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 5th 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 5th 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

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 11th day of May, 2018.

PASSED this 11th day of May, 2016.

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F. Eisenberger                                  R. Caterini
Mayor                                          City Clerk

PLC-15-040