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.
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.

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                                   J. Pilon
Mayor                                           Acting City Clerk

PLC-16-014
PLC-16-015