

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

Bill No. 023

City of Hamilton

**BY-LAW No. 05-023**

Respecting:

**REMOVAL OF PART LOT CONTROL**

**WITHIN A PORTION OF  
“Cornerstone Estates” –Lots 22 to 27,  
PLAN 62M-1007**

**WHEREAS** the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** the Planning Act, (sec.50 (7) states, in part, 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.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend

the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

**AND WHEREAS** the land which is the subject of this By-law was, as of January 1st, 2001 placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

**AND WHEREAS** the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the City of Hamilton;

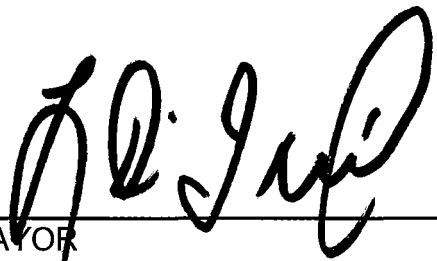
**AND WHEREAS** the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

**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 six (6) maintenance easements, shown as Parts 11 to 16, inclusive, on deposited reference plan 62R-16811, attached as Schedule " A ,shall not apply to the portion of the registered plan of subdivision that is designated as follows:  
  

~~Lots 22 to 27, Registered Plan 62M-1007, in the City of Hamilton.~~
2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: February 28, 2007.

**PASSED and ENACTED** this 9<sup>th</sup> day of February A.D. 2005.

  
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MAYOR

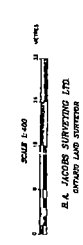
  
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CLERK

PLANNED UNDER THE LAND REFORM ACT

DATE: 1981.03.03  
 DRAWN BY: CHAMBERLAIN  
 CHECKED BY: [Signature]  
 APPROVED BY: [Signature]

PART	DESCRIPTION	PLAN
1	RESERVED FOR THE CITY OF HAMILTON	1981.03.03
2	RESERVED FOR THE CITY OF HAMILTON	1981.03.03
3	RESERVED FOR THE CITY OF HAMILTON	1981.03.03
4	RESERVED FOR THE CITY OF HAMILTON	1981.03.03
5	RESERVED FOR THE CITY OF HAMILTON	1981.03.03
6	RESERVED FOR THE CITY OF HAMILTON	1981.03.03
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25	RESERVED FOR THE CITY OF HAMILTON	1981.03.03
26	RESERVED FOR THE CITY OF HAMILTON	1981.03.03
27	RESERVED FOR THE CITY OF HAMILTON	1981.03.03

PLAN OF SURVEY OF  
 PART OF LOTS 1, 2, 3, 4, 5,  
 6, 7, 12, 13, 21, 22, 23, 24,  
 25, 26, & 27  
 REGISTERED PLAN 62M-1007  
 CITY OF HAMILTON



B.A. JACOBS SURVEYING LTD.  
 SURVEYORS AND ENGINEERS

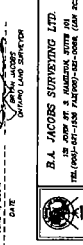
**METRIC NOTE:** ALL DIMENSIONS AND BEARINGS ARE IN METERS AND DEGREES.  
**BEARING NOTE:** ALL BEARINGS ARE REFERRED TO THE NORTH-SOUTH LINE.

**LEGEND:**  
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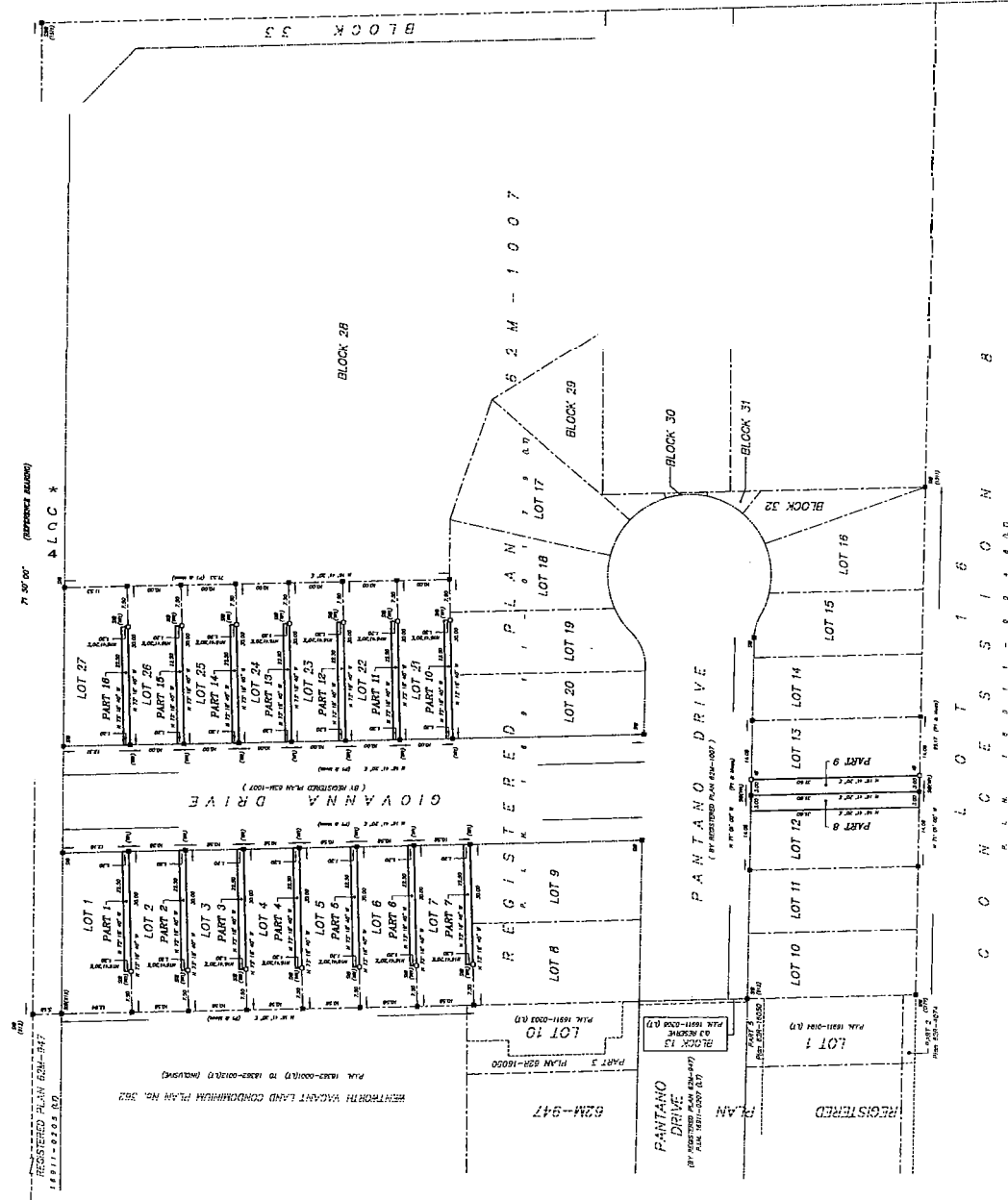
**NOTE:**  
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**SURVEYOR'S CERTIFICATE:**  
 I, B.A. JACOBS, SURVEYOR, DO HEREBY CERTIFY THAT THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE THEREUNDER.

DATE: 1981.03.03  
 B.A. JACOBS



STONE CHURCH ROAD WEST  
 (ROAD ALLOTTMENT BETWEEN CONCESSIONS 7 & 8)  
 P.L.N. 17123-0088 (0.0)



REGISTERED PLAN 62M-947  
 REGISTERED PLAN 62M-1007  
 REGISTERED PLAN 62M-1008  
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 REGISTERED PLAN 62M-1024  
 REGISTERED PLAN 62M-1025  
 REGISTERED PLAN 62M-1026  
 REGISTERED PLAN 62M-1027

REVISIONS:  
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