

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

**Bill No. 093**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

**To Permanently Close and Sell a Portion of a Public Unassumed Alley  
Abutting 31 Victoria Street, Dundas, namely Part of Lane, Registered  
Plan 1447, in the City of Hamilton, designated as Part 1, Plan 62R-  
20858, City of Hamilton, being Part of PIN 17585-0090 (LT),  
and to Repeal By-law No. 18-207**

**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 31 Victoria 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. 18-207 passed on August 1, 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 31 Victoria Street, Dundas, described as Part of Lane, Registered Plan 1447, in the City of Hamilton, designated as Part 1, 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 31 Victoria Street, Dundas, namely Part of Lane, Registered Plan 1447, in the City of Hamilton, designated as Part 1, Plan 62R-20858, City of Hamilton, being Part of PIN 17585-0090 (LT), and to Repeal By-law No. 18-207

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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 Ramsay MacNay and Karen Busche 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. 18-207 is hereby repealed.

**PASSED** this 8<sup>th</sup> day of May, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk