

City of Hamilton

BY-LAW No. 05-043

Respecting:

REMOVAL OF PART LOT CONTROL
BLOCKS 55, 56, 57 and 58, REGISTERED PLAN 62M-1013

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) 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.

(7.3) Expiration of by-law. -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(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.

(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 the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

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

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating twenty-nine (29) lots for street townhouse dwellings described as Parts 1, 3, 5, 6 and 7 on Reference Plan 62R-17016, Parts 1, 3, 5, 7, 8, 9, 11 and 13 on Reference Plan 62R-17017, Parts 1, 3, 5, 7, 8, 9, 11 and 13 on Reference Plan 62R-17018 and as 1, 3, 5, 7, 8, 9, 11 and 13 on Reference Plan 62R-17019, and maintenance easements described as Parts 2, 4 and 8 on Reference Plan 62R-17016, Parts 2, 4, 6, 10, 12 and 14 Reference Plan 62R-17017, Parts 2, 4, 6, 10, 12 and 14 Reference Plan 62R-17018 and Parts 2, 4, 6, 10, 12 and 14 Reference Plan 62R-17019, attached as Appendices "A", "B", "C" and "D", shall not apply to the portion of registered plan of subdivision that is designated as follows:

Blocks 55, 56, 57, and 58, Registered Plan Number 62M-1013,
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. This By-law shall cease, expire and be of no further effect on February 28, 2007.

PASSED this 28th day of February, 2005.


MAYOR


CITY CLERK


PLC-05-03



SCHEDULE			
PART	LOCATION	P.S.N.	AREA m^2
1			107.9
2			1.5
3			211.3
4			1.9
5	ALL OF BLOCK 23 PROPOSED PLAN 62R-17016	ALL OF 0390-645-013	255.7
6			255.7
7			378.6
8			1.9

I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER THE
LAND TITLES ACT.

DATE JANUARY 24, 2005



JASON P. HAGEN
 ONTARIO LAND SURVEYOR

PLAN 62R-17016

RECEIVED AND DEPOSITED

DATE 2005-01-26

C. JOHNSON ADLS.
 LAND REGISTRAR FOR THE
 LAND TITLES DIVISION OF
 WENTWORTH (NO 62)

PLAN OF SURVEY OF
BLOCK 55
REGISTERED PLAN 62M-1013
IN THE
CITY OF HAMILTON
SCALE 1:250

J. D. BARNES LIMITED

METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTES

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERN
LIMIT OF WHITEFISH CRESCENT HAVING A BEARING OF N74°45'30"W
AS SHOWN ON REGISTERED PLAN 8234-1043.

#	DENOTES	SURVEY MONUMENT FOUND
Q	DENOTES	SURVEY MONUMENT SET
50	DENOTES	STANDARD ROM BAR
18	DENOTES	IRON BAR
5281	DENOTES	SHORT STANDARD ROM BAR
P4S	DENOTES	REGISTERED PLAN 62M-1013 AND SET
P4M	DENOTES	REGISTERED PLAN 62M-1013 AND MEASURED
574	DENOTES	CARTH K. JAMES, O.S.
504	DENOTES	J.D. BACH LIMITED
DUC	DENOTES	DWELLING UNDER CONSTRUCTION
F7M	DENOTES	FACE OF WALL

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYOR'S ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 25th DAY OF OCTOBER, 2004.

DATE JAN 18, 2025
JASON P. HAZEN
ONTARIO LAND SURVEYOR

