

Design Review Panel

City File Nos.
UHOPA-23-009
and **ZAC-23-024**

117 Jackson Street East
City of Hamilton

Prepared For
DiCenzo
Construction
Company Ltd.

March 9th, 2023

 **BOUSFIELDS INC.**
Job Number
20322

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www.bousfields.ca

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Urban Design
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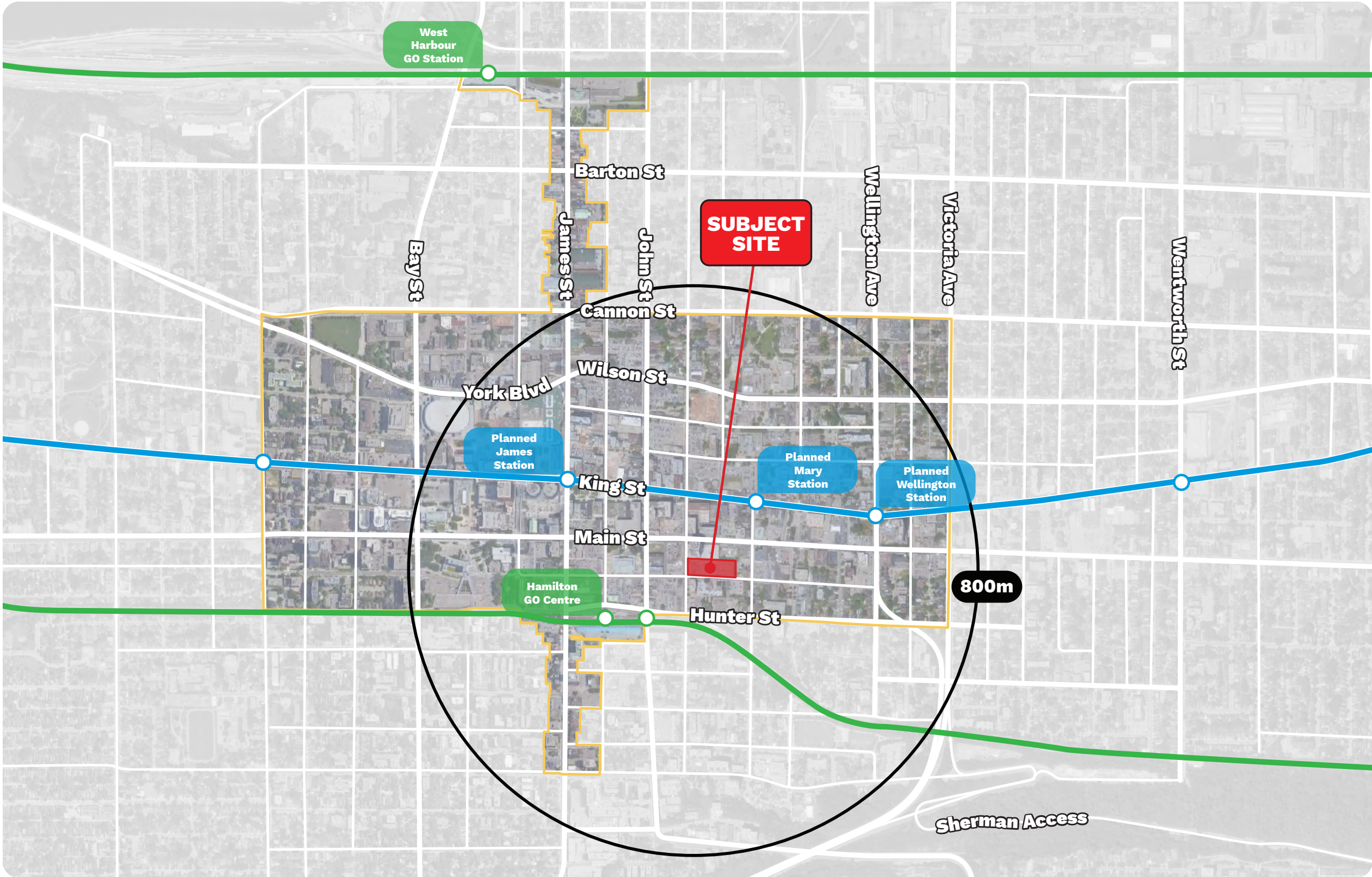
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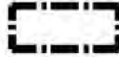









1.0 Surrounding Context Plan



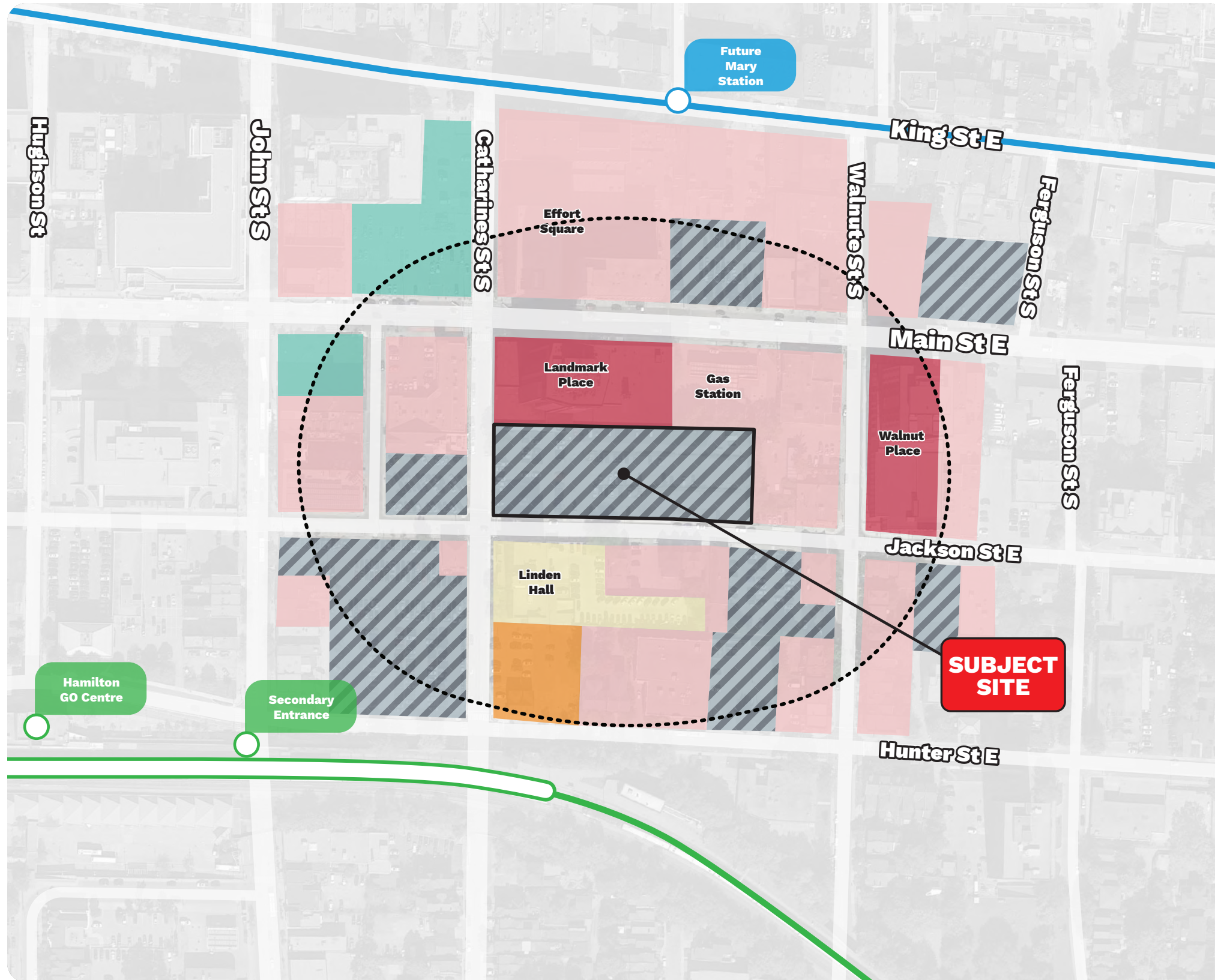
- Legend
- Downtown Hamilton Boundary
 - GO Line
 - Planned Hamilton LRT

2.0 Height Map



-  Downtown Hamilton Secondary Plan Boundary
-  Subject Lands
-  1-4 Storey
-  5-8 Storey
-  9-12 Storey
-  13+ Storey
-  # Number of Storeys
-  * Under Construction
-  ** Approved / Not yet built
-  *** Proposal

3.0 Immediate Context



The site is located on the northeast corner of Jackson Street East and Catharine Street South in the City’s downtown core. This site comprises the majority of the south half of the city block as bounded by Jackson Street East, Catharine Street South, Main Street East, and Walnut Street South. The site is rectangular in shape and has a total area of approximately 4,969.9 square metres (0.5 hectares) with a frontage of approximately 131 metres on Jackson Street East and 43 metres on Catharine Street South. It is currently occupied by a commercial surface parking lot. The site is accessed from one existing driveway on Jackson Street East. A sidewalk runs along the site on Jackson Street East and along Catharine Street South.

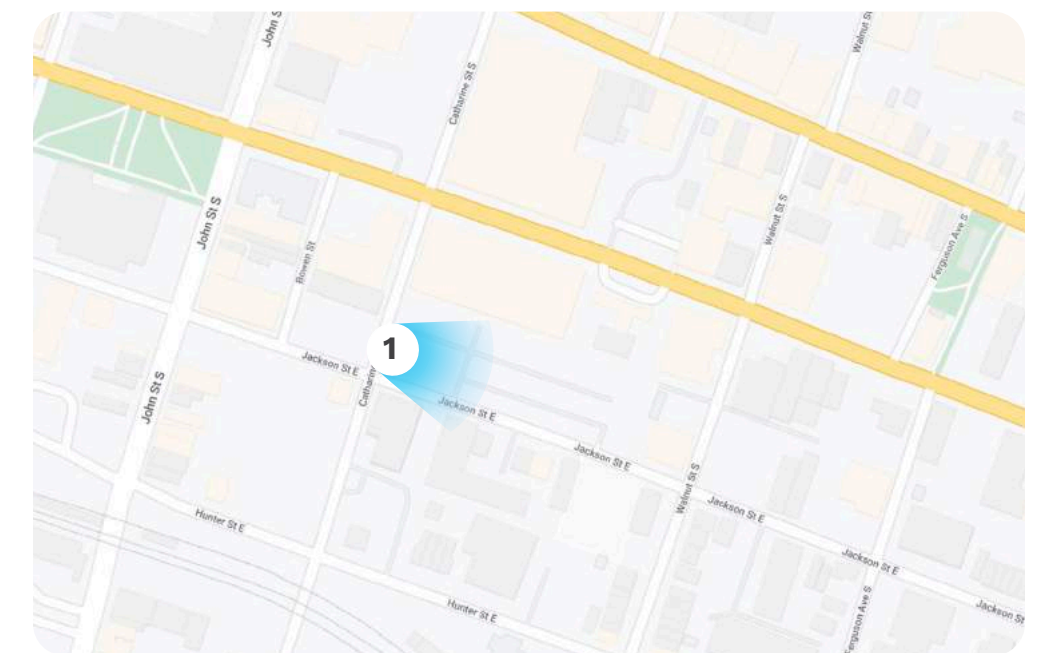
- Legend
- Study Area
 - GO Transit Line
 - Planned/Future Hamilton LRT Line
 - Mid-Rise Residential
 - High-Rise Residential
 - Mixed-Use (Office, Commercial, Retail, Residential)
 - Surface Parking
 - Proposed Development
 - Approved (Not Yet Constructed) Mixed-Use Development

4.0 Site Context Photos



On Catharine Street South looking east towards subject site.

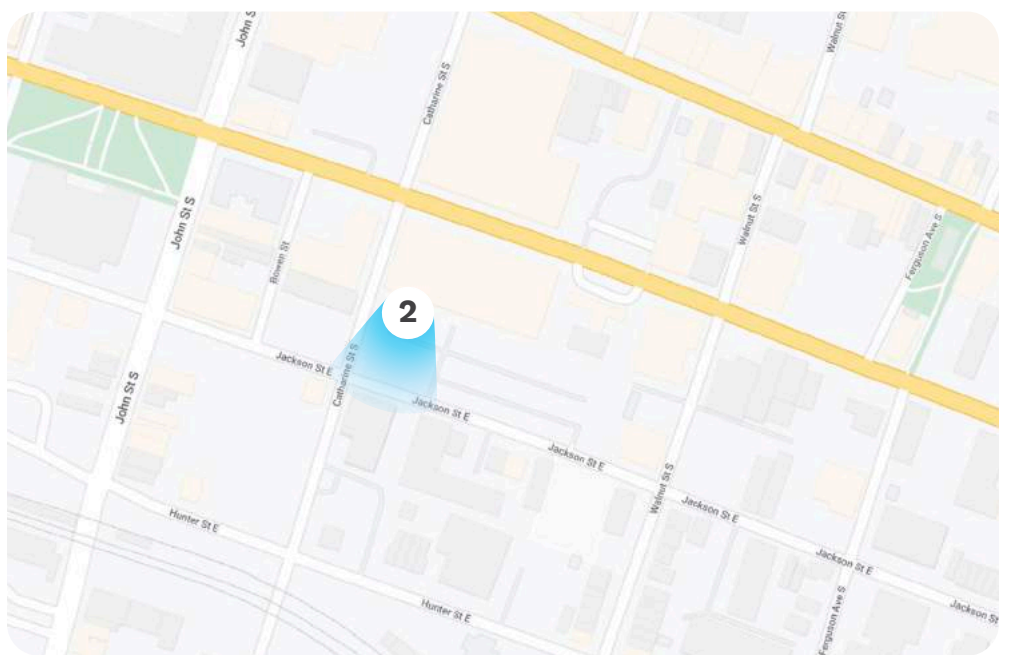
Key Map





On subject site looking south.

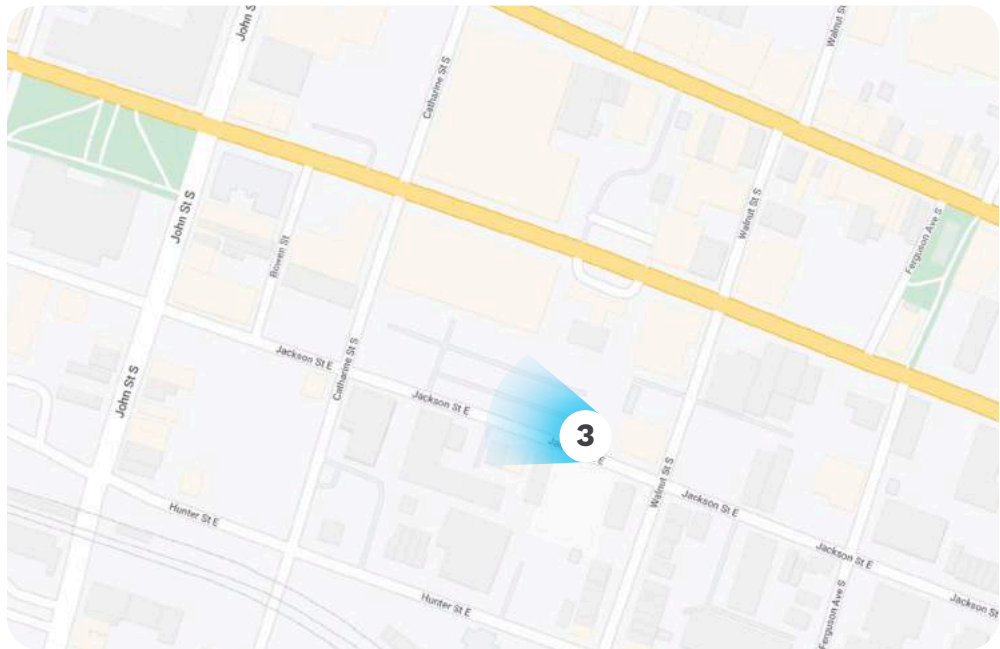
Key Map





On Jackson Street East looking west towards subject site.

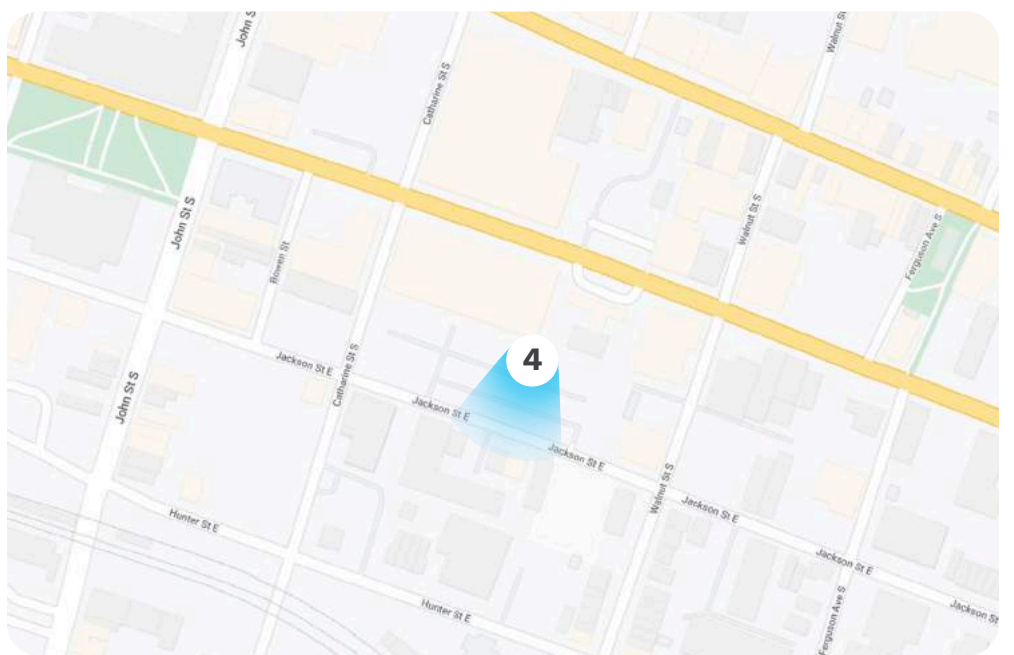
Key Map





On subject site looking south.

Key Map



5.0 Contextual Analysis

5.1 Area Context

The subject site is located in the Corktown neighbourhood of the City's Downtown. Corktown neighbourhood is defined by the bounding streets of Main Street East to the north, Wellington Street South to the east, and James Street South to the west; while the Escarpment defines the southern boundary.

The Corktown neighbourhood is one of the oldest in the City and is a true mixed-use community. It includes a naturalized (escarpment) south end, a rail corridor and GO train/bus station, a medical district anchored by St. Joseph's hospital, commercial retail/restaurant/service commercial uses along James Street South, Main Street East, and John Street, numerous institutional uses (schools and churches) scattered throughout the neighbourhood, low-rise residential clusters, and mid- and tall apartment buildings scattered throughout the neighbourhood. The existing building stock includes beautiful 19th and early 20th century churches and main street buildings along James and Main Street, post-war single and semi-detached residential buildings, and contemporary commercial buildings, mixed use and residential apartment buildings. Although the higher density buildings are scattered throughout the neighbourhood, the tallest buildings are located along the Main Street corridor.

With respect to surrounding area building heights and the pattern of development, the following table describes those building heights.

The subject site is approximately 45 metres south of Main Street East, one of the primary major arterial corridors in the City of Hamilton offering a range and mix of commercial, restaurant, retail and personal service uses for nearby residents and beyond. The section of Main Street West, west of Catharine Street South includes some of the Downtown's core employment sector with major employers that include: Hamilton City Hall, the David Braley Health Sciences Centre for McMaster University, Hamilton Convention Centre, Superior Court of Justice Family Courthouse, the John Sopinka Courthouse, the FirstOntario Centre, and the FirstOntario Concert Hall, among other employers. In addition to being close to Main Street, access to Highway 403 is approximately 2.3 kilometres to the northwest of the subject site providing convenient access to other areas of the city. The Hamilton Centre GO Station, which is served by GO Transit rail and bus, is approximately 230 m to the west of the subject site.

5.2 Surrounding Area

To the **north** of the subject site is City-owned unassumed alleyway currently used for parking and storage by Landmark Place. North of the lane is Landmark Place (100 Main Street East), a high-rise apartment building with commercial uses in the 2-3 storey brutalist concrete podium, which rises 43 storeys (127 m) overall and was constructed in 1974. Adjacent to Landmark place and to the east, the centre of the block fronting Main Street East is occupied by a Petro Canada gas station (126 Main Street East). To the northeast of the subject site, the remainder of this block is developed with a 1-storey commercial building (150 Main Street East).

Further north of Main Street East are several high-rise office and residential buildings tightly packed within the block. At the northeast corner of Main Street East and Catharine Street South is Effort Square, a large complex containing a 14-storey (48 m) office tower (105 Main Street East), a 16-storey apartment tower (Kensington Apartments, 115 Main Street East), and a 12-storey (41 m) former Crowne Plaza Hotel Hamilton (150 King Street East), that is currently being used as a Hamilton Health Sciences & St. Joseph's Healthcare Hamilton Satellite Health Facility. This complex has a shared 3-storey podium that contains building entrances and commercial uses on the ground floor and 2 levels of above-grade parking on the 2nd and 3rd floors. A commercial surface parking lot (131 Main Street East) is located east of Effort Square along with a modern 2-storey commercial building (143 Main Street East), and two 3-storey commercial buildings (145 and 147 Main Street East). North of these on the block is a 3-storey building with offices and artists' studios (12 Walnut Street South).

To the northeast, a 1-storey commercial building (Dollarama, 157 Main Street East) fronts the corner of Main Street East and Walnut Street South. To the east of Dollarama and comprising a quarter of the block is a municipal surface parking lot (145 Main Street East). North Along Walnut Street South is a surface loading area for Dollarama, and a 2-storey commercial building with a side parking lot (11 Walnut Street South). The north of the block fronting King Street East is comprised of 2-3 storey mixed-use buildings, of varying vintage from late 19th-century through contemporary.

To the northwest of the site, the block bounded by Main Street East to the south, and Catharine Street South to the east has a mix of development. The southeast quadrant of the block at the intersection of these streets is occupied by a surface parking lot, which continues along Catharine Street South to the north. Facing King Street East is the Residences of Royal Connaught (118 King Street East), originally a 12-storey hotel building constructed in 1916, and with a recent redevelopment which added two storeys. The vacant surface parking lots located along Catharine Street South contain future phases of the Royal Connaught Development which includes an approved 36-storey tower The southwest portion of this block is developed with a 4-storey commercial building (Royal Brick Works, 21 John Street South), a 1-storey commercial building (27 John Street South), and a 3-storey commercial building (35 John Street South). A 4-storey commercial building abuts this building (71 Main Street East), and faces onto Main Street East.

To the **east** of the site are two commercial parking lots (141 Jackson Street East and 46 Walnut Street South). The southeast corner of the block is developed with a 1-storey commercial building that currently contains a restaurant (143 Jackson Street East).

East of Walnut Street South is the recently completed development at 154 Main Street East/49 Walnut Street South (Walnut Place), which is a 26-storey residential rental apartment tower along Main Street East with a 7-storey above-ground parking structure at the rear along Jackson Street East. East along Jackson Street East, the block is developed with two 1-storey commercial buildings (165 and 169 Jackson Street East), and a surface parking lot associated with a 2-storey commercial building (48 Ferguson Avenue South). To the northeast, this block has a vehicle rental lot (Discount Car & Truck Rental, 174 Main Street East) on the corner with Ferguson Avenue South and Main Street East. Also fronting on to Main Street East between the car rental site and the new residential tower are a 3-storey house used as commercial offices, and a 2-storey commercial building (168 and 172 Main Street East).

To the immediate **south** of the site, located at the southeast corner of Jackson Street East and Catharine Street South is Linden Hall (55 Catharine Street South), a 9-storey student residence associated with Columbia International College. The rear of the building's site to the east and partially fronting on to Jackson Street East is a surface parking lot and a 2-level parkade, which runs further east behind several lots. Further along Jackson Street East is a 3-storey semi-detached residential building in use as commercial office space (118-120 Jackson Street East), a surface parking lot, two 3-storey residential semi-detached buildings in use as offices (126-132 Jackson Street East), a 1-storey commercial building (136 Jackson Street East), another surface commercial parking lot (140 Jackson Street East), and a 3-storey office building at the corner of Jackson Street East and Walnut Street South (152 Jackson Street East).

Further to the southeast of the site, the block south of Jackson Street East and east of Walnut Street South continues the mixed pattern of development. 2-storey residential and commercial buildings front Walnut Street South, while the north half of the block hosts several 1- and 2-storey residential buildings, a 1-story commercial building, and a surface parking lot. A 1-storey and a 2-storey residential building front onto Ferguson Avenue South. The southern half of this block is defined by a mid-rise 6-storey residential building which wraps around a conserved historic house (175 Hunter Street East).

At the north east corner of Catharine Street South and Hunter Street East is a 1.5 storey converted residential dwelling contained professional offices (101 Hunter Street West), which are surrounded to the north and east by commercial surface parking lots. There is an active Official Plan and Zoning By-law Amendment application submitted for 101 Hunter Street for a 27-storey residential tower. East of this site are two 2-storey residential and converted residential buildings containing office uses at 111-117 Hunter street East. A 2-storey commercial office building (Canadian Centre for Occupational Health and Safety) is located at 135 Hunter Street East. Further along the block is another surface parking lot, and a vacant lot (141 Hunter Street East).

South of Hunter Street East is the elevated GO Rail corridor and the Hamilton GO Centre platform.

To the southwest of the site is a block characterized by an abundance of surface parking lots. The exception is a single, 2-storey commercial building situated at the corner of Jackson Street East and Catharine Street South (94 Jackson Street East). On the far south of the block, facing Hunter street East, is a 2-storey commercial building (77 Hunter Street East). The John Street South block face, north of Hunter Street East is comprised of 2- and 3-storey mixed-use buildings.

The lands to the **west** of the site, on the west side of Catharine Street South contain a mix of surface parking, a 2-storey commercial building (33 Bowen Street), and the rear of a 1-storey commercial plaza (96 Main Street East). West across Bowen Street is a 4½ -storey commercial building (69 John Street South) along with a series of 2-3 storey mixed-use buildings and a vacant lot at the south east corner of Main Street West and John Street South.

5.3 Transportation Network

Road Network

Jackson Street East generally runs in an east-west direction between Dundurn Street South in the west and Wellington Street South in the east, interrupted by the City Hall block and is classified as a local road in the City's Official Plan. The current right-of-way width of Jackson Street East is approximately 12.2 metres, which includes one travel lane in each direction and one lane of metered on-street parking on the north side of the street. The street has sidewalks along both sides. Based on Schedule C-2 of the Urban Hamilton Official Plan, Jackson Street East has a planned road allowance right-of-way of 15.24 metres for the segment from James Street South to Wellington Street South, therefore a road widening dedication of 1.52 metres along Jackson Street East is required.

Catharine Street South flanks the subject site to the west and is classified as a Local road. Catharine Street runs north-south between Charlton Avenue East in the south and Pier 8 to the north, interrupted by the Rail Corridor and St. Lawrence Catholic Elementary School block. The roadway is one-way and provides two travel lanes southbound, and one lane of metered on-street parking on the west side. This segment of Catharine Street South has an existing right-of-way width of approximately 12.2 metres. Volume 2 Policy B.6.1.12.2 states that public right-of-way dedications shall not be taken from streets except for those segments identified in Schedule C-2 of the Urban Hamilton Official Plan. Catharine Street is not identified on Schedule C-2 and a road widening is therefore not required.

A City-owned, unassumed alleyway, approximately 3.6 m in width, abuts the site to the north and which runs east to west between Catharine Street South and Walnut Street South. The property to the north is currently using this alleyway for storage, vehicle parking, and access.

A 4.57 metre by 4.57 metre daylighting triangle is required under the Urban Hamilton Official Plan at the southwest corner of the site given that Jackson Street East and Catharine Street South are both local roads.

Transit Network

The subject site is approximately 200 metres from the Hamilton GO Centre which is serviced by GO train service to Union Station in Toronto along the Lakeshore West line during the morning rush hour and service from Union Station in Toronto to the Hamilton GO Centre during the evening rush hour. A number of GO bus routes also service the GO Centre in addition to Hamilton Street Railway (HSR) routes 1 and 2 which service the Hamilton GO Centre every 10-15 minutes and provide city-wide connections.

With regards to planned transit, Appendix A – Higher Order Transit of the Downtown Hamilton Secondary Plan identifies that the subject site is located within a Higher Order Transit Station Area and that King Street East is a Priority Transit Corridor (B-line LRT McMaster to Eastgate). With respect to the approved Hamilton LRT, the subject site is within walking distance to two proposed stations along King Street East to the north. The Mary Street stop is approximately 160 m north of the site (a 2-3 minute walk), while the James Street stop would be located approximately 400 m northwest of the subject lands (approximately a 5-minute walk).

6.0 Proposed Rendering

View Looking West

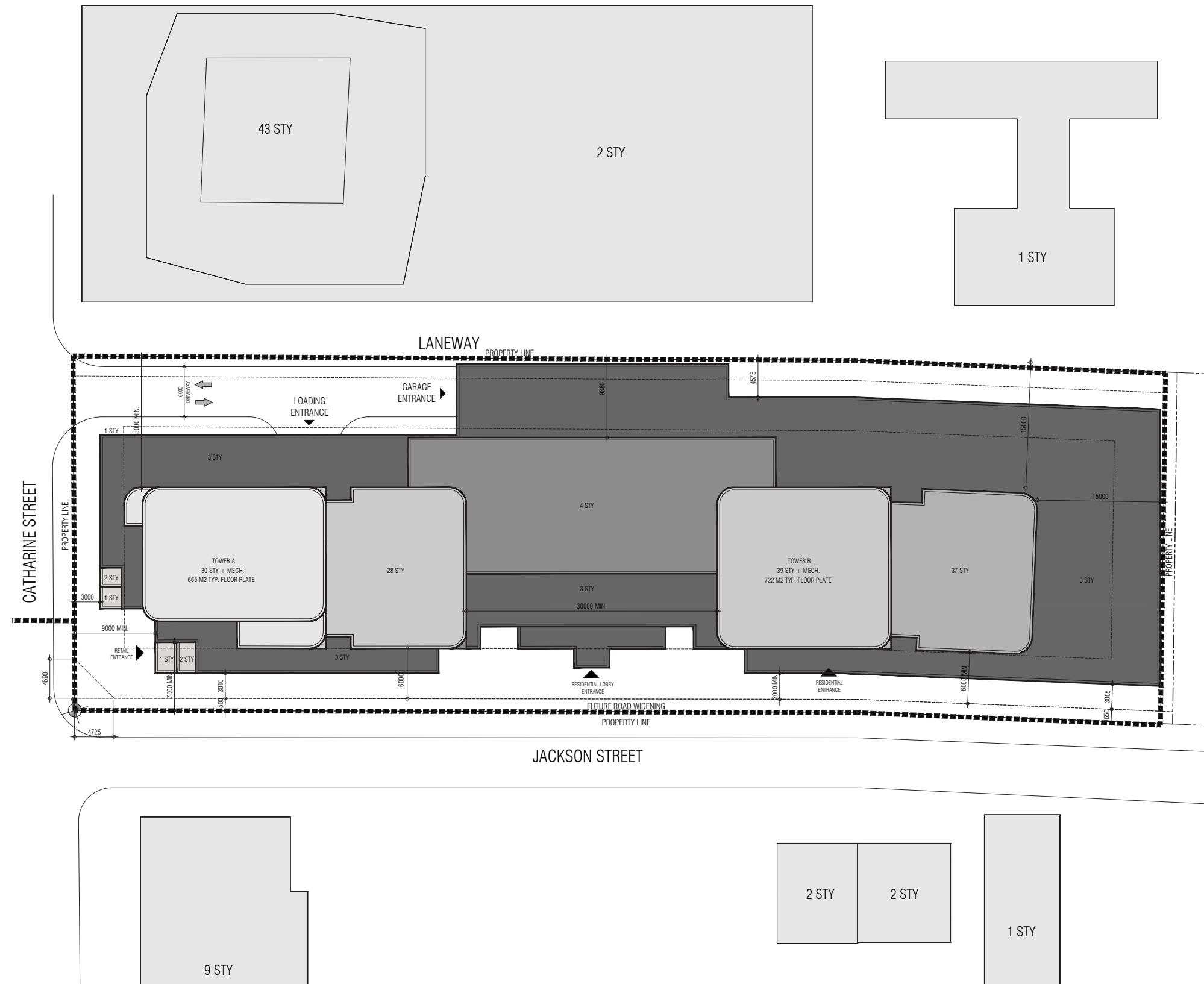


View Looking East



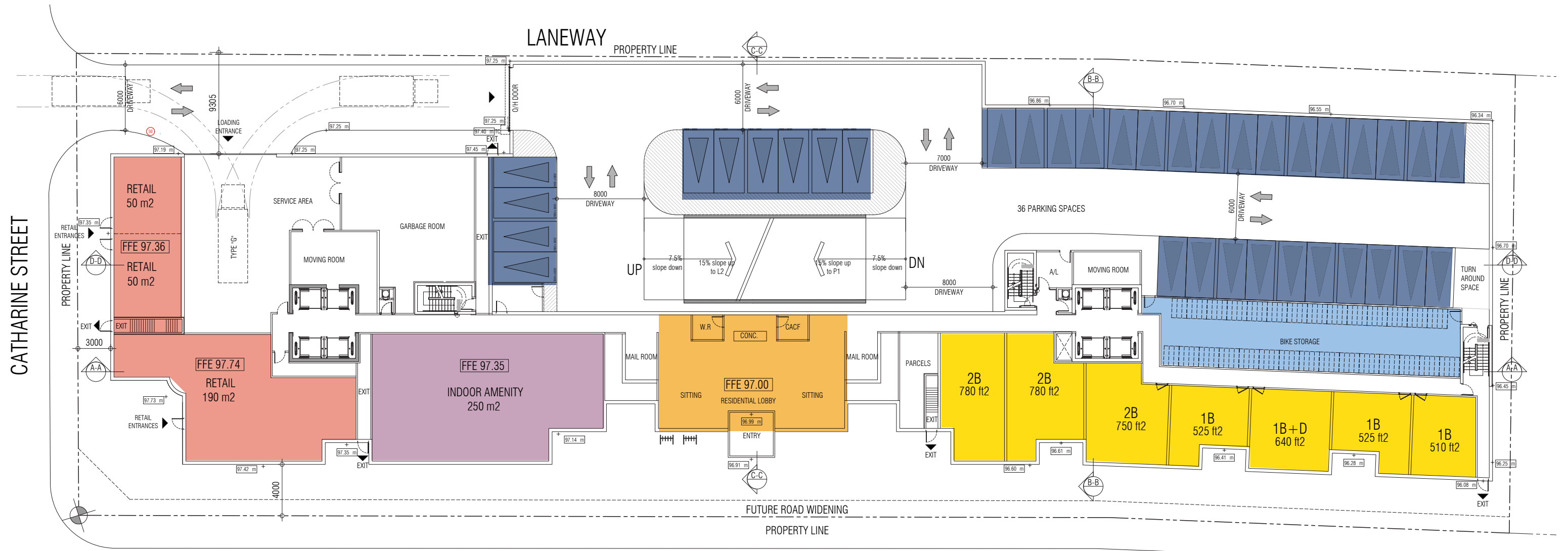
7.0 Architectural Plans

Concept Plan

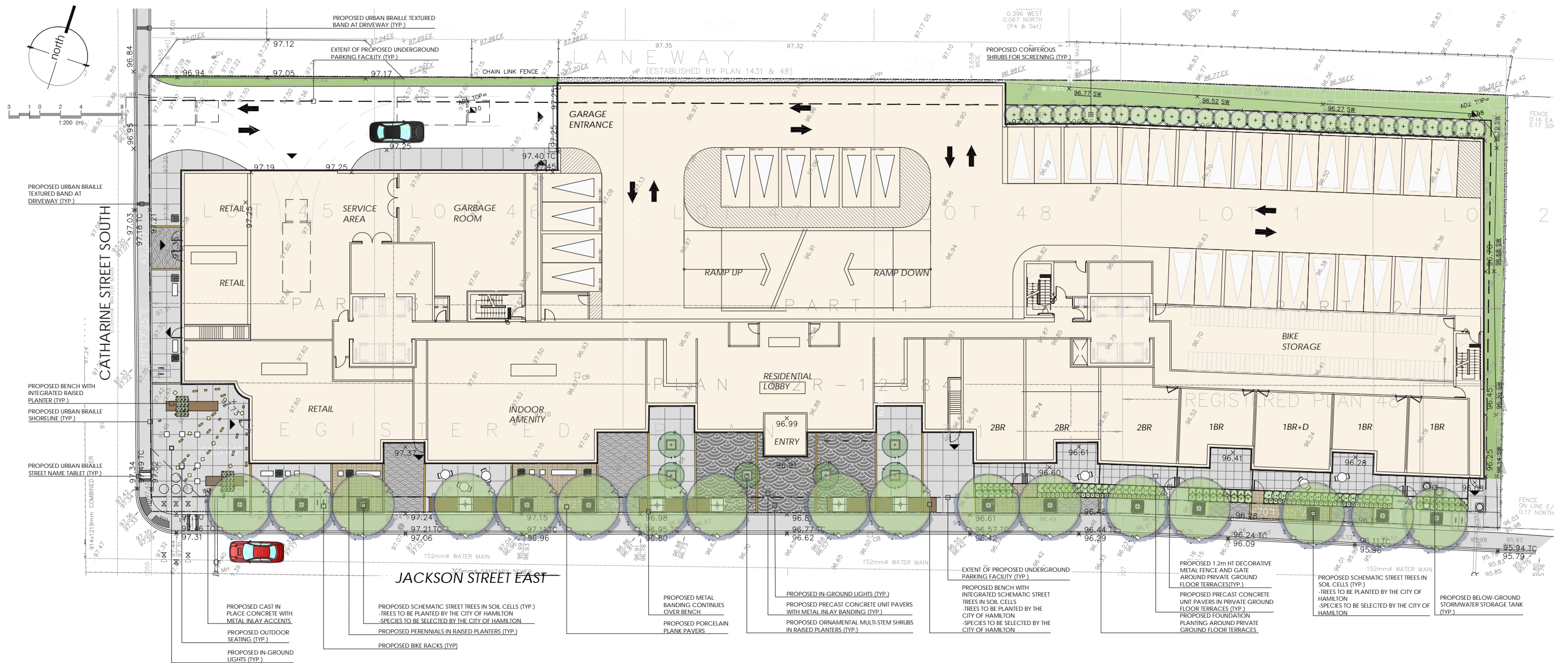


Ground Floor Plan

- Residential Lobby
- Residential Units
- Amenity
- Retail
- Parking
- Bike Parking



Landscape Concept Plan



PAVING WITH METAL INLAY



IN-GROUND LIGHTS



PATTERN FOR PAVERS AT ENTRANCES



PORCELAIN PLANK PAVERS



STREET TREES INTEGRATED WITH BENCHES



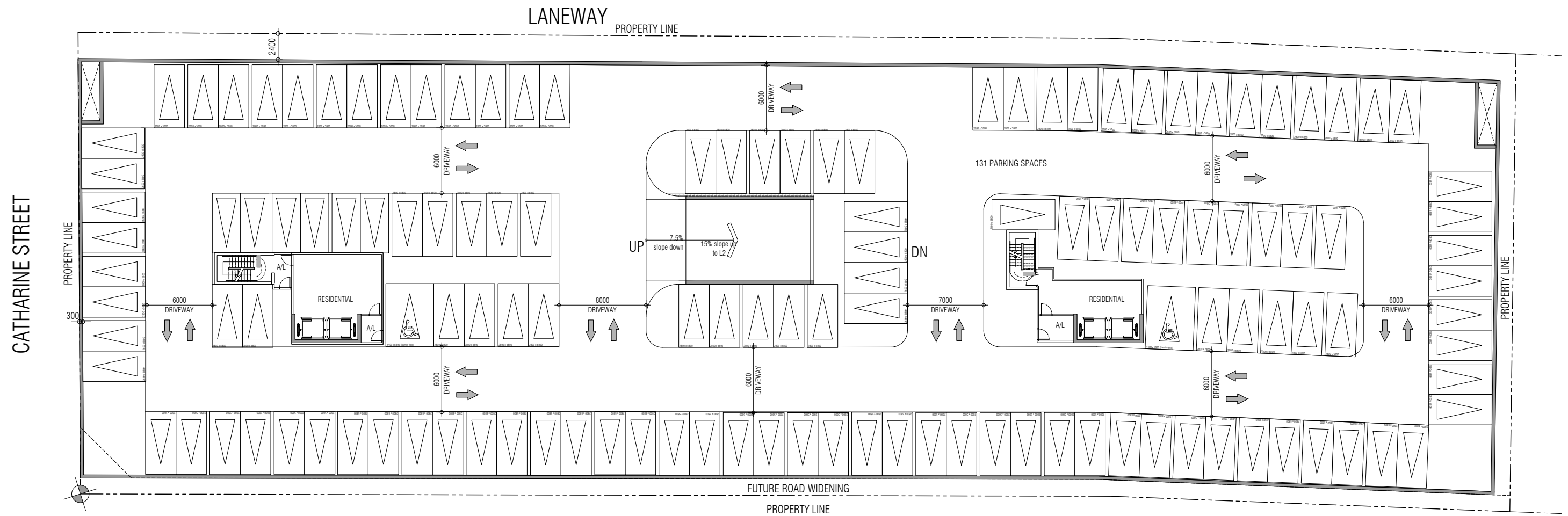
BENCHES WITH BANDING DETAIL



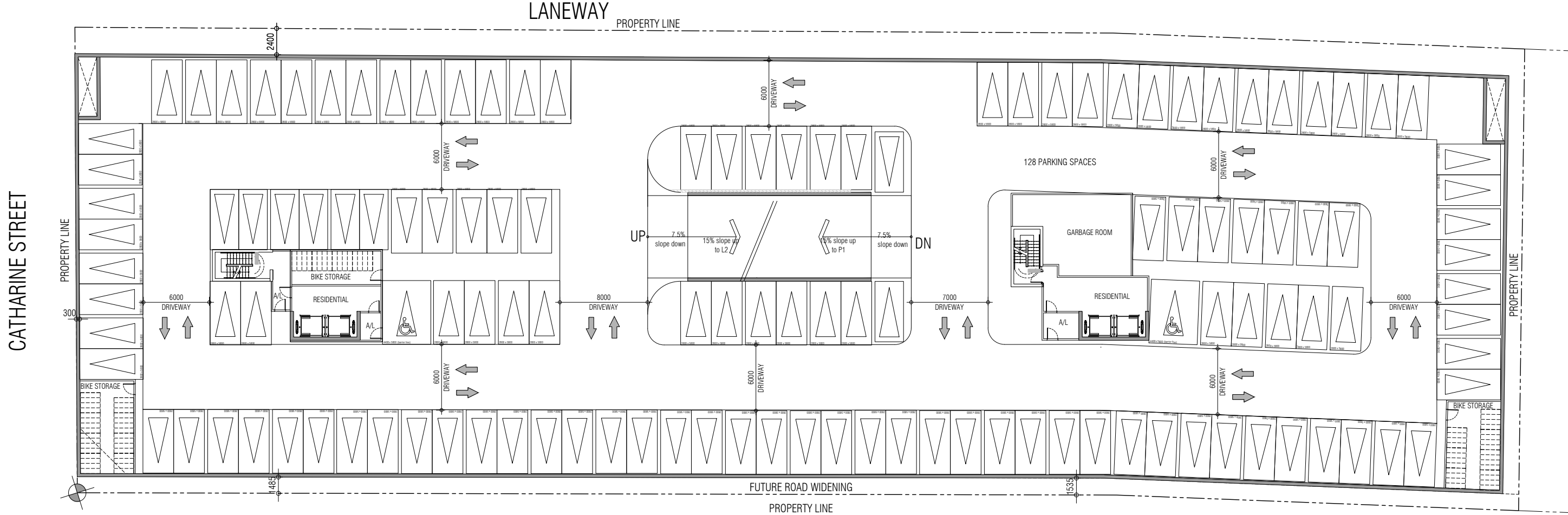
OUTDOOR SEATING

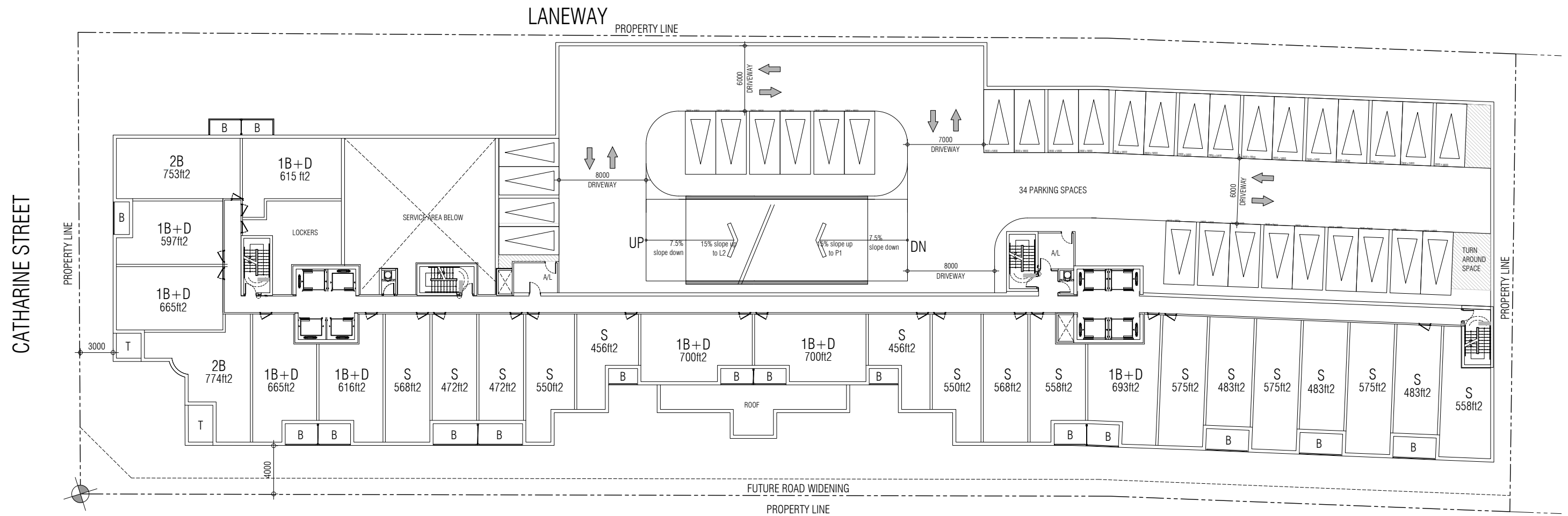


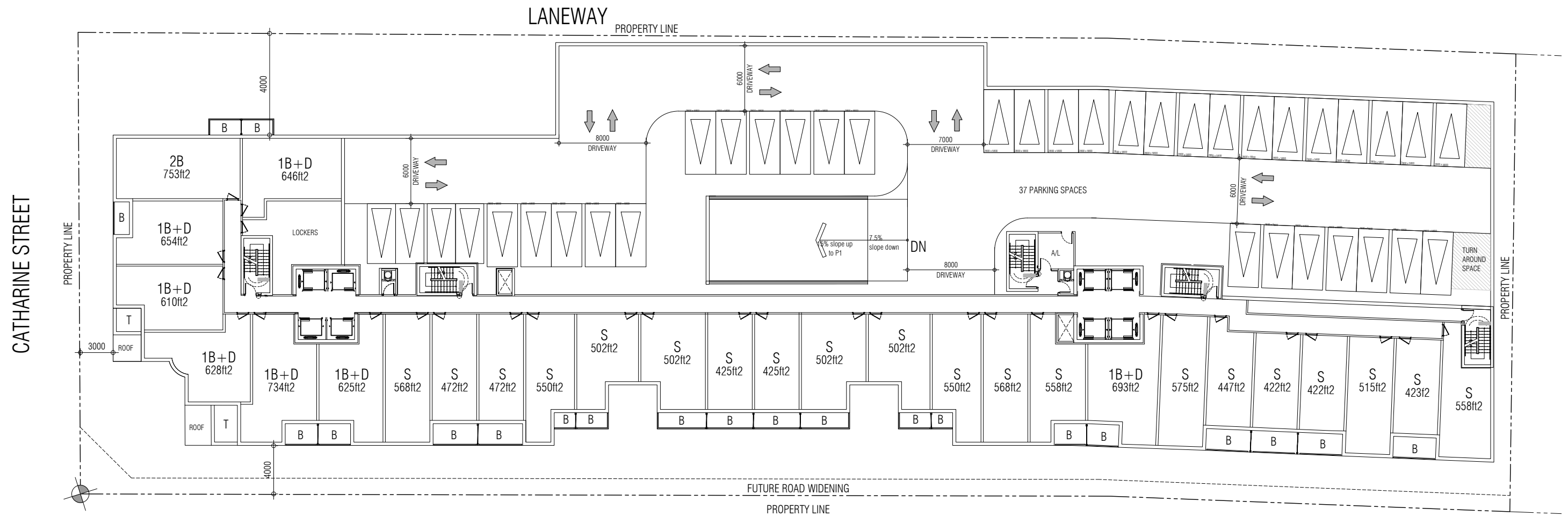
Parking Level 2 Floor Plan

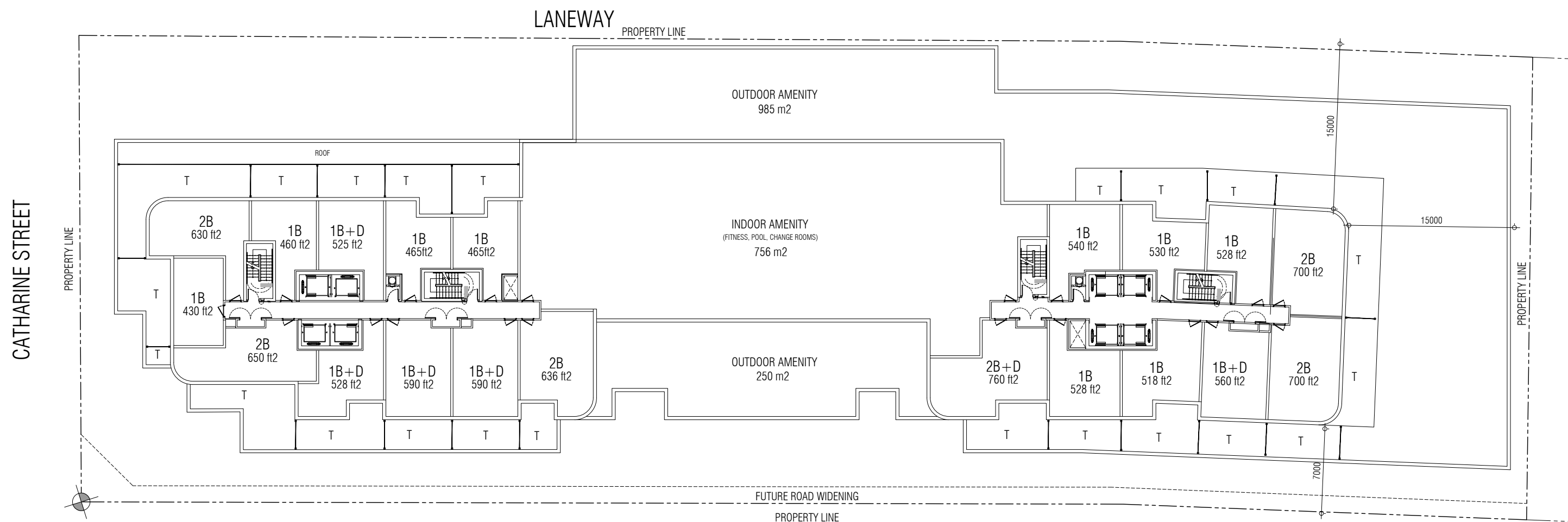


Parking Level 1 Floor Plan

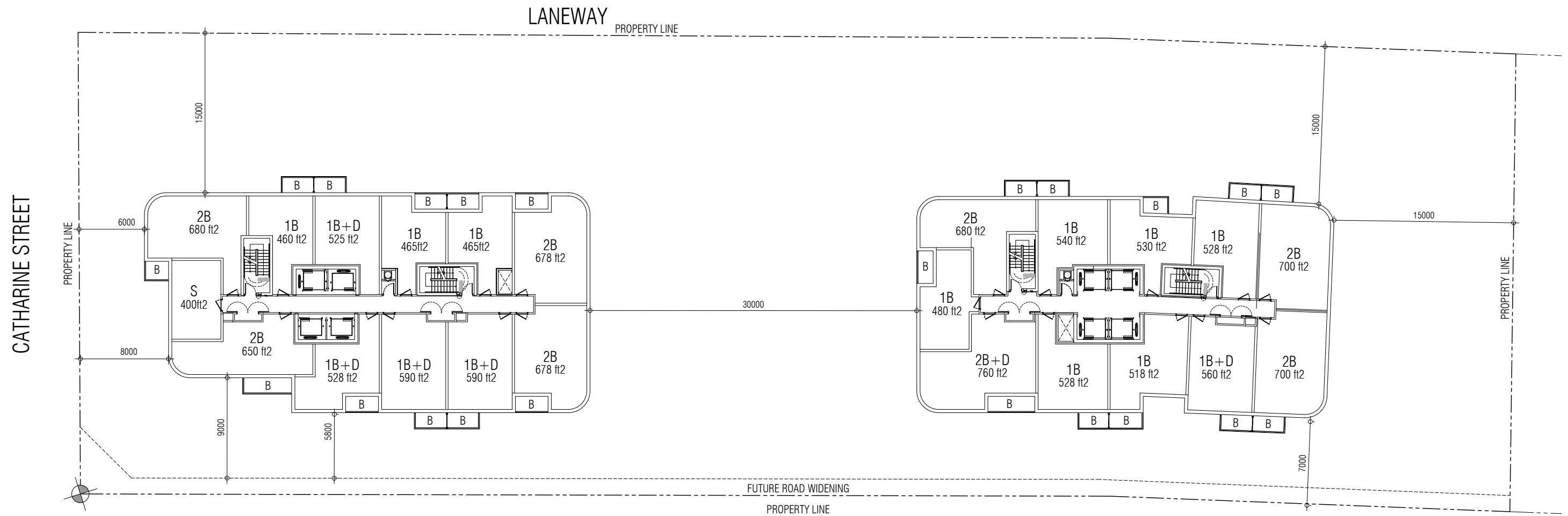




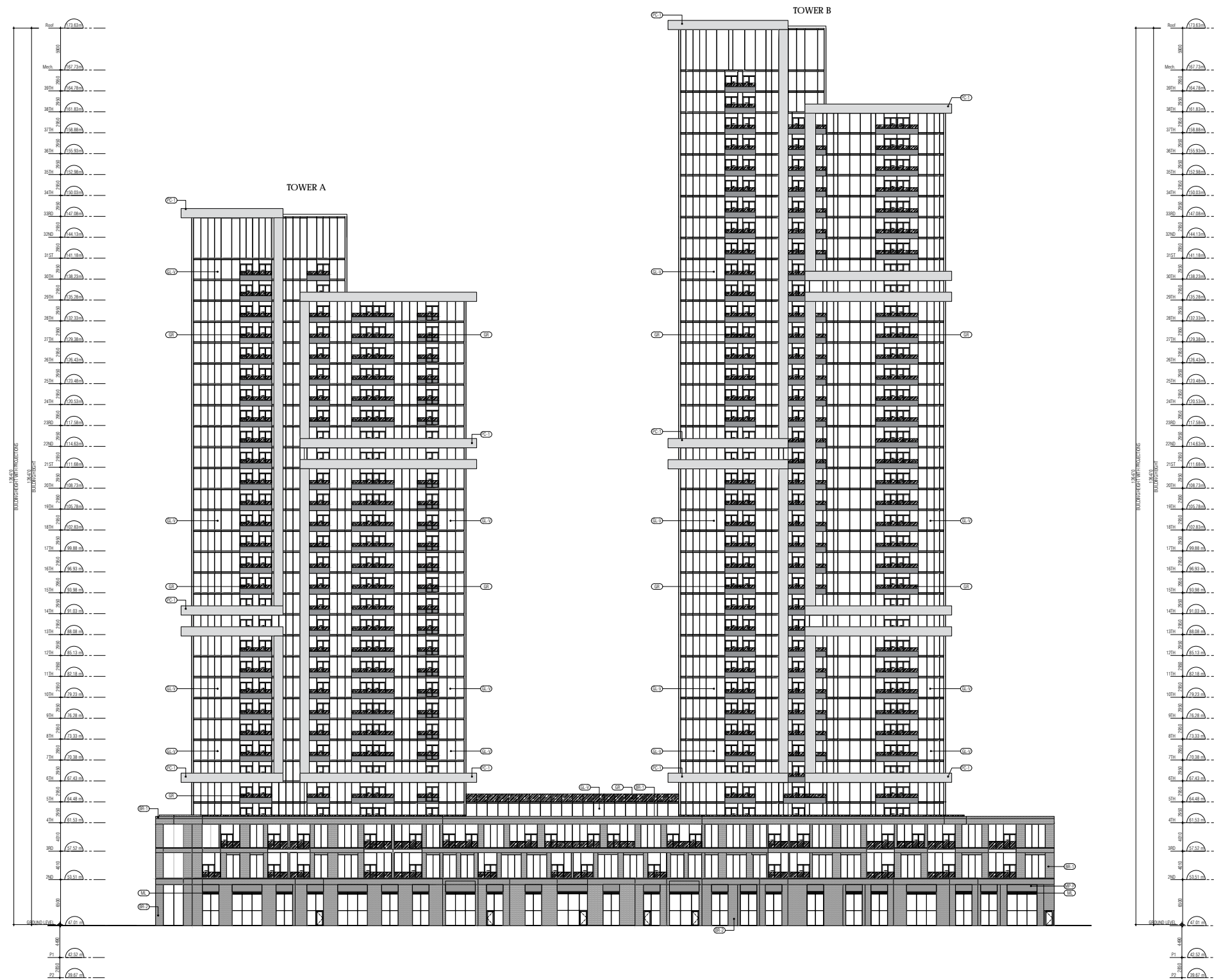




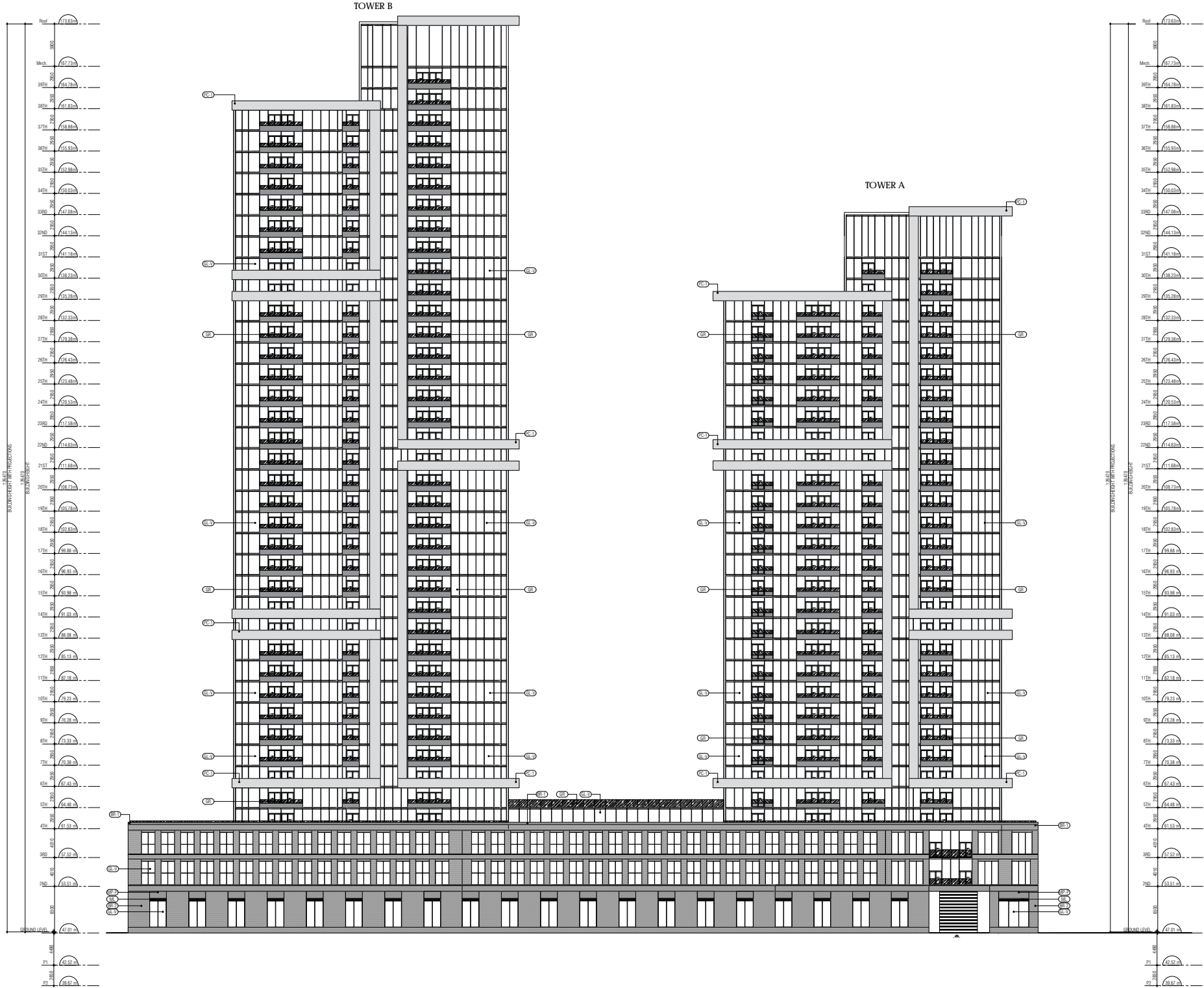
Typical Tower Floor Plan



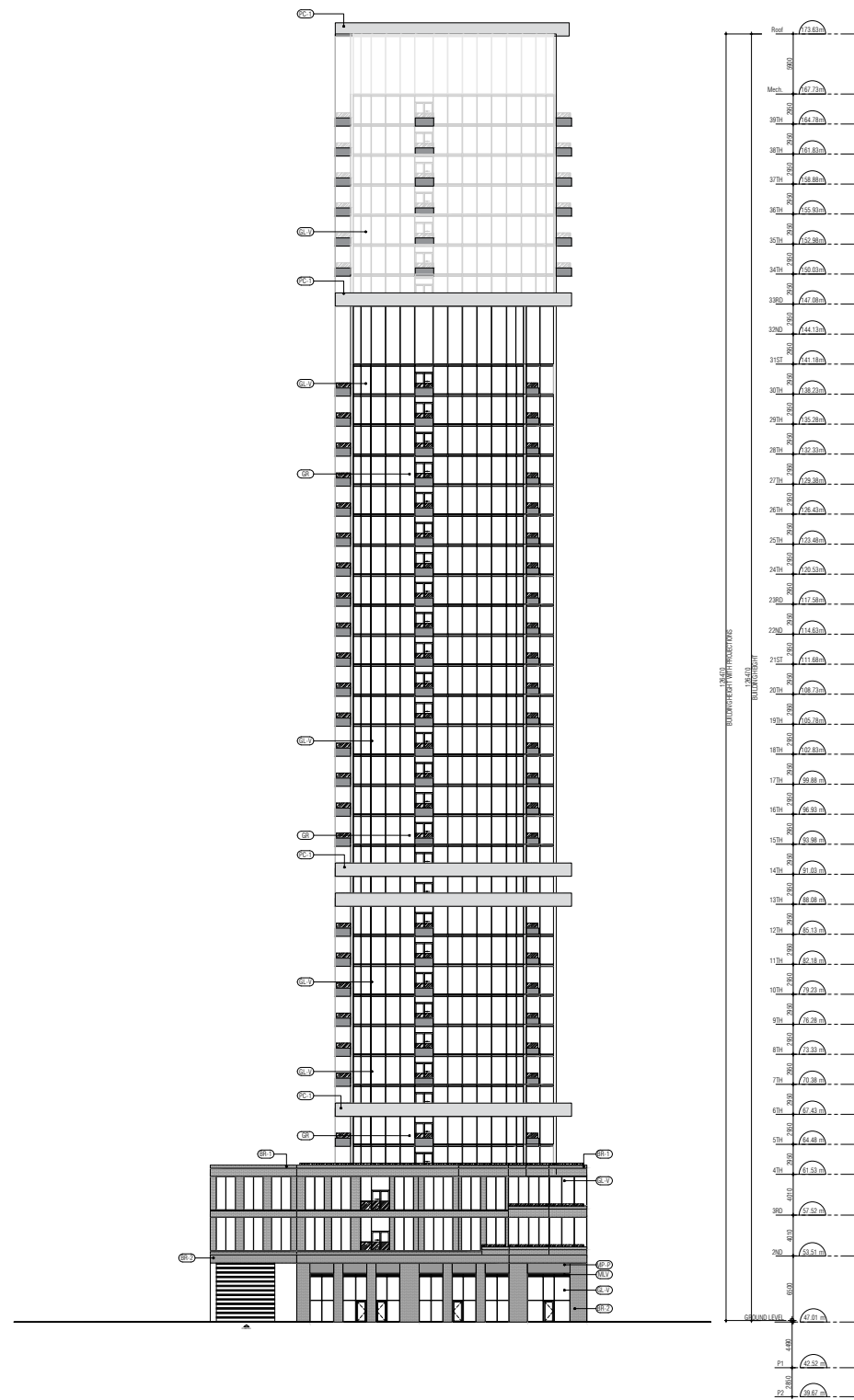
South Elevation



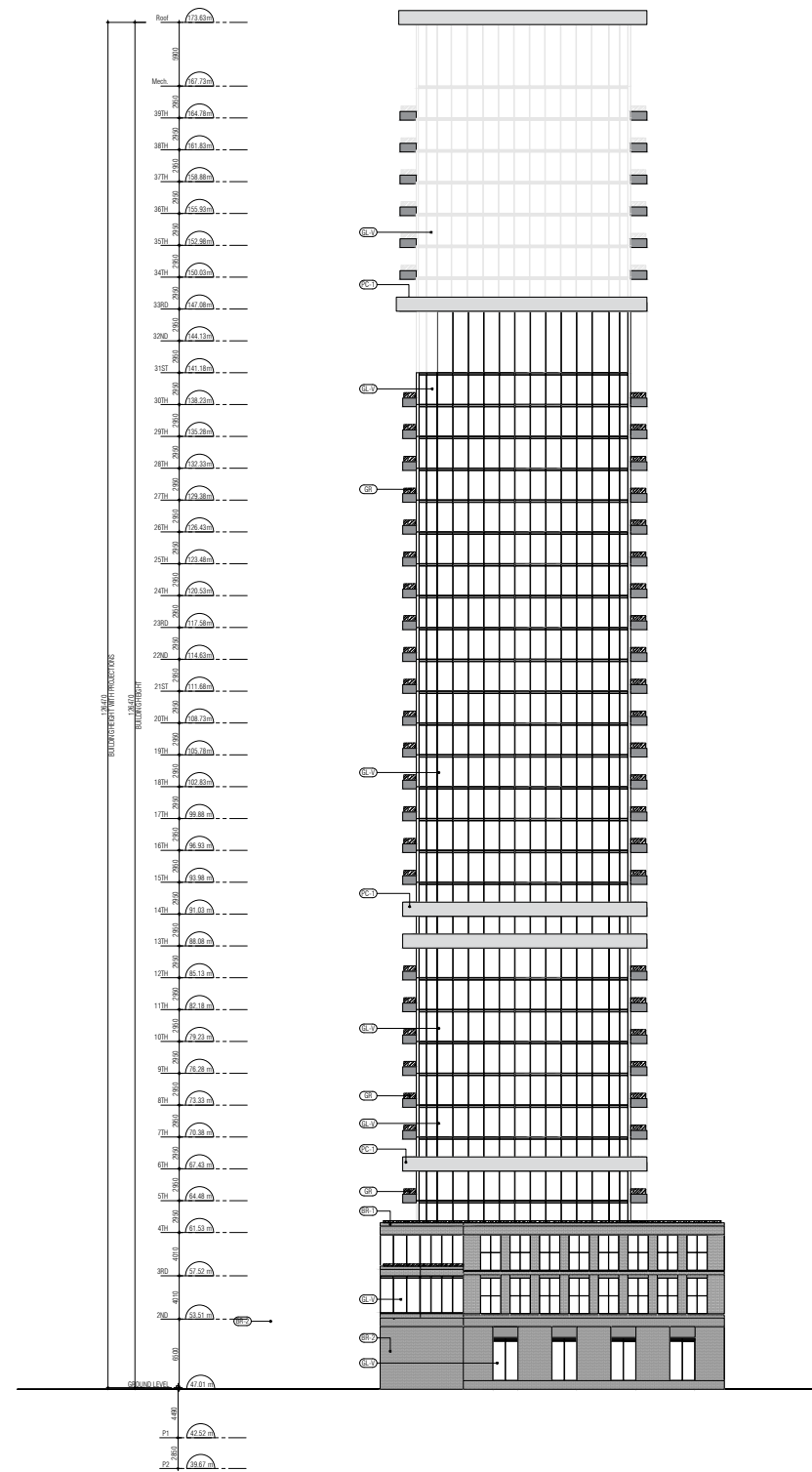
North Elevation



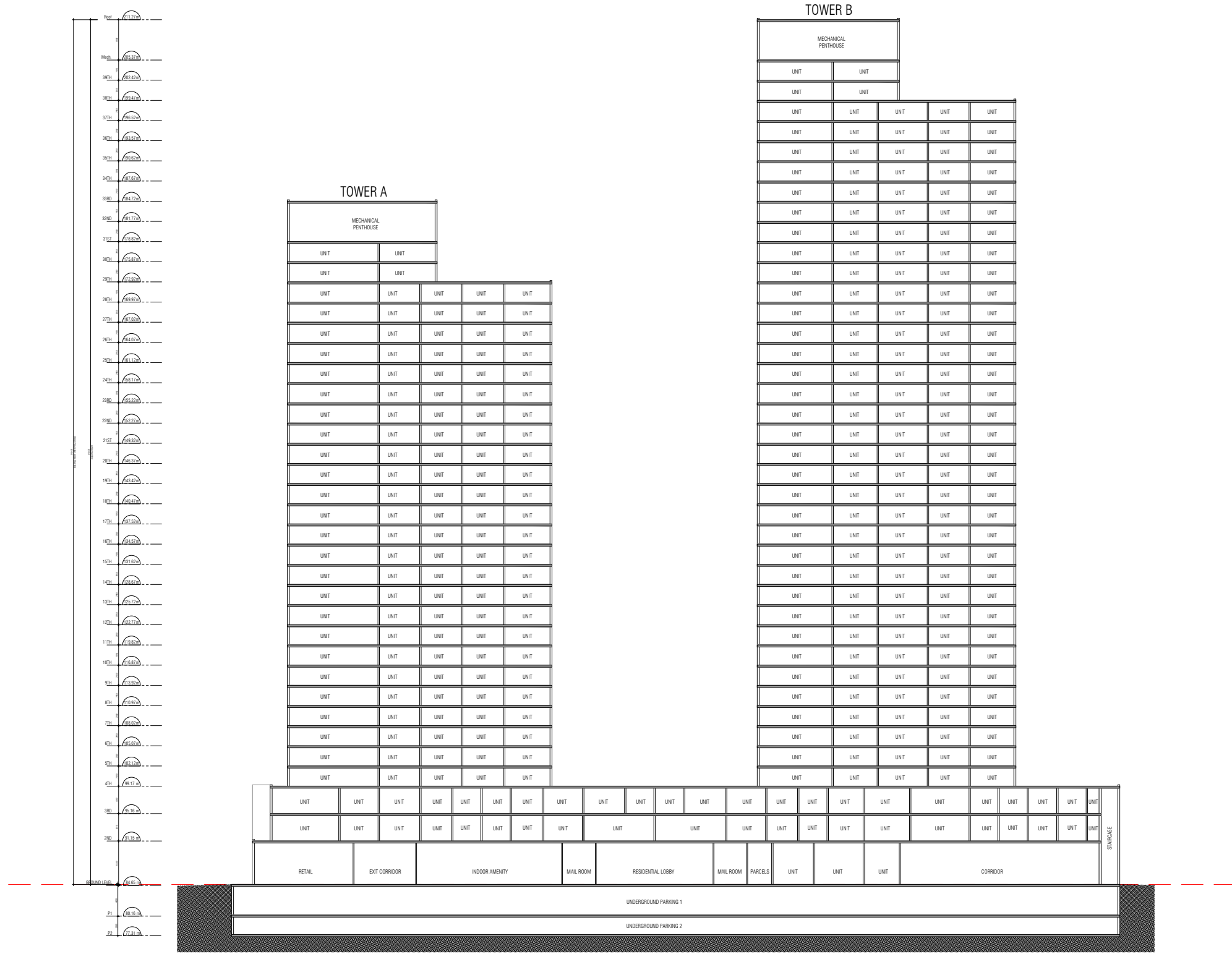
West Elevation



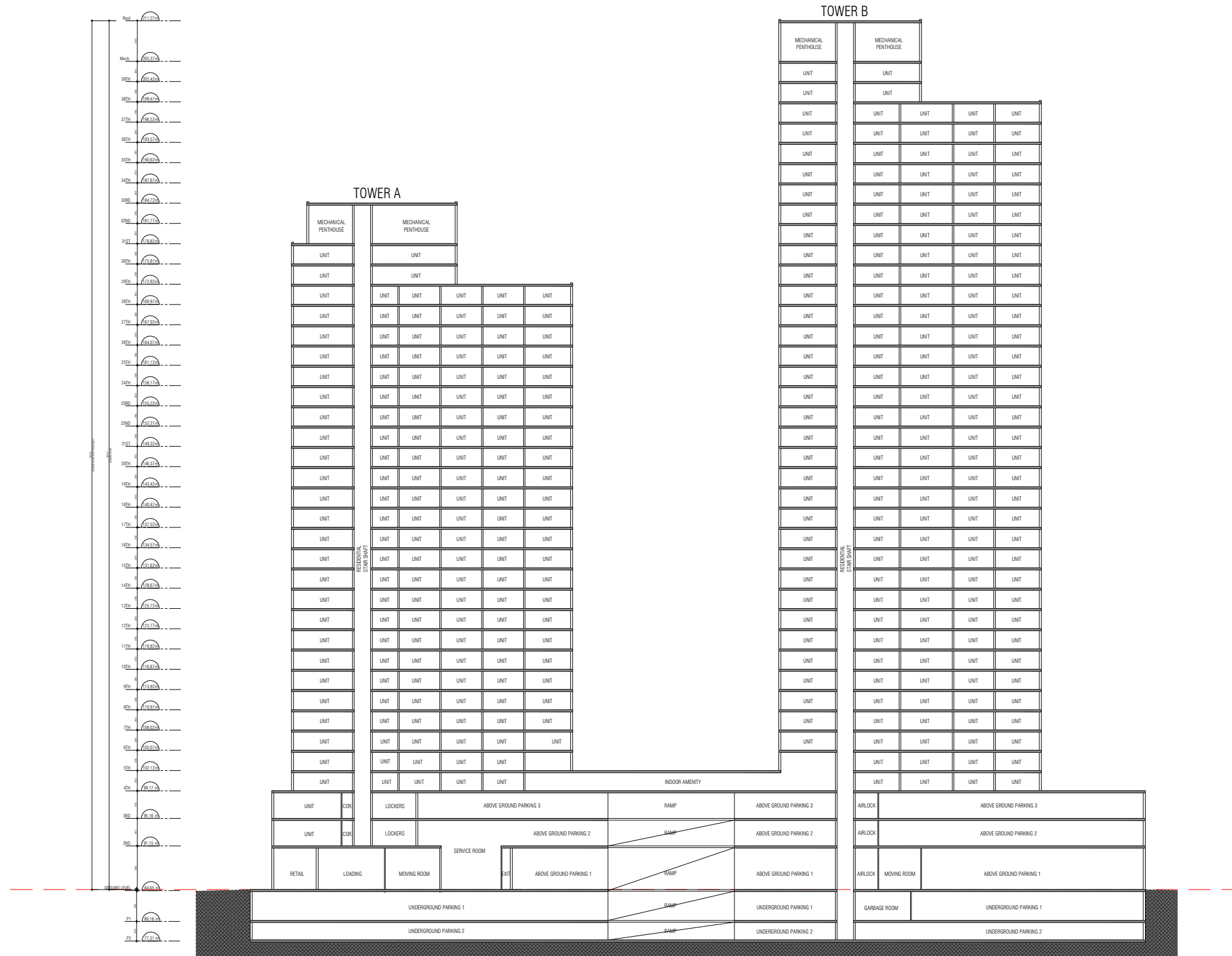
East Elevation



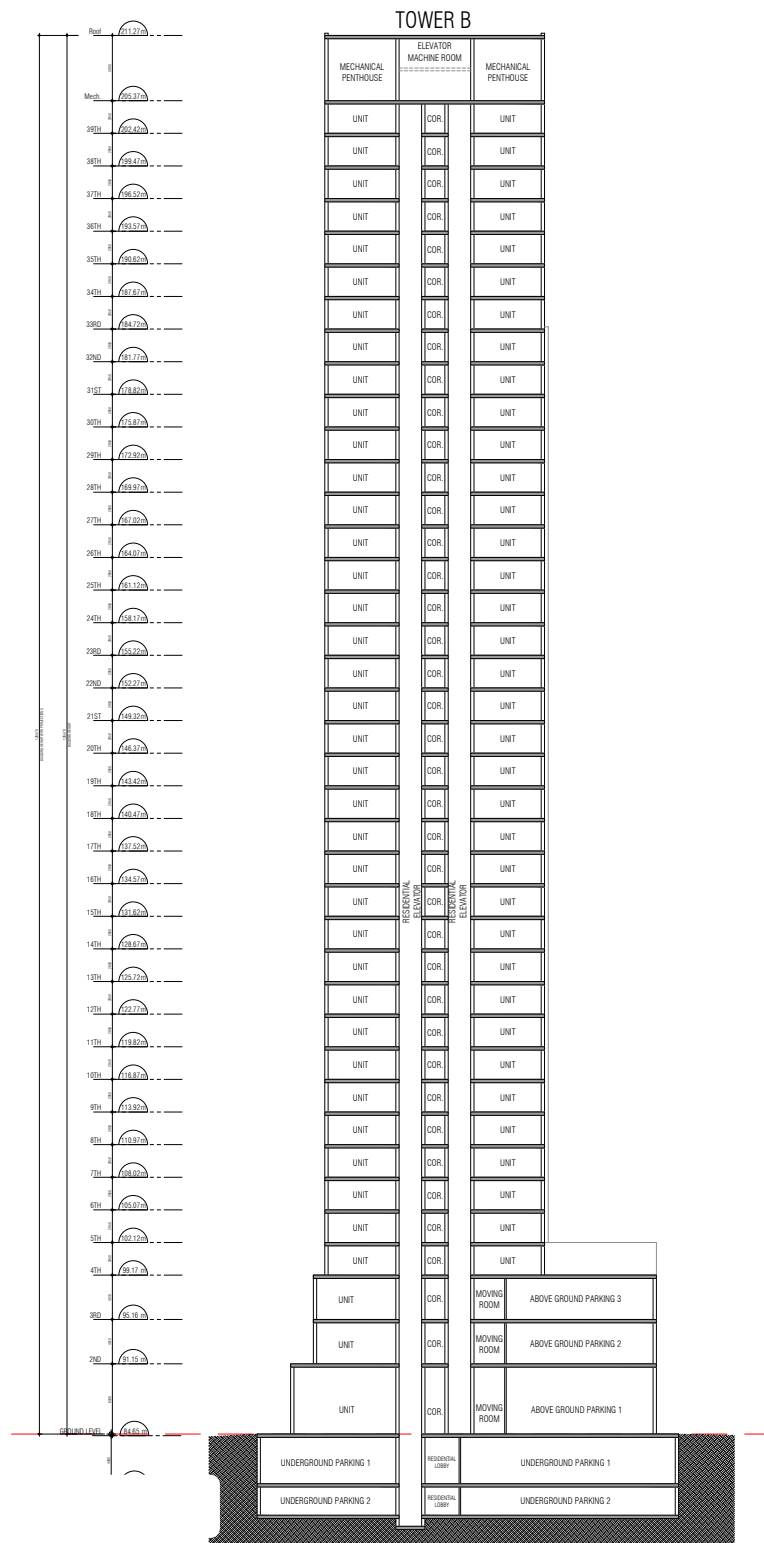
Section A-A



Section D-D



Section B-B



West Elevation



East Elevation



8.0 Shadow Study

March 21st

8:51am



Legend

- Subject Site
- Proposed Development
- Shadows Cast by Proposed Development
- Approved or Under Construction Development
- Shadows Cast by As-of-Right Building
- Parks and Open Space
- Shadows Cast by Existing, Approved or Under Construction Buildings

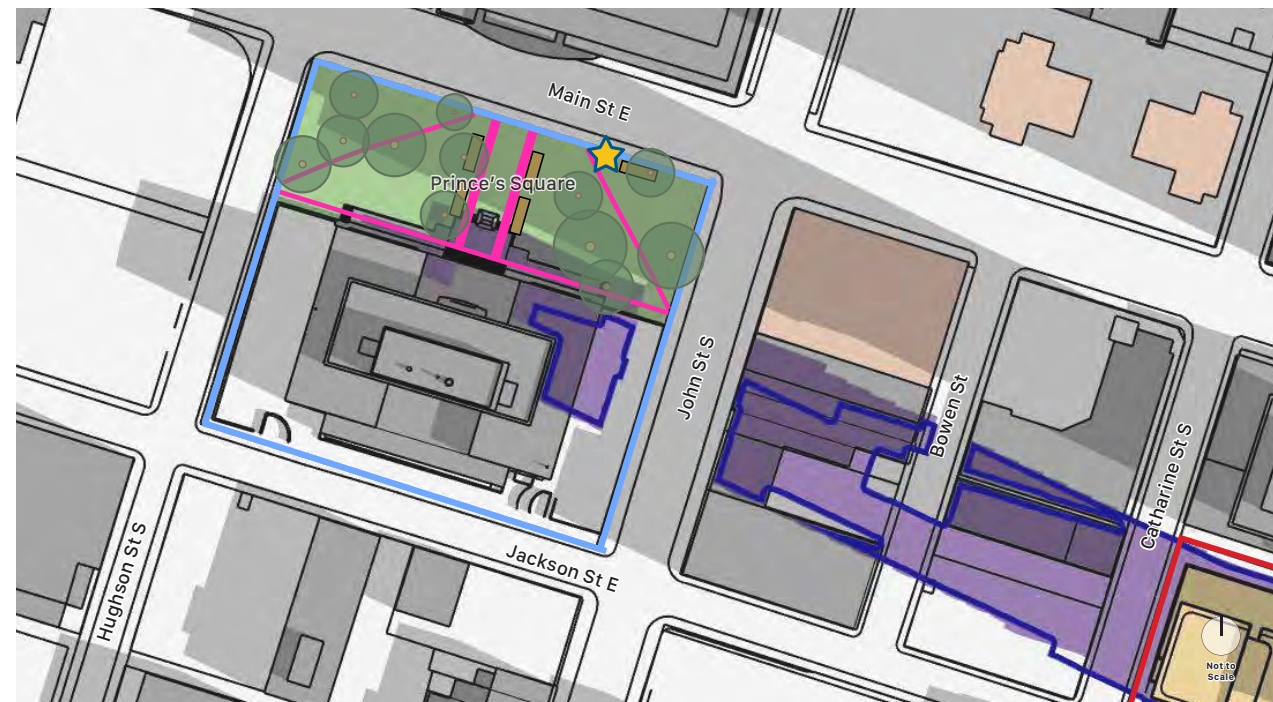
Prince's Square

- Pedestrian Walkways
- Public Sidewalks
- Existing Trees
- Park Bench / Seating
- ★ Bus Stop

9:51am



9:51am



10:11am



10:11am



Legend

- Subject Site
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- Shadows Cast by Proposed Development
- Approved or Under Construction Development
- Shadows Cast by As-of-Right Building
- Parks and Open Space
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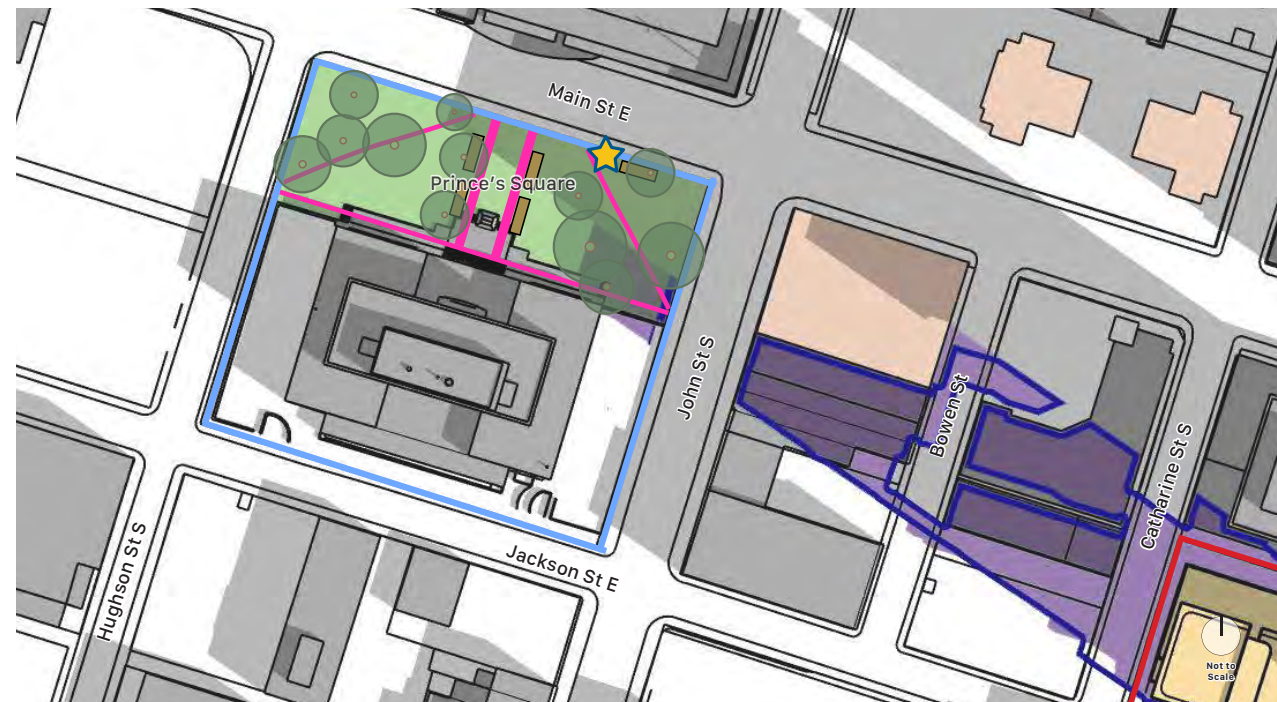
Prince's Square

- Pedestrian Walkways
- Public Sidewalks
- Existing Trees
- Park Bench / Seating
- ★ Bus Stop

10:31am



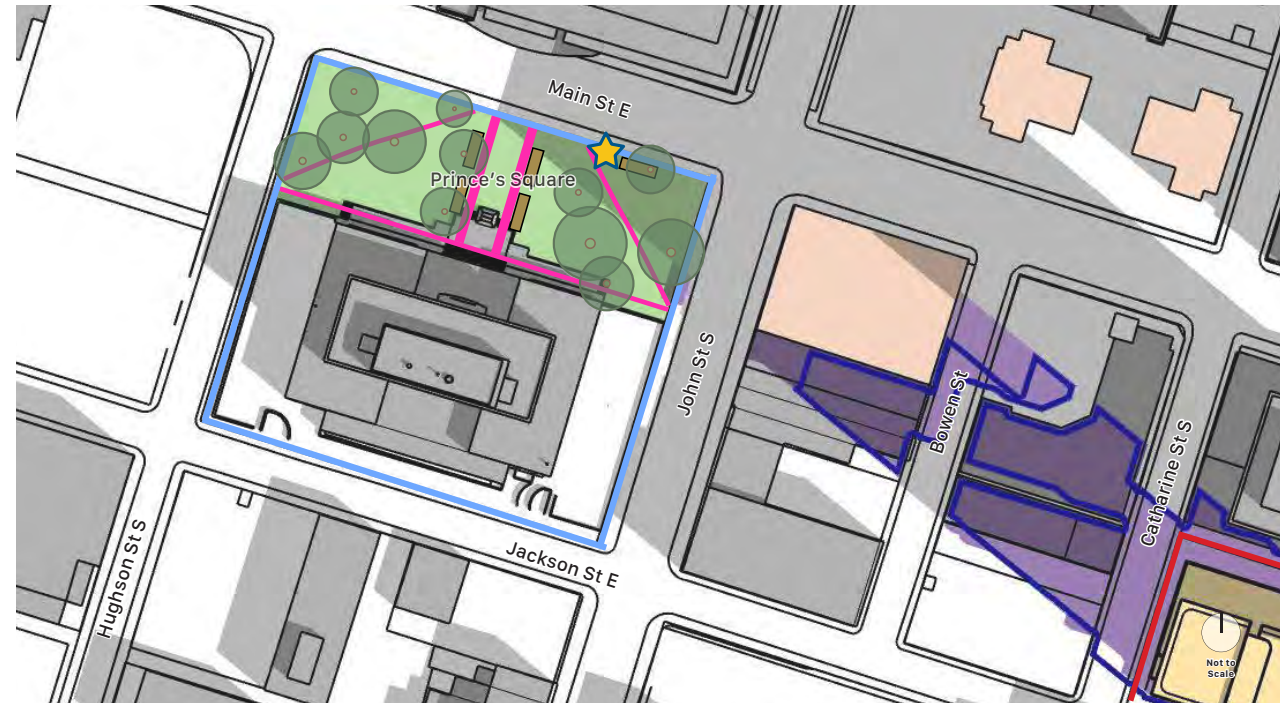
10:31am



10:51am



10:51am



Legend

- Subject Site
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- Shadows Cast by Proposed Development
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- Shadows Cast by As-of-Right Building
- Parks and Open Space
- Shadows Cast by Existing, Approved or Under Construction Buildings

Prince's Square

- Pedestrian Walkways
- Public Sidewalks
- Existing Trees
- Park Bench / Seating
- ★ Bus Stop

11:51am



12:00pm



12:51pm



1:51pm



Legend

- Subject Site
- Proposed Development
- Shadows Cast by Proposed Development
- Approved or Under Construction Development
- Shadows Cast by As-of-Right Building
- Parks and Open Space
- Shadows Cast by Existing, Approved or Under Construction Buildings

2:51pm



3:51pm



4:51pm



5:51pm



6:03pm



Legend

-  Subject Site
-  Proposed Development
-  Shadows Cast by Proposed Development
-  Approved or Under Construction Development
-  Shadows Cast by As-of-Right Building
-  Parks and Open Space
-  Shadows Cast by Existing, Approved or Under Construction Buildings

September 21st

8:36am



9:36am



Legend

- Subject Site
- Proposed Development
- Shadows Cast by Proposed Development
- Approved or Under Construction Development
- Shadows Cast by As-of-Right Building
- Parks and Open Space
- Shadows Cast by Existing, Approved or Under Construction Buildings

Prince's Square

- Pedestrian Walkways
- Public Sidewalks
- Existing Trees
- Park Bench / Seating
- ★ Bus Stop

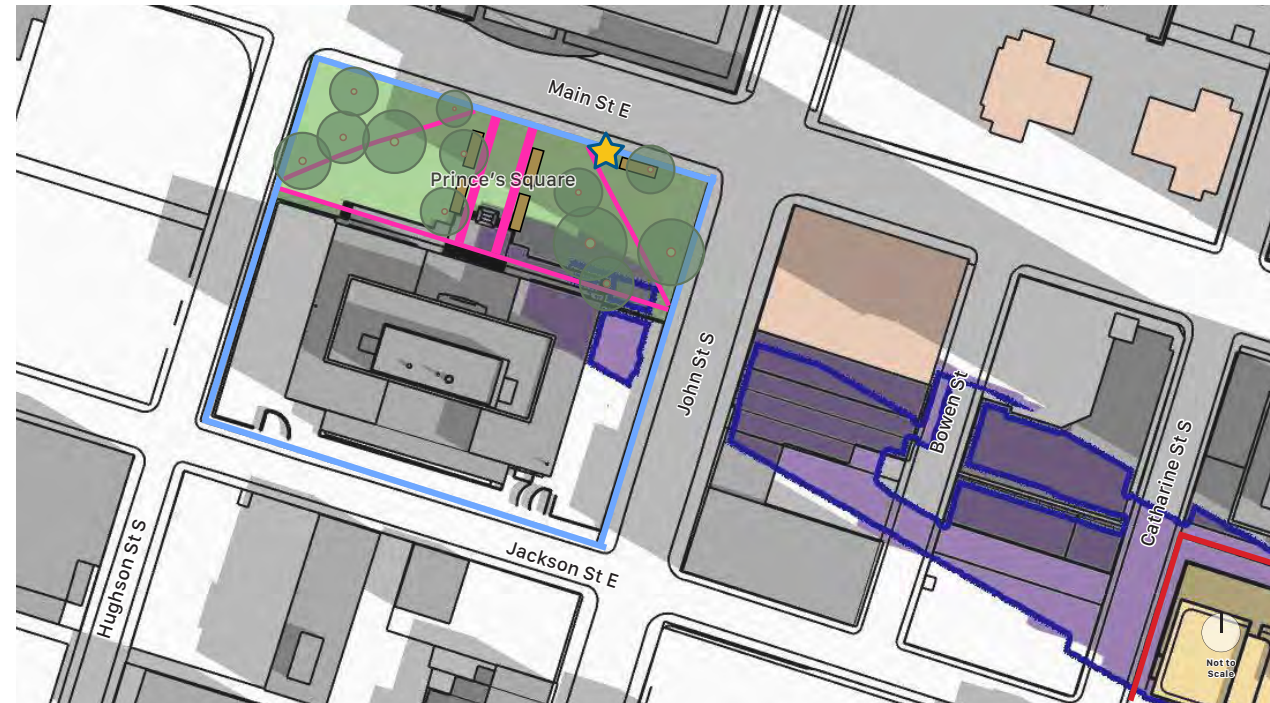
9:36am



9:56am



9:56am



Legend

- Subject Site
- Proposed Development
- Shadows Cast by Proposed Development
- Approved or Under Construction Development
- Shadows Cast by As-of-Right Building
- Parks and Open Space
- Shadows Cast by Existing, Approved or Under Construction Buildings

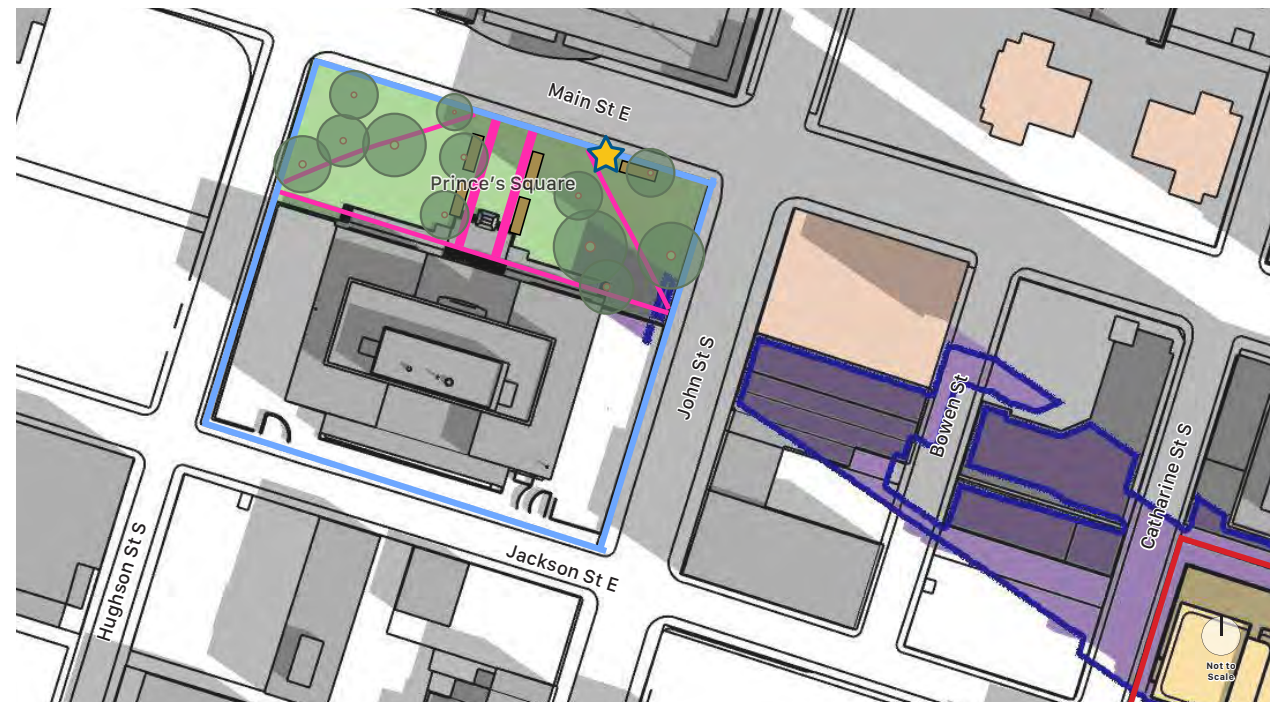
Prince's Square

- Pedestrian Walkways
- Public Sidewalks
- Existing Trees
- Park Bench / Seating
- ★ Bus Stop

10:16am



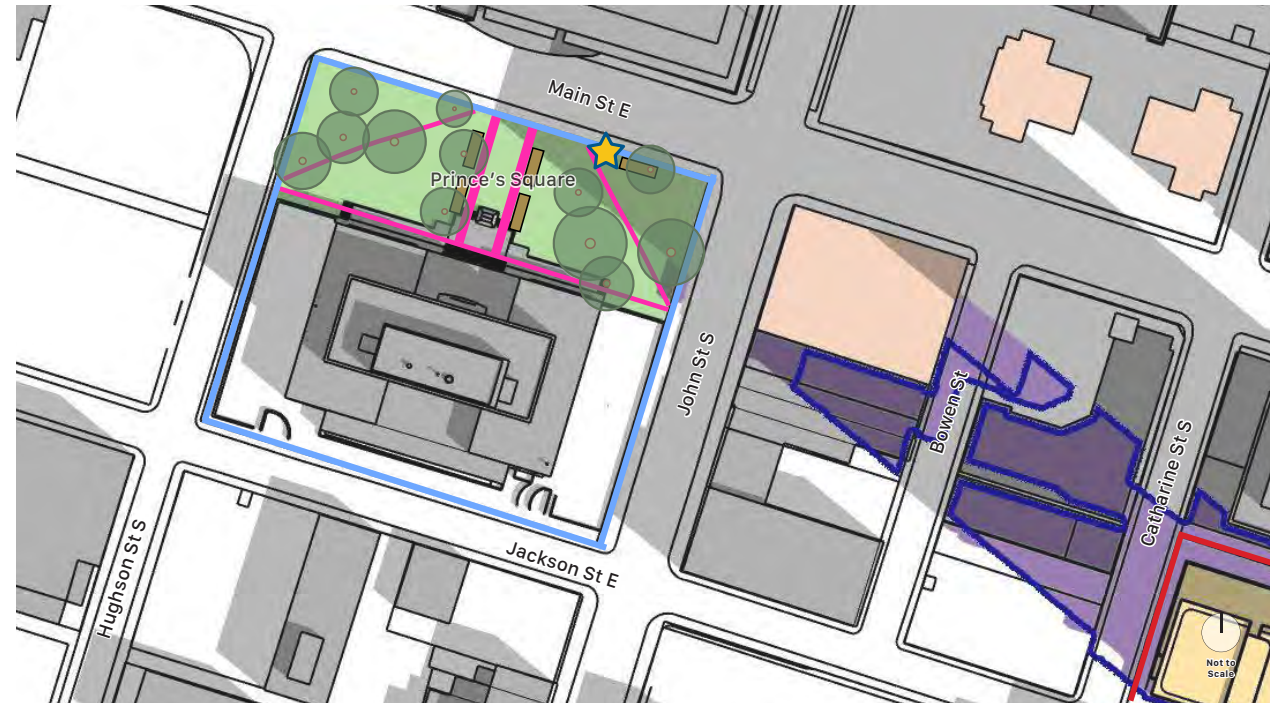
10:16am



10:36am



10:36am



Legend

- Subject Site
- Proposed Development
- Shadows Cast by Proposed Development
- Approved or Under Construction Development
- Shadows Cast by As-of-Right Building
- Parks and Open Space
- Shadows Cast by Existing, Approved or Under Construction Buildings

Prince's Square

- Pedestrian Walkways
- Public Sidewalks
- Existing Trees
- Park Bench / Seating
- ★ Bus Stop

11:36am



11:36am



12:00pm



12:36pm



Legend

-  Subject Site
-  Proposed Development
-  Shadows Cast by Proposed Development
-  Approved or Under Construction Development
-  Shadows Cast by As-of-Right Building
-  Parks and Open Space
-  Shadows Cast by Existing, Approved or Under Construction Buildings

1:36pm



2:36pm



3:36pm



4:36pm



Legend

-  Subject Site
-  Proposed Development
-  Shadows Cast by Proposed Development
-  Approved or Under Construction Development
-  Shadows Cast by As-of-Right Building
-  Parks and Open Space
-  Shadows Cast by Existing, Approved or Under Construction Buildings

5:36pm



5:49pm



A

Appendix A: Planning and Urban Design Rational



5.1 Intensification

Intensification on the subject site in the form of mixed-use residential and commercial high-rise buildings is appropriate and desirable, and is in keeping with the policy framework set out in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, and the Urban Hamilton Official Plan.

The subject site is ideally situated to take advantage of some of the key policies of the PPS which promote intensification, redevelopment and compact built form, particularly in areas that are well-served by public transit. More specifically, Policy 1.1.3.2, 1.1.3.3, 1.1.3.4 and 1.4.3 promote and facilitate intensification with an appropriate range and mix of housing types and densities, compact built form while taking advantage existing and planned infrastructure, and in particular public transit and public service facilities.

The proposed mixed-use residential and commercial development contributes to the range and mix of housing types and densities to meet projected requirements. The subject site is located within the DUGC and the proposed development will help the City in achieving the target minimum density of 250 persons and jobs per hectare for the Downtown by accommodating 1,806³ residents and jobs combined per hectare through the proposed development. The subject site will also contribute to achieving the anticipated ridership levels, with both the current public transit infrastructure and the planned LRT service.

The subject site is also located within multiple *Major Transit Station Areas* along a *Priority Transit Corridor*, as defined by the Growth Plan, given the site is within 160 metres of the proposed Mary LRT stop. The Hamilton LRT is considered *Higher Order Transit* along a *Priority Transit Corridor* as defined by the Growth Plan given it is planned to operate in a dedicated right-of-way

outside of mixed traffic. Within this policy context, it is important to make efficient use of sites that are well suited for intensification to reduce the rate of outward expansion of the urban boundary, minimize use of the private automobile, and support the use of existing and planned transit.

The UHOP promotes mixed-use residential and commercial intensification as a key component to Hamilton's growth strategy. More specifically, the UHOP supports intensification of the existing built-up area of the City, with a focus on intensification of planned Urban Nodes. Furthermore, OPA 167 reinforces the need to optimize density and especially in the DUGC and within MTSA's, given its ambitious intensification and growth targets.

Although the subject site is currently designated and zoned to permit a tall building, it is our opinion that given the locational attributes discussed above that additional intensification beyond the current permissions can be appropriately accommodated on the site, subject to addressing urban design matters and built form impacts which are discussed in subsequent sections in this report.

³ 497 (Apartments – Bachelor and 1-bedroom) * 1.36 persons per unit = 498.36 people
254 (Apartments – 2 bedrooms +) * 1.99 persons per unit = 505.46 people
Persons per unit calculation taken from City of Hamilton Development Charges Update Study dated March 5, 2021

297.3 square metres of retail/commercial space * 40 square metres of floor space per worker = 7,432.5 jobs
Floor Area per worker calculation taken from City of Toronto Development Charges Background Study 2022 (no data available for City of Hamilton)

Total = 1,011 people and jobs / 0.56 ha = 1,806 people and jobs per hectare

Policy B.2.4.1.2 provides that the City’s primary intensification areas shall be the Urban Nodes as defined in the OP and further defined in secondary plans. Further, policy B.2.4.1.4 of the UHOP provides evaluation criteria for residential intensification developments. The following is a summary of how the proposal addresses criteria in B.2.4.1.4:

Criteria	Response
a) a balanced evaluation of the criteria in b) through g), as follows	In our opinion, the proposed development meets all the criteria in B.2.4.1.4 as detailed below in the analysis of criteria b) through g)
b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;	In our opinion, the proposed development maintains, enhances, and builds upon desirable established patterns and built form. In this regard, the proposed development will result in the development of an underutilized parking lot with two (2) tall buildings with a shared podium pulled close to the street line while allowing for an enhanced public realm along both streets and sidewalk networks. Further, the proposed building utilizes a three-storey podium base whose massing and materiality respects the surrounding built form. Finally, the proposed tower heights, although taller than the planned heights in the DUGC, is located directly south of the tallest building in the City which exceeds the planned height limit.
c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures	The proposed buildings will add more apartment housing in the Corktown neighbourhood and Downtown, a mixed use area that is well served by transit, includes a concentration of employment uses, commercial amenities, and entertainment facilities as a complete community. The mix of units will add to the apartment housing inventory in the neighbourhood and DUGC.
d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;	In our opinion, the proposed mixed-use residential development provides a compatible integration of development with the surrounding residential and mixed-use area. The mass of the building has been thoughtfully considered through the use of stepbacks along the western and southern portions of the building and a generous setback from the east to provide an appropriate transition in scale and form towards the abutting land uses and abutting tall building.
e) the development’s contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;	The proposed development represents an appropriate scale of residential intensification on a site within the <i>DUGC</i> located in proximity to multiple existing and planned higher order transit stations. The proposed addition of residential units and urbanization of a commercial surface parking lot will add to the mix, range, and availability of housing in the surrounding area while utilizing existing and planned transit infrastructure. The proposal aligns with the urban structure policies that state the <i>DUGC</i> is the pre-eminent node for reurbanization.
f) infrastructure and transportation capacity; and,	As provided in the Transportation Impact Study prepared by Paradigm and dated December 2022, there is transportation capacity to accommodate the proposed development. With respect to servicing, the Functional Servicing Report prepared by SITEPLANTECH INC. identifies that stormwater management, sanitary drainage, water supply, site grading and erosion and sediment control measures have been reviewed and are adequate to accommodate the proposed development.
g) the ability of the development to comply with all applicable policies.	In our opinion, the proposed development conforms to the general intent of the UHOP and will see the development of an underutilized site within the <i>DUGC</i> and within multiple <i>Major Transit Station Areas</i> . The proposal conforms with all of the applicable policies with the exception of the building height for one of the proposed towers for which an amendment is proposed.

In addition, Policy E.2.3.1.9 has been updated, via OPA 167, and provides that the *DUGC* shall be planned to accommodate the highest densities in the City with a minimum overall density of 500 persons and jobs per hectare where E.2.3.1.10 adds that the *DUGC* shall accommodate 20% of City-wide residential intensification which equates to 5,000 to 6,000 dwelling units. The intensification target, as outlined in OPA 167, is subject to be updated through a future amendment and we anticipated. Given the minimum density (500 persons and jobs per hectare), we anticipate that the intensification share will increase for the *DUGC*. In our opinion, the proposed level intensification contemplated through the proposed development will assist the City in achieving the minimum density target and intensification share and targets.

Policy E.4.4.8 provides that the *Downtown Mixed Use Area* designation encourages a higher density form of housing that may be integrated with business uses including retail and service commercial establishments on the ground floor. Further to residential intensification, the policies of the UHOP promote retail functions within the *DUGC*, in particular Policy E.2.3.1.5 provides that the *DUGC* shall serve as regional functions by providing retail stores and services appealing to the regional market as well as downtown residents. The proposed ground level retail will provide an appropriate level of retail to support the proposed residential population and service existing residents.

In this regard, the development proposal conforms to the residential intensification policies of the UHOP and the policies of the *Downtown Mixed Use Area* designation and the subject site is an appropriate location for additional intensification beyond the existing permissions, subject to addressing urban design matters and built form impacts which are discussed in subsequent sections in this report.

Based on the foregoing, it is our opinion that the proposal is consistent with and conforms with the intensification policies in the PPS, Growth Plan and UHOP. Furthermore, the level and form of intensification conforms to the evolving planning policy framework established in the UHOP, which seeks to double the minimum density in the UGC from 250 to 500 persons and jobs per hectare.

5.2 Land Use

The proposed mixed-use development conforms with the land use permissions of the UHOP and DHSP, which permits a broad range and mix of uses including commercial uses such as retail stores, offices, personal services, restaurants and medical clinics, and residential uses. The *Downtown Mixed Use Area* designation is intended to promote residential, commercial, and retail uses as they contribute to a vibrant downtown community both during the day and in the evening (E.4.0, E.4.4.3). The scale of the proposed commercial uses within the proposed building will serve the day-to-day needs of local residents and the proposed location and orientation of the proposed commercial use will help to achieve a vibrant downtown by enhance the street life of the Downtown through increased activity and a generous public realm (E.2.1, E.4.1)

From a land use perspective, the development of residential apartments on the subject site is supportive of numerous housing policies in the UHOP, which seek to provide for a range of housing types, forms, and densities (Policy B.3.2.1.1), to increase the mix and range of housing types, tenures, densities, affordability levels, and housing with supports (Policy B.3.2.1.6). Also, the proposed mixed-use building conforms with the *Downtown Urban Growth Centre* and *Downtown Mixed Use Area* policies which state that the *DUGC* shall function as a residential neighbourhood with a large and diverse population (Volume 1, Policy E.2.3.1.6) and shall serve a regional retail function by providing retail stores and services and that provide day-to-day retail facilities and services to serve Downtown residents (Policy E.2.3.1.5). The *Downtown Mixed Use Area* designation also permits residential, commercial and retail uses as per Policy E.4.4.4.

In our opinion, the proposed land uses conform with the policies of the UHOP and Secondary Plan and are permitted in the current zoning that applies to the subject site.

5.3 Height and Massing

In our opinion, the height and massing of the proposed buildings are appropriate and compatible with the existing and future surrounding context. There are several site-specific locational attributes and other planning considerations that rationalize the proposed height increase from 30- to 39-storeys. In this regard, the locational, contextual, and urban design considerations, include:

- The site's location within the *Downtown Urban Growth Centre*
- The site's location with a *Strategic Growth Area*
- The site's location within multiple existing and planned *Major Transit Station Areas* located along a *Priority Transit Corridor*
- The lot size and configuration of the subject site; and
- The absence of any unacceptable adverse impacts on adjacent land uses (i.e., shadows, noise, privacy/overlook).

Appropriate Location for Tall Buildings

In our opinion, the subject site is an appropriate location for tall buildings, since it meets the criteria in Vol. 2 Policy B.6.1.4.18 of the DHSP, which is provided as follows:

- a tall building is any building that is greater than 12 storeys in height;

Response: As noted above, the proposal includes two tower components, the west tower is proposed as thirty (30) storeys (94 m + 5.9 m Mechanical Penthouse) and the east tower is proposed as and thirty-nine (39) storeys (120.57 m + 5.9 m Mechanical Penthouse). The proposed towers therefore are considered tall buildings.

- new tall buildings shall be no greater than the height of the top of the Escarpment as measured between Queen Street and Victoria Avenue;

Response: The proposed towers are greater than the geodetic height of the escarpment as measured between Queen Street and Victoria Avenue (geodetic building height of 209.77 m (east tower) and 183.22 m (west tower) whereas between 186.2 m and 190.2 m is permitted). In our opinion, the intent of this policy is to protect views to the Escarpment from significant locations and along view corridors identified in the DHSP. Based on the findings of the VIA prepared (submitted under separate cover), the proposed development will

not impact views to the Escarpment from significant locations and along identified view corridors. Further, the proposed development is in proximity to high-rise buildings that either exist, are under construction, or are proposed that are greater in height than the Escarpment (Landmark Place) and 75 James Street. The proposed increase in height will facilitate a greater density within the Downtown Growth Centre in proximity to higher order transit routes and assist with the revitalisation of the Downtown Core.

- a tall building is typically defined as having a building base component (also known as podium), a tower component and tower top, however, Policies B.6.1.4.18 through B.6.1.4.24 shall also apply to other typologies of a tall building;

Response: The proposed development includes a three-storey building base component, a tower component, and tower top. These building elements are defined using generous tower setbacks between the podium and tower elements as well as through the use of contrasting building materials (brick within the podium and more contemporary and modern glass elements within the tower). Two different building heights are proposed in order to create visual interest at the tower top level as well as to mitigate shadows the west given the east tower is proposed to be the tallest at 39 storeys with the west tower at 30 storeys.

- a building base is defined as the lower storeys of a tall building which are intended to frame the public realm with good street proportion and pedestrian scale or contains streetwall heights that respect the scale and built form character of the existing context through design, articulation, and use of the ground floor;

Response: As noted above, the building base includes a three-storey component that, in our opinion, frames the public realm through a complete street edge that enhances the streetscape along Jackson Street East and Catharine Street South. The building base respects the pedestrian scale and context of the surrounding neighbourhood and adjacent streets and is also proportionate to the right-of-way widths of both streets.

- a tower is defined as the storeys above the building base; and,

Response: The proposed development includes two tower components that extend beyond the building base using step backs on Jackson Street and Catherine Street.

- the tower top is defined as the uppermost floors of the building including rooftop mechanical or telecommunications equipment, signage and amenity space. This portion of the building shall have a distinctive presence in Hamilton's skyline by employing interesting architectural features and roof treatments.

Response: The top of both towers include mechanical penthouses that utilize architectural and material details to create a distinct presence that is complimentary to the existing skyline. The two tower tops also include a variation of height within the towers to create visual interest (see **Figure 23** below).



Figure 23 - South Elevation Tower Tops (Prepared by Graziani & Corazza Architects Inc.)

As mentioned in Section 4.4 of this report, Section 6.1.4.23 a) of the DHSP provides requirements that all tall buildings must adequately address. These include:

- i. fit harmoniously within the context of neighbouring streetwall heights. Where there is no consistent streetwall height context for the area, the streetwall height shall be established in a manner that maintains a comfortable pedestrian scale and appropriate street proportion;

Response: The proposed three-storey building base maintains the existing streetwall heights of the surrounding neighbourhood, specifically the 1, 2 and 2.5 and 3-storey brick mixed-used buildings along Jackson Street. In our opinion, the 3-storey building base and generous building setback between the building base façade and streetline maintain a comfortable pedestrian environment that reflects the existing scale and context of the surrounding neighbourhood.

- ii. reduce and mitigate wind impacts on the public realm, including streets, sidewalks, parks and open spaces, and privately owned publicly accessible spaces. Pedestrian level wind conditions shall be suitable for sitting and standing, with higher standards applied to parks and open spaces and Pedestrian Focus Streets; and,

Response: A preliminary pedestrian level wind study was prepared by Gradient Wind Engineering (GWE) for the subject site, which indicates that wind conditions over pedestrian sensitive grade-level locations within and surrounding the study site will be acceptable for the intended uses on an annual and seasonal basis.

- iii. minimize shadows, in accordance with Policies B.6.1.4.34 through B.6.1.4.39 of this Plan, to preserve the utility of sidewalks, parks, public and private open spaces, school yards and buildings, childcare centres, playgrounds, sitting areas, patios, and other similar uses.

Response: Shadow impacts are discussed in Section 5.4 below. A Sun/Shadow Impact Study has been prepared and included as part of this submission. The findings of the Sun/Shadow Impact Study are provided in detail below.

Additional Height

In terms of building height, the Downtown Hamilton Secondary Plan identifies the maximum height of the subject site as *High-Rise 2* (Maximum Building Height Map B.6.1-2) which permits heights up to 30 storeys. The requested amendment to the Secondary Plan would create a site-specific amendment to permit an increase in height to 39 storeys whereas 30 storeys is currently permitted. In addition, the requested amendment proposes a site-specific exception to allow for the building height to exceed the geodetic height of the Niagara Escarpment. In our opinion, there is appropriate planning rationale to justify the requested departure from the City's Official Plan policies in relation to height which are summarized in the points below.

There is clear policy direction within the Secondary Plan (including the Downtown Hamilton Secondary Plan Summary Report) that the Niagara Escarpment is a powerful visual feature due to its height and landscape character that terminates the vistas looking southwards on several Downtown streets and that significant views to the Escarpment need to be protected (Vol 2. Policy 6.1.2.h). Vol. 2 Policy B.6.1.10.5 of the DHSP requires that in order to understand and limit the loss of views to the Escarpment, Visual Impact Assessments are required in specific view locations and along view corridors identified on Appendix C. In our opinion, the intent of the DHSP policies that restrict height to the top of the Escarpment are to protect views to the Escarpment from specific locations and along view corridors. The subject site is not subject to the policies of the Niagara Escarpment Plan ("NEP") and therefore the Visual Impact Assessment required under Vol. 2 Policy B.6.1.10.5 is a City requirement, subject to the City of Hamilton terms of reference and not the terms of reference from the Niagara Escarpment Commission.

The Downtown Hamilton Secondary Plan Summary Report states that a Viewshed Analysis was carried out to demonstrate and visualize proposed building heights and potential impacts to the skyline and to the scenic value of the Niagara Escarpment. The viewshed analysis culminated in what is now Appendix C of the DHSP which identifies locations where there are impacts to views and where there may be impacts to views. It is also our understanding that the Viewshed Analysis was used to rationalize and generate the maximum building heights (including the cap of the top of the escarpment) and Appendix C. Based on our review and understanding, the Viewshed Analysis was never presented in any public consultation event, made available to the public and/or stakeholder groups, and/or circulated for comment by any interested parties or third party peer reviewers.

In our opinion, the maximum building heights, (specifically the capped height at the top of the Escarpment) does not give full effect to the Growth Plan and UHOP and an increase to the proposed heights contemplated for the subject site is appropriate.

A Visual Impact Assessment ("VIA") (prepared by Bousfields, dated December 2022, submitted under separate cover) in accordance with the City's Terms of Reference. This VIA demonstrates through a series of images with the proposed development superimposed on photographs taken along the Catherine Street view corridor and from around the site, that the proposed development will not impact public views to the Escarpment along any applicable view corridors or from significant view locations.

In the absence of any impacts on views to the Escarpment, the intent of the DHSP policies and objectives are maintained and it, in our opinion, the current height limitation does not give full effect to provincial policy, which seeks to optimize density in a location such as this. More specifically, the concept of optimization is a foundational principle of the Growth Plan, specifically within Strategic Growth Areas and Major Transit Station Areas, as it is used in Policy 1.2.1 (guiding principles) and in the introduction of section 2.1 of the Growth Plan, which states:

It is important to optimize the use of the existing urban land supply as well as the existing building and housing stock to avoid over designating land for future urban development while also providing flexibility for local decision-makers to respond to housing need and market demand. 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.

Furthermore, the Growth Plan establishes minimum intensification and density targets and municipalities are encouraged to go beyond these minimum targets where appropriate (see Policy 5.2.5(1)). In our opinion, the applicable policy context promotes intensification, and, within that context, the optimization of density is in fact a desirable planning outcome, provided there are no unacceptable impacts either in terms of built form or the adequacy of hard and soft services. This is especially true for the subject site, which is located within the

City's Downtown Urban Growth Centre and well-served by transit, given its location within multiple other Major Transit Station Areas (Hamilton GO Centre and planned Mary, James, and Wellington LRT stations).

In addition to the aforementioned policies, the UHOP has been recently updated, via OPA 167, to double the minimum density for the DUGC from 250 to 500 persons and jobs per hectare. One of the Minister's modifications to the OPA 167 also deleted policy E.3.6.7, which would establish a height cap of the top of the Niagara Escarpment for all development below the escarpment. In our opinion, this policy deletion was intentional and provides flexibility for the future review of the DHSP to delete the current policy framework that caps building heights in the Downtown to 30-storeys and the height of the escarpment.

In a provincial and local planning policy framework that seeks to optimize density on the subject site, given its location in a *strategic growth area*, *urban growth centre*, and *major transit station area*, establishing a height cap does not align with this policy objective.

Furthermore, the subject site is located directly south of the tallest building in the City, being the 43-storey Landmark Place as well as other existing and proposed tall buildings. The existing and planned clustering of tall buildings along Main Street is appropriate and desirable form of development, which aligns with the planning policy framework that seeks to optimize density and create a complete mixed use community in a Downtown setting. The proposed building heights, including the 39-storey tall tower, will fit harmoniously with the surrounding context and especially related to the Landmark Place building to the north.

The proposed built form and building heights will not create any unacceptable built form impacts on the subject site or surrounding lands, which is further detailed in Section 5.4 of this report.

Based on the foregoing, it is our opinion that the proposed building heights and massing is appropriate, desirable and meets the planning policy intent of the policies of the UHOP and the evolving Downtown Hamilton Secondary Plan.

5.4 Built Form Impacts

Light, View and Privacy (LVP) impacts are generally dealt with through a combination of spatial separation, orientation and mitigating measures between buildings. In this regard, the City through its Official Plan policies, zoning, and urban design guidelines considers LVP impacts to determine if the proposed building relationships are appropriate. In our opinion, based on the findings of the shadow impact study and preliminary pedestrian wind study, such impacts will be minimal in this case given the slender high-rise building typology, as well as appropriateness of the proposed building setbacks and the separation distance of the proposed buildings from neighbouring buildings.

Vol. 2 Policy Section 6.1.4.23 c) provides additional tall building design requirements. The proposed development conforms to these policy requirements as follows:

- a. *tall building development shall provide setbacks from the lot line to the building face of the tower and adequate separation distance between towers on the same lot. [...] Providing adequate space between towers shall:*
 - i. enhance the ability to provide a high-quality, comfortable public realm;

Response: From a public realm perspective, the proposal includes the replacement of an at-grade parking area with active uses along the subject site's Jackson Street and Catherine Street frontages within the building base. The proposed landscape concept demonstrates that the proposed setbacks, combined with the appropriately-scaled 3-storey building base can accommodate a generous public realm to accommodate street trees, seating areas, pedestrian movement, as well as accommodate weather protection elements. The wind study also concluded that the wind conditions over pedestrian sensitive grade-level locations within and surrounding the subject site (i.e., building entrances, public sidewalks, outdoor amenity areas) will be acceptable for the intended uses on an annual and seasonal basis.

- ii. protect development potential of other sites within blocks;

Response: The proposed development complies with the required setback to the east lot lines, exceeding the required 12.5 m setback to the eastern lot line (15.0 m tower setback proposed). The proposed 15.0 m tower setback to the eastern interior lot line will allow the abutting lots to develop with a tall building while accommodate the recommended minimum tower separation of 25.0 m. The proposed 15.0 m tower setback to the eastern interior lot line exceeds the required 12.5 m and will protect the development potential of the lots to the east to be developed with tall buildings with a minimum tower separation of 25.0 m.

- iii. provide access to sunlight on sidewalks, parks, public and private open spaces, school yards and buildings;

Response: The tower components of the proposed development include small floor plates (655 m² (west tower) and 722 m² (east tower)) and a 30 metre separation distance between towers. The towers are narrow and generously separated to allow sunlight to pass through the subject site onto adjacent and surrounding lands and for towers' shadows to pass quickly.



Figure 24 - East Elevation (Prepared by Graziani & Corazza Architects Inc.)

As per the shadow study prepared by Bousfields (submitted under separate cover), the proposed development provides access to sunlight on surrounding sidewalks and public and private open spaces.

- iv. *provide access to natural light and a reasonable level of privacy for occupants of tall buildings;*
- v. *provide pedestrian-level views of the sky between towers particularly as experienced from adjacent streets, parks and open spaces, and views between towers for occupants of tall buildings*

Response: One of the ways that the UHOP and DHSP implement this is through a minimum tower separation of 25.0 m which is outlined as a guideline in the Tall Building Guidelines as well as through the Zoning By-law Regulations that require a tower setback of 9.5 m from a lot line abutting a laneway and 12.5 m elsewhere which is intended to achieve a total tower spatial separation distance of 25.0 m. The intent of a minimum tower separation is to provide space for sky view and adequate privacy.

As mentioned above, a 30- metre setback between the east and west towers is proposed on the subject site. The proposed 15.0 m tower setback to the eastern interior lot line exceeds the required 12.5 m and will protect the development potential of the lots to the east to be developed with tall buildings while accommodating a minimum tower separation of 25.0 m.

With respect to the tower spatial separation between the proposed western tower and the existing tower located at 100 Main Street East (Landmark Place), a 15.0 m tower setback is proposed on the subject site, exceeding the required 12.5 m setback. In total, approximately 24 m is provided between the existing Landmark Place Tower and the proposed west tower (distance of 15.0 m provided on the subject site and approximately 9.0 m provided on 100 Main Street East). In our opinion, a tower spatial separation of 24.0 will not result in any unacceptable privacy issues and will provide appropriate sky views from the east/west perspective as well as the south/north perspectives given the proposed tower orientation and location of the tower perceived together with Landmark Place.

In addition, tower separations below the recommended minimum of 25.0 m exist and have been approved for other recent developments within the Downtown including a total of 11.0 m tower separation (corner to corner) at 43-51 King Street East and 60 King William Street (Under Construction), 22.0 m at 163 Jackson Street West between the 2 on-site towers and 23.3 m between proposed tower and existing tower at 181 Jackson Street West (Approved).

- vi. *limit the impacts of uncomfortable wind conditions on streets, parks, open spaces, and surrounding properties; and,*

Response: A preliminary pedestrian level wind study was prepared by Gradient Wind Engineering for the subject site, which indicates that wind conditions over pedestrian sensitive grade-level locations and surrounding the subject site (i.e., public sidewalks) will be acceptable for the intended uses on an annual and seasonal basis.

- vii. *provide appropriate transitions to adjacent lower-scale planned context, built heritage resources, and cultural heritage landscapes*

Response: The proposed development includes generous tower setbacks above the building base (between 3.0 m and 15.0 m) to establish a strong, defined 3-storey podium which relates well to the existing 2-3 storey building on the south side of Jackson Street East and is compatible with the abutting 2-3 storey podium street wall to the north.

Shadow Impact

In order to assess shadow impacts of the proposed development, a Shadow Impact Study was prepared by Bousfields Inc. to assess the incremental shadow impact of the proposed buildings. The Shadow Study concluded that the proposed shadows conform to Vol. 2 Policies 6.1.4.34, 6.1.4.35, and 6.1.4.36 given the following:

- The proposed development allows for a minimum of 3 hours of sun coverage between 10am and 4pm measure on March 21st/September 21st on public sidewalks, and public and private outdoor amenity areas such as patios, sitting areas and other similar areas; and
- The proposed development shall allow for a minimum of 50% sun coverage at all times of the day as measure on March 21st/September 1st on public plazas, existing and planned parks, and open spaces, school yards, and playgrounds

As noted in Section 4.4, Policy 6.1.4.37 of the DHSP identifies that development shall not cast any net new shadow between 10:00 a.m. and 4:00 p.m. as measured from March 21st to September 21st on the Downtown's identified key civic gathering spaces. One of these locations is Prince's Square located at 50 Main Street East. The proposed development is expected to cast incremental shadows between 10a.m. and 10:50a.m. on March 21st and between 10a.m. and 10:36a.m. on September 21st. Details of these incremental shadows has been provided within the drawings attached herein in order to illustrate the location of existing shade trees and to provide context with respect to the location of various amenities (i.e., public sidewalks, walkways, bus stop, park bench/seating areas).

In order to assess, in detail, the expected shadows on Prince's Square, illustrations were prepared in between the City's standard times of 9:51a.m. and 10:51a.m. (see **Figures 25 and 26**)

These images demonstrate that the shadows on Prince's Square are limited to approximately 51 minutes between 10am and 10:51a.m. on March 21st and for 36 minutes between 10a.m. and 10:36 a.m. on September 21st. In addition, as illustrated in the Figures above and in Image A, it is noted that the mature trees located in the Forecourt of Prince's Square shade a large part of the Square when the trees have their foliage (i.e. Spring, Summer, Fall).

The proposed development conforms with the applicable policies of the DHSP except for Policy 6.1.4.37 which states that no new net shadows are permitted on Prince's Square between 10a.m. and 4p.m. on March 21st/September 21st. A comprehensive Cultural Heritage Assessment has not yet been conducted on this open space. Preliminary research compiled as part of the Downtown Built Heritage Inventory was completed which provided information on the construction dates of the various Wentworth County Court Houses as well as a description of the landscaped front lawn, formerly referred to as Prince's Square. This description states that Prince's square contains mature vegetation and cultural heritage resources including: the United Empire Loyalists Statue donated by Mr. Stanley Mills in 1929; and, the George Hamilton (1787-1836) plaque, which was erected by the Ontario Heritage Foundation and the Ministry of Culture and Recreation.

In our opinion, the proposed net new shadows on Prince's Square are adequately limited given the presence of large, mature, shade trees that exist in the forecourt and given the shadows are limited to less than an hour on March 21st and to approximately half an hour on September 21st. In our opinion, the minimal shadow impact will not impact the park's utility or useability and, as such, is adequately limited. Furthermore, to address this issue the subject official plan amendment includes a site-specific policy that would allow for the proposed shadow impact.

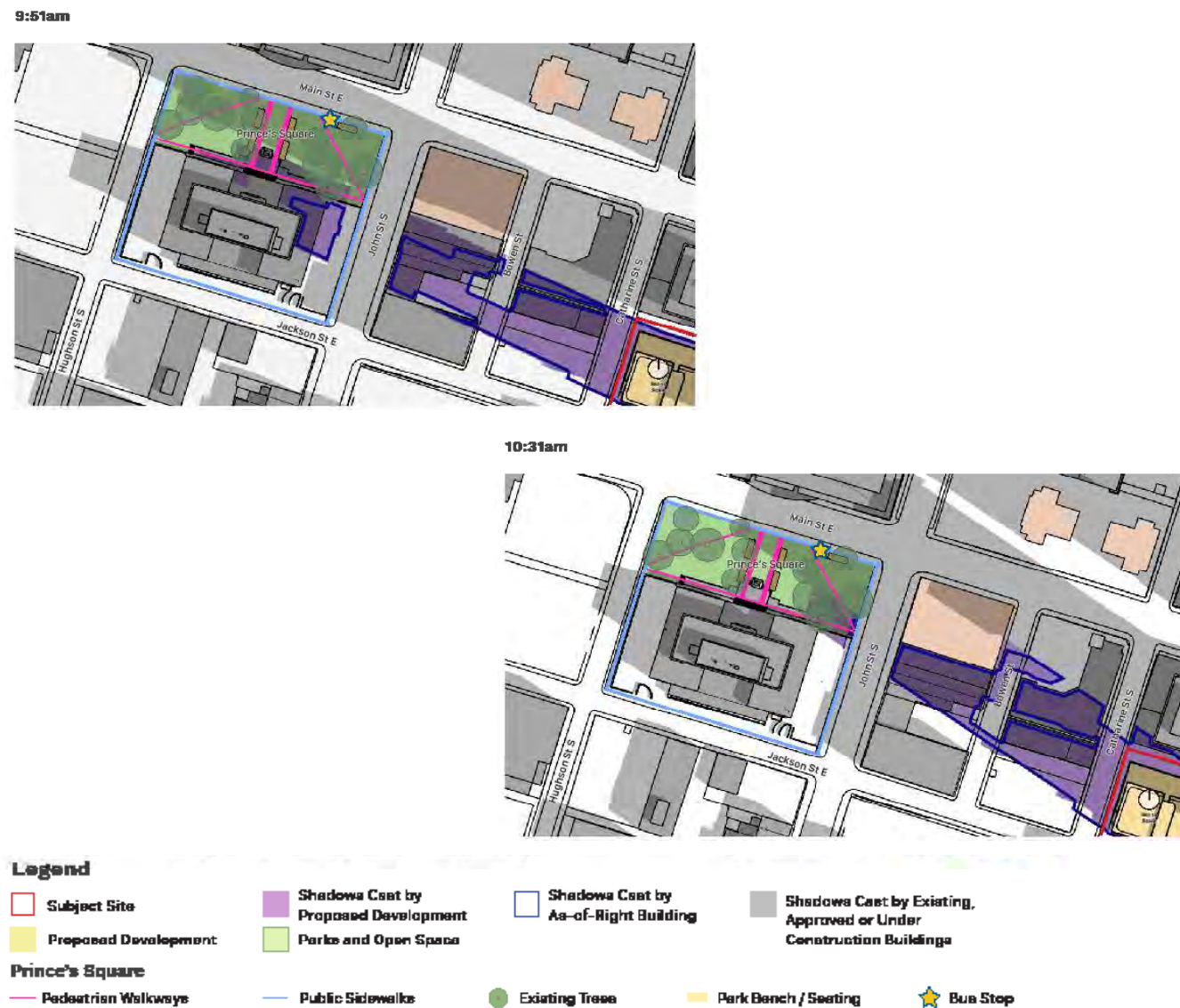


Figure 25 - Proposed Shadows on March 21st between 9:51am and 10:51am

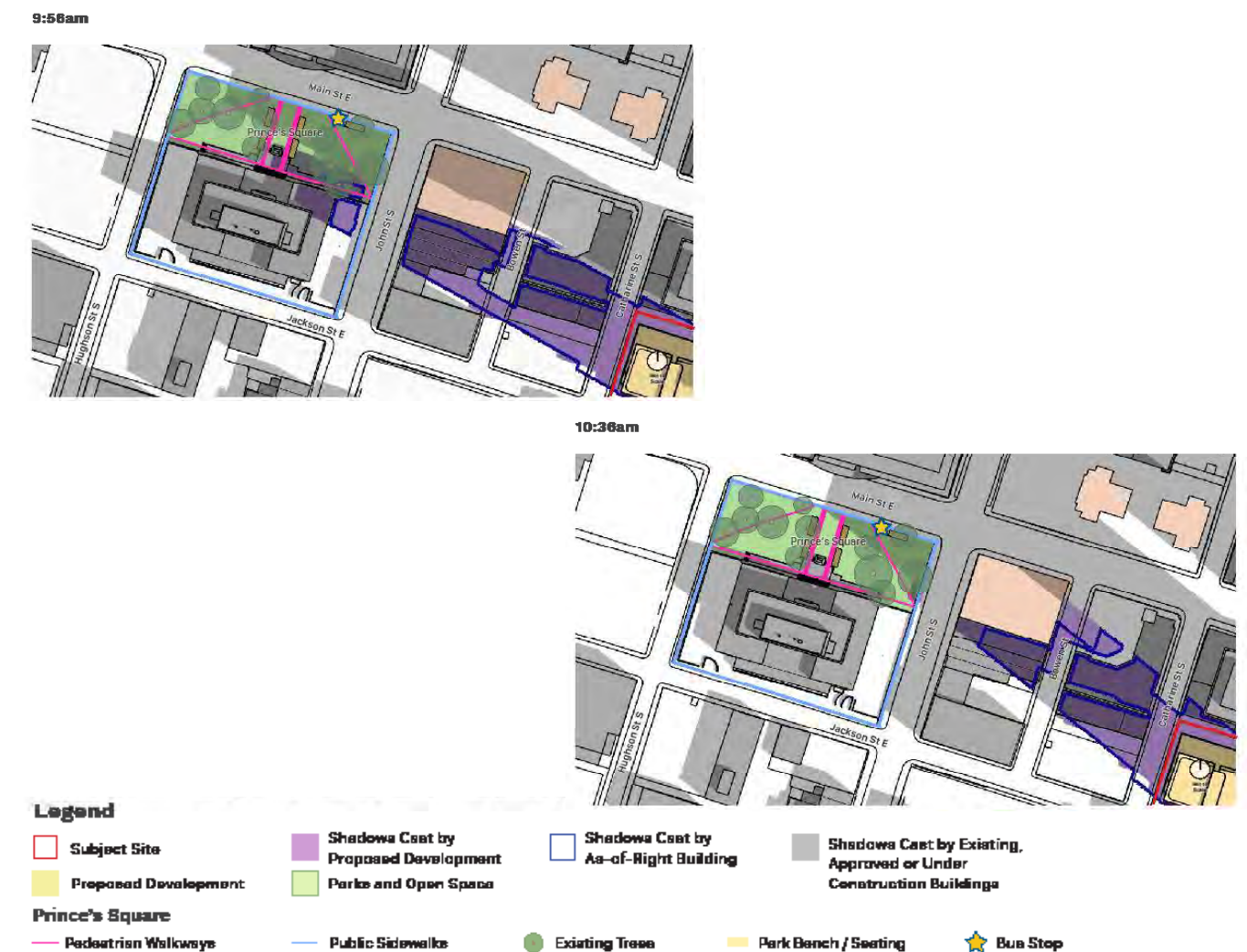


Figure 26 - Proposed Shadows on September 21st between 9:56am and 10:36am

Wind Impact

A pedestrian level wind study was prepared by Gradient Wind Engineering which concluded that based on the wind tunnel test results, meteorological data analysis, and experience with similar development in the area, that the conditions of all pedestrian-sensitive areas within and surrounding the development site will be acceptable for the intended pedestrian uses on an annual and seasonal basis. Mitigation is recommended for the amenity terraces at Levels 4 and 5 in the form of perimeter 2.0 m-high wind barriers and canopies. The expected wind speeds are acceptable for the intended uses.

5.5 Urban Design

From an urban design perspective, the proposed development will improve an underutilized site located in the heart of the City's downtown in a manner that will significantly contribute to the vitality and ongoing revitalization of downtown. The proposed development will contribute an iconic and architecturally significant building to the Downtown skyline.

In our opinion, the proposed building design and site organization conforms with the applicable built form and urban design policies of the UHOP and the DHSP, in particular Policies B.3.3.2.3, B.3.3.2.4, B.3.3.2.6, B.3.3.2.8, B.3.3.2.9, B.3.3.2.10 of the Official Plan and Policy 6.1.10 of the Secondary Plan. In particular, the proposed development will:

- Promote quality design consistent with the locale and surrounding environment (Policy B.3.3.2.3);
- Conserves and respects existing built heritage resources (Policy B.3.3.2.3);
- Logically organize new buildings, structures and landscaping in a way that respects the existing block and lotting layout in the immediate area (Policy B.3.3.2.4);
- Will create a continuous animated street edge in an urban environment through the proposed retail and residential uses on the ground floor (Policy B.3.3.2.4);
- Will create a transitional area between the public and private spaces through the proposed landscape concept which proposes trees, seating areas, and a mix of soft and hard landscaping between the building façade and edge of sidewalk (Policy B.3.3.2.4);

- Will enhance and animate the public sidewalks and streetscapes through the well-defined and articulated 3-storey podium that proposes a generous mix of openings and glazing on the ground floor and podium levels to help create a comfortable environment (Policy B.3.3.2.4);
- Be compatible with surrounding area development in terms of height and massing and enhances the character of the existing environment by redeveloping a surface parking lot (Policy B.3.3.2.6);
- Complement existing massing, patterns, rhythm, character and surrounding context through the establishment of a 3-storey podium with red/brown-brick materials used throughout the immediate area;
- Encourage a harmonious and compatible approach to infilling by minimizing shadow impacts, maximizing sky views between towers on and off-site, and maximizing light to adjacent properties and the public realm;
- Promote environmental sustainability by achieving compact development, and encouraging active forms of transportation and building forms (Policy B.3.3.2.8);
- Consider the physical and mental health of citizens by incorporating high-quality and safe streetscapes and amenity/recreational spaces which can help to reduce impacts from air, noise and water pollution (Policy B.3.3.2.9);
- Include continuous sidewalks, landscaping and boulevard trees along all street frontages (Policy B.3.3.2.10);
- Provide "eyes on the street" by incorporating windows, doors, openings, and clear glazing onto the streets and eliminating large expanses of blank walls (Policy B.6.1.7.9);
- Incorporate unique roof elements as an extension of the building to create visual interest and differentiation among the Hamilton skyline (Policy B.6.1.7.14);
- Utilize high quality of building materials such as brick for aesthetics, fire suppression and energy efficiency (Policy B.6.1.11.1(g));
- Consider important views and vistas in the Downtown towards the Escarpment and will protect the view corridor along Catharine Street south to the Escarpment (Policy B.6.1.11.1(h));

As well, the proposal in keeping with the applicable draft Downtown Tall Building Design Guidelines, In particular:

- The proposed building base respects the grain and scale of the surrounding historic fabric, demonstrates similar proportions and massing of adjacent heritage structures, and proposes a modern approach to building design while respecting and enhancing the historic character of adjacent buildings (i.e., 100 Main Street East, 118-120 and 126-132 Jackson Street West) through a well-defined, red/brown brick, 3-storey podium with generous tower stepbacks (Guideline 3.1.b, f, and h);

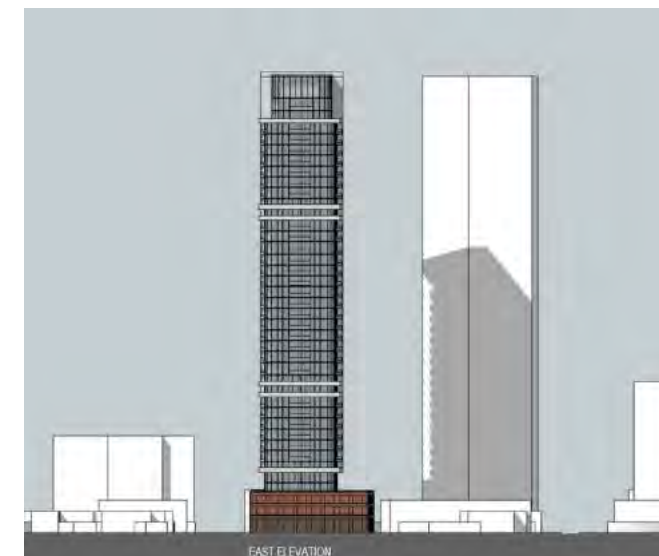


Figure 27 - East Elevation (Prepared by Graziani & Corazza Architects Inc.)

- The building entrances are emphasized as a focal point and placed in a highlight visible location along Jackson Street East (Guideline 3.4.e);
- The proposed towers will contribute to an interesting skyline through the proposed tower articulation and tower top details and are sufficiently spaced apart to minimize the loss of sky views from both the east/west and south/north orientation. The top of both towers include mechanical penthouses that utilize architectural and material details to screen the equipment from view and to create a distinct presence that is complimentary to the existing skyline. The two tower tops also include a variation of height within the towers to create visual interest (Guideline 3.6.c and 4.4.a, b, c, g, and h);

- The proposed development, demonstrated through the Visual Impact Assessment, will preserve views of the Escarpment, particularly through the Catharine Street South view corridor (Guideline 3.6.a and f);
- The proposed building base is situated parallel to the both property lines along the street frontages (Catharine Street South and Jackson Street East) and align with the established streetwall established along Catharine Street South (Guideline 4.3.1.a and b);

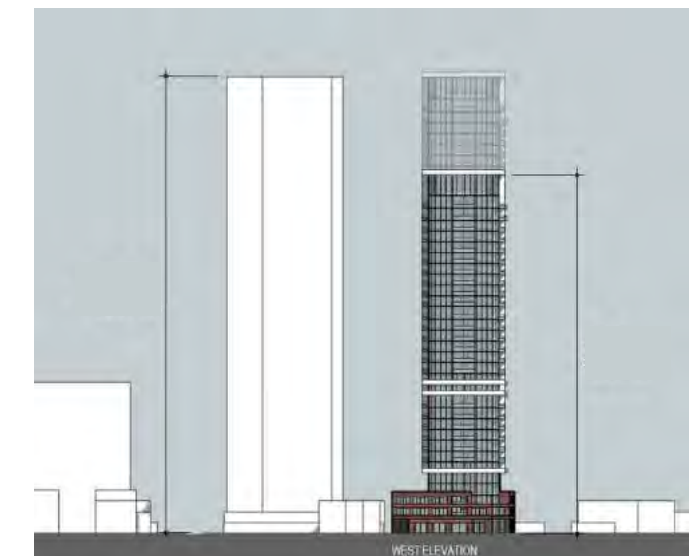


Figure 28 - West Elevation (Prepared by Graziani & Corazza Architects Inc.)

- The proposed 3-storey building base height is proportionate to and responds well to the right-of-way widths of both streets and the minimum floor-to-floor height for the ground floor is proposed at 6.5 m (Guideline 4.2.2.b, c, e, f, and g)
- Both street frontages will be animated through the placement of entrances and the generous use of clear glazing for the retail units and residential lobby (Guideline 4.2.3.c and f);
- No blank walls are proposed along the street frontages and a minimum of 25% of the façade of the second and third storeys are composed of windows (Guideline 4.2.4.a);
- The length of the proposed building base is broken up by materiality with breaks in the brick material (Guideline 4.2.4.e);

5.6 Transportation and Servicing

- The proposed setbacks and sidewalk zone provide a generous space to allow for an enhanced public realm through the proposed landscape concept (street trees, seating areas) (Guideline 4.2.5.f and g and 5.2.b, e, and f);
- The proposed servicing, loading and vehicle entrance is located at the rear of the building and these areas will be screened from view from the public sidewalks (Guideline 4.2.6b and d);
- The proposed communal outdoor and indoor private amenity areas are large enough to accommodate landscaping, communal lounges, and a variety of other programming (Guideline 4.2.8.b, c, and e);
- The concept plan proposes the use of red and brown brick for the building base which is a beautiful, durable, high-quality, and sustainable material. The building base also responds to the presence of red/brown brick in the immediate area, particularly the buildings on the south side of Jackson Street (Guideline 4.2.9.a, d, and c)
- The tower floorplates do not exceed 750 m² (Guideline 4.3.1);
- The towers are generally setback 3.0 m or more metres with the exception of the southwest corners of each tower which are proposed to extend straight down to the ground level. In order to provide design flexibility, several other Ontario municipalities' tall building guidelines (i.e., City of Toronto, City of Burlington, City of Vaughan, City of Waterloo, City of Ottawa, etc.) permit either up to 1/3 or 20% of the portion of the tower to extend to the edge of the podium without a stepback (subject to demonstrating that wind levels are appropriate). It is our opinion that the absence of stepbacks for a small portion of both towers at the south west corners will help to emphasize and articulate the tower and create an architecturally interesting corner feature. Based on the Pedestrian Wind Study, wind levels at this corner and for all pedestrian-sensitive areas are expected to be appropriate (Guideline 4.3.2.a, and c); and
- The orientation, location, and small floorplates of the proposed towers are arranged to maintain sky views from both the east/west and north/south perspectives. A separation distance of 30 m between the east and west towers is proposed. A separation distance of 24.0 m is proposed between west tower and the existing Landmark Place tower to the north. In our opinion, a separation distance of 24.0 m is appropriate and will not result in any unacceptable privacy impacts (Guideline 4.3.2.a, b, f, and g).

Stormwater management

A Functional Servicing Report was prepared by SITEPLANTECH INC. (dated December 2022) to investigate the water supply, sanitary sewage, and storm drainage for the proposed development and provide site-specific information with respect to the adequacy of the existing infrastructure to support the proposed development. This report makes the following conclusions and recommendations:

Peak runoff rates for the proposed development were designed to be less than or equal to the existing condition by implementing onsite SWM controls. Stormwater storage will be implemented to achieve this and will be provided by on-site storage and a 120 mm orifice plate. A total storage volume of 149.1149.1 m³ is required to meet quantity controls.

Quality control will be provided by an oil-grit separator to treat run-off from the driveways and paved areas. Net post-treatment total suspended solids removal was calculated to be 80% thereby meeting the City's requirements.

Sanitary Drainage

The sanitary discharge from the proposed development will be directed to Jackson Street East. The City has confirmed that this infrastructure has adequate capacity to support the proposed development flows.

Water Supply

According to the calculations and hydrant flow data provided by the City of Hamilton presented in this report, the existing municipal infrastructure is adequate to support the proposed development.

Site Grading

The proposed grading is compatible with existing elevations at the property limit and will not adversely affect adjacent properties.

Erosion and Sediment Control

ESC measures were designed as per the "Erosion and Sediment Control Guideline for Urban Construction" document (December 2006). Provided that these measures are well maintained during construction, these will be adequate to keep sediments from entering the municipal infrastructure during construction.

Transportation

Paradigm Transportation Solutions Ltd. prepared a Transportation Impact Study (dated December 2022) to determine the impacts of the proposed development on the surrounding road network.

The main findings and conclusions of this study are as follows:

Base Year Traffic Conditions:

Critical movements are occurring at the King Street East intersection with Walnut Street during the AM peak hour (v/c ratio > 0.85), at Main Street East intersections with Catharine Street South and Walnut Street South (v/c > 0.85 and 1.00) and at Hunter Street East and John Street intersection during the PM peak hour (v/c > 0.85).

Site Concept

The site concept plan includes 751 residential units in a 30-storey and 39-storey tower with approximately 297 m² of ground floor retail. Build-out is anticipated to occur by Year 2028. Vehicle access is proposed by a driveway to Catharine Street South approximately 45 metres north of Jackson Street East (centreline to centreline).

Site Circulation

The layout of the subject site can accommodate the anticipated design vehicles.

Site Trip Generation

The subject site is forecast to generate approximately 192 and 239 new vehicle trips during the AM and PM peak hours, respectively.

Background Traffic Conditions

The development of the LRT network and the planned conversion of Main Street East to two-way traffic will have significant impact on the traffic volumes and operations for automobiles within the downtown area. The critical intersection operations forecast to occur under the base year horizon are forecast to continue to occur. The generalized growth in traffic is expected to increase delays and v/c ratios within the study area.

Total Traffic Conditions

The capacity issues identified under background conditions are forecast to continue to occur. The site driveway approach to Catharine Street South is forecast to operate in the LOS B range with 95th percentile queue lengths of less than 20 metres. The inbound left-turn movement to the site driveway is forecast to operate at LOS A with minimal queuing.

Remedial Measures

Geometric improvements to provide additional intersection capacity within the downtown is not likely to be implemented. The development of the LRT network and the planned conversion of Main Street East to two-way traffic will have significant impact on the traffic volumes and operations for automobiles within the downtown area. The site's proximity to the rapid transit network will encourage residents to use transit and other sustainable modes of transportation.

The two-way conversion of Main Street will include a Complete Streets redesign to ensure the safety of all road users, including public transit passengers, pedestrians, motorists, and cyclists. The changes to roadway design in the downtown will place less importance on intersection capacity.

As the unsignalized intersections are forecast to operate with acceptable levels of service and no critical movements are noted, no changes to the traffic control or lane configurations of the unsignalized intersections in the study area is recommended.

The report recommends that based on the findings of the study, the City of Hamilton continue to plan for the implementation of rapid transit and the two-conversion of Main Street West.

B

Appendix B: Visual Impact Assessment

Visual Impact Assessment

117 Jackson Street East
City of Hamilton

Prepared For
DiCenzo Construction Company Ltd.

December 2022



Job Number
20322

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Land Acknowledgement

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 Anishinaabek 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.





1

Introduction

The following Visual Impact Assessment has been prepared by Bousfields Inc. with respect to the proposed development at 117 Jackson Street East in the City of Hamilton (the “subject site”).

The proposal contemplates the redevelopment of the existing surface parking lot with two mixed-use towers of thirty (30) storeys (94 m + 5.9 m Mechanical Penthouse) and thirty-nine (39) storeys (120.57 m + 5.9 m Mechanical Penthouse) set atop a 3-storey (14.5 m) podium with retail/commercial uses, the residential lobbies, and residential amenity space located on the ground floor. A total of 751 residential units are proposed within the two (2) towers. Parking is proposed to be provided in two (2) levels of underground parking and three (3) levels of parking above grade within an enclosed parking structure (379 spaces). The above-grade parking will be located at the rear of the building and will be wrapped with residential units along the street-facing building facades.

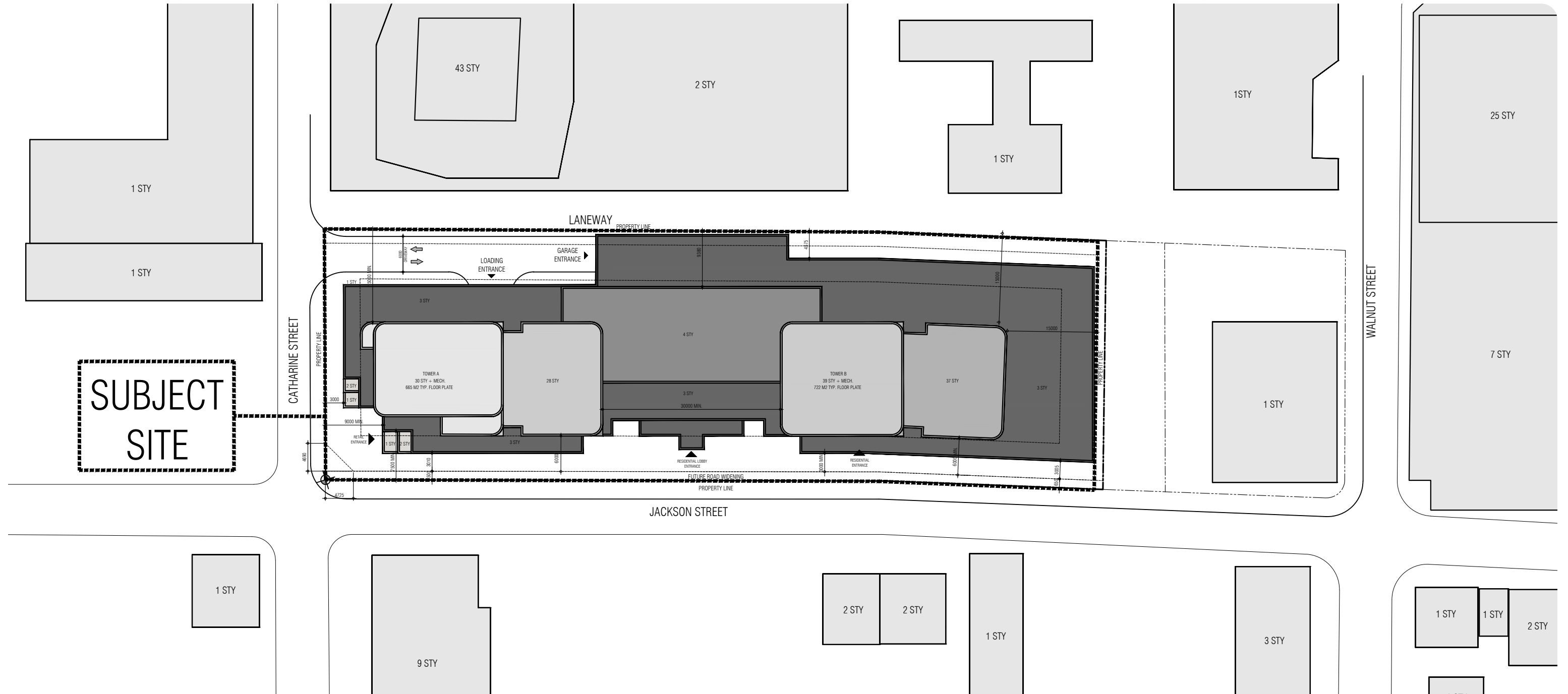
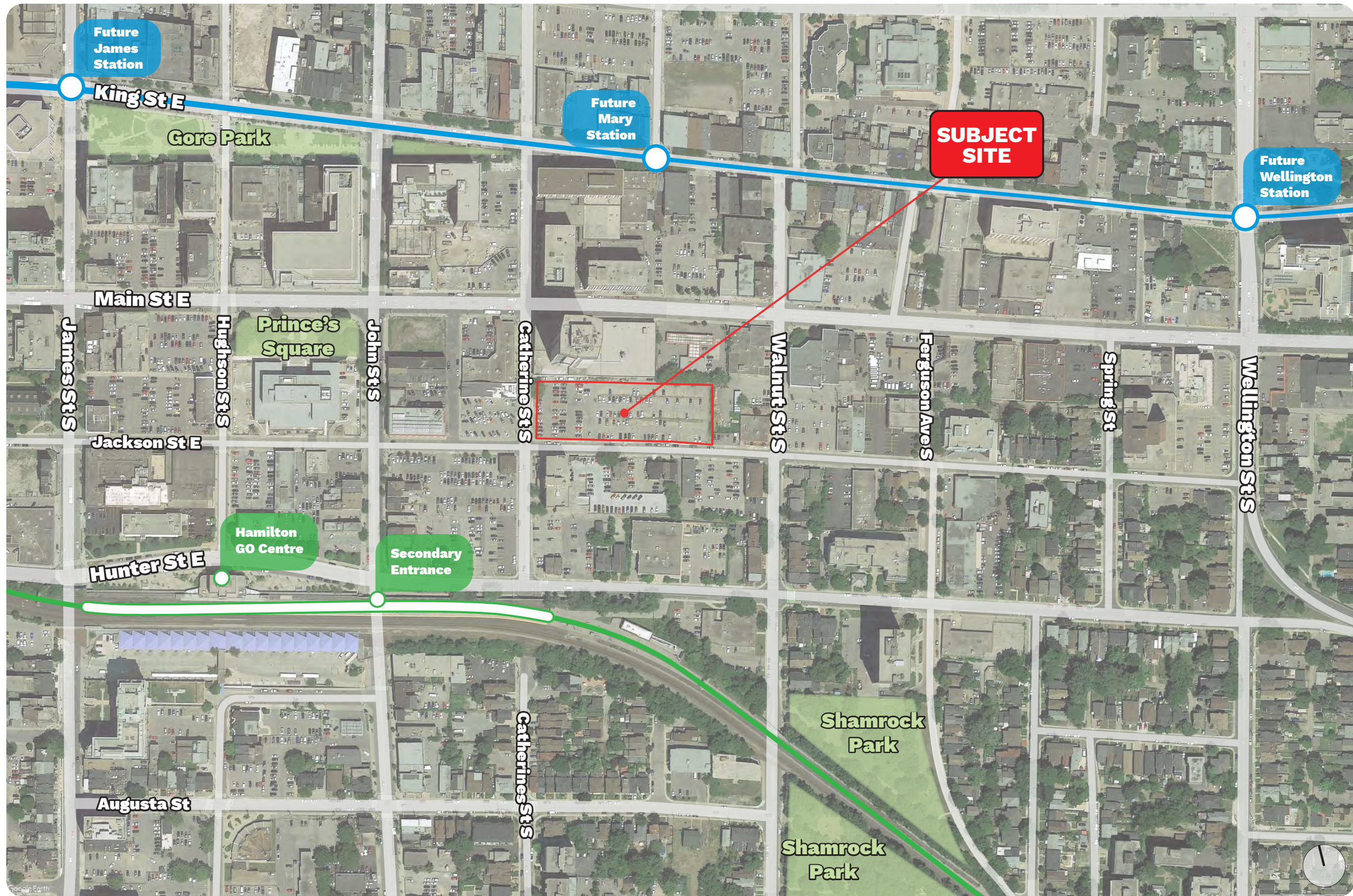


Figure 1 - Concept Plan (Prepared by Graziani + Corazza Architects)





- Legend
-  GO Line
 -  Planned Hamilton LRT

Figure 2 - Aerial Photo - Site Context

An aerial photograph of a city grid, overlaid with a semi-transparent red filter. The grid consists of numerous rectangular blocks and streets. A prominent road or highway runs diagonally from the upper left towards the center. Another road runs horizontally across the lower portion of the image. The overall appearance is that of a dense urban layout.

2

Site and Surroundings

2.1 The Site

This site comprises the majority of the south half of the city block as bounded by Jackson Street East, Catharine Street South, Main Street East, and Walnut Street South. The site is rectangular in shape and has a total area of approximately 0.56 hectares with a frontage of approximately 131 metres on Jackson Street East and 43 metres on Catharine Street South. It is currently occupied by a commercial surface parking lot.



The Subject Site

On Jackson Street East looking north west towards subject site.

2.2 The Surroundings

To the **north** of the subject site is City-owned unassumed alleyway currently used for parking and storage by Landmark Place. North of the lane is Landmark Place (100 Main Street East), a high-rise apartment building with commercial uses in the 2-3 storey brutalist concrete podium, which rises 43 storeys (127 m) overall and was constructed in 1974. Adjacent to Landmark place and to the east, the centre of the block fronting Main Street East is occupied by a Petro Canada gas station (126 Main Street East). To the northeast of the subject site, the remainder of this block is developed with a 1-storey commercial building (150 Main Street East).

To the **east** of the site are two commercial parking lots (141 Jackson Street East and 46 Walnut Street South). The southeast corner of the block is developed with a 1-storey commercial building that currently contains a restaurant (143 Jackson Street East).



The Surroundings At Walnut Street South and Jackson Street East looking west towards La Cantina

To the immediate **south** of the site, located at the southeast corner of Jackson Street East and Catharine Street South is Linden Hall (55 Catharine Street South), a 9-storey student residence associated with Columbia International College. The rear of the building's site to the east and partially fronting on to Jackson Street East is a surface parking lot and a 2-level parkade, which runs further east behind several lots.

The lands to the **west** of the site, on the west side of Catharine Street South contain a mix of surface parking, a 2-storey commercial building (33 Bowen Street), and the rear of a 1-storey commercial plaza (96 Main Street East). West across Bowen Street is a 4½ -storey commercial building (69 John Street South) along with a series of 2-3 storey mixed-use buildings and a vacant lot at the south east corner of Main Street West and John Street South.



The Surroundings On Catharine Street South looking north east towards Linden Hall (55 Catharine Street South)



The Surroundings On Jackson Street East looking east

3

Regulatory
and Policy Context

BAWALTRA @ BNR

The Urban Hamilton Official Plan (“UHOP”) and Downtown Hamilton Secondary Plan (“DHSP” or “Secondary Plan”) provide a policy framework for this visual impact assessment.

3.1 Urban Hamilton Official Plan

The Urban Hamilton Official Plan (the “UHOP”) for the amalgamated City of Hamilton was adopted on July 9, 2009, and brought into effect August 16, 2013 except for policies, scheduled maps and appendices that are still under appeal at the Ontario Municipal Board (OMB), now the Ontario Land Tribunal (OLT). The outstanding appeals do not directly apply to the subject site.

Policy B.3.3.2.3 h) of the UHOP states that urban design should foster a sense of community pride and identity by, among other things, respecting prominent sites, views, and vistas in the City. Policy B.3.3.2.4 h) of the UHOP states that quality spaces physically and visually connect the public and private realms and public and private development and redevelopment should create quality spaces by, among other things, creating, reinforcing and emphasizing important public vistas and view corridors. Policy B.3.3.4.2 f) states that gateway intersections and entry points shall be designed to convey a sense of arrival and portray the community image and identity through recognition of significant views and vistas.

Section B.3.3.5 provides the Views and Vistas policies of the UHOP, which state:

Views and Vistas

Public views and vistas are significant visual compositions of important public and historic buildings, natural heritage and open space features, landmarks, and skylines which enhance the overall physical character of an area when viewed from the public realm. Vistas are generally panoramic in nature while views usually refer to a strong individual feature often framed by its surroundings. Views and vistas created in newly developing areas play a large role in creating a sense of place and neighbourhood identity.

Examples of existing significant vistas include the panorama of the Niagara Escarpment, Hamilton Harbour and the Downtown skyline as viewed from various vantage points throughout the City. Examples of views include significant historic and public buildings, natural heritage features, and monuments.

Overall, the UHOP describes the importance of views and vistas to the City’s important public and historic buildings, natural heritage and open space features, landmarks, and skylines which enhance the overall physical character of an area when viewed from the public realm. The City has yet to undertake a comprehensive study to identify significant views and vistas, however, secondary planning is utilized to identify significant public views and vistas.

- 3.3.5.1 The City shall undertake a comprehensive study to identify significant views and vistas and recommend strategies for their protection and enhancement. In the absence of such a study, the identification, preservation, enhancement and/or creation of significant public views and vistas shall occur through secondary planning.
- 3.3.5.2 Views and vistas shall be achieved through alignment of rights-of-way, layout of pedestrian circulation and open space systems, and the siting of major features, public uses, and built form.
- 3.3.5.3 The principal façades of public buildings and parks are encouraged to locate at the termination of a street or view corridor or at street intersections to act as focal points for views except in situations where such building placement would compromise existing significant views or vistas.

