

Authority: Item 3, Public Works Committee Report
19-015 (PW19089)
CM: November 13, 2019
Ward: 7
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No. 141

CITY OF HAMILTON

BY-LAW NO. 23-141

To Permanently Close and Sell a Portion of the Public Unassumed Alleyway Abutting 263 East 21st Street, Hamilton, namely Part of the Alleyway lying South of Lots 182 to 190, and North of Lots 155 to 163 on Plan 590 in the City of Hamilton, Designated as Part 2 on Plan 62R-21454, being Part of PIN 17055-0200 (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 November 13, 2019, Council approved of Item 3 of Public Works Committee Report 19-015, and authorized the City of Hamilton to permanently close and sell a portion of the public unassumed alley abutting 263 East 21st Street, Hamilton, namely: Part of the Alleyway lying South of Lots 182 to 190, and North of Lots 155 to 163 on Plan 590 in the City of Hamilton, Designated as Part 2 on Plan 62R-21454, being PART of PIN 17055-0200 (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 263 East 21st Street, Hamilton, namely Part of the Alleyway lying South of Lots 182 to 190, and North of Lots 155 to 163 on Plan 590 in the City of Hamilton, Designated as Part 2 on Plan 62R-21454, being Part of PIN 17055-0200 (LT)

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Part of the Alleyway lying South of Lots 182 to 190, and North of Lots 155 to 163 on Plan 590 in the City of Hamilton, Designated as Part 2 on Plan 62R-21454, being PART of PIN 17055-0200 (LT) is permanently closed.

2. The soil and freehold of the Part 2 on Plan 62R-21454, hereby permanently closed, be sold to Robert Anthony McQueen and Eimilidh Niamh Elizabeth Kennedy.
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 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk