

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Stop Up and Close for the laneway between Jefferson Avenue and Homewood Avenue described as the public highway lying between Jefferson Avenue (west) and Homewood Avenue (east) north of Sugarloaf Street

WHEREAS at its meeting of November 14, 2023, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Chief Administrative Officer Report No. 2023-210, Subject: Stop up and Close By-law for the public highway between Jefferson Avenue and Homewood Avenue described as the public highway lying between Jefferson Avenue (west) and Homewood Avenue (east) north of Sugarloaf Street; and

WHEREAS Section 27(1) of the *Municipal Act, 2001*, provides that, except as otherwise provided in the Act, a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway; and

WHEREAS it is deemed expedient in the interest of The Corporation of the City of Port Colborne that the road allowance set out and described in this by-law be stopped up and closed; and

WHEREAS in accordance with Section 34(1) of the *Municipal Act, 2001* and By-law 4339/12/03 of the Corporation of the City of Port Colborne, Being a By-law to Prescribe the Form and Manner and Times for the Provision of Notice in Accordance with the *Municipal Act, 2001*, public notice of Council's intention to permanently close the highway set out and described in this by-law was provided; and

WHEREAS no person claiming their lands will be prejudicially affected by the by-law applied was heard by the Council of the Corporation of the City of Port Colborne at the meeting held by the Council for that purpose on Tuesday, October 3, 2023.

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That upon and after the passing of this by-law all that portion of the road allowance described as between Jefferson Avenue and Homewood Avenue described as the public highway lying between Jefferson Avenue (west) and Homewood Avenue (east) north of Sugarloaf Street is hereby stopped and closed.
2. That the Mayor, the Acting City Clerk be and are hereby authorized to execute any documents that may be required for the purpose of carrying out the intent of this by-law and the Clerk is duly authorized to affix the Corporate Seal thereto.
3. That the City Solicitor be and is hereby directed to prepare and register all such documents in the proper Land Registry Office to effect the closing of laneway between Jefferson Avenue and Homewood Avenue described as the public highway lying between Jefferson Avenue (west) and Homewood Avenue (east) north of Sugarloaf Street hereinbefore described.
4. This by-law shall take effect on the day that a certified copy of the by-law is registered in the proper Land Registry Office.

Enacted and passed this 14th day of November, 2023.

William C. Steele
Mayor

Saima Tufail
Acting City Clerk