3.2 Downtown Hamilton Secondary Plan

On May 9, 2019, City of Hamilton Council approved the new Downtown Hamilton Secondary Plan (the “Secondary Plan”) and Zoning By-law Amendment establishing a new vision for the City’s Downtown. The secondary plan and zoning were appealed to the LPAT and on August 14, 2019, the LPAT issued a decision declaring that the Secondary Plan is approved in its entirety, except those lands subject to site specific appeals, which does not apply to the subject site. Accordingly, the Secondary Plan is in full force and effect as it applies to the subject site.

Policy B.6.1.2 of the Secondary Plan is based on nine principles, which includes:

h) The Niagara Escarpment is an essential part of the character and appearance of the City; views to the Escarpment are important assets to protect. The Niagara Escarpment meanders through the City of Hamilton providing a natural backdrop to the Downtown, access to a unique natural environment, and a home to a diverse ecosystem of international significance - a UNESCO World Biosphere Reserve. The Downtown Hamilton Secondary Plan recognizes the importance of the relationship between topography and building height and the impacts on significant views to and of the Niagara Escarpment.

Section B.6.1.10 of the Secondary Plan provides the Views and Vistas policies, which state:

Views and Vistas

6.1.10.3 The Niagara Escarpment is the prominent feature that is visible at the terminus of several streets in the Downtown due to its close proximity, height, and forested natural character. This distinct feature is a UNESCO Biosphere Reserve that separates lower Hamilton from the upper urban area above the brow of the escarpment. The Niagara Escarpment is a powerful visual feature due to its height and striking landscape character that terminates the vistas looking southwards on several Downtown streets.

6.1.10.4 The Niagara Escarpment is part of Hamilton’s unique identity and contributes significantly to the character of the Downtown. Significant views to this natural feature shall be protected.

6.1.10.5 In order to understand and limit the loss of views to the Niagara Escarpment, significant view locations and corridors have been identified on Appendix C – Downtown Hamilton – Viewshed Analysis. The City of Hamilton shall prepare visual impact guidelines and a visual impact assessment shall be prepared in accordance with the guidelines.

6.1.10.6 A Visual Impact Assessment may be required for development located on streets identified as View Corridors to the Niagara Escarpment, and properties identified as Locations Where There May Be Impacts to Views, as shown on Appendix C – Downtown Hamilton Secondary Plan – Viewshed Analysis.

6.1.10.7 Visual Impact Assessments shall be required for development on properties identified as Locations Where There Are Impacts to Views as identified on Appendix C – Downtown Hamilton Secondary Plan – Viewshed Analysis.

6.1.10.8 Development shall be required to provide setbacks, stepbacks, or reduced heights in order to mitigate the impact of the proposed development

on existing views.

6.1.10.9 A Visual Impact Assessment shall include the following:

- a) visualizations that demonstrate the impact of the proposed development to existing views of the Niagara Escarpment by providing before and after visualizations of the views;
- b) existing and proposed streetscape treatment to enhance views (quality and extent); and,
- c) proposed design refinements to demonstrate that there is no loss of views from the public realm. Design refinements to protect views may include:
 - i) the size, massing, and placement of new buildings;
 - ii) the size and placement of future transportation and utility infrastructure; and,

iii) development of building façades that create visual connections to the streets and public spaces.

6.1.10.10 A Visual Impact Assessment may be required for development that is adjacent to a cultural heritage resource, a cultural heritage landscape, a place of worship, or an existing landmark, that creates a distinct visual orientation point within the Downtown and that may be impacted by proposed development.

The Secondary Plan provides additional details for important views and vistas in the City’s Downtown. As it relates to the subject site, views of the Niagara Escarpment have been identified as an important asset to protect. In this regard, the terminus view to the escarpment along Catharine Street is identified

as a “powerful visual feature” and this view is to be protected.

3.3 City of Hamilton Zoning By-law 05-200

By-law 18-114 was passed by Hamilton City Council on April 17, 2018, amending Zoning By-law 05-200 for the City’s Downtown. It was appealed, and on August 14, 2019 the Local Planning Appeal Tribunal (the “LPAT”) issued a decision declaring that By-law 18-114 is approved in its entirety, except those lands subject to site specific appeals. The subject site is not under appeal.

The subject site is zoned Downtown Central Business District (D1) Holding H17, H19, and H20 with a with maximum heights of 93 metres for the western portion of the site and 89 m for the eastern portion as shown on Schedule F – Figure 1 Maximum Building Heights of By-law 05-200. The preamble text to the D1 Zone states that the D1 Zone represents the cultural, institutional, residential, and commercial make-up of Downtown Hamilton. The zone provides for a wide variety of mixtures in stand-alone or mixed-use buildings. The intent of the permitted uses and built form is to create



4

Method

a complete, vibrant, transit-oriented area where people come to live, work, and play.

The following provides details of the information contained within the visual impact assessment analysis:

- A 3D model of the proposed building was prepared by the project developer and architect
- Specific views were selected based on the policy direction to protect views of the escarpment, focusing along the Catharine Street view corridor
- Photos were taken on February 1, 2022 from an eye height of about 1.75 metres above grade.
- The photo-match simulation of each viewpoint compares the existing view and the proposed view

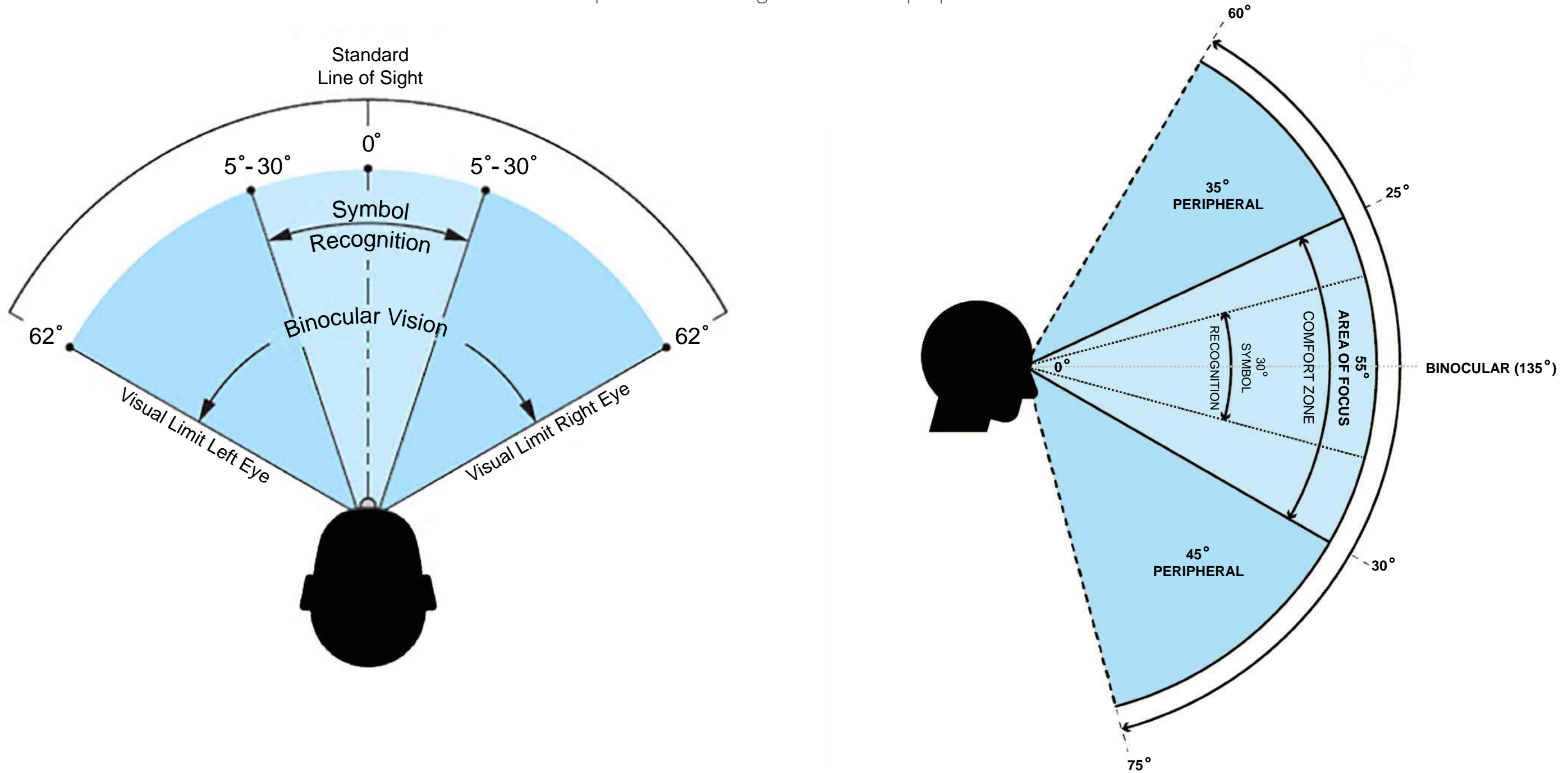


Figure 3 - Human Eye Field of Vision

5

Analysis



showing the 3D model with the proposed building inserted in each view to illustrate the potential visual impact.

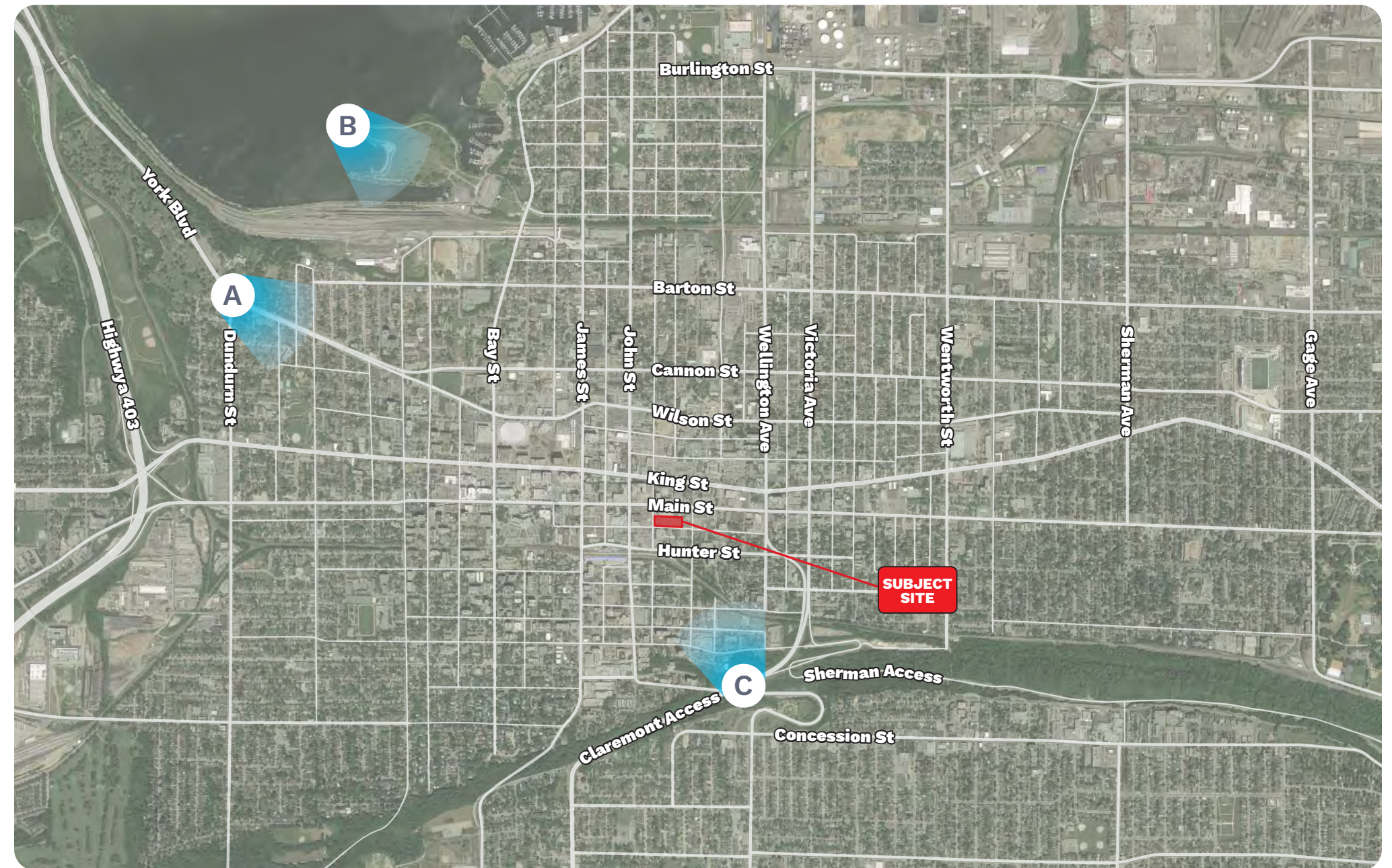
5.1 City-Wide Context

In accordance with the City's Terms of Reference: Visual Impact Assessment for Downtown Hamilton, the visual simulation is a visualization of the proposed project and the surrounding landscape that has been used to depict the overall appearance of the proposed development, post-construction. It is intended to demonstrate the expected appearance of the landscape and development, as it is currently depicted in the proposed concept plan.

The applicable policy and regulatory framework identify views to the escarpment along Catharine Street as the only important view corridor that applies to the subject site. This view has been captured as part of our analysis. Additional views have been prepared in order to illustrate how the proposal responds to the surrounding context.

The City-wide context provides three key views of the

City-Wide Context View Analysis



Downtown from the western entrance into the City along York Boulevard (A), Bayfront Park (B) and from Sam Lawrence Park (C).

View A – York Boulevard Gateway York Boulevard and Dundurn Street North

building at 100 King Street West as well as other tall buildings within the Downtown skyline and on top of the escarpment. In the distance, views of the Niagara

View A - Before



View A - After



escarpment are also present and capture this natural element and its tree canopy. The proposed view illustrates that the proposed development is not visible from this view.

View B – Bayfront Park

View B is looking south toward the City’s Downtown from Bayfront Park. The existing view provides a great view of the City’s existing built form and skyline. It also shows the escarpment, its tree canopy and the development along the escarpment ridge. Key buildings within the skyline that are visible in this view include the Landmark Place (100 Main Street East), Stelco Tower (100 King Street West), The Village (40 Oxford Street), Sherwood Towers (151 Queen Street North), and the Villager (160 Market Street). The proposed view illustrates the silhouette and expected visual impacts of the proposed development. As illustrated, there are a number of buildings that exceed the height of the escarpment or appear to exceed the height of the

View B - Before



View B - After



escarpment and the proposed building will be perceived together with the other existing tall buildings within the

Downtown.

View C – Sam Lawrence Park

View C is looking north toward the City’s Downtown and lower City from Sam Lawrence Park at the top of the escarpment. The existing view provides a great view of the City’s Downtown built form and skyline as well as long views to Waterdown, Burlington and beyond. The existing built form shows a clustering of mid-rise and tall buildings throughout the Downtown in different forms and architectural themes. The proposed view demonstrates that the proposed towers will fit within

View C - Before



View C - After



the existing context and add interest to the evolving skyline. The architectural expression will provide an added style to the built form context.

5.2 Local Context

The local context includes 6 views around the subject site, including three views (1, 2, and

3) looking south along Catharine Street South toward the escarpment along with views focussed on Jackson Street South.

As per the DHSP, as identified on Appendix C, the western portion of the subject site has the potential to impact the view corridor along Catharine south towards the Niagara Escarpment. Based on the current view for Images 1, 2, and 3, the Escarpment is partially visible at the terminus of the road when looking south down the Catharine Street South right-of-way and is framed by existing development on both sides of Catharine Street. Based on these views, the proposed development will not impact the view of Escarpment along the Catharine

Street view corridor as the base of Landmark Place (100 Main Street East), Linden Hall (55 Catharine Street South) and Oakland Square Tower II (100 Forest Avenue) already obstruct direct views to the Escarpment.

As described earlier, the UHOP and Secondary Plan state that:

- Public views and vistas, usually refers to a strong individual feature (i.e. the Niagara escarpment) often framed by its surroundings, are important;
- The Secondary Plan recognizes the importance of the impacts on significant views to and of the Niagara Escarpment;
- Significant views to the Niagara Escarpment shall be

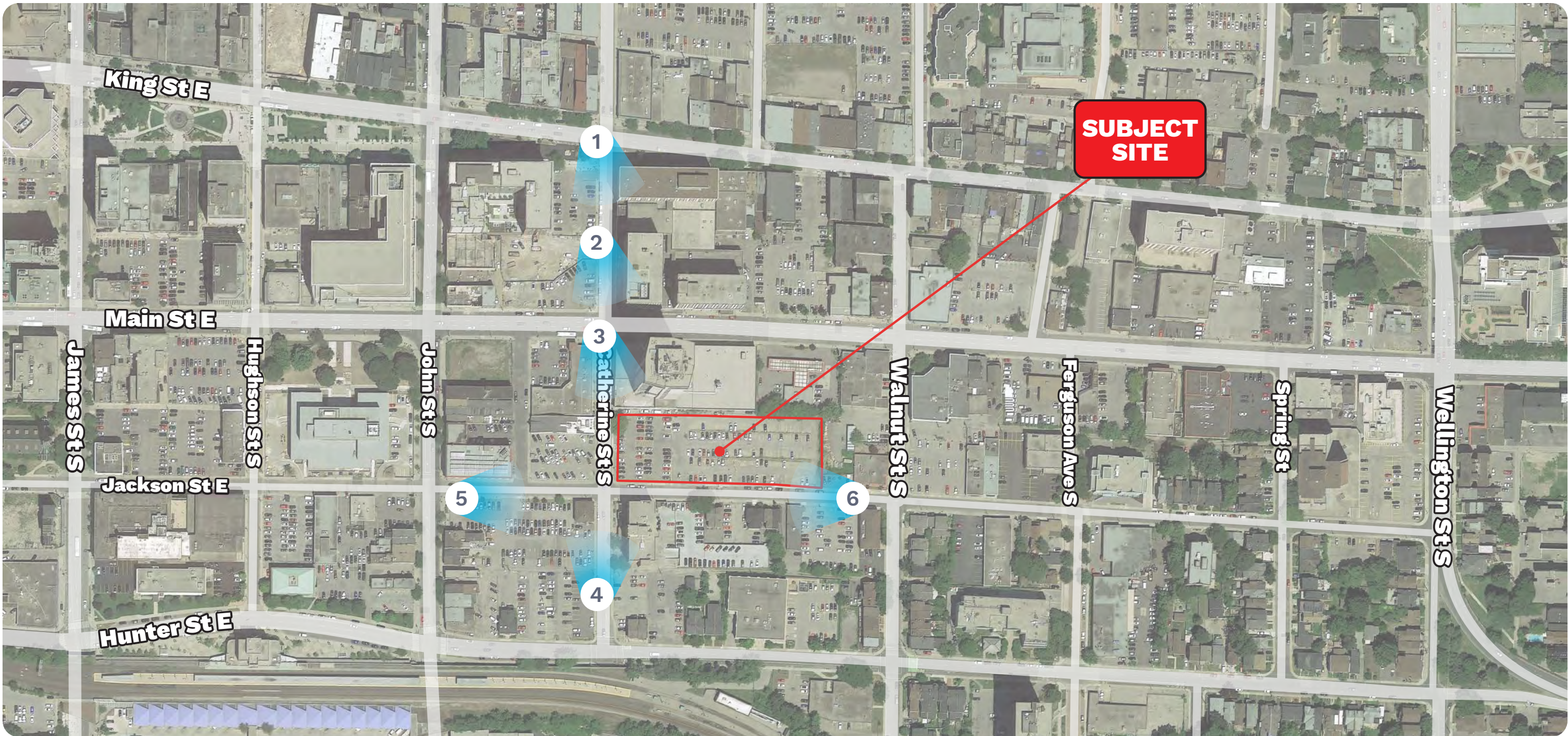
protected; and,

- A visual impact assessment shall be prepared to understand and limit the loss of views to the Niagara Escarpment.

In our opinion, the proposal adequately responds to the policy framework and, despite being higher than the height of the Escarpment, does not impact the views of the Niagara Escarpment along the Catharine Street view corridor.

Views 1 through 6 also illustrate the surrounding context. The existing and proposed views illustrate how the proposed building will fit harmoniously into the local context in a built form that is appropriate for the subject site's Downtown location. The 3-storey podium base element responds appropriately to the 2-3 storey buildings on the south side of Jackson Street East as

Local Context View Analysis



View 1 - Before



View 1 - After



View 2 - Before



View 2 - After



View 3 - Before



View 3 - After



View 4 - Before



View 4 - After



View 5 - Before



View 5 - After



View 6 - Before

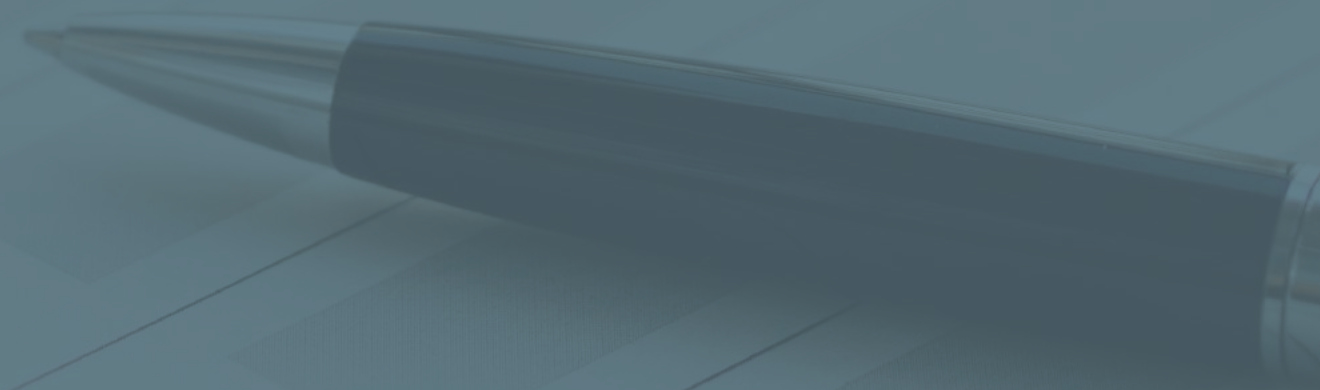


View 6 - After



6

Conclusion



well as to Landmark Place's podium to the north. The tower portion of the building is appropriately setback from the podium and fits well within the context while adding visual interest to the Downtown skyline.

The analysis of the existing and proposed visual conditions of the subject site through this Visual Impact Analysis provides the following conclusions:

- The subject site is located within the City's Downtown Urban Growth Centre and designated "Downtown Mixed Use" and "High-rise 2", which is the most intense land use designation in the Downtown Core where the tallest buildings are directed.
- The Secondary Plan includes policy framework to protect views and vistas of the Niagara Escarpment, including a View Corridor along Catharine Street;
- The proposed building will not impact any public views to the Niagara Escarpment, specifically along the Catharine Street view corridor;
- The massing and form of the proposed building is appropriate for the site and area and relates well to the existing and planned surrounding development.
- The proposal will enhance the site, area and Downtown skyline by introducing a building with a

high quality design that is sited and scaled appropriately to its location in the Downtown core where the tallest buildings are directed.

Accordingly, this Visual Impact Assessment concludes that the proposed development conforms to the views and vistas policies of the UHOP and Secondary Plan and is appropriate and desirable in land use planning and urban design terms.

