CITY OF HAMILTON

BY-LAW NO. 08-025

Respecting:

Removal of Part Lot Control
Block 4, Registered Plan No. 62M-1081
Flamborough Power Centre Phase 1

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 establishing long term leases and to permit the conveyance of Parts 1 through 14, and Part 17 on deposited Reference Plan 62R-18021, and Parts 1 through 9 on deposited Reference Plan 62R-18100 together to create a parcel of land containing existing commercial uses, parking, and access driveways, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

   Block 4, Registered Plan No. 62M-1081, in the City of Hamilton (Flamborough)

2. Sub-section 5 of Section 50 of the Planning Act, for the purpose of permitting the conveyance of Part 18 on Deposited Reference Plan 62R-18021 as a separate parcel of land for future commercial uses and to permit the conveyance of Parts 15 and 16 on Deposited Reference Plan 62R-18021 together as a separate parcel of land for commercial uses, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

   Block 4, Registered Plan No. 62M-1081, in the City of Hamilton (Flamborough)
3. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of establishing rights-of-way and any required servicing easements over Parts 1 through 6, 8 through 14, and 19 through 21 on Deposited Reference Plan 62R-18021 and over Parts 1, 2, and 7 through 9 on Deposited Reference Plan 62R-18100 in favour of Parts 15, 16, and 18 on Deposited Reference Plan 62R-18021, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

   Block 4, Registered Plan No. 62M-1081, in the City of Hamilton (Flamborough)

4. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of establishing rights-of-way and any required servicing easements over Parts 19 through 21 on Deposited Reference Plan 62R-18021 in favour of Parts 1 through 14, and Part 17 on deposited Reference Plan 62R-18021, and Parts 1 through 9 on deposited Reference Plan 62R-18100, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

   Block 4, Registered Plan No. 62M-1081, in the City of Hamilton

5. 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.

6. 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-07-012