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**To: Chair and Members
City of Hamilton Planning Committee**

**Applications for Official Plan Amendment and Zoning By-law
Amendment for Lands Located at 405 James Street North,
Hamilton (PED22155) (Ward 2) – Statutory Public Meeting**

Harbour West Neighbours Inc. members have been involved since 2002 in a variety of planning issues relating to the North End Neighbourhood. We helped build Setting Sail, campaigned for more family housing on Pier 8, supported the City's position on James and Burlington and appealed the original approval of a 9 storey building at 476 James Street North.

The Committee will recall that HWN, working with the residents living next to 476 James Street North, negotiated a settlement with the developers resulting in a building that complied with the approved Urban Design policy approved by Hamilton Council. The settlement was for a building with a six storey height. Council approved of that settlement and the Ontario Land Tribunal also approved it as good planning.

The six storey height is very important to the future character of the North End Neighbourhood. We participated in the process that led to Council approval of the Urban Design policy and supported it.

In connection with the Burlington James appeal, which was lost largely because City planning staff disagreed with Council and the Tribunal accepted the City planning staff



analysis. Our group funded the engagement of a planner and an urban design expert to support the City Council's position. We were represented by legal counsel throughout the hearing in support of City Council.

At that hearing, Anne McIlroy, a qualified urban design expert testified under oath that Setting Sail, interpreted through the Mobility Hub Study called for a six storey height limit on James Street.

It is simply a fact of life that if one building on James is approved at 7 stories, the next application will be for 8 or 9, and as in the case of the Burlington/James appeal, City planning staff present evidence supported a nine storey building. The neighbourhood needs this Committee to send a strong message that the height limit on James Street North of the CNR tracks is six stories. Period. Anything other than a clear simple message reinforcing that position will cause confusion and inevitable growth in the height of buildings.

Height is important along this stretch of James Street. The buildings are being built on the property line with virtually no set back. The height determines the amount of visible sky and the character of the neighbourhood. In other parts of James Street the height will be a critical issue for the houses on McNab and Hughson who's backyards will be impacted by the height of the James Street buildings.

Council approved the six storey limit when it approved the Urban Design policy for Jamesville, when it approved the settlement for 476 James Street North, and when it opposed the 9 storey building recommended by City planners.

This a simple consistent track record of Council support of the six storey limit.

What is of profound concern on the current project is that the City is both the owner and the rule maker for the site. If you agree that six stories is the proper height, then it is simply a matter of your staff advising the developer that the City will accept 6 stories.

This is not a case of a developer trying to squeeze an extra story out of a vague planning process. The proposed seven storey buildings are either publicly owner or publicly financed. Both buildings are important to the project. Both buildings can easily be six stories. There is no pressing need for the seventh storey. If approved it will set a precedent. The City as the owners of the CHH building can easily make the right decision on height. It would be surprising if Indwell did not follow your example.



A quick final word about our group. We are all members of NENa but NENa is not incorporated and does not have a right of appeal. We have worked on planning matters in the neighbourhood since 2002.

My own example is typical: Our group started working on planning for our neighbourhood in around 2002. Most of us had small children then. My son was 5. We had invested in buying a home in the north end and planned to stay here to raise our families. The work we did on Setting Sail and the traffic plan was all part of that. Our goal was to make sure that our neighbourhood stayed as a place where families with children could live. I think we accomplished that. The HWN 2002 babies are now in high school or university or at work. It has been a pretty stable place to live, particularly after we got most of the traffic calmed.

It looks like our work has paid off because there are now new family houses under construction in the neighbourhood and you see parents with baby carriages on the sidewalks again.

The neighbourhood needs your vigorous support to maintain that momentum. We endorse the position of North End Neighbourhood Association (NENa) and treat its submission to you today as part of this submission. We also agree with the Design Review Panel's concern that "the development is quite condensed with narrow spaces between TownHouses"

Please help.

Thank you.



Bryan Ritskes
President

