

CITY OF NIAGARA FALLS
By-law No. 2022-XXX

5602 and 5592 Robinson Street, and Part of 6158 Allendale Avenue

A by-law to amend By-law No. 79-200 to permit the construction of a mixed-use high-rise building atop a 6-storey podium. The permissions would facilitate the construction of a 77-storey tower with 962 residential units at the corner of Robinson Street and Allendale Avenue.

AND WHEREAS Subsection 34(5) of the Planning Act provides that the Council of a local municipality may prohibit the use of land or the erection of buildings or structures until such municipal services as may be set out in a by-law passed under Section 34 of the Planning Act are available to service the land, building and structures;

AND WHEREAS City Council has held a Public Meeting to consider these matters, including an increase in height;

AND WHEREAS City Council has adopted Official Plan Amendment No. XXX, which permits the development of a 77-storey high-rise building up to 245 metres in height for mixed-use residential/commercial purposes at 5602 and 5592 Robinson Street, and Part of 6158 Allendale Avenue (Parcel IDs: 20241, 29290, and part of 31718, respectively);

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

The Lands that are subject of and affected by the provisions of this by-law are described in Schedule 1 of this by-law and shall be referred to in this by-law as the “Lands”. Schedule 1 is part of this By-law.

1. The Lands shall be identified as TC-XXX as outlined in Schedule 1.
2. The purpose of this by-law is to amend the provisions of By-law No. 79-200, to permit the use of the Lands in a manner that would otherwise be prohibited by that by-law. In the case of any conflict between a specific provision of this by-law and any existing provision of By-law No. 79-200, the provisions of this by-law are to prevail.
3. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following uses shall be permitted in addition to those uses specified in Section 8.6.1 of parent By-law No. 79-200:
 - a. **Apartment Dwelling** as a stand-alone use;
 - b. **Dwelling units** in a building in combination with one or more of the uses listed in Section 8.6.1 of By-law No. 79-200 are permitted. The total floor

area limitations provided for in Section 8.6.1(ii) of parent By-law No. 79-200 shall not apply; and

c. **Townhouse dwelling units** on the ground floor.

4. Notwithstanding any provision of By-law No. 79-200 to the contrary, the following regulations shall be the regulations governing the permitted uses on and of the Lands.

5. The regulations governing the permitted uses on Parcel TC-XXX shall be:

- a) Front lot line: Robinson Street shall be the front lot line for the purposes of this by-law.
- b) Maximum lot coverage: 100%
- c) Maximum height of building or structure: 245 metres (36 storeys), as measured from the Geodetic Survey of Canada elevation 140.2 metres, and any roof and mechanical structures shall be in addition to this height.
- d) Parking and access requirements:
 - i. Location of parking: All required parking to be provided on site with two levels of underground and the remaining levels above ground within the podium.
 - ii. Residential parking requirements: 0.74 parking spaces per residential dwelling unit.
 - iii. Commercial parking requirements: Shall not require any parking spaces.
 - iv. Loading: A total of 2 loading spaces shall be provided overall.
- e) Location of various building or structural components including their maximum heights and maximum number of storeys, and minimum yards (setbacks): In accordance with Schedule 2 of this By-law.
- f) Amenity area requirements: **Indoor Amenity Area** shall be provided at a ratio of 1.62 square metres per dwelling unit.

Outdoor Amenity Area shall be provided at a ratio of 10.82 square metres per dwelling unit including balconies.

- g) Gross floor area requirements: A maximum **Gross Floor area** of 72,300 square metres is permitted, not including area associated with a parking structure.
- h) Floor space index requirements: A maximum **Floor Space Index** of 15.6 is permitted.

- 6. All other applicable regulations set out in By-law No. 79-200 shall continue to apply to govern the permitted uses on the Lands, with all necessary changes in detail.
- 7. No person shall use the Lands for a use that is not a permitted use.
- 8. No person shall use the Lands in a manner that is contrary to the regulations.
- 9. The provisions of this By-law shall be shown on Sheet D4 of Schedule “A” of By-law No. 79-200 by numbering the Lands XXX.
- 10. Section 20 of By-law No. 79-200 is amended by adding thereto:
 - a. 20.1.XXX Refer to By-law No. 2022-

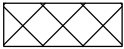
Passed this _____ day of _____, 2022.

CITY CLERK

MAYOR

Schedule '1' to Zoning By-law 2022-XXX

Subject Land

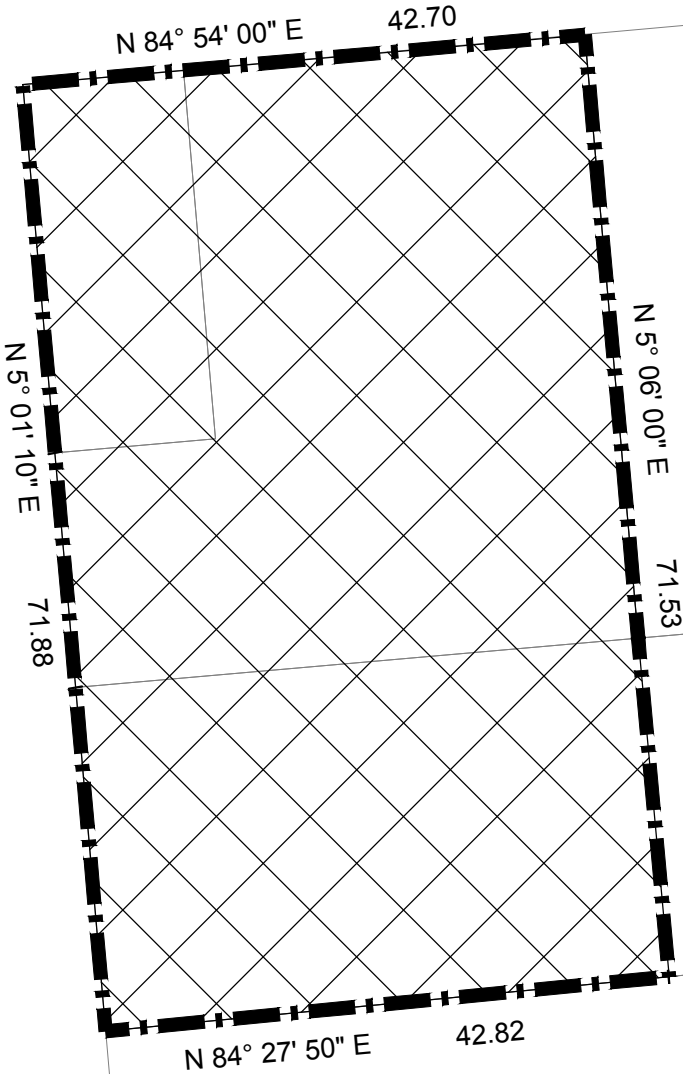


Lands Subject to Site-Specific Exception XXX

5602 and 5592 Robinson Street, and Part of 6158 Allendale Avenue

Robinson Street

Allendale Avenue



May 2022

Schedule '2' to Zoning By-law 2022-XXX

Subject Land

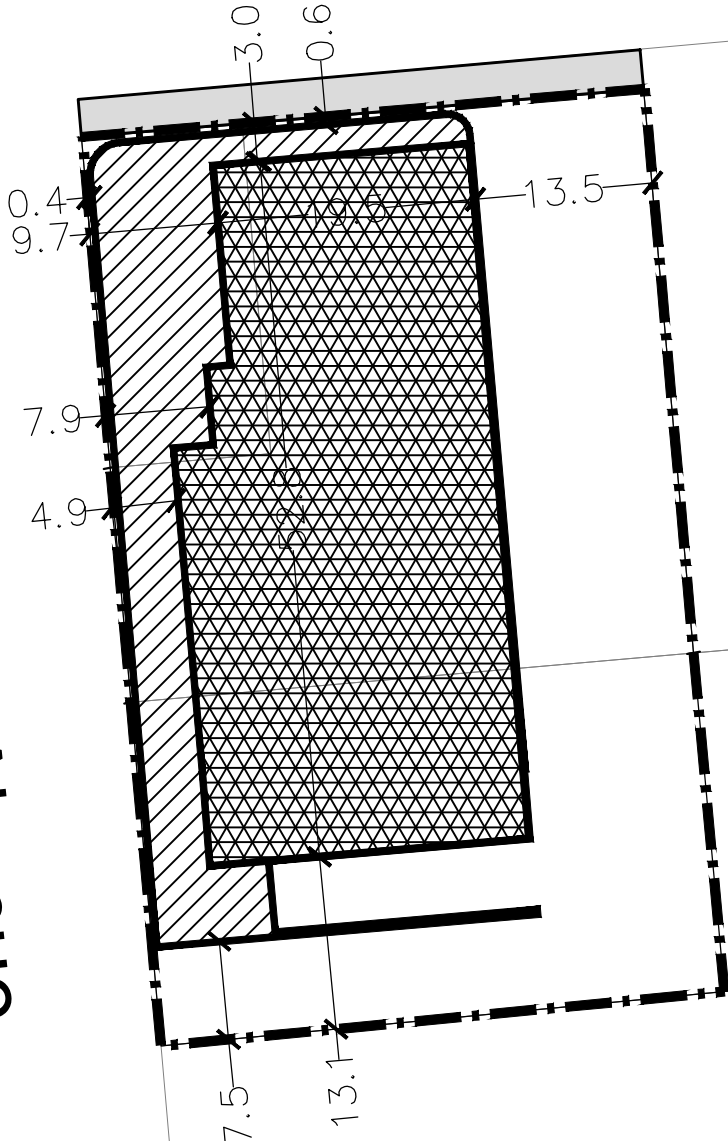


Road Widening

5602 and 5592 Robinson Street, and Part of 6158 Allendale Avenue

Robinson Street

Allendale Avenue



Maximum No. of Storeys



6



77



N

May 2022