

City of Hamilton

BY- LAW No. 05-229

Respecting:

REMOVAL OF PART LOT CONTROL

**WITHIN A PORTION OF
"Parktown East"
Jonathon Court
PLAN 62M-1025**

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;

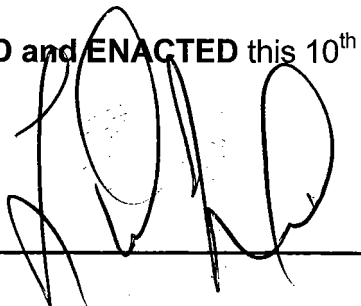
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating forty-four **(44)** lots for semi-detached dwellings, shown as Parts 1 to 20, inclusive, Parts 21 and 22 together, and Parts 23 to **45** inclusive, on deposited reference plan 62R-17231, attached as Schedule "A", shall not apply to the portion of the registered plan of subdivision that is designated as follows:

Lots 1 to 22 inclusive, Registered Plan 62M-1025, 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: August 10, 2007.

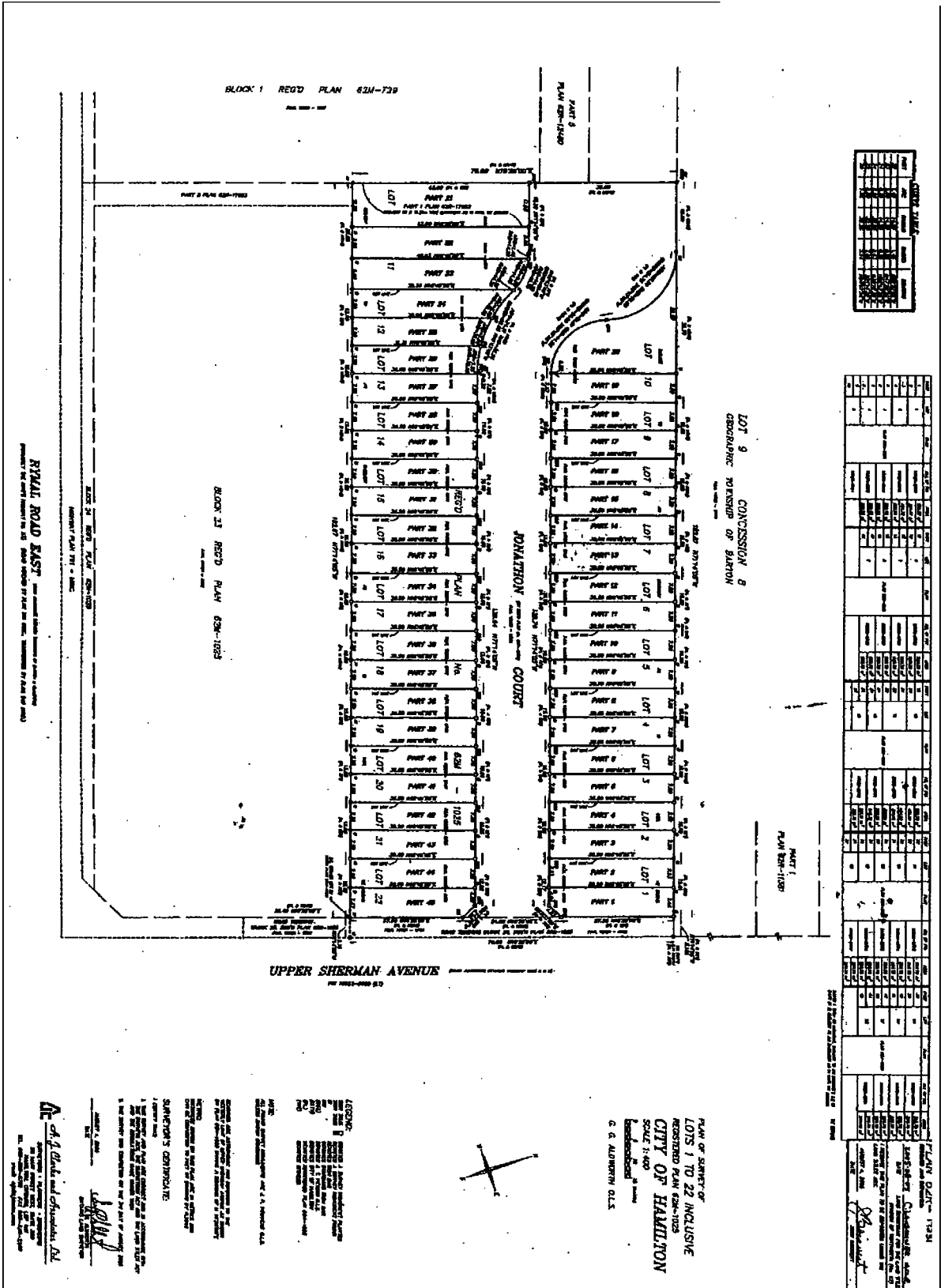
PASSED and ENACTED this 10th day of August, A.D. 2005.

MAYOR



CLERK





Lot No.	Area (sq. ft.)	Area (sq. m.)
1	1,200	0.11
2	1,200	0.11
3	1,200	0.11
4	1,200	0.11
5	1,200	0.11
6	1,200	0.11
7	1,200	0.11
8	1,200	0.11
9	1,200	0.11
10	1,200	0.11
11	1,200	0.11
12	1,200	0.11
13	1,200	0.11
14	1,200	0.11
15	1,200	0.11
16	1,200	0.11
17	1,200	0.11
18	1,200	0.11
19	1,200	0.11
20	1,200	0.11
21	1,200	0.11
22	1,200	0.11

Lot No.	Area (sq. ft.)	Area (sq. m.)	Notes
1	1,200	0.11	
2	1,200	0.11	
3	1,200	0.11	
4	1,200	0.11	
5	1,200	0.11	
6	1,200	0.11	
7	1,200	0.11	
8	1,200	0.11	
9	1,200	0.11	
10	1,200	0.11	
11	1,200	0.11	
12	1,200	0.11	
13	1,200	0.11	
14	1,200	0.11	
15	1,200	0.11	
16	1,200	0.11	
17	1,200	0.11	
18	1,200	0.11	
19	1,200	0.11	
20	1,200	0.11	
21	1,200	0.11	
22	1,200	0.11	

RYAN ROAD EAST
 PART 1 PLAN 50M-1150
 PART 2 PLAN 50M-1150
 PART 3 PLAN 50M-1150
 PART 4 PLAN 50M-1150
 PART 5 PLAN 50M-1150
 PART 6 PLAN 50M-1150
 PART 7 PLAN 50M-1150
 PART 8 PLAN 50M-1150
 PART 9 PLAN 50M-1150
 PART 10 PLAN 50M-1150
 PART 11 PLAN 50M-1150
 PART 12 PLAN 50M-1150
 PART 13 PLAN 50M-1150
 PART 14 PLAN 50M-1150
 PART 15 PLAN 50M-1150
 PART 16 PLAN 50M-1150
 PART 17 PLAN 50M-1150
 PART 18 PLAN 50M-1150
 PART 19 PLAN 50M-1150
 PART 20 PLAN 50M-1150
 PART 21 PLAN 50M-1150
 PART 22 PLAN 50M-1150

LEGEND:
 PART 1 PLAN 50M-1150
 PART 2 PLAN 50M-1150
 PART 3 PLAN 50M-1150
 PART 4 PLAN 50M-1150
 PART 5 PLAN 50M-1150
 PART 6 PLAN 50M-1150
 PART 7 PLAN 50M-1150
 PART 8 PLAN 50M-1150
 PART 9 PLAN 50M-1150
 PART 10 PLAN 50M-1150
 PART 11 PLAN 50M-1150
 PART 12 PLAN 50M-1150
 PART 13 PLAN 50M-1150
 PART 14 PLAN 50M-1150
 PART 15 PLAN 50M-1150
 PART 16 PLAN 50M-1150
 PART 17 PLAN 50M-1150
 PART 18 PLAN 50M-1150
 PART 19 PLAN 50M-1150
 PART 20 PLAN 50M-1150
 PART 21 PLAN 50M-1150
 PART 22 PLAN 50M-1150

NOTES:
 1. THE LOTS SHOWN ON THIS PLAN ARE THE RESULT OF THE SUBDIVISION OF THE LAND SHOWN ON THE PLAN OF THE CITY OF HAMILTON, ONTARIO, IN THE YEAR 1962.
 2. THE LOTS SHOWN ON THIS PLAN ARE THE RESULT OF THE SUBDIVISION OF THE LAND SHOWN ON THE PLAN OF THE CITY OF HAMILTON, ONTARIO, IN THE YEAR 1962.
 3. THE LOTS SHOWN ON THIS PLAN ARE THE RESULT OF THE SUBDIVISION OF THE LAND SHOWN ON THE PLAN OF THE CITY OF HAMILTON, ONTARIO, IN THE YEAR 1962.

PLANNING DEPARTMENT
 CITY OF HAMILTON
 100 KING STREET WEST
 HAMILTON, ONTARIO
 L8N 2K5

REGISTERED PLAN 62M-72B
 BLOCK 1
 UPPER SHERMAN AVENUE
 HAMILTON, ONTARIO

PLANNING DEPARTMENT
 CITY OF HAMILTON
 100 KING STREET WEST
 HAMILTON, ONTARIO
 L8N 2K5

REGISTERED PLAN 62M-72B
 BLOCK 1
 UPPER SHERMAN AVENUE
 HAMILTON, ONTARIO

PLANNING DEPARTMENT
 CITY OF HAMILTON
 100 KING STREET WEST
 HAMILTON, ONTARIO
 L8N 2K5

REGISTERED PLAN 62M-72B
 BLOCK 1
 UPPER SHERMAN AVENUE
 HAMILTON, ONTARIO

PLANNING DEPARTMENT
 CITY OF HAMILTON
 100 KING STREET WEST
 HAMILTON, ONTARIO
 L8N 2K5

REGISTERED PLAN 62M-72B
 BLOCK 1
 UPPER SHERMAN AVENUE
 HAMILTON, ONTARIO

PLANNING DEPARTMENT
 CITY OF HAMILTON
 100 KING STREET WEST
 HAMILTON, ONTARIO
 L8N 2K5

REGISTERED PLAN 62M-72B
 BLOCK 1
 UPPER SHERMAN AVENUE
 HAMILTON, ONTARIO

PLANNING DEPARTMENT
 CITY OF HAMILTON
 100 KING STREET WEST
 HAMILTON, ONTARIO
 L8N 2K5

REGISTERED PLAN 62M-72B
 BLOCK 1
 UPPER SHERMAN AVENUE
 HAMILTON, ONTARIO

PLANNING DEPARTMENT
 CITY OF HAMILTON
 100 KING STREET WEST
 HAMILTON, ONTARIO
 L8N 2K5

REGISTERED PLAN 62M-72B
 BLOCK 1
 UPPER SHERMAN AVENUE
 HAMILTON, ONTARIO

PLANNING DEPARTMENT
 CITY OF HAMILTON
 100 KING STREET WEST
 HAMILTON, ONTARIO
 L8N 2K5

REGISTERED PLAN 62M-72B
 BLOCK 1
 UPPER SHERMAN AVENUE
 HAMILTON, ONTARIO

PLANNING DEPARTMENT
 CITY OF HAMILTON
 100 KING STREET WEST
 HAMILTON, ONTARIO
 L8N 2K5

REGISTERED PLAN 62M-72B
 BLOCK 1
 UPPER SHERMAN AVENUE
 HAMILTON, ONTARIO

PLANNING DEPARTMENT
 CITY OF HAMILTON
 100 KING STREET WEST
 HAMILTON, ONTARIO
 L8N 2K5