

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

Bill No. 017

CITY OF HAMILTON

BY-LAW NO. 09-017

Respecting:

Removal of Part Lot Control
Block 107, Registered Plan No. 62M-1098
Rose Garden Phase 3

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;

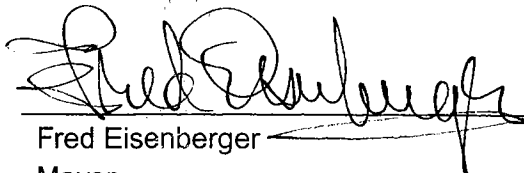
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the Planning Act, for the purpose of creating sixty- four (64) lots comprising of forty (40) townhouses and twenty- four (24) maisonette units, comprised of Parts 1-64, on Plan 62R-18360, two (2) parts for a Common Element Condominium road, visitor parking area, and landscaped areas (including access areas between townhouse end units and along external property lines for access and maintenance purpose) comprised of Parts 65 and 66, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 107, Registered Plan No. 62M-1098, in the City of Hamilton

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 28th day of January, 2011.

PASSED and ENACTED this 28th day of January, 2009.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk