

**Pilon, Janet**

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**Subject:** HATS Project located at Strachan and James

**From:** Kevin Brazil

**Sent:** August 16, 2023 5:00 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca); Office of the Mayor <[Officeofthe.Mayor@hamilton.ca](mailto:Officeofthe.Mayor@hamilton.ca)>; MR - City Hall - Council Chambers (seats 70) <[CityHall.CouncilChambers@hamilton.ca](mailto:CityHall.CouncilChambers@hamilton.ca)>

**Subject:** HATS Project located at Strachan and James

City of Hamilton Council Members

Please accept this to be considered by council prior to the ratification vote scheduled for August 18th 2023.  
Kindly respond.

To Whom it May Concern,

We are writing this letter in recognition of a petition with over 330 individuals who have signed a petition voicing their strong opposition – all signing over a busy summer weekend when many residents are off line and on vacation.

We are writing this letter in our North End neighborhood that has previously supported and continues to encourage numerous public initiatives, including the Indwell Building at 500 James St. N , Bennetto Rec Centre used as COVID recovery centre, 500 McNab revitalization and Pier 8 Habitat affordable homes.

All of these initiatives were achieved with neighborhood engagements and support.

The current proposed HATS project to erect and maintain 25 tiny shelters as well as auxiliary buildings to support the residents of these shelters has failed to include community engagement at any point thus far. It has also failed to garner community support. Indeed, significant opposition has been steadily growing and vociferous over the 6 short days notice provided to the Community by the City.

Given the significance and neighbourhood impacts to convert established park land to homeless shelters, should we not have been made aware of what is to transpire in our community at a reasonable time before Council ratification after which only seriously costly avenues of redress are then available?

Should we not be given the opportunity to voice our opinions when they are of use to City planners and City management? As it is, the initiative will be fast-tracked (from public notice to ratification within 8 days over the height of summer when many are not in residence) prior to allowing for any useful dialogue with community residents and stake-holders.

The concerns we have at this time are as follows (not an exhaustive list):

- Zero Public engagement in the adjacent areas to date.
- Recent (Wednesday August 16<sup>th</sup> 2023) confirmation of planning justification via use of an extremely rare section of bylaw 05-200, specifically section 4.4 which speaks to the ability to allow for Public Uses Permitted in all zones with no exceptions.
- The above planning justification excludes the community from participating in any further project proposals from HATS on this site that may include auxiliary buildings and other ancillary uses.

- By use of this rare clause staff have confirmed via email, that this is not a HATS project but rather a City of Hamilton initiative with HATS being a provider of the service, otherwise the clause is not usable in this instance.

**Why is this concerning?**

As opposed to most other planning initiatives throughout the city, due to this “notwithstanding” clause being utilized the following does not apply:

- Zoning definition (P4)
- Adequate serving of the zoning bylaw does not apply
- Parking requirements do not apply
- Permitted Uses List for a P4 zone does not apply

The view of this group now confirmed from email received from Director of Planning – Steve Robichaud is that the use of this rarely utilized clause is merely a workaround to prevent a zoning change that would spark official public consultation.

Please accept this letter as a formal appeal to the vote on this item today, please table the vote and follow the protocols that are in place. We urge you to respect our fears and concerns and allow for fair democratic process.

Thank you

Kevin Brazil