CITY OF HAMILTON

BY-LAW NO. 07-273

Respecting:

Removal of Part Lot Control
Lots 11 to 14 and 17 to 31, 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 1 to 19, 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 11 to 14 and 17 to 31, 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.

[Signatures]

David L. Mitchell
Acting Mayor

Kevin C. Christenson
City Clerk

PLC-07-030