

**Authority:** Item 2, Public Works Committee  
Report 19-003 (PW19016)  
CM: February 27, 2019  
Ward: 2

**Bill No. 210**

## **CITY OF HAMILTON**

### **BY-LAW NO. 22-**

**Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 46 Ferguson Avenue South, Hamilton, established by Registered Plan 48, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21195, being Part of PIN 17169-0382 (LT), City of Hamilton**

**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 February 27, 2019, the Council approved Item 2 of Public Works Committee Report 19-003, and authorized the City to permanently close and sell a portion of Public Unassumed Alley Abutting 46 Ferguson Avenue South, Hamilton, established by Registered Plan 48, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21195, being Part of PIN 17169-0382 (LT), City of Hamilton;

**AND WHEREAS** notice of the City's intention to pass this By-law has been published pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25 as amended.

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

1. That the portion of the unassumed alley, set out as:

Part of the Alleyway, South Side of Main Street between Walnut Street and Ferguson Avenue on Registered Plan 48, in the City of Hamilton, designated as Part 2 on Plan 62R-21195, being Part of PIN 17169-0382 (LT)

is hereby permanently closed.

Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 46 Ferguson Avenue South, Hamilton, established by Registered Plan 48, in the City of Hamilton, designated as Part 2 on Reference Plan 62R-21195, being Part of PIN 17169-0382 (LT), City of Hamilton

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2. That the soil and freehold of Part 2 on Reference Plan 62R-21195, hereby permanently closed, be sold to Radigan Bros. Limited for the sum of Two Hundred and Ninety-Six Thousand Dollars (\$296,000.00).
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** on this 12<sup>th</sup> day of August, 2022.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk