

Authority: Item 7, Public Works Committee
Report 17-008 (PW17048)
CM: June 28, 2017
Ward: 13

Bill No. 158

CITY OF HAMILTON

BY-LAW NO. 18-158

Being a By-law to Permanently Close a Public Unassumed Alley between Sydenham Road, Cross Street, Alma Street and Victoria Street, Dundas, Ontario, established by Registered Plan 1447, in the Corporation of the Town of Dundas, now City of Hamilton, designated as Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 62R-20715, being Part of PIN 17585-0103 (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 the Council of the City of Hamilton on June 28, 2017, in adopting Item 7 of Public Works Committee Report 17-008, authorized the City to permanently close and sell a public unassumed alley between Sydenham Road, Cross Street, Alma Street and Victoria Street, Dundas, Ontario, established by Registered Plan 1447, in the Corporation of the Town of Dundas, now City of Hamilton, designated as Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 62R-20715, being Part of PIN 17585-0103 (LT), City of Hamilton;

AND WHEREAS a Judge's Order was issued and registered on title on June 6, 2018, as Instrument No. WE1288651 to close a public unassumed alley between Sydenham Road, Cross Street, Alma Street and Victoria Street, Dundas, Ontario, established by Registered Plan 1447, in the Corporation of the Town of Dundas, now City of Hamilton, designated as Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 62R-20715, being Part of PIN 17585-0103 (LT), City of Hamilton;

AND WHEREAS the road is a highway under the jurisdiction of the City of Hamilton;

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Page 2 of 2

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 public unassumed alley, set out as:

Part of Lane lying South of Alma Street and West of Lots 26 and 50, Registered Plan 1447, Dundas, designated as Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 62R-20715, City of Hamilton

is hereby permanently closed.

2. That the soil and freehold of Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 20715, hereby permanently closed, be sold to Leonard Medeiros for the sum of Two Dollars (\$2.00).
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 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk