

Bill No. 027

CITY OF HAMILTON

BY-LAW NO. 04-027

REMOVAL OF PART-LOT CONTROL

Block 4-Plan 62M-855, "MEADOWLANDS PLACE" (Former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as "The Town of Ancaster" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

- (7) **Designation of lands not subject to Part-Lot Control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

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

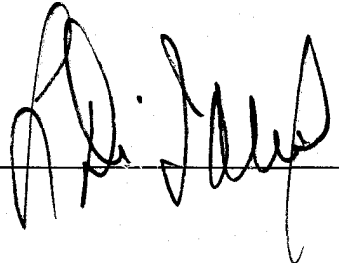
1. Subsection 5 of Section 50 of the Planning Act, for the purpose of subdividing Block 4, Registered Plan 62m-855, into 11 parcels, shall not apply to the land within the portions of the registered plan of subdivision that are designated as follows:

Parts 1 to 8, Reference Plan 62R-16642, and;
Parts 1 to 3, Reference Plan 62R-16575

2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.

3. This By-law shall cease, expire and be of no further effect on February 11th, 2006.

PASSED and ENACTED this 11th day of February, 2004 .

MAYOR 

CLERK 