

**Authority:** Item 5, Public Works Committee Report  
22-009 (PW22046)  
CM: June 8, 2022  
Ward: 4  
Written approval of this by-law was given  
by Mayoral Decision MED-2023-01  
dated August 18, 2023  
**Bill No. 140**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-140**

**To Permanently Close and Sell a Portion of the Public Unassumed Alleyway Abutting 67 Graham Avenue South, Hamilton, namely Part of the Alleyway, North of Central Avenue on Registered Plan 577, in the City of Hamilton, Designated as Part 2 on Plan 62R-21979, being part of PIN 17237-0182 (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;

**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;

**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;

**WHEREAS** at its meeting of June 8, 2022, Council approved of Item 5 of Public Works Committee Report 22-009, and authorized the City of Hamilton to permanently close and sell a portion of the public unassumed alleyway abutting 67 Graham Avenue South, Hamilton, namely: Part of the Alleyway, North of Central Avenue on Registered Plan 577 in the City of Hamilton, Designated as Part 2 on Plan 62R-21979, being part of PIN 17237-0182 (LT); and

**WHEREAS** notice to the public of the proposed sale of the part of the unassumed alleyway 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 public unassumed alleyway set out as follows:

To Permanently Close and Sell a Portion of the Public Unassumed Alleyway Abutting 67 Graham Avenue South, Hamilton, namely Part of the Alleyway, North of Central Avenue on Registered Plan 577, in the City of Hamilton, Designated as Part 2 on Plan 62R-21979, being part of PIN 17237-0182 (LT)

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Part of the Alleyway, North of Central Avenue on Registered Plan 577 in the City of Hamilton, Designated as Part 2 on Plan 62R-21979, being part of PIN 17237-0182 (LT) is permanently closed.

2. The soil and freehold of the Part 2 on Plan 62R-21979, hereby permanently closed, be sold to Deborah Bulir.
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 18<sup>th</sup> day of August, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk