

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001

**Bill No. 024**

## **CITY OF HAMILTON**

**BY-LAW NO. 08-024**

Respecting:

Removal of Part Lot Control  
Registered Plan No. 62M-1101  
Upcountry Estates

**WHEREAS** the sub-section 50(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** sub-section 50(7) of the *Planning Act*, provides 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."

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

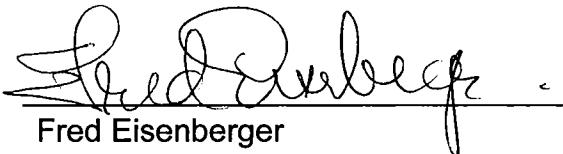
1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 117 lots for street townhouse dwellings, shown as Parts 1-9, 12-119, inclusive, and maintenance easements, shown as Parts 10 and 11, on deposited Reference Plan 62R-18096, and maintenance easements shown as Parts 1-70, inclusive, on deposited Reference Plan 62R-18093, and maintenance easements shown as Parts 1-48, inclusive, on deposited Reference Plan 62R-18094, and maintenance easements shown as Parts 1 and 2 on deposited Reference Plan 62R-18095, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 2-8, inclusive, Lots 10-19, inclusive, Lot 22, Lots 25-27, inclusive, Lots 29, 30, 32 and 33, Lots 45 and 46, Lots 48-58, inclusive, Lots 61-66, inclusive, Lots 68-75, inclusive, Lots 77, 78, 79, 80, 82, 83 and 84, Lots 86-96, inclusive, Lots 99, 100, 102, 105, 106, 108, 109, 111, 114, 115, 122 and 123, Lots 125-128, inclusive, Lots 130-136, Blocks 138-148, inclusive, Blocks 152 and 153, Registered Plan No. 62M-1101, in the City of Hamilton.

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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. This by-law shall expire and cease to be of any force or effect on the 30th day of January, 2010.

**PASSED and ENACTED** this 30<sup>th</sup> day of January, 2008.



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Fred Eisenberger  
Mayor

PLC-07-036



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Kevin C. Christenson  
City Clerk