

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

Bill No. 138

CITY OF HAMILTON

BY-LAW NO. 09-138

Respecting:

Removal of Part Lot Control
Block 4, Registered Plan No. 62M-1081(The Keg)

WHEREAS 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:

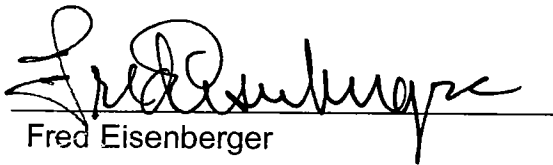
1. a) Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating a lot for a restaurant, shown as Part 2, including rights-of-way and maintenance easements, shown as Part 1 on deposited Reference Plan 62R-18425, along with maintenance, access, parking and servicing easements shown as Parts 8 - 14, inclusive, on deposited Reference Plan 62R-18021, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 4, Registered Plan No. 62M-1081, in the City of Hamilton

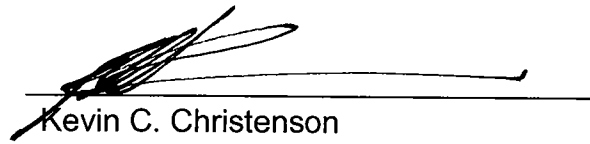
- b) For the purpose of giving effect to this By-law, to permit transfers, conveyances, and leases to grant such mortgages, charges, partial discharges of mortgages or changes over the lands herein or parts thereof, postponements of mortgages or charges, and transfers of easements and rights-of-ways as may be required from time to time.
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 24th day of June, 2011.
4. By-law No. 09-052, enacted by Council on the 24th day of March, 2009, is hereby repealed.

PASSED and ENACTED this 24th day of June, 2009.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

PLC-09-002