

**Authority:** Item 5, Public Works Committee  
Report 12-004 (PW12023)  
CM: April 11, 2012  
Ward: 2

**Bill No. 285**

## **CITY OF HAMILTON**

### **BY-LAW NO. 17-285**

**Being a By-law to Permanently Close an Unassumed Portion of an Alleyway abutting 20-22 George Street, Hamilton, Ontario, established by Registered Plan 114, City of Hamilton, designated as Parts 1-5 on Reference Plan 62R-19674, being all of PIN 17143-0132 (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

**AND WHEREAS** the Council of the City of Hamilton on April 11, 2012, in adopting Item 5 of Public Works Committee Report 12-004, authorized the City to permanently close and sell an unassumed portion of an alleyway abutting 20-22 George Street, Hamilton, Ontario, established by Registered Plan 114, City of Hamilton, designated as Parts 1-5 on Reference Plan 62R-19674, being all of PIN 17143-0132 (LT); City of Hamilton;

**AND WHEREAS** a Judge's Order was issued and registered on title on December 15, 2017, as Instrument No. WE1257262 to close an unassumed alleyway abutting 20-22 George Street, Hamilton, established by Registered Plan 114, City of Hamilton, designated as Parts 1-5 on Reference Plan 62R-19674, being all of PIN 17143-0132 (LT); City of Hamilton;

**AND WHEREAS** the road is a highway under the jurisdiction of the 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 unassumed alleyway, set out as:

Part of an Alleyway on Registered Plan 114, City of Hamilton, designated  
as Parts 1-5 on Reference Plan 62R-19674; City of Hamilton

is hereby permanently closed.

2. That the soil and freehold of Parts 1-5 on Reference Plan 62R-19674,  
hereby permanently closed, be sold to Hamilton George and Caroline Inc.  
for the appraised market value.
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 18<sup>th</sup> day of December, 2017.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk