

May 20, 2020

262-17

Via Email

Andrea Dear, MCIP RPP
Development Planning, Heritage and Design

City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Ms. Dear,

**RE: 1630 Main Street West & 69 Sanders Boulevard
Additional Planning Analysis
UHOPA-18-014/ZAC-18-035**

In response to your email correspondence dated April 14, 2020, we offer the following additional planning analysis to address the Urban Hamilton Official Plan policies applicable to the proposed development, as it relates to the shadow impacts on the adjacent building to the north of the subject lands:

E.2.4.16 *New development shall respect the existing built form of adjacent neighbourhoods where appropriate by providing a gradation in building height. New development shall locate and be designed to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods. (OPA 98)*

Planning Comment – The existing built form along West Park Avenue and Westbourne Road provide a gradation in height with one and two storey dwellings to the north with 3 and 4 storey multiple dwellings located at 1 Westbourne Road and 10 and 11 West Park Avenue closer to Main Street West. The introduction of the 9 storey multiple fronting Main Street further implements and exemplifies this policy initiative. Further, the massing of the proposed building has incorporated step backs at the northwest corner of the building to provide gradation in building height to the low rise residential buildings to the north. As demonstrated in the Comparative Sun/Shadowy Study dated December 2, 2019, the proposed building creates minor incremental shade on the apartment building to the north above and beyond the as-of-right condition. In addition, the private amenity areas (i.e., balconies) on the east façade of the apartment building are not significantly impacted by the proposal in terms of shadowing when taking the existing condition in to consideration. As the enclosed email correspondence from Ralph Bouwmeester, R. Bouwmeester & Associates demonstrates, the balconies are shaded by *their own building* between approximately 12:00 pm and sunset on March 21st. When applying the City’s Shadow Impact Criteria for Downtown Hamilton, the existing conditions would not meet the minimum requirement for 3 hours of sun coverage between 10:00 am and 4:00 pm as measured on March 21st on private outdoor amenity areas. The shadow caused by the

proposed building massing therefore does not have any significant adverse effects on the private amenity areas of this existing apartment building.

E.4.6.8 Additional height up to a total of eight storeys may be permitted without an amendment to this Plan, provided the applicant demonstrates:

- a) there are no adverse shadow impacts created on existing residential uses within adjacent lands designated Neighbourhoods;
- b) buildings are progressively stepped back from adjacent areas designated Neighbourhoods. The Zoning by-law may include an angular plane requirement to set out an appropriate transition and stepping back of heights; and,
- c) buildings are stepped back from the street to minimize the height appearance from the street, where necessary.
- d) there are no adverse shadow impacts created on existing residential uses within adjacent lands designated Neighbourhoods;

Planning Comment – As indicated above, the proposal does not have significant adverse shadow impacts on the existing apartment building to the north when taking the existing condition and as-of-right shadow into consideration. The enclosed email correspondence from Ralph Bouwmeester, R. Bouwmeester & Associates demonstrates that the east facing balconies of the apartment building adjacent the subject lands to the north are currently shadowed from approximately 12:00 pm to sunset during the Spring equinox. Applying the as-of-right building envelope, these private balconies would be in shade for the entire day, as demonstrated by the Comparative Sun/Shadow Study dated December 2, 2019. The proposed building massing has a minor adverse effect on the new shadows for these private balconies when compared against the existing condition; however, represents a significant improvement from the shade that would be created by applying the as-of-right zoning.

To assist with the implementation of Policy E.4.6.8, the City has prepared the City-Wide Corridor Planning Principles and Design Guidelines. Section 4.3.1 states *“New buildings should be limited in height by a 45 degree build to plane measured from the rear property line when adjacent to existing single detached, semi detached or duplex residential.”* By limiting the angular plane to singles, semis and duplexes, a balance of planning objectives is met excluding multiple dwellings as the gradation in height is achieved and there are no adverse impacts to the singles further north on West Park Avenue and Westbourne Road. In addition, the proposal does not inhibit the future redevelopment of the site as the proposed shadow is minor in comparison with that which would be created by the as-of-right building massing, as demonstrated by the Sun Shadow Analysis prepared by R. Bouwmeester & Associates. This is achieved in part through the integration of a stepback above the sixth storey at the northwest corner of the proposed building.

E.4.6.24 New development shall respect the existing built form of adjacent neighbourhoods by providing a gradation in building height and densities, and by locating and designing new development to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods.

Planning Comment – In addition to the Planning Comments to Policies E.2.4.16, E.4.6.8 and E.4.6.24 outlined above, the building massing has been designed with a stepback above the sixth storey at the northeast corner of the proposed building. This stepback, along with the configuration of the proposed three (3) storey townhouse dwelling blocks north of the multiple dwelling, provides for a gradation in

building height to the low rise built form surrounding the site. As demonstrated in the Comparative Sun/Shadow Study dated December 2, 2019 and enclosed email correspondence dated April 29, 2020 prepared by R. Bouwmeester & Associates, the development has been designed to minimize the effects of shadowing and overview on properties in the adjacent neighbourhood. While the current proposal results in an additional +/- 2 hours of shade on the private balconies of the multiple dwelling to the north of the site, the proposed shadow is appropriate as:

- The balconies are currently in shade resulting from their own building between approximately 12:00 pm and sunset and therefore do not meet the City's criteria for sun access as is;
- The new shadow from the proposed 9-storey multiple dwelling provides significantly more sun access to the multiple dwelling and the surrounding area overall than the as-of-right zoning would create; And;
- Taking the proposed shadow in to consideration, the east facing balconies of the multiple dwelling to the north have at least 5 hours of sun access after sunrise during the Spring equinox before they begin to self-shade.

Therefore the proposal implements the intent of Section E.4.6.24 of the UHOP.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,
UrbanSolutions



Matt Johnston, MCIP, RPP
Principal



Amber Lindsay, MCIP, RPP
Planner

cc: Mr. Selva Chelliah, Sanders Garden Inc.
Ms. Shannon McKie, City of Hamilton (via email)

Amber Lindsay

From: Ralph Bouwmeester <rba@sunposition.com>
Sent: Wednesday, April 29, 2020 1:57 PM
To: Amber Lindsay
Cc: Matt Johnston
Subject: Re: Main and Sanders - revised shadow studies

Hi Amber -

Further to your call we have determined the following...

The existing apartment building will begin to self-shade the south bank of balconies along the east side of the building at about 1:20 PM on Mar 21. The balconies will be in partial or full shade from that point on in the day. Self-shading of the north bank of balconies will begin sooner due to the jog in the east facade; as early as 12 noon for the lower floors, the upper floors again at 1:20 PM.

Due to the height of the sun in June, the jog will have less of an impact. Generally speaking, the apartment building will self-shade all the east balconies on Jun 21 beginning at about 1:15 PM. Again, they will be in partial or full shade from that point on in the day.

We note that self-shading will occur earlier than estimated above due to the overhanging balcony slabs above. This would be most pronounced in June when the sun is at its highest.

Hopefully this is what you were looking for. Let me know if you need anything else.

Regards -
Ralph

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