CITY OF HAMILTON
MOTION

Council Date: February 28, 2007

MOVED BY COUNCILLOR WHITEHEAD………………………………………………

SECONDED BY COUNCILLOR…………………………………………………………

That 5 of Committee of the Whole Report 06-016 approved by Council on July 12, 2006 respecting Permanent Closure of Walkway between 72 and 73 Glenview Place, Hamilton, be amended by adding subsections (i) to (iii) to subsection (a) and the remaining subsections to be renumbered (b-f) as follows:

(a) That the application of 1639142 Ontario Inc. to permanently close the public walkway between 72 and 73 Glenview Place, Hamilton, and transfer the lands to the abutting owners, be approved, subject to the following conditions:

(i) That the applicant make an application to a District Court Judge, under Section 88 of the Registry Act, R.S.O. 1990, for an order to permanently close and purchase the walkway between 72 and 73 Glenview Place, in the City of Hamilton.

(ii) That the General Manager, Public Works or his designate sign the appropriate documentation confirming that no public funds have been expended on the portion of walkway to be closed.

(iii) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor.

(b) That the City Solicitor be authorized and directed to prepare a by-law to permanently close the walkway.

(c) That the appropriate by-law be introduced and enacted by Council.

(d) That the Real Estate Section, Planning and Development Department, be authorized and directed to sell this closed highway to the owners of 72 and 73 Glenview Place, in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299.
(e) That the City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing the walkway in the proper land registry office.

(f) That the by-law permanently closing the walkway does not take effect until a certified copy of the by-law is registered in the proper land registry office.