



City of Hamilton

CITY COUNCIL ADDENDUM

Wednesday, September 13, 2023, 9:30 A.M.

Council Chambers

Hamilton City Hall

71 Main Street West

8. NOTICES OF MOTIONS

- *8.1 Feasibility of a Judicial Review of the Government of Ontario's Decision to Remove Lands from the Greenbelt Plan within the City of Hamilton
- *8.2 Swansea Tenants Association Committee – Thanksgiving Dinner (Ward 6)

12. BY-LAWS AND CONFIRMING BY-LAW

*12.11 171

To Establish City of Hamilton Land Described as Part of Block 14 on Plan 62M-444, designated as Part 2 on Plan 62R-22066 as Part of McCollum Road

Ward: 10

*12.12 172

To Establish City of Hamilton Land Described as Block 86 on Plan 62M-1198 as Part of Halo Street

Ward: 7

*12.13 173

To Establish City of Hamilton Land Described as Part of Lot 21 on Registered Plan 493, designated as Part 3 on Plan 62R-21610 as Part of Wentworth Street North

Ward: 3

*12.14 174

Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 31 Crooks Street, Hamilton, established by Registered Plan 284, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21637, being Part of PIN 17148-0244 (LT), City of Hamilton

Ward: 1

*12.15 175

Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 35 Crooks Street, Hamilton, established by Registered Plan 284, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-21637, being Part of PIN 17148-0244 (LT), City of Hamilton

Ward: 1

CITY OF HAMILTON

NOTICE OF MOTION

Council: September 13, 2023

MOVED BY COUNCILLOR J.P. DANKO.....

Feasibility of a Judicial Review of the Government of Ontario's Decision to Remove Lands from the Greenbelt Plan within the City of Hamilton

WHEREAS, on December 16, 2022, the Government of Ontario removed 795 hectares of land from the Greenbelt Plan within the City of Hamilton and these lands were selected and recommended for removal by the Minister of Municipal Affairs and Housing;

WHEREAS, the Provincial Housing Affordability Taskforce, the Auditor General for the Province of Ontario and the City of Hamilton have all independently concluded that Greenbelt lands are not required to meet Hamilton's provincially mandated housing growth targets;

WHEREAS, after a comprehensive investigation, the Auditor General for the Province of Ontario concluded that "the exercise to change the Greenbelt boundaries in Fall 2022 cannot be described as a standard or defensible process";

WHEREAS, the Auditor General for the Province of Ontario specifically recommends that "the government request that the Housing Ministry, in conjunction with the Ministry of Natural Resources and Forestry, the Ministry of the Environment, Conservation and Parks and the Ministry of Agriculture, Food and Rural Affairs, Indigenous communities and relevant stakeholders, such as impacted municipalities, re-evaluate the 2022 decision to change the Greenbelt boundaries";

WHEREAS, the Integrity Commissioner for the Province of Ontario determined that the Greenbelt land removal process was marked by "unnecessary hastiness and deception";

WHEREAS, the Minister of Municipal Affairs and Housing for the Government of Ontario was directly responsible for the selection and removal of lands from the Greenbelt and was found to have violated Sections 2 (Conflict of Interest) and 3 (Insider Information) of the Members' Integrity Act and subsequently resigned from his cabinet position;

WHEREAS, the decision by the Government of Ontario to remove lands from the Greenbelt has been referred to the RCMP for criminal investigation;

WHEREAS, the Premier of the Province of Ontario has publicly stated that the Government of Ontario's decision to remove lands from the Greenbelt was a result of a "flawed process"; and

WHEREAS, recent new information strongly suggests that the decision of the Government of Ontario to remove lands from the Greenbelt may not have been fair, reasonable or lawful.

THEREFORE, BE IT RESOLVED:

That City of Hamilton Legal Services staff be directed to review the feasibility of a Judicial Review of the Government of Ontario's decision to remove lands from the Greenbelt Plan within the City of Hamilton.

CITY OF HAMILTON

NOTICE OF MOTION

Council: September 13, 2023

MOVED BY COUNCILLOR T. JACKSON.....

Swansea Tenants Association Committee – Thanksgiving Dinner (Ward 6)

WHEREAS, the Swansea Tenants Association Committee (all Volunteers) at 801 Upper Gage Avenue in Ward 6, have planned a Thanksgiving Dinner for 100 to 150 tenants on Saturday, October 14, 2023;

WHEREAS, the Swansea Tenants Association Committee will be delivering meals to shut ins and waiving the customary fee in order for more tenants to participate;

WHEREAS, the Policy and Guidelines For Eligible Expenses for Elected Officials states Sponsorships / Donations are limited to \$350 per named organization per year;

WHEREAS, this request exceeds the maximum for the following reasons: (1) Providing support for an Event Organized by a Volunteer Association in a CityHousing Hamilton (CHH) building; (2) without this supportive funding many tenants would potentially not be able to afford the dinner and feel isolated during this special social event time in the building; and (3) it’s a one-time Request.

THEREFORE, BE IT RESOLVED:

- (a) That for this one time exception, the maximum noted in the Policy and Guidelines For Eligible Expenses for Elected Officials, be waived;
- (b) That an upset limit of \$1,100 be allocated from the Ward 6 Operating Budget Dept ID #300045 to the Swansea Tenants Association Committee for the Thanksgiving Dinner for Swansea Tenants on Saturday, October 14, 2023; and
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

Authority: Item 3, Public Works Committee Report 22-004 (PW22013)
Council Meeting: March 30, 2022 Ward: 10
Written approval for this by-law was given by Mayoral Decision MDE-2023-02 dated
September 13, 2023

Bill No. 171

CITY OF HAMILTON

BY-LAW NO. 23-

To Establish City of Hamilton Land Described as Part of Block 14 on Plan 62M-444, designated as Part 2 on Plan 62R-22066 as Part of McCollum Road

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as **Part of Block 14 on 62M-444, designated as Part 2 on 62R-22066**, is established as a public highway, forming part of **McCollum Road**.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 13th day of September, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

Authority: Item 3, Public Works Committee Report 22-004 (PW22013)
Council Meeting: March 30, 2023 Ward: 7
Written approval for this by-law was given by Mayoral Decision MDE-2023-02 dated
September 13, 2023

Bill No. 172

CITY OF HAMILTON

BY-LAW NO. 23-

To Establish City of Hamilton Land Described as Block 86 on Plan 62M-1198 as Part of Halo Street

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as **Block 86 on 62M-1198** is established as a public highway, forming part of **Halo Street**.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 13th day of September, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

Authority: Item 3, Public Works Committee Report 22-004 (PW22013)
Council Meeting: March 30, 2022 Ward: 3
Written approval for this by-law was given by Mayoral Decision MDE-2023-02 dated
September 13, 2023

Bill No. 173

CITY OF HAMILTON

BY-LAW NO. 23-

To Establish City of Hamilton Land Described as Part of Lot 21 on Registered Plan 493, designated as Part 3 on Plan 62R-21610 as Part of Wentworth Street North

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as **Part of Lot 21 on Registered Plan 493, designated as Part 3 on Plan 62R-21610** is established as a public highway, forming part of **Wentworth Street North**.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 13th day of September, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

Authority: Item 2, Public Works Committee Report 20-008 (PW20017)
Council Meeting: September 30, 2020 Ward: 1
Written approval for this by-law was given by Mayoral Decision MDE-2023-02 dated September 13, 2023

Bill No. 174

**CITY OF HAMILTON
BY-LAW NO. 23-**

Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 31 Crooks Street, Hamilton, established by Registered Plan 284, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21637, being Part of PIN 17148-0244 (LT), City of Hamilton

WHEREAS Sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS Section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law;

AND WHEREAS at its meeting of September 30, 2020, the Council approved Item 2 of Public Works Committee Report 20-008, and authorized the City to permanently close and sell a portion of public unassumed alley abutting 31 Crooks Street, Hamilton, Ontario, established by Registered Plan 284, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21637, being Part of PIN 17148-0244 (LT), City of Hamilton;

AND WHEREAS notice of the City's intention to pass this By-law has been published pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25 as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the portion of the public unassumed alley, set out as:

Part of Alleyway, Registered Plan 284, in the City of Hamilton, designated as Part 2 on Plan 62R-21637, being Part of PIN 17148-0244 (LT)

is hereby permanently closed.

2. That the soil and freehold of Part 2 on Reference Plan 62R-21637, hereby permanently closed, be sold to Lucia S. Surette and Stephen E. Surette for the sum of Five Thousand, Six Hundred and Forty-Four Dollars (\$5,644.00).

3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED on this 13th day of September, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

Authority: Item 2, Public Works Committee Report 20-008 (PW20017)
Council Meeting: September 30, 2020 Ward: 1
Written approval for this by-law was given by Mayoral Decision MDE-2023-02 dated September 13, 2023

Bill No. 175

**CITY OF HAMILTON
BY-LAW NO. 23-**

Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 35 Crooks Street, Hamilton, established by Registered Plan 284, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-21637, being Part of PIN 17148-0244 (LT), City of Hamilton

WHEREAS Sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS Section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law;

AND WHEREAS at its meeting of September 30, 2020, the Council approved Item 2 of Public Works Committee Report 20-008, and authorized the City to permanently close and sell a portion of public unassumed alley abutting 35 Crooks Street, Hamilton, Ontario, established by Registered Plan 284, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-21637, being Part of PIN 17148-0244 (LT), City of Hamilton;

AND WHEREAS notice of the City's intention to pass this By-law has been published pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25 as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the portion of the public unassumed alley, set out as:

Part of Alleyway, Registered Plan 284, in the City of Hamilton, designated as Part 1 on Plan 62R-21637, being Part of PIN 17148-0244 (LT)

is hereby permanently closed.

2. That the soil and freehold of Part 1 on Reference Plan 62R-21637, hereby permanently closed, be sold to Joao Paulo Rodrigues and Rosa Rodrigues for the sum of Five Thousand and Ninety Dollars (\$5,090.00).

3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED on this 13th day of September, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk