

Authority: Item 5, Public Works Committee Report 22-006 (PW22025)
CM: April 27, 2022 Ward: 13
Written approval for this by-law was given by Mayoral Decision MDE-2023 10
dated November 22, 2023

Bill No. 216

CITY OF HAMILTON

BY-LAW NO. 23-

To Permanently Close and Sell a Portion of Kerr Street, Dundas, being Part of Kerr Street on Registered Plan D-16, in the City of Hamilton, Designated as Parts 1 and 2 on Plan 62R-6431, being Part of PIN 17481-0094 (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 April 27, 2022, Council approved of Item 5 of Public Works Committee Report 22-006 and authorized the City of Hamilton to permanently close and sell a portion of Kerr Street, Dundas, being: Part of Kerr Street on Registered Plan D-16, in the City of Hamilton. Designated as Parts 1 and 2 on Plan 62R-6431, being Part of PIN 17481-0094 (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 Kerr Street, Dundas, set out as follows:

Part of Kerr Street on Registered Plan D-16, in the City of Hamilton. Designated as Parts 1 and 2 on Plan 62R-6431, being Part of PIN 17481-0094 (LT)

is hereby permanently closed.

To Permanently Close and Sell a Portion of Kerr Street, Dundas, being Part of Kerr Street on Registered Plan D-16, in the City of Hamilton, Designated as Parts 1 and 2 on Plan 62R-6431, being Part of PIN 17481-0094 (LT)

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2. The soil and freehold of the Parts 1 and 2 on Reference Plan 62R-6431, hereby permanently closed, be sold to 1233735 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 22nd day of November, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk