

**Authority:** Item 8, Planning Committee  
Report 14-002 (PED14003)  
CM: February 12, 2014  
Ward: 11

**Bill No. 001**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-001**

#### **To Permanently Close and Sell a Portion of Kinsman Drive being Parts 1 to 6, inclusive, on Plan 62R-19974, 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** by execution of a Subdivision Agreement dated July 29<sup>th</sup>, 2014 between the City of Hamilton and 1622115 Ontario Limited, the City has authorized and agreed to the closure and conveyance of a certain portion of Kinsman Drive being Parts 1 to 6 inclusive, on Plan 62R-19774, when deemed by the City to no longer be required for road purposes; 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.

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

1. The part of the road allowance, being Kinsman Drive being Parts 1 to 6 inclusive, on Plan 62R-19774, City of Hamilton, is permanently closed.
2. The soil and freehold of the part of the road allowance permanently closed under section 1 is to be sold to 1622115 Ontario Limited for the sum of two dollars (\$2.00) pursuant to the terms of the Subdivision Agreement dated July 29<sup>th</sup>, 2014 between City of Hamilton and 1622115 Ontario Limited registered as Instrument No. WE1007552.

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3. This by-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 24<sup>th</sup> day of January, 2018.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk