

**CITY OF HAMILTON
BY-LAW NO. 20-058**

**To Repeal and Replace By-law No. 19-238
Respecting the Removal of Part Lot Control from Lot 138 on Registered Plan No. 865
“North Airfield Park” known as 27 Grimsby Avenue and 752 Britannia Avenue**

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:

Sub-section 5 of Section 50 of the *Planning Act*, for the purposes of creating two lots for semi-detached dwellings (Part 1 and Parts 3, 4 and 5) and for the purposes of creating a servicing easement for the benefit of Part 1 over Part 4 and a daylight triangle (Part 2) Lot 138, on deposited Reference Plan 62R-21276, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lot 138, Registered Plan No. 865, in the City of Hamilton.

1. 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.
2. This By-law shall expire and cease to be of any force or effect on the 8th day of April, 2022.

PASSED this 15th day of April, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk