

Authority: Item 1, Public Works Committee Report 22-013 (PW22074)
CM: September 14, 2022 Ward: 3
Written approval for this by-law was given by Mayoral Decision MDE-2024-20
Dated October 9, 2024

Bill No. 172

CITY OF HAMILTON

BY-LAW NO. 24-172

To Permanently Close and Sell a Portion of the Unassumed Alleyway Abutting 798 Barton Street East, Hamilton, namely Part of the Alleyway on Registered Plan 619 in the City of Hamilton, designated as Part 1 on Plan 62R-22169, being part of PIN 17216-0003 (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;

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;

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;

WHEREAS at its meeting of September 14, 2022, Council approved of Item 1 of Public Works Committee Report 22-013, and authorized the City of Hamilton to permanently close and sell a portion of the unassumed alleyway abutting 798 Barton Street East, Hamilton, namely Part of the Alleyway on Registered Plan 619, in the City of Hamilton, designated as Part 1 on Plan 62R-22169, being part of PIN 17216-0003 (LT); and

WHEREAS notice to the public of the proposed sale of the part of the unassumed alleyway 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 unassumed alleyway set out as follows:

Part of the Alleyway on Registered Plan 619 in the City of Hamilton,
designated as Part 1 on Plan 62R-22169, being part of PIN 17216-0003 (LT);

is permanently closed;

To Permanently Close and Sell a Portion of the Unassumed Alleyway Abutting 798 Barton Street East, Hamilton, namely Part of the Alleyway on Registered Plan 619, designated as Part 1 on Plan 62R-22169, being part of PIN 17216-0003 (LT)

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2. The soil and freehold of the Part 1 on Plan 62R-22169, hereby permanently closed, be sold to Duplicitious B2 Holdings Inc.; and
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 9th day of October, 2024.

A. Horwath
Mayor

M. Trennum
City Clerk