

# 5.13 (c)

**Pilon, Janet**

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**Subject:** Objection to proposed use of notwithstanding clause

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**From:** Chantal Cino

**Sent:** Monday, November 11, 2024 10:30 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** Objection to proposed use of notwithstanding clause

Dear City Council,

My name is Chantal Cino, and I am writing to you as a concerned constituent. This Wednesday, November 13th, Councillor Matt Francis is proposing a motion at Council to "formally request that the Province consider any tools available to the Province that would not permit encampments in parks and public spaces, including but not limited to the use of the 'notwithstanding clause.'" If passed, this motion would put hundreds of unhoused Hamiltonians in danger by limiting their already inadequate housing and shelter options amidst a severe housing crisis.

Please note my formal objection to this proposed motion.

This motion subverts Council's ability to come up with a robust response to support unhoused Hamiltonians, with interim measures that could be viable and compassionate. It risks setting a troubling precedent, one that not only discourages City-led solutions, but removes Hamilton's autonomy to address its unique housing needs and countless other issues. People deserve dignified housing options informed by local knowledge and specific community needs. People deserve the protection of their Charter rights, especially those most marginalized in our City.

Encouraging the Province to use the notwithstanding clause for this purpose undermines due process, compromises the rights of all Hamiltonians, and ignores Council's responsibility to serve all Hamiltonians, including those most impacted by the housing crisis.

Thank you for your attention to this critical issue. I urge you to oppose this motion and work toward meaningful, locally-informed solutions for our community.

Sincerely,  
Chantal Cino