

City of Hamilton

BY-LAW No. 04-085

Respecting:

Removal of Part Lot Control
Block 99
Registered Plan No. 62M-906

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

AND WHEREAS subsection (7) of section 50 of the Planning Act 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.

(7.5) **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.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS pursuant to subsection 50(7.2) of the Planning Act this by-law is exempt from the requirement of any further approval.

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

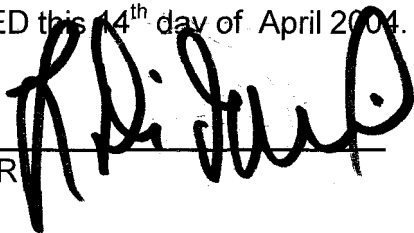
1. Subsection 5 of Section 50 of the Planning Act shall not apply for the purpose of creating certain servicing and maintenance easements to lands within a registered plan of subdivision designated as:

Block 99, Registered Plan No. 62M-906, in the City of Hamilton (Stoney Creek)

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: April 14, 2006.

PASSED this 14th day of April 2004.

MAYOR



CLERK

