the Urban Area. It supports the City's Phasing Plan (Schedule B) by introducing additional hospitality, restaurant, and tourist commercial uses within the existing Municipal Service Area, contributing to the achievement of employment targets. The Subject Lands are also situated in an area with tourism amenities and active transportation infrastructure, supporting the creation of additional local jobs. The proposed hotel's location within the Clifton Hill Tourist Subdistrict encourages guests to utilize active transportation and public transit rather than relying solely on private vehicles.

5.4.2 Tourist Commercial - Land Use Policies

Part 2 Section 4 of the City OP provides land use policies related to the Tourist Commercial designation. The following policies apply:

POLICY

The Niagara Falls Tourist Area Vision

- 4.1.1 *The creation of a world-class tourism destination is envisioned for Niagara Falls - a modern urban centre at the heart of one of the world's most beautiful landscaped settings and natural wonders.*
- 4.1.2 *In order to achieve this vision, a high quality tourism environment needs to be created. A substantial commitment and investment will be required on the part of all stakeholders to revitalize the physical setting to one worthy and respectful.*
- 4.1.4 *This Plan also recognizes that the tourism and accommodation sector is a major source of employment for residents of the City and the Region. As such, lands designated Tourist Commercial are considered to be employment lands and the policies regarding conversion of employment lands to non-employment uses contained in PART 4, Sections 2.9 and 2.10 apply except as provided for in this Plan.*

The Park and the City

- 4.1.7 *Within the Tourist Commercial Districts, City streets need to be planted with trees, thus extending the "green" of Queen Victoria Park into the urban setting. The greening of streets shall be accompanied by other streetscape improvements designed to create a vibrant and animated public realm, consistent with the expectations of the international traveller.*

Building Quality and the Emerging Skyline

- 4.1.23 *The skyline of Niagara Falls shall continue to be characterized by the three existing viewing towers. New high-rise buildings shall be of variable heights and mass and shall not form a continuous wall when viewed from Queen Victoria Park, the U.S. side or the City of Niagara*

Falls. To achieve these objectives, any proposal to exceed 4 storeys in height shall be considered by zoning by-law amendment on a site-specific basis.

4.1.24 *A system of built-form regulations in the Tourist Area shall be established, based on the following principles:*

- a) The highest buildings shall be constructed in the Central Tourist District in order to create an internationally recognizable skyline for Niagara Falls and to support the extent of municipal infrastructure required to service high density developments;*
- b) Building heights will be reduced toward the periphery of the tourist core in order to respect the scale and character of surrounding land uses. Lower profile buildings will be located in Satellite Districts where low-rise/low density residential neighbourhoods predominate;*
- c) Residential and institutional uses will be protected from the overshadowing effects of tall buildings;*
- d) The regulation of building mass will occur through a system of built form controls and urban design criteria consistent with Section 4.4.2 through 4.4.8 of this Plan;*
- g) Architectural Peer Review will be required for high-rise buildings over 10 storeys in height.*

ANALYSIS

The proposed development supports the City's vision of establishing a high-quality tourism environment through the introduction of a hotel, music venue, restaurant uses and retail at grade within the proposed parking garage. The Subject Lands are located within the Clifton Hill Subdistrict, which forms part of the Central Tourist District—an area specifically identified for major tourism-related development. This location is ideal for the proposed uses and aligns with Policy 4.1.24 of the Official Plan, which directs the tallest buildings to be located within the Central Tourist District.

The development also contributes to the City's economic objectives by generating employment opportunities associated with the hotel, music venue, food service uses, and retail thereby supporting Policy 4.1.4 of the Official Plan, which identifies the Subject Lands as employment lands.

Policy 4.1.7 emphasizes the importance of planting streets with trees. While a detailed Landscaping Plan will be submitted at Site Plan Control stage, a conceptual plan has been prepared by Adesso Design Inc. to convey the project vision. The plan proposes trees along both sides of Kitchener Street and along Hunter Street, as well as a decorative patio and amenity area with trees and additional landscaping adjacent to Victoria Avenue (the "Music City Park").

Policy 4.1.24 further emphasizes the importance of compatibility between high-rise developments and existing adjacent land uses, such as residential or institutional properties. Although the proposed building is 50 storeys in height, the accompanying Sun/Shadow Study confirms that shadow impacts on nearby residential areas remain within acceptable limits as established by the City's Terms of Reference. Moreover, the Pedestrian Wind Study demonstrates that wind conditions at the pedestrian level are generally comfortable. Any areas of concern will be further refined through the design process to mitigate potential uncomfortable wind conditions. These findings demonstrate that the proposed height can be integrated sensitively into the existing urban fabric.

For further details regarding the architectural integration between the proposed hotel development and the adjacent residential properties, please refer to the Urban Design Brief included with these applications.

5.4.3 Tourist Commercial – Tourist Districts

Part 2, Section 4 of the City OP provides the following applicable policies for Tourist Districts:

POLICY

Tourist Districts

4.2.2 *The Central Tourist District shall be comprised of the Queen Victoria Park, Clifton Hill and Fallsview Subdistricts. The Central Tourist District shall continue to be the focal point for tourism activities in the City, including the Falls, the primary attraction, interpretive natural and cultural facilities in Queen Victoria Park, and a wide mix of tourist attractions, accommodations, and services in Clifton Hill and Fallsview. Large-scale "thrill" style attractions/amusements will generally be directed to Theme Park and Resort Commercial designations.*

Clifton Hill Subdistrict

4.2.16 *The Clifton Hill Subdistrict shall function as the commercial-entertainment centre of the Tourist Area, preserving its festival atmosphere. A wide range of commercial/entertainment uses shall be permitted including, but not limited to, tourist retail, hotels, restaurants, cafes, nightclubs, museums, art galleries, theatres and other tourist-related uses, all of which provide a pedestrian focus at the street level. The most intensive uses shall be located to the east of Victoria Avenue where a concentration of tourism activities already exists. Tourist-related uses to the west of Victoria Avenue shall provide an appropriate transition and relationship with the adjacent residential and institutional uses located within this Subdistrict.*

4.2.18 *New developments within the Clifton Hill Subdistrict shall be consistent with Sections 4.3.6 through 4.3.10 of this Plan with respect to the relationship of new developments to public streets and open spaces*

and Sections 4.4.2 through 4.4.8 of this Plan with respect to the development's built form.

- 4.2.19 Given the extensive area encompassed by the Clifton Hill Subdistrict and the large tracts of land occupied by non-tourist serving uses, such as industry, housing and schools, discretion shall be exercised in phasing tourist commercial development into these areas in order to concentrate tourism activities along the streets of Clifton Hill, Victoria Avenue and Ferry Street, and to minimize impacts on existing land uses. To accomplish this phasing, the implementing Zoning By-law shall defer tourism development until expansion is required and adequate services are available.*

ANALYSIS

As per Policy 4.2.2 and Schedule E of the City's OP, the Subject Lands are located within the Central Tourist District – Clifton Hill Subdistrict in the City of Niagara Falls. This designation supports large-scale hotel and retail uses.

Policy 4.2.16 states that a wide range of commercial and entertainment uses shall be permitted, including, but not limited to, tourist retail, hotels, restaurants, cafés, nightclubs, museums, art galleries, theatres, and other tourist related uses. The proposed development includes tourist-oriented uses such as a hotel, restaurants, and a music venue.

While the most intensive uses are generally intended to be located east of Victoria Avenue, Policy 4.2.16 permits intensification west of Victoria Avenue, provided development transitions appropriately and maintains a compatible relationship with adjacent residential uses. The surrounding residential properties are located within an area intended to accommodate tourist commercial uses over the long term. As such, these residential uses are considered interim in nature and are anticipated to transition to tourist commercial redevelopment in accordance with the City's OP.

Policies 4.4.2 to 4.4.8, evaluated in Section 5.4.5 of this PJR, establish compatibility criteria related to the development of tall buildings adjacent to lower density uses.

Policy 4.2.19 emphasizes the importance of strategically phasing tourism commercial development into areas of the Clifton Hill Subdistrict that are not currently occupied by tourism activities to minimize impacts on existing land uses and avoid compatibility issues with existing uses. The Subject Lands represent an appropriate area for growth. While a portion of the Subject Lands, specifically 4898 Kitchener Street, are located within an area where tourism commercial development is generally deferred, their close proximity to Victoria Avenue, their immediate adjacency to lands with tourism commercial uses (i.e. hotel), and the availability of adequate municipal services support the appropriateness of the proposed uses. Moreover, the proposed hotel and music venue represents an adaptive re-use of the original 1918 church building which retains cultural heritage value. The use of the building as a music venue represents a viable long-term solution to conserve its heritage attributes.

For further details regarding the architectural integration between the proposed hotel development and the adjacent residential properties, which is a requirement per Policy 4.2.16 of the City's OP, please refer to the Urban Design Brief included with these applications.

