

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

Bill No. 271

CITY OF HAMILTON

BY-LAW NO. 07-271

Respecting:

Removal of Part Lot Control

Lots 32, 33, 34, 36 and 38 to 46, inclusive, Registered Plan No. 62M-1091, "DiCenzo Gardens – Phase 9"

WHEREAS 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;

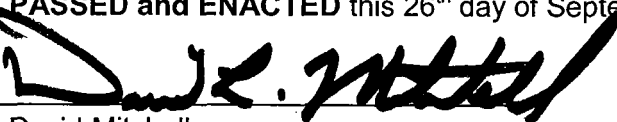
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the Planning Act; for the purpose of creating maintenance/encroachment easements, shown as Parts 20 to 32, inclusive on deposited Reference Plan 62R-17971, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 32, 33, 34, 36 and 38 to 46, inclusive, Registered Plan No. 62M-1091, 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.
3. This by-law shall expire and cease to be of any force or effect on the 26th day of September, 2009.

PASSED and ENACTED this 26th day of September, 2007.



David Mitchell
Acting Mayor



Kevin C. Christenson
City Clerk