



## City of Hamilton

### CITY COUNCIL ADDENDUM

19-020

Wednesday, November 13, 2019, 5:00 P.M.

Council Chambers, Hamilton City Hall

71 Main Street West

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#### 5. COMMUNICATIONS

\*5.6 Correspondence respecting the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 263 East 21st Street, Hamilton:

\*5.6.a Robert and Eimilidh McQueen

\*5.6.b Debbie Riddell

\*5.6.c Debbie Riddell

Recommendation: Be received and referred to the consideration of Item 3 of Public Works Report 19-015.

#### 8. NOTICES OF MOTIONS

\*8.2 Contract Extension - Director, Physician Recruitment

#### 10. PRIVATE AND CONFIDENTIAL

\*10.2 Operations and Maintenance of the Material Recycling Facility Request for Proposal C11-12-19 Update (PW19107) (City Wide) (distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

## 5.6 (a)

11 November, 2019

Mayor Eisenberger and Members of Council,

We would like to thank Cetina Farrugia and the Corridor Management and Public Works Departments for their work in researching and preparing the report for our request to purchase the former alley abutting our lot at 263 East 21<sup>st</sup> Street and for their communication with all interested parties.

We also wish to thank Councillor Pauls for supporting the City's report and for her work mitigating the neighbours' issues with regards to the application.

Judging by the two adverse presentations at the Committee meeting November 4, 2019, there were misgivings about the details, but no longer opposition to the annexation of the property. We thank the Committee for the platform giving us the opportunity to allay those apprehensions and to reassure our neighbours that their concerns will be addressed.

I proposed to my wife in my backyard the first day we took ownership of our first home. The last thing I want is for it to be a cause of tensions, and I thank all involved for helping to ease any issues with the neighbours.

Respectfully,

Robert and Emilidh McQueen

To: Mayor and legislative Council  
As per our meeting at City Hall on November 4, 2019.

There was so much more I wanted to say. As my neighbor, Calvin, had said, he wanted to repair his fence but needed a special machine to dig out the post. He asked the neighbour at 263 21st Avenue if he could get in the back. The neighbour did not comply. So Calvin added "this is not your property, it's a laneway". At this point, the neighbour was already using the laneway as a driveway for his vehicles. No city truck could get in to do the work for Calvin, anyways.

With knowledge that it was a laneway, the owner of 263 21st Avenue went to City Hall to buy the 12 foot section of the laneway, unbeknownst to his existing neighbours that had an interest as well.

After Robert @263 21st Ave applied, the City of Hamilton forwarded letters to all the interested residents on Brucedale Ave. The letter was asking us if we were a yay or nay for allowing the purchase to go through. We all, most definitely, opposed this and to my knowledge we all signed and returned the letters.

We were then advised last June 2018, that there would be a council meeting in the spring of April 2019, in regards to our possibility of being able to buy a portion of the laneway.

Councillor Esther Paul, visited all the neighbours on Brucedale. Looking in our backyards and adding, "Yes, it would be only fair to half it up", and added, if she lived here she would've wanted it as well.

While Brucedale neighbours were standing with Esther Paul, she had received a text from 263 21st Avenue stating, "Tell them to stop harassing him!" (Him being Robert at 263 21st ave). This gentleman was never harassed, we were all beside ourselves. Then, Esther Paul, said she would go meet with them and discuss the matter. Esther Paul returned within 20 minutes while we were all still outside on Brucedale. Esther Paul said, "Oh my God I know these people", and that she was great friends of their mom and had been to their wedding. Jokingly, I added, "I guess we know what side you're on". Not thinking that that may take precedence.

Weeks later we received a phone call from a woman at Public Works saying that there was nothing Brucedale residents could do because the fences had been there for however long and that there's a Hamilton by law stating such a thing. The woman spoke so fast I commented to her, "you speak so fast do you not take a break for breath because I don't understand all you're trying to say".

Amongst the neighbours, we immediately thought, that Robert could possibly know others working at City Hall, and/or Public Works. We also realized at this point we had not yet had our meeting with City Council. We couldn't understand why other people in other departments took it into their own hands, overriding our City Council meeting that

November 12, 2019

was supposed to be taking place in the spring of 2019.

Esther Paul continued to ask us if there was any way we could resolve this, and asked us what we would want? When the negativity on purchasing the laneway was running rampant, the other residents didn't pursue it, thinking it was a done deal.

Since Calvin, Lilly, and myself have yards backing onto 263 21st Avenue's property, Esther Paul concentrated on us and asked us what would make us happy. We started settling for a fence. Tim had gone on and there was no meeting held in April 2019. After the city Council meeting that took place on November 4th...it became increasingly unclear if this meeting was the one that was supposed to be held earlier in the spring, in regards to the Brucedale residents purchasing a portion of the laneway or was it to finalize the details about putting up a fence? The confusion for us came about because the father of Robert, had spoken about how he grew up in this neighbourhood and spoke about our existing fence and how long it had been there. Implying that there was no reason to be arguing about the laneway since a fence had been up for years.

I moved into my Brucedale house in October 2016. I am not from the area and was not aware of any bylaws that trump a homebuyer's intent to purchase land that is available to them regardless of how many years a fence has been there. I believe that as a new resident coming in to the area, I should be allowed to express interest in the laneway, along with my fellow neighbours. Which is why the neighbours and myself duly signed the necessary forms and returned them. My intent for that space is to ensure I get the fence I want in my own backyard. I have to look at the fence everyday and right now there is a short chain link fence. I can see everything that goes on in their yard and they can see everything in my yard. I would like to have a privacy fence go up to give each of us our own private spaces.

My stomach has been in knots ever since the meeting, it would keep me up at night.

I would have expressed all this at the meeting. The truth of the matter is, our petitioning had never been addressed. Our neighbours followed all the protocols and we still had no response and had no idea where we stood. Whatever the outcome could/would have been, it just would have settled easier hearing it fairly from City Council...

It's very difficult to accept that this problem with the laneway wasn't handled professionally or lawfully, in our eyes.

I hope you can understand how we could feel this way.

Thanking you in advance.

Sincerely,  
Debbie Riddell

To: Mayor and legislative Council  
As per our meeting at City Hall on November 4, 2019.

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Letter to Council

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One more important issue to this matter is that, although, Brucedale Avenue residents do not have a portion of this laneway.....the residents residing on the other side have divided their yards up including the laneway.

Before you render a decision I'm hoping that, to make a proper decision someone could come and assess the lane.....and see exactly how it had been divided.

I also believe, that whatever decision is made, the laneway should be looked at carefully. If one person is buying, I believe it only fair that if one person pays their portion of the laneway that the other residents follow suit.

We should rectify this issue of the laneway.

Thanking you so much for your assistance in this matter.

Sincerely,  
Debbie Riddell

# CITY OF HAMILTON

## NOTICE OF MOTION

Council: November 13, 2019

**MOVED BY COUNCILLOR T. WHITEHEAD.....**

**Contract Extension - Director, Physician Recruitment**

WHEREAS, the Physician Recruitment & Retention Steering Committee is currently exploring the best way to fill the Director, Physician Recruitment position at this time;

WHEREAS, the Director, Physician Recruitment announced their retirement as of November 22, 2019 and has now offered to extend their contract to December 17, 2019 to provide consulting services and to facilitate the training of the temporary Physician Recruitment Coordinator; and

WHEREAS, there is a need to temporarily replace (for maternity leave) the Physician Recruitment Coordinator position;

THEREFORE BE IT RESOLVED:

- (a) That the Executive Director, Human Resources be directed to facilitate the hiring of a temporary Physician Recruitment Coordinator; and
  
- (b) That the current Director, Physician Recruitment’s contract be extended from November 23, 2019 to December 17, 2019 to provide consulting services during the temporary Physician Recruitment Coordinator’s transition period.