

**Authority:** Item 2, Public Works Committee Report 20-009 (PW20062)  
CM: October 14, 2020 Ward: 3

**Bill No. 089**

## **CITY OF HAMILTON**

### **BY-LAW NO. 24-**

**Being a By-law to Permanently Close a Portion of Ship Street, Niagara Street and Hillyard Street, Hamilton, established by Registered Plan 32, in the City of Hamilton, designated as Parts 3, 4 and 5 on Reference Plan 62R-21658, being Part of PIN 17576-0102 (LT), All of PIN 17576-0103 (LT), and Part of PIN 17575-0041 (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 October 14, 2020, the Council approved Item 2 of Public Works Committee Report 20-009, and authorized the City to permanently close and sell a portion of Ship Street, Niagara Street and Hillyard Street, Hamilton Ontario, established by Registered Plan 32, in the City of Hamilton, designated as Parts 3, 4 and 5 on Reference Plan 62R-21658, being Part of PIN 17576-0102 (LT), All of PIN 17576-0103 (LT), and Part of PIN 17575-0041 (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:

Firstly: Part of Macnab Street (AKA Niagara Street) on Registered Plan 32, in the City of Hamilton, designated as Part 3 on Plan 62R-21658, being Part of PIN 17576- 0102 (LT), Reserving an Easement for water and sewer over Part of Mac-Nab Street (AKA Niagara Street) on Registered Plan 32, in the

City of Hamilton, designated as Part 3, Plan 62R-21658, being Part of PIN 17576-0102 (LT);

Secondly: Part of Ship Street on Registered Plan 32, in the City of Hamilton, designated as Part 4 on Plan 62R-21658, being All of PIN 17576-0103 (LT); Reserving an Easement for sewer over Part of Ship Street on Registered Plan 32, in the City of Hamilton, designated as Part 4, Plan 62R-21658, being All of PIN 17576-0103 (LT); and

Thirdly: Part of Hillyard Street on Registered Plan 32, in the City of Hamilton, designated as Part 5 on Plan 62R-21658, being Part of PIN 17575-0041 (LT), Reserving an Easement for sewer over Part of Hillyard Street on Registered Plan 32, in the City of Hamilton, designated as Part 5, Plan 62R-21658, being Part of PIN 17575-0041 (LT)

is hereby permanently closed.

2. That the soil and freehold of Parts 3, 4, and 5 on Reference Plan 62R-21658, hereby permanently closed, be sold to Great Lakes Port Management Inc., a wholly subsidiary of Hamilton-Oshawa Port Authority (HOPA) for the sum of Seven Hundred and Thirty Thousand Dollars (\$730,000.00).
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 June, 2024.

---

A. Horwath  
Mayor

---

J. Pilon  
Acting City Clerk