

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

Bill No. 137

CITY OF HAMILTON

BY-LAW NO. 15-137

Respecting

Removal of Part Lot Control for the creation of maintenance easements regarding Lots 2-33 (inclusive), 35-44 (inclusive), 46-47 (inclusive), 49-58 (inclusive), 61-68 (inclusive), 70, 72-77 (inclusive), 79, 81-86 (inclusive), 88-92 (inclusive), 95-97 (inclusive), 99-115, (inclusive) 117-130 (inclusive), 132-133 (inclusive), and 135-166 (inclusive), on Registered Plan 62M-1207, known as Summerlea West – Phase 5.

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, as shown as Parts 1-80 (inclusive) on Plan 62R-20036, Parts 1-14 (inclusive) on Plan 62R-20035, and Parts 1-59 (inclusive) on Plan 62R-20037 shall not apply to the portion of the registered Plan of Subdivision that is designated as follows, namely:

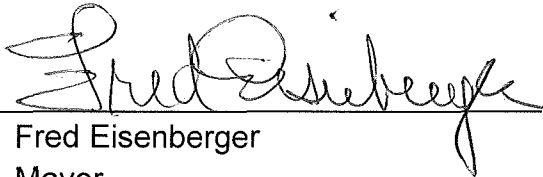
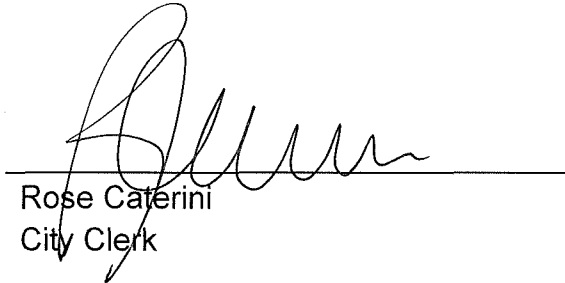
Lots 2-33 (inclusive), 35-44 (inclusive), 46-47 (inclusive), 49-58 (inclusive), 61-68 (inclusive), 70, 72-77 (inclusive), 79, 81-86 (inclusive), 88-92 (inclusive), 95-97 (inclusive), 99-115, (inclusive) 117-130 (inclusive), 132-133 (inclusive), and 135-166 (inclusive), on Registered Plan 62M-1207, in the City of Hamilton.

Removal of Part Lot Control for the creation of maintenance easements regarding Lots 2-33 (inclusive), 35-44 (inclusive), 46-47 (inclusive), 49-58 (inclusive), 61-68 (inclusive), 70, 72-77 (inclusive), 79, 81-86 (inclusive), 88-92 (inclusive), 95-97 (inclusive), 99-115, (inclusive) 117-130 (inclusive), 132-133 (inclusive), and 135-166 (inclusive), on Registered Plan 62M-1207, known as Summerlea West – Phase 5.

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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 27th day of May, 2017.

PASSED this 27th day of May, 2015.


Fred Eisenberger
Mayor
Rose Caterini
City Clerk

PLC-15-003
PLC-15-004
PLC-15-005