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The background of the cover features a photograph of two tall, modern skyscrapers with glass facades, set against a dark, twilight sky. A small airplane is visible in the upper right portion of the sky. A large, semi-transparent white circle is overlaid on the lower half of the image, framing the project details.

# Planning & Urban Design Rationale

**6546 Fallsview Boulevard &  
6503-6519 Stanley Avenue**  
City of Niagara Falls

**Prepared For**  
Hennepin Realty Holdings Inc.

February 2024



**BOUSFIELDS INC.**

Job Number

2179

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This Planning and Urban Design Rationale report has been prepared in support one planning application by Hennepin Realty Holdings Inc. and Hennepin’s View Inc. (the “owners”) for two separate sites within the City of Niagara Falls (6546 Fallsview Boulevard, the “hotel development site”; and 6503-6519, the “parking garage site”)

An aerial photograph of a university campus, overlaid with a semi-transparent red filter. The image shows various buildings, parking lots, and green spaces. In the center-left, there is a large white circle containing the number '1'. To the right of this circle, the word 'Introduction' is written in a white, sans-serif font.

1

# Introduction



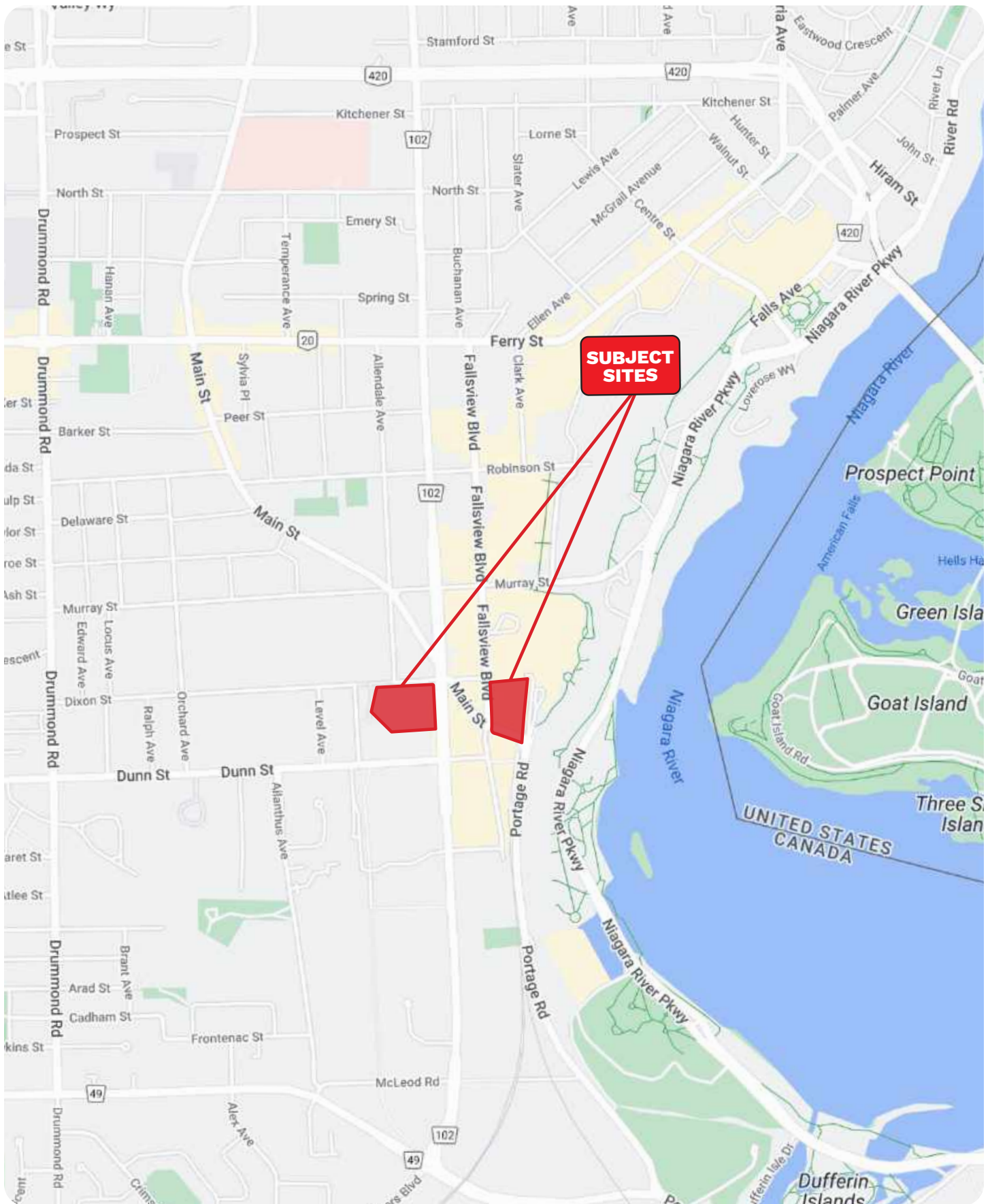


Figure 1 - Location Map



This Planning and Urban Design Rationale report has been prepared in support of one planning application by Hennepin Realty Holdings and Hennepin's View Inc. (the "owners") for two separate sites within the City of Niagara Falls. The Official Plan Amendment and Zoning By-law Amendment Applications would permit:

- A mixed-use complex consisting of hotel, residential, retail, and associated uses in two 58-storey buildings atop 6-storey podium buildings at 6546 Fallsview Boulevard (the "hotel development site"); and
- A 7-storey off-site parking garage and hotel guest terminal facility at 6503- 6519 Stanley Avenue (the "parking garage site") to serve the proposed hotel complex as well as other commercial parking needs in the surrounding area.

This report is intended to satisfy the requirements for a Planning Justification Report in support of the application as identified through pre-application consultation, as well as to summarize the findings of the Urban Design Brief (Section 5.5 of this report) and the Visual Impact Assessment. Given the interrelated nature of the two sites, City staff have identified that they would be treated as a singular development application and have requested a single Planning Justification Report covering both aspects of the proposed development, rather than two separate reports covering the hotel complex and the parking garage individually.

This report concludes that the proposed development (i.e. the hotel complex and the parking garage) is appropriate and desirable in land use planning and urban design terms. The development would bring a prestigious new hotel to Niagara Falls, expanding the City's tourism and accommodation offerings with a high-quality, architecturally distinctive design by architectsAlliance which will add visual interest to the City's skyline.

The proposed development would improve the pedestrian environment along the street frontages of both the hotel development site and the parking garage site by replacing existing surface parking and creating animated street frontages, particularly along the Fallsview Boulevard and Portage Road frontages of the hotel development site. The height and built form of the proposed development will fit harmoniously with the existing and planned built form context.

In our opinion, the proposed development is consistent with the Provincial Policy Statement (the "PPS"), conforms with the Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") and the Niagara Region Official Plan (the "ROP") and furthers the overall policy directions of the Niagara Falls Official Plan (the "OP").

For the foregoing reasons, we are of the opinion that the proposed development is in the public interest and represents good planning and urban design. Accordingly, we recommend approval of the Official Plan Amendment and Zoning By-law Amendment applications.



# Site & Surroundings

## 2.1 Subject Sites

The proposed development involves two sites; one at 6546 Fallsview Boulevard (hereinafter referred to as the "Hotel Development Site") and the other at 6503-6519 Stanley Avenue (referred to as "Parking Garage Site"). The sites will be collectively referred to as "the subject sites".

### 6546 Fallsview Boulevard

The Hotel Development Site (6546 Fallsview Boulevard) is located at the northeast corner of Fallsview Boulevard and Portage Road. The site is 1.06 hectares (10,615 square metres) in size and is irregular but generally rectangular in shape. It has frontages of approximately 116.9 metres on Fallsview Boulevard and approximately 73.7 metres on Portage Road. The site also includes a strata easement for access on the uppermost level of an adjacent parking structure directly to the east. For the purposes of this report, the area of this easement is not included in the Hotel Development Site. A more detailed description of this easement and its proposed use is provided in Section 3.1 of this report.

The Oakes Hotel currently occupies the hotel development site. The Oakes Hotel was constructed in phases, with the 21-storey tower currently on the site, the most recent addition, being completed in 2003. It offers an unrivalled vantage point, given its proximity to the Horseshoe Falls. The site also includes the attached Applebee's Grill + Bar restaurant, with accessory surface parking located both to the front (west) and rear (east) of the building. The existing hotel offers two types of rooms: Tower Rooms, which are located in the 21-storey tower; and Courtyard Rooms, which are located immediately north of the tower portion in an older two-level structure that frames the parking lot along Fallsview Boulevard.

The 21-storey tower is located on the southerly portion of the site, fronting Portage Road, and is joined to a 15-storey slab-style building extending to the north. In turn, the 15-storey building is connected to the aforementioned 2-storey motel style building which occupies the northerly portion of the site. The single-storey Applebee's restaurant occupies a portion of the Fallsview Boulevard frontage with a restaurant patio to the north. All of the existing buildings will be demolished to make way for the proposed development.

Surface parking lots are located to the north and south of the Applebee's, occupying the majority of the Fallsview frontage. There is a narrow-landscaped strip located along the Fallsview Boulevard frontage of the northerly parking lot; however, the southerly parking lot extends to the public sidewalk with no landscaping. There are two wide curb cuts along Fallsview Boulevard serving the parking lots.

To the rear (east) of the Oakes Hotel buildings is an additional surface parking lot, which is accessed via a curb cut from Portage Road, as well as from a long driveway from Fallsview Boulevard that runs along the north and east edges of the site. Abutting this parking lot to the east is additional surface parking lot on a deck located on lands owned by the Fallsview Casino and Resort, over which the Hotel Development Site has a strata easement.



The site has a significant change in grade (approximately 9 metres) along its north and east edges. The elevation of the building and surface parking lots matches the street level on Fallsview Boulevard, and slopes slightly downwards to the east along the Portage Road frontage. The site has minimal landscaping, with the exception of a row of five street trees along the Fallsview Boulevard frontage.

The Hotel Development Site is strategically located to take advantage of several area amenities, including its location on Fallsview Boulevard and its proximity to Murray Street to the north, both of which include numerous restaurants, retail stores and other tourist attractions that are unique to Niagara Falls. It is also well positioned to take advantage of major tourist draws in the tourist core of Niagara Falls including the Fallsview Casino, Casino Niagara, Fallsview Indoor Waterpark, Niagara Skywheel, Hornblower Niagara Cruises, Skylon Tower, the Niagara Parks Falls Incline Railway and the Niagara Falls Convention Centre.

In addition to the site's proximity to the amenities listed above, the site is approximately 1.8 kilometres south of Highway 420 and 1.5 kilometres southwest of the Rainbow Bridge, which provides access to Niagara Falls, New York.

The site also enjoys clear, unobstructed views of the Horseshoe and American Falls to the east.

## **6503-6519 Stanley Avenue**

The Parking Garage Site (6503-6519 Stanley Avenue) is located at the southwest corner of Stanley Avenue and Dixon Street, approximately 155 metres west of the Hotel Development Site.

It is generally rectangular in shape, with the exception of the southwest corner, which is angled. The site is 1.36 hectares (13,645 square metres) in size, with frontages of approximately 99.6 metres on Stanley Avenue and 145.7 metres on Dixon Street.

In the middle of the Stanley Avenue frontage, the Parking Garage Site is currently occupied by the Frontier BBQ and Smokehouse, a single-storey restaurant building, which is surrounded by surface parking to the south and west, accessed via a driveway from Stanley Avenue to the south of the restaurant. The southerly portion of the site is occupied by the Days Inn by Wyndham Fallsview hotel. The hotel is a three-storey 'L' shaped building with an outdoor swimming pool located to the north of the hotel and surface parking to the north and west, accessed from the driveway that is shared with the restaurant. As part of the proposed development, the Frontier restaurant will be demolished, while the Days Inn will be retained.



The northerly portion of the site is currently being used for a secure surface parking lot for the Hilton Niagara Falls hotel. The parking lot has driveway access from Stanley Avenue just north of the Frontier restaurant and a second access from Stanley Avenue just south of Dixon Street, which is currently blocked off. Along Dixon Street, there is an additional driveway access near the west end of the site opposite Allendale Avenue.

The site is generally flat. The Stanley Avenue and Dixon Street frontages both have landscaped strips abutting the subject site, with a few trees in the middle of the Dixon Street frontage.



**Figure 2 - Aerial Photo - Site Context**



## 2.2 Area Context

The subject sites are located in the Fallsview Tourist District. Fallsview is the City's primary tourist area and is home to several high-rise hotels and towers, including the Hilton Niagara Falls (53 storeys, 177 metres), the Skylon Tower (158 metres), the Embassy Suites hotel (42 storeys, 118 metres), Fallsview Casino Resort (30 storeys, 111 metres), Sheraton Fallsview Hotel (31 storeys, 104 metres), Hilton Niagara Falls South Tower (31 storeys, 103 metres), the Marriott on the Falls Hotel (31 storeys, 102 metres) and the Fallsview Tower Hotel (99 metres).

In addition, there are a number of approved tall buildings including a recently-approved 77-storey mixed-use building at 5602 Robinson Street (southwest corner of Stanley Avenue and Robinson Street), a recently-approved 72-storey mixed-use building at 6605 Stanley Avenue (northwest corner of Stanley Avenue and Dunn Street), recently-approved 60-storey, 45-storey and 39-storey mixed-use towers at 6880 Stanley Avenue (southeast corner of Stanley Avenue and Livingstone Street), recently-approved 56-storey, 40-storey and 40-storey hotel buildings at 5383-5385 Robinson Street, and 61-storey and 60-storey hotel buildings at 5555-5651 River Road, 4369 Hiram Street and 5600 Blondin Avenue (approved in 2012).

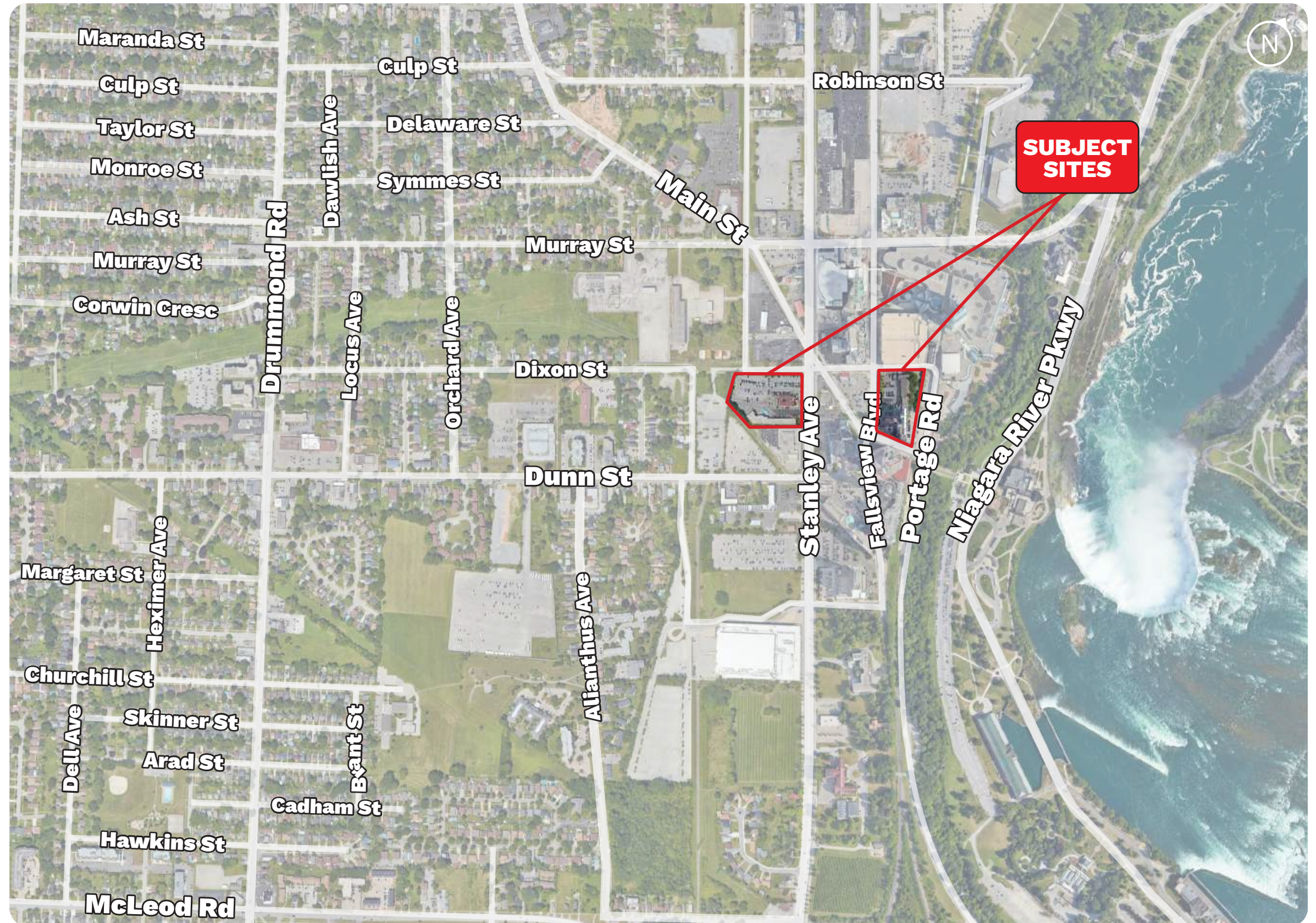


Figure 3 - Aerial Photo - Area Context



## 2.3 Immediate Surroundings

### 6546 Fallsview Boulevard

To the **north** of the Hotel Development Site is the Fallsview Casino and Resort (6380 Fallsview Boulevard), which includes a 30-storey, 374-suite hotel as well as a 61,000 square metre casino, a 1,500-seat theatre, retail stores, night clubs and restaurants. Along the Fallsview Boulevard frontage immediately north of the subject site is a 5-level, 2,500-space parking garage serving the casino, to the north of which is the main driveway entrance and a large, landscaped forecourt along Fallsview Boulevard. The hotel and casino buildings are located to the northeast of the subject site, served by a bus and loading entrance driveway which runs north from Portage Road and is located to the east of, and at a lower level, than the subject site.

To the **east**, beyond the bus and loading entrance for the Fallsview Casino, is the heavily treed escarpment slope, Queen Victoria Park, the Horseshoe Falls and the Niagara Gorge. Within 60 metres to the southeast of the site, accessed from Portage Road, is the Falls Incline Railway (7001 Portage Road). The incline railway provides pedestrian and bicycle access to Queen Victoria Park, the Niagara River Parkway and the Horseshoe Falls, along with various tourist attractions, including the Table Rock Welcome Centre and the Journey Behind the Falls (6650 Niagara Parkway). A large surface parking lot (Falls Parking Lot A, 6635 Niagara River Parkway) extends along the base of the escarpment starting at the entrance to the Falls Incline Railway and extending south to the Niagara Parks Power Station (7005 Niagara River Parkway).

To the **south** of the site, between Portage Road, which runs along the top of the escarpment, and Stanley Avenue, are a number of hotels which overlook the Horseshoe Falls, including the 42-storey Embassy Suites hotel (6700 Fallsview Boulevard), the Fallsview Tower Hotel (6732

Fallsview Boulevard), the 20-storey Marriott Fallsview Hotel and Spa (6740 Fallsview Boulevard), the Radisson Hotel & Suites Fallsview (6733 Fallsview Boulevard), a complex consisting of two buildings with heights of 5 storeys and 15 storeys, and the 31-storey Marriott on the Falls Hotel (6755 Fallsview Boulevard).

It is noted that the Marriott property at 6740-6760 Fallsview Boulevard is the subject of an active rezoning application to permit a 5-storey addition on top of the existing hotel (for a total of 25 storeys) and a new 27-storey tower, with off-site parking at 5896 Dunn Street.

To the **west** of the site, in the block between Fallsview Boulevard and Stanley Avenue, are a number of hotels, restaurants, and other tourist attractions, including the 22-storey Four Points by Sheraton Hotel and the Niagara Falls Fun Zone (6455 Fallsview Boulevard), and the 53-storey and 31-storey Hilton Niagara Falls (6361 Fallsview Boulevard).

The triangular block immediately west of the site, formed by Fallsview Boulevard, Dixon Street and Main Street (the northwesterly extension of Portage Road), consists primarily of a large surface parking lot, with the exception of a single-storey restaurant building at the southeast corner of Main Street and Dixon Street.

At the southwest corner of Fallsview Boulevard and Main Street is the 8-storey Comfort Inn, which is attached to a 2-storey motel building facing Stanley Avenue (6645 Fallsview Boulevard).

## 6503-6519 Stanley Avenue

To the **north** of the Parking Garage Site, on the north side of Dixon Street, are a number of surface parking lots and the Chabad Lubavitch (Jewish Welcome Centre) of Niagara (6417 Main Street). The Chabad is comprised of two buildings surrounded by off-site surface parking for surrounding businesses. The surface parking lot located at the northwest corner of Stanley Avenue and Dixon Street is off-site parking reserved for guests of the Four Points by Sheraton Hotel (6455 Fallsview Boulevard). The Sheraton parking lot has driveway access from Dixon Street, opposite the subject site, and from Allendale Avenue. Further north is an off-site surface parking lot, accessed from Main Street, serving My Cousin Vinny's restaurant (6541 Main Street) and the Comfort Inn (6645 Fallsview Boulevard). North of the Chabad is an additional off-site surface parking for the Sheraton and associated businesses.

Further north, within the triangular block bounded by Main Street, Stanley Avenue and Murray Street, are a 2-storey restaurant building and the Niagara Freefall and Interactive Centre (6357 Stanley Avenue), as well as off-site parking for the Hilton Niagara Falls.

To the **east**, as described above (i.e. the lands west of the Hotel Development Site) are the Hilton Niagara Falls and the Sheraton hotel. Along the Stanley Avenue frontage of those hotel properties are the OLG Stage at Fallsview Casino (6356 Stanley Avenue), surface parking for the Sheraton Hotel and a single-storey IHOP restaurant.

Immediately east of the Parking Garage Site at the southeast corner of Stanley Avenue and Main Street is My Cousin Vinny's Italian Restaurant (6541 Main Street) and the Comfort Inn, as described above.

Immediately to the **south** of the site, at the northwest corner of Stanley Avenue and Dunn Street, is a single-storey foundation structure, constructed as part of a previously approved development for a 30-storey hotel at 6605 Stanley Avenue (By-law 2000-153). The development project was put on hold in 2007 and the foundation structure has remained in place since that time. The structure provides 3 levels of underground parking. The site was recently rezoned to permit a 72-storey mixed-use development that will contain hotel, residential condominium, restaurant, retail and night club uses. The Official Plan Amendment and Zoning By-law Amendment were approved in August 2022 as OPA No. 135 and By-law No. 2022-093.

Further south are a low-rise motel and restaurant, off-site surface parking lots and the Niagara Falls Convention Centre (6815 Stanley Avenue).

To the **west** of the site are two surface parking lots. To the southwest is a triangular shaped lot with access from Dunn Street. To the immediate west is an off-site parking lot for the Radisson hotel, which runs south from Dixon Street to Dunn Street, with its primary access from Dunn Street. The parking lot runs beneath an overhead hydro transmission line. To the northwest of the site, on the west side of Allendale Avenue, is a hydro sub-station.

To the west of the hydro corridor (west of Cleveland Avenue) is a predominantly low-rise residential neighbourhood, consisting of single detached residential dwellings and vacant lands.





Looking North at an existing surface parking area on the subject site.



Looking north along Fallsview Boulevard from the Hotel Site.



Looking north along the Hotel Site's Fallsview Boulevard frontage.



Looking north to the Hotel Site, showing the existing public realm along Portage Road.



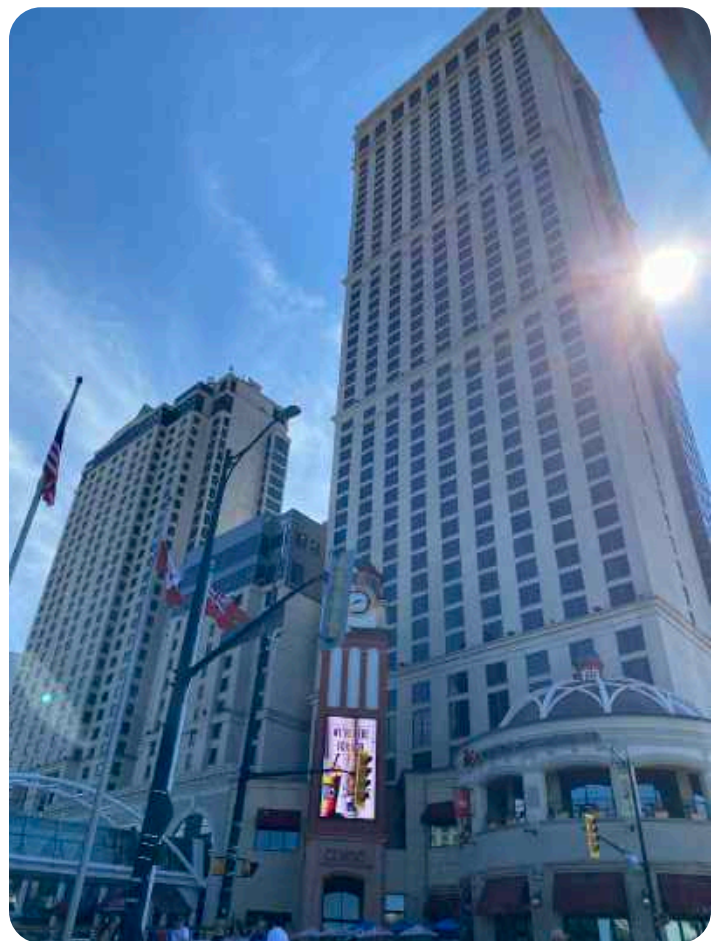
Looking Northeast at the corner of Portage Road and Fallview Boulevard.



Looking Southeast towards the subject site. Existing tall buildings surround the site.



Looking northeast at the existing parking structure to the north of the Hotel Site.



Looking west at the existing Hilton Hotel to the north of the Hotel Site.



## 2.4 Transportation Context

Fallsview Boulevard, Portage Road and Dixon Street are all identified as Collector Roads on Schedule C – Major Roads Plan of the City of Niagara Falls Official Plan.

Part 3, Policy 1.5.18.5 of the Official Plan provides that Collector Roads are intended to accommodate moderate to high volumes of medium distance traffic between Arterial Roads and Local Roads. Fallsview Boulevard and Portage Road, where they abut the Hotel Development Site have a planned right-of-way width of 26 metres. A 3.05 metre road widening has already been taken from the Hotel Development Site to achieve the 26-metre right-of-

way. Along Portage Road, a tapered road widening (of approximately 2.84 metres) is proposed as a part of the subject applications which would contribute to the planned 26 metre right-of-way. The road widening is illustrated on the architectural plans and the draft reference plans, included as part of the application submission.

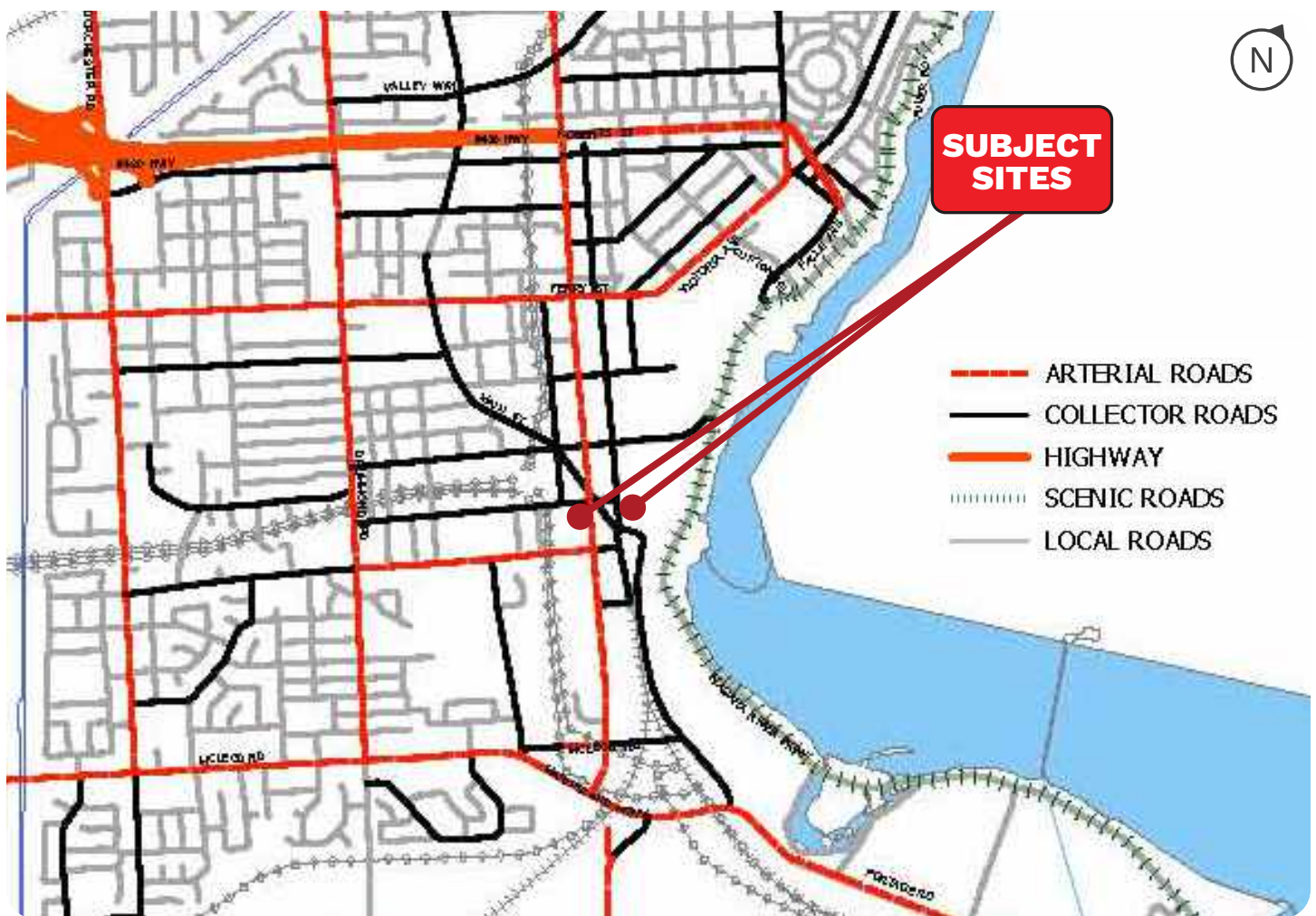
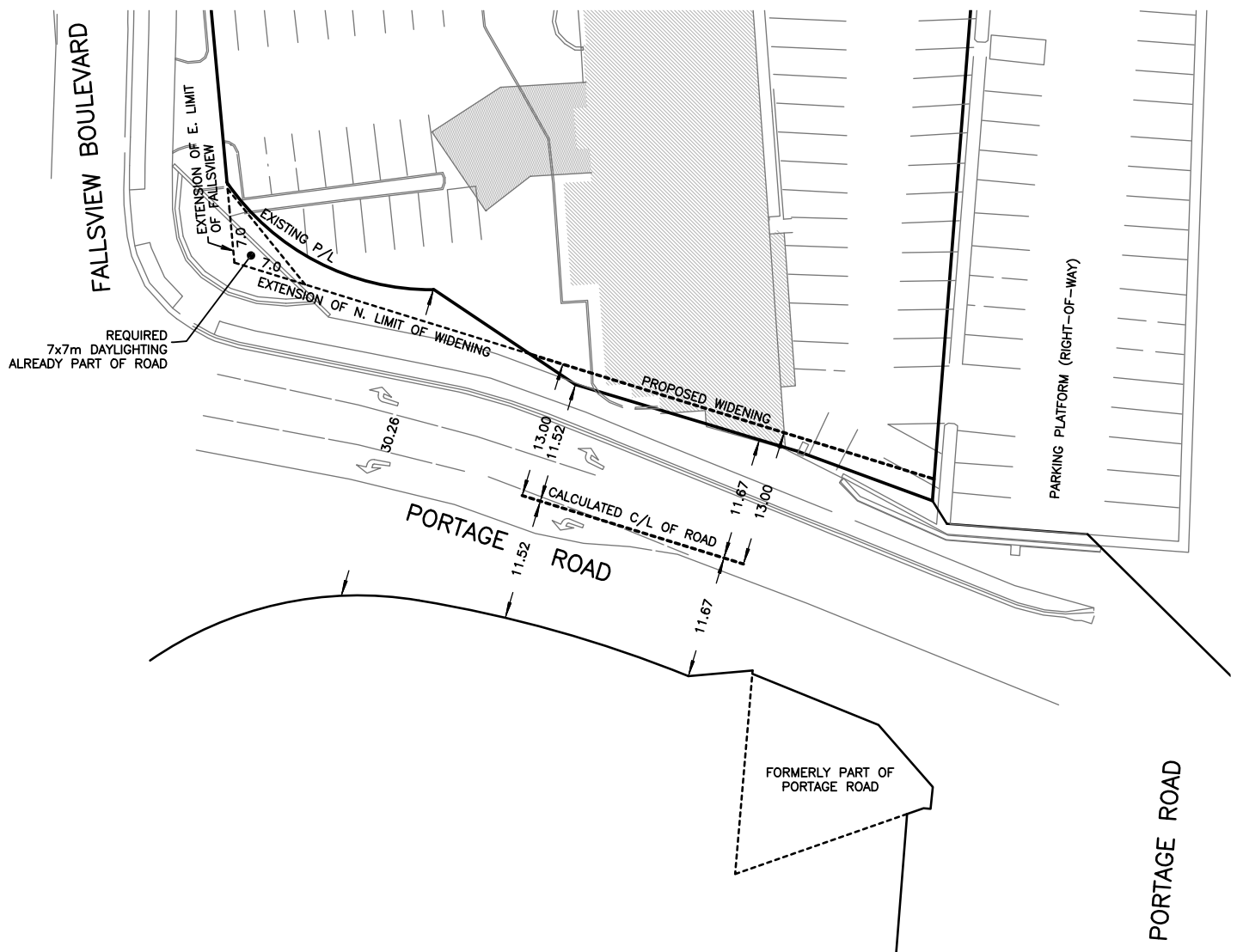


Figure 4 - Schedule C, Major Roads Plan Map

We note that during the Pre-Consultation meeting for the subject applications, The City of Niagara Falls identified a need for a 7x7 metre daylight triangle at the intersection of Fallsview Boulevard and Portage Road. Following this meeting, the applicant has undertaken additional survey work and determined that the existing Portage Road right-of-way significantly exceeds the ultimate width identified in the Official Plan and that the 7x7 metre daylight triangle, measured from lines extended from the ultimate rights-of-way for both Portage Road and Fallsview Boulevard as identified in the Official Plan, would result in the daylight

triangle falling entirely within the existing municipal right-of-way. As a result, no daylight triangle is proposed to be conveyed as a part of the subject applications. This condition is illustrated in a sketch prepared by J.D. Barnes Limited, shown in **Figure 5**.



**Figure 5** - Sketch Illustrating Planned Right-of-ways Adjacent to the Subject Site



With regards to the Parking Garage Site, Stanley Avenue is identified as an Arterial Road on Schedule C. Policy 1.5.18.4 provides that Arterial Roads are designed to accommodate large volumes of traffic between major land use areas in City. Stanley Avenue, where it abuts the Parking Garage Site, has a planned right-of-way width of 30.5 metres.

Dixon Avenue, where it abuts the Parking Garage Site, is identified as a Collector Road in the Official Plan. The pre-consultation meeting notes for the subject applications identified that Dixon Road has a 26-metre right-of-way from Stanley Avenue to Allendale Avenue, and 23 metres from Allendale Avenue to the western limits of the subject site. A 0.81 metre road widening is proposed to be conveyed between Allendale Avenue and Stanley Avenue to accommodate these planned road widths.

The subject sites are served by WeGo Bus service Blue Line – Fallsview/Clifton Hill, which services the Fallsview Tourist District, including Fallsview Avenue, looping at Livingstone Street and Dunn Street. The site is also serviced by the nearby Red Line – Lundy’s Lane, which services Stanley Avenue, Clifton Hill, Clark Street and Lundy’s Lane. WeGo bus service provides transit access to popular attractions throughout the tourist areas of the City (see **Figure 6** – WeGo Transit Map).



**Figure 6** - WeGo Transit Map

In addition, the subject sites are served by Niagara Region Transit Routes 101 and 106. Route 101 provides service between the Main and Ferry Hub and the Canadian Drive Hub and runs along Stanley Avenue between Murray Street and Dunn Street, with service every 30 minutes from 7:00 AM to 6:00 PM Monday through Saturday. Route 106 provides service between the Main and Ferry Hub and Chippawa (Portage and Front) and runs along Stanley Avenue between Murray Street and Marineland Parkway, with service every 23 minutes from 6:37 AM to 5:30 PM Monday through Saturday.

From an active transportation perspective, the site is well-served by the Regional Bicycle Network along Stanley Avenue.



Figure 7 - Cycling Map





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# Proposal

### 3.1 Proposed Hotel Development

The proposal involves the redevelopment of the Hotel Development Site with two 58-storey mixed-use towers (210.05 metres, including mechanical penthouse), atop two connected 6-storey podium buildings with a central atrium and two basement levels.

The two 58-storey buildings will include a total of 1,140 hotel suites and 126 residential units. A total gross floor area of 140,677 square metres is proposed, resulting in a density of 13.32 FSI. Above grade, the building elements are generally oriented parallel to the east lot line, resulting in angled setbacks from Fallsview Boulevard, which will create opportunities for landscape features along the Fallsview frontage as described below.

#### Basement Levels

The two basement levels are below the level of Fallsview Boulevard and cover virtually the entire site. The first basement level includes storage areas, mechanical rooms, the main kitchen, bike storage rooms, laundry facilities for the hotel, and parking areas. The second basement level includes offices, three loading spaces, garbage and recycling areas, storage rooms, maintenance shops, and additional parking areas. A total of 273 vehicular parking spaces are proposed in the two underground levels, split between 93 residential parking spaces, 145 parking spaces for the proposed hotel, and 35 parking spaces for other uses on the site.

#### The Podium Buildings

The 6-storey podium buildings will provide visual interest through their dramatic design, employing angled glass facades that slope outwards towards the adjacent streets and toward the north and east property lines.

The ground floor will cover the majority of the site, with the exception of the truck service access from Fallsview Boulevard along the north edge of the site, the pick-up/drop-off driveway and roof slab above the loading area along the east edge of the site, and the angled setbacks along Fallsview Boulevard. The uses on the ground floor include the main lobby entrance from Fallsview Boulevard, located approximately mid-way along the building frontage, a large multi-purpose facility, two residential lobbies accessed along the western and eastern sides of the podium, a second, smaller multi-purpose facility along the Portage Road frontage, support offices for the hotel,

The ground floor features generous setbacks from both Fallsview Boulevard and Portage Road, allowing for large landscaping areas and public space along both streets, including generous tree plantings and a plaza space which frames the primary lobby entrances. Along Portage Road, more landscaping features are proposed, including upgraded sidewalks with street trees and landscaped areas, "greening" the street and better connecting the site to the Niagara Escarpment to the east.

Along the east side of the building is the proposed vehicular pick up and drop off area for the proposed hotel use, including a covered porte-cochere, vehicle ramp to the underground parking, and a 10-space short-term parking area for valet use. A short-term valet parking area would be located atop the adjacent parking structure, accessed via an existing strata easement.



## The Towers

The podium building includes additional office spaces for the hotel on a mezzanine level above the ground floor, restaurant and a gaming facility spaces on the second level, additional restaurants, banquet and meeting facilities, and additional gaming facilities on the third and fourth levels. A glass atrium is proposed to split the north and south portions of the podium, extending up to the third level. The 5<sup>th</sup> level includes a pedestrian bridge between the two podium buildings, as well as additional banquet and meeting facilities and a Club Lounge overlooking the Falls. Finally, the 6<sup>th</sup> level of the podium is proposed to contain amenities for the hotel and residential units, including a spa, fitness centre, and pool. Two restaurants are also proposed, one in each of the north and south podiums.

As the podium buildings angle outwards on the uppermost levels to create a striking, visually interesting architectural form, the setbacks vary floor to floor. The podium proposes minimum setbacks of 5.0 metres from the north lot line, 11.89 to 14.1 metres from the east lot line, 4.5 -8.8 metres from Portage Road, and 0.51 to 3.08 metres from Fallsview Boulevard. In this regard, the draft by-law has provided additional flexibility to capture any minor adjustments made during the required site plan and building permit stages of design.

The 52-storey towers will be stepped back above the podium buildings, resulting in an overall height of 58 storeys. The roofs of the 6-storey podium buildings will serve as outdoor amenity areas including rooftop gardens, lookout terraces towards the Falls, and two rooftop bars, one in each tower.

The towers will have a slender design and will be diagonally offset from one another, with the northerly tower set back further from Fallsview Boulevard and the southerly tower located closer to Fallsview Boulevard.

As a result, the north and south elevations of the towers will not directly face one another. The towers will be separated 20.0 metres from one another (corner to corner). The north tower will be set back 5.0 metres from the north property line at its closest point, and the south tower will be set back a minimum of 3.25 metres from Portage Road.

Level 7 of each tower will include restaurant and amenity spaces adjacent to the rooftop amenity areas, as discussed above. Levels 9-51 will include a total of 1,140 hotel suites, with the uppermost levels of each tower, levels 52-58, containing 126 residential units. The floor plates of each tower are slender, with an east-west dimension of approximately 15 metres (17.9 metres including balconies) and a north-south dimension of 52.9 to 54.2 metres, resulting in floor plate sizes of 821 square metres for the south tower and 815 square metres for the north tower (Gross Construction Area). The floors are organized with hotel and residential suites and balconies primarily facing east toward the Falls, with elevator banks and exit stairwells located along the west building face.

The mechanical penthouses are proposed to consist of 3 levels of mechanical spaces, cumulatively 12.0 metres in height, with the north tower stepping back between 40.4 and 49.25 metres to the west, and the south tower stepping back between 9.0 and 17.6 metres from the west. They have been designed to complement and blend with the towers below while creating a signature, contemporary architectural feature on the tower, highlighted by proposed lighting for particular prominence in the evenings.

## 3.2 Proposed Parking Garage

The parking garage and hotel guest check-in terminal will be located on the northerly portion of the Parking Garage Site. It would involve the demolition of the Frontier restaurant building and redevelopment of the existing surface parking lot with a 7-storey (19.6-metre) parking garage facility that will serve as off-site parking for the Hotel Development Site and as a public parking garage. In total, the Parking Garage will have a Gross Construction Area (GCA) of approximately 41,774 square metres and 1,047 parking spots. The existing Days Inn Hotel on the southerly portion of the site would be retained.

The proposed parking garage will feature at-grade retail uses to animate the public realm. At the northwest corner of the building is a 609 square metre triple-height retail space (i.e. ground floor and Levels 2 and 3 open to below) designed to

address the intersection of Stanley Avenue and Dixon Street. Other ground floor features include a 771 square metre lounge/waiting area and a 44 square metre luggage storage/holding area to serve hotel guests. The garage would include 912 parking spaces serving hotel guests as well as 135 day-parking spaces.

The parking garage will have two access points. The main access point, serving hotel guests, will be located near the northwest corner of the site with access off Dixon Street. This access will be used for the valet parking entrance, as well as an exit. The second access will be from Stanley Avenue and used exclusively as the entrance to day (public) parking. In front of the garage, along the Dixon Street frontage, will be a loop for shuttle buses transporting hotel guests between the garage and the hotel.

The proposed parking garage has been massed and articulated to fit into and enhance the existing public realm and neighbourhood context. The building is generally rectangular in shape from Levels 4-7 and is angled on the site, with minimum setbacks of 6.1 metres along Dixon Street and 4.16 metres along Stanley Avenue.





**Figure 8 - 6503-6519 Stanley Avenue Site Plan (Prepared by: Architects Alliance)**



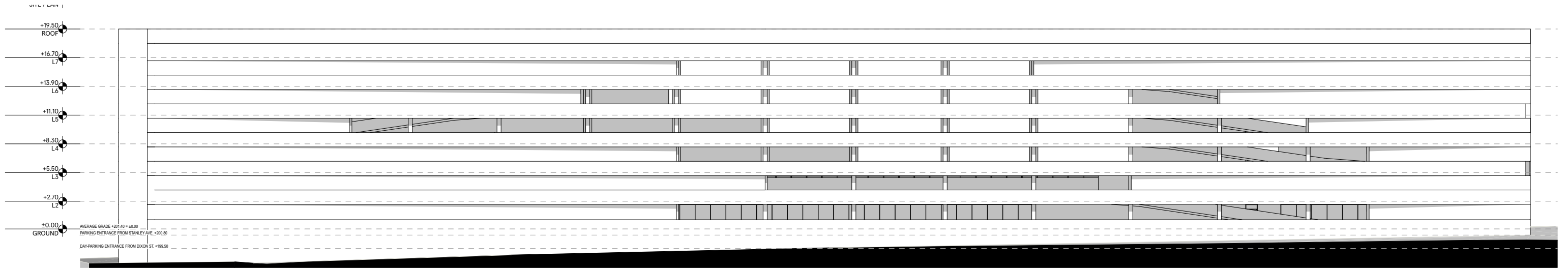


Figure 10 - 6519 Stanley Avenue South Elevations (Prepared by: Architects Alliance)

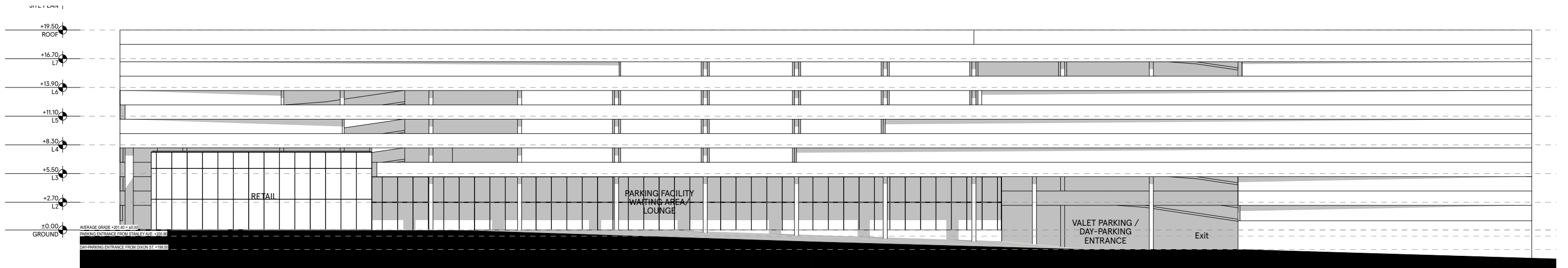
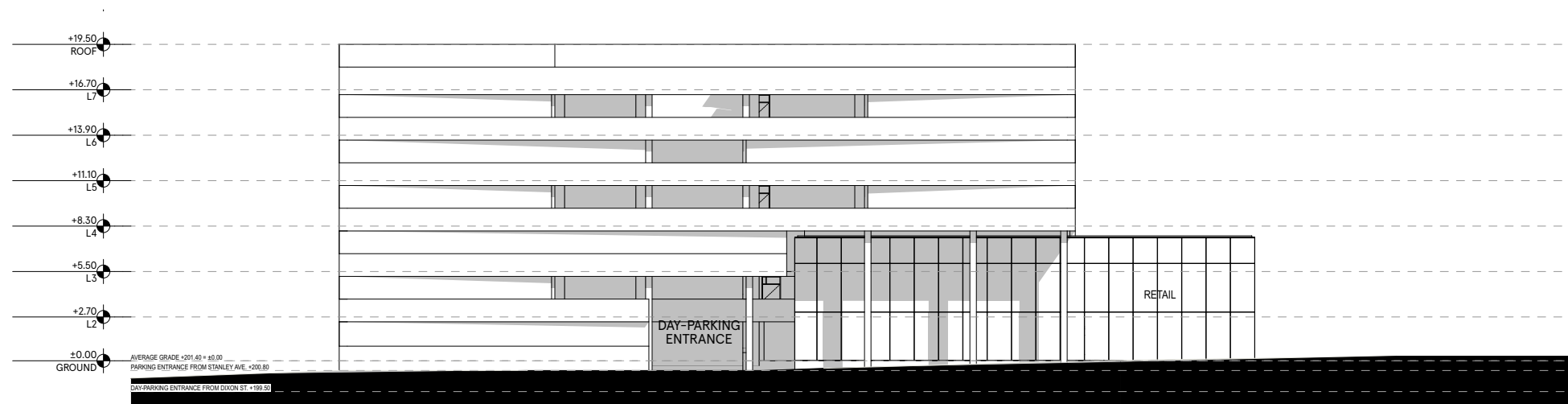
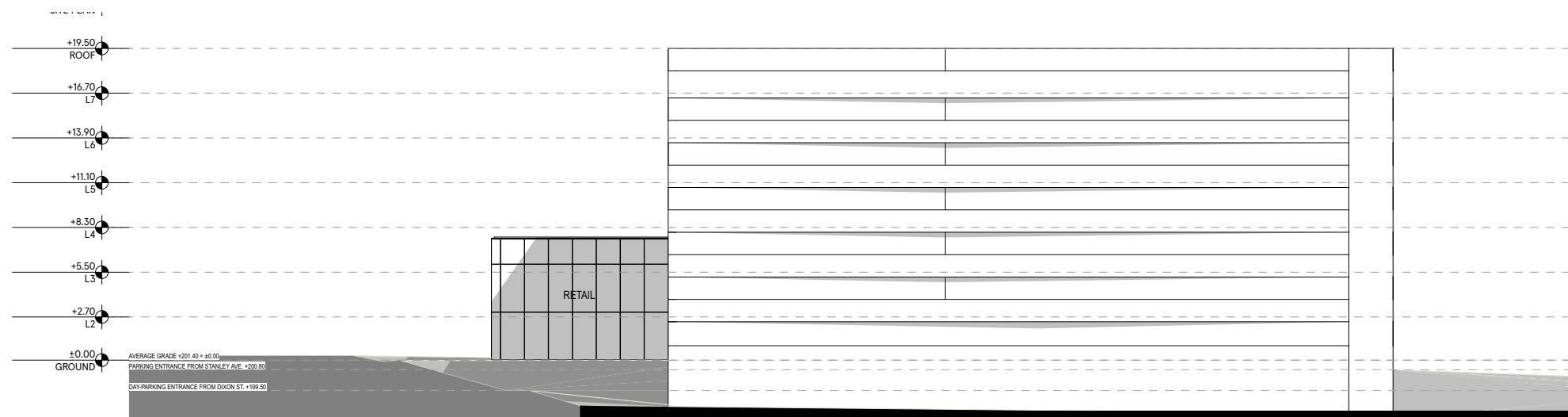


Figure 11 - 6503-6519 Stanley Avenue North Elevations (Prepared by: Architects Alliance)





**Figure 12 - 6503-6519 Stanley Avenue East Elevations** (Prepared by: Architects Alliance)

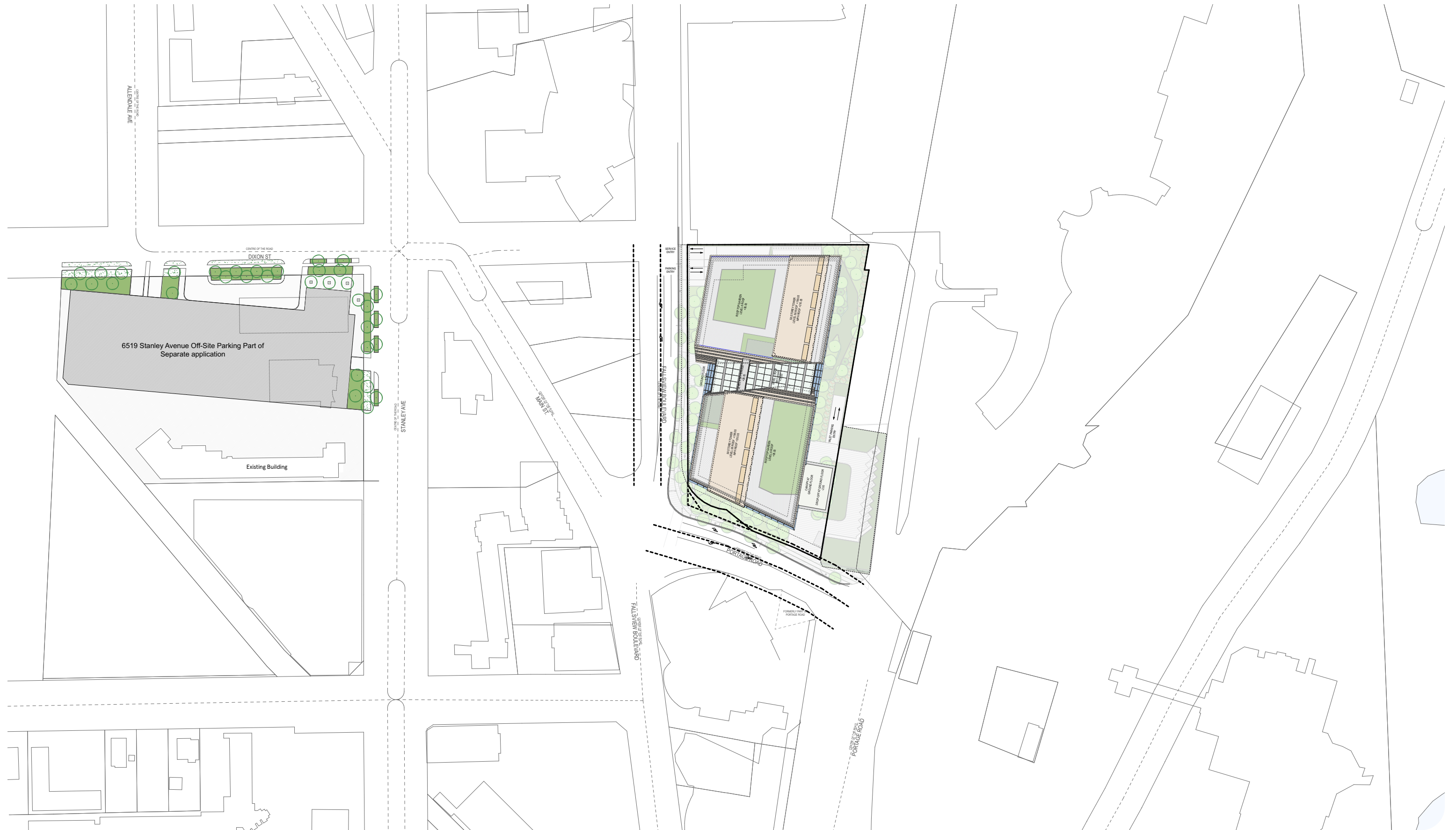


**Figure 13 - 6503-6519 Stanley Avenue West Elevations** (Prepared by: Architects Alliance)



Figure 14 - 6503-6519 Stanley Avenue Rendering (Prepared by: Architects Alliance)





**Figure 15 - 6546 Fallsview Boulevard Site Plan (Prepared by: Architects Alliance)**





Figure 16 - 6546 Fallsview Boulevard Ground Floor Plan (Prepared by: Architects Alliance)

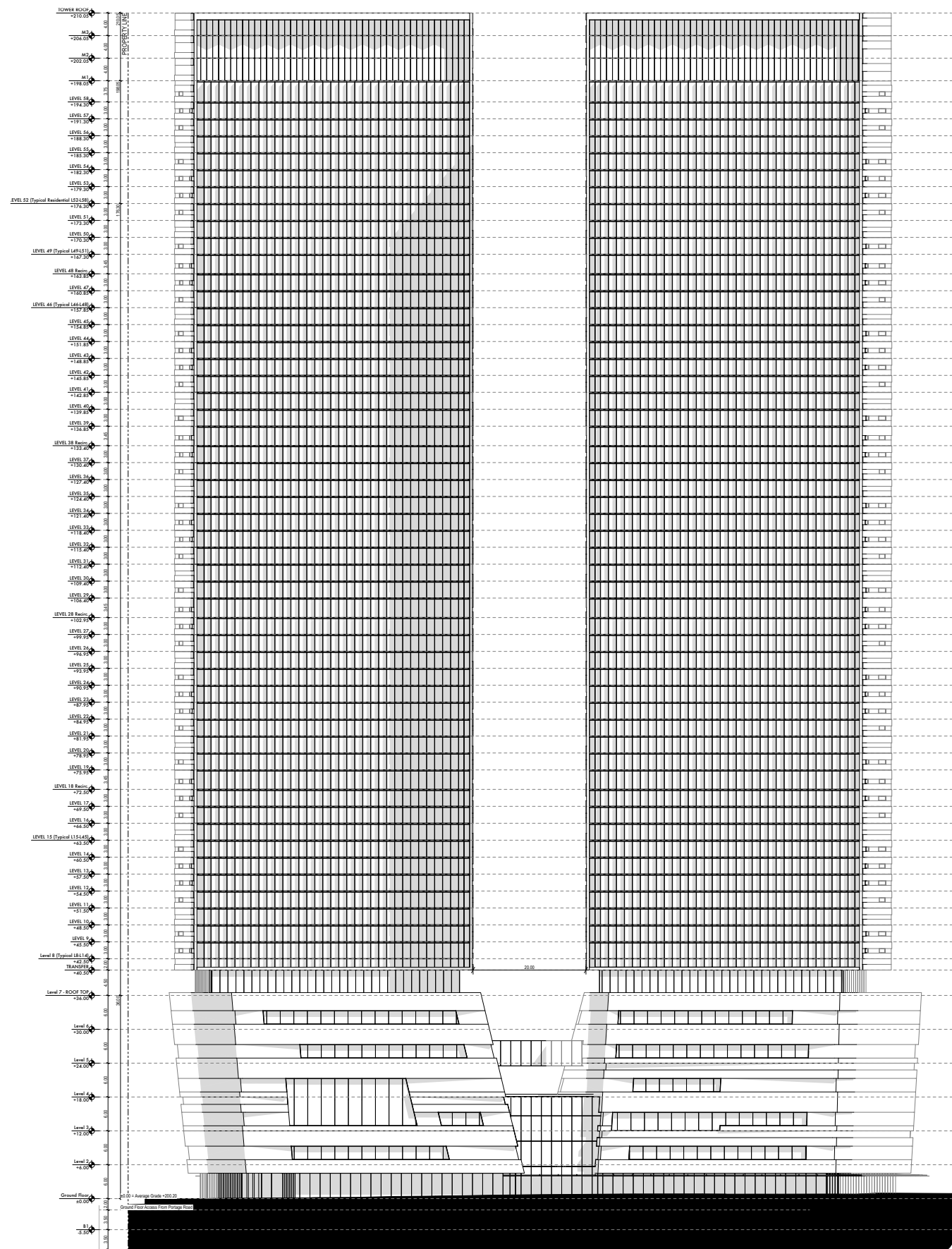


Figure 17 - 6546 Fallsview Boulevard West Elevations (Prepared by: Architects Alliance)

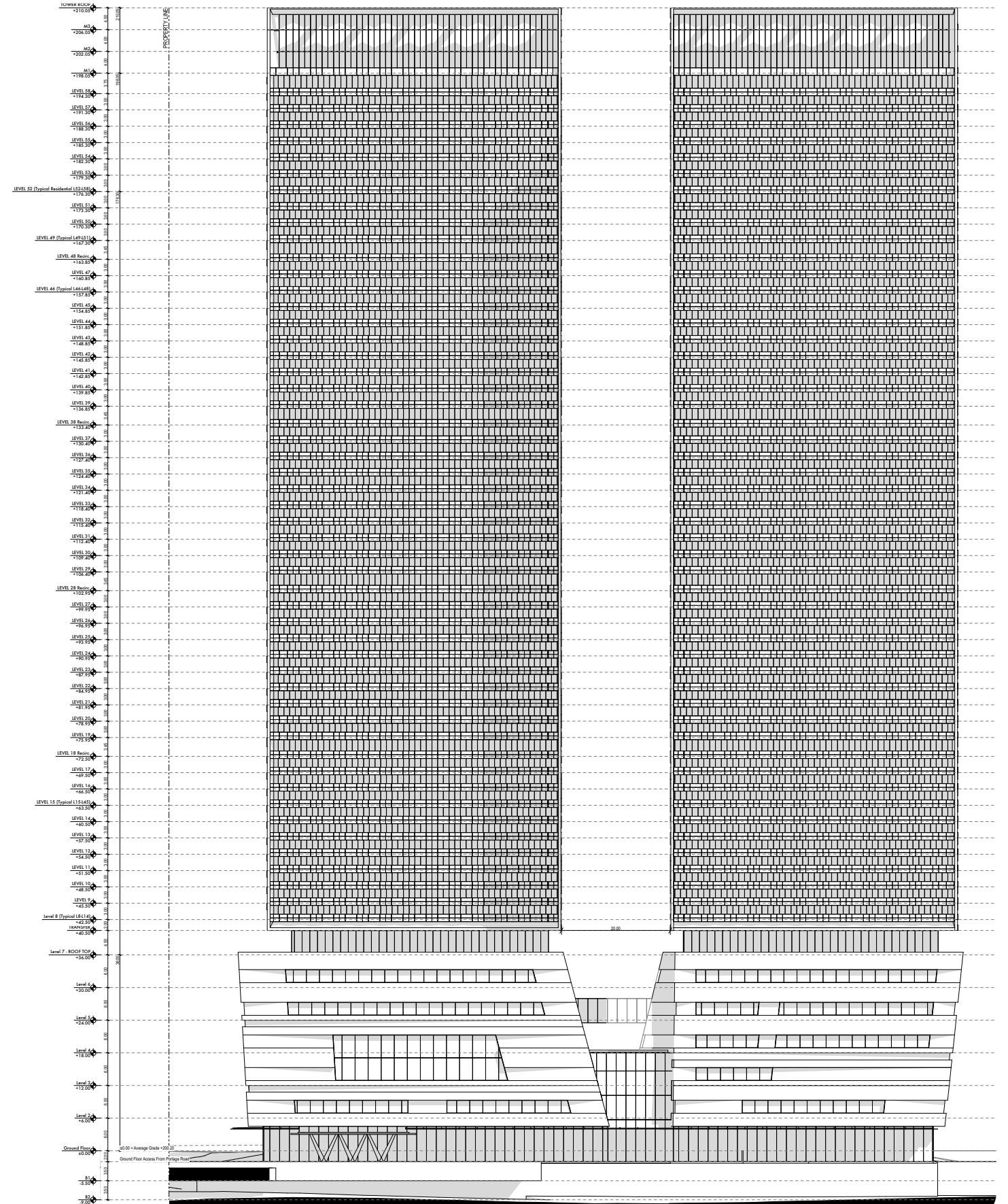


Figure 18 - 6546 Fallsview Boulevard East Elevations (Prepared by: Architects Alliance)

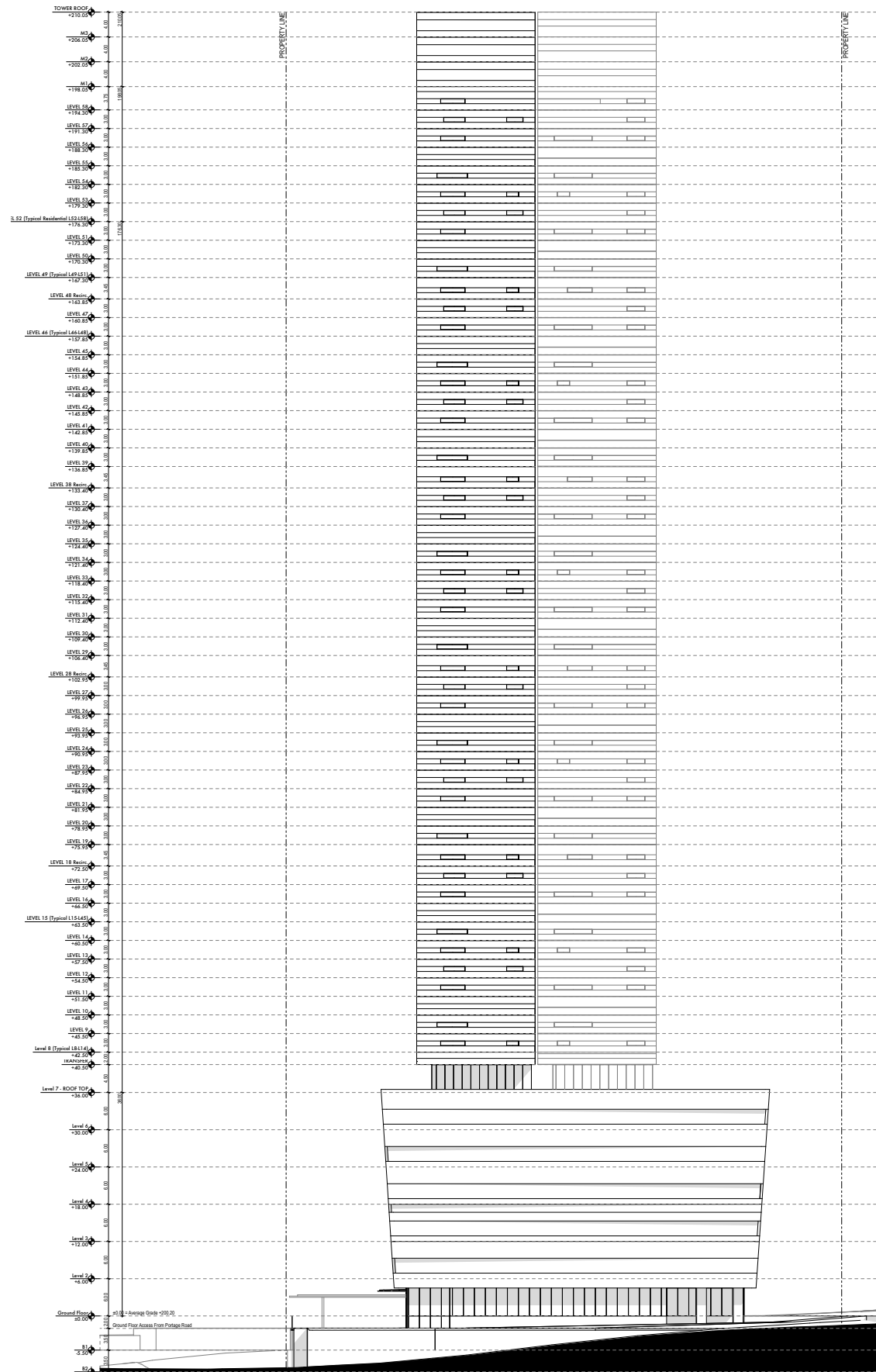


Figure 19 - 6546 Fallsview Boulevard North Elevations (Prepared by: Architects Alliance)

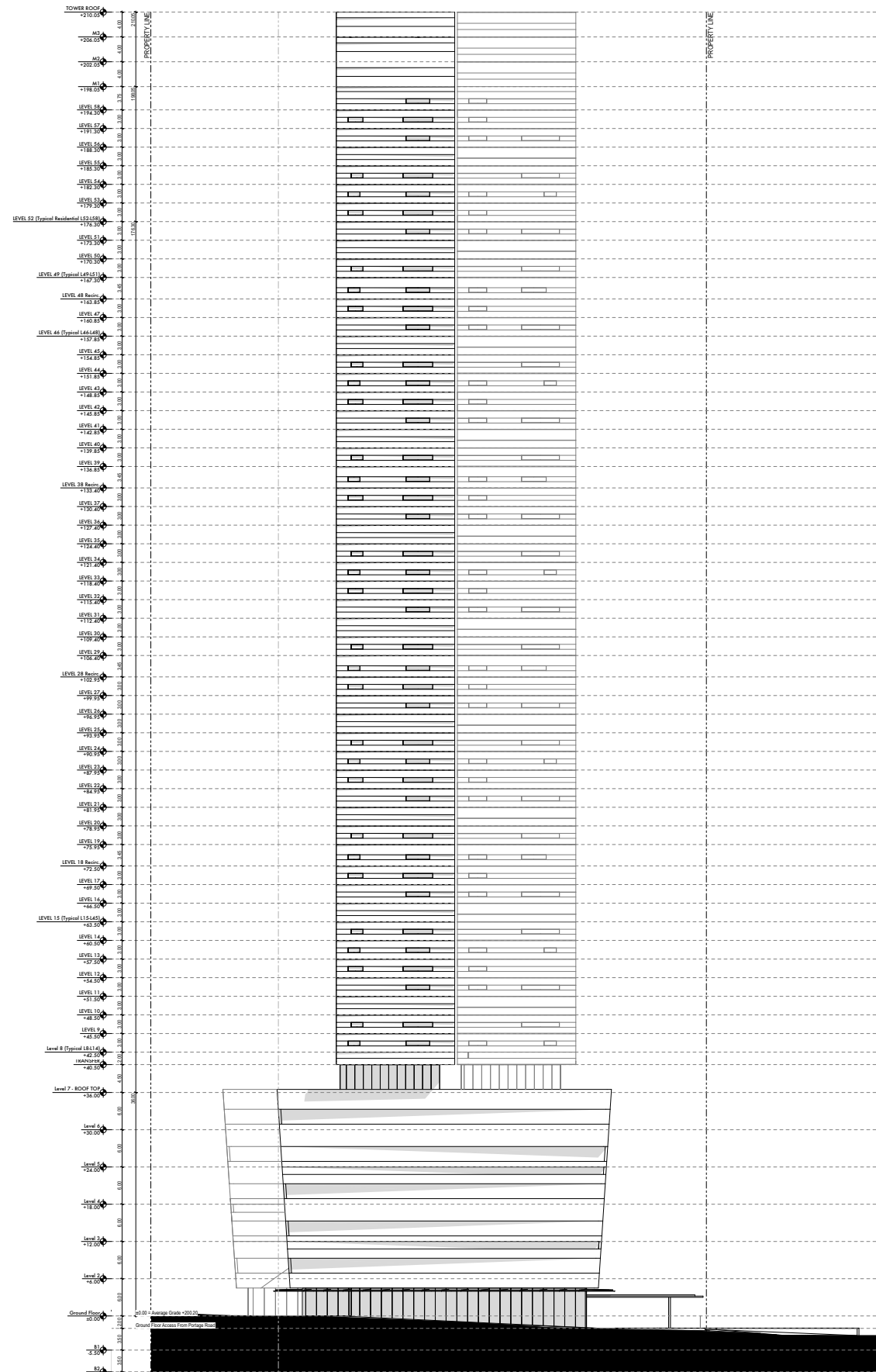


Figure 20 - 6546 Fallsview Boulevard South Elevations (Prepared by: Architects Alliance)





Figure 21 - 6546 Fallsview Boulevard Rendering (Prepared by: Architects Alliance)





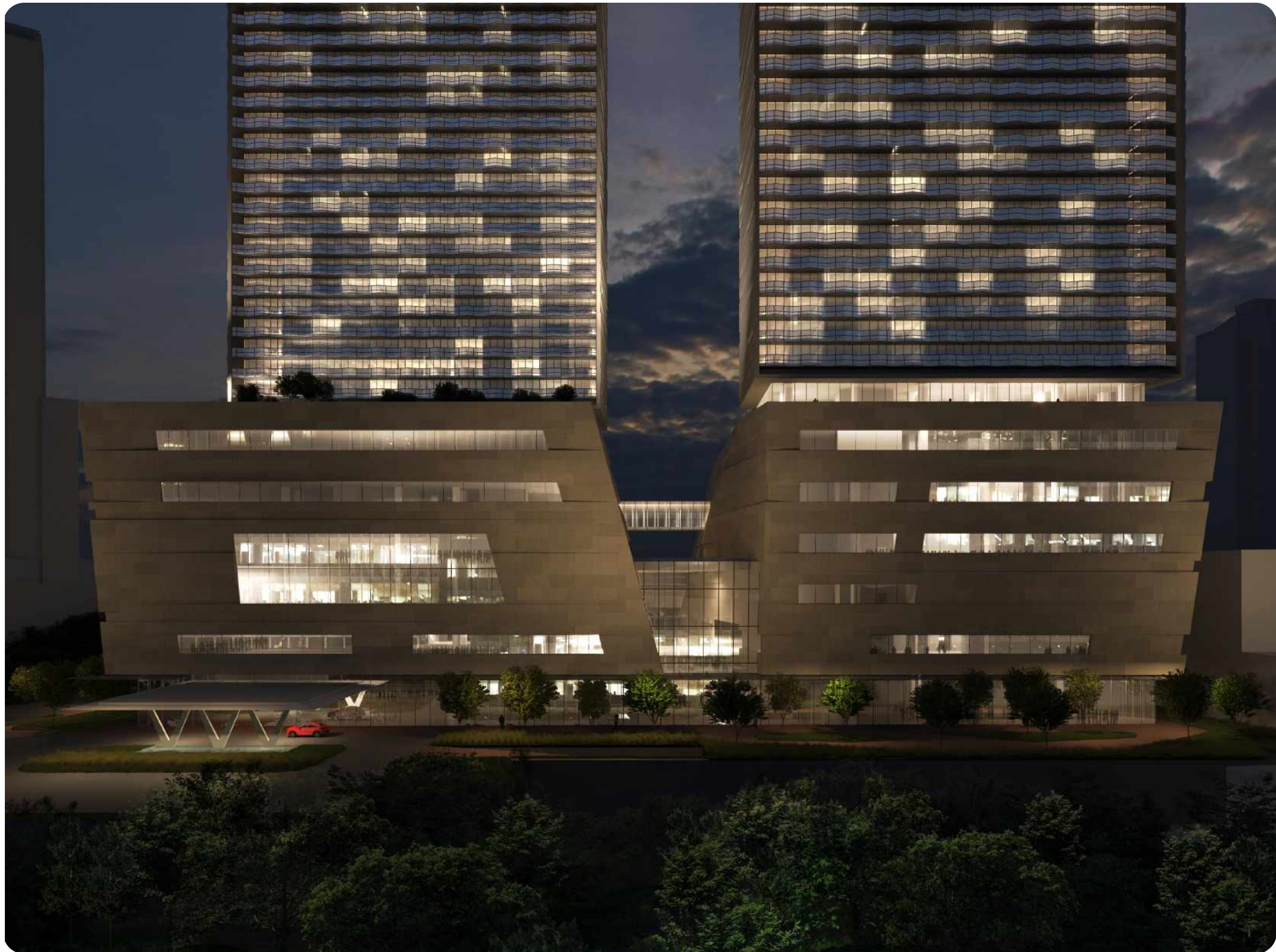


Figure 22 - 6546 Fallsview Boulevard Rendering (Prepared by: Architects Alliance)



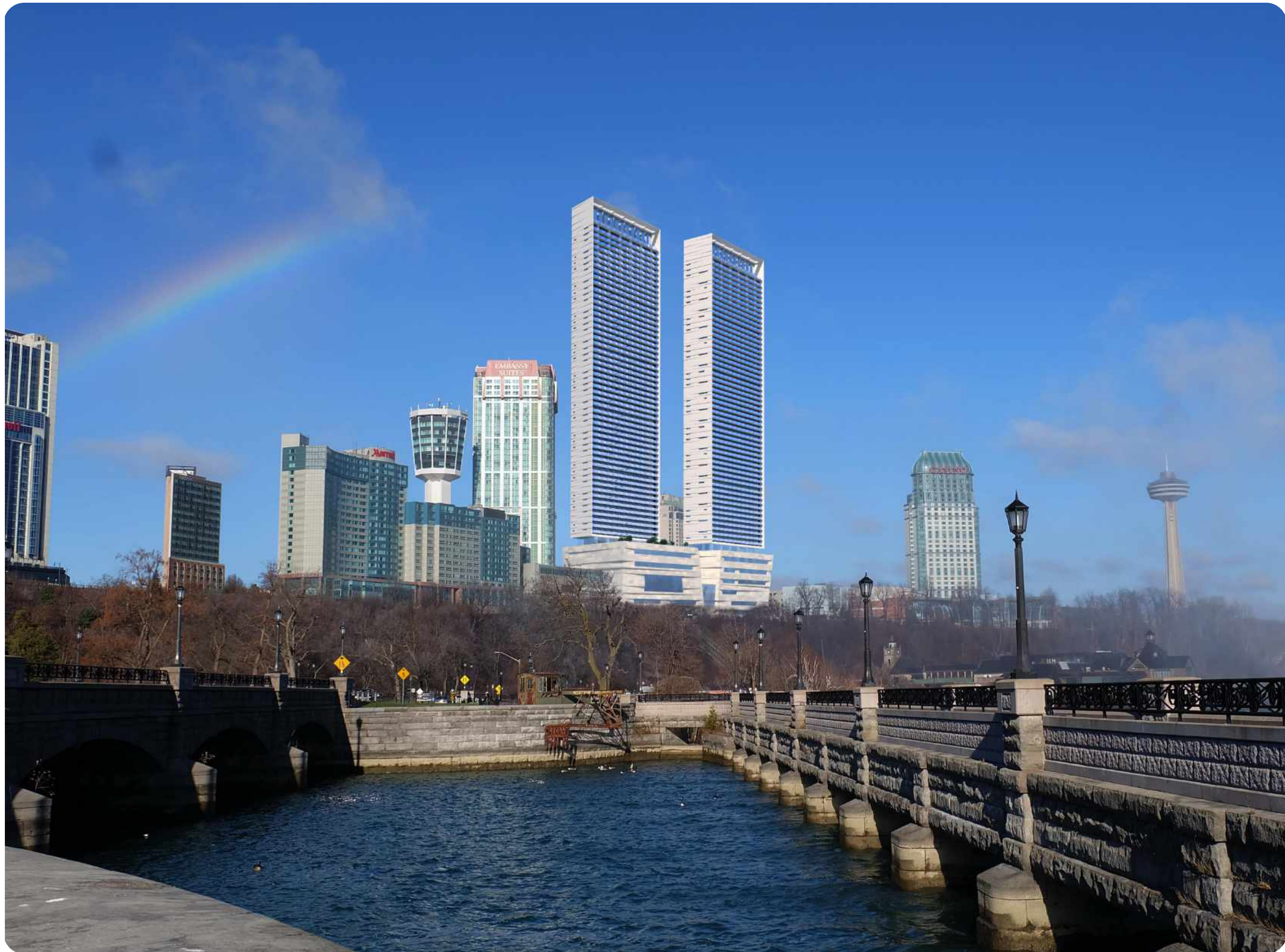


Figure 23 - 6546 Fallsview Boulevard Rendering (Prepared by: Architects Alliance)



### 3.3 Key Statistics

Below is a summary of key statistics for the hotel development:

**Table 1 - Hotel Development Project Statistics**

<b>Gross Site Area</b>	<b>10,615 square metres</b>		
<b>Net Site Area</b>	<b>10,559 square metres</b>		
<b>Total Floor Area</b>	<b>140,677square metres</b>		
<b>Density</b>	<b>13.32 FSI</b>		
<b>Hotel Suites</b>	<b>1,140</b>		
<b>Residential Suites</b>	<b>126</b>		
1-bedroom	98		
2-bedroom	14		
3-bedroom	14		
<b>Height</b>	<b>198.05 metres</b> (plus 12.0 metre MPH)		
<b>Vehicular Parking Spaces:</b>	<b>Hotel Development Site:</b>	<b>Parking Garage Site:</b>	<b>Rate:</b>
Residential	93	0	0.73/unit
Hotel	145	912	0.92/suite
Potential Gaming Use	35	0	1/75 sq. m.
Day Parking	0	135	N/A
<b>TOTAL</b>	<b>273</b>	<b>1,047</b>	
<b>Bicycle Parking Spaces:</b>	Resident short-term – 6 spaces Resident long-term – 63 Non-residential short-term – 68 spaces <b>Total – 137 bicycle parking spaces</b>		
<b>Loading Spaces:</b>	Heavy Single Unit – Garbage Truck (“Type A”) - 1 Medium Single Unit (“Type B”) – 1 Light Single Unit - Cube Van (“Type C”) – 1 <b>Total - 3</b>		

Below is a summary of key statistics for the parking garage development:

**Table 2 - Parking Garage Project Statistics**

<b>Gross Site Area</b>	<b>13,651 square metres</b>
<b>Net Site Area</b>	<b>13,551 square metres</b>
<b>Total Floor Area</b>	<b>41,774 square metres</b>
<i>Retail</i>	609 square metres
<i>Parking &amp; Waiting Areas</i>	41,165 square metres
<b>Density</b>	<b>3.06 FSI</b>
<b>Parking Spaces</b>	<b>1,047</b>
<b>Height</b>	<b>19.6 metres</b>

### 3.4 Required Approvals

The proposed hotel, residential, and associated parking garage uses are all permitted uses pursuant to the Tourist Commercial designation in the Official Plan. However, an Official Plan Amendment is required in order to permit the hotel development at 6546 Fallsview Boulevard to exceed 30 storeys. The Official Plan Amendment would permit the two 58-storey towers proposed on the site, with an option to add two storeys, for a total of 60 storeys and a height of 220 metres, to one of the towers and/or an additional height of 10 metres for both towers to accommodate roof features where the Director of Planning, Building and Development is satisfied that it will provide a clearly defined roof feature to enhance the skyline.

A Zoning By-law Amendment is required both for the Hotel Development Site and the Parking Garage Site to increase the permitted height and create site specific development regulations as necessary to accommodate the proposed development.



An aerial photograph of a city skyline, likely New York City, viewed from a high angle. The city is densely packed with buildings of various heights. In the foreground, a large, classical-style building with a prominent portico is visible, situated near a river. The river flows through the city, and there are green spaces and trees interspersed among the buildings. The overall scene is captured in a dark, monochromatic style with a blue-grey tint.

4

# Policy & Regulatory Context

## 4.1 Overview

As set out below, it is our opinion that both aspects of the proposed development (i.e. the proposed hotel complex at 6546 Fallsview Boulevard and the proposed off-site parking garage at 6503-6519 Stanley Avenue) are generally in keeping with the policy framework applicable to the site. The proposed development is consistent with the PPS and conforms with the Growth Plan and the ROP.

## 4.2 Provincial Policy Statement (2020)

On February 28, 2020, the Ministry of Municipal Affairs and Housing released the Provincial Policy Statement, 2020, which came into effect on May 1, 2020 (the "2020 PPS").

The 2020 PPS provides policy direction on matters of Provincial interest related to land use planning and development. In accordance with Section 3(5) of the Planning Act, all decisions that affect a planning matter are required to be consistent with the PPS. In this regard, Policy 4.2 provides that the PPS "shall be read in its entirety and all relevant policies are to be applied to each situation".

Part IV of the 2020 PPS sets out the Province's vision for Ontario, and promotes the wise management of land use change and efficient development patterns:

"Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region."

One of the key policy directions expressed in the 2020 PPS is to build strong communities by promoting efficient development and land use patterns. To that end, Part V of the 2020 PPS contains a number of policies that promote intensification, redevelopment and compact built form, particularly in areas well served by public transit.

In particular, Policy 1.1.1 provides that healthy, liveable and safe communities are to be sustained by promoting efficient development and land use patterns; accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs; and ensuring that necessary infrastructure will be available to meet current and projected needs.



Policy 1.1.2 requires that sufficient land be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines.

Policy 1.1.3.2 supports densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities and which are transit-supportive, where transit is planned, exists or may be developed. In addition, Policy 1.1.3.4 promotes appropriate development standards, which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.3.1 states that planning authorities shall promote economic development and competitiveness by, among other approaches, providing for an appropriate mix and range of employment, institutional and broader mixed uses to meet long-term needs and providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. It also encourages compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, and ensuring the necessary infrastructure is provided to support current and projected needs.

The efficient use of infrastructure is a key element of provincial policy (Section 1.6). Section 1.6.3 states that the use of existing infrastructure and public service facilities should be optimized, before consideration is given to developing new infrastructure and public service facilities. With respect to transportation systems, Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Policy 1.7.1 states that long-term prosperity should be supported through a number of initiatives including: promoting opportunities for economic development and community investment-readiness; optimizing the use of land, resources, infrastructure and public service facilities; maintaining and enhancing the vitality and viability of downtowns and mainstreets; encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes; and providing opportunities for sustainable tourism development.

While Policy 4.6 provides that the official plan is “the most important vehicle for implementation of this Provincial Policy Statement”, it goes on to say that “the policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan”. Accordingly, the above-noted 2020 PPS policies continue to be relevant and determinative.

For the reasons set out in Section 5.1 of this report, it is our opinion that the proposed development and, in particular the requested Official Plan Amendment and rezonings, are consistent with the 2020 PPS, especially the policies promoting the efficient use of land and infrastructure, a mix of land uses and a diversified economic base.

### 4.3 Growth Plan for the Greater Golden Horseshoe (2109, as amended)

On May 16, 2019, a new Growth Plan (*A Place to Grow: The Growth Plan for the Greater Golden Horseshoe*) came into effect, replacing the Growth Plan for the Greater Golden Horseshoe, 2017. All decisions made on or after this date in respect of the exercise of any authority that affects a planning matter are required to conform with the 2019 Growth Plan, subject to any legislative or regulatory provisions providing otherwise. Subsequently, on August 28, 2020, the 2019 Growth Plan was amended by Growth Plan Amendment No. 1.

The Guiding Principles which are important for the successful realization of the Growth Plan are set out in Section 1.2.1. Key principles relevant to the proposal include:

- supporting the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime;
- prioritizing intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability;
- providing flexibility to capitalize on new economic and employment opportunities as they emerge; and
- improving the integration of land use planning with planning and investment in infrastructure and public service facilities.

The Growth Plan provides a framework for implementing the Province’s vision for managing growth across the region to the year 2051 and supports the achievement of complete communities. In accordance with Section 1.2.3, the Growth Plan is to be read in its entirety and the relevant policies are to be applied to each situation.

The Growth Plan encourages the development of complete communities, as described in Section 2.1 of the Plan:

*“This Plan is about accommodating forecasted growth in complete communities. These are communities that are well designed to meet people’s needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes.”*

The Growth Plan policies also emphasize the importance of integrating land use and infrastructure planning, and the need to optimize the use of the land supply and infrastructure. It includes objectives that support the development of complete communities and promotes transit-supportive development. As noted in Section 2.1 of the Plan:

*“To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options... It is important that we maximize the benefits of land use planning as well as existing and future investments in infrastructure so that our communities are well-positioned to leverage economic change.”*

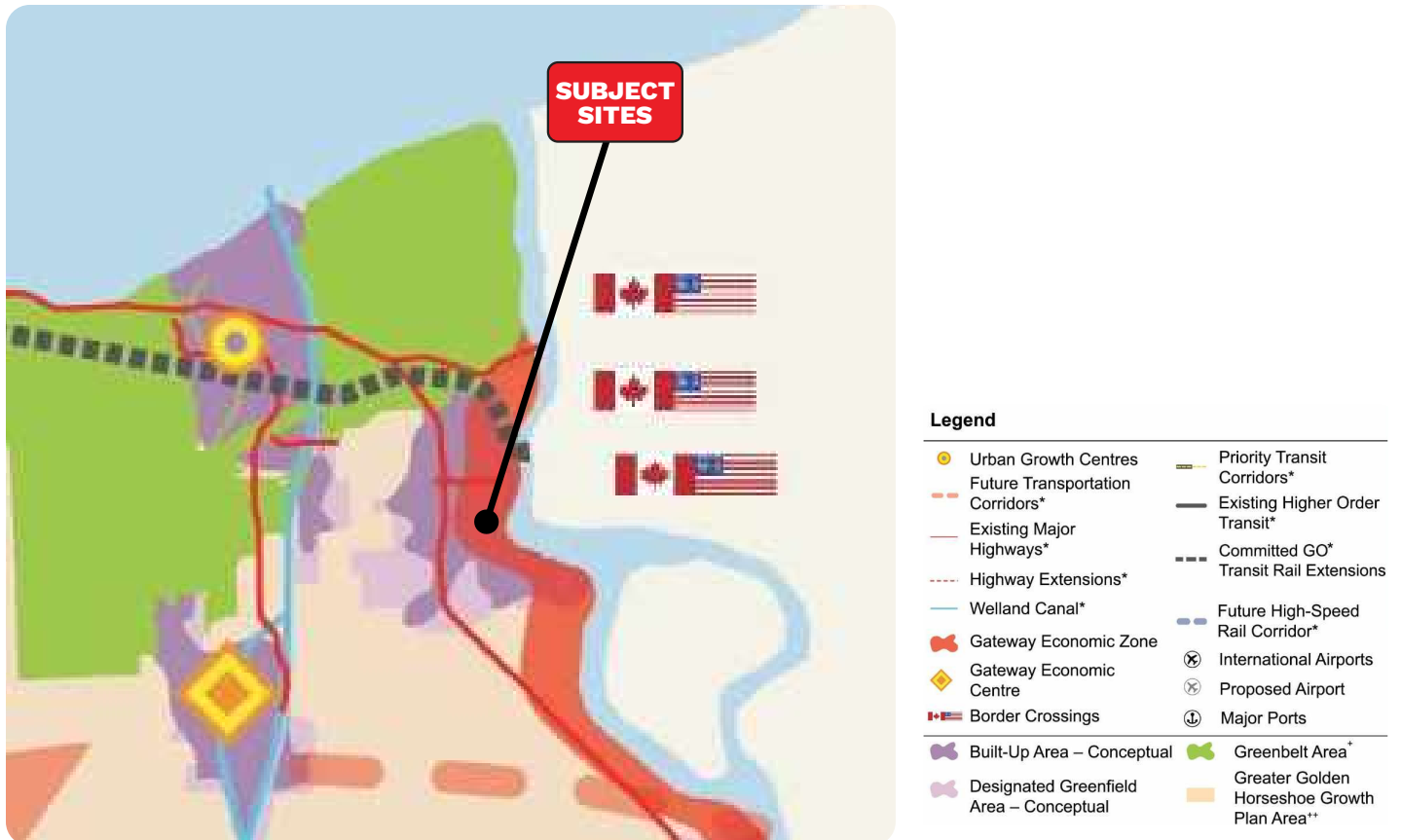
Section 2.1 of the Growth Plan goes on to further emphasize the importance of optimizing land use in urban areas:

*“This Plan’s emphasis on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which focuses on making better use of our existing infrastructure and public service facilities, and less on continuously expanding the urban area.”*

Although the subject lands are not considered a “strategic growth area” (i.e. they are not located within an urban growth centre, major transit station area, or an intensification corridor as per the local Official Plan), they are situated in the core of the Niagara Falls tourist district and within Niagara Region’s Gateway Economic Zone. Further, the

proposed development is complementary to other tourist attractions in the tourist core of Niagara Falls and will provide significant economic uplift for the municipality, particularly given that it is located within the Gateway Economic Zone, which extends from Fort Erie to Niagara Falls, as shown on Schedules 2, 5 and 6 of the Growth Plan.

Policy 2.2.1(2)(c) provides that, within settlement areas, growth will be focused in delineated built-up areas, strategic growth areas, locations with existing or planned transit (with a priority on higher order transit where it exists or is planned), and areas with existing or planned public service facilities. In this respect, the subject sites are located within a Settlement Area and within a Delineated Built-up Area as defined by the Growth Plan (see **Figure 24** - Growth Plan Schedule 2: A Place to Grow Concept).



**Figure 24** - Schedule 2, Growth Plan Map



Policy 2.2.1(3)(c) directs municipalities to undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will, among other things, provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form. With respect to forecasted growth, Schedule 3 of the Growth Plan forecasts a population of 674,000 and 272,000 jobs for the Region of Niagara by 2051. In comparison, 2021 Census data indicates a population of 477,941 for Niagara Region.

Policy 2.2.1(4) states that applying the policies of the Growth Plan will support the achievement of complete communities that, among other things, feature a diverse mix of land uses including residential and employment uses, expand convenient access to a range of transportation options, provide for a more compact built form and a vibrant public realm, mitigate and adapt to climate change impacts, and contribute to environmental sustainability.

Policy 2.2.2(3) requires municipalities to develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will, among other things encourage intensification generally throughout the delineated built-up area, ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities, and be implemented through official plan policies and designations, updated zoning and other supporting documents.

The proposed development will create additional jobs in the hospitality industry. Therefore, the policies identified in Section 2.2.5 (Employment) are applicable. In this regard, Policy 2.2.5(1) provides that economic development and competitiveness in the GGH will be promoted by, among other matters: ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the year 2051; planning to better connect areas with high employment densities to transit; and integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.

Policy 2.2.5(18) recognizes the importance of cross-border trade with the United States. The Growth Plan recognizes a *Gateway Economic Zone*<sup>1</sup> and *Gateway Economic Centre*<sup>2</sup> near the Niagara-United States border and provides that "planning and economic development in these areas will support economic diversity and promote increased opportunities for cross-border trade, movement of goods, and tourism".

Policy 5.2.5(1) states that the targets set out in the Growth Plan are minimum intensification and density targets and encourages municipalities to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Growth Plan, the PPS or any other provincial plan.

For the reasons set out in Sections 5.1 and 5.2 of this report, it is our opinion that the proposal conforms with the Growth Plan and, in particular, the policies promoting the achievement of complete communities, optimizing the use of land and infrastructure and tourism development in the Gateway Economic Zone.

## 4.4 Niagara Region Official Plan

The Niagara Region Official Plan (the “ROP”) outlines policies for the physical, economic, and social development until the year 2051 within Niagara Region. Policies are related to growth management, protection of the natural environment, resources and agricultural land, and the provision of infrastructure.

On June 23, 2022, Regional Council adopted the new Niagara Official Plan. The Official Plan was approved, with modifications, by the Ministry of Municipal Affairs and Housing on November 4, 2022.

The new ROP is the Region of Niagara’s long-term, strategic policy planning framework for managing growth, and the policies of the plan will guide land use and development in Niagara until 2051 and beyond.

The subject sites are located within the “Delineated Built-Up Area” as identified on Schedule B of the ROP and within a “Settlement Area” on Schedule A. Furthermore, Schedule G identifies the subject lands as being in the ‘Niagara Economic Zone’, for which there are a number of policies relating to tourism (see below).

Section 2.1.1 sets out policies for Regional Growth Forecasts. According to Table 2-1, by 2051 the City of Niagara Falls is forecast to have a total population of 141,650, with 58,110 employees (of a total Regional forecast of 272,000 jobs). Policy 2.1.1.2 states that the forecasts in Table 2-1 are a minimum.

According to Section 2.2 (Regional Structure), most development will occur in urban areas, where municipal water and wastewater systems/services exist or are planned and a range of transportation options can be provided. The objectives of the Regional Structure section include managing

growth within urban areas and accommodating growth through strategic intensification and higher densities.

Policy 2.2.1.1 provides that development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth, to support a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, and to support the creation of complete communities. Policy 2.2.2.2 directs that forecasted employment growth will be primarily accommodated within the employment areas shown on Schedule B and Schedule G, and subject to the policies of Section 4.2.

In this regard, Policy 4.2.2.1 states that the *Niagara Economic Gateway* is comprised of the total geographic area of the local area municipalities that are part of the *Niagara Economic Centre* or *Niagara Economic Zone*, including all major goods movement facilities and corridors as shown in Schedule G. Policy 4.2.2.2 provides that the Region will work with the other levels of government to prioritize improvements to major goods movement facilities and corridors and planned corridors within the *Niagara Economic Gateway* to focus on development and redevelopment of major facilities, manufacturing, manufacturing-related and supply chain facilities, as well as support economic diversity and promote increased opportunities for cross-border trade and movement of goods, as well as tourism.

For reasons set out in Section 5.2 of this report, it is our opinion that the proposed development conforms with the new ROP, in particular the policies related to the *Niagara Economic Gateway* and tourism.

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1 Settlement areas identified in this Plan within the zone that is conceptually depicted on Schedules 2, 5, and 6, that, due to their proximity to major international border crossings, have unique economic importance to the region and Ontario.

2 Settlement areas identified in this Plan, as conceptually depicted on Schedules 2, 5, and 6 that, due to their proximity to major international border crossings, have unique economic importance to the region and Ontario.

## 4.5 City of Niagara Falls Official Plan

The City of Niagara Falls Official Plan (the "OP") was approved on October 6, 1993 by the Ministry of Municipal Affairs and has been amended numerous times since then. The Niagara Falls OP is intended to guide growth and development to the year 2031. The OP is a planning policy document with a 20-year vision, outlining long-term objectives and policies of the City with respect to the growth and development of urban lands, the protection of agricultural lands and the conservation of natural heritage areas, and the provision of necessary infrastructure.

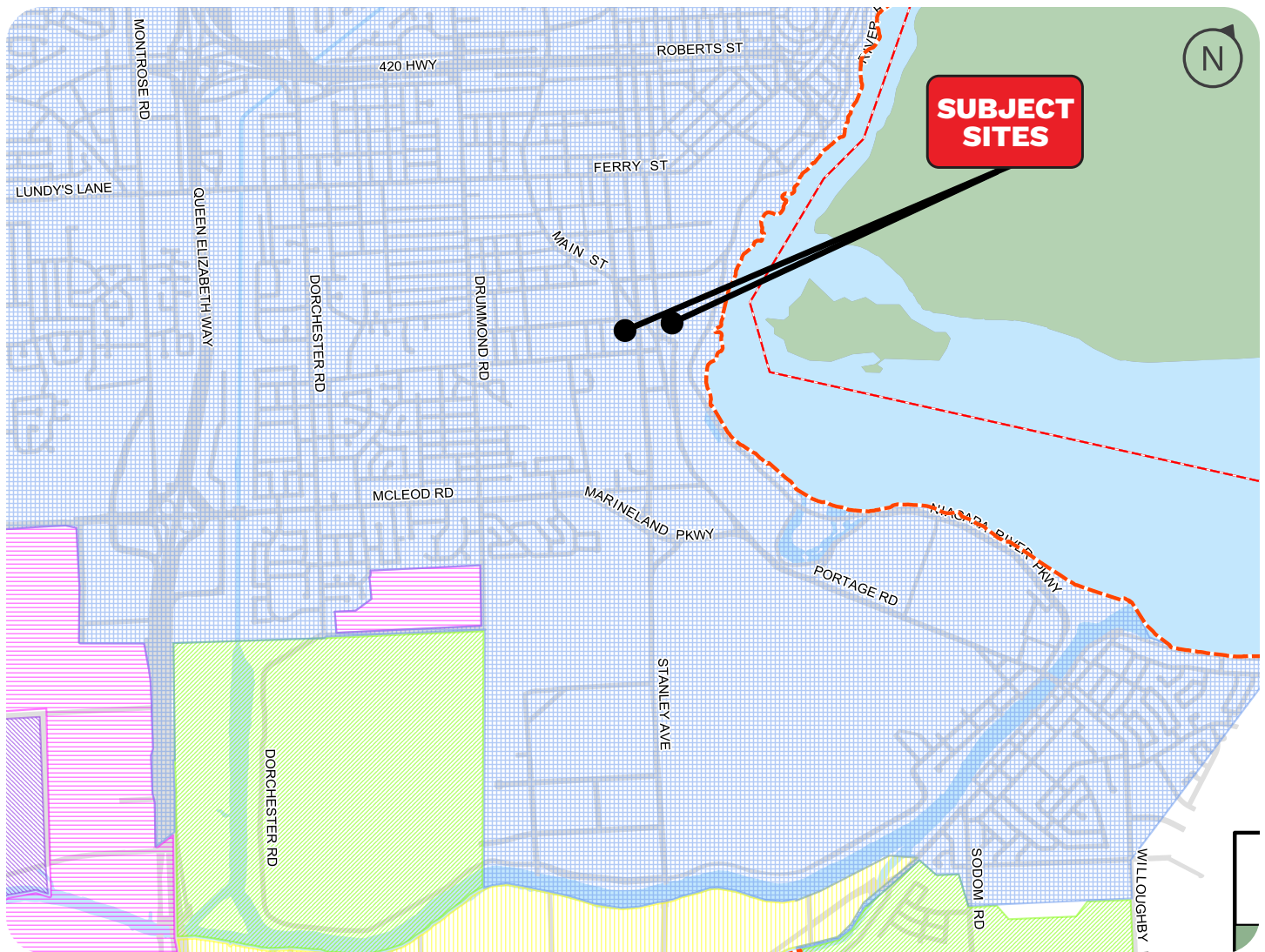
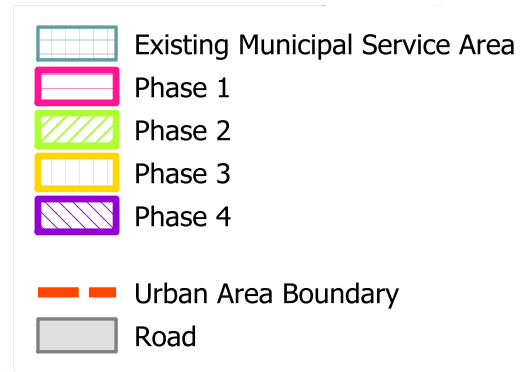
The subject lands are located within the "Built-Up Area" of the City as identified on Schedule A-2 – Urban Structure Plan of the OP and form part of the City's "Urban Area" (see **Figure 25** – Schedule A-2).

The growth objectives of the OP are set out in Part 1, Section 2 and include directing growth to the Urban Area, protecting Natural Heritage Areas, supporting increased densities where appropriate, ensuring the efficient use of infrastructure, and protecting prime employment lands for the long-term supply of employment in the Tourist Commercial and Industrial designations. As provided for in Table 1 – Forecast of Households, Population and Employment, a total of 53,640 jobs and 106,800 people across 42,740 households are to be accommodated in Niagara Falls by 2031 (a significant increase from 45,690 jobs, 89,100 people, and 34,070 households in 2011).


















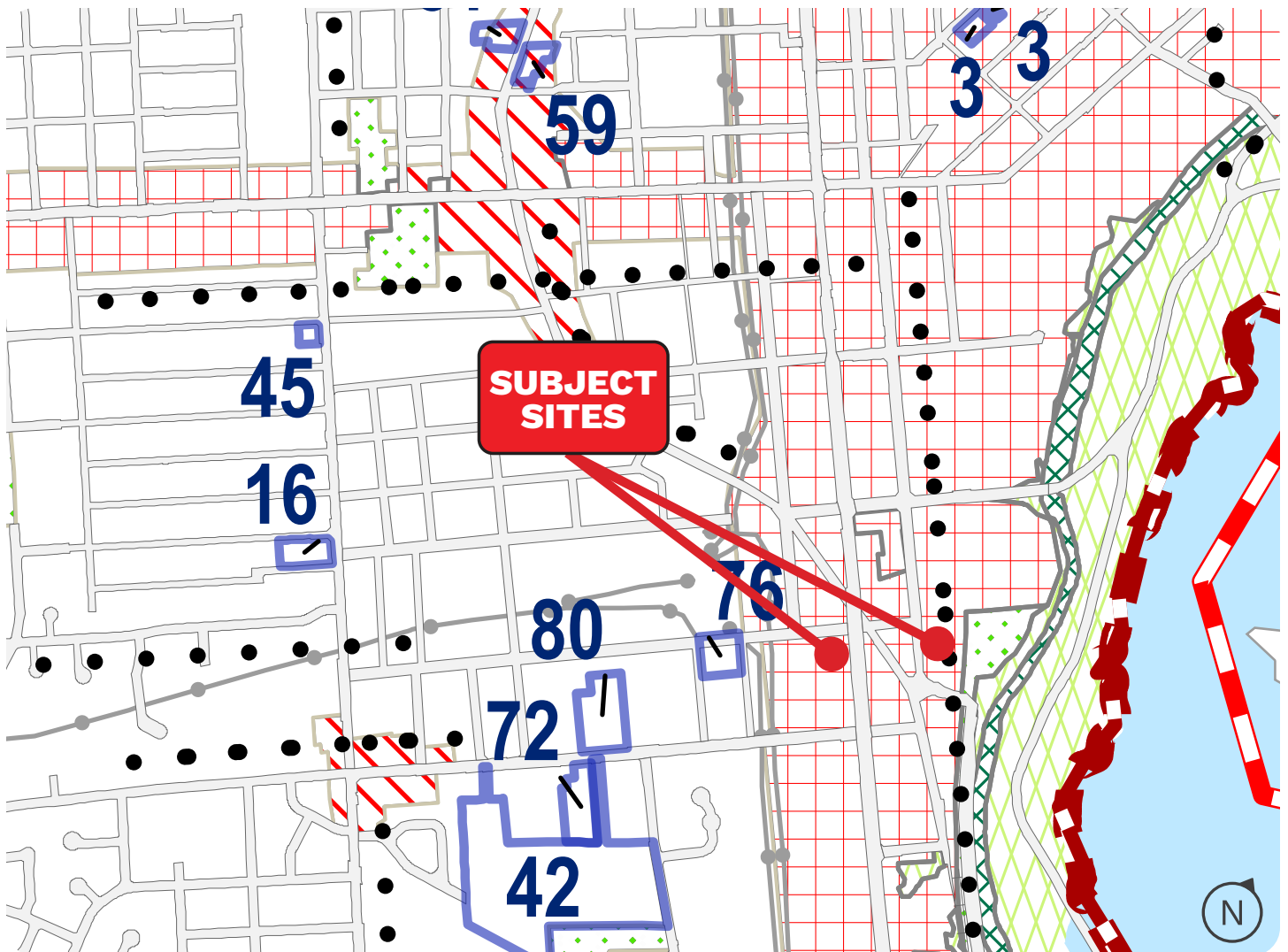
The subject sites are also identified as being within the existing municipal service area, as set out in Schedule B – Phasing of Development (see **Figure 26** – Schedule B). According to Policy 2.4, the opportunity for increased densities within the Built Area Boundary shall be provided to make use of existing infrastructure, buildings and available transit. Policy 3.2 states that the development or redevelopment of lands currently designated Tourist Commercial in accordance with Part 2, Section 4.2.9 shall conform with the height and design policies of Part 2, Section 4 and meet the minimum density requirements for a high-density development as permitted in Part 2, Section 1.15.5(iii).



**Figure 26** - Schedule B, Phasing of Development Map

The subject sites are both designated "Tourist Commercial" on Schedule A – Future Land Use (see **Figure 27** – Schedule A). In addition, the subject sites are located within the Queen Victoria community planning district on Schedule D – Communities and are within the Fallsview Tourism District as shown on Schedule E – Tourism Districts (see **Figures 28** and **29** – Schedule D and Schedule E).

-  Environmental Conservation Area
-  Environmental Protection Area
-  Extractive Industrial
-  Good General Agriculture
-  Industrial
-  Major Commercial
-  Minor Commercial
-  Niagara Escarpment Plan Area
-  Open Space
-  Parkway Residential
-  Residential
-  Resort Commercial
-  Theme Park Marineland
-  Tourist Commercial
-  Intake Protection Zone IPZ-1
-  Secondary Plan Area
-  Special Policy Area
-  Urban Area Boundary



**Figure 27** - Schedule A, Future Land Use Map



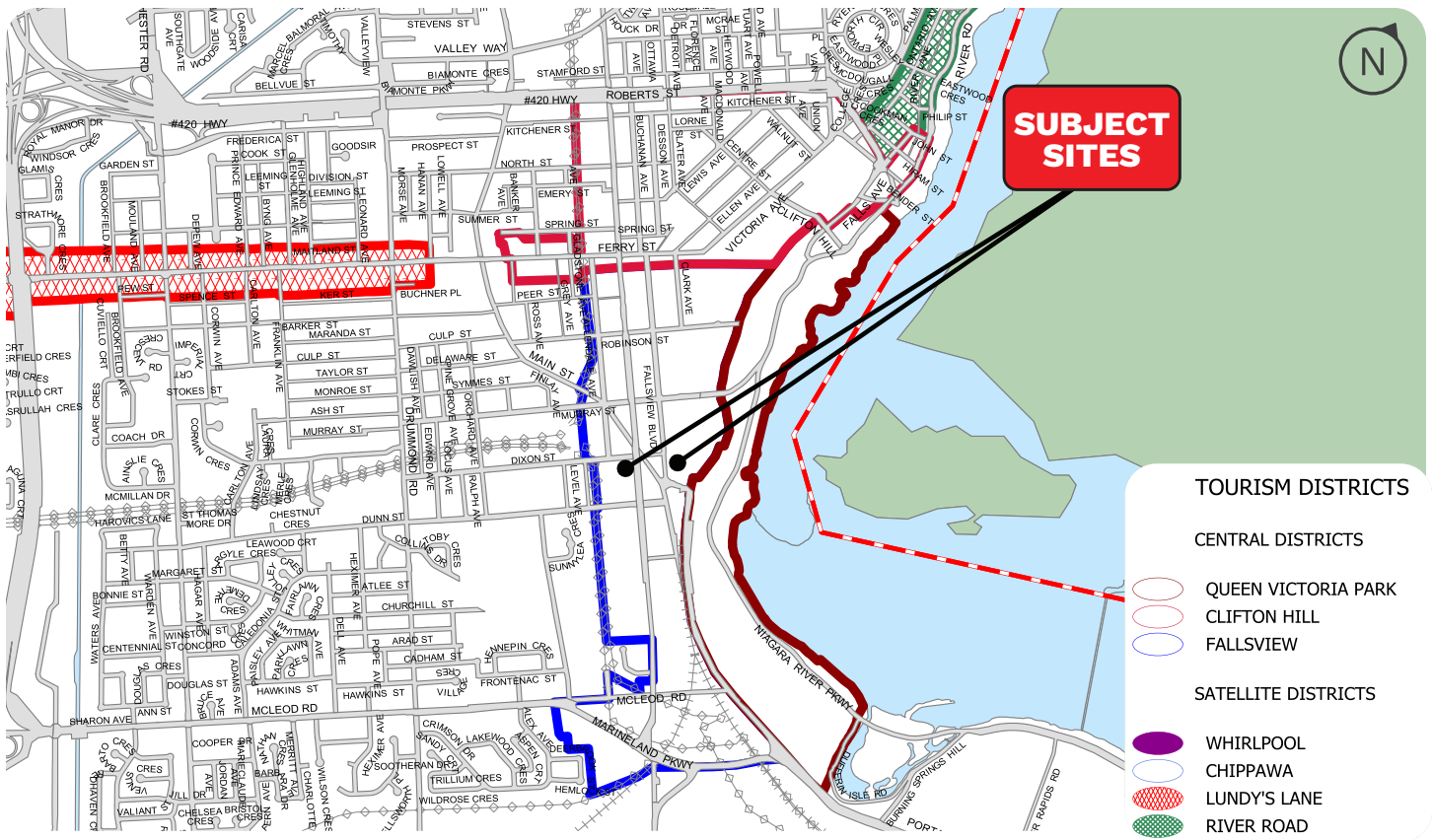


Figure 28 - Schedule E, Tourism District Map

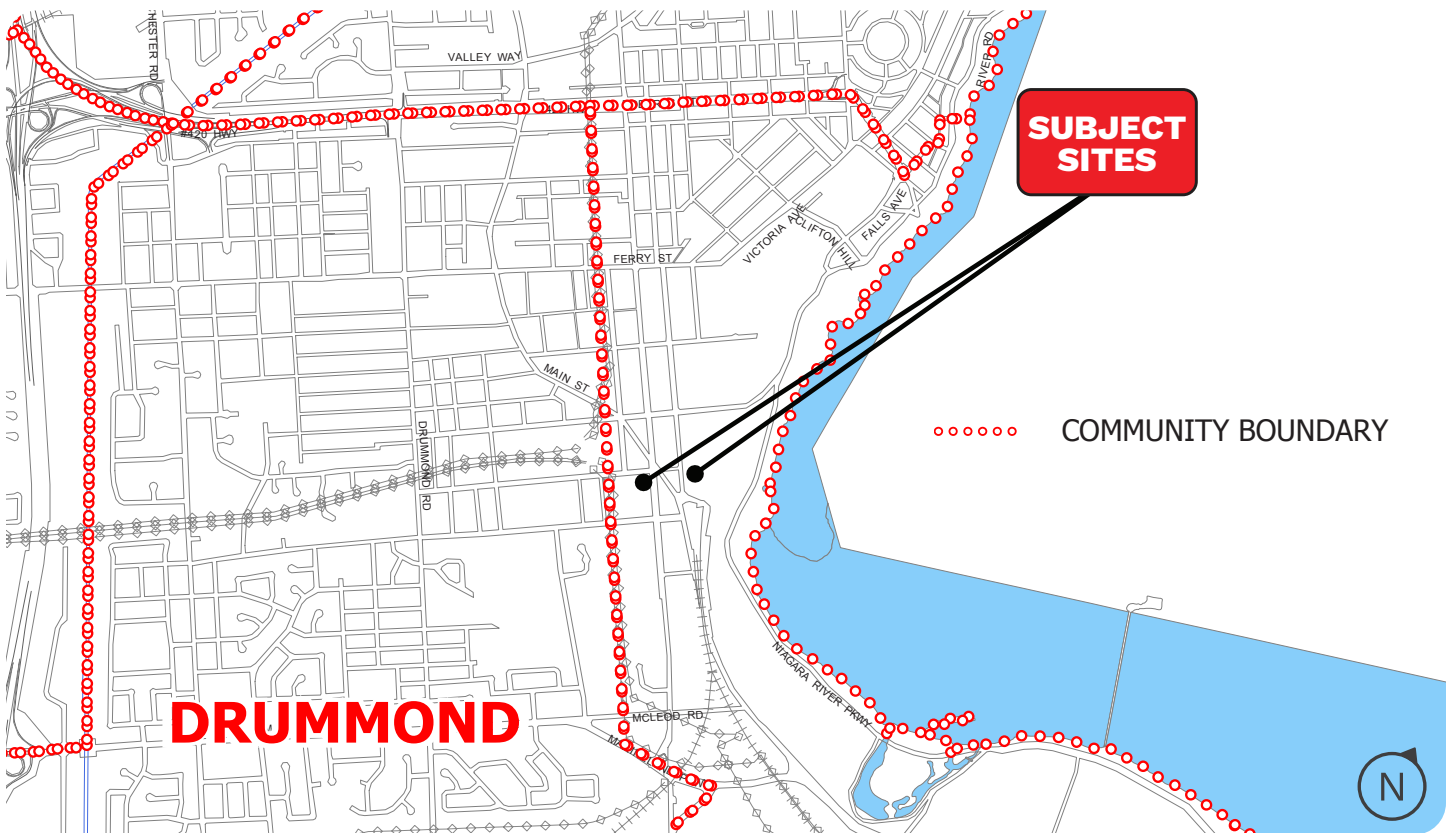


Figure 29 - Schedule D, Community Planning Districts Map

## Tourist Commercial Designation Policies

Part 2, Section 4 provides policy direction for lands designated Tourist Commercial. As set out in that section, building quality and the emerging skyline are two priorities for new development within the City.

The vision for the Niagara Falls Tourist Area is set out in Section 4.1 and includes directives that speak to the creation of a world-class tourism destination in the form of a modern urban centre located within the area's landscape and natural features. The vision recognizes the importance of creating a high-quality tourism environment, through excellence in development and design, and the role tourism plays as a major employer.

Policies 4.1.23 and 4.1.24 provide policy direction with respect to building quality and the City's emerging skyline. Policy 4.1.23 states that the skyline of Niagara Falls will continue to be characterized by the three existing view towers, and that new high-rise buildings will be of variable heights and mass and not form a continuous wall when viewed from Queen Victoria Park, the U.S. side or the City of Niagara Falls. To achieve these objectives, any proposal to exceed 4 storeys in height will be considered by Zoning By-Law amendment on a site-specific basis.

Policy 4.1.24 sets out several principles that are intended to establish a system of built form regulations for the Tourist Area. These principles include the following:

- The highest buildings shall be constructed in the Central Tourist District in order to create an internationally recognizable skyline for Niagara Falls and to support the extent of municipal infrastructure required to service high density developments;
- Building heights will be reduced toward the periphery of the tourist core in order to respect the scale and character of surrounding land uses. Lower profile buildings will be located in Satellite Districts where low-rise/low density residential neighbourhoods predominate;
- Residential and institutional uses will be protected from the overshadowing effects of tall buildings;
- The regulation of building mass will occur through a system of built form controls and urban design criteria consistent with Section 4.4.2 through 4.4.8 of this Plan;
- Council will consider the merits of development applications having regard to the policies of this Plan;
- All applications for additional building heights will be treated on a quid pro quo basis wherein the developer agrees to provide public realm improvements; and
- Architectural Peer Review will be required for high-rise buildings over 10 storeys in height.

Section 4.2 provides policy direction with respect to development in the Tourist Districts. As per Policy 4.2.2, the Central Tourist District is identified as the focal point for tourism activities in the City, and is comprised of the Queen Victoria Park, Clifton Hill and Fallsview Subdistricts. A wide mix of tourist attractions, accommodations and services are permitted within the Fallsview Subdistrict.

According to Policy 4.2.8, lands designated as Tourist Commercial are intended for compact growth and a servicing program aimed at realizing the full potential of each tourist district.

Policy 4.2.10 provides that the Central District and its subdistricts shall be the primary attraction area for Niagara Falls visitors.

## Fallsview Subdistrict Policies

Policies 4.2.21 to 4.2.24 set out specific policy directions for lands located within the Fallsview Subdistrict. Policy 4.2.21 provides that the Fallsview Subdistrict will function as the primary location for large-scale accommodations, entertainment, retail and cultural attractions, and is the primary location for high-rise hotels and multiple family residential development in the Tourist Area.

Policy 4.2.22 directs that the Fallsview Subdistrict will be better connected to Queen Victoria Park through new and improved pedestrian connections from the top of the escarpment into the Park and enhanced pedestrian designs along the east-west streets in the sub-district. Furthermore, Policy 4.2.23 states that:

*“New developments within the Fallsview Subdistrict shall be consistent with Sections 4.3.6 through 4.3.10 of this Plan with respect to the relationship of new developments to public streets and open spaces and Sections 4.4.2 through 4.4.8 with respect to the development’s built form.”*

Policy 4.3.6 speaks to the creation of the “Grand Boulevard” along Fallsview Boulevard. Public improvements and new developments along this new public street are to be consistent with the Design Criteria for the new Grand Boulevard.

Policy 4.3.7 applies to Entry Corridors such as Stanley Avenue. It provides that Entry Corridors shall be designated as the main points of access through which visitors arrive at the Niagara Falls Tourist Area. Entry Corridors will be automobile-oriented streets whose main purpose is to accommodate vehicular traffic within an attractive, sign-posted and landscaped streetscape. Public improvements and new developments are to be consistent with the Design Criteria for Entry Corridors.

Policy 4.3.10 requires that public improvements and new developments abutting all other streets in the Tourist Area help improve the physical setting of the Tourist Area through streetscape improvements such as reconstructed sidewalks, the planting of street trees and landscaping treatment. The details of these improvements are to be outlined in Streetscape Master Plans.

In accordance with Policy 4.3.15, all development and redevelopment in the Tourist Area is to contribute to the development and improvement of public open spaces, pursuant to section 42(6) of the Planning Act, and as per Policy 4.4.1, high quality private developments which complement and enhance the public realm shall be encouraged.

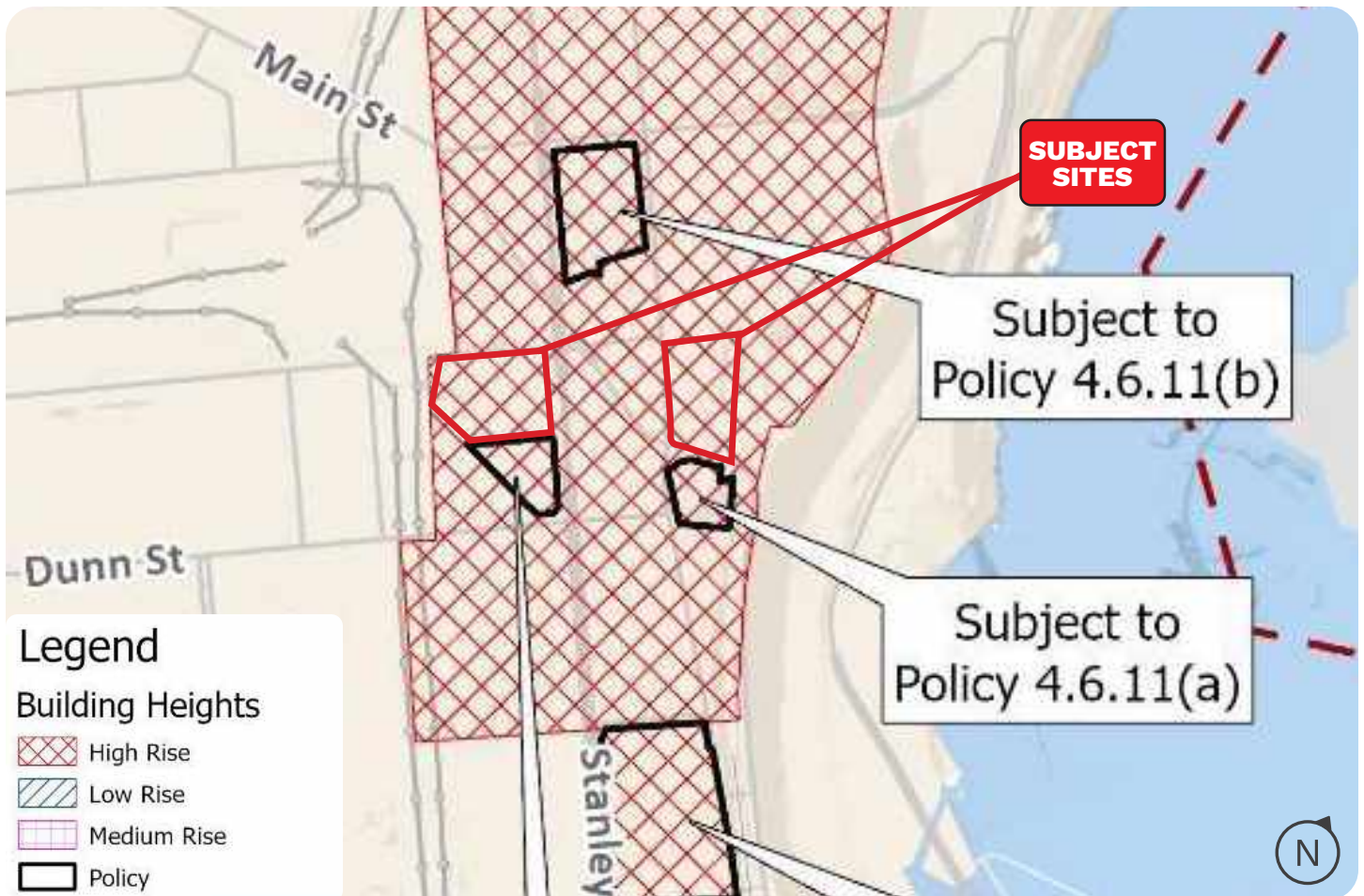


## Heights and Massing

Section 4.4 provides policy direction with respect to private developments on lands designated Tourist Commercial. In order to encourage high-quality private developments which complement and enhance the public realm, a set of built form regulations consistent with Policy 4.1.24 will be established.

Policy 4.4.2 indicates that building heights in the Tourist Area are restricted to four storeys, in accordance with the provisions of the Zoning By-law. Allocation of additional building height will be considered through site-specific Zoning By-Law amendments, up to the maximum height strategy

set out in Policy 4.4.3 and Figure 4 – Height Strategy (see **Figure 30**). The subject sites are located within the “High Rise” area according to Figure 4 – Height Strategy. As set out in Policy 4.4.3, in order to provide reasonable flexibility in the regulation of building heights, general parameters for building heights have been established (rather than strict height limits); for lands identified as “High-Rise”, the indicated height range is 13 to 30 storeys.



**Figure 30** - Figure 4, Height Strategy Map

As set out in Policy 4.4.2, additional height beyond the four-storey restriction is permitted, if the following criteria are met:

- the applicant has submitted all required rezoning information;
- the applicant agrees to provide sidewalk and streetscape improvements in accordance with Policy 4.4.4 of the Official Plan;
- in cases where buildings exceed 10 storeys, the applicant has submitted requisite wind and shadow studies and has completed an architectural peer review; and
- the proposed development, in the opinion of Council, adheres to the intent of the Official Plan and applicable design criteria.

Specifically, Policy 4.4.4 as noted above allows for the use of Section 37 agreements in approving increased height permissions to ensure that all street frontages are improved including sidewalks, the planting of street trees, the provision of street furniture and the provision of landscaped open space.

Policy 4.4.5 provides for the establishment of design controls to ensure that high-rise buildings do not create adverse impacts, such as extensive shadowing on residential areas, public streets and open spaces, encroachment on the views of other landowners and the creation of severe wind impacts at the street level.

Policy 4.4.6 provides that high-rise developments shall not overwhelm the public realm, or collectively create a solid wall at the top of the escarpment. Tall buildings should be designed to reduce their massing and visual impact and provide appropriate gaps between buildings. At lower levels, buildings will be permitted to develop to the property line in order to enhance street level activities.

Policy 4.4.7 states that additional skyline elements compete with the Falls for visual attention and should be added with great care. To this end, design criteria for high rise buildings must be implemented for all development projects over four storeys in height based on the following principles:

- to ensure that buildings are designed to add distinct and interesting features to the Niagara Falls skyline;
- to ensure that new developments enhance the pedestrian environment at the street level by reflecting a pedestrian-scale design;
- to ensure that high-rise buildings are appropriately set back and stepped back from the street level in order to mitigate adverse wind impacts and excessive shadowing on City streets;
- to ensure that building mass is reduced above the four-storey podium level and again at the 15-storey level so that no single building dominates the skyline, and that appropriate gaps are maintained between buildings; and
- to minimize adverse impacts on residential areas.

Following therefrom, Policy 4.4.8 provides that regulations regarding the scale and massing as described in Policy 4.4.7 will be implemented through site specific zoning provisions for individual development projects.

Policy 4.6.11 applies directly to the proposed development. It sets out requirements to be addressed in the case of Official Plan Amendment applications to exceed the 30-storey height limit.

Policy 4.6.11 states that applications “will be considered” for Official Plan Amendments to permit proposed developments in excess of the 30-storey height limit set out in the Official Plan. The OPA application is to be supported by one or more reports prepared by a professional urban designer, land use planner or architect in order to address the manner in which the proposed development will “maintain the built form objectives set out in policies 4.1.23 and 4.1.24”. Further, the report (or reports) is required to demonstrate that “no significant adverse impacts will be created because of the proposed development and its additional height”. Issues to be addressed include:

- extensive shadowing on residential areas, public streets and green spaces;
- encroachments on the views of the Falls of other landowners; and
- the creation of severe wind impacts at street level.

Pursuant to Policy 4.6.11, the City has approved 9 developments in the Tourist Commercial designation that exceed 30 storeys i.e.

- a 36-storey hotel building (OPA 44, Embassy Suites);
- a 172-metre, 52-storey hotel tower (OPA 56, Hilton Niagara Falls);
- a 230-metre combined hotel and observation tower (OPA 61);
- three hotel and/or residential towers of 60 storeys, 45 storeys and 39 storeys (OPA 90, as amended by OPA’s 101 and 153, 6880 Stanley Avenue);
- two towers of up to 61 storeys and 229 metres (OPA 105, 5555-5651 River Road);
- 56-storey, 40-storey and 40-storey buildings (OPA-130 5383-5385 Robinson Street);

- a mixed-use building of up to 72 storeys and 255 metres (OPA 135);
- two residential towers of 35 and 36 storeys (OPA 144, 5633 Victoria Avenue); and
- a 77-storey residential tower (OPA 158, 5602 Robinson Street).

## Parking

Section 4.5 states that an integrated visitor circulation system needs to be established in order for the local business community to realize the full benefits of tourism. Such a system should be designed to accommodate large numbers of visitors who have parked their cars for the day to explore the City as pedestrians. In this regard, the subject sites are located within the area identified as being subject to Policy 4.5.2.3 on Figure 5 – Parking (see **Figure 31**). Policy 4.5.2.3 provides that:

*“While it is the intent of this Plan to ensure that adequate off-street parking is provided for all development, consideration may be given to the elimination of parking requirements for non-accommodation uses within the area shown on Figure 5. Exemption from parking requirements shall be implemented through an amendment to the Zoning By-law.”*



Policy 4.5.3 notes that, with the emphasis on improving the public realm, it is important that parking facilities be designed in an aesthetically pleasing manner. The following design strategies will be adopted:

- as parking areas are highly visible and tend to detract from the pedestrian environment, active uses other than parking are encouraged at the street level;
- where surface parking is provided, it shall be screened from the public street by appropriate setbacks and landscaping;

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

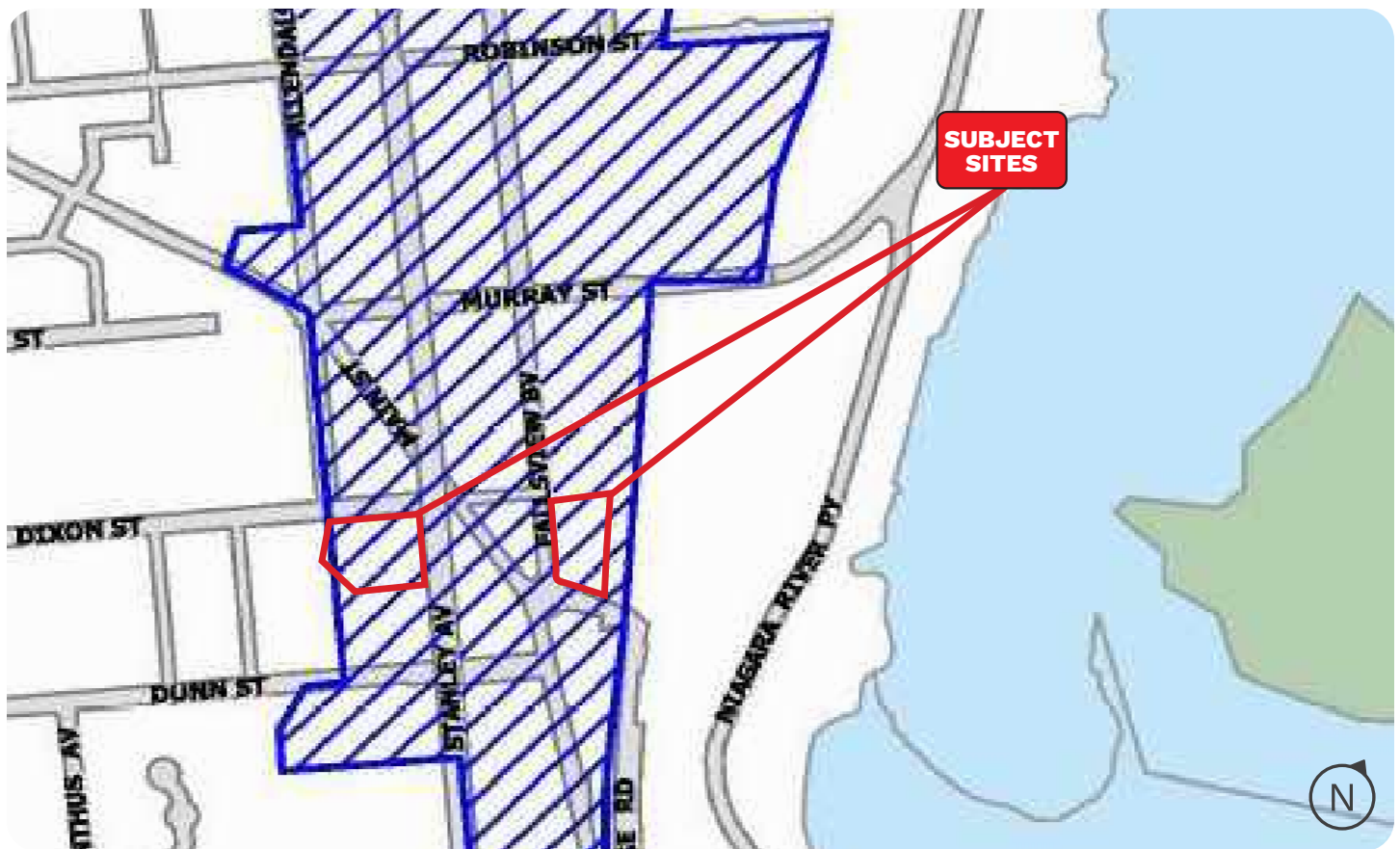


Figure 31 - Figure 5, Parking of the NFOP

## Housing

Section 4 of the OP Identifies policies regarding Housing, having recently been implemented through OPA 149. Among other policies, Policy 4.1 directs that the City supports a range of housing uses and built form types, including housing that is affordable. Policy 4.3 directs that opportunities for a choice of housing including type, tenure, cost and location shall be provided to meet the changing needs of households throughout the Built-up Area and Greenfield Area. The policy goes on to state that the City shall support, among other things, multiple unit developments (4.3.1), development on vacant and under-utilized parcels (4.3.2), and development of housing in conjunction with commercial developments in order to create walkable developments (4.3.4).

Policy 4.4 requires that applications for Official Plan and Zoning By-law Amendments shall include, as part of a complete application, the submission of a housing impact statement, either as a standalone report for large-scale projects, or as a section within a planning justification report for small-scale projects, demonstrating how the proposal implements the City's Housing Strategy. We note that OPA 149 was passed following the pre-consultation meeting for the subject application, and as such, a housing issues report was not identified as a submission requirement for the application. In an effort to satisfy the requirement for a housing impact statement, we have provided the required information in this Planning Rationale, notably in Section 5.6 of this report.

Policy 4.8 goes on to set a target of 40% of all new units to meet the definition of "affordable". Specifically, the policy directs that a target of 270 "affordable" units be provided annually, 135 of which would be built with a purchase price or rental price at or below the identified threshold for affordable in accordance with the Niagara Region's definition of affordable, and 135 of which be built as rental units that would be affordable to rental households in the 30th income percentile or lower based on income deciles presented in the City's annual housing monitoring report. We note that these affordable unit construction rates are targets, not requirements for new development.

## Architectural Peer Review

Policy 4.6.8 states that "all Zoning By-law Amendment applications for buildings or structures greater than 10 storeys shall be required to undergo a process of Architectural Peer Review for the purpose of ensuring that the design objectives of this Plan have been met". In this regard, it is anticipated that the City will retain design and/or architectural professionals for the purpose of undertaking an Architectural Peer Review since the proposed hotel development exceeds 10 storeys.

## Urban Design

Part 3, Section 5 provides policy direction with respect to the City's urban design strategy. It is the intent of the Niagara Falls OP to create a compact and interconnected, pedestrian-oriented and transit-supportive community through the built environment, which consists of public and private properties that have to be designed to work harmoniously together.

Policy 5.1 directs that new development and redevelopment shall utilize building, streetscaping and landscaping designs to improve the built and social environment of the City and to enhance quality of life. Development should integrate and be compatible with the surrounding area, including natural and cultural heritage features. Additionally, Policies 5.1.1 to 5.1.7 state that:

- the design of new development shall address height, setbacks, massing, siting and architecture of existing buildings to ensure compatibility (5.1.1);
- development shall be designed and oriented to pedestrians, and where a development includes multiple buildings, the buildings should be designed to allow pedestrians to move between buildings with minimal interference from traffic (5.1.2);
- development shall be designed to minimize microclimatic impacts (5.1.3);
- new development should be designed and sited to minimize the obstruction of scenic views and vistas (5.1.4);
- parking areas should be minimized within the front yard of development sites, and shall primarily be located in rear of side yards of development, with sufficient landscaping to create an effective buffer (5.1.5);

- appropriately designed and scaled parking structures or underground parking are encouraged for large tourist commercial and high-density residential developments (5.1.6); and
- the number of access points onto arterial roads shall be minimized. Linked parking and driveway areas shall be encouraged. Access points shall be oriented toward major roadways (5.1.7).

Lastly, Part 4, Section 4 of the OP provides policy direction with respect to administration and implementation of by-laws within the City. The City's comprehensive Zoning By-law provides the mechanism by which to implement the policies of the OP. Since several of the applicable policies require implementation via site-specific Zoning By-law amendments, as discussed above, both the proposed hotel and the proposed parking garage will require amendments to Zoning By-law No. 79-200.

For the reasons set out in Section 5.1, 5.2, 5.3 and 5.5 of this report, it is our opinion that the proposed development conforms with the general directions of the Niagara Falls Official Plan, especially the policies speaking to the efficient use of land and the use of lands designated Tourist Commercial as the focal point for tourism activities in the City, including tourist attractions, accommodations, and services. In particular, it is our opinion that the proposal satisfies the tests for an increased height above 30 storeys as set out in Policy 4.6.11 (see Section 5.3).



## 4.6 Zoning By-law 79-200

In accordance with Zoning By-law 79-200, the subject sites are both zoned Tourist Commercial (TC) (see **Figure 32** – Zoning). The Hotel Development Site is subject to Exceptions 75 and 599, while the easterly three-quarters of Parking Garage Site is subject to Exception 75 (the portion of the site west of Allendale Avenue is zoned TC, with no exception).

Pursuant to Section 8.6, the underlying TC zone permits hotels, motels, restaurants, convention centres, and a wide range of entertainment, retail and service commercial uses. A parking lot is also a permitted use. Dwelling units are permitted in a building in combination with one or more of the uses permitted by the TC zoning, provided that not more than 50% of the total floor area of such building is used for dwelling units and further provided that such dwelling units except entrances thereto are located entirely above the ground floor.

The maximum permitted height in the TC zone is 12 metres and the maximum lot coverage is 70%. There is no maximum floor area.

Section 4.27 requires a minimum building setback of 13 metres, measured from the original centre lines of the road allowances for Fallsview Boulevard and Dixon Street, 13.1 metres for Portage Road and 15.25 metres for Stanley Avenue. Other than that, there is no required front yard setback. A minimum rear yard setback of 3.0 metres is required for non-residential uses.

Section 4.19.1 requires that parking be provided and maintained on the same lot as the building or structure. A "parking area" is defined as an area provided for the parking of motor vehicles and includes any related aisles and parking spaces and may include a private garage.

## Exception No. 599

Zoning By-law Amendment 2002-210 was enacted on November 18, 2002, and introduced site-specific Exception No. 599, which applies to 6546 Fallsview Boulevard (to allow for the existing Oakes Hotel). Exception 599 includes the following provisions and regulations:

a)	<b>Maximum height of building or structure and the maximum number of storeys</b>	68 metres as measured from Geodetic Elevation 199.75 metres or 22 storeys, whichever is lesser, subject to section 4.7 of By-law No. 79-200, including the roof feature as required by section (b).
b)	<b>Roof feature</b>	The hotel building shall have a roof feature which has a height of not less than 8 metres. The roof feature shall be a distinct architectural element and may contain up to a maximum of two floors of occupancy. The balance of the roof feature shall not contain a place of occupancy.
c)	<b>Location of the various components of the building or structure on the land, its number of storeys, maximum height and minimum yards</b>	Refer to plan Schedule 2 attached hereto and forming part of this by-law.
d)	<b>Minimum landscaped open space</b>	20% of the lot area as shown on Schedule 1, after any required dedication.
e)	<b>Parking</b>	The owner or occupant of the land described in clause (a) of section 1 of this by-law designated TC and numbered 599 on the plan Schedule 1, attached hereto, shall provide and maintain a parking structure, on the land described in clause (b) of section 1 of this by-law, designated P and numbered 599 on the plan Schedule 1, attached hereto, containing all of the required parking spaces which cannot be provided on the lands described in clause (a) of section 1 of this by-law, designated TC and numbered 599 on the plan Schedule 1, attached hereto.

The lands designated P on Schedule 1 to By-law 2002-210 consist of the lands immediately east of the Hotel Development Site fronting on Portage Road.





## 4.7 Tourist Area Design Guidelines

The City of Niagara Falls Tourist Area Design Guidelines are the primary implementation tool for the Tourist Commercial policies of the Official Plan. It includes a merger of two previous documents, the Tourist Area Development Application Guide and the Tourism Policy Review Implementation Handbook (May 31, 2004), both of which contain urban design guidelines and implementation policies. The Design Guidelines are comprised of two parts: Part 1 – Development Review Process, and Part 2 – Architectural Design Guidelines and Review.

The purpose of the Tourist Area Design Guidelines is to provide a comprehensive reference manual to urban design principles that will be used to evaluate future development proposals in the City's Tourist areas.

The Official Plan requires the Architectural Design Review prepared by the project architect for buildings greater than 4 storeys in height to include an explanation of how each design criteria have been met or an explanation of the deviation from the criteria outlined in the review and how mitigation measures will be applied.

The Implementation Handbook sets out seven urban design principles as tools to be used on an ongoing basis to evaluate any future developments for proposals within the Tourist District. The seven principles are as follows:

1. Positive Base Building Principle;
2. Positive Public Realm at Grade Principle;
3. Sky View Principle;
4. Skyline Height Principle;
5. Niagara Falls Views and Vistas Principle;
6. Positive Microclimate Principle; and
7. Parking and Circulation.

The Architectural Design Review form is organized based on the seven above-noted principles. It has been completed and is attached to this report as Appendix XX. Key conclusions are addressed in Section 5.5 of this report (Urban Design Brief).



5

# Planning & Urban Design Analysis

## 5.1 Intensification

The proposed development and intensification of the subject sites are supportive of policy directions articulated in the Provincial Policy Statement, the Growth Plan, the Niagara Region Official Plan (ROP) and the City of Niagara Falls Official Plan (City OP), all of which promote intensification on sites within the built-up area that are well served by municipal infrastructure.

Policies in both the ROP and the City OP set out provisions for intensified development on sites such as this that are located within the Built-Up Area, are designated for tourism development and are well serviced by infrastructure.

The ROP supports the continued expansion and development of tourism opportunities within Settlement Areas, while the Niagara Economic Zone designation prioritizes tourism and economic development, as per Policy 4.2.2.2. The Region's Built-Up Areas are expected to accommodate a significant portion of the Region's future and long-term population and employment growth, particularly through intensification, as per Policies 2.2.1.1 and 2.2.2.2.

These policy directions are reinforced in the City OP, which promotes opportunities for increased densities within the Built Area Boundary to make efficient use of existing infrastructure, as per Part 1, Policy 2.4. In particular, lands designated as Tourist Commercial are intended for compact growth and servicing in order to realize the full potential of each tourist district, as set out in Part 2, Policy 4.2.8. In this context, the current use of the site represents an underutilization of land and infrastructure. The proposed level of intensification is appropriate and consistent with the City's vision for the creation of a world-class tourism destination in the form of a modern urban centre in proximity to impressive natural features.

The City of Niagara Falls Official Plan also acknowledges that consideration for development proposals to permit increases in height and density beyond what is currently permitted is necessary and desirable in order to achieve economic goals and utilize land, services and infrastructure efficiently. While the Official Plan restricts building heights in the tourist area to four storeys, Policy 4.4.2 of Part 2 provides that sites designated as "High Rise" are eligible for additional building height of up to 30 storeys, considered through site-specific zoning by-law amendments. Further, Policy 4.6.11 states that applications will be considered for Official Plan Amendments for proposed developments in excess of the 30-storey height limit, where the proposal demonstrates that no adverse impacts will be created due to the additional height.

Additionally, the Region of Niagara is also forecasted to accommodate a total of 694,000 people and 272,000 jobs by 2051, with Niagara Falls forecasted to accommodate 58,110 jobs and 106,800 people across 42,740 households, representing a considerable increase from the former ROP. The proposed intensification will result in a significant number of hospitality industry jobs consistent with vision of the Regional and City Official Plans, which will assist in achieving employment targets, as well as the creation of 126 new residential units, providing additional housing towards the City and Region's population and household growth targets. In this regard, we note that the City has initiated a New Official Plan, which will, among other things, update its growth strategy to accommodate the increase population targets established in the ROP. We anticipate that the City will continue to direct new housing opportunities to its Tourism District, where new residents can take advantage of employment opportunities, commercial and recreational amenities, and transit opportunities. Accordingly, we are of the opinion that the proposed development will intensify an underutilized site in a strategic growth area, which will continue to see growth and development.



## 5.2 Land Use

### Hotel Development

The proposed hotel, residential, and commercial uses are permitted by both the ROP and OP, and in particular by the applicable Tourist Commercial designation in the City OP.

The proposed development is an appropriate and desirable use of the subject site, which will be compatible with surrounding hotel, residential, commercial and park uses, while providing a high-quality hotel and residential development that will support tourism and associated businesses in the Fallsview Subdistrict, the Central Tourist District, and Niagara Region more widely and provide new housing supply in a central location in close proximity to major employment, entertainment, community, commercial, and recreational amenities.

As per Part 2, Policy 4.2.21 of the City OP, the Fallsview Sub-district is envisaged as the primary location for large-scale accommodations, entertainment, retail and cultural attractions, and in particular high-rise hotels and multiple family residential developments. In this regard, the proposed high-rise hotel complex and its associated, restaurant, banquet facilities and multi-purpose facilities will implement and conform with Policy 4.2.21. In our opinion, the proposed development is respectful of the existing natural heritage features and will appropriately redevelop a highly visible site in the Central Tourist District, while providing considerable employment opportunities.

### Parking Garage

The proposed off-site parking garage conforms with the Regional Official Plan and City Official Plan, and is permitted by the applicable Tourist Commercial designation in the City OP. The inclusion of ground floor retail space addressing the Stanley Avenue and Dixon Street intersection is specifically encouraged by Part 2, Policy 4.5.3 of the City OP.

While the garage will be located reasonably close to the proposed hotel complex (approximately 155 metres to the west), it will assist in directing traffic away from the main tourist attractions along Fallsview Boulevard and the public park space around the Falls and instead direct it to the main arterial corridor along Stanley Avenue, which is identified as an Entry Corridor by the OP. The proposed parking garage would be compatible with existing and proposed off-site parking lots to the north and west of the site and would also be compatible with the existing Days Inn Hotel on the south part of the 6503-6519 Stanley Avenue property.

The parking garage would replace and intensify an existing off-site parking lot, thereby making more efficient use of the site and creating a more urban, pedestrian-friendly streetscape along Stanley Avenue and Dixon Street, with an attractive, well-designed parking facility.

## 5.3 Height and Massing

### Hotel Development

In our opinion, and as noted in Section 5.1 above, the site is an appropriate location for intensification from a land use policy perspective. From a built form perspective, it is our opinion that the proposed building heights and massing would complement and fit harmoniously with other existing and approved tall buildings in the vicinity of the site and within the Central Tourist District.

The proposed building heights are 198.05 metres (210.05 metres to the top of the mechanical penthouse), which would be in keeping with the role of the Central Tourist District and would contribute to an internationally recognizable skyline. The proposed building heights would fit with the existing and approved building heights in the immediate area, and within the Fallsview Tourist District more generally, including the existing Hilton Niagara Falls (53 storeys, 177 metres), the approved 72-storey mixed-use building (255 metres) at 6605 Stanley Avenue (northwest corner of Stanley Avenue and Dunn Street), the approved 77-storey mixed-use building at 5602 Robinson Street (southwest corner of Stanley Avenue and Robinson Street), the approved 60-storey, 45-storey and 39-storey mixed-use towers at 6880 Stanley Avenue (225 metres, 190 metres and 145 metres) and the approved 56-storey, 40-storey and 40-storey hotel buildings at 5383-5385 Robinson Street (187 metres, 131 metres and 131 metres).

In reviewing the pattern of tall buildings in the Fallsview Tourist District, there does not appear to be any specific pattern governing the distribution of height other than maximizing the views of the American and Horseshoe Falls while taking strategic advantage of being in proximity to the range of tourist activities in the area. In this regard, previous developments have generally occurred when large parcels could accommodate them. The proposed development takes advantage of a large, strategically located parcel which will contribute to tourist core activities, add to an internationally

recognized skyline, and redevelop an underutilized site as an iconic landmark.

From a policy perspective, the OP includes planning and urban design tests in order to support an increase above the 4-storey height limit in the Zoning By-law (Policy 4.4.2) and to support an Official Plan Amendment seeking an increase above the 30-storey height range specified in the Official Plan (Policy 4.6.11).

With respect to Policy 4.4.2:

- the applicant has submitted all required rezoning information;
- the applicant will provide sidewalk and streetscape improvements in accordance with Policy 4.4.4 of the Official Plan;
- in cases where buildings exceed 10 storeys, the applicant has submitted requisite wind and shadow studies and is agreeable to an architectural peer review; and
- the proposed development adheres to the intent of the Official Plan and applicable design criteria, as set out in Sections 5.1, 5.2, 5.3 and 5.5 of this report.

With respect to Policy 4.6.11:

- The proposed hotel will maintain the built form objectives set out in Policies 4.1.23 and 4.1.24 (see Section 5.5 below).
- No significant adverse impacts will be created because of the proposed development and its additional height (see Section 5.4 below).
- There will be no extensive shadowing on residential areas, public streets and green spaces (see Section 5.4 below).
- There will be no unacceptable encroachments on the views of the Falls of other landowners (see Section 5.5 below).
- No severe wind impacts will be created at street level (see Section 5.5 below).

From a massing perspective, the proposed building design is appropriate given the range of building forms in the surrounding area. As suggested in the City's design guidelines, the proposed development incorporates appropriately-scaled base buildings fronting Fallsview Boulevard and Portage Road and two towers above, which are well stepped back from the base buildings.

The development conforms with Policies 4.4.6 and 4.4.7 of the Official Plan. In this respect, the proposed building massing has been designed to reduce impacts on the public realm, mitigate against a solid wall of development at the top of the escarpment by providing appropriate gaps between buildings, and ensure proper building step backs are provided at various levels of the base and tower components.

In order to achieve these massing objectives, the proposed towers have been offset from one another, with no direct facing conditions between the two towers. On a diagonal, the towers are separated by 20.2 metres, with no balconies penetrating into that separation distance. The step backs to the towers above the base buildings achieve the objectives of mitigating adverse wind impacts and excessive shadowing on City streets, while allowing for the programming of the base buildings to accommodate the range of facilities necessary to create an exceptional hotel facility.

As noted in Section 3.3 of this report, the proposed Official Plan and Zoning By-law Amendments include a site-specific policy and regulations that would allow an additional two (2) storeys on one of the towers. In our opinion, this flexibility is appropriate and desirable in land use and urban design terms, since it will achieve the design objective of a clearly defined roof feature to enhance the skyline in accordance with the City's Tourist Area Design Guidelines. Furthermore, it is our opinion that the additional height will continue to fit harmoniously with other existing and approved

tall buildings in the vicinity of the site and within the Central Tourist District and will not create any unacceptable built form impacts. The additional two storeys will be negligible but will provide an opportunity to add interest and enhance the skyline at the detailed design stage (site plan). In this regard, we have made this additional height permission to the satisfaction of City Staff who will be able to work with the owners' consultant team to implement an enhanced skyline. However, we continue to be of the opinion that the current design appropriately addresses the City's urban design guidelines as it will add interest, enhances the skyline, and should not change.

## **Parking Garage**

Given its proposed 7-storey (19.6 metre) height, the proposed parking garage would not have any negative built form impacts associated with its height and massing. It would fit into the existing and planned context along Stanley Avenue. While Stanley Avenue has historically been dominated by low-rise buildings and surface parking lots, newer mid-rise scale buildings include the OLG Stage at Fallsview Casino, Wyndham Garden Hotel (6 and 10 storeys) and the Ramada Inn (8 storeys). Tall buildings of up to 72 storeys, 60, and 77 storeys have recently been approved at 6605 and 6880 Stanley Avenue and 5602 Robinson Street, respectively.



## 5.4 Built Form Impacts

### Shadow Impacts

A Shadow Study has been prepared by architectsAlliance assessing the incremental shadow impacts of the proposed development at the spring and fall equinoxes (March and September 21<sup>st</sup>) and the winter and summer solstice (December and June 21<sup>st</sup>).

In analyzing the shadow impacts, Official Plan Policy 4.1.24(c) in Part 2 provides that residential and institutional uses within the Tourist Area will be protected from overshadowing effects of tall buildings. Further, Policies 4.4.5 and 4.6.11 provide that design controls need to be established to ensure high-rise buildings do not create extensive shadowing on residential areas, public streets and open spaces.

Specifically, the Shadow Study shows that the proposed development will not have any impact on low-rise residential areas at any time of the day or year.

Regarding public streets to the west, new shadows will be cast by the proposed hotel development on the Stanley Avenue right-of-way between the hours of 9:18 a.m. and 10:18 a.m. at the spring and fall equinoxes. The Fallsview Boulevard right-of-way would be shadowed between the hours of 9:18 a.m. and 12:18 p.m. at the spring and fall equinoxes, with the shadows would move off Fallsview Boulevard by 1:18 p.m., thereby providing 5 hours of sunlight from 1:18 p.m. to 6:18 p.m. On June 21<sup>st</sup>, shadow impacts on Stanley Avenue will be limited to 9:18 a.m., with a minor shadow at 10:18 a.m. Shadows would move off Fallsview Boulevard by 1:18 p.m. At the winter solstice, the shadow impacts fall within existing shadowing already cast by other developments.

With respect to open spaces to the east (the Falls, the Niagara River Parkway and trails), it is our opinion that shadow impacts are appropriately limited and do not result in extensive shadows on natural features. At the equinoxes, there would be no shadow impact until 4:18 p.m. Shadowing at 4:18 p.m. and 5:18 p.m. would fall to the north of Table Rock, in areas already impacted by the Casino Hotel and the Embassy Suites Hotel. There would be only minor incremental shadow impact at 6:18 p.m. The maximum duration of incremental shadowing in any one location is approximately one hour. It is noted that the shadowing would be further mitigated by the shadows cast by the escarpment slope and associated vegetation, which is not included in the model. Additionally, we have confirmed with O2 Design, the licensed landscape architect who has been retained for the subject applications, that this incremental shadow impact is not anticipated to adversely affect the growing conditions on the escarpment or in the park to the east of the subject site.

At the summer solstice, there would be only a minor incremental shadow impact at 4:18 p.m., which would fall on the escarpment slope. Shadowing at 5:18 p.m. and 6:18 p.m. would fall to the north of Table Rock, in areas already impacted by the Casino Hotel and the Embassy Suites Hotel. The maximum duration of incremental shadowing in any one location is approximately one hour. As above, shadowing would be further mitigated by the shadows cast by the escarpment slope and associated vegetation, which is not included in the model.

On December 21<sup>st</sup>, there would be no incremental shadowing on the open spaces to the east.

## Wind Impacts

A Pedestrian Level Wind Study dated May 2, 2023 and addendum dated February 6, 2024 have been prepared by Gradient Wind Engineers to investigate pedestrian wind conditions within and surrounding the Hotel Development Site, and to identify areas where wind conditions may interfere with certain pedestrian activities so that mitigation measures may be considered. A subsequent addendum letter was prepared by Gradient Engineers, dated February 6, 2024 to address changes made to the development following the preparation of the original report.

The study involved the simulation of wind speeds for 16 wind directions in a 3D computer model using the computational fluid dynamics (CFD) technique, combined with meteorological data integration, to assess pedestrian wind comfort and safety within and surrounding the site.

The study and addendum letter include the following conclusions:

- All grade-level areas within and surrounding the subject site are predicted to experience conditions that are considered acceptable for the intended pedestrian uses throughout the year. Specifically, conditions over surrounding sidewalks, surface parking, laneways, walkways, transit stops, drop-off areas, and in the vicinity of building access points, are considered acceptable. Two exceptions are as follows:
  - **North Sidewalk, Portage Road.** Windy conditions are predicted throughout the year at the southeast corner of the proposed development over the sidewalk along Portage Road. Specifically, following the introduction of the proposed development, a limited area of uncomfortable conditions during the winter are predicted at the southeast corner the hotel redevelopment, exceeding the walking threshold for 3% of the time during the winter season. Notably, windy conditions along Portage Road are also predicted with the existing massing.

- **Existing Surface Parking to the East:**

Conditions during the winter are predicted to be uncomfortable at the southwest corner of the existing surface parking to the immediate east of the proposed development. The noted area exceeds the walking comfort criterion for 3% of the time during the winter season.

- Regarding the Level 8 terrace event space situated to the east of the south tower, conditions are predicted to be suitable for sitting during the summer, which is considered acceptable.
- Wind comfort conditions within the terrace event space at Level 8 serving the north tower are predicted to be suitable for a mix of sitting and standing during the summer season. In this regard, a mitigation strategy will be developed in collaboration with the building and landscape architects to support the required site plan control application.

The foregoing statements and conclusions apply to common weather systems, during which no dangerous wind conditions are expected over the subject site. During extreme weather events, (for example, thunderstorms, tornadoes, and downbursts), pedestrian safety is the main concern. However, these events are generally short-lived and infrequent and there is often sufficient warning for pedestrians to take appropriate cover.

The addendum notes that the differences between the 2023 (which is what the original study was based on) and the 2024 (addendum) proposals are considered modest from a wind engineering perspective and wind conditions are expected to be similar and, as such, the above noted conclusions continue to apply.

## Mist Impacts

A mist study was prepared by Gradient Engineers and Scientists, dated June 6, 2023 (the "mist study") in order to investigate the wind impact of the proposed development on the misting conditions from the plume rising from the Horseshoe Falls. A subsequent addendum letter was prepared by Gradient Engineers, dated February 6, 2024 to address changes made to the development following the preparation of the original report.

The mist study and addendum letter provides the following conclusions:

- The proposed development is situated approximately 550 m to the west-northwest of the Horseshoe Falls. Under winds from this direction, reversed wind flows within the wake of the proposed development are predicted to extend into the mist plume rising from the Horseshoe Falls.
- The increased extent of the wake and reversed flow generated by the proposed development is predicted to result in an incremental redirection of the existing mist plume towards the Canadian side of the Falls, increasing misting conditions over Table Rock Centre, the Niagara Parkway, and the nearby pedestrian walkways, in comparison to existing conditions.
- The increase in misting conditions is not predicted to extend over the escarpment towards the proposed development and the nearby high-rise hotels, inclusive of the Fallsview Casino Resort and the Falls Incline Railway.
- The increased misting conditions in the wake of the proposed development are predicted to occur for relatively infrequent north-northwesterly winds. For the predominantly southwesterly winds in the Niagara Falls area, the introduction of the proposed development is expected to have a lesser impact on misting conditions on the Canadian side of the Falls in comparison to other tall developments to the south along the escarpment. A subsequent addendum letter was prepared by Gradient Engineers, dated February 6, 2024 to address changes made to the development following the preparation of the original report.

## 5.5 Urban Design Brief

In our opinion, the proposed building design and site organization of the proposed development (both the Hotel Development and the Parking Garage) conform with the applicable built form and urban design policies of the City of Niagara Falls Official Plan as well as the Tourist Area Design Guidelines. The proposed development is supportive of creating compact, interconnected, pedestrian-oriented communities, and places emphasis on maintaining a harmonious balance between private and public lands.

In this regard, a primary focus of the Tourist Area Development Strategy (1998), which provides the basis for the current Official Plan policies, was to improve the public realm and create a pedestrian-friendly environment for tourists exploring the Fallsview Tourist District. The existing uses on both sites, which are automobile-oriented and have extensive surface parking areas, with limited landscaping and animation along the public sidewalks, detract from public realm vision for the area.

Both the proposed hotel development and the parking garage will substantially improve the public realm adjacent to the proposed development by providing widened sidewalks, landscaping features and active at-grade uses which engage with the public sidewalks. Specifically along Portage Road, generous amounts of landscaping and new tree plantings intend to better connect the Fallsview Tourist District with the Niagara Escarpment to the east and create an enhanced pedestrian space on the approach to the adjacent Niagara Falls Incline Railway.

Consistent with Part 3, Policy 5.1, the proposed development utilizes streetscaping and landscape design to improve the built and social environment, particularly in the Fallsview Tourist District where there is a focus on a pedestrian-oriented activities. In this regard, the proposal includes the creation of a pedestrian-friendly environment along the Fallsview Boulevard and Portage Road frontages of the hotel development, as well as along the Stanley Avenue frontage of the parking garage.



As well, both aspects of the proposed development emphasize the quality of the architecture, including the hotel towers, which will be visible from various vantage points including the public park system, and the lower building elements (the hotel podiums and the parking garage), which will directly engage with the public realm along the adjacent streets.

## Hotel Development

In our opinion, the proposed hotel development conforms with Policies 4.1.23 and 4.1.24 of Part 2 of the Official Plan.

While Policy 4.1.23 states that the skyline of Niagara Falls “will continue to be characterized by the three existing view towers”, those view towers have subsequently been complemented by new high-rise hotel buildings that have been permitted by various Official Plan Amendments that have been approved pursuant to Policy 4.6.11. The addition of the proposed 58-storey towers on the subject site will contribute to this ongoing evolution. Due to their design and materiality, they will also contribute to the variety of heights and mass within the skyline and will not appear as a continuous wall when viewed from Queen Victoria Park, the U.S. side or the City of Niagara Falls (as demonstrated by the Visual Impact Assessment submitted with this application).

The proposal also conforms with the principles set out Policy 4.1.24. In particular:

- the buildings will contribute to the creation of an internationally recognizable skyline and will be supported by municipal infrastructure;
  - the buildings will have no unacceptable overshadowing impacts on residential and institutional uses;
  - the proposed building mass conforms with built form controls and urban design criteria consistent with Policies 4.4.2 to 4.4.8; and
- the proposal will result in significant public realm improvements along both Fallsview Boulevard and Portage Road.

Consistent with Part 3, Policies 5.1.1 and 5.1.2 of the Official Plan, the proposed 58-storey tower heights will be compatible with other existing high-rise buildings and towers in the area and its massing and siting have been sensitively designed to avoid a continuous wall and to contribute to a well-designed and internationally recognized skyline.

In particular, the following analysis demonstrates how the proposed hotel development addresses the urban design policies in Section 5.1.

*The design of new development shall address height, setbacks, massing, siting and architecture of existing buildings to ensure compatibility (5.1.1):*

- The 6-storey podium height will be in keeping with the height of the casino parking garage. It will create a continuous, but articulated, frontage along Fallsview Boulevard and Portage Road, which creates the opportunity for landscaping elements, which will expand the public realm. In this regard, it will create a more generous public realm than does the parking garage to the north. Given the parking garage use, the proposed reduced north setback is appropriate in order to balance required separation with the desire for a continuous street wall.
- The proposed architecture is a contemporary, high-quality design. It does not seek to replicate the design of the towers to the north and south, which are post-modern in their design approach. In that sense, the proposed architectural design is complementary, rather than competing, and will add interest and variety to the skyline.

*Development shall be designed and oriented to pedestrians, and where a development includes multiple buildings, the buildings should be designed to allow pedestrians to move between buildings with minimal interference from traffic (5.1.2):*

- As described above, the development has been designed to be oriented to pedestrians along both street frontages. The main entry will be located in the middle of the Fallsview Boulevard frontage and will have direct access from the public sidewalk and the entry forecourt.

*Development shall be designed to minimize microclimatic impacts (5.1.3):*

- As described In Section 5.4 above, the step backs of the towers above the podiums will appropriately mitigate shadow, wind and mist impacts.

*New development should be designed and sited to minimize the obstruction of scenic views and vistas (5.1.4):*

- The key scenic views and vistas relating to the hotel development from Queen Victoria Park have been studied through the Visual Impact Assessment, which is being submitted concurrently with this Urban Design Brief.
- The Visual Impact Assessment concludes that proposed tower and podium form and contemporary architectural expression of the towers will co-exist harmoniously with the natural and cultural heritage features in Queen Victoria Park, with no unacceptable built form impacts.

- The Visual Impact Assessment also notes that the proposal will introduce a high-quality building to the Niagara Falls skyline that is in keeping with existing and approved building heights in the surrounding area and will introduce a more contemporary architectural expression. The visual character of views from Queen Victoria Park consists of a mix of natural and cultural heritage facilities within the park, set against the backdrop of a contemporary urban skyline. In our opinion, the resulting character in its totality is attractive and is greater than the sum of its parts.

- As well, although there is in law no "right to a view", it is our opinion that there will be no unacceptable encroachments on the views of the Falls of other landowners. There would be minimal impact on views from existing hotels to the north, northeast and south.

*Parking areas should be minimized within the front yard of development sites, and shall primarily be located in rear of side yards of development, with sufficient landscaping to create an effective buffer (5.1.5):*

- There will be no parking in the front yard.

*Appropriately designed and scaled parking structures or underground parking are encouraged for large tourist commercial and high-density residential developments (5.1.6):*

- The hotel development will not include an on-site parking structure or underground parking.

*The number of access points onto arterial roads shall be minimized. Linked parking and driveway areas shall be encouraged. Access points shall be oriented toward major roadways (5.1.7):*

- The proposed development will result in the elimination of two existing wide curb cuts along Fallsview Boulevard and one curb cut along Portage Road. Access will be consolidated at the northeast and southwest corner of the site.

Finally, in terms of the urban design guidelines set out in the Tourism Policy Review Implementation Handbook (May 31, 2004), it is our opinion that the proposal is generally in keeping with the intent of the guidelines. In this regard, the Architectural Design Review form addressing each guideline has been completed and is attached to this report as **Appendix A**.

Key conclusions include:

- The proposed tower floor plates are each 815 and 821 square metres (Gross Construction Areas), considerably smaller than the recommended maximum floor plate size of 929 to 1,115 square metres. Therefore, while the floor plates exceed a width to depth ratio of 1.5:1 (the proposed ratio is approximately 3.55:1), it is our opinion that there are no unacceptable built form impacts that would result. In this regard, if the depths of the towers were increased to approximately 21 metres (resulting in a floor plate size of about 1,115 square metres in accordance with the guidelines), the ratio would be considerably reduced (to about 2.53:1); however, the built form impacts would be similar if not greater.
- The shallow depths of the tower floor plates are functional and reflect the demand for hotel suites with views of the Falls. Both towers are generally single-loaded i.e. with units predominantly facing east and elevators and stairwells located along the west elevation. The widths of the tower floor plates (52.75 to 53.75 metres) reflect both the large size of the site (with a north-south dimension of 116.9 metres on Fallsview Boulevard) and the objective of developing a hotel complex with a sufficient critical mass (1,140 suites) to support the range of hotel, entertainment, and employment facilities being proposed.
- Similarly, while the proposed separation between the towers is 20.2 metres, rather than the recommended 25 metres, it is our opinion that sufficient separation is provided between the two towers in order to mitigate against a "wall effect". As noted previously, the proposed towers are diagonally offset from one another, with no direct facing conditions between the two towers. As well, no balconies are proposed that would penetrate into that separation distance.
- While proposed 31.5 metre podium height of exceeds the 15 metres referenced in the urban design guidelines, the towers are stepped back from the podium by a minimum of 10 metres along Fallsview Boulevard well in excess of the minimum 3 metres specified in the guidelines. While the towers do not have step backs on the north and south sides of the podiums, these are along the narrow, 17.9 metre (including balconies) width portion of the towers. The impact from this condition is generally minimal given the narrow depth of the tower and is mitigated through the use of an inset floor on the 7<sup>th</sup> level to create a visual break between the podium and tower elements. In our opinion, the podium height is appropriate in relation to the 5-storey height of the casino parking garage to the north, the overall scale of the proposed development and the programming requirements for the accessory hotel uses.
- With respect to building setbacks at grade, the proposed podium buildings, in an effort to create an engaging, contemporary architectural expression, shift as they expand upwards on additional levels. This results in large amounts of space at grade, having a minimum setback of 4.93 metres along Fallsview Boulevard and 11.13 metres along the widened limits of Portage Road, while the guidelines recommend a minimal setback ranging from 0 metres (minimum) to 3 metres (maximum). The podium on the upper levels has reduced setbacks, owing to the urban nature of the site, of 0.5 metres from Fallsview Boulevard and 7.7 metres from Portage Road. In our opinion, the proposal would result in a wider and greatly enhanced public realm as compared to what could be achieved through rigid adherence with the guidelines, including the proposed landscaping as well as the angled walls of the podium buildings.



## Parking Garage

The proposed parking garage conforms with the design directions set out in Part 2, Policy 4.5.3. Specifically, it has been designed in an aesthetically pleasing manner, which:

- includes active uses other than parking at the street level;
- incorporates publicly-accessible uses at grade level to enhance the street environment, as well as setbacks and landscaping to visually screen the parking structure; and
- has been designed in accordance with the City's Design Criteria for Parking Areas.

## 5.6 Housing

As identified in the Niagara Falls Official Plan, this section of the Planning Rationale intends to satisfy the requirements of a Housing Issues Report. We note that the Housing Issues Report has been included in the Planning Rationale and not as a separate report as identified in the OP, since a Housing Issues Report was not identified on the pre-consultation checklist for the subject applications, and that a relatively small number of residential units (126) are proposed through the development, limited to only the uppermost 7 storeys of each tower.

Policy 4.4 of the Niagara Falls Official Plan specifically requires Housing Issues Reports to address several key criteria, which we will respond to appropriately:

4.4 a) The proposed housing mix by dwelling type and number of bedrooms, as applicable;

The proposed development would include 126 residential dwelling units, broken down as indicated in **Table 3** below:

Unit Type	Number of Units	Average Unit Size (square metres)
1-bedroom	42	51.91
1-bedroom + den	56	67.99
2-bedroom	14	83
3-bedroom	14	89
<b>Total</b>	<b>126</b>	<b>66.63</b>

4.4 b) How the proposal contributes to achieving the City's annual housing targets as outlined in Part 1, Section 4, Policy 4.8 a) and b);

The residential units proposed as a part of the development are not anticipated to contribute to the affordable housing targets set out by the City of Niagara Falls or Region. At this point, the tenure of the residential units is not yet known, however, the current intent is for the residential units to be sold as condominium units.

The Region's Affordable Housing Strategy defines affordable housing as "rental or ownership housing that costs less than 30 per cent of a household's total annual income". It also provides the following definitions:

- **Low-income household:** A household with annual income (before tax) of up to \$29,400, which can afford up to \$735 per month for housing costs.
- **Moderate income household:** A household with annual income (before tax) of \$29,401 to \$52,500, which can afford up to \$1,313 per month for housing costs.
- **Medium income household:** A household with annual income (before tax) of \$52,501 to \$83,900 which can afford up to \$2,098 per month for housing costs.

We anticipate that the sale prices in the proposed development would exceed the average/medium sale prices, since the units are proposed to be located on the 51st through 58th floors of the proposed towers and directly overlooking the Falls. As such, we do not anticipate that they would qualify as "affordable" as per both the Region of Niagara's and the City of Niagara Fall's definitions set out in Policy 4.8 of the Official Plan. In our opinion, the residential units will provide a new supply of apartment dwellings within the City, which will help address housing supply in the City, helping ease cost pressures on other units across the municipality and Region of Niagara as a whole.

Additionally, we note that the City of Niagara Falls has no mechanism to require the provision of affordable housing units in new development, and that the housing policies set out in Section 4 of the OP regarding affordable housing are targets for new development, not requirements. In this regard, we anticipate that the City will provide a framework for how and when It will require new affordable housing units through Its New Official Plan program.

*4.4 c) The estimated rents and/or sales prices of the development, indicating where they are either above or below the threshold for affordable as defined by the Niagara Region and the City;*

- As discussed above, it is anticipated that the sale prices in the proposed development will be market rates at the time of completion. While exact tenure (condominium or rental) has not been determined at this time for the proposed residential units, it is anticipated that all units would be above the threshold for affordable as defined by Niagara Region and the City.

*4.4 d) Where construction of the units is expected to occur in phases, information regarding the number of housing units that would meet Niagara Region's and the City's definition of affordable to be provided per phase, where applicable;*

- As no affordable units are proposed as a part of the development, the exact timing and potential phasing of the development does not impact the outcome on the deliver of the City's Affordable Housing Targets set out in Policy 4.8 of the OP.

*4.4 e) The proposed legal and/or financial mechanisms to ensure the delivery of any proposed new affordable housing commitments, and mechanisms to retain the long-term affordability of units, where applicable.*

- As no affordable units are proposed through the development, no legal or financial mechanisms are required.

## 5.7 Transportation

A Transportation Impact Study (TIS) dated January 23, 2024 has been prepared by Arcadis to analyze the impact that the proposed development may have on the surrounding transportation network. The TIS also examines the appropriateness of the proposed parking supply, functional circulation for vehicular traffic, and transportation demand management (TDM) considerations.

The Study provides the following conclusions:

### Traffic Impact:

- The proposed development is expected to generate up to 797 net new two-way automobile trips during the Saturday Peak Hour. Based on a comparison between 2033 Future Background Mitigated Conditions and 2033 Future Total Mitigated Conditions, the traffic generated by the proposed development is generally not anticipated to have a significant impact on traffic operations at study area intersections as traffic operations are similar for the majority of movements.
- For both signalized and unsignalized intersections within the study area, a sensitivity analysis which isolated the impact of the proposed development on a standalone basis demonstrated that the background developments that were considered in this report are the main drivers of new critical operations when compared to the 2023 Existing Conditions scenario. The traffic impacts arising from the proposed development represent only an incremental change in the context of future conditions. As such, the need for mitigative measures to address instances of poor traffic operations described in the TIS report are primarily attributable to the construction of background developments. Also, it should be noted that the described future conditions in the TIS report may prove to be conservative, as there is the possibility that some of the background developments do not proceed to construction.

### Parking:

- Based on the anticipated parking demand rates, the minimum vehicular parking space amount operationally required is expected to be approximately 1,040 spaces. Based on a parking supply of 1,330 spaces, a parking space surplus of approximately 290 parking spaces is anticipated. In addition, it should be noted that some hotel/gaming guests may elect to park elsewhere too (e.g. at Fallsview Casino Resort) if a pre-existing discount entitlement is present. This may lead to an even larger parking space surplus.

### Active Transportation Network:

- The proposed development is well connected to the City of Niagara Falls cycling network and is located in close proximity to waterfront trails east of the site. As such, consideration could be given to facilitating bicycle tourism through rental options for guests and secure bicycle parking for residents to encourage sustainable transportation options.

### Vehicle Swept Path Analysis

- A vehicle swept path analysis was completed and confirms that the passenger shuttle, waste collection and delivery vehicles can enter and exit both the hotel and parking garage sites in a forward motion.



## 5.8 Servicing and Stormwater

A Functional Servicing and Stormwater Management Brief dated February 1, 2024 has been prepared by Counterpoint Engineering Inc. to demonstrate that adequate municipal servicing capacity exists on the Hotel Development Site, and to outline the servicing and stormwater management strategy for the proposed hotel.

The Report provides the following conclusions:

### Water Servicing:

- There is an existing 450mm watermain on Fallsview Boulevard. The proposed development will be serviced through two new 200mm connections to the existing watermain, with one connection for each tower.
- The maximum day plus fire flow demand for the proposed development is **10,719 L/min**. Flow tests of nearby fire hydrants will need to be completed to confirm that residual system pressures are adequate at the governing flow rate.

### Sanitary Servicing:

- Sanitary flows for the proposed development will be directed to the existing 250mm sanitary sewer on Fallsview Boulevard.
- The peak sanitary flow generated by the proposed development is estimated to be **23.72 L/s**, which represents an increase of approximately 323 % in sanitary flows over the existing conditions. Given the subject site's location at the upstream end of the sanitary sewer shed, there are no capacity concerns for the sanitary sewer at the connection point.
- An analysis will be conducted at the detailed design stage to confirm the available capacity of the sanitary sewer further downstream.

### Stormwater Servicing:

- There is an existing 300mm storm sewer on Fallsview Boulevard that currently captures storm runoff.
- The proposed Hotel Development will be serviced through a new 300mm storm sewer that is connected to the existing 300mm storm sewer on Fallsview Boulevard.
- Site drainage will be captured by proposed area drains are directed to the proposed stormwater management tank, which will be located under the ramp, immediately north of the proposed building.
- Roof drainage will be conveyed by the internal storm system and direction to the stormwater management tank.



# Conclusion

The proposed redevelopment of the Oakes Hotel property (6546 Fallsview Boulevard) will result in the addition of an exciting and architecturally distinctive new mixed-use facility to the City of Niagara Falls Central Tourist District, expanding its range of tourist offerings and accommodating new housing. It will result in a dynamic new element within the city skyline and contribute to a greatly enhanced public realm along the Fallsview Boulevard and Portage Road frontages, eliminating existing surface parking lots which today cover much of the site. The required hotel parking will be located within a well-designed parking garage located approximately 155 metres to the west at 6503-6519 Stanley Avenue.

In its entirety, the proposal is consistent with PPS and conforms with the Growth Plan and the ROP by making efficient use of land and infrastructure, contributing to economic and tourism development, generating new jobs in the hospitality industry, and creating new housing in an intensification area.

For the reasons set out in the report, it is our opinion that the proposed Official Plan Amendment to increase the permitted height of the hotel towers from 30 storeys to 58 storeys satisfies the criteria set out in Policy 4.6.11 of the Official Plan. The proposed heights would be compatible with existing and approved heights in the vicinity and would result in no unacceptable shadowing or built form impacts on Queen Victoria Park to the east or the low-rise residential neighbourhoods to the west.

In our opinion, the proposed massing and design conform with the urban design policies in the Official Plan and are generally in keeping with the intent of urban design guidelines as set out in the Tourism Policy Review Implementation Handbook.

For all of the foregoing reasons, it is our opinion that the proposed development in its entirety represents good planning and urban design and, accordingly, we recommend approval of the requested Official Plan and Zoning By-law Amendments.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'D Falletta', written in a cursive style.

Bousfields Inc.

**David Falletta, MCIP, RPP**





# Appendix A



Architectural  
Design Review  
Form



# ARCHITECTURAL DESIGN REVIEW

*For submission with development proposals in the City's Tourist Area*

Property Owner:

Property Address:

Architect:

Application Number:

Date:

*Please describe in detail how the development complies with the following design objectives. Where the proposed design deviates from the objective please describe treatments proposed to mitigate the impact or to compensate for the design variance. Proponents should reference the Tourism Policy Review and Implementation handbook for further guidelines.*





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## PRINCIPLE 1 - POSITIVE BASE BUILDING PRINCIPLE

***Achieve a positive base interface between vertical building and street elements through built to lines, setbacks, edge treatments, weather protection, transparency, proportion and scale.***

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### DESIGN OBJECTIVES

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Podiums that occupy 75% of lot frontage to provide a well defined street edge.

*Has this objective been met?*      Yes      No

---

A clearly defined street wall at podium level to provide a continuous build form with adjacent developments on the same or neighbouring blocks (except for driveways).

*Has this objective been met?*      Yes      No

---

A clearly defined building base at the podium level that is designed to animate the street and engage the public (i.e. retail stores, restaurants, galleries, lobbies, etc.)

*Has this objective been met?*      Yes      No

---

Weather protected canopies and colonnades incorporated along street frontages that respect pedestrian scale, sidewalk width and overall scale of the building.

*Has this objective been met?*      Yes      No

---

Architectural features (including cornice bands, balconies, etc.) that complement the architectural form of adjacent buildings.

*Has this objective been met?*      Yes      No

---

---

Mid-block connections through or around buildings with weather protection and active pedestrian facilities that are integrated with public pedestrian systems and transit services.

*Has this objective been met?*      Yes      No

---

Drop-off areas for pedestrian and vehicles that are integrated with the architectural functionality of the development.

*Has this objective been met?*      Yes      No

---

In the case of above grade parking structures, active uses (retail, etc.) are incorporated.

*Has this objective been met?*      Yes      No

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## PRINCIPLE 2 - PUBLIC REALM AT GRADE PRINCIPLE

***Achieve an upgraded pedestrian environment through high quality streetscape, planting and furniture, and signage.***

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### DESIGN OBJECTIVES

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Consistency with the Streetscape Master Plan achieved.

*Has this objective been met?*      Yes      No

---

Private development streetscape improvements tied into the public pedestrian system and transit services.

*Has this objective been met?*      Yes      No

---

The built form of development and land use designed to engage the pedestrian and transportation corridor to encourage the presence of people and sense of place.

*Has this objective been met?*      Yes      No

---

Wider sidewalks and active public uses as described in the Streetscape Master Plan and the Sustainable Transportation Master Plan accommodated.

*Has this objective been met?*      Yes      No

---

Pedestrian and open space linkages provided between the site and Queen Victoria Park (physical or visual).

*Has this objective been met?*      Yes      No

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## PRINCIPLE 3 - THE SKY VIEW PRINCIPLE

**Maximize sky, light and air transparency by building buildings with adequate spacing and mass, and mitigate shadow and blocking light and air penetration—avoid a feeling of a wall of development. It is the view of the composition of the buildings from all sides.**

---

### DESIGN OBJECTIVES

---

Tower placements situated to ensure maximum sunlight and sky view between them.

Has this objective been met?       Yes       No

---

A diversity of building heights along the development block is created.

Has this objective been met?       Yes       No

---

Towers are setback above the building base/podium level.

Has this objective been met?       Yes       No

---

A separation distance of 25m between towers on the same lot and 12.5m between towers and side lot lines.

Has this objective been met?       Yes       No

---

The building footprint above podium does not exceed 1,000m<sup>2</sup> (10,000ft<sup>2</sup>) and width to depth ratio does not exceed 1: 1.5.

Has this objective been met?       Yes       No

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No mirrored walls.

*Has this objective been met?*

Yes

No

---

Building form has clearly defined building bases, tower shafts and roof treatments with appropriate design on all sides.

*Has this objective been met?*

Yes

No

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Changes in dimensional width and use of architectural materials produces the effect of point towers.

*Has this objective been met?*

Yes

No

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## PRINCIPLE 4 - SKYLINE HEIGHT PRINCIPLE

*The taller the building, the more slender it should be. A diversity in heights should be provided as long as it is shaped or located in a way that warrants the height.*

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### DESIGN OBJECTIVES

---

Clearly defined roof features are incorporated to enhance the skyline.

*Has this objective been met?*      Yes      No

---

Towers run perpendicular to the escarpment edge to avoid a wall effect.

*Has this objective been met?*      Yes      No

---

A gradation of height down towards the escarpment and Queen Victoria Park.

*Has this objective been met?*      Yes      No

---

A gradation of height down towards the residential community.

*Has this objective been met?*      Yes      No

---

A view corridor within 300m radius of Skylon Tower is to be retained.

*Has this objective been met?*      Yes      No

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## PRINCIPLE 5 – NIAGARA FALLS VIEWS AND VISTAS PRINCIPLE

***Enhance the visual connections to the features of the Falls and across border and other environmental amenities. Avoid obstructing the valuable views and creating new ones.***

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### DESIGN OBJECTIVES

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Massing and building size is designed to maintain the views and exposures to natural and man made features.

*Has this objective been met?*      Yes      No

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The building design enhances views to and from the Niagara River and Falls.

*Has this objective been met?*      Yes      No

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Visible extensions of landscape themes from Queen Victoria Park up to the escarpment create a park-in-the-city effect.

*Has this objective been met?*      Yes      No

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## PRINCIPLE 6 – POSITIVE MICROCLIMATE PRINCIPLE

***Implement design measures that will maximize comfort, enjoyment of the public realm, and minimize impacts on adjacent properties through shadow, wind and snow. Consider pedestrian criteria for sitting, standing and walking.***

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### DESIGN OBJECTIVES

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Protection of the microclimate of the public realm and open space from potential impacts generated by the scale and mass of the building.

*Has this objective been met?*      Yes      No

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Impacts of wind/shadows are mitigated through design at both the micro and macro scale rather than landscaping.

*Has this objective been met?*      Yes      No

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5 hours of sunlight on September 21st remains on the pedestrian corridor, open space areas, entry corridors, retail and Falls access streets. 3 hours elsewhere.

*Has this objective been met?*      Yes      No

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Mist dispersion over the Falls is avoided/mitigated through building design.

*Has this objective been met?*      Yes      No

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## PRINCIPLE 7 – PARKING AND CIRCULATION

***Allow less intrusive parking solutions that increase the convenience of the Tourist district; and implement services that reduce automobile circulation at and around the Falls and Queen Victoria Park.***

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### DESIGN OBJECTIVES

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Required parking is provided on site.

*Has this objective been met?*      Yes      No

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Parking is provided in structured lots or underground.

*Has this objective been met?*      Yes      No

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Retail/Active uses along street frontage of parking structures.

*Has this objective been met?*      Yes      No

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Surface parking is divided and dispersed by landscaped strips and modules.

*Has this objective been met?*      Yes      No

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