

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

Bill No. 043

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)

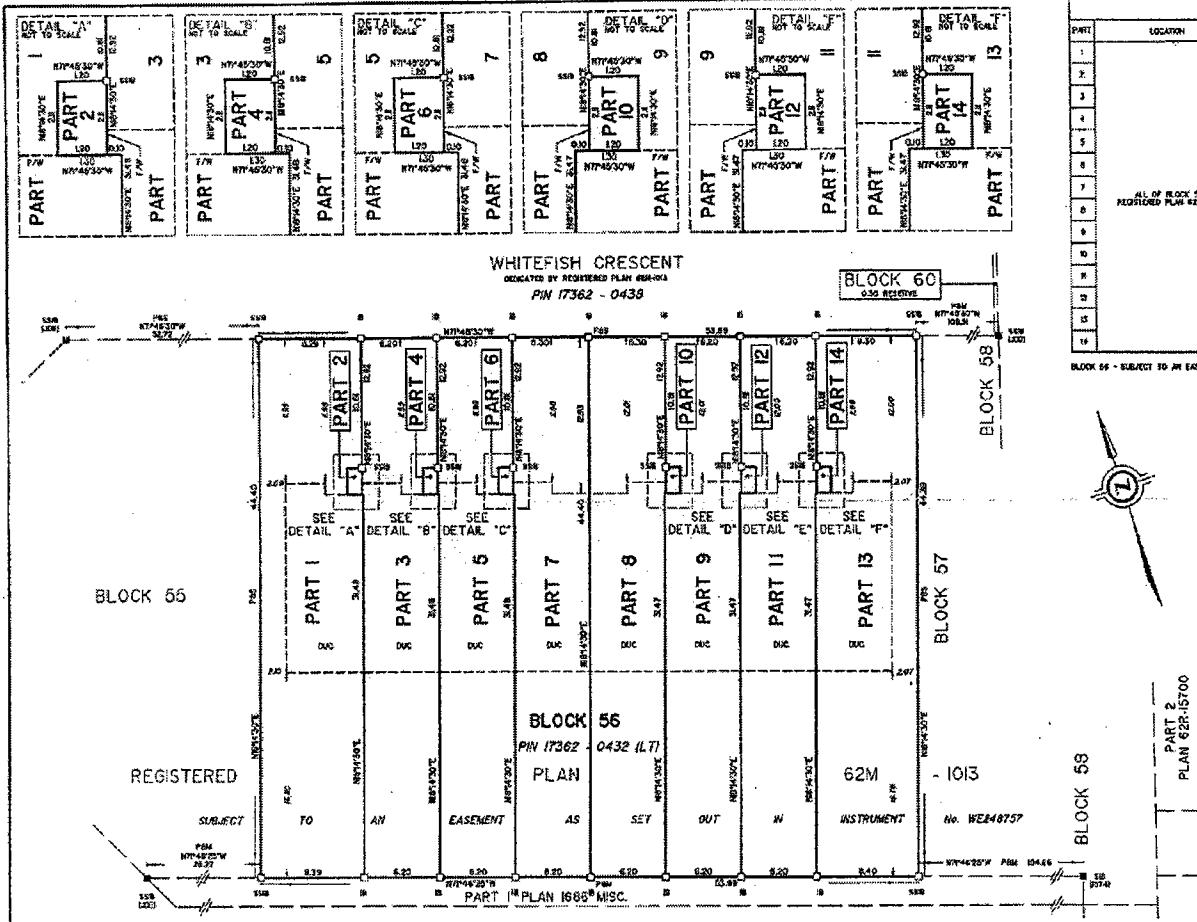
2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This By-law shall cease, expire and be of no further effect on February 28, 2007.

PASSED this 28th day of February, 2005.

MAYOR

CITY CLERK

PLC-05-03



QUEEN ELIZABETH HIGHWAY
1960-1970-1980-1990-2000

PART 2: PAST TENSE OF CEPHS

SCHEDULE			
PART	LOCATION	P.L.N.	AREA in ACRES
1	ALL OF BLOCK 56 REGISTERED PLAN 62M-103	ALL OF 17342-103 LTD	368.7
2			25
3			272.5
4			2.5
5			272.6
6			2.5
7			271.6
8			278.9
9			272.7
10			2.5
11			272.7
12			2.0
13			368.1
14			2.5
15			
16			
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.			PLAN 62R-17017
			RECEIVED AND DEPOSITED
DATE JANUARY 24, 2005 <u>JASON P. HAZEN</u>			DATE 2005-01-26 <u>C. JOHNSON ADOL</u>
ONTARIO LAND SURVEYOR			LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH. (Glo 82)

PLAN OF SURVEY OF
BLOCK 56
REGISTERED PLAN 62M-1013
IN THE
CITY OF HAMILTON

METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
ARE NOT CORRECTED TO ERECT LINE POSITION BY 0.30M.

NOTES

DEMONSTRATES ARE ASTRONOMICAL AND ARE REFERRED TO THE SOUTHERN
LIMB OF NEPTUNE'S CRUSCUT, HAVING A BEARING OF "071°45'30\" data-bbox="111 111 444 250"/>

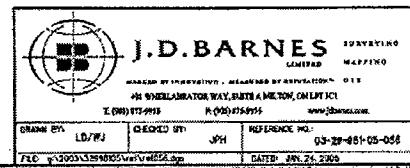
AS SHOWN ON REGISTERED PLAN 024-103.

DEMONSTRATES SIGHTING POINT FOUND
12 DEMONSTRATES SIGHTING POINT SET
50 DEMONSTRATES SIGHTING POINT SET
338 DEMONSTRATES SIGHTING POINT SET
PAS DEMONSTRATES REGISTERED PLAN 024-103 AND SET
1574 DEMONSTRATES REGISTERED PLAN 024-103 AND MEASURED
1574 DEMONSTRATES 54TH KELVINIAN DIAL
402 DEMONSTRATES 60° BATHES LIMITED
114 DEMONSTRATES 60° BATHES LIMITED
FM DEMONSTRATES FLOOR NUMBER CONSTRUCTION
FM DEMONSTRATES FACE OF WALL

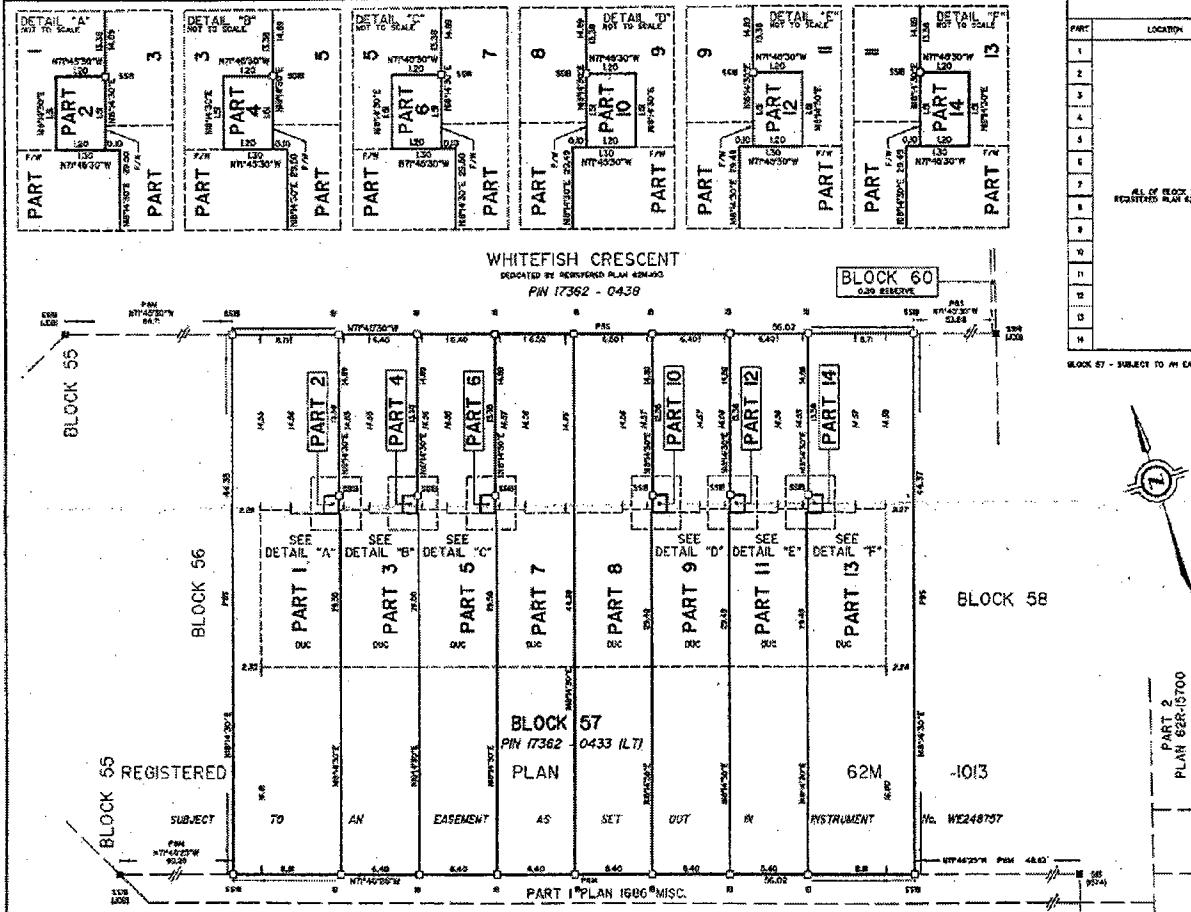
SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY'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.



