

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

**Bill No.197**

## **CITY OF HAMILTON**

### **BY-LAW No. 13-197**

#### **Removal of Part Lot Control**

Lots 9, 10, 13, 49 to 54, inclusive, 59 to 63, inclusive, 68 and 70, Registered Plan No. 62M-1150

21, 27 and 33 Binhaven Boulevard, 67, 71, 99, 103, 107, 111, 115 and 119 Gowland Avenue  
and 68 Whitwell Way

**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 establishing maintenance easements, shown as Parts 1 to 20, inclusive, on deposited Reference Plan 62R-19615, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 9, 10, 13, 49 to 54, inclusive, 59 to 63, inclusive, 68 and 70, Registered Plan No. 62M-1150, 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 16<sup>th</sup> day of August, 2015.

**PASSED and ENACTED** this 16<sup>th</sup> day of August, 2013.

  
R. Bratina

Mayor

  
R. Catefini  
City Clerk