

City of Hamilton

BY-LAW No. 05-043

Respecting:

REMOVAL OF PART LOT CONTROL
BLOCKS 55, 56, 57 and 58, REGISTERED PLAN 62M-1013

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 of the said Region;

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 twenty-nine (29) lots for street townhouse dwellings described as Parts 1, 3, 5, 6 and 7 on Reference Plan 62R-17016, Parts 1, 3, 5, 7, 8, 9, 11 and 13 on Reference Plan 62R-17017, Parts 1, 3, 5, 7, 8, 9, 11 and 13 on Reference Plan 62R-17018 and as 1, 3, 5, 7, 8, 9, 11 and 13 on Reference Plan 62R-17019, and maintenance easements described as Parts 2, 4 and 8 on Reference Plan 62R-17016, Parts 2, 4, 6, 10, 12 and 14 Reference Plan 62R-17017, Parts 2, 4, 6, 10, 12 and 14 Reference Plan 62R-17018 and Parts 2, 4, 6, 10, 12 and 14 Reference Plan 62R-17019, attached as Appendices "A", "B", "C" and "D", shall not apply to the portion of registered plan of subdivision that is designated as follows:

Blocks 55, 56, 57, and 58, Registered Plan Number 62M-1013,
in the City of Hamilton (Stoney Creek)

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 cease, expire and be of no further effect on February 28, 2007.

PASSED this 28th day of February, 2005.


MAYOR


CITY CLERK

PLC-05-03

PLAN 62R-17016
RECEIVED AND DEPOSITED

DATE 2005-01-26
C. J. JARVIS
LAND REGISTRAR FOR THE
LAND TITLES DIVISION OF
WESTNORTH ON 92

DATE JANUARY 24, 2005
JASON P. HANCOCK
ONTARIO LAND SURVEYOR

PLAN 62R-17016
RECEIVED AND DEPOSITED

PLAN OF SURVEY OF
BLOCK 55
REGISTERED PLAN 62M-1013
IN THE
CITY OF HAMILTON

SCALE 1:250

J. D. BARNES LIMITED

PLAN TO BE SUBJECT TO AN EASEMENT AS SET OUT IN INSTRUMENT REGISTERED
BLOCK 55

PLAN OF SURVEY OF
BLOCK 55
REGISTERED PLAN 62M-1013
IN THE
CITY OF HAMILTON

SCALE 1:250

J. D. BARNES LIMITED

METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVISION BY 0.3048

NOTES

1. THE DISTANCES AND USE REFERENCES AS THE SURVEYOR
HAS SHOWN ON REGISTERED PLAN 62M-1013
AS SHOWN ON REGISTERED PLAN 62M-1013

2. DENOTES SURVEY MANAGEMENT FUND

3. DENOTES STANDARD WITH BAR

4. DENOTES SHORT STANDARD WITH BAR

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SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. I AM A MEMBER OF THE ASSOCIATION OF SURVEYORS OF ONTARIO AND AM REGISTERED UNDER THE SURVEYORS ACT AND THE LAND TITLES ACT

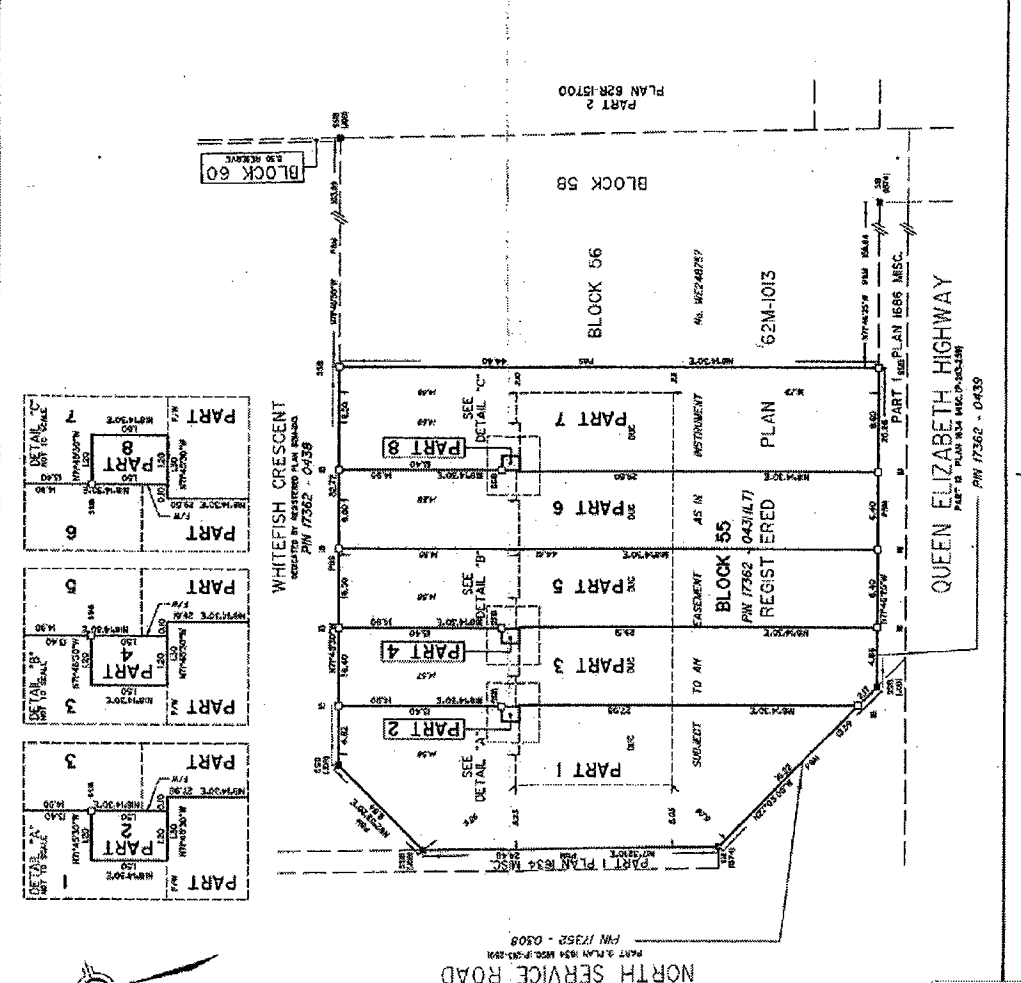
2. THE SURVEY WAS COMPLETED ON THE 28th DAY OF OCTOBER, 2004.

DATE JAN 18, 2005

JASON P. HANCOCK
ONTARIO LAND SURVEYOR

J. D. BARNES
SURVEYING
REGISTERED
ALL MEASUREMENTS MADE BY THIS FIRM ARE MADE IN METRIC UNITS
7 YORK STREET
TORONTO, ONTARIO M5E 1B3
CANADA

DATE: JAN 24, 2005
DRAWN BY: LD
CHECKED BY: JPH
REFERENCED TO: PLAN 62R-15700
FILE NO: 02-00-00-00-005



PLAN 62R-17017
RECEIVED AND DEPOSITED

DATE 2008.02.26
C. JOHNSON ADL.
LAND TITLES DIVISION OF
WENTWORTH (No 82)

DATE JANUARY 24, 2005.
JASON P. HAZEN
ONTARIO LAND SURVEYOR

PLAN OF SURVEY OF
BLOCK 56
REGISTERED PLAN 62M-1013
IN THE
CITY OF HAMILTON

SCALE 1:200

J. D. BARNES LIMITED

1. REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE JANUARY 24, 2005.
C. JOHNSON ADL.
LAND TITLES DIVISION OF WENTWORTH (No 82)

DATE JANUARY 24, 2005.
JASON P. HAZEN
ONTARIO LAND SURVEYOR

PLAN OF SURVEY OF
BLOCK 56
REGISTERED PLAN 62M-1013
IN THE
CITY OF HAMILTON

SCALE 1:200

J. D. BARNES LIMITED

DATE JANUARY 24, 2005.
JASON P. HAZEN
ONTARIO LAND SURVEYOR

PLAN OF SURVEY OF
BLOCK 56
REGISTERED PLAN 62M-1013
IN THE
CITY OF HAMILTON

SCALE 1:200

J. D. BARNES LIMITED

DATE JANUARY 24, 2005.
JASON P. HAZEN
ONTARIO LAND SURVEYOR

PLAN OF SURVEY OF
BLOCK 56
REGISTERED PLAN 62M-1013
IN THE
CITY OF HAMILTON

SCALE 1:200

J. D. BARNES LIMITED

DATE JANUARY 24, 2005.
JASON P. HAZEN
ONTARIO LAND SURVEYOR

PLAN OF SURVEY OF
BLOCK 56
REGISTERED PLAN 62M-1013
IN THE
CITY OF HAMILTON

SCALE 1:200

J. D. BARNES LIMITED

DATE JANUARY 24, 2005.
JASON P. HAZEN
ONTARIO LAND SURVEYOR

PLAN OF SURVEY OF
BLOCK 56
REGISTERED PLAN 62M-1013
IN THE
CITY OF HAMILTON

SCALE 1:200

J. D. BARNES LIMITED

POINT	LOCATION	P.L.K.	W.P. NO.
1			384.7
2			254
3			278.8
4			3.5
5			272.6
6			1.5
7			278.8
8			278.2
9			2.8
10			291.7
11			1.5
12			291.1
13			291.1
14			291.1
15			291.1

