

CITY OF HAMILTON

BY-LAW NO. 08-058

Respecting:

Removal of Part Lot Control
Elizabeth Gardens, Phase 3
Block 132, Registered Plan No. 62M-1062

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;

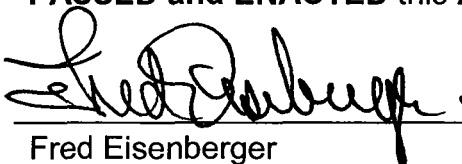
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the Planning Act, for the purpose of creating seventy-four (74) lots for street townhouse dwellings, shown as Parts 1 to 74, 76 to 87 and 91 to 154 inclusive, including maintenance easements, shown as Parts 76 to 87 and 91 to 154 inclusive, and a common element condominium, including a private road, parking spaces, sidewalks, maintenance easements and amenity areas, shown as Parts 75, 88, 89, 90 and 155 inclusive on deposited Reference Plan 62R-18139, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 132, Registered Plan No. 62M-1062, 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 March, 2010.

PASSED and ENACTED this 26th day of March, 2008.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk