

**Authority:** Item 2, 13<sup>th</sup> Report, Transport &  
Environment Committee  
CM: October 9, 1990  
Ward: 7

**Bill No. 067**

## **CITY OF HAMILTON**

### **BY-LAW NO. 21- Being a By-law to Amend By-law No. 93-129**

**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** the Council of The Corporation of the City of Hamilton on October 9, 1990, in adopting Item 2 of the 13<sup>th</sup> Report of the Transport and Environment Committee, authorized the City to stop-up, close and sell the Public Highway, described as: Part of Eleanor Avenue, Registered Plan 853, designated as Parts 2, 3, 4, 5 and 6; Part of Lot 8, Concession 8 in the geographic Township of Barton, designated as Part 1, and; Part of Parcel "A", Registered Plan 1007, designated as Part 4, all shown on Plan 62R-12366, City of Hamilton.

**AND WHEREAS** the Council of the City of Hamilton on April 26, 2006, in enacting By-law 06-118, did amend By-law 93-129 as to clauses 2 and 5 of By-law No. 93-129 so that the soil and freehold of the said portion of the closed highway described as Parts 2, 3, 5 and 6 on Plan 62R-12366 be sold to The Hamilton YWCA Non-Profit Housing Corporation for the sum of \$175,000.00.

**AND WHEREAS** Part 1 on Plan 62R-12366 was not sold pursuant to clause 2 of By-law 93-129 as amended by By-law 06-118, and is now being sold by the City of Hamilton.

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

1. That clauses 2 and 5 of By-law 93-129 passed on June 29, 1993, as amended by By-law 06-118 enacted on April 26, 2006, be further amended so that the soil and freehold of the said portion of the closed highway described as Part 1 on Plan 62R-12366 be sold to Parvinder Saini, Harkamal Saini and Manpreet Khera for the sum of \$34,000.00.
2. That all other terms and conditions of By-law No. 93-129, as amended by By-law 06-118, remain the same.
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 May, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk