

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

Bill No. 010

CITY OF HAMILTON

BY-LAW NO. 10-010

Respecting:

Removal of Part Lot Control

Block 4, Registered Plan No. 62M-1081, Flamborough Power Centre – Phase 1

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.

(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.

(7.4) **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.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting an amendment to By-law No. 08-025 in order to extend the time period for the expiration of By-law No. 08-025;

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 establishing long term leases and to permit the conveyance of Parts 1 through 14, and Part 17 on deposited Reference Plan 62R-18021, and Parts 1 through 9 on deposited Reference Plan 62R-18100 together to create a parcel of land containing existing commercial uses, parking, and access driveways, 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
(Flamborough)

2. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of permitting the conveyance of Part 18 on Deposited Reference Plan 62R-18021 as a separate parcel of land for future commercial uses and to the permit the conveyance of Parts 15 and 16 on Deposited Reference Plan 62R-18021 together as a separate parcel of land for commercial uses, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

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3. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of establishing rights-of-way and any required servicing easements over Parts 1 through 6, 8 through 14, and 19 through 21 on Deposited Reference Plan 62R-18021 and over Parts 1, 2, and 7 through 9 on Deposited Reference Plan 62R-18100 in favour of Parts 15, 16, and 18 on Deposited Reference Plan 62R-18021, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

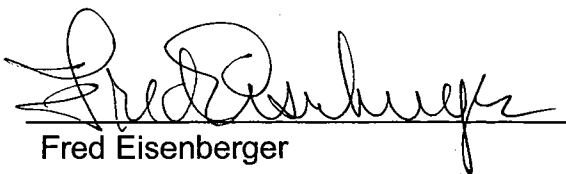
Block 4, Registered Plan No. 62M-1081, in the City of Hamilton
(Flamborough)

4. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of establishing rights-of-way and any required servicing easements over Parts 19 through 21 on Deposited Reference Plan 62R-18021 in favour of Parts 1 through 14, and Part 17 on deposited Reference Plan 62R-18021, and Parts 1 through 9 on deposited Reference Plan 62R-18100, 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

5. 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.
6. This by-law shall expire and cease to be of any force or effect on the 27th day of January, 2012.

PASSED this 27th day of January, 2010.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk