



DOWNTOWN NIAGARA FALLS COMMUNITY IMPROVEMENT PLAN



November 2004



TABLE OF CONTENTS

	Page
A BACKGROUND	
1.0 INTRODUCTION	1
1.1 Downtown Revitalization	1
1.2 Purpose of the Community Improvement Plan	1
1.3 Plan Content	2
2.0 CRITICAL NEEDS ANALYSIS	3
2.1 Methodology	3
2.2 Physical and Land Use Characteristics	3
2.2.1 Western Gateway	7
2.2.2 Traditional Retail District	8
2.2.2.1 West Queen Street	8
2.2.2.2 East Queen Street	9
2.2.2.3 Parking/Services	10
2.2.3 Civic Square Block	11
2.2.4 Transportation District	12
2.2.5 Heritage Commercial District	13
2.2.6 Eastern Gateway	14
2.2.7 Southern Residential	15
2.2.8 Mixed Residential/Commercial	16
2.2.9 Light Industrial/Service	16
2.3 Economic Characteristics	16
2.3.1 Economic Role of the Downtown	16
2.3.2 Current Business Activity	16
2.3.3 Building Rehabilitation and Construction Activity	18
2.3.4 Economic Development and Tourism	18

	Page	
2.4	Parking and Transportation	19
2.4.1	Parking	19
2.4.2	Transportation	20
2.4.2.1	Huron Street	20
2.4.2.2	Whirlpool Bridge	20
2.4.2.3	Public Transit	21
2.4.2.4	Proximity to Tourist Area	21
2.5	Summary	22
3.0	LEGISLATIVE AUTHORITY AND PLANNING POLICIES	23
3.1	Legislative Authority	23
3.2	Section 28 of the Planning Act – Community Improvement	23
3.3	City of Niagara Falls Official Plan	23
3.3.1	Residential Policies	24
3.3.2	Commercial Policies	24
3.3.3	Minor Commercial	25
3.3.4	Special Policy Area No. 7	25
3.3.5	Community Improvement	25
3.3.6	Amenity and Design Strategy	26
3.3.7	Existing Community Improvement Plans	26
4.0	COMMUNITY IMPROVEMENT PROJECT AREA	30
4.1	Methodology	30
4.2	Downtown Community Improvement Project Area	30
5.0	COMMUNITY PARTICIPATION	33
5.1	Downtown Strengths	33
5.2	Downtown Weaknesses	33
5.3	Downtown Vision	34

	Page
B DOWNTOWN COMMUNITY IMPROVEMENT PLAN	
6.0 LAND USE AND URBAN DESIGN PLAN	35
6.1 Introduction	35
6.2 Conceptual Land Use Plan	35
6.2.1 Western Gateway	37
6.2.2 Queen Street	37
6.2.3 Civic Square Block	37
6.2.4 Transportation District	38
6.2.5 Open Space Corridor	38
6.2.6 Heritage Commercial District	39
6.2.7 Eastern Gateway	39
6.2.8 Southern Residential Neighbourhood	40
6.2.9 Park/Bridge Neighbourhood	40
6.2.10 Direction	41
6.3 Public Realm and Urban Design Plan	41
6.3.1 Streetscape and Gateways	41
6.3.2 Public Spaces	43
6.3.3 Urban Design Guidelines	44
6.4 Official Plan Policies for Downtown	45
6.5 Targeted Improvement Projects	46
6.6 Summary	46
7.0 COMMUNITY IMPROVEMENT PROGRAMS	48
7.1 Introduction	48
7.2 Residential Loan Program (RLP)	50
7.2.1 Purpose	50
7.2.2 Program Description	50
7.2.3 Eligibility Criteria	51
7.2.4 Administration	52

	Page
7.3 Commercial Building Loan and Facade Grant (CBLFG) Program	55
7.3.1 Purpose	55
7.3.2 Program Description	55
7.3.3 Eligibility Criteria	56
7.3.4 Administration	59
7.4 Revitalization Grant Program (RGP)	61
7.4.1 Purpose	61
7.4.2 Program Description	61
7.4.3 Eligibility Criteria	62
7.4.4 Administration	63
7.5 Summary of Financial Incentive Programs	65
8.0 DEVELOPMENT CHARGE EXEMPTION (DCE) PROGRAM	66
8.1 Purpose	66
8.2 Program Description	66
8.3 Eligibility Criteria	67
8.4 Administration	67
9.0 MUNICIPAL LEADERSHIP STRATEGY (MLS)	68
9.1 Purpose	68
9.2 Program Description	68
9.3 Administration	69
10.0 ACTION SUMMARY	70
11.0 PROGRAM MONITORING AND ADJUSTMENT	78
12.0 CONCLUSION	80

	Page
C APPENDICES	
A Community Improvement Areas – Official Plan, Schedule E	81
B Future Land Use – Official Plan, Schedule A	83
C Glossary of Terms	85

LIST OF FIGURES

1	Study Area	4
2	Existing Downtown Districts	5
3	Land Use	6
4	Existing Community Improvement Project Areas	27
5	Downtown Community Improvement Project Area	31
6	Land Use Plan	36
7	Public Realm and Urban Design Plan	42
8	Targeted Improvement Projects	47
9	Rationale for Incentive Programs	49
10	Residential Loan Program (RLP) Administration	54
11	Commercial Building Loan and Facade Grant (CBLFG) Program	60
12	Revitalization Grant Program (RGP)	64
13	Summary of Financial Incentive Programs	65
14	Action Summary	71
15	Variables to be Monitored	79

1.0 INTRODUCTION

1.1 Downtown Revitalization

Downtowns are the functional and symbolic heart of a community. Downtowns are also very complex and dynamic social and economic systems with many integrated pieces. Just as cities are dynamic and evolve over time, so to do their downtowns.

A healthy, viable downtown is important to the economic health, civic pride and history of a community. A strong downtown increases the options and opportunities for residents to obtain goods and services. A strong and vibrant downtown is also a symbol of a city which is caring and concerned about its health and its desire to create a high quality of life. The health of the downtown is in some ways a reflection on the community and can serve to influence business decisions in a community.

The City of Niagara Falls has previously undertaken a number of initiatives to stimulate revitalization within its Downtown area. Utilizing the community improvement provisions of the Planning Act, the City has adopted community improvement plans for areas within the Downtown, taking advantage of previous Provincial programs such as PRIDE to implement sidewalk, streetscaping and entrance gateway improvements. Additional initiatives have included a Facade Improvement Plan and Revitalization Strategy (1988) and an Urban Renewal Study known as Niagara Falls Cause (1984). Certain elements of these studies are still relevant and where appropriate, the recommendations from these studies that have yet to be implemented have been included in this CIP.

Despite the physical improvements that have been made by the City, private sector investment has not followed at the desired levels. Based on the analysis of physical and economic conditions in the Downtown and public consultation conducted for this community improvement plan, it is clear that Downtown Niagara Falls has been in a state of

physical and economic decline for a number of years. Therefore, the need to revitalize Downtown Niagara Falls is clear and desirable. This need had been recognized by the City through preparation of this community improvement plan.

1.2 Purpose of the Community Improvement Plan

The purpose of this CIP is to provide a framework to guide public sector investment and stimulate private sector investment in Downtown Niagara Falls. Specifically, the purpose of the CIP is to:

- a) define an appropriate community improvement project area;
- b) plan further physical improvements within the project area that are designed to lead and stimulate private sector investment and redevelopment;
- c) develop a marketable land use strategy that integrates and promotes redevelopment opportunities; and,
- d) develop a customized package of financial incentives to promote private sector investment and redevelopment.

The Downtown Niagara Falls CIP is the final report of the consulting team (RCI Consulting and GSP Group Inc.). This CIP contains a synthesis of three previous reports:

- 1) Background and Visioning Report (November 2003);
- 2) Land Use and Urban Design Framework (April 2004); and,
- 3) Financial Incentive Programs (April 2004).

The preparation of this CIP included two public consultation sessions in the form of:

- a) a Public Presentation and Visioning Workshop conducted in September of 2003; and,
- b) a review of the proposed land use plan and incentive programs conducted at a Public Presentation held in March of 2004.

The study process also included numerous meetings and consultation with the City's Study Review Team and other staff. As part of the adoption of this CIP, previous community improvement plans in the Downtown area will be repealed and replaced by this single CIP.

1.3 Plan Content

This CIP is divided into three parts. Part A (Background) provides the rationale and basis for the CIP in the form of:

- a) a critical needs analysis of the physical and economic characteristics of the downtown;
- b) relevant planning policies and legislative authority;
- c) description of the community improvement project area; and,
- d) description of the public participation process.

Part B (Community Improvement Plan) contains the vision, policies and actions which will direct, coordinate and promote revitalization in the Downtown. This includes:

- a) the Vision for the Downtown;
- b) Land Use Plan and Urban Design Framework;
- c) Community Improvement Programs;
- d) Development Charge Exemption Program;
- e) Municipal Downtown Leadership Strategy;
- f) Summary of Actions;
- g) Program Monitoring and Adjustment; and,
- h) Conclusion.

Part C (Appendices) contains relevant supporting documents.

2.0 CRITICAL NEEDS ANALYSIS

2.1 Methodology

The Downtown Study Area shown in Figure 1 was chosen to cover an area slightly larger than the Central Business District Community Improvement Area shown in Schedule E to the Official Plan (see Appendix A). The following information was comprehensively reviewed and analyzed in order to identify the strengths, weaknesses and opportunities for redevelopment in the Downtown:

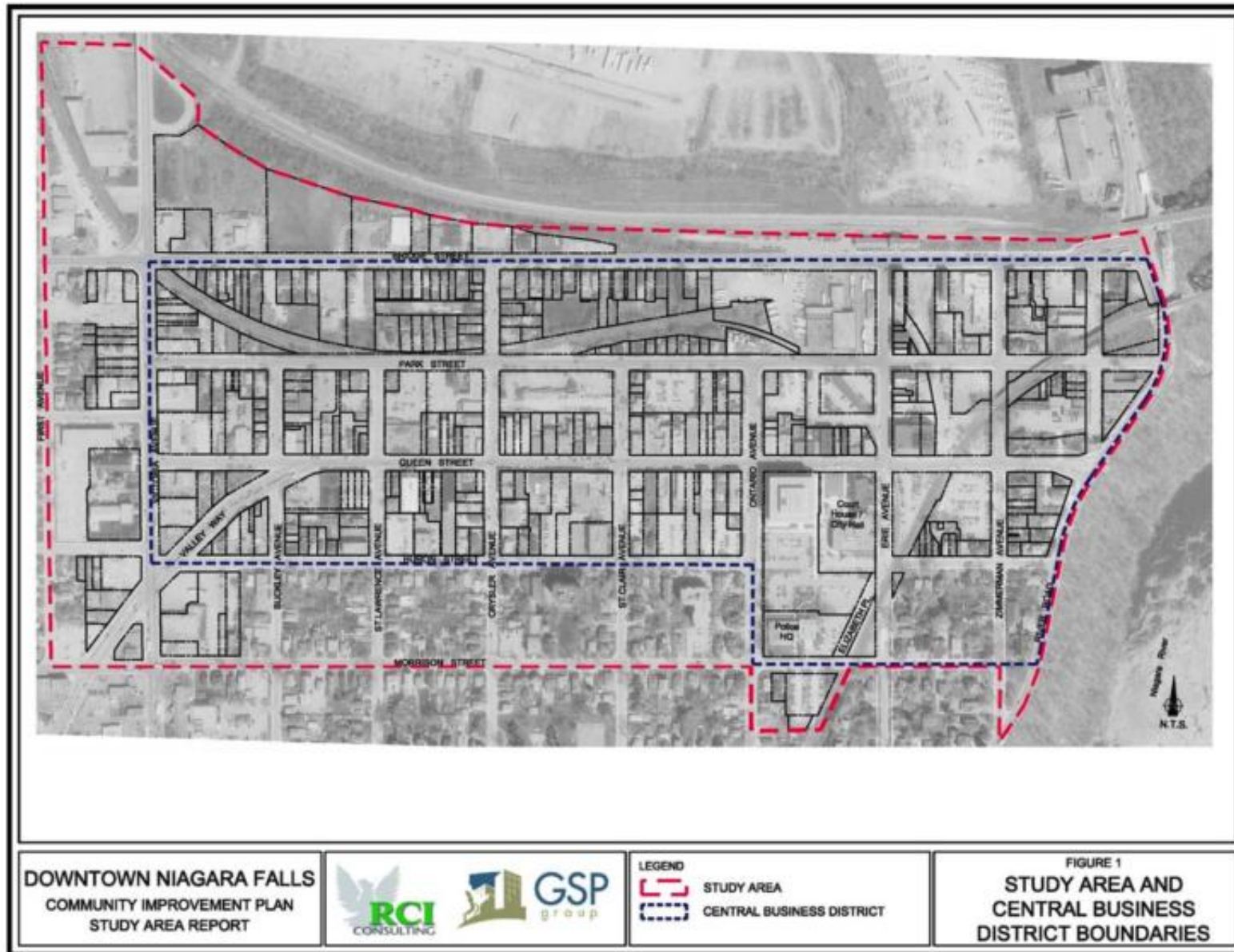
- Aerial photographs;
- Official Plan;
- Zoning By-law
- Existing Community Improvement and Redevelopment Plans covering various parts of the Downtown;
- Downtown Niagara Falls Facade Improvement Plan and Revitalization Strategy;
- Retail Market Demand Studies;
- Niagara Falls CAUSE Study;
- Transportation Master Plan;
- Reports on the Niagara Falls People Mover;
- Reports on the CN/CP Railway Corridor;
- Tourism Area Development Strategy;
- Land Use schedules and mapping;
- Servicing maps and information;
- Information on parking;
- Business Inventory and Occupancy Data;
- Downtown Information Profile;
- Mapping of Potential Sources of Environmental Contamination; and,
- Development charges, planning application and building permit fees.

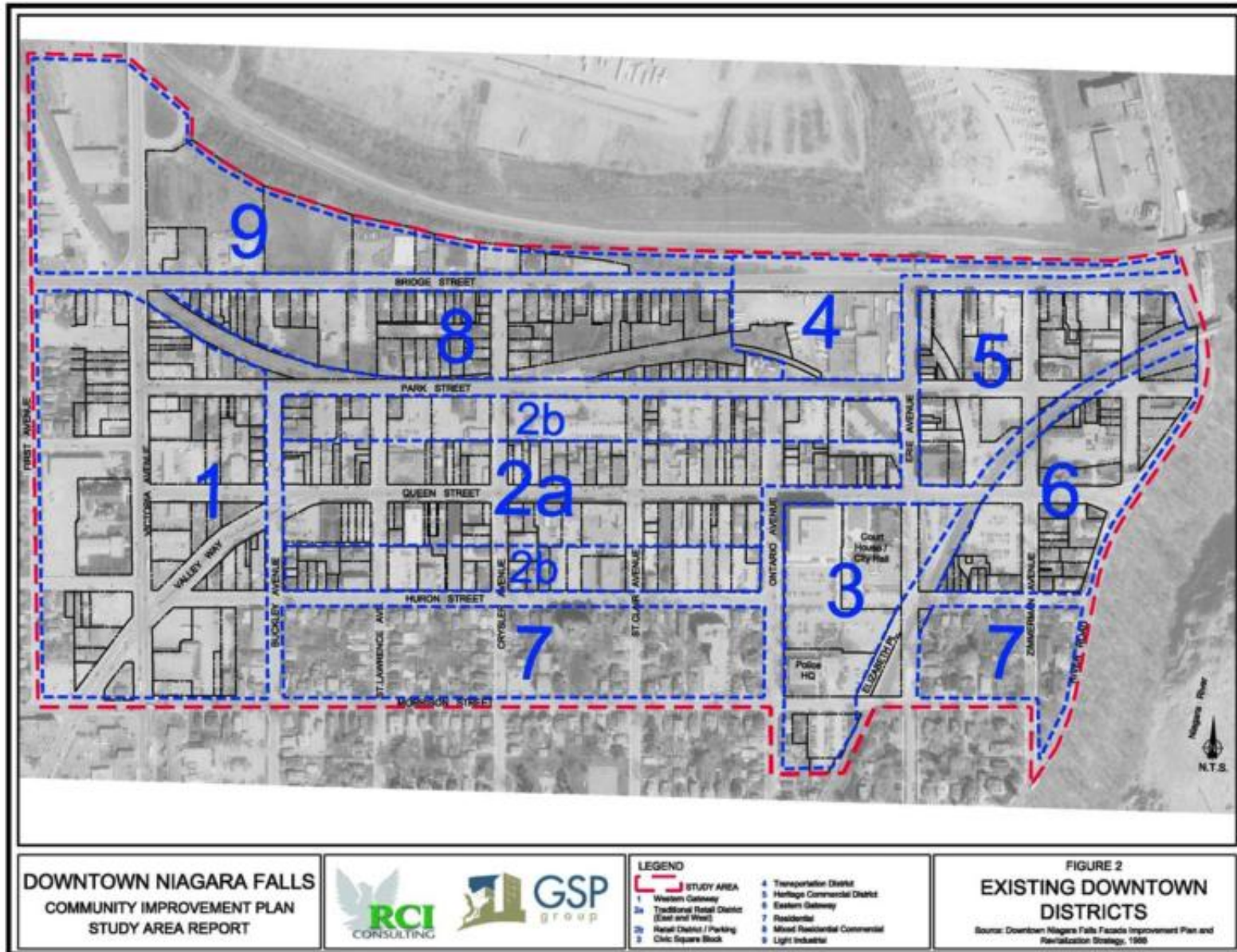
In addition, several walking tours of the Downtown Study Area were conducted during which notes and observations were made with respect to land uses and land use compatibility, general building condition and appearance, retail business operations and vacancies, and key redevelopment opportunities. Photos of the Queen Street retail area between Victoria Avenue and River Road, as well as other parts of the Downtown Study Area were also taken.

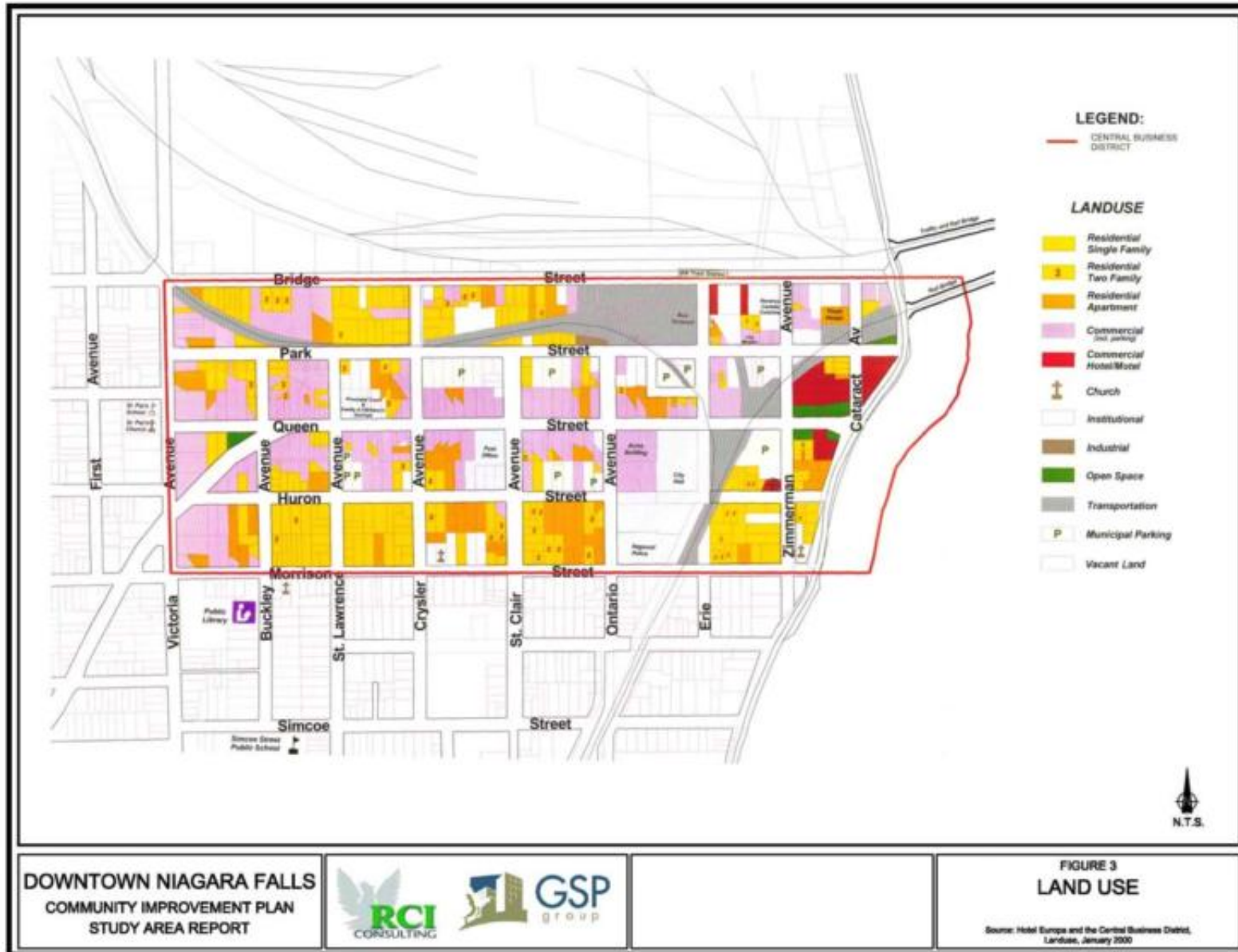
2.2 Physical and Land Use Characteristics

The Facade Improvement Plan and Revitalization Strategy prepared for Downtown Niagara Falls in 1988 describes existing conditions in the Downtown. Six Downtown districts were delineated in this study based on physical characteristics and function. This CIP includes an additional four districts to help describe the physical characteristics and activities predominant in each part of the Downtown. These various districts are shown in Figure 2.

As well, previous community improvement and redevelopment plans prepared for Downtown Niagara Falls in the 1980's contain relevant information describing the physical characteristics and land uses within the downtown. Some of these characteristics have not changed significantly. The general land uses in the study area are shown in Figure 3.







DOWNTOWN NIAGARA FALLS
COMMUNITY IMPROVEMENT PLAN
STUDY AREA REPORT



2.2.1 Western Gateway

The western gateway is a principal entrance to the Downtown with Victoria Avenue providing connection to the Falls Tourist Area and the majority of the City which lies to the west. A variety of service commercial and retail businesses, offices and a few low rise residential buildings are located in this area. Generally buildings are one or two stories with variable building conditions ranging from poor to good.

The streetscape in the area is predominantly auto-oriented and lacks the consistent street wall, street level retail activity and streetscape details/furnishings found along a more pedestrian-oriented street. Parking areas abut the sidewalk in many locations.

A vacant former Canadian Tire Store occupies a key gateway corner at Victoria Street and Valley Way. This vacant building and large vacant parking area provide a poor image at this key entrance to Downtown. This site also represents a significant redevelopment opportunity.



Vacant former Canadian Tire store at Western Gateway

Significant streetscape treatments have been installed on Valley Way between Victoria Avenue and Queen Street, including a formal median gateway with pier, planting and lighting. This gateway feature is attractive, but given the built form, weak street edges, and streetscape treatment, this gateway feature is not enough to provide a strong entrance to Downtown.



Median Gateway at Valley Way, Victoria Avenue and Queen Street

The pavilion at Victoria Park at Valley Way and Queen Street is one of Downtown's few open spaces and is popular with neighbours, providing a focal point along Queen Street.



Victoria Park Pavilion

The approach to the Western Gateway from the east is highlighted by the magnificent view of St. Patrick’s Church, which forms a strong visual anchor on the west side of Victoria Avenue.



St. Patrick’s Church

Generally, the Western Gateway can benefit from intensification to add residential, retail and service activity with buildings oriented to the street. Streetscape enhancements can be made to improve pedestrian spaces and screen surface parking areas.

2.2.2 Traditional Retail District

Queen Street is Downtown’s traditional pedestrian-oriented main street containing the majority of the retail activity of the core. It can be divided into several subsections, including West Queen Street, East Queen Street, and the blocks behind Queen Street along Park and Huron Streets.

2.2.2.1 West Queen Street

The western section of the retail core between Buckley Avenue and Chrysler Avenue is characterized by an irregular, low density and generally unattractive building fabric. The vacancy rate for ground floor space in these blocks is very high. The interior and exterior of some buildings have been allowed to deteriorate creating unsightly pockets of derelict buildings.

Other buildings have non-retail uses on the ground floor such as office and car lots/showroom. This combination has significantly diminished the continuity of this sub-district as a retail area. The remaining uses include restaurants, night clubs, music stores, and a proliferation of used furniture stores and second hand stores.



Vacant furniture store on Queen Street



Vacant stores on Queen Street

On the northwest corner of Chrysler Avenue and Queen Street is the Daily Planet restaurant and bar which animates the street with its colour and outdoor patio.



Daily Planet Restaurant

Streetscape improvements have been installed on Queen Street, including new lighting, decorative planters, sidewalk pavers and site furnishings. This work is several years old and is of good quality.

Two historically significant properties in this district are the former Seneca Theatre on Queen Street and the Drew Stone Cottage on Huron Street. The theatre has been converted to a nightclub.



Former Seneca Theatre – now Seneca Night Club

In summary, the West Queen Street area would greatly benefit from the filling of vacant space with new activities and general building improvements, including physical repairs and aesthetic improvements, especially to facades and storefronts.

2.2.2.2 East Queen Street

This district includes the three central retail blocks between Chrysler Avenue and Erie Avenue. This district includes a number of historical buildings, the Niagara Falls Post Office (1930), McClive/Rosber Block (1904), the Locan Block (1907) and the Bank of Hamilton (1894). These buildings add positively to the character of the area.



Niagara Falls Post Office Building

Recent streetscape improvements together with the existing building fabric provide a pleasant pedestrian environment. The majority of the buildings are two and three storeys with some single storey buildings interspersed. The characteristics of these three blocks include a continuous street wall, continuity of building scale and details and uniformity of architectural styles.



Bank of Hamilton Building

The district, though not as strong from a retail perspective as it was in the past, does contain the majority of the retail and business activity in the Downtown. The major banks, post office and recently established health services and medical offices all serve to attract people to the core. Several long-standing independent retailers are located here selling men's clothing, bicycles and photography equipment.



North side of Queen Street between Chrysler Avenue and St. Clair Avenue

There are still a number of business vacancies in this district, but the vacancy rate is not as high as in the West Queen Street District. The East Queen Street District would benefit from the filling of vacant space with new activities and general improvements to restore the buildings to their original and authentic design, materials and colours.



Vacant stores on Queen Street

2.2.2.3 Parking/Services

This district provides parking to support Queen Street businesses with some commercial and residential activity interspersed. This creates a poor streetscape condition with wide open paved areas, no edging along the street and little vertical definition. The blocks fronting Park Street are predominantly occupied by parking lots. These parking lots are not well edged and screened and do not provide clear and safe pedestrian routes.



Parking lot entrance with poor streetscaping and entrance area

The parking lot between Chrysler and St. Clair Avenues contains an outdoor market structure, however the market is no longer held there as it has moved out of the Downtown.



Former Farmer's Market Building in parking lot Between Chrysler Avenue and St. Clair Avenue

The blocks fronting Huron Street contain a mix of parking lots, offices and some residences. The parking lots are not as extensive as the Park Street lots though several are heavily used. Again, these parking lots are not well edged and screened and do not provide clear and safe pedestrian routes.

In the long term, it may be possible to develop some of the parking lots both north and south of Queen Street for new employment or residential activity which will, in turn, support Queen Street businesses. Where parking lots remain, they should be edged and screened with clear and safe pedestrian routes created.

2.2.3 Civic Square Block

The block between Ontario Avenue and Erie Avenue, south of Queen Street to Morrison Street is known as the Civic Square Block. This block contains City Hall, the old Court House, Centennial Square and the Acres building. The Acres building is a six storey office complex, which was constructed more recently and is an example of new building design that complements the existing building fabric. The police headquarters are located in the south of this block with the adjoining area designated for parking.



Acres Office Building

This block is the largest employment node in Downtown with over 550 employees working in its buildings. These employees provide a significant support base for local businesses.

Centennial Square in front of City Hall serves as an important urban public space in the downtown. Centennial Square is framed by buildings on three sides and fronts Queen Street, all desirable characteristics. Although the square has limited streetscape frontage, it provides one of the few passive amenity spaces in the Downtown. Improvements to the square could be made to broaden and improve its use and update its 1970's design style. These improvements could include enhancement of the streetscape treatment with park elements brought closer to the street and improved seating areas.

The former court house building frames the square on the east but has no public use at this time and adds little to the square in terms of pedestrian traffic or usable space. New activities such as a restaurant, civic or cultural facilities in the area of the former Court House building could serve to bring people to the Square and provide functional space for events in the area.

2.2.4 Transportation District

The Via Rail Station, inter-city bus terminal and local transit terminal are clustered at the intersection of Bridge Street and Erie Avenue to form a key transportation node which serves the region. The Via Rail Station at the terminus of Erie Avenue at Bridge Street dates back to 1879 and is a significant heritage property. The bus station and bus maintenance yard are located across the street, with the bus maintenance facility consuming a large block of land. The bus maintenance facility does not support the traditional downtown activities and urban form. Parts of this area are also not well lit and do not provide a friendly pedestrian environment.



City Transit Terminal at Erie Avenue and Bridge Street



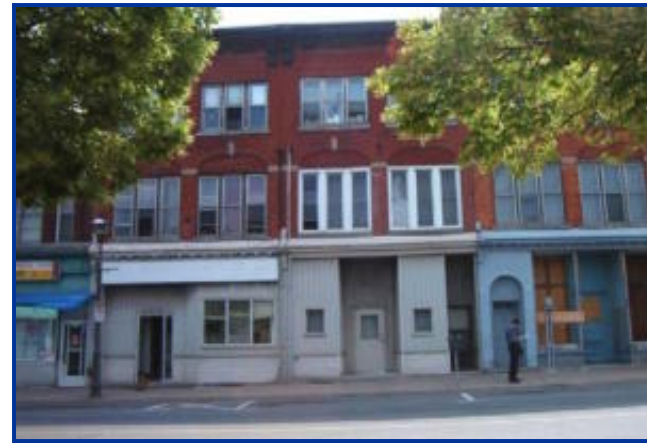
Via Rail Station and Hotel Europa on Bridge Street

2.2.5 Heritage Commercial District

The Heritage Commercial District is the oldest part of the Downtown and contains several significant heritage buildings, including the Woodruff block, the Old Imperial Bank now converted to offices and the old post office/customs house/jail on Zimmerman Street now being converted to an art gallery. Some of the heritage buildings in this area remain vacant and deteriorating, but with great potential for restoration.

The area has mixed land use and building fabric between Bridge Street and the former Rail line, east of Erie Street. This four block area contains restaurants, offices, government departments, hotels and antique stores. One of the old hotels has recently closed and the former Rosbergs Department Store at Queen Street and Erie Avenue has been sitting vacant for many years. The abandoned rail overpasses occur in three locations in this district. These structures are part of the unique heritage of this district and of a by-gone railway era.

The visual appearance of Bridge Street has been enhanced by the streetscape treatments which include lighting and sidewalk treatments. The building conditions in this area vary from poor to good depending on the amount of reinvestment.



Vacant storefronts along Erie Avenue



Former Rosberg's Department Store at Queen Street and Erie Avenue



Former Post Office/Customs House Building

Between many of the buildings in this district there are large open areas utilized for parking and storage. The result is a low density, underutilized district that is visually unattractive and not pedestrian friendly. These vacant and underutilized areas could be redeveloped.



Large open lot off of Bridge Street

The Queen/Erie/Park block has a large vacant area now used for parking. This area is a significant redevelopment opportunity, with or without the adjacent Rosbergs building.

In summary, this district has many significant buildings which could be rehabilitated for new activities while preserving the historical character of this district.

2.2.6 Eastern Gateway

This area east of the former rail corridor both north and south of Queen Street forms the eastern entrance way to Downtown from River Road (Niagara Parkway). This area overlooks the Niagara Parkway and Niagara River gorge.



Planting feature at entrance to Eastern Gateway

Low density residential and motel uses are the predominant activities. Buildings in this area are generally 1 to 2 storeys and are mostly in good condition. This area also contains several vacant lots and parking lots. As in the Heritage Commercial district, the density of land use is low and this underutilization provides a poor visual image.

Improvements to the streetscape have included an attractive Downtown entrance sign, planted median and boulevards, similar to the western gateway. However, as with the Western Gateway, this treatment does not provide an easily recognizable entrance gateway to the Downtown.



Downtown sign feature at Eastern Gateway

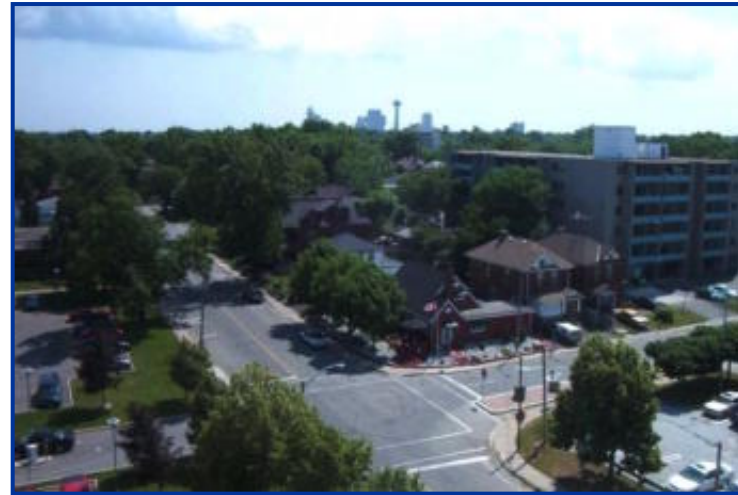
A large City parking lot east of the rail line and the two motel sites are significant redevelopment sites which could bring new activity to the area and a more urban/downtown built form.



City parking lot off of Queen Street, east of former rail line

2.2.7 Southern Residential

The southern residential district is situated between Huron and Morrison Streets for the length of Downtown. This district is predominantly single detached housing with a few apartment buildings and churches. The housing stock is old with building conditions ranging from poor to good.



Aerial view of residential area south of Huron Street

The houses are typically two-storey and located close to the sidewalk. The streetscape is typical of a traditional Downtown neighbourhood. There are some limited opportunities to intensify residential uses in this area, either through infill development on vacant lots or conversion to residential within existing buildings.

2.2.8 Mixed Residential/Commercial

The district between Bridge and Park Street contains a mix of uses. While residential is the predominant use, there is a mix of non-residential activity including automotive commercial (repair facilities) and the City bus maintenance facility. The streetscape is generally weak, lacking in mature trees and other streetscape treatments. The residential uses are in fair to poor condition. The former CN Rail corridor serpentine through the block, and could be developed for a trail or consolidated with existing lots to provide opportunities for residential intensification.

2.2.9 Light Industrial/Service

The land north of Bridge Street to the main railway line is a mix of service commercial/light industrial activities on large lots. The building conditions in this block are fair. However, the streetscape is unattractive given the parking along the front yards and the lack of street trees. As well, there are several sizable vacant sites in this district which could be redeveloped for new activities.

2.3 Economic Characteristics

2.3.1 Economic Role of the Downtown

To understand the origin and nature of the physical deterioration in Downtown Niagara Falls, it is important to understand the economic history and role played by the Central Business District (CBD) in the City of Niagara Falls. The CBD, shown in Figure 1, originated in the 1850's as the commercial centre of Niagara Falls with the spanning of the Niagara Gorge by an international suspension bridge in 1853. Most early downtown businesses were located on Bridge Street between Erie Avenue and River Road. After the turn of the century, retail activity gradually shifted to Queen Street. Some of the present building stock in the Queen Street core dates from the early 1900's and virtually all of the buildings along Queen Street pre-date 1940.

Until 1977 when the 375,000 sq.ft. Niagara Square Shopping Centre was constructed, the CBD at 256,400 sq.ft. functioned as the commercial focus for the City. Between 1978 and 1982, the CBD declined to third in size behind Niagara Square and the Clifton Hill Tourist Area. The amount of retail space in the CBD declined from 256,400 sq.ft. in 1978 to 202,600 sq.ft. in 1982, a decrease of 21% in just over four years. Over the same time period, the amount of retail space in all other retail areas stayed roughly the same.

The decline in the CBD's share of total retail sales, increased vacancy rates, and concomitant physical deterioration reflects a common trend in many urban markets in Canada and the U.S. over the last 30 years. Lifestyles and demographic changes, increases in car ownership, retail industry changes and shopping centre development in the growing suburban areas were all factors that influenced downtown retailing and had a negative impact on the CBD. Downtown Niagara Falls is no different. Some downtown areas have been successful in redefining their role while maintaining a viable and vital commercial purpose. "Redefining" of its role will be the key to revitalization for Downtown Niagara Falls.

2.3.2 Current Business Activity

There is a very high vacancy rate in the Downtown with approximately 27 of the 125 business addresses along Queen Street vacant or underutilized, e.g., store has display and signage, but is not open. This represents about a 22% vacancy rate when 6% to 7% is considered a healthy commercial vacancy rate due to normal business turnover. Clearly, the Niagara Falls CBD has a serious vacancy problem and based on the economic history of this area as discussed above, the roots of this problem were already evident 25 years ago.

The occupied businesses in the CBD represent a broad range of business types, including:

- services to business (lawyers, accountants and insurance professionals);
- financial institutions and services;
- government services;
- household furniture, appliances and antiques;
- apparel and accessories;
- specialty stores
- medical offices;
- personal services; and,
- restaurants and night clubs.

On the positive side, while many banks have pulled out of smaller centres and towns in Ontario, several major banks still have branches in Downtown Niagara Falls, including the Bank of Montreal, TD Canada Trust, Royal Bank and the Canadian Imperial Bank of Commerce. There are also over two dozen professional offices located in the Downtown, from lawyers and accountants to insurance and medical professionals, including the Niagara Health Services and the Queen Street Medical Group. There is also the large Acres office building, and a number of government and public services in the Downtown, including City Hall, Police Station, Provincial Court, and a Canada Post office.

There only a few retailers on Queen Street offering higher end retail items, such as Sam Stevens Men's Clothing and Robert's Jewellers. These few high end retail stores are long-standing businesses in the Downtown that do not rely on street traffic, but rather on a loyal clientele built up over many years of operation from their current location. There are also a few interesting specialty stores in the Downtown, such as the Pedlar Bicycle Shop and Foto Source Camera Shop.

Unfortunately, Queen Street has a large percentage of stores specializing in used and second hand furniture and merchandise, pawn shops, thrift shops, dollar stores, and other economically "marginal" uses. There are also a number of automotive uses, including Complete Car Care Sales and Service at the corner of Buckley and Queen Streets. These types of automotive uses would not normally be found in a downtown main street area.

There are approximately eight restaurants/cafes in the Downtown, however, only about half of them are actually still in operation. None of the restaurants/cafes on Queen Street offer a higher end "fine-dining" experience or an appropriate "business lunch" atmosphere.

There are also several night clubs in some of the larger buildings on Queen Street that have caused and continue to cause significant safety and security issues in the Downtown. The negative externalities caused by some patrons of these night clubs, including vandalism, garbage, noise and disorderly conduct act as a deterrent to people living in the Downtown and to people coming Downtown in the evenings.

As an example of rents in the CBD, two retail units at 4634 Queen Street were recently listed for rent at \$400 and \$500 per month, respectively. While these units are small and in poor condition, this represents a rent of only between \$4.00 and \$5.00 per sq.ft. This is a very low rental rate for downtown retail commercial space, yet these units have remained vacant for many months.

The physical deterioration of Downtown Niagara Falls is a direct result of the economic decline of the downtown retail component and the inability of the downtown to establish new retail, service, entertainment or other niche uses. As downtown retail sales declined, the viability and profitability of downtown retail activity also declined. As a consequence, economic rents and land values declined,

attracting more marginal retail and service uses to the Downtown. As marginal retail uses became more common in Downtown, and business turnover increased, owners of downtown buildings were not able to continue to meet their financial commitments and maintain their buildings, many of them built in the early to mid-1900's. Thus, many of the buildings fell into a state of disrepair, further eroding the ability of owners to attract viable retail uses. The result of this vicious downward spiral is what we see in Downtown Niagara Falls today, i.e., a high vacancy rate and a high percentage of marginal retail uses operating out of physically deteriorated buildings.



Vacant stores for rent on Queen Street

This downward economic cycle in Downtown Niagara Falls must be broken if the downtown is to be revitalized. It is also clear that this cycle will not be broken by a return to the Downtown's traditional role as a retail area selling predominantly department store type merchandise. The Downtown must establish a new economic role and find new activities to attract people to the district.

2.3.3 Building Rehabilitation and Construction Activity

Other than the Acres office building, there has been very little major building rehabilitation or new construction in the Downtown over the last 20 years. A few buildings such as the building occupied by the Queen Street Medical Group, Broderick Law Offices, and the Provincial Courthouse have been rehabilitated, including facade improvement.

A contributing factor to the economic deterioration of the Downtown has been the lack of residential building construction in the form of condominiums and rental apartment units. New residential units are being constructed in other mid-sized downtown areas in southern Ontario such as Kitchener, Waterloo, Cambridge, London and Hamilton where the downtown revitalization process has begun. The construction of new residential units in the downtowns of these cities is in part due to the availability of financial incentives designed to promote the conversion of excess commercial space into residential use and the construction of new residential units on vacant land. These cities are promoting an increase in downtown population as one of the strategies to re-establishing a viable economic function, albeit a different one, for their downtowns. An increase in population in close proximity to Downtown Niagara Falls is key to supporting existing and future retailers, service providers, and restaurants.

2.3.4 Economic Development and Tourism

The City of Niagara Falls Economic Development Strategy was prepared in 1996. While this Strategy does not directly address economic development in the Downtown, it does stress economic diversification as a way to deal with the economic decline in Niagara Falls that may have been masked by the City's booming tourist sector. The Economic Strategy also recommends the fostering of a close working relationship between the City and the Chamber of Commerce. Presumably, in the context of the Downtown, this recommendation could be extended to include the Downtown Board of Management.

The Economic Strategy also recommended that the City encourage banks and financial institutions to develop a venture capital pool or community economic growth fund for Niagara Falls businesses. With the number of banks in the Downtown, there may be an opportunity for the City to approach these banks and gauge interest in a venture capital pool for Downtown businesses.

The Tourist Area Development Strategy, prepared in 1998, may also have some implications for the Downtown area. This Strategy identifies Victoria Avenue as an entry corridor to the main tourist area. The Strategy identifies an area along River Road stretching to the southerly limits of the Downtown Area as the River Road Satellite District and the area north of the Whirlpool Bridge along River Road as the Whirlpool Satellite Tourism District. The Whirlpool Bridge is also identified as an entrance gateway.

The Tourist Area Development Strategy notes that “the sightseeing and recreational opportunities around the Niagara Gorge create a need for ancillary commercial uses in the Whirlpool District”, while “bed and breakfast accommodations are appropriate in the River Road area”. Keeping in mind that these two tourist districts are in very close proximity to the Downtown area, there may be an opportunity for the Downtown to capitalize on the gateway function of Victoria Avenue, the Whirlpool Bridge and the two nearby tourist districts by offering tourist related commercial uses. In addition, the Tourism Strategy identifies residential uses as complementary to tourism functions.

Based on the location of Downtown close to two satellite tourist districts and between Victoria Avenue and the Whirlpool Bridge Gateway, there may be an opportunity for the Downtown to create a “bundling” or “clustering” of some tourism related economic activities. These activities could include new and enhanced festivals and events, food and beverage opportunities, expanded and enhanced retail opportunities and fully interpreted heritage opportunities. The bundling of these types of uses into a “tourist experience” in an authentic downtown setting could have broad market appeal.

2.4 Parking and Transportation

2.4.1 Parking

In general, it is important in downtowns to maximize on-street parking supply for retail and commercial customers. It is also important to manage employment parking to ensure that employees are not using prime on-street spaces or preferred locations in off-street parking lots. It appears that there is an adequate supply of parking at this time based on the vacant spaces on-street and in the off-street lots.

However, several City and private surface parking areas are also key redevelopment sites. Development of some of these parking lots will reduce parking supply while redevelopment Downtown will increase demand for parking. The two lots in the block bounded by Erie/Queen/Zimmerman/Huron, for example, could be developed for a downtown park and new housing. The small lot on Morrison Street south of the police station is also a good infill housing site. As the development of these sites proceeds, there will be a need to provide additional off-street parking to accommodate these changes.

The provision of downtown parking is one way that many municipalities are participating in downtown redevelopment and stimulating private sector investment. As Downtown Niagara Falls begins to develop, we suggest that the City consider the following:

- Maintain and expand, if necessary, the lots along Park and Huron Streets;
- Provide a new surface parking lot in conjunction with the removal and redevelopment of the bus maintenance facility between Park and Bridge Street;
- Partner to erect a parking structure behind the Acres and City Hall buildings to accommodate day long office parking demands as well as short duration retail or event parking on weekends and evenings.

Given the size of the current parking lots behind Acres and City Hall, a parking structure could in the future accommodate a significant amount of parking in a relatively central location, thereby allowing other surface parking lots to be developed. The non-coincident peaks of week day office use and evening and weekend retail/restaurant/entertainment use means that this structure could meet a large part of the Downtown's parking needs.

The matter of paid parking downtown was raised during the public workshops. The comments were that paid parking discourages people from coming downtown, especially with the City's aggressive ticketing of illegally parked cars. The matter of paid parking should be considered by the City and the Downtown Board of Management in the context of a downtown parking strategy which addresses supply issues and employee parking arrangements.

Comments were also made about bus parking Downtown, specifically in the vicinity of the bus maintenance facility between Park and Bridge Street. In the long term, it is suggested that the bus maintenance facility (including the bus parking area) is better located elsewhere in the City.

It is recommended that a Downtown Parking Strategy be prepared once the CIP has been adopted and approved. This Strategy would examine:

- a) future parking needs;
- b) municipal parking lots to be retained and those that could be declared surplus and made available for development; and,
- c) opportunities to site and develop a public parking structure.

2.4.2 Transportation

The downtown road network appears to function adequately based on the current levels of activity and traffic. However, the municipality will have to monitor its transportation system as redevelopment occurs Downtown. Also, the recently proposed Ripley's aquarium,

indoor waterpark and resort on Victoria Avenue is only 0.5 kilometre north of Downtown and could generate significant traffic along Victoria Avenue from the Falls, Clifton Hill and the casinos a short distance to the south. Therefore, it is recommended that the transportation system be monitored and a Transportation Master Plan for the City be prepared.

2.4.2.1 Huron Street

Huron Street is currently one-way east bound and was part of a one-way couplet around the main street in conjunction with Park Street. Park Street has since been converted to a two-way street. Most municipalities have deleted their one-way couplet as they were found to be unnecessary when projected traffic volumes never materialized. As well, one-way streets generally have traffic moving at faster rates than two-way streets. One-way streets are not as pedestrian-friendly as a two-way street and restrict downtown accessibility. Therefore, subject to a traffic study, it is recommended that Huron Street be converted to two way traffic.

2.4.2.2 Whirlpool Bridge

The Whirlpool Bridge connects Niagara Falls, Ontario to Niagara Falls, New York. The Whirlpool Bridge was converted from a full access bridge to limited access available only to NEXUS holders, a program initiated to expedite border crossing. Downtown business representatives were unanimous in indicating that they have seen a significant drop in traffic in the downtown area since the NEXUS program was initiated. It is their view that this decision has had a significant negative impact on the number of people passing through and stopping in Downtown which, in turn, has hurt business. It is recommended that the Canadian and U.S. federal governments be lobbied to restore the Whirlpool Bridge to full access status. Any redevelopment of the Whirlpool Bridge and the adjacent unused Whirlpool railway bridge should be done in a manner that is sensitive to and consistent with the Downtown CIP.



Whirlpool Bridge and adjacent unused rail bridge

2.4.2.3 Public Transit

The City of Niagara Falls operates a municipal bus system serving the majority of the City's urban area. The main bus terminal is located in the Downtown area at the intersection of Bridge Street and Erie Avenue. Of the ten routes operated throughout the City, six of these originate at the downtown terminal. The downtown bus terminal also provides for connections to intercity bus services, Trentway-Wager and Greyhound Bus Lines, which provide scheduled service to Hamilton and Toronto. Immediately opposite the terminal, on the north side of Bridge Street, is the VIA passenger station. VIA presently offers daily trips to Toronto and Amtrak offers trip to New York, originating in Toronto.

The existing transit system provides good accessibility to the Downtown from all areas of the City. The bus terminal, while located on the periphery of the Downtown, brings significant numbers of people Downtown and provides connections to other modes of transportation. Therefore, the Downtown bus terminal represents an opportunity. However, the adjacent bus maintenance yard consumes a large block of land and does not support traditional downtown activities and urban form. It is recommended that the bus maintenance yard could be relocated outside of the downtown to free up a large block of land for residential or mixed use.

2.4.2.4 Proximity to Tourist Area

The Downtown is physically and functionally separated from the Falls tourist area by approximately eight or nine city blocks, a distance of nearly one kilometre. Victoria Street and River Road (the Niagara Parkway), provide reasonable access between the two areas, yet the two areas have limited interaction as traffic on River Road and Victoria Avenue skirts the downtown.

One challenge and opportunity for the Downtown is to find ways to capitalize on the significant number of tourists that visit the City but do not venture Downtown. This potential will be further enhanced with construction of the recently announced Ripley's aquarium, indoor waterpark and resort just north of the Downtown. The potential tourist traffic along Victoria Avenue that will be generated by this development could provide much needed support for Downtown businesses. But, there must be attractions and activities to draw tourists to Downtown Niagara Falls. This could include specialty shopping, cultural and recreational events and restaurants.

There must also be an efficient means to bring tourist traffic into the Downtown. In this regard, the Niagara Parks Commission operates a rubber tired People-Mover which travels River Road and links the various destination points along the Niagara River corridor. The terminus of the People Mover is at Queenston Heights Park which is north of the Downtown. If feasible, and subject to an appropriate arrangement between the Niagara Parks Commission and Niagara Transit, the people-mover should be routed into Downtown via Queen Street, Erie Avenue and Bridge Street. This change would not add much time to the bus route while bringing tourists into the Downtown, dropping them at the transit terminal on Erie Avenue and/or the Civic Square on Queen Street. Alternatively, a People-Mover stop could be installed at Bridge Street and River Road, which is just a few blocks from the transit terminal and the Civic Square. Erie Avenue itself should be improved as it is a major pedestrian route linking Queen Street, the Civic Square, and its various activities with the transit terminal and Via Rail station.

2.5 Summary

In summary, there are a number of districts within the Downtown characterized by their land use, built form and streetscape. Queen Street is the traditional pedestrian-oriented main shopping area with two and three storey buildings located at the street edge.

Unfortunately, the physical condition of many buildings on this main street has declined with increasing vacancies. There is a need to fill vacant space and improve building facades along Queen Street.

The Downtown streetscape treatments are fairly extensive and in good condition. The gateways to Downtown exhibit a mix of activities but do not provide a significant visual gateway. These gateways could benefit from redevelopment of existing parking and motel areas. The heritage commercial area near Bridge Street and the former rail line has significant character. It also contains significant development opportunities in both parking lot infill projects and rehabilitation of the older building stock. There are several opportunities for revitalization and new investment in Downtown Niagara Falls.

The results of this analysis demonstrates the physical and economic deterioration of Downtown Niagara Falls that has taken place over the last 30 years and provide clear support for the preparation and adoption of a community improvement plan to promote the community improvement, rehabilitation and redevelopment of Downtown Niagara Falls.

3.0 LEGISLATIVE AUTHORITY AND PLANNING POLICIES

3.1 Legislative Authority

Normally, Section 106 of the Municipal Act, 2001 prohibits “bonusing” which is the provision by a municipality of any assistance directly or indirectly to any manufacturing business or other industrial or commercial enterprise. However, an exception is made in Section 106(3) of the Municipal Act, 2001 for municipalities exercising powers under Section 28 (6) or (7) of the Planning Act or under Section 365.1 of the Municipal Act, 2001. The City of Niagara Falls will utilize the exception for municipalities exercising powers under Section 28 (6) or (7) of the Planning Act as the legislative basis for the financial assistance programs contained in Section 7.0 of this Plan.

3.2 Section 28 of the Planning Act – Community Improvement

According to Section 28(1) of the Planning Act, a “community improvement project area” is defined as a municipality or an area within a municipality, the community improvement of which in the opinion of the municipal council is desirable because of:

- age;
- dilapidation;
- overcrowding;
- faulty arrangement;
- unsuitability of buildings; or,
- for any other environmental, social or community economic development reason.

Once a community improvement project area has been designated by by-law, a municipality may then prepare a “community improvement plan” for the community improvement project area. Once the

community improvement plan has been adopted by the municipality and approved by the Minister of Municipal Affairs and Housing, the municipality may then:

- a) acquire, hold, clear, grade or otherwise prepare land for community improvement;
- b) construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan;
- c) sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan; and,
- d) make grants or loans to the registered owners, assessed owners, and tenants of land and buildings within the community improvement project area (and their assignees) to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan.

Section 28 (7.1) specifies that the total of all grants and loans made under Section 28 (7) of the Planning Act and tax assistance provided under Section 365.1 of the Municipal Act, 2001 in respect of land and buildings shall not exceed the cost of rehabilitating the land and buildings. Section 7.0 of this Plan presents the programs which the City of Niagara Falls, through adoption and Provincial approval of this Plan, will implement within the Community Improvement Project Area. These programs contain eligibility criteria that ensure conformity to Section 28 (7.1) of the Planning Act.

3.3 City Of Niagara Falls Official Plan

The City of Niagara Falls Official Plan (OP) was approved by the Minister of Municipal Affairs in October 1993. The Official Plan provides guidance on land use matters and community development. The Official Plan Schedule “A”, Future Land Use, designates the majority of the land within the downtown as Major Commercial (see

Appendix B). The lands to the south are designated Residential and the lands to the west along Victoria Avenue are predominantly designated as Minor Commercial. The area to the north is Industrial and subject to the policies of Special Policy Area No. 7, which state that the future of this area is uncertain and further study will be required.

3.3.1 Residential Policies

The Residential land use policies encourage a broad range of housing forms including single and semi-detached dwellings, townhouses and apartments. The Policies acknowledge that single detached housing will continue to dominate the character and identity of residential neighbourhoods although an increasing demand for various types of multiple residential accommodation is recognized. The largest building heights and densities are encouraged to locate in close proximity to the Central Business District (CBD). High rise apartments above 6 storeys in height can be developed up to a maximum density of 125 units per hectare.

This policy provides an opportunity to consider new housing at higher densities in the established residential neighbourhood to the south of the CBD. This includes Huron and Morrison Streets where there are some opportunities for infill development. Development in this area must have regard for the residential development and infilling policy for the Residential land use designation which encourages compatibility and sensitivity with the surrounding area in terms of density, height gradation, building mass, and arrangement, setbacks and appearance.

3.3.2 Commercial Policies

Part 2, Section 3 of the Official Plan, the Commercial Land Use Policies, contains three designations which comprise the hierarchy of commercial districts, including Major Commercial, Minor Commercial and Neighbourhood Commercial.

The predominant land use designation within the Downtown is Major Commercial, applicable to the area bounded by Bridge Street, Huron Street, Victoria Avenue and River Road. The permitted uses for this designation include a full range of retail outlets, personal service shops and office space to serve the needs of the entire market population. Additional permitted uses include mixed use developments, recreational, community and cultural facilities as secondary uses. Residential projects may be permitted subject to appropriate provisions in a Zoning By-law amendment and other relevant sections of the Official Plan.

The Major Commercial policies include specific policies for the Central Business District (CBD) which promote:

- a) the CBD as the primary business and administrative centre of the City to reinforce the existing government and banking services;
- b) Centennial Square as the focal point for public activities where, as far as possible, government departments and agencies shall be grouped into complexes to form a civic centre and the civic centre concept will be expanded to include cultural, recreation, entertainment facilities and other complementary uses;
- c) Queen Street as a pedestrian oriented retail shopping area;
- d) the concentration of major office development at the western end of the CBD with ready access to Victoria Avenue and lands along Bridge Street shall provide for the expansion of automobile-oriented commercial uses; and
- e) the redevelopment on a large scale of the lands between the former rail line and River Road with development standards established through an implementing zoning By-law without further amendment to this Plan. To this end the City may participate in the acquisition of land to help facilitate redevelopment.

3.3.3 Minor Commercial

To the west of the CBD, the properties fronting on Victoria Avenue are currently designated as Minor Commercial. This designation is intended for a moderate concentration of commercial space ranging in size from 3,700 to 10,200 square metres of gross leasable retail floor area. The permitted uses include a wide range of retail outlets and personal service shops and limited offices, all on a small scale to serve smaller segments of the population.

3.3.4 Special Policy Area No. 7

The lands located on the north side of Bridge Street are part of a larger district (to the north, across the railway) which is designated Industrial and subject to the policies of Special Policy Area No. 7 (SPA 7). The SPA policies state that the future use of this area is uncertain and further study will be required. The lands were included in a Thirty Year Plan prepared by the Niagara Falls Bridge Commission. Although the lands are intended for redevelopment, the details of any redevelopment will require review by agencies and public involvement.

A portion of this area has a physical and functional connection to the adjoining Downtown area. This portion, located between Bridge Street and the active railway corridor, includes such uses as the passenger train station and a number of automotive related and light industrial uses. Future land use options for this area should consider compatibility with the desired uses and activities for the Downtown.

3.3.5 Community Improvement

Part 4, Section 11 of the Official Plan contains the Community Improvement policies for the City of Niagara Falls. This section includes the general enabling policies for the designation of Community Improvement Project Areas and a range of criteria which may characterize Project Areas. The municipality has designated a number of Community Improvement Areas which are illustrated on

Schedule “E” Community Improvement Areas of the Official Plan (see Appendix A). Policy 11.2 provides a number of criteria which may characterize Community Improvement Project Areas, as follows:

- A significant portion of the housing stock is in need of rehabilitation;
- Inadequate engineering or transportation services such as storm and sanitary sewers and watermains, street lighting, roads, curbs, sidewalks and public transit;
- Inadequate community services such as public indoor/outdoor recreational facilities, public open space and public social facilities;
- Encroachment of incompatible land uses;
- Inadequate parking facilities;
- Poor overall streetscape and urban design;
- Existing or potential Business Improvement Areas;
- Buildings in need of physical improvements or repairs, including facade treatment;
- Vacant lots with redevelopment or infill potential to better utilize the base for urban areas;
- Underdeveloped properties which have potential for redevelopment or expansion to better utilize the land base (i.e. residential apartments above commercial uses in downtown areas).

As discussed in the Critical Needs Analysis, the Downtown Area clearly exhibits many of these characteristics. The designation of the Downtown Area as a community improvement project area meets the criteria for designation as specified in the Official Plan

Policy 11.5 outlines the actions which the City can take to implement the Community Improvement policies in the Official Plan. This includes:

- Support existing and possible Business Improvement Areas;
- Refine zoning controls to maximize business opportunity;

- Use site plan control to coordinate development;
- Enforce the City's Property Standards By-law;
- Maximize use of government funds and programs;
- Encourage rehabilitation and reuse of existing buildings;
- Assist new development with land acquisition;
- Preserve historical structures;
- Encourage infilling of vacant lots;
- Encourage the acquisition of land for recreation and community purposes;
- Encourage community organizations to provide financial assistance for community improvement and assisted housing.

3.3.6 Amenity and Design Strategy

Part 3, Section 5 of the Official Plan contains policies intended to improve the physical appearance of the City, foster a sense of community pride and promote business investment. Specific policies address elements such as streetscaping, parking lot design and landscape treatment. While these policies are intended to apply across the municipality, due to the issues around streetscaping, parking lot design and landscaping identified in the Critical Needs Analysis, adherence to these policies in the Downtown is particularly important.

3.3.7 Existing Community Improvement Plans

Within the existing Central Business District Community Improvement Area, there are five existing Community Improvement Project Areas for which Community Improvement Plans have been prepared. These five Plans are centered on the Queen Street corridor and encompass the area located within Park Street, River Road, Huron Street and Victoria Avenue, the boundaries are shown on the Figure 4. These plans include the:

- 1) Queen Street/River Road Redevelopment Plan (December 1984);
- 2) Queen Street (Erie to Ontario Avenue) Redevelopment Plan (June 1985);
- 3) Queen Street (Ontario Avenue to Chrysler Avenue) CIP (January 1987);
- 4) Queen Street (Chrysler Avenue to Buckley Avenue) CIP (March 1988); and,
- 5) Valley Way (Buckley Avenue to Huron Street) CIP (December 1989).

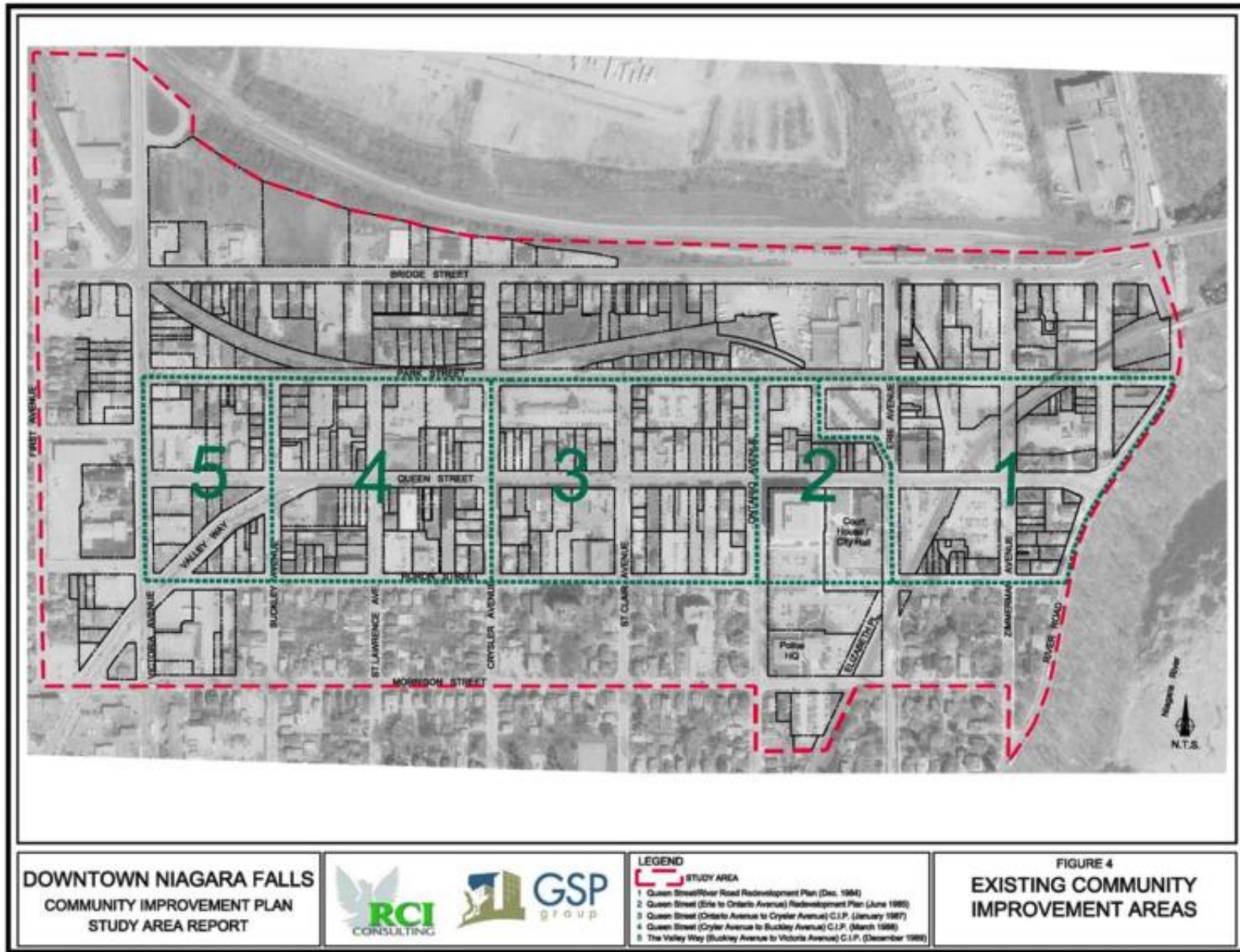
These five community improvement project areas were designated by by-law through the passing of two by-laws by the City of Niagara Falls, By-law No. 81-245 passed in 1981 and By-law No. 87-2 passed in 1987.

A common element of the five CIPs is the use of the CAUSE Study, (Community Assistance for an Urban Study Effort) as a primary background document. This study was completed for the Niagara Falls Downtown in April of 1984. The CAUSE study was commissioned by the Downtown Board of Management and undertaken by a team of Ontario architects for the purpose of identifying opportunities to improve the downtown.

3.3.7.1 Queen Street/River Road Redevelopment Plan

The Queen Street/River Road Redevelopment Plan is the oldest of the four CIPs, adopted by the Ministry of Municipal Affairs in December of 1984, soon after the completion of the CAUSE Study. The intent of this CIP was to capitalize on the Programs for Renewal, Improvement and Development (PRIDE) and financial assistance programs being administered by the Ministry of Municipal Affairs.

The objectives of the Queen Street/River Road Redevelopment Plan focus on improvements within the public realm and generally do not offer incentives to private property owners. This plan focuses on the easterly entrance way to the downtown area. The project area boundaries encompass the section of Queen Street from City Hall east to River Road.



Municipal servicing improvements, including the replacement or installation of underground services, road and sidewalk reconstruction and intersection improvements were recommended in this plan to accommodate possible future development or redevelopment in the area. Most of these improvements have been made. The aesthetic improvements in this CIP focus on the entranceway from River Road to the Downtown. As already discussed, the signed entrance feature and landscaping, while well executed, do not provide a dramatic entranceway feature to entice tourist traffic into the downtown area.

3.3.7.2 Queen Street (Erie to Ontario Avenue) Redevelopment Plan

The Erie to Ontario Avenue Redevelopment Plan was approved in June of 1985 and encompasses an area immediately to the west of the Queen Street/River Road Plan described above. The basis for the Erie – Ontario Plan is similar to the Queen Street/River Road Plan as the Plan was formulated to take advantage of the new Provincial Commercial Area Improvement Program (CAIP) financial assistance program and the opportunity to implement further recommendations contained in the CAUSE Study. Again, the main components of this redevelopment plan focussed on municipal infrastructure improvements and aesthetic improvements. The main focus of the aesthetic improvements was the integration of a visibly beautified Centennial Square with an attractive pedestrian oriented Queen Street. This included trees, shrubs, flowers and sod for the Civic Square area. These improvements to the Civic Square now look dated. Other specific improvements included reconstruction of sidewalks, new street lighting, introduction of street furniture and additional landscaping material.

3.3.7.3 Queen Street (Ontario Avenue to Chrysler Avenue) Community Improvement Plan

Approved in January of 1987, the Ontario Avenue to Chrysler Avenue CIP was prepared to take advantage of an allocation of \$350,000 from the Province for the CAIP with a matching allocation of \$350,000

from the City. This project allowed the City and BIA management to continue making improvements to the Queen Street area in line with improvements initiated under the two previous plans.

The specific improvements included improvements to street lighting, furniture and landscaping. Improvements also focused on the installation of new sanitary and storm sewers and watermains as outdated infrastructure was identified as one of the problems along Queen Street.

3.3.7.4 Queen Street (Chrysler Avenue to Buckley Avenue) Community Improvement Plan

Approved in March 1988, the Chrysler Avenue to Buckley Avenue CIP is similar to the previously noted Plans. The improvements proposed by the Plan were restricted to those lands within the Queen Street public road allowance. This included improvements to street lighting, road grade and surfaces, installation of new sanitary and storm sewers and watermains, traffic lights, street furnishings and landscaping improvements.

3.3.7.5 The Valley Way (Buckley Avenue to Huron Street) Community Improvement Plan

Approved in December 1989, this CIP affects the westernmost area of the downtown and has a similar basis as the other CIPs. The improvements implemented as a result of the CIP were limited to the Valley Way road allowance from Huron Street to the intersection of Valley Way with Queen Street and Buckley Avenue. This included the redesign of the intersection at Valley Way and Queen Street including the construction of a new centre median, reconstruction of the sidewalks, installation of new street lighting and street furniture, replacement of the existing sanitary and storm sewers and watermain, and new landscaping along the street edges and within the centre median. As discussed, the majority of the works appear to have been completed in accordance with the approved Plan.

The five CIPs have provided for significant physical improvements along the Queen Street corridor, including the construction of gateways, streetscaping elements, infrastructure improvements and landscaping and aesthetic improvements. In partnership with the Province of Ontario, over 3.4 million dollars have been spent to implement the recommendations of these CIPs.

A limitation of these CIP initiatives is that the spending has been restricted to municipally owned properties and streetscape improvements. These projects on their own without other initiatives and incentives have not been sufficient to generate significant new private sector investment and rehabilitation.

This CIP builds on the physical improvements achieved by the former CIP's with financial incentives programs designed to stimulate the redevelopment of private properties complementing the municipality's improvements to the physical character of the downtown.

4.0 COMMUNITY IMPROVEMENT PROJECT AREA

4.1 Methodology

The Downtown Community Improvement Project Area shown in Figure 5 was chosen based on a detailed boundary analysis that included the following activities in the Downtown Study Area:

- a walking tour;
- analysis of aerial photographs;
- analysis of future land use designations as per the Official Plan;
- analysis of permitted zoning as per the Zoning By-law;
- physical and functional characteristics of buildings; and,
- consultation with City staff.

4.2 Downtown Community Improvement Project Area

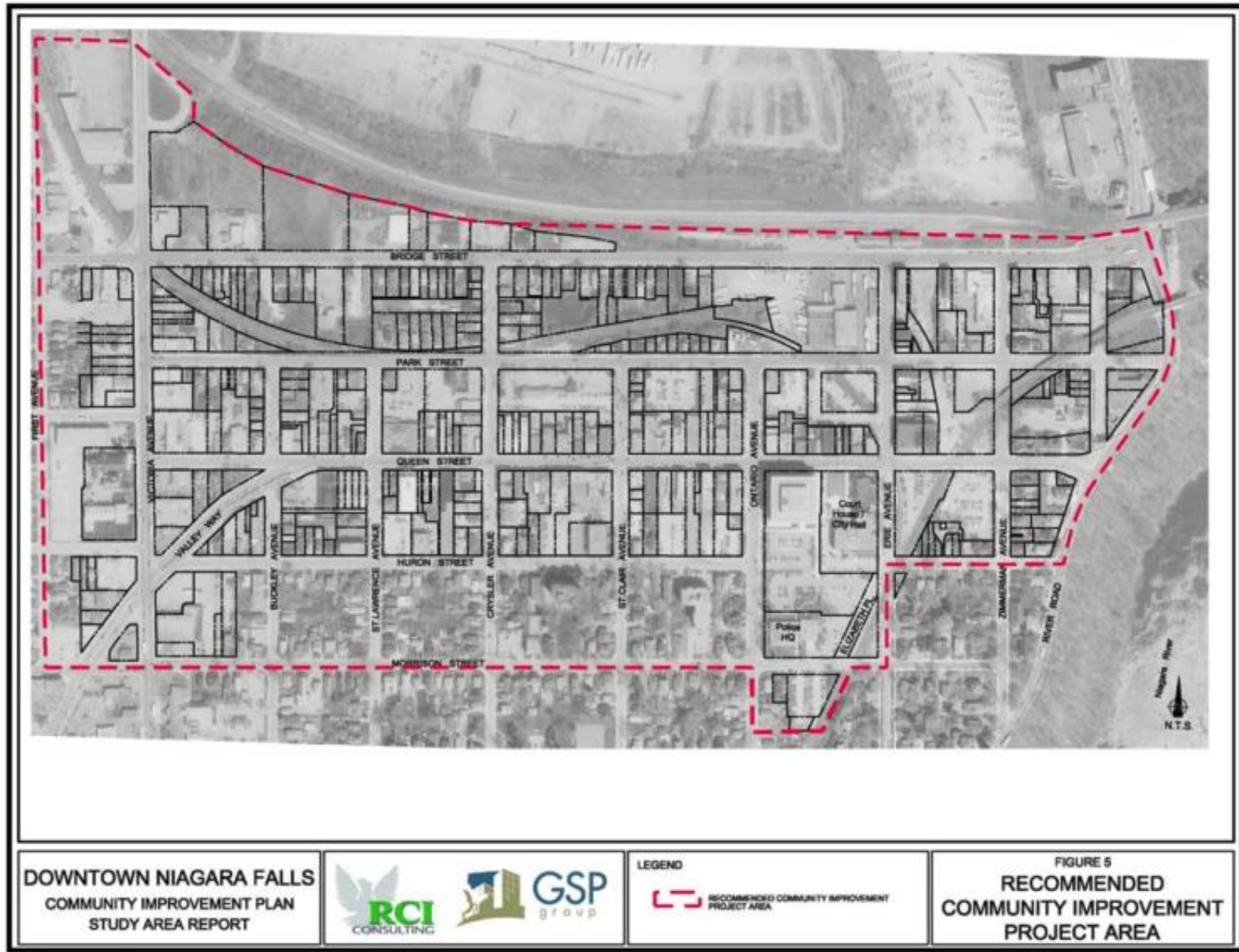
The recommended Downtown Community Improvement Project Area is the same as the Downtown Study Area with the exception of the residential block bounded by Huron Street, Erie Avenue, Morrison Street and Zimmerman Avenue, and the triangular residential and institutional block bounded by Huron Street, Zimmerman Avenue and River Road. These two blocks were excluded from the suggested Downtown Community Improvement Project Area because they contain several large heritage homes that operate as bed and breakfasts, are in large part zoned for low density residential development or institutional use, and are similar in character and zoning to the residential area south of Morrison Street.

While predominantly a single-detached residential area, the four block area bounded by Huron Street, Buckley Avenue, Morrison Street and Ontario Avenue was included in the Downtown Community

Improvement Project Area because the two blocks between Chrysler and Ontario Avenue already include several high-rise apartment buildings and this entire four block area is zoned R5F (Residential Apartment) with a maximum height limit of 28 metres (93 feet). Therefore, this four block area offers the greatest opportunity for conversion and infill to higher density housing in the future. This will help to increase the number of people living Downtown in close proximity to and supporting Downtown businesses.

The two blocks at the southwest corner of the Downtown Community Improvement Project Area on either side of Victoria Avenue offer excellent visibility from Victoria Avenue. With several vacant and underutilized properties, including the former vacant Canadian Tire Store, these blocks present good commercial, residential and institutional development opportunities. Along with the two triangular blocks to the north that are intersected by Valley Way, these blocks could serve as an impressive entrance gateway from Victoria Avenue into the Downtown.

The area west of Victoria Avenue stretching north to Morrison Street and the area north of Bridge Street bounded by Victoria Avenue, Bridge Street, First Avenue and the northern property line of the former Kimberly Clark property roughly at the terminus of First Avenue over to Victoria Avenue was included in the Project Area for a number of reasons. The block bounded by Victoria Avenue, Huron Street, First Avenue and Maple Avenue contains St. Patrick's Church, Elementary School and Hall. These buildings, and the church in particular provide a strong visual anchor on the west side of Victoria Avenue. These buildings are currently in good condition. However, should they cease to function as institutional uses at some time in the future, it would be important to preserve the heritage of these buildings and to explore redevelopment options presented by the large playground at the rear of these buildings.



The block bounded by Victoria Avenue, Maple Street, First Avenue and Bridge Street was included in the Project Area because close examination of this block revealed it to be in need of physical rehabilitation, especially when compared to the good condition of the institutional buildings and properties to the south. There were also a few business vacancies on this block. This block contains a large T-shaped parking lot that runs between Victoria Avenue, First Avenue and out to Bridge Street. This property represents a significant redevelopment opportunity in this block.

The area north of Bridge Street bounded by Victoria Avenue, Bridge Street, First Avenue and the northern property line of the former Kimberly Clark building was included in the Project Area because this area contains a large property with a vacant and abandoned building (formerly Kimberly Clark). This property along with the adjacent gas bar, delivery company and a small internet/graphics business have high visibility from Victoria Avenue and could eventually serve as part of a secondary gateway or entrance into the Downtown from Victoria Avenue.

Finally, the industrially designated and zoned triangular shaped area east of Victoria Avenue between Bridge Street and the CN/CP rail line was also included in the Project Area for several reasons. While this area is zoned for light industrial uses and contains predominantly automotive repair facilities and automobile service stations, this area is physically separated from the large industrial area to the north by the CN/CP rail line. Because of this physical separation, and because this small triangular area faces predominantly residential uses along the south side of Bridge Street, this area has far more connection to the downtown than to the industrial area to the north. This area contains large land parcels with potential for redevelopment. This area is also highly visible from Victoria Avenue and could eventually serve as a secondary gateway or entrance into the Downtown from Victoria Avenue.

As noted in Section 3.3.7 of this report, the recommended Downtown Community Improvement Project Area includes five community improvement project areas for which CIPs were prepared during the 1980's. These community improvement project areas were designated by by-laws 81-245 and 87-2. The CIPs associated with these community improvement project areas were adopted by the City of Niagara Falls and approved by the Minister of Municipal Affairs and Housing. Therefore, it is recommended that the two by-laws (81-245 and 87-2) designating the community improvement project areas and any by-laws adopting the Downtown CIPs associated with the community improvement project areas be repealed and replaced with a single by-law designating the new Downtown Community Improvement Project Area and a single by-law adopting this new Downtown CIP.

5.0 COMMUNITY PARTICIPATION

A Public Meeting/Workshop was held with downtown stakeholders on September 10, 2003 to discuss downtown issues and improvement possibilities. Invitations were sent to members of the BIA, major landowners, agencies, residents and others who had indicated a desire to participate in downtown improvements. The Workshop was also advertised in the local newspaper. Over 30 people attended the workshop, including business owners and representatives, property owners, residents, agencies, City staff and Councillors. The Workshop began with a presentation on the characteristics of Downtown Niagara Falls and downtown redevelopment trends in general. The Workshop attendees then assembled into four discussion groups to review and discuss downtown strengths, weaknesses, and directions for Downtown Niagara Falls in the future. A number of consistent themes around the strengths and weaknesses of the Downtown emerged from the workshop, and these are summarized below.

5.1 Downtown Strengths

- Lots of history, character and old buildings;
- Central location in the community;
- Housing available;
- Rail corridor is available for re-use;
- Banks, Churches, services, offices, clubs all draw people downtown at this time;
- Plenty of parking downtown;
- Transit, bus and train stations are all downtown;
- Farmers Market building downtown, can be re-used;
- Shopping on Queen Street is comprised of businesses who know you and give good service;
- Downtown serves as a meeting place and has a strong sense of community;
- Available land for new development presents opportunities;

- Property taxes are low;
- Potential to attract tourists: 14 million people a year nearby at The Falls;

5.2 Downtown Weaknesses

- Absentee owners do not maintain their properties;
- No consistent hours for shops;
- Parking rates (parking is not free), fines and strong enforcement of parking fees;
- Whirlpool Bridge traffic has decreased with NEXUS program;
- Downtown has a poor image and a perception that the area is unsafe;
- Problems with downtown bars
- Feeling of political neglect and lack of funding for Downtown
- A disconnect between Downtown business owners/operators and the City;
- City is not flexible with respect to permits, code enforcement, sidewalk vendors;
- Marginal businesses now locating Downtown, many second-hand stores;
- Building conditions are generally poor, vacancy rates are high;
- Sidewalks in poor condition;
- Poor signage at gateways to Downtown;
- Bridge Street is dominated by automotive uses which are visually weak along this busy street;
- Many civic functions are not located Downtown;
- Need to clean up the Downtown;
- Lack of greenspace and an area for large of events or gatherings;
- No incentives available for improvements;
- No large festivals Downtown;
- Lack of retail diversity and strength;

5.3 Downtown Vision

Based on the strengths and weaknesses they identified in the Downtown, the workshop participants were asked to develop a vision for Downtown Niagara Falls, i.e., the things they would like to see happen in the Downtown. Again, consistent themes emerged and these are listed below. It is this vision that guided the development of the land use and urban design plan and financial incentive programs contained in this CIP.

- More stores are needed to fill new niches and create diversity in retail;
- Build on the heritage of Downtown and the character of its older buildings;
- Develop culture and entertainment activities Downtown;
- Develop more residential units Downtown;
- Foster better cooperation between the City and Downtown businesses;
- Create programs and incentives to encourage reinvestment and improvement, for both small and large scale projects;
- New restaurants and cafes are needed;
- Improve the gateways to Downtown with greenspace, signage and residential development;
- Consider a Niagara-on-the-Lake appearance;
- Enhance the role of Downtown as a meeting place;
- Limit sprawl in the City and promote infill and downtown redevelopment;
- Use the abandoned rail corridor for trail and cycling purposes and connection to The Falls;
- The Niagara Parkway trail misses Downtown and should be routed through Downtown;
- Consider a year round in-door mall with specialty shops;
- Develop a sports complex;
- Hold new festivals Downtown;

- Encourage a sense of community and a more urban “European” lifestyle;
- Develop heritage tourism, museums and other facilities;
- Tap into the tourism market and develop linkages with tourist areas;
- Foster education and develop promotional cooperation between stakeholders in the Downtown;
- Create a strong City commitment to the Downtown;
- Increase Whirlpool Bridge traffic through the Downtown.

The Critical Needs Analysis and Downtown Vision were used to develop a preliminary land use plan, public realm improvements and an urban design plan for the Downtown. In order to help achieve the vision for Downtown, preliminary financial incentive programs were also developed. These preliminary land use plans and financial incentive programs were presented at a second public meeting which was held in March of 2004 and was attended by 70 people. Attendees were given an opportunity to provide comments at the meeting and in the weeks following the meeting by way of written comments. These comments along with comments by City staff were utilized to finalize the land use and urban design plan and the financial incentive programs contained in this CIP.

6.0 LAND USE AND URBAN DESIGN PLAN

6.1 Introduction

The critical needs analysis, public input and vision for the Downtown indicate that land use planning and urban design should promote a shift in the role of Downtown from a traditional retail/commercial area to a more diverse, mixed use area. Retail, service and office functions will remain strong components of Downtown. But, these uses will be joined with and supported by housing, entertainment, cultural activities, institutions and civic facilities. These uses will generate activity in Downtown and make it a more vibrant, lively “people place”. These activities can take place in existing buildings and in new buildings constructed on the many underutilized properties Downtown.

In addition to serving Niagara Falls residents with shopping, services and cultural activities, Downtown can also serve as a destination for the many tourists visiting the City. The Falls, Clifton Hill and the casinos are located a short distance to the south. Attractions to the north include the cable car, butterfly museum and generating station. The recently announced Ripley’s aquarium, indoor waterpark and resort on Victoria Street is only 0.5 kilometre north of Downtown. Downtown is located between these destinations, and with the creation of its own unique attractions and improved accessibility and visibility, Downtown Niagara Falls should be able to attract tourists to visit, explore, shop and dine.

Improvements to the public realm and a high quality of urban design will be important to attract people to Downtown. The City will have a significant role to play in designing and building the public realm to support this urban lifestyle and in attracting private sector investment to achieve the transformation of Downtown Niagara Falls.

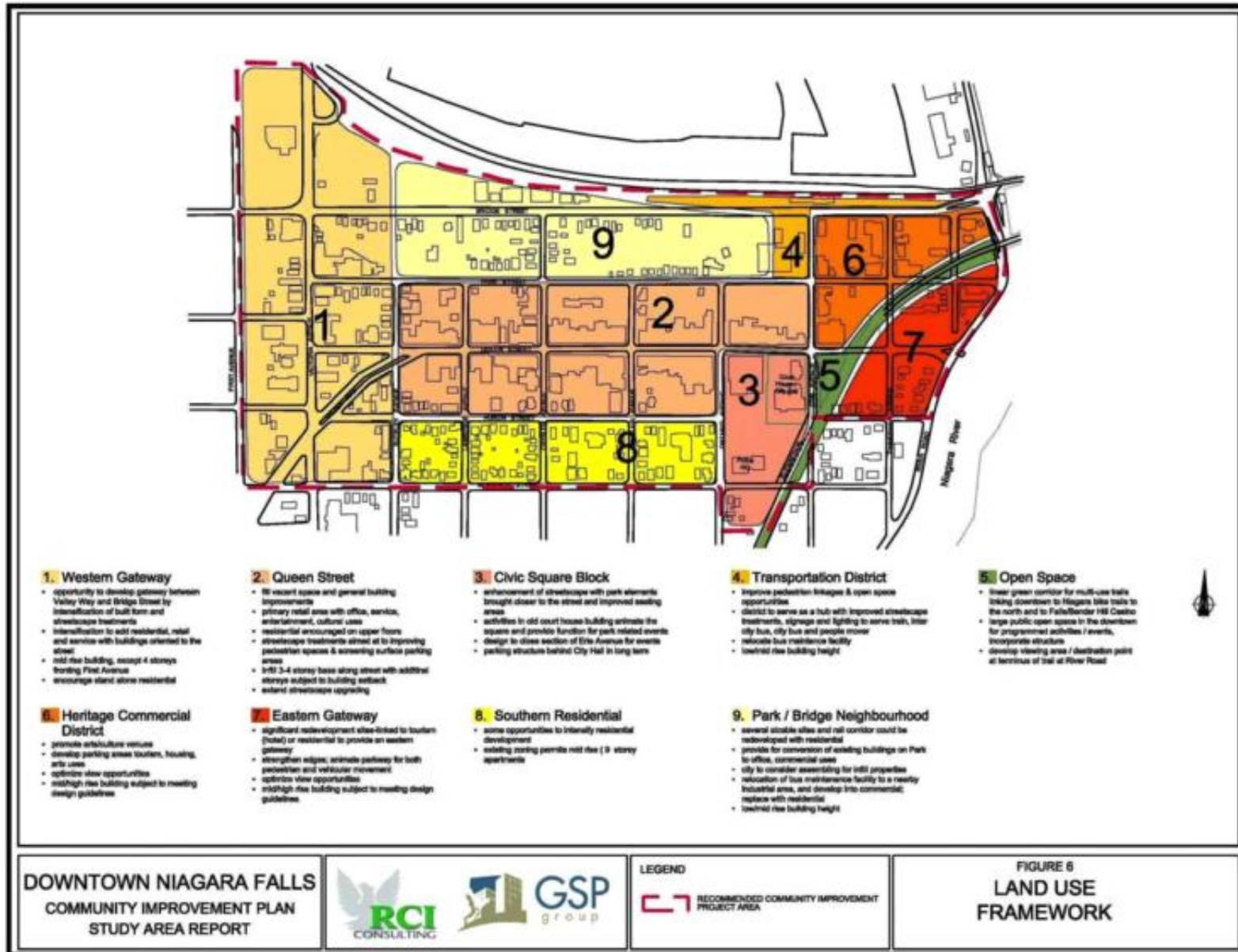
This section of the Plan outlines a conceptual land use plan and urban design framework for Downtown Niagara Falls and identifies possible targeted improvement projects for the City and private sector to pursue to achieve the desired vision for the Downtown. Recommendations are also made around further planning and urban design guideline work necessary to implement the CIP.

6.2 Conceptual Land Use Plan

A conceptual land use plan for Downtown Niagara Falls is presented in Figure 6 and each of the Downtown districts is described below. The Downtown is comprised of a series of smaller neighbourhoods with different characteristics and uses. The concept plan identifies these districts, the key planned land uses that could occur within them, as well as the scale and height of development that should be considered in order to promote both redevelopment and compatibility with surrounding areas. Specific policies and regulations (density, height, and setbacks) should be determined through more detailed study and included in revisions to the zoning by-law.

The underlying premise of this land use framework is that it will help create a diverse, mixed use neighbourhood containing a wide range of commercial activity, services, entertainment, cultural affairs and housing. A key thrust for the City should be the promotion of housing in the Downtown area. Planning policies, zoning regulations, development incentives and urban design should focus on creating a strategy that provides:

- a) an opportunity for housing at medium to high densities;
- b) a variety of different housing forms or types;
- c) neighbourhood facilities to support residents of this housing; and,
- d) high quality urban and architectural design to ensure a high quality built environment.



DOWNTOWN NIAGARA FALLS
COMMUNITY IMPROVEMENT PLAN
STUDY AREA REPORT



LEGEND
RECOMMENDED COMMUNITY IMPROVEMENT PROJECT AREA

FIGURE 6
LAND USE
FRAMEWORK

6.2.1 Western Gateway

The western gateway along Victoria Street is one of the principal entrances into Downtown and is the connection between downtown and the residential neighbourhoods to the west. Because Victoria Avenue serves as the main north/south route between the new indoor waterpark/resort to the north and The Falls Tourist Area and casinos to the south, there is an excellent opportunity to enhance this major entrance gateway into the Downtown.

There is an opportunity to intensify development in this district by adding new residential units, retail, service, office and institutional space. The western gateway should be a mixed use area with a wide range of uses permitted in mid rise buildings of up to 10 storeys in height with four storeys being the height limit on the western edge adjacent to First Avenue and the low rise neighbourhood to the west. There are several key redevelopment sites in this district in the vicinity of Victoria Avenue and Valley Way, and at the corner of Victoria Avenue and Bridge Street. These sites could easily accommodate a significant number of new residential units.

6.2.2 Queen Street

Queen Street between Buckley Avenue and Erie Avenue should be the “main street” retail heart of Niagara Falls. A mix of land uses should be promoted in this area including retail, service, entertainment, office, institutional and residential to promote that diverse mix of uses found along healthy main streets. Generally, commercial, entertainment, cultural and similar uses should be located on the ground floor to provide a continuous vibrancy to the street, and residential uses can be located on the upper floors. There is a great opportunity to fill currently vacant space and provide building improvements, including facade improvements, to bring new life to the building stock.

Queen Street exhibits a traditional main street urban form with buildings located at the street line and two to three storey building heights. Planning regulations should maintain the building to the street line form and provide for development of three to four storeys at the street with an increase to six storeys in height if the upper storeys are setback 10 to 20 feet from the street line.

While streetscape improvements have been made along Queen Street, improvements should be made to edge Huron and Park Streets at the rear of the Queen Street block. The parking lots in this area should be edged and screened with clear and safe pedestrian routes created for mid block access to Queen Street, where appropriate. Over time, there may be an opportunity to infill the Huron and Park Street frontages with new development should the overall parking supply be provided elsewhere in the Downtown through one or more parking structures.

The farmer’s market pavilion is located on Park Street. With appropriate enhancements, it could be revived in that location, or it could be moved to a main street location adjacent to City Hall in conjunction with proposed improvements in that area.

The preservation and restoration of facades along Queen Street is important to retain the character and history of this main street. The City of Niagara Falls prepared a Facade Improvement Plan and Revitalization Strategy in 1988 which focused on Queen Street. While this plan was never fully implemented, it could serve as the basis for a facade design manual for all districts.

6.2.3 Civic Square Block

The City Hall block should be enhanced as the focal point of Downtown activity and the symbolic heart of the community. The streetscape should be enhanced with civic square elements brought closer to the street and improved seating provided. The area around the old Court House building could be converted into civic, cultural,

entertainment or restaurant facilities which could serve to animate the square or provide functional space for related events in the area.

Centennial Square in front of City Hall is currently underutilized. The parking lot on the east side of Erie Avenue can be redeveloped into civic open space which can be used for festivals, markets, concerts and similar activities. This is also a very good location for a downtown market which could act as a catalyst for improvement of this block and ultimately all of Queen Street.

The City has a significant parking supply on this block to accommodate its needs and that of the adjacent Acres office building. With the redevelopment of other parking areas and intensification of activity downtown, it may be necessary to develop parking structures to support this increased level of activity. Being setback from Queen Street but yet a short walking distance to Queen Street, the lands between City Hall/Acres building and the Police Headquarters serve as an ideal site to accommodate structured parking. This parking could serve the needs of these office buildings during the week and retail, service and entertainment activities during the evening and weekends given there opposite peak periods.

6.2.4 Transportation District

Local and inter-city transportation facilities are clustered in the vicinity of Bridge Street and Erie Avenue. This district should continue to serve as a hub of transportation activities for train service, inter-city bus, city buses and the Niagara Parks system people mover. Improvements should be made to the streetscape, signage and lighting to enhance the area and provide pedestrian comfort and safety. In the long term, the bus maintenance facility should be relocated as it does not add to the character and activity of downtown. It is better located in an industrial area elsewhere in the community. The site of the bus maintenance facility is a good candidate for redevelopment and can be consolidated with the former rail corridor to the west to create a larger land parcel.

6.2.5 Open Space Corridor

The former rail corridor which travels through the east end of Downtown to the Whirlpool Bridge provides a unique opportunity for Downtown. This corridor is owned by the City, except for the portion north of Queen Street, which is owned by CP Railway. The former rail corridor could be converted to a multi-use walking/cycling trail which will link Downtown to the Falls and the Bender Hill Casino area to the south, providing another way for tourists who wish to explore the community to reach Downtown. As well, the trail will connect the residential neighbourhoods between Bender Hill and the Downtown with the Downtown and the civic space to be developed near City Hall.

Downtown is lacking a large public space for festivals, markets, concerts and other outdoor activity which is important to the health and vitality of downtown. Additional civic space can be developed in the triangular shaped parcel now used for parking between the former rail corridor, Erie Avenue and Queen Street. The design of this central public space can also include Erie Avenue so that the street could be closed during major events to provide a continuous civic space from the rail corridor to the Acres building. Enhancements to this area should create a flexible major focal point that accommodates casual activities such as a relaxing place to enjoy lunch to a venue for formal and organized activities.

The trail corridor north of Queen Street could terminate with an elevated outlook above River Road and the Niagara River Gorge, with a transition from the off-road corridor to the City street and River Road sidewalk and trail system. Alternatively, the rail corridor north of Queen Street could be retained and used for property consolidation to permit development. In this case, the trail would terminate at Queen Street with a transition to Queen Street. If demand warrants in the future, the trail corridor could be used for some other form of public transit to link Downtown with The Falls area.

6.2.6 Heritage Commercial District

A small enclave of historic buildings in the vicinity of Park Street and Zimmerman Avenue provides a unique opportunity to maintain and celebrate the history of Niagara Falls through its buildings and promote a heritage tourist destination. While some of these buildings have been improved and converted to new uses, several others remain underutilized, but with great potential. Within this mixed use area, it may be possible to also develop arts and cultural activities which can capitalize on the unique heritage aspects of the buildings. This area could develop as a mixed use area with a variety of housing, office, service, entertainment, retail and cultural activities. It would be desirable to create an arts and culture role for Downtown and this possibility should be explored in this area given its unique building, character and proximity to the trail and major civic space.



Improved historic building

Emphasis in this area should be on preserving key historical buildings. New buildings in this district should be located close to the street line to maintain the current form, with medium rise buildings, and flexibility for some high rise buildings which maintain proper pedestrian scale at grade level and integrate with historic buildings. Again, preparation of and adherence to urban design guidelines in this district will be important to promoting appropriate heritage building restoration and to preserving and optimizing views.

6.2.7 Eastern Gateway

Because this district contains vacant lots, parking lots, single detached houses as well as several older motels, significant redevelopment opportunities exist in this area. This area should be focused on high density housing, hotels to support the tourism industry or similar uses. Commercial and other related activities could be located at grade.

Residential and hotel type development in this area will serve to provide opportunities for people to live in a downtown urban environment and support the various commercial activities of Downtown. The location adjacent to the Niagara River provides a unique opportunity to create a Downtown gateway along River Road as well as capitalize on unique views of the Niagara River and Falls. Mid rise buildings of 10 storeys in height are appropriate in this area. But, in order to create a physical gateway feature and to capitalize on the unique views as previously discussed, it may be appropriate to consider high rise building heights in this area. High rise buildings would have to be sensitively designed and sited so as not to form a continuous wall when viewed from the rest of the City or from Niagara Falls, New York. The redevelopment sites in this area are small and lend themselves to point tower (thin tower) development which would assist in minimizing their visual impact.

The Eastern Gateway area is currently referred to as a “free enterprise zone” in the Official Plan to encourage high density redevelopment on a large, comprehensive scale. However, there are no specific policies, guidelines or zoning in the Official Plan for this area to guide high density development. A comprehensive strategy including new policies, zoning by-law regulations and design guidelines should be developed and appropriate building heights tested through an urban design study prior to determination of the most appropriate range of building heights for this area.

6.2.8 Southern Residential Neighbourhood

The existing residential neighbourhood between Huron and Morrison Streets presents some opportunities to intensify within this downtown neighbourhood and add more people living downtown. The existing planning framework for this area provides for apartment residential development up to nine storeys in height. It is suggested that this mid rise scale of development continue to be permitted but that the area zoning be more flexible to also permit multiple unit housing forms other than apartments.

6.2.9 Park/Bridge Neighbourhood

This block between Park Street in the south and Bridge Street and the railway line in the north contains a variety of land uses and activities with residential as the predominant use. The non-residential activity in this area is generally automotive commercial in nature and one industry is still located on Park Street at Ontario Avenue. As well, the City bus maintenance facility and its associated parking lot consume a large amount of land at the eastern end of this neighbourhood.

There are several opportunities for redevelopment and improvement in this area. If relocated, the bus maintenance facility provides residential redevelopment opportunities. Vacant land on the north side Bridge Street also presents development opportunities. While they provide a needed service in the community, the automotive businesses in this area are a low intensity use with typically single purpose trips, and they do not support the vibrant pedestrian-oriented, mixed use objectives for the downtown.

The former rail corridor in this area should be reviewed to determine its feasibility for use as part of the trail system. If determined that it is not required as part of the trail system, the former rail corridor should be consolidated with adjacent properties and offered for development purposes.

It is suggested that the principal land use in this area should be residential with a wide range of housing types encouraged to add diversity to downtown. There are many existing houses in the Bridge to Park Street block and it is recommended that building heights in this district be permitted in the four to six storey range to promote compatibility with existing residential uses while still providing for significant intensification. North of Bridge Street, taller buildings heights of up to 10 storey could be accommodated on the larger properties created through redevelopment and consolidation. Higher residential densities here will also reinforce the gateway function of Bridge Street and Victoria Avenue and provide more customers for commercial uses Downtown.

The land north of Bridge Street backs onto an operating railway. The tracks are lower than the land. Through building setbacks, architectural design and construction engineering, rail noise and vibration can usually be attenuated to acceptable residential levels. However, a noise impact study should precede development to determine appropriate land uses and development strategies adjacent to the railway.

While it is desirable to concentrate commercial activity in the downtown on its principal street, many downtowns experience conversion of houses to office and service uses on side streets near the principal street. This type of conversion may be appropriate along Park Street to provide the opportunity for small businesses to have unique office facilities and to provide for live/work arrangements.

It is suggested that the City may wish to play a role in property consolidation in this area in order to facilitate new residential development and possibly the development of recreational uses. The City currently owns some of the land in the corridor and will have the ability to acquire additional land to provide for redevelopment through the legislative powers of the community improvement plan. Consolidated vacant land can then be offered to achieve the desired residential redevelopment.

6.2.10 Direction

The proposed land use framework in this section recognizes and builds on the existing strengths of Downtown, the Queen Street retail strip, the City Hall and civic square focal point, the rich heritage found near Bridge Street and along Queen Street, and provides for new redevelopment opportunities within Downtown. The land use framework provides for a mix of land uses with an emphasis on promoting new housing Downtown. New Official Plan policies and zoning by-law regulations should be based on the land use framework.

The recommended land uses and building heights presented in this CIP section are general suggestions requiring review and refinement through a revised zoning by-law and new urban design guidelines for the Downtown that integrate built form and land use.

6.3 Public Realm and Urban Design Plan

One of the important components of downtown improvement will be the creation of a more liveable community with high quality public spaces and buildings. Downtown should become a community with a strong pedestrian-scaled form, a mix of uses and the necessary public infrastructure and amenities to support those living, working and visiting the Downtown. It will be important to develop essential “third places”, the public and private spaces such as parks, sidewalks, cafes and pubs, where people gather, interact and create our society. Downtown Niagara Falls has a traditional form and arrangement. It has a finely grained street fabric and small blocks; a traditional arrangement between the street, sidewalk and building wall; and, a compact urban form. This physical form is conducive to pedestrian activity and should therefore be continued and reinforced.

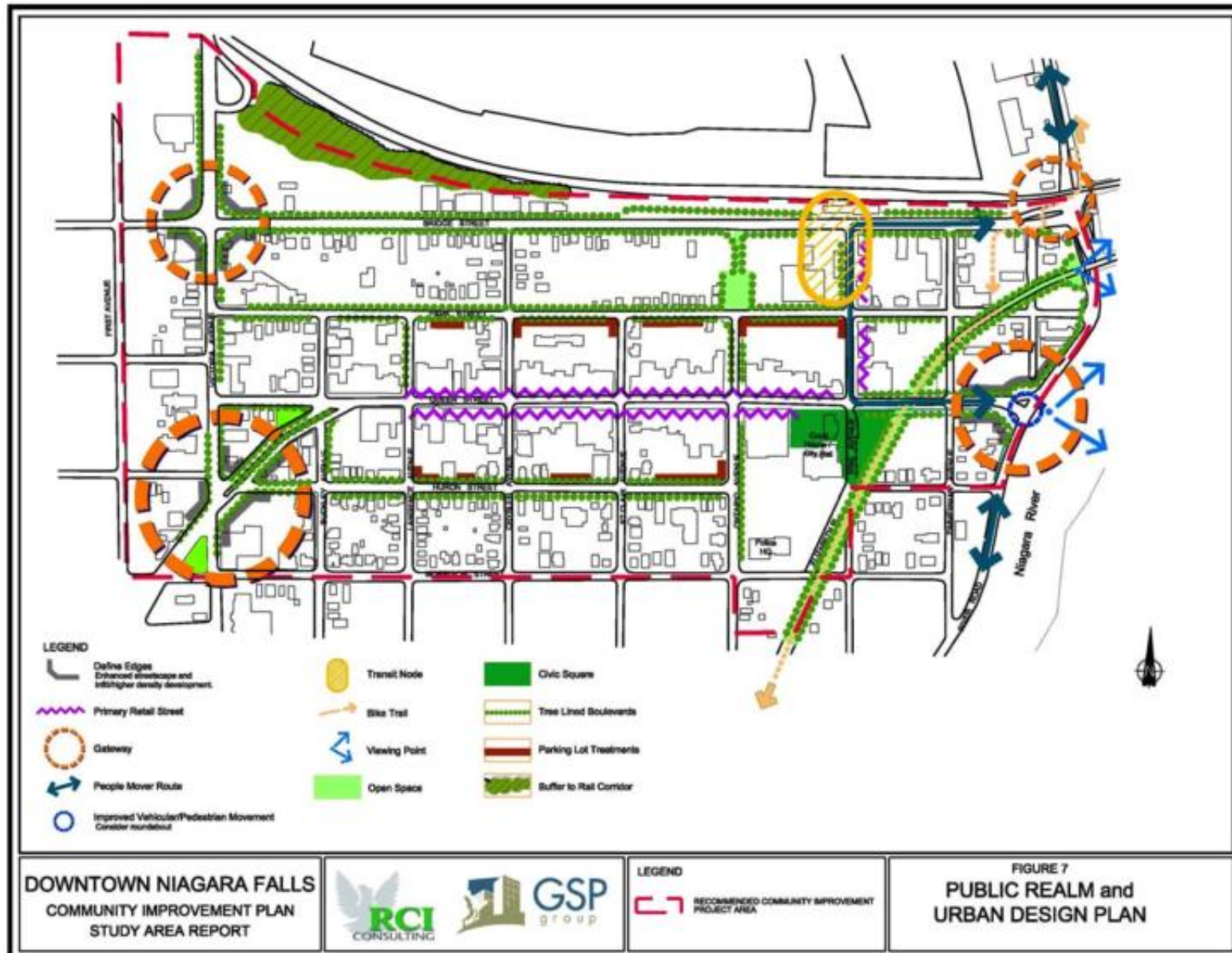
6.3.1 Streetscape and Gateways

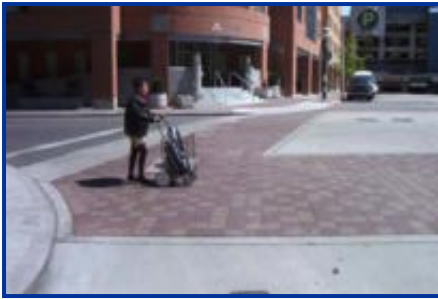
Previous community improvement plans in the Downtown concentrated on Queen Street, resulting in significant streetscape improvements and Downtown entrance treatments at the eastern and western entrances to Queen Street. These streetscape improvements were well designed and provide a positive image for downtown. A number of other public realm improvements should be made, building on the design theme of previous streetscape initiatives. These recommended improvements are described below and illustrated in the conceptual Public Realm and Urban Design Plan shown in Figure 7.

The gateways to Downtown should be strengthened. At Valley Way and Victoria Avenue, new buildings can be located close to the street to frame the intersection. The small triangular-shaped lot between Valley Way, Victoria Avenue and Morrison Street can be acquired by the City and developed as a treed island signifying the entrance to downtown. Various sidewalk and street crossing improvements can also be made in this area. An improved gateway to Downtown should also be created at Bridge Street and Victoria Avenue. Again, new development can be located close to the street framing the intersection and the appropriate lighting, pavement and planting treatments similar to the gateway intersection three blocks to the south should be employed.



Enhanced street edging





Intersection crossings for pedestrians

At the eastern edge of Downtown, consideration should be given to locating a roundabout at the intersection of Queen Street and River Road, subject to a feasibility study. The roundabout would assist in clearly signifying arrival at Downtown and slowing traffic at this gateway entrance. The roundabout could also compliment a viewing point at this gateway. Lastly, the intersection of Bridge Street and River Road should also be enhanced to signify a fourth Downtown gateway entrance.

The parking lots along Park and Huron Streets have poor edge conditions. The streetscape along Park and Huron Streets should be enhanced by edging the parking lots with screen walls or low fencing, shrubs and street trees to clearly delineate the pedestrian and automotive zones.



Enhanced street edges adjacent to parking area

6.3.2 Public Spaces

The former railway corridor is a significant opportunity to provide a new link to the residential neighbourhoods to the south, Bender Hill (casino district) and the Falls area. The corridor can be developed with both a pedestrian trail and bikeway connecting to the Niagara Parkway cycling route. A viewing area already exists at Queen Street and another overlook or platform could be developed near the end of the trail adjacent to River Road if the trail is extended this far.



Rail to trail conversion

Centennial Square in front of City Hall is the only significant green area in Downtown. It is too small to handle major festivals or activities on its own. It is important for Downtown to have a large public space as a focal point for civic activities, festivals and simply as a place to relax or gather with friends. Several options to provide this type of space were considered including east of City Hall on the parking lot east of Erie Avenue; the Victoria/Queen/Valley Way block; and, the vacant land at the northeast corner of Bridge and Victoria. It is recommended that the land east of City Hall be developed as a new Civic Square/Park area for the following reasons:

- The City already owns some of this property and can consolidate it with the rail land;
- The park can be integrated with the Centennial Square/City Hall complex;
- The new trail will directly link other neighbourhoods in the City with this central meeting space;
- The people-mover could stop in the vicinity;
- New public activity in the area of the old Court House can support or spill over into this public space;
- The park can be designed so that Erie Street remains open during the week but could be closed on weekends or during events in order to expand the useable area of the park.

With the development of new housing north of Bridge Street, a berm and planting area could be located on the south side of the railway tracks in order to buffer the site from the railway and provide some noise attenuation. Small parks could be created in this block as well as in the redevelopment sites between Park and Bridge Streets, possibly at the end of Ontario Avenue.

6.3.3 Urban Design Guidelines

A high quality urban environment is necessary to attract people and businesses to the Downtown. The preparation of urban design and streetscape guidelines will assist the City in articulating its development principles and communicating them to the community and development industry. These guidelines will also assist in the design of public works in Downtown, the preservation of the architectural heritage of the area, and facade improvements along Queen Street.

The urban design guidelines can be prepared to address specific design issues such as gateway treatments at the four principal intersections; development proposals in the eastern areas, infill residential development concepts in the Park/Bridge area, and redevelopment concepts for the bus maintenance facility. These

design guidelines can be prepared on a district basis corresponding to the districts identified in the Conceptual Land Use Plan in Section 6.2.

The Province is slowly moving forward with the implementation of a development permit system in Ontario. Several pilot projects are currently underway. The development permit system provides a municipality with the ability to tie land use, development regulations and urban design into a single approval process. The qualitative aspects of the project, such as urban design and building design, are reviewed as a package. Use of a development permit system in Downtown Niagara Falls area may be appropriate because urban design aspects of development in the Downtown are critical. Therefore, the urban design guidelines can be implemented through use of a development permit system or via use of a holding zone in the zoning by-law.

The urban design guidelines should consider:

- building massing, profile, height and transition;
- architectural character, building materials, entrances and sight lines;
- pedestrian streetscape, street edging, landscaping, and integration with public spaces;
- microclimatic conditions (sun, shadow, wind);
- signage;
- parking areas and edging;
- compatibility with adjacent areas and sensitivity to heritage buildings and neighbourhoods.

The urban design guidelines will be most important in the Eastern Gateway and Heritage Commercial areas where taller buildings and higher densities than currently exist are encouraged.

6.4 Official Plan Policies for Downtown

The current policies for the Downtown are located in the Commercial section of the Official Plan, (Section 3), and speak specifically to the Central Business District (CBD). These policies are limited in their scope and extent. The current CBD policies promote the following development pattern:

- Reinforce the existing government and banking services, direct new corporate offices and administrative businesses to the CBD;
- Centennial Square is to be the focal point for public activities and form a larger civic centre concept to include cultural, recreation and entertainment facilities;
- Queen Street is to be a pedestrian-oriented retail shopping area;
- Major office development will be encouraged in the western end of the CBD along Victoria Avenue;
- Bridge Street shall provide for automobile-oriented commercial uses;
- Lands east of the rail corridor to River Road are to be of an area of “free enterprise” where development on a large, comprehensive scale is encouraged with development standards established through the zoning by-law (no further guidance is given for this area).

It is recommended that these CBD policies be reviewed, refined and expanded to create a new official plan policy framework for the Downtown. It is also suggested that the term “CBD” be deleted in favour of “Downtown” as the Downtown will, in the future, be much more than a business centre. The objective of the new policies should be to create a diverse, dense mixed use area. New Official Plan principles for Downtown should include the following directions:

- Downtown is a mixed use area and focal point for the community;
- Queen Street is the focal point for pedestrian-oriented retail and service uses in the City;
- Development of new housing in the Downtown is encouraged to create a vibrant high density neighbourhood;

- The City will undertake a variety of public realm improvements to serve as a catalyst for redevelopment and to make Downtown a liveable neighbourhood;
- Downtown development will build on its strengths, character and heritage. Development will respect the scale and heritage of the Downtown and create an authentic downtown urban design;
- The City will develop a major public park in Downtown adjacent to City Hall to serve as a community focal point;
- Entertainment and cultural facilities are encouraged to locate Downtown to provide day and evening activity year round and to foster a lively and vibrant people place for residents of Niagara Falls and visitors;
- New development will be of high quality design and construction and the City will prepare design guidelines to identify its requirements for urban form, public spaces and building design in Downtown;
- The City will take a strong and active role in facilitating development and improvement, and will create a series of incentives and programs to encourage private sector development;
- The City will revise its zoning by-law for the downtown area to ensure that high density mixed use development opportunities are provided throughout Downtown, and that land will be pre-zoned in anticipation of development.

The new policy framework should implement the Land Use Plan directions outlined on Section 6.2 of this CIP and Figure 6 should be translated into a land use schedule for the Downtown district. Mixed use development should be encouraged in each district to the greatest extent possible to promote diversity in Downtown.

Implementing zoning regulations should focus on permitting a wide range of uses, building siting and built form, and provide flexibility with regard to density. Parking requirements should be kept to a minimum with ground floor retail and commercial activity supported by on-street parking and off-street parking lots provided by both private and municipal lots.

6.5 Targeted Improvement Projects

The preceding sections of this report have outlined various objectives and strategies for downtown improvement. A number of specific projects should also be undertaken to promote revitalization. These projects should be undertaken by the City, the private sector, other agencies such as the Niagara Parks Commission, or some combination of these organizations. Completion of these projects will take a number of years, depending on public and private sector resources. These targeted projects will serve to improve the public realm, create a more liveable downtown and stimulate private sector investment in Downtown in conjunction with various other programs and incentives contained in this plan.

These targeted projects along with suggested priorities (short, medium and long term) are illustrated in Figure 8. Further public discussion and detailed design will be necessary to identify costs and funding sources. Priorities can then be established and priority projects can be incorporated into the City and other agency budgets. The need for, priority and timing of parking supply increases (especially if current lots are redeveloped) and intersection improvements should be addressed through the Parking Strategy and Transportation Master Plan referenced in Section 3.

One of the key thrusts in this CIP is the development of new housing Downtown. New housing will provide life and activity Downtown throughout the day and night and provide support for the various businesses and cultural initiatives locating downtown. Changing demographics, including an aging population and a smaller household size, provide favourable conditions for new multiple unit housing developments.

The municipality can assist the promotion of new housing in the core by assembling land for development and undertaking a housing market study. This study will identify specific opportunities that may be available in the community. This information will be valuable to

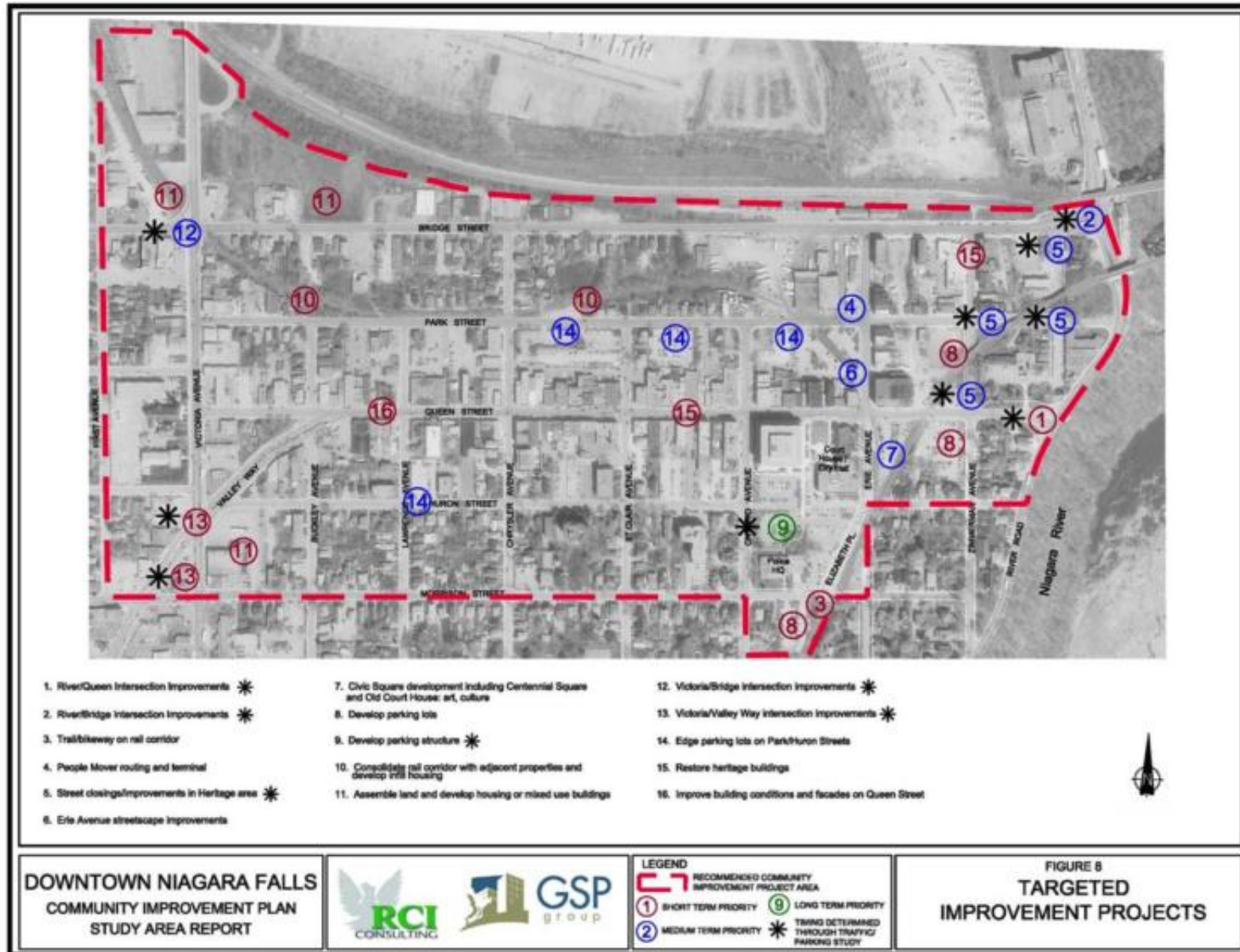
interested housing developers and could be important in convincing the development industry of opportunities in Downtown. The municipality may then offer these land parcels for residential development using a request for proposal (RFP) process.

6.6 Summary

Downtown Niagara Falls should have a dense, compact urban form as found in traditional downtown and main street areas. Downtown Niagara Falls has the potential to become a vibrant and diverse, mixed use area with retail, service, entertainment, cultural, institutional, office and housing activities throughout.

This CIP outlines a conceptual land use plan and urban design framework to guide improvements in support of a more active, liveable, mixed use Downtown. A series of streetscape and public realm improvements is recommended. These initiatives will be important in creating a liveable neighbourhood which supports people living, working and recreating in the downtown.

Additional planning and design work will be necessary to implement the conceptual land use, public realm and urban design framework presented in this CIP. New Official Plan policies, zoning regulations and urban design guidelines should be prepared. A Parking Strategy should also be prepared to address parking supply issues.



7.0 COMMUNITY IMPROVEMENT PROGRAMS

7.1 Introduction

In order for the vision and land use plan for Downtown to be realized, the critical needs as identified during the public consultation and the analysis must be addressed. These critical needs represent the key impediments to the redevelopment of Downtown Niagara Falls, and include a need to:

- a) have more people living Downtown to support Downtown businesses;
- b) improve the physical condition of buildings and building facades to improve the image of Downtown;
- c) preserve and restore heritage buildings and properties to build on the history and character of the area;
- d) provide financial incentives to invest in the Downtown; and,
- e) have proactive leadership, cooperation and support from the City.

The financial incentive programs developed for this CIP represent a comprehensive tool kit of programs specifically designed to address the critical needs and help achieve the vision for Downtown Niagara Falls. Comments on draft incentive programs were received at the second public consultation session and from City staff. The financial incentive programs were then modified as per the comments received and finalized. Figure 9 shows how the critical needs were translated into financial incentive programs.

The following financial incentive programs will be offered in the downtown community improvement project area.

7.2 Residential Loan Program (RLP)

7.3 Commercial Building Loan and Facade Grant (CBLFG) Program

7.4 Revitalization Grant Program (RGP)

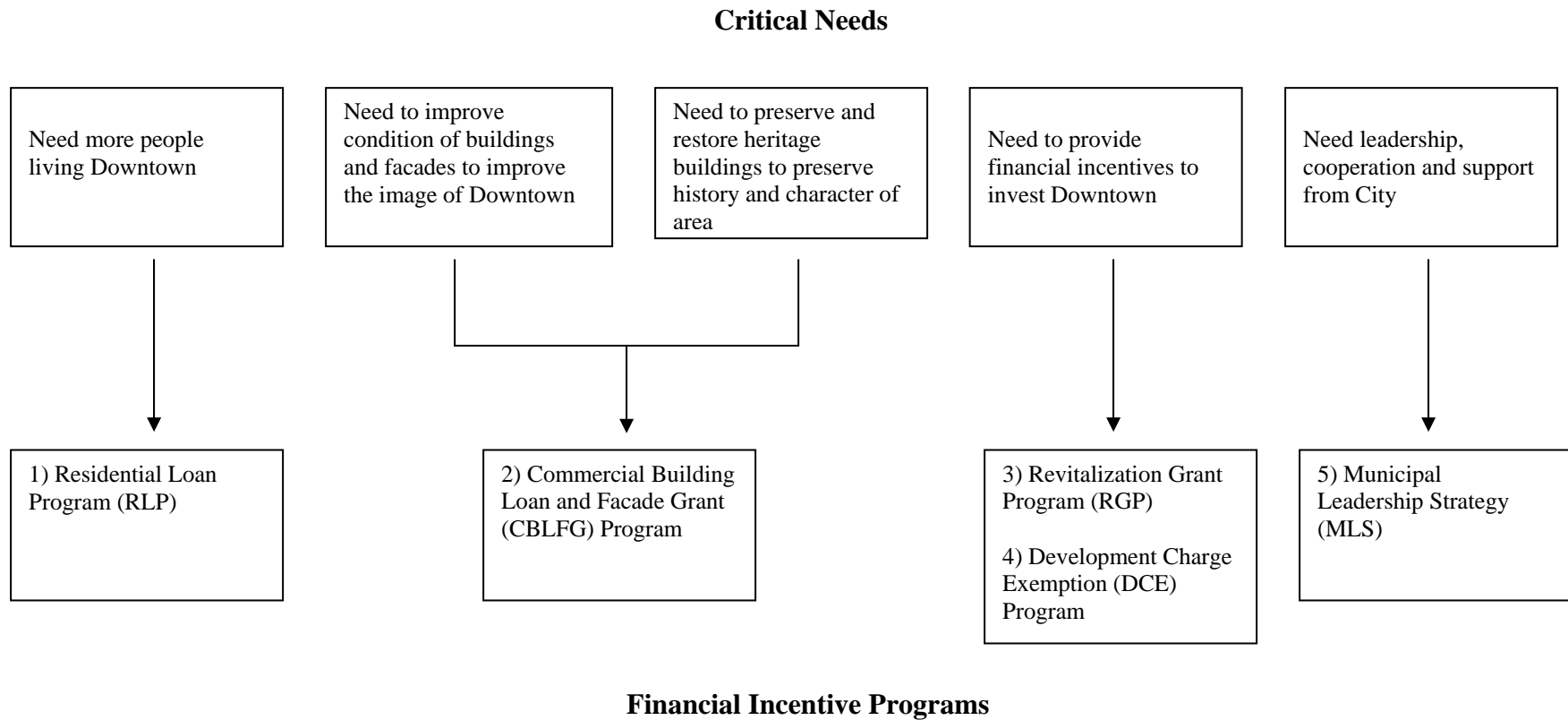
For each of the financial incentives listed above (7.2 to 7.4), this section describes the program purpose, type, duration, eligibility criteria, application requirements and administrative procedures. These details are summarized in Figure 10 at the end of this section. These incentive programs can be used individually or together by a property owner.

All of these programs are directed at the private sector and are designed to encourage private sector investment, redevelopment, and construction activity in the Downtown. As shown in Figure 9, these programs will be augmented and complemented by a proactive program of municipal activities known as the Municipal Downtown Leadership Strategy (MLS) which is described in Section 9.0 of this CIP. The City's programs will also be supported and complemented by financial incentives currently offered by the Regional Municipality of Niagara, including:

- waiver/exemption from regional development charges;
- downtown/commercial area redevelopment incentive program;
- residential conversion and intensification incentive program;
- heritage restoration and improvement incentives program;
- heritage properties tax reduction program; and,
- brownfields incentive program.

One other City program which does not actually form part of this CIP is referenced in Section 8.0. The Development Charge Exemption Program will require changes to the City's Development Charges By-law and therefore does not fall within the parameters of Section 28 of the Planning Act. As such, the DCE Program does not form part of this CIP, but will be forwarded to Council for approval as a separate recommendation and implementing by-law.

Figure 9 Rationale for Financial Incentive Programs



None of the financial incentive programs contained in this CIP will be offered on a retroactive basis. Only projects that commence and make application for a financial incentive program after the date of approval of this CIP and before the commencement of any eligible works will be eligible for the incentive programs.

The City will establish an administrative structure to administer the financial incentive programs. The City will identify a lead department that will be primarily responsible for coordinating and administering the implementation of the financial incentive programs. This lead department will work in cooperation with other departments to implement, monitor and adjust the financial incentive programs.

7.2 Residential Loan Program (RLP)

7.2.1 Purpose

One of the major impediments to the revitalization of Downtown Niagara Falls is the lack of people living Downtown to support retail commercial uses. More people living Downtown through an increase in the number of residential units will help to support businesses in the Downtown and will also increase the municipal tax base. Therefore, residential conversion and intensification is an important component in achieving the vision for the Downtown as expressed through the Land Use Plan.

There are a significant number of opportunities in Downtown Niagara Falls for the conversion of vacant space in upper stories of commercial buildings to residential use, e.g., along Queen Street, and the infilling of vacant and underutilized lots, including parking lots, with residential uses. Many of these vacant lots had buildings on them at one time. The purpose of the Residential Loan Program (RLP) is to stimulate the creation of residential units in Downtown through conversion of excess commercial space to residential units and through infilling of vacant lots with residential units.

7.2.2 Program Description

The Residential Loan Program (RLP) will provide a financial incentive in the form of a no interest (0%) loan to promote residential conversion, intensification and infilling in the Downtown area. The loan will be provided on the basis of \$20 per square foot of habitable floor space created, to a maximum of \$20,000 per unit. The loan will be repayable in equal monthly payments over 5 years with 15% of the loan repayable every year and a lump sum payment of outstanding funds at the end of the 5-year term.

The RLP will commence on or after the date of approval of the CIP by the Minister of Municipal Affairs and Housing and will be offered for a period of approximately ten (10) years from the date of introduction, subject to the availability of funding as approved by Council.

The RLP can be used for rental or ownership units. However, upon the closing of the sale of any unit, the loan for that unit will be due in full. If the unit is a rental apartment, the loan term is the full 5 years. The City may require loan security and the applicant will be required to enter into a RLP Agreement with the City.

The RLP is an application based program. Review and evaluation of the application and supporting materials against program eligibility requirements will be done by City staff. All RLP Applications and Agreements must be approved by City Council or Council's designate. The City may accept applications all year round for the RLP or the City may issue a Request for Applications (RFA) for the RLP once or twice a year, depending on availability of loan funding and program interest.

The City may discontinue the RLP Program at any time. However, participants in the program prior to its closing will continue to receive loan advances and will be required to repay the loan in full as determined through their RLP Agreement with the City.

7.2.3 Eligibility Criteria

All owners of properties (and their assignees) within the Downtown Community Improvement Project Area are eligible to apply for funding under the RLP, subject to meeting the following eligibility criteria, and availability of funding as approved by Council:

- a) The following types of projects are eligible for the RLP:
 - i) existing commercial building (or part thereof) converting to one or more residential units;
 - ii) existing industrial building converting to one or more residential units;
 - iii) vacant commercial lot (including parking lots) converting to multi-residential units;
 - iv) vacant single residential lots converting to multi-residential units; and,
 - v) renovations to existing residential units to bring them into compliance with Building Code, the Property Standards By-law and the Fire Code
- b) An application for the RLP must be submitted to the City prior to the commencement of any works and prior to application for building permit;
- c) Such application shall include plans, estimates, contracts and other details as may be required to satisfy the City with respect to the costs of the project and conformity of the project with the CIP;
- d) As a condition of loan approval, the City may require the applicant to submit for approval professional design/architectural drawing(s) which shall be in conformity with any municipally issued urban design guidelines, as well as impact studies such as traffic studies and studies of microclimatic conditions (sun, shadow, wind);
- e) As a condition of loan approval, the City may require the applicant to:
 - i) post such security as may be required to secure a commercial loan, including registration of such security against title of the property;
 - ii) meet specific insurance terms to protect the municipality's interests;
- f) All property owners participating in the RLP will be required to enter into an Agreement with the City. The Agreement will specify the terms of the loan, obligations of the City and the property owner, and any other requirements of the City;
- g) All RLP Applications and Agreements must be approved by City Council or Council's designate;
- h) All works completed must comply with the description of the works as provided in the RLP Application Form and contained in the RLP Agreement;
- i) Property taxes must be in good standing at the time of application and throughout the entire length of the loan commitment;
- j) If during the loan period, a building receiving a residential loan is demolished, all loan payments shall cease, and payments already made will be repayable to the City;
- k) If during the loan period, a building designated under the Ontario Heritage Act receiving a residential loan is demolished or any of the heritage features are altered in any way that would compromise the reasons for designation, all loan payments shall cease, and payments already made will be repayable to the City;

- l) Existing and proposed land uses must be in conformity with applicable Official Plan(s), Zoning By-law and other planning requirements at both the local and regional level;
 - m) All improvements made to properties shall be made pursuant to a building permit, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and planning approvals;
 - n) Outstanding work orders and/or orders or requests to comply from the City must be satisfactorily addressed prior to loan approval;
 - o) Where other sources of government and/or non-profit organization funding (Federal, Provincial, Municipal, CMHC, Federation of Canadian Municipalities, etc...) that can be applied against the eligible costs are anticipated or have been secured, these must be declared as part of the RLP Application. Accordingly, the loan may be reduced on a pro-rated basis.
- b) specification of the proposed works, including number and size of units to be constructed and construction drawings;
 - c) estimated project construction costs, including a breakdown of said costs;
 - d) impact studies such as traffic and microclimatic conditions (sun, shadow, wind)
 - e) environmental reports and/or a record of site condition;
 - f) incorporation documents;
 - g) financial information, including but not necessarily limited to:
 - i) sources and uses of funds;
 - ii) financial statements;
 - iii) purchase price of property;
 - iv) appraised value of property;
 - v) owner equity;
 - vi) registered mortgages;
 - vii) details of primary construction lending and secondary financing; and,
 - viii) projected unit sale prices and/or rental rates.

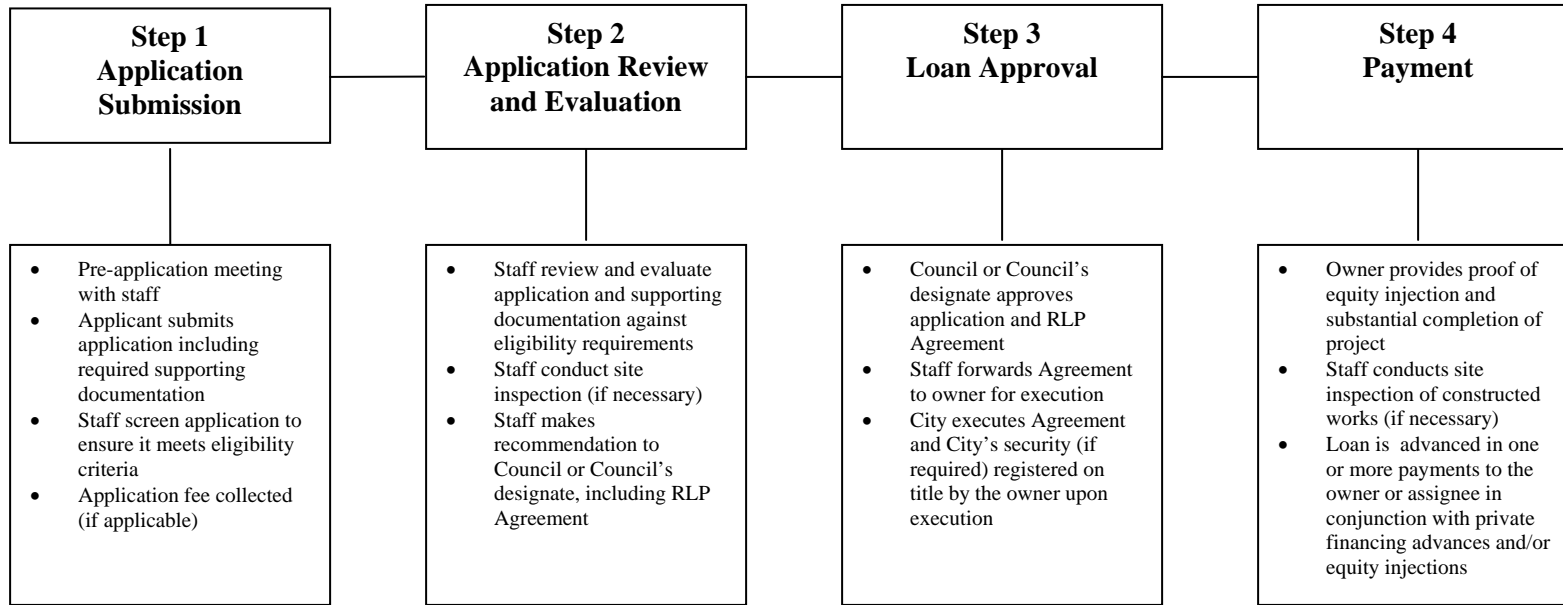
7.2.4 Administration

The following general steps, summarized in Figure 10, will guide City staff review, evaluation and administration of applications:

- 1) Applicants will be required to have a pre-application consultation meeting with City staff in order to determine program eligibility, proposed scope of work, project timing, etc...
- 2) The City may request that applications for the RLP be accompanied by supporting documentation, including but not necessarily limited to:
 - a) a site plan and/or professional design/architectural drawings;
- 3) Before accepting an application, City staff will screen the application. If the application is not within the Downtown Community Improvement Project Area or the application clearly does not meet the program eligibility criteria, the application will not be accepted. Acceptance of the application by the City in no way implies RLP approval.
- 4) An application fee may be collected at the time of application.
- 5) City staff will perform an initial site visit(s) and inspection(s) of the building/property (if necessary).

- 6) Applications and supporting materials will be reviewed by City staff against eligibility requirements. City staff will consult with regional staff as necessary. The owner must provide evidence of financial capability to develop the property according to the terms of the program.
- 7) A recommendation on the RLP Application and an RLP Agreement (if application is recommended for approval) will be forwarded to City Council or Council's designate for consideration.
- 8) Once Council or Council's designate has approved the RLP Application and Agreement, the RLP Agreement will first be executed by the owner and then by the City.
- 9) Payment/release of the loan shall not take place until:
 - a) the RLP Agreement has been executed;
 - b) the loan has been secured on title if required by the City;
 - c) the owner provides proof that the development is substantially complete and that equity and financing required to that stage of completion has been injected into the project;
 - d) staff inspect the constructed works (if necessary);
 - e) staff are satisfied with all reports and documentation submitted.
- 10) Part or all of the loan may then be advanced to the owner or assignee with said loan advance(s) to be made in conjunction with private equity and financing injections as specified in the RLP Agreement.
- 11) Upon the closing of sale on any unit, the loan for that unit is due.
- 12) The loan is repayable in equal monthly payments over 5 years with 15% of the loan repayable every year and a lump sum payment of outstanding loan funds at the end of 5 years.

Figure 10 Residential Loan Program (RLP) Administration



7.3 Commercial Building Loan and Facade Grant (CBLFG) Program

7.3.1 Purpose

The physical condition and deterioration of some buildings in Downtown Niagara Falls has resulted in obsolete, and in some cases, unsafe and unusable commercial and residential space. With much of the building stock in the Downtown over 60 years old, a number of buildings in the Downtown are suffering from structural deterioration caused by leaking roofs, broken windows and doors, leaking eavestroughs, and other neglected maintenance items. This deterioration is more evident in some areas, such as the West Queen Street District, where there are a number of derelict buildings. Some of the buildings in the Downtown require significant physical alterations in order to meet modern Building Code standards. The deteriorated physical condition, and poor aesthetic quality of commercial building facades and many retail storefronts does not present an inviting and attractive environment for shoppers.

There are three properties in Downtown Niagara Falls that are designated under Part IV of the Ontario Heritage Act, and several more significant heritage buildings that are not designated. While a few of these historical buildings, including their heritage features, are in good condition, many of these buildings are in poor condition and are in need of preservation and restoration. The history and character of these heritage properties is one of the strengths of the Downtown and a strong theme in the vision for the Downtown. Preservation and restoration of heritage buildings would help to promote the Downtown as a heritage tourism destination.

The cost of interior and exterior building facade improvements to older downtown commercial buildings poses a major obstacle for owners wishing to upgrade their properties or for potential purchasers of these properties. The purpose of the Commercial Building Loan and Facade Grant (CBLFG) Program is to encourage owners of

commercial and mixed use buildings (including buildings and properties that are or could be designated under the Ontario Heritage Act) to undertake maintenance, restoration and physical improvements to their buildings, including the upgrading of retail storefront display areas and signage. These improvements would be designed to meet the current Building Code, provide safe and usable commercial and residential space, and improve the image and attractiveness of Downtown as a shopping and dining area. These types of building improvements are particularly important in high visibility areas of the Downtown such as Queen Street and the Western Gateway.

7.3.2 Program Description

The CBLFG Program will provide a financial incentive in the form of a no interest (0%) loan to promote commercial and mixed use (commercial/residential) building maintenance and improvement. The loan will match the amount spent by the applicant toward the cost of eligible interior and exterior building maintenance and improvement works, up to a maximum loan of \$15,000 per property. The loan can be increased by up to \$5,000 for commercial and mixed use properties designated under the Ontario Heritage Act, again on a matching basis. The loan will be repayable in equal monthly payments over 5 years with 15% of the loan repayable every year and a lump sum payment of outstanding loan funds at the end of the 5-year term.

The CBLFG Program will also provide a financial incentive in the form of a grant to promote the restoration and improvement of commercial and mixed use building facades, including buildings designated under the Ontario Heritage Act. The grant will match the amount spent by the applicant on eligible facade improvement and restoration works, up to a maximum grant of \$10,000 per property.

The loan for building maintenance and improvement and the grant for facade improvement may be utilized individually or in combination, as long as both programs are not used to for the same eligible work.

Therefore, the following maximum loan and grant amounts will be available for commercial and mixed use buildings in the Downtown Community Improvement Project Area:

- \$15,000 loan for interior and exterior building maintenance and improvement, which can be increased up to a \$20,000 loan for a building/property designated under the Ontario Heritage Act;
- \$10,000 grant for facade improvement and restoration.

The CBLFG Program will commence on or after the date of approval of the CIP by the Minister of Municipal Affairs and Housing and will be offered for an initial period of approximately five (5) years from the date of introduction, with an option to extend the program for up to another five (5) years at the will of Council, subject to the availability of funding as approved by Council. The grant component of the program will be offered as a grant for the first 5 years, and then offered as either a grant or a loan for up to another five (5) years at the will of Council if the program is extended, subject to the availability of funding as approved by Council.

The City may require loan security and the applicant will be required to enter into a CBLFG Agreement with the City. The CBLFG Program is an application based program. Review and evaluation of the application and supporting materials against program eligibility requirements will be done by City staff. All CBLFG Applications and Agreements must be approved by City Council or Council's designate.

The City may accept applications all year round for the CBLFG Program or the City may issue a Request for Applications (RFA) for the CBLFG Program once or twice a year depending on availability of loan and grant funding and program interest.

The City may discontinue the CBLFG Program at any time. However, participants in the program prior to its closing will continue to receive loan advances and grant payments and will be required to repay their loans in full as determined through their CBLFG Agreement with the City.

7.3.3 Eligibility Criteria

All owners of properties (and their assignees) within the Downtown Community Improvement Project Area are eligible to apply for funding under the CBLFG Program, subject to meeting the following eligibility criteria, and availability of funding as approved by Council:

- a) The following types of maintenance and improvement works on commercial and mixed use (commercial/residential) buildings are considered eligible for a matching loan (maximum \$15,000 per property) under the CBLFG Program:
 - i) entrance modifications to provide barrier-free accessibility;
 - ii) installation/upgrading of fire protection systems;
 - iii) repair/replacement of roof;
 - iv) structural repairs to walls, ceilings, floors and foundations;
 - v) water/flood/weatherproofing;
 - vi) repair/replacement of windows and doors;
 - vii) extension/upgrading of plumbing and electrical services for the creation of habitable space;
 - viii) installation/alteration of required window openings to residential spaces;
 - ix) required improvements to heating and ventilation systems; and,
 - x) other similar repairs/improvements related to health and safety issues, as may be approved.

- b) The following types of restoration/improvement works on commercial and mixed use (commercial/residential) buildings designated under the Ontario Heritage Act are considered eligible for a matching loan (maximum \$20,000 per property) under the CBLFG Program:
 - i) a Professional Design Study (to a maximum of \$1,500 of the loan amount) that specifies the significant architectural features to be restored, the nature and method of preservation/restoration, and materials to be used;
 - ii) works that conserve or enhance elements specified in the Reasons for Designation accompanying the designating by-law under the Ontario Heritage Act;
 - iii) fences and outbuildings if specifically referred to in the Reasons for Designation;
 - iv) original siding and roofing materials including repair and replacement where necessary of wood clapboard or board-and-batten, repair and repointing of masonry buildings, stucco repair, repair or replacement of original roofing materials (slate, wood shingles, tile, etc.);
 - v) removal of modern material (synthetic siding, asphalt shingles, etc.) and replacement with documented original materials;
 - vi) reconstruction or construction of former and significant architectural features for which the appearance can be clearly determined from documentary sources (photographs, drawings, etc.). Eligible works will be guided by Heritage Design Guidelines, as amended from time to time, and appropriate reference material as determined by staff;
 - vii) cleaning of masonry buildings if it is necessary for the building's preservation;
 - viii) all final finishes, such as paint and masonry are eligible for funding subject to approval;
 - ix) interior works specifically referred to in the Reasons for Designation, including, but not limited to:
 - woodwork, plasterwork, wall or ceiling murals, or metal work, and other decorative features; and,
 - x) works required to maintain or preserve significant architectural features.
- c) The following types of facade restoration and improvement works on commercial and mixed use (commercial/residential) buildings, including buildings designated under the Ontario Heritage Act, are considered eligible for a matching grant (maximum \$10,000 per property) under the CBLFG Program:
- i) repair or replacement of storefront, including repair or replacement of storefront doors and windows;
 - ii) repair or repointing of facade masonry and brickwork;
 - iii) repair or replacement of cornices, parapets, and other architectural details;
 - iv) repair or replacement of awnings or canopies;
 - v) facade painting and cleaning/treatments;
 - vi) addition of new lighting/upgrading of existing fixtures on exterior facade and in entrance and storefront display areas;
 - vii) installation/improvement of signage (as permitted by the sign by-law);
 - viii) professional architectural/design fees required for eligible works (to a maximum of \$,1000 of the grant amount); and,
 - ix) other similar repairs/improvements as may be approved.

For commercial and mixed use buildings designated under the Ontario Heritage Act, the reconstruction and restoration of facades and storefronts should be supported by documentation in the form of historic photographs or drawings clearly showing the feature(s) to be reconstructed. Eligible works will be guided by Heritage Design Guidelines, as amended from

- time to time, and appropriate reference material as determined by staff.
- d) An application for the CBLFG Program must be submitted to the City prior to the commencement of any works and prior to application for building permit;
- e) Such application shall include plans, estimates, contracts and other details as may be required to satisfy the City with respect to the costs of the project and conformity of the project with the CIP;
- f) The value of the loan/grant provided shall not exceed 50% of the cost of the eligible works done;
- g) As a condition of loan/grant approval, the municipality may require the applicant to submit for approval professional design/architectural drawing(s) which shall be in conformity with any municipally issued urban design guidelines, heritage design guidelines, and facade design guidelines;
- h) As a condition of loan approval, the City may require the applicant to:
 - i) post such security as may be required to secure a commercial loan, including registration of such security against title of the property; and,
 - ii) meet specific insurance terms to protect the municipality's interests;
- i) All property owners participating in the program will be required to enter into a CBLFG Program Agreement with the City. The Agreement will specify the terms of the loan/grant, obligations of the City and the property owner, and any other requirements of the City;
- j) All CBLFG Program Applications and Agreements must be approved by City Council or Council's designate;
- k) All works completed must comply with the description of the works as provided in the CBLFG Program Application Form and contained in the CBLFG Program Agreement;
- l) Property taxes must be in good standing at the time of application and throughout the entire length of the loan commitment;
- m) If during the loan period, a building receiving a commercial building loan or facade grant is demolished, all loan payments shall cease, and all loan and grant payments already made will be repayable to the City;
- n) If during the loan period, a building designated under the Ontario Heritage Act receiving a commercial building loan or facade grant is demolished or any of the heritage features are altered in any way that would compromise the reasons for designation, all loan payments shall cease, and loan and grant payments already made will be repayable to the City;
- o) Existing and proposed land uses must be in conformity with applicable Official Plan(s), Zoning By-law and other planning requirements at both the local and regional level;
- p) All improvements made to properties shall be made pursuant to a building permit, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and planning approvals;
- q) Outstanding work orders and/or orders or requests to comply from the City must be satisfactorily addressed prior to loan/grant approval;
- r) Where other sources of government and/or non-profit organization funding (Federal, Provincial, Municipal, CMHC, Federation of Canadian Municipalities, etc...) that can be applied against the eligible costs are anticipated or have been

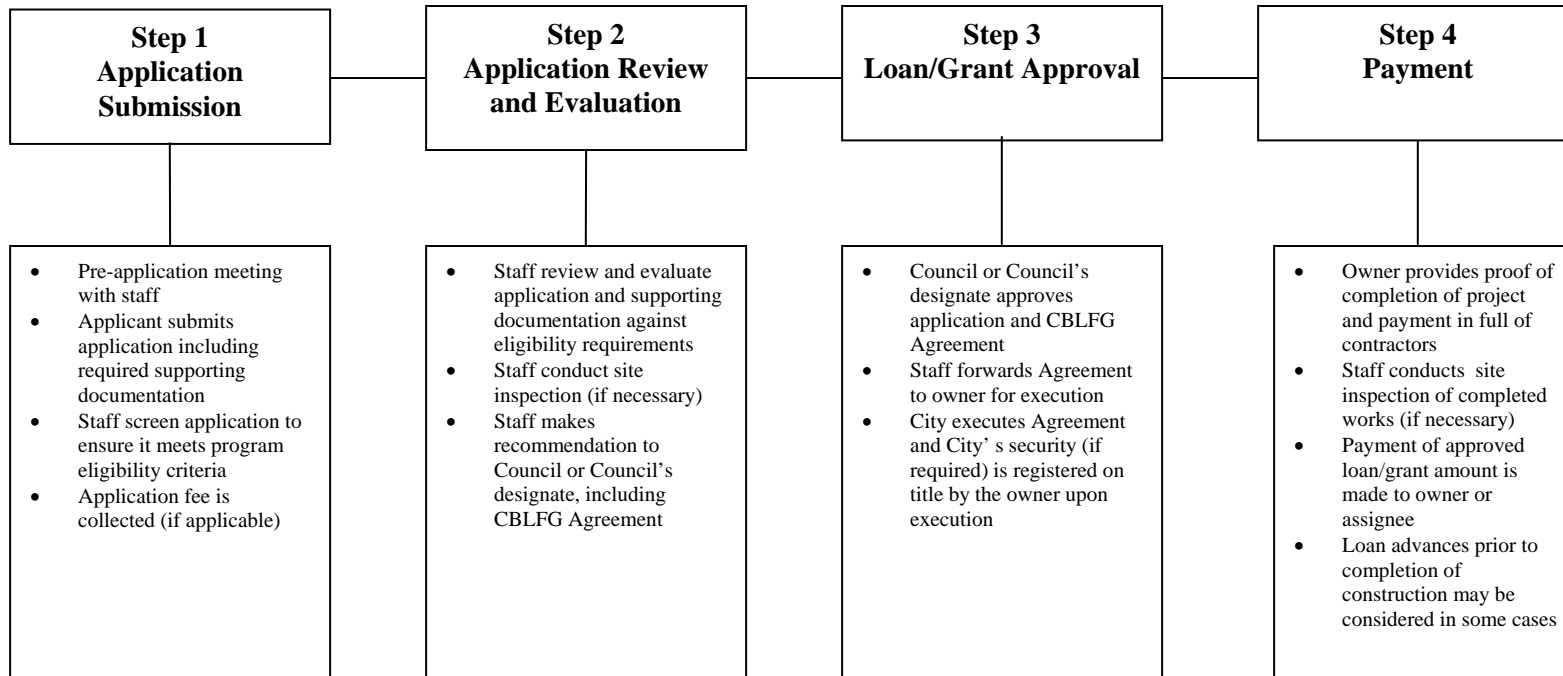
secured, these must be declared as part of the Application. Accordingly, the loan/grant may be reduced on a pro-rated basis.

7.3.4 Administration

The following general steps, summarized in Figure 11, will guide City staff review, evaluation and administration of applications:

- 1) Applicants will be required to have a pre-application consultation meeting with City staff in order to determine program eligibility, proposed scope of work, project timing, etc...
- 2) The City may request that applications for the CBLFG be accompanied by supporting documentation, including but not necessarily limited to:
 - a) photographs of the existing building facade;
 - b) a site plan and/or professional design study/architectural drawings;
 - c) specification of the proposed works, including a work plan for the improvements to be completed and construction drawings;
 - d) cost estimate(s) for eligible work provided by a licensed contractor.
- 3) Before accepting an application, City staff will screen the application. If the application is not within the Downtown Community Improvement Project Area or the application clearly does not meet the program eligibility criteria, the application will not be accepted. Acceptance of the application by the City in no way implies CBLFG Program approval.
- 4) An application fee may be collected at the time of application.
- 5) City staff will perform an initial site visit(s) and inspection(s) of the building/property (if necessary).
- 6) Applications and supporting materials will be reviewed by City staff against eligibility requirements of the program. City staff will consult with regional staff and the Local Architectural Conservation Advisory Committee (LACAC), as necessary.
- 7) A recommendation on the CBLFG Application and a CBLFG Agreement will be forwarded to City Council or Council's designate for consideration.
- 8) Once Council or Council's designate has approved the CBLFG Application and Agreement, the Agreement will first be executed by the owner and then by the City.
- 9) Payment/release of the loan shall not take place until:
 - a) the CBLFG Agreement has been executed;
 - b) the loan has been secured via registration of a lien on title (if required);
 - c) construction of the eligible works is completed;
 - d) photographic evidence of the completed works has been submitted;
 - e) written verification that all contractors have been paid has been provided;
 - f) staff have inspect the completed works (if necessary);
 - g) staff are satisfied with all reports and documentation submitted.
- 10) The loan may now be advanced in conformity with the CBLFG Agreement. Partial loan advances prior to completion of construction may be considered in some cases.
- 11) The loan is repayable in equal monthly payments over 5 years with 15% of the loan repayable every year and a lump sum payment of outstanding loan funds at the end of 5 years.

Figure 11 Commercial Building Loan and Facade Grant (CBLFG) Program Administration



7.4 Revitalization Grant Program (RGP)

7.4.1 Purpose

With the exception of the Acres Office Building, and a few other buildings, there has been little new commercial or residential building investment in Downtown Niagara Falls over the last 20 years. With the high business vacancy rates, low rents, and deterioration in the physical condition of buildings in Downtown Niagara Falls, there is little incentive for property owners and potential investors to make significant investments in building renovations, additions and new construction. This situation is exacerbated by the large property tax increase that often accompanies building rehabilitation or redevelopment, and new building construction. While the RLP and CBLFG Programs are designed to provide funding for specific types of redevelopment and rehabilitation costs, a significant economic catalyst is required to generate significant investment in the Downtown.

The purpose of the RGP is to provide this major economic catalyst for developing, redeveloping and rehabilitating commercial, residential and mixed use buildings and properties in the Downtown. This will be done by providing a financial incentive that significantly reduces the large tax increase that can result when a property is redeveloped and provides assistance in securing project financing.

7.4.2 Program Description

The RGP will provide a financial incentive in the form of an annual grant to property owners who redevelop or rehabilitate their properties as long as such development results in an increase in assessment, and therefore an increase in property taxes. The annual grant will equal 80% of the increase in City taxes in Years 1-5, 60% in Years 6 and 7, 40% in Year 8, and 20% in Years 9 and 10.

The annual grant will be paid annually once the eligible project is complete, the property has been reassessed, and the new property taxes have been paid. Pre-project City taxes will be determined before commencement of the project at the time the RGP Application is approved. For purposes of the grant calculation, the increase in City taxes will be calculated as the difference between pre-project City taxes and post-project City taxes that are levied as a result of re-valuation of the property by the Municipal Property Assessment Corporation (MPAC) following project completion. The grant will be recalculated every year based on post-project City taxes in that year. Grant payments will cease when the total grant along with all other grants and loans provided equals the cost of the project, or after 10 annual grant payments, whichever comes first.

The RGP will commence on or after the date of approval of the CIP by the Minister of Municipal Affairs and Housing and will be offered for a period of approximately ten (10) years from the date of introduction, subject to the availability of funding as approved by Council.

The RGP is an application based program. Review and evaluation of the application and supporting materials against program eligibility requirements will be done by City staff. The City may require the applicant enter into a RGP Agreement with the City. All RGP Applications and Agreements must be approved by City Council or Council's designate. The City may accept applications all year round for the RGP or the City may issue a Request for Applications (RFA) for the RGP once or twice a year depending on program interest.

The City may discontinue the RGP at any time. However, participants in the program prior to its closing will continue to receive grant payments as determined through their RGP Agreement with the City.

7.4.3 Eligibility Criteria

All owners of property (and their assignees) within the Downtown Community Improvement Project Area are eligible to apply for funding under the RGP, subject to meeting the following eligibility criteria:

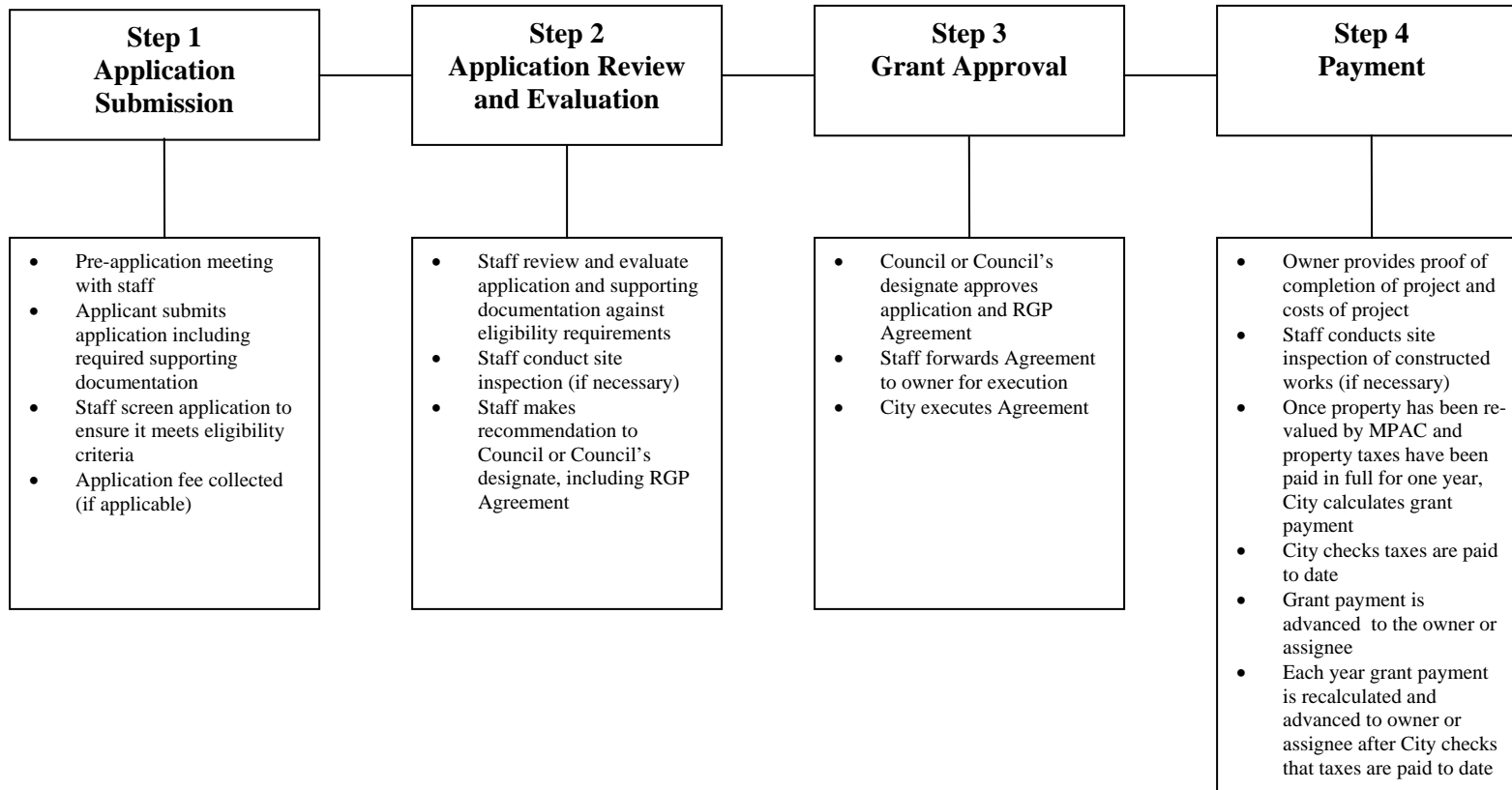
- a) The following types of projects are considered eligible for the RGP:
 - i) existing commercial, residential and mixed use (residential/commercial) buildings, vacant properties and parking lots where the redevelopment or rehabilitation project results in an increase in the assessed value and taxes on the property.
- b) An application for the RGP must be submitted to the City prior to commencement of any works and prior to application for building permit.
- c) Such application shall include plans, estimates, contracts and other details as may be required to satisfy the municipality with respect to the costs of the project and conformity of the project with the CIP;
- d) As a condition of grant approval, the City may require the applicant to submit a Business Plan, with said plan to the municipality's satisfaction;
- e) As a condition of grant approval, the City may require the applicant to submit for approval professional design/architectural drawing(s) which shall be in conformity with any municipally issued urban design guidelines, as well as impact studies such as traffic studies and studies of microclimatic conditions (sun, shadow, wind);
- f) All property owners participating in the program will be required to enter into an Agreement with the City. The RGP Agreement will specify the terms of the grant, obligations of the City and the property owner, and any other requirements of the City;
- g) All RGP Applications and Agreements must be approved by City Council or Council's designate;
- h) All works completed must comply with the description of the works as provided in the RGP Application Form and contained in the RGP Agreement;
- i) Property taxes must be in good standing at the time of application and throughout the entire length of the loan commitment;
- j) If during the grant period, a building receiving a revitalization grant is demolished, all grant payments shall cease;
- k) If during the grant period, a building/property designated under the Ontario Heritage Act receiving a revitalization grant is demolished or any of the heritage features are altered in any way that would compromise the reasons for designation, all grant payments shall cease;
- l) Existing and proposed land uses must be in conformity with applicable Official Plan(s), Zoning By-law and other planning requirements at both the local and regional level;
- m) All improvements made to properties shall be made pursuant to a building permit, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and planning approvals;
- n) Outstanding work orders and/or orders or requests to comply from the City must be satisfactorily addressed prior to grant approval;

7.4.4 Administration

The following general steps, summarized in Figure 12, will guide City staff review, evaluation and administration of applications:

- 1) Applicants will be required to have a pre-application consultation meeting with City staff in order to determine program eligibility, proposed scope of work, project timing, etc...
- 2) The City may request that applications for the RGP be accompanied by supporting documentation, including but not necessarily limited to:
 - a) specification of the proposed works including a work plan and construction drawings;
 - b) estimated project construction costs, including a breakdown of said costs;
 - c) impact studies such as traffic and microclimatic conditions (sun, shadow, wind)
 - d) environmental reports and/or a record of site condition;
 - e) financial information.
- 3) Before accepting an application, City staff will screen the application. If the application is not within the Downtown Community Improvement Project Area or the application clearly does not meet the program eligibility criteria, the application will not be accepted. Acceptance of the application by the City in no way implies RGP approval.
- 4) An application fee may be collected at the time of application.
- 5) City staff will perform an initial site visit(s) and inspection(s) of the building/property (if necessary).
- 6) Applications and supporting materials will be reviewed by City staff against eligibility requirements of the program. City staff will consult with regional staff as necessary. The owner must provide evidence of financial capability to develop the property according to the terms of the program.
- 7) A recommendation on the RGP Application and a RGP Agreement will be forwarded to City Council or Council's designate for consideration.
- 8) Once Council or Council's designate has approved the RGP Application and Agreement, the RGP Agreement will first be executed by the owner and then by the City.
- 9) Payment of the grant shall not take place until:
 - a) the RGP Agreement has been executed;
 - b) the owner provides proof that the development is complete;
 - c) staff inspect the project (if necessary);
 - d) staff are satisfied with all reports and documentation submitted;
 - e) the property has been revalued by MPAC and post-project City taxes have been levied based on the new assessment;
 - f) the owner has paid taxes in full for at least one year the project is complete;
 - g) all assessment appeal(s) have been resolved.
- 10) The grant payment may then be calculated as the difference between post-project City taxes and pre-project City taxes multiplied by the applicable grant rate in that year.
- 11) Once staff have confirmed that property taxes are paid to date (every year), the grant payment may be then be advanced to the applicant or assignee;
- 12) Steps 10 and 11 are repeated each year for up to 10 years.

Figure 12 Revitalization Grant Program (RGP) Administration



7.5 Summary of Financial Incentive Programs

The three financial incentive programs offered under this CIP are summarized in Figure 13 below. These programs can be used individually or together by a property owner to address the key impediments to redevelopment and revitalization of the Downtown.

Figure 13 Summary of Financial Incentive Programs

Program	Type	Duration	Expected Benefits
1) Residential Loan Program (RLP)	0% interest loan based on \$20 per sq.ft. of habitable residential space constructed to a maximum of \$20,000 per residential unit created. Loan repayable over 5 years.	Offered for 10 years.	Construction of new residential units in the form of conversion, infill and intensification resulting in more people living Downtown and supporting downtown retail commercial uses Increase in assessment base and property tax revenues.
2) Commercial Building Loan and Facade Grant (CBLFG) Program	0% interest loan equal to 50% of the cost of building maintenance and improvements to a maximum loan of \$15,000 per property. Maximum loan increases to \$20,000 for properties designated under Ontario Heritage Act. Loan repayable over 5 years. Grant equal to 50% of the cost of facade restoration and improvement to a maximum grant of \$10,000 per property.	Offered for 5 years with an option to extend program for 5 years.	Improvement, restoration and rehabilitation of existing commercial and mixed use buildings and building facades. Preservation and restoration of heritage buildings. Safer, cleaner buildings and more attractive and inviting building facades. Improved streetscape. More attractive shopping and dining environment. Overall improvement in the image of Downtown. Increase in assessment base and property tax revenues.
3) Revitalization Grant Program (RGP)	Annual Grant equivalent to 80% of the increase in City property taxes for first five years, 60% in years 6 and 7, 40% in year 8, and 20% in years 9 and 10.	Offered for 10 years. Up to 10 annual grant payments.	Increased private sector investment in the form of building renovations, additions and new construction. Long-term increase in assessment base and property tax revenues.

8.0 DEVELOPMENT CHARGE EXEMPTION (DCE) PROGRAM

8.1 Purpose

Downtown Niagara Falls is already serviced with adequate water and sewer services and the road network capacity is adequate. A storm water treatment facility is planned to handle wet weather flows.

Large scale development and redevelopment in the Downtown may result in incremental increases in demand for both hard and soft services. However, it is recognized that the costs to provide these incremental services as a result of development Downtown will be substantially lower than to provide new infrastructure and other services to greenfield areas. Therefore, there is a financial rationale for a lower development charge in the Downtown than in greenfield areas.

In an effort to promote new residential and commercial development in downtowns, built-up urban areas, and brownfield areas, the Region passed a development charge waiver/exemption program in 2002. This program exempts a development from 75% of the Regional development charge if it is in a downtown, surrounding built-up urban area or brownfield area. Up to an additional 25% development charge exemption is provided depending on the inclusion of Smart Growth principles into the proposed development. Eligibility for the regional development charge exemption will be determined by a Regional Development Charges Task Force. While the exemption of local municipal development charges is not required by the Region as a condition of the Regional program, it is encouraged by the Region (Regional Report CSD 151-2002/DPD 131-2002).

The exemption of development charges has been shown to be a major incentive to promote development in downtown areas in other municipalities. Combined with the Regional development charge exemption, an exemption for City development charges could prove

to be a significant upfront financial incentive to complement the RGP which provides a financial incentive in the form of an annual grant over time. The purpose of the DCE Program is to provide a major economic catalyst for developing and rehabilitating commercial, residential and mixed use buildings in the Downtown by reducing the large development charge that must be paid when a property is developed or redeveloped and additional residential units or commercial space is created.

As this proposed Development Charge Exemption Program will require changes to the Development Charges By-law to be implemented, it's implementation does not fall within the parameters of Section 28 of the Planning Act. Therefore, the Development Charge Exemption Program does not form part of this Plan, but will be forwarded to Council as a separate recommendation and implementing by-law.

8.2 Program Description

The DCE Program will provide a financial incentive in the form of an exemption from payment of 75% of the City development charge on residential, commercial and mixed use development and redevelopment projects that create additional residential units and/or commercial space. The 75% exemption will be applied at the time development charges are paid, i.e., building permit.

The DCE Program will commence on or after the date of approval of enabling amendments to the City of Niagara Falls Development Charges By-Law by Council. The DCE Program will be offered for a period of approximately five (5) years from the date of introduction (amendment to the Development Charges By-law) with an option to extend the program for up to another five (5) years at the will of Council, subject to the availability of funding as approved by Council. The DCE Program is not an application based program. Therefore, an application for a development charge exemption at the time of building permit application will not be required.

8.3 Eligibility Criteria

All owners of properties (and their assignees) within the Downtown Community Improvement Project Area are eligible for the DCE Program, subject to meeting the following eligibility criteria, and availability of funding as approved by Council:

- a) The following types of projects are considered eligible for the DCE Program:
 - i) new residential development on vacant lots, including parking lots;
 - ii) residential conversion of existing commercial and mixed use buildings that creates additional residential units;
 - iii) new commercial development on vacant lots, including parking lots;
 - iv) conversion of non-commercial space to commercial space;
 - v) redevelopment of mixed use buildings that creates additional residential units and/or commercial space.

- b) As a condition of development charge exemption, the City may require the applicant to submit for approval professional design/architectural drawing(s) which shall be in conformity with any municipally issued urban design guidelines, as well as impact studies such as traffic studies and studies of microclimatic conditions (sun, shadow, wind);

- c) Property taxes must be in good standing at the time of application and throughout the entire length of the loan commitment;

- d) Existing and proposed land uses must be in conformity with applicable Official Plan(s), Zoning By-law and other planning requirements at both the local and regional level;

- e) All improvements made to properties shall be made pursuant to a building permit, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and planning approvals;

- f) Outstanding work orders and/or orders or requests to comply from the City must be satisfactorily addressed prior to development charge exemption;

8.4 Administration

Development charges are paid at the time of building permit issuance. Therefore, at the time of application for a building permit, staff will determine program eligibility based on the eligibility criteria and notify the owner if they are eligible for a development charge exemption. If the owner is eligible for a development charge exemption, staff will apply the 75% exemption to development charges payable at the time the building permit is issued.

A separate report to Council will be developed to provide further details with respect to the implementation and administration of this program, including the necessary amendments to the Development Charges By-law.

9.0 MUNICIPAL LEADERSHIP STRATEGY (MLS)

9.1 Purpose

Two significant impediments to downtown revitalization cited during the public consultation exercise were the need for greater cooperation between the City and the downtown business community, and the need for the City to provide proactive leadership and support for downtown revitalization. A proactive strategy of municipal leadership has been shown to be a key component of successful downtown revitalization in other Canadian and U.S. cities.

The purpose of the Municipal Leadership Strategy (MLS) is to set the framework for the City to better communicate with the downtown business community and to provide support and leadership on downtown revitalization and redevelopment initiatives. The recommended actions in the MLS represent a long-term downtown reinvestment strategy on the part of the City. These public sector investments and actions are designed to act as catalysts to leverage private sector investment in the Downtown.

As per Sections 28(3) and 28(6) of the Planning Act, once a Community Improvement Project Area has been designated and a CIP is approved, a municipality may:

- a) acquire, hold, clear, grade or otherwise prepare land for community improvement;
- b) construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan; and,
- c) sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan.

Therefore, the City may engage in any of these activities as part of its MLS in order to promote the undertaking of targeted improvements that are identified and approved by the City. The MLS not only complements the financial incentive programs and the streetscape and gateway improvements, but can be used to implement some of the targeted improvement projects recommended in Section 6.5.

9.2 Program Description

The MLS is a general program of municipal property acquisition, investment and involvement in public-private partnerships. The primary focus of the MLS is on the larger scale targeted improvement projects described in Section 6.5. These projects include, but are not necessarily limited to, the following:

- Undertake Civic Square Development east of City Hall including Centennial Square and old Court House;
- Develop surplus parking lots;
- Develop a parking structure(s);
- Consolidate former rail corridor north of Park Street with adjacent properties to provide infill development opportunities;
- Assemble land to provide development opportunities for housing or mixed use buildings;
- Restore heritage buildings, e.g., for public uses such as museums or art galleries.

The City may also participate in public-private partnerships to redevelop downtown properties and/or public-private partnerships to construct and/or operate public facilities such as a parking garage. Other actions the City should take to implement the MLS include:

- a) Revise Official Plan policies, the zoning by-law and develop urban design guidelines to implement the land use plan and public realm and urban design plan contained in this CIP;

- b) Strengthen the City's liaison role with the Downtown Board of Management to review downtown issues and provide a forum for communication and response between downtown businesses and the City;
- c) Establish an inter-departmental Downtown Staff Team (DST) to review by-law enforcement (particularly in the areas of parking and property standards), licensing and permitting in the downtown;
- d) Establish an inter-departmental Incentive Programs Coordinating Committee to promote formal information exchange and adjustment to incentive program administrative procedures to incorporate lessons learned;
- e) Support promotion of the arts, culture and heritage in the Downtown;
- f) Develop a marketing program and dedicate staff resources to market downtown redevelopment financial incentive programs and redevelopment opportunities to developers, investors and their support professionals.
- g) Develop a program to approach downtown financial institutions to become partners in the financial incentive programs, i.e., financial institutions that will lend to property owners who are using the City financial incentive programs to improve and redevelop their properties;
- h) Partner with downtown institutions to promote the Downtown;
- i) Establish a program to look beyond the downtown for new partners (such as universities, colleges, hospitals, non-profit housing corporations, and environmental groups) to become actively involved in downtown redevelopment;

- j) Seek out sponsorships from downtown businesses and institutional uses to help fund the construction/maintenance of streetscaping and gateway projects;
- k) Establish annual property beautification and maintenance awards exclusively for the downtown area; and,
- l) Celebrate and profile downtown redevelopment success stories in the local media and in marketing materials supplied to potential new investors and program applicants.

It is recommended that the MLS activities be funded from an initial capital investment and the portion of the tax increment retained by the City under the Revitalization Grant Program (RGP). These funds should be placed into an account and as funds accrue in this account, the City may use these funds to undertake any of the above-noted activities.

9.3 Administration

The City will utilize the same administrative structure established to administer the financial incentive programs to administer the MLS. The City will identify a lead department that will be primarily responsible for coordinating and administering the implementation of the MLS. Authority under the MLS would be exercised in order that redevelopment of land or buildings may occur in conformity with this CIP, subject to Council approval.

10.0 ACTION SUMMARY

As described in the previous sections, there are a number of actions required to implement the vision in this CIP. Figure 14 below summarizes those actions and identifies the organization(s) responsible for implementation, key stakeholders who can assist with implementation, and timing for each action. Timing is usually tied to the timing of the adoption or approval of the CIP. Where recommended actions are to take place subsequent to the approval of the CIP, these are classed as short term (0-2 years), medium term (2-5 years) or long-term (5+ years). The actions are divided up into the following categories:

- A) Land Use Policies;
- B) Parking and Transportation;
- C) Targeted Improvement Projects
- D) Financial Incentive Programs; and,
- E) Municipal Leadership Strategy.

Figure 14 Action Summary

A. LAND USE POLICIES			
Implementing Action	Responsibility	Key Stakeholders	Timing
1) Revise Official Plan to: - Enhance CBD policies and rename section to Downtown Policies	City		As part of Official Plan review
2) Revise Zoning By-law to: - Translate Land Use Plan into a land use schedule and policies for the Downtown district - Promote a wide range of mixed uses - Make development subject to urban design guidelines The City will explore the use of a development permit system or “holding zone” to implement the urban design guidelines	City		As part of new Zoning By-law or as an amendment once new Zoning by-law approved
3) Repeal by-laws that designated the existing downtown community improvement project areas and any by-laws that adopted the existing CIPs and replace with a single by-law designating the new Downtown Community Improvement Project Area and a single by-law adopting the new Downtown CIP	City		Upon adoption of CIP
4) Prepare Downtown Urban Design and Streetscape Guidelines, including performance requirements	City	LACAC Developers Downtown businesses Downtown residents	Short term

B. PARKING AND TRANSPORTATION

Implementing Action	Responsibility	Key Stakeholders	Timing
1) Prepare a Downtown Public Parking Strategy to determine which existing municipal parking lots are priority for retention, which lots can be made available for development, and where new municipal lots may be required	City	Downtown businesses Downtown Board of Management	Upon approval of the CIP
2) Erect a parking structure behind City Hall and the Acres building - Investigate public-private partnership to build/operate this parking structure	City	Private partner(s) Downtown businesses Downtown Board of Management	Medium-Long term
3) Subject to a Traffic Study, convert Huron Street to two-way traffic	City	Residents on Huron Street	Medium term
4) Request Canadian and U.S. federal governments to restore Whirlpool Bridge to full access status	City Downtown Board of Management	Canadian federal government U.S. federal government	Upon adoption of CIP
5) Monitor transportation system and prepare a Transportation Master Plan	City		Concurrent with Brownfields CIP and development of Ripleys Aquarium and Great Wolf Lodge

C. TARGETED IMPROVEMENT PROJECTS

Implementing Action	Responsibility	Key Stakeholders	Timing
1) Construct streetscape and gateway intersection improvements	City	Downtown businesses	Medium term
2) Convert former rail corridor to a pedestrian trail and bikeway	City	Residents Tourists	Short-Medium term
3) Improve and extend the Civic Square Block (Centennial Square and Old Court House area) to include lands to the east in order to provide a large public open space for festivals, exhibits, and concerts	City	Public/private partner(s)	Short-Medium-term
4) Revive or move the farmers market to a Queen Street location in conjunction with improvements to the Civic Block	City	Downtown businesses Downtown Board of Management Residents	Short-Medium term
5) Extend the People Mover Route into the Downtown	Niagara Parks Commission City	Tourists	Medium term
6) Offer surplus public parking lots for development through an RFP process (subject to Downtown Public Parking Strategy)	City	Developers	Medium term
7) Assemble, consolidate and prepare land for residential and mixed use development	City	Public/private partner	Medium term
8) Screen and edge parking lots along Huron and Park Streets providing safe and clear pedestrian routes	City	Downtown businesses and their customers	Medium term
9) Improve Erie Avenue, including streetscape improvements	City		Medium term
10) Relocate bus maintenance facility out of downtown to a nearby industrial area	City		Long term

C. TARGETED IMPROVEMENT PROJECTS (Continued)			
Implementing Action	Responsibility	Key Stakeholders	Timing
11) Improve streetscape, lighting and signage in the vicinity of Bridge Street and Erie Avenue (Transportation District)	City		Medium term
12) Plan and construct an improved Niagara River viewing platform/area at Queen Street and River Road and/or at the intersection of the pedestrian/bike trail and River Road	Niagara Parks Commission City	Tourists	Medium term
13) Consider development of a trail system on the east-west rail corridor north of Park Street or consolidate these rail corridor lands with adjacent properties and offer for development	City	Property owners	Medium term
14) Construct a berm and planting area on the south side of the railway tracks, north of Bridge Street	Developer(s)	C.N. Railways City	Long term
15) Promote development of cultural and heritage activities in the historic buildings in the vicinity of Park Street and Zimmerman Avenue (Heritage Commercial District)	City	LACAC Local Arts Groups	Medium term

D. FINANCIAL INCENTIVE PROGRAMS			
Implementing Action	Responsibility	Key Stakeholders	Timing
1) Implement Residential Loan Program (RLP)	City	Property Owners	Upon approval of CIP
2) Implement Commercial Building Loan and Facade Grant (CBLFG) Program	City	Property Owners	Upon approval of CIP
3) Implement Revitalization Grant Program (RGP)	City	Property Owners	Upon approval of CIP
4) Amend City Development Charges By-law to Implement Development Charge Exemption (DCE) Program	City	Region	Upon approval of CIP and approval of Regional Development Charges By-law
5) Dedicate staff resources to the establishment, marketing and administration of the financial incentive programs	City	Accountants, etc...	Upon approval of the CIP
6) Market financial incentive programs and development opportunities to developers, investors, real estate professionals, financial institutions, and support professionals	City Downtown Board of Management Niagara Economic and Tourism Corporation (NetCorp)	Developers Investors Real estate professionals Financial institutions Lawyers Accountants, etc...	Upon approval of the CIP and implementation of financial incentive programs

E. MUNICIPAL LEADERSHIP STRATEGY			
Implementing Action	Responsibility	Key Stakeholders	Timing
1) Issue RFP's for development of City owned Downtown land (subject to Parking Strategy)	City	Public/private partners	Short term
2) Strengthen the City's liaison role with the Downtown Board of Management	City Downtown Board of Management	Downtown businesses	Upon approval of CIP
3) Establish inter-departmental Downtown Staff Team to review by-law enforcement, licencing and permitting	City	Downtown businesses	Upon approval of CIP
4) Establish inter-departmental Incentive Programs Coordinating Committee	City		Upon approval of CIP
5) Support promotion of the arts, culture and heritage	City Downtown Board of Management NetCorp Downtown businesses	Arts, cultural and heritage groups	Upon approval of CIP
6) Approach downtown financial institutions to become funding partners in the financial incentive programs and in establishing a venture capital pool for downtown businesses	City	Financial institutions Downtown businesses	Upon approval of CIP
7) Partner with downtown institutions and agencies to market the downtown	City	Downtown institutional uses	Upon approval of CIP
8) Establish a program to look beyond downtown for new redevelopment partners and investors	City		Upon approval of CIP

E. MUNICIPAL LEADERSHIP STRATEGY (Continued)			
Implementing Action	Responsibility	Key Stakeholders	Timing
9) Seek out sponsorships to help fund the construction and maintenance of streetscaping, open space and gateway improvements	City		Upon approval of CIP
10) Establish annual property beautification and maintenance awards for the downtown area	Niagara Parks Commission City		Upon approval of CIP
11) Profile and market downtown redevelopment success stories in local media and marketing materials	City C.N. Railways	Downtown businesses	Upon approval of CIP
12) Bundle or cluster tourism related economic activities in the downtown	City NetCorp	Tourist Downtown businesses	Upon approval of CIP
13) Prepare a Housing Market Study and make available to developers	City	Developers	Short-Medium Term
14) Market the downtown as a location to “niche” retailers	City NetCorp	Downtown business Downtown residents	Upon approval of CIP

11.0 PROGRAM MONITORING AND ADJUSTMENT

This Plan recommends a number of actions to revitalize Downtown Niagara Falls. Progress on these actions should be monitored and reported on a regular basis to City Council, including monitoring of the financial incentive programs. Staff will report annually regarding monitoring, program participation and program performance, i.e., is the program producing the desired result. A list of variables that could be monitored is provided in Figure 15.

Based on the monitoring results, the City may periodically review and adjust the terms of the programs, or discontinue any of the programs in this Plan, without amendment to this Plan. Minor adjustments to the boundary of the community improvement project area may also be made by the City without amendment to this Plan. Any program additions or changes that substantially expand the financial assistance programs in this Plan will require formal amendment to the Plan in accordance with Section 28(4) of the Planning Act.

Figure 15 Variables to be Monitored

Program	Variable
1) Residential Loan Program (RLP)	<ul style="list-style-type: none"> - Number of applications - Total \$ amount loaned out - Square footage of habitable floor space created - Number of units created by type - Total \$ Value of construction - Increase in assessed value of participating properties - Increase in municipal and education property taxes of participating properties - Number of loan defaults (if any)
2) Commercial Building Loan and Facade Grant (CBLFG) Program	<ul style="list-style-type: none"> - Number of applications - Total \$ amount in building improvement loans - Total \$ amount in facade grants - Type and cost of interior building improvements approved for a loan - Type and cost of facade improvements approved for a grant - Total \$ Value of interior/facade improvements - Increase in assessed value of participating properties - Increase in municipal and education property taxes of participating properties - Number of loan defaults (if any)
3) Revitalization Grant Program (RGP)	<ul style="list-style-type: none"> - Number of applications - Total \$ cost of grants - Number of residential units by type and square footage of residential space converted, rehabilitated or constructed - Square footage of commercial space rehabilitated or constructed - Total \$ Value of construction - Increase in assessed value of participating properties - Increase in municipal and education property taxes of participating properties
4) Development Charge Exemption (DCE) Program	<ul style="list-style-type: none"> - Total \$ development charges exempted - Number of residential units by type and square footage of residential space converted, rehabilitated or constructed - Square footage of habitable floor space created - Square footage of commercial space rehabilitated or constructed - Total \$ Value of construction - Increase in assessed value of participating properties - Increase in municipal and education property taxes of participating properties

12.0 CONCLUSION

The vision, land use plan and urban design framework for Downtown Niagara Falls contained in this Plan are based on a critical needs analysis and input received as a result of consultations with the community. The adoption and approval of this CIP will provide the legislative basis and context for the implementation of a comprehensive framework of municipal actions and financial incentive programs designed to achieve the vision contained in this Plan and revitalize Downtown Niagara Falls.

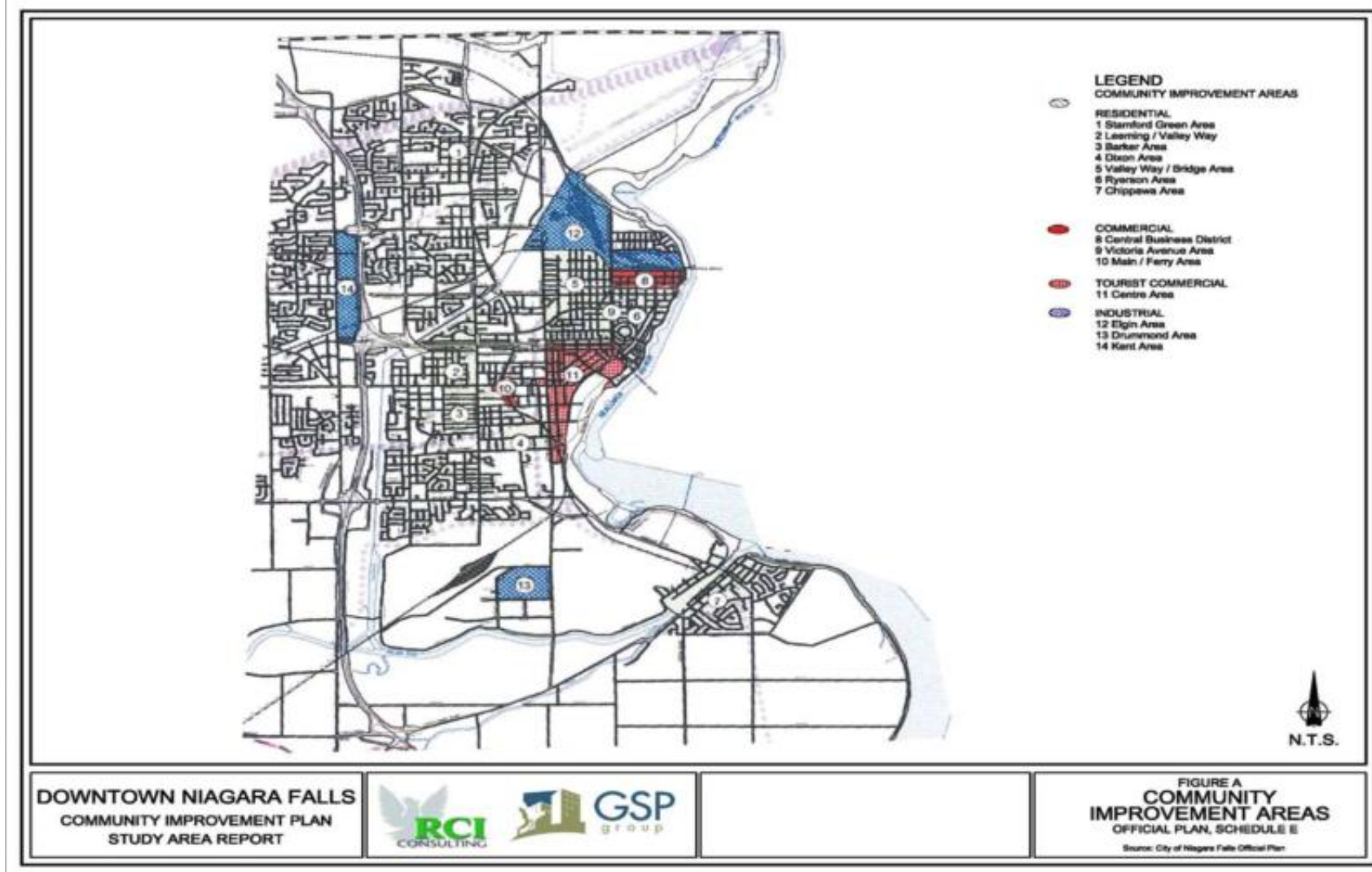
This CIP focuses on:

- a) attracting more people to live Downtown;
- b) improving the physical condition of buildings and building facades;
- c) restoring and preserving heritage buildings and properties;
- d) providing financial incentives to invest in Downtown; and,
- e) leadership on the part of the City and other stakeholders.

Implementation of the financial incentive programs and the targeted improvement projects contained in this Plan will help to encourage the private sector to reinvest in Downtown Niagara Falls. The details of the financial incentive programs and targeted improvement projects will evolve over time through monitoring and feedback on the financial incentive programs, and more detailed study and public input on the targeted improvement projects. This CIP provides the vision, direction and strategies to help guide implementation of these actions and programs in the future.

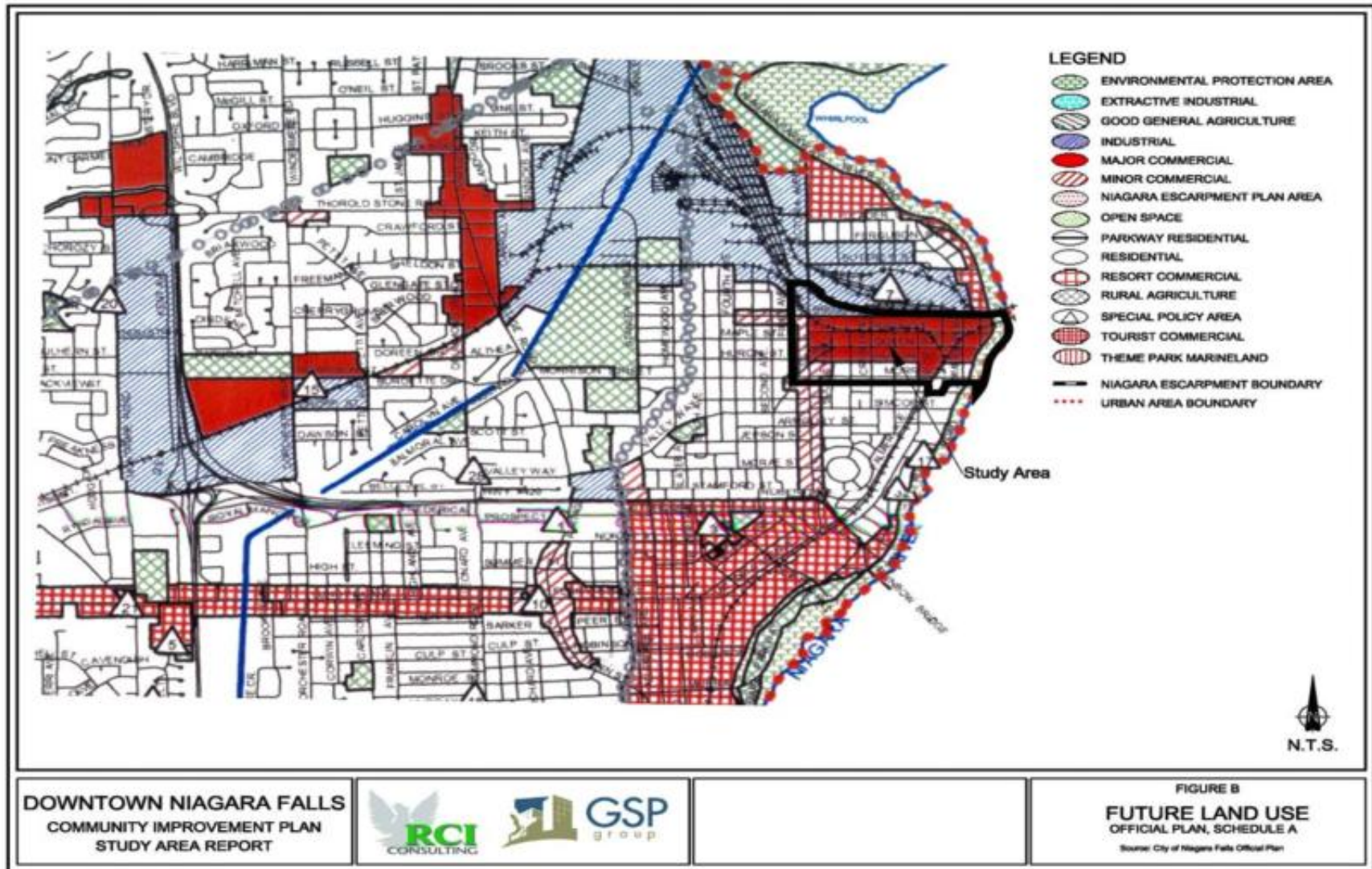
APPENDIX A

Community Improvement Areas – Official Plan, Schedule E



APPENDIX B

Future Land Use – Official Plan, Schedule A



APPENDIX C

Glossary of Terms

Ancillary commercial uses – commercial uses that depend on and serve a primary commercial activity, such as tourism.

Assignee – any tenant or person that the owner has given the authority to apply for and receive funding under any of the funding programs contained in the CIP.

Bundling or clustering – the combination of economic activities in space (geographically) and/or time (sequentially).

Community Improvement Plan (CIP) – a plan of the community improvement of a community improvement project area.

Community Improvement Project Area -- a municipality or an area within a municipality, the community improvement of which in the opinion of the municipal council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings, or for any other environmental, social or community economic development reason.

Free enterprise zone – as per the City of Niagara Falls Official Plan, the area between the former rail line and River Road where redevelopment on a large, comprehensive scale is encouraged. Development standards would be established through an implementing zoning by-law without further amendment to the Official Plan.

Gateway – major road entrance to the downtown.

NEXUS – a border crossing program for pre-approved clearance that is reserved for subscribers who must be residents of Canada or the U.S.

One-way couplet – two one-way roads that flow traffic in opposite directions.

PRIDE – program for renewal, improvement, development and economic revitalization.

Property taxes in good standing – property taxes are paid up to date or a payment plan and agreement have been approved by the City.

Smart Growth principles – as it relates to the Regional Municipality of Niagara Development Charges waiver/exemption program, this includes a substantial commitment to intensification, mixed use, walkable neighbourhoods, housing choice and reduced setbacks.

Surplus parking lots – parking lots owned by the City which are no longer required for provision as public parking lots.

Venture capital pool – a pooled source of funds available for investment.