

Authority: Item 5, Public Works Committee Report 24-014 (PW24063)
CM: October 23, 2024 Ward: 3
Written approval for this by-law was given by
Mayoral Decision MDE-2025-09
Dated: May 28, 2025

Bill No. 108

CITY OF HAMILTON

BY-LAW NO. 25- 108

To Permanently Close and Sell a Portion of the Assumed Alleyway Abutting 830 Barton Street East, Hamilton; Being Part of the Alleyway on Plan 619, Lying Between Prospect Avenue North and Leinster Avenue North, in the City of Hamilton; Being Part 1 on Reference Plan 62R-22476; Being All of PIN 17216-0157 (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 October 23, 2024, Council approved of Item 5 of Public Works Committee Report 24-014 and authorized the City of Hamilton to permanently close and sell a portion of the Assumed Alleyway Abutting 830 Barton Street East, Hamilton; Being Part of the Alleyway on Plan 619, Lying Between Prospect Avenue North and Leinster Avenue North, in the City of Hamilton; Being Part 1 on Reference Plan 62R-22476; Being All of PIN 17216-0157 (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.

To Permanently Close and Sell a portion of the Assumed Alleyway Abutting 830 Barton Street East, Hamilton; Being Part of the Alleyway on Plan 619, Lying Between Prospect Avenue North and Leinster Avenue North, in the City of Hamilton; Being Part 1 on Reference Plan 62R-22476; Being All of PIN 17216-0157 (LT).

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

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

Part of the Alleyway on Plan 619, Lying Between Prospect Avenue North and Leinster Avenue North, in the City of Hamilton; Being Part 1 on Reference Plan 62R-22476; Being All of PIN 17216-0157 (LT)

is hereby permanently closed.

2. The soil and freehold of Part 1 on Reference Plan 62R-22476, hereby permanently closed, be sold to The Roman Catholic Episcopal Corporation of The Diocese of Hamilton In Ontario.
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 28th day of May, 2025.

A. Horwath
Mayor

M. Trennum
City Clerk