

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 9

Bill No. 335

CITY OF HAMILTON

BY-LAW NO. 18-335

Respecting Removal of Part Lot Control

Lots 4, 7, 9, 13, 20, 22, 30, 32, 36, 37, 39, 40, 46, 47, 50, 53, 54, 56 – 61, 63 – 65, 68 – 70, and Block 95, Registered Plan No. 62M-1250, Municipally known as 23 Upper Mount Albion Road; 11, 12, 15, 19, 20, 24, 28, 32, 36, 37, 41, 45, 59, 63, 66, 67, 71, 75, 76, 79, 87, 91, 103, 114, and 124 Lexington Avenue; 74, 78, 86, 90, 114, 118, and 119 Greenwich Avenue, Stoney Creek

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 creating maintenance easements, shown as Parts 1 to 34, inclusive, on deposited Reference Plan 62R-20888, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 4, 7, 9, 13, 20, 22, 30, 32, 36, 37, 39, 40, 46, 47, 50, 53, 54, 56 – 61, 63 – 65, 68 – 70, and Block 95, Registered Plan No. 62M-1250, 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 19th day of December , 2020.

Respecting Removal of Part Lot Control

Lots 4, 7, 9, 13, 20, 22, 30, 32, 36, 37, 39, 40, 46, 47, 50, 53, 54, 56 – 61, 63 – 65, 68 – 70, and Block 95,
Registered Plan No. 62M-1250, Municipally known as 23 Upper Mount Albion Road; 11, 12, 15, 19, 20, 24, 28,
32, 36, 37, 41, 45, 59, 63, 66, 67, 71, 75, 76, 79, 87, 91, 103, 114, and 124 Lexington Avenue; 74, 78, 86, 90,
114, 118, and 119 Greenwich Avenue, Stoney Creek

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PASSED this 19th day of December, 2018.

F. Eisenberger
Mayor

PLC-18-028

J. Pilon
Acting City Clerk