

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

**Bill No. 124**

## **CITY OF HAMILTON**

### **BY-LAW NO. 16-124**

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

**Part of Block 1 and Block 5, Registered Plan of Subdivision No. 62M-1220, municipally known as 1133, 1137 and 1139 West 5<sup>th</sup> Street; 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41 - 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91 – 105, 107, 109, 111, 113, 115 and 117 Sonoma Valley Crescent; 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23 and 25 Santa Barbara Lane; and, 22, 24, 26, 28, 30, 32, 34, 36, 38 and 40 Carmel 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;

**AND 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 ninety seven (97) lots for townhouses (Parts 19 to 115 inclusive, Parts 134 to 200 inclusive and Parts 209 to 240 inclusive), utility and service easements (Parts 209 to 240 inclusive), access and maintenance easements (Parts 134 to 200 inclusive), and the Common Element Condominium Corporation consisting of roadways, visitor parking and amenity space (Part 241) and in addition to create six (6) lots for future townhouses at such time that the centralized neighbourhood permanent Storm water Management pond is constructed (Parts 116 to 121 inclusive, Part 201, Parts 243 to 253 inclusive), utility and service easement (Part 253), access and maintenance easements (Part 201 and Parts 249 to 252 inclusive) for the future townhouse , as shown on Deposited Reference Plan 62R-20270, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Respecting Removal of Part Lot Control

Part of Block 1 and Block 5, Registered Plan of Subdivision No. 62M-1220, municipally known as 1133, 1137 and 1139 West 5<sup>th</sup> Street; 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41 - 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91 – 105, 107, 109, 111, 113, 115 and 117 Sonoma Valley Crescent; 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23 and 25 Santa Barbara Lane; and, 22, 24, 26, 28, 30, 32, 34, 36, 38 and 40 Carmel Drive

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Part of Block 1 and Block 5, Registered Plan of Subdivision 62M-1220, 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 11<sup>th</sup> day of May, 2018.

**PASSED** this 11<sup>th</sup> day of May, 2016.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

PLC-15-040