

Authority: Item 3, Public Works Committee Report 23-010 (PW23047)
CM: July 14, 2023 Ward: 3
Written approval for this by-law was given by Mayoral Decision MDE-2024 12
Dated May 8, 2024

Bill No. 064

CITY OF HAMILTON

BY-LAW NO. 24-064

To Permanently Close and Sell a Portion of the Unassumed Alleyway Abutting 165 Burton Street, Hamilton; being Part of the Alleyway Lying East of Lot 235 on Plan 209, designated as Part 1 on Plan 62R-22256, in the City of Hamilton, being ALL of PIN 17189-0301 (LT)

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 July 14, 2023, Council approved of Item 3 of Public Works Committee Report 23-010, and authorized the City of Hamilton to permanently close and sell a portion of the unassumed alleyway abutting 165 Burton Street, Hamilton; being Part of the Alleyway Lying East of Lot 235 on Plan 209, designated as Part 1 on Plan 62R-22256, in the City of Hamilton, being ALL of PIN 17189-0301 (LT); and

WHEREAS notice to the public of the proposed sale of the part of the road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

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

1. The part of the unassumed alleyway set out as follows:

Part of the Alleyway lying East of Lot 235 on Plan 209, designated as Part 1 on Plan 62R-22256 in the City of Hamilton, Being ALL of PIN 17189-0301 (LT)

is permanently closed.

To Permanently Close and Sell a Portion of the Unassumed Alleyway Abutting 165 Burton Street, Hamilton; being Part of the Alleyway Lying East of Lot 235 on Plan 209, designated as Part 1 on 62R-22256 in the City of Hamilton, being ALL of PIN 17189-0301 (LT)

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2. The soil and freehold of the Part 1 on Plan 62R-22256, hereby permanently closed, be sold to 1000131598 Ontario Ltd.
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 this 8th day of May, 2024.

A. Horwath
Mayor

J. Pilon
Acting City Clerk