

Bill No. 154

CITY OF HAMILTON

BY-LAW NO. 16-154

Respecting

Removal of Part Lot Control for the creation of maintenance easements and 58 townhouse lots regarding Blocks 28-36 and 37-41, on Registered Plan 62M-1222, known as Upcountry – Cranberry Hill Phase 2A.

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 58 townhouse lots, as shown as Parts 1-28 (inclusive) on Plan 62R-20302, Parts 1-24 (inclusive) on Plan 62R-20301, Parts 1-16 (inclusive) on Plan 62R-20303, and Parts 1-37 (inclusive) on Plan 62R-20304, and creating maintenance easements, as shown as Parts 2, 3, 6, 7, 10, 11, 13, 16, 19, 21, 24 and 27 on Plan 62R-20302, Parts 2, 4, 5, 8, 11, 14, 17, 20, 21 and 23 on Plan 62R-20301, Parts 2, 5, 7, 10, 11, 14 and 15 on Plan 62R-20303, and Parts 2, 4, 5, 8, 9, 11, 14, 16, 17, 20, 21, 23, 27, 28, 31, 32, 35 and 36 on Plan 62R-20304, shall not apply to the portion of the registered Plan of Subdivision that is designated as follows, namely:

Blocks 28-36 (inclusive), and 37-41 (inclusive), on Registered Plan 62M-1222, 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.

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3. This by-law shall expire and cease to be of any force or effect on the 25th day of May, 2018.

PASSED this 25th day of May, 2016.

F. Eisenberger
Mayor

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J. Pilon
Acting City Clerk