5.4.4 Tourist Commercial – Public Realm

Part 2, Section 4 of the City OP provides the following relevant policies for the public realm within the Tourist Districts:

POLICY

The Public Realm

4.3.1 *The physical setting of the Niagara Falls tourist area requires upgrading and renewal to reflect an internationally significant tourist destination image. In order to do this, a high-quality public realm must be created consisting of generously landscaped streets, open spaces, parks and gateways. Public and private development will occur within this new planning framework.*

Circulation System and Streetscapes

4.3.5 *Streets are a vital part of the public open space system. Streetscape improvements shall be used as a means to create a high-quality public realm. Council shall adopt design criteria for each street type in the Tourist Area to guide the public improvement of these streets as well as adjacent private development.*

4.3.7 *Entry Corridors, as identified on Fig. 2, shall be designated as the main points of access through which visitors arrive at the Niagara Falls Tourist Area. Entry Corridors shall be automobile-oriented streets whose main purpose is to accommodate vehicular traffic within an attractive, sign-posted and landscaped streetscape. Council shall ensure that public improvements and new developments are consistent with the Design Criteria for Entry Corridors.*

4.3.10 *Council shall ensure that public improvements and new developments abutting all streets in the Tourist Area not otherwise designated on Fig. 2, help improve the physical setting of the Tourist Area through streetscape improvements such as reconstructed sidewalks, the planting of street trees, and landscaping treatment. The details of these improvements shall be outlined in Streetscape Master Plans.*

Open Space System

4.3.11 *The City's vision of becoming an international tourist destination shall be achieved through the upgrading and improvement of the physical plant. Improvements to the public realm include the provision of public*

plazas, landscaped open spaces and streetscape greening programmes as illustrated on Fig. 3.

- 4.3.15 *To assist in the greening of the public realm, all development and redevelopment in the tourist area will contribute to the development and improvement of public open spaces pursuant to Section 42(6) of the Planning Act. Contributions shall be maintained in a specially identified Parkland Dedication Account for each Tourist District and all expenditures shall be made by Council in consultation with the Business Improvement Area Association for the particular Tourist District.*

ANALYSIS

The proposed development along Victoria Avenue and Kitchener Street responds to the OP policies calling for a high-quality public realm and streetscape improvements within Tourist Districts. Improvements to the public realm along Kitchener Street, Hunter Street and Victoria Avenue are conceptually envisioned by the applicant, which prioritize pedestrian movements. The improvements will further activate the public realm by offering opportunities for gathering and informal interaction, including within the enhances landscaped amenity area along Victoria Avenue, labelled as the “Music City Park” on the conceptual Landscape Plans.

5.4.5 Tourist Commercial - Building Heights

Part 2, Section 4 of the City OP provides policies related to building heights within the City’s Tourist Districts. The following are relevant to the proposal:

POLICY

- 4.4.2 *Building heights throughout the tourist area shall be restricted to four storeys in accordance with the provisions of the Zoning By-law. Council shall consider the allocation of additional building heights through site specific Zoning By-law amendments up to the maximum height set out in Fig. 4 and section 4.4.3. The maximum height shall be allocated if a proposed development meets the following criteria:*
- a) *the applicant has submitted all required rezoning information;*
 - b) *the applicant agrees to provide sidewalk and streetscape improvements in accordance with Section 4.4.4;*
 - c) *in cases where buildings exceed 10 storeys, the applicant has submitted requisite wind and shadow studies and has completed an architectural peer review; and*
 - d) *the proposed development, in the opinion of Council, adheres to the intent of this plan and applicable design criteria.*
- 4.4.3 *In order to provide reasonable flexibility in the regulation of building heights, general parameters for building heights will be established*

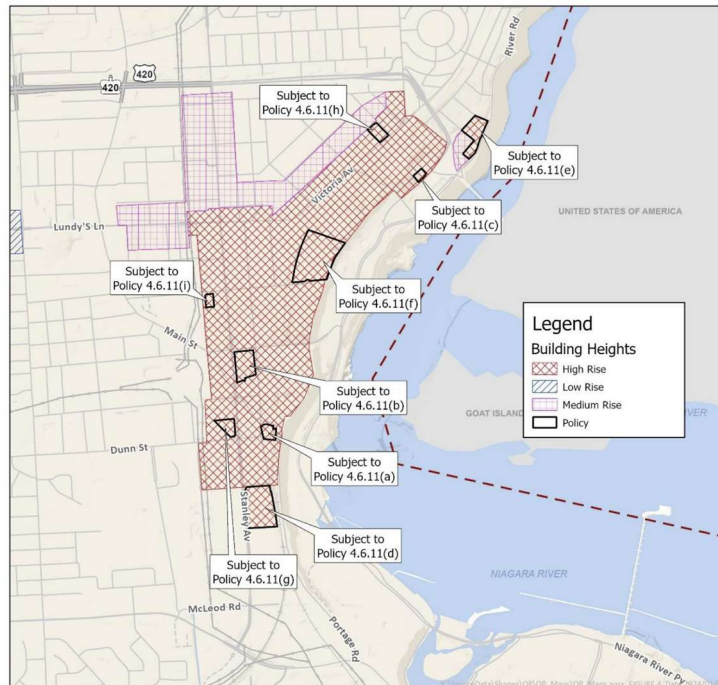
rather than strict height limits. In this regard, the following parameters will apply:

High-rise 13 to 30 storeys

Medium-rise 9 to 12 storeys

Low-rise 5 to 8 storeys

Figure 4 – Height Strategy



4.4.5 *By virtue of allowing high-rise buildings, design controls need to be established to ensure that they do not create adverse impacts, such as extensive shadowing on residential areas, public streets and open spaces, encroachment on the views of other landowners and the creation of severe wind impacts at the street level. Council will be guided by studies submitted in support of new development applications to ensure that high quality building designs are achieved with minimal environmental impacts.*

Massing of New Development

4.4.6 *High-rise developments shall not overwhelm the public realm, nor shall they collectively create a solid wall at the top of the escarpment. The intention is to permit tall buildings to be built but to reduce their massing and visual impact as they become taller and to provide appropriate gaps between them. At lower levels, buildings will be permitted to develop to the property line in order to enhance street level activities.*

ANALYSIS

As illustrated in **Figure 4 – Height Strategy**, the eastern portion of 4898 Kitchener Street, which is the area proposed for the 50-storey hotel, is partially identified for mid-rise development (9 to 12 storeys). However, the property immediately east of the Subject Lands is envisioned for high-rise development (13 to 30 storeys). Through the proposed OPA and ZBA application, a site-specific amendment is required to permit a building height of up to 50 storeys. While the proposed development exceeds the height contemplated by the broader policy framework, a 50-storey development is supportable for the following reasons:

- The Subject Lands are located within the Clifton Hill Central Tourist District, which supports high-rise built forms.
- The supporting Shadow Study demonstrates that shadow impacts on adjacent residential areas remain within the acceptable limits established by the City's Terms of Reference.
- The Pedestrian Wind Study demonstrates that wind conditions at the pedestrian level are generally comfortable. Any areas of concern will be further refined through the design process to mitigate potential uncomfortable wind conditions.
- The Heritage Impact Assessment concludes that the property 50-storey tower has no impact on the cultural heritage value of the property, with appropriate final design and mitigation measures at the Site Plan stage.
- While low density residential uses exist in proximity to the Subject Lands, these uses are not anticipated to remain in the long term based on the City's OP designation of Tourist Commercial.
- The tower establishes a landmark presence at the subject lands. Its slender profile helps reduce massing and allows views to pass around the building, avoiding a "wall effect" along the Niagara Falls skyline. The massing strategy of the building incorporates regular and dynamic stepbacks, reducing visual impact from building height.
- As part of the proposed development, streetscape improvements are planned within the Kitchener Street right-of-way, including curb bulb-outs, improved pedestrian crossing treatments, and continuous sidewalk access.

Policy 4.4.6 encourages tall buildings to be designed in a manner that minimizes perceived massing and reduces visual impacts on the surrounding area. While the proposed tower reaches a height of 50 storeys, its massing has been carefully articulated to achieve this policy intent. For additional information, please refer to the Urban Design Brief submitted with these applications.

POLICY

4.4.7 Additional skyline elements compete with the Falls for visual attention and should be added with great care. To this end, Design Criteria for High Rise Buildings shall be implemented for all development projects over four storeys in height based on the following principles.

Table 7 - Massing of New Development Criteria

Ref.	Policy	Analysis
a)	<i>to ensure that buildings are designed to add distinct and interesting features to the Niagara Falls skyline;</i>	The proposed built form is designed to contribute a distinct and visually compelling addition to the Niagara Falls skyline. The building’s massing and exterior façade create a unique and architecturally engaging expression through the use of curtainwall and brick cladding. The massing also incorporates building step backs, which help break up the overall building form, reduce visual bulk, and create a more visually dynamic design.
b)	<i>to ensure that new developments enhance the pedestrian environment at the street level by reflecting a pedestrian-scale design;</i>	<p>At the street level, the lowest four levels are designed to maintain a pedestrian-oriented scale, aligning with the existing street wall established by the conserved portion of the heritage building. The façade design and architectural treatment further enhance the pedestrian environment through the use of transparent glazing, brick cladding, and clearly defined pedestrian entrances.</p> <p>In addition, weather protection features and proposed streetscape improvements, including continuous sidewalks, will further enhance walkability along the street.</p>
c)	<i>to ensure that high-rise buildings are appropriately set back and stepped back from the street level in order to mitigate adverse wind impacts and excessive shadowing on City streets;</i>	The proposed building massing incorporates a variety of design strategies, including chamfered or rounded corners, stepped massing, an overhead trellis at Level 1, and wind-resistant

Ref.	Policy	Analysis
		<p>landscaping and screening, to enhance overall performance.</p> <p>These measures mitigate adverse wind conditions and reduce shadow impacts at grade. The submitted Wind and Shadow Studies confirm that pedestrian-level wind conditions are sufficient and that shadow effects on surrounding properties remain within the limits established by the City's Terms of Reference.</p> <p>For additional context, please refer to the UDB that is included with these applications.</p>
<p>d)</p>	<p><i>to ensure that building mass is reduced above the four-storey podium level and again at the 15-storey level so that no single building dominates the skyline, and that appropriate gaps are maintained between buildings;</i></p>	<p>The proposed massing incorporates a building step back above the fourth level, aligning with the existing street wall established by the heritage building.</p> <p>While the tower does not include a distinct step back at the 15th storey, the intent of the policy is achieved through alternative design measures. The tower features a sculpted and dynamic form, with reverse tapering above the podium level followed by tapering at the upper storeys. This cascading architectural expression reduces the perception of bulk and prevents the building from being perceived as a single monolithic form.</p> <p>The resulting profile adds visual interest to the skyline while</p>

Ref.	Policy	Analysis
		avoiding dominance over the Niagara Falls skyline.
e)	<i>to minimize adverse impacts on residential areas</i>	<p>The hotel has been designed to minimize shadow impacts through a combination of design strategies. The stepped-back podium preserves street-level sky views, while the tall, slender north-south oriented tower produces a narrower, faster-moving shadow compared to a broader building of similar size. Overall, shadow effects are localized and mitigated, reflecting a careful approach to height and massing that satisfies the City's shadow impact criteria.</p> <p>Furthermore, the wind safety criteria are generally satisfied, with the only exception occurring in the southeast portion of the surface parking area, which is expected to be addressed through the future design process.</p>

5.4.6 Tourist Commercial – Parking

Part 2, Section 4 of the City OP provides policies related to Parking. The following are relevant to the proposal:

POLICY

4.5.3 *With the emphasis of this Plan on improving the public realm, it is important that parking facilities be designed in an aesthetically pleasing manner. The following design strategies will be adopted:*

- a) *As parking areas are highly visible and tend to detract from the pedestrian environment, this Plan encourages active uses other than parking at the street level;*
- b) *Where surface parking is provided, it shall be screened from the public street by appropriate setbacks and landscaping;*

- c) *Where structured parking is provided, publicly-accessible uses should be incorporated at grade level to enhance the street environment. Alternatively, setbacks and landscaping shall be provided to visually screen the parking structure; and*
- d) *Parking lots and structures shall be designed in accordance with the City's Design Criteria for Parking Areas.*

ANALYSIS

The proposal provides a total of 485 parking spaces at 4873 Kitchener Street, including 447 spaces within the proposed parking garage and an additional 38 surface spaces.

The parking garage is designed to enhance the streetscape through the use of high-quality architectural materials, boundary trees along the public sidewalk, and grade-level retail with transparent glazing, which promotes pedestrian activity. While detailed Landscaping Plans will be submitted at a later stage, the conceptual plan envisions a large, landscaped amenity area (the "Music City Park") separating the parking garage from Victoria Avenue right-of-way and includes trees to visually screen the surface parking lot.

Additionally, the design of the parking structure will be reviewed for compliance with the City's Design Criteria for Parking Areas as part of the Site Plan Control process.

5.4.7 Municipal Infrastructure

Part 3, Section 1 of the City OP provides policies related to municipal infrastructure. The following policies apply:

POLICY

Water and Sanitary Sewage

- 1.2.4 *Development within the urban area shall be accommodated on the basis of full municipal services including sewers, storm sewers, water services and improved roadways. Uses within the urban area shall connect to municipal water and sanitary services, if available. Outside of the urban area, Council shall cooperate with the Niagara Region in promoting individual sewage disposal systems which incorporate proven new technology achieving reduced volumes and/or improved quality of effluents.*

Storm Drainage

- 1.3.1 *It is required that all new development or redevelopment within the City be connected to and serviced by a suitable storm drainage system. Appropriate systems may include underground pipes, ditches, culverts, swales, man-made and natural watercourses, detention storage areas or any other storm water management system acceptable to Council, the Niagara Region, the Niagara Peninsula Conservation Authority, and other agencies.*

ANALYSIS

A Functional Servicing Brief (FSB) has been prepared by Hallex Engineering Ltd. and submitted as part of the complete application for the OPA and ZBA. In accordance with the FSB recommendations, the proposed development will be serviced by municipal sewage and water systems and connected to existing public infrastructure with sufficient capacity to accommodate it, as confirmed by the city's third-party engineering consultant (GEI). For more detailed information, please refer to Section 4.6 of this PJR or refer to the Functional Servicing Brief included with these applications.

5.4.8 Transportation

Part 3, Section 1.5 of the City OP provides policies related to transportation infrastructure within the City. The following apply:

POLICY

Rail and Public Transit

1.5.6 *Public transit routes shall be designed to service employment areas, intensification areas, nodes and intensification corridors. It is desirable for public transit services to be encouraged in proximity to higher density residential developments, areas of high employment concentration, major medical and social service centres, housing developments for people with special needs and social amenity areas such as the Niagara Parks and other attractions. Transit stops should be located within hubs and major public facilities. The development of inner-City bus rapid transit lines into high density employment areas is encouraged.*

Active Transportation Facilities

- 1.5.14 *Sidewalks on certain roadways will be provided where required for the safety and convenience of pedestrians. In this regard, Council may undertake and continually update a detailed sidewalk construction and maintenance programs.*
- 1.5.16 *New development will be encouraged to provide bicycle parking and other facilities to accommodate active transportation. In this regard, the City will provide bicycle facilities within its own buildings.*

Collector and Local Road Network

- 1.5.18 *A hierarchy of roads is contained within the transportation system.*
- 1.5.18.4 *include all roadways under the Region's and City's jurisdiction that are designed to accommodate large volumes of traffic between major land use areas in the City.*

Regional Arterial Roads are designed to accommodate the movement of large volumes of traffic and function as secondary highways and primary arterial roads. Design, road allowance width, use, alignment and access are

regulated by the Regional Municipality of Niagara. Road widths vary from 20 metres to 42 metres.

City Arterial Roads accommodate two to four lanes of traffic and have a general road allowance width of 26 metres. Direct access to adjoining properties and on-street parking will be restricted as much as possible to enhance the free flow of traffic. The road allowance may accommodate transit routes with bus lay-bays and shelters and/or bicycle facilities such as bike lanes, shared use lanes and paved shoulders. The use of shared driveways to larger development projects will be encouraged in the urban areas. Regional and certain City roadways that function as arterial roads, primarily in the tourist core area, are subject to the policies described in the “tourist commercial roads” classification.

- 1.5.18.5 Collector Roads - include all roadways under the City’s jurisdiction that are designed to accommodate moderate to high volumes of medium distance traffic between the Arterial Road and Local Roads. The roadways in this classification are generally two lanes, undivided with a road allowance width of 20 metres to 23 metres which will allow the addition of turning lanes, bicycle paths, bus lay-bays and shelters, landscaping, sidewalks and utility corridors. Traffic and parking controls should be considered. Access to abutting properties should be regulated to ensure that the normal flow of traffic and pedestrian safety is not adversely impacted.*
- 1.5.18.6 Local Roads - are intended to provide access to abutting properties and carry traffic predominantly of a local nature. Typically, roadways in this section carry low volumes of traffic short distances. Local roads generally are designed to accommodate on-street parking, sidewalks and limited landscaping in the boulevards. All local road allowances are to be 20 metres in width; however, there may be cases when they may be less than 20 metres under special circumstances approved by Council.*
- 1.5.20 Road right-of-ways can provide for a variety of functions. Regional and City arterial roads and collector roads within the Tourism Districts, as shown on Schedule E of this Plan, perform two equally important functions: an efficient, functional vehicular network; and an attractive, pedestrian-friendly public space. Therefore, it is important that these roadways be of sufficient width to accommodate adequate traffic and turning lanes as well as desired streetscape improvements as detailed in the Tourist Area Streetscape Master Plan. In its implementing by-law, the City shall, for roadways under the jurisdiction of the City, establish an appropriate building setback width from the centre line of the original road allowance for those roads identified in the Streetscape Master Plan.*

1.5.25 *The dedication of property for daylighting triangles on existing roads will be required at such times as the property is to be developed or redeveloped through Site Plan Control, or where a consent or subdivision is required. Daylighting requirements shall generally be based on the functional road classification of intersecting roadways as follows:*

Within the Urban Boundary:

- *Local to Local or Collector, Local to Arterial: 5m x 5m triangle*
- *Collector to Collector: 7m x 7m triangle*
- *Collector or Arterial: 12 m x 12 m triangle*

1.5.26 *All new development abutting Arterial Roads shall provide adequate off-site loading and unloading facilities located in such a manner to minimize the detrimental impact by vehicles using such facilities.*

1.5.29 *In considering plans for development or redevelopment, regard shall be had to the impact of such development on the established road system. The developer, where required by Council, shall furnish facilities to provide access to and from the site including signalization, signing, entrance construction, lefthand turn lanes or any measure which stems from the development or redevelopment and which is necessary in order to maintain an adequate level of service and safety on the established highway system. A transportation study to assess the current and future impact of the development may be required.*

ANALYSIS

The proposed development is located along Victoria Avenue (arterial road), Falls Avenue (arterial road), Kitchener Street (collector road) and Hunter Street (local road). To support safe vehicular and pedestrian movement, a 5 m x 5 m daylight triangle is proposed on the 4898 Kitchener Street property.

The TIS prepared by Paradigm indicates that, under both opening year and five-year future conditions, with or without background developments, the surrounding road network is expected to operate at an overall satisfactory level. Some individual turning movements are forecast to experience localized congestion due to limited turn-lane storage or higher traffic demands, which can be addressed through revised pavement markings and minor lane reconfiguration without requiring roadway widening.

5.4.9 Energy Conservation

Part 3, Section 3.1 of the City OP includes the following policies to promote opportunities for energy efficiency, with particular emphasis on development designs which minimize energy consumption:

POLICY

3.1.1 *The City shall encourage an energy efficient community where land uses are distributed to reduce travel needs, vehicle trips and*

subsequent energy use. A complementary arrangement and mix of uses which minimizes land use conflicts but also allows for integration shall be encouraged. This approach is advocated by the Future Land Use Schedule "A" and may be further refined through secondary plans. In order to achieve energy efficiency, the following shall be considered.

3.1.1.1 A compact and contiguous pattern of urban growth shall be promoted, including the intensified use of land and higher densities of residential development, where appropriate.

3.1.1.2 Orderly, economic and energy conserving development shall be fostered through the logical extension of public services with urban expansion being phased to optimize the use of existing infrastructure.

3.1.4 Energy conserving landscaping practices, including the use of existing natural vegetation and topography shall be promoted in site design. Appropriately selected and located vegetation shall be used to control exposure to the sun and/or wind, thereby reducing energy consumption for the mechanical heating and cooling of buildings.

ANALYSIS

The proposed development supports energy efficiency by being situated within the Urban Built Boundary, specifically in the Clifton Hill Tourist District. This location represents a logical and strategic setting for intensification, offering proximity to existing amenities and transit. It also enables the efficient extension of public services, as confirmed by the infrastructure modeling report included with this application.

Although a Landscaping Plan will not be submitted until a future planning phase, it is anticipated that the site design will contribute to energy conservation by integrating natural vegetation and topography, with landscaping strategically placed to provide shade, reduce wind exposure, and minimize energy consumption for heating and cooling.

5.4.10 Cultural Heritage Conservation

Part 3, Section 4 of the City OP contains policies aimed at promoting the conservation of heritage resources, as well as the protection of archaeological resources from potential impacts of development. The following policies are applicable:

POLICY

4.3 The City shall consider the addition of cultural heritage properties that have not been designated under the Ontario Heritage Act to the municipal register where preliminary research has shown that there is sufficient merit to undertake a more detailed review and evaluation of the property for future designation.

4.4 In order to promote the conservation of heritage resources, the City shall, through the MHC, designate significant properties of cultural heritage

value or interest as permitted under Parts IV or V of the Ontario Heritage Act.

- 4.10 The City recognizes that there are many archaeological sites containing artifacts or other physical evidence of past human use or activities throughout the municipality. Every effort will be taken to ensure archaeological resources are protected in situ. No work shall be carried out on any property which has identified archaeological resources or has archaeological potential without first conducting archaeological fieldwork and submitting a report, both undertaken by a licensed archaeologist. Any fieldwork and investigation shall adhere to Provincial guidelines and requirements. The archaeological report shall be prepared to the satisfaction of the Ministry of Culture or its designate to address, among other things: site findings, analysis of findings, a statement of heritage value, any further assessment needed, methods of protecting archaeological sites/artefacts (buffer areas, landscaping, avoidance strategy) and a construction monitoring schedule.*
- 4.11 The City shall refer to the Niagara Falls Heritage Master Plan and the Region of Niagara to identify sites having potential for archaeological resources. Where potential archaeological resources have been identified, the submission of an archaeological assessment shall be required as part of complete planning application as prescribed under the Planning Act.*
- 4.17 The City shall foster creative and functional uses of heritage resources in the economic and social life of the community. Encouragement shall be given to appropriate types of development or uses which propose to incorporate a building or group of buildings with historic or architectural value. At the local level incentives, bonuses or exceptions to development requirements may be considered for those proposals which incorporate heritage conservation properties in development or redevelopment projects.*
- 4.19 Development adjacent to and surrounding significant heritage properties shall be designed as to not adversely impact on the character, quality or amenity associated with the heritage resource.*
- 4.19.1 In consultation with the MHC, the City may require a proponent of development to submit a heritage impact assessment to determine the impact of a specific development proposal on any heritage resource or area of archaeological potential and to recommend the most appropriate method of conservation through mitigative measures or alternative development.*
- 4.20 When considering an amendment to this Plan or through a zoning by-law amendment application within an area identified by the City as a cultural heritage landscape, the proponent shall address the following as part of a heritage impact assessment to be submitted with the application:*

- c) *the significance of the place and its contribution to the City's heritage;*
- d) *the impact of the proposal on the significance of the place;*
- e) *and the alternatives to the development as proposed and how development impacts will be minimized and/or mitigated.*

ANALYSIS

4898 Kitchener Street is identified as a listed property in the Niagara Falls Municipal Heritage Register.

In accordance with Policy 4.20, a Cultural Heritage Evaluation Report has been prepared and submitted in support of these applications which concludes that the 1918 church building has potential for designation under the Ontario Heritage Act.

Further, a Heritage Impact Assessment (HIA) has been prepared to identify and evaluate potential impacts to the 1918 church building's cultural heritage value to identify appropriate mitigation measures to be implemented prior to and during construction to support the conservation of the building's heritage attributes. The HIA outlines design recommendations intended to further protect and preserve these attributes.

In accordance with Policy 4.17, the HIA also recognizes the potential positive impacts of the proposed development on the heritage attributes. In particular, the adaptive re-use of the church auditorium as a music venue would continue the historic tradition of music within the space and sustain its role as a place for community gathering, without compromising the unique heritage attributes of the auditorium. This is especially significant given that the distinctive amphitheatre layout of the 1918 church which limits opportunities for adaptive re-use without compromising the heritage attributes associated with the space.

A Stage 1–2 Archaeological Assessment prepared for the Subject Lands concluded that no artifacts or other archaeological resources were identified during the Stage 2 assessment.

5.4.11 Urban Design and Landscaping

Part 3 Section 5 of the City OP outlines urban design policies aimed at creating a compact, pedestrian-oriented, and transit-supportive community. Urban design shapes the built environment and contributes to the city's image, economy, and quality of life. The policies guide both public and private sector development to ensure cohesive design of public and private spaces.

ANALYSIS

For a full comprehensive analysis of Urban Design Policies, please reference to Urban Design Brief that is included with this Application.

CONCLUSION

Based on the foregoing, the proposed development conforms to the City’s OP. Lands immediately east of 4898 Kitchener Street are already zoned TC, along with a portion of lands on the west of Hunter Street, and part of the 4873 Kitchener Street parcel. The introduction of TC zoning on the remainder of 4873 Kitchener Street and 4898 Kitchener Street is a logical extension and phasing of tourist commercial uses, as envisioned by the OP. The proposed use of 4898 Kitchener Street as a music venue and hotel is an excellent fit from a heritage perspective, enabling the long-term conservation of the church building, including its amphitheatre style interior plan originally designed for music forming part of worship services. Further, the proposal conforms with the OP’s built-form policies for development in the Tourist Areas, notwithstanding the requested increase to building height.

6.0 Proposed Official Plan Amendment

An amendment to the City’s OP is required to permit an increased building height of 50 storeys for the hotel.

Building heights within Tourist Districts are generally limited to four (4) storeys; however, the City’s OP permits increased building heights in accordance with Section 4.4.2, which outlines general parameters for taller buildings in specific areas. According to Figure 4 in Section 4.4 of the City’s OP, the property at 4898 Kitchener Street is partially located within a Tourist Area identified for medium rise development, permitting buildings ranging from 9 to 12 storeys. Lands immediately east of 4898 Kitchener Street are envisioned to accommodate high rise development, permitting buildings ranging from 13 to 30 storeys. Within 100 metres of the lands, development is approved for 36 storeys.

As the proposed hotel height exceeds the ranges identified in Figure 4, an amendment to the City’s OP is required to facilitate the proposed hotel development.

The criteria included in **Table 8** is used to assess the appropriateness of a proposed amendment to the City’s OP.

POLCIY & ANALYSIS

Table 8 - Considerations for Official Plan Amendment

Section	Criteria	Proposed Development
2.6.1	The conformity of the proposal to the general objectives of this Plan.	The proposed development aligns with the general objectives of the City’s OP, as analyzed in Section 5.4 of this PJR.
2.6.2	Suitability of the site or area for the proposed use, especially in relation to alternative sites or areas of the	The Subject Lands are designated for tourist commercial uses, consistent with the applicable land

Section	Criteria	Proposed Development
	City or possible areas of intensification or redevelopment.	use policies. Furthermore, the proposed hotel, music venue, restaurant and retail use support tourism-related activities, which are envisioned and encouraged within the Clifton Hill Tourist District. The proposed use will also result in the long-term conservation of cultural heritage resources on the lands.
2.6.3	Compatibility of the proposed use with adjacent land use designations and natural resources.	Adjacent lands are designated Tourist Commercial, consistent with the Subject Lands. The uses proposed on the Subject Lands are compatible with adjacent land use designations. There are no known natural resources located on or adjacent to the Subject Lands.
2.6.4	The need for and market feasibility of the proposed use.	The Subject Lands are located within a designated Tourist District, which is intended to promote uses that support and enhance tourism activity. The proposed commercial uses, including a hotel, music venue, restaurant, and retail uses, align with this objective and respond to a demonstrated need for expanded tourism infrastructure in the Clifton Hill area. Their location in a high-traffic tourist area supports market feasibility due to strong demand for entertainment, lodging, and dining. The City's Music City Strategy speaks to the need for new music venues, with a recommendation to consider underutilized spaces for the use. The proposed 50-storey hotel will support the music venue.
2.6.5	The extent to which the existing areas of the City designated for the	The Subject Lands are designated Tourist Commercial and are

Section	Criteria	Proposed Development
	<p>proposed use are developed or are available for development</p>	<p>located within the Clifton Hill Subdistrict. Lands within the Tourist Commercial designation are intended to accommodate uses that contribute to a world-class tourist destination. The Clifton Hill Subdistrict is envisioned to function as the commercial-entertainment centre of the Tourist Area, containing uses including, but not limited to, tourist retail, hotels, restaurants, cafes, nightclubs, museums, art galleries, theatres, and other tourist-related uses. The proposed hotel, music venue, restaurant, and retail stores are fully consistent with the vision for this designated area.</p>
<p>2.6.6</p>	<p>The availability of adequate municipal services and facilities for the proposed use and its impact on the transportation system, community facilities and natural environment.</p>	<p>Municipal services are available to support the proposed development, as confirmed by GEI through their infrastructure modelling exercise and review of the Functional Servicing Brief prepared by Hallex, both of which are summarized in Section 4.0 of this PJR.</p> <p>The TIS indicates that, under both opening year and five-year future conditions, with or without background developments, the surrounding road network is expected to operate at an overall satisfactory level, and no significant impacts to the transportation system are anticipated.</p> <p>There are no community facilities or natural environment features located on the Subject Lands.</p>

Section	Criteria	Proposed Development
2.6.7	The financial implications of the proposed development.	The proposed municipal parking within the new parking garage will support City parking revenues. The proposed development would also optimize the use of existing municipal infrastructure and increase land assessment and tax revenue.
2.6.8	The protection of specialty crop land as defined in the Provincial Policy Statement from development.	Not applicable. The Subject Lands are not specialty crop lands.
2.6.9	Any applicable cross-jurisdictional issues such as, but not limited to servicing, transportation, watersheds and natural areas.	There are no-cross jurisdictional issues
2.6.10	Compliance with a Comprehensive Review prepared by the City when considering the conversion of employment areas including an area of employment, to another land use category, except where the conversion is proposed within an area identified as a Community Improvement Plan Area in this Plan in which case a Comprehensive Review as defined by the Provincial Places to Grow Growth Plan has been initiated or adopted by the City.	This policy is not applicable as the proposal does not involve a conversion of employment areas.

The proposed development satisfies the criteria outlined above for considering an OPA. A draft OPA is provided in **Appendix B** for reference.

7.0 Proposed Zoning By-law Amendment

The Subject Lands are split zoned. Sections 7.1 and 7.2 of this PJR summarize the zoning applicable to each of the subject properties, being 4898 Kitchener Street and 4873 Kitchener Street. Each section compares the proposed uses with the zoning

currently in effect on the respective properties to identify any zoning deficiencies to be addressed through the draft Zoning By-law Amendment (ZBA).

A draft ZBA is included in Section 9.0 of this PJR and is provided in Appendix C.

7.1 4898 Kitchener Street

The lands at 4898 Kitchener Street are zoned Deferred Tourist Commercial (DTC). The purpose of this zone is to defer tourism development until expansion is required and adequate municipal services are available. This approach allows tourism commercial development to be strategically phased into areas not currently occupied by tourism commercial uses, while respecting both the existing non-tourism commercial uses while also supporting the City’s long-term vision for tourism commercial development on these lands.

The lands at 4898 Kitchener Street are directly adjacent to lands already zoned TC, and represent a logical extension of the Zone, in a phased and orderly manner. The proposed re-zoning to TC provides for a number of new uses on the lands, including hotel, restaurant and place of entertainment. The current zoning of DTC only allows an existing lawful use (i.e., a church) and the detached dwelling (among other accessory used to a detached dwelling). The current zoning does not enable the long-term conservation of the cultural heritage attributes, as there is no current for the property to be used as a church.

A ZBA is required to re-zone 4898 Kitchener Street from DTC to a site-specific TC zone (TC-XX).

Table 9 provides a zoning review of 4898 Kitchener Street to identify any site-specific zoning provisions required to facilitate the proposed development.

Table 9 - Compliance with Tourist Commercial (TC) Zone in Zoning By-law No. 79-200

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
TOURIST COMMERCIAL (TC) ZONE			
Permitted Uses	<ul style="list-style-type: none"> Permitted uses in the TC Zone (Section 8.6.1, By-law 79-200) 	<ul style="list-style-type: none"> Hotel Restaurant Place of Entertainment 	Yes
Minimum Lot Frontage	6 metres	44.7 metres <i>(6 metres back from Kitchener Street)</i>	Yes

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Minimum Front Yard Depth	10 metres from the centreline of original road allowance	10 metres from the centreline of original road allowance <i>*Existing entrance of church building extends past front lot line after road widening.</i>	No
Minimum Rear Yard Depth	3 metres	6.51 metres	Yes
Minimum Interior Side Yard Width	None required	0 metres	Yes
Minimum Exterior Side Yard Width	None specified	0 metres	Yes
Maximum Lot Coverage	70%	74%	No
Maximum Height of a Building or Structure	12 metres	167 metres (50 storeys)	No
Section 4: General Provisions (Table 1.1)			
Parking Requirements (Section 4.19)	<p><u>Hotel:</u> 1 Space for each 1.25 rooms <i>329.6 spaces</i></p> <p><u>Places of Entertainment:</u> 1 space for each 5 persons <i>100 spaces</i></p> <p><u>Event Space (Place of assembly, convention centre ancillary to a hotel)</u> <i>None</i></p>	<p><u>Hotel:</u> 1 Space for each 1.51 rooms <i>273.4 spaces</i></p> <p><u>Places of Entertainment:</u> 1 space for each 5 persons <i>100 spaces</i></p> <p><u>Event Space (Place of assembly, convention centre ancillary to a hotel)</u> <i>None</i></p>	No

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
	<u>Restaurant (ancillary):</u> <i>None</i> <u>Office Space</u> <i>None</i> Total: 429.6 Parking Spaces	<u>Restaurant (ancillary):</u> <i>None</i> <u>Office Space</u> <i>None</i> Total: 0 Parking Spaces	
Parking Areas (Section 4.19)	<u>Table 2 Surface Parking Area</u> Parking Stall Dimensions: 2.75 metres (min) x 6 metres Aisle width: 6.9 metres	-	-
Road Allowance Requirements (Section 4.27)	Kitchener Street: <i>10 metres</i> Victoria Avenue: <i>13 metres</i>	-	-
Zoning By-law Number 2019-44			
Minimum number of Designated Parking Spaces to be reserved for Patrons with Disabilities	2 + 2% of the total number of parking spaces $485 \times 0.02 + 2 = 11.7$ Parking Spaces = 12 Designated Parking Spaces	-	-
Accessible Parking Stall Dimensions	Dimensions: 3.9 metres (min) x 6.0 metres Marked with appropriate white pavement markings (Lines and	-	-

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
	handicapped symbol located on hard surface).		
	<p>Each designated parking space shall have access aisle (can be shared between designated parking spaces) which is:</p> <ul style="list-style-type: none"> a) Minimum Width of 1.5 metres b) Extend full length of designated parking space. c) Be marked with diagonal lines where surface is asphalt, concrete or some other hard surface. 	-	-

Minimum Front Yard Depth

Required: 10 metres from the centreline of original road allowance

Proposed: 10 metres from the centreline of original road allowance

Following the road widening, the entrance to the church along Kitchener Street extends beyond the new front lot line. As such, a provision will be required in the Zoning By-law to recognize that a portion of the existing church building encroaches into the front yard.

This provision will recognize the existing condition of the building. Any new development would be required to comply with the front lot line established by the road widening.

Maximum Lot Coverage

Required: 70%

Proposed: 74%

The Zoning By-law permits a maximum lot coverage of 70% within the Tourist Commercial zone, whereas the post-development of the proposed hotel will result in a slightly increased lot coverage of 74%.

Lot coverage provisions are intended to ensure that sufficient space remains on a property to accommodate landscaping, parking, amenity areas, pedestrian and vehicle circulation, waste disposal and other servicing functions.

Despite the minor increase to lot coverage, the Subject Lands have been designed to ensure that all necessary site functions are adequately accommodated and addressed on the entirety of the Subject Lands, including parking, access, servicing, pedestrian and vehicular circulation. Accordingly, the requested increase represents a minor and an appropriate deviation from the standard requirement that does not compromise the functionality of the site.

Maximum Height of Building or Structure

Required: 12 metres

Proposed: 167 metres (50 storeys)

Although the Zoning By-law currently limits the Subject Lands to a maximum height of 12 metres, the City's OP partially envisions the subject property for mid-rise development, ranging from 9 to 12 storeys. Moreover, the property located immediately east to the subject property is envisioned for high-rise development, ranging from 13 to 30 storeys, subject to the completion of supporting technical studies. It is also noted a 35-storey building is approved has been approved less than 100 metres from the Subject Lands, one block west (Site 'B' on Figure 4 of this Report).

In support of this application, a comprehensive set of technical studies has been prepared and submitted (refer to Section 4 of this PJR) to evaluate the appropriateness of the proposed building height and its compatibility with surrounding land uses. These studies include, among others, a Shadow Study, Quantitative Wind Study, and an Urban Design Brief. These studies demonstrate that the proposed development can be accommodated without creating unacceptable impacts on adjacent lands. While low density residential uses exist in proximity to the Subject Lands, these uses are not anticipated to remain in the long term based on the City OP designation of Tourist Commercial.

In conjunction with the lands at 4873 Kitchener Street, the development is located along Victoria Avenue and Falls Avenue, an Entry Corridor in the City's OP. Per the Urban Design brief, the tower establishes a landmark presence at this location. Its slender profile helps reduce massing and allows views to pass around the building, avoiding a "wall effect" along the Niagara Falls skyline. The massing strategy of the building incorporates regular and dynamic stepbacks, reducing visual impact from building height.

Further, the HIA does not conclude that the height of the hotel building impacts the cultural heritage resources of the property. Design and mitigation measures are

included in the HIA which will also improve compatibility of the hotel with the 1918 church building.

In this context, the proposal aligns with the broader planning framework and represents an appropriate evolution in height and density within the surrounding urban structure.

Parking Requirements

Required: 433 Parking Spaces

Proposed: Required parking space which cannot be provided on 4898 Kitchener Street may be provided for on 4873 Kitchener Street

The proposed off-street parking for the entirety of the Subject Lands, including 4898 Kitchener Street and 4873 Kitchener Street, is provided on the 4873 Kitchener Street property within the new parking garage and surface parking lot.

According to the Zoning By-law, the development at 4898 Kitchener Street, which includes the hotel, music venue, and accessory restaurant, requires a total of 430 (429.6) parking spaces. Given that only 485 parking spaces are provided on 4873 Kitchener Street, a reduced parking rate is proposed for the hotel, with one (1) parking space provided per 1.51 hotel rooms, compared with the one (1) parking space per 1.25 hotel rooms by Zoning By-law 79-200. Justification for reduced parking rate is included in Section 7.2 of this PJR, under 4873 Kitchener Street.

The draft ZBA permits the required parking for 4898 Kitchener Street on the 4873 Kitchener Street property.

7.2 4873 Kitchener Street

4873 Kitchener Street is split zoned and comprises multiple zones under Zoning By-law No. 79-200, including Tourist Commercial (TC-75 and TC-213), Deferred Tourist Commercial (DTC), and Parking (P-213) zone. The proposed parking garage is located within the Tourist Commercial (TC-75 and TC-213) and DTC zones. By-laws TC-75 and TC-213 amended Zoning By-law No. 79-200 by introducing additional parking provisions that apply to a portion of the Subject Lands. All other applicable Tourist Commercial zoning regulations remain in effect on the Subject Property.

A ZBA is required to consolidate the zoning on 4873 Kitchener Street into a site-specific Tourist Commercial (TC-XX) zone.

Table 10 provides a zoning review of 4873 Kitchener Street to identify any site-specific zoning provisions required to facilitate the proposed development.

Table 10 - Compliance with Tourist Commercial (TC) Zone in Zoning By-law No. 79-200

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
TOURIST COMMERCIAL (TC) ZONE			

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Permitted Uses	<ul style="list-style-type: none"> Permitted uses in the TC Zone (Section 8.6.1, By-law 79-200) 	<ul style="list-style-type: none"> Parking Garage 	No
Minimum Lot Frontage	6 metres	44.2 metres	Yes
Minimum Front Yard Depth	13 metres from the centreline of road allowance	36.8 metres from the centreline of road allowance	Yes
Minimum Rear Yard Depth	3 metres	63.65 metres	Yes
Minimum Interior Side Yard Width	None required	17.9 metres	Yes
Minimum Exterior Side Yard Width	None specified	2.09 metres	Yes
Maximum Lot Coverage	70%	46%	Yes
Maximum Height of a Building or Structure	12 metres	13.5 metres	No
Parking Requirements (Section 4.19)	<p><u>Carried over from 4898 Kitchener Street</u> 429.6 spaces</p> <p><u>Retail</u> 1 Space for each 60 square metres 16.6 spaces</p> <p><u>Existing Spaces in municipal lot to be maintained</u> 95 spaces</p> <p>Total: 541 (541.2) Parking Spaces</p>	Total: 485 Parking Spaces	No

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Aisle Width (Section 4.19 Table 3)	Parking Stall Dimensions: 2.75 metres (min) x 6 metres Aisle width: 6.3 metres	Parking Stall Dimensions: 2.75 metres (min) x 6 metres Aisle width: 6.3 metres	Yes
Aisle Width (Section 4.19 Table - 4)	Parking Stall Dimensions: 3.0 metres (min) x 6 metres Aisle width: 5.9 metres	Parking Stall Dimensions: 3.0 metres (min) x 6 metres Aisle width: 5.9 metres	Yes
Road Allowance Requirements (Section 4.27)	Kitchener Street: <i>10 metres</i> Victoria Avenue: <i>13 metres</i>		
Minimum number of Designated Parking Spaces to be reserved for Patrons with Disabilities	2 + 2% of the total number of parking spaces $485 \times 0.02 + 2 = 11.7$ Parking Spaces = 12 Designated Parking Spaces	12 Accessible Parking Spaces	Yes
Accessible Parking Stall Dimensions	Dimensions: 3.9 metres (min) x 6.0 metres Marked with appropriate white pavement markings (Lines and handicapped symbol located on hard surface).	Type A: 3.4 x 6.0 metres Type B: 2.4 x 6.0 metres	No

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
	<p>Each designated parking space shall have access aisle (can be shared between designated parking spaces) which is:</p> <ul style="list-style-type: none"> d) Minimum Width of 1.5 metres e) Extend full length of designated parking space. f) Be marked with diagonal lines where surface is asphalt, concrete or some other hard surface. 	<p>Each designated parking space includes an access aisle which meets the noted requirements.</p>	<p>Yes</p>

Permitted Uses

Required: Permitted uses in the TC Zone (Section 8.6.1, By-law 79-200)

Proposed: Parking Garage

The Subject property is currently owned and operated by the City and functions as a municipal parking lot.

A parking lot is permitted within the TC Zone, which is defined as “any open area used for the temporary parking or storage of five or more motor vehicles other than a parking area required under the provisions of section 4.19.1 of the By-law”. A parking garage is proposed to be permitted within the site-specific TC Zone to ensure structured parking is permitted in addition to a typical parking lot. The parking garage is proposed to permit satellite parking for the uses on 4898 Kitchener Street, directly across the street. The site would also accommodate public parking.

The proposed commercial/retail uses along the ground floor of the building are permitted in the TC Zone. Development of these uses will activate the public realm along of Victoria Avenue and Kitchener Street.

Maximum Height of Building or Structure

Required: 12 metres

Proposed: 14 metres

The TC Zone generally restricts building height to 12 metres. The proposed parking structure includes a fifth level of parking surface located on the roof of the building, approximately 13.5 metres above grade. The fifth level is required to accommodate sufficient parking for the proposed uses while maintaining the existing municipal parking supply on the Subject Lands. It is also noted that the proposed parking garage has a height of four (4) storeys above grade, which complies with the City's OP.

Although the proposed height is approximately 13.5 metres, the draft Zoning By-law Amendment permits a maximum building height of 14.0 metres to allow for minor design and construction tolerances that would not materially affect compatibility.

The increased height is appropriate given the Subject Property's frontage on Victoria Avenue, which is envisioned to accommodate higher density development. In addition, the property located directly south of 4873 Kitchener Street, across Kitchener Street, is contemplated for development of up to 30 storeys. In this context, the proposed 13.5 metre parking structure represents a modest increase in height and remains compatible with the planned built form of the area.

Parking Requirements

Required: 544.6 Parking Spaces

Proposed: 485 Parking Spaces

The proposed off-street parking for the Subject Lands, including 4873 Kitchener Street and 4898 Kitchener Street, is provided on the 4873 Kitchener Street property through a combination of a new parking garage and re-developed surface parking. According to Zoning By-law 79-200, the proposed development on 4898 Kitchener Street, which includes a hotel, music venue, and restaurant, requires 429.6 parking spaces. The proposed development on 4873 Kitchener Street, including the retail space within the parking garage, requires an additional 16.6 spaces, for a total of 446 (446.2) spaces to support all proposed uses.

As the property is municipally owned, the applicant must maintain the existing 95 parking spaces, bringing the total required parking to 541 (541.2) spaces. The proposed parking garage and surface lot provide a total of 485 spaces, resulting in a deficit of 56 (56.2) spaces.

The reduced parking supply is supportable for the following reasons:

- The Transportation Impact Study (TIS) submitted with these applications estimates a peak parking demand of 268 spaces for the proposed hotel, based on data from the Institute of Transportation Engineers (ITE) Parking Generation Manual (6th Edition), which is notably less than the zoning requirements provided in Table 9.
- The TIS notes that shared parking between uses is a recognized parking management strategy, allowing spaces to be used by multiple user groups. Opportunities exist to share parking between the hotel, music venue, and retail uses, as their peak periods do not necessarily coincide and demand fluctuates

throughout the day and week. Based on time-of-day parking occupancy distributions, peak demand is forecast at 360 spaces between 11 PM and 12 AM on a weekday. Excluding the required 95 municipal parking spaces, the subject property provides 390 spaces, representing a surplus of 30 spaces relative to peak demand, calculated using the ITE Parking Generation Manual (6th Edition).

Accessible Parking Stall Dimensions

Required: 3.9 metres x 6.0 metres

Proposed: Type A: 3.4 metres x 6.0 metres
Type B: 2.4 metres x 6.0 metres

The proposed accessible parking stall dimensions comply with O. Reg. 191/11: Integrated Accessibility Standards, Sections 80.34 and 80.35, which set the minimum requirements for accessible parking spaces and access aisles.

8.0 Summary and Conclusion

It is our opinion the proposed development represents good land use planning, is in the public interest and should be approved for the following reasons:

- The proposed OPA and ZBA have regard for matters of provincial interest.
- The proposed development is consistent with the Provincial Planning Statement and conforms to the Niagara Official Plan.
- The proposed development conforms with the intent of the City OP and provides tourist-oriented land uses within the Clifton Hill Tourism Subdistrict.
- The proposed adaptive reuse of the building from a church to a music hall is a compatible new use for the amphitheatre space that conserves heritage attributes.
- The Subject Lands are located within an Employment Area. The proposed development will generate employment both during construction and post-construction, providing jobs in the music, hospitality and retail sectors.
- The proposed ZBA represents a logical extension of the Tourist Commercial zone.

Report prepared by:



Robert Smit, MSc RPD
Intermediate Planner
NPG Planning Solutions Inc.

Report reviewed and approved by:



Aaron Butler, MCIP, RPP
Managing Partner
NPG Planning Solutions Inc.

9.0 Appendices

Appendix A – Site Plan

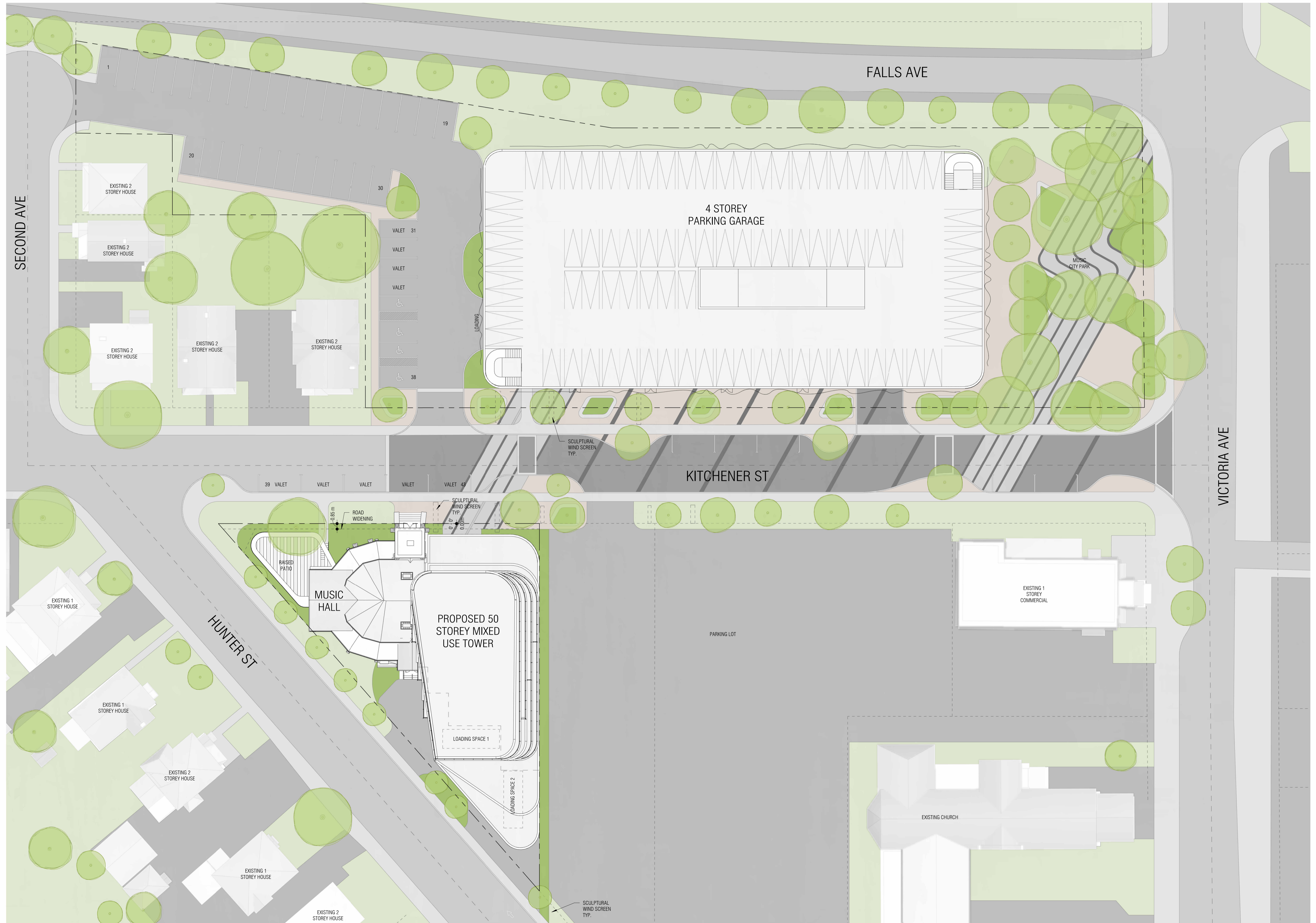
Appendix B – Draft OPA and Schedule

Appendix C – Draft ZBA and Schedule

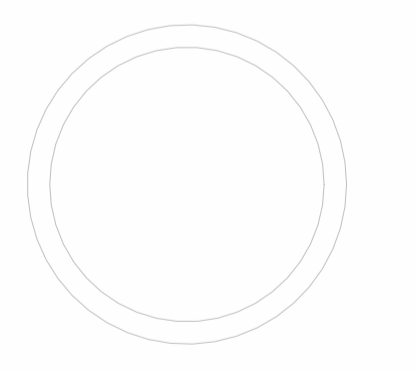
Appendix D – Niagara Official Plan Schedules

Appendix E – Niagara Falls Official Plan Schedules

Appendix A – Site Plan



NOT FOR CONSTRUCTION



OFFICIAL PLAN AMENDMENT NO. XXX

PART 2 – BODY OF THE AMENDMENT

All of this part of the document entitled PART 2 – BODY OF THE AMENDMENT, consisting of the following text and attached map, constitute Amendment No. [XXX] to the Official Plan of the City of Niagara Falls.

DETAILS OF THE AMENDMENT

The Official Plan of the City of Niagara Falls is hereby amended as follows:

1. MAP CHANGE

The lands shown as “Special Policy Area “YY” on the map attached hereto, entitled “Map 1 to Amendment No. [XXX]”, shall be identified as “Special Policy Area “YY” on Schedule “A” to the Official Plan.

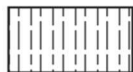
2. TEXT CHANGE

- a. PART 2, SECTION 13 – SPECIAL POLICY AREAS, is hereby amended by adding the following subsection:

[XXX] SPECIAL POLICY AREA “YY”

Special Policy Area “YY” applies to approximately 0.14 hectares (1,429 m²) of land located on the south side of Kitchener Street and east of Hunter Road. Pursuant to the foregoing and notwithstanding the policies contained in Part 2, Section 4, subsection 4.4.3, a hotel building not exceeding a height of 50 storeys will be permitted on the lands described as Special Policy Area “YY”, and as labelled on Figure 4.

Map 1 to Official Plan Amendment



Special Policy Area "YY"

CITY OF NIAGARA FALLS

By-law No. 2026-XXX

A by-law to amend By-law No. 79-200, to permit the use of the lands for the development of a 50-storey hotel, containing 412 hotel rooms, and a 4-storey parking garage with 447 parking spaces.

**THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS
ENACTS AS FOLLOWS:**

1. The Lands that are the subject of and affected by the provisions of this by-law are described in Schedule “1” of this by-law and shall be referred to in this by-law as the “Lands”. Schedule “1” is a part of this by-law.
2. The Lands shall be identified as two parcels, known as Part 1 - TC-XXXX, and Part 2 - TC-YYYY.
3. The purpose of this by-law is to amend the provisions of By-law No. 79-200, to permit the use of the Lands in a manner that would otherwise be prohibited by that by-law. In the case of any conflict between a specific provision of this by-law and any existing provision of By-law No. 79-200, the provisions of this by-law are to prevail.
4. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following uses and regulations shall be the permitted uses and regulations governing the permitted uses on and of the Lands.
5. The permitted uses shall be:
 - a. For Parcel TC-XXXX:
 - i. the uses permitted in a TC zone
 - ii. Parking Garage with Satellite parking
 - b. For Parcel TC-YYYY:
 - i. the uses permitted in TC zone
6. The regulations governing the permitted use of Parcel TC-XXXX shall be:
 - a. Maximum height of building or structure 14.0 metres
 - b. Parking Stall Dimensions Type A: 3.4 metres x 6.0 metres (accessible) Type B: 2.4 metres x 6.0 metres
 - c. Those required parking spaces which cannot be provided on Parcel TC-YYYY may be provided for on Parcel TC-XXXX.

7. The regulations governing the permitted use of Parcel TC-YYYY shall be:
- a. Minimum Front Yard Depth The existing structure extends beyond the front lot line as of the date this By-law comes into effect. Any new development constructed after this By-law shall comply with the Zoning Regulations of the parent zone.
 - b. Maximum Lot Coverage 74%
 - c. Maximum height of building or structure Refer to Schedule 2 attached to and forming part of this by-law. The total height shall include a roof feature as required by clause (d) of this section.
 - d. Roof feature A building having a height greater than 24 metres shall have a roof feature which has a height of min. 5 metres and max. 10 metres above the top storey. The roof feature shall be a distinct architectural element of the building and shall not contain a place of occupancy.
 - e. Minimum Parking Requirements for a Hotel 1 Parking Space per 1.51 Rooms
 - f. Those required parking spaces which cannot be provided on Parcel TC-YYYY may be provided for on Parcel TC-XXXX.
8. All other applicable regulations set out in By-law No. 79-200 shall continue to apply to govern the permitted uses on the Lands, with all necessary changes in detail.
9. No person shall use the Lands for a use that is not a permitted use.
10. No person shall use the Lands in a manner that is contrary to the regulations.

Read a First, Second and Third time; passed, signed and sealed in open Council this ____ day of _____, 202X.

.....
WILLIAM G. MATSON, CITY CLERK

.....
JAMES M. DIODATI, MAYOR

Schedule 1 to Zoning By-law Amendment





 TC-XXXX

 TC-YYYY

Schedule 2



BUILDING HEIGHT

	Maximum Height (m)	No. of Storeys
	Existing	Existing
	167	50

Appendix D – Niagara Official Plan Schedules

Schedule B – Regional Structure



Schedule J1 – Transportation Infrastructure



Schedule J2 – Strategic Cycling Network



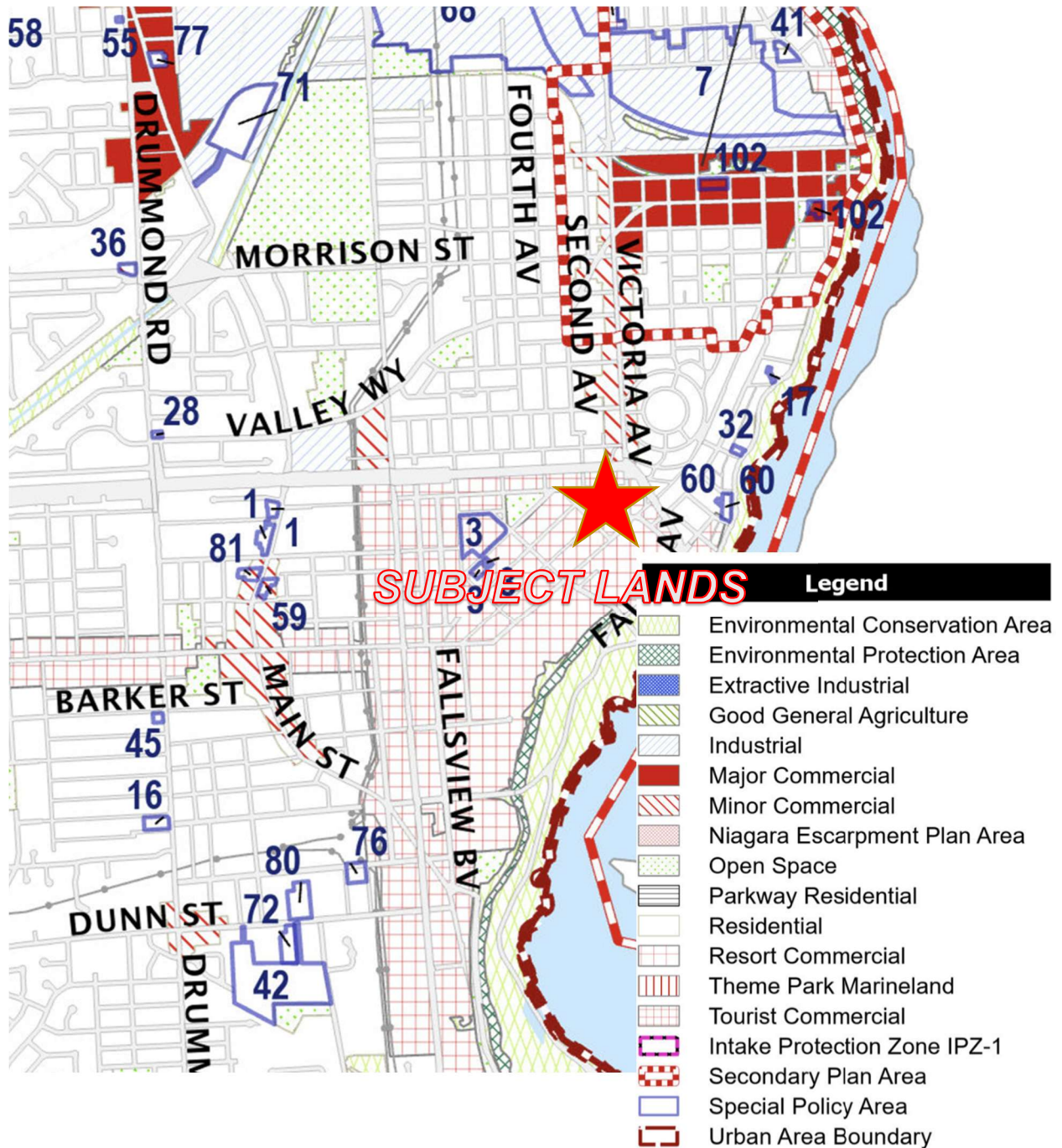
Areas of Archaeological Potential Via. Niagara Navigator



Appendix E – Niagara Falls Official Plan Schedules

Schedule A – Land Use

Tourist Commercial



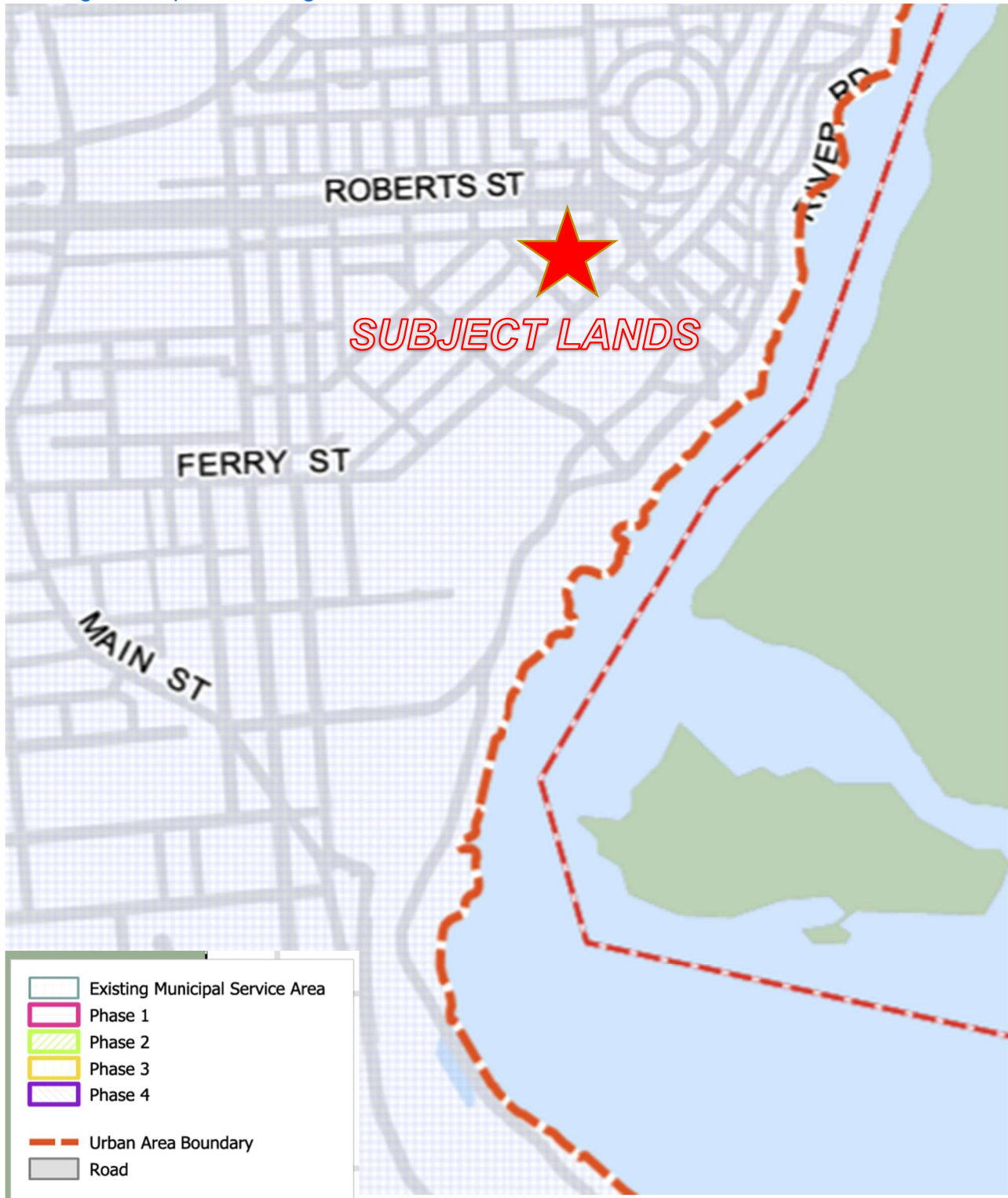
Schedule A2 – Urban Structure

Built Up Area



Schedule B – Phasing

Existing Municipal Servicing Area



Schedule C – Roads



Schedule E – Tourism Map

Clifton Hill Central District

