

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

Bill No. 078

CITY OF HAMILTON

BY-LAW NO. 17-078

Respecting Removal of Part Lot Control

Block 4, Registered Plan of Subdivision No. 62M-1226, "Ancaster Glen Phase 2", municipally known as, 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49 and 51 Burley Lane; 1, 3, 4 - 15 Rouley Lane; 2, 4, 6, 8 – 16 Harley Lane; 110, 112, 116, 118, 120, 140, 142, 146 and 148 John Frederick Drive

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;

WHEREAS, sub-section 50(7) of the *Planning Act*, provides as follows:

"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. Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating sixty (60) lots for semi-detached dwellings (Parts 1 to 56 inclusive and 58 to 61 inclusive), being Parts 1 to 52 to create lots forming part of the lands for a Common Element Condominium Corporation and Parts 53 to 56 inclusive and 58 to 61 inclusive for eight (8) freehold semi-detached dwellings fronting onto John Frederick Drive; a servicing access and maintenance easement (Part 57), Part 62, an area for a common element block with restricted access; and land comprised of a private road, sidewalks, visitor parking and landscaped area for a Common Element Condominium (Part 63), as shown on Deposited Reference Plan 62R-20554, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Blocks 4, Registered Plan of Subdivision 62M-1226, in the City of Hamilton.

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Block 4, Registered Plan of Subdivision No. 62M-1226, "Ancaster Glen Phase 2", municipally known as, 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49 and 51 Burley Lane; 1, 3, 4 - 15 Rouley Lane; 2, 4, 6, 8 – 16 Harley Lane; 110, 112, 116, 118, 120, 140, 142, 146 and 148 John Frederick Drive

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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 10th day of May, 2019.

PASSED this 10th day of May, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

PLC-16-019