

Authority: Item 2, Public Works Committee Report 20-009 (PW20062)
CM: October 14, 2020 Ward: 3
Written approval for this by-law was given by Mayoral Decision MDE-2024-14
Dated June 12, 2024

Bill No. 089

CITY OF HAMILTON

BY-LAW NO. 24-089

Being a By-law to Permanently Close a Portion of Ship Street, Niagara Street and Hillyard Street, Hamilton, established by Registered Plan 32, in the City of Hamilton, designated as Parts 3, 4 and 5 on Reference Plan 62R-21658, being Part of PIN 17576-0102 (LT), All of PIN 17576-0103 (LT), and Part of PIN 17575-0041 (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 at its meeting of October 14, 2020, the Council approved Item 2 of Public Works Committee Report 20-009, and authorized the City to permanently close and sell a portion of Ship Street, Niagara Street and Hillyard Street, Hamilton Ontario, established by Registered Plan 32, in the City of Hamilton, designated as Parts 3, 4 and 5 on Reference Plan 62R-21658, being Part of PIN 17576-0102 (LT), All of PIN 17576-0103 (LT), and Part of PIN 17575-0041 (LT), City of Hamilton;

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 portion of the unassumed alley, set out as:

Firstly: Part of Macnab Street (AKA Niagara Street) on Registered Plan 32, in the City of Hamilton, designated as Part 3 on Plan 62R-21658, being Part of PIN 17576- 0102 (LT), Reserving an Easement for water and sewer over

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Part of Mac-Nab Street (AKA Niagara Street) on Registered Plan 32, in the City of Hamilton, designated as Part 3, Plan 62R-21658, being Part of PIN 17576-0102 (LT);

Secondly: Part of Ship Street on Registered Plan 32, in the City of Hamilton, designated as Part 4 on Plan 62R-21658, being All of PIN 17576-0103 (LT); Reserving an Easement for sewer over Part of Ship Street on Registered Plan 32, in the City of Hamilton, designated as Part 4, Plan 62R-21658, being All of PIN 17576-0103 (LT); and

Thirdly: Part of Hillyard Street on Registered Plan 32, in the City of Hamilton, designated as Part 5 on Plan 62R-21658, being Part of PIN 17575-0041 (LT), Reserving an Easement for sewer over Part of Hillyard Street on Registered Plan 32, in the City of Hamilton, designated as Part 5, Plan 62R-21658, being Part of PIN 17575-0041 (LT)

is hereby permanently closed.

2. That the soil and freehold of Parts 3, 4, and 5 on Reference Plan 62R-21658, hereby permanently closed, be sold to Great Lakes Port Management Inc., a wholly subsidiary of Hamilton-Oshawa Port Authority (HOPA) for the sum of Seven Hundred and Thirty Thousand Dollars (\$730,000.00).
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 12th day of June, 2024.

A. Horwath
Mayor

J. Pilon
Acting City Clerk