

Cultural Heritage Impact Assessment

58 York Boulevard
City of Hamilton, Ontario

Date:
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Prepared for:
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Executive Summary

MHBC Planning Ltd has been retained to complete a Cultural Heritage Impact Assessment (CHIA) for the proposed development of 58 York Boulevard, Hamilton. The property is currently vacant of any structures and is not designated, listed or inventoried on the City of Hamilton Municipal Heritage Register and is not within a designated heritage conservation district or cultural heritage landscape. Therefore, the property is not a heritage resource. However, the property is adjacent to several identified heritage resources. Accordingly, the City has requested the completion of a CHIA.

The purpose of this CHIA is to assess the proposed development for impacts on the adjacent built heritage resources. The impact assessment concludes that no heritage resources will be removed or otherwise altered as part of the proposed development and all heritage resources, and their attributes will be maintained. However, there are two abutting properties at 80 Park Street and 56 York Boulevard, and there is potential for land disturbances to affect the abutting properties during construction activities. To avoid and mitigate this potential impact, a Temporary Protection Plan is recommended, that would include a Vibration Monitoring Plan. This will involve retaining an acoustic engineer to determine the Zone of Influence (ZOI) for the proposed development, and subsequently implementing vibration monitoring through the installation of monitors, if deemed necessary. Vibration monitoring, if required, would take place during the construction of the building.

No other adverse impacts have been identified for the remaining heritage resources. Further, the proposed development conforms to the heritage policies of the Official Plan.

Land Acknowledgement

This Cultural Heritage Assessment acknowledges the Land Acknowledgement of the City of Hamilton as it pertains to the subject property:

The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississaugas. This land is covered by the Dish with One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinabek to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation. Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

This document takes into consideration the cultural heritage of Indigenous communities including their oral traditions and history when available and related to the scope of work.

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1.0 Introduction

1.1 Overview

The property at 58 York Boulevard (subject property) is proposed to be redeveloped with a 28 storey mixed-use commercial and residential tower. The subject property does not contain any buildings or structures and is currently used as a surface parking lot.

During consultation with City planning staff regarding the proposed development, the City identified that the property is adjacent to several heritage resources and requested the completion of a Cultural Heritage Impact Assessment (CHIA). The purpose of the CHIA is to determine if the proposed redevelopment will result in adverse impacts to the adjacent heritage resources.

MHBC has been retained to complete the CHIA in accordance with the City comments and the City's Cultural Heritage Impact Assessment Guidelines.

1.2 Existing Conditions

The subject property is legally described as Part Lot Unnumbered Block 12 Plan 39, City of Hamilton. It forms part of the geographic township of Barton and is within Lot 15 Concession 2. The subject property is located in the built-up area of the City in the downtown core, identified as a 'Downtown Urban Growth Centre' node in the Urban Hamilton Official Plan.

The development site has a total area of approximately 2,000m² with 42m of frontage on York Boulevard, and 45m of frontage on Park Street N. The property is vacant of any structures or landscaping and is currently used as a surface parking lot.



Figure 1: Subject property noted in red (Google Earth)

1.3 Surrounding Area

The subject property is within the Hamilton downtown area and is surrounded by a range of land uses including institutional, commercial, community, and residential uses. A number of services and amenities are within the area. The site is located at the intersections of Park Street and York Boulevard. The area is comprised of a mix of densities, buildings types and uses. The surrounding area is described in detail below.

NORTH: To the north is a residential transition area that is on the periphery of the downtown core. There is a variety of commercial uses with predominantly low density residential land uses. Further north is the West Harbor Go Station.

EAST: East of the property is James Street which is a main downtown corridor. Commercial uses consisting of retail, office and services predominate this corridor with civic and mixed use residential and commercial buildings.

SOUTH: Hamilton Public Library, Hamilton Farmers Market and FirstOntario Centre are located on the south side of York Boulevard. There are a number of higher density built forms including hotels, the Art Gallery of Hamilton, and office towers further south.

WEST: To the west is Park Street, with Philpott Memorial Church located across the street. Further west is the Salvation Army and a transitional area on the periphery of downtown, containing a

residential neighbourhood further west as well as commercial uses along the York Boulevard corridor.

1.4 Heritage Status


Part IV, Section 27 of the *Ontario Heritage Act* requires that each municipality keep a public register of properties that are of cultural heritage value or interest. Properties on the register can be listed or designated. The City of Hamilton is currently updating their Heritage Register. The city formerly had two inventories/registers:




- 'Volume 1: List of Designated Properties and Heritage Conservation easements under the Ontario Heritage Act' and,
- 'Volume 2: Inventory of Buildings of Architectural and/or Historical Interest'

The volumes have been integrated into the Heritage Property Mapping tool as the City continues to update their inventory. The heritage mapping tool now contains:

- Properties designated under Part IV of the Ontario Heritage Act
- Properties listed on the Municipal Heritage Register, and
- Properties listed on the inventory (not listed or designated)

In order to confirm the presence of heritage resources, the Heritage Property Mapping tool has been reviewed. The subject property is not inventoried, listed or designated. However, there are a number of identified heritage resources on adjacent and nearby lands.

Overview of Heritage Listing		
Address & Photograph	Date	Status
80 Park Street N (G.S. Dunn & Co.) 	c.1899	Registered (listed)
56 York Boulevard (Copley/Commercial Block) 	c. 1856	Designated By-law 22-203
89 Park Street N (Philpott Memorial Church) 	c.1906	Registered (listed)

<p>55 York Boulevard (Hamilton Central Library)</p>  A photograph of the Hamilton Central Library building, a modern structure with a prominent glass facade and a curved, multi-level design. The building is situated at a street corner with traffic lights visible.	<p>c. 1980</p>	<p>Registered (listed)</p>
<p>110 King Street W (Robert Thompson Building)</p>  A photograph of the Robert Thompson Building, a large, modern office building with a glass facade. The building is situated on a city street with other buildings visible in the background.	<p>c. 1977</p>	<p>Registered (listed)</p>
<p>101 York Boulevard (First Ontario Centre)</p>  A photograph of the First Ontario Centre building, a large, modern office building with a glass facade. The building is situated on a city street with a large red logo on the facade. The name "Coppa" is visible on the building's facade.	<p>c. 1985</p>	<p>Registered (listed)</p>

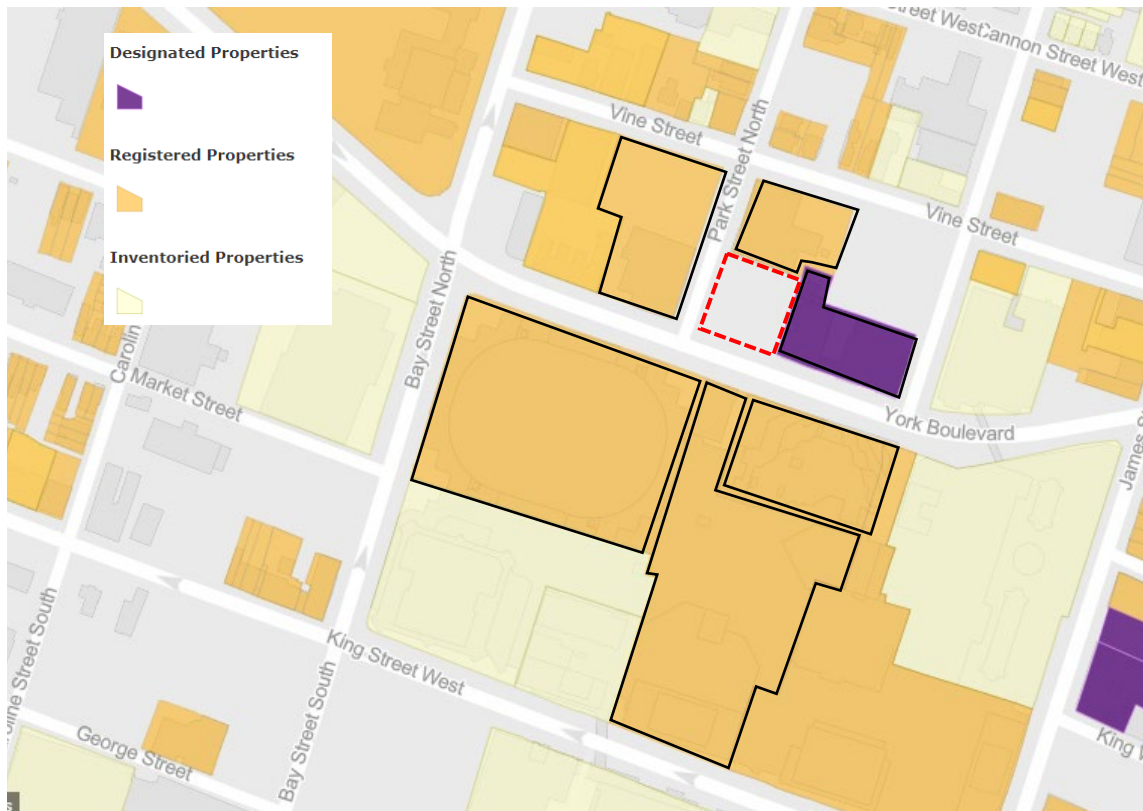


Figure 2: Excerpt of the Hamilton interactive heritage mapping tool. Subject property noted in red, adjacent heritage resources noted in black (City of Hamilton, 2024)

The City's register also identifies established historical neighbourhoods. The subject property is identified as being within the 'Central Established Historical Neighbourhood'. The subject property is not part of a designated Heritage Conservation District or Cultural Heritage Landscape. However, the Official Plan does provide some policy direction on established historical neighbourhoods.

The Hamilton Cultural Heritage Impact Assessment Guidelines identify that redevelopment may create disturbances to lands adjacent. Therefore, adjacent heritage properties are to be included in the impact assessment to determine whether the redevelopment will impact adjacent cultural heritage attributes. Adjacent is defined by the province as properties which are contiguous to or located across the street from the subject property.

2.0 Policy Context

2.1 The Planning Act and PPS 2020

The *Planning Act* is provincial legislation that guides land use planning in Ontario. It makes a number of provisions respecting cultural heritage. In Section 2, The Act outlines 18 spheres of provincial interest that must be considered by appropriate authorities in the planning process. One of the intentions of the *Planning Act* is to “encourage the co-operation and co-ordination among the various interests”. Regarding cultural heritage, Subsection 2(d) of the Act provides that:

“The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as, ...”

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

The *Planning Act* therefore provides for the overall broad consideration of cultural heritage resources through the land use planning process.

The *Provincial Policy Statement* (PPS) was issued under Section 3 of the *Planning Act* and came into effect May 1, 2020. The PPS is “intended to be read in its entirety and the relevant policy areas are to be applied in each situation”. When addressing cultural heritage planning, the PPS provides for the following:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

The following definitions are provided in Section 6.0 of the PPS and outline key terms that are valuable in the overall evaluation of cultural heritage resources:

Significant: *In regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the Ontario Heritage Act.*

Heritage attributes: means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the Provincial Policy Statement, 2020 property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a protected heritage property).

Built Heritage Resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources that are located on a property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.

Protected Heritage Property: means a property designated under Parts IV, V or VI of the Ontario Heritage Act; a property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; a property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; a property protected under federal legislation, and UNESCO World Heritage Sites.

2.2 Ontario Heritage Act

The Ontario Heritage Act, R.S.O, 1990, c.0.18 remains the guiding legislation for the conservation of significant cultural heritage resources in Ontario. It provides under section Part IV that Municipalities are to maintain public registers of listed or designated properties. Under Part V municipalities can designate entire areas as Heritage Conservation Districts, thereby designating properties within the boundaries of the district. Municipalities are also able to define specific areas referred to as Cultural Heritage Landscapes. The City maintains a register of listed and designated properties. The subject property is adjacent to both listed and designation properties, however, is not within a Heritage Conservation District or Cultural Heritage Landscape.

2.3 Urban Hamilton Official Plan

The subject property is located in the 'Downtown Urban Growth Centre Node' in Schedule E and designated as 'Downtown Mixed-Use Area' in the, Schedule E-1 in the City of Hamilton Urban Official Plan, Volume 1.

The City of Hamilton Urban Official Plan, Volume 1 contains policies regarding the conservation of cultural heritage resources. These policies are provided in Chapter B – Communities, section 3.4.

Section 3.4.1 sets out the policy goals for heritage resources, applicable policies include:

3.4.1.3 Ensure that new development, site alterations, building alterations and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources

3.4.1.4 Encourage the rehabilitation, renovation, and restoration of built heritage resources to maintain their active use

General Cultural Heritage Policies are set out in section 3.4.2 and include:

- a) Protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes for present and future generations.
- b) Identify cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources.
- c) Promote awareness and appreciation of the City's cultural heritage and encourage public and private stewardship of an custodial responsibility for the City's cultural heritage resources.
- d) Avoid harmful disruption or disturbance of known archaeological sites or areas.
- e) Encourage the ongoing care of individual cultural heritage resources and the properties on which they are situated together with associated features and structures by property owners and provide guidance on sound conservation practices.
- f) Support the continuing use, reuse, care and conservation of cultural heritage resources and properties by encouraging property owners to seek out and apply for funding sources available for conservation and restoration.
- g) Ensure the conservation and protection of cultural heritage resources in planning and development matters subject to the Planning Act either through appropriate planning and design measures or as conditions of development approvals.
- h) Conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and cultural heritage landscapes, by encouraging those land uses, development and site alteration activities that protect, maintain and enhance these areas within the City.

- i) Use all relevant provincial legislation, particularly the provisions of the Ontario Heritage Act, the Planning Act, R.S.O., 1990 c. P.13, the Environmental Assessment Act, the Municipal Act, the Niagara Escarpment Planning and Development Act, the Cemeteries Act, the Greenbelt Act, the Places to Grow Act, and all related plans and strategies in order to appropriately manage, conserve and protect Hamilton's cultural heritage resources.

The policies for Cultural Heritage Impact Assessments are provided in section 3.4.2.11:

- a) Shall be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act, where the proposed development, site alteration or redevelopment of lands has the potential to adversely affect the following cultural heritage resources through displacement or disruption:
 - i. Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under the Ontario Heritage Act
 - ii. Properties that are included in the City's register of Property of Cultural Heritage Value or Interest or adjacent to properties included in the City's Register
 - iii. A registered or known archaeological potential
 - iv. Any area for which a cultural heritage conservation plan statement has been prepared
 - v. Properties that comprise or are contained within a cultural heritage landscape that are included in the Register

Policy 3.4.2.13 provides that where cultural heritage resources are to be affected, the City may impose conditions of approval to ensure their continued protection prior to site alteration or soil disturbance. In the event that rehabilitation and reuse of the resource is not viable and this has been demonstrated by the proponent, the City may require that affected resources be thoroughly documented for archival purposes, and heritage features salvaged, where feasible or appropriate, at the expense of the applicant prior to demolition.

Additional cultural heritage policies are provided in section 3.4.3 for the urban areas and downtowns of the City. Historic centres of the community that contain a high concentration of cultural heritage resources and streetscapes are located in the Urban Growth Centre. These area boundaries are defined in Secondary Plans. Policies for heritage within these downtown areas provide the conservation of individual heritage properties and areas of heritage value, including streetscape

features, traditional circulation patterns, views and ensure that new development respects and reflects the design of surrounding heritage buildings.

New development or redevelopment in downtown areas containing heritage buildings or adjacent to a group of heritage buildings shall:

- a) encourage a consistent street orientation in any new building forms.
- b) maintain any established building line of existing building(s) or built form by using similar setbacks from the street.
- c) support the creation of a continuous street wall through built form on streets distinguished by commercial blocks or terraces.
- d) encourage building heights in new buildings that reflect existing built form wherever possible or encourage forms that are stepped back at upper levels to reflect established cornice lines of adjacent buildings or other horizontal architectural forms or features.
- e) reflect the character, massing, and materials of surrounding buildings.

The City shall encourage the use of contemporary architectural styles, built forms, and materials which respect the heritage context.

Further, policy [3.4.3.6](#) addresses Established Historical Neighbourhoods. These are areas that were built prior to 1950 and exhibit unique character. New development is to be sympathetic and complementary to existing cultural heritage attributes of the neighbourhood. The policies provide that the *"City shall protect established historical neighbourhoods, as identified in the cultural heritage landscape inventory, secondary plans and other City initiatives, by ensuring that new construction and development are sympathetic and complementary to existing cultural heritage attributes of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials."*

2.4 Downtown Hamilton Secondary Plan

The Urban Hamilton Official Plan Volume 2 contains the Secondary Plans for the City. The subject property is located in the Downtown Hamilton Secondary Plan and is identified as 'Downtown Mixed-Use' on Map B.6 1-1 and is designated as 'High-rise 2' on Map B.6 1-2.

One of the objectives for the Downtown Hamilton area is to respect design and heritage, including the conservation and re-use of buildings that serve as catalysts for other investments. The Downtown Hamilton Secondary Plan policies call for a greater emphasis on urban design and heritage conservation as key elements of the downtown Hamilton revitalization.

Cultural Heritage Resource Policies are provided in Chapter B – Hamilton Secondary Plan. The same General Cultural Heritage Policies from the Official Plan Volume 1 apply. Specifically, section B.6.1.3.1 *Respect Design and Heritage* calls for greater emphasis on urban design and heritage conservation as part of downtown revitalization. Relevant objectives include:

- a) Conserve and enhance the built heritage resources and cultural heritage landscapes of Downtown Hamilton.
- b) Ensure that new development is compatible with the design of surrounding built heritage resource buildings.
- c) Create new programs and planning mechanisms to ensure a higher standard of urban design in Downtown Hamilton.

3.0 Proposed Development

The property owner is proposing to develop the vacant property with a new 28 storey mixed-use building, consisting of commercial and residential uses. Specifically, 344 residential units are proposed with 120m² of ground floor commercial office space. A total of 122 parking spaces are proposed which will be provided within the building. There will be one level of underground parking, with the second, third and fourth storeys consisting of above ground parking.

Vehicle access to parking will be provided via a driveway connection from Park Street. Internal ramps will provide access to the parking levels. Pedestrian access will be provided from York Boulevard. The outdoor realm along York Boulevard and Park Street will include interlocking concrete bricks, public seating, as well as tree planting. The existing public sidewalk will be maintained, with sidewalk reconstruction in certain areas.

The building has been designed with a four storey podium with a stepback at the fifth storey for the remaining 24 storey tower. The podium includes an articulated projection feature consisting of a grey aluminum panel. The roof of the podium will include landscaped plantings and amenity space. Construction materials for the building are proposed to be contrasting aluminum paneling in white and grey, with architectural glazing for windows and doors, and balcony railings.

The four storey podium is massed to similar heights of surrounding heritage buildings including 80 Park Street and 56 York Boulevard, and has been recessed from the York Boulevard and Park Street elevations in order to maintain visibility and continuity to the two abutting heritage buildings. The full architectural package is included in Appendix A. Excerpts of the proposed development are included in figures 3 to 5.



Figure 3: Rendering of building looking north-east along York Blvd



Figure 4: Rendering of building looking at the front façade from York Blvd

The building has been designed to be recessed and stepped back at the ground level, predominantly along the Park Street frontage in order to maintain visibility to the heritage abutting heritage buildings.



Figure 5: Rendering of building from the corner of Park Street and York Blvd

The podium features a projecting feature which acts to draw the eyes downwards to the pedestrian level and maintain continuity to the abutting 4 storey building at 80 Park Street and the 5 storey building at 56 York Boulevard. The outdoor realm will include landscaping in the form of street trees, seating and interlocking concrete.

4.0 Impact Analysis

4.1 Assessment Criteria

The impacts of a proposed development or change to a cultural heritage resource may be direct or indirect. They may occur over a short term or long-term duration, and may occur during a pre-construction phase, construction phase or post-construction phase. Impacts to a cultural heritage resource may also be site specific or widespread, and may have low, moderate or high levels of physical impact.

- The Ontario Heritage Toolkit Infosheet #5 outlines criteria for assessing impacts on heritage attributes. This criteria considers the following:
- **Destruction or alteration:** of any, or part of any *significant heritage attributes* or features that is not sympathetic, or is incompatible, with the historic fabric and appearance;
- **Shadows:** created that alter the appearance of a *heritage attribute* or change the viability of a natural feature or plantings, such as a garden;
- **Isolation:** of a *heritage attribute* from its surrounding environment, context or a significant relationship;
- **Direct or Indirect Obstruction:** of significant views or vistas within, from, or of built and natural features;
- **A change in land use:** such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces;
- **Land disturbances:** such as a change in grade that alters soils, and drainage patterns that adversely affect a cultural heritage resource.

This report utilizes guides published by the International Council on Monuments and Site (ICOMOS), Council of UNESCO, from the World Heritage Convention of January of 2011. The grading of impact is based on "Guide to Assessing Magnitude of Impact" as a framework for this report. The level of impact is classified as one of the following:

- Potential/negligible: slight changes to historic building elements or setting that hardly affect it.
- None: no change
- Minor: change to key historic elements such that the asset is slightly different

- Moderate: Change to many key historic building elements, such that the resource is significantly modified.
- Major: Change to key historic building elements that contribute to the cultural heritage value or interest (CHVI) such that the resource is totally altered. Comprehensive changes to the setting.

4.2 Impact Assessment: Built Heritage Resources

Heritage Properties	MHSTC Toolkit Evaluation Criteria						
	Destruction	Alteration	Shadows	Isolation	Obstructions	Change in Land Use	Land Disturbance
56 York Boulevard	None	None	None	None	None	None	Potential
80 Park Street N	None	None	None	None	None	None	Potential
89 Park Street N	None	None	None	None	None	None	None
101 York Boulevard	None	None	None	None	None	None	None
55 York Boulevard	None	None	None	None	None	None	None
110 King Street W	None	None	None	None	None	None	None

4.2.1 Summary of Impacts

Destruction or alteration:

The proposed development does not include any of the surrounding built heritage resources. The proposed development will be limited to the subject property at 58 York Boulevard. There is no impact of alteration or destruction expected.

Shadows:

A shadow study is included as Appendix B. A Shadow will be cast from the proposed development. The shadow will be narrow due to the tall form of development and will not be widespread. The shadow will move throughout the

day and will not be cast in one location for long periods of time. It is not expected that the shadow will alter the appearance of heritage properties or viability of natural features. There is no impact expected.

Isolation:

The subject property at 58 York Boulevard is currently vacant. There is no association between the subject property and the adjacent heritage properties. The proposed development is not isolating or otherwise removing a heritage property from a context or relationship. There is no impact of isolation expected for the adjacent heritage properties.

Direct or Indirect Obstruction of Significant Views:

The proposed development will not obstruct primary or significant views of the adjacent heritage properties. The prominent views of the surrounding heritage properties are of the front facades of the buildings, visible from the public rights of way. These viewing opportunities will be maintained and will not be obstructed by the proposed development. There is no impact expected.

A change in land use:

The proposed development does not include the heritage properties. All existing land uses for the adjacent heritage properties will be maintained. There is no change in land use and no impact is expected.

Land disturbances:

The subject property abuts two heritage properties at 56 York Boulevard and 80 Park Street North. The proposed development includes a setback to the heritage building at 56 York Boulevard of approximately 3m, and a setback of 1.2m to the heritage building at 80 Park Street North. The proposed development includes some excavation to accommodate one level of underground parking. Due to the minimal setbacks, it is possible for land disturbances to occur during excavation and construction activities. In order to mitigate and avoid potential impacts, recommendations are provided in section 5.0.

It is unlikely that land disturbances will affect the other heritage properties as they are located a sufficient distance from the proposed development.

4.3 Impact Assessment: Heritage Policies

The City of Hamilton provides a number of policies on cultural heritage in the Urban Hamilton Official Plan as well as the Downtown Hamilton Secondary Plan. Therefore, the proposed development has been assessed for conformity with the Official Plan policies on built heritage.

Urban Hamilton Official Plan, Volume 1	
Policy	Comment
<i><u>B.3.4.1.3</u> Ensure that all new development, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources.</i>	The subject property does not contain any heritage resources and no heritage resources will be altered as part of the proposed development. The context of the surrounding area consists of a range of building scales, setbacks, materials, uses and styles establishing a varied context. The proposed development is not introducing a new use or scale that is not already planned or existing within the area. Therefore, the context will not change as a result of the proposed development and the integrity adjacent resources will be maintained.
<i><u>B.3.4.2.1(g)</u> Ensure the conservation and protection of cultural heritage resources in planning and development matters subject to the Planning Act either through appropriate planning and design measures or as conditions of development approvals.</i>	There are no cultural heritage resources on site and no heritage resources will be altered as a result of the proposed development. All adjacent heritage resources will be conserved/maintained.
<i><u>B.3.4.2.1(h)</u> Conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and cultural heritage landscapes, by encouraging those land uses, development and site alteration activities that protect, maintain and enhance these areas within the City.</i>	The subject property is not within a designated Heritage Conservation District or Cultural Heritage Landscape.
<i><u>B.3.4.3.6</u> The City shall protect established historical neighbourhoods, as identified in the cultural heritage landscape inventory, secondary plans and other City initiatives, by ensuring that new construction and development are sympathetic and complementary to existing cultural</i>	The subject property has been identified by the City as being within the Central Established Historical Neighbourhood. This area contains a range of building uses, scales, setbacks, and styles. Existing heritage properties within the neighbourhood will be maintained as no heritage

<p><i>heritage attributes of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials.</i></p>	<p>resources are proposed to be removed or otherwise altered. The existing lotting and street patterns will be maintained. The proposed building will be of a larger scale than adjacent buildings, however, there are buildings of the same scale, use and contemporary design either planned or existing within this neighbourhood and the broader downtown. As shown in section 4.2, the proposed development will not impact the adjacent heritage properties. In addition, the proposed building has been designed to relate to 80 Park Street and 56 York Boulevard, including a four storey podium that is scaled to the abutting heritage properties with a recessed tower. The podium features a projecting element that helps to articulate the podium and maintain a similar scale to the abutting mid-rise heritage buildings. The proposed development is compatible.</p>
<p>Downtown Hamilton Secondary Plan</p>	
<p><i><u>B.6.1.3.1(a)</u> Conserve and enhance the built heritage resources and cultural heritage landscapes of Downtown Hamilton.</i></p>	<p>The proposed development does not include the removal or alteration of heritage resources. Adjacent heritage resources will be conserved. The subject property is not within a designated cultural heritage landscape, however, is identified by the City as being within the Central Established Neighbourhood. This neighbourhood is characterized by a range of land uses, scales, and styles. The proposed development will maintain this character.</p>
<p><i><u>B.6.1.3.1(b)</u> Ensure that new development is compatible with the design of surrounding built heritage resource buildings.</i></p>	<p>As noted, the surrounding heritage resources are varied in terms of their massing, styles, setbacks, materials and uses. This mix of land uses demonstrates how varied building designs and uses can co-exist harmoniously. The proposed</p>

	development is not introducing a new use, scale or design to the neighbourhood that is not already planned or existing, and will be compatible with surrounding heritage resources.
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The proposed development conforms to the cultural heritage policies of the Official Plan. The proposed development does not include the removal or alteration of any identified heritage resources and is not within a designated Heritage Conservation District or Cultural Heritage Landscape.

5.0 Conclusion and Recommendations

The proposed development of 58 York Boulevard has been evaluated for impacts on adjacent heritage resources, which include:

- The Central Established Historical Neighbourhood;
- 56 York Boulevard, designated under Part IV of the *Ontario Heritage Act*;
- 80 Park Street, listed (non-designated) on the City's Municipal Heritage Register;
- 55 York Boulevard, listed (non-designated) on the City's Municipal Heritage Register
- 101 York Boulevard, listed (non-designated) on the City's Municipal Heritage Register;
- 110 King Street, listed (non-designated) on the City's Municipal Heritage Register; and
- 89 Park Street, listed (non-designated) on the City's Municipal Heritage Register.

This heritage impact assessment concludes that:

- The subject property is currently vacant and contains no cultural heritage resources, therefore, the proposed development will have no impact on cultural heritage resources on site.
- The listed heritage resources at 89 Park Street, 55 York Boulevard, 110 King Street and 101 York Boulevard are located across the street from the subject property. It is not expected that the proposed development will result in adverse impacts to these listed heritage properties.
- The subject property is contiguous to two heritage properties, the designated property at 56 York Boulevard to the east, and the listed property at 80 Park Street to the north. Given the adjacency of these buildings, minimal setbacks of the new building to the existing structures, and the proposed excavation for the underground parking there is potential for land disturbances to impact the heritage buildings during construction. Therefore, it is recommended that a Temporary Protection Plan be implemented that would include a Vibration Monitoring Plan. This will involve retaining an acoustic engineer to determine the Zone of Influence (ZOI) for the proposed development, and subsequently implementing vibration monitoring through the installation of monitors, if deemed

necessary. Vibration monitoring, if required, would take place during the construction of the building. The Temporary Protection Plan should be a condition of Site Plan Approval.

- The building will cast shadows on surrounding properties including some of the heritage resources. The CHIA concludes that shadowing is minimal and will not affect heritage attributes.
- The subject property is not within a Heritage Conservation District or a designated Cultural Heritage Landscape. The property is within the Central Established Historical Neighbourhood. This neighbourhood contains a range of building styles, scales, setbacks and uses. The proposed building is not introducing a new form of development that is not already planned or existing within the area. The building has been designed to be compatible with the surrounding area and conforms to the cultural heritage policies of the Official Plan.

Appendix A

Site Plan and Renderings

GROSS AREA PER ZONING		
Floor Name	AREA PER FLOOR	IN M2
ROOF TOP MECH PENTHOUSE	212.72	M2
LVL 27-28	714.87	M2
LVL 3-4	256.08	M2
LVL 1	1620.74	M2
LVL 13-26	866.08	M2
LVL 2	179.77	M2
LVL 5-12	877.78	M2

4 GROSS AREA

Site Statistics	
Lot Area	0.19ha
Lot Frontage	41m (York)
No. of Units	344
Commercial Office Space	122m ²
No. of Parking Spaces	122

D1, H17, H19, H20 ZONING REGULATION	REQUIRED	PROPOSED	✓/X	
6.8 DOWNTOWN ZONES GENERAL PROVISIONS				
6.8 (a) i)	Buildings constructed after the effective date of this By-law, for any building exceeding 44.0 m in height the following special regulations shall also apply: • Min. 3.0m setback from the building base facade height shown in Schedule F Special Figure 15 (22m).	22m = Level 7 York Blvd 3.1m Setback Park St N.: 4.45m Setback provided.	✓	
6.8 (a) ii)	• Min. 3.0m setback for any portion of building exceeding 22.0m in height (Level 6) from a side or rear lot line except any flankage lot line.	Rear Yard Setback: 14.05m Side Yard Setback: 6.53m	✓	
6.8 (a) iii)	• Additional setbacks required for any portion of building exceeding 44.0m in height: • Min. 9.5m from a lot line abutting a laneway; and • Min. 12.5m from all side and rear lot lines except flankage lot line.	44m = Level 14 NA Rear Yard Setback: 14.05m Side Yard Setback: 6.53m	✓	
6.8 (a) iv)	Min. Lot Frontage	• 35.0m	41.4m (York Blvd.)	✓
6.8 (a) v)	Min. Lot Area	• 1,575.0m ² (15 ha)	1,985m ² (0.19ha)	✓
6.11 DOWNTOWN CENTRAL BUSINESS DISTRICT (D1) ZONE				
6.11	Permitted Uses	Multiple Dwelling, Retail, Restaurant, other commercial uses	Multiple Dwelling, office commercial	✓
6.1.3 (a) i)	Building Setback from a Street Line	Max. 4.5 m for any portion of building below 11.0 m in height, except where a visibility triangle is provided for driveway access.	2.4m (York Blvd.) 1.7m (Park St. N.)	✓
6.1.3 (a) ii)	Notwithstanding Section 6.1.3 (a) i), a max. setback of 6.0 m for that portion of building providing access driveway to garage.	6.0m (Park St. N.)	✓	
6.1.3 (b) i)	Building Height	Min.: 7.5m	94m	✓
6.1.3 (b) ii)	Holding Provision H17 - 3	Max. Height: cannot exceed height of Niagara Equipment (95.0m)	94m	✓
6.1.3 (b) iii)	Holding Provision H19	Max. Height: 46m until owner enters into Section 37 Agreement	TBD - Community Benefit Charge Agreement	✓
6.1.3 (b) iv)	Holding Provision H20	Max. Height: 22m until the landowner demonstrates that any side-realignment having the effect of removing rental housing will be replaced to the satisfaction of the City. Given that there is currently no rental accommodation located on the site.	NA - no rental housing on site. This is a vacant parking lot.	NA
6.1.3 (c) i)	Built Form for New Development	Roof-top mechanical equipment shall be located and/or screened from view of any abutting street and.	Roof-top mechanical equipment to be screened from view	✓
6.1.3 (c) ii)	NA	NA	NA	✓
6.1.3 (c) iii)	For corner lot the minimum combined width of the ground floor facade shall: • be greater than or equal to 50% of the front lot line and flankage lot line; and • comply with Section 6.1.3 (a) i) above.	Combined width of ground floor facade being York Blvd. and Park St. N. is greater than 50% of the front lot line and flankage line.	✓	
6.1.3 (c) iv)	Notwithstanding Section 6.1.3 (c) i) and ii) above, a driveway with a maximum width of 7.5 metres shall be permitted for ingress and egress.	7.5m driveway with adjacent Park St. N.	✓	
6.1.3 (c) v)	No parking or aisles shall be located between the required building facade and the front lot line or flankage lot line.	All parking is located within the proposed building.	✓	
6.1.3 (c) vi)	A minimum of one principal entrance shall be provided: 1. within the ground floor facade setback the least distance from a street. 2. With direct access from the public sidewalk.	Principal office commercial entrance setback 2.4m from York Blvd. and principal residential entrance setback 12.45m from York Blvd. Principal commercial and residential entrances have direct access from public sidewalk.	✓	
6.1.3 (d) i)	Max. Lot Coverage	85%	82%	✓
6.1.3 (d) ii)	Min. Amenity Area for Multiple Dwelling Units	On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements be provided: • Area of 4.0m ² for each dwelling unit = 344 dwelling units x 4.0m ² = 1,376m ² Required Amenity: 1,376m ² • In addition to the definition of Amenity Area in Section 3. Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface and exposed to light and air.	Total Amenity Area Provided = 10m ² x 344 = 3,440m ² + Terrace (±137m ²) = ±3,577m ² Outdoor Amenity Area in the form of a 137m ² terrace is located above a portion of the fourth level and is unobstructed and exposed to light and air.	✓
PARKING REGULATIONS				
5.2 (b) i)	Parking Space Dimensions	Standard: 2.8m x 5.8m Parallel: 2.4m x 6.7m Barrier-Free: 4.4m x 5.8m	Standard: 2.8m x 5.8m Parallel: 2.4m x 6.7m Barrier-Free: 4.4m x 5.8m	✓
5.2 (b) ii)	Parking Column	Additional 0.3m on either side of wall column, etc.	Additional 0.3m provided	✓
5.2 (b) iv)	Small Vehicle Parking	Where 10+ parking spaces required, the min. parking space size of not more than 10% of the required parking spaces: 2.8m x 5.5m	10% of 116 = 11 small vehicle parking spaces permitted 6 provided	✓
5.5 a)	Barrier-Free Requirement	For 101-200 spaces: Min. 1 space = 3% of the total number of required parking spaces. 3% of 116.8 = 3.49 1 + 3.49 = 4.49 rounded	5 barrier free spaces provided	✓
5.7 c)	Required Bicycle Spaces	Required short-term spaces for: Multiple Dwelling: 5 Other Commercial Uses: 5	10 short-term bicycle spaces	✓
5.7 d)	Required Long-term Spaces	Multiple Dwelling: 0.5 dwelling unit Commercial uses: 0 where ≤ 450m ² 344 x 0.5 = 172 spaces required	344 x 0.5 = 172 long-term bicycle spaces provided	✓
5.9 a)	Required Parking for Multiple Dwelling in Downtown Zone	• Dwelling Units < 50m ² Units 1-12M: 0 per unit Units 13-15: Min 0.3 per unit • Dwelling Units > 50m ² Units 1-12M: 0 per unit Units 13-15: Min 0.5 per unit Units 51+: Min 0.5 per unit 74.7 + 41.9 = 116.6 spaces required	281 Dwelling Units < 50m ² 12 x 0 = 0 249 x 0.3 = 74.7 83 Dwelling Units > 50m ² 12 x 0 = 0 39 x 0.5 = 19.5 32 x 0.7 = 22.4 74.7 + 41.9 = 116.6 122 spaces provided	✓

UNDERTAKING

RE: 58 York Blvd, Hamilton (DA-XX-XXX)

I, (We) _____, the owner(s) of the land, hereby undertake and agree without reservation,

a) to comply with all the content of this plan and drawing and not vary therefrom;

b) to perform the facilities, works or matters mentioned in Section 41(7)(a) of the Planning Act shown on this plan and drawing(s) in accordance with the conditions of approval as set out in the Letter of Approval dated _____;

c) to maintain to the satisfaction of the City and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 41(7)(b) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways;

d) in the event that the Owner does not comply with the plan dated _____, the owner agrees that the City may enter the land and do the required works, and further the Owner authorizes the City to use the security filed to obtain compliance with this plan;

e) That the Owner agrees to physically affix the municipal number or full address to the building or on a sign in accordance with the City's sign by-law, in a manner that is visible from the street.

f) That the Owner agrees to display the municipal number or full address near the individual townhouse entrances to the satisfaction of the Senior Director of Growth Management.

g) That the Owner acknowledges and agrees to convey any easements(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

h) That the Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists with the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

i) That the Owner agrees to include in all offers of purchase and sale, a statement that advises the purchaser:
i) that the home mail delivery will be from a designated Centralized Mailbox;
ii) that the developers / owners will be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.

j) That the Owner agrees to establish a centralized mail facility (rear loading mail room Lock Box Assembly) at their own expense.

k) That the Owner acknowledges that the City of Hamilton reserves the right to restrict left-turns in or out of the subject site access to and from Queen Street South by physical means at the City's discretion.

Dated this _____ day of _____, 20____

Witness (signature) _____ Owner(s) (signature) _____ (seal)

Witness (print) _____ Owner (print) _____

Address of Witness _____

NOTES:

- All work involved in the construction, relocation, repair of municipal services for the project shall be to the satisfaction of the Director of Planning and Chief Planner, Planning and Economic Development Department.
- Fire Route Signs and 3-Way Fire Hydrants shall be established to the satisfaction of the City Fire Department and at the expense of the owner.
- Main driveway dimensions at the property line boundaries are plus or minus 7.5 m unless otherwise stated.
- For visibility triangles at the vehicular access points, the following note to be provided: "3 metres by 3 metre visibility triangles in which the maximum height of any objects or mature vegetation is not to exceed a height of 0.60 metres above the corresponding perpendicular centreline elevation of the adjacent street."
- All driveways from property lines for the first 7.5 m shall be within 5% maximum grade, thereafter, all driveways shall be within 10% maximum grades.
- The approval of this plan does not exempt the owner's bonded contractor from the requirements to obtain the various permits/approvals normally required to complete a construction project, such as, but not limited to the following:
- Building permit
- Road cut permits
- Approach approval permits
- Committee of Adjustment
7. Abandoned accesses must be removed and the curb and boulevard restored with sod at the owner's expense to the satisfaction of the Corridor Management Section, Public Works Department.
- This development is eligible for municipal waste collection subject to meeting the City's requirements.
- All fencing shall conform to Hamilton Fence By-law No. 10-142.
- All signs shall conform to Hamilton Sign By-law 10-197.
- A minimum of 1.2 m separation must be provided within the City's road allowance area between driveways, a fence and any pole, utility, fire hydrant, tree, sign, etc. Any costs for traffic sign or utility relocation are the sole responsibility of the Applicant / Owner.
- CAUTION: Notwithstanding current surface conditions, the property has been determined to be an area of archeological potential. Although an archeological assessment is not required by the City of Hamilton, the proponent is cautioned that during development activities, should deeply buried archeological materials be found on the property the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) should be notified immediately (416.212.8886). In the event that human remains are encountered during construction, the proponent should immediately contact both the MHSTCI and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Small Business and Consumer Services (416.212.7499).
- Enbridge Gas
Union Gas has service lines running within the area which may or may not be affected by the development. Should the Site Plan impact the services it may be necessary to relocate the lines, any service relocation would be at the cost of the property owner.

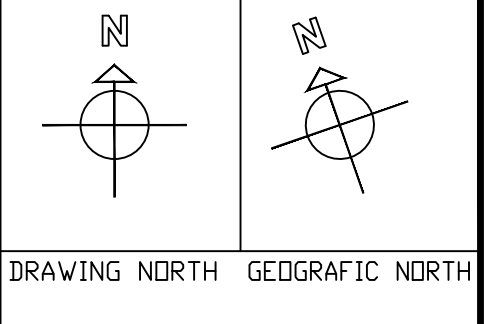
3 UNDERTAKING LETTER

2 ZONING

1 SITE PLAN
1:150



CLIENT:
BELMONT EQUITY
(58 YORK) HAMILTON INC.
1400 CORNWALL ROAD, SUITE 13
OAKVILLE, ON L6J 7W5
(905) 614-4228



KOZLOWSKI ARCHITECT
416-778-7092

REVISED/ISSUED

ISSUED FOR SITE PLAN APPLICATION 2022.12.20
THE DESIGN AND CONTRACT DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MAY NOT BE REPRODUCED, ALTERED OR RELEASED WITHOUT THE ARCHITECT'S WRITTEN PERMISSION. THE GENERAL CONTRACTOR SHALL REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT.



28 STOREY
344 UNIT
RESIDENTIAL CONDOMINIUM
58 YORK BLVD,
HAMILTON

SITE PLAN

DESIGNER	RK
PROJ. NUMBER	2206
DATE	OCT 22
SCALE	AS SHOWN

A100



Concept Elevation - View 01 (Intersection at York Blvd and Park Street N)

MSA
MICHAEL SPAZIANI ARCHITECT INC.
 6 Helene Street North, Suite 100
 Port Credit, Mississauga, ON, L5G 3E2
 T 905 891 0691 F 905 891 0514

NOTE:
 Property line, buildings, drive access and street setbacks are all shown as approximate. A detailed site survey must be provided prior to finalizing all conditions. Dimensions used are all based on reference plans and are not intended as legally binding. Architect is not responsible for any changes that may occur due to verification of zoning, boundary conditions, OP, or other regulations. The enclosed drawing is for reference and information purposes only.

**58 York Boulevard
 Belmont Equity
 Hamilton, Ontario**

BELMONT EQUITY
 PARTNERS

**Concept Development
 Concept Elevation**

December 20, 2022



Concept Elevation - View 02 (Intersection at York Blvd and Park Street N)

MSA
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**58 York Boulevard
 Belmont Equity
 Hamilton, Ontario**

BELMONT EQUITY
 PARTNERS

**Concept Development
 Concept Elevation**

December 20, 2022



Concept Elevation - View 03 (View from York Blvd looking West)

MSA
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 Port Credit, Mississauga, ON, L5G 3E2
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58 York Boulevard
 Belmont Equity
 Hamilton, Ontario

BELMONT EQUITY
 PARTNERS

Concept Development
 Concept Elevation

December 20, 2022



Concept Elevation - View 04 (View from Park St N looking South)

MSA
MICHAEL SPAZIANI ARCHITECT INC.
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 Port Credit, Mississauga, ON, L5G 3E2
 T 905 891 0691 F 905 891 0514

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**58 York Boulevard
 Belmont Equity
 Hamilton, Ontario**

BELMONT EQUITY
 PARTNERS

**Concept Development
 Concept Elevation**

December 20, 2022



Concept Elevation - View 05 (Street View)

MSA
 MICHAEL SPAZIANI ARCHITECT INC.
 6 Helene Street North, Suite 100
 Port Credit, Mississauga, ON, L5G 3E2
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58 York Boulevard
 Belmont Equity
 Hamilton, Ontario

BELMONT EQUITY
 PARTNERS

Concept Development
 Concept Elevation

December 20, 2022



Concept Elevation - View 06 (York Blvd Street Elevation)

MSA
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 Port Credit, Mississauga, ON, L5G 3E2
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**58 York Boulevard
 Belmont Equity
 Hamilton, Ontario**

BELMONT EQUITY
 PARTNERS

**Concept Development
 Concept Elevation**

December 20, 2022



Concept Elevation - View 07 (Penthouse View)

MSA
MICHAEL SPAZIANI ARCHITECT INC.
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Port Credit, Mississauga, ON, L5G 3E2
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NOTE:
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58 York Boulevard
Belmont Equity
Hamilton, Ontario

BELMONT EQUITY
PARTNERS

Concept Development
Concept Elevation

December 20, 2022



Concept Elevation - View 08 (Overall Building)

MSA
 MICHAEL SPAZIANI ARCHITECT INC.
 6 Helene Street North, Suite 100
 Port Credit, Mississauga, ON, L5G 3E2
 T 905 891 0691 F 905 891 0514

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58 York Boulevard
 Belmont Equity
 Hamilton, Ontario

BELMONT EQUITY
 PARTNERS

Concept Development
 Concept Elevation

December 20, 2022



Concept Elevation - View 09 (Overall Building)

MSA
MICHAEL SPAZIANI ARCHITECT INC.
6 Helene Street North, Suite 100
Port Credit, Mississauga, ON, L5G 3E2
T 905 891 0691 F 905 891 0514

NOTE:
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58 York Boulevard
Belmont Equity
Hamilton, Ontario

BELMONT EQUITY
PARTNERS

Concept Development
Concept Elevation

December 20, 2022



Concept Elevation - View 10 (Overall Building)

MSA
MICHAEL SPAZIANI ARCHITECT INC.
 6 Helene Street North, Suite 100
 Port Credit, Mississauga, ON, L5G 3E2
 T 905 891 0691 F 905 891 0514

NOTE:
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**58 York Boulevard
 Belmont Equity
 Hamilton, Ontario**

BELMONT EQUITY
 PARTNERS

**Concept Development
 Concept Elevation**

December 20, 2022

Appendix B

Shadow Study



Sun Shadow Study

58 York Blvd.,
Hamilton, ON

December, 2022
Project No. 22326

Prepared for:
Belmont Equity (58 York)
Hamilton Inc.
1400 Cornwall Road, Suite 13
Oakville, ON
L6J 7W5

Prepared by:
GSP Group Inc.
162 Locke Street
South, Suite 200
Hamilton, ON
L9P 4A9



TABLE OF CONTENTS

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Purpose

The following Sun Shadow Study has been prepared by GSP Group Inc. in support of a Site Plan application to facilitate the redevelopment on the lands municipally addressed as 58 York Blvd. in Hamilton (referred to as “the Site”).

The Site is located at north east corner of York Blvd. and Park St. N., within the Downtown Hamilton Secondary Plan Area and is within the Urban Growth Centre. The Site has a frontage of ± 43 m along York Blvd., and ± 45.5 m along Park St. N., with a total Site area of $\pm 1,985.5$ sq m (± 0.49 acre).

The proposed development is comprised of a 28-storey residential tower with a 4-storey podium. The total building height, excluding the mechanical penthouse, is approximately 89.085 m (excluding mechanical penthouse + parapet) .

The objective of the City of Hamilton's Development Application Guidelines: Sun Shadow Study is to:

“maintain quality, comfortable and inviting public spaces and pedestrian environments by demonstrating that a development will not cause undue shade on the subject lands, and on the surrounding context, including building facades, private and public outdoor amenity and open spaces, parkland, school yards and buildings, sidewalks and other components of the public realm.”

The Site is zoned D1 (Downtown Central Business District) Holding: H17, H19, H20. The H20 holding provision permits a maximum building height of 22m. A maximum height of 95m may be permitted provided that a Shadow Impact Study (as well as four other studies) has been completed to the satisfaction of the Director of Planning and Chief Planner, demonstrating conformity to the Downtown Secondary Plan. The purpose of this Shadow Impact Study is to assess whether the proposed 89.085 m (excluding mechanical penthouse + parapet) tall building satisfies the sun shadow guidelines and policies of the secondary plan. Approval of this Sun Shadow Study as noted will clear one of the conditions of the H17 holding provisions applicable to the Site.

The following analysis demonstrates how the proposed development will cast shadow on the surrounding urban context and discuss the mitigation strategies, if required, for any undue shadow impact.

Analysis Method - Technical Criteria

Following the City of Hamilton's Development Application Guidelines for a Sun Shadow Study, the analysis is based on the following:

Dates and times

- Spring Equinox, March 21st at solar noon and hourly intervals starting 1.5 hours after sunrise and ending 1.5 hours before sunset.
- Fall Equinox, September 21st at solar noon and hourly intervals starting 1.5 hours after sunrise and ending 1.5 hours before sunset.

Time Zone - Eastern

- Eastern Standard Time: Universal Time minus 5 hours
- Daylight Saving Time: Universal Time minus 4 hours

Geographical Coordinates

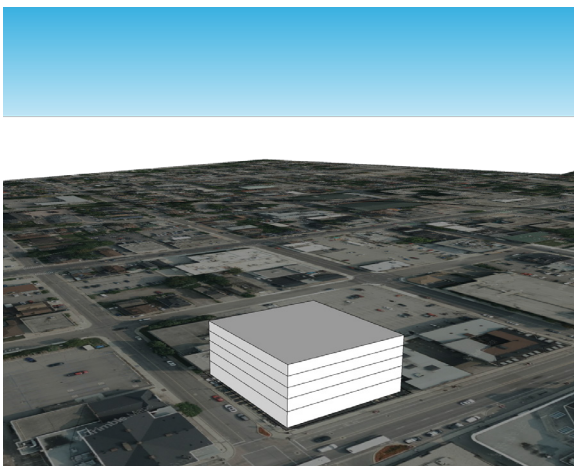
- Latitude: N 43 degrees 14'30"
- Longitude: W 79 degrees 51'00"

Astronomic True North was determined through accurately geo-locating the building model in the SketchUp application. The 3D model of the proposed building was provided by MSAI Architects Inc. and the base map for surrounding context was created using Google Earth.

The shadow analysis incorporates three simulated conditions:

1. It illustrates the current condition of the shadows, shaded in the colour gray.
2. It establishes the as-of-right condition based on the Schedule D: Holding Provisions of the Zoning Bylaw 05-200, for the D1, H20 Zone, which permits a maximum height of 22m, until the holding provisions have been lifted. The as-of-right shadows are shaded yellow in the shadow analysis diagrams.
3. It establishes the proposed condition based on the 28-storey (89.085 m) tower with a 4-storey podium. These proposed heights comply with the conditional permitted maximum heights of the D1, H20 regulations of the Zoning By-law 05-200 and Figures 1 and 15 of Schedule F - Special Figures. The net new shadow (new shadow minus the as-of-right shadow) is shaded in a light blue in the shadow analysis diagrams.

As-of-right Building Model



Proposed Building Model



Assessment Criteria and Analysis - Impact

The City's Sun Shadow Guidelines include Impact Criteria and considerations analysis as follows:

Criteria A - Public realm

Shadows from proposed development shall allow for a minimum of 3 hours of sun coverage between 10:00am and 4:00pm as measured from March 21st to September 21st on public sidewalks, and public and private outdoor amenity space such as patios, sitting areas, and other similar programs.

Quantification & Assessment

Vine St.: With the application of step-backs and slender tower design, the proposed development successfully mitigates any undue shadow impact and will allow a minimum of 4 hours of sun coverage (pg. 5 & pg. 16) between 10am and 4pm on public sidewalks, and public and private outdoor amenity spaces such as patios, sitting areas, and other similar programs.

Park St. N.: The proposed development allows for a minimum 3 hours of sun coverage along most of the Park St. N. but fails to meet the criteria on the sidewalk immediately north-west of the proposed development and will have approximately 2.5 hours of sunlight between 10am and 4pm. As-of-right building massing will also have the same result as this shadow is casted by the podium of the development, and given our geographical location, avoiding casting any shadows onto this section of sidewalk would be difficult to achieve. Moreover, the section of Park St.N. sidewalk with less that 3 hours of sunlight between 10am and 4pm, will have more than 3 hours of sunlight between 11am and 5pm. So, overall throughout the day, all public sidewalks will receive a minimum of 3 hours of sunlight and therefore the proposed development will have a minimal shadow impact.

Criteria B - Common Amenity Areas

Shadows from the proposed development shall allow for a minimum of 50% sun coverage at all times of the day as measured from March 21st to September 21st on public plazas, parks and open spaces, school yards, and playgrounds.

Quantification & Assessment

The proposed development allows for at least 50% sun coverage on all public plazas, parks, open spaces, school yards, and playgrounds during all test times.

Assessment Criteria and Analysis - Impact

Criteria C - Primary Gathering Spaces in Downtown Hamilton

Downtown Hamilton contains a number of parks, squares, plazas and open space areas that serve as civic gathering spaces in the Downtown area. The quality, image, and amenity of these spaces strongly affect how people perceive the Downtown. Development shall not cast any new net shadow between 10:00 a.m. and 4:00 p.m. as measured from March 21st to September 21st on Gore Park, Prince's Square, City Hall Forecourt, Whithern Museum and Ferguson Station.

Quantification & Assessment

During all test times the proposed development avoids casting any shadow effects on all key downtown civic gathering spaces listed in the Terms of Reference.

MITIGATION MEASURES

Orientation

This proposed location and the orientation will have the least shadow impact on the sidewalks given the geographic location of the site.

Height and Massing

The 4-storey podium and point tower design proposed has been appropriately located on the Site to mitigate any undue shadow impact due to height and massing.

Step-backs and Building Separation

The proposed building steps back above the 4-storey podium, reducing the overall massing along the street edge. Additionally the tower has a separation of 14.2 m from northern property line, which minimizes shadow impacts.

The application of these mitigation measures results in minimal unacceptable shadow impacts from the proposed development, when considering the City's Sun Shadow criteria.

Conclusions

This assessment of the proposed development proves to meet the intent of shadow impact criteria as outlined in the City of Hamilton's Development Application Guidelines for sun shadow studies. With the application of sleek massing, step-backs, and building orientation, the proposed building design results in acceptable shadow impacts pursuant to the City's shadow impact criteria.

SPRING EQUINOX - MARCH 21ST

Shadow Interval (City's shadow impact criteria)

- Solar Noon.
- Hourly intervals starting 1.5 hours after sunrise and 1.5 hours before sunset.

Sunlight Hours | Between 10am to 4pm

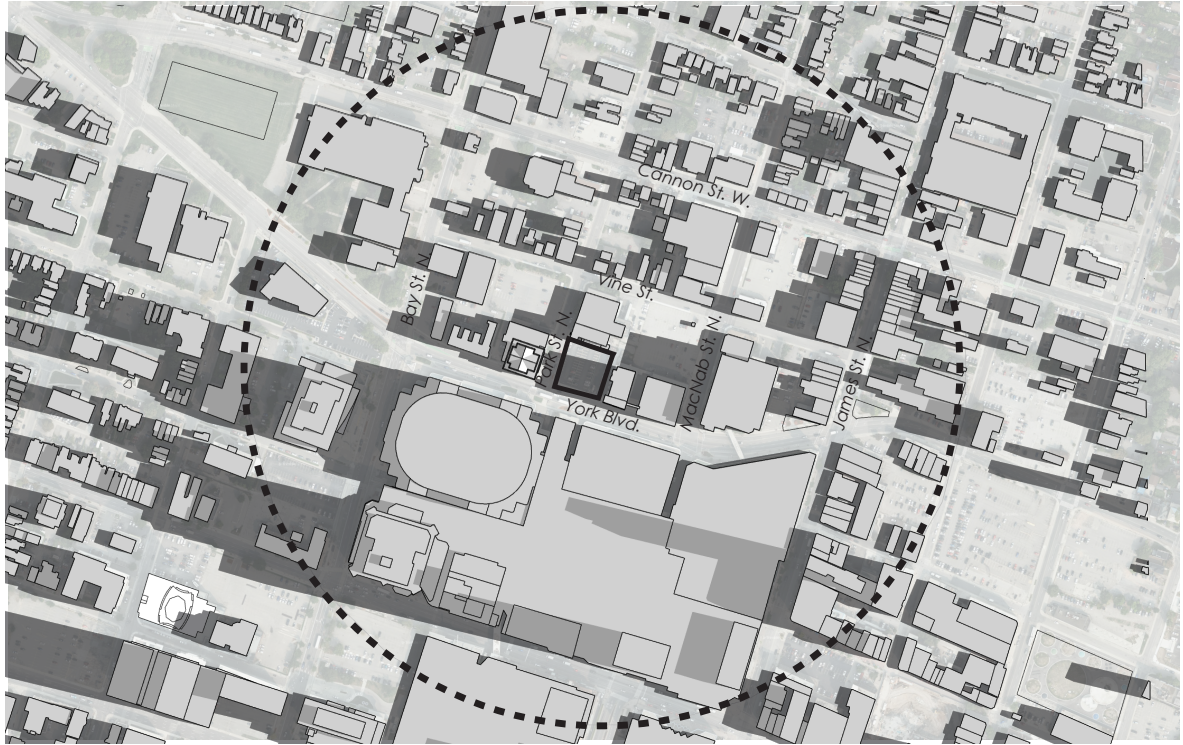


5+ Hour
4+ Hour

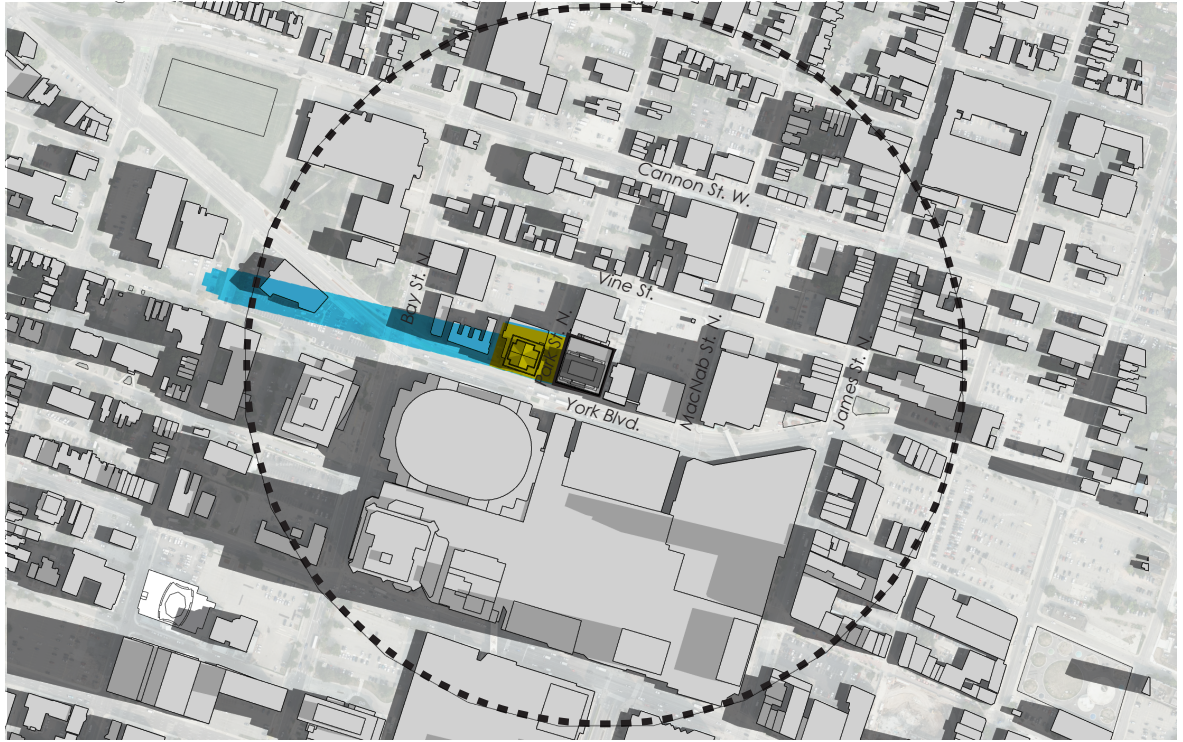
3+ Hour
2+ Hour

1+ Hour
Less than 1 Hour

Existing Condition (Vacant Parking Lot)

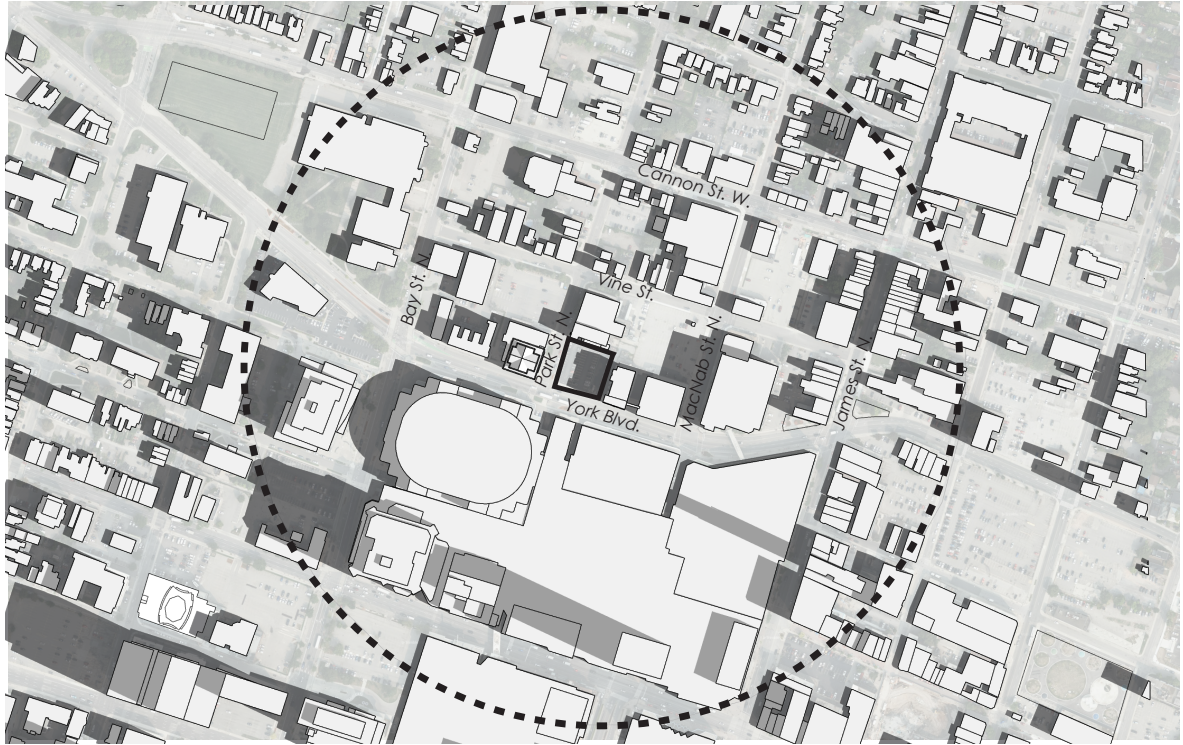


Proposed Condition

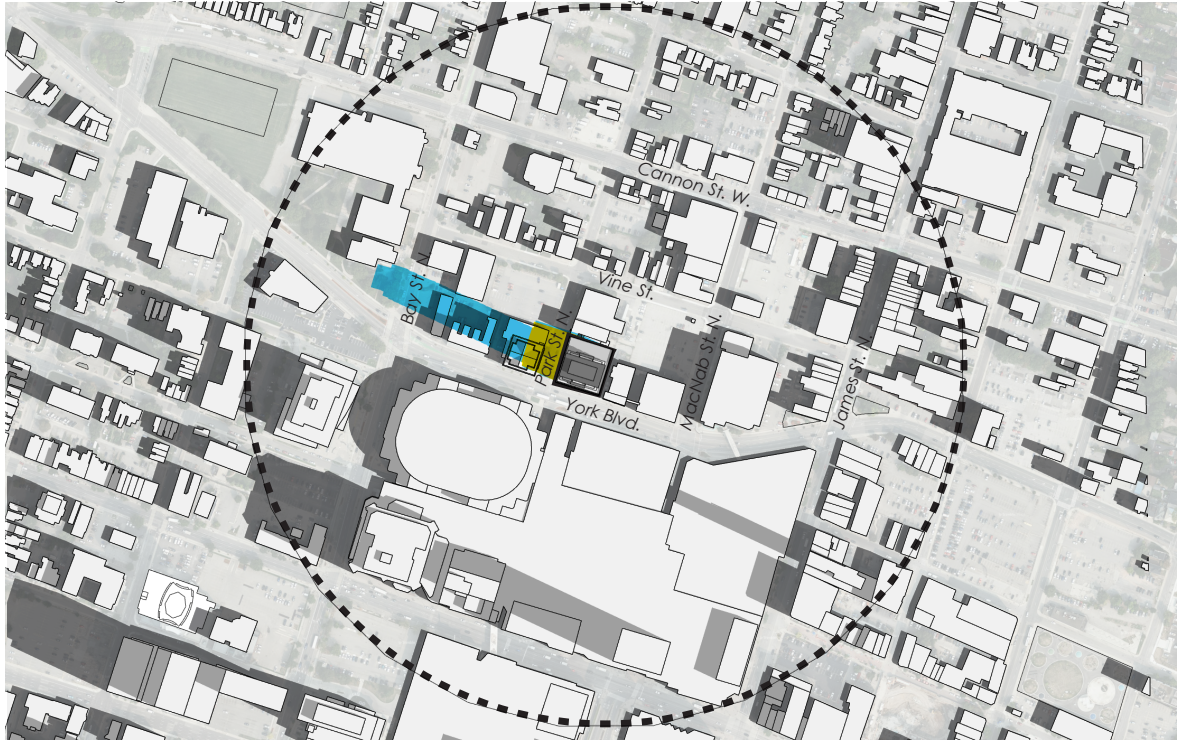


- As-of-right Shadow
- Net New Shadow
- Existing Shadow
- Distance Of Shadow Impact (4X Building Height: 89.01m x 4 = 356m)
- Property Boundary

Existing Condition (Vacant Parking Lot)

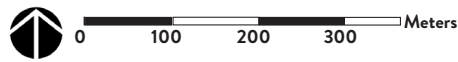
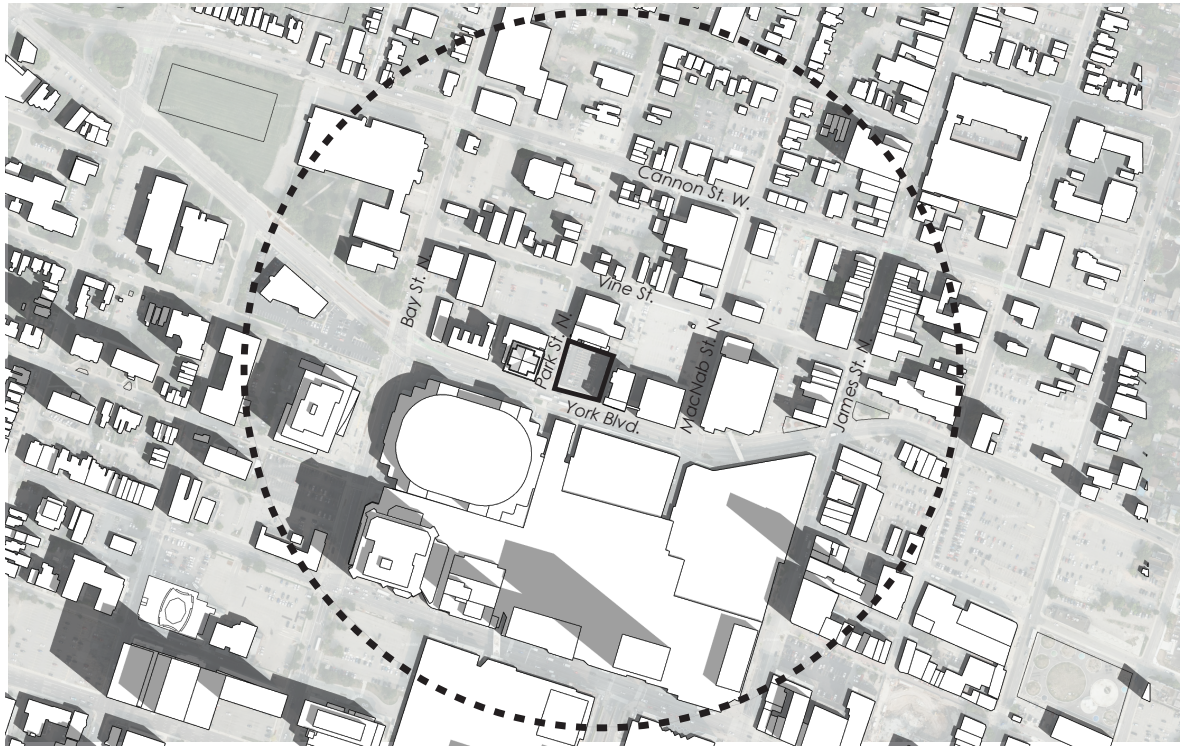


Proposed Condition

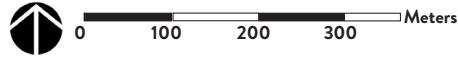
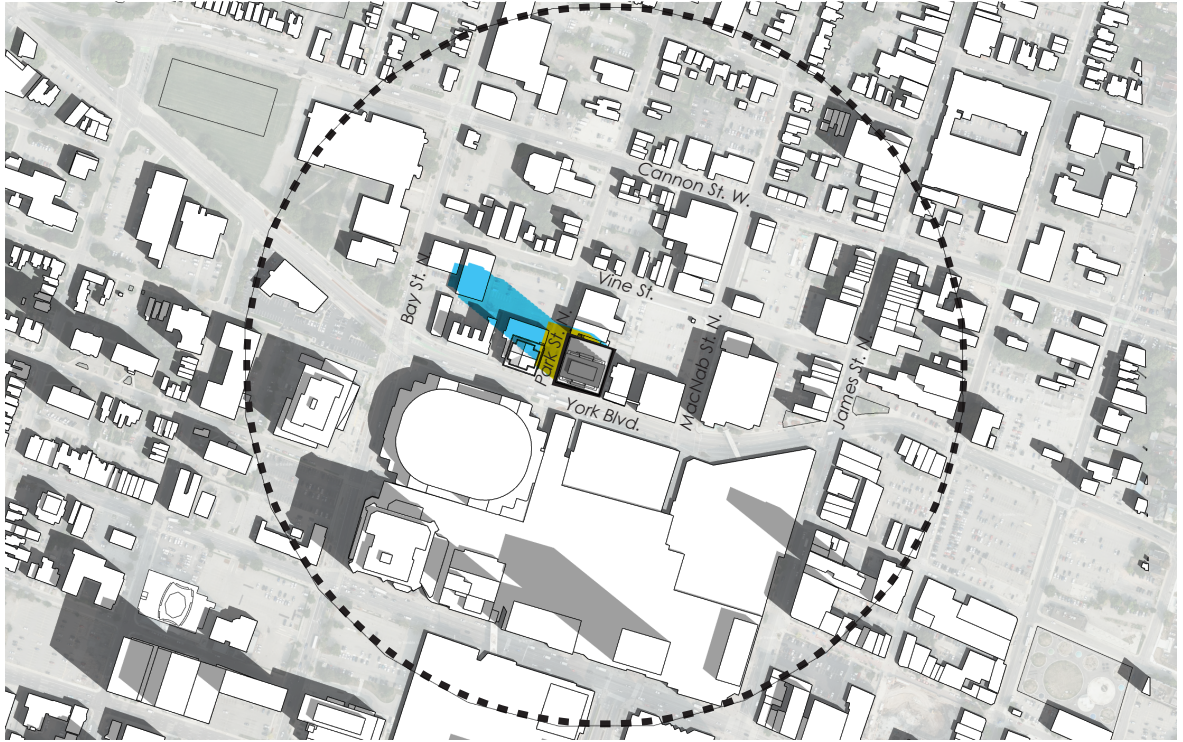


- As-of-right Shadow
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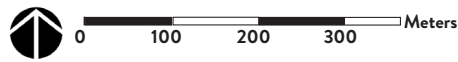
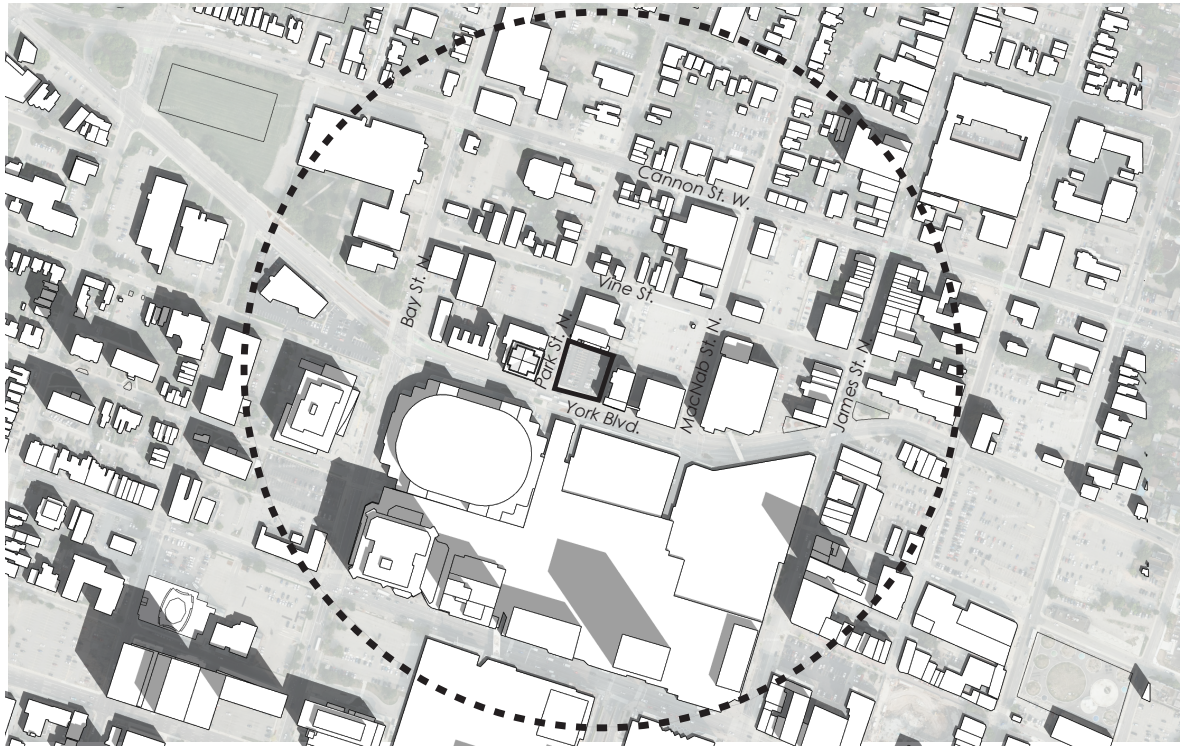


Proposed Condition

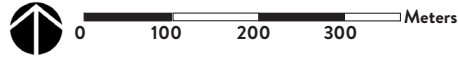
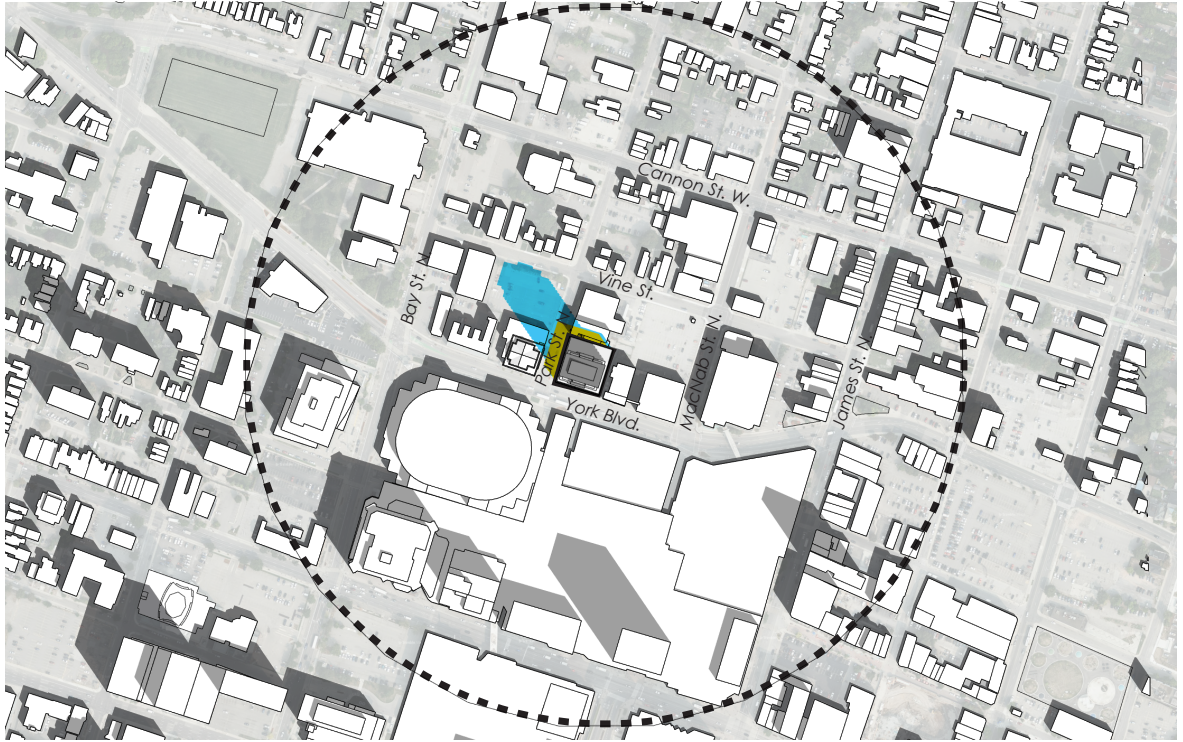


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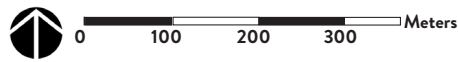
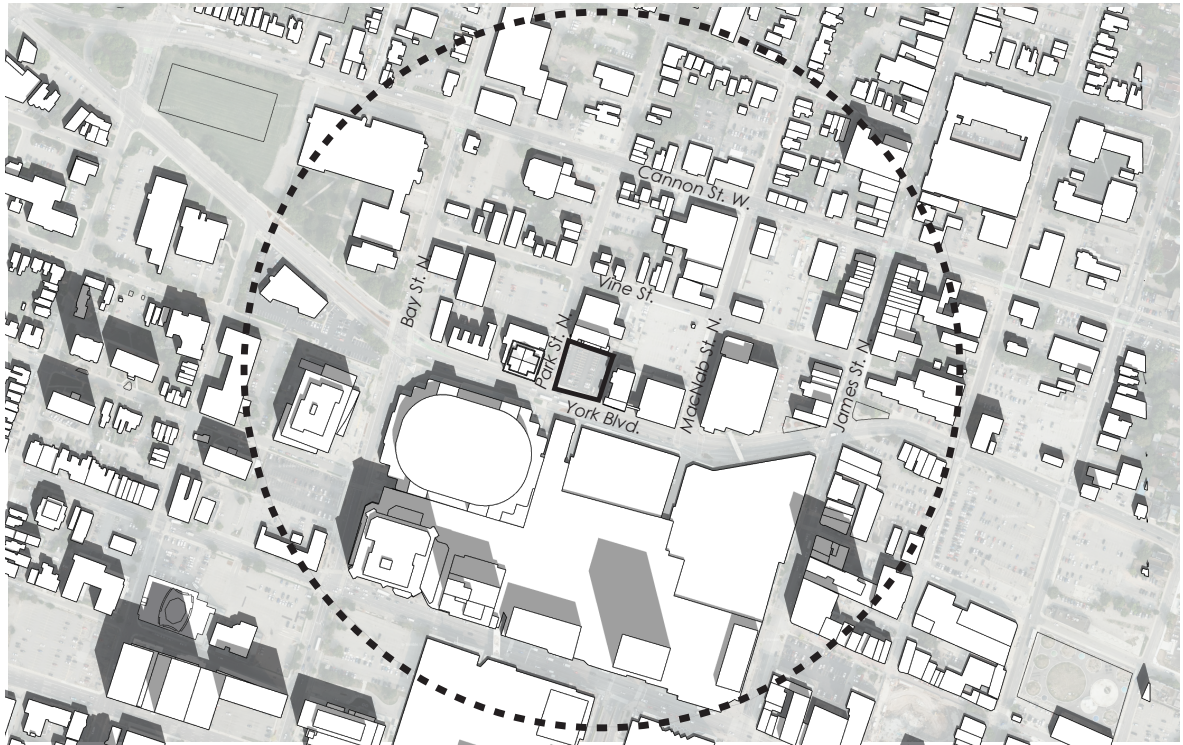


Proposed Condition

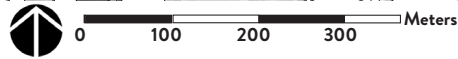
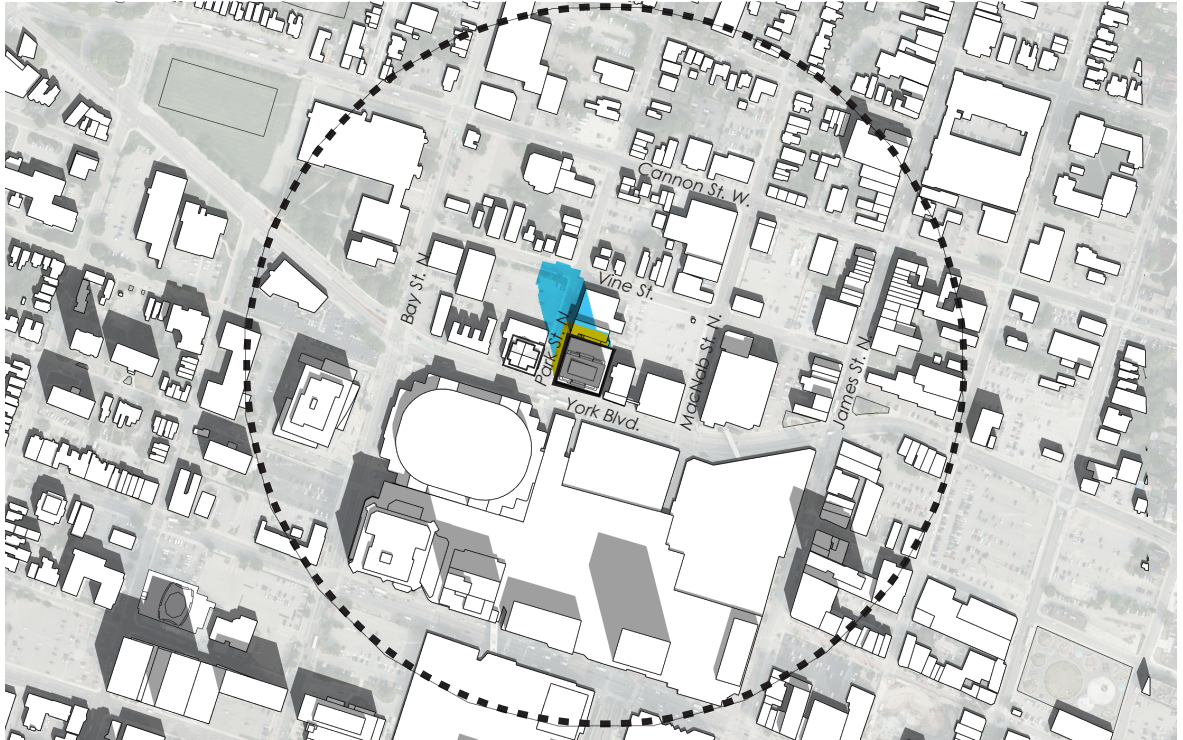


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- Net New Shadow
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- Property Boundary

Existing Condition (Vacant Parking Lot)

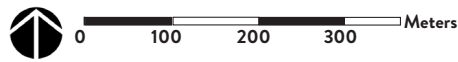
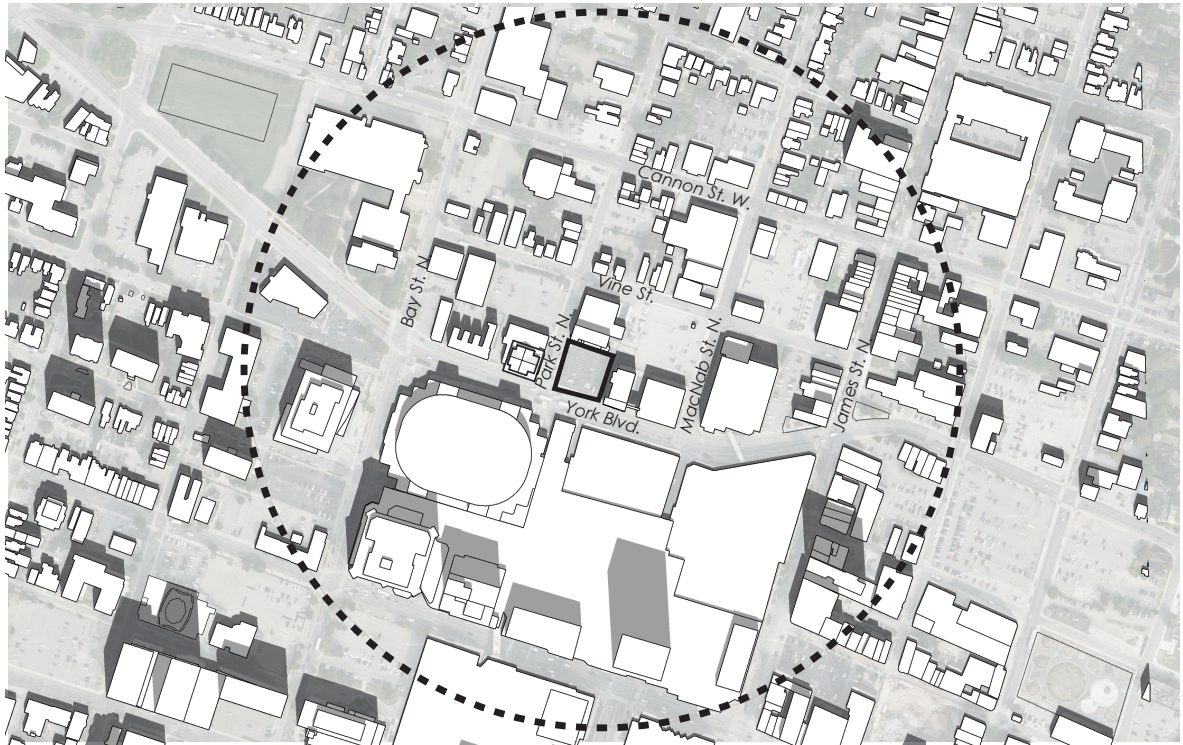


Proposed Condition

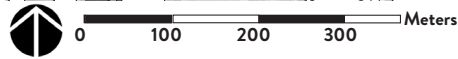
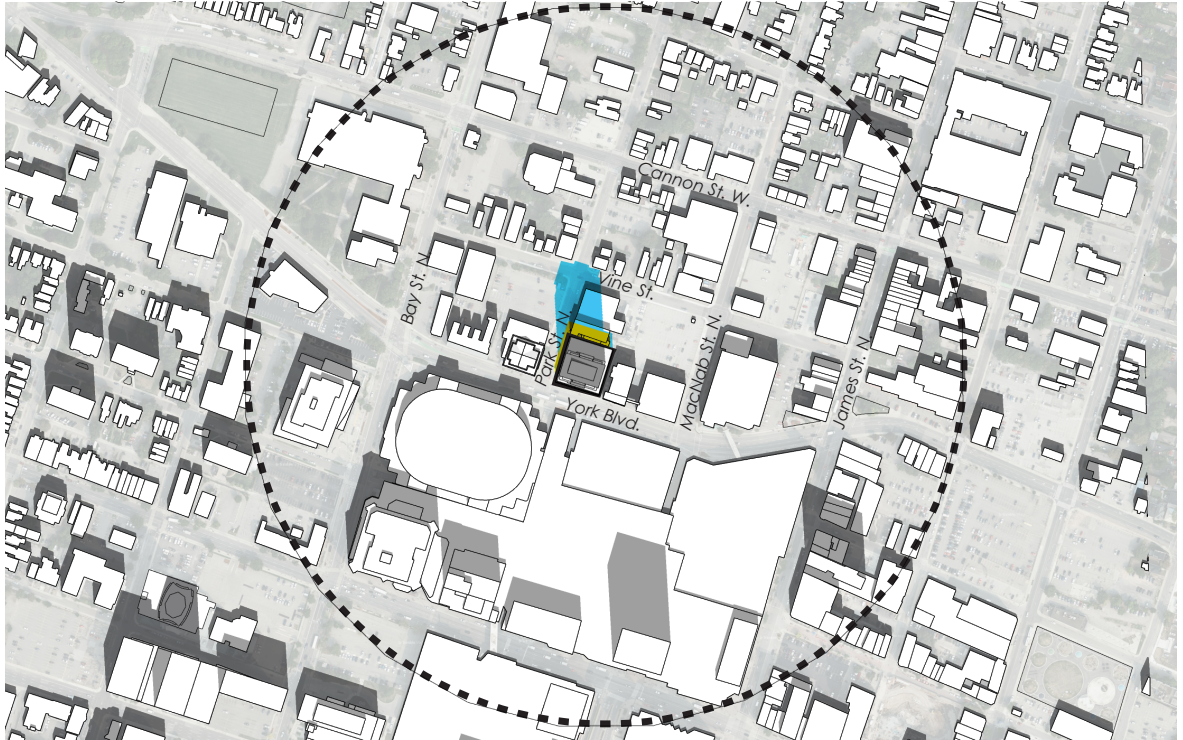


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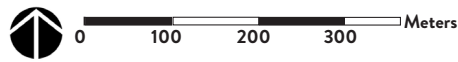
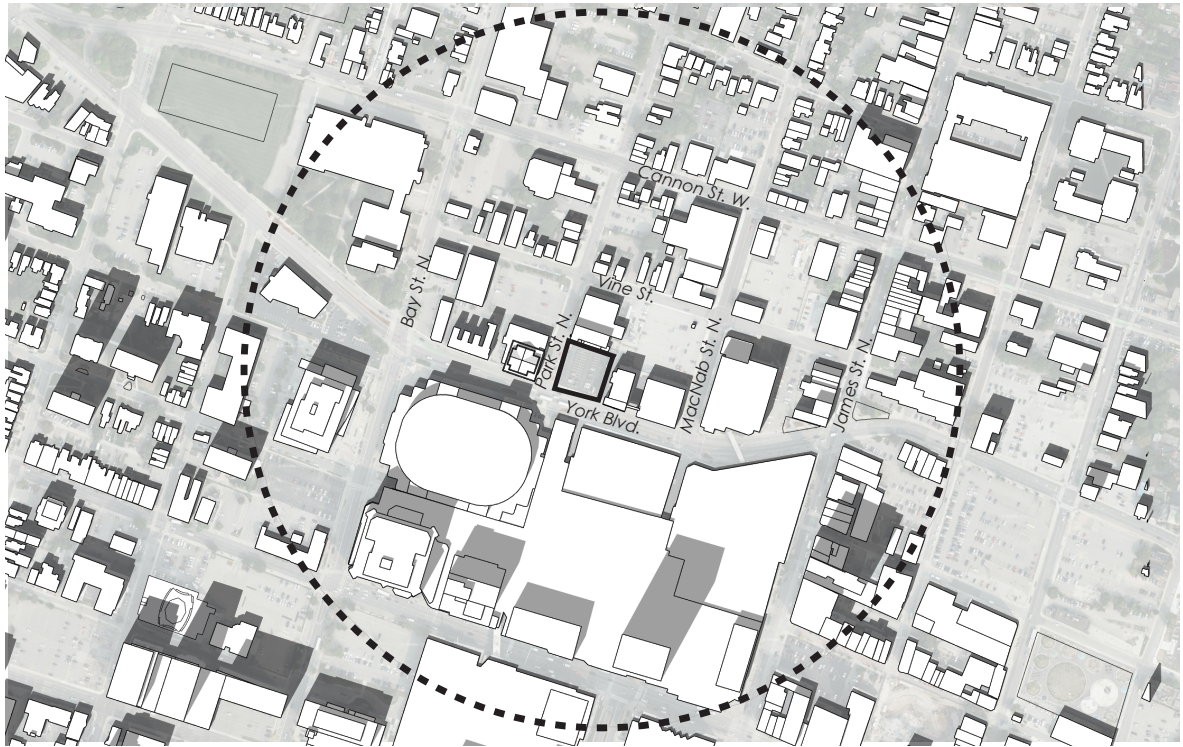


Proposed Condition

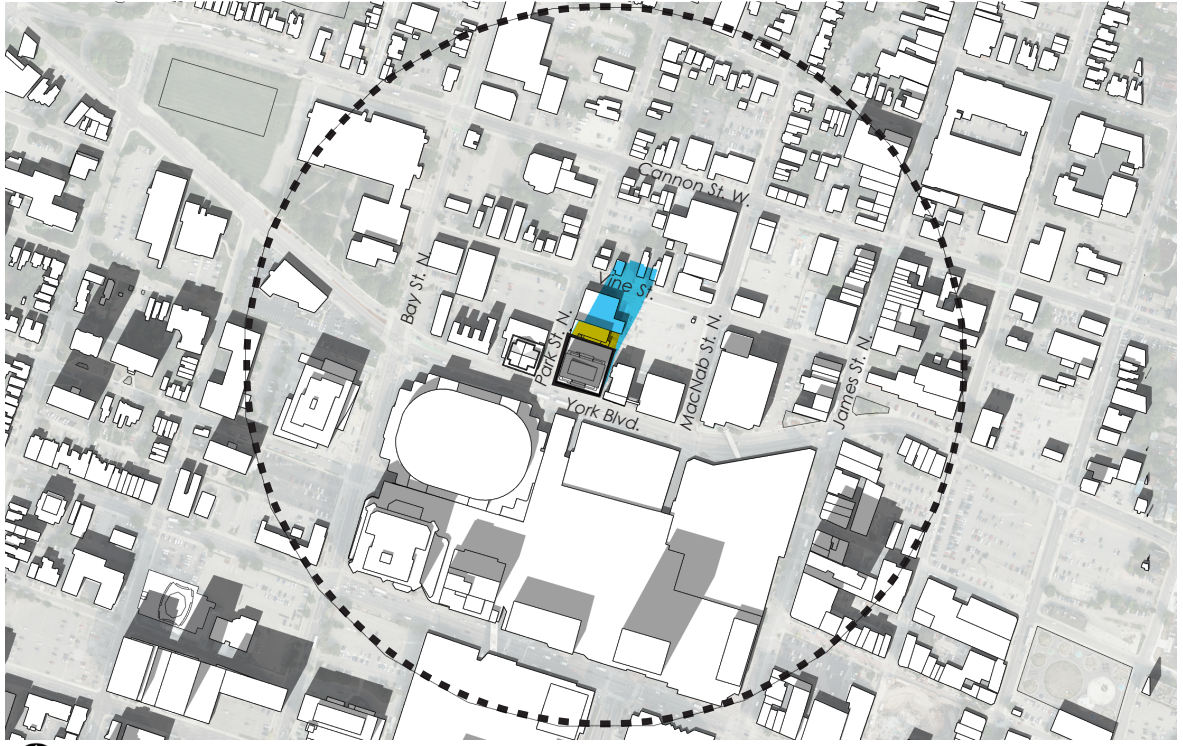


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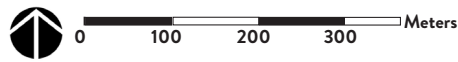


Proposed Condition

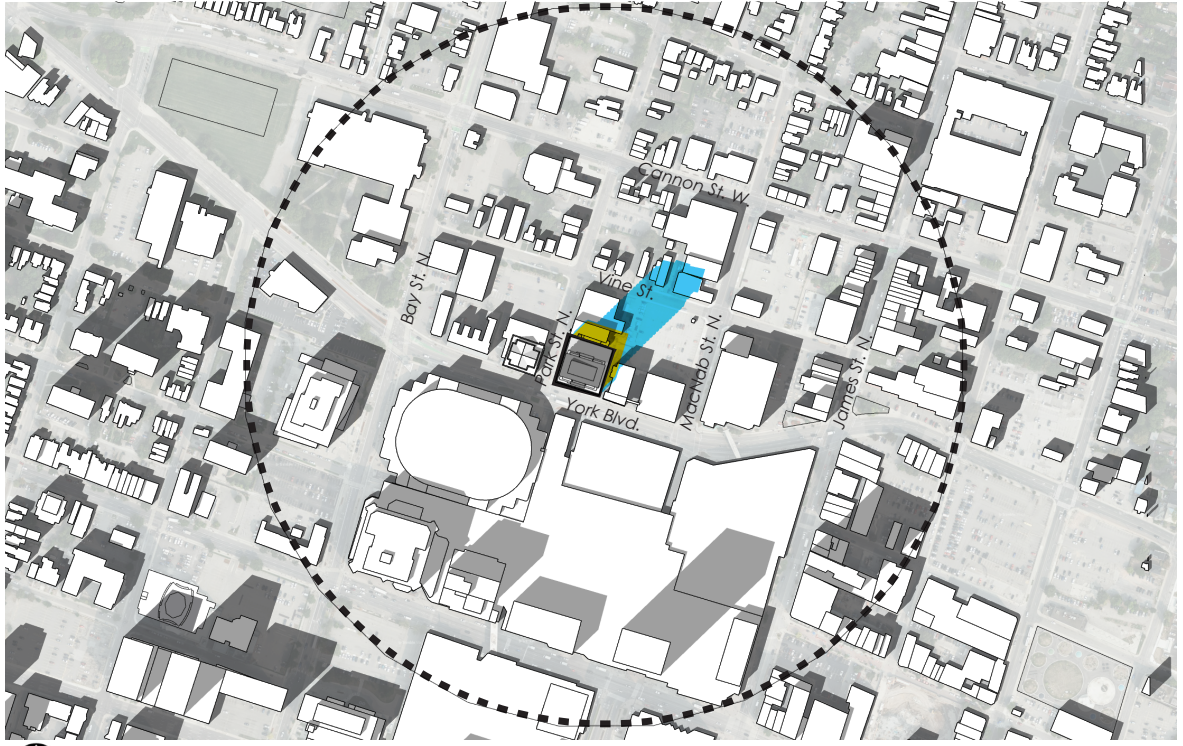


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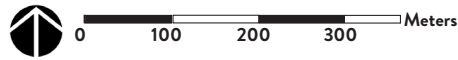
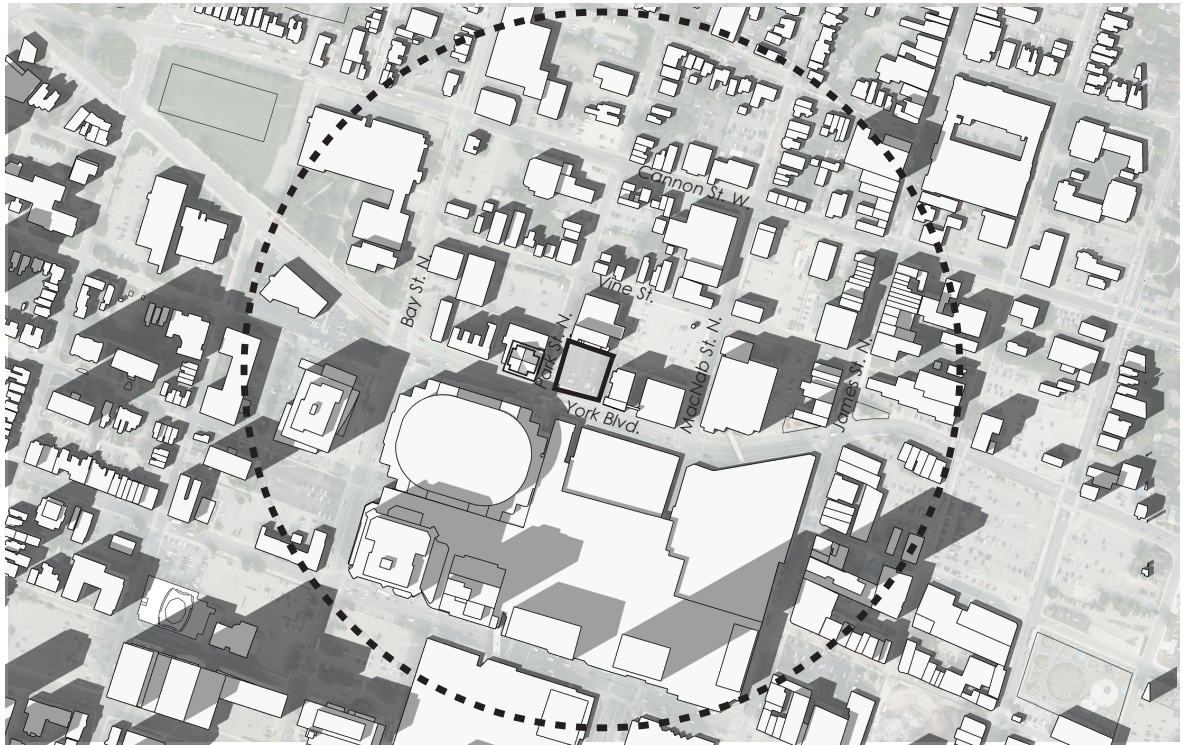


Proposed Condition

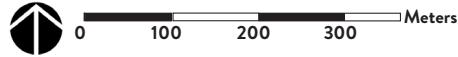
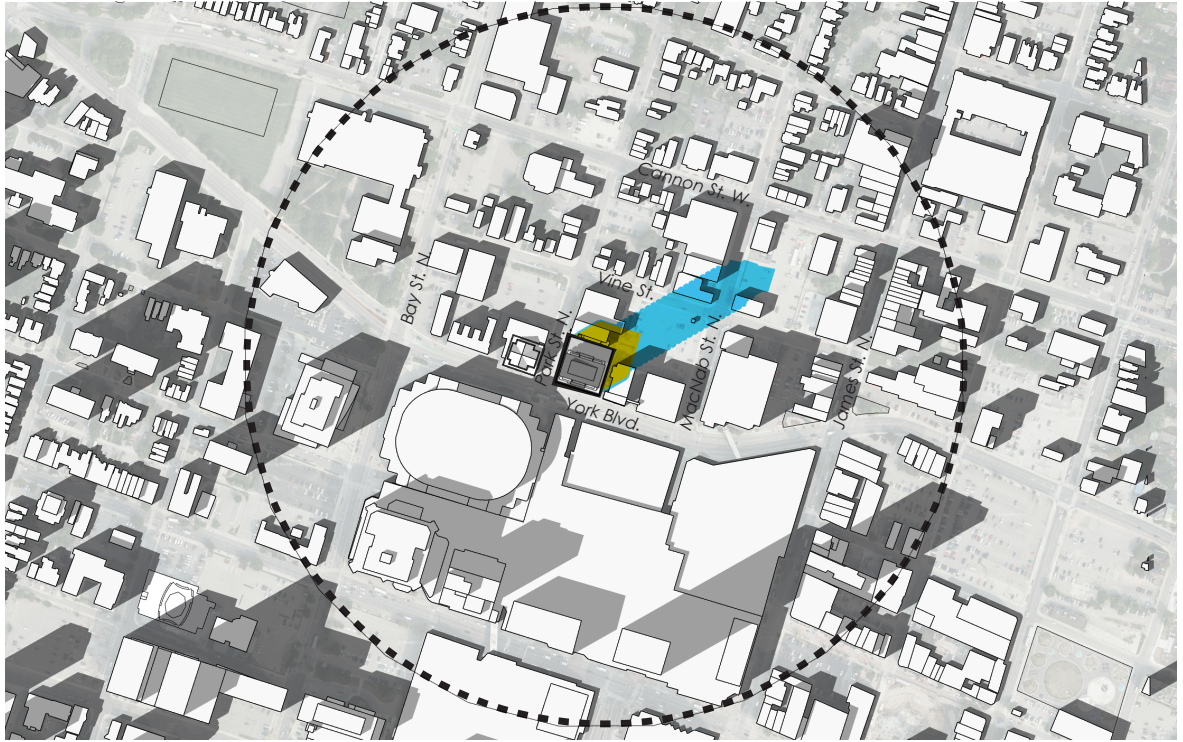


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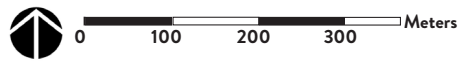
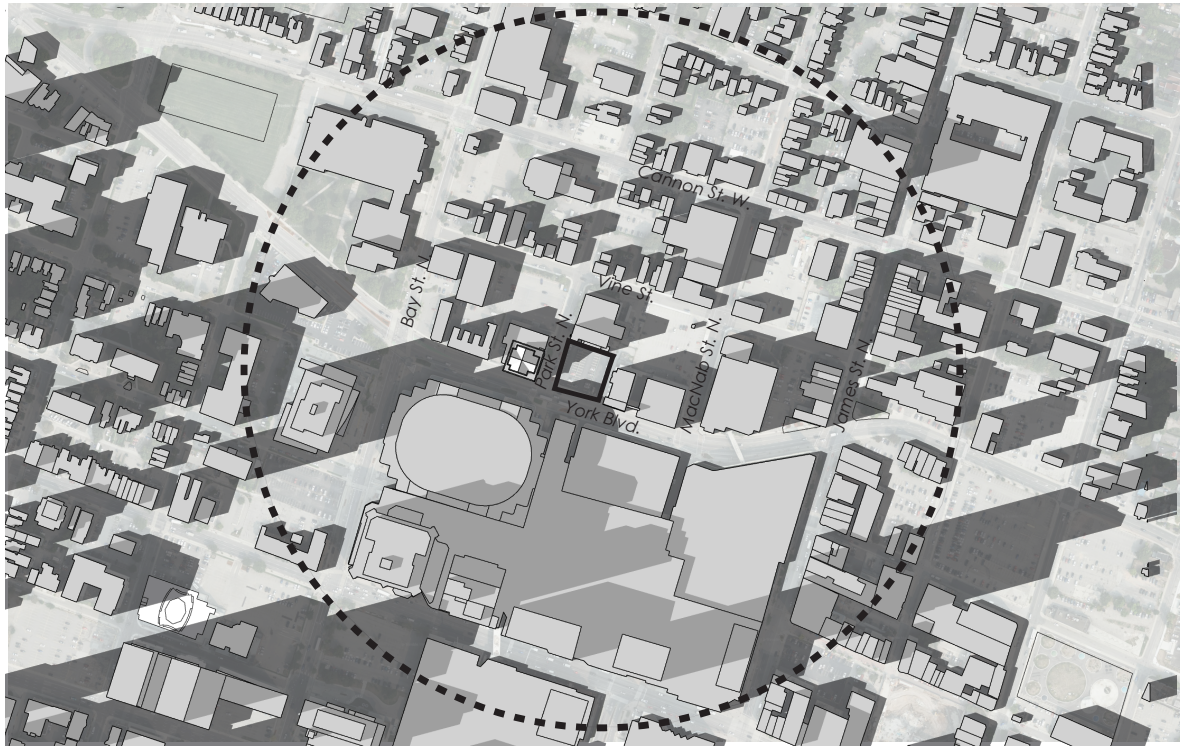


Proposed Condition

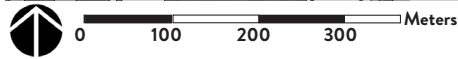
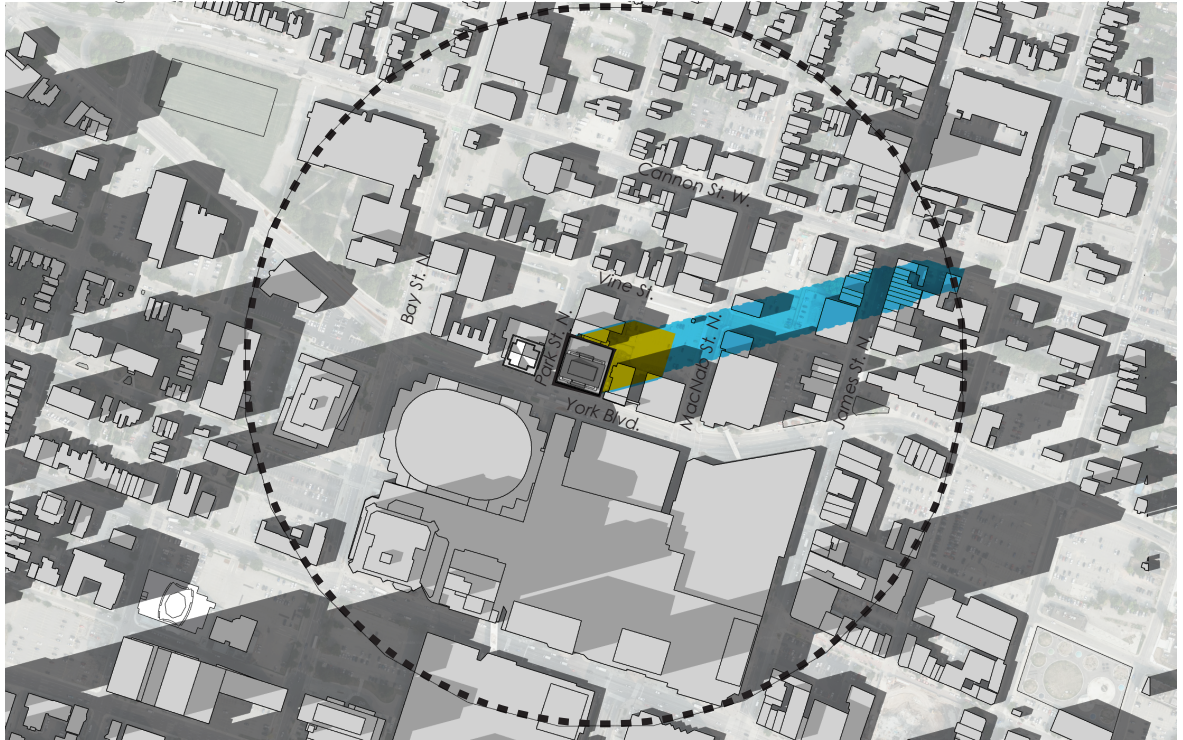


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- Property Boundary

Existing Condition (Vacant Parking Lot)



Proposed Condition



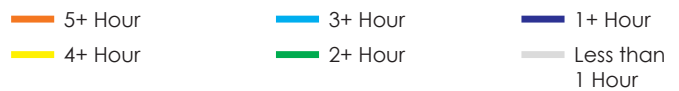
- As-of-right Shadow
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- Existing Shadow
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FALL EQUINOX - SEPTEMBER 21ST

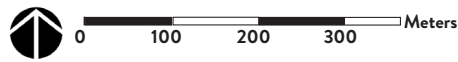
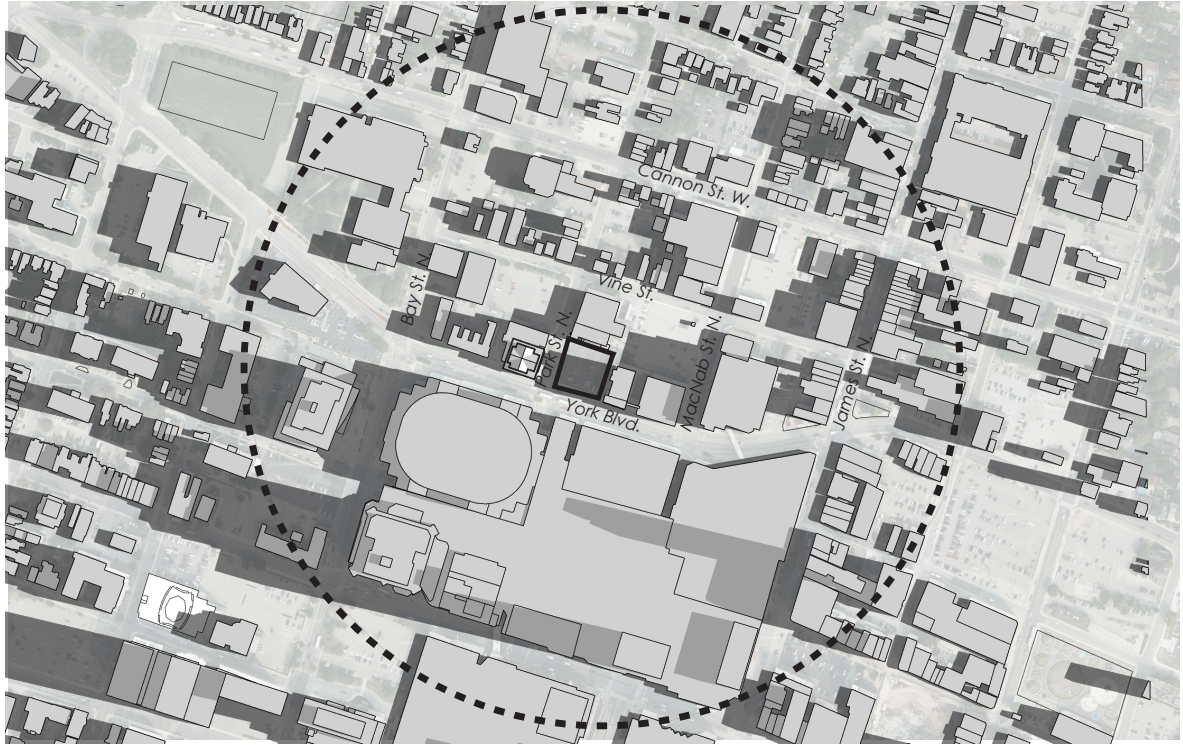
Shadow Interval (City's shadow impact criteria)

- Solar Noon.
- Hourly intervals starting 1.5 hours after sunrise and 1.5 hours before sunset.

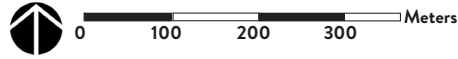
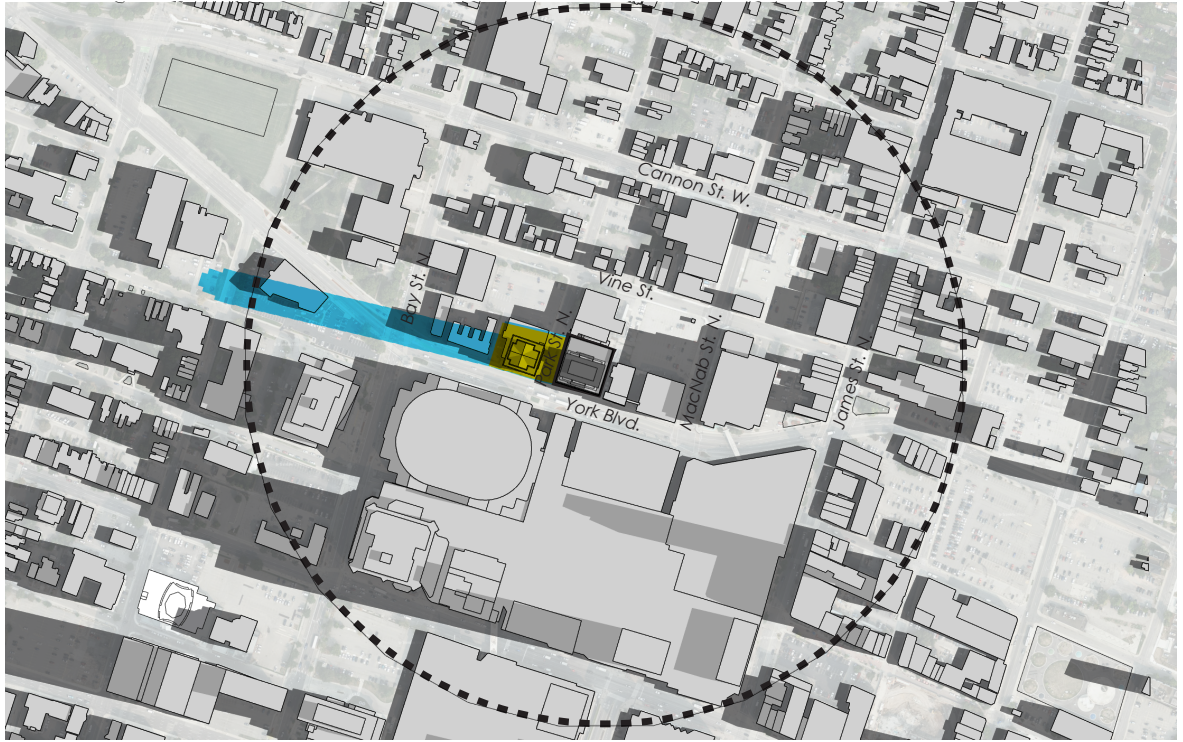
Sunlight Hours | Between 10am to 4pm



Existing Condition (Vacant Parking Lot)

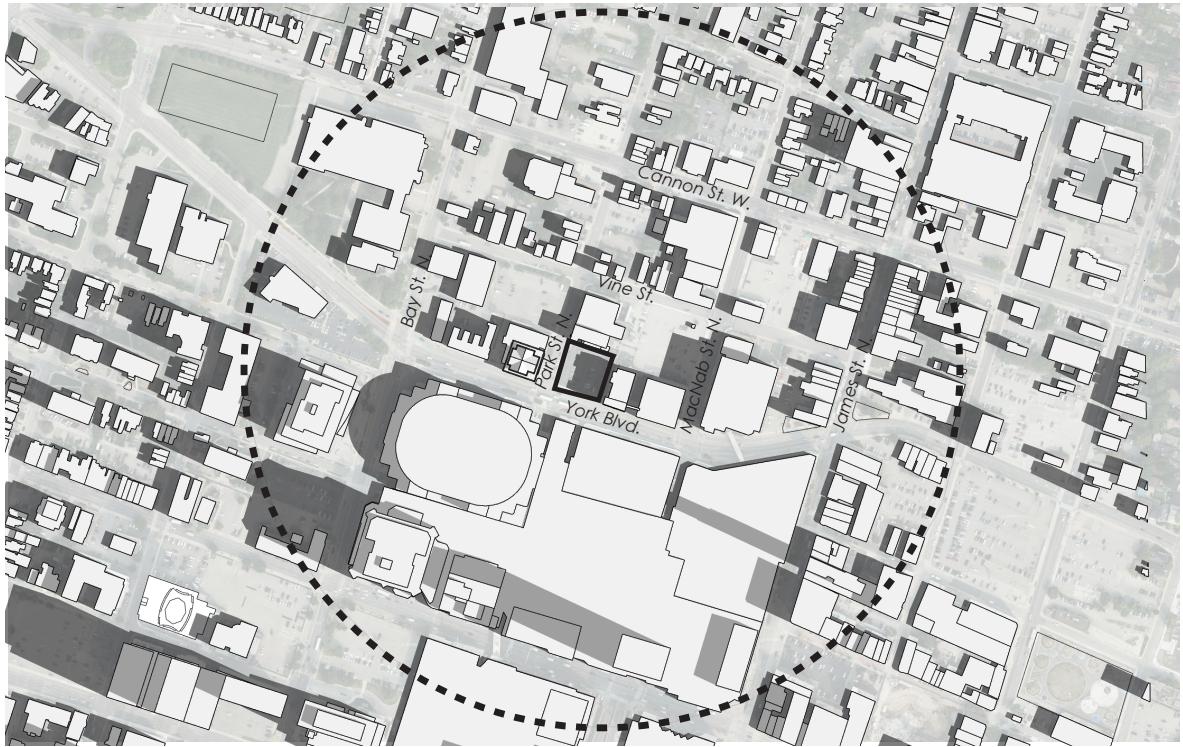


Proposed Condition

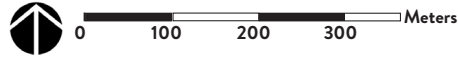
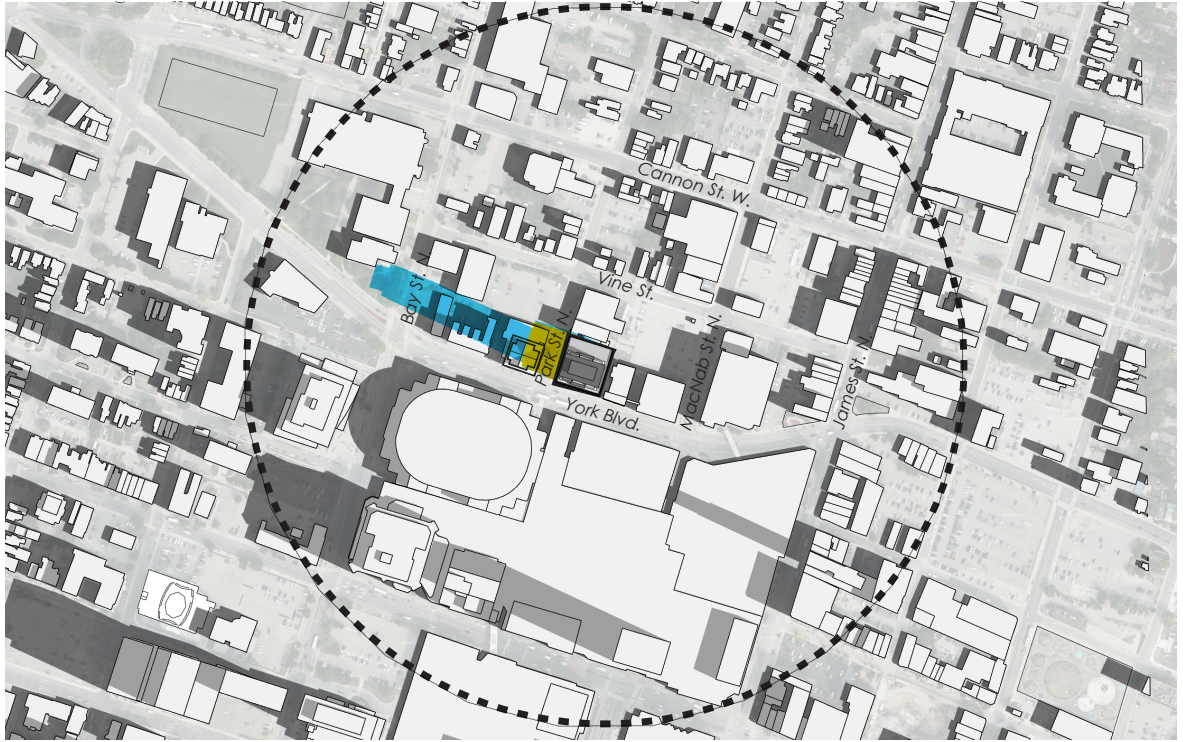


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Existing Condition (Vacant Parking Lot)

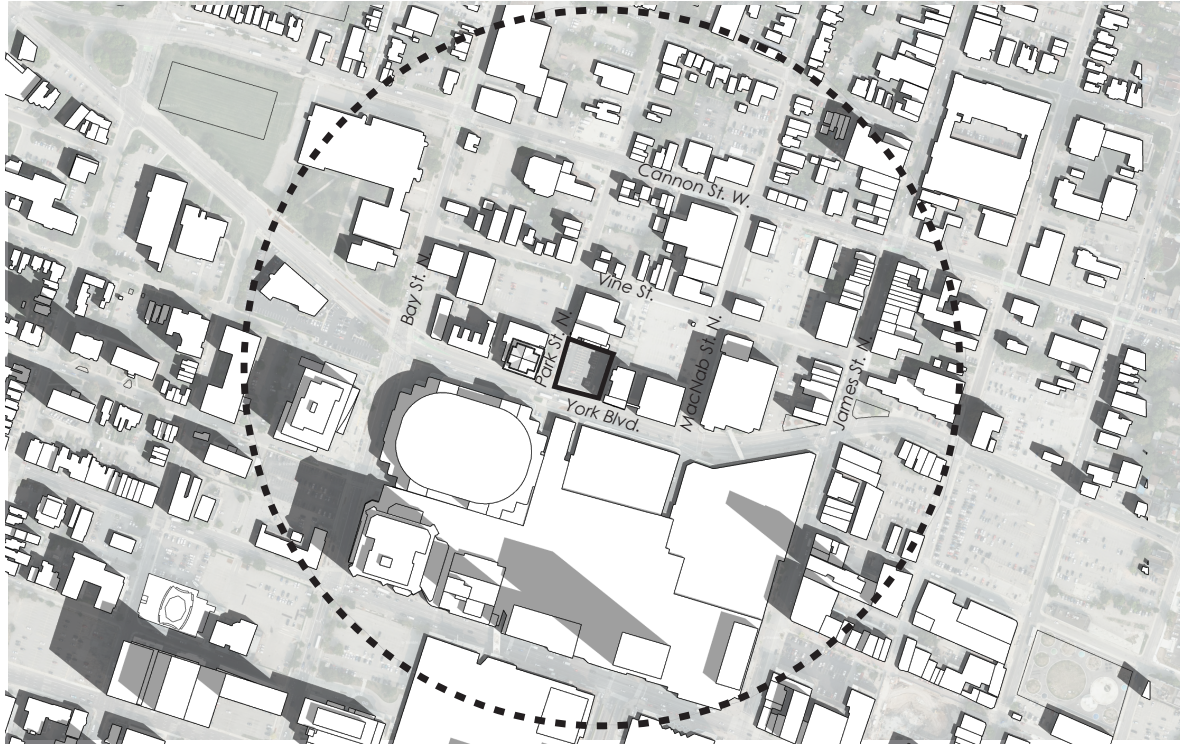


Proposed Condition

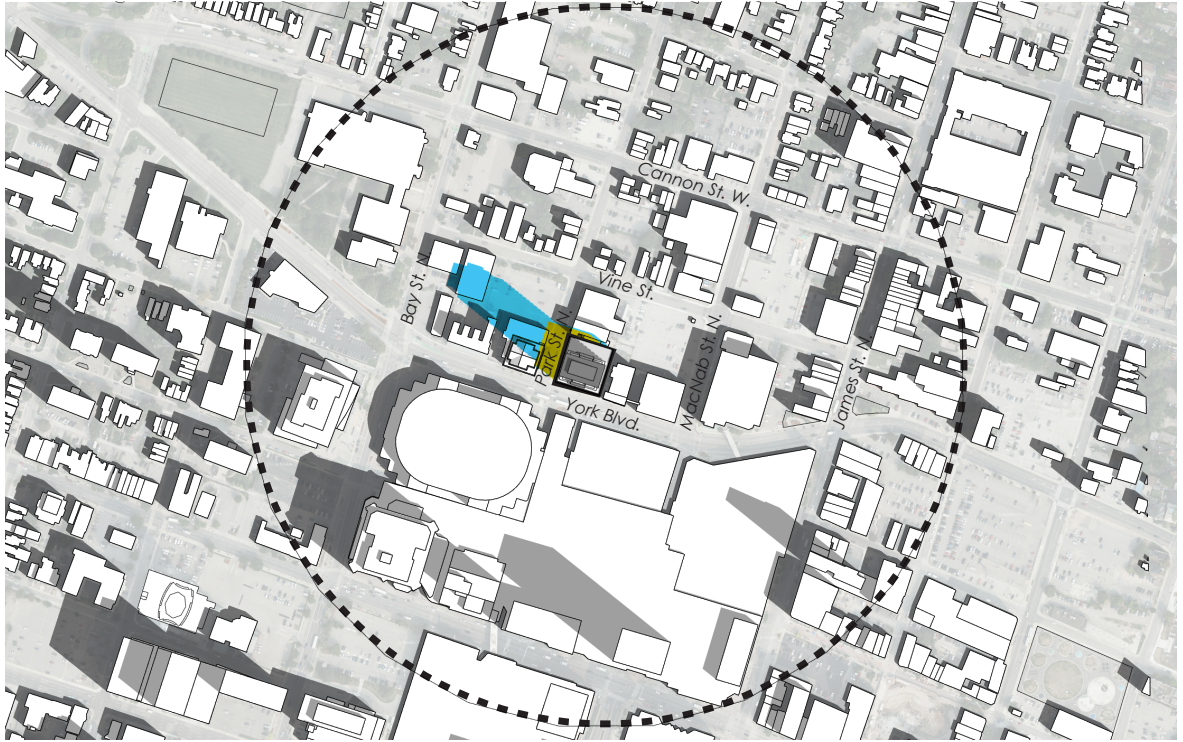


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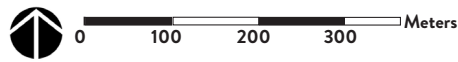
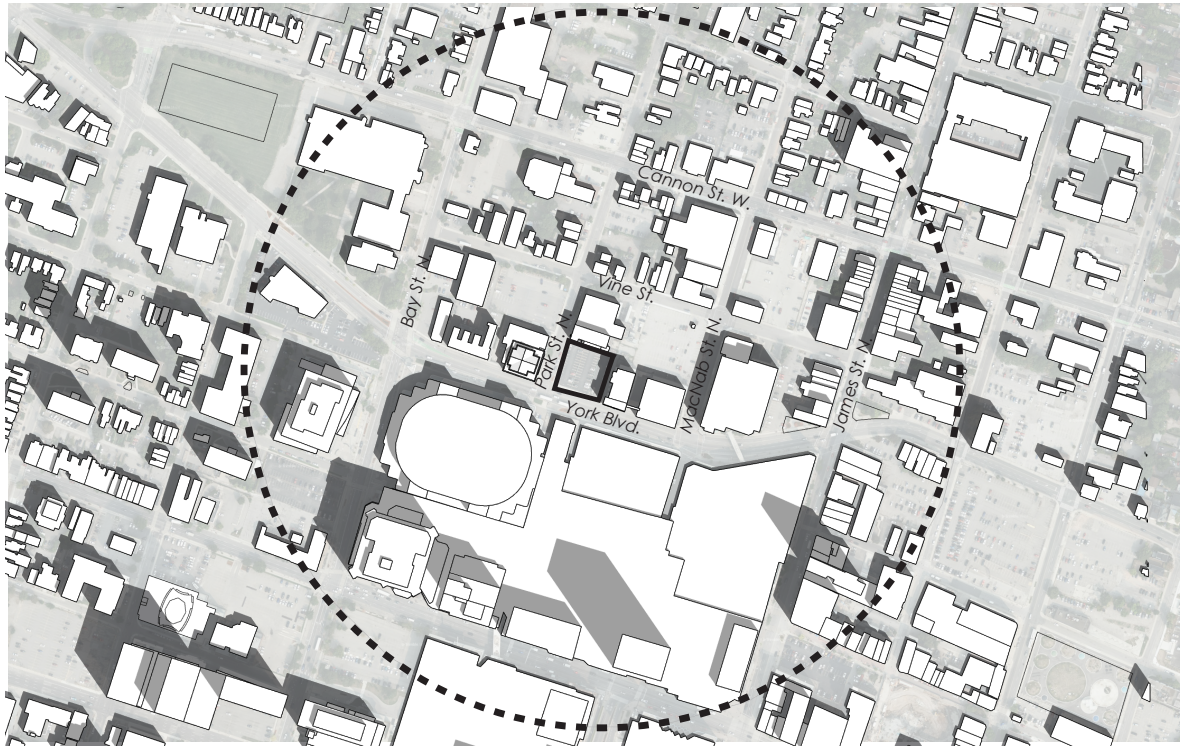


Proposed Condition

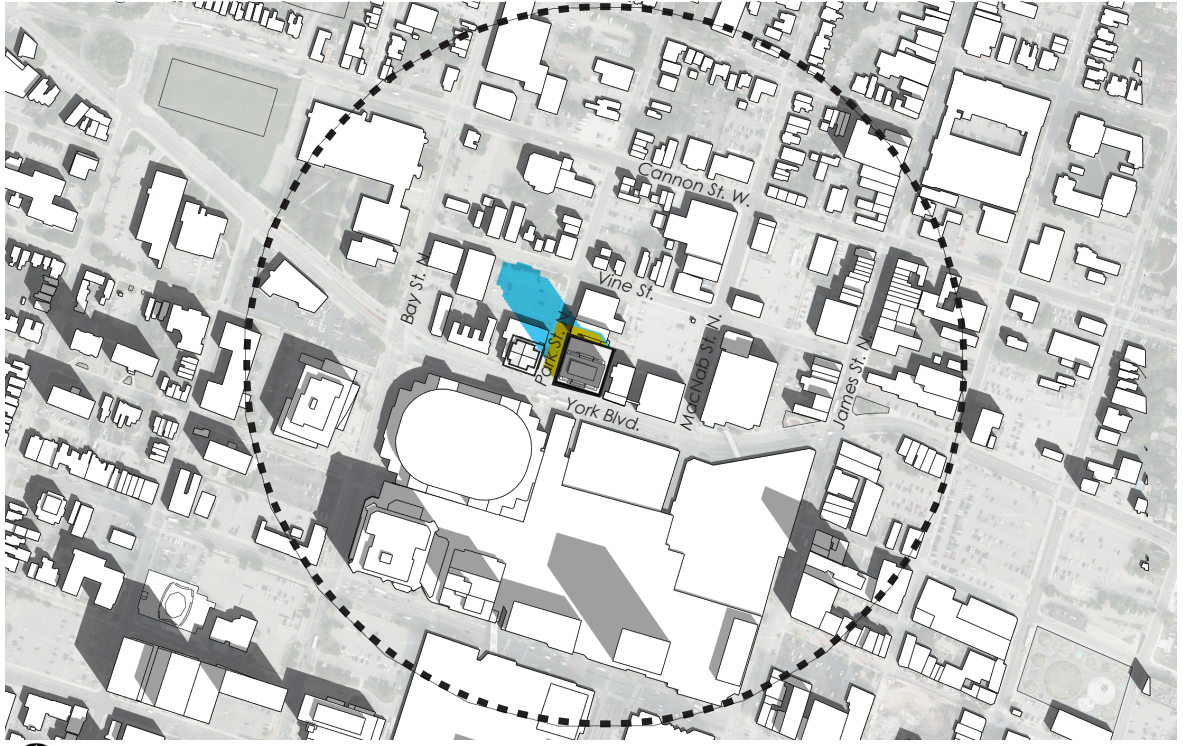


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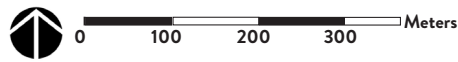
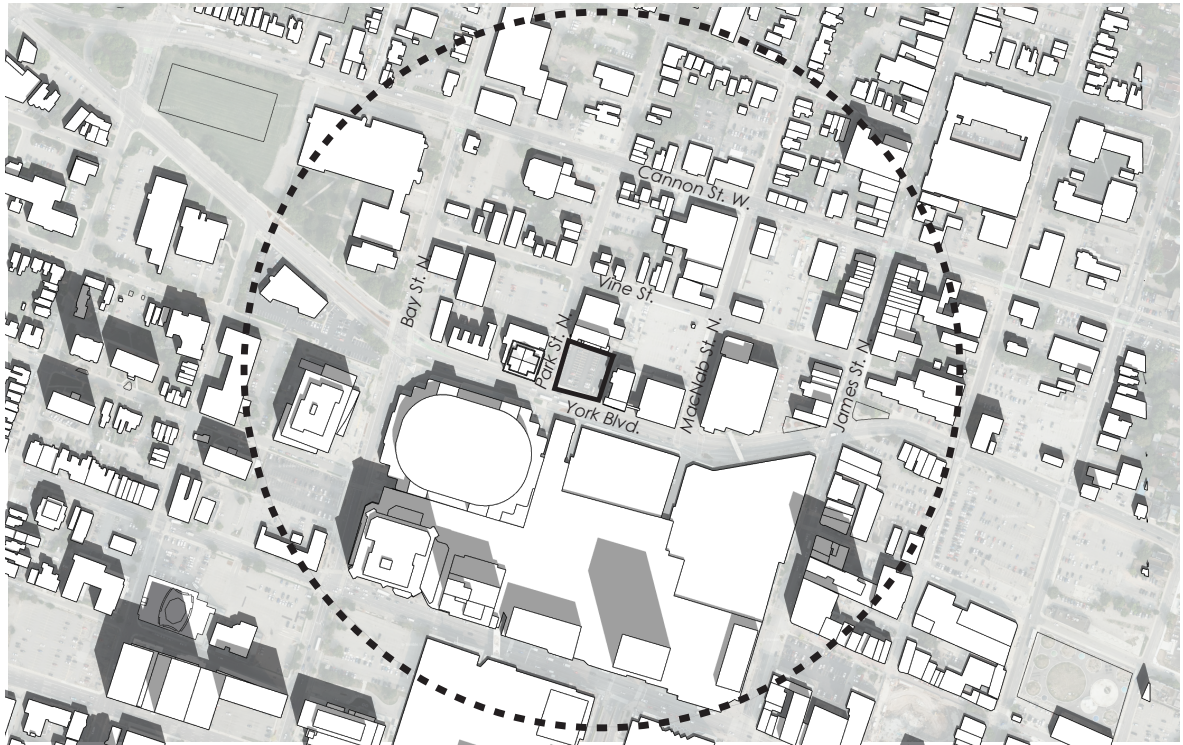


Proposed Condition

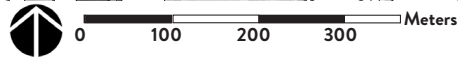
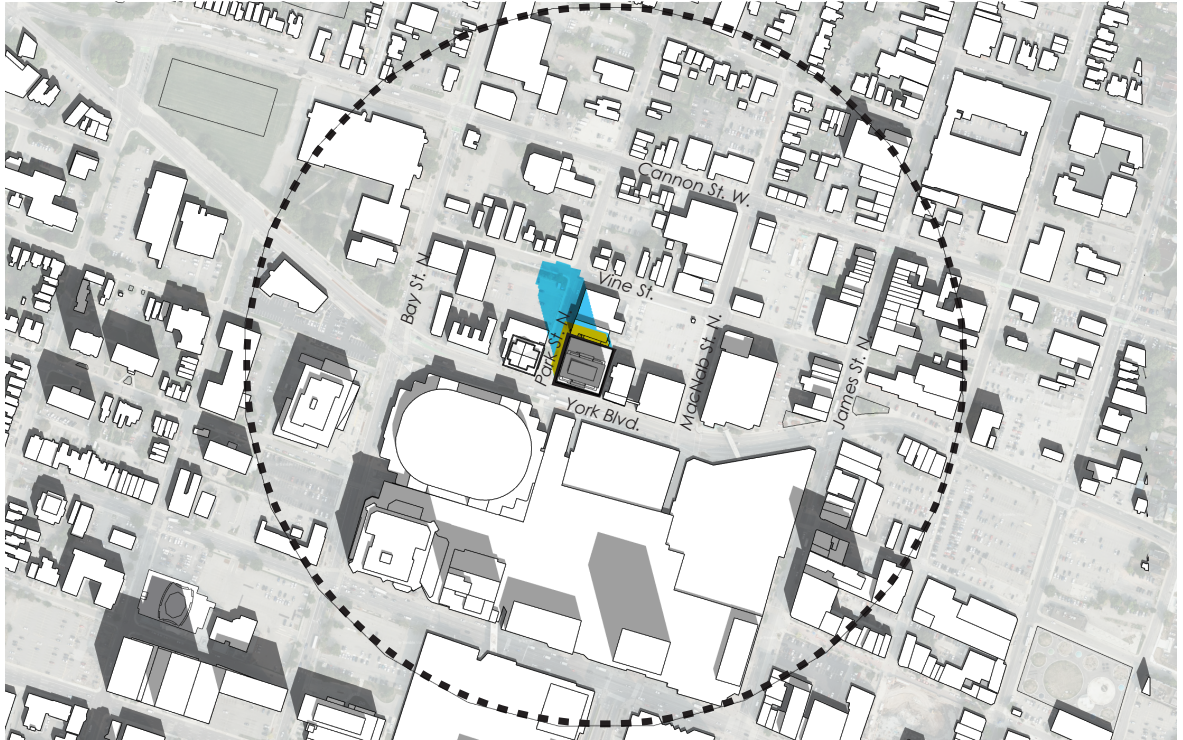


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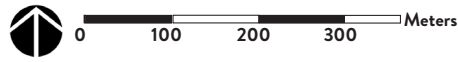
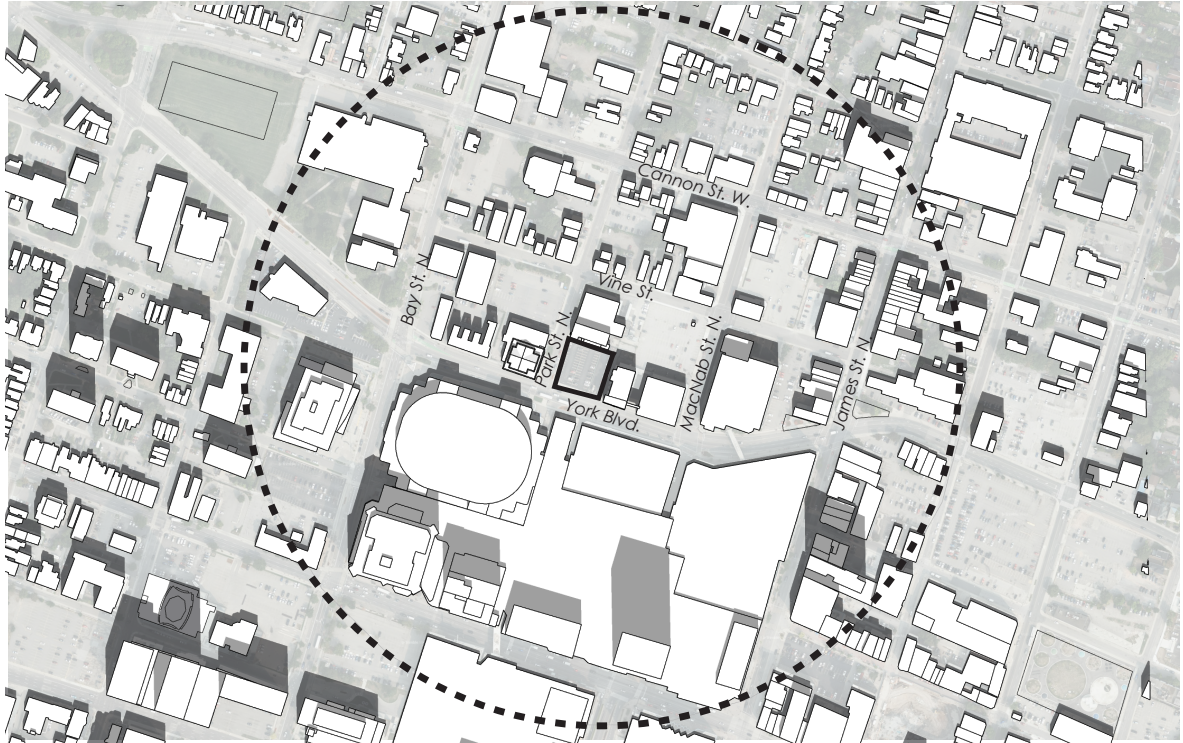


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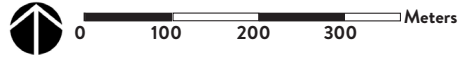
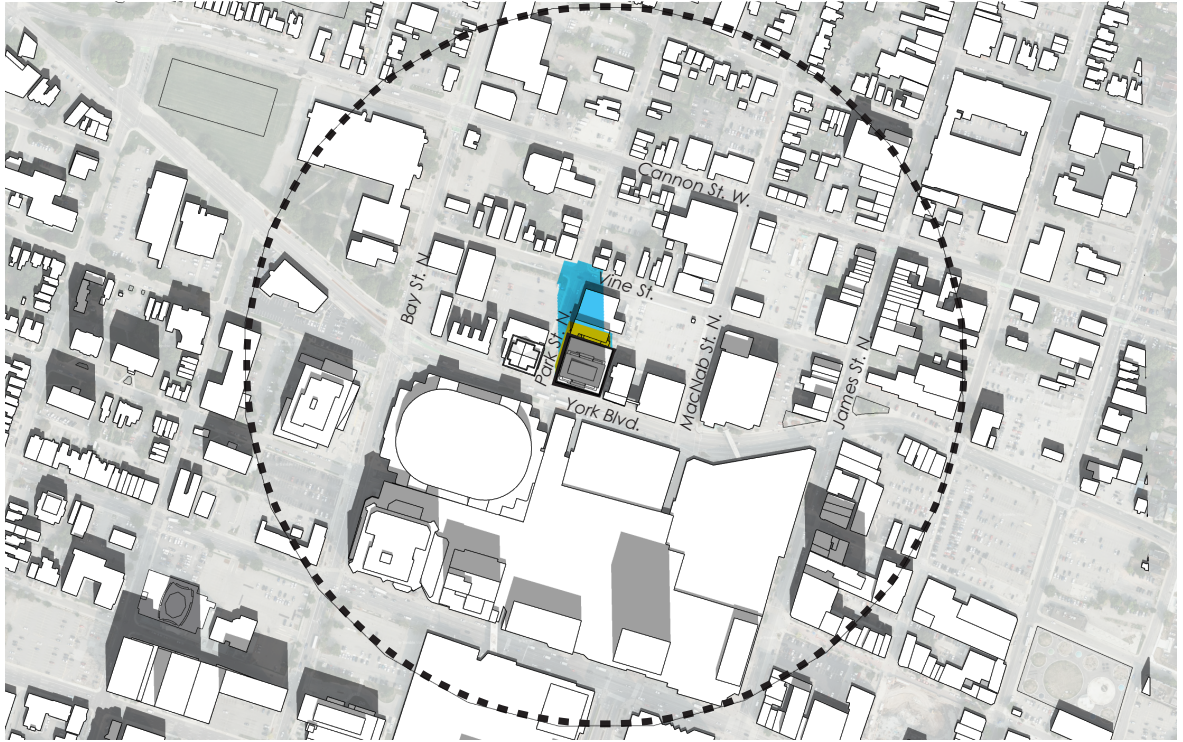


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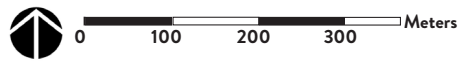
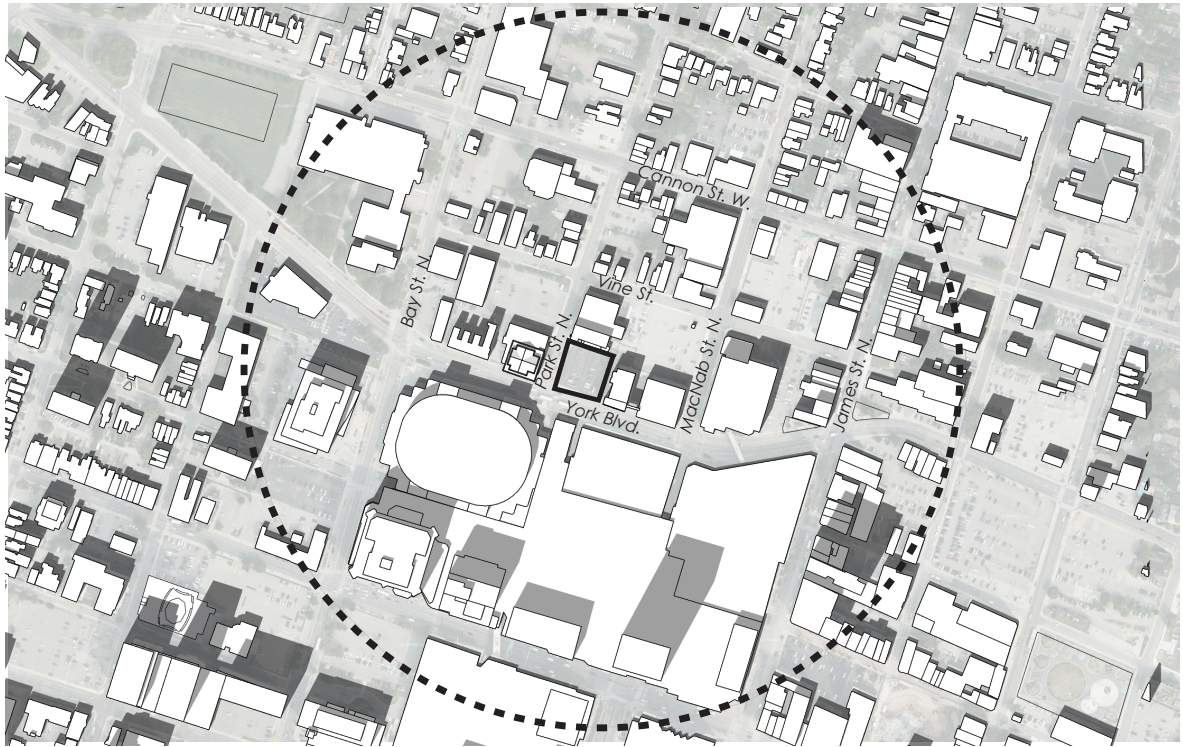


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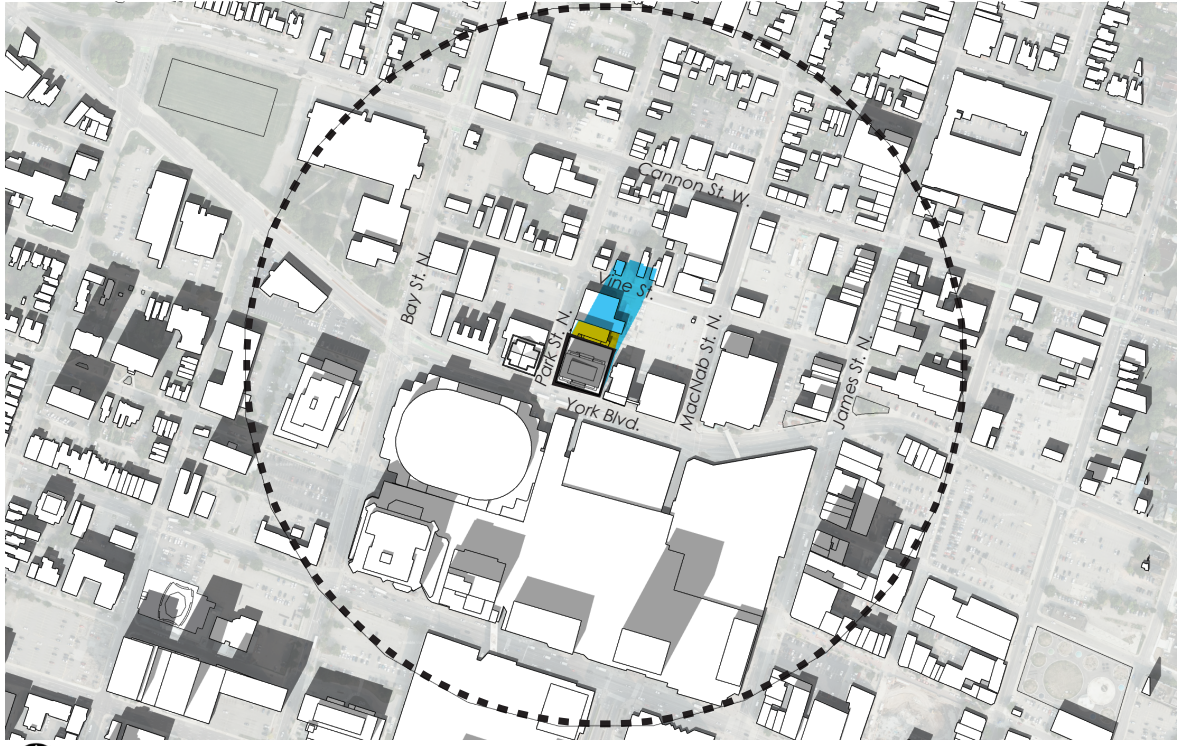


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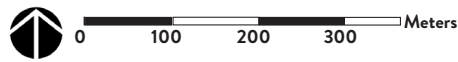
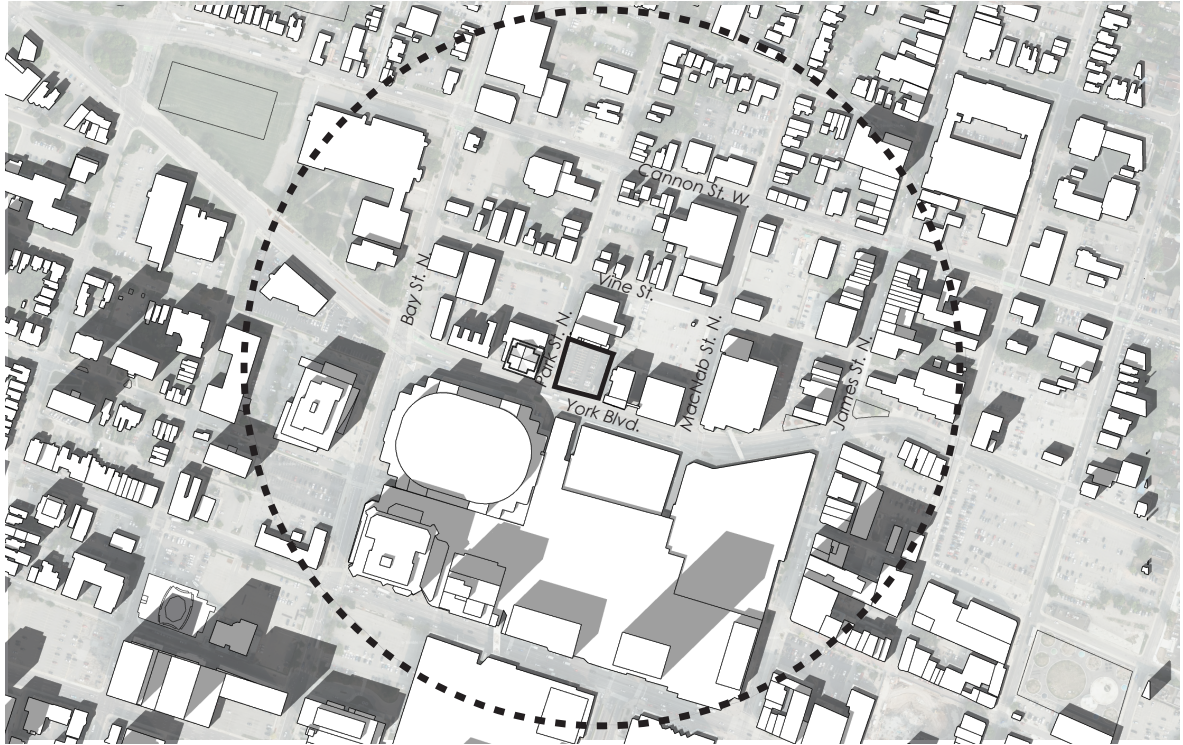


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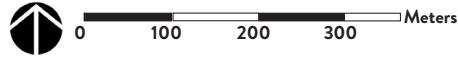
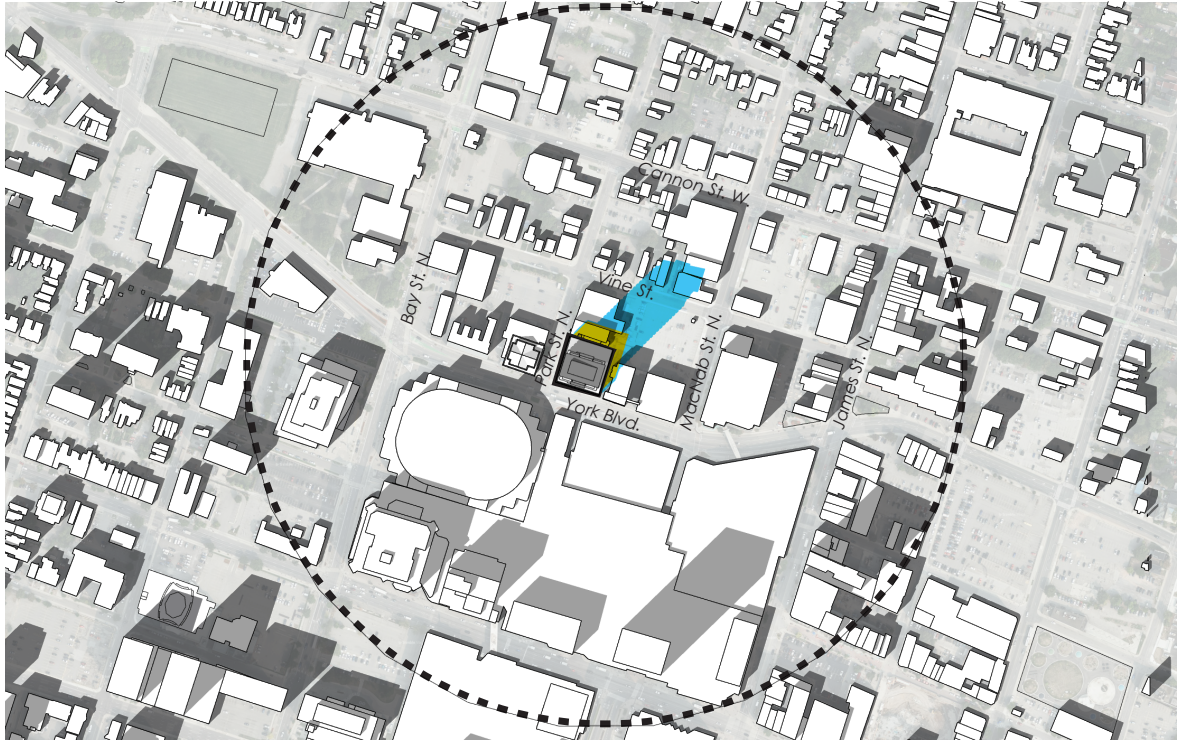


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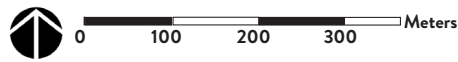
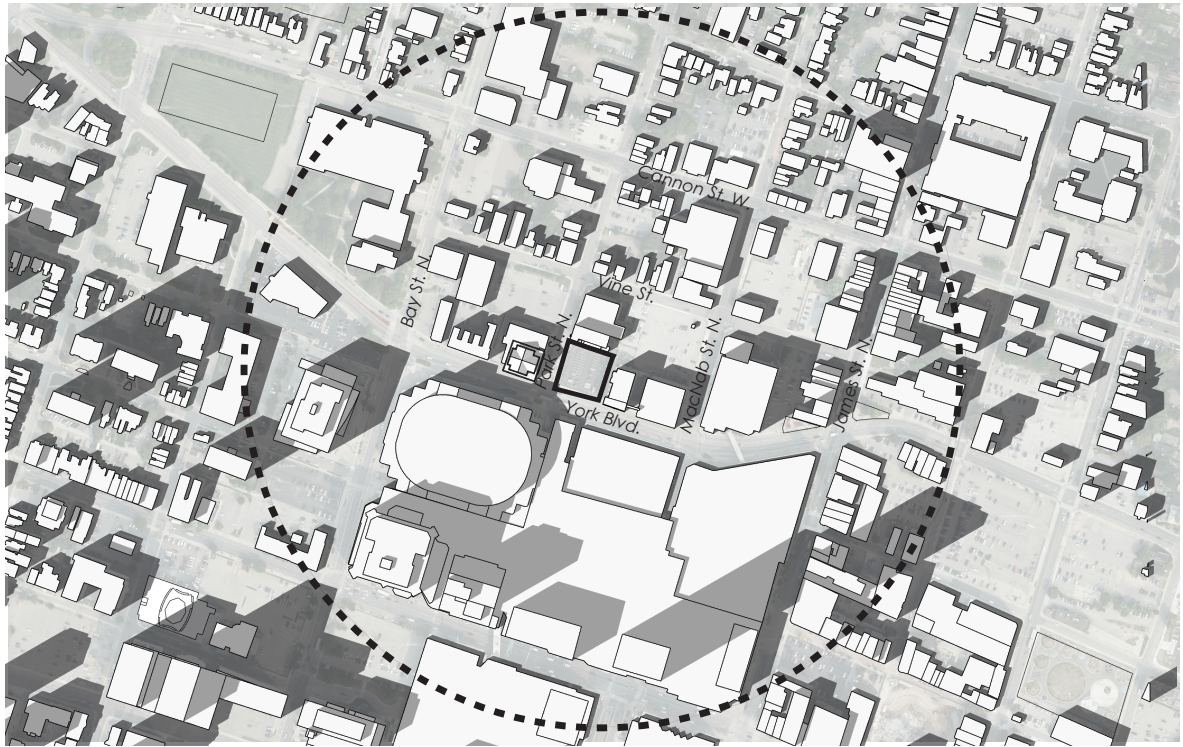


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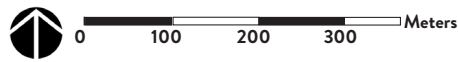
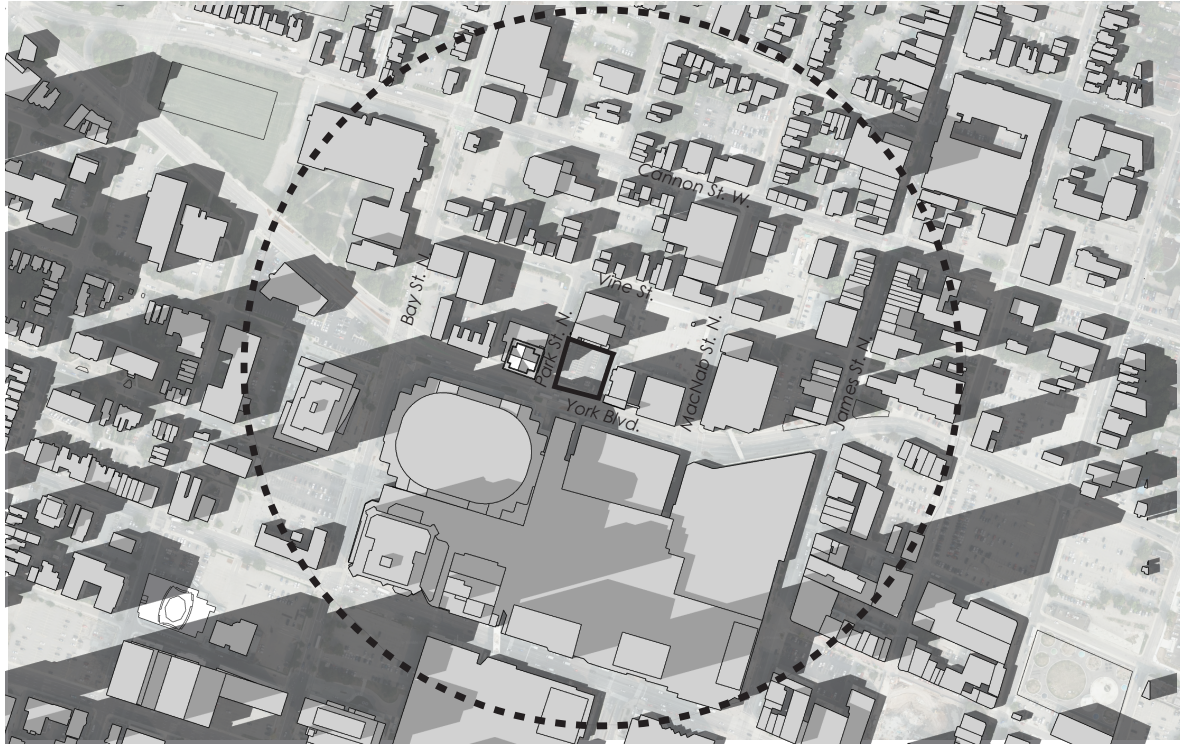


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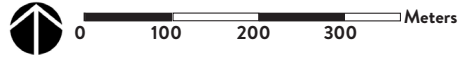
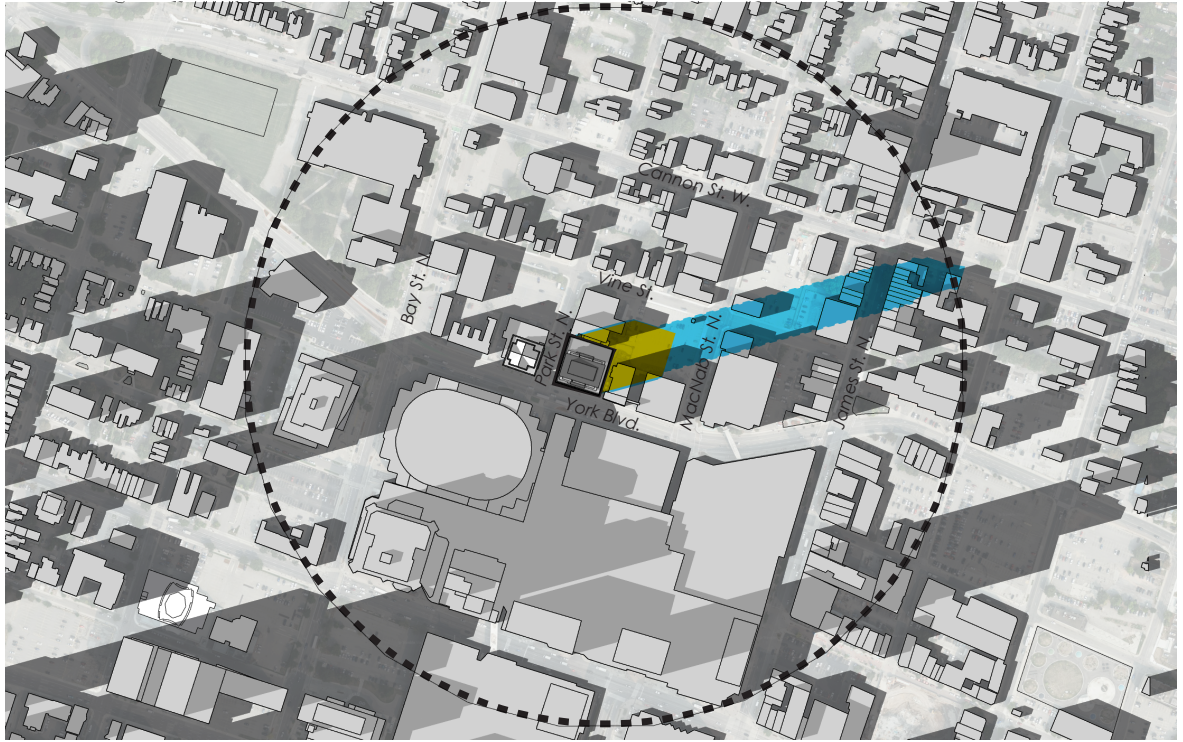


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REFERENCES

- 1) *Hamilton Development Application Guidelines: Sun Shadow Study*
- 2) *Sun rise and sun set times for the City of Hamilton, timeanddate.com*
(<https://www.timeanddate.com/sun/canada/hamilton?month=9&year=2019>)
- 3) *Base map, building location and height: Google earth.*



GSP
group