

Mayoral Decision MDE-2024-03

To Veto a By-law Passed by Council

WHEREAS section 284.11 of the *Municipal Act, 2001* provides that if the head of council is of the opinion that all or part of a by-law could potentially interfere with a prescribed provincial priority, the head of council may veto the by-law;

AND WHEREAS the Province has prescribed provincial priorities by making O. Reg. 580/22: *Provincial Priorities* pursuant to section 284.9 of the *Municipal Act, 2001*.

I, Andrea Horwath, Mayor of the City of Hamilton, hereby exercise my authority pursuant to subsection 284.11(5) of the *Municipal Act, 2001* to veto the following by-law passed by City Council:

- City of Hamilton Bylaw 24-044, being a by-law to confirm the proceedings of City Council at its meeting held on March 27, 2024, to the extent such by-law adopts, ratifies and confirms City Council's adoption of Item (g)(i)(1) of the Information Section in the General Issues Committee Report 24-004 (hereinafter referred to as the "**By-law**").

For greater clarity, all other aspects of Bylaw 24-044 shall be deemed to have been approved in writing pursuant to subclause 284.11(4)(a)(i) of the *Municipal Act, 2001* on the 27th day of March, 2024.

The reasons for the veto are as follows:

It is my opinion that the By-law could potentially interfere with the provincial priority set out in paragraph 1 of section 1 of O. Reg. 580/22 of "building 1.5 million new residential units by December 31, 2031." In particular, Council's decision does not make certain City-owned lands available for the development of affordable housing, as outlined in Staff Report PED23099(a)/HSC23028(a) titled "Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies," and will interfere with this provincial priority because it fails to realize on an opportunity to create new affordable housing units in the City.

This Mayoral Decision comes into effect on the day it is made.

Dated at the City of Hamilton, this 28th day of March, 2024