

**CITY OF NIAGARA FALLS**

**By-law No. 2024-\_\_\_**

A By-law to amend By-law No. 79-200 to permit the use of the lands for two 58-storey mixed-use towers and to permit a portion of the required parking to be provided off-site, and to repeal By-law No. 2002-210.

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

1. The Lands that are the subject of and affected by the provisions of this by-law are described in Schedules 1 and 3 of this by-law and shall be referred to in this by-law as the "Lands". Schedules 1 and 3 are a part of this by-law.
2. The lands shall be identified as two parcels, known as TC-XXX and TC-YYY. The purpose of this by-law is to amend the provisions of By-law No. 79-200, to permit the use of the Lands in a manner that would otherwise be prohibited by that by-law. In the case of any conflict between a specific provision of this by-law and any existing provision of By-law No. 79-200, the provisions of this by-law are to prevail.
3. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following uses and regulations shall be the permitted uses and regulations governing the permitted uses on and of the Lands.
4. The permitted uses shall be:
  - (a) For Parcel TC-XXX, the uses permitted in a TC zone. In addition, dwelling units in combination with one or more of the uses permitted in the TC zone shall also be permitted. Vacation rental units shall be permitted in both existing and new dwelling units.
  - (b) For Parcel TC-YYY, the uses permitted in a TC zone. In addition, an above-grade parking structure with ground floor commercial uses along Stanley Avenue shall also be permitted. Parking and accessory uses related to uses on Parcel TC-XXX shall also be permitted.
5. The regulations governing the permitted uses on Parcel TC-XXX shall be:

(a) Minimum lot area	The whole of Parcel TC-XXX, save and except for any part that may be required to be dedicated for the purpose of road widening
(b) Location of a building or structure, its maximum height and maximum number of storeys and minimum yards	refer to Schedule 2 and clause (d) of this section
(c) Maximum lot coverage	none
(d) Maximum height of a building or structure and maximum number of	211.0 metres and a maximum of 58 storeys, as measured from Geodetic Survey of Canada elevation 200.2

- storeys metres with a maximum podium height of 36 metres.
- (e) Roof Feature In addition to (d) above, one building having a height of up to 220.0 metres and a maximum of 60 storeys, as measured from Geodetic Survey of Canada elevation 200.2 metres, may be permitted where the Director of Planning, Building and Development is satisfied that it will provide a clearly defined roof feature to enhance the skyline.
- (f) Maximum floor area 143,000 square metres
- (g) Minimum number of parking spaces 1.4 parking spaces per dwelling unit  
2.0 parking spaces per vacation rental unit  
1 space for each 1.25 hotel rooms  
1 space for each 75 square metres of gross floor area of gaming use  
0 spaces for all other commercial uses
- (h) Location of parking Hotel and vacation rental unit parking spaces are not required to be located on the same lot occupied by such use.
- (i) Minimum number of loading spaces 3
- (j) The balance of regulations specified for the TC zone.
6. The regulations governing the permitted uses on Parcel TC-YYY shall be:
- |   |  |
|---|--|
| Location of a building or structure, its maximum height and maximum number of storeys and minimum yards | refer to Schedule 4  |
| (a) Minimum landscaping   | A 3.0-metre-wide landscape strip adjacent to and parallel to Stanley Avenue and Dixon Street |
7. For the purposes of this by-law:
- “parking structure” means a structure for the temporary parking of vehicles and associated uses such as shuttle services and waiting areas.
- “top storey” means the uppermost storey with a full-sized floor plate without a partial storey below it.

- 8. All other applicable regulations set out in By-law No. 79-200 shall continue to apply to govern the permitted uses on the Lands, with all necessary changes in detail.
- 9. No person shall use the Lands for a use that is not a permitted use.
- 10. No person shall use the Lands in a manner that is contrary to the regulations.
- 11. The provisions of this By-law shall be shown on Sheet D5 of Schedule "A" of By-law No. 79-200 by redesignating the Lands from TC and numbered 599 to TC and numbered XXX, and from TC and numbered 75 in part to TC and numbered YYY, as shown on Schedules 1 and 3 of this By-law.
- 12. Section 19 of By-law No. 79-200 is amended by adding thereto:
  - 19.1.XXX Refer to By-law No. 2024-\_\_\_\_\_
  - 19.1.YYY Refer to By-law No. 2024-\_\_\_\_\_
- 13. By-law No. 2002-210 is repealed and section 19.1.599 of By-law No. 79-200 is deleted.

**Read a first, second and third time; passed, signed and sealed in open Council this \_\_\_\_ day of \_\_\_\_\_, 2024.**

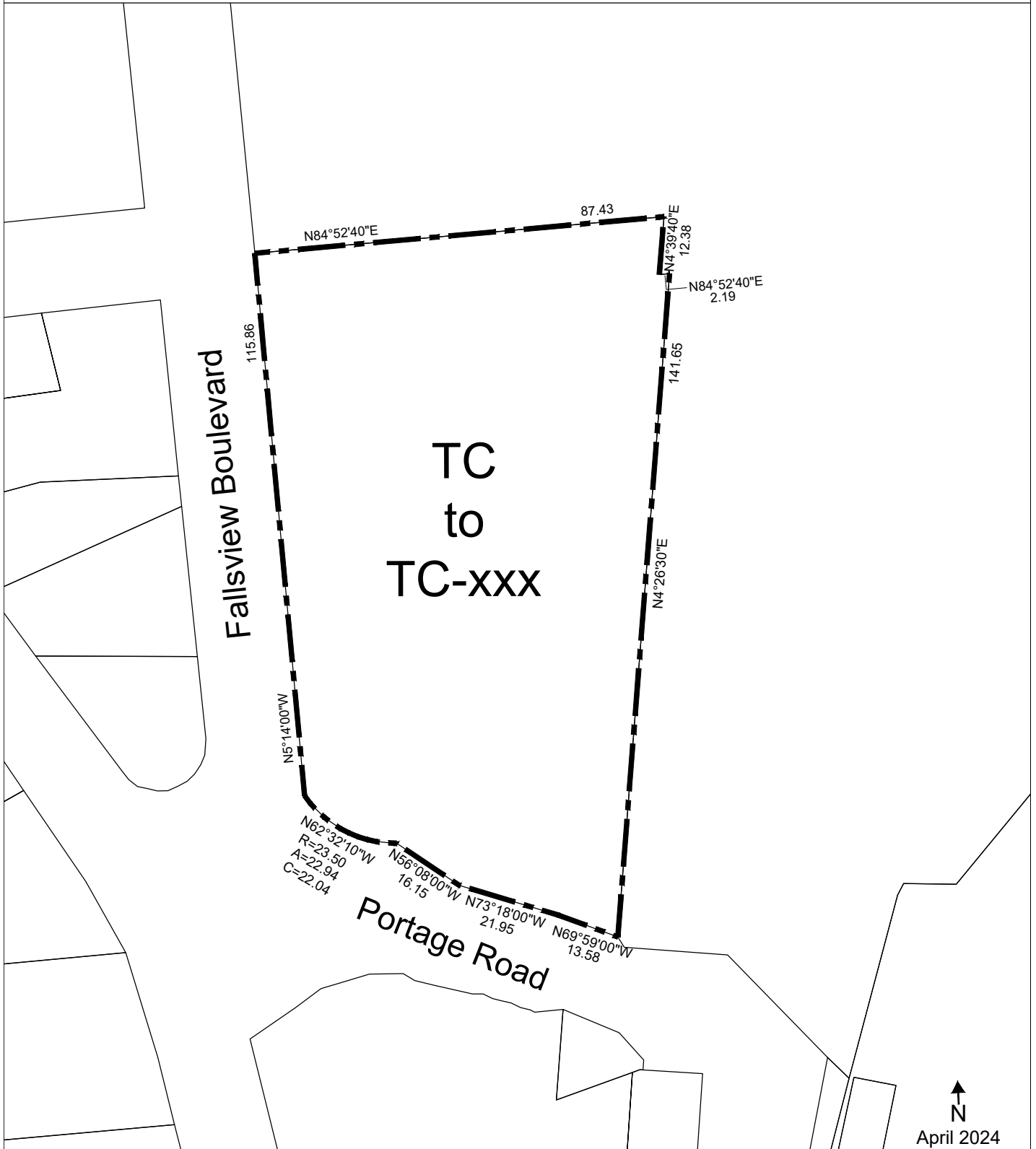
.....  
WILLIAM G. MATSON, CITY CLERK

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JAMES M. DIODATI, MAYOR

# Schedule '1' to Zoning By-law 2024-XXX

----- Subject Lands

PARTS OF RANGES 9, 10, 11 & 12 AND PART OF PAVILION LT E/S STANLEY AV PL 1 NIAGARA FALLS PT 1 59R3381 EXCEPT PT 1, 2, 3, 4, 5 & 6 59R11875; S/T ST22202; PT DIXON ST PL 1 (AS CLOSED BY RO715997); PT 18-21, 59R9727, PT 1, 59R9575, PT 1, 59R4062 & PT 11, 59R3409, EXCEPT PT 7, 59R11875; T/W RO418212; S/T RO432924, RO719532E; NIAGARA FALLS



# Schedule '2' to Zoning By-law 2024-XXX

--- Subject Lands       Road Widening

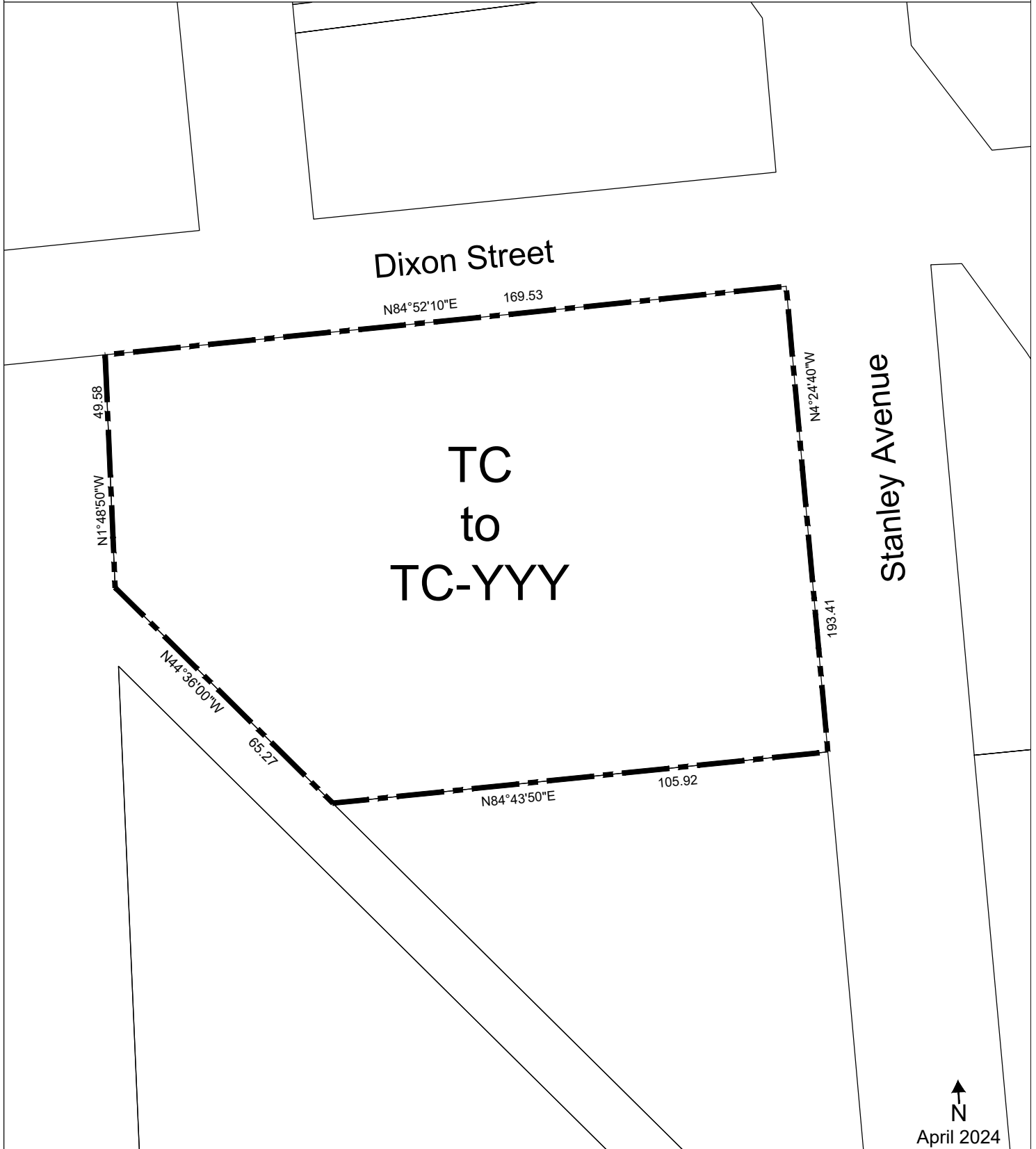
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# Schedule '3' to Zoning By-law 2024-XXX

--- Subject Lands

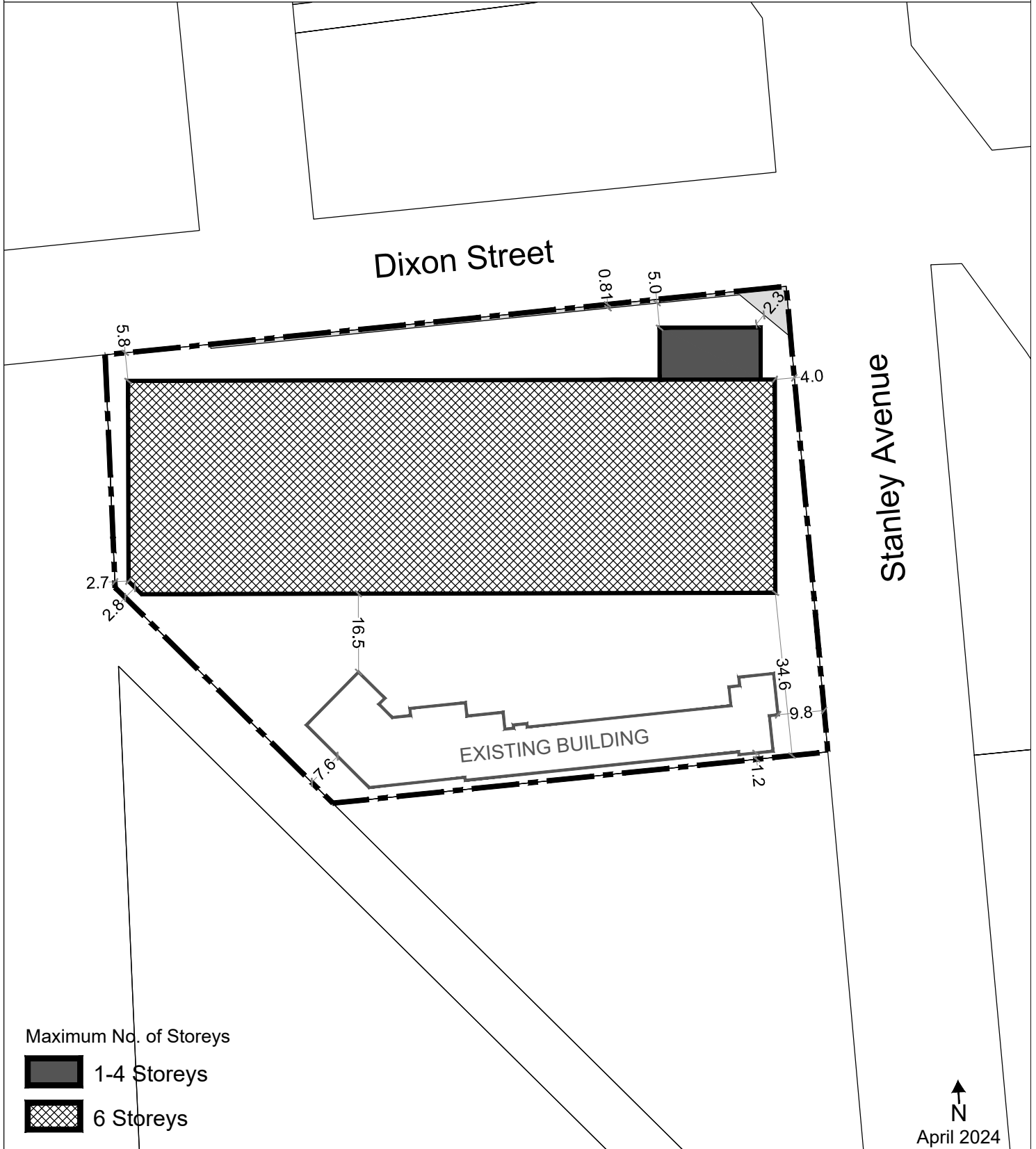
PT RANGE 11 PL 1 STAMFORD AS IN RO400667; PT RANGE 12 PL 1 STAMFORD AS IN RO734449(FIRSTLY); PT RANGE 12 PL 1 STAMFORD SURFACE ONLY BEING PT 5 59R3013; PT RANGE 10 PL 1 STAMFORD, PT RANGE 11 PL 1 STAMFORD SURFACE ONLY BEING PTS 1, 2, 3 & 4 59R3013 CITY OF NIAGARA FALLS




# Schedule '4' to Zoning By-law 2024-XXX


--- Subject Lands     Road Widening

PT RANGE 11 PL 1 STAMFORD AS IN RO400667; PT RANGE 12 PL 1 STAMFORD AS IN RO734449(FIRSTLY); PT RANGE 12 PL 1 STAMFORD SURFACE ONLY BEING PT 5 59R3013; PT RANGE 10 PL 1 STAMFORD, PT RANGE 11 PL 1 STAMFORD SURFACE ONLY BEING PTS 1, 2, 3 & 4 59R3013 CITY OF NIAGARA FALLS



Maximum No. of Storeys

 1-4 Storeys

 6 Storeys