ALL OF BLOCK 56 REGISTERED PLAN 62M-1013

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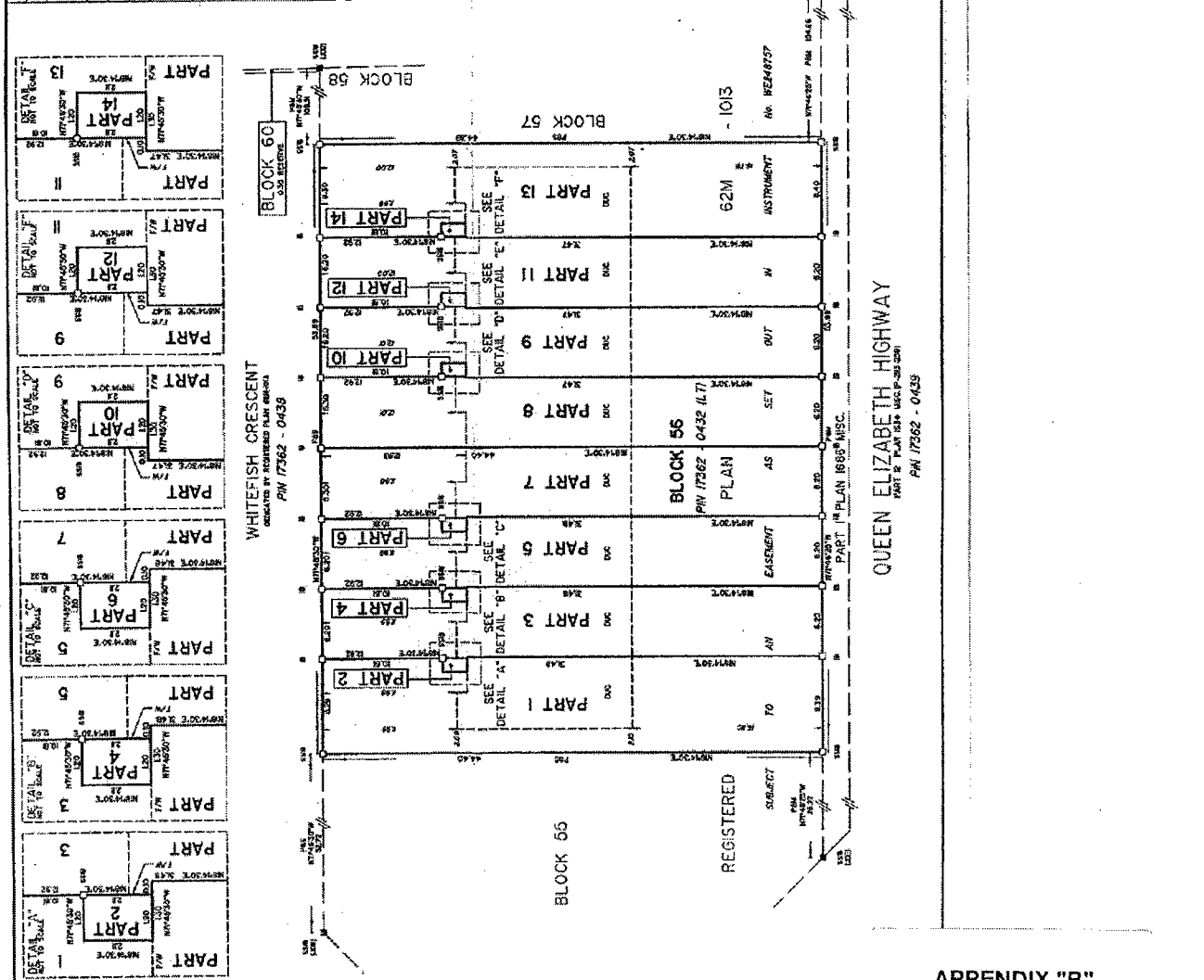
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ALL OF BLOCK 56 REGISTERED PLAN 62M-1013



WHITEFISH CRESCENT
REGISTERED PLAN 62M-1013

QUEEN ELIZABETH HIGHWAY
REGISTERED PLAN 16898-MSC.

REGISTERED PLAN 62M-1013

PLAN 62R-17017

REGISTERED PLAN 62M-1013

PLAN 62R-17017

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PLAN 62R-17017

J. D. BARNES
SURVEYING
MAPPING

REGISTERED PLAN 62M-1013

DATE JANUARY 24, 2005

DATE JANUARY 24, 2005
JASON P. HAZEN
ONTARIO LAND SURVEYOR

DATE JANUARY 24, 2005
JASON P. HAZEN
ONTARIO LAND SURVEYOR

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ONTARIO LAND SURVEYOR

DATE JANUARY 24, 2005
JASON P. HAZEN
ONTARIO LAND SURVEYOR

DATE JANUARY 24, 2005
JASON P. HAZEN
ONTARIO LAND SURVEYOR

PLAN 62R-1701-8
 RECEIVED AND RECORDED
 DATE 2005-01-26
 C. J. JACKSON, L.S.R.
 LAND REGISTRAR FOR THE
 LAND TITLES DIVISION OF
 WENTWORTH - (NO. 52)

DATE JANUARY 24, 2006
 JASON P. HENNER
 ONTARIO LAND SURVEYOR

SCHEDULE

PART	LOCATION	P.L.K.	AREA OF
1			3774
2			18
3			3823
4			18
5			3823
6			18
7			3823
8			18
9			3823
10			18
11			3823
12			18
13			3823
14			18

PLAN OF SURVEY OF
 BLOCK 57
 REGISTERED PLAN 62M-1013
 IN THE
 CITY OF HAMILTON
 SCALE 1:200
 J. D. BARNES LIMITED

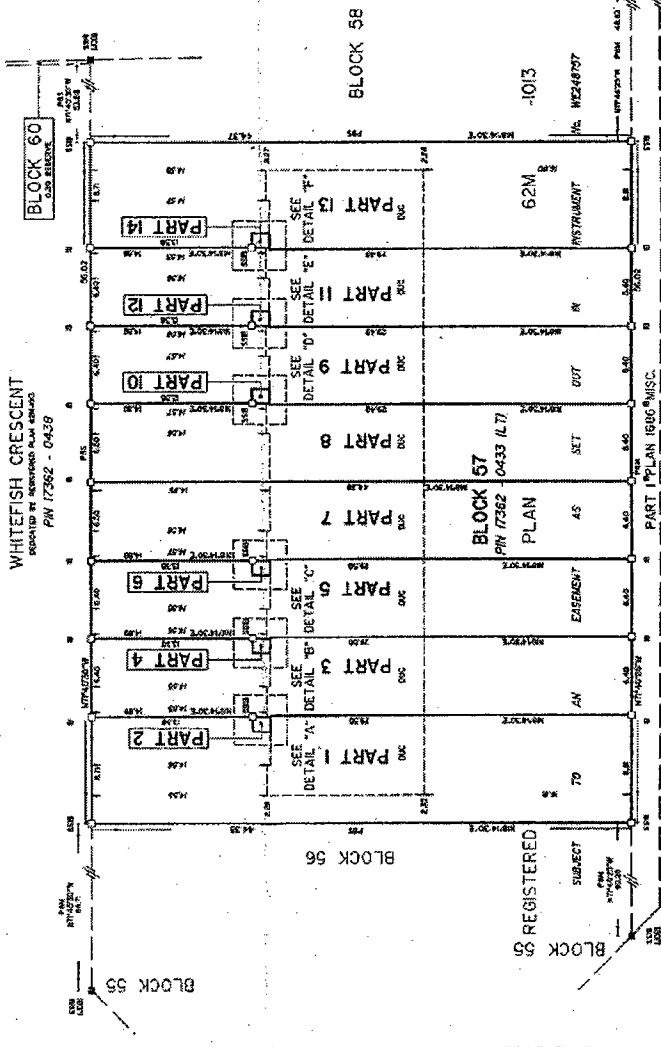
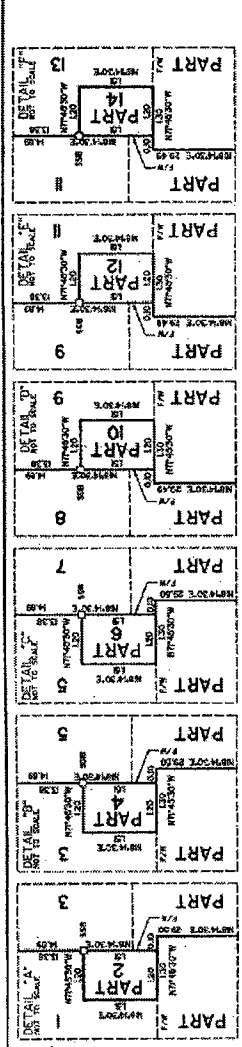
METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

NOTES
 1. ALL DISTANCES AND AREAS REFERRED TO IN THIS SURVEY
 PLAN BY WHATEVER METHOD OF MEASUREMENT OR INSTRUMENT
 USED SHALL BE DEEMED TO BE CORRECT UNLESS OTHERWISE
 STATED.
 2. THE SURVEYOR'S OFFICE IS LOCATED AT 1000
 STANBROOK AVENUE, MISSISSAUGA, ONTARIO L4V 1L7.
 3. THE SURVEYOR'S OFFICE IS OPEN FROM 9:00 AM TO 5:00 PM
 MONDAY THROUGH FRIDAY.
 4. THE SURVEYOR'S OFFICE IS CLOSED ON SATURDAY AND
 SUNDAY.
 5. THE SURVEYOR'S OFFICE IS CLOSED ON HOLIDAYS.
 6. THE SURVEYOR'S OFFICE IS CLOSED ON WEDNESDAY
 AFTERNOON.
 7. THE SURVEYOR'S OFFICE IS CLOSED ON THURSDAY
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 8. THE SURVEYOR'S OFFICE IS CLOSED ON FRIDAY
 AFTERNOON.
 9. THE SURVEYOR'S OFFICE IS CLOSED ON MONDAY
 MORNING.
 10. THE SURVEYOR'S OFFICE IS CLOSED ON TUESDAY
 MORNING.
 11. THE SURVEYOR'S OFFICE IS CLOSED ON WEDNESDAY
 MORNING.
 12. THE SURVEYOR'S OFFICE IS CLOSED ON THURSDAY
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 13. THE SURVEYOR'S OFFICE IS CLOSED ON FRIDAY
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 14. THE SURVEYOR'S OFFICE IS CLOSED ON SATURDAY
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 15. THE SURVEYOR'S OFFICE IS CLOSED ON SUNDAY
 MORNING.
 16. THE SURVEYOR'S OFFICE IS CLOSED ON HOLIDAYS.
 17. THE SURVEYOR'S OFFICE IS CLOSED ON WEDNESDAY
 AFTERNOON.
 18. THE SURVEYOR'S OFFICE IS CLOSED ON THURSDAY
 AFTERNOON.
 19. THE SURVEYOR'S OFFICE IS CLOSED ON FRIDAY
 AFTERNOON.
 20. THE SURVEYOR'S OFFICE IS CLOSED ON MONDAY
 MORNING.

SURVEYOR'S CERTIFICATE
 I, JASON P. HENNER, LAND SURVEYOR, DO HEREBY CERTIFY THAT
 THIS PLAN AND THE SURVEY THEREON WERE PREPARED BY ME OR
 UNDER MY SUPERVISION AND THAT I AM A MEMBER OF THE
 ONTARIO SOCIETY OF PROFESSIONAL SURVEYORS AND THAT I AM
 A MEMBER OF THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.
 DATED THIS 24th DAY OF JANUARY, 2006.

DATE JAN 24 2006
 JASON P. HENNER
 ONTARIO LAND SURVEYOR

J. D. BARNES LIMITED
 1000 STANBROOK AVENUE, MISSISSAUGA, ONTARIO L4V 1L7
 TEL: (905) 276-7976
 FAX: (905) 276-7977
 WWW.JDBARNES.COM



WHITEFISH CRESCENT
 registered in Subdivision Map 0429
 PW 17362 - 0429

QUEEN ELIZABETH HIGHWAY
 PART OF PLAN 1880 MISC.
 PART OF PLAN 1880 MISC. (L7)
 PW 17362 - 0433

APPENDIX "C"

REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.
 DATE JANUARY 24, 2005
 ONTARIO LAND SURVEYOR
 J. D. BARNES LIMITED
 40 WILSON AVENUE, MISSISSAUGA, ONTARIO L4X 1L7
 PHONE: (905) 276-1111
 FAX: (905) 276-1112
 E-MAIL: JDB@JDBARNES.COM
 WEBSITE: WWW.JDBARNES.COM

PLAN 62R-17019
 RECEIVED AND DEPOSITED
 DATE 2005-01-26
 C. JOHNSON, ARLC
 LAND REGISTRAR FOR THE WESTERN DIVISION OF ONTARIO

PLAN OF SURVEY OF
 BLOCK 58
 REGISTERED PLAN 62M-1013
 IN THE
 CITY OF HAMILTON
 SCALE 1:250
 J. D. BARNES LIMITED

NOTES
 1. DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND METRIC CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
 2. THE SURVEY WAS COMPLETED ON THE 20th DAY OF OCTOBER, 2004.
 3. THE SURVEY WAS COMPLETED ON THE 20th DAY OF OCTOBER, 2004.
 4. THE SURVEY WAS COMPLETED ON THE 20th DAY OF OCTOBER, 2004.
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 14. THE SURVEY WAS COMPLETED ON THE 20th DAY OF OCTOBER, 2004.

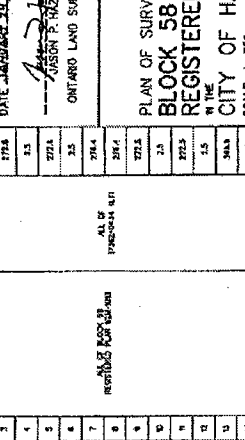
DATE JANUARY 24, 2005
 J. D. BARNES LIMITED
 40 WILSON AVENUE, MISSISSAUGA, ONTARIO L4X 1L7
 PHONE: (905) 276-1111
 FAX: (905) 276-1112
 E-MAIL: JDB@JDBARNES.COM
 WEBSITE: WWW.JDBARNES.COM

DATE JANUARY 24, 2005
 J. D. BARNES LIMITED
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DATE JANUARY 24, 2005
 J. D. BARNES LIMITED
 40 WILSON AVENUE, MISSISSAUGA, ONTARIO L4X 1L7
 PHONE: (905) 276-1111
 FAX: (905) 276-1112
 E-MAIL: JDB@JDBARNES.COM
 WEBSITE: WWW.JDBARNES.COM

PART	LOCATION	AREA OF P.L.K.
1		386.0
2		5.3
3		278.4
4		277.1
5		278.4
6		281.4
7		272.8
8		272.8
9		272.8
10		272.8
11		272.8
12		272.8
13		272.8
14		272.8



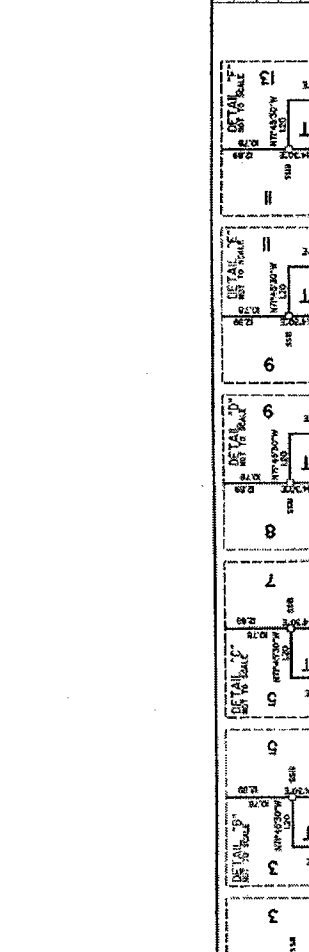
LOT 9
 BROKEN FRONT
 CONCESSION

PLAN 52R-15552
 PLAN 17362 - 0355
 PLAN 1450 MISC.
 (P-263-240)

PLAN 52R-15552
 PLAN 17362 - 0355
 PLAN 1450 MISC.
 (P-263-240)

PLAN 52R-15552
 PLAN 17362 - 0355
 PLAN 1450 MISC.
 (P-263-240)

PLAN 52R-15552
 PLAN 17362 - 0355
 PLAN 1450 MISC.
 (P-263-240)



WHITEFISH CRESCENT
 PART 17362 - 0439
 PART 17362 - 0439

WHITEFISH CRESCENT
 PART 17362 - 0439
 PART 17362 - 0439

WHITEFISH CRESCENT
 PART 17362 - 0439
 PART 17362 - 0439

WHITEFISH CRESCENT
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