

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

Bill No. 024

CITY OF HAMILTON

BY-LAW NO. 08-024

Respecting:

Removal of Part Lot Control
Registered Plan No. 62M-1101
Upcountry Estates

WHEREAS the 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;

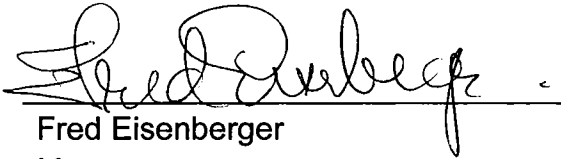
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 117 lots for street townhouse dwellings, shown as Parts 1-9, 12-119, inclusive, and maintenance easements, shown as Parts 10 and 11, on deposited Reference Plan 62R-18096, and maintenance easements shown as Parts 1-70, inclusive, on deposited Reference Plan 62R-18093, and maintenance easements shown as Parts 1-48, inclusive, on deposited Reference Plan 62R-18094, and maintenance easements shown as Parts 1 and 2 on deposited Reference Plan 62R-18095, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 2-8, inclusive, Lots 10-19, inclusive, Lot 22, Lots 25-27, inclusive, Lots 29, 30, 32 and 33, Lots 45 and 46, Lots 48-58, inclusive, Lots 61-66, inclusive, Lots 68-75, inclusive, Lots 77, 78, 79, 80, 82, 83 and 84, Lots 86-96, inclusive, Lots 99, 100, 102, 105, 106, 108, 109, 111, 114, 115, 122 and 123, Lots 125-128, inclusive, Lots 130-136, Blocks 138-148, inclusive, Blocks 152 and 153, Registered Plan No. 62M-1101, 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 30th day of January, 2010.

PASSED and ENACTED this 30th day of January, 2008.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

PLC-07-036