APPENDIX "C"



QUEEN ELIZABETH HIGHWAY

PART 12 PLAN 1834 WSC IP 23

PN 17362 - 0439

SCHEDULE			
Part	Location	P.L.L.	Area m ²
1			367.6
2			16
3			292.3
4			12
5			262.3
6			18
7			185.6
8			261.3
9			292.3
10			18
11			261.3
12			18
13			367.6
14			12

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

DATE JANUARY 24, 1923

626

PLAN 62R-17018
RECEIVED AND DEPOSITED
DATE 2005.01.26.
C. JOHNSON A.D.L.
LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF
WENTWORTH (No. 52)

PLAN OF SURVEY OF
BLOCK 57
REGISTERED PLAN 62M-1013
IN THE
CITY OF HAMILTON

SCALE 1:200

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

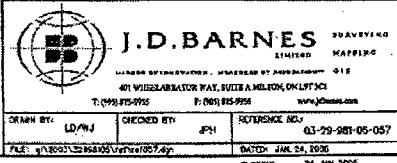
NOTES

BEARINGS ARE ASTRONOMICAL AND ARE REFERRED TO THE SOUTHERN LINE OF WILMINGTON HAVING A BEARING OF NFT 4530'DW AS SHOWN ON REGISTRATION PLATE.
S DENOTES SURVEY MONUMENT FOUND
SB DENOTES SURVEY MONUMENT SET
SD DENOTES STANDARD DRAIN PIP
SS DENOTES SURVEY STATION
SSB DENOTES SHORT STANDARD IRON BAR
PAS DENOTES REGISTERED PLATE 884103 AND SET
RE DENOTES REGISTERED SURVEYOR AND MEASURED
TDZ DENOTES GARTH K. JONES, O.L.S.
DUC DENOTES DUG
F/W DENOTES DWELLING UNDER CONSTRUCTION
F/W DENOTES FACE OF WALL

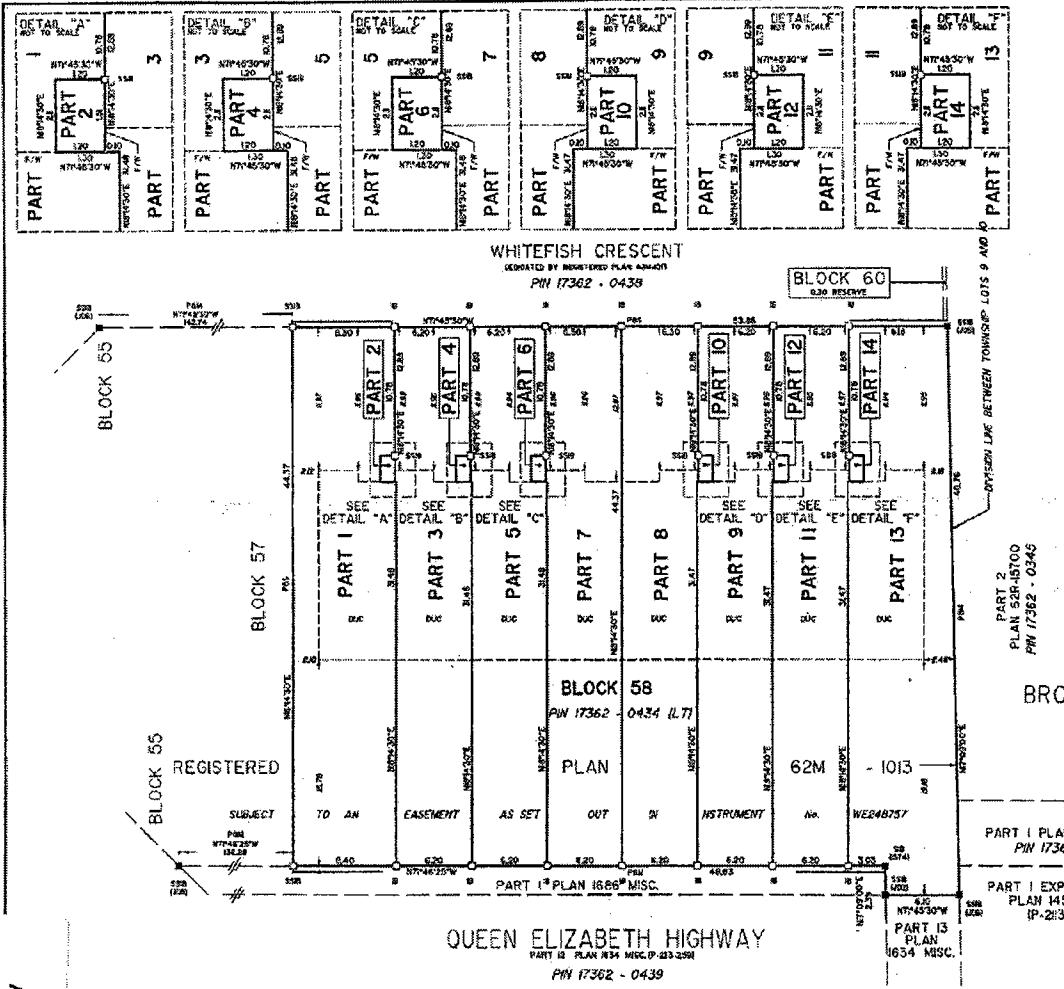
SURVEYOR'S CERTIFICATE

- 1 CERTIFY THAT:
- 1 THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- 2 THE SURVEY WAS COMPLETED ON THE 26th DAY OF OCTOBER, 2004.

DATE JAN. 18, 2025 — *John H. Green*
JASON P. HODGE
ONTARIO LAND SURVEYOR



APPENDIX "D"



SCHEDULE			
PART	LOCATION	P.L.N.	AREA NO.
1			240.0
2			2.3
3			272.4
4			2.5
5			272.4
6			2.5
7			272.4
8	ALL OF BLOCK 58 REGISTERED PLAN 62M-1013	ALL OF 17262-0434 4171	ONTARIO LAND SURVEYOR
9			224.4
10			272.5
11			2.3
12			272.5
13			2.5
14			240.0
PLAN OF SURVEY OF BLOCK 58 REGISTERED PLAN 62M-1013 IN THE CITY OF HAMILTON			
			PLAN 62R-17019
RECEIVED AND DEPOSITED			
DATE 2001-01-26			
 JASON P. HAZEN C. JOHNSON AXEL LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WENTWORTH KING 62			

24	SCALE 1:250	1 0 5 0 4 9 8 7 6 5 4 3 2 1
BLOCK 26 - SUBJECT TO AN EXCISE AS SET OUT IN INSTRUMENT NO. 26872.		
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 astronomical and are referred to the southern east point which is the true bearing of N71°45'30" W as shown on registered plan 6264-102		
DEFINITIONS SB. DENOTES SURVEY BENCHMARK FOUND SB. DENOTES SURVEY BENCHMARK SET SB. DENOTES STANDARD IRON BAR SS81 DENOTES SHORT STANDARD IRON BAR PBS DENOTES REGISTERED PLAN 6264-1013 AND SET PBS DENOTES REGISTERED PLAN 6264-1013 AND MEASURED P74 DENOTES GARTH JENKINS O.L.S. JBD DENOTES J. D. BARNES LIMITED DUG DENOTES DRILLING UNDER CONSTRUCTION PW DENOTES FACE OF WALL		

<p>KEN FRONT</p> <p>CONCESSION</p> <p>-----</p> <p>i 62R-1552 2 - 0355 -----</p> <p>ROPRIATION O MISC. 2401</p>	<p>SURVEYOR'S CERTIFICATE</p> <p>I CERTIFY THAT:</p> <p>1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY AND PLAN SUBMITTED AND APPROVED BY THE STATE ACT AND THE REGULATIONS MADE UNDER THEM.</p> <p>2. THE SURVEY WAS COMPLETED ON THE 25TH DAY OF OCTOBER, 2004.</p> <p>DATE: JAN 18, 2005 <i>[Signature]</i> JACOB P. BARNES ONTARIO LAND SURVEYOR</p> <p> J. D. BARNES SURVEYORS LIMITED MAPS & PLANS HARDWOOD 401 WHEELBARROW WAY, BURIA MILE 10, ON L1T 3E1 (905) 854-5151 FAX (905) 854-5152 www.bnco.com</p>
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