

Authority: Item 9, Planning Committee
Report: 21-019 (PED21230)
CM: December 15, 2021
Ward: 11

Bill No. 244

**CITY OF HAMILTON
BY-LAW NO. 21-244**

**A By-law to Deem a Part of a Subdivision Not To Be Registered
Blocks 11 & 12, Inclusive, of Registered Plan No. 62M-1042**

WHEREAS Subsection 50(4) of the *Planning Act* R.S.O. 1190, Chapter 13, as amended, provides that the Council of a Municipality may, by By-law, designate any Plan of Subdivision, or part thereof, that has been registered for eight (8) years or more, and deem it not to be a Registered Plan of Subdivision for the purpose of the subdivision control provisions of Subsection 50(3) of the *Planning Act*;

AND WHEREAS Registered Plan 62M-1042 was registered in the Land Registry Office on the 27th day of October 2005;

AND WHEREAS Blocks 11 and 12, inclusive, Registered Plan 62M-1042, City of Hamilton are within a Plan of Subdivision registered for more than eight (8) years;

AND WHEREAS it is desirable to deem Blocks 11 and 12, inclusive, of Registered Plan 62M-1042 not be part of a Registered Plan of Subdivision;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following lands are designated and deemed not to be a Registered Plan of Subdivision for the purpose of Subsection 50(3) of the *Planning Act*:

Blocks 11 and 12, inclusive, Registered Plan 62M-1042,
"Seabreeze Estates, Phase 2," City of Hamilton

2. The City Clerk is hereby authorized and directed to:
 - (a) lodge a copy of this By-law with the Minister of Municipal Affairs and Housing;
 - (b) register a certified copy or duplicate copy of this deeming By-law against the title to the lands in the proper registry office, and this By-law shall not take effect until this requirement has been complied with; and,
 - (c) send by registered mail, notice of passing of this By-law to be given within thirty (30) days of the date of passing, to each person appearing by the last revised assessment roll to be the owner of land to which this By-law

applies, which notice shall be sent to the last known address of each such person.

3. That notwithstanding S.50(27) of the Planning Act, this By-law No. 21-244 shall come into force and take effect when registered in the Land Registry Office by the Clerk of the municipality; and upon final approval of SC/B-21:29 by issuance of a certificate under s. 53(42) of the Planning Act.

PASSED this 15th day of December, 2021.

F. Eisenberger
Mayor

A. Holland
Clerk