

**Authority:** Item 4, Public Works Committee  
Report 21-004 (PW21012)  
CM: March 31, 2021  
Ward: 3

**Bill No. 058**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-058**

**To Permanently Close and Sell a Portion of the Public Unassumed Alley Adjacent to 1044 Cannon Street East, Hamilton, being Firstly: Part of the Alleyway on Registered Plan 386 in the City of Hamilton, designated as Part 1 on Plan 62R-22005, being part of PIN 17226-0048 (LT), and Secondly: Part of the Alleyway on Registered Plan 442 in the City of Hamilton, designated as Part 2 on Plan 62R-22005, being part of PIN 17226-0048 (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 March 31, 2021, Council approved of Item 4 of Public Works Committee Report 21-004, and authorized the City of Hamilton to permanently close and sell a portion of the public unassumed alley adjacent to 1044 Cannon Street East, Hamilton, being Firstly: Part of the Alleyway on Registered Plan 386 in the City of Hamilton, designated as Part 1 on Plan 62R-22005, being part of PIN 17226-0048 (LT), and Secondly: Part of the Alleyway on Registered Plan 442 in the City of Hamilton, designated as Part 2 on Plan 62R-22005, being part of PIN 17226-0048 (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.

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

1. The part of the public unassumed alley set out as follows:

Firstly: Part of the Alleyway on Registered Plan 386 in the City of Hamilton, designated as Part 1 on Plan 62R-22005, being part of PIN

To Permanently Close and Sell a Portion of the Public Unassumed Alley Adjacent to 1044 Cannon Street East, Hamilton, being Firstly: Part of the Alleyway on Registered Plan 386 in the City of Hamilton, designated as Part 1 on Plan 62R-22005, being part of PIN 17226-0048 (LT), and Secondly: Part of the Alleyway on Registered Plan 442 in the City of Hamilton, designated as Part 2 on Plan 62R-22005, being part of PIN 17226-0048 (LT)

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- 17226-0048 (LT), and Secondly: Part of the Alleyway on Registered Plan 442 in the City of Hamilton, designated as Part 2 on Plan 62R-22005, being part of PIN 17226-0048 (LT) is permanently closed.
2. The soil and freehold of the Parts 1 and 2 on Plan 62R-22005, hereby permanently closed, be sold to 1932356 Ontario Inc.
  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 12<sup>th</sup> day of April, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk