

Authority: Item 6, Public Works Committee
Report 17-014 (PW17048(a))
CM: December 8, 2017
Ward: 13

Bill No. 092

CITY OF HAMILTON

BY-LAW NO. 19-092

**To Permanently Close and Sell a Portion of a Public Unassumed Alley
Abutting 34 Alma Street, Dundas, namely Part of Lane, Registered
Plan 1447, in the City of Hamilton, designated as Parts 2 and 3, Plan
62R-20858, City of Hamilton, being Part of PIN 17585-0103 (LT)
and to Repeal By-law No. 18-206**

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 December 8, 2017, Council approved Item 6 of Public Works Committee Report 17-014, and authorized the City of Hamilton to permanently close and sell the portion of a public unassumed alley abutting 34 Alma Street, Dundas;

WHEREAS notice to the public of the proposed sale of the portion of a public unassumed alley has been given in accordance with the requirements of the Sale of Land Policy By-law; and

WHEREAS By-law No. 18-206 passed on August 17, 2018, contained an incorrect legal description of the subject lands.

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

1. The portion of the public unassumed alley abutting 34 Alma Street, Dundas, described as Part of Lane, Registered Plan 1447, in the City of Hamilton, designated as Parts 2 and 3, Plan 62R-20858, which is owned by the City of Hamilton, is permanently closed.

To Permanently Close and Sell a Portion of a Public Unassumed Alley Abutting 34 Alma Street, Dundas, namely Part of Lane, Registered Plan 1447, in the City of Hamilton, designated as Parts 2 and 3, Plan 62R-20858, City of Hamilton, being Part of PIN 17585-0103 (LT) and to Repeal By-law No. 18-206

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2. The soil and freehold of the part of the road allowance permanently closed under section 1 is to be sold to the Thomas Robert Bontje for the sum of Two Dollars (\$2.00).
3. This by-law comes into force on the date of its registration in the Land Registry Office (No. 62).
4. By-law No. 18-206 is hereby repealed.

PASSED this 9th day of May, 2019.

M. Pearson
Acting Mayor

J. Pilon
Acting City Clerk