

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Wards: 15

Bill No. 048

CITY OF HAMILTON

BY-LAW NO. 17-048

**Respecting Removal of Part Lot Control
Block 198 of Registered Plan of Subdivision 62M-1231
“Cranberry Hill, Phase 2B”**

230 Avonsyde Boulevard, Flamborough

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:

Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating thirty nine (39) lots for townhouse dwellings, shown as Parts 1-199, inclusive, for the purpose of creating thirty nine (39) lots for townhouses, including:

- Parts 40-42, inclusive for the Condominium Road;
- Parts 43-47, inclusive, 49, 51, 53, 55, 57, 59, 61, 63, 65, 69 - 73, inclusive, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 99, 100 - 103, 105, 107, 109, 111, 113, 115, 117, 119, 121, 123, 125, 129 - 134, inclusive, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 160-164, inclusive, 166, 168, 170, 172, 174, 176, 178, 180, 182, 186 – 195, inclusive for access/maintenance easements;
- Parts 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 67, 68, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 97, 98, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 127, 128, 135, 137, 139, 141, 143, 145, 147, 149, 151, 153, 155, 157, 158, 159, 165, 167, 169, 171, 173, 175, 177, 179, 181, 183, 184, 185, for utility easements, and;

Removal of Part Lot Control
Block 198 of Registered Plan of Subdivision 62M-1231
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(Page 2 of 2)

- Parts 197 and 199, inclusive for storm easements

on deposited Reference Plan 62R-20522, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 198, Registered Plan No. 62M-1231, in the City of Hamilton

1. 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.
2. This by-law shall expire and cease to be of any force or effect on the 29th day of March, 2019 .

PASSED this 29th day of March, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

PLC